



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**September 25, 2019 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 Anthony, Member Avdoulos, Member Ferrell, Member Gronachan, Member Lynch, Member Maday

Absent: Chair Pehrson

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

## APPROVAL OF AGENDA

Motion to approve the September 25, 2019 Planning Commission Agenda. *Motion carried 6-0.*

## CONSENT AGENDA - REMOVALS AND APPROVAL

### 1. 39500 ORCHARD HILLS PLACE JF19-04 – SECTION 9 WAIVER

Approval of the request of JFK Investment Company, LLC, for 39500 Orchard Hills Place JSP19-04 for a Section 9 waiver related to an exterior remodel. The subject parcel is located in Section 36, west of Haggerty Road north of Eight Mile Road. It is zoned OSC, Office Service Commercial. The existing building was constructed in 1986, prior to the adoption of the Façade Ordinance. The applicant proposes to update the building facades to replace the existing primary material, EIFS, with a Flat Metal Panel system.

In the matter of request of JFK Investment Company, LLC, for 39500 Orchard Hills Place JSP19-04, motion to approve a Section 9 Façade Waiver to allow an underage of brick (30% required, 7% proposed) and an overage of Flat Metal Panels (50 % maximum allowed, 93% proposed) because bringing the existing building into compliance would represent extreme practical difficulty and would not significantly enhance the appearance of the building. *Motion carried 6-0.*

### 2. CROSSPOINTE MEADOWS ACCESSORY BUILDING JSP 19-36

Approval at the request of Crosspointe Meadows Church for Preliminary Site Plan with a Section 9 waiver. The subject property is located on the eastside of

Meadowbrook Road, south of Thirteen Mile Road in section 12 . The primary building on the property is a Church. The applicant is proposing to build a 480 square feet storage building in the rear yard, adjacent to the existing dumpster. No other changes to the site plan are proposed.

**In the matter of Crosspointe Meadows Church Accessory Building, JSP 15-40, motion to approve the Preliminary Site Plan and a Section 9 Waiver, based on and subject to the following:**

- a. **To allow the underage of brick on south façade (30% minimum required, 23% proposed) and overage of EIFS on the south façade (25% maximum allowed, 44% proposed) and Trim on the south façade (15% maximum allowed, 33% proposed), because the deviations are a result of the large overhead door which is not regulated by the Ordinance and the plan is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted;**
- b. **A waiver to allow a painted island in lieu of a raised end island near the entrance to the storage shed, because the drive is only used for dumpster pick up and lawn maintenance vehicles, which is hereby granted;**
- c. **The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed.**

***Motion Carried 6-0.***

## **PUBLIC HEARINGS**

### **1. GOLLING MASERATI & ALFA ROMEO JZ19-28 WITH REZONING 18.728**

Public hearing at the request of Dorchen/Martin Associates for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from NCC (Non-Center Commercial) to B-3 (General Business). The subject property is approximately 5.25 acres and is located on the south side of Grand River Avenue, west of Joseph Drive (Section 24). The applicant is proposing an automobile dealership, a permitted use in the B-3 District, with outdoor space for exclusive sale of new and used automobiles, which is a Special Land Use in the B-3 District.

**In the matter of Golling Maserati & Alfa Romeo, JZ19-28, with Zoning Map Amendment 18.728, motion to postpone making a recommendation to the City Council to rezone the subject property from NCC (Non-Center Commercial) to B-3 (General Business) with a Planned Rezoning Overlay Concept Plan. This motion is made for the following reason: the applicant requested that the matter be postponed until the October 30th meeting. *Motion Carried 6-0.***

### **1. SCENIC PINES ESTATES JSP 18-76**

Public hearing at the request of Singh Development for Preliminary Site Plan With One-Family clustering Option, Site Condominium, Special Land Use, Wetland Permit, Woodland Permit and Stormwater Management Plan Approval. The subject properties are approximately 9.44 acres and are located south of South Lake Drive and south side of Pembine Drive (Section 3). The applicant is proposing to utilize the One-family Cluster Option to develop a site condominium with 25 single family detached homes.

**In the matter of Scenic Pines Estates, JSP 18-76, motion to approve the Special Land Use Permit based on and subject to the following:**

1. The proposed use will not cause any detrimental impact on existing thoroughfares *(based on the Traffic review)*;
2. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities;
3. The proposed use is compatible with the natural features and characteristics of the land *(because the applicant is proposing to preserve 53% of qualifying area that includes regulated woodlands and wetlands)*;
4. The proposed use is compatible with adjacent uses of land *(because the subject property is surrounded by single family residential uses. Façade review notes that the proposed elevations portray an overall architectural standard equal or higher than the existing homes in the surrounding neighborhood)*;
5. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use *(because the development is age-targeted. The proposed floor plans indicate first-floor master)*;
6. The proposed use will promote the use of land in a socially and economically desirable manner;
7. 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;
8. The approval shall be subject to the following conditions at that time:
  - a. The Planning Commission finding that Parcel ID No. 22-03-327-004, mentioned in the notes to the site plan, located on the north side of South Lake Drive, is not part of this development and shall not become or be made part of this development, as it does not comply with Sec. 36-62, Lakefront use standards, of the City Code of Ordinances as relates to lakefront recreational parks;
  - b. Maintenance and reconstruction of the roads during and after construction, dust maintenance control and the stipulation that the roads be videotaped before and after construction to determine reconstruction requirements;
  - c. Limit Construction times with respect to elementary school bus schedule;
  - d. Construction traffic to comply with the City load limits; and
9. Final Site Plan shall come back to Planning Commission for Final Approval.

*Motion Carried 6-0.*

In the matter of Scenic Pines Estates, JSP 18-76, motion to approve the Preliminary Site Plan with One-family clustering option and the Site Condominium based on and subject to the following:

1. Planning Commission's finding per Section 3.28.1.B, that in all one-family residential districts, the clustering of one-family dwellings may be permitted, provided that the land consists of an unsubdivided area and the proposed site plan and, that the conventional approach to residential development would destroy the unique environmental significance of the site, and that the use of the cluster option is a desirable course of action to follow based on the following condition.
  - a. The majority (fifty (50) percent) of the net site area (defined as the area which is delineated by parcel lines, exclusive of rights-of-way as shown on the adopted master plan) is composed of lands that are within jurisdiction of Woodland Protection Ordinance, as amended, Chapter 37 of the Code of Ordinances, or within the jurisdiction of the Wetland and Watercourse Protection Ordinance, as amended, Chapter 12, Article V of the Code of Ordinances, or any combination

of such lands. The applicant is proposing to permanently preserve up to 53% of qualifying area on site.

2. Planning Commission approval for reduction of minimum distance between the clusters, based on the finding, subject to conditions listed in Section 3.28.5., that the strict application of the distance in this instance would destroy a natural amenity such as regulated wetlands and woodlands. This is required for the Units 1-2-3 cluster and the Units 22-23-24-25 cluster. A minimum of 85 feet is required, approximately 78 feet is proposed;
3. Planning Commission approval of reduction of front building setbacks from the streets as listed in Section 3.28.4.D. A minimum of 30 feet is required from the edge of Private drive, the plans currently propose 25 feet in order to protect regulated woodlands in the back yards; this is based on the following findings listed in Section 3.28.6.C:
  - a. All the conditions listed in Section 3.28.6.C. from i thru iv are met with the exception as noted below;
  - b. A Zoning Board of Appeals variance from Section 3.28.6.C.iv.a to allow absence of required berm along the east, west and south property boundaries adjacent to other single-family residential districts;
4. Planning Commission waiver for reduction of the minimum distance for opposite-side spacing requirement, Design and Construction Standards Section 11-216(d), for the roadway spacing between Pristine Lane and Henning Street( A minimum of 200 feet is required, 117 feet is proposed, due to estimated low volume of vehicles expected from the proposed development, which is hereby granted;
5. A landscape waiver for absence of three required street trees along Pembine Street Frontage , as listed in 5.5.3.E.i.c and LDM 1.d., due to lack of space between the edge of pavement and the future Right-of-way ad conflicts with other required proposed utilities and swales, which is hereby granted;
6. A landscape waiver from Section 2.1 of Landscape Design Manual to allow some of the proposed trees to be located outside of the space between the sidewalk and the curb due to conflicts with proposed utilities, which is hereby granted. This waiver is supported as most of the proposed trees are located within 15 feet from the curb, with an exception of three trees;
7. Administrative approval from Engineering for variance from Engineering Design Manual Section 7.4.2.C.1 for not meeting the minimum distance of 15 feet from back of curb to outside edge of sidewalk;
8. The applicant shall revise the woodland replacement plan at the time of final site plan to avoid the conflict between the proposed tree replacement locations and the existing overhead electric line along the western property boundary;
9. The applicant shall obtain necessary approvals from all related outside agencies for the proposed location of storm water pond and related landscape under the existing overhead lines prior to approval of Final site plan;
10. Assurance of the permanence of the open space and its continued maintenance shall be submitted for review and approval by the City Attorney at the time of final site plan approval.
11. 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; and
12. The Final Site Plan shall come back to Planning Commission for Final Approval.

*Motion Carried 6-0.*

In the matter of Scenic Pines Estates, JSP 18-76, 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. *Motion Carried 6-0.*

In the matter of Scenic Pines Estates, JSP 18-76, 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. *Motion Carried 6-0.*

In the matter of Scenic Pines Estates, JSP 18-76, 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; and the Final Site Plan must come back to Planning Commission for Final Approval. *Motion Carried 6-0.*

#### MATTERS FOR CONSIDERATION

1. APPROVAL OF THE AUGUST 28, 2019 PLANNING COMMISSION MINUTES

Motion to approve the August 28, 2019 Planning Commission Meeting Minutes. *Motion carried 6-0.*

#### ADJOURNMENT

The meeting was adjourned at 9:41 PM.

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