



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

May 28, 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 Lynch, Chair Pehrson, Member Zuchlewski

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

Also Present: Barbara McBeth, Deputy Director of Community Development; Sara Roediger, Planner; Sara White, Planner; Adam Wayne, Engineer; David Beschke, Landscape Architect; Rod Arroyo, Traffic Consultant; Matt Carmer, Traffic Consultant; Pete Hill, Environment Consultant; Beth Saarela, City Attorney.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Zuchlewski:

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

Motion to approve the May 28, 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

Deputy Director McBeth said I want to report on the City Council action taken at the May 19th meeting; similar to a request that you're going to hear this evening, the City Council approved the request of Edward Rose and Sons for the Rose Senior Living at Providence Hospital for the Planned Suburban Low-Rise Overlay Development Agreement and the Concept Plan. This evening the Planning Commission is going to consider the Preliminary Site Plan and associated permits.

CONSENT AGENDA - REMOVALS AND APPROVAL

1. HOLLY HILL FAÇADE, JC13-209

Approval of the request of Regency Capital Holdings of Novi for Final Site Plan and Section 9 Façade Waiver. The applicant is proposing to update the façades of the three existing office buildings located in Section 25 on the south side of Ten Mile Road, west of Haggerty Road in the OS-1 Office Service District.

Moved by Member Lynch and seconded by Member Zuchlewski:

ROLL CALL VOTE ON THE FINAL SITE PLAN AND SECTION 9 FAÇADE WAIVER APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ZUCHLEWSKI:

In the matter of Holly Hill Facade, JC13-209, motion to approve the Final Site Plan and Section 9 façade waiver to allow an overage of EIFS and painted brick on the basis that the proposed alteration:

- 1. Represents an improvement in the existing façade that is compatible with the existing façade and with adjacent buildings, and**
- 2. Is generally in keeping with the intent and purpose of Section 2520. *Motion carried 4-0.***

PUBLIC HEARINGS

1. ROSE SENIOR LIVING AT PROVIDENCE, JSP13-81

Public hearing at the request of Edward Rose and Sons for Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan approval. The subject property is 23.61 acres in Section 17 of the City of Novi and located on the north side of Eleven Mile Road and west of Beck Road. The applicant is proposing a 182 unit senior living facility.

Planner Roediger said the applicant is proposing to develop a 182 unit senior living facility on 23.6 acres near the northwest corner of Eleven Mile Road and Beck Road adjacent to the Providence Hospital ring road. The new parcel would be created from the existing Providence Hospital property and the land is currently vacant. The proposed parcel is surrounded mostly by vacant land and the existing hospital grounds with single-family residential uses to the south. The subject property is currently zoned for the Planned Suburban Low Rise Overlay District with an underlying zoning of R-3. The applicant is utilizing the provisions in the PSLR Overlay District for the development. The site is bordered by R-3 zoning to the north, RM-2 zoning on the east side of Beck Road and R-3 zoning with a PSLR Overlay to the west and south. The future land use map indicates PSLR Overlay uses for the proposed parcel and the properties to the east, west and south with multiple-family uses planned on the east side of Beck Road and office/commercial uses planned to the north. There are significant woodland and wetland areas on the site that cover a majority of the property. The applicant is proposing woodland and wetland impacts and mitigation as part of the project.

The applicant is proposing a 182 unit senior living facility with both congregate care and assisted living units using the PSLR Overlay District provisions. Recreation features for the residents along with associated landscaping and infrastructure are also proposed. Additionally, the applicant has offered a pathway easement for the anticipated public trail connection from Beck Road through the site. This district was put in place within the last few years to act as a transitional zoning between the higher-intensity hospital uses to the north and the lower-intensity single-family residential uses to the south. Uses that would not be allowed in the underlying single-family zoning are permitted provided they meet the required design standards intended to maintain the residential character of the area. The PSLR Overlay Concept Plan and Agreement were approved by the City Council on May 19, 2014 after a positive recommendation from the Planning Commission. Tonight the Planning Commission is asked to hold the public hearing and approve the Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan. The planning review recommends approval of the Preliminary Site Plan with only minor items to be addressed on the Final Site Plan submittal. The site plan is in compliance with the PSLR Overlay Concept Plan and Agreement, which did include several deviations from the Ordinance as outlined in the planning review letter. The wetland review recommends approval of the plan stating an MDEQ Permit, 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 previously noted wetland mitigation is proposed and meets the standards of the ordinance. The woodland review recommends approval of the plan noting a Woodland Permit is required. The landscape review recommends approval with a planning commission waiver to reduce the buffer

area around the proposed basin due to the existing woodlands, wetlands and easements. The façade, traffic, and engineering reviews all recommend approval of the plan noting items to be addressed on the Final Site Plan submittal. Tonight, the Planning Commission is asked to hold a public hearing and approve the Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan. In addition to staff, Pete Hill and Matt Carmer from ECT are here to answer any questions you may have regarding natural features as well as Rod Arroyo from Clearzoning is also here to answer any questions you may have regarding traffic.

Paul Mott, Director of Asset Acquisitions and Landscape Architect with Edward Rose and Sons, said we're proposing this 182 unit senior living facility for your community. There's a definite need for this facility in the community. We've done a couple different market studies and they both confirmed that there is a definite need. This slide shows the location of the proposed site next to the Providence Park Hospital. The north portion of the hospital is zoned office and the area where the site is located is zoned R-3 with a PSLR Overlay. The use that we're proposing for this site is a perfect match for the PSLR Overlay. It's a great transition for the fairly massive scale of the hospital down to the residential scale of the areas surrounding the site. The site itself is on a little ridge that is surrounded by wetlands. On the slide, there is a red border that is the border for the regulated woodlands. There's a sewer easement that runs roughly east to west across the property that we've also had to take into consideration in developing this site plan. This slide shows the proposed land use. The area in green is where we're proposing wetland mitigation. The blue area is the site detention. The light green area is where the building is. The brown areas are areas that are unbuildable due to either conservation easements or wetlands or other natural features. When we first started looking at this site, we took a real close look at the wetlands. What we had to do was orient the structure parallel to the wetlands to the north and south, which required bringing the road in deep than what would be required if had to turn the building perpendicular to the wetlands, which we can't do because there's not enough room for it. We've pretty much shoe horned this building into the site. This is the slide of the woodland impact and what we did was move the building as far to the east on the property as we could. There is very little room for any kind of movement of this building on the site. We are affecting about 649 trees but we're proposing an equivalent of 13,000 trees as replacements.

One of the things that we're doing on the site in the woodland mitigation is we're proposing plantings that extend out along the future city path. These plantings will create a woodland edge, which will be a real nice habitat. We're pretty excited about that because we're recreating some of the woodland edges and things that we're going to be disturbing. This is the overall site plan that shows the relationship of the building to the wetlands and existing woodlands. That wetland that is shown to the north is actually is wooded wetland. So we're doing as much as we can to preserve the green sword of the property. The landscape plan shows a number of activity areas for the residents as well as some raised planters so they can do some gardening. They have bocce ball, horse shoes, shuffleboard, gazebos and outdoor patios for different dining venues. This is a slide of the building. Again, it is 182 units, 65 of which are congregate, 75 assisted living and 35 memory care units. One of the things that we did in looking at the design of the building is that we looked at some of the existing structures on the Providence Park Campus and are bringing some of the elements into the building itself. We're going to be matching the brick and stone on these buildings with the building that we're proposing. We're also looking at bringing some of the interior elements of the Providence Park Campus into the structure so that people have a little bit of familiarity with the structure. The building itself is based on what we call the city center which is a number of commons areas that all of the outer residential areas surround and are focused on them. And these are the second and third floors, they have fewer common areas, but again it all relates to the central common areas. This is a rendering of the main activity courtyard at the rear of the building. This is a rendering of what the front entrance will look like and these are all of the proposed plantings that we're talking about putting in. We've worked with a great number of different consultants through this.

Ward Isaacson with Pope Architects said we have a video here that I will run which I think will give you a little better context of the building and how it sits on the site and how it is in relation to the existing surroundings. It's a three story building. We tried to keep the scale down and still create the amount of units that make it a viable project. Paul pointed out the mixed uses within the building. It's a full continuum outside of skilled nursing. We're taking care of memory care residents and more frail assisted living residents and we're also offering an independent congregate living option for more active independent seniors. We've tried hard on the exterior façade to really break up the façade into three separate buildings. What you're looking at now is on the assisted living side with a memory care courtyard on the secured memory care courtyard on the first level. You could see there's a lot of changing roof lines within the façade. We've worked hard to provide interest all the way around the building, not just create a one-sided structure. This is towards the back of the building with an outdoor patio right off of the dining room and chapel. This is an idea of what that backyard will look like with the amount of landscaping and gardens and activities and walking trails. We're really trying to connect to nature. For exterior materials we will be using brick to match the hospital. The base of the building is a manufactured stone that is going to emulate what you see on the hospital. A large majority of the rest of it is a cement board siding, which is a really durable and long-lasting hard surface. We're trying to tie into the architecture of the hospital but yet trying to be appropriate with the existing residential surroundings and create a unique residential look to the building. So that is it, thank you.

Richard Abbott with the St. John Providence Health System said we're really excited about this project. I've been with the organization for 17 years. One of the first projects I did when I got to Providence at that time was an expansion of the ambulatory building. It first started with the A, B wings and then we added the C wing, and then we added the Assarian Cancer Center. As we've master planned the campus for a hospital we've talked about various complimentary uses of it and you've seen that evolve with the development of two medical office buildings and a hotel. We have talked about housing at various times but I don't think we've ever envisioned something this good for this site. I can't think of a better fit than to have this type of facility on that campus where the frail elderly can have access to their medical services. As Paul said, when we did the market studies on this, the 182 residents that live here are residents of Novi. If it wasn't for this facility they would have to leave the community they've lived in for most of their lives. There's a demand for this facility and it can't be better than what's been developed by Edward Rose and Pope Architects. They've been so sensitive to what we've asked them to do and how to develop this site. And they've been so sensitive in how they've worked with the city staff. I'm so encouraged by the unanimous support of the staff for the project and the support we've received from you as the Planning Commission. I just think this is going to be so good when we finally have this going that it's really going to be just putting the extraordinary use of Providence Park that is being demonstrated in this project and just another example of how Novi does business and how it treats its residents. So thank you for having us this evening, I appreciate it.

Chair Pehrson opened the public hearing. Seeing no one wishing to speak, Chair Pehrson asked if there was any correspondence. Member Lynch read the correspondence.

Leonard Stein of Fox Run said please do not destroy 200 trees at the hospital site. There must be a more reasonable and logical solution.

Joslen Letscher of the Fox Run Eco- Initiative Advisory Board said in reading the recent City Council Meeting minutes I became aware of the proposed Rose Senior Living complex. I'd like your assistance in forwarding my comments to the Planning Commission that relate to the environmental impact on the wetlands and woodlands. The proposal, as presented, indicates a vast track of mature trees will be removed and wetland and wooded wetlands will be mitigated to accommodate this complex. I believe there are other solutions. I'm a member of the City of Novi

Advisory Board for Older Services. In line with that role, I'm pleased to know that Providence Park, with its renowned reputation for health, is seeking to respond to the needs of our seniors by partnering with donors to build such a complex. At the same time, I'm dismayed that a more creative approach for this was not taken. Novi carries a designation of tree city. Woodland and wetlands are vital to our conservation of our great lakes. Mature trees convey a sense of wellbeing. The site and design constructions can be modified. Finally, as an active participant on the eco-initiative at Fox Run Senior Community located in Novi, I know firsthand that it's possible to collaborate with architectural construction and environmental engineers to adjust site planning. I encourage members of the Planning Commission to withhold final approval until site architects review and adjust site plans to incorporate natural features.

Chair Pehrson closed the public hearing and asked the Planning Commission for comments or a motion.

Member Lynch said I remember seeing this as a concept plan and I don't think I could be as articulate as Mr. Abbott but I have to agree with you. I can't imagine a better place to put this. I think it's a need in Novi; I know that from firsthand knowledge with my in-laws. I think that for the site that we have, it was designed properly. In fact, it actually turned out better than the concept plan. When you came out with the concept plan I didn't expect it to look quite as spectacular as what I've seen in the presentation that you've made. So I'm in support of this. I was in support of it in the concept plan and I think this is an enhancement of that.

Member Anthony said Pete can I get you to come to the podium and answer some questions so we can shed some light on the tree issue. We seem to have a few citizens that are concerned about mature trees. There seems to be quite a bit of participation that the new builder is offering in following our tree policy. So can you expand on what types of trees will be removed and what the developer will be doing to replace those tree and comply with the ordinance?

Mr. Hill of ECT said well as the applicant stated there are 600 or so trees being removed and there's a combination of replacements being proposed. They have a whole assortment of different size shrubs, perennial plants and deciduous and conifer trees that are being proposed and are meeting the ordinance requirements.

Member Anthony said so we really are being consistent with Novi's reputation of being tree conscience? We're making sure that the trees that are being removed comply with the ordinance and that there would be backfill into that.

Mr. Hill said correct.

Member Anthony said you can help me with clarity on this because this always confused me, when I think in terms of mature trees, those are virgin forests that were untouched by human activity and when I think of the lumbering activity that went through Michigan this would make me think this is more of a second growth as opposed to a primary growth.

Mr. Carmer said I think you're correct in that. Pretty much all trees in southern Michigan were removed at one point in the late 1800s. So to say this is a virgin strand of forest is not accurate.

Member Anthony said right. So this is nothing that pre-existed 1860 which would make this virgin forest?

Mr. Carmer said no.

Member Anthony said when I think of the common sense of the ecosystem I love the raccoons and squirrels that run through my backyard but I see so many citizens were trapping and relocating coyotes and raccoons, it's not any special ecosystem in this area, is it?

Mr. Carmer said it's a higher quality woods with larger trees in it, however our review notes that there's very little room on this property. There are a lot of constraints, existing conservation easements and woodland and wetlands surrounding the entire property. The 649 trees, if you're looking at it, we're talking about 27 trees per acre. It looks like the only area that is not considered regulated woodlands in the whole south half of Providence, they're making use of that. They're including 6 acres with no trees on it, they're making use of that area to the maximum extent possible, and the tree impacts are a byproduct of the size of the development. They can't fit without some woodland impacts.

Member Anthony said so as a city we build out and have some type of impact. The logic that you followed when you look at impacting the woodlands, what's your logic trail to go from some impact but now when I see the final outcome and participation we recommend approval.

Mr. Carmer said I guess looking at the larger piece there's about 80 acres south of the existing hospital facility. Currently there are about 20 acres under MDEQ easements wetlands, most of them are forested wetlands. As part of this project, there would be an additional three acres put under a permanent easement so at that point we're at about 25 acres out of that 80 in the larger section there will be placed under permanent conservation easement. No tree cutting can take place. It's a preservation area. So our thoughts reviewing this were that's about 30% of the overall property is going to be preserved in perpetuity as a woodland and wetland preservation area. We consider that a decent chunk of the property that is going to be preserved permanently.

Member Anthony said that is a good deal. I didn't realize a full 30% of the property is going to be preserved.

Mr. Carmer said granted that the project itself has been scaled down. When we first presented the boundaries of the property, I'm referring to the entire parcel to the south of Providence. The senior living facility, they've shrunk that project down to 23 acres.

Member Anthony said it looks like our consultants have done a great job at preserving our wetlands and trees as we're developing the city. I'm in support of the full recommendation here.

Chair Pehrson said every time we come across a developer that wants to take over and do something on a piece of property, there's always tradeoffs. What we see on a consistent basis through the diligent work of our planning department with our consultants and the vast majority of the applicants that come in front of us, it needs to be recognized that people look at this as if this is their property. They do a very good job to come up with a plan that is meaningful to the area as opposed to a clearing of everything and no offense to Sterling Heights, but being like them where you see no trees or wetlands. The City goes above and beyond and while there is some reclamation relative to movement of, in this case, trees from one part to the other, it's very important to note that the reason we are a tree city is because there is an ordinance in place. It allows a developer to come in put in the very best effort, which this represents, and then take the impact of that and move those trees offsite and do something that allows us to keep that and maintain that tree city atmosphere. What I want to ask you gentlemen about is, relative to the ordinance that we have today, not taking into consideration Rose Senior Living Center, is there anything that we need to be cognizant about or aware of? We probably don't have too many of these patches anymore in the big town of Novi that we are where we are going to come across trees or stands like this. Is there something we need to be doing a little bit more proactively to take the next step relative to any kind

of woodlands ordinance that we have on the books right now?

Mr. Carmer said I guess my comment on that would be taking areas not proposed for development and getting more conservation easements recorded. When we have a significant woodland or older growth stand, trying to preserve as many of those as we can with a legal instrument like a conservation easement so that five years from now someone else doesn't come in and try to propose a building on that same property that was not included in the first phase of a project. So just getting legal protection over as many of these quality stands as possible would be great.

Chair Pehrson said ok maybe Miss McBeth, in the future; if we have an implementation committee meeting, let's take a look at this specific ordinance to see what we can do to take into account. Also try to help ourselves with some of the conservation easements relative to the woodlands because I don't know if we're going to end up with too many of these applications again where we're going to have 200 year old trees. I remember a young Planning Commissioner fighting like heck to keep a black walnut tree on Grand River standing fast. I think I might have lost that battle. Maybe that would be something we could turn over to the implementation committee and have them look at it.

Deputy Director McBeth said I think that's a good idea. I know just a few years ago we took a look at the woodland ordinances and made a number of improvements. I know David Beschke was involved in that as well as our consultants in coming up with some newer ideas and improvements to the ordinance. I think it could be time that we could take a look at that again.

Chair Pehrson said ok thank you. And thank you gentlemen. And relative to the rest of the Rose Senior Living Center, I'll been in favor of this. It's the right application for this area. Citizens are going to love it and to actually see a city center inside of a building makes me have hope one day that Novi will have a downtown. So I'm going to consider this our downtown for the time being. I appreciate the effort that everyone has put forward in this. We really look forward to this coming to fruition.

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Rose Senior Living at Providence, JSP13-81, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **Planning Commission waiver to reduce the buffer area around the proposed basin; which is hereby granted; 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 the PSLR Overlay Agreement and PSLR Overlay Concept Plan, Article 4, Article 6, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Rose Senior Living at Providence, JSP13-81, motion to approve the Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and

consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with the PSLR Overlay Agreement and PSLR Overlay Concept Plan and Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Rose Senior Living at Providence, JSP13-81, motion to approve the Woodland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with the PSLR Overlay Agreement and PSLR Overlay Concept Plan and Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Rose Senior Living at Providence, JSP13-81, motion to approve the Stormwater Management Plan, subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with the PSLR Overlay Agreement and PSLR Overlay Concept Plan and Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. WEST PARK STORAGE TANK, JSP14-14

Public hearing at the request of the City of Novi for Special Land Use Permit, Preliminary Site Plan and Stormwater Management Plan for a water storage reservoir and to replace pumps at the existing pump station located on the northeast corner of West Park and Twelve Mile Road. The 2.8 acre site will contain one expanded access off of West Park Drive, a six foot wrought iron security fence, and a new sidewalk along Twelve Mile Road.

Planner Roediger said the City is proposing to construct a water storage reservoir and replace pumps at the existing pump station located on the northeast corner of West Park and Twelve Mile Road. The zoning of the property and of the properties to the north, east and west is I-1, Light Industrial, which permits municipal uses as a special land use. Property south of the site is zoned OST Office Service Technology. This area is master planned for Office Research Development & Technology, with land to the west planned for Industrial Research Development & Technology. The site contains some areas of regulated woodlands toward the east side. These woodlands are not of high quality and are mostly understory brush with multiple standing dead trees, much of which would be considered invasive species. Staff has met with the designer and project manager on the site to determine a reasonable plan for installing the facility in an environmentally sound way. A significant portion will remain undisturbed. Six native species trees are proposed as woodland replacements to enhance the site. The City is proposing to construct a water storage reservoir and replace pump at the existing pump station located on 2.8 acres. The site will contain one expanded access off of West Park Drive, a six foot wrought iron security fence, and a new sidewalk along Twelve Mile Road. The planning, engineering, landscape, facade and fire review letters all recommend approval with items to be addressed on the stamping site plan submittal. Pursuant to the Michigan Municipal Planning Act, the

Planning Commission is asked to hold a public hearing and approve the proposed park improvements at Novi Dog Park this evening.

Chair Pehrson opened the public hearing. Seeing no one wishing to speak, Chair Pehrson asked if there was any correspondence. Member Lynch read the correspondence.

Edwin B Bozian of 2775 Terrybrook Rd supports the plan.

Chair Pehrson closed the public hearing and asked the Planning Commission for comments or a motion.

Member Anthony said it's not just any water tank, this has a brick exterior. How big is it?

Mr. Kuhns said so the storage tank is 102 feet in diameter and approximately 35 feet in height, including the dome. So the overall square foot is plus or minus 8,000 square feet if you're looking at it in land view.

Member Anthony said 300,000 gallons.

Mr. Kuhns said 1.5 million gallons.

Member Anthony said oh good. I forgot one factor- the cube. I got the square foot area. So you're hoping this flow equalization tank will help us during peak season and control City rates with DWSD.

Mr. Kuhns said that's correct. As you know, there's upward pressure from Detroit Water and Sewer on rates on all their wholesale customers. The City of Novi has taken the proactive approach of providing in systems storage within our system here. As you mentioned the goal of shaving peak flows from DWSD, they provide significant rate benefits to the City.

Member Anthony said so your plan is to fill in low peak demand and then during peak demand first use the water in the tank before we are pulling from DWSD.

Mr. Kuhns said generally that's correct. We will fill during non-peak hours and then when a peak does come, as it kind of indicates, we will be shaving the peak. So we'll still be drawing flows from Detroit. It's just that the volume in the tank will be used to shave off the peak.

Member Anthony said now would this go into our general distribution system so that it's for all businesses and residents, or is it just a targeted area that this will feed into?

Mr. Kuhns said by virtue of the pressure districts this tank will feed the southern two-thirds of the City and it's for general use for users within the southern two-thirds.

Member Anthony said is that where our greatest demand is?

Mr. Kuhns said generally the demands on spread out spatially uniform across the City, so the larger the area the larger the demand.

Member Anthony said with our current population size, do you see as grow the need for another location and another tank?

Mr. Kuhns said we don't envision that at this point. When we did the initial analysis and feasibility study the volume we came up with was around 1 million gallons. We've allowed for an additional

half million gallons to account for future system growth as well as some additional fire protection if needed.

Member Anthony said alright. Thank you for answering my questions.

Chair Pehrson said Barb there's not going to be any naming rights or signage on the tank itself?

Deputy Director McBeth said I haven't heard of that. Maybe Mr. Kuhns could answer that question.

Mr. Kuhns said no there will be no signage on the tank at all.

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of West Park Storage Tank, JSP14-14, motion to approve the Special Land Use permit based on the following findings:

Relative to other feasible uses of the site:

- The proposed use will not cause any detrimental impact on existing thoroughfares as there will be no additional access points or significant change in trip generation;
- Subject to satisfying the requirements in the Engineering Review the proposed use will not cause any detrimental impact on the capabilities of public services and facilities because the plan adequately addresses and provides for water and sanitary sewer service and management of stormwater volumes;
- The proposed use is compatible with the natural features and characteristics of the land as minimal impacts to quality natural features are proposed;
- The proposed use is compatible with adjacent uses of land as indicated in the staff and consultant review letters;
- 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; and
- The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

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 Anthony and seconded by Member Lynch:

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

In the matter of the West Park Storage Tank, JSP14-14, motion to approve the Preliminary Site Plan, based on and subject to the following:

- a. Planning Commission waiver of the required Noise Impact Statement which is hereby granted;
- b. Planning Commission acknowledgment of security fencing located in the front and exterior side

yards is necessary for security of the facility;

- c. Planning Commission determination that the number of parking spaces provided are adequate for the proposed use; and
- d. The conditions and items listed in the staff and consultant review letters being addressed on the Stamping 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 Anthony and seconded by Member Lynch:

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

In the matter of the West Park Storage Tank, JSP14-14, motion to approve the Stormwater Management Plan, based on and subject to the conditions and items listed in the staff and consultant review letters being addressed on the Stamping Site Plan. This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

MATTERS FOR CONSIDERATION

1. SUNDANCE GRILL & CANTINA, JSP13-56

Consideration of the request of Theodore Andris, PC for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is 1.89 acres in Section 2, located on the southeast corner of Fourteen Mile Rd. and East Lake Dr. in the B-3, General Business District. The applicant is proposing to construct a 693 square foot addition and a 526 square foot outdoor seating area at the existing Sundance Grille & Cantina.

Planner Roediger said the applicant is proposing to construct a small addition and outdoor seating area at the existing Sundance Grille & Cantina. The site is located on the southeast corner of Fourteen Mile Road and East Lake Drive and is directly bordered by vacant land but is in the general vicinity of single and multiple-family residences. The subject property and the parcel immediately east are zoned B-3 General Business with R-4 One-Family to the west and south and C-1 Neighborhood Commercial in Walled Lake to the north. The Future Land Use map indicates Local Commercial uses for the subject property and the parcel to the east with Single-Family uses to the west and south and Gateway Mixed Use in Walled Lake to the north. The site does not contain any regulated wetlands or woodlands.

The applicant is proposing to construct a 693 square foot addition to the existing non-conforming Sundance Grille & Cantina building and a 526 square foot outdoor seating area along the building's west side. Additional parking and site upgrades are also being installed. Because this site is an existing non-conforming site, the applicant will need to obtain a number of waivers and variances as proposed, including two Zoning Board of Appeal variances for the expansion of the building to not meet the front and exterior side yard setbacks along 14 Mile Road and East Lake Drive. Four Planning Commission waivers are being recommended for the same-side driveway spacing, to permit a fence in lieu of a berm along the southern property line, for the lack of street trees, and to permit a reduced berm height along Fourteen Mile Road.

In addition, a City Council variance is being requested to not provide the required pathway along East Lake Drive. Since the last Planning Commission meeting, the applicant has submitted an

updated plan that includes a 6 foot concrete sidewalk along Fourteen Mile Road as requested. An administrative variance to allow the sidewalk to be located outside of the 1 ft. requirement from the future right-of-way line is required as depicted. Because the site is an existing nonconforming site that is being improved, staff supports the requested waivers and variances. All reviews now recommend approval of the plan, with the facade review noting that approval is contingent upon all RTU's, exhausts fans and related ductwork be painted the same color as the trim to match the existing asphalt shingles. As you may recall the applicant was here late last year regarding the paint color of their building and with this proposal, the applicant has since met all of the conditions of the agreed upon stipulated disposition. This evening the Planning Commission is asked to approve the Preliminary Site Plan and Stormwater Management Plan. I'm happy to answer any questions you may have.

Clif Seiber of Seiber-Keast Engineering said I really have nothing more to add. We made the addition of the pathway along Fourteen Mile Road as well as adding some dimensioning details for the bicycle parking. Otherwise, we're here to answer any question the commission may have.

Chair Pehrson said thank you very much. I appreciate you taking the time to act upon our request and make this right in our minds so we could all visually understand it.

Member Anthony said thank you for adding the sidewalk. It was important to our non-motorized master plan.

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Sundance Grill & Cantina, JSP13-56, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Zoning Board of Appeals variance for the front yard setback along East Lake Dr. which is supported by staff because the site is an existing nonconforming site that is being improved (30 feet required, 24 feet proposed);
- b. Zoning Board of Appeals variance for the exterior yard setback along Fourteen Mile Rd. which is supported by staff because the site is an existing nonconforming site that is being improved (30 feet required, 3 feet proposed);
- c. City Council variance from Section 11.256(b) of the Design and Construction Standards of the City Code for the lack of a bicycle path on East Lake Drive because this is an existing site that is being improved and there is not adequate room to provide this path safely adjacent to the existing non-conforming building and because of the presence of an existing bike lane;
- d. The applicant installing a sidewalk along Fourteen Mile Road that connects the existing bike lane along East Lake Drive to the existing sidewalk east of the property, with support for an administrative variance from Section 11.278(b)(5) of the Design and Construction Standards of the City Code to permit a sidewalk to vary more than 1 foot from the future right-of-way as illustrated in Sheet 2 dated 5-16-14;
- e. Planning Commission waiver for same-side driveway spacing (185 feet required, 130 feet provided), which is hereby granted;
- f. Planning Commission waiver to allow a 6 ft. wood screen fence in lieu of a berm along the southern property line as it will provide adequate and effective noise attenuation and screening while still maintaining a useable site; which is hereby granted;
- g. Planning Commission waiver from the street tree requirements along both frontages because this is an existing non-conforming site that has limited space and the installation of street trees is impractical; which is hereby granted;

- h. Planning Commission waiver to reduce the berm height (3 ft. required, 2 ft. recommended) along Fourteen Mile in order to allow the installation of a sidewalk; which is hereby granted;
- i. All RTU's, exhausts fans and related ductwork be painted the same color as the trim to match the existing asphalt shingles; and
- j. The conditions and items listed in the staff and consultant review 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 Anthony and seconded by Member Lynch:

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

In the matter of Sundance Grill & Cantina, JSP13-56, motion to approve the Stormwater Management Plan, subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. APPROVAL OF THE MAY 14, 2014 PLANNING COMMISSION MINUTES

Moved by Member Lynch and seconded by Member Anthony:

VOICE VOTE ON THE MAY 14, 2014 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

Motion to approve the May 14, 2014 Planning Commission Minutes. *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 are 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 May 28, 2014 Planning Commission meeting. *Motion carried 4-0.*

The meeting was adjourned at 8:01 PM.

Transcribed by Valentina Nukulaj
May, 2014
Date Approved:

Richelle Leskun, Planning Assistant
Signature on File