PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting
January 15, 2020 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, Member Ferrell, Member Gronachan, Member Lynch, Member Maday, Chair Pehrson

Absent: Member Anthony

Also Present: Barbara McBeth, City Planner; Lindsay Bell, Senior Planner; Sri Komaragiri, Senior Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Thomas Schultz, City Attorney; Pete Hill, Environmental Consultant; Josh Bocks, Traffic Engineering Consultant; Doug Necci, Façade Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Avdoulos and seconded by Member Gronachan.

VOICE VOTE TO APPROVE THE JANUARY 15, 2020 PLANNING COMMISSION AGENDA MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRONACHAN.

Motion to approve the January 15, 2020 Planning Commission Agenda. *Motion carried 6-0.*

AUDIENCE PARTICIPATION

Mike Duchesneau, 1191 South Lake Drive, said I'd like to talk about the concept plan for Sakura Novi. One of the items in the proposal is parallel parking. I am opposed to parallel parking on Eleven Mile Road. This road has a 35 mile per hour speed limit. I don't know of any other roads in Novi that have 35 mile per hour speed limits that are classified as major public streets. The 2016 Thoroughfare Master Plan showed the current proposal is on a segment where the volume exceeds the capacity in the future. The area that they are proposing parallel parking just happens to be between Lee BeGole Drive and Town Center Drive. I would not be supportive of that as far as the concept plan. I understand this project is in its very early stages.

Also, the concept plan for the Asian Market calls for the delivery semi-trucks to come in and have to maneuver around to get to the loading dock. The semi-trucks will be coming through the Ecco Tool parcel which currently has asphalt and gravel. As I recall when we had a similar situation with Keford Towing a year and a half ago, we were very adamant about having somewhere between nine and eighteen inches of compacted gravel to handle the trucks as well as some heavy duty asphalt. We would probably consider this since it is being proposed for the semi-trucks that would have similar requirements. The trucks will be maneuvering to turn around in the back of the supermarket. The drawings show that the homes will be less than 40 feet from this area. The trucks will most likely be very loud and give off exhaust fumes near those homes. I recognize these issues are not necessarily germane to some of your decisions tonight. The other thing that I wanted to say was that Ecco Tool, like Guernsey, Corrigan, and Keford, are some of the companies that have been in our City for a very long time. Ecco Tool has been here since 1955, quietly doing business. I want to make sure that whatever is decided they end up staying in business and prospering.

Rachel Sines, 2219 Austin Drive, said as I'm sure you're aware the resident's yards near Robertson Brothers Lakeview Project flooded over the weekend. While there is a lot of finger pointing going on as to who's to blame for this, the residents are still dealing with it. These same residents brought this to this Commission, Zoning Board of Appeals, and City Council over and over again that this area was prone to flooding. We were given constant reassurance from Robertson Brothers and the City that this development would alleviate the issue. However, when you mess with the wetland that helped control the flooding, change the elevations, and clear all the trees and vegetation and walk away for a few months it becomes a bigger problem. My question to all of you is why wasn't due diligence done in preparation for this by the developer and the City. Of course, weather is nothing you can prepare for, but there will be a spring thaw where this will once again be an issue. When people bring their concerns, please really listen to the issues that they are presenting. In addition, I brought a concern I have with Lakeview Development to the Planning Commission and Mr. Loughrin assured me and the Commission that they would take care of it. Of course, since this wasn't in writing it's never been done and I'm sure that there were never plans to actually do it. I caution that when someone raises an issue or concern, don't just take their word for it, and put it in writing so no one else has to deal with what I have. Lastly, I feel that a Final Site Plan approval should be brought back to the Planning Commission Meetings so residents can review the plans instead of approvals happening in the back office.

Chair Pehrson closed the audience participation.

CORRESPONDENCE

There was no correspondence.

COMMITTEE REPORTS

There were no committee reports.

CITY PLANNER REPORT

City Planner McBeth said I wanted to report a new milestone that our two planners have recently achieved. Both Sri and Lindsay have received their AICP Certification. This is a big accomplishment and indicates that the planners have years of experience, have the education and have passed the test. We wanted to congratulate both of them.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were no items on the consent agenda.

PUBLIC HEARINGS

There were no public hearings.

MATTERS FOR CONSIDERATION

1. **OAK POINTE CHURCH ADDITION JSP19-44**
   Consideration at the request of Oak Pointe Church, for Preliminary Site Plan, Phasing Plan and Storm Water Management Plan approval. The subject property is located in Section 19 north of Ten Mile Road and west of Wixom Road, and is zoned RA, Residential Acreage. The applicant is seeking approval to construct a 16,596 square-foot addition (Phase 4A) on the east side of the existing church building, as well as an additional 11,512 square-foot (Phase 4B) future expansion. Modifications of the previous Phasing Plan are also proposed.

Planner Bell said as you mentioned, the subject property is in Section 19 on the north side of 10 Mile Road and west of Wixom Road. The parcel is 27.23 acres and zoned RA, Residential Acreage, and is the location of the existing Oak Pointe Church. Parcels on the north, east, and west sides are also zoned RA and are part of the Island Lake subdivision. On the south is a parcel zoned R-1, One Family Residential, as well as a bit of RA and is the location of a golf course. The Future Land Use Map indicates this area and the surrounding area as Single Family Residential uses, except for some of the private park areas. There are no natural features impacted by the proposal, although, there is a small detention basin marked as a wetland in the northeast corner.

The applicant is proposing to construct a 16,596 square-foot two-story addition (Phase 4A) and a future 11,512 square-foot, one-story expansion (Phase 4B) on the east side of the existing Oak Pointe Church, as well as modifications to the Phasing Plan. The previously approved Master Plan for the church included this area with a larger addition identified as Phase 6, which is shown as P5 in the exhibit shown; it has been renumbered with this submittal. The parking to accommodate this expansion was already constructed with Phase 3. The new phase 5 consists of a 65,479 square-foot building expansion, which would be brought forward later. On the west side of the building, Phase 6 consists of a 5,145 square-foot building expansion along with more parking and recreation fields and Phase 7 would be a two-story, 25,796 square-foot addition. All of these building additions were previously identified in the original phasing master plan, however the order of construction has shifted and only a portion of the previous phase 6 is proposed at this time. No other significant changes from the approved plan are proposed.

The applicant is requesting a landscape waiver, to allow foundation landscaping to be located away from the building, which is supported by staff.

Planner Bell continued to say a Section 9 façade waiver is recommended for an overage of perforated corrugated metal material. Our façade consultant determined the use of the material in this design is consistent with the intent and purpose of the ordinance and recommends approval of that Section 9 waiver. In addition, we found that 14 bicycle parking spaces had been on the Phase 3 plan previously approved a few years ago for the parking addition, but were never installed. We have asked the applicant to ensure

they are provided at the time the addition will be constructed.

The site plan meets all other Zoning Ordinance requirements, and all reviewers are recommending approval with additional comments to be addressed in the Final Site Plan.

The Planning Commission is asked tonight to approve or deny the Preliminary Site Plan and the Storm Water Management Plan. Representing the project tonight is Steven Schneeman from S3 Architecture and the applicant from Oak Point Church to answer any questions you may have.

Steve Schneeman said I'm representing S3 Architecture on behalf of Oak Point Church. I think Lindsay did a fine job on introducing the project to you. The comments that have been made for the requirements of the bike parking we're happy to comply with that and we'll make sure that's included in the Final Site Plan approval.

Chair Pehrson asked the Planning Commission if they had any comments for consideration.

Member Lynch said I looked through this and I think it looks really nice, I have no issues with the bike parking and I'm glad you agreed to it. The landscaping has no problems. I don't see an issue with the Section 9 Waiver. I think we need to discuss the Storm Water Management Plan. As I was reading through this, the storm water management abides by the 10-year flood from when the project was approved in 2001. In 2002 we went to the 100-year. That's significantly different than the 10-year. Right now, it says that with the new impervious design we're going to exceed the limits of the existing under scaled by today's standard Storm Water Management Plan.

Plan Review Engineer Kate Richardson said we determined that change in the impervious cover was negligible in comparison to the size of the basin as it is currently. So right now it holds about 95,000 cubic feet. We determined that if we were going to hold them to our current standards, the 100-year flood, then they would have to increase the pond by 3-4%, which would be around 3,000 cubic feet. We felt that that was insignificant enough to actually increase the basin by volume it would create more disturbance and it could create soil erosion problems. It would be a big hassle for a very small increase and we don't actually think there is an issue out there with this space. So when they go to do the additional phases, it's in the letter that they will be required to be held to the 100-year storm event. So they will have to increase the basin when they go to do the other phases.

Member Lynch said we learned our lesson with the 10-year, that's the reason why we changed to the 100-year. You just heard one of the residents come in and talk about a project that hasn't even been built yet and the conditions that they're facing. One other thing in that area, that whole north-west quadrant is invaded by phragmites and I think the Ordinance states that absolutely no phragmites can exist.

Landscape Architect Meader said correct, by the end of a project's construction.

Member Lynch said has there been any active management on treating existing phragmites? That site has been full of them.

Landscape Architect Meader said I am not aware of any, maybe the Church can say something, but I haven't heard of anything going on.

Daryl Rice, Oak Pointe Church, said it has been brought to our attention through this planning process. We are planning to take care of it.

Steven Schneeman said we do have mitigation of the phragmites planned.

Member Lynch said I saw that you put it on the drawing, but what I've found in practice is that these phragmites, if you don't kill them, they propagate. It's the whole northwest quadrant and it's not just your property. How do we verify this and how do we enforce it?

Landscape Architect Meader said we ask them to submit a report when they've done treatment. This is actually the first time this has happened. The idea is that they will submit a report to us when it's done because it has to be chemically treated. I will receive a copy of their report that it was done and then we'll go out after two years to see if it's done. If it still needs treatment because the phragmites are not all gone, we'll tell them they have to keep treating.

Mike Lynch said it's not just this property, it's that whole quadrant of the city that is inundated with these phragmites and you know how invasive these things are. What are we doing as a City to make sure this is addressed? We just had that terrible traffic accident over on Seaglen Drive and Napier Road and that was strictly due to the abundance of phragmites where you can't even see. What is the City doing about it? Are we going to enforce that Ordinance? Are we going to have someone actively going out and looking around? Can we work with the property owners explaining they have to do something about it by sending them a letter? How do we make sure this stops?

Landscape Architect Meader said per the Ordinance, it is only about the actual development project. The area you are talking about at the intersection, that's really not a part of this development. The City is going to treat it.

Member Lynch said and I know this is not about the project and I apologize for bringing it up. This is more of a question for the planning staff, the legal staff, and the planner. It's a bigger problem and it's nice we can go site by site but a lot of this stuff is already developed.

Landscape Architect Meader said right now the City is treating phragmites along rights-of-way and in ponds, but when it comes to private property which is what that is, we don't have an Ordinance to take care of that at this time. We can only encourage people to do it.

Member Lynch said in the Ordinance it says absolutely no phragmites.

Landscape Architect Meader said that Ordinance is for a new development project. It's not for an existing development.

Member Lynch said even if there is a RUD or PRO agreement?

Landscape Architect Meader said if it's a new development since the new Ordinance started, then yes it would be in the agreement. Anything before that, it was not in the Ordinance. It would have developed when the Ordinance did not address phragmites.

Member Lynch said okay, I'll leave it at that. I want to avoid the situation with the young lady that came before you that said we could have possibly done something about it.

These trees according to the agreement have to be maintained and replaced when they die, is that happening?

Landscape Architect Meader said we hold the maintenance bond for two years and go back and inspect the trees to make sure they get any necessary replacements done. After that, then it becomes an Ordinance issue. We do request property owners replace their landscaping when it dies, sometimes they do and sometimes they don't.

Member Lynch said we approve these projects and landscaping plans, and then assume it's going to live in perpetuity and it doesn't. Then what recourse do we take? We go through these plans and say it looks great. A lot of the times we approve these plans because they're going to put some landscaping in to isolate the neighbors. I'm just curious on what do we have written on for this particular project that's says they're going to have to replace those trees when they die.

Landscape Architect Meader said that's part of the standard maintenance. It's part of the Landscape Ordinance that all landscaping is kept up to the standard of the final approved site plan. Also, I've lately been saying if it's an established project, any landscape missing from the original site plan must be replaced as part of this project.

Member Lynch said other than that, I guess I don't have a problem approving the entire thing.

Member Gronachan said I just want to confirm something in regards to the lighting. I was a part of this back on the Zoning Board in 2001, so I do remember there being issues and questions about lighting. I just want to make sure that with the addition of this project there's not going to be any negative impact on the existing area because there's a lot more houses there now than there were back when this project started.

Planner Bell said we did look at a preliminary lighting plan and we've asked them to include the existing lighting. It looked like the proposed lighting was shown on the plans so we asked them to show the existing as well but none of the photometrics show any light at the property lines.

Member Gronachan said I just wanted to confirm that and I am in full support of this.

Motion made by Member Gronachan and seconded my Member Avdoulos.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN OF OAK POINT CHURCH ADDITION JSP19-44 MADE BY MEMBER GRONACHAN AND SECONDED BY MEMBER AVDOULOS.

In the matter of Oak Pointe Church Addition, JSP19-44, motion to approve the Preliminary Site Plan and revised Phasing Plan based on and subject to the following:

a. **Fourteen previously approved bicycle parking spaces shall be included on the Final Site Plan submittal;**
b. **Landscape waiver for location of building foundation landscaping away from building*, as it will be located nearby, and total required area shall be provided, which is hereby granted;***
c. **A Section 9 façade waiver for an overage of Perforated Corrugated Metal Panels on the south, east and north facades of the addition*, because the design is consistent with the intent and purpose of the ordinance, which is hereby granted;***

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 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

Motion made by Member Gronachan and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE STORM WATER MANAGEMENT PLAN OF OAK POINT CHURCH ADDITION JSP19-44 MADE BY MEMBER GRONACHAN AND SECONDED BY MEMBER LYNCH.

In the matter of Oak Pointe Church Addition, JSP19-44, motion to approve the Storm Water Management Plan, 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. *Motion carried 6-0.*

2. **GUERNSEY FARMS DAIRY REMODEL JSP 19-41**

   Consideration at the request of McGuire Brothers, LLC for Planning Commission's approval of Preliminary Site Plan and Storm Water Management plan. The subject property is located eastside of Novi Road north of Eight Mile Road. The applicant is proposing to make some interior changes to restaurant seating layout and outdoor seating area. The plan also proposes a number of changes to exterior site layout and traffic circulation by reducing the number of curb cuts along Novi Road. It also proposes an alternate location for 'Welcome to Novi' sign along its frontage.

Planner Komaragiri said I think I can safely say we all know where Guernsey Farms Dairy is located. Guernsey is celebrating their 80th anniversary this year and is proposing some upgrades to the interior and exterior of their facility. The subject property is currently zoned B-3, General Business, and is located at the Novi and Northville boundary. It is surrounded by B-3 to the north and R-4, One Family Residential, to the east and residential and retail to the west in the City of Northville. All the surrounding uses are well established and are unlikely to change.

The subject property has an existing single story building. Guernsey Farms Dairy along with its restaurant occupies approximately one-fifth of the building and the warehouse along with the ice-cream processing center occupies the rest. The applicant is proposing to make some interior changes to the restaurant seating layout and add approximately 18 seats outdoors. The restaurant offers carry-out and sit-down service. Alcohol service is proposed to be provided inside the restaurant only. The site plan also proposes a number of changes to the exterior site layout.

They currently have three curb cuts along Novi Road. The site plan is proposing to eliminate the middle curb cut and move the southern entrance farther south. Due to the relocation of the southern curb cut they are proposing to relocate the 'Welcome to Novi' sign to another location that staff approves of at time of Final Site Plan. As you can see, it appears that a part of the loading area and some of the existing landscaping encroaches onto the railroad right-of-way. The current site plan is not proposing any changes in that area. Current site plan approval does not include approval of the pre-existing conditions. The owners are still investigating any possible easement that may exist with the railroad right-of-way or if an additional easement is required. As noted in the

motion sheet, the site plan would require a couple of waivers for lack of landscape and curbing in few locations. The applicant noted that the proposed improvements intend to maintain the existing natural feel. The site plan proposes bumper blocks in lieu of curbing in certain locations and most of the improvements are considered an improvement from existing conditions even though they do not meet the current standards. Staff is supporting all the requested waivers. The landscape waiver to allow placement of required perimeter trees in these locations is supported as the applicant agreed to work with the City's landscape architect. The other waiver is for the landscaping islands which do not have curb around them, as I mentioned earlier, it's to maintain the natural feel. The applicant has also requested to reserve some parking spaces for employee parking. The applicant is proposing a few façade upgrades. A section 9 waiver for overage of EIFS is recommended. A few temporary signs such as the blue ribbon and Guernsey cow mural are reviewed as part of the sign permit application, they are not apart of the site plan approval.

All reviews are recommending approval with additional comments to be addressed with the Final Site Plan. The Planning Commission is asked tonight to consider the applicant's request for approval of Preliminary Site Plan and Storm Water Management Plan. The applicants, Joe Kinville and Greg McGuire, are here tonight along with their architects Roman Bonislawski and Jeremiah Armstrong.

Chair Pehrson asked if the applicant would like to address the Planning Commission.

Roman Bonislawski, of Ron and Roman Architects, said we've been working for a number of months with Sri and the Planning Department and it's been quite an experience. One that we actually find ourselves at a point right now that were very happy with the outcome. I just wanted to speak to one thing to make sure that clarification is in place. It's a slightly difficult site as you can see by the geometry of it. Fitting these trees in has been quite difficult and we love trees so it's not about us not wanting to put them in, but I'd like to speak just in regards to something Sri mentioned about the naturalistic environment. This pertains specifically and only to the historic oak tree out in front of the building and just the surrounding property which then also implicates with our new parking layout. There's something that harkens back to a friendly gentler time. It feels like you're approaching a road side park. There's the rock garden that exists underneath the trees, it's an Instagram moment and all the kids play out there. What we're attempting to do is comply with the code as much as we can based on the difficulties with the site, but we find that this little area out front is precious and when you look up and down Novi Road we know that there is nothing more being developed to the south of us, we're not setting a precedent for anything that might be occurring there. All the businesses to the north of us are already established and in place. There are so many unique circumstances surrounding this specific site and that specific tree. It sounds ridiculous to be standing here pitching for this tree, but in fact there's something so naturalistic about it and that's what's important for the project.

The Guernsey boys are here and we've worked hard to change the attitude on the interior. Those things that have been precious to the community are going to be even more precious. We now will have a real ice cream fountain inside of the facility. A market that accommodates the queuing that we know occurs as soon as the weather gets good within the space. We're approaching the artistic aspect of what's happening there by looking at their website and seeing that we should not be crying, or in fact if it's Guernsey milk, we should be crying over spilt milk and we're proposing an important paint pattern that will spill over the curbed paving area we have and actually be able to find the

crossing area in order to get over to the historic oak.

Roman Bonislawski continued to say we brought up to Sri two points before this meeting because we're ready to move along with the project. We were told by some tree experts in the final rush to get the final perimeter trees in to add five trees along that row of bumper parking that I just discussed with you. We've been told that the two north-most trees potentially could pose problems for that oak and so we will work with planning to find another location anywhere else on the site to put those two trees because we don't want to do anything that could potentially jeopardize that oak. The second thing that was brought to our attention which only supports our desire to not upset the entire site and to leave that naturalistic component up front and that is if you're to study the topography of the site and the way the sheet plane-ing occurs right now that entire parking lot is plane-ing across that area into the culvert that exists along the road right there. I just wanted to bring up those two points, it's been quite a process, and our review packet is about three-quarters of an inch thick. I think after the sticker shock of understanding the cost implication of all the things we have added into the project leaving just these few items that were requesting waivers for. Everyone's onboard we're actually ready to pull the trigger any second, contractors have been hired and we look forward to a huge 80th birthday party.

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

Member Lynch said my personal feeling is to do everything to protect that tree. In fact, the City of Novi sign has a tree in it that looks very similar to that. I really do appreciate you working with planning staff, it makes it a lot easier when you sit down and start talking about the facts of the case and start making improvements. I appreciate the time and effort you put into this and I hope that you stay here another 180 years.

Member Avdoulos said I think this is a great improvement to the site. I appreciate Roman's explanation and his enthusiasm. Guernsey's is a welcome to Novi and of itself and I think the improvements that are being made are very complimentary to the character of the business. I'm assuming the rock is going to stay in its spot. I'm glad to see that we're eliminating a drive, I think it was a bit confusing, it has always been a bit confusing there. The improvements are great for the site. When I was looking at some of the images and I saw the indications on the pavement of what I thought was what you explained. I thought, they're really going to do that? You verified that and I think that's kind of cool. I think everybody will get a kick out of that. Like Sri said, there are improvements that are being made to the existing condition that staff is supportive of. We appreciate you all working with the staff to get to this point. So with that I would like to make a motion.

Motion made by Member Avdoulos and seconded by Member Ferrell.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN OF GUERNSEY FARMS DAIRY JSP19-41 MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER FERRELL.

In the matter of Guernsey Farms Dairy Remodel JSP 19-41, motion to approve the Preliminary Site Plan based on and subject to the following:

1. **Landscape waiver from Sec. 5.5.3.B.ii for lack of berm along Novi Road due to lack of space from existing conditions, which is hereby granted;**
2. **Landscape waiver from Sec. 5.5.3.B.ii for reduction in required greenbelt width for areas where *the deficiency is an existing condition*, which is hereby granted;**

3. **The applicants shall revise the plans to comply with greenbelt landscaping for other areas where the deficiency is not due to an existing condition;**
4. **Landscape waiver from Section 5.5.3.B.ii, iii for not providing street trees due to lack of room within the Novi Road right-of-way for trees, which is hereby granted;**
5. **Landscape waiver from Sec. 5.5.3.F.ii.B(2) for reduction in number of interior parking perimeter trees based on the revised landscape plan submitted on January 09, 2019, which is hereby granted;**
6. **Landscape waiver from Sec. 5.5.3.F.ii.B(2) for reduction in number of parking lot perimeter trees , provided the applicant shall work with the City's landscape architect to provide better growing conditions for the proposed trees along the perimeter of the outdoor seating area, which is hereby granted;**
7. **Landscape waiver for exceeding the maximum number of parking spaces between landscape end islands. A maximum of 15 is allowed, the plans propose 17, which is hereby granted;**
8. **Planning Commission waiver for not meeting the minimum distance requirements for opposite side driveway spacing per Section 11.216 and Figure IX.12 of the City's Code of Ordinances, which is hereby granted;**
9. **Planning Commission waiver for the use of painted islands in place of raised end islands and curbs, which is hereby granted;**
10. **Planning Commission waiver for not meeting the minimum requirements for access path to bicycle parking. A minimum of 6 feet is required, 5 feet is existing), which is hereby granted;**
11. **A section 9 waiver is required for Overage of EIFS (25% maximum allowed, 41% on West façade and 59% on South façade proposed), which is hereby granted;**
12. **Subject to Zoning Board of Appeals variance for lack of raised curbs around the landscape islands as shown on the site plan;**
13. **A City Council variance for use of bumper blocks in lieu of raised curb;**
14. **The applicant shall work with the City to identify an alternate acceptable location for relocation of the existing Welcome to Novi sign;**
15. **The applicant shall designate the parking spaces opposite the southern entrance for employee parking to avoid conflicts with the incoming traffic;**
16. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the remaining items listed in those letters being addressed on the Final Site Plan.**

Motion carried 6-0.

Motion made by Member Avdoulos and seconded by Member Ferrell.

ROLL CALL VOTE TO APPROVE THE STORM WATER MANAGEMENT PLAN OF GUERNSEY FARMS DAIRY JSP19-41 MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER FERRELL.

In the matter of Guernsey Farms Dairy Remodel JSP 19-41, 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. *Motion carried 6-0.*

3. **<u>SAKURA NOVI JZ19-31 WITH REZONING 18.732</u>**
   Consideration at the request of Robert B. Aikens & Associates, LLC and Robertson Brothers Homes for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service (OS-1), Office Service Commercial (OSC) and Light Industrial (I-1) to Town Center-1 (TC-1) with a Planned Rezoning Overlay. The subject property is approximately 15.59 acres and is located north of

Grand River Avenue, south of Eleven Mile Road and east of Town Center Drive (Section 23). The applicant is proposing to develop the property as an Asian-themed mixed-use development.

Planner Bell said as you recall, the Planning Commission public hearing on this project was held in December and the decision was postponed in order to allow the applicant to provide a revised submittal and to address some of the issues that had been identified. As a recap, the proposed Sakura Novi would be an Asian-themed, mixed-use development. The applicant seeks to be able to highlight the cultural diversity of Novi and add a vibrant destination in the Town Center area. The project is presented as two phases with Phase 1 consisting of a specialty grocery store/food hall, two restaurant/retail buildings along the Grand River frontage, and 68-townhome units on the eastern portion of the site accessed via 11 Mile Road. The existing pond on the west side of the site would serve as a focal point and public gathering space to be enhanced with Japanese-style gardens and a walkway around the perimeter.

In the revised submittal, the applicant has modified the Phase 2 portion of the project to include 50-townhome units (Phase 2) and one restaurant building 4,500 square feet (Phase 2B), which would be just north of the specialty grocery store. The revised submittal also included a refinement of the deviations and list of public benefits proposed. A site condominium ownership model is now proposed, which introduces new parcel lines and therefore some new deviations related to those. Since these deviations are internal to the site they will not cause negative impacts, but should be accounted for in a future PRO Agreement.

The vinyl siding proposed for the residential units has been changed to cement fiber board, which is deemed an acceptable material. The façade review recommends approval of the Section 9 waivers requested for the commercial and residential buildings.

Additional details have been provided of the signage area requested, although no specific signs are shown. Staff recommends approval of most of the deviations in order to streamline the review of tenant signage for the project, and allow for the dual language signage to support the authenticity of the Asian village concept. Certain deviations related to lighted materials and projecting signs are not supported by staff at this time as the lack of specific details prevents us from being able to visualize and evaluate the impacts.

Other changes in the submittal include adding on-street parallel parking along 11 Mile Road, which the applicant offers as a benefit to the public. Staff does not object to the parking on the south side of the street. The additional spaces would provide desirable extra parking for the development during peak periods, and easy access for visitors to the residential units along 11 Mile Road.

The applicant offers to construct a missing off-site sidewalk segment along Grand River Avenue to connect the project with the pedestrian plaza west of the site, which is a positive benefit. Also offered is a total of .34 acres of Right of Way along Grand River and 11 Mile Road, an easement at the southeast corner of the proposed development for a City locator sign, and establishing a Community Room function within the Market for public gatherings and meetings. The applicant is pursuing a potential partnership with Novi Public Library, although details of what supplemental facilities could be provided are unknown at this point. For a project of this size and scope, and the number of deviations required, staff would expect to see some more significant enhancements, and we

continue to encourage the applicant to address the public benefit component of the PRO Ordinance.

Overall, staff is largely supportive of the proposal, with a few details yet to be worked out. The Woodland review identified issues with conflicting counts and credits for woodland removals. The applicant indicates those will be addressed and corrected in the PRO Concept Plan as it moves forward. There are other minor items that should be corrected on a clean Concept Plan to be included in the future PRO Agreement.

Planner Bell continued to say the two big remaining issues with the project are wetland mitigation and the number of landscaping deviations required. The proposed plan causes permanent impacts to 1.66 acres of wetlands, resulting in the need to provide 2.41 acres of wetland mitigation. The Ordinance states that "*Mitigation shall be provided onsite where practical and beneficial to the wetland resources. If onsite mitigation is not practical and beneficial, mitigation in the immediate vicinity, within the same watershed, may be considered. Mitigation at other locations within the city will only be considered when the above options are impractical.*"

Atwell, the applicant's wetland consultant, has explored various alternatives to accomplish the required mitigation off-site within the City, including wetland preservation and constructing mitigation areas on City property in the vicinity. In the response letter received on Friday afternoon, the applicant states they have not found an acceptable location for wetland mitigation within the city and land prices in Novi are cost prohibitive to purchase land for the purpose of constructing wetland mitigation. Therefore, the applicant is requesting to provide wetland mitigation through the purchase of credits within an EGLE-approved mitigation bank. This is a departure from what is allowed by city code, and staff believes this issue requires careful consideration by the Planning Commission and City Council for the implications not only for this project but future development in the city as well. It may be a reasonable alternative, as EGLE promotes the use of wetland banks in certain situations. However, the details about where the credits would be banked and whether the full amount of credits needed to meet the City's requirements would be available to the applicant are still unclear. We have placed a possible deviation that would allow the applicant to pursue this alternative under part B of the updated motion sheet. Part B includes the deviations not fully supported by staff, and the wetland deviation is item "F". Pete Hill, the City's environmental consultant, is here tonight should you have questions about the wetland issues.

A number of landscaping deviations also appear as items B-E of section B of the motion. Staff believes several of these deviations could be further reduced or eliminated to better meet the requirements of the ordinance. Rick can offer further details about those if you have questions.

Tonight the Planning Commission is asked to continue their consideration of the proposal and make a recommendation to the City Council. The applicant, Scott Aikens and his team are here to tell you more about their proposal and to respond to your questions as well.

Chair Pehrson asked if the applicant would like to address the Planning Commission.

Bruce Yeager said I work with Robert B. Aikens and Associates on this project and I wanted to thank Lindsay and the staff for their responsiveness and I also wanted to thank the Planning Commission for seeing us again on this project, it was great to meet you and

fully have the opportunity to present this project in December. We have reviewed a series of questions and we've brought our wetland and our landscape consultants to answer any questions directly. I would also like to address the public's comments on the trucking and the concerns about Ecco Tool. When we did the study we looked at it from a circulation standpoint for Ecco Tool's trucking. The project itself is not anticipated to take any trucking across the Ecco Tool parcel so we will be doing our circulation on-site for the market and for that truck dock, but we won't be crossing Ecco. Ecco Tool, in turn, to ease their access will be able to circumnavigate through Sakura Novi for their trucks and their deliveries. The 11 Mile Road parking that you raised in question, that is still with engineering and is not a resolved issue yet, it's one that were seeking. We'll find out where that lands once we get final determination back from the engineering group.

There are a couple of landscaping deviations that still exist in the project and one of them is being the foundation plantings. One of the reasons that we have not been able to address that is we don't have our final tenant layouts yet and where the doors to the tenants go dictate where we can place the foundation landscaping. We have let that issue ride for the time being until we can finalize our tenants. It's our intent to meet that Ordinance as much as possible, but we're not going to design it four times based on uncertain leasing strategy.

Chair Pehrson turned it over to the Planning Commission for comments.

Member Lynch said I did read through your proposal and overall concept and it looks good and it looks exciting. I see that there are so many deviations and open issues that I believe are not insurmountable, but can be resolved. I don't think this is even close to being ready for us to look at. I cannot render an opinion on this. I see that many of the issues are not supported by staff. They're the experts and we heavily rely on their expertise to help us evaluate the project. Now there's some gray areas that we can provide input on and maybe deviate a little bit from their recommendation once we understand it, but as I review this, I can't in good conscience make any kind of recommendation to City Council with this many deviations and this many items not supported by staff. So unfortunately my vote is going to be no. I've seen projects start like this but in a short order, with staff and the developer getting together to get items resolved, and then bring it back to the Commission. With the shape that it is in right now, I can't move forward with this project.

Member Ferrell said I agree with my fellow commission member. It is hard to make a decision with all the deviations like he mentioned. I also wanted to point out that on the display there are 118 total townhomes proposed between all the phases. Can you show me all the green space for the people that will be living in those residences?

Planner Bell pointed to the areas proposed for green space on the screen.

Member Ferrell said are there any renderings of what those areas are going to look like or how big they are going to be? I guess what I'm getting at is, where are all those families going to take their children to play outside? I just don't see any park space for them to go to. I know there is a path proposed around the pond and I can see some paths between buildings but I don't know how wide they are. Are there going to be any playscapes for small children?

Jim Clark with Robertson Brothers said we are proposing a pedestrian overlook on the newly created wetland detention area, which is part of the overall wetland issue. This

project is designed to be an urban mixed-use development, as opposed to a suburban open space development. The intent is that because these are apartments, the people who will live there will want to be in the proximity of the retail, the restaurants, and the 2-acre open space water feature. We have what we call common areas between all of the buildings which are heavily landscaped and are shown on the landscape plan. It's urban by design which may or may not be what you're looking for, but we think it's very appropriate for a mixed-use downtown development.

Member Ferrell said I like the idea of the mixed use, I just feel like for families there needs to be something more for them than to just walk around a 2-acre pond.

Jim Clark said we exceed all the open space requirements and we can look with staff if there are other areas we can identify for playscapes or other amenities for the residents. I think that's a good suggestion. I hear you loud and clear that you're looking for more defined open space so we can program some of the spaces that do exist so it is more evident.

Member Ferrell said even if you were to remove one of the smaller structures that you plan on putting some townhome units in and made that area as a potential green space area. I'm just throwing that idea out there. I know Novi is really big with green space and I know this is the urban look you guys are going for, but I also feel it's going to hinder the younger families that could live there because they'll still want to be able to take their kids for a walk or go to a park without driving somewhere.

Jim Clark said we will look into that.

Member Avdoulos said it is an urban setting except that it is an area that is kind of unique. Grand River is a big road and for people living there, they may be able to circumnavigate within the development itself, but then beyond those borders you've got hotels on the other side of the street, you've got a plaza and a mall across the other way. I think some more amenities for those who are going to be living there will be something I would like to see expanded upon. I love the concept. I indicated that when you first came aboard, but again I think you're going to find that the theme is going to be the amount of deviations. Right now there are 24 deviations and some that are strongly not supported by the staff. I feel uncomfortable pushing this to the next step until we look at making our staff more comfortable and looking at what we can do to minimize the amount of deviations. I understand in order to get something to really work you need to have a little bit of give and take with what we have in the Zoning Ordinance with what can be done and making it a good return on investment. At this point, I can't look at moving it forward. I'm looking at a motion to postpone it so that the applicant can continue working with the city.

Member Maday said I agree with Member Avdoulos. I'm just not comfortable with all the deviations. I'm also concerned about the wetlands. I don't know if there is a way you can save any of them on-site. I know it would alter your design, but that's a concern I have.

Member Gronachan said I think that what should be pointed out here is that you have an outstanding, unique development and I don't feel like this can be resolved in five minutes. I know that everyone wants to get going and they want it approved, but this is going to be a long standing community within Novi. I feel that by postponing it we're granting you that time to expand on some of the outstanding ideas you have. I think we need to slow

it down a little bit and listen to what my fellow commissioners have to offer because I am too very concerned about the wetlands, the parallel parking on 11 Mile Road, and the open space for children. So with the uniqueness of this plan, and by looking at all these deviations, I can't support it because I want this project to really succeed. You have to look at it a little further away. I think there has been so much of the details reviewed that the whole picture hasn't been looked at. Sometimes I find myself guilty of that too. You're looking at one plan and you're trying to fix one end, but the whole plan needs to be reevaluated. With that, I am not prepared to support this request myself, but I'm still in favor of Sakura.

Member Pehrson said Rick, relative to the approvals that you have on the landscaping end of things, what are your top two or three items that need to get resolved?

Landscape Architect Meader said I'm concerned about the parking lot landscaping with the lack of interior spaces that don't meet our requirements because I'm worried about the trees surviving. The landscape architect did bring up the possibility of structural soil to increase the root space, which could be an option. I'm not familiar with it enough to say that's the answer, but I said to give us more information because engineering doesn't know about it or how it would be installed. There are a lot of questions about it, but it's possible because they have the number of islands with trees in them, but they're not 200 square feet in area. We created that area requirement so the trees could do well in them. Then because of the layout there are no perimeter trees along the west side and I don't have any guarantee that that off-site strip of land on the west side will always be woods. I don't think there's any kind of easement saying it has to remain woods, it's just what was left. If there was, then that concern would be taken away. They have done a really good job, but there are still concerns that I have.

Chair Pehrson said let's take that input and put that into what needs to be done. Going through what you've heard, there's nobody here that's against what's being proposed. What we're ultimately trying to do is eliminate some of those deviations, provide City Council with a cleaner package to start with, and to Member Gronachan's point of view that this will be the showcase you want and that we want. So let's work with the problems and find the solutions. Relative to the wetlands and woodlands just as I asked Rick, what are your main concerns that need to be resolved?

City Wetland and Woodland Consultant, Pete Hill, said I've spoken multiple times with the developer's team and I think the woodland issues that we have had in our previous reviews is on the way to being resolved. It is a tight site, as we have been talking about, so a small percentage of the woodland replacements required actually fit on the site, but they're meeting the Ordinance requirements through payments to the tree fund and on-site replacements. The biggest worry for me is the mitigation. Just so everybody knows, the threshold for mitigation within the City is one quarter acre of impact. At that level or beyond, mitigation is required. So the City Ordinance basically states that "*mitigation shall be provided on-site where practical and beneficial to the wetland resources. If on-site mitigation is not practical and beneficial, mitigation in the immediate vicinity within the same watershed may be considered. Mitigation at other locations within the City will only be considered when the above options are impractical*." So we've been pushing for some way to find on-site mitigation or approved locations within the City and the applicant's team has put a lot of different proposals out there. Lindsay mentioned these including proposing mitigation construction on City-owned property, preservation on other properties that contain wetlands - basically putting conservation easements on other relatively nearby properties. The latest proposal is to provide mitigation through an

off-site bank credit. I don't know of any private developments that have achieved their City wetland mitigation requirement through the purchase of off-site bank credits.

Chair Pehrson said so there are a number of options. Is it just a matter of finding the sweet spot to address the issue of mitigation and at that point whatever that sweet spot is, there is no other room to move left or right?

Environmental Consultant Hill said I think there's an answer whether it's through decreasing impacts where feasible and getting the required mitigation acreage down. That's one thing that can be done. It is true; the Ordinance is fairly restrictive in what the City wants to see. It also boils down to the purpose of the Ordinance. It's the policy of the City to prevent further net loss of wetlands within the City so that's basically why the mitigation section points back to providing mitigation in the City. I should point out I don't know where the mitigation credits are proposed, I'm sure that's coming down the line and I'm sure there's an answer to it. Like other people here, I like the development. There are certain things where I think the impacts could be minimized or more discussion needs to happen on how to meet the Ordinance requirement.

Chair Pehrson said I think that's a great place to end, and a great place to start. I think the discussions need to be ongoing. We have in the past had developments come in front of us with as many, if not even more, deviations that have been whittled down to an acceptable level. There's no maximum or minimum number of deviations, it's just got to feel right, look right, and it has to address the ideas in the intent of that particular Zoning Ordinance and the development itself. What the Commission has reiterated is if there's any kind of deviation being requested, there has to be a solution for it. We're looking for 'the thing' in Novi not just 'another thing' in Novi. I'd like to have the deviations listed with the possible recommendations. What are the things that we can do, that the developer can do, and that the City can do to address and alleviate that? So I would like to get a little more information on that.

Member Avdoulos said thank you for the comments and with that I would like to make a recommendation to postpone.

Motion made by Member Avdoulos and seconded by Member Ferrell.

ROLL CALL VOTE TO POSTPONE THE RECOMMENDATION TO CITY COUNCIL TO REZONE THE PROPERTY WITH A PLANNED REZONING OVERLAY CONCEPT PLAN FOR JZ19-31 SAKURA NOVI MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER FERRELL.

In the matter of Sakura Novi, JZ19-31, with Zoning Map Amendment 18.732, motion to postpone making a recommendation to the City Council to rezone the subject property from Office Service (OS-1), Office Service Commercial (OSC) and Light Industrial (I-1) to Town Center-1 (TC-1) with a Planned Rezoning Overlay Concept Plan. This motion is made for the following reasons:

1. **To allow the applicant time to provide additional details as indicated in the staff and consultant review letters;**
2. **To allow the applicant time to determine details such as wetland mitigation, woodland discrepancies;**
3. **To allow the applicant to work with staff to resolve some of the deviations requested;**

4. **To allow additional time for the applicant to submit additional evidence/information in support of the public benefits to be achieved through this development and to justify the proposed ordinance deviations and the intent of the Section 7.13.2.D.ii that the proposed PRO rezoning would be in the public interest and the benefits to the public of the proposed PRO rezoning would clearly outweigh the detriments.**
5. **The applicant shall have the opportunity to clarify through a modified submittal if any PRO conditions are being offered under the PRO provisions of the Zoning Ordinance.**
   Motion carried 6-0.

4. **INTRODUCE TEXT AMENDMENT 18.292 – INSTRUCTIONAL CENTERS IN OS-1**
   Set a public hearing for Text Amendment 18.292 to update the Zoning Ordinance to allow 'instructional centers' as an allowable use in the OS-1, Office Service District throughout the City of Novi subject to conditions and related changes.

Planner Komaragiri said the proposed Office Service, OS-1, Text Amendment is being introduced per the request of the applicant. The applicant currently owns three buildings which are located on the Southside of Ten Mile Road and west of Haggerty Road and are currently zoned OS-1. The current uses in the building include a medical and personal service establishment. The applicant recently leased a space to Claire's Music Academy and Curie Learning Center. The uses are currently not permitted under OS-1 zoning, so the applicant is requesting the current proposed amendment to allow for these businesses to continue at this location.

Historically, these uses are predominantly allowed as permitted uses in business districts such as B-1, B-2 and B-3 and retail districts such as TC, TC-1 and RC and in limited capacity under commercial office districts. Office Service, OS-1, is considered the least intense office district to serve as a transition between residential and non-residential uses and to provide a transition between major thoroughfares and residential districts. The proposed amendment is addressing two items: defining different types of educational uses and allow instructional centers less than 2,000 square feet as a permitted use and if they're above 2,000 square feet as a Special Land Use.

It should be noted that OS-1 currently allows private fitness facilities under the same area conditions. The current uses in the subject property are smaller than 2,000 square feet. However, after reviewing the proposed draft, the applicant is requesting to allow instructional centers without any area limitation as a permitted use to allow for future expansion of current uses. The applicant Edna Zaid is here tonight and will expand on this request after my presentation.

In response to the applicant's request, I would like to offer some background. As you can see, even though the request is made by one property owner, the proposed amendment would apply to all current and future OS-1 districts.

Planner Komaragiri showed a map showing locations of OS-1 zoned areas across the City.

While most of OS-1 districts are developed, approximately 53 acres of OS-1 zoned districts are currently undeveloped. Allowing larger facilities of instructional centers as a permitted use will not provide the further review and protection a Special Land Use would typically offer in order to protect the adjacent residential areas from a commercial use. It is with the same intent a daycare, larger private fitness facilities are permitted as a Special Land Use

under OS-1.

The Planning Commission is asked to provide direction to staff on this request and to consider setting a Public Hearing for an upcoming Planning Commission meeting. At that time the Commission will hold the public hearing and forward a recommendation to the City Council, for reading and adoption.

Edna Zaid, applicant, said I'm honored to introduce Vanessa to you tonight she is my friend and tenant. She's a graduate of a school in China comparable to Julliard. She performs all over the world and lectures at The University of Michigan, performs at the DSO, and she's a Kresge Foundation grantee. I'm honored to have her in our space. I did some research, I've been working with Sri, she's been wonderful and helping me learn the ropes. I did check with at least ten surrounding cities that all have OS-1 and every one of them included instructional centers. As Sri said, the additional one is Curie Learning which is tutoring, but the 2,000 square feet was limiting because her plan is to move into a larger suite that's almost 3,000 square feet and she's currently held back because she's in a 1,000 square-foot suite and does not want to build a business that might not be approved. I think she's an asset to our City. We lost a ballet company because we did not have enough time to get them approved. I would hate to see Vanessa leave because I think she brings culture to Novi and is a great tenant.

Chair Pehrson turned it over to the Planning Commission for comments.

Member Lynch confirmed that the OS-1 District allows work out facilities but not any kind of musical instruction centers.

Planner Komaragiri said they don't allow instructional centers. Places that would teach art, music, or tutoring. Those kinds of uses.

Member Lynch said my personal feeling is this is a non-issue, but maybe I'm missing something. There must have been a reason why this wasn't included as part of the permitted uses. I'm wondering if I'm thinking it is too simplistic.

Planner Komaragiri said based on the research, I can't speak on the intent of why exactly it was not allowed in OS-1, but instructional centers have always been a commercial use. We've always seen them as part of a shopping center. We have a couple of instructional centers at 10 Mile Road and Novi Road. The hours of operation for those uses are typically after office hours because it was for students so we always associated them with those kinds of uses. Based on the request that the applicant brought up, we looked at it and we had the same thought process. The reason we are giving a square-footage limitation between a permitted use and a special land use is because the intent is to serve as a transition between residential and commercial uses. We only have a few Office Service Districts and instructional centers are allowed in many other districts. We just wanted to make sure that we preserve before we give away office space to instructional centers. We're just giving it an extra thought. They can have multiple tenants as long as the uses are less than 2,000 square feet. We worry about some sites where someone could come in and propose a big instructional center thus taking away the space from the other permitted uses.

Member Lynch said I'm glad you brought that up. What I may have been missing is that we make these buffer zones adjacent to residential. Right now, and I suspect into the future, were going to have a glut of office vacancies. By allowing instructional centers in

this case, music, it's no different than having a workout facility that's open 24/7 so if we're worried about after hours, I don't see an issue there. As far as the noise issue, it can't be any worse than Catholic Central Marching Band outside practicing because this will be more enclosed. I personally do not see a downside and I'll listen to the rest of my Commissioners comments. I think it may benefit us and give us another opportunity to fill some vacant office areas. I think it is a reasonable transition between the commercial and the residential so it may be a benefit to us to allow this Ordinance Amendment.

Planner Komaragiri said by making it a special land use we are not saying we don't support a larger facility. Depending on what location they are proposing we just wanted to consider the surroundings. Hypothetically, it makes sense in this specific location because Claire's is established and allowing a larger facility gives an opportunity to grow, but it may not apply for another site which is zoned OS-1the other way. If Edna has to come back and apply for a special land use, she doesn't have to go through the entire site plan process because she's not making any changes to the site. All she would be asking for is a special land use. If you recall, we had one where they proposed a veterinary use at Grand River Avenue and Novi Road, they asked for a special land use, all it took was one visit to the Planning Commission.

Member Lynch said by voting yes on this we're reducing the burden on the applicant and they just have to come in one time.

Planner Komaragiri said by voting yes, you're setting a public hearing to allow this text amendment to be in place and then make a recommendation from there.

Member Avdoulos said I think I was looking for someone to break this down. As Member Lynch has indicated, this would be looking at a permitted use if its 2,000 square feet and under. If it's more than 2,000 square feet they would come in for a special land use. If they leave the space, then it goes back to whatever it was. So similar to how we do any kind of special land use. I have no issue with that. I understand the concern though with this type of use in an OS-1 district. I work in a building in Northville, it's an old factory turned into an office building, but there's a martial arts studio below us. So at 5 o'clock in the afternoon, you can hear all the classes starting. So if there are ways we can help maintain and promote the businesses and to expand on what we have I don't see an issue. My recommendation is that it's something that we look to do and set up the public hearing for that.

Member Maday said when I first looked at this, I looked at the intent of what OS-1 was and I think it makes sense to do what we're doing and it says *to accommodate such uses such as offices, banks, facilities for human care and personal services which can act as a transitional area between residential and commercial*. We're always worried about that and this does that. I am concerned about the size though. Coming into this, I didn't realize you had that size constraint but that makes me very comfortable with it and it makes a lot of sense.

Chair Pehrson said is there enough definition on the word instructional? Not to put too fine of a point on it. I can understand what that means, but I also never thought I would buy a car from a vending machine either. You know what I mean?

Planner Komaragiri said I don't think our Ordinance has a definition currently, but this is how we are proposing to amend the Ordinance in Section 2.2: instructional centers would be places that offer classes for music, art, dance, martial arts and similar supplemental or

recreation institutions. So those would be something that supplements students like Kumon or Claire's Music Academy or a martial arts class.

Member Gronachan said this has nothing to do with animals, correct? It could be interpreted as a dog training facility.

Planner Komaragiri said we have a separate use that identifies pet boarding and pet training facilities, so that wouldn't fall under this.

Motion made by Member Avdoulos and seconded by Member Gronachan.

> **Motion to set a public hearing for Draft Text Amendment 18.292 Instructional Centers in OS-1.**

Edna Zaid, applicant, said I have two questions. I just want to make sure that the tutoring was inclusive to the instructional centers.

Planner Komaragiri said yes.

Edna Zaid said my second question is that Vanessa has been trying to start her business since last summer and has been very hindered and needs the bigger space, is there a way to consolidate her special land use application with the public hearing that is coming up so we don't have to start all over again?

Chair Pehrson said that's up to the planning and legal staff to answer that for you.

ROLL CALL VOTE TO CONSIDER SETTING A PUBLIC HEARING FOR AN UPCOMING PLANNING COMMISSION FOR DRAFT TEXT AMENDMENT 18.292 INSTRUCTIONAL CENTERS IN OS-1 AS PRESENTED.

> **Motion to set a public hearing for Draft Text Amendment 18.292 Instructional Centers in OS-1. *Motion carried 6-0.***

5. APPROVAL OF THE DECEMBER 11, 2019 PLANNING COMMISSION MINUTES.

Motion made by Member Lynch and seconded by Member Ferrell.

ROLL CALL VOTE TO APPROVE THE DECEMBER 11, 2019 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER FERRELL.

> **Motion to approve the December 11, 2019 Planning Commission Minutes. *Motion carried 6-0.***

SUPPLEMENTAL ISSUES

There were no supplemental issues.

AUDIENCE PARTICIPATION

Mike Duchesneau, 1191 South Lake Drive, said I understand this is not a question and answer session, but if someone could comment on the Zoning Board of Appeals process and why that would not be applicable for a case like the last presented item.

Chair Pehrson closed the audience participation.

ADJOURNMENT

Moved by Member Lynch and seconded by Member Gronachan.

VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRONACHAN.

> **Motion to adjourn the January 15, 2020, Planning Commission meeting.** ***Motion carried 6-0.***

The meeting adjourned at 8:35 PM.