



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI
Regular Meeting
March 25, 2020 7:00 PM
Remote Meeting
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 Avdoulos, Member Ferrell, Member Gronachan, Member Lynch, Member Maday (joined late), Chair Pehrson

Absent: None.

Also Present: Barbara McBeth, City Planner; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Victor Boron, Staff Engineer; Thomas Schultz, City Attorney; Josh Bocks, City Traffic Consultant; Pete Hill, City Environmental Consultant

APPROVAL OF AGENDA

Motion to approve the March 25, 2020 Planning Commission Agenda, as amended, with the removal of the first audience participation. *Motion Carried 6-0.*

PUBLIC HEARINGS

1. **NOVAPLEX JZ19-37 WITH REZONING 18.733**

Public hearing at the request of BC Novaplex, LLC for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service Technology (OST) to High-Density Multiple Family (RM-2) with a Planned Rezoning Overlay. The subject property is approximately 22 acres and is located on the west side of Haggerty Road, north of Twelve Mile Road (Section 12). The applicant is proposing to develop a 270 unit multiple-family residential development.

In the matter of Novaplex, JZ19-37, with Zoning Map Amendment 18.733, motion to postpone making a recommendation to the City Council to rezone the subject property from Office Service Technology (OST) to High-Density Multiple Family (RM-2) with a Planned Rezoning Overlay Concept Plan. This motion is made for the following reasons:

1. To allow the applicant time to provide a revised submittal which reflects the changes described in their response letters dated 3-9-2020 and 3-16-2020;
2. To allow the applicant time to develop a list of conditions to be imposed on the development in line with the PRO Concept Plan proposed;

3. To allow the applicant time to address the comments in the wetland and traffic review letters;
4. To allow staff time to review the additional information provided by the applicant in their response letter dated 3-16-2020, such as wetland mitigation, traffic calming measures, and carport details;
5. To allow staff to review the revisions to the plans to identify any additional deviations and conditions that would be needed in the PRO Agreement, and evaluate any new information provided;
6. To allow the applicant to work with staff to reduce the number of deviations requested;
7. To allow additional time for the applicant to submit additional evidence/information in support of the public benefits to be achieved through this development and to justify the proposed ordinance deviations and the intent of the section 7.13.2.D.ii that the proposed PRO rezoning would be in the public interest and the benefits to public of the proposed PRO rezoning would clearly outweigh the detriments.
8. The applicant shall have the opportunity to clarify through a modified submittal if any PRO conditions are being offered under the PRO provisions of the Zoning Ordinance.

Motion carried 7-0.

2. MORGAN PLACE JZ19-17 WITH REZONING 18.731

Public hearing at the request of Trowbridge Companies of Planning Commission's recommendation to City Council for a Zoning Map amendment from Freeway Service (FS) to General Business (B-3) with a Planned Rezoning Overlay, as well as Preliminary Site Plan consideration. The subject property is approximately 0.48 acres and is located on the east side of Haggerty Road, north of Eight Mile Road (Section 36). The applicant is proposing to develop an approximately 2,420 square foot single story building.

In the matter of Morgan Place, JZ19-17, with Zoning Map Amendment 18.731, motion to recommend approval to City Council to rezone the subject property from Freeway Service (FS) to General Business (B-3) with a Planned Rezoning Overlay Concept Plan.

Part 1: The recommendation includes the following ordinance deviations for consideration by the City Council:

1. Landscape deviation from section 5.5.3.C.(3) Chart footnote for lack of three perimeter parking lot trees, because underground utility easements occupy 90 linear feet of parking lot perimeter.
2. Landscape deviation from section 5.5.3.B.ii and iii for underage of greenbelt plantings by two large evergreen or canopy trees and three subcanopy trees, because the trees cannot be planted in 90 linear foot wide gas pipeline easements.
3. Landscape deviation from section 5.5.3.B.ii and iii for lack of berm along Haggerty Road, due to the unusual shape of the site.
4. Planning deviation from section 5.3.13 for not meeting the minimum distance requirement between the parking from the street ROW. A minimum of 25 feet is required, varied widths from 16 feet to 20 feet proposed, because less traffic is expected in and out the site.
5. A section 9 waiver for overage of Asphalt shingles on the west and east facades (25% maximum allowed, 48% on West and 46% on east proposed), because the proposed elevations meet the intent of the façade ordinance.

6. Planning deviation from section 3.1.12.D for not meeting the minimum required rear yard building setback (minimum of 20 feet is required, four feet is proposed), as the proposed building location is limited by the existing gas line easement on the site.
7. Planning deviation from section 3.1.12.D for not meeting the minimum required front yard parking setback (minimum of 20 feet is required, ten feet is proposed), due to the unusual shape of the lot.
8. Planning deviation from section 5.4.2 for lack of required loading zone, because the proposed conditions include restricting the uses permitted on the site to those that would not require a loading zone.
9. Planning deviation from section 4.19.2.F for allowing the dumpster in the interior side yard in lieu of required rear yard, as the applicant has committed to comply with trash pick-up services so as not to interfere with site operations or traffic along Haggerty Road.

Part 2: If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:

1. The applicant offers installation of sidewalk in front of the detention basin, immediately south of the subject site, to connect with right-of-way sidewalk improvements for this development (approximately 180 linear feet).
2. The applicant offers the planting of native shrubs along the right-of-way in front of the detention ponds to the south of the subject site and on the opposite side of Haggerty Road (5 native shrubs);
3. Applicant offers a pedestrian connection and landscaped seating feature is located in front of the building, providing an additional pedestrian amenity to the area.
4. The following uses are not permitted on the property, unless otherwise approved by the City of Novi with a finding that adequate parking is available:
 - a. Retail business and retail business service uses;
 - b. Off-street parking lots;
 - c. Restaurants having the character of a drive in or having a drive-through window;
 - d. Theaters, assembly halls, concert halls, museums or similar places of assembly;
 - e. Business schools and colleges or private schools operated for profit;
 - f. Day Care Centers and Adult Day Care Centers;
 - g. Private clubs, fraternal organizations, and lodge halls;
 - h. Hotels and motels;
 - i. Mortuary establishments;
 - j. Auto wash;
 - k. Bus passenger stations;
 - l. New and used car salesroom, showroom, or office;
 - m. Tattoo parlors;
 - n. Outdoor space for sale of new or used automobiles, campers, recreation vehicles, mobile homes, or rental of trailers or automobiles;
 - o. Businesses in the character of a drive-in or open front store;
 - p. Plant materials nursery for the retail sale of plant materials and sales of lawn furniture, playground equipment and garden supplies;
 - q. Public or private indoor recreational facilities;
 - r. Mini-lube or quick oil change establishments;
 - s. Gasoline service station and automobile repair; and
 - t. Microbrewery or brew-pub.

5. The applicant shall provide an updated Rezoning Traffic Impact Study as requested in the AECOM review letter dated May 17, 2019.

Part 3: This motion is made because the proposed the General Business (B-3) zoning district is a reasonable alternative to the Master Plan for Land Use, and because:

1. The proposed rezoning will remove the potential for many of the high-traffic uses allowed in the FS, Freeway Service District while permitting those office uses that are more appropriate for the site;
2. The requested PRO overlay and deviations requested will allow flexibility with meeting the dimensional challenges of this site;
3. The project is consistent with the Master Plan goal to retain and support the growth of existing businesses and attract new businesses to the City of Novi.
4. There is no negative impact expected on public utilities as compared with the current development potential as stated in the Engineering memo.

Motion carried 7-0.

In the matter of Morgan Place, JSP19-21, motion to approve the Preliminary Site Plan based on and subject to the following:

1. The City Council granting final approval of the PRO Agreement and PRO Concept Plan;
2. All conditions and deviations in the final PRO Agreement and PRO Concept Plan being addressed on the Final Site Plan;
3. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

In the matter of Morgan Place, JSP19-21, motion to approve the Stormwater Management Plan, based on and subject to:

1. The City Council granting final approval of the PRO agreement and PRO Concept Plan;
2. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE FEBRUARY 26, 2020 PLANNING COMMISSION MINUTES.

Motion to approve the February 26, 2020 Planning Commission Meeting minutes. *Motion carried 7-0.*

ADJOURNMENT

The meeting adjourned at 8:26 PM.

**Actual language of the motion subject to review.*