



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

September 28, 2022 7:00 PM

Council Chambers | Novi Civic Center

45175 W. Ten Mile (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:01 PM.

ROLL CALL

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Christian Carroll, Planner; Rick Meader, Landscape Architect; Humna Anjum, Plan Review Engineer; Douglas Repen, Environmental Consultant

PLEDGE OF ALLEGIANCE

Chair Pehrson led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Avdoulos.

VOICE VOTE TO APPROVE THE SEPTEMBER 28, 2022 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

Motion to approve the September 28, 2022 Planning Commission Agenda. Motion carried 7-0.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the first public participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were not any Committee reports.

CITY PLANNER REPORT

City Planner McBeth informed the Commission that the next Master Plan Steering Committee meeting will be held next Wednesday, October 5th, in the activities room. The topics covered will

be traffic, thoroughfares, and transportation issues.

CONSENT AGENDA - REMOVALS AND APPROVALS

1. NOVI CORPORATE CAMPUS PARCEL 1, JSP18-43

Approval of the request of Dembs Development, LLC, for the third one-year extension of the Preliminary Site Plan approval. The subject property is located north of Twelve Mile Road, east of West Park Drive in the I-1 Light Industrial zoning district. The applicant proposed a 93,320 square foot industrial spec building on the 6.6-acre parcel. Planning Commission approved the Preliminary Site Plan in November of 2018.

Motion made by Member Avdoulos and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE THIRD ONE-YEAR EXTENSION OF THE PRELIMINARY SITE PLAN FOR JSP18-43 NOVI CORPORATE CAMPUS PARCEL 1 MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to approve the third one-year extension of the Preliminary Site Plan for JSP18-43 Novi Corporate Campus Parcel 1. Motion carried 7-0.

2. SRI VENKATESWARA CULTURAL CENTER, JSP18-32

Approval of the request of Manyam Group LLC for the third one-year extension of the Preliminary Site Plan. The subject property is located at 26233 Taft Road, on the west side of Taft Road, south of Grand River Avenue in Section 16 of the City. The site plan proposes phase 2 of the project: a 24,136 square foot, 2-story Cultural Center on the eastern portion of the site.

Motion made by Member Avdoulos and seconded by Member Roney.

ROLL CALL VOTE TO APPROVE THE THIRD ONE-YEAR EXTENSION OF THE PRELIMINARY SITE PLAN FOR JSP18-32 SRI VENKATESWARA CULTURAL CENTER MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to approve the third one-year extension of the Preliminary Site Plan for JSP18-32 Sri Venkateswara Cultural Center. Motion carried 7-0.

PUBLIC HEARINGS

1. PARC VISTA JSP21-47, (FKA COVINGTON ESTATES)

Public hearing at the request of Toll Brothers, LLC for Preliminary Site Plan with Site Condominium and Stormwater Management Plan. The subject property is in Section 31 north of Eight Mile Road and west of Garfield Road in the RA, Residential Acreage District. The applicant has received City Council approval of a Residential Unit Development (RUD) Agreement on a 54.3-acre parcel to construct 44 single-family residential units.

Senior Planner Bell said the subject property is located on the north side of 8 Mile Road, west of Garfield Road in Section 31 of the City of Novi. The property totals 54.3 acres. You may remember this project came before the Planning Commission in April of this year as a Residential Unit Development (RUD) request, which was recommended for approval to City Council. The City Council approved the RUD Plan and Agreement, and the applicant now seeks approval of the Preliminary Site Plan with Site Condominium.

Ms. Bell went on to say the zoning of the property is RA, Residential Acreage, with the same to the North, east, and west. The properties to the south across 8 Mile Road are in Northville Township and are zoned R-2 Single Family Residential. There is a small day care facility directly

opposite on 8 Mile, but most of the area to the south is Maybury State Park. The future land use designation and surrounding properties on north, east, and west is single family. The site has a small portion of regulated wetlands along the northwestern area and some regulated woodlands surrounding it. The remainder of the site is open farmland.

Ms. Bell continued to say the applicant is proposing a 44-unit single-family development with access off 8 Mile Road. The overall density is 0.8 dwelling units per acre, which is the maximum permitted in the Residential Acreage district. The lot sizes vary from one-half acre to a little over one acre. The smaller lot widths, area and setbacks are consistent with R-1 district standards, which City Council approved in the RUD Agreement to achieve greater open space preservation. The plan indicates 44 percent of the site will be maintained as open space, including the existing wetland and woodland areas; no disturbances of those natural features are proposed in this plan. The applicant states the open space will be owned and maintained by the Homeowners Association and indicated for preservation in the Master Deed documents. An Open Space Preservation easement to the City is also requested. A 0.9-mile trail is proposed around the stormwater retention basins and through the open space area in the north to the Garfield Road frontage. A landscape buffer is shown in the northern area to provide a buffer to the existing Deer Run neighborhood to the north. All deviations from the Ordinance have either been approved in the RUD Agreement or the applicant will correct in the Final Site Plan submittal.

Ms. Bell concluded by saying all reviews are recommending approval, with additional comments to be addressed in the Final Site Plan. The Planning Commission is asked to hold the public hearing and approve or deny the Preliminary Site Plan and Stormwater Management Plan. The applicant Scott Hansen, with Toll Brothers, is here with his team, including Engineers Mark Crider and Matt Bush, to discuss the project and answer any questions. Staff and our consultants are also available for questions.

Chair Pehrson invited the applicant to address the Planning Commission, but the applicant did not have anything further to add.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate in the public hearing to approach the podium. Seeing that nobody wished to speak, Chair Pehrson turned it over to Member Lynch to read the correspondence received for this agenda item.

Member Lynch said Theresa Ohlgren, 21666 Garfield Road, objects due to traffic issues and lack of infrastructure to support stormwater; Jason and Molly Kenison, 49581 Deer Run, voice their concerns about the pathway; Brendan and Natalie Gunnarsson, 49551 Deer Run, also voice their concerns about the pathway; Robyn Marcotte, 49425 Deer Run, has concerns about increased traffic congestion on 8 Mile and Beck Road; Paul and Eve Ryznar, 49601 Deer Run, object to the proposed trail.

Chair Pehrson closed the Public Hearing and turned it over to the Planning Commission for consideration.

Member Becker said regarding the tree plantings that were requested along 8 Mile, in the applicant's response letter it states trees are required to be 5 feet from utility lines. The distance between the sanitary and water main ranges from 9.75 feet to 10 feet. Unfortunately, the planting area between utility lines is a stormwater swale prohibiting trees. Does staff concur with this assessment by the applicant?

Landscape Architect Meader confirmed staff agrees with the assessment.

Member Lynch asked did we included any easements when we wrote the agreement, or did we just state that the open space must be maintained by the Homeowner's Association and cannot be infringed upon? Can the Association infringe upon the open space at a future date?

City Attorney Saarela said typically, when we require an open space agreement, we also require a separate easement. I don't recall if there was separate easement in this case. If it was required, there would be a separate document recorded.

Member Lynch said I don't have a problem with this, but I would appreciate it you could go back and look. I just want to make sure that it is absolutely clear that the open space must remain open space into the future.

Member Dismondy said we saw this project come before the Commission in April, and everything seems to comply with the Ordinance and the RUD. I do not have any issues.

Member Verma said the State of Michigan is currently reviewing the City of Novi's stormwater standards to ensure they comply with the new county standards. If this is the case, how will we be reviewing this project and under which standards?

Plan Review Engineer Anjum said until we officially adopt the new standards, we will be reviewing under the current standards the City has. That note is just to inform applicants that if they reach Final Site Plan review or Preliminary approval at the time we adopt the new standards, the plans will have to be reviewed again under those new standards.

Member Roney said there were several pieces of correspondence voicing concerns about the pathway to the north. Is any screening required for the portion of the pathway that goes to Garfield Road, primarily for the homes on the north side?

Landscape Architect Meader said no – that isn't something we typically do for a pathway. We weren't concerned about screening in this case because there aren't any high structures or vehicular traffic.

Member Roney said he appreciates the correspondence from residents concerned about privacy.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Parc Vista, JSP21-47, motion to approve the Preliminary Site Plan with Site Condominium subject to and based on the following:

- a. Compliance with the terms and conditions of the approved Residential Unit Development Plan and Agreement;**
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan.**

City Attorney Saarela said I can respond to Member Lynch's prior question about the open space agreement. The open space is preserved in their Master Deed document, in which they would create the easement. Therefore, the easement would be in a separate document from the agreement.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN WITH SITE CONDOMINIUM FOR JSP21-47 PARC VISTA MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to approve the Preliminary Site Plan with Site Condominium for JSP21-47 Parc

Vista. Motion carried 7-0.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Parc Vista, JSP21-47, 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 being addressed on the Final Site Plan.

ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN FOR JSP21-47 PARC VISTA MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to approve the Stormwater Management Plan for JSP21-47 Parc Vista. Motion carried 7-0.

2. MONTESSORI DEI BAMBINI JSP22-25

Public hearing at the request Montessori Dei Bambini for Special Land Use and Preliminary Site Plan approval. The subject property contains 5.01 acres and is located in Section 26, west of Meadowbrook Road, south of Ten Mile Road. The applicants would like to operate a Montessori based daycare center in an existing church for up to forty children, which is a Special Land Use in the R-4 Zoning District.

Planner Carroll said this 5.01-acre site is located south of Ten Mile Road and West of Meadowbrook Road. The applicant would like to lease out space in Novi United Methodist Church to operate a Montessori-based daycare. The site is located across from Busch's Fresh Food Market, adjacent to Novi Plaza, and adjacent to Orchard Hills Subdivision. It is zoned R-4 for One-Family Residential. Nearby properties are zoned R-4, B-1, B-3, and RM-1. The Future Land Use for the site indicates Single-Family Residential, which is consistent with the R-4 standards. Nearby properties show single-family residential, local commercial, and multiple-family residential. The subject site does not contain any regulated woodlands or wetlands. As indicated on the site plan provided, the applicant is proposing to lease out Room 2, Room 3, and Room 5 of the building. The applicant does not anticipate having more than 40 children on-site. No exterior or interior improvements are proposed at this time. The daycare is proposed to be operated from 7am to 6pm. The site has an existing playground on the southeast portion of the site that has been in place for several years. The applicant is proposing to take the children out to the playground in two different groups to keep the noise levels low.

Mr. Carroll went on to say the applicant is also seeking a variance from the Zoning Board of Appeals for the lack of a fence around the playground, which is a qualifying condition of the daycare center use. Staff does not support this request as a fence provides important screening and security measures for playgrounds, especially considering the site's proximity to a major throughfare. To clarify, in the motion sheet, there are two options for both the Preliminary Site Plan approval and Special Land Use approval; the first option is for approval with the fence as a requirement and the second option if for approval without the fence as a requirement. If the Planning Commission were to grant the applicant's request, it would need to choose option 1 in both motions. If the Planning Commission were to require the applicant to meet the ordinance requirements and provide adequate screening and security, it would need to choose option 2 in both motions. By choosing option 2 and including the fencing requirement as a part of the Special Land Use approval, the applicant would not be able to seek a variance from the ZBA. Mr. Carroll went on to say staff feels the use is consistent with a daycare center if a fence is provided in the recreational area, which is a Special Land Use in the R-4 District. Relative to other feasible uses of the site, the proposed use will not have a detrimental impact on existing throughfares in terms of volume and safety, nor will it have a detrimental impact on public services or facilities. In addition, the use would be compatible with natural features of the City,

compatible with the adjacent uses of land, consistent with the goals of the Master Plan, and in compliance with the design regulations of the zoning district. All other outstanding issues have been asked to be addressed on the Final Site Plan if this project were to be approved by the Planning Commission.

Mr. Carroll concluded by saying the Planning Commission is asked tonight to hold the public hearing and approve or deny the Special Land Use and Preliminary Site Plan for Montessori Dei Bambini. Saadia Rao, the applicant, and representatives from Novi United Methodist Church are here representing the project tonight. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Saadia Rao, applicant for the project, mentioned that it would be nice to have a fence, but we do not have the funds at this time since we are just starting out. When looking at the area, we will be on the west side of the building. There is already an existing co-op school that has been there for over 30 years. This school and the playground have passed all LARA inspections in the past. Therefore, I am confident that our day care would be able to safely share the playground with the co-op school. LARA has very strict rules, but I would like you to consider whether we can begin our Montessori program with the variance from the fence requirement that we have requested. This space is also used for a variety of events for children taking place at the church. While the fence is good to have, but the main thing that it does is keep the group together – it doesn't always ensure safety. Our focus is always on the children when they are playing on the slides and swings or running around – that is where the accidents happen. The children learn from the beginning the rules of being outside, so I am not worried about the lack of a fence at this time.

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

Keith Tappan, with Novi United Methodist Church, said I am here to support this project. We'd love to be able to have more kids using the playground. Neither the Montessori Day Care nor the church have the financial capacity to install a fence. However, the playground is located about a football field's length away from 10 Mile Road. That playground has been there since I began going to the church, which was about 40 years ago, and there has never been a safety incident. The variance, in my opinion and the church's opinion, must be permitted for this project to be a success.

Seeing that nobody else wished to speak, Chair Pehrson turned it over to Member Lynch to read the correspondence received for this agenda item.

Member Lynch said Carlos Valdez, 41861 Quince Drive, is in support; Keith Tappan, who just spoke, is also in support; Christina Pierce, 24055 Meadowbrook Road, supports the project; Chris Meyer, 41640 Tamara Street, objects due to the increase in noise levels; Reverend Carter Cortelyou, Pastor of Novi United Methodist Church, is in support and echoes the comments of Mr. Tappan.

Chair Pehrson closed the Public Hearing and turned it over to the Planning Commission for consideration.

Member Lynch said I understand the applicant's request, and I am sensitive to it. However, I looked back at similar projects that we've approved over the last approximate decade, and for every one of them we required a fence. I really don't want to set precedent by approving this; I'll listen to my fellow Commissioners' opinions, but I feel that I would be a hypocrite to approve this when I haven't done the same for other projects in the past.

Member Becker asked does staff know how many children the co-op has at the church during the day?

Planner Carroll said I'm not certain of the exact number, but I believe it is around 10 to 15.

Member Becker said like Member Lynch, I also referred to previous Day Care establishments that came before the Commission. One of my first concerns is the unique traffic flow that such businesses have. Most of the customer traffic to and from such a facility is compressed into a narrow time window: morning and late afternoon. It occurs Monday through Friday all year long. The site proposed is on Ten Mile, which increasingly has heavy traffic volume during these main usage times. However, in this case, the site has two traffic lanes on eastbound Ten Mile in addition to two entrances to the parking lot. Westbound 10 Mile near the site has one full lane and about a half of a lane. Even if the applicant were to increase the number of children at the site to a maximum of 50, which the Ordinance allows, I think there is still plenty of space for safe traffic flow in and out of the site. Nevertheless, I also have a great deal of concern about the lack of secured fencing for the playground area, and it will be very difficult for me to approve this request without the fencing.

Member Dismondy said in my opinion, the fencing has been used as more of a screening and noise reduction tool. The rear of the property is wooded, and the adjacent Novi Plaza property has a brick retaining wall. The playground is also setback behind the church, which is quite some distance from Ten Mile. If the playground has been used in this manner for almost 50 years, then I don't think it will become any more dangerous. However, I don't know if this is something we can approve and then rely on the Zoning Board of Appeals variance to allow that measure.

City Attorney Saarela said if the fence is made a condition of the special land use, then it isn't possible to obtain a variance from the ZBA. If you do not make a condition, then the applicant can appeal the ordinance standard that would otherwise be required.

Member Verma said I believe when the church members are using this playground, the parents are usually nearby watching their children. The use being reviewed is a day care, not a church. Therefore, I believe the applicant should be required to adhere to the Ordinance standards as do other day cares in the City. A lack of funding to provide a fence is not an acceptable reason for not providing one.

Member Roney said while I understand the reasoning behind the applicant's request, the City does have these codes in place for a reason. Safety of children must be paramount, so I am in favor of the fence.

Member Avdoulos asked if there was a measure to require the fence, but not necessarily immediately. If the applicant provided a timeline for installing a fence within, say, a year's time, could we incorporate that into the motion?

City Planner McBeth said I don't know that we have ever allowed that. It's something we could look at if they provided a definitive timeline. The difficulty with that is the permits needed to make the site suitable for a school or day care. Once the certificate of occupancy is issued, it is difficult to retract that if they can't come up with the funds for the fence.

City Attorney Saarela said typically, when we do something like that, we have the applicant post a cash guarantee. However, it sounds like that would be financially feasible in this situation.

Chair Pehrson asked if the applicant had any idea what the fence would cost?

Saadia Rao, the applicant, said I had a minor survey done, and it will cost us between \$12,000 and \$15,000. When we start the business, we won't have 40 children; we might have 8 or 10 children – no more than that. The other day cares coming into the City are franchises, so they have the funds to provide a fence.

Chair Pehrson asked how is this is up for our consideration given that schools of this nature have always required a fence? Is it because of the special land use and our jurisdiction to decided whether to include that requirement?

City Planner McBeth said yes, we are leaving that up to you. In other cases, we have always advised the fence should be required since that is what the Ordinance requires. We're not sure why this playground hasn't had a fence for all these years. The requirements and standards at the state level may be a bit different as well.

Chair Pehrson said in my mind, it comes down to purely a safety measure. I'd love to find a way for the funds to be raised, but at this time I would have to agree that the fence must be required for the day care to open.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Montessori Dei Bambini, JSP22-25, motion to approve the Special Land Use Permit based on the following findings:

a. Relative to other feasible uses of the site:

- i. The proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service because the proposed use will not conflict with the peak hours of the church and sufficient parking is provided;**
- ii. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area because the proposed use does not result in a major increase in utility usage;**
- iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats because the proposed use does not impact any regulated features;**
- iv. The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood because the outside use of the recreational area has been in place for several years and is not proposed to be expanded;**
- v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use because it promotes the establishment of a compatible use in the R-4 Zoning District adjacent to residential properties;**
- vi. The proposed use will promote the use of land in a socially and economically desirable manner because it promotes the establishment of a new business;**
- vii. The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this ordinance and is in harmony with the purposes and conforms to the applicable site**

design regulations of the zoning district in which it is located.

- b. A screening fence, which is a qualifying condition for the proposed use, shall be provided around the recreational area to comply with Section 4.12.1.B.i.c of the Zoning Ordinance in order to provide sufficient screening for nearby residents and provide security for the recreational area.

ROLL CALL VOTE TO APPROVE THE SPECIAL LAND USE PERMIT FOR JSP22-25 MONTESSORI DEI BAMBINI MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to approve the Special Land Use Permit for JSP22-25 Montessori Dei Bambini. Motion carried 7-0.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Montessori Dei Bambini, JSP22-25, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. A screening fence, which is a qualifying condition for the proposed use shall be provided around the recreational area to comply with Section 4.12.1.B.i.c of the Zoning Ordinance in order to provide sufficient screening for nearby residents and provide security for the recreational area.
- b. The daycare center shall accommodate no more than 50 children;
- c. The hours of operation shall be limited to 7:00 a.m. to 6:00 p.m.;
- d. The applicant shall resolve all outstanding review comments listed in the Fire Review prior to occupancy of the space;
- e. The applicant shall comply with the requirements of Section 5.14.10.B. of the Zoning Ordinance as listed in the provided Noise Impact Statement;
- f. 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.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN FOR JSP22-25 MONTESSORI DEI BAMBINI MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to approve the Preliminary Site Plan for JSP22-25 Montessori Dei Bambini. Motion carried 7-0.

3. NOVI CONCRETE PLANT JSP22-08

Public hearing at the request of Crown Enterprises, LLC, for Preliminary Site Plan, Wetland Permit, Woodland Permit, and Storm Water Management Plan approval for a new 8,700 square foot concrete plant with two silos. The subject property is approximately 20 acres and is located at 46844 Twelve Mile Road in Section 9, north of Twelve Mile Road and west of West Park Drive. The southern portion of the site is zoned I-1, Light Industrial District and the northern portion is zoned I-2, General Industrial District.

Planner Carroll said this 20.08-acre site is located at 46844 Twelve Mile Road, west of West Park Drive and north of Twelve Mile Road in Section 9 of the City. The site is near Morrison Industries, Great Oaks Landscape, Copeland Paving, and Novi Crushed Concrete. It is zoned I-1, Light Industrial, on the front portion and I-2, General Industrial, on the rear portion. With the exception of access drives, stormwater management, site grading, and landscaping, all parts of the proposed concrete plant are to be located on the I-2 portion of the site. The surrounding area is zoned I-1, I-2, RA, and OST. The Future Land Use map indicates Industrial Research Development Technology and Heavy Industrial for the site; surrounding sites consist of similar future land uses, including office research development technology to the south and to the east. The subject property also contains City and EGLE regulated wetlands and City regulated

woodlands.

Planner Carroll went on to say as indicated on the site plan, the applicant is proposing to construct an 8,300 square foot concrete plant, two concrete silos, outdoor storage for associated concrete materials like aggregates, parking for employees and 35 concrete trucks, on-site diesel fueling tanks, and an on-site wash basin system. The anticipated hours of operation will be between 6am and 6pm on weekdays with limited weekend operation as determined by the customer. The site has been previously used as a driving range for several years. One item I would like to note is the site plan provided in your packet has a recent revision date. It shows proposed changes that were included in the response letter, but they have not been formally reviewed by staff yet. Looking at the Preliminary Site Plan, the proposal mostly complies with the requirements of the Zoning Ordinance, with some exceptions noted in the review letters:

- Two Zoning Board of Appeals variances are being sought. One of the variances is from Section 3.1.19.D for a maximum building height of 90 feet. 60 feet is the maximum height allowed in the I-2 district, so the applicant is seeking a variance of 30 feet for the two concrete silos. The other variance being requested is for loading in the front yard, which is not permitted in the I-2 district.
- Four landscaping waivers are being sought, two of which are not supported by staff. The first waiver for the lack of building foundation landscaping, which is not supported by staff. The second waiver requested is for the lack of perimeter trees in the planting strip between the rear parking lot and the operations area, which is also not supported by staff. The third waiver requested is for lack of screening berms or walls provided on the west, east, and north sides of the site. This is supported by staff as the applicant is proposing a 12-foot screening wall to the south, and they intend to maintain the woods as screening. The fourth waiver requested is for the lack of screening around the transformer, which is also supported by staff because the transformer will be adequately screened by the building.
- As indicated in the response letter, the applicant is proposing to reduce their wetland impact, so it does not require on-site mitigation from the City; they are at about 0.21 acres now. This change has been made on the northeast portion of the property. A non-minor wetland permit is still required. From my understanding, EGLE will likely also require mitigation.
- Also indicated in the response letter, the applicant has reduced the amount of regulated tree removals. This change has been made on the northeast portion of the property. However, a Woodland Permit is still required.
- In their traffic response, the applicant requests a same side driveway spacing waiver of 107.6 feet. It is supported by staff as the site could not be accessed from Twelve Mile Road without a waiver based on the current placement of the driveway.
- A Section 9 Façade Waiver for the overage of metal panels on all elevations has been requested by the applicant. It is supported by the City's façade consultant because the site is adequately screened and meets the intent of the ordinance.
- A secondary point of access will be required with the Final Site Plan. This is currently not provided on the plans, but that is something that will need to be addressed if this project moves forward.

Planner Carroll concluded by saying the Planning Commission is asked tonight to hold the public hearing and approve or deny the Preliminary Site Plan, Stormwater Management Plan, Woodland Permit, and Wetland Permit. The applicant and his team are here tonight representing the project. Staff and our wetland consultant are available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Gary Kelly, Vice President of Medusa Concrete, and Andrew Falzarano, Construction Project

Manager with Crown Enterprises, introduced themselves to the Commission and said they would stand by for any questions.

Mr. Kelly said we are a ready-mix concrete producer, serving mainly metro Detroit and expanding outward from there. We are a new company and a family-owned company. We are also focused on the environment and sustainable concrete. A typical concrete facility will offer about 50 new jobs to the City. We like to hire locally, and we promote ourselves through several job to offer jobs to community members first. Our jobs pay up to \$32 per hour, and we have both skilled and non-skilled positions. Some of these positions are driving positions, which would require a CDL-A or -B with air brakes. However, the other positions are more maintenance, facility operations, and sales positions. Some of the concerns about our operation is the dust it could produce; I won't say that we are a completely dust free operation, but we are virtually dust free. We are a completely paved site, and the plant is a wet batch concrete plant where the concrete is fully mixed inside of the building. From there, it is discharged into the ready-mix truck from inside the building. That building is equipped with state-of-the-art dust collection equipment, which has a 99.9 percent effective filtration rate. We also provide irrigation on our aggregates that controls any dust that could come from the aggregate. Part of the concrete process is to maintain the moisture condition of that aggregate to be what is called SSD, which is a 'saturated surface dry' condition that does not promote dust. The building height is around 50 some feet, and the silos rise above the building to about 90 feet. The silos are not large, they are thin, and they are not unsightly; we have an identical concrete plant in Center Line, which is currently in operation. Also, the wash basins located to the east are where we recycle the wash water from the concrete trucks. The truck is fully rinsed to make sure there isn't any debris in the hopper area or anywhere else. That water is then pumped back up to wash the trucks at the end of the day.

Mr. Falzarano said as far as the two landscaping deficiencies not supported by staff, we will be seeking a waiver for both of those. The first would be the parking lot landscaping. On the north end of this site, there is a 10-foot strip of grass proposed with a chain link fence down the middle, which somewhat hinders landscaping. We did propose three trees in the islands. The second waiver that we are requesting is for the building foundation landscaping. This requirement is simply not compatible with the proposed use of the property. A significant number of plantings have been proposed around the site, and we also feel that the 12-foot buffer wall will be sufficient for screening.

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

Brett Buchholz, with Nowak & Fraus Engineers, said I am here on behalf of James Cousens. He owns a parcel on the south side of 12 Mile Road, just southeast of the subject property. The parcel does not have an address, but it has a tax ID of 22-16-126-018, and it about a 4.5-acre parcel. We were hired a few months ago to look at the Davis Drain, which essentially divides the Cousens' parcel down the middle. The property is also on the upstream end of that drain. The reason they hired us is because they've been having issues with the drain backing up for quite some time. The Davis Drain is an older drain, it's a Chapter 4 drain, it's around 70 years old, and it probably has had little maintenance done to it. The Cousens have been experiencing the drain water backing up and sitting on their property since it cannot move downstream; it has been happening more frequently as well. When we heard about his project, the Cousens asked us to investigate how it may affect the Davis Drain and their property. We told them that they are proposing a detention system in accordance with Oakland County and the City standards, but it appears on the plans that they are out letting to the Davis Drain. The Cousens don't have any issues with the development other than the issue with the Davis Drain. Their main concern is that the development of the subject property will exacerbate the amount and frequency of flooding on their property. They feel they would be in a better position to support the project if

the drain got the maintenance that is desperately needs. Talking with Oakland County, they likely haven't done any maintenance on this drain since it was constructed. Years of sediment build up have probably occurred, but the County only removes tree limbs or things of the nature that could cause a major blockage.

Gary Roberts, owner of Great Oaks Landscaping – the property directly east of the subject property, said there are two major issues I have. The first of these is the two silos which will be visible from my entire yard. Any future development of that piece of property, which more than likely will be office or office research, in combination with those silos makes the site feel like a landmarked setting. I don't see any justification for a structure that tall being approved and disrupting the skyline. This will give the area of Novi a very industrial feel to it. The other thing would be the fence and wall on the side of the property. To my knowledge, there are no details of what that might look like. Looking at a 12-foot-tall wall doesn't sound very appealing to me, nor should it sound appealing to Novi. I don't mind it as much if it were to be heavily screened, but, knowing landscaping myself, it would be 20 or 30 years before anything would grow tall and full enough to screen the wall. I'm not opposed to aspects of this project – I agree with them that they don't need landscaping around their building, and I am a landscape architect. I think plantings will be destroyed or not maintained, so sometimes it is better to keep an area clean. However, the silos are definitely a nonstarter for me.

Seeing that nobody else wished to speak, Chair Pehrson turned it over to Member Lynch to read the correspondence received for this agenda item.

Member Lynch said the two pieces of correspondence I have received for this item are from the two individuals who just spoke.

Chair Pehrson closed the Public Hearing and turned it over to the Planning Commission for consideration.

Member Lynch asked who is responsible for the Davis Drain?

Plan Review Engineer Anjum said Davis Drain is an Oakland County drain, so all maintenance is done through the County.

Member Lynch asked how does one go about strongly encouraging the County to maintain that drain.

Ms. Anjum said we can reach out to the County. We hadn't heard of any previous issues with the drain that were brought to the City, but we can reach out now that we're aware.

Member Lynch said I think that would be a good idea for all parties involved, and everyone else upstream and downstream from that. However, that does concern me; I know the City doesn't have any control over it, but somehow, we must strongly push the County to act.

City Planner McBeth said I believe our Department of Public Works will reach out, but the applicant is also welcomed to approach the county to inform them of the situation.

Member Lynch asked Landscape Architect Meader to walk him through the landscape waivers.

Landscape Architect Meader said first off, I agree that it doesn't make any sense to have foundation landscaping around the building. I was pushing for something like vines in front of the wall to soften the look from 12 Mile Road. The other waiver for the strip of land between the operations area and the parking is a requirement. A parking perimeter is a requirement, and they have it at the south of the site. This is more about shading the parking lot to cool it. Their

reasoning for not shading the lot here is just because they want to put a fence along the strip of land, and I don't think that is valid – I think they should include the trees.

Member Lynch I also need to understand why the silos need to be 90 feet tall. Why can't they be 60 feet? Since the applicant is going to be requesting a variance from the Zoning Board of Appeals, I would like to understand the reasoning.

Gary Kelly, applicant, said the manufactured design of the equipment is to have the cement storage at 90 feet. The silos are raised on columns because the material is gravity fed into the weight batcher that weighs up the cement. Then it is discharged into the central mix drum, so I'm not sure how that could happen without gravity being in play. Shortening the silos would greatly reduce the capacity for concrete storage and the operation overall.

Member Becker asked is this a net new facility for Medusa, or is this replacing a different facility that is currently in operation?

Mr. Kelly said this is a new facility.

Member Becker said then all the jobs are net new, not only for Novi, but for the state?

Mr. Kelly said yes, that is correct.

Member Becker said the applicant response letter indicates they intend to or are pursuing a number of variances through the Zoning Board of Appeals. Is it standard operating procedure for the Planning Commission to decide on an application before the ZBA might make a decision on something that directly affects what we've just approved?

City Attorney Saarela said this situation is different from the last agenda item. The last agenda item was for special land use approval, which is a discretionary approval. In that situation, the Planning Commission has the ability to put a condition on the special land use which could not be modified by the ZBA. This agenda item is not a special land use. It is just a standard preliminary site plan with the applicant requesting a variance, so the Planning Commission doesn't have any ability to impact that variance – it would be strictly up to the ZBA. Therefore, your approval of this project is conditioned on ZBA variance approval. If the ZBA doesn't approve it, and the applicant cannot modify the structure, the applicant must decide what to do from there.

Member Becker said there was also some mentioning of the applicant trying to get the Fire Marshall to approve the elimination of the second emergency access route. Again, that may not be structured as a ZBA determination, but would we want to see that before granting approval? It seems pretty important to have two emergency access points to a site.

City Planner McBeth said that is something that the Commission could ask the applicant to come back later with that shown on the plans. You could also recommend approval of the project, let it go to the ZBA, and let them work everything out in the final site plan. If they can't, then I believe it would go to City Council for a waiver of a design and construction standard.

Member Becker said I agree with Mr. Meader and Member Lynch about the perimeter trees – I think that should be a requirement. I would like to commend the applicant's willingness to retain 19 more regulated trees than originally planned and for planting 52 replacement trees rather than only paying into the City's tree fund. To me, the subject property is an ideal location for this type of use. Driving through northern Michigan, I see many large farm silos; looking at the drawings for this project's silos, I don't see those as an infringement on the skyline. If we are going to have a business of this nature in Novi, this seems like an ideal place to locate it.

Member Dismondy said this is a permitted use in the I-2 district, and it seems like the applicant has attempted to achieve the spirit of the screening requirements. The main difficulty is the surrounding properties, which will hopefully someday become corporate offices. Being across from a concrete plant is unique, so screening will be appreciated. Beyond that, I'll leave it to the ZBA to determine whether the 30-foot variance on the silos is allowable.

Motion made by Member Avdoulos and seconded by Member Roney.

In the matter of Novi Concrete Plant JSP22-08, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Zoning Board of Appeals Variance from Section 3.1.19.D for a maximum building height of 90 feet (60 foot maximum in I-2 District) as recommended by staff because the building is a sufficient distance from the surrounding properties and impacts the overall function of the proposed project;**
- b. Zoning Board of Appeals Variance from Section 5.4.3 for the placement of a loading area in the front yard as recommended by staff because the site has sufficient screening from Twelve Mile Road;**
- c. Landscape Waiver for a lack of building foundation landscaping contingent upon the applicant planting vines that can climb the 12-foot-tall screening wall because it will help soften the screening as intended in the ordinance, which is hereby granted;**
- d. The applicant shall comply with the ordinance requirement and provide perimeter trees in the planting strip between the parking lot and the operations area to meet the ordinance requirement;**
- e. Landscape Waiver for a lack of screening berms or walls provided on the east, west, and north sides of the site because a majority of the woods are proposed to be preserved and a 12-foot-tall screening wall is proposed, which is hereby granted;**
- f. Landscape Waiver for a lack of screening around the transformer because the transformer will be adequately screened by the building, which is hereby granted;**
- g. Same Side Driveway Spacing Waiver of 107.6 feet to the west (122.4 feet proposed, 230 feet required) because the site could not be accessed from Twelve Mile Road without a waiver, which is hereby granted;**
- h. Section 9 Façade Waiver for an overage of metal panels on all elevations because the proposed screening wall obscures the site and the overall design is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted;**
- i. 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.**

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN FOR JSP22-08 NOVI CONCRETE PLANT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to approve the Preliminary Site Plan for JSP22-08 Novi Concrete Plant. Motion carried 7-0.

Motion made by Member Avdoulos and seconded by Member Roney.

In the matter of Novi Concrete Plant JSP22-08, 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.

ROLL CALL VOTE TO APPROVE THE WETLAND PERMIT FOR JSP22-08 NOVI CONCRETE PLANT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to approve the Wetland Permit for JSP22-08 Novi Concrete Plant. Motion carried 7-0.

Motion made by Member Avdoulos and seconded by Member Roney.

In the matter of Novi Concrete Plant JSP22-08, motion to approve the Woodland Permit based on and subject to the following:

- a. Any proposed woodland replacement trees shall be placed in a Woodland Conservation Easement as indicated in the Woodland Protection Ordinance;**
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.**

ROLL CALL VOTE TO APPROVE THE WOODLAND PERMIT FOR JSP22-08 NOVI CONCRETE PLANT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to approve the Woodland Permit for JSP22-08 Novi Concrete Plant. Motion carried 7-0.

Motion made by Member Avdoulos and seconded by Member Roney.

In the matter of Novi Concrete Plant JSP22-08, 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.

ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN FOR JSP22-08 NOVI CONCRETE PLANT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to approve the Stormwater Management Plan for JSP22-08 Novi Concrete Plant. Motion carried 7-0.

MATTERS FOR CONSIDERATION

1. NOBLE VILLAGE JSP22-26

Consideration of Noble Village at the request of Detroit Architectural Group for approval of the Preliminary Site Plan. The subject site contains 3.85 acres and is located at 42705 Grand River Avenue, east of Novi Road, and south of Grand River Avenue, which is in Section 23. The applicant is proposing a range of improvements to the current site of One World Market and the former Library Pub. These improvements include major changes to the façade of the building, landscape changes, and a total of 2,170 square feet in building additions to accommodate a few new uses of the site including an expanded Asian Grocery Store (One World Market), an Asian food hall anchored by Noble Fish Sushi and White Wolf Japanese Patisserie, an Izakaya bar, and community meeting spaces on the second and third floor of the building.

Planner Carroll said this 3.85-acre site is located at 42705 Grand River Avenue. It is south of Grand River Avenue and east of Novi Road in Section 23 of the City. The site is near Main Street and the future Sakura Novi development. It is zoned TC-1, Town Center-1, and the surrounding area is also zoned TC-1 with some B-3 and RM-1 to the east. The Future Land Use map indicates TC Commercial for the site and surrounding areas. The subject property does not contain regulated

wetlands or woodlands. As indicated on the site plan, the applicant is proposing several improvements to the current site of One World Market and the former Library Pub. These improvements include major changes to the façade and appearance of the building, landscape changes to provide more of an Asian theme, and a total of 2,170 square feet in building additions to accommodate a few new uses of the site. These uses include an expanded One World Market (which is an Asian grocery store), an Asian food hall anchored by Noble fish Sushi & White Wolf Japanese Patisserie, an Izakaya bar, and community meeting spaces on the second and third floor of the building. The applicant has indicated that over \$10 million will be invested in the project, and it will create over 100 new jobs. Based on the applicant's response letter, there will be an increase from 38 to 160 employees.

Mr. Carroll went on to say the preliminary site plan mostly complies with the requirements of the Zoning Ordinance, with some exceptions noted in the review letters. Some exceptions include:

- A landscape waiver for a lack of a decorative wall or fence along Grand River in front of the parking area, which is required in the Town Center-1 district. It is supported by staff as it is an existing condition;
- A landscape waiver for a deficiency in parking lot interior and perimeter trees, which is supported by staff if suggestions for additions and change on the landscape chart are implemented;
- A landscape waiver for a painted end island, which is supported by staff if three end islands are provided in the parking bays with 15 or more contiguous spaces;
- A landscape waiver for three parking bays with 15 or more contiguous spaces, which is not supported by staff;
- A landscape waiver for a minor deficiency in greenbelt trees provided, which is supported by staff;
- A landscape waiver for undersized trees used as parking lot interior trees, which is supported by staff as it supports the Asian theme.
- A Section 9 Façade Waiver for the minor overage of fiber cement panels on the west and south elevations. It is supported by the City's façade consultant because it meets the intent of the ordinance.

All other items identified in the review letters are to be addressed with the next submittal if this plan were to be approved by the Planning Commission tonight.

Mr. Carroll concluded by saying the Planning Commission is asked tonight to consider the matter and approve or deny the Preliminary Site Plan. Representing the project tonight is Brandon Kritzman from Detroit Architectural Group. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Brandon Kritzman, with Detroit Architectural Group, said I also have Kevin Heffernan here with me tonight representing Stonefield Engineering, and we are here to answer any questions that may come up. We understand that this is not the typical sort of renovation of an existing facility. It has been a great challenge to us, but at the same time it has been a welcomed opportunity to inject some new life into an existing structure in the City.

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

Member Lynch said the only issue I see here are the two landscape waivers for parking lot trees. I don't understand the issue with this requirement considering the high budget for this project.

Brandon Kritzman, applicant, said I believe those items are speaking to landscaping on a parking lot end island in the back corner of the site. The island is wedge-shaped on the south end of the building going west to east. Our proposal includes a painted parking lot island rather than a

raised landscaped island simply to help facilitate the truck dock function that exists in the back half of the building. We are trying to activate the south end of the building which never got that much attention. That brought a lot of truck traffic back to that existing loading dock. Our concern is that adding a raised curb back there, we will make operations more difficult for truck drivers. From a cost standpoint, we have no problem whatsoever adding a concrete island and adding trees. To your point, it is inconsequential in the overall scheme of the project. Our greater concern, understanding the City has a traffic engineer that reviews these things, was to help facilitate the truck traffic and access to the dumpster enclosure.

Member Lynch asked Landscape Architect Meader whether he agreed with the applicant's explanation.

Landscape Architect Meader said one of the plan sheets has the truck movement plan. To me, it looked like there would be room for a small island to act as an endcap. I think it would be beneficial for the cars parked there to be protected and use the island to make the truck go around it.

Mr. Kritzman said it is our assumption, based on the anticipated uses and truck arrivals, they won't coincide with each other. We don't have any fears from an operational standpoint that there will be an interference of these two elements. However, to facilitate truck movement, we were trying to proactively alleviate some of the traffic stresses.

Member Becker said every time we look at applications that ask for a variance, waiver, or modification, we must be careful about how it sets precedent for future applications. Tonight, it seems to be the night for 5- or 6-page applicant responses and a list of requests. I came across six areas in the DAG response where it looks as if they don't intend to meet our requirements. Rather than go through each one, would staff care to identify those they'd like to stand firm on, and which are more feasible for the Commission to grant?

Planner Carroll said I would note that there are three parking bays that do not have end islands as an existing condition of the lot. If they were to provide those end islands, we might be comfortable with a painted end island in the other location. That is how the motion was structured, but it is ultimately up to the Planning Commission to make the decision.

Member Becker said it looks like the number of parking spaces the applicant plans to provide is 19 spaces below the requirement. The City requirement is 246 parking spaces, and the applicant is stating only 227 will be provided because they calculate square footage differently than the City does. In a landlocked facility, where would we be asking the applicant to provide 19 more spaces?

Mr. Carroll said in the applicant's response letter, staff was looking for clarification on how much outdoor seating was being proposed in comparison to what is existing since it was unclear in the previous submittal. The addition of parking spaces was based on an estimation, but after receiving the response letter it was clear they would meet the intent of the parking ordinance.

Member Becker said I believe that this building was built before the Main Street Village residential areas. This proposal includes additional outdoor seating areas on the south side of the building, at ground level and on the second floor. Toward the southeast part of this area are two story residences, some of which back up close to the property line. There is virtually no existing screening between these residences and the subject property parking lot. This may have not been an original concern, but now the applicant is planning to change the nature of this area by adding a significant amount of outdoor dining. The outdoor dining space would be accessible up to 9 months of the year and 7 days of the week which include evening hours. Is there any part of the outdoor restaurant governing ordinances that restricts or prohibits the

playing of music in an outdoor restaurant seating area?

Planner Carroll said I am not aware of any. The City does have noise standards in the Zoning Ordinance. They are not explicitly called out in the outdoor seating area, but the applicant would have to comply with the overarching noise requirements of the Ordinance.

Member Becker said the applicant's response letter also notes there is very little room to add trees or bushes on the strip of land between the residences and the subject parking area. Such screening would reduce noise and light pollution for the nearest residences. As the applicant acknowledges, this narrow, often steeply-sloped strip of land is owned by the residential owners – not by Noble Village. If this were a completely new building development, I think we would probably be requiring some type of screening between a commercial parking lot and an abutting residential development. We don't seem to be doing that at this time, and I would rather the Commission require the applicant to use some of the parking spaces for screening. Of course, that again begs the question as to whether there are enough parking spaces to meet the other requirements. If the residences to the south were built after the existing commercial building, then the families who live in them knew what they were getting. However, the addition of outdoor dining and potential for more evening parking will bring more light and noise late into the evening. These are not reasonable things these families should have expected prior to moving into their homes. These homeowners were here first. I believe the applicant should be asked to be a good neighbor and develop the plan to truly mitigate the noise and light effects for the residents to the south.

Member Verma said I think Novi has needed a development like this for a while. I think it will be a great addition to the City, so I am in support of it.

Member Roney agreed with Member Verma and noted that it would be exciting to see the project come together.

Member Avdoulos said I, too, appreciate the effort put into this project that will invigorate the area. Hopefully that will spread outward to the rest of the Main Street development and reach across the street to the new Sakura development as well. Regarding the parking lot landscape waivers, there are about 32 spaces in the rear of the lot that are contiguous. Is the staff's request to break those up?

Landscape Architect Meader said yes.

Member Avdoulos asked if those were broken up, they would lose a space or two, correct?

Mr. Meader said they could potentially lose three spaces.

Member Avdoulos said I see it both ways. Much of what the applicant is developing is already existing, but they are renovating it. My inclination is to leave the parking as it is. I understand where Member Becker was coming from, but I also feel that people moved into those homes with the idea that future development could come in to build on the more urban setting. Otherwise, I am in favor of the project.

Chair Pehrson said the only thing I'll add is that I am in favor of the striped end island at the rear of the lot. While I usually like to include trees where possible, I can't help but think of the Starbucks site at Grand River and Beck where we required a similar end island, and it has created a traffic nightmare. I don't want to see a parking island in this location on the subject property when a truck is trying to pull in because it will get run over. I would also encourage the developer to spend a little more time thinking about noise abatement and lighting considering the amount of work being put into this project.

Motion made by Member Avdoulos and seconded by Member Dismondy.

In the matter of Noble Village, JSP22-26, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Landscape waiver for lack of a decorative wall or fence along Grand River in front of the parking area because the area will be heavily landscaped with a mix of plantings aimed at enhancing an Asian theme, which is hereby granted;
- b. Landscape waiver for a deficiency in parking lot interior and perimeter trees contingent upon additions and changes in the landscape review chart being implemented because the applicant is proposing significant improvements to the existing site, which is hereby granted;
- c. Landscape waiver for a minor deficiency in greenbelt trees provided because the applicant is proposing significant improvements to the existing site, which is hereby granted;
- d. Landscape waiver for undersized trees used as parking lot interior trees because it will enhance the Asian appearance of the site, which is hereby granted;
- e. Landscape waiver for a painted end island because many of the existing and proposed landscaped end islands do not meet the width and radii requirements, which is hereby granted;
- f. Landscape waiver for three parking bays with 15 or more contiguous spaces because many of the existing and proposed landscaped end islands do not meet the width and radii requirements, which is hereby granted;
- g. Section 9 Façade Waiver for a minor overage of Fiber Cement Panel on the West and South Elevations because the overall design is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted;
- h. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN FOR JSP22-26 NOBLE VILLAGE MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER DISMONDY.

Motion to approve the Preliminary Site Plan for JSP22-26 Noble Village. *Motion carried 6-1.*

Brandon Kritzman, applicant, said as a final note, we have engaged in conversations with staff about the potential of including a pathway and additional screening to the residential. We will continue to pursue this and hope to include it on our final submittal.

2. APPROVAL OF THE SEPTEMBER 14, 2022 PLANNING COMMISSION MINUTES

Motion made by Member Lynch and seconded by Member Dismondy.

ROLL CALL VOTE TO APPROVE THE SEPTEMBER 14, 2022 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER DISMONDY.

Motion to approve the September 14, 2022 Planning Commission minutes. *Motion carried 7-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were not any consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were not any supplemental issues or training updates.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the final public participation.

ADJOURNMENT

Motion to adjourn made by Member Lynch.

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

Motion to adjourn the September 28, 2022 Planning Commission Meeting. Motion carried 7-0.

The meeting adjourned at 8:33 PM.