



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

DECEMBER 9, 2015 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 Baratta, Member Giacometti, Member Lynch,  
Member Zuchlewski

**Absent:** Member Greco (excused), Chair Pehrson (excused)

**Also Present:** Barbara McBeth, Community Development Deputy Director; Sri Komaragiri, Planner;  
Chris Gruba, Planner; Rick Meader, Landscape Architect; Brian Coburn, Engineer; Gary  
Dovre, City Attorney; Maureen Peters, Traffic Consultant; Pete Hill, Environmental  
Consultant; Matt Carmer, Environmental Consultant; Rod Arroyo, Planning Consultant.

## APPROVAL OF AGENDA

Motion to approve the December 9, 2015 Planning Commission Agenda. *Motion carried. 5-0*

## PUBLIC HEARINGS

### 1. MAPLE MANOR, JSP 08-09

Public hearing at the request of J. S. Evangelista Development, LLC for Planning Commission's recommendation to City Council for revised concept plan associated with a previously approved zoning map amendment with a Planned Rezoning Overlay (PRO) and approval of Preliminary Site Plan and Storm water Management Plan subject to City Council approval of PRO Concept Plan. The subject property is located in Section 2, at the southwest corner of Fourteen Mile and Novi Road on 3.88 net acres. The applicant is currently proposing to add an exterior storage garage and a pavilion/gazebo area to serve their existing convalescent (nursing) home building.

In the matter of Maple Manor, JSP08-09, motion to recommend approval to the City Council to amend the approved Planned Rezoning Overlay (PRO) Concept Plan. The recommendation shall include the following Ordinance Deviation from Section 4.19.1.B that requires accessory buildings not to be located within any required front yard or in any required exterior side yard. The proposed storage garage partly falls within the required front yard. If the City Council approves the amendment to the PRO, the Planning Commission recommends the following condition be included in the revised Planned Rezoning Overlay Agreement: Applicant complying with the conditions listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Maple Manor, JSP08-09, motion to approve the Preliminary Site Plan subject to approval by City Council of the amended PRO Agreement and Concept Plan and subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with the approved Amendment to the PRO, Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Maple Manor, JSP08-09, motion to approve the Stormwater Management Plan, based on

and subject to approval by City Council of the amended PRO Concept Plan and the PRO agreement and the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because it otherwise in compliance with the approved Amendment to the PRO, Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

## **2. CITYGATE MARKET PLACE, JSP 15-73**

Public hearing at the request of Grand Beck Partners LLC for approval of the Preliminary Site Plan with Retail Service Overlay, Special Land Use Permit, Woodlands Permit, Wetlands Permit and Storm water Management Plan. The subject property is located in Section 16, on the southeast corner of Citygate Drive and Beck Road. The applicant is proposing to construct a 5,908 sq. ft. building with a retail space and two fast food restaurant spaces (with associated parking, landscaping and storm water facilities) utilizing the Retail Service Overlay Option. A drive-through is proposed for one of the restaurant spaces.

In the matter of Citygate Market Place, JSP 15-73, motion to approve the Special Land Use permit based on the following findings:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares based on the findings from Traffic review.
- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities given the size of the new use, and that they are not adding any additional demand than anticipated.
- c. The proposed use is compatible with the natural features and characteristics of the land because the plan does not contain any existing natural features.
- d. The proposed use is compatible with adjacent uses of land given the type of use and the surrounding development.
- e. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use given there is no change in permitted use for Retail Service Overlay districts.
- f. The proposed use will promote the use of land in a socially and economically desirable manner.
- g. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

This motion is made because the plan is otherwise in compliance with Article 4.4, Article 4, Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Citygate Market Place, JSP 15-73, motion to approve the Preliminary Site Plan with Retail Service Overlay based on and subject to the following:

- a. Landscape waiver to permit the reduction of the required Greenbelt along the Citygate Right of Way (25 feet required when there is no parking; 3 feet provided), provided that the applicant works with the City's Landscape Architect to propose alternate screening, which is hereby granted;
- b. Landscape waiver to permit the reduction of the Right of Way trees 12 required, 8 provided between the existing sidewalk and the curb along Citygate Road as listed in Section 5.5.3.E.i.c due to narrow existing distance between sidewalk and curb for planting, which is hereby granted;
- c. Landscape waiver to permit a decorative wall instead of the required berm adjacent to Public Right of Way for Beck Road as listed in Section 5.5.3.B.ii and iii due to space limitations, and is supported by staff as it will contribute to the cohesive look for the adjacent interchange area, which is hereby granted;
- d. Zoning Board of Appeals variance from Section 3.1.23.D of City Zoning Ordinance to reduce the required north yard building setback by 34 feet in 50 feet required, 16 feet proposed;
- e. Zoning Board of Appeals variance from Section 5.3.11.A, B to reduce the required north yard parking setback 20.0 feet required, 0.0 feet proposed *to allow construction of a drive-through lane.*
- f. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of

the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Citygate Market Place, JSP 15-73, 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 5-0.*

In the matter of Citygate Market Place, JSP 15-73, 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 5-0.*

In the matter of Citygate Market Place, JSP 15-73, 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 5-0.*

### **3. DUNHILL PARK, JSP 15-13**

Public hearing at the request of Hunter Pasteur Homes Dunhill Park LLC for Planning Commission's recommendation to the City Council for rezoning of property in Section 32, located at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) TO R-1 (One-Family Residential) ) with a Planned Rezoning Overlay (PRO). The subject property is approximately 23.76-acres and the applicant is proposing to construct a 31 unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

In the matter of the request of Hunter Pasteur Homes Dunhill Park LLC for Dunhill Park JSP15-13 with Zoning Map Amendment 18.711 motion to recommend approval to the City Council to rezone the subject property from RA (Residential Acreage) to R-1 (One Family residential) with a Planned Rezoning Overlay. The recommendation shall include the following ordinance deviations for consideration by the City Council:

- a. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided);
- b. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided);
- c. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features. (coverage along entire frontage required; approximately 40 percent proposed);
- d. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the right-of-way along Beck Road;
- e. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements of canopy and sub canopy trees in greenbelt along both Public Rights-of-way;
- f. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile if the Oakland County Road Commission does not allow some or all of the required street trees along 8 Mile Road;
- g. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed);
- h. Landscape deviation from Landscape Design Manual Section 1.d.(1)(d) for not meeting the required diversity of tree species for a single family residential subdivision;

- i. Applicant shall provide modelling data showing sufficient fire flows at the water main dead end or applicant shall provide a loop connection approved by the City Engineer during Preliminary Site Plan. An offsite easement may be required for the loop connection;
- j. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;
- k. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access;

If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:

- a. Acceptance of applicant's offer of Public benefits as proposed:
  - i. Tax benefits for the City including significant property taxes and potential Brownfield benefits from Oakland County.
  - ii. Significant brownfield environmental cleanup.
  - iii. Installation of a "Welcome to Novi" landmark feature.
  - iv. \$25,000 donation to the Parks, Recreation and Cultural Services Department to be applied toward the construction of the ITC Community Sports Park Trail.
  - v. High-end landscaping.
  - vi. Developers financial contribution to complete the construction of Eight Mile sidewalk, as determined by the City Council
- b. Applicant complying with the conditions listed in the staff and consultant review letters, including satisfying the concerns in Wetlands and Woodlands review letters.
- c. The applicant shall conform with the code requirements to provide additional information with regards to the required woodland replacement trees, with an appropriate number to be determined by staff, at the time of Preliminary Site Plan, or to pay into the City's tree fund, per staff's recommendation.

This motion is made because:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of a maximum of 0.8 units/acre to an actual 1.32 units/acre, and which supports several objectives of the Master Plan for Land Use as noted in this review letter.
- b. The proposed density of 1.32 units/acre provides a reasonable transitional use between the lower density developments to the north and west, and the existing higher density developments to the east, in the City of Northville, and Maybury State Park on the south side of Eight Mile Road.
- c. The site will be adequately served by public utilities.
- d. The proposed zoning and proposed use represents only a nominal increase in expected site generated traffic relative to development permitted under existing zoning.
- e. Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.
- f. The proposed concept plan shows the intent of the applicant to remediate environmental contamination of the site as a part of the development plan, which will improve the land through the removal of potential environmental hazards.

*Motion carried 5-0.*

## MATTERS FOR CONSIDERATION

### 1. APPROVAL OF THE SEPTEMBER 30, 2015 PLANNING COMMISSION MINUTES

Motion to approve the September 30, 2015 Planning Commission minutes. *Motion carried 5-0*

### 2. APPROVAL OF THE NOVEMBER 4, 2015 PLANNING COMMISSION MINUTES

Motion to approve the November 4, 2015 Planning Commission minutes. *Motion carried 5-0*

## MATTERS FOR DISCUSSION

1. **THOROUGHFARE MASTER PLAN**

**ADJOURNMENT**

The meeting was adjourned at 9:21 p.m.

Please note: Actual Language of motions subject to review.