



PLANNING COMMISSION MINUTES

Regular Meeting

DECEMBER 9, 2015 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten
Mile (248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Baratta, Member Giacometti, Member Lynch,
Member Zuchlewski

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

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

APPROVAL OF AGENDA

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

PUBLIC HEARINGS

1. MAPLE MANOR, JSP 08-09

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

Planner Sri Komaragiri states that the subject property is located Section 2, located at the southwest corner of Fourteen Mile Road and Novi Road. The subject property was developed with a Planned Rezoning overlay with RM-1:low density multifamily residential zoning in 2009. It is abutted by RM-1 on the west, R-4 on the south and RA Residential acreage on the east, currently developed as The Maples Place. It is abutted by Commerce Township on the north.

The Future Land Use Map indicates multi-family on west, educational facility on the south, and local commercial on the east.

There are no regulated woodlands or wetlands on the site.

The applicant is proposing two accessory structures (a storage garage and a Pavilion) to facilitate the maintenance operations and to provide passive recreation for residents of the facility and a flag pole at entrance of the building. The site plan also proposes corresponding site improvements to storm water management and minor improvements to landscape.

The proposed storage garage is located partly in the required front yard. According to applicant's cover letter, the needs for storage are crucial and this is best possible location for a storage garage within the site that has a minimal deviation from the ordinance and does not conflict with the utility locations and easements. Staff agrees and recommends that this deviation be included in the revised

PRO agreement. Planning recommends approval.

Engineering and landscape also recommend approval with additional comments to be addressed during Final Site Plan, which the applicant agreed to provide. Façade reviewed the proposed structures as a Canopy structure and an accessory structure and states that they are in conformance with the ordinance. The applicant agreed to propose materials for the proposed storage garage that match the existing building. Façade recommends approval.

The Planning Commission is asked tonight to recommend approval of the amended Planned Rezoning Overlay Concept plan to the City Council and approval of the Preliminary Site Plan Permit and Storm water Management Plan subject to the City Council's approval of the revised PRO Concept Plan.

The applicant, Zack Ostroff, 2640 Water Oaks Drive, West Bloomfield, MI stated that they will be matching the bricks and shingles to the building so it should look like it was all done at the same time.

Member Baratta read the correspondence regarding the amendment to Maple Manor site plan. The first letter is from Janet Nissen who is in support. Carol Ulinowski is in support. Linda Bogumil is in support. Nataliya Syzhgn is also in support.

Member Lynch opened the Public Hearing to the audience for comment. No one in in the audience responded. The Public Hearing is closed.

Moved by Member Anthony and seconded by Member Baratta.

ROLL CALL VOTE ON THE REVISED CONCEPT PLAN APPROVAL MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER BARATTA:

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

Moved by Member Anthony and seconded by Member Baratta.

ROLL CALL VOTE ON THE PRELIMINARY SIT PLAN APPROVAL MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER BARATTA:

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

Moved by Member Anthony and seconded by Member Baratta.

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

In the matter of Maple Manor, JSP08-09, motion to approve the Stormwater Management Plan, based on and subject to approval by City Council of the amended PRO Concept Plan and the PRO agreement and the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because it otherwise in compliance with the approved Amendment to the PRO, Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

2. CITYGATE MARKET PLACE, JSP 15-73

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

Planner Komaragiri provided a summary of the staff and consultant review letters. The subject property is located in Section 16, on the southeast corner of Citygate Drive and Beck Road. It is located between Chase Bank and USA2Go, east of Beck Road.

The subject site is zoned Office Service and Technology OST with the same district and the same on all other sides and Freeway Service which was developed using a PRO option on the north. The current zoning comes with a retail service Overlay Option. The Future Land Use map indicates Office research Development and Technology with retail Service Overlay option. The applicant is currently proposing the development using the retail overlay option.

There are regulated woodlands on the site, and the property also contains considerable wetlands on the west. The proposed development site contains five areas of existing wetland totaling 0.15 acres.

The applicant has previously submitted a site plan under the same name but a different Site Plan number, JSP 15-21. The Planning Commission held a public hearing on September 30, 2015 and denied the Preliminary Site Plan, Storm Water Management Plan, Wetland and Woodland permits based on certain reasons listed in the Planning review letter.

The applicant has proposed a 5,908 square foot building with a retail space and two fast food restaurant spaces (with associated parking, landscaping and stormwater facilities) utilizing the Retail Service Overlay Option. A drive-through is proposed for one of the restaurant spaces which requires a Special Land Use.

The following changes have been made since the last time the plan appeared before the Planning Commission:

1. The building footprint has been reduced to 5, 908 square foot from 6,141 square foot.
2. A 20 feet wide by-pass lane has been provided along the drive-through lane.
3. Additional parking has been added at the southeast corner to compensate for loss of spaces due to addition of bypass lane.
4. Entering radii at the southern entrance has been increased to 15 feet from 10 feet.
5. Proposed six foot retaining wall has been moved closer to the parking lot away from the wetlands.

Even though the applicant made revisions to address some of the major concerns from our last public hearing, the intensity of the building program and the parking layout still remain almost the same and the applicant is requesting couple of deviations from the Planning and landscape sections of the zoning ordinance. The current site plan would require zoning board of Appeals variances for reduction in building setback and parking setback.

Planning recommends approval contingent on ZBA approval and additional comments to be addressed during Final Site Plan.

Engineering recommends approval with additional information to be provided with final site plan.

Landscape also identified three Planning Commission waivers that would be required for this site plan for providing a decorative wall instead of a berm, not meeting the minimum required street trees and not meeting the minimum required greenbelt requirements along City gate

The applicant has been working with our landscape architect to find suitable alternate screening options to compensate for the said deviations. Staff appreciates the effort put in by the applicant to

mitigate the absence of screening along Citygate drive. Based on recent findings our Landscape Architect would like to change his recommendation to approve the Preliminary Site Plan. The City's landscape architect Rick Meader is available tonight to expand on this if needed.

The current site plan would require a City of Novi Wetland Use Permit and an "Authorization to Encroach" into the 25-Foot Natural Features Setback would be required for any proposed impacts to on-site wetlands and the 25-foot wetland buffers. The applicant is impacting approximately 50 percent of the total 0.15 regulated wetlands on site, low enough not to require mitigation.

Wetlands recommends approval provided all the comments are addressed prior to Final Site Plan approval. The applicant has provided a copy of the approved MDEQ permit as requested in the letter.

The site plan does require a woodland permit. The site plan proposes to remove 89 percent of the total regulated woodlands. The applicant is prepared to provide the required Woodland Replacement Credits through payment into the City of Novi Tree Fund. In addition, the trees proposed for removal are not of especially high quality or value.

Traffic is recommending approval of the site plan based on their review of the site plan and the updated Traffic Impact study. The applicant has provided a Traffic Impact Assessment (TIA) which reflects the restricted left turns for westbound traffic on Citygate Drive. A summary as well as additional comments on the Traffic Impact Study can be found in Section 6 of the letter. Our Traffic Engineering consultant Maureen Peters is here tonight and will be glad to answer any questions in this regard.

The Site Plan is in full compliance with the Façade Ordinance and the City's Façade consultant recommends approval.

Fire recommends approval with some items to address at the time of Final Site Plan Review.

The Planning Commission is asked tonight to approve the Special Land Use, Preliminary Site Plan, Storm Water Management Plan, and the Woodland permit and Wetland permit. Additionally, staff noticed a small change in the suggested motion sheet to item "a" under the Preliminary Site Plan. To be added is the statement "which is hereby granted" at the end after landscape waiver.

The applicant Doraid Markus, 4036 Telegraph, Suite 205 Bloomfield Hills, MI was present and said he apologized for his presentation at the previous meeting. He thinks that he might have come across as too self-assured and maybe even arrogant at the last meeting. He thought that he had all the staff recommendations for approval and it was probably a foregone conclusion that the plans would get approved at the Planning Commission Meeting. Being denied was upsetting, but Mr. Markus said he left here and regrouped and took the Planning Commission's comments to heart. Mr. Markus said he hopes that with this new plan, we addressed your issues and hope that we have a much better plan now.

Mark Drane with Rogvov Architects, 32500 Telegraph Suite 250, Bingham Farms, MI said he was present to answer any questions.

Chair Lynch opened the public hearing and asked Member Baratta if there is any correspondence. Member Baratta read the correspondence for this Public Hearing from Hung Yo, at 47730 Grand River, Novi, who objects as he states there is too much traffic.

Chair Lynch opened the Public Hearing to the audience. There were no responses. Chair Lynch closed the public hearing.

Member Baratta requested clarification between tenants responsibility will be the interior and his responsibility is the maintenance of the exterior of the building.

Mr. Drane responded that is correct.

Member Baratta stated his concern with the appearance of the building. He verified the direction of the traffic exiting the site will only be able to go north. He also questioned the dimensions from the curb on the drive-thru awning. Member Baratta questioned the access to this facility.

Maureen Peters with AECOM, the City's Traffic Engineer, stated that recently the city has restricted the Left turns out of Citygate onto south bound Beck. However, the applicant is in agreement or working toward agreement to use the driveways at Chase bank to access Grand River to southbound Beck Road.

Member Baratta stated that basically they would take that frontage road in front of the facility and in front of Chase Bank to get to Beck.

Ms. Peters stated that this is correct.

Member Baratta asked if there was going to be a median on Beck Road that will prevent the crossover traffic from Citygate to go south.

Ms. Peters stated that she does not believe that there are any changes purposed for Beck Road.

Brian Coburn, City Engineer stated that the "No Left Turn" sign that is already there has a time restriction that is from 7:00 a.m. to 7:00 p.m. After the hours indicated it will be permitted to make a left turn. This is the Road Commission for Oakland County's jurisdiction, so Mr. Coburn doubted that there will ever be any physical barrier to prevent that turn.

Moved by Baratta and seconded by Member Giacobetti.

ROLL CALL VOTE TO APPROVE THE SPECIAL LAND USE PERMIT MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GIACOPETTI:

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

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

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

Moved by Baratta and seconded by Member Zuchlewski.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHLEWSKI:

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

- a. Landscape waiver to permit the reduction of the required Greenbelt along the Citygate Right of Way (25 feet required when there is no parking; 3 feet provided), provided that the applicant works with the City's Landscape Architect to propose alternate screening, which is hereby granted;

- b. Landscape waiver to permit the reduction of the Right of Way trees 12 required, 8 provided between the existing sidewalk and the curb along Citygate Road as listed in Section 5.5.3.E.i.c due to narrow existing distance between sidewalk and curb for planting, which is hereby granted;
- c. Landscape waiver to permit a decorative wall instead of the required berm adjacent to Public Right of Way for Beck Road as listed in Section 5.5.3.B.ii and iii due to space limitations, and is supported by staff as it will contribute to the cohesive look for the adjacent interchange area, which is hereby granted;
- d. Zoning Board of Appeals variance from Section 3.1.23.D of City Zoning Ordinance to reduce the required north yard building setback by 34 feet in 50 feet required, 16 feet proposed;
- e. Zoning Board of Appeals variance from Section 5.3.11.A, B to reduce the required north yard parking setback 20.0 feet required, 0.0 feet proposed *to allow construction of a drive-through lane.*
- f. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

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

Moved by Baratta and seconded by Member Zuchlewski.

ROLL CALL VOTE TO APPROVE THE WETLAND PERMIT PLAN MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHLEWSKI:

In the matter of Citygate Market Place, JSP 15-73, motion to approve the Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Baratta and seconded by Member Zuchlewski.

ROLL CALL VOTE TO APPROVE THE WOODLAND PERMIT MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHLEWSKI:

In the matter of Citygate Market Place, JSP 15-73, motion to approve the Woodland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Baratta and seconded by Member Zuchlewski.

ROLL CALL VOTE TO APPROVE STORMWATER MANAGEMENT PLAN MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHLEWSKI:

In the matter of Citygate Market Place, JSP 15-73, motion to approve the Stormwater Management Plan, based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

3. DUNHILL PARK, JSP 15-13

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

Planner Sri Komaragiri stated that the subject property is located Section 32, located at the northwest corner of Beck Road and Eight Mile Road. The subject property is currently zoned Residential Acreage with the same zoning on the north and west. It is abutted by residential in City of Northville on east and single family residential in Northville Township on the south. The Future Land Use Map indicates Single Family on all sides. The applicant is currently requesting Rezoning from RA Residential Acreage to R-1 One-Family Residential with a Planned Rezoning Overlay (PRO).

The subject property has about 2.7 acres of regulated wetlands spread around 9 areas within the site. ECT was unable to confirm that the existing wetland boundaries are all accurately depicted on the plan. There are regulated woodlands on site which includes 10 specimen trees. Our planning consultant Rod Arroyo from Clearzoning has reviewed the site plan for conformance with the Planning Code. He is here tonight to present his findings. I will continue with the rest of the reviews after his presentation.

Mr. Arroyo stated that he will be going over the November 10, 2015 review letter. The applicant has revised the previous plan that was submitted. One lot has been removed from the previous plan. What is presented now is PRO with an R-1 Zoning. The density that is being requested actually falls within the R-1 zoning classification. In addition to that is the landscaping at the entrance to the development along Eight Mile Road has been substantially increased from what was previously submitted. The applicant has also confirmed that they will be contributing both land and funding to the construction of a pathway along Eight Mile Road.

Mr. Arroyo said that there is a list of public benefits that the applicant is proposing as part of this application. The actual project development is the site of a former trucking operation. There is some contamination on this property that is going to require some remediation. That happens to be one of the public benefits that is being offered by the applicant. As with any PRO this is an optional approval that requires a public hearing and then a final action as a rezoning and a PRO plan approval by the City Council. The Planning Commission is charged with holding the public hearing and then making a recommendation to the City Council on this application.

Under the existing RA zoning the project could be developed with up to 18 single family homes. Under the proposed zoning, if there was no specific plan tied to it, there could be up to 38 single family homes. The applicant is requesting somewhere in the neighborhood of 80% of what could be allowed under R-1 zoning. The Master Plan designates pretty much all the property west of Beck Road and south of Nine Mile as 0.8 dwelling units per acre, single family. This single family designation extends up north of Ten Mile. There other densities that surrounds the property. The density is higher within the City of Northville, located to the east, directly across Beck Road and Maybury Park to the south across Eight Mile Road. To the north and west is similar RA zoning.

This project would support the goals and objectives of the Master Plan, including providing for open space. Thirty three percent of this site is being preserved as open space. This is one of the advantages of this type of plan with the flexibility in lot size you get an increase of amount of open space of what would be accomplished through a traditional development plan. You also get a pathway system, connections to the external systems and further development in the pathway system along Eight Mile road and connection into the Beck road system as well. This is a development that is going to enhance the non-motorized transportation network within the city. The specific benefits that are part of the rezoning overlay plan, the applicant has identified the tax benefits for the city, the maximum number of units being limited to 31. High end landscaping, high end home construction, minimum unit lot width of 90 ft. and square footage of 13,860 and significant brownfield clean up with potential funds coming back to the city, the installation of a Welcome to Novi landmark feature and a 25,000 contribution to the ITC Sports Park trail that is going to be coordinated with the city. There are also some ordinance deviation's that come with this plan. One deviation is that there will not be a berm along Beck Road due to the existing natural features. The landscaping does not meet the minimum requirement for canopy and sub canopy trees along the public right of way. The applicant is purposing some larger trees than what would normally be required due to the type of design intent of the landscaping within the development does not meet the street tree requirements along Eight Mile and Beck. Again, there a larger caliber trees that are being purposed as part of this development to have a larger presence. Minimum requirements for storm basin and landscaping are not met. The required sub-street to the west is not provided. They are providing a stub street to the north. There is also an emergency access

connection over to Beck Road. The distance between the emergency access and Eight Mile exceeds the maximum. That could be a variance that could be granted through an application to the City Council.

The Planning Commission has several options. They can recommend that the Council conditionally approve, recommending denial, recommending rezoning to a district other than R-1, postponing consideration. Clear Zoning recommends is that the Planning Commission should consider recommending this application as proposed with the appropriate conditions, including resolution and any remaining wetland and woodland items that need to be resolved.

Planner Komaragiri continued with her report. Engineering is currently recommending approval of the concept plan for various items noted in the review letter and also noting that the site plan would require City Council variances for exceeding the maximum length for street A and lack of stub-street along the subdivision perimeter.

Landscape is recommending approval of the concept plan noting multiple deviations and requesting additional information that is required to conform to the code. The deviations are for absence of required berm, and required green belt landscaping along the entire frontage on Beck Road right-of-way. For absence of required street trees within the right-of-way along Beck Road for not meeting the minimum requirements for canopy and sub-canopy trees in the greenbelt along both public the rights-of way; Also for not meeting the street tree requirements along Eight Mile, if the Oakland County Road Commission does not allow some or all of the required street trees along Eight Mile; For not meeting the minimum requirements for storm-basin landscape and for not meeting the required diversity of tree species for a single residential subdivision. Landscape acknowledges that while the applicant is trying to provide larger trees for a better landscape design that they would not be counted as extra credit for woodlands.

The plan includes some level of proposed impact to all of the onsite wetlands and the associated 25 foot wetland buffers that backs up to this property. Most of this impact is due to the lot development. The current plan includes a total .617 acre of wetland impact and 2.14 acres of purposed wetland buffer impact. This is slightly higher than the one that was purposed before. The project as proposed will require a City of Novi wetland non-minor use permit as well as authorization to encroach the 25 foot Natural Features Setback.

Wetlands review is not currently recommending approval and is currently asking the applicant to consider redesigning the design to minimize the impact to wetland C for reasons noted in the letter. Of the 10 specimen trees, two will be saved and eight are proposed for removal. The site plan is also proposing a removal of 83% of the regulated woodlands (a 7 percent decrease from the previous submittal). The notes on the site plan and the applicant's response letter are providing conflicting number for replacement trees provided and remaining required. According to the applicant's response letter, a remaining on 240 trees are not provided on site. The applicant is requesting the Planning Commission to waive the requirement to pay into City tree fund due to significant costs they incurred for the site cleanup. There is no precedent with the City for such a request to date. Staff does not prefer to allow this request. Due to conflict in the number for the remaining woodland trees required, staff would like to amend the remove the number 230 from the motion language.

Woodlands review is not currently recommending approval and asks for additional information. The applicant has chosen not to provide elevations prior to concept plan submittal. Façade did not review the project with the revised submittal. However, the applicant has been in discussion with the façade consultant and provided their letter of intent to meet the requirements of the Façade Ordinance during preliminary site plan submittal. They have provided sample elevations and sample boards to indicate the quality of construction.

Traffic and Fire are recommending approval with additional comments to be addressed with the revised submittal.

The Planning Commission is asked tonight to recommend to City Council an approval or denial of rezoning request from RA Residential Acreage to R-1 One Family Residential with a Planned Rezoning Overlay.

Applicant Randy Wertheimer addressed the Planning Commission. He stated that they did reduce a lot in order to create a park for the neighborhood. We also changed the zoning to be more in line with what the City was comfortable with to the R-1. We are making a contribution to the ITC Sports Park. Also they will be making a significant contribution toward the path that the city is installing on Eight Mile. The reason that we are not removing the trees along Eight Mile is because the existing trees present a beautiful natural feature. The landscape comment that we are short on trees is because we are planting much larger trees than are the minimum requirement. We are looking to have mature landscaping on day one. He stated that they are not trying to cut corners on landscaping.

Chairperson Lynch opened the public hearing for this agenda item and seeing that no one in the audience had any comments he closed the public hearing and turned the discussion over to the Planning Commission for comments.

Member Anthony questioned the applicant as to what type of contamination is there on this property? He also questioned some of the markings on the site plan.

Applicant Randy Wertheimer responded that the area is a former trucking site so there is some contaminated soil with arsenic on the site. Part of the site years ago there was an apple orchard on the site. We are committed to remediate the site and turn it in to a beautiful area.

Andy Melia, the applicant for the Dunhill project, addressed the markings on the site plan. There are two issues with the site. One is arsenic and there is also buried debris on the site. Non contaminated debris is the crushed concrete and various fill material contaminated debris which is fuel oil tanks. The large circle areas on the site plan are the potential areas of debris and the smaller circles are the areas that are known to have debris. As they are excavating the area they will remove any contaminated and take it to a land fill.

Member Anthony stated that they do not know if the wetlands are affected by any contamination. He wanted to know if any of this information had been shared with in house staff or the wetland consultants.

Matt Carmer and Pete Hill with ETC responded to Member Anthony's questions regarding the ECT report.

Member Anthony questioned the wetland areas A and area C. So wetland areas H and K which was identified as being regulated by the city you are not concerned with. H & K has minimal impact. With area C you were concerned about lots 12, 13 and 20. The actual remediation would remove the area of wetland on lot 20. Approximately 50% of the wetland will be removed with the remediation. Lot 13 appeared to have the same issues as lot 20. These wetlands are not regulated by the state and only regulated by the city the most cost effective solution will be removal.

Pete Hill responded to Member Anthony that they did not have any additional reports that had soil borings. During the review we wondered if soil borings had been done in the area with the road. The studies that the applicant submitted lead them to believe that remediation would be needed in that area.

Member Anthony stated that there is not enough information at this time for a solid conclusion. He stated that he feels that if there was additional information that ECT might have a different recommendation on the wetlands and woodlands.

Mr. Carmer agreed that with the additional information their recommendation might be changed. In the letter ETC recommended that wetland C is one to preserve. The reason is we suggested that is because it is a small vernal pool not regulated by the state due to the fact that it is not connected to a lake, stream or pond. It is not greater than 5 acres in size.

Member Anthony stated that when you look at their open area it looks like a majority of wetland C is in there. Then they are also adding a retention pond and to the south of that it ties in with wetland H. Considering what they are leaving now and the work that they are doing would that have any equivalency to mitigation that they are adding to replace what they are removing?

Mr. Carmer stated that initially there was a mitigation area shown along the edge of wetland H. In the latest mitigation plan of wetlands H there was not a lot of detail and not even labeled as wetland mitigation area. The assumption was that this was still the area that they would attempt to mitigate the wetlands. It wasn't clearly indicated on the plans. It is also very steep slope there. It seems a little bit difficult. I would like to see a little bit of engineering review of that by the applicant suggesting that it can be built there. There seems like a lot of earth would have to come out to create wetland H in that area. Based on the grades that were observed on site it appears to be a very large undertaking.

Member Anthony asked Mr. Carmer about the area directly to the north where you end up having your storm water retention. That would seem logical to have that associated with mitigation.

Mr. Carmer stated that a lot of times what people do on these sites is to have their storm-water basin going and then have an outflow from your storm-water basin into an wetland mitigation area to kind of continue the hydrology.

Member Anthony states that he does not think that they have seen that level of detail here.

Mr. Carmer states that concern with wetland C just north of the basin it has some potential for wildlife with animals that rely on vernal pools. It is close enough where wetland H, detention basin and wetland C are all in a line. There was quite a bit of buffer. For example wetland C being a small vernal pool that fills up with water every spring and dries up in late summer. If you develop houses and have lots backing up to it the hydrology that currently goes there probably doesn't continue to get in to the wetlands. So you are removing the buffer.

Member Anthony questioned that wouldn't it be that by constructing that retention pond right next to C that is where the water will collect as opposed to C thus rendering that little area of C not functioning as a wetland anymore? It has been shifted over so that you continue and end up with you connecting wetland A through H. With that concept at least in the area where we are concerned about lots 12, 13 and 20 it minimizes the impact that the development of those lots would have.

Member Anthony questioned Mr. Carmer about the wetlands on lots 10 and 11.

Mr. Carmer responded that wetland A is at the far north end and the additional 2 lots are pretty much all wetland. In the review letter it does suggest that maybe that is not a spot to build if it is almost entirely wetland. These lots could be avoided or repositioned. We would like to see that some alternatives have been considered. As you go through the language in the ordinance you are supposed to look at feasible alternatives for impacting the wetland and we would like to see that the design has considered wetlands and woodlands can be avoided and if not why?

Member Anthony questioned if Wetland A, lots 10 and 11 is connected to a wetland area off site of the development.

Mr. Carmer responded that to the west there is a pond located not too far to the west of that wetland.

Member Anthony again questioned that if lots 10 and 11 were developed would it impact the wetland off site hydraulically? Did the flow come on to the property or flow away from the property?

Mr. Carmer stated that wetland does continue off site to the east. To the north it did not appear so but did not investigate very far to the north.

Member Anthony asked that if lots 10 and 11 were developed would it damage the wetland that you saw off site to the east?

Mr. Carmer responded they did not do a whole lot of walking on the adjacent property as they did not have permission. It probably connects up through wetland H.

Applicant Randy Wertheimer wanted the Planning Commission to know that they have hired one of the most reputable wetland consultants in southeast Michigan, King & MacGregor Environmental, LLC. They

have also hired McDowell and Associates. Mr. Wertheimer said we are happy to share any information with you so that you will feel comfortable with this plan.

Member Anthony stated that the report showed that 83% of the trees that would be removed, you would normally want these trees protected.

Mr. Hill responded that it is 83% because there is a significant amount of trees that are coming down.

Mr. Carmer also stated that the site has been previously disturbed so the trees are smaller. There are a couple areas with significant size trees but for the most part the trees are smaller. So essentially we are asking the developer to provide an offset of trees that are removed. It is that number that is still in negotiations.

Applicant Randy Wertheimer stated that this site is a little different. They would be taking down ten large trees. The rest is scrub, brush already half down. We are replacing the site with not only a seven figure mediation but a beautiful landscaped entrance with trees that far exceed the minimum requirements.

Member Anthony stated that it appears that more data needs to be assessed and essentially the developer needs to work with staff and the staff consultants further.

Member Baratta asked staff engineer Brian Coburn if the city had looked at the impact on the drainage on the adjacent properties?

Engineer Coburn responded that with the purpose plan indicated that discharging wetland H from the dentition pond. So they are accepting the drainage from the site and then discharging it over to the east. So it should not have impact on the adjacent properties. The ordinance requires that it should be self-contained so they have to collect all the storm water through the basin.

Member Baratta stated that after investigating the site he feels that access to Beck Road is not necessary; Eight Mile is far less traveled than Beck Road. When you look at the two subdivisions west of Beck the sites have half of an acre lots or more. The purposed plan is a lot less than that. It will have a higher utilized site. The tradeoff for the city is this project has higher density verses cleaning up the contaminated site. That is really where I see the value here. The City of Novi is already constructing the pathway. Do you need that much density verses paying for the cleanup?

Member Lynch said that he does like this project. He agreed with Member Baratta about the tradeoff. He feels that this fits well into the ordinance. He believes that this will be a good addition to Novi.

Member Anthony made a motion to recommend approval to the City Council seconded by Member Baratta.

ROLL CALL VOTE TO RECOMMEND APPROVAL TO CITY COUNCIL MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER BARATTA

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

- a. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided);**
- b. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided);**

- c. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features. (coverage along entire frontage required; approximately 40 percent proposed);
- d. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the right-of-way along Beck Road;
- e. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements of canopy and sub canopy trees in greenbelt along both Public Rights-of-way;
- f. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile if the Oakland County Road Commission does not allow some or all of the required street trees along 8 Mile Road;
- g. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed);
- h. Landscape deviation from Landscape Design Manual Section 1.d.(1)(d) for not meeting the required diversity of tree species for a single family residential subdivision;
- i. Applicant shall provide modelling data showing sufficient fire flows at the water main dead end or applicant shall provide a loop connection approved by the City Engineer during Preliminary Site Plan. An offsite easement may be required for the loop connection;
- j. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;
- k. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access;

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

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

This motion is made because:

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

Motion carried 5-0.

MATTERS FOR CONSIDERATION

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

Moved by Member Giacometti and seconded by Member Baratta:

ROLL CALL ON THE MOTION MADE BY MEMBER GIACOPETTI AND SECONDED BY MEMBER BARATTA TO APPROVE THE SEPTEMBER 30, 2015 PLANNING COMMISSION MINUTES.

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

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

Moved by Member Giacometti and seconded by Member Baratta:

ROLL CALL ON THE MOTION MADE BY MEMBER GIACOPETTI AND SECONDED BY MEMBER BARATTA TO APPROVE THE November 4, 2015 PLANNING COMMISSION MINUTES.

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

MATTERS FOR DISCUSSION

1. THOROUGHFARE MASTER PLAN

Community Development Deputy Director Barbara McBeth provided a brief introduction to the project. She stated that the City of Novi is in the process of preparing a Thoroughfare Master Plan that will cover the entire city. The intent of developing a Thoroughfare Master Plan is to establish physical and cultural environments that support and encourage safe, comfortable and convenient travel by a variety of modes. Various types of motor vehicles, non-motorized transportation, pedestrians, bicycles etc. We feel that the Thoroughfare Master Plan is an important component of the Novi's transportation planning efforts and will assist the Planning Commission and the City Council in making strategic and sustainable investments in roads and pathways.

The analysis and recommendations that result from such a plan will help to identify short and long range transportation improvement priorities community wide. The Thoroughfare Plan is intended to identify deficiencies in the existing major road network, provide traffic forecast, and review the functional classifications of the roads. It is also intended to develop alternative thoroughfare improvement plans from minor road improvements to full scale corridor upgrades, rank future road projects, and help identify needs.

To assist in the preparation of the Thoroughfare Master Plan the city has hired the Corradino Group, a professional transportation consulting firm. Mr. Joe Corradino, president of the Corradino Group is present this evening. Ted Stone of the Corradino Group is also present.

Mr. Corradino gave his presentation regarding the project. He stated that this will be a multi-modal plan. It is not just about roads, bicycles, pathways, and public transit; to the extent that we need to, we are going to blend all of this in the most effective way. We will take Novi's plans and policies, your Master Plan for Land Use update, various community programs like those that deal with public transport service, and blend those into something that will improve the quality of life. Alongside you we will come up with a plan that is affordable and doable in the next several years. There will be a ten task program. That work will be done by the end of June. Most of the documentation will be available approximately 60 days before the end of June so that our recommendations can be reviewed.

Each of those tasks that will be performed will have a report attached to it so that there is an audit trail of what we are doing every month throughout the course of the project. We have already produced a couple of those products and will continue to do more. The bulk of our work is from January to about the middle of April. A key component that stems off of that is the travel demand analysis. Looking at what happens in 2040. We do that by working with the Southeast Michigan Council of Governments, RCOC, and Traffic Improvements Association of Michigan, to collect data and then be able to forecast it combined with

your land use plan. The objective of the process is to do what is called Performance Based Planning. That is consistent with federal law. This eventually allows these types of plans to get funding. That is a key issue here because as you know Beck Road gets mentioned. Beck Road has been talked about for a long time. One of the reasons is the question where is the money going to come from? That is an important issue of not just making a wish list but rather making a practical list. The objective of our work is to provide up to date, adequate information to the staff, engage the public and listen to their concerns and have a feedback loop that shows what their concepts mean in the plans development as it relates to long range issues and if the short range issues are the mechanisms that we will develop. We will work with the staff so that there is a response to the public.

There are a number of issues and tools that we will bring, one is called Community Remarks. It is already up on the website. The video is on YouTube and it shows the community how to use a mobile device, take a picture, click and send. It will be geographically coded on a map immediately and an email will be received. If the issue is short term, it will be relayed right back to the organization and their staff. If it is long term, it will be made into the plan. There is another tool which is touchpad polling. It is an objective to allow the public to cite their preferences as it relates to performance measures. They manage the project and have had a good reputation for some time.

Task Two is a summary of almost twenty plans that have been developed recently bring those together so they have a good base of information to move from.

Looking at all modes, they can focus on key corridors. They will also focus on key funding sources. They have been in contact with and have been working with SEMCOG, RCOC and TIA to collect a series of data and right now they are building a model for the area. It is a specific model that focusses in on Novi and a small part of the surrounding environment so they can capture what happens on the roads today in 2015 and forecast what will happen in 2040.

The Corradino Group had an opportunity to work in the Novi area several years ago. The report was finished in 2011. The 'Novi/Wixom Corridor Study' was done for the Michigan Department of Transportation. With the model in place, they can see what is going to happen in the next twenty plus years and it is particularly important as the Land Use Plan gets in place. Once the various roadways have been classified, it will be important because some of the classifications effect state and federal funding.

The plan is not only about roads, it is about pedestrian and bicycle facilities, and just as importantly, transit. How each of those gets improved is a matter of their analysis over the next few months and the preliminary findings will be presented in the late spring. These are some of the factors and measures that will be used if a plan is made and compare it to the base condition of 2015 and tie it to another plan as an alternative: What will it do if we widen the facility? Does it affect someone's private property? Does it touch a park? Does it worsen air quality? Does it make safety better or worse in terms of crash experience?

Both measures will be calculated through the analysis performed. The public will be asked to take each of those factors and give their sense of importance. Those weights of importance will be used in the evaluation. This will allow them to show how their company values safety, air quality, etc. versus how the citizens feel about these factors. You will be able to look at the two different evaluations based on different weights and be able to see whether the company's ranks are in sync with the local community, and if not, why not. At the end of the process of the next four to five months, there will be a series of issues that will be alternatives. These alternatives need to produce something that can make sense and each need to be looked at in terms of a menu of things. They will also look at where the money comes from.

It is important to note that there is a new federal transportation bill, about one week old, for the first time in ten years. It is good for five years and is funded at about 300 billion dollars. Over the last ten years there have been 36 different short termed gap-closing measures, one of them was for 28 days, to fund transportation. The future cannot be looked at in just 28 days. The funding is an important thing for places like Novi. The state, after a long struggle, has come up with a transportation bill. It provides money in increments between now and 2022. It is not like the federal act because it is incremental. Nonetheless, for the first time, both are moving forward with secure funding through legislation, which provides an opportunity combined with the Master Plan for Land Use, to make this Thoroughfare Master Plan timely. Novi can get in front of the parade on a sensible plan that is fundable, march up to see the governor and the DOT secretary, and make some sense out of what has been done and what needs to be done to move forward.

The Corradino Group is going to look at all the components they have spoken about today, and then they will come up with a plan. Not everything is fundable, so they will start with what they think the needs are, and then they will look at what they have and how it will be funded. After, they will program the improvements, with the objective to define what the improvement is, who is responsible, what the money is in terms of building the project out and when. Responsibilities will then be assigned so there is a clear cut path for what needs to be done and when. With that in hand and a realistic set of funding programs, he believes we can put some energy into this Master Plan for the next several years going forward. Staff will be able to review and comment, then they will revise the plan accordingly. Eventually, to make it simple and transparent, they will put together a "bedsheet" plan. It is simple to read, is colorful, has a lot of graphics which will back up a report of a lot of pages and appendices, but there will be something that can be posted in the schools or library, or other public places.

Mr. Corradino thanked the Commission on behalf of their organization to allow them to participate and work with the city. He is happy to answer any questions the Commission may have.

Chair Lynch thanked Mr. Corradino for his presentation.

Member Giacopetti commented on Task Three, which identifies the key corridors, and mentions a few were listed in Mr. Corradino's presentation. He asked if those were the only corridors to be studied?

Mr. Corradino replied 'no', and stated they need to run the model to see which corridors they are doing. Then they put those in a proposal as a means for illustration.

Member Giacopetti asked if the key corridors include a road that may be shared or an intersection that may be in an adjacent community?

Mr. Corradino stated that the model will not end at the border of the City of Novi.

Member Giacopetti commented that he was going to send him a picture of Eight Mile Road and Haggerty everyday as he gets off I-275.

Mr. Corradino asked him to do so and stated that he would be anonymous in Community Remarks. When they receive an uploaded file, they get an email. They can close the loop one way or another.

Member Giacopetti mentioned Task Seven and the facilitation and transit. It is a partial list and the process will play itself out, but the one thing he saw that was missing was ride sharing, or Uber, on how the city could facilitate that as an alternative to Smart Bus or other public transportation.

Mr. Corradino responded that it is on slide seven under the right column, TDM and it says Ride Sharing.

Member Giacopetti thanked him and stated that he did not have any additional questions.

Chair Lynch asked if anyone else had anything to add.

Member Baratta stated he had a questions that followed up on Member Giacopetti's questions, and asked if the Plan included areas for Park and Ride where they could park and pick up another means to travel.

Mr. Corradino stated they finished a Park and Ride Lot Study all over this region for Michigan Department of Transportation.

Member Baratta wanted to confirm what was going to happen, which is that after the model is run, Corradino Group is going to tell the board what needs to be done, when it needs to be done, and how much it is going to cost? Who actually goes out and gets the money?

Brian Coburn stated that it is himself, and the study is used to prioritize the different projects that they have proposed for CIP. It also prioritizes the projects that they are going to submit for grants on. There are several different grant opportunities and they have taken advantage of safety grants a lot recently. The improvements seen at Haggerty Road and Grand River Avenue and at Grand River and Beck Road; one

was safety and one was CMAC. There will be a dual left at Grand River and Beck Road next year going in which is a safety grant. They are on top of those types of things, but the study serves the purpose of prioritizing for them, similar to the Walkable Novi Study, showing what the community wants and what we need to pursue.

Mr. Corradino said that what Mr. Coburn has stated is correct. The model is politics and to the extent that they can build a coalition that involves the board of the Planning Commission, Council and Staff, they can make a very good effort to get the attention needed at the state level.

Chair Lynch stated that this gets them ahead of the game and they are being the most prepared, so if there is a coin toss between us and someone else, we will have a detailed model.

Member Zuchlewski asked staff if this is the same presentation that will be presented at tomorrow's meeting.

Director McBeth stated it will be a similar presentation, but there will be two other aspects to it. This presentation combined with the discussion they are hoping to generate with the community members would be good for the Planning Commission to hear.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

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

ADJOURNMENT

Motion to adjourn by Member Zuchlewski and seconded by Member Anthony:

Motion to adjourn the December 9, 2015 Planning Commission Meeting. Motion carried 5-0.

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

Transcribed by Richelle Leskun

Date Approved: March 23, 2016

Richelle Leskun, Planning Assistant
Signature on File