



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

March 23, 2016 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 p.m.

ROLL CALL

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

Absent: Member Anthony, Member Giacobetti, Member Zuchlewski

Also Present: Barbara McBeth, Community Development Deputy Director; Kirsten Mellem, Planner; Rick Meader, Landscape Architect; Jeremy Miller, Engineer; Dave Gillam, City Attorney; Pete Hill, ECT ; Maureen Peters, AECOM

PUBLIC HEARINGS

1. MONTEBELLO ESTATES JSP 15-76

Public hearing at the request of Mirage Development for Planning Commission's approval of Preliminary Site Plan, Woodlands Permit, Wetlands Permit and Stormwater Management Plan. The subject property is currently zoned R-3, One-Family Residential and is located in Section 27, west of Novi Road and north of Nine Mile Road. The applicant is proposing a 32 unit single-family detached residential development on a 26.94 acre property.

In the matter of Montebello Estates, JSP 15-76, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. A Landscape waiver to permit the absence of required berm and greenbelt plantings along Nine Mile Road (for 1139 feet of total 1379 feet frontage) as listed in Section 5.5.3.B.ii and iii (32 canopy trees and 57 sub canopy trees required; 0 provided) due to existing natural vegetation and terrain to be preserved, which is hereby granted;
- b. A Landscape waiver to permit the absence of the required berm and some of the required greenbelt planting along Cottisford Road as listed in Section 5.5.3.B.ii and iii (14 sub canopy trees required; 0 provided) due to existing natural vegetation and terrain to be preserved, which is hereby granted;
- c. A Landscape waiver to permit a decorative wall west of the proposed Montebello Court entrance instead of the required berm and to permit the absence of the required berm east of the entrance in order to preserve the attractive natural terrain with dense regulated woodland along the Public Right of Way frontage for Nine Mile Road as required in Section 5.5.3.B.ii and iii. , which is hereby granted;
- d. A Landscape waiver to permit the absence of the required Right of Way trees along Nine Mile Road (39 required, 3 provided) as listed in Section 5.5.3.E.i.c due to existing natural vegetation to be preserved and conflict with the required clear vision triangle, which is hereby granted;
- e. Applicant to work with the Novi Township to meet their street tree requirements along Cottisford Road;
- f. Applicant must resolve floodplain encroachment on lots prior to final site plan approval;
- g. City Council variance from Section 11-68(a)(1) of Novi City Code for absence of the water main along the entire Nine Mile Road frontage in order to preserve the existing vegetation;
- h. City Council variance from Section 11-256(b) of Novi City Code for absence of the sidewalk along the entire Nine Mile Road frontage provided that:
 - a. The meandering path meets City standards in all sections, or is modified to meet the minimum required City standards,

- b. The orientation of the pathway is modified so that the pavement does not meet Nine Mile Road at a perpendicular angle;
- c. Payment is made by the applicant in an equivalent amount to extend the required sidewalk to the east property line, or the sidewalk is to be constructed to the east property line;
- i. The applicant is to repair, replace or remove the existing perimeter fence, per the comments at the public hearing;
- j. 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.*

In the matter of Montebello Estates, JSP 15-76, 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 Montebello Estates, JSP 15-76, motion to approve the Woodland Permit subject to the condition that the City Council grants the requested variances for the proposed deviations from the requirements for the location of the sidewalk and water main, as expressed in the Preliminary Site Plan motion. This motion is 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 Montebello Estates, JSP 15-76, 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. MALY DENTAL JSP15-81

Consideration at the request of Giffels Webster for approval of the Preliminary Site Plan, Stormwater Management Plan, and Section 9 Façade Waiver. The subject property is located in Section 26, south of Ten Mile Road and east of Novi Road, in OS-1: Office Service District. The site is approximately 1.18 acres and the applicant is proposing to construct a dental office consisting of 4,950 sq. ft. and a parking lot of 40 spaces.

In the matter of Maly Dental, JSP15-81, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Zoning Board of Appeals variance is required to permit a loading zone in the side yard;
- b. Zoning Board of Appeals variances are required to permit a dumpster and dumpster enclosure in the side yard;
- c. A landscape waiver for not providing a berm between the sidewalk and the parking lot and to provide a hedge instead because the site is two feet below the site, which is hereby granted;
- d. 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.*

In the matter of Maly Dental, JSP15-81, 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.*

In the matter of Maly Dental, JSP15-81, motion to approve the Section 9 Façade Waiver, based on and subject to the following:

- a. To allow the overage of asphalt shingles (25% allowed; 50%, 59%, 52%, and 58% proposed) because the proposed design will mitigate the expanse of asphalt shingles, which is hereby granted;
- b. To allow the underage of stone or brick (30% minimum allowed; 18%, 25%, and 20% proposed) because the percentage of stone is consistent with the window sill line and increasing the percentage would not add to the aesthetic quality of the design, which is hereby granted;
- c. The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. APPROVAL OF THE DECEMBER 9, 2015 PLANNING COMMISSION MINUTES

Motion to approve the December 9, 2015 Planning Commission minutes. *Motion carried 4-0.*

3. APPROVAL OF THE FEBRUARY 24, 2016 PLANNING COMMISSION MINUTES

Motion to approve the February 24, 2016 Planning Commission minutes. *Motion carried 4-0.*

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Please note: Actual language of motions is subject to review.