



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

AUGUST 12, 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 Lynch, Chair Pehrson

Absent: Member Greco (excused), Member Giacometti (excused), Member Zuchlewski (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri, Planner; Rick Meader, Landscape Architect; Jeremy Miller, Engineer; Gary Dovre, City Attorney; Chris Gruba, Planner

PLEDGE OF ALLEGIANCE

Member Anthony led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Anthony:

Motion to approve the August 12, 2015 Planning Commission Agenda. Motion carried 4-0

AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE

There was no correspondence

COMMITTEE REPORTS

There were no committee reports

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth introduced Christopher Gruba, who started work with the Plan Review Center last week. Chris is a native of Novi and graduated from Novi High School. He attended the University of Michigan and then transferred to Eastern Michigan University where he received a bachelor's degree in Urban and Regional Planning. Chris has worked as a city planner for about nine years. He most recently worked as an urban planner for Delta Township, outside of Lansing. Prior to that he worked as a planner in Coral Springs Florida, and before that he worked for Bloomfield Township. Chris has already started working on site plan reviews and will be making presentations to the Planning Commission very soon. We hope you will join us in welcoming him to the City of Novi.

The Planning Commission welcomed Planner Gruba to the City.

CONSENT AGENDA - REMOVALS AND APPROVAL

PUBLIC HEARING

1. COVINGTON ESTATES JSP15-0002

Public hearing at the request of Biltmore Land, LLC for recommendation to City Council for approval of a Residential Unit Development (RUD) Plan. The subject property is located in Section 31 north of Eight Mile and West of Garfield in the RA, Residential Acreage District. The applicant is proposing a Residential Unit Development (RUD) on a 48.83 acre parcel to construct 38 single-family residential units.

Planner Komaragiri stated that the subject property is located west of Garfield and north of Eight Mile Road in Section 31. The property is zoned Residential Acreage and is surrounded by the same zoning on all sides. The current plan is proposing the Residential Unit Development option to develop the subject property. The Future Land Use map indicates Single Family Residential for the subject property and the surrounding properties. There are regulated wetlands and woodlands on the property.

The applicant is proposing a 38 unit single family Residential Unit Development (RUD) on 48.85 acres. The purpose of the Residential Unit Development Option is to permit an optional means of development with flexibility in the RA district and in the R-1 through R-4 districts. It allows a mixture of various types of residential dwelling units and to permit permanent preservation of valuable open land, fragile natural resources, and rural community character that would be lost under conventional development.

The current plan is proposing a variety of lot sizes with four lots conforming to the underlying zoning district RA requirements. The rest of the lots conform to R-1 requirements. The proposed density is 0.8 units per acre consistent with the RA, Residential Acreage zoning of the site. The current plan proposes to preserve the natural features of the site and provides active recreation for the residents such as a trail with additional features. Thirty-nine percent of the site is intended to be open space. A paved pathway connection is proposed from the trail to Garfield road, which provides opportunities for active or passive recreation. The applicant is proposing a gated community.

The plan is in general conformance with the code except for few deviations as identified in the review letters.

Planning recommends approval of the current plan provided City Council approves the modification to lot sizes and building setback reductions per the RUD ordinance. Engineering also recommends approval with additional comments to be addressed with the next submittal. Engineering identified two DCS variances that would be required. One, to be able exceed the maximum allowed distance of 1500 feet between Eight Mile Road to the emergency access. Two, to allow absence of vehicle connection to the property on the west. Landscape and Traffic recommend approval of the Concept Plan with additional comments to be addressed with the next submittal.

The current plan does not propose any impacts to wetlands. It is proposing removal of three regulated woodland trees and would require a City of Novi Woodland permit. Woodlands and Wetlands recommend approval of the Concept plan. Fire also recommends approval with additional comments to be addressed with the next submittal.

The Planning Commission is asked tonight to hold a public hearing and to make a recommendation to City Council to approve the RUD Plan.

The applicant David Stollman is here tonight with his Engineer Carol Thurber to answer any questions you may have.

Carol Thurber from Fazal, Khan and Associates addresses the Members. Ms. Thurber stated that the main reasons that they went with the RUD concept was to preserve the few natural features on the site. There is a wetland and a woodland on the northwest portion of the site which will have no impact proposed. They also proposed quite a bit of active recreation space with the trail. The trail is over 1.5 miles and goes around the entire property with benches and birdhouses proposed to promote a very active community.

Chair Pehrson said this is a Public Hearing and asked if anyone had any comments on this particular subject.

No one in the audience wished to participate. Chair Pehrson asked if there was any correspondence.

There was correspondence from Ed and Caryn Bartone at 49651 Deer Run, Northville, MI. The letter stated that, "when this was discussed before we were approached by lawyers because the water table would dip and lower our already shallow pond, thus reducing our property level. Water draining to Deer Run ponds will be affected. There will be more fertilizer flowing into the ponds". They object to this project.

There was no other correspondence, and Chair Pehrson closed the Public Hearing. He turned the topic over the Planning Commission members for consideration.

Member Anthony asked Planner Komaragiri, when we look at this development exceeding the 1500 foot variance for the distance from the main road through the subdivision how far does that exceed the maximum?

Planner Komaragiri said that the reason that they exceed the maximum is that they are trying to align with the access on the adjacent property, the Ballantyne RUD. I think that it is exceeding the maximum by 200 or 300 feet.

Member Anthony asked if the purpose of that shorter distance is for time response for emergency vehicles.

Planner Komaragiri responded yes, and also for the fire trucks to be able to maneuver. There are two cul de sacs to the south so fire was okay with that.

Deputy Director McBeth said that the emergency access proposed in Covington Estates will align with the proposed access in the Ballantyne development, which was recently approved.

Member Anthony stated concerns that without that being made very clear to the residents who purchase those lots, that with the development coming in later, residents will say "I wouldn't have purchased that lot if I had known that a road was going to be there". Member Anthony asked what can be done to ensure that prospective buyers would be aware of future changes?

Planner Komaragiri responded that the emergency access will have a fire gate so everyone will know that it is only for emergency access.

Member Anthony asked if the hatched area on the plan will not be developed until Ballantyne is developed. Homeowners that buy the property need to be informed of the future development.

Staff Engineer, Jeremy Miller responded that they have to put this emergency access in with this development. Secondary access is required whether Ballantyne has developed or not. If Ballantyne is not yet developed they have to come up with some alternative to connect. It is not just grass, it will be grass pavers, so it is very clear to homeowners that there is something there and not just lawn. There is a visual marker.

Member Anthony asked about stub streets.

Staff Engineer Jeremy Miller responded that the subdivision ordinance requires a stub street every 1200 feet. They want to have a gated community here so they don't want to connect so they are asking for a variance from that requirement.

Member Anthony asked whether cul de sac's don't qualify as a stub street. Would the hatched area where the street is intended once it connects with Ballantyne be considered a stub street?

Engineer Miller responded that a stub street is supposed to be a full access street to connect to future developments. The hatched area is for emergency access only and is not a full street for the public.

Deputy Director McBeth stated that this is proposed to be a gated community so these roads will be private.

Member Anthony questioned whether the plan reviewers feel that the developer has presented a strong

argument in support of an RUD development.

Planner Komaragiri stated that it is staff's opinion that most of the concerns have been addressed.

Member Anthony asked if there was any consideration for a hard surface and widening the walk areas?

Planner Komaragiri said, yes it was addressed in the response letter and they wanted to keep it as natural and easy to maintain as possible. That is why they preferred the wood chip trail.

Ms. Thurber responded with the statement that actually, it was more of a hard-packed limestone. She also made one more clarification on the stub to the west. That area to the west is almost all woodlands. The emergency access is intended to be connected to Ballantyne.

Member Anthony asked that with this being a gated community it looked like anyone can use these paths and walk through the neighborhood. Is this correct?

Ms. Thurber responded, that is correct. The trail also connects over to Garfield Road.

Member Anthony asked if all of the path would be the crushed limestone?

Ms. Thurber responded that the only place where that is proposed is where the path goes around backs of the lots. Through the entire development there will be concrete sidewalks. The connections to that path will be concrete also. This is intended to be less intrusive. The goal would be to discourage bicycles and encourage walking.

Member Baratta asked if the stub to the west is the emergency access hatched area?

Carol Thurber responded, that there is a stub to the east that is capable of supporting the fire trucks. To the west there is a walking path but there is no stub.

Member Baratta asked, since the emergency access will not be paved at this time, what type of material will be used?

Ms. Thurber responded that she believes that brick pavers are proposed.

Member Lynch asked to confirm that the paths will be for non-motorized vehicles?

Ms. Thurber responded that the paths will be for non-motorized vehicles and pedestrians.

Member Baratta asked about the direction of the site's drainage.

Ms. Thurber responded that the site drains into the wetlands.

Motion by Member Anthony and seconded by Member Lynch:

ROLL CALL VOTE ON THE APPROVAL OF THE RESIDENTIAL UNIT DEVELOPMENT (RUD) MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH.

In the matter of Covington Estates, JSP15-02, motion to recommend approval of the Residential Unit Development (RUD) Plan subject to and based on the following findings:

- a. The site is appropriate for the proposed use;
- b. The development will not have detrimental effects on adjacent properties and the community;
- c. The applicant has clearly demonstrated a need for the proposed use;
- d. Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings;
- e. The applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;

- f. Relative to other feasible uses of the site:
1. All applicable provisions of Section 3.29.8.B of the Zoning Ordinance, other applicable requirements of the Zoning Ordinance, including those applicable to special land uses, and all applicable ordinances, codes, regulations and laws have been met;
 2. Adequate areas have been set aside for all walkways, playgrounds, parks, recreation areas, parking areas and other open spaces and areas to be used by residents of the development and the Planning Commission is satisfied that the applicant will make provisions that assure that;
 3. Traffic circulation features within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
 4. The proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;
 5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;
 6. The RUD will provide for the preservation and creation of open space and result in minimal impacts to provided open space and natural features;
 7. The RUD will be compatible with adjacent and neighboring existing and planned land uses;
 8. The desirability of conventional residential development within the City is outweighed by benefits occurring from the preservation and creation of open space and the establishment of park facilities that will result from the RUD;
 9. There will not be an increase in the total number of dwelling units over that which would occur with a conventional residential development;
 10. The proposed reductions in lot sizes are the minimum necessary to preserve and create open space, to provide for park sites, and to ensure compatibility with adjacent and neighboring land uses;
 11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost and will add to the City tax base;
 12. The Planning Commission is satisfied that the applicant will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;
 13. The Planning Commission is satisfied that the applicant will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and
 14. Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.
- g. City Council modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 feet as the requested modification will result in preserving and creating open space and recreational area as noted in Section 3.29.8.B.x of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;
- h. City Council reduction of permitted building setbacks consistent with the proposed reduction in lot size and width;
- i. 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;
- j. 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.

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*

MATTERS FOR CONSIDERATION

1. PLANNING COMMISSION 2016 CALENDAR

Motion by Member Anthony and seconded by Member Lynch:

ROLL CALL ON THE 2016 PLANNING COMMISSION CALENDAR APPROVAL MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH

Motion to approve the Planning Commission 2016 Calendar. *Motion carried 4-0*

2. **APPROVAL OF THE JULY 22, 2015 PLANNING COMMISSION MINUTES**

Motion by Member Lynch and seconded by Member Baratta:

ROLL CALL ON THE JULY 22, 2015 APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA

Motion to approve the July 22, 2015 Planning Commission minutes. *Motion carried 4-0*

MATTERS FOR DISCUSSION

There were no matters for discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Motion to adjourn by Member Lynch and seconded by Member Baratta:

Motion to adjourn the August 13, 2015 Planning Commission meeting. *Motion carried 4-0.*

The meeting was adjourned at 7:30 PM.

Transcribed by Richelle Leskun

Date Approved: September 9, 2015

Richelle Leskun, Planning Assistant
Signature on File