



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI
Regular Meeting

October 16, 2024 7:00 PM

Council Chambers | Novi Civic Center
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Absent Excused: Member Avdoulos, Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Dan Commer, Planner; Humna Anjum, Plan Review Engineer; Rick Meader, Landscape Architect; Saumil Shah, Traffic Consultant; Jason DeMoss, Environmental Consultant

APPROVAL OF AGENDA

Motion to approve the October 30, 2024 Planning Commission Agenda. Motion carried 5-0.

CONSENT AGENDA - REMOVALS AND APPROVALS

1. JSP17-37 ARMENIAN CULTURAL CENTER

Approval of the request of Zeimet Wozniak & Associates, on behalf of the Armenian Community Center of Greater Detroit, for the one-year extension of the Final Site Plan and Special Land Use approval. The subject property is located on the north side of Twelve Mile Road, east of Meadowbrook Road, in the Residential Acreage (RA) zoning district. The project area is approximately 19.30 acres. A revised Special Land Use Permit was granted by the Planning Commission on October 14, 2020 to permit a Place of Worship, a daycare in a residential district, and a proposed Armenian Genocide Memorial structure within the courtyard.

In the matter of JSP17-37 Armenian Cultural Center, motion to approve a second one-year extension of the Final Site Plan approval. Motion carried 5-0.

PUBLIC HEARINGS

1. JZ24-31 THE GROVE PRO PLAN WITH REZONING 18.745

Public hearing at the request of Ivanhoe Development for initial submittal and eligibility discussion for a Zoning Map Amendment from Office Service Technology to High-Density Multiple Family with a Planned Rezoning Overlay. The subject site is approximately 62 acres and is located east of Meadowbrook Road, south of Twelve Mile Road (Section 13). The applicant is proposing to develop 438-unit multiple-family residential development.

This agenda item was discussed, but a motion on the item was not required.

2. JZ23-09 NOVI-TEN PRO WITH REZONING 18.740

Public hearing at the request of Novi-Ten Associates for Planning Commission's recommendation

to City Council for a Zoning Map Amendment from Light Industrial and Office Service to Low Density Multiple Family and Community Business with a Planned Rezoning Overlay. The subject site is approximately 34-acres and is located east of Novi Road, south of Ten Mile Road (Section 26). The applicant is proposing to develop a 71-unit multiple-family townhome development on the RM-1 portion, and approximately 35,900 square feet of commercial space on the B-2 portion.

In the matter of JZ23-09 Novi-Ten PRO, with Zoning Map Amendment 18.740 motion to recommend approval to City Council to rezone the subject property from Light Industrial (I-1) and Office Service (OS-1) to Low Density Multiple Family (RM-1) and Community Business (B-2) with a Planned Rezoning Overlay Concept Plan.

A. The recommendation includes the following ordinance deviations for consideration by the City Council, for the reasons noted:

- 1. Building Orientation (Sec. 3.8.2.D): Deviation for proposed residential buildings to not be configured 45 degrees to the property lines since most of the buildings are not on any main road and they front to a substantial irregular shaped 20-acre wetland nature area of a minimum 200 feet wide separation across from Toll's existing multifamily Ridgeview project.**
- 2. Side and Rear Setbacks (Sec 3.1.7.D and Sec 3.6.2.B): Deviation to reduce the side setback from 75 feet to 25 feet along the north property line for two residential buildings abutting the proposed commercial area (B-2), since screening is proposed between the residential and commercial uses.**
- 3. Distance between Buildings (Sec 3.8.2.H): Deviation to reduce the building separation distance from the calculated formula (resulting in 31-32.72 feet required) to a distance of 30 feet between all buildings. This deviation of less than 3 feet is considered minor and enables the layout of this project to fit within the available space while minimizing wetland and woodland impacts.**
- 4. Parking along Major Drives (Sec. 5.10): Deviation to allow for 8 perpendicular parking spaces on a major drive, since the spaces provide for visitor parking.**
- 5. Major Drive Radius (Sec. 5.10): Deviation from the ordinance requirement for a minimum centerline radius of 100 feet, to allow the 85-foot radius shown at the western curve. The reduced radius does not impede the fire truck access route, and may serve to slow traffic speeds, creating a safer roadway.**
- 6. Landscape Berms (Section 5.5.3.A.ii): A Zoning Ordinance deviation is requested to not provide a 10 to 15-foot-high landscape berm on a proposed RM-1 district adjacent to an I-1 district. The berm would be unnecessary in this case as the adjacent I-1 area is east of the existing natural features and the railroad tracks and would likely result in greater wetland and woodland impacts, as well as fill in the floodplain.**
- 7. Right-of-Way Landscaping (Section 5.5.3.B.ii): A deviation for the lack the required street trees and berm along 10 Mile Road due to underground utilities. The required trees are to be provided elsewhere. This deviation is supported due to the utility conflicts.**
- 8. Adjacent to Public Rights-of-Way – Berm/Wall (Zoning Sec. 5.5.3.B.ii, iii): The required 3-foot-tall berm is not proposed, however an alternative brick screening wall 3-feet in height is proposed.**
- 9. Building Foundation Landscaping (Zoning Sec 5.5.3.D): None of the commercial buildings meet the requirements for building foundation landscaping along the front side and allow the planter landscaping to count toward foundation requirements. However, Buildings A, C and D are only slightly deficient, so the waiver is supported. The applicant states Building B landscaping will be increased to lessen the deviation or eliminate it.**
- 10. Section 9 Waiver (Section 5.15): Proposed elevations for residential buildings have an underage of minimum required brick on all rear and some front facades (26-27% proposed, 30% minimum required) and an overage of Asphalt shingles (56% front side, 50% maximum allowed). As the deviations are minor and do not adversely affect the**

aesthetic quality of the facades, the waiver is supported.

11. **Opposite-Side Driveway Spacing Waiver (Code of Ordinances, 11.216.d.1.d & e.):** The Design and Construction Standards indicate a minimum of 150 feet is required between a new driveway and an existing “downstream” driveway. The proposed driveways are 105 feet and 118 feet. *The applicant indicates they have RCOC approval of the proposed driveway locations, however the City would also need to approve a waiver from its standards.*
 12. **Color Spectrum Management (Sec. 5.7.3.F):** A recent amendment to the Zoning Ordinance has a requirement that light fixtures shall not have a Correlated Color Temperature (CCT) greater than 3000 Kelvin (K). The photometric sheets show light fixtures measuring 4000K, *since the level still represents a warm tone that is pleasing to the eye rather than a cool or unnaturally bright light.*
- B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:
1. *The complete east portion adjacent to the railroad tracks and the south 50-foot-wide strip along the wetland of the proposed PRO (15.87 acres of the 27.07 RM-1 rezoning) being retained as a natural area with a conservation easement to preserve its existing marshland and wildlife. This natural area, with wetlands, wraps around the PRO and includes on the west end a proposed new 0.4-acre park/playground located between the proposed residential and retail sites. The proposed trail system, with its overlooks near the Novi Athletic Club is to be a usable and accessible community resource.” This is a benefit to both residents and the environment to have additional natural resources preserved in perpetuity.*
 2. *“To help achieve walkability and connectivity of the entire area, a trail system is being added which consists of new crushed limestone paths, overlooks, and existing sidewalks. This walkway system provides connectivity between surrounding existing residential areas and new proposed PRO residential area with all the marshland nature areas, the proposed pocket park, the Novi Athletic Club, Ice Arena, and Dog Park, and with the new proposed local (retail) along Ten Mile Road. The retail consists of the new proposed retail and restaurant areas, and the existing Walgreen’s and dental office. New walkways and bike paths wind through the natural area, overlook 15.87 acre wildlife area and connect this PRO development to the recreation areas: The \$3.2 million dollars worth of Novi 10 land previously donated to the city, initiated by Novi request (18 acres of land): For the Novi Arena Facility and the Novi Dog Park.” This is a benefit as future residents as well as the general public will have access to a pleasant area for walking that connects various community amenities. The City would prefer the pathway be concrete rather than crushed limestone. Subject to the Planning Commission’s recommendation to the City Council for consideration to modify or eliminate the proposed pathway connection to the Ridgeview subdivision.*
 3. *“Two pocket parks are added: One added at the trail head on 10 Mile Road at the north end of the new conservation area. The second is on the west end of the trail townhouses to include playground equipment.” This is a benefit as future residents as well as the general public will have access to the pocket parks and trails. The applicant states the trailhead area will be dedicated to the City. It remains unclear if they will be providing amenities and responsible for maintaining it. There are no details currently provided. If this is to be a benefit, the size and details of the benefit will need to be clarified and be included in the PRO Agreement.*
 4. *“A planted plaza over 20 feet deep, with benches and other amenities is proposed to be continuous along the storefronts of the new local retail area including a variety of planter sizes and types with a variety of trees and flowers.” This goes beyond what the ordinance requires and is considered an enhancement of the project area that could be used by any customers of the retail area.*
 5. *Proposed use restrictions not permitting certain automotive and other business uses in the proposed B-2 commercial zoning (Sec. 3.1.12.B & C) are to be part of the PRO. Not*

permitted uses are:

- a. *Vehicle Oriented Uses: gas/fueling station.*
- b. *Other excluded uses: Check cashing, Pawn shop, Hotel/motel (Marijuana sales already not permitted in the City of Novi will also be excluded by the PRO documents in case the city's law is changed to allow it in the future.)*

This is an enhancement of the property as the City can be assured that the future tenants of the property will not include certain less desirable uses, and is more restrictive than the ordinance requires.

6. *EV Charging Stations will be located at each of the commercial buildings (8 indicated in total). Outlets for 240-volt EV chargers will be provided in each townhouse garage. This is an amenity that goes beyond what the ordinance requires.*
7. *The amount of open space provided for the RM-1 townhouses exceeds ordinance requirements. This is a benefit as future residents as well as the general public will have access to the trails and trailhead area.*
8. *Commercial Building Setbacks:*
 - a. *Front: 40 feet required....101 feet provided*
 - b. *Rear: 30 feet required....74 feet provided*
 - c. *Side: 30 feet required.....88 feet provided*
9. *Residential Building Heights will be limited to 29 feet, which is more limiting than the 35 feet permitted. This is a benefit as the buildings will be less obtrusive than the 35-feet otherwise permitted.*
10. *Commercial Building height will be limited to 23 feet, which is more limiting than the 30 feet permitted. This is a benefit as the buildings will be lower profile than the 30-feet otherwise permitted.*
11. *Maximum Residential Lot Coverage of 25% is permitted, 14% is proposed. This is a benefit as more permeable surface will be preserved, which allows stormwater to permeate, and more green space is available.*
12. *The development standards of the RM-1 District require a minimum rear yard setback of 75 feet. The applicant proposes a greater setback of 100 feet minimum along the south side. This benefits the neighborhood to the south as buildings are further away than the ordinance requires, with less of the existing trees to be cleared.*
13. *In the RM-1 District, a development of 3-bedroom units can have up to 5.4 dwelling units per acre. This development proposes 4.5 dwelling units per acre. This is 17% more limiting than otherwise permitted in the district.*
14. *As noted in the façade review, the commercial buildings significantly exceed the 30% minimum requirement for brick on nearly all elevations. This represents an enhancement of the project area beyond what the ordinance requires.*
15. *The applicant states they will off-set their impacts on 10 Mile Road by constructing the following improvements:*
 - a. *Widen eastbound 10 Mile Road to two through lanes, ending with a right-turn deceleration lane at the site's easternmost residential driveway.*
 - b. *Widen westbound 10 Mile Road to two through lanes west from the 3rd site driveway to help provide additional capacity for outbound site traffic.*
 - c. *Extend the center left-turn lane along 10 Mile Road from where it currently ends at Catherine Industrial Road to service all commercial driveways.*

As noted in the Engineering Review letter, these improvements may require the acquisition of Right of Way on the north side of 10 Mile Road, and the approval of those property owners, as well as the approval of the design by the RCOC.

- C. This motion is made because the proposed zoning districts are a reasonable alternative to the OS-1 and I-1 Districts and fulfills the intent of the Master Plan for Land Use, and because:
 1. The plan results in the preservation of a large area of woodland, wetland, and floodplain, which benefits the overall environment and community members,
 2. The development supports various goals of the 2016 Master Plan for Land Use, including:

- a. Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments.
 - b. Safe housing and neighborhoods. Enhance the City of Novi's identity as an attractive community in which to live by maintaining structurally safe and attractive housing choices and safe neighborhoods.
 - c. Maintain existing housing stock and related infrastructure.
 - d. Provide a wide range of housing options. Attract new residents to the City by providing a full range of quality housing opportunities that meet the housing needs of all demographic groups including but not limited to singles, couples, first time home buyers, families and the elderly.
 - e. Maintain quality architecture and design throughout the City.
 - f. Protect and maintain the City's woodlands, wetlands, water features, and open space.
 - g. Increase recreational opportunities in the City.
 - h. Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities.
 - i. Ensure compatibility between residential and non-residential developments.
3. The detriments to the City from the commercial and multiple family development as proposed are mitigated through the preservation of woodland and wetland areas, and the proposed improvements to 10 Mile Road. The conditions proposed would result in an overall enhancement of the area that may not be achieved in the absence of the PRO Agreement.

Motion carried 4-1 (Roney).

3. JSP23-33 SHEETZ

Public hearing at the request of Skilken Gold for Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan. The subject property is zoned B-3 General Business and is located in Section 13, west of Haggerty Road and south of Twelve Mile Road. The applicant is proposing to demolish the existing gas station on the site to redevelop with a new gas station/convenience store.

In the matter of Sheetz JSP23-33, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Landscaping waiver from Section 5.5.3.B.ii-iii to allow a continuous hedge in lieu of a berm along 12 Mile Road, as *the intent of the ordinance is achieved*, which is hereby granted.
- b. Landscape waiver from Section 5.5.3.B.ii-iii for the deficiency in street trees along Haggerty Road due to utility conflicts, which is hereby granted.
- c. Landscape waiver from Section 5.5.3.D to allow 25% of the building foundation landscaping to be located away from the building, as *the intent of the ordinance is achieved*, which is hereby granted.
- d. Approval of variances to be requested from the Zoning Board of Appeals as follows:
 - i. Loading zone located in the front yard due to the location of the fuel tanks needing to be near the fuel pumps.
- e. 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 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 Sheetz JSP23-33, motion to approve the Wetland Permit based on and subject to the following:

- a. The size of the off-site mitigation area shall be adjusted to fulfill the requirements for mitigation under the Code of Ordinances as shown in the plan dated 9/25/24.
- b. Mitigation areas and the adjacent wetland and woodland areas shall be protected in a 4.23-acre conservation easement.
- c. 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 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 5-0.

In the matter of Sheetz JSP23-33, 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 Sheetz JSP23-33, 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 is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

4. 21111 MEADOWBROOK ROAD WOODLAND PERMIT PWD24-0024

Public hearing at the request of Barima Opong-Owusu, for a Woodland Use Permit for 21111 Meadowbrook Road. The site is located west of Meadowbrook Road, and north of Eight Mile Road in Section 35 of the city. The applicant is asking for a delay in the implementation of the standards of Woodland Section 37-9 which calls for immediate woodland replacement or payment into the tree fund for trees that were negatively impacted by the encroachments into the critical root zones of the woodland trees.

Motion to approve a Woodland Use Permit, PWD24-0024, for 21 regulated woodland trees that were impacted in the process of building a single-family home located at 21111 Meadowbrook Road, subject to the payment of all associated fees and bonds as required by the City's ordinances. *Motion carried 5-0.*

MATTERS FOR CONSIDERATION

1. JSP24-07 GREAT OAKS LANDSCAPE BUILDING ADDITION

Consideration at the request of Great Oaks Landscape for Preliminary Site Plan approval. The subject property, 28025 Samuel Linden Court, is located north of Twelve Mile Road and west of West Park Drive on a 19.12 acre parcel within the I-2 General Industrial Zoning District. The applicant is proposing to construct a 1,700 square foot addition onto the existing 3,000 square foot office building.

In the matter of Great Oaks Landscape Building Addition, JSP24-07, motion to approve the Preliminary Site Plan and Section 9 Façade Waiver based on and subject to the following:

- a. **Section 9 Façade Waiver for an overage of Exposed Aggregate Precast (24-27% precast proposed, 0% permitted), and an overage in Standing Seam Roof (0-60% proposed, 25% permitted).**
- b. **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 revised 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.*

2. **APPROVAL OF THE OCTOBER 16, 2024 PLANNING COMMISSION MINUTES**

Motion to approve the October 16, 2024 Planning Commission minutes. *Motion carried 5-0.*

ADJOURNMENT

Motion to adjourn the October 30, 2024 Planning Commission meeting. *Motion carried 5-0.*

Meeting adjourned at 10:25 PM.

*Actual language of the motion sheet subject to review.