



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

August 23, 2017 7:00 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Avdoulos, Member Giacopetti, Member Greco, Member Lynch, Chair Pehrson, Member Zuchlewski

Absent: Member Anthony (excused)

Also Present: Barbara McBeth, City Planner; Tom Schultz, City Attorney; Sri Ravali Komaragiri, Planner; Kirsten Mellem, Planner; Rick Meader, Landscape Architect; Darcy Rehtien, Staff Engineer;

APPROVAL OF AGENDA

Motion to approve the August 23, 2017 Planning Commission Agenda. *Motion carried 6-0.*

CONSENT AGENDA - REMOVALS AND APPROVAL

1. A123 (FKA FOUNTAIN OFFICE PARK) JSP17-21

Consideration at the request of Etkin, LLC for approval of a Traffic waiver for same-side, opposite side driveway spacing. The subject parcel is located in Section 15, west of Cabaret Drive and south of Twelve Mile Road and is zoned OST, Planned Office Service Technology. The applicant is proposing to develop the 31.25 acre parcel for two buildings: one office/lab space of 128,936 square feet and the other as assembly building of 53,469 square feet including associated site improvements.

In the matter of A123 Systems JSP17-21, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Same-side/Opposite-side Driveway Spacing waiver from Section 11-216.D of the City of Novi Code of Ordinances to permit same-side driveway spacing of less than 175 feet and opposite-side driveway spacing of 150 feet where 200 feet is required to the north, (due to truck maneuverability to the assembly building), 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 Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

MATTERS FOR CONSIDERATION

2. LAKESHORE PARK BUILDING JSP17-43

Consideration at the request of NSA Architects, Engineering, Planners for approval of Preliminary Site Plan and Stormwater Management Plan. The subject property is located in

Section 3 west of Old Novi Road and south of South Lake Drive and is zoned R-4, One Family Residential. The applicant is proposing an update to Lakeshore Park in the City of Novi including a community center, parking lot, pavilion, and a bike lane to connect to the mountain biking trails.

In the matter of Lakeshore Park Building JSP17-43, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Landscape waiver from Section 5.5.3.B.ii and iii for lack of a 4 ft. high berm adjacent to the public right-of-way along the north parcel lot line (*due to the building being 3 ft. below the road at the road's crest and the site layout and access to the beach make the berm along the frontage very difficult*), which is hereby granted;
- b. Landscape waiver from Section 5.5.3.E.i.c and the Landscape Design Manual 1.d. for lack of street trees along South Lake Drive (13 required; 0 provided) (*due to insufficient room between the right-of-way line and the street*), which is hereby granted;
- c. Landscape waiver from Section 5.5.3.D for providing foundation plantings away from the building in the swale across the perimeter walkway from the building (*due to the plantings being close to the building and will appear at the foundation when viewed from South Lake Drive*), which is hereby granted;
- d. Section 9 Façade waiver for underage of brick (30% minimum; 0% proposed) due to use of stone and overage of standing seam metal on the roof (25% maximum; 51% on south and 58% north provided) (*because the extensive use of stone is visually equivalent to the minimum requirement for brick and the building exhibits well balanced proportions and composition of materials*), which is hereby granted;
- e. Zoning Board of Appeals variance from Section 3.6.2.B to allow a reduced building setback in the front yard (75 ft. minimum; 34.17 ft. provided);
- f. Traffic considerations will be addressed on the Final Site Plan;
- g. The building will meet the side yard setback on the east side; and
- h. The findings of compliance with Ordinance standards in the staff and consultant review letters, the conditions and items listed in those letters, and with these items being addressed on the revised Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-1 (Giacopetti).*

In the matter of Lakeshore Park Building JSP17-43, 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 Electronic Stamping Set. 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 6-0.*

3. EMERSON PARK JSP 17-10 AND ZONING MAP AMENDMENT 18.717

Consideration at the request of Pulte Homes of Michigan, LLC for Planning Commission's Recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, from OS-1 (Office Service) to RM-2 (High Density Multi-Family Residential). The subject property is approximately 24-acre and is located on the west side of Novi Road and north side of Ten Mile Road in Section 22. The applicant is proposing a development of 120-unit multi-family attached condominiums with frontage and access to Novi Road.

In the matter of Emerson Park JSP 17-10 and Zoning Map Amendment 18.717, motion to recommend approval to the City Council to rezone the subject property OS-1 (Office Service) to RM-2 (High Density Multi-Family Residential) with a Planned Rezoning Overlay Concept Plan

1. The recommendation shall include the following ordinance deviations for consideration by the City Council:

- a. Planning Deviation from Sec. 3.1.8.D of Zoning Ordinance for reduction of the minimum required building side setbacks by 34 feet (Required 75 feet, provided 40 feet);
 - b. Planning Deviation from Sec. 3.8.1.B of Zoning Ordinance for exceeding the maximum number of rooms (423 maximum allowed, 480 provided);
 - c. Planning Deviation from Sec. 3.8.2.D of Zoning Ordinance for not meeting the minimum orientation for all buildings along an outer perimeter property line (45 degrees required, varied angles provided);
 - d. Planning Deviation from Sec. 5.16.5.C of Zoning Ordinance for reduction of minimum required sidewalk width for bike parking (6 feet required, 5 feet provided);
 - e. Landscape deviation from Sec. 5.5.3.E.i.c and 5.5.3.E.ii of Zoning Ordinance for reduction/absence of street trees along Novi Road frontage; (16 trees required, proposed contingent on RCOC approval);
 - f. Landscape deviation Sec. 5.5.3.B.ii and iii of Zoning Ordinance for not meeting the minimum height of landscape berm along North boundary (4.5-6 feet required, 2.5 – 3 feet provided along approximately 950 of 1340 linear feet of boundary);
 - g. Landscape deviation Sec. 5.5.3.B.ii and iii of Zoning Ordinance for absence of required berm along a portion of northern property boundary (no berm proposed for approximately 390 linear feet) due to location of proposed detention ponds;
 - h. Landscape deviation from Sec. 5.5.3.B.ii and iii of Zoning Ordinance for lack of berms along the entire southern property boundary (4.5-6 feet required, 0 feet provided) due to existing wetlands;
 - i. Landscape deviation from Sec. 5.5.3.B.ii and iii of Zoning Ordinance for lack of berms within Novi Road green belt (779 Linear feet frontage required, 0 feet provided) due to distance across detention ponds to buildings and heavy landscaping;
 - j. Landscape deviation from Sec 5.5.3.E.ii of Zoning Ordinance for proposing sub canopy trees in lieu of some of the required Deciduous Canopy of Large evergreen trees (Approximately 21 percent of required Canopy trees are replaced with sub canopy trees) as it will provide additional visual and species diversity to the site;
 - k. City Council variance from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet interval along the property boundary to provide connection to the adjacent property boundary, due to conflict with existing wetlands;
 - l. City Council variance from Chapter 7(c)(1) of Engineering Design manual for reducing the distance between the sidewalk and back of the curb. A minimum of 7.5 feet can be supported by staff.
2. Applicant complying with the conditions listed in the staff and consultant review letters.
 3. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:
 - a. The Zoning Map amendment from OS-1 (Office Service) to RM-2 (High Density Multi-Family Residential) limits the maximum residential density to 6.2 dwelling units per acre (DUA) with a maximum of 120 three bedroom units, whereas the maximum allowed for proposed rezoning RM-2 is 15.6 DUA;
 - b. Minor modifications to the approved Planned Rezoning Overlay Concept Plan (PRO) can be approved administratively, upon determination by the City Planner, that the modifications are minor, do not deviate from the general intent of the approved PRO Concept plan and result in reduced impacts on the surrounding development and existing infrastructure.
 - c. Applicant complying with the conditions listed in the staff and consultant review letters.
 4. While the applicant has offered a public benefit for improvements along Novi Road, details of the actual improvements being offered need to be further evaluated and resolved through discussion with the Planning Commission and the City Council with regard to the types of improvements, and the overall costs for any easements, installation and maintenance of such improvements.

This motion is made because

- a. The applicant has presented a reasonable alternative to the Master Plan for Land Use recommendation of Community Office for the parcel as indicated in the applicant's letter dated March 20, 2017, noting the appropriateness of a residential use for the site given the close proximity to Main Street and Town Center and the ability for additional nearby residents to add vibrancy and support for local businesses,
- b. The proposed plan meets several objectives of the Master Plan, as noted later in this review letter, including:
 - i. *Provide residential developments that support healthy lifestyles by providing neighborhood open space between neighborhoods (by including the proposed play space, pedestrian walks and pocket parks).*
 - ii. *Provide a wide range of housing opportunities that meet the needs of all demographic groups including but not limited to singles, couples, first time home buyers, families and the elderly (the applicant has indicated that the proposed townhouse development meets the demand for "missing middle" housing, and will also provide an attractive alternative to the single family residential homes, by providing another option for young families and millennials to purchase property in the City.*
 - iii. *Protect and maintain the City's woodlands, wetlands, water features and open space (A majority of site is preserved in Open space. Over 99.5% of wetlands are preserved and only 20 % of woodlands are proposed to be removed as a part of the development plans).*
- c. The proposed density of 6.2 units to the acre in attached townhouse format, provides a reasonable transition between the existing recommended density of no more than 3.3 units to the acre on the single family detached residential property to the west, and the non-residential uses proposed and existing along Novi Road.
- d. The development plan will remove a long-standing non-conforming outdoor storage yard use of the property.
- e. The City's Traffic Engineering Consultant has reviewed the Rezoning Traffic Impact Study and found that a reduction of 1,402 trips per day, 264 trips for the AM peak hour, and 225 trips for the PM peak hour is estimated based on the zoning change from Office to residential.
- f. Submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and to the City Council of the manner in which the property will be developed, and offers benefits that would not be likely to be offered under standard development options.

Motion carried 5-1 (Greco)

4. TAFT KNOLLS III JSP 16-67

Consideration at the request of 25150 Taft Road, LLC for Preliminary Site Plan With Open Space Preservation Option, Site Condominium, Wetland Permit, Woodland Permit and Stormwater Management Plan Approval. The Subject Property is located in Section 22, South of Eleven Mile Road and East of Taft Road and is Zoned R-4 (One Family Residential). The applicant is proposing to construct up to 15 unit single-family residential development (Site Condominium) utilizing the Open Space Preservation Option.

In the matter of Taft Knolls III JSP 16-67, motion to approve the Preliminary Site Plan with Open Space Preservation and the Site Condominium based on and subject to the following:

- a. Reduction of minimum site area (10,000 required, 8,000 provided), minimum lot width (80 feet required, 70 feet provided) and minimum side yard setbacks (25 feet total two sides required, 20 feet provided), as the proposed site plan utilizes Open Space Preservation by preserving approximately 54 percent of Open Space on Site, as listed in Section 3.30 of Zoning Ordinance;

- b. Approval of proposed modifications to the two existing drainage and conservation easement by the City Council prior to approval and acceptance of proposed Open Space Conservation easement;
- c. A Landscape waiver for absence of required berm along entire Taft Road Frontage, as listed in Sec. 5.5.3.B.ii and iii, due to presence of wetlands between the road and lots that are being preserved, which is hereby granted;
- d. A Landscape waiver for absence of five required street trees along entire Taft Road Frontage, as listed in 5.5.3.E.i.c and LDM 1.d., due to lack of space caused by presence of wetlands, which is hereby granted;
- e. The applicant to revise the site plan to provide the minimum 25 foot landscape buffer around the two proposed detention basins as listed in Sec. 5.6.5 of Engineering Design manual;
- f. The applicant to revise the site plan to provide the required sidewalk on both sides of Danyas Way as listed in Sec. 11-256 of Design and Construction standards manual;
- g. City Council approval to proposed modifications to existing drainage easement and the conservation easement;
- h. Administrative variance for not providing a stub street at 1300 feet intervals along property line, as listed in Sec.4.04 A.i.b of Subdivision Ordinance, due to presence of existing regulated woodlands and wetlands;
- i. Planning Commission waiver for not meeting the minimum distance requirement for Opposite side driveways (200 feet required south of school drive, approximately 160 feet provided) due to estimated low volume of vehicles expected from the proposed development, which is hereby granted;
- j. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters, as well as all of the terms and conditions of the PRO Agreement as approved, with these items being addressed on the Final Site Plan;
- k. The applicant to propose construction entrance off of Taft Road, not through the existing neighborhood, at the time of initial permit review, with the details of such access subject to the necessary review and approval by City staff; and
- l. The applicant to provide the signage for the demarcation of the wetland buffers where buffers encroach on the proposed lots, as noted in the discussion.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

In the matter of Taft Knolls III JSP 16-67, motion to approve the Wetland Permit based on and subject to the following:

- a. The applicant should consider demarcation of wetland buffers on-site behind lots 4,5,6,7,14 and 15 through the use of proposed easement signage and potentially other means such as boulders or decorative fencing along the setback boundaries;
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan;

This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

In the matter of Taft Knolls III JSP 16-67, 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 Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

In the matter of Taft Knolls III JSP 16-67, 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. 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 6-0.*

5. APPROVAL OF THE JUNE 14, 2017 PLANNING COMMISSION MINUTES

Motion to approve the June 14, 2017 Planning Commission Minutes with changes noted. *Motion carried 6-0.*

6. APPROVAL OF THE JUNE 28, 2017 PLANNING COMMISSION MINUTES

Motion to approve the June 28, 2017 Planning Commission Minutes. *Motion carried 6-0.*

7. APPROVAL OF THE JULY 26, 2017 PLANNING COMMISSION MINUTES

Motion to approve the July 26, 2017 Planning Commission Minutes. *Motion carried 6-0.*

ADJOURNMENT

The meeting adjourned at 9:28 p.m.

**Actual language of the motions subject to review.*