



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

OCTOBER 22, 2014 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Baratta, Member Lynch, Chair Pehrson

Absent: Member Giacometti (excused), Member Greco (excused), Member Zuchlewski (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Jeremy Miller, Staff Engineer; Tom Schultz, City Attorney; Rod Arroyo, Traffic Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Baratta and seconded by Member Lynch:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

Motion to approve the October 22, 2014 Planning Commission Agenda. Motion carried 4-0.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

CORRESPONDENCE

There was no Correspondence.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

There were no Community Development Deputy Director Reports.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no Consent Agenda items.

PUBLIC HEARINGS

1. ZONING ORDINANCE TEXT AMENDMENT 18.271

Public Hearing for Planning Commission's recommendation to City Council for an ordinance to update, amend, and reformat Appendix A, "Zoning", of the City of Novi Code of Ordinances (the prior Ordinance No. 98-18, as amended) and related zoning map for purposes of incorporating Clearzoning formatting and clarifying certain provisions.

Planner Kapelanski said this is the public hearing that was scheduled about a month or so ago. The proposal will reformat the ordinance and Rod Arroyo of Clearzoning is here to present the new format.

Roy Arroyo of Clearzoning said I thought I might just briefly go through some of my presentation for the benefit of the audience and those that might be watching in terms of what this is about. We're very excited about the fact that the City is considering going forward with this. I think the Clearzoning transformation of the zoning ordinance is consistent with a lot of things the City has done to try to make information more available to the public, development community, citizens, and property owners to try to make regulations easier to understand so that when you want to go through the development process you have a smooth process and regulations that are easier to work with. So I'm just going to go through a few key items here. Some of the highlights of the new zoning format are: user friendly, more graphics to help illustrate some of the terms, digitally hyperlinked version which will be online to enable you to get to the information quickly, and the reorganization of the format that just makes a little more sense.

Some of the highlights are that all the definitions have been consolidated into one section. The site standards like parking, landscaping and lighting related to site development are all found in one section. Use standards, anything that relates to a land use and a standard that might be associated with that, are all in one section. We've addressed some issues related to the Religious Land Use and Institutionalized Persons Act where we now have places of worships, which is the newer term we're using now, permitted where other places of general public assembly are also permitted. We've found a number of cross references that needed to be updated and fixed. Inconsistencies between some parking and landscape requirements have been resolved to try to make sure we have all those requirements working hand-in-hand with one another. Up-to-date City department names and documents names have also been added. So with this format, words and phrases are searchable.

Mr. Arroyo continued noting there are some symbols within this code that are helpful to understand what they mean. For example, if you see a book symbol that means that is a defined term so you can go to the definitions section and actually see what the definition is. There are some user notes that I think are also important. If you see a little computer symbol at the bottom there, that's a digital user note that's helpful if you're using the digital version and then the eye symbol is a user note that is helpful to everyone. Blue text is also important to know. Anywhere you see blue text in the document means that that's a hyperlinked term or phrase and if you click on it in the digital version, it'll take you to what that section is intended to be.

This is the new table of contents. Seven basic articles just make a lot of sense. They are the purpose and introduction, definitions and zoning districts, use standards, site standards, development procedures, and administration appeals and enforcement. And then this is the basic "how do you use this ordinance" page. Right in the beginning of the document it will tell you what all the symbols mean. This is a typical two page spread of every zoning district that gives you the permitted uses on one side and the development regulations on the other side and helps to define what all these different symbols mean. You'll notice that there are seven tabs on the side of every page which corresponds with the seven articles and then there are three buttons at the bottom of every page. The little map symbol here takes you right to the

zoning map, the house symbol is the home and takes you to the table of contents, and the eye button which is information takes you back to this section where it describes how to use this ordinance. So if you were confused or unsure about the symbol you could just click on that and go right back to that section.

Mr. Arroyo continued. So here we're looking at the left hand side of the residential acreage, one of the sample districts, and you can see the special land uses are all called out. You can see a lot of blue text with special land use. That means there are use standards. Right next to that it gives you the section numbers. So if you had the paper copy and not the digital copy, you would know that you needed to go, for example with places of worship, to section 4.10. If you had the digital version, you could just click on it and it would take you to that section. The right hand side of the page shows you the setbacks in a graphic form. It also has selected references to different ordinance provisions that may apply in that district, things like off-street parking, landscaping, signs, and exterior lighting. You can also get to some of the residential options such as the RUD option and the open space preservation option. Then there is a use matrix which helps you to find where and which districts those uses are permitted. Those are all color coated at the top with you zoning map. You can click on those to get to those provisions as well. Also, for example, if you went to the zoning map and wanted to get some information on the RA district, if you click on that it actually pulls up the RA District standards.

Definitions are all listed out individually in the introduction to article two which is that definitions section and if you wanted to get a specific definition like building height, you would just click on it and it would take you right to the page where building height is defined and we also have graphics that go along with that as well. One of the other features of the individual sections of the ordinances because all roof types are not the same there's a little button here on each district page that says "How do I calculate height" and if you click on that it'll actually take you right back to the definition of building height showing you how to calculate building height depending upon the roof type that you have. These are some examples of how we've enhanced some of the graphics. The left hand side is that existing parking layout in the ordinance and the one on the right is the newer, up-to-date one with color and a little more enhancements and some more application of different ways that parking may be tweaked depending on the situation. So once again, it's a little more informative. As far as corner clearance, this is your existing corner clearance graphic which is one of those that have been made originally and then photocopied over and over and lost its clarity so that's all been redone and made in a digital, colored format and enhanced so that you can get a better understanding of those. So the next steps are, obviously you're having a public hearing this evening and making a recommendation to Council. Then it would be adoption by Council and appropriate noticing and then the final hyperlinking. We should have it ready to upload to the City's website days after adoption in time for its effective date. So I'm happy to try to answer any questions.

Member Baratta said it was an outstanding job. I've read it a couple times now and I think it's very well done. I didn't have any specific comments to improve it.

Moved by Member Baratta and seconded by Member Anthony:

ROLL CALL VOTE ON TEXT AMENDMENT 18.271 APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ANTHONY:

Motion to recommend approval of Text Amendment 18.271 to update, amend and reformat Appendix A, "Zoning", of the City of Novi Code of Ordinances (the prior ordinance, No. 98-

18, as amended) and related Zoning map for purposes of incorporating the Clearzoning formatting and clarifying certain provisions. *Motion carried 4-0.*

2. **GRAND PROMENADE, SP14-15**

Public hearing at the request of Novi Promenade Holdings LLC for Special Land Use Permit, Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan approval. The subject property is located in Section 17, on the south side of Grand River Avenue at Twelve Mile Road in the B-3, General Business District. The subject property is approximately 2.56 acres and the applicant is proposing an 11,970 square foot retail space and 3,817 square foot drive-through restaurant.

Planner Kapelanski said the applicant is proposing to construct a retail space and drive-through restaurant on 2.56 acres on the south side of Grand River at Twelve Mile Road. The proposed parcel contains a 1.3 acre wetland and is bordered by a restaurant to the north, industrial and retail to the east and south and a bank to the west. The subject property is currently zoned B-3, General Business and is bordered by B-3 zoning to the north, east and west. I-1 zoning exists to the south with a large portion of the I-1 zoning area subject to the terms of the Novi Promenade consent judgment, which allows retail on some of the properties to the south. The future land use map indicates Community Commercial uses for the subject property and properties to the north, west and south with Office RD Tech uses planned to the east and south. There is a large wetland on the subject property which the applicant has proposed to fill and provide mitigation for off-site on the adjacent Novi Promenade property in the area of the existing wetlands.

The applicant is proposing an approximately 12,000 sq. ft. retail building and an approximately 3,800 sq. ft. drive-through restaurant with associated landscaping, parking and stormwater management features. Off-site wetland mitigation is proposed on the Novi Promenade site which would require an amendment to the existing consent judgment. The mitigation was reviewed under the separate Novi Promenade site plan. Drive-through restaurants are a special land use in the B-3 District and the Planning Commission should consider the factors listed in Section 2516.2.c of the Ordinance. The planning review recommends approval of the plan as it generally meets the requirements of the ordinance. The wetland review recommends approval of the plan stating a City of Novi Non-Minor Use Wetland Permit and an Authorization to Encroach into the 25 Foot Natural Features Setback will be required. As noted previously, the required mitigation has been proposed as part of the Novi Promenade site plan. The woodland review recommends approval noting a City of Novi Woodland Permit is required for the removal of 25 trees; some of which will not require replacement credits due to their size. The façade review notes a Section 9 waiver is required for an overage of EIFS on the north façade of the western building. The façade consultant has recommended the requested waiver as the design meets the intent of the façade ordinance. The engineering, traffic, landscape and fire reviews all recommend approval of the plan noting items to be addressed on the final site plan submittal. The Planning Commission is asked to hold the public hearing and approve or deny the special land use permit, preliminary site plan, woodland permit, wetland permit and stormwater management plan.

Matt Diffin, of Diffin-Umlor Associates, said if you'd like us to make a presentation, we can, but I'd rather just field questions. I don't know really where to begin with this because with all the different facets that we had to go through, it's not your simple site. So I guess if you have any questions, we'll go through item by item and address them.

Member Lynch said I just have one question. The place where the mitigation is going to be, it's an existing area. Can that area handle additional mitigation?

Mr. Diffin said there is an 18.3 acre conservation area there now. Where we're proposing the mitigation is actually where the Novi Promenade Detention Pond is and we're going to relocate the detention pond north onto a vacant lot there next to Sam's Club.

Member Lynch said so you're comfortable and the City's comfortable with that.

Mr. Diffin said yes that was all upland area but it would abut the existing 18 acres of conservation area and it would just make that area larger and enhance it.

Member Baratta said I noticed that you have two driveways on the west side. Did you look to do a driveway on the east side of the property or is that somebody else's property that you can't have access to?

Mr. Diffin said that's somebody else's property. We approached them but never really got a response back rather they would let us use it because that's truck storage over there so his use doesn't really fit that well with ours.

Member Baratta said does it make any sense to approach him again? Would that help your property?

Mr. Diffin said we could. If we could get an access over there it would definitely help.

Member Baratta said assuming that at some point in time you've got an access, does it make any sense to have a plan that shows a potential access at some point in time?

Mr. Diffin said we could always show an easement in that direction. We could pick the most logical point to put it and show it as 'future' on there.

Planner Kapelanski said staff wouldn't have any issue with that and I think an easement would be the way to go at this point without knowing exactly what would happen.

Member Baratta said my suggestion to you folks would be that in the event that you do get an easement, at least your plan would reflect that. You won't have to come back potentially to ask for permission. It would be something that would enhance your property.

Member Anthony said in following up with Mike's earlier questions, have you started to work with the DEQ yet on the permit process for the wetland mitigation?

Mr. Diffin said there is no DEQ permit. We did approach them. They were out on site and provided a letter saying that they did not have jurisdiction, it's solely the City's jurisdiction. The front parcel, it's too small to be a DEQ wetland. And the back piece, because we're staying out of the existing wetland conservation area, we're adding onto it. DEQ still wouldn't have jurisdiction over it.

Landscape Architect David Beschke said that's true. Our wetland consultant took a look at it. I think it's actually, as Mr. Diffin mentioned, a feature that they're going add because it's good habitat at the edge of a big woodland. It's actually a pretty nice feature.

Member Anthony said thank you. I agree. I even look at the use of the development and it's consistent with the area. So I think that really helps within the wetland side. It's all within the City's control and approval.

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE SPECIAL LAND USE PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Grand Promenade, JSP14-15, motion to approve the Special Land Use permit based on the following findings and subject to the following conditions:

- a. Relative to other feasible uses of the site:
 - The proposed use will not cause any detrimental impact on existing thoroughfares as demonstrated by the submitted Traffic Impact Study;
 - The proposed use will not cause any detrimental impact on the capabilities of public services and facilities as noted in the engineering review letter;
 - The proposed use is compatible with the natural features and characteristics of the land as described in the wetland and woodland review letters;
 - The proposed use is compatible with adjacent uses of land because the proposed restaurant and retail use is located near similar types of uses;
 - The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
 - The proposed use will promote the use of land in a socially and economically desirable manner;
 - The proposed use is (1) listed among the provisions 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.
- b. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the adjacent Novi Promenade site; and
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 15, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.
Motion carried 4-0.

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Grand Promenade, JSP14-15, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the adjacent Novi Promenade site;
- b. Planning Commission approval of the Preliminary Site Plan, Wetland Permit and Stormwater Management Plan for the Novi Promenade Detention Pond Relocation JSP14-30;

- c. Section 9 waiver for the overage of EIFS on the north façade of the western-most building, which is hereby granted; and
- d. 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 15, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Grand Promenade, JSP14-15, motion to approve the Wetland Permit based on and subject to the following:

- a. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the adjacent Novi Promenade site; and
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Grand Promenade, JSP14-15, motion to approve the Woodland Permit based on and subject to the following:

- a. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the adjacent Novi Promenade site; and
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Grand Promenade, JSP14-15, motion to approve the Stormwater Management Plan, subject to:

- a. **City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the adjacent Novi Promenade site; and**
- b. **The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.**

This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 4-0.

3. NOVI PROMENADE, SP14-30

Public hearing at the request of Novi Promenade Holdings LLC for Preliminary Site Plan, Wetland Permit, and Stormwater Management Plan approval. The subject property is located in Section 17, on the east side of Wixom Road south of Grand River Avenue in the I-1, Light Industrial District. The subject property is approximately 24.77 acres and the applicant is proposing to relocate the existing detention pond and construct two acres of wetland mitigation for the proposed Grand Promenade project.

Planner Kapelanski said the applicant is proposing to relocate the existing detention basin and construct wetland mitigation on the subject property. The improvements are located east of the existing Target store and are proposed on vacant land adjacent to an existing wetland and woodland conservation area. The site is bordered by retail and industrial to the north, vacant land to the east and south and the Target store to the west. The subject property is currently zoned I-1 Light Industrial but is to be reviewed under the terms outlined in the Novi Promenade consent judgment. I-1 zoning is also shown to the north, east and west with R-1 and I-2 zoning to the south. There is a large wetland and woodland conservation area on the site. There are existing conservation easements covering this area and it will not be disturbed as part of the proposal. A new wetland mitigation area will be created adjacent to the existing natural area.

The applicant is proposing to create wetland mitigation on the subject property for the proposed fill at the Grand Promenade project previously considered by the Commission. This would also involve relocating the detention basin for the Novi Promenade site. The planning review recommends approval of the plan as it generally meets the requirements of the ordinance. The applicant is required to amend the Novi Equities Limited Partnership v. City of Novi consent judgment to allow this change. The amendment to the judgment would proceed to the City Council provided the Planning Commission approves the site plan this evening. The wetland review recommends approval of the plan stating a City of Novi Non-Minor Use Wetland Permit and an Authorization to Encroach into the 25 Foot Natural Features Setback will be required. The engineering and landscape reviews all recommend approval of the plan noting items to be addressed on the final site plan submittal. The Planning Commission is asked to hold the public hearing and approve or deny the preliminary site plan, wetland permit and stormwater management plan.

Matt Diffin said again we are here to answer any questions. This site is adjacent to the existing wetlands and woodlands. It's an enhancement over what's there now. It shows improved stormwater quality meeting more current standards than how the site was originally approved. Also, we're not putting a new building or pavement, we're actually putting more green space into an area that's adjacent to not only our conservation area but a large wetland and woodland next to that. So we think it fits well.

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Promenade Detention Pond Relocation, JSP14-30, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the subject property; and
- b. 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 19, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Promenade Detention Pond Relocation, JSP14-30, motion to approve the Wetland Permit based on and subject to the following:

- a. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the subject property; and
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Promenade, JSP14-30, motion to approve the Stormwater Management Plan, subject to:

- a. City Council approval of the proposed amendment to the Novi Equities Limited Partnership v. City of Novi Consent Judgment to allow wetland mitigation and changes to the existing stormwater detention basin on the subject property; and
- b. 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 Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

MATTERS FOR CONSIDERATION

1. SET PUBLIC HEARING FOR DECEMBER 10, 2014 FOR TEXT AMENDMENT 18.273, BUILDING HEIGHT STANDARDS FOR PLACES OF WORSHIP

Planner Kapelanski said the City has received a proposed text amendment to allow for additional building height of up to 65 feet for places of worship. Staff is generally in support of the proposed amendment with some minor revisions to the conditions noted in the suggested text. Suggested conditions include the following: The site must exceed 30 acres; The minimum front, side and rear yard building setbacks shall be increased by 1.5 feet for every one foot of building height in excess of 35 feet. These requirements are generally consistent with those listed in other local ordinances. The Planning Commission first considered this amendment on October 8th. At that time, the Planning Commission asked staff for additional information. The packet includes ordinance excerpts from other local ordinances, a description of the need for the additional height by the applicant and a map indicating parcels that could qualify for additional height. The Planning Commission is asked to schedule the public hearing for December 10th.

Gary Jonna said I'm here this evening representing Brightmoore Christian Church. Just some very brief history on our church; it actually started in 1926 in the Brightmoor District of Detroit. After many years, they moved to Southfield at Franklin Road and Telegraph, in 1980. Then the move to Novi was made in 2000. So they've now been in the community for 14 years. What brings us here this evening is that the church has flourished and grown dynamically and when we did the initial phase of the project, we could not afford a modern sanctuary so we built what's termed 'a fellowship hall' and actually use that as our place of worship. So as we've continued to grow, we've looked at our full build out of the campus and that would include about 90-100 thousand square foot expansion; the center piece of that being a modern worship sanctuary. So in reading the ordinance, it was quite apparent that the type of sanctuary that we want to construct would not fit within the current limitation. So what I'd like to do is take a few moments and allow our architect, Ryan Cane, to walk you through, from a technical standpoint, the physical requirements and the need for the height increase.

Ryan Cane said we did a schematic section and it's really not to address just this project but it's to address larger worship centers that are presentation style that might have a more theatrical presentation thrust to their DNA. We've been working on churches for quite a few years and we're doing them all over the country and what we're finding is that with the presentation style you have a gentle rake. You're probably about 120 seats here and my gentle rake it's allowing people to see over heads. And then what we're trying to do is keep it as intimate as possible. So some churches have a balcony and others have more of a stadium style seat. So you come in at the midpoint of the church with a rake in front of you and then a stadium style in back. What we're finding is they prefer the stadium style. Even with the balcony, you start to get a certain height to that volume. It has to be free span because you don't want to have columns coming doing into your space. Then there's a height that's required over a platform because of the types of presentations that they put on. What we've been trying to do as professionals, if you think of the old performance halls or auditorium, there's usually a fly loft and that fly loft starts to get really tall. What we've done in our strategy is a side fly. So along on each side of the platform we create space that allows them to stage and bring in scenes instead of going up. So we're trying to keep height down as much as possible. But on top of that with the theatrical lighting and the free span, you're starting to get a structure that is ranging from 14 feet to 16 feet deep. But inside that we also have catwalks so that they can service and adjust their lights. So when you starting adding it up, looking at just this section, you're getting up to 60-65 foot range when you're in a 2,000 seat capacity in this worship space. So that's what's starting to push the

height. So when we started reviewing the ordinance, and we've had some experience with Troy and knowing that there's this additional requirement that if you increase your setback you can increase your height. That's what started this conversation.

Mr. Jonna said just too briefly summarize, some of this phenomena is actually attributable to the growth of the southwest suburbs. Older communities, provided for the ordinance and additional height. Novi has a dynamic growth leading Oakland County and is newer in terms of places of worships. So this is kind of something that is a progression. So case in point is the fact that we were in Southfield and they allowed 55 feet. We actually went higher with the setback allowances that we have. So you see a few sites that are noted by staff but that doesn't mean that where could be further projects where land is assembled 30 plus acres. Our site is 40 acres, just for the record. So I think it's an issue of population growth. Again, the Southfield and Troy ordinances provide for that. We are actually adding a 50% increase, where Southfield and Troy will say we want one foot of additional setback for every foot. We're proposing one and a half feet, which is a 50% increase. As Brian touched on, it's really an issue of physical and structural requirements to build a modern and contemporary worship sanctuary. The way we view this is it's only applied to large scale sites. It's not that this is 30 acres or more. And that's where you're really seeing it is large worship campuses of 30 plus acres generally include a sanctuary of 2,000 plus seats. In our case we're 2,100 seats. So it's an order of magnitude. It's a campus seating and it's really this. We really view this as just a logical and reasonable modernization of the ordinance to allow for the appropriate structure and use. So we respectfully request that you set this for a public hearing.

Member Anthony said I see in our packet we have a staff version and an applicant version. In the public hearing, do both go in front or the staff version?

Planner Kapelanski said the staff would recommend that you set the staff version for a public hearing.

Member Anthony said ok I have a question for you Gary. Have you taken a look at the staff version?

Mr. Jonna said yes we have and we're fully supportive of the staff version.

Member Anthony said alright so that allows you to do what you've proposed to do with your addition.

Mr. Jonna said that's correct.

Member Baratta said I understand that you want to cubic volume for the people to be in there, have you looked at doing what the theatres have done in the past and that's dig down a little bit so you don't have to go as high so you'll get the same volume.

Mr. Jonna said excellent point. We have looked at that and we are actually sloping down into earth three feet. So we are sloping into the ground and we have some limitation to that because of outside grade and drainage and other things. But yes we are actually excavating the earth below our current finish floor.

Mr. Cane said the only reason that it's only three feet is you want to have good access to the stage to service it. So if they're bringing in sets. So that stage is actually at grade. So the rake is cutting into the ground. So that's all contiguous.

Member Baratta said but you could get your objectives met by digging down like a theatre or what schools do in some instances, is that accurate? I guess my concern we have a 65 foot high proposal building and it could go anywhere. If we want to do a text amendment that would limit it to a couple of areas but inevitably a place of worship it's got some capabilities of going into residential areas. I don't think the community would want a 65 foot building in their backyard. Obviously that's an extreme example. So if you can obtain your own objectives and get a lower building because you're digging down, that would be my question.

Mr. Cane said I hate to call it an issue, but accessibility is part of what we try to balance. So the more you dig down, and then you're entering at the very back or the larger the raked floor component gets. The rule of thumb is that you try to keep the rake floor so you can still see facial expressions. So you try to keep the rake floor no more than 60-70 feet from the platform. The farther you dig down, the further you put the rake. So it starts to have a function of how you access the space and where you put the back row of the rake.

Mr. Jonna said let me add just one thing. The current requirement is a 75 foot setback and if we were to go to the 65 then that would be another 45 feet. So it would be a minimum 120 feet from the property line.

Member Baratta said thank you very much.

Moved by Member Baratta and seconded by Member Lynch:

ROLL CALL VOTE TO SET THE PUBLIC HEARING FOR TEXT AMENDMENT 18.273 MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

Motion to set public hearing for Text Amendment 18.273 for December 10, 2014. Motion carried 4-0.

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda Removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Lynch and seconded by Member Anthony:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

Motion to adjourn the October 22, 2014 Planning Commission meeting. Motion carried 4-0.

The meeting was adjourned at 7:49 PM.

Transcribed by Valentina Nuculaj
October, 2014
Date Approved:

Richelle Leskun, Planning Assistant
Signature on File