



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**February 7, 2018 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 Howard, Member Lynch, Chair Pehrson  
**Absent:** Member Anthony (excused), Member Greco (excused)  
**Also Present:** Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Darcy Rechtiem, Staff Engineer; Thomas Schultz, City Attorney; Doug Necci, City Façade Consultant

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Avdoulos.

## VOICE VOTE TO APPROVE THE FEBRUARY 7, 2018 AGENDA MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

**Motion to approve the February 7, 2018 Planning Commission Agenda. *Motion carried 4-0.***

## AUDIENCE PARTICIPATION

No one in the audience wished to speak.

## CORRESPONDENCE

There was no correspondence.

## COMMITTEE REPORTS

There were no Committee Reports.

## CITY PLANNER REPORT

City Planner Barb McBeth said that on Monday, February 5, 2018 City Council approved two items that the Planning Commission had also recently considered. One is the Planned Rezoning Overlay agreement for Emerson Park, a 120-unit multiple-family attached condominium developing proposed on the west side of Novi Rd just south of the Post Office. The preliminary site plan is being presented to the Planning Commission this evening, as this is the next step in the development review process.

Also approved on Monday was the first reading of the rezoning request for Providence Park Hospital, for land on the south side of the campus to change the zoning to OSC, Office

Service Commercial, and R-3 with Planned Suburban Low-Rise Overlay. We expect the applicant to return to Planning Commission in the near future with plans for a medical office building.

## **CONSENT AGENDA**

### **1. EBERSPAECHER WAREHOUSE INFILL PROJECT JSP17-69**

Approval at the request of Eberspaecher North America for Preliminary Site Plan and Stormwater Management Plan. The subject property is located in Section 12, South of Thirteen Mile Road and west of Haggerty Road in Office Service and Technology district. The subject property currently has an approximately 63, 957 square feet building with a courtyard. The applicant is proposing to add 7,702 square feet to fill the courtyard gap. A bay door is being added to the south of the proposed building infill.

Motion to approve by Member Lynch seconded by Member Avdoulos.

### **ROLL CALL VOTE TO APPROVE PRELIMINARY SITE PLAN AND STORMWATER MANAGEMENT PLAN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to approve Preliminary Site Plan and Stormwater Management Plan. *Motion carried 4-0.***

### **2. OROTEX BUILDING ADDITION JSP17-85**

Approval at the request of Orotex for Preliminary Site Plan, Landbank Parking and Stormwater Management Plan. The subject property (22475 Venture Drive) contains 5.96 acres and is located in Section 26, on the west side of Venture Drive and north of Nine Mile Road, in the I-1, Light Industrial District. The applicant is proposing a 60,000 square foot addition to the north end of the existing building with associated site improvements.

Motion to approve by Member Lynch seconded by Member Avdoulos.

### **ROLL CALL VOTE TO APPROVE PRELIMINARY SITE PLAN, LANDBANK PARKING, AND STORMWATER MANAGEMENT PLAN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to approve Preliminary Site Plan, Landbank Parking, and Stormwater Management Plan. *Motion carried 4-0.***

## **PUBLIC HEARINGS**

### **1. VILLAS AT STONEBROOK JSP17-62**

Public hearing at the request of Pulte Home of Michigan, LLC for recommendation to the City Council for Concept Plan approval under the Planned Suburban Low Rise Overlay District. The subject property is located on the east side of Wixom Road, north of Eleven Mile Road (Section 17). The applicant is proposing a 43 duplex (86 total units) "age-targeted" ranch style housing units. The subject property is currently zoned I-2, General Industrial with a Planned Suburban Low-Rise Overlay.

Planner Komaragiri said that the subject property is located west of Providence Park Hospital and north of Wildlife Wood Park. ITC Corridor abuts the property to the east. The site is currently zoned I-2, General Industrial with a Planned Suburban Low-Rise Overlay. The subject property is surrounded by I-1 Light Industrial on the north, Single Family

Residential R-1 on the east and south, ITC Corridor to the east and Office Service and Commercial across the ITC Corridor.

The applicant is proposing Low-Rise Multiple Family residential units utilizing the PSLR Overlay option which are otherwise not permitted under I-2. The Future Land Use Map indicates PSLR Overlay for the subject property, Office Research Development and Technology and Community Commercial on the north, Office Commercial across ITC Corridor on the east and Public Park on the south.

The subject property has regulated woodlands and wetlands on the property. There are a total of 11 areas of wetland that add up to 1.97 acres. Of those, 0.54 acres of wetlands (about 6 of the 11 on-site wetlands) are being impacted and 23, 000 cubic feet of wetland fill is being proposed. There are a total of 357 woodland trees on site. 193 trees, approximately 54% of regulated trees are proposed to be removed. The concept plan would require a City of Novi wetland and woodland permits for the proposed impacts.

Planner Komaragiri continued that Pulte Homes of Michigan is proposing 43 two-family attached units that are targeted for active senior adults of ages 55 and older. The subject property is approximately 26 acres. The applicant is proposing 3.6 dwelling units per acre density. The concept plan indicates a central courtyard, a couple of pocket parks and sidewalks within the community. A secondary emergency access is provided to the east connecting to Providence Parkway. Access to the existing natural gas well site will be maintained as shown on the plans.

The applicant is also proposing a connection to the trail system within Providence Park Hospital campus via ITC corridor to the east. The applicant is currently moving forward with Brownfield remediation efforts as the property was contaminated by the previous usage by Profile Steel. Low-Rise Multiple-Family residential uses are considered a Special Land Use under PSLR Overlay. The applicant has prepared a presentation that talks more about the development and its proximity to other uses.

Planning recommends approval as the plan is in general conformance with the Ordinance requirements, but would like to note that the design is generic and lacks a sense of community. Inclusion of pocket parks and connection to the trail system makes up for passive and active recreation. There are also no provisions for guest parking or common mailbox location, which the applicant noted in the response letter that they will address at the time of Preliminary Site Plan. The proposed layout maximizes the development on site.

Façade was unable to provide a recommendation as the submittal package did not include building elevations. The City's façade consultant has looked into multiple elevations as part of the Pre-Application meeting and provided some preliminary comments. The applicant should provide elevations that conform to the requirements prior to Council approval of PSLR concept plan. Our Façade consultant Doug Necci is here with us tonight to answer any questions you have in this regard.

Fire recommends approval, noting that a written approval may be required from International Transmission Company due to the proposed "secondary emergency egress lane" that will cross their corridor connecting to Providence Parkway.

Planner Komaragiri said that all reviews except Façade are currently recommending approval with other items to be addressed with Preliminary Site Plan submittal. Once the PSLR plan is approved, the site plan would require Planning Commission's approval for Special Land Use, Preliminary Site Plan, Wetland Permit and Woodland Permit and

Stormwater Management Plan at a later time.

The applicant has been working with staff to understand and address the intent and requirements of the PSLR Ordinance prior to initial submittal. Due to proposed layout and use, the applicant is requesting multiple deviations from the Zoning Ordinance. These deviations can be granted by the City Council per section 3.21.1.D. The proposed concept plan requires up to 15 deviations that would be required from the Zoning Ordinance that relate to planning, engineering, landscape and traffic requirements. Full-time access roads are required to be connected to non-section line roads for PSLR developments. The proposed access roads do not conform to the requirement. Staff supports the request as the applicant is proposing to provide access and utility easement to neighboring properties to eliminate multiple curb cuts on Wixom Road.

Except a few deviations that relate to Landscape requirements, others are not significant and are supported by staff. Landscape does not support the deviation to allow placement of street trees between the sidewalk and the building, as opposed to between the sidewalk and curb. However, complying with the requirement would result in redesign of the layout or utility design.

Planner Komaragiri said that the Planning Commission is asked tonight to recommend approval of the Planned Suburban Low-Rise (PSLR) Overlay Concept Plan to the City Council. The applicant Joe Skore with Pulte Homes is here tonight with his Engineer Bill Anderson and would like to talk briefly about the project. As always, staff will be glad to answer any questions you have for us.

Bill Anderson from Atwell Engineering, 311 Main Street in Ann Arbor, said I want to mention a few points and we are excited about the development. We've named it Villas at Stonebrook, it's adjacent to Providence Hospital and there is a significant wetland complex immediately north of our development, along with Target just up to the north and the elementary school to the south. Our access is off Wixom Road and there is residential to the west of us, as well.

The existing site is industrial use, a contaminated industrial site that is certainly out of character with the school systems and development that has occurred over the years. It has pavement and remnant storage areas throughout. We are proposing Brownfield Cleanup on the site and have support from the Oakland County folks. That will be coming formally to the City, as well, as we've had discussions on that and it's moving along. Again, this is zoned General Industrial with the Master Plan intent of Planned Suburban Low-Rise Overlay, which is what we're proposing here. So although the existing conditions are not consistent with the Master Plan, the proposal today is.

Just briefly looking through your Master Plan, the Planned Suburban Low-Rise Overlay allows a density up to about 7.3 DU's per acre, so it's really trying to get an urban walkable development. Our density is a little bit less than that, but we are proposing attached ranch Single Family homes, commonly known as a duplex, that really provides that missing middle that the City is searching for.

That missing middle is somewhere between Single Family homes, which we have a lot of, and that mid-rise mostly rental product that they do in a lot of urban markets. So that missing middle is the duplex, the tris, the quads, the townhomes – we're really hitting that with this product. It will allow some of the Novi residents to stay in place with a different product alternative, as this one will appeal to the active adult demographic. You want walkable residential development and that goes along with this development and the demographic. It incorporates pedestrian paths and bicycle racks, it seeks offsite

pedestrian connections through the Master Plan. You want cohesive architectural design, which we'll get into and that we are providing with this development.

Mr. Anderson continued that as far as plan features, it's a secluded enclave development. There will be a long, scenic entry drive off of Wixom; it'll be quite landscaped with a boulevard entrance which everybody likes coming in. Take a right turn, we have a pocket park as you come in to the first right, the pond to the left, and then you'll come in and stop. You'll decompress – my planners call it the decompression zone – you'll know you've arrived, you'll come to a stop, we have a little entry park there.

There will be parking and bike racks right when you enter the sub, so it'll be a nice entryway into the development. Again, it's a secluded enclave development. We have four little recreational areas with seating and general gathering space spread throughout the development. We're enhancing the common space and open space through the middle corridor, we have a walkway that we'll landscape – it goes east west throughout the development and then there's a north south connection, so there's a lot of walkability throughout this loop and further to the east onto the hospital property. Each resident will have private two-car garages with each dwelling unit, it'll be a maintenance-free living so there will be snow removal, lawn care, all the good stuff that the active adult demographic wants to have so the community will always look very well-maintained.

This highlights more of our pedestrian connections here, again all the way from Wixom Road into the Providence Hospital. We've had multiple meetings with Providence Hospital and they're very excited about it. They're excited about the residents we're looking to attract, and we're going to be making some enhancements to the already pretty lush pedestrian track that goes around their campus at the hospital and extends north and south, as you guys know, through your pathway plan.

Mr. Anderson said we do butt up against the ITC Corridor and we've already been in contact with those folks about extending a water main loop, because we do make a nice water main connection for your engineers that we're tying from Wixom all the way to the water main at Providence Hospital. We're putting an emergency access path and it'll be a great pedestrian connection over to the hospital. All of that has been done, the hospital is on board and ITC has recently issued their support letter to us. So we've crossed those hurdles and we've got excited neighbors in regard to those pedestrian elements.

In terms of architectural features, again it's a single-level ranch style home, a duplex, story or story and a half. We have the flexible floor plans that Pulte offers and masonry exteriors, primarily a single-family character, ground floor pedestrian entrances, different façade options that we are committed to, two-car garages as I mentioned and multiple roof lines to add some interesting character throughout the development. Again, we'll be providing detailed architectural façade elements. These are conceptual illustrations but we have full intentions of meeting your architectural requirements. That's really it, we're available for questions and we are excited about the project.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he asked if there was any public correspondence.

Member Lynch said there is no public correspondence.

Chair Pehrson closed the public hearing and turned it over to Planning Commission for their consideration.

Member Avdoulos said that based on what is existing on the site and what is being proposed, this is a positive project for the City and for the area, so I'm glad to see that something of this nature is going in and something of this caliber is being proposed. I am concerned, as has been stated in the review from the City – I was reading this and it reminded me of an episode from Sesame Street, where it's that this has been brought to you by the word deviation. There are a lot of deviations and to me that is a flag or a signal that it's difficult to meet the requirements of the Ordinance.

The big one that I have is looking at the setbacks and the distances between the units. There's a requirement of 30 feet, there's 25 being requested. I know that's five feet and that doesn't seem like a lot but when you add it up with the amount of units that are being based on it, it does create a dense layout. And the other issue related to that was with the open areas, where we have 50% required of the open area and we've got half of that, and the reason for the request for the deviation is because of the connection to the Providence Park walkway area and going through the ITC corridor. If I'm not mistaken that's also a trail plan to go along ITC in the future so that would be all interconnected at some point?

Planner Komaragiri confirmed that that is true.

Member Avdoulos asked that before we get to Final Site Plan approval, would we have to have the documentation and the approvals for connection to Providence Park trails and to ITC? So all of that has to be in effect before anything can be approved?

Planner Komaragiri said yes.

Member Avdoulos said in all honestly, my biggest thing is the amount of deviations that are being requested because it just feels like we are shoe horning things in here and the way to make it work is to ask for fifteen deviations. From the applicant, are there deviations that you're willing to not request so that we don't have this long laundry list? I understand this process for having the concept overlay and trying to work things out, but we're getting a lot of these where if we keep going down this path we're going to be setting some precedents that I'm going to be uncomfortable with.

Bill Anderson said I'd like to talk about the particulars and one that comes up a lot that you mentioned is the building to building setbacks. And there are a few deviations, obviously, but the intent of the Master Plan was to get density and we're at about half the density that your Master Plan two years ago said that they wanted in this area. Obviously, if I increase building setbacks and make my right-of-ways and lawn areas bigger, the density goes down and the plan you're looking at here really is about half the density that the Master Plan speaks to.

In that context, I'll speak to particularly the building side setback you mentioned that is 25 proposed, not 30 as required. This is a single story massing home unit, and I don't know if you've been through a Del Webb Community which is really Pulte, but when you're talking a single story structure we're accustomed to seeing colonial two-story stuff and you get a feel of density when it's 20 feet or 10 feet between homes, it feels too dense or too close. When you have that low massing, 25 feet is almost too much side setback because it's a really low-profile home. So 25 feet is a pretty big separation between these units. And all I can tell you is that when you have the ranch unit, that 25 foot setback does not feel like that much. My preference would be 15 with the type of low massing we have, but obviously we are trying to minimize the deviations.

Mr. Anderson said some of them, like having buildings angled at 45 degree angles – this is the plan that I think works really well with the geometry. We have the elements in the plan that we are all comfortable with. We actually tried to get more density but this feels right for this site and certainly is a product that is spoken to over and over again in your plan. There's a shortage of the project, this is what we'd like to do here and unfortunately it necessitates some of these deviations from the sidewalk distances to the road, the building to building, all those things, but I think we have a nice, safe, enclave development as we proposed.

Member Avdoulos said I understand that and I know that the density is basically half of what can be in there, but at the same time we've got the Ordinances to help us get to a certain point and provide a plan. And we have the understanding of having a large density in a certain area to create a more urban feel but we're not in an urban area and it just seems like we're sacrificing open space and utilizing the walkway next to it as open space, and that's not necessarily within the development.

So I'm just struggling with the fact that we've got a piece of property, trying to work within the bounds of what we've produced as an Ordinance and deviations every step of the way. Even the ten foot setback, you've got seven and a half feet. And little by little you can get away, and feels like it's just stuffed into the site. And not only that, but how are we going to find extra room for guest parking and how does that work, and where would that be located? Things like that that the City is looking to find an answer to or some solution.

Mr. Anderson said that we've really talked about that cross-section, about minimizing that cross-section, and this is the same cross-section that we proposed with your engineering and planning on Emerson Park and reached a balance that we were comfortable with. Again, if you're trying to get a clustered community, it just requires that you make modifications to the stereotypical layout. I think this is something that we got comfortable with your engineering group in regards to utilities and roads and green areas and cluster. And again, these are the folks that will be perfect to be neighbor to the hospital. Again, the hospital is very excited about this product going in adjacent to the great ITC and Providence pedestrian corridor.

Member Avdoulos said still looking at the Planning review, we understand what the density is but the plan itself is kind of lacking in interest only because everything is placed so close together, and with five feet of deviation request times 40 units, that's 200 feet, I don't know how many would help to reduce that and add a little bit more interest to the site. But going through all of this, that's my one main concern and my other concerns were related to landscaping and looking at some of those deviations. I understand some, but I know that the City is not in support of some of the others. Rick, what were your strongest ones that you didn't want to see?

Landscape Architect Meader said that my biggest one is not having the street trees closer to the street. They said when they get to mature size they'll create a cover but they won't because if they're 20 feet back it's going to be 40 or 50 years before they might be that wide to get to the curb. That's my biggest concern.

Member Avdoulos said those are my comments for now.

Member Lynch said I share some of your concerns but I weight it as we have a contaminated industrial site there, and it's a difficult site. In the west part of Novi, if I remember, they wanted density more than 0.8 or 0.9. But the way this is laid out, and I don't know how long that entrance way road is, it looks like it's 400 or 500 feet back or

probably more than that, so it's kind of off-set deep enough that I think it kind of makes sense. I do like the idea that we're going from what we could put there, which could be about 7 or 8 units per acre, down to three and some change, I think that makes sense.

I do share your concern about parking, I initially didn't even think about that when I read that it's supposed to be senior living but when you're building three and possibly four bedroom units, that would indicate that you would have not empty-nesters, but adults with somebody to fill the three or four bedrooms and I do think that's a concern.

But my overall impression for that particular site, I think it makes sense. I know there was a deviation here about putting more canopy trees instead of the evergreens, I don't agree with that deviation but I'll let you guys work it out. It was for subcanopy trees in lieu of large evergreen trees, I think that may be a mistake. It's not a big deal but I think you're better off having some sort of cover throughout the year.

Member Lynch said but overall, I think for that particular site, it makes sense and I do agree with the one-story. My fear was that it was going to be another one like the one across from Varsity Lincoln, which has the big two-stories that are close together and I didn't want to see that. I do agree with you that the one-story makes sense. There's certainly a lot less surface area, but overall with that industrial site trying to get to the low-rise makes sense and it's far back enough from Wixom Road where it's kind of isolated.

Which brings up another concern – there's a one acre parcel zoned RA right in front of there, are they going to come in and ask for the same thing? I don't know if that would be receptive to the parcel to the north coming in and expecting to put additional density in, I don't think that would make sense there. And you have a park to the south which is nice. I guess just based on what you're proposing here with some minor changes to the foliage, I do think you ought to take Commissioner Avdoulos' comments to heart but I think overall for that industrial site, it makes sense and I'm going to support this one.

Member Howard said looking at this project, the number of deviations was very concerning and a red flag. Upon looking deeper in looking at the site plan and the development, I think it definitely makes sense for this parcel of land and I think this is a very exciting development to have. However, just to mirror the sentiments of the other Commissioners, I do think some of those deviations will have to be changed or tweaked, especially in terms of trees and setbacks and the space, I am very concerned about that. I currently live in a development where I struggle a lot with guest parking, so I too mirror those same sentiments. But I would have to support this, as well.

Chair Pehrson said that I can appreciate the compromise that you're trying to reach relative to the development for what's there and what you're trying to put into it. I think it sits well, I think this is a good example of the Suburban Low-Rise Overlay doing its job in terms of being able to create a transition that we've sought. I, too, would recommend that you go back and work with staff if we go forward with the concept approval that we try to eliminate and remove as many deviations as possible. I think there's a number of ways to get around some of those so that we don't have a whole page full of deviations, but I do think it fits that particular area well. So I can support it at this time.

City Planner McBeth said that item i. on the motion sheet is a request for an "either/or." Would you prefer the applicant continue to work with the Landscape Architect to revise the landscape plan or just recommend the deviation from that standard?

Member Lynch said I think we agree, I would propose that the applicant work with the City Landscape Architect to revise the landscape plan to comply with requirements of

the landscape ordinance, specifically the use of deciduous trees.

Member Avdoulos asked if this will next go to City Council?

City Planner McBeth said yes.

Member Avdoulos said then how do we check what progress is being done with the number of deviations, is that something that we will end up seeing in Preliminary Site Plan approval?

City Planner McBeth said yes, typically the next step is that this is the recommendation to the City Council, and then if the City Council approves it there will be an agreement that would be written that would include the deviations or a reduction of deviations. Then it would come back to the Planning Commission with that agreement in place.

Member Avdoulos asked so in order to get approval, does each Commissioner have to be in agreement with each one of these deviations? I'm not comfortable with e. and f., so I'm not in support of those deviations. So my vote would be either yes or no on the whole thing, right?

Member Lynch said for this particular site, my personal opinion is that I'm willing to give up the five feet per building so I couldn't agree with e., I would like to keep that in there. As far as f. goes, I guess I'm indifferent.

Member Avdoulos said because once it leaves our desk and City Council approves it, there's going to be a plan in front of us where we're basically stuck with the amount of units, and there's no way to enhance the plan – this is a concept overlay, so it's a block plan. I get that it's a good project for the site, I indicated that in the beginning. My concern is that we've got this basic rectangle that we've put in all these little blocks, we have an Ordinance that says these are these setbacks, but we're going to reduce the setback and reduce the distance between buildings and reduce all these things, and this is what we're going to come up with. So there's no latitude once it leaves our desk.

Chair Pehrson said I'm ambivalent on e., but f. is the one that I struggle with the most. Is there a way in which to word that so that we put the onus back on the developer to come back to us with a plan that attempts to satisfy the 50% instead of just the hard 27% right now? Because I find it difficult to encapsulate that number just because they're in proximity of the connection to Providence Park Hospital. It's a walk path, a strip of land, and I don't know how that can be part of the calculation. So I would like to see the language that puts the burden back on the developer to come back and say here's what we've done to accentuate what you're trying to get to, Member Avdoulos.

City Attorney Schultz said once you put the road in and the configuration that it's in, once you have the number of units because they've gotten the deviations on the setbacks between units, then the open space – what's left – is essentially all that is left, and that's why it's a hard number because that's where it is. So once the deviations and the layout has been approved, I don't know what developer has left to do. I don't know if that's a Planning question.

City Planner McBeth said it does seem to be that if this plan goes through as proposed, then adjustments to the open space wouldn't be possible unless they removed units and made other modifications to do it.

Member Avdoulos said for me, that's what was playing hand-in-hand. Because if you

didn't have the proximity to Providence Park and ITC, if you're looking just at the boundaries of this particular development, then they're not meeting the open space, end of story. And the reason that they're not meeting the open space is because they also have the five foot distance between the buildings, which five times 40 buildings is 200 linear feet, and spread out gives you more open space. So to me they're locked in, and once it's gone from here we're just going to get a plan that we can maybe massage a little bit but that's it. And this a concept plan, it's not the one that is at all final.

Joe Skore of Pulte Homes of Michigan said I appreciate your concern with distance between the buildings, and we've talked about it with staff and worked on it with staff over the last few months. I can tell you with regard to active adult communities and age-restricted communities, buildings are generally closer together. Pulte is the owner of Del Webb – Del Webb is the preeminent active adult, age-restricted home builder in the country and we also do a number of active adult communities throughout Michigan and throughout the United States, and generally those units are within 10 to 15 feet between buildings.

So this is something that is not atypical and in fact, 25 feet between buildings is greater than the typical for an active adult, age-restricted community that caters to empty nesters. So again, I think it's appropriate but I do understand your concerns with regard to setbacks with buildings and open space. And I don't want to beat a dead horse on the density, but we proposed this product because we think it's the right product and we did so sacrificing by proposing something that is significantly less the density of the Master Plan and we did it because we think this is appropriate.

We see this type of development all throughout southeastern Michigan, it's the empty nester that wants to stay in the City of Novi because they love the area and they're looking to age in place. And by doing so, we're down significantly from the recommended density and to go with another significant jump down would negatively impact the project.

Mr. Skore said so while I understand that the deviations are problematic and a bit of a red flag, I think when you factor in the totality of the circumstances – the density, where we're at relative to the Master Plan, the product – I think it makes sense and we're trying to compromise. But if we were to comply with e. and f., we would lose a significant number of units and it would be a big impact.

Member Avdoulos said and I understand it, but I'm just looking at what our Ordinance is and I understand what it has related to density. And so that, in relationship to setbacks, in relationship to distances between buildings, all that is laid out for a particular reason. So I understand how all of that works, but I've never seen fifteen or however many we have here and once it's out of our hands, you can't bring it back and say here's what we did. It's going to come back with an approval from City Council with a whole different plan and it's just not making me comfortable.

Joe Skore said we take a collaborative approach, if we can work with you we will. We've always worked with staff and those involved with the City, and I think that's been our approach on all of our projects and we'd be willing to do it here. There's some things I can do and some things I'd have a great difficulty doing.

Member Avdoulos said I know the Emerson Park project had some concerns and that that one was tabled and then the plan was brought back and things were addressed, so we had a better comfort level there. But with this one, we see it once and see everything here and if there's no indication that you'll work with us on some deviations then I don't

know what recourse I have.

Member Lynch said I would like to go with the original motion with e. and f. still there, but I would like to make sure we clarified item i.

Chair Pehrson said we did.

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REZONING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

In the matter of Villas at Stonebrook JSP17-62, motion to recommend approval of the Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan based on the following findings, City Council deviations, and conditions:

1. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community. *[The applicant could revise the concept layout and type of housing to better meet the intent of PSLR Ordinance. The site proposes a connection to extensive pathway system within Providence park hospital campus to the east. ]*
2. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment. *[The applicant has provided a Traffic Impact Assessment and a Community Impact Statement which indicates minimal impacts on the use of public services, facilities and utilities. The proposed concept plan impacts about 0.56 acres of existing 1.96 acre wetlands and proposes approximately 54 % of regulated tree removals. The plan indicates appropriate mitigation measure on-site and off-site.]*
3. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties. *[The proposed buildings have been buffered by proposed landscape. The applicant provides an access easement on the north side of the proposed entry drive for future connection capability to neighboring properties to eliminate multiple exits onto Wixom Road. ]*
4. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of this Article [Article 3.1.27]. *[The proposed development provides fills the gap for active adults housing need, which is the recommended missing middle housing in the City's 2016 Master Plan for Land Use.]*
5. City Council deviations for the following (as the Concept Plan provides substitute safeguards for each of the regulations and there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District as stated in the planning review letter):
  - a. The applicant shall submit building elevations that conform to PSLR Ordinance and Façade regulations for staff's review and approval prior to City Council's consideration of PSLR Concept Plan;

- b. Deviation to allow a Traffic Impact Assessment in lieu of required Traffic Impact study as the number of estimated trips from this development do not exceed the City's threshold;
- c. Deviation from Sec. 3.21.2.A.i to allow building to front on an approved private driveway, which does not conform to the City standards with respect to required sixty foot right-of-way, due to the type of development proposed for active senior adult development, and because of the offer to provide an easement for the adjacent property to share access if needed;
- d. Deviation from Sec. 3.21.2.A.ii & Sec 3.1.27.D to allow modifications to the required front and side setbacks( as indicated on the PSLR Concept plan) due to the type of development proposed for active senior adult development;
- e. Deviation from Sec. 3.21.2.A.ii & Sec 3.1.27.D to allow reduction of minimum distance between buildings by 5 feet (30 feet required, 25 feet proposed) due to the type of development proposed for active senior adult development;
- f. Deviation from Sec. 3.21.2.A.v to allow reduction of minimum percentage of active recreation areas (50% of open spaces required, approximately 27% provided) as the development proposes connection to Providence hospital tail system;
- g. Deviation from Sec. 3.21.2.A.x to defer the submittal of Lighting and Photometric plan at the time of Preliminary Site Plan Submittal as the applicant intends to conform to the Zoning Code requirements;
- h. Deviation from Sec. 3.21.2.B to allow full time access drives to be connected to a section-line road as opposed to a non-section line roads as the applicant is proposing to provide access and utility easement to neighboring properties to eliminate multiple curb cuts on Wixom Road;
- i. The applicant shall work with City's Landscape Architect to revise the landscape plan to conform with the requirements of the Landscape Ordinance;
- j. Deviation from Sec. 5.5.3.F.ii.b.(1) to allow additional sub-canopy trees in lieu of deciduous canopy or large evergreen trees provided the applicant limits the percentage of proposed sub-canopy trees within 25 percent of total required canopy trees, as it will provide additional visual and species diversity to the site;
- k. Deviation from Sec. 3.21.2.A.iii and Sec. 5.5.3 to allow absence of required landscaped berm along Wixom Road frontage due to limited frontage and flag shaped lot;
- l. Deviation 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;
- m. Deviation 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;

- n. Deviation from Section 11-216 (Figure IX.5) of City's Code of Ordinances for reduction of residential driveway taper depth (10 feet required, 7.5 feet proposed) due to proximity of proposed sidewalk within the development.
  - o. Deviation from Section 11-216 (Figure IX.2) of City's Code of Ordinances for allowing increase in the length of divided driveway island (35 feet required, 100 feet proposed) as it is within the allowable range;
6. 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 Preliminary 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 3-1 (Avdoulos).*

**2. ZONING ORDINANCE TEXT AMENDMENT 18.286**

Public Hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.1.10, B-1, Local Business District, in order to allow restaurant uses in the Local Business Zoning District.

City Planner McBeth said I have a brief summary of this. The Planning Commission first discussed the request to amend the B-1 Zoning District to allow certain restaurants in the Local Business District, and that was in last November. Following discussion at the November meeting, the Planning Commission authorized staff to set the public hearing for Planning Commission's consideration as soon as the matter was ready to proceed.

Staff has been working with applicant since that time to determine the extent of the Ordinance changes that are requested and how those changes might affect other aspects of the Zoning Ordinance. Staff has been preparing responses, as well, to Planning Commission's questions from that meeting.

City Planner McBeth stated that the public hearing has been advertised for tonight, however staff was notified by the applicant on Friday that the applicant has been called out of the country to attend the funeral of a close relative.

In the meantime, we also have been getting some comments and concerns – and I think one is included in your packet – from neighbors near the Briar Pointe Plaza which is technically also zoned B-1 Local Business. But the applicant's intent in this case is primarily to affect the Peachtree Plaza located near Meadowbrook and Ten Mile Road. So we've reviewed the consent judgment that covers the Briar Pointe Plaza with the City attorney's office and noted that the consent judgment that covers that limits the uses to the B-1 District that was in effect at the date of that consent judgment, which was the early 1990's. So if anybody is listening or present, we just wanted to share that. We will bring this back when the applicant is back in town for another public hearing and a recommendation at that time.

Chair Pehrson asked if they will still hold the public hearing at this time.

City Planner McBeth said yes.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he said there was some written correspondence.

Member Lynch said Lynne Coleman, 47114 Scarlet Dr. S. in Briarwood Village, has concerns that this is residential area and an addition of a restaurant will result in decrease of home values, noise, odor, light intrusion, increased traffic, possible rodents, and allowing one restaurant would allow potential for others to be added. That concludes the public correspondence.

Chair Pehrson closed the public hearing for this matter and turned it over to Planning Commission for consideration.

Member Lynch asked City Planner McBeth what falls under the consent judgment.

City Planner McBeth said in this case, the applicant is primarily representing the tenants and owner of Peachtree Plaza located at Meadowbrook and Ten Mile Road, behind the 7-11 in the shopping center. But when we have a text amendment, it would affect any other properties that are also within that zoning classification. The map shows all of the B-1 zoned areas in the city, primarily Haggerty and Ten Mile, Meadowbrook and Ten Mile, Novi and Ten Mile, Beck and Ten Mile, and a little piece on Wixom Road.

So we have been hearing from the residents around Briar Pointe Plaza, which is Ten Mile and Beck, saying that they're concerned that once again restaurants are being proposed in that shopping center. But in our research, we found that the consent judgment that covers that center would not allow any uses outside of what was permitted in the early 1990's version of the B-1 ordinance. So even if the Planning Commission and City Council approve an amendment to the B-1 District, that shopping center would still be governed by the consent judgment.

Member Lynch asked for clarification if the Peachtree Plaza was under consent judgment.

Chair Pehrson confirmed that only the Briar Pointe Plaza is under consent judgment and the other B-1 areas would be governed by the amendment.

Member Avdoulos said when this was first brought up, in all honestly I didn't have a personal issue with it and as I drive around in different communities I take a look at what is happening in some of the areas. The biggest thing I see, and I don't know if you can limit it to types of restaurants or types of businesses, but the biggest thing or the nicest draw that some of these areas and plazas have are the coffee shops. Northville has quite a few and they're really areas where a lot of the high school kids go and a lot of adults go to do their work and congregate.

The other thing is for convenience within a neighborhood, like if you were by my neck of the woods, I have to drive all the way to Grand River and Beck or Ten Mile and Taft just to get something because there's nothing really close, not even a coffee shop.

Looking at Plymouth, that's where you start to get into areas that are similar to some of these locations. On Penniman and Harvey, there's a coffee shop there and residences right around it, and there's a lot of restaurants there with residences right around them. The Garage opened up in Northville, there are residents that back up to that and there was a big stir in the beginning but everybody is respectful – the patrons are respectful of all the signage that the City put up about where to park and where not to make turns

and things like that.

Member Avdoulos continued and said so I think depending on what the particular business is, it will work. Those particular areas highlighted already have plazas, like at Ten and Meadowbrook there's plazas with restaurants there already so it's not like you're introducing anything new. I think it's because of how it was zoned and that allowing them in the B-1 District won't have a wildfire spread across the city with restaurants everywhere because they're only located in certain areas. So they're kind of set in a location where I don't think it's going to be that much of a detriment. But we could see where this goes and take a look at it further in the next public hearing, but at this point in time I don't have that big of a concern.

Chair Pehrson said I also didn't have any issue with introducing this and expanding this district. My only concerns are going to be that when anything comes forward, and also realizing two things – the Beck and Ten Mile I've never been in favor of that particular area, but we don't have to consider that because of the consent judgment and I wouldn't consider knocking down those trees to put up anything else there either. And I think it's a sign of the times that we're adjusting the Ordinance to meet the needs or wants of the public for those kinds of coffee shops.

My only thoughts for the amendment itself is that I think we need to look at it from the standpoint of traffic concerns and hours of operations so that there are limitations being addressed so that we don't create bothersome corners. Right now, you'd have to show me something for the Peachtree Plaza with a pretty good layout that would allow traffic to flow in and out of that area because you've basically got the one entrance off of Meadowbrook and then the cut-through that goes by Sovel's and I can see that being problematic from a traffic standpoint. So those would be my only concerns going forward with any of these sites adopting this Ordinance amendment.

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO POSTPONE CONSIDERATION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to postpone making a recommendation for Zoning Ordinance Text Amendment. *Motion passed 4-0.***

**3. NOVI SENIOR COMMUNITY PROJECT JSP17-66**

Public hearing at the request of CA Senior Living Holdings, LLC for Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan approval. The subject property is currently zoned OS-1 (Office Service) and RA (Residential Acreage) and is governed by the William R. Eldridge v. City of Novi Consent Judgment. The subject property is approximately 9.72 acres and is located on the north side of Twelve Mile Road, between Novi Road and Meadowbrook Road (Section 11). The applicant is proposing to build a senior living care facility that houses about 78 assisted living units and 105 beds for congregate care all under one roof with associated site improvements such as parking, loading and landscaping. The site plan also includes an exclusive access drive to the adjacent cemetery.

Planner Komaragiri said that the subject property is approximately 9.72 acres located north of Twelve Mile Road and east of Novi Road in Section 11. The proposed development is located north of Twelve Mile Road between Novi Road and Meadowbrook Road in Section 11. The site is bounded by the Oakland Hills Memorial

Gardens cemetery on the west and north sides, the Michigan State University Tollgate Farm on the east and Twelve Mile Road and Twelve Oaks Mall to the south.

The subject property is currently zoned OS-1 (Office Service) and RA (Residential Acreage) and is governed by the William R. Eldridge v City of Novi Consent Judgment. The property to the north is zoned R-4 (One-Family Residential), RA (One-Family Residential) to the east, R-4 and OS-1 (Office Service) to the west and Regional Commercial across Twelve Mile. The Future Land Use Map indicates Community Office for this property.

The property has regulated wetlands along the central/eastern section of the site. There are three areas of wetland totaling up to 0.19 acres on the property and the plan proposes disturbance to 0.318-acres of on-site 25-foot wetland buffer area.

The plan has regulated woodlands along the eastern section of the property. The plan indicates that 453 Woodland Replacement Trees are required for the project. A total of 86 Woodland Replacement Trees are proposed on-site and the remaining 367 Woodland Replacement Tree credits will be paid into the City of Novi Tree Fund.

The applicant is proposing a three-story senior living care facility that houses about 78 assisted living units and 105 beds for congregate care all under one roof. The community will feature ample amenities and services such as chauffeured van transportation, gardens, fitness center, activities, etc. The site layout proposes associated parking, loading and bike facilities. Site access is provided off of Twelve Mile Road. The current plan proposes to maintain the access to cemetery. The existing access road is widened and extended to align with the proposed development.

The current plan would require a Zoning Board of Appeals variance for proposing loading, dumpster and a transformer in the side yard which is supported by staff. A City Council variance is required for an absence of a right turn taper along Twelve Mile Road and the variance request should be approved by the Road Commission of Oakland County, as well.

Landscape identified a couple of deviations that would be required. A waiver for allowing evergreen trees in lieu of perimeter parking lot canopy trees along western edge of the parking lot, and a waiver for absence of access drive trees along the cemetery access drive.

During the course of review, the applicant has worked with the staff to find solutions to address some concerns raised by staff. The applicant has agreed to widen the proposed cemetery access drive to 20 feet to meet the code and to revise the plans to eliminate conflict between Utility lines and proposed landscaping at the time of Final Site Plan submittal. All facades are in full compliance with the Façade Ordinance. All reviews are currently recommending approval with other comments to be addressed with Final Site Plan.

The Planning Commission is asked to hold the Public Hearing and approve the Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan. The applicant Mike Duggan is here with his Engineer Tavio Palazzolo and Architect if you have any questions for them.

Mike Duggan representing CA Senior Living, the owner and developer of the property, said we are here with our architect and engineer. We're a Chicago-based company that has built all over the country. This is our second community in the area, our first of which is about to open in Birmingham right now. In general, staff has been great to work with.

We've been back and forth on a lot of items but I think we've come with a great project and we're here to answer any questions you may have.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he asked if there was any public correspondence.

Member Lynch said there are two. The first one is from Marlene Fluharty from the Americana Foundation, 28115 Meadowbrook. There is a concern for ground water, currently they grow crops for education about crops and food and they are worried about the density disturbing the wetlands. They're also worried about the impervious surfaces like the parking lots destroying their ground water.

The next one is from Roy Prentice, 28115 Meadowbrook, who has the same concern of ground water with Tollgate Farms right by there. They request the Singh Company maintain a hundred foot buffer between their development and MSU. That concludes the responses provided.

Chair Pehrson closed the public hearing for this matter and turned it over to Planning Commission for consideration.

Member Avdoulos said I guess I do have that one question, I don't know if this was something done in the past and staff has a quick answer, but is there a buffer or anything that is required? When you showed the first site plan there are all the woodlands and everything to the right. Is there anything that we're required to have on this particular project?

Landscape Architect Meader said no, normally there would be a buffer required between residential and non-residential but there's a clause in the Landscape Design Manual that says because it's not developed as residential they don't have to have the berm and buffer. They're still adding trees along there where there is space but there is no requirement for a landscaping berm.

City Attorney Schultz said I'd also note that the Singh development was a PUD where it's an optional, discretionary approval.

Member Avdoulos said I'm assuming the applicant has done their due diligence and that the project is something that is going to be utilized a lot here in the Novi area and is something that is in essence being requested. We're starting to see a lot of these types of senior community projects and coming in from Chicago, I'm sure you're comfortable with where you're at. In looking at the plans and looking at the detailed provided, I think it's a nice development for the community. Some of the variances that are being requested are in support from the City and I think they're for a good reason so I appreciate that.

Chair Pehrson said what caught my attention was the right-hand turn lane taper. What is the rationale for that not being needed?

Planner Komaragiri said that the trip generation figures for this project are right at the threshold, so it could go either way. So Traffic suggested that if the Road Commission of Oakland County supports the variance then the City will follow suit because they are right at that threshold for requiring a taper.

Chair Pehrson said Twelve Mile is a pretty busy and speedy road, I would have just assumed that we would've wanted that right hand taper there. I can see ambulances

trying to get in there, I can see seniors meeting other seniors, and I'm not picking on seniors but just suggesting they might take things a little slower. Around Christmas time, Twelve Mile Road becomes that same thing as Novi Road. I'm just surprised that we don't have that when it's on that threshold. I guess we'll live with it as it is.

Member Avdoulos asked if Oakland County already approved that?

Planner Komaragiri said that we've advised the applicant to start the dialogue with Oakland County, and if Oakland County says the taper is required then City Council wouldn't approve the deviation.

Chair Pehrson said that's fine, as long as we can nudge and they can nudge that'll be fine. That's my only comment.

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**In the matter of Novi Senior Community Project JSP 17-66, motion to approve the Preliminary Site Plan based on and subject to the following:**

- a. Landscape waiver from Sec 5.5.3.C.iv) to allow evergreen trees in lieu of required canopy trees for parking lot perimeter trees along the western edge of the access drive because maintaining the cemetery access drive will benefit the cemetery but reduce the area remaining for the required landscaping, and the screening provided by the arborvitaes will be a benefit to all. , which is hereby granted;
- b. Landscape waiver to not provide the required perimeter canopy trees along the cemetery access drive due to a lack of room for the required trees.
- c. The applicant shall revise the landscape and utility plan at the time of Final Site Plan submittal, to be reviewed and approved by City's Landscape Architect and City's Staff Engineer in order to eliminate the existing conflict between the proposed Sanitary Sewer easement and proposed Evergreen screening between the west access road and the along cemetery access drive;
- d. The applicant shall increase the width of the cemetery access drive to 20 feet at the time of Final Site plan submittal;
- e. City Council variance from Sec. 11-216 (c) (8) of Novi City Code for absence of a right turn taper lane along Twelve Mile Road;
- f. A Zoning Board of Appeals variance from Section 4.19.2.F for allowing the dumpster in the side yard instead of the required rear yard;
- g. A Zoning Board of Appeals variance from Section 4.19.2.F for allowing the dumpster in the side yard instead of the required rear yard;
- h. A Zoning Board of Appeals variance from Section 5.4.1. for allowing the loading area in the side yard instead of the required rear yard;
- 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.

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 4-0.*

**ROLL CALL VOTE TO APPROVE THE WETLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Novi Senior Community Project JSP 17-66, motion to approve the Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

**ROLL CALL COTE TO APPROVE THE WOODLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Novi Senior Community Project JSP 17-66, 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 4-0.*

**ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Novi Senior Community Project JSP 17-66, 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 the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

**4. EMERSON PARK JSP17-10**

Public hearing at the request of Pulte Homes, LLC for Planning Commission approval of the Preliminary Site Plan with Wetland Permit, Woodland Permit, and Stormwater Management Plan. The subject property is currently zoned RM-2 (High-Density Multi-Family Residential) with a Planned Rezoning Overlay Agreement associated. The subject property is approximately 24-acre and is located on the west side of Novi Road and north 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.

The rezoning request from a Zoning Map amendment from OS-1 (Office Service) to RM-2 (High-Density Multi-Family Residential) utilizing the City's Planned Rezoning Overlay (PRO) option was tentatively approved by Council on October 23, 2017. Council approved the PRO concept plan and PRO agreement on February 5, 2018.

The subject property is approximately 24-acres and is located on the west side of Novi Road and north of Ten Mile Road in Section 22.

The subject property is currently zoned RM-2 (High-Density Multi-Family Residential) with a Planned Rezoning Overlay Agreement associated. It is being used as vehicle storage lot as a long standing legal non-conforming use. All properties east of Novi Road are zoned and developed as I-1 and I-2 industrial uses. They all are master planned for Industrial uses. Properties to north are zoned OS-1.

The Future Land Use Map indicates Local Commercial and Community Office for properties to the south, Industrial Research Development and Technology for properties to the east and Single-Family for properties to the west.

The property contains few regulated woodlands and a large portion of wetlands with an open body of water to the south which is proposed to be preserved. There are three (3) wetland areas located on the site totaling 3.20 acres. The plan proposes impacts to approximately 0.08 acres of the wetlands. The plan also proposes impacts to up to 0.26 acres of wetland buffers.

The majority of the Regulated Woodland area is located on the southern portion of the project site. The Plan notes that a total of 54 of the 262 on-site regulated trees (approximately 20% of the regulated trees) will be removed as a result of the proposed project, requiring about 88 replacement trees.

On May 10, 2017, the Planning Commission held a public hearing and postponed their recommendation. On August 23, 2017, Planning Commission considered the proposed development and made a favorable recommendation to Council. At that time the applicant has proposed pedestrian improvements along Novi Road to connect the proposed development to Novi Town Center and the Main Street development. Staff had raised a few concerns at that time. Upon further discussion with Council, the applicant has instead agreed to build a key missing sidewalk segment on the north side of Ten Mile Road between Churchill Crossing and Novi Road.

The current plan shows a 120-unit multi-family for-sale residential development with frontage and access to Novi Road, two detention ponds on either side of the proposed entrance boulevard. The concept plan also includes pocket parks and pedestrian walks spread throughout the development for active and passive recreation. All proposed internal roads are private. This is not a gated community. Building elevations were not provided at the time of PRO plan approval. The applicant has now included buildings elevations that conform to the conditions listed in the PRO agreement and Façade Ordinance.

No other changes were made to the concept plan which the Commission recommended back in August. All deviations from the Zoning Ordinance have been approved by Council and included as part of the PRO agreement.

All reviews are recommending approval with additional comments to be addressed with Final Site Plan. The Planning Commission is asked tonight to approve Preliminary Site Plan, Wetlands Permit, Woodlands Permit, and Stormwater Management Plan.

The applicant Joe Skore from Pulte Homes is here with his Engineer Bill Anderson to answer any questions you may have. Staff will be glad to answer any questions you have as well.

Joe Skore from Pulte Homes of Michigan said as was mentioned, the PRO Agreement was approved just the other night. We've worked closely with staff over the last year on this plan and proposal. I think everything has turned out well and pretty much everyone is happy with how it turned out. We're very excited about the project and we're happy to answer any questions you might have.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he asked if there was any public correspondence.

Member Lynch said there is no public correspondence.

Chair Pehrson closed the public hearing and turned it over to Planning Commission for

their consideration.

Member Lynch said thank you for working with us on this. It looks like you're picking up a lot of these eyesore sites – one was an industrial site and this one is a storage facility. Are you going to have to do any kinds of mitigation in this area in terms of environmental remediation?

Mr. Skore said it's a low amount, there is an insignificant amount of contamination that we are going to clean up entirely.

Member Lynch said I know you've been working on this for a long time and I think it's going to be nice there. I think that it certainly makes more sense than a vehicle storage area and I think it fits into that pocket area. I'm pretty happy with how it's progressed and I think you've been working on this for quite a while.

Mr. Skore said we have, I've lost track but I think it's been about fifteen months.

Member Lynch said it's turned out, I really don't have an issue with it.

Member Avdoulos said I also appreciate you working with the City. I think this is the one that we looked at it and then we postponed it, and took some comments at heart and were able to provide some direction which I think provided a little bit more of an enhanced layout.

I'm appreciative that we're looking at doing something along Ten Mile instead of stretching out and going north, because at this particular time it doesn't make sense, so here the benefit goes to the residents along Ten Mile and will help connect around the corner, I really like that. And I'm with Member Lynch, I think this is a really good development for this area. I was really hesitant in the beginning because of how Novi Road is, but I'm hoping that this also will generate some interest and help to begin enhancing Novi Road.

Motion by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**In the matter of Emerson Park JSP17-10, motion to approve the Preliminary Site Plan based on and subject to the following:**

- a. Approval is subject to the City Council's final approval of the associated rezoning with Planned Rezoning Overlay and Agreement at the February 5, 2018 City Council meeting;**
- b. 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.**

**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 4-0.***

**ROLL CALL VOTE TO APPROVE THE WETLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

**In the matter of Emerson Park JSP17-10, motion to approve the Wetland Permit based**

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

**ROLL CALL VOTE TO APPROVE THE WOODLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

In the matter of Emerson Park JSP17-10, 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 4-0.*

**ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

In the matter of Emerson Park JSP17-10, 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 4-0.*

Chair Pehrson said I'd like to thank you for the work that you did and the considerations and input that you took from us to make the adaptations to the plan. I think it turned out really well.

Joe Skore said it was our pleasure, thank you.

**MATTERS FOR CONSIDERATION**

**1. SIDDIQUI ORTHODONTICS JSP17-80**

Consideration at the request of Siddiqui Orthodontics for Preliminary Site Plan and Stormwater Management Plan approval. The subject property contains 1.33 acres and is located in Section 17, on the east side of Wixom Road and south of Grand River Avenue, in the Novi Promenade Shopping Center. The shopping center is subject to a Consent Judgement which directs the B-3 General Business standards be used to evaluate development of the outlots. The applicant is proposing to construct a single story 2,696 square foot addition to the rear of the former Huntington Bank building.

Planner Bell said that the subject property is in Section 17 on Wixom Road in the Novi Promenade Shopping Center just north of the Target store. The building was previously occupied by Huntington Bank.

The 1.33 acre site is zoned I-1, Light Industrial but a Consent Judgment stipulates that the outlots of the shopping center, including the subject parcel, be subject to the B-3 General Business standards of the Zoning Ordinance. To the west across Wixom Road is zoned RA Residential Acreage and is the site of the Catholic Central High School.

The Future Land Use Map indicates Community Commercial for this property and surrounding properties. The properties to the west across Wixom Road are identified as education facilities.

There are no regulated woodlands or wetlands on the property. The property abutting to the north is filled with regulated natural features and is protected by Conservation Easement.

On the site plan, the applicant is proposing a 2,696 square foot one-story addition to the existing building to accommodate their new Orthodontics practice. Dr. Siddiqui also has locations in Dearborn and Canton. The existing 4,254 square feet would be leased to another professional office tenant.

Site access would not change from the current configuration. The primary access drive off of Wixom Road is shared by the shopping center, with one two-way driveway and one exit only drive serving the site on the east.

The site plan as proposed would require 40 parking spaces for the professional office uses. There is no loading zone on the site and is not proposed by the applicant. The applicant has submitted an applicant for a variance from this requirement from the Zoning Board of Appeals.

There is no increase in impervious surface on the site because the addition is being added to where the former drive-through for the bank was, so the existing stormwater management for the site will not require changes.

Planner Bell continued, the site plan is in general conformance with the Zoning Ordinance except for a few deviations identified in the landscape review letter. Planning Commission waivers are required for a right-of-way berm 1-2 feet shorter than required and foundation landscaping is 260 square feet less than required. Staff supports these waivers.

The addition is in full compliance with the Façade Ordinance. The applicant has provided colored building elevations and perspectives and a material sample board available tonight to further explain the design.

All reviewers are recommending approval of the Preliminary Site Plan, with additional comments to be addressed in a revised Final Site Plan.

The Planning Commission is asked tonight to approve the Preliminary Site Plan with landscape waivers and the Stormwater Management Plan. The applicant, Dr. Siddiqui from Siddiqui Orthodontics, is here tonight with architect Ghassan Abdelnour from GAV & Associates, to give you more details and to answer any questions you may have.

Ghassan Abdelnour from GAV & Associates said we thank you for having us here tonight and we thank the planning department, engineering and landscaping for their extra help through the whole process so we can come up with a good project. We are looking forward to doing this project here in the City of Novi and the doctor purchased this property to move his practice to the city.

The plan is to put an extension of 2,696 square feet on to the already existing 4,254 square feet building that we are proposing in the future to be leased for some kind of medical doctors' office or things close to that. The new proposed addition would be used for the Orthodontist's office.

For the project itself, we tried to match the new addition to the existing building – we tried to match all the brick, the metal siding, the characters of the windows, and details to make it look more like a new building instead of being an addition. We did work a little bit on the site, it wasn't a requirement but we had a little issue with the site as we needed it to be a more easy two-way street along the whole building, so we had to work with some curbing to move it in and we had to change the sidewalks and add more landscaping with the help of the landscape architect and the recommendation of the planning department.

We also tried to meet the requirement for the engineering part, because where we are putting that new addition used to be the drive-through for the bank, so we didn't have landscaping in that area and it used to be asphalt. So actually, the same area, we took it and put a building addition there and tried to keep the sidewalks along the whole building.

Mr. Abdelnour said and as Lindsay said, the only issue we have is the loading area. We thought that the doctor and anybody who will be in this building will not use the loading area and the requirement for the frontage of this building is 10-75 feet loading area that will never be used. The doctor doesn't have any trucks or anything coming to that site. So we will go before the ZBA to try to get that variance.

For the landscaping deviations, we're trying to meet most of the requirements. We have the two feet of existing berm and hopefully that can be passed, but we are keeping all the landscaping and adding more landscaping, and anything existing that is dead the doctor is willing to try to replace to try to match the requirements. We have a two-way street along the whole building, we meet the requirement for parking with what we provided. We did work a little bit with the dumpster area and changed the location from the existing building – we made it easier for the truck to pick up the trash and move as we curved the area so that the truck can exit easier.

For the signage on the main road, we are keeping the same location and hoping to have the signage where the bank used to have it. The foundation is there and we are trying to work with that. We are very excited about this project with the city and can answer any questions that you have.

Member Avdoulos said I think this is a nice addition to the building. When I first saw it, I was interested to see how it was going to work, if the Orthodontics was going to be inside the existing and this was just an expansion, but I think the addition and how it was treated with the façade blends nicely. I think this will be a nice asset to that area, and I think it works well and I have no issues with the waivers being requested. I think we're ok with those and also with the loading, I agree that it's more of a business so it's not really needed.

Motion by Member Avdoulos and seconded by Member Howard.

**ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

**In the matter of Siddiqui Orthodontics JSP17-80, motion to approve the Preliminary Site Plan based on and subject to the following:**

- a. A Zoning Board of Appeals variance from Section 5.4 for absence of a designated loading zone;**
- b. Landscape waiver from Section 5.5.3.B.ii and iii for the existing berm adjacent to the public Right-of-Way which is 1 to 2 feet shorter than required with the**

reasoning that all existing trees and plantings would need to be removed in order to increase the height, which is hereby granted;

- c. Landscape waiver from Section 5.5.3.D for deficiency of 260 square feet of the required the 2,400 square feet of foundation plantings because the project has a net increase in foundation plantings, which is hereby granted;
- d. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

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

**ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

In the matter of Siddiqui Orthodontics JSP17-80, 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 the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

**2. INTRODUCE AMENDMENT TO WOODLAND TREE REPLACEMENT CHART**

Set public hearing for consideration of City Code Amendment in order to amend the City of Novi at Chapter 37, Woodland Protection Ordinance in order to modify the list of trees provided in the woodland replacement chart, and to set a maximum for credits received in the use of native seed mixes.

Landscape Architect Meader said the Woodland Ordinance allows certain trees to be used for woodland credits, it doesn't prohibit any trees but it's what they're allowed to get credits for. So working with ECT, we have to review the plans and review the site and the use, and some trees are allowed that we don't think are fitting with the Ordinance intent.

There's Yellowwood, the European Beech, and Sweetgum – they're not native to Michigan and it doesn't seem that they're restoring our woodlands so we'd like to take those off and add some other species that are native to Michigan that aren't on this currently. And for now, take off Hemlock because there's a woody adelgid which is negatively impacting them but if we find that there's a control method that they can be safe to use again, we'd bring it back.

And then the seed mixes, there's limits typically for every other kind of alternative you can use instead of a two and a half inch tree – for example, two smaller trees, big shrubs, that kind of thing. And there's always a limit of certain number of percentage of what they can use, but there's no limit on the use of native seed mixes. And so we've had a couple of projects that have used 30% of their credits just on seed mixes and we have no way of really knowing that it's effective. It takes about three years to really know that anything is happening. So we just want to limit it to 5% so that they can still use it for woodland floor but not allow such a great use of it.

Member Lynch asked if the seed mix is primarily used around the detention basins?

Landscape Architect Meader said this is different, this is just for the general site. The detention basins will still have to have their seed mixes.

Motion made by Member Avdoulos and seconded by Member Howard.

**ROLL CALL VOTE TO SET A PUBLIC HEARING MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

**Motion to set a public hearing for Amendment to Woodland Tree Replacement Chart. *Motion passed 4-0.***

Chair Pehrson thanked Landscape Architect Meador for doing that and said it's good to see that we're not just always worried about buildings but also about the landscaping that goes around the building.

**3. APPROVAL OF THE JANUARY 10, 2018 PLANNING COMMISSION MEETING MINUTES**

Motion made by Member Lynch seconded by Member Howard.

**ROLL CALL VOTE TO APPROVE THE JANUARY 10, 2018 MINUTES MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER HOWARD.**

**Motion to approve the January 10, 2018 Planning Commission Meeting Minutes. *Motion passed 4-0.***

**SUPPLEMENTAL ISSUES**

Chair Pehrson said two things I'd like to make mention of. One is that Ted Zuchlewski has retired from the Planning Commission effectively to go do Ted stuff, so I just wanted to make him aware of the fact that we appreciated his time and his knowledge and input on the Planning Commission. He will be missed and we wish him well in his next endeavors.

Second, I believe Sri has some guests in the audience that I don't think we've had the pleasure of meeting.

Planner Komaragiri said my mom and her younger sister are visiting from India to stay with us, especially to experience Michigan snow, so she hasn't been disappointed.

Chair Pehrson said we couldn't do this without Sri and I think we can all agree on that.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Avdoulos and seconded by Member Howard.

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

**Motion to adjourn the February 7, 2018 Planning Commission meeting. *Motion carried 4-0.***

The meeting was adjourned at 8:44 PM.