



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

February 7, 2018 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 Avdoulos, Member Howard, Member Lynch, Chair Pehrson

Absent: Member Anthony (excused), Member Greco (excused)

Also Present: Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Darcy Rechtiem, Staff Engineer; Thomas Schultz, City Attorney; Doug Necci, City Façade Consultant

APPROVAL OF AGENDA

Motion to approve the February 7, 2018 Planning Commission Agenda.
Motion carried 4-0.

CONSENT AGENDA

1. EBERSPAECHER WAREHOUSE INFILL PROJECT JSP17-69

Approval at the request of Eberspaecher North America for Preliminary Site Plan and Storm water Management plan. The subject property is located in section 12, South of Thirteen Mile Road and west of Haggerty Road in Office Service and Technology district. The subject property currently has an approximately 63, 957 square feet building with a courtyard. The applicant is proposing to add 7,702 square feet to fill the courtyard gap. A bay door is being added to the south of the proposed building infill.

In the matter of Eberspaecher Warehouse Infill Project JSP 17-69, motion to approve the Preliminary Site Plan based on and subject to 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 4-0.*

In the matter of Eberspaecher Warehouse Infill Project JSP 17-69, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. OROTEX BUILDING ADDITION JSP17-85

Approval at the request of Orotex for Preliminary Site Plan, Landbank Parking and Storm Water Management plan. The subject property (22475 Venture Drive) contains 5.96 acres and is located in Section 26, on the west side of Venture Drive and north of Nine Mile Road, in the I-1, Light Industrial District. The applicant is proposing a 60,000 square foot addition to the north end of the existing building with associated site improvements.

In the matter of Orotex Building Addition JSP17-85, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **Approval of up to 15 landbank parking spaces (155 required, 142 provided, 15 land banked), due to Planning Commissions finding below, which is hereby granted;**
 - i. **The applicant has demonstrated through substantial evidence that the specified occupant and building use will require less parking than what is required by ordinance;**
 - ii. **Parking will not occur on any street or driveway;**
 - iii. **Parking will not occur on any area not approved and developed for parking;**
 - iv. **Parking will not occur on that area where parking construction has been landbanked until such time as that area is constructed for such parking;**
 - v. **The requested parking landbanking will not create traffic or circulation problems on or off site; and**
 - vi. **The requested parking landbanking will be consistent with the public health, safety, and welfare of the city and the purposes of the Zoning Ordinance.**
- b. **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 4-0.*

PUBLIC HEARINGS

1. VILLAS AT STONEBROOK JSP17-62

Public hearing at the request of Pulte Home of Michigan, LLC for recommendation to the City Council for Concept Plan approval under the Planned Suburban Low Rise Overlay District. The subject property is located on the east side of Wixom Road, north of Eleven Mile Road (Section 17). The applicant is proposing a 43 duplex (86 total units) "age-targeted" ranch style housing units. The subject property is currently zoned I-2, General Industrial with a Planned Suburban Low-Rise Overlay.

In the matter of Villas at Stonebrook JSP17-62, motion to recommend approval of the Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan based on the following findings, City Council deviations, and conditions:

1. **The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community. [The applicant could revise the concept layout and type of housing to better meet the intent of PSLR Ordinance. The site proposes a connection to extensive pathway system within Providence park hospital campus to the east.]**

2. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment. *[The applicant has provided a Traffic Impact Assessment and a Community Impact Statement which indicates minimal impacts on the use of public services, facilities and utilities. The proposed concept plan impacts about 0.56 acres of existing 1.96 acre wetlands and proposes approximately 54 % of regulated tree removals. The plan indicates appropriate mitigation measure on-site and off-site.]*
3. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties. *[The proposed buildings have been buffered by proposed landscape. The applicant provides an access easement on the north side of the proposed entry drive for future connection capability to neighboring properties to eliminate multiple exits onto Wixom Road.]*
4. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of this Article [Article 3.1.27]. *[The proposed development provides fills the gap for active adults housing need, which is the recommended missing middle housing in the City's 2016 Master Plan for Land Use.]*
5. City Council deviations for the following *(as the Concept Plan provides substitute safeguards for each of the regulations and there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District as stated in the planning review letter)*:
 - a. The applicant shall submit building elevations that conform to PSLR Ordinance and Façade regulations for staff's review and approval prior to City Council's consideration of PSLR Concept Plan;
 - b. Deviation to allow a Traffic Impact Assessment in lieu of required Traffic Impact study as the number of estimated trips from this development do not exceed the City's threshold;
 - c. Deviation from Sec. 3.21.2.A.i to allow building to front on an approved private driveway, which does not conform to the City standards with respect to required sixty foot right-of-way, due to the type of development proposed for active senior adult development, and because of the offer to provide an easement for the adjacent property to share access if needed;
 - d. Deviation from Sec. 3.21.2.A.ii & Sec 3.1.27.D to allow modifications to the required front and side setbacks(as indicated on the PSLR Concept plan) due to the type of development proposed for active senior adult development;
 - e. Deviation from Sec. 3.21.2.A.ii & Sec 3.1.27.D to allow reduction of minimum distance between buildings by 5 feet (30 feet required, 25 feet proposed) due to the type of development proposed for active senior adult development;
 - f. Deviation from Sec. 3.21.2.A.v to allow reduction of minimum percentage of active recreation areas (50% of open spaces required, approximately 27%

provided) as the development proposes connection to Providence hospital tail system;

- g. Deviation from Sec. 3.21.2.A.x to defer the submittal of Lighting and Photometric plan at the time of Preliminary Site Plan Submittal as the applicant intends to conform to the Zoning Code requirements;
 - h. Deviation from Sec. 3.21.2.B to allow full time access drives to be connected to a section-line road as opposed to a non-section line roads as the applicant is proposing to provide access and utility easement to neighboring properties to eliminate multiple curb cuts on Wixom Road;
 - i. The applicant shall work with City's Landscape Architect to revise the landscape plan to conform with the requirements of the Landscape Ordinance;
 - j. Deviation from Sec. 5.5.3.F.ii.b.(1) to allow additional sub-canopy trees in lieu of deciduous canopy or large evergreen trees provided the applicant limits the percentage of proposed sub-canopy trees within 25 percent of total required canopy trees, as it will provide additional visual and species diversity to the site;
 - k. Deviation from Sec. 3.21.2.A.iii and Sec. 5.5.3 to allow absence of required landscaped berm along Wixom Road frontage due to limited frontage and flag shaped lot;
 - l. Deviation from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet interval along the property boundary to provide connection to the adjacent property boundary, due to conflict with existing wetlands;
 - m. Deviation from Chapter 7(c) (1) of Engineering Design manual for reducing the distance between the sidewalk and back of the curb. A minimum of 7.5 feet can be supported by staff;
 - n. Deviation from Section 11-216 (Figure IX.5) of City's Code of Ordinances for reduction of residential driveway taper depth (10 feet required, 7.5 feet proposed) due to proximity of proposed sidewalk within the development.
 - o. Deviation from Section 11-216 (Figure IX.2) of City's Code of Ordinances for allowing increase in the length of divided driveway island (35 feet required, 100 feet proposed) as it is within the allowable range;
6. 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 Preliminary 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 3-1 (Avdoulos).*

2. ZONING ORDINANCE TEXT AMENDMENT 18.286

Public Hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts,

Section 3.1.10, B-1, Local Business District, in order to allow restaurant uses in the Local Business Zoning District.

Motion to postpone making a recommendation for Zoning Ordinance Text Amendment. *Motion passed 4-0.*

3. NOVI SENIOR COMMUNITY PROJECT JSP17-66

Public hearing at the request of CA Senior Living Holdings, LLC for Preliminary Site Plan, Wetland Permit, Woodland Permit, and Storm water Management plan approval. The subject property is currently zoned OS-1 (office service) and RA (residential acreage) and is governed by the William R. Eldridge v City of Novi Consent Judgment. The subject property is approximately 9.72 acres and is located on the north side of Twelve Mile Road, between Novi Road and Meadowbrook Road (Section 11). The applicant is proposing to build a senior living care facility that houses about 78 assisted living units and 105 beds for congregate care all under one roof with associated site improvements such as parking, loading and landscaping. The site plan also includes an exclusive access drive to the adjacent cemetery.

In the matter of Novi Senior Community Project JSP 17-66, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Landscape waiver from Sec 5.5.3.C.iv) to allow evergreen trees in lieu of required canopy trees for parking lot perimeter trees along the western edge of the access drive because maintaining the cemetery access drive will benefit the cemetery but reduce the area remaining for the required landscaping, and the screening provided by the arborvitaes will be a benefit to all. , which is hereby granted;
- b. Landscape waiver to not provide the required perimeter canopy trees along the cemetery access drive due to a lack of room for the required trees.
- c. The applicant shall revise the landscape and utility plan at the time of Final Site Plan submittal, to be reviewed and approved by City's Landscape Architect and City's Staff Engineer in order to eliminate the existing conflict between the proposed Sanitary Sewer easement and proposed Evergreen screening between the west access road and the along cemetery access drive;
- d. The applicant shall increase the width of the cemetery access drive to 20 feet at the time of Final Site plan submittal;
- e. City Council variance from Sec. 11-216 (c) (8) of Novi City Code for absence of a right turn taper lane along Twelve Mile Road;
- f. A Zoning Board of Appeals variance from Section 4.19.2.F for allowing the dumpster in the side yard instead of the required rear yard;
- g. A Zoning Board of Appeals variance from Section 4.19.2.F for allowing the dumpster in the side yard instead of the required rear yard;
- h. A Zoning Board of Appeals variance from Section 5.4.1. for allowing the loading area in the side yard instead of the required rear yard;
- i. 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 4-0.*

In the matter of Novi Senior Community Project JSP 17-66, 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 4-0.*

In the matter of Novi Senior Community Project JSP 17-66, 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 4-0.*

In the matter of Novi Senior Community Project JSP 17-66, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

4. EMERSON PARK JSP17-10

Public hearing at the request of Pulte Homes, LLC for Planning Commission approval of the Preliminary Site Plan with Wetland Permit, Woodland Permit, and Stormwater Management Plan. The subject property is currently zoned RM-2 (High-Density Multi-Family Residential) with a Planned Rezoning Overlay Agreement associated. The subject property is approximately 24-acre and is located on the west side of Novi Road and north of Ten Mile Road in Section 22. The applicant is proposing a development of 120-unit multi-family attached condominiums with frontage and access to Novi Road.

In the matter of Emerson Park JSP17-10, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Approval is subject to the City Council's final approval of the associated rezoning with Planned Rezoning Overlay and Agreement at the February 5, 2018 City Council meeting;
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters, as well as all of the terms and conditions of the PRO Agreement as approved, with these items 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 4-0.*

In the matter of Emerson Park JSP17-10, 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 passed 4-0.*

In the matter of Emerson Park JSP17-10, 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 4-0.*

In the matter of Emerson Park JSP17-10, 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 4-0.*

MATTERS FOR CONSIDERATION

1. SIDDIQUI ORTHODONTICS JSP17-80

Consideration at the request of Siddiqui Orthodontics for Preliminary Site Plan and Storm Water Management plan approval. The subject property contains 1.33 acres and is located in section 17, on the east side of Wixom Road and south of Grand River Avenue, in the Novi Promenade Shopping Center. The shopping center is subject to a Consent Judgement which directs the B-3 General Business standards be used to evaluate development of the outlots. The applicant is proposing to construct a single story 2,696 square foot addition to the rear of the former Huntington Bank building.

In the matter of Siddiqui Orthodontics JSP17-80, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. A Zoning Board of Appeals variance from Section 5.4 for absence of a designated loading zone;
- b. Landscape waiver from Section 5.5.3.B.ii and iii for the existing berm adjacent to the public Right-of-Way which is 1 to 2 feet shorter than required with the reasoning that all existing trees and plantings would need to be removed in order to increase the height, which is hereby granted;
- c. Landscape waiver from Section 5.5.3.D for deficiency of 260 square feet of the required the 2,400 square feet of foundation plantings because the project has a net increase in foundation plantings, which is hereby granted;
- d. 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 4-0.*

In the matter of Siddiqui Orthodontics JSP17-80, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. INTRODUCE AMENDMENT TO WOODLAND TREE REPLACEMENT CHART

Set public hearing for consideration of City Code Amendment in order to amend the City of Novi at Chapter 37, Woodland Protection Ordinance in order to modify the list of trees provided in the woodland replacement chart, and to set a maximum for credits received in the use of native seed mixes.

Motion to set a public hearing for Amendment to Woodland Tree Replacement Chart.
Motion passed 4-0.

3. **APPROVAL OF THE JANUARY 10, 2018 PLANNING COMMISSION MEETING MINUTES**

Motion to approve the January 10, 2018 Planning Commission Meeting Minutes. *Motion passed 4-0.*

ADJOURNMENT

The meeting was adjourned at 8:44 PM.

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