



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**June 11, 2014 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 or about 7:00 PM.

## ROLL CALL

**Present:** Member Baratta, Member Giacometti, Member Greco, Member Lynch, Chair Pehrson

**Absent:** Member Anthony (excused), Member Zuchlewski (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Sara Roediger, Planner; Sara White, Planner; Brian Coburn, Engineering Manager; David Beschke, Landscape Architect; Doug Necci, Facade Consultant; Gary Dovre, City Attorney.

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Giacometti:

## VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:

**Motion to approve the June 11, 2014 Planning Commission Agenda. *Motion carried 5-0.***

## AUDIENCE PARTICIPATION

No one in the audience wished to speak.

## CORRESPONDENCE

There was no Correspondence.

## COMMITTEE REPORTS

There were no Committee Reports.

## COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth had nothing to report.

## CONSENT AGENDA - REMOVALS AND APPROVAL

### 1. ARAMCO SERVICES, JSP14-21

Approval of the request of Kirco Manix Construction for Preliminary Site Plan. The applicant is proposing to construct a new 75-space parking lot expansion to the east of the existing Aramco Services building, construct a new hazard materials storage building and tanks in the existing enclosure, and construct a screened explosion relief area in the existing building. The property is located at the northeast corner of Hudson Drive and Peary Court in the Beck North Corporate Park.

Moved by Member Lynch and seconded by Member Baratta:

## ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:

**In the matter of Aramco Services, JSP14-21, motion to approve the Preliminary Site Plan based on and subject to the following:**

1. **Planning Commission waiver for same-side driveway spacing (105 feet required, 29 feet provided) which is hereby granted, and**
2. **The conditions and items listed in the staff and consultant review letters being addressed on the stamping set. *Motion carried 5-0.***

## **PUBLIC HEARINGS**

### **1. BALLANTYNE, JSP13-43**

Public hearing at the request of Singh Development for approval of Preliminary Site Plan, Site Condominium, Woodlands Permit, Wetlands Permit, and Stormwater Management Plan approval. The subject property is 50.85 acres in Section 31 of the City of Novi and located at the northwest corner of Garfield Road and Eight Mile Road. The applicant is proposing a 41 unit single-family site condominium development.

Planner White said the applicant is proposing a 41 unit, single-family Residential Unit Development (RUD) site condominium on a 50.85 acre site. The subject property is located at the northwest corner of Garfield Road and Eight Mile Road in section 31. The subject property is zoned RA, Residential Acreage and is surrounded by RA zoning to the north, east, and west. To the south is land zoned R-2, single-family residential in Northville Township. The Future Land Use map indicates single-family uses for the subject property with single-family, park, and educational uses planned for the surrounding properties. There are non-regulated woodlands on the property and three wetland areas that have been identified in the field and are shown on the site plan. The large wetland that is centrally located will be preserved within a proposed open space. One of the smaller wetlands and its entire associated setback, .35 acres in total, are proposed to be filled for the construction of an 8 foot pathway along Garfield Rd. The other small wetland will be preserved with a small impact on the wetland buffer. Although there are no regulated woodlands on the site, a City of Novi Woodland Permit is required due to replacement trees from another Singh development, Oberlin, being planted on this site. These plantings are detailed on sheets LS-5 and LS-6 of the site plan.

A conservation easement is required to preserve these trees and the applicant has indicated that it will be included on the Final Site Plan submittal. The proposed development will result in 41 single-family detached homes on lots ranging in size from 21,780 square feet to 44,045 square feet. The proposed development includes 2 parks totaling 18.17 acres, 35.7% of the site, with woodchip trails for use by the residents. Sidewalks are proposed along Twelve Mile Road and Garfield, as well as along both sides of interior streets. Additionally, staff is recommending pedestrian paths that connect from the site to Garfield road and potential future school site to the East and to the Church property to the West. The Ballantyne RUD plan and agreement were approved by City Council on February 3, 2014. The agreement specified private and gated roads through the development. The planning review recommends approval of the preliminary site plan to allow development of the subject property. As a discretionary review, the Planning Commission should consider the various standards from Section 2402 outlined and listed in the planning review letter. In response to some of the concerns from neighbors that have been received, staff is working with the applicant to increase landscaping and berming along the northern property line to better buffer existing homes from the elevation difference. All reviews are recommending approval of the proposed plan with items to be addressed on the final site plan. The Planning Commission is asked to hold a public hearing and to approve the Preliminary Site Plan, Site Condominium, Wetland Permit, Woodland Permit and Stormwater Management Plan. The applicant is here tonight to answer any questions that you may have.

Clif Seiber, of Seiber-Keast Engineering, said I'm representing the Singh Development Company. When we were before you last time on this project, it was for RUD approval and during that meeting a couple of points were brought up. One, the neighbor to the north in Deer Run had a concern

about the view from the back of their house to the homes on Ballantyne. They indicated that there was a concern about the homes in Ballantyne towering over their home. You may have seen in your packets on our plan now that we provided a cross section of that. It appears that the closest home in Ballantyne to that home is approximately 320 feet; the length of a football field. If you were standing under the goal post at one end of the football field the other home would be at the other goal post. So you have a significant amount of distance there. Also, there's a berm that's proposed along our south property line and in the one lot that backs up to her home we're proposing 40 trees just on that berm. There is, in addition, 115-foot wide piece of property that is neither part of Ballantyne nor part of her property that separates the two properties. So that, in addition to the part that is being proposed along the north edge of Ballantyne and the rear yard setback in Ballantyne provides that large distance of 320 feet. So we think that what is being proposed now more than satisfies that concern.

Mr. Seiber said the other point that was discussed at the last meeting was concerning the sidewalks. In that plan we did not propose a sidewalk on both sides of Ballantyne Boulevard near the entrance to Eight Mile Road. We thought because a good section of that boulevard is zero loaded, in other words there's not lots fronting on that front of the roadway and a good portion of it has no homes on it, for that reason we thought maybe an alternative would be to provide for a sidewalk out to Garfield Road at a midblock point. Subsequently when we were going through site plan approval and in order to avoid a waiver from the City Council, we went ahead and provided sidewalks on both sides of Ballantyne Boulevard. As a result, there are sidewalk accesses to Garfield Road at two points; one at Eight Mile Road and one a Ballantyne Boulevard where it approaches Garfield Road. Because this is a private, gated community, Singh Development didn't want to see a midblock sidewalk connection out to Garfield Road. In fact, in the engineers review there was some concern about the midblock crossing. Having a sidewalk crossing at midblock and in order to mitigate that they thought that may a speed table, which is a form of a speed bump in this roadway to try to slow down traffic, which suggests there is a concern about safety. So this is a gated community, they really don't want pedestrians crossing through the development. Other similar communities, such as Tuscany across the street or Bellagio have that kind of situation. So Singh does not want to provide the sidewalk connection. They think it's unnecessary. When you see where the location of the walkway is there's very few lots right there in that vicinity. Many lots they could still access to the new sidewalk that is being proposed along Eight Mile Road and out to Garfield Road where Ballantyne Boulevard intersects. With that, I think all the other items in the staff review we're fine with. I hope this project can move ahead.

Chair Pehrson opened the public hearing. Seeing no one wishing to speak, Chair Pehrson asked if there was any correspondence. Member Lynch read the correspondence.

James and Kristen Korotney of Deer Run said after reviewing the preliminary site plan for the Ballantyne community, we are requesting the landscaping on the berm between our land and this to be widened and thickened with more landscaping in depth and height since there is such a difference in elevation between the lands.

Chair Pehrson closed the public hearing and asked the Planning Commission for comments or a motion.

Member Lynch said I've looked at this and I think it's going to be a good project. I agree that with a gated community, there's a reason it's gated – for privacy. So I don't have an issue with the sidewalk. I think you've done an adequate job with the one homeowner to the south. I did look at the cross section, it's a little more than a football field actually, and with 40 trees I think that was the only outstanding issue and I applaud you for working with them and getting that taken care of. So other than that, I will be in support of this.

Member Baratta said the homeowner with this correspondence that was just read, is that that same homeowner right off of Eight Mile that you were referring to.

Mr. Seiber said no they're north of us off Garfield Road.

Member Baratta said ok so they would be on the north side of the plan. So would that be behind 24 and 25?

Mr. Seiber said yes, right where the circle is in the northwesterly corner. The one that backs directly to the north, that corner lot.

Member Baratta said what are we doing in that corner. It looks like there is ample green area, is there landscaping in that corner also?

Mr. Seiber said yes, a huge amount of landscaping. There is a very large berm that is at least 6 feet high. Just on that lot alone, we're planting 40 trees. It's a mix of evergreen trees and deciduous trees.

Member Baratta said ok thank you very much, I appreciate it.

Member Greco said I'd like to make a motion.

Moved by Member Greco and seconded by Member Lynch:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**In the matter of Ballantyne, JSP13-43, motion to approve the Preliminary Site Plan with Site Condominium based on and subject to the following:**

- a) **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;**
- b) **The applicant provides the pedestrian safety connections to the properties to the East and West per Section 4.05.E of the Subdivision Ordinance and Section 2516 of the Zoning Ordinance;**
- c) **The applicant provides on the Final Landscaping plans details of the berm running along the North property line behind lots 19 through 24, maximizing the 3:1 slope with a 3 foot crest up to a height of 7 feet.**

**This motion is made because the plan is otherwise in compliance with the RUD agreement, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Greco and seconded by Member Lynch:

**ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**In the matter of Ballantyne, JSP13-43, 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 the RUD agreement and Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Greco and seconded by Member Lynch:

**ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**In the matter Ballantyne, JSP13-43, motion to approve the Wetlands 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 the RUD agreement and Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Greco and seconded by Member Lynch:

**ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**In the matter of Ballantyne, JSP13-43, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with the RUD agreement and Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Mr. Seiber said just as a point of clarification, did that motion include the requirement for the midblock sidewalk out to Garfield Road.

Member Greco said I thought we were satisfied with what the applicant did with respect to the sidewalk.

Member Lynch said, I'm satisfied with that, the elimination of it.

Member Greco said so the elimination of that requirement so I would amend my motion.

Chair Pehrson said is that part of the motion.

Gary Dovre, city attorney, said so the motion is to not include the sidewalk to Garfield.

Member Greco said the midblock, the extension.

Planner White said the motion currently reads as you're requiring the midblock to Garfield and also one along the other property line to include a connection to the west.

Deputy Director McBeth said those are pedestrian connections.

Chair Pehrson said in the presentation that you made requesting that we did not require it, I'm sorry I guess I should have seen that.

Member Greco said I'd like to amend my motion to eliminate that requirement because I thought that was fine.

Mr. Dovre said just for the clarification point, staff had recommended two sidewalks; one going up to Garfield that's called a midblock and the second one not addressed by Mr. Seiber was to put a sidewalk along the emergency access that goes to the west. And up to the motion I thought those were being required.

Deputy Director McBeth said to further clarify these kinds of sidewalk connections are made in certain situations even when there are gated streets because there's a need for the pedestrians to be able to travel between subdivisions or between a subdivision and a neighboring church or school. There's an example of this right across the street at Tuscany Reserve where even though the roads don't connect there's still pedestrian connections so the residents of Tuscany can go visit the residents of Maybury Park Estates and vice versa and not have to go out onto the public streets to do that.

Member Barratta said so when I look at the drawing, this is one sidewalk, correct? Or an access? That was the issue. Is it the one up there where there's a line right behind number two and there'd be an access point off of Ballantyne to Eight Mile over on this side. And there'd be an access route for a sidewalk up Ballantyne to Garfield at the top of the page. Correct?

Deputy Director McBeth said that's correct. There would be sidewalks along both sides of the streets, even though they're private streets. Staff was suggesting an additional sidewalk to the west through that emergency access to connect to future development on the adjacent site. The other point that you identified would be to the left of the detention pond was shown on the plans, and staff supports that location for an additional sidewalk.

Member Barratta said so the question that you had on sidewalks, Cliff, which one were you trying to avoid? Is it the one just to left of the detention pond at the intersection?

Mr. Seiber said yes that's the one that we had a concern about. That is school property on the other side of Garfield Road. But again that would be a midblock crossing even across Garfield Road. We don't think it's a safe location for that. As far as the other sidewalk on the emergency access drive, because that is a paved emergency access drive and they could use the paved emergency access drive. We don't have any objection to that.

Member Barratta said just so we're clear, you have no objection to the one on the west, right here? But you have an objection to the one that is shown to the north of the pond, correct?

Mr. Seiber said that is correct. If we could use the emergency access drive as the walk way then we have no objection to that. We don't want to put in a separate sidewalk in addition to an emergency access drive.

Member Giacobetti said the point of the motion is that the midblock access is going to be somewhat dangerous there, particularly if you have a school.

Member Barratta said I agree.

Member Giacobetti said you're talking about item B on the motion that we strike.

Brian Coburn, Engineering Manager, said regarding the midblock crossing on Garfield that connection that is shown on the plan would just get you to Garfield. The actual location of the midblock crossing, if the school is ever built, would be determined at that time. Where the pedestrians would want to access and where the safest place to cross Garfield? I think the point of that connection is that students are not going to want to go all the way down to Eight Mile, cross

Garfield and come back north. Or go all the way up to Ballantyne and come south. This would be a connection for if there is a school crossing or pedestrian walk zone for students, there would be crossing guard there to help them cross the street, most likely.

Member Greco said so the issue is with my motion at this point right now.

Member Lynch said let me ask the applicant. With the point from the staff regarding that access point right there, the point being that you don't have to necessarily cross the road there. Do you have a problem with that?

Mr. Seiber said you're talking about crossing Ballantyne or crossing Garfield Road?

Member Lynch said crossing Garfield because I think your point is that we don't really want people crossing Garfield there necessarily if it gets developed east of your development, correct?

Mr. Seiber said yes but you need to be crossing Ballantyne Boulevard. They'd want a midblock crossing. If pedestrians are on the west side of Ballantyne Boulevard, they want a midblock crossing across that internal roadway to get to that connecting sidewalk. The point is we're providing two access points already to Garfield Road and now they're asking for three. We think it's not necessary to provide that many.

Member Greco said at this time I'd like to amend my motion to eliminate that. I don't think it's necessary with respect to the access points that are available. I don't think it's necessary so I'd like to amend my motion to eliminate that requirement.

Mr. Dovre said somebody should move to reconsider that motion since it's already been moved.

Moved by Member Baratta and seconded by Member Lynch:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

**In the matter of Ballantyne, JSP13-43, motion to reconsider the Preliminary Site Plan motion.  
*Motion passed 5-0.***

Mr. Dovre said now that puts that motion back in front of you as if it had not been voted on. Next thing is the amend it. Sara, what was the condition that you had noted?

Planner White said condition b currently requires that the applicant provide the safety connections to the properties to the east and the west for Section 4.05.E of the Subdivision Ordinance and Section 2516 of the Zoning Ordinance.

Mr. Dovre said so that was interpreted over at this table as meaning up to Garfield, a separate sidewalk in addition to the emergency access road to the west.

Member Greco said so we want to remove to one from the east.

Member Baratta said not necessarily. There is already an access point on Ballantyne going east to Garfield. It's at the top of the page. It's the one north of that first detention pond.

Member Greco said right. That's the one that I agree with that we don't need. And I think that's the one that you requested that we fix.

Mr. Dovre said yes. Before you doing anything, you've heard the applicant say they would like the emergency access to serve as the sidewalk that's recommended by staff. So keep that in mind in tweaking this motion however you're going to. Staff did not recommend the use of the access road as a sidewalk, they recommended a separate sidewalk.

Member Greco said so we could strike the entire B which would require neither, right?

Mr. Dovre said well the site plan that is before has the stub up to Garfield and it doesn't have an emergency sidewalk access. So if you're looking for my input, you would change B to read to eliminate the midblock sidewalk to Garfield and allow the emergency access road to serve as the sidewalk recommended by staff.

Chair Pehrson said and keeping the westerly access.

Mr. Dovre said yes but I'm not suggesting that's what you do, but if you look into everything, that's what I believe the applicant is asking for.

Member Greco said so should I remake the motion completely.

Mr. Dovre said no, you would just need to amend item B of your motion to read as follows.

Moved by Member Greco and seconded by Member Lynch:

**In the matter of Ballantyne, JSP13-43, motion to amend item B of the Preliminary Site Plan motion to include the elimination of the midblock sidewalk access from Garfield Road into Ballantyne Drive and allow the emergency access to serve as the access sidewalk.**

Engineering Manager Coburn said regarding the use of an emergency access as the sidewalk, I think there's option available that might be more attractive to permit that. They could use pavers or some other sort of material to delineate the rest of the emergency access and then pave the pathway connection so that it's very well delineated. Similar to what we did on Valenica where we had the fire access and they used it as the pathway access too. So I don't want to tie our hands during final site plan with being able to have that discussion, I would just maybe recommend that we talking about that we want that pathway connection and then maybe we can work some of that out with the applicant during final site plan.

Member Greco asked the applicant, do you have any objection to that.

Mr. Seiber said no that's fine. We'd be glad to sit down with staff and work that out.

Moved by Member Greco and seconded by Member Lynch:

**ROLL CALL VOTE ON THE REVISED CONDITION ASSOCIATED WITH THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**In the matter of Ballantyne, JSP13-43, motion to amend item B of the Preliminary Site Plan motion to include the elimination of the midblock sidewalk access from Garfield Road to Ballantyne Boulevard and providing a pedestrian connection to the west property line near the emergency access, with the details of that pedestrian connection to be worked out between staff and the applicant on the Final Site Plan. *Motion carries 5-0.***

Attorney Dove indicated that the entire restated motion should be voted on, with the amended condition.

Moved by Member Greco and seconded by Member Lynch, on the amended motion:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH, ON THE AMENDED MOTION:**

**In the matter of Ballantyne, JSP13-43, motion to approve the Preliminary Site Plan with Site Condominium based on and subject to the following:**

- a) **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;**
- b) **The elimination of the midblock sidewalk access from Garfield Road to Ballantyne Boulevard and providing a pedestrian connection to the west property line near the emergency access, with the details of that pedestrian connection to be worked out between staff and the applicant on the Final Site Plan; and**
- c) **The applicant provides on the Final Landscaping plans details of the berm running along the North property line behind lots 19 through 24, maximizing the 3:1 slope with a 3 foot crest up to a height of 7 feet.**

**This motion is made because the plan is otherwise in compliance with the RUD agreement, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

**2. DETROIT CATHOLIC CENTRAL PARKING LOT EXPANSION, JSP14-12**

Public hearing at the request of Catholic Central High School for approval of the Special Land Use Permit, Preliminary Site Plan and Phasing Plan, Woodlands Permit, Wetlands Permit and Stormwater Management Plan. The subject property is located on the south side of Twelve Mile Road, west of Wixom Road, in Section 18 of the City. The property totals 112.86 acres and the applicant is proposing to construct additional parking as an accessory use to the existing high school and recreational facilities in two phases.

Planner Sara White said the applicant is proposing to construct additional parking facilities on the property located on the south side of Twelve Mile Road, west of Wixom Road. The site is zoned mostly one-family residential with a portion zoned I-1, light industrial. The site is bordered by vacant single-family residential to the west and south, light industrial and vacant low density multi-family to the east, and multi-family and general business in the City of Wixom to the North. The Future Land Use map indicates Educational Facility uses for the subject property surrounded by local and community commercial and single-family residential. There are some areas of regulated woodlands and wetlands on the site. Phase I will include .041 acres of impact to wetlands and .063 acres of impact to wetland buffers due to the construction of parking and a pathway and boardwalk along Twelve Mile Road. This phase will also require the removal of 8 trees which were not found to be of unique or high-quality nature. Phase II does not include any wetland or woodland impacts.

The applicant is proposing two phases of parking expansion including one all new lot with 288 spaces and the reconfiguration of 16 existing parallel spaces to 39 spaces. The applicant is proposing a phasing plan with the larger lot and 6 foot sidewalk along Twelve Mile first and the reconfiguration of the parallel spaces second. Staff recommends approval of the phasing plan. The applicant is requesting and staff is recommending a waiver of the required Noise Impact Statement as no noise generating equipment is being added to the site. The staff is also recommending a waiver for bicycle parking spaces to be constructed further than 120 feet from an entrance to allow spaces to be placed near the Phase II parking in order to serve the practice field located there. The applicant will

also need to seek a variance from the Zoning Board of Appeals for deficient parking setback. The site is comprised of multiple parcels that cannot be combined due to being in separate school districts and the deficient setback is from a parcel line within the interior of the site. Staff supports this variance. The planning review recommends approval of the special land use permit and preliminary site plan. The Planning Commission should consider the factors listed in Section 2516.2.c of the Zoning Ordinance regarding the special land use request.

The landscape review notes that a number of landscape waivers have been requested. Staff supports a waiver for a berm adjacent to residential uses. Additionally, waivers are required for deficient interior landscaping in both phases, deficient interior parking lot canopy trees in both phases, deficient perimeter parking lot canopy trees in both phases, and for excess contiguous parking spaces. The landscape review letter notes staff does not support these waivers and does not recommend approval of the plan. Dave Beschke is here to discuss any landscape waivers or environmental concerns. The engineering, traffic and fire reviews all recommend approval with items to be addressed on the Final Site Plan submittal. The Planning Commission is asked to hold a public hearing and to approve with conditions noted earlier the Special Land Use Permit, Preliminary Site Plan and Phasing Plan, Woodlands Permit, Wetlands Permit, and Stormwater Management Plan.

Father Jeff Thompson, President of Catholic Central High School, said thank you for this opportunity this evening. I'm joined this evening by representative members from Catholic Central's development team: Michael Wilson our director of finance, Andy Woziniak of Zimet-Wozinak and Associates our civil engineers and land surveyors, Tom Ryan our legal consul and Craig Kulter our owner's representative. Catholic Central has been an integral part of the Novi Community since we opened our doors in 2005. Through these happy years, Novi has blessed up with a beautiful campus and good neighbors. We find that we have already reached a point in our history when we feel the need for increased parking facilities within the bounds of our present campus. This will be primarily for the safety of our students on school days and that of our visitors at special events especially in light of the loss of temporary parking arrangements on the old Cadillac Asphalt lot. We are in the middle of a fundraising campaign to finance this project as laid out. We are also requesting a number of waivers, most of them pertaining to landscaping details. Catholic Central's development team is present here this evening to answer any questions.

Chair Pehrson opened the public hearing. Seeing no one wishing to speak, Chair Pehrson asked if there was any correspondence. Member Lynch indicated that there was no correspondence. Chair Pehrson closed the public hearing and asked the Planning Commission for comments or a motion.

Member Baratta said my son did go to Catholic Central, does that cause an issue or conflict at all?

Mr. Dovre said if you can tell us that that's not going to impact you're decision, then that's no problem.

Member Baratta said it will have no impact. I do have a question regarding the landscaping and berm. Who would be the appropriate person to ask?

Andy Wozinak said I'm the civil engineer on the project.

Member Baratta said the staff has looked at the parking and I agree that you need parking there. Living in Island Lake and actually we love when you park there and we allowed it. The issue that I see here is that you don't have enough landscape islands and landscaping in the parking area. Maybe you could give me a little background on why you feel like you need that variance.

Mr. Wozinak said well there's a few reasons. One, when we designed the original campus we limited

the amount of islands specifically for maintenance issues. We placed them strategically to route the students around the perimeter of the parking lot so that they could avoid crashes. So basically for drivers safety. The reason we rather not put the required islands in this area is again for safety and maintenance, but also this parking lot is located in the interior of the campus and is not visible from anywhere else. You have to get onto the campus to see where the lot is. So basically we just feel that it's not needed. The islands are basically needed for landscaping.

Member Baratta said so it's basically aesthetic and some safety issues.

Mr. Wozinak said aesthetic and safety, but also cost. Like Father alluded to, they're having a major funding raising campaign and as we got into this development, phase 2 parking lot we had to reduce in scope because the costs were getting too high. The site is surrounded by trees to the east and west and to the north by wetland and to the south by the existing school. So we just don't feel that more landscaping is needed. We're putting in what Catholic Central feels is adequate landscaping.

Member Baratta said with the home development going in just to the east of you, have you seen the plan where the houses are going.

Mr. Wozinak said I did the engineering on that.

Member Baratta said is there going to be enough of a buffer area between the Catholic Central property and that.

Mr. Wozinak said that is a huge wooded wetland and it's located about 500 feet away and it's as thick as can be. You can't physically walk through it, it's that thick.

Member Baratta said is that the shaded area on your plan there.

Mr. Wozinak said that's correct and it keeps going. That's just a portion of it.

Member Baratta said I think there was a comment regarding a path from the parking lot to the trail, I guess that goes to the lacrosse and football fields. What's the material going to be in that path? Is it going to be the gravel that you currently have?

Mr. Wozinak said it's going to be gravel that's going to hook up to the existing gravel path that we put in the with field expansion a couple years ago.

Member Baratta said have you thought about more of an asphalt to make it a little more accommodating to those with disabilities.

Mr. Wozinak said we haven't. That is something we could think about. Our thought was that the handicap parking spaces would be located further east of where the pathway is and then access to the stadium is in front of the school. But also, the existing parking lot has adequate handicap parking spaces for events. We really can't envision people parking in that north parking lot and then taking the pathway over that are handicap.

Member Baratta said so if I parked in that parking lot and I wanted to get to the football stadium, is there a sidewalk displayed here on the north side of the driveway?

Mr. Wozinak said on the south side of the driveway. It comes right across and then we're putting in a crosswalk across the ring road and then also across the existing parking lot. We're adding two islands

in that location for that crosswalk. And then it'll hook up with the perimeter sidewalk that goes around the front of the school. That's the pathway that somebody would take, but again I would think that anybody with a physical handicap would use the spaces in the stadium parking lot.

Member Baratta said there was also a discussion of a berm, where was the berm positioned on the plan.

Landscape Architect David Beschke said it would be directly east of the bigger parking lot to the north, but as we were saying there's a ton of vegetation there. It doesn't make sense to take it out and put a berm. So it's pretty thick. You can't see through it.

Member Baratta said so that's really not an issue. Ok, thank you very much. I appreciate it.

Member Lynch said I looked at this and initially when I thought you weren't going in the trees in the parking I thought we require everyone else to do that, but I looked at the unique circumstances of this particular project. I walked in there and there's a ton of vegetation around. Also, I think if you put island trees in there, you would be removing parking places. I think that would be detrimental to the area because then you would have to have more offsite parking. So in this particular case, I think the circumstances warrant not having to put in the island trees and landscaping. I think it serves two purposes. Number one, you're surrounded by thick vegetation. Number two, you're able to put more parking spaces in there that takes the burden off of the thoroughfares that are adjacent to that site. So with that said, I would be in support of this project.

Member Greco said I would have a couple of questions for Mr. Beschke. This is a parking lot not visible from the road and contained within the campus, is the staff's non-support of the certain waivers that they're not looking for as far as the interior landscape, the trees and some of the spots not being proposed. Is that because they are so deficient from the standards?

Landscape Architect Beschke said I went by the strict letter of the ordinance so I had to call them out because you guys are the folks that have to make a decision on that.

Member Greco said but with respect to, I know we always make close calls, but these aren't really close calls, are they?

Landscape Architect Beschke said no this lot is not as visible as most lots that we deal with.

Member Greco said but I mean the compliance with the ordinance requirements, there are substantially deficient. I mean these variances that they are looking for a pretty substantial, correct?

Landscape Architect Beschke said it would be significant even if they would put in just the perimeter trees, that's quite a few trees.

Member Giacometti said could you specify from the response of the applicant of the variance, was it a foot?

Mr. Wozinak said the islands that we have added in the parking are eight foot back-to-back in the center. Those are the same islands that we used on the rest of the campus. It's acceptable by the engineering standards of the City of Novi, however, they need to be ten feet wide to qualify for a landscape area. So because we're two feet short, they don't go towards the landscape area. So essentially, what you would be doing is expanding that two feet. So you'd be putting another foot of mulch around but you'd still be getting the same two trees.

Member Giacometti said if I remember correctly the impact was 16 parking spots.

Mr. Wozinak said yes, that's correct. It's substantial.

Member Giacometti said ok I have no problem supporting the request for the waiver. I think it's consistent with the campus. I think it's hidden from street view and there's plenty of vegetation to preserve the natural field which is the intent of the ordinance. So I'm ok with this.

Chair Pehrson said Barb, in looking at other similar instances, like Providence Park, do they have the interior landscaping in the parking lot.

Deputy Director McBeth said I think you'll find with most of the projects that have been approved in the last five to seven years these interior landscape islands have been provided. There would be some larger parking lots such as the Suburban Collection Showplace where they have longer expanses without the interior island and they've cited similar reasons like snow removal and parking of more cars. They have some sustainable landscape around the perimeter to help buffer the exterior part of the parking lots.

Member Baratta said I would like to make a motion in support of this project.

Moved by Member Baratta and seconded by Member Lynch:

**ROLL CALL VOTE ON THE SPECIAL LAND USE APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

**In the matter of the request of Catholic Central High School for Detroit Catholic Central Parking Expansion JSP14-12, motion to approve the Special Land Use permit, subject to the following:**

- a) **That, relative to other feasible uses of the site:**
  - **The proposed use will not cause any detrimental impact on existing thoroughfares due to the fact that no additional traffic is anticipated as a result of the development;**
  - **The proposed use will not cause any detrimental impact on existing utilities as noted in staff and consultant review letters;**
  - **The proposed use will not cause an detrimental impact on existing natural feature as noted by Wetlands and Woodlands consultant;**
  - **The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood due to the fact that the proposed use is an extension of a previously approved adjacent use;**
  - **The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.**
  - **The proposed use will promote the use of land in a socially and economically desirable manner;**
  - **The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff and consultant's review letters;**
- b) **Waiver of the required Noise Impact Statement as the use is not expected to generate any substantial additional noise;**
- c) **Compliance with all conditions and requirements listed in the staff and consultant review letters; and**
- d) **Waiver for berm adjacent to residential; and**
- e) **Waiver for deficient interior landscaping in both phases; and**
- f) **Waiver for deficient interior parking lot canopy trees in both phases; and**
- g) **Waiver for deficient perimeter parking lot canopy trees; and**

**h) Waiver for excess contiguous parking spaces in Phase I**

This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 3-2.*

Moved by Member Baratta and seconded by Member Lynch:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

In the matter of the request of Catholic Central High School for Detroit Catholic Central Parking Expansion JSP14-12, motion to approve the Preliminary Site Plan, subject to the following:

- a) Zoning Board of Appeals variance required for deficient parking setback from the South property line of the Northern parcel;
- b) Planning Commission waiver to provide some bicycle parking spaces near the Phase II parking as recommended by staff, which is hereby granted;
- c) Planning Commission waiver for lack of a berm adjacent to residential;
- d) Planning Commission waiver for deficient interior landscaping area in both phases;
- e) Planning Commission waiver for deficient interior parking lot canopy tress in both phases, which is hereby granted;
- f) Planning commission waiver for excess contiguous parking spaces in Phase I, which is hereby granted; and
- g) Compliance with all the conditions and requirements listed in the staff and consultant review letters.

This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 3-2.*

Moved by Member Baratta and seconded by Member Lynch:

**ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

In the matter of the request of Catholic Central High School for Detroit Catholic Central Parking Expansion JSP14-12, 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.*

Moved by Member Baratta and seconded by Member Lynch:

**ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

In the matter of the request of Catholic Central High School for Detroit Catholic Central Parking Expansion JSP14-12, 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.*

Moved by Member Baratta and seconded by Member Lynch:

**ROLL CALL VOTE ON THE STORM WATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

**In the matter of the request of Catholic Central High School for Detroit Catholic Central Parking Expansion JSP14-12, motion to approve the Storm Water Management Plan, subject to the compliance with all the conditions and requirements listed in the staff and consultant review letters. 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 5-0.***

**MATTERS FOR CONSIDERATION**

**1. AMERICAN TIRE DISTRIBUTORS, JSP14-23**

Consideration of the request of BC Construction Group LLC for Preliminary Site Plan with a Site Condominium and Stormwater Management Plan approval. The subject property is located on the east side of Regency Drive off of Haggerty Road in the I-1, Light Industrial District. The applicant is proposing to construct a 125,060 square foot industrial building consisting of warehousing and offices in the Regency Industrial Centre.

Planner Roediger said The applicant is proposing to construct a 125,060 square foot industrial building in the Regency Industrial Centre, located on the east side of Regency Drive off of Haggerty Road. The site is bordered by the I-696 & I-275 interchange to the north, and vacant land and various office and industrial uses on all other sides. The subject property and all surrounding properties are all zoned I-1, Light Industrial. The Future Land Use map indicates Industrial, Research and Development and Technology uses for the subject property and surrounding properties, with the exception of Private Park to the north. The site contains a small amount of regulated wetlands and woodlands at the northern edge of the property; however development of this project has avoided any impact to these features. The applicant is proposing to construct a roughly 125,000 square foot industrial building consisting of warehousing and offices. The proposed project requires a number of modifications to the previously approved Regency Industrial Centre site condominium including new unit boundaries and easements. The applicant has requested a waiver of the noise impact statement requirement as the use is not expected to generate noise that will exceed the maximum allowed by the zoning ordinance. Two Planning Commission determinations are being recommended related to parking on the site. The first is to permit a small amount of front yard parking for the two spaces at the southwest corner of the building. The applicant has agreed to screen the spaces with a 2.5 foot tall landscape berm, and with the screening staff feels it is compatible with the surrounding area. The second determination relates to the amount of parking.

The Ordinance permits the Planning Commission the ability to reduce the number of parking spaces for warehouses provided the applicant demonstrate that the number of parking spaces required are in excess of the actual requirements for the functional use of the building and provided a surplus area is identified on-site to accommodate the construction of additional parking to fulfill the requirements if needed. The applicant has indicated that with a maximum of 20 employees, the proposed 54 spaces are more than adequate for the proposed project. The applicant has depicted 61 landbanked parking spaces that could be used if needed if the building were to change uses in the future. In addition, a section 9 façade waiver for the overage of precast concrete panels on all facades and the underage of brick on the east and north facades, which is supported by staff, is also being requested. All reviews recommend approval of the plan, with the landscape review noting that the applicant has requested a waiver from the required berm along Regency Drive, which would be supported by staff to preserve the existing trees and in support of the proposed bioswale. The landscape review also recommends the planting of evergreen trees along the property's east

edge to help screen views of the loading docks. This evening the Planning Commission is asked to approve the Preliminary Site Plan and Stormwater Management Plan. In addition to staff, Doug Necci the City's architect is here to answer any questions you may have.

Member Baratta said we ask for a lot of evergreen trees but a lot of evergreen trees are dying, is this the right plant material to use in places with our soil?

Landscape Architect Beschke said I think if you picked the right trees, then it's fine. A lot of Austrian Pines are having problems right now but they always do. And actually, that's a request for us to have the applicant look at it because those trees are technically not required there but because Haggerty Road is so much higher at this site there are trees all the way down the side slope of Haggerty that'll help a lot. It just seems to me that you're looking at all those garage doors there and similar zoning next to it. There is nothing required in terms of berming and plantings. I just thought it was a good idea to hide some of those trucks and garage doors.

Member Baratta said I agree with you. I think the landscaping will help. My concern was the trees. Are they going to die? Is this the right soil condition for that species of trees or is there a better tree to use?

Landscape Architect Beschke said I'd stick with these, they're tough, but Novi has pretty lousy soils everywhere so they have to muscle their way through it.

Member Greco said I'd like to make a motion. I think the project looks good and the waivers are very acceptable.

Moved by Member Greco and seconded by Member Baratta:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:**

**In the matter of American Tire Distributors, JSP14-23, motion to approve the Preliminary Site Plan with a Site Condominium based on and subject to the following:**

- a) Planning Commission waiver of the required Noise Impact Statement which is hereby granted as the use is not expected to generate substantial noise;
- b) Planning Commission determination that the small amount of screened front yard parking is compatible with the surrounding area as recommended by staff is hereby granted;
- c) Planning Commission determination that the applicant has demonstrated that a reduction in parking spaces is appropriate for this plan and that the surplus area identified on the plans is acceptable as recommended by staff is hereby granted;
- d) The planting of evergreen trees along the property's east edge to help screen views of the loading docks;
- e) Planning Commission waiver of the required berm along Regency Drive in order to preserve the mature trees and in support of the bioswale as recommended by staff is hereby granted;
- f) Amendment of the Regency Industrial Centre Master Deed and Condominium Plan to reflect the new unit boundaries and easements; and
- g) 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 19, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Greco and seconded by Member Baratta:

**ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:**

**In the matter of American Tire Distributors, JSP14-23, motion to approve the Stormwater Management Plan, subject 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 Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

**2. SET PUBLIC HEARING FOR JULY 9, 2014 FOR TEXT AMENDMENT 18.269 – OUTDOOR DISPLAY IN OSC, OFFICE SERVICE COMMERCIAL DISTRICTS**

Deputy Director McBeth said we provided a memo that indicates that Providence Park Hospital representatives have submitted a request for an ordinance amendment that would allow outdoor display areas in the OSC, Office Service Commercial zoning district. We believe the intent would be to allow limited areas for vehicle display at Providence Park Hospital, but it would also allow similar items to be displayed as a way to honor donations that are provided. The display pads would be similar to those vehicle display pads we've seen at the Suburban Collection Showplace. A number of conditions were included with the ordinance amendment including the limitation on the total number of display pads associated with the general hospital use, maintenance for corner clearance areas, compliance for outdoor lighting standards, limitation on signage, and approval by the Community Development Department of the site plan for the location of the pads and the hard surface material being used. If the Planning Commission feels that this amendment is appropriate to send forward, we would ask that you set a public hearing for July 9<sup>th</sup>.

Chair Pehrson said so as you drive by Providence currently, you're going to have some of the vehicles on display from Varsity and this would be an incorporation of those as well.

Deputy Director McBeth said that's correct. That would be what the applicant is looking for.

Member Baratta said I don't have a problem with the concept but I thought sub paragraph B was a little bit ambiguous. What page was that on in our package?

Planner Roediger said page 264.

Member Baratta said it says the display must be complementary to the use of a general hospital campus and I thought that was vague. If we wanted to put a car out in front, I don't think there's enough definition behind that. How does that relate to a general hospital campus? So I think we need a little bit more definition on B.

Deputy Director McBeth said we will work with the attorney's office and see if we can clarify that point, and with the applicant as well.

Member Giacometti said I want to make sure I understand. Are these for strictly for commercial purposes?

Deputy Director McBeth said from what I understand, Providence Park Hospital has been working with Varsity Lincoln for the donation of vehicles for certain uses associated with the hospital: transporting patients from one side of the campus to another or bringing patients to the campus. To honor that donation Providence Park Hospital was hoping to have those vehicles on display at certain locations. The request really was to allow outdoor display areas in the OSC district, where

typically that kind of use would not be expected or allowed. So this ordinance amendment would allow for limited display areas in the OSC District.

Moved by Member Greco and seconded by Member Lynch:

**VOICE VOTE ON SETTING THE PUBLIC HEARING FOR JULY 9<sup>TH</sup> APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**Motion to set the Public Hearing for the Outdoor Display Lots in the OSC District Text Amendment July 9<sup>th</sup>, 2014. Motion carried 5-0.**

**3. APPROVAL OF THE MAY 28, 2014 PLANNING COMMISSION MINUTES**

Moved by Member Lynch and seconded by Member Giacometti:

**VOICE VOTE ON THE MAY 28, 2014 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:**

**Motion to approve the May 28, 2014 Planning Commission Minutes. *Motion carried 5-0.***

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no Consent Agenda Removals.

**MATTERS FOR DISCUSSION**

There were no Matters for Discussion.

**SUPPLEMENTAL ISSUES**

There are no Supplemental Issues.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Lynch and seconded by Member Greco:

**VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:**

**Motion to adjourn the JUNE 11, 2014 Planning Commission meeting. *Motion carried 5-0.***

The meeting was adjourned at 8:08 PM.

Transcribed by Valentina Nuculaj

June, 2014

Date Approved: July 9, 2014

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Richelle Leskun, Planning Assistant  
Signature on File