



PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting

October 16, 2024 7:00 PM

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

CALL TO ORDER

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

ROLL CALL

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

Absent Excused: Member Dismondy

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Dan Commer, Planner; Humna Anjum, Plan Review Engineer; Ben Nelson, Plan Review Engineer; Rick Meader, Landscape Architect

PLEDGE OF ALLEGIANCE

Member Becker led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Becker to approve the October 16, 2024 Planning Commission Agenda.

VOICE VOTE ON MOTION TO APPROVE THE OCTOBER 16, 2024 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER. Motion carried 6-0.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing no one, Chair Pehrson closed the first public audience participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were no Committee reports.

CITY PLANNER REPORT

There was no City Planner Report.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were no Consent Agenda Removals and Approvals.

PUBLIC HEARINGS

1. 22615 NOVI ROAD WOODLAND PERMIT PBR24-0106

Public hearing at the request of Anywhere Lombardo LLC, for a Woodland Use Permit for 22615

Novi Road. The site is located west of Novi Road, and north of Nine Mile Road in Section 27 of the city. The applicant is requesting the removal of 40 regulated woodland trees to build a single-family home.

Planner Dan Commer stated the site is located west of Novi Road, and north of Nine Mile Road, is zoned R-4, and has a single-family future land use.

The City's Woodland Consultant reviewed the request and prepared a review letter dated 9/20/24. The review letter states that the applicant is proposing to remove 40 regulated woodland trees from a section of City Regulated Woodland ranging in size from 8 to 29 inches DBH. These removals require 60 Woodland Replacement Credits. The consultant's letter provides a detailed count and explanation of the required replacements. The proposed removals are not located within any recorded conservation or preservation easements that abut or encroach onto the property. The applicant has indicated they plan on replanting 7 qualifying replacement trees on-site and remitting payment into the City of Novi Tree Fund for any outstanding Woodland Replacement Credits.

Staff suggest that the Planning Commission approve the Woodland Use Permit. A suggested motion is provided in the memo. The applicant is here to tonight to answer any questions. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Cosimo Lombardo with Anywhere Lombardo stated that the sites have a lot of topography in general. The homes will have walkout basements. A detention basin was built to manage storm water as well as several retaining walls. The best effort was made to save trees, as it costs money to clear as well as to pay into the tree fund. However, to get a house on these home sites with a significant amount of topography, along with City requirements to manage storm water, means the plan requires tree removal. A reasonable number of trees are being replaced to allow yard space for the homeowner. These comments apply to all three home sites being considered this evening.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium.

Terry Miglio, 43461 Cottisford, stated that these four pieces of property near his home, of which three are being developed, have been a long-time wooded area. It's a wildlife preserve. Mr. Miglio has reviewed the packets that staff put together and understands the Woodland Ordinance allows trees to be replanted or payment made into the tree fund. Paying in to the fund doesn't take care of changing the entire nature of these three lots.

Sixty trees are being proposed for removal, with only 8 to be replanted. None of the replacement trees are going into an area around the house. People who buy this particular property are looking to buy into a wooded lot because that is what the lots have been.

From Mr. Miglio's perspective, this is a ton of trees to remove with very few to be replaced. This is overkill; it is understood that the Woodland Ordinance allows the developer to pay money into the tree fund and get away with this, but this piece of property is an important piece of property in that area. It's unique. It's been there a long time. It's preserved for wildlife and despite the fact that money can be paid into the woodland fund, doesn't change the nature of that in Mr. Miglio's mind. It is overreach and takes away more trees than are necessary to build a house.

Tina Mahlmeister, 43421 Cottisford, stated she can cite numerous reasons why older established trees are important not only to the environment but also to the land. To replace the existing trees there will take anywhere from five to forty years for a new tree to reach maturity for it to work for the carbon taking to clean the air and cool things down. Ms. Mahlmeister's house is the first house on the left, and her lot is treed, rarely does she need to use air conditioning for that reason.

Ms. Mahlmeister has read Novi values its natural resources, including its forests and large trees. This is in the

Woodland Ordinance. She does not understand why every single lot in Novi must have a house on it. This wooded area has been here for decades. Regulated woodlands are forests that are deemed to have important ecological value.

Ms. Mahlmeister stated the speed limit on Novi Road is 45 MPH and questioned whether the speed limit would be changed with three new homes being built here.

Linda Dancer, 43440 Cottisford, stated she lives in the first home on the right and purchased her home three years ago for the woods behind her and next to her. She received the notice regarding the trees being taken down on the three lots adjacent to her home and noted that there is another vacant lot next to her which also recently sold. There are 103 trees being taken down for the three lots on Novi Road, how many trees will come down for the lot next to her home? If this does occur, Ms. Dancer's home will be going on the market, and she will probably sell it to the builder.

Tom Schrems, 43500 Cottisford, stated his home is to the west of the vacant lot on Cottisford that was just referenced. His concern with removing all the trees is that it is going to remove a substantial amount of cover between his home and Novi Road, which makes the area less private. The neighborhood has a lot of quaintness, and a lot of privacy. Removing all these trees will change the nature of this. Recently the condominiums across Novi Road were constructed and trees were cleared. It grossly changed the view of the area and now that view will be accessible from Mr. Schrems home because there will be fewer trees blocking it. Mr. Schrems inquired what would stop the new homeowners from removing the new trees since they will be less than 8 inches at breast height.

Seeing no one else, Chair Pehrson requested Member Lynch read the correspondence received on the matter. There was one objection received from Randy Blackman, 43479 McLean Court.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch stated that the difficulty is in balancing property owner's rights, just like the existing homeowners have rights, and being governed by the Ordinances within the City. Member Lynch's understanding is the proposal is within the standards of the Ordinance. He also understands how long it takes for mature growth and how important trees are to Novi.

Each property owner has a right to develop their property. What the applicant is proposing is within the Woodland Ordinance and within the Zoning Ordinance. He hopes that the developer is judicious in leaving as many trees as possible and is cognizant of the adjacent neighbors.

Member Becker stated that for decades the future land use map has had these properties along Novi Road designed as R-4 single family residential. That has not changed, it was always the possibility if these parcels were developed. It would seem indefensible for the City to say that the property is designated as residential, but no trees can be cut down by the developer to build a home. Similarly, it would have been indefensible to say to the developers of the Cottisford area or Mystic Forest area that they could build homes but cannot cut down any trees.

The development fits the Zoning Ordinance, and we have a way to remediate trees being removed with the tree fund. As Member Lynch stated, Member Becker hopes that the developer and new homeowner will work as best they can to minimize the number of trees taken down. The City will do its part to use the tree fund money to replace the trees within the City of Novi.

Member Verma inquired whether the City will replant trees on Novi Road. Landscape Architect Rick Meader responded that the builder will replant trees on the lot. The City will take the money paid into the tree fund and plant elsewhere, like in parks or along streets. If any trees are replaced along Novi Road they will be planted by the builder.

Member Roney stated it's difficult to add anything further than what his fellow Commissioners have already addressed. Nobody likes to see trees cut down, but it is within the Ordinance and the property

owner has the right to build on the lot.

Member Avdoulos stated that most of his concerns have been addressed by his fellow Commissioners. He agrees that it is hard to see trees cut down, but the property owner has the right to develop their property and make space for a home, which unfortunately means removing trees to make it work.

Motion to approve Woodland Use Permit PBR24-0106 for the removal of 40 regulated woodland trees at 22615 Novi Road made by Member Avdoulos and seconded by Member Becker.

Motion to approve Woodland Use Permit, PBR24-0106, for the removal of forty (40) regulated woodland trees within an area mapped as City Regulated Woodland at 22615 Novi Road to build a single-family home. The approval is subject to on-site planting to the extent possible of sixty (60) required woodland replacement credits. If necessary, any outstanding credits may be paid into the City's Tree Fund. In addition, any other conditions as listed in the Woodland Consultant's review letter shall be addressed.

ROLL CALL VOTE ON MOTION TO APPROVE WOODLAND USE PERMIT PBR24-0106 FOR THE REMOVAL OF 40 REGULATED WOODLAND TREES AT 22615 NOVI ROAD MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER BECKER. Motion carried 6-0.

2. 22649 NOVI ROAD WOODLAND PERMIT PBR24-0093

Public hearing at the request of Anywhere Lombardo LLC, for a Woodland Use Permit for 22649 Novi Road. The site is located west of Novi Road, and north of Nine Mile Road in Section 27 of the city. The applicant is requesting the removal of 40 regulated woodland trees to build a single-family home.

Planner Commer stated the site is located west of Novi Road, and north of Nine Mile Road, is zoned R-4, and has a single-family future land use.

The City's Woodland Consultant reviewed the request and prepared a review letter dated 4/1/24. The review letter states that the applicant is proposing to remove 40 regulated woodland trees from a section of City Regulated Woodlands ranging in size from 8 to 29 inches DBH. These removals require 59 Woodland Replacement Credits. The consultant's letter provides a detailed count and explanation of the required replacements. The proposed removals are not located within any recorded conservation or preservation easements that abut or encroach onto the property. The applicant has indicated they plan on replanting 9 qualifying replacement trees on-site and remitting payment into the City of Novi Tree Fund for any outstanding Woodland Replacement Credits.

Staff suggest that the Planning Commission approve the Woodland Use Permit. A suggested motion is provided in the memo. The applicant is here tonight and is available to answer any questions. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission. The applicant declined to provide additional comments. Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium.

Terry Miglio, 43461 Cottisford, stated the Planning Commission will hear from him on all three woodland permits. He is a lawyer and has read the ordinance. He does not agree that just because it falls within the Woodlands permit that the Planning Commission must grant it. The question is whether or not it is granted as requested, which includes trees are replaced or money is paid into the tree fund, otherwise we wouldn't be looking at all these documents in the packet to see whether it is appropriate.

Mr. Miglio does not dispute Lombardo's ability to develop this lot as a single-family dwelling. The question is whether they can do a better job putting the trees back they are taking out and whether they can be a good neighbor for the people who live around this lot. Forty trees will be gone and only replacing 9 is arbitrary and capricious. The Planning Commission has the ability to say no. Mr. Miglio does not agree that just because it falls within the Ordinance that the Commission has to approve it. That is not what the law

says and that is not what the Commissioners are sitting here to do. He thinks the Commissioners should look at where these trees are being replanted and whether this is applicable for the area and for what the Woodlands permit is about in Novi.

Maria Schrems, 43500 Cottisford, stated her property is to the west of these three lots. These existing trees, besides providing privacy, also provide a noise buffer from Novi Road. Replacing such few trees will severely impact the existing homeowners. There will be a lot more traffic noise coming into her neighborhood because of this. Ms. Schrems wonders if the builder would consider replacing more trees or replacing some of the trees with evergreen trees that would absorb noise year-round. When Ms. Schrems purchased her home, she did so knowing this was regulated woodland. She does not know what that means if someone can just come in and take out as many trees as they wish and replace them with trees somewhere else. Her property is in the regulated area, if she wanted to do anything in her yard, she would have to get permission. It makes no sense to have more restrictions on a homeowner than on a developer.

Seeing no one else, Chair Pehrson requested Member Lynch read the correspondence received on the matter. There was one objection received from Jodi and Randy Blackman, 43479 McLean Court.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch stated his comments have not changed. He thinks the developer is getting some pretty good feedback. He asks that the developer to take these comments to heart and be judicious when the land is cleared and redeveloped.

Member Becker clarified regulated means that a person must come to the Planning Commission to request permission to remove regulated trees and there is in fact a consequence of that - to either be replanted on site or to pay money into the tree fund. Regulated does not mean sacred, rather that there are regulations regarding trees and what you can and can't do with them.

Member Verma had no further comment.

Member Roney had no further comment.

Member Avdoulos stated in reference to the comment regarding the speed limit on Novi Road, that is not something being looked at tonight, but is something that should be taken into account as speed limits are developed or reviewed on certain roads.

Motion to approve Woodland Use Permit PBR24-0093 for the removal of 40 regulated woodland trees at 22649 Novi Road made by Member Avdoulos and seconded by Member Lynch.

Motion to approve Woodland Use Permit, PBR24-0093, for the removal of forty (40) regulated woodland trees within an area mapped as City Regulated Woodland at 22649 Novi Road to build a single-family home. The approval is subject to on-site planting to the extent possible of fifty-nine (59) required woodland replacement credits. If necessary, any outstanding credits may be paid into the City's Tree Fund. In addition, any other conditions as listed in the Woodland Consultant's review letter shall be addressed.

ROLL CALL VOTE ON MOTION TO APPROVE WOODLAND USE PERMIT PBR24-0093 FOR THE REMOVAL OF 40 REGULATED WOODLAND TREES AT 22649 NOVI ROAD MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. *Motion carried 6-0.*

3. 22683 NOVI ROAD WOODLAND PERMIT PBR24-0095

Public hearing at the request of Anywhere Lombardo LLC, for a Woodland Use Permit for 22683 Novi Road. The site is located west of Novi Road, and north of Nine Mile Road in Section 27 of the

city. The applicant is requesting the removal of 23 regulated woodland trees to build a single-family home.

Planner Commer stated the site is located west of Novi Road, and north of Nine Mile Road, is zoned R-4, and has a single-family future land use.

The City's Woodland Consultant reviewed the request and prepared a review letter dated 4/1/24. The review letter states that the applicant is proposing to remove 23 regulated woodland trees from a section of City Regulated Woodlands ranging in size from 8 to 29 inches DBH. These removals require 43 Woodland Replacement Credits. The consultant's letter provides a detailed count and explanation of the required replacements. The proposed removals are not located within any recorded conservation or preservation easements that abut or encroach onto the property. The applicant has indicated they plan on replanting 5 qualifying replacement trees on-site and remitting payment into the City of Novi Tree Fund for any outstanding Woodland Replacement Credits.

Staff suggests that the Planning Commission approve the Woodland Use Permit. A suggested motion is provided in the memo. The applicant is here to tonight and is available to answer any questions. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission. The applicant declined to provide additional comments. Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium.

Terry Miglio, 43461 Cottisford, stated adding up the trees being removed on these three lots amounts to over 100 trees, with 22 being replanted on the lots. He is not stating that the developer should not be able to remove trees, rather that in looking at the report, the trees being removed don't have to be removed. This is a woodlands area, what the Planning Commission should be doing is looking at whether the removal of these trees is necessary. The tree fund is not helping the homeowners here. The Planning Commission has the ability to look at these reports, otherwise they would not be prepared for review, and decide as to whether the removal of trees that don't fall into the building area is necessary. Mr. Miglio asks that the Planning Commission deny the request or at least send it back. He appreciates the Commissioner requesting the builder listen to the surrounding homeowners, but he has no doubt they won't take the comments to heart.

Andrew Mutch, 24740 Taft Road, stated he would like to echo a couple of comments from the previous resident who spoke about the Planning Commission's role in these reviews. The thing that bothers Mr. Mutch after listening to the Commissioner's discussion is that there seems to be absolutely no effort to look at each parcel individually and ask whether the number of trees being removed is warranted. For example, on the previous parcel all 40 regulated trees are being removed, and only a handful are being replaced. Why does a lot, even in R-4, need to be clear cut to this degree?

There are elements of these requests that are outside the boundaries of the Planning Commission's ability to approve. For example, there are trees that are proposed to be removed that are in the county right of way, outside this property owner's boundary. How can he ask to remove trees on property that he does not own? That has been approved in several cases here.

In terms of review standards, the Ordinance is very clear. There are elements that the Woodland Consultant's report should have provided that were not included, such as calling out specimen trees that were proposed to be removed. There is no reference to the quality of the woodlands or the benefits of these woodlands. Residents have shared that, but you won't find it in the Woodland Consultant report. It is part of the criteria to be evaluated when these requests are considered. In all three cases, approving these at this time is premature. Two requests have already been approved, the third is probably the least objectionable. Mr. Mutch asks that the removal requests be considered in terms of whether they are truly necessary.

In regard to Member Lynch's comments, it is not the job of the Planning Commission to beg and plead or

play nice with the applicant to do the right thing, rather it is to state the right thing to do, state the guidelines and standards to enforce, and then make a motion to do that.

Seeing no one else, Chair Pehrson requested Member Lynch read the correspondence received on the matter. There were two objections received, one from Randy Blackman, 43479 McLean Court, and one from Phillip Galecki, 43515 McLean Court.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch stated his comments have not changed.

Member Becker had no further comment.

Member Verma had no further comment.

Member Roney had no further comment.

Member Avdoulos stated that in looking at the information shown for each of the plans in the packet the footprint of the residence, the drive, and the area of landscaping is basically 50 percent of the lot, so at least 50 percent of the lot must be cleared in order to build the home. A lot of the trees must be removed to excavate, to build the house, and create landscaping. The Commissioners review all this information and consider many factors. A tree list has been provided which identifies whether trees are good or need to be removed. The Commissioners do have the information at hand to seriously take a look at each one of the properties.

Motion to approve Woodland Use Permit PBR24-0095 for the removal of 23 regulated woodland trees at 22683 Novi Road made by Member Avdoulos and seconded by Member Lynch.

Motion to approve Woodland Use Permit, PBR24-0095, for the removal of twenty-three (23) regulated woodland trees within an area mapped as City Regulated Woodland at 22683 Novi Road to build a single-family home. The approval is subject to on-site planting to the extent possible of forty-three (43) required woodland replacement credits. If necessary, any outstanding credits may be paid into the City's Tree Fund. In addition, any other conditions in the Woodland Consultant's review letter shall be addressed.

ROLL CALL VOTE ON MOTION TO APPROVE WOODLAND USE PERMIT PBR24-0095 FOR THE REMOVAL OF 23 REGULATED WOODLAND TREES AT 22683 NOVI ROAD MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.

4. CITY WEST ZONING MAP AMENDMENT 18.747

Public hearing and Planning Commission's recommendation to City Council regarding the staff-initiated request to rezone property in Section 16, located east of Beck Road, west of Taft Road on the south side of Grand River Avenue from Office Service, Residential Acreage, and Light Industrial to City West. The subject properties total approximately 106.76 acres.

Senior Planner Lindsay Bell stated City staff previously initiated the rezoning of the 250-acre area between Beck Road and Taft Road, both north and south of Grand River Avenue. The subject properties north of Grand River Avenue were successfully rezoned by City Council on May 20, 2024, but the area south of Grand River Avenue was not rezoned at that time.

Based on a request from Mayor Fischer, staff were asked to bring back for reconsideration the southern area, which totals approximately 107 acres. The subject area is proposed to be zoned CW - City West, a new district that was recommended in the 2016 Master Plan Update and adopted by City Council in May. As indicated on the map, some of the parcels to be rezoned are currently developed with Light Industrial uses and office buildings. Staff is requesting the rezoning to bring all parcels within a single zoning district

consistent with the Master Plan recommendation to create a cohesive, walkable, mixed-use district.

The adopted City West Zoning Ordinance and Design Guide (included in the Planning Commission packet and available online) would not need to be amended; the Council's approval of the CW ordinance left open the possibility that the south side of Grand River could be rezoned in the future. The southeast corner of Grand River Avenue and Beck Road is excluded from the request, as the property owner had previously requested that the existing B-3, General Business zoning be maintained. Otherwise, the suggested area for rezoning is the area fronting on the south of Grand River between Beck Road and Taft Road.

The north side of Grand River is now zoned City West. The Suburban Center Showplace is also covered by the Exposition Overlay district. The area to the south of Grand River is primarily zoned I-1 Light Industrial, except for the area that abuts Beck Road, which is zoned for RA Residential Acreage and OS-1 Office Service.

The area to the south is primarily One Family Residential districts, with Central Park Estates zoned Low Rise Multiple Family, and a salon zoned Office Service. East of Taft Road is zoned Light Industrial. West of Beck Road is zoned Office Service Commercial (Ascension Providence Hospital campus).

The 2016 Master Plan Update recommended the creation of a cohesive district that supports long-term vitality and projects a sense of place. City West was described as a dense, walkable, unified district featuring a mix of arts, entertainment, retail, restaurant, hotel, convention/exposition, office and residential uses. While the boundaries for the south side only extended halfway between Beck and Taft, during the process the Implementation Committee recommended the full length of the south side of Grand River be rezoned.

The City's mapping portal shows that there are regulated wetland and woodland areas throughout the subject area. The actual location of any woodlands and wetlands will need to be field verified by applicants with the submittal of any site plan for the parcels. Any proposed impacts to these natural features will be reviewed and discussed during the site plan submittal for any project on the property and follow the typical standards for review and approval according to the City's ordinances, including Wetland and Woodland permitting. Throughout the City West text, there is an emphasis on protecting the existing natural features woodland and wetlands in the district.

The City West area provides an opportunity to expand the housing choices available for young professionals, empty nesters, and other residents who prioritize a more urban, walkable community, easy access to the highway and destinations within Novi, and entertainment opportunities. Grand River Avenue is a major corridor with greater road capacity than many areas of the city. SMART has recently established bus service along the Grand River corridor through Novi and into Wixom. There are a couple of stops within the City West area, which makes the creation of the district very timely to enable the establishment of transit-oriented development.

City West is also an opportunity to showcase Novi as an area of interest to the thousands of visitors to the Suburban Showplace and Ascension Hospital each year. Visitors to events at the Showplace could take advantage of nearby restaurants, hotels, and shopping without having to get in a car. Similarly greater housing options may appeal to employees of the hospital who could walk or bike to work.

The ordinance includes an optional Mixed-Use Development Option (MDO), which permits a wider range of uses and higher-intensity development to encourage the creation of a dynamic mix of compatible uses. While the MDO provides greater flexibility in parking and landscaping, as well as setbacks and building height to allow a more urban form of development, projects will still be subject to other applicable codes and regulations of the City, including stormwater detention standards, façade, and landscape requirements, as well as lighting and noise ordinances.

Residential uses can be developed under the MDO, either as a stand-alone use under certain circumstances or as part of a mixed-use project. The granting of a Mixed-Use Development Option application requires review and recommendation by the Planning Commission and approval of the City

Council. The MDO process is similar to the approval process for the Planned Development Options, with City Council discretion over deviations.

The adopted Ordinance has a maximum height of 2 stories south of Grand River under the baseline option. For MDO projects, the height limit is increased to 3 stories, or up to 4 stories if bonus height conditions are met and it is further than 300 feet from the residential area to the south. City Council would need to approve the increase in height for each project proposed. Adjacent to single-family residential zones, additional restrictions would control building heights, with a maximum of 35 feet permitted within 200 feet of single-family districts, and a maximum of 45 feet between 200-300 feet of such districts. Within 300 feet of Single-Family buildings are not eligible for bonus height approval.

As with the existing I-1 Zoning, City West requires a minimum building setback of 100 feet from single family residential districts. The parking setback is 75 feet and would be required to be screened with a 5-foot wall or landscaped berm.

Existing standards for screening berms/buffers also apply to new multifamily and commercial buildings when adjacent to a residential use. The presence of regulated natural features will also provide a buffer between the districts.

Development in this district is to be designed to ensure development is cohesive and walkable. Buildings are meant to front on internal street networks rather than Grand River to create a more pedestrian-friendly environment. Shared off-street parking facilities are encouraged, as is structured parking. Development projects are required to provide public plazas and open spaces for gathering. City West is meant to have sidewalks and pathways throughout the district, providing connections to the City's non-motorized network.

Property owners south of Grand River in the City West area, both of vacant land and currently developed property, have expressed an interest in and support of the ordinance amendment. Some property owners have introduced concepts for projects that could align with the intent of the City West ordinance. Current businesses such as Gatsby's, Paradise Park, and Total Sports Novi have found the text amendment appealing due to the flexibility it offers for those businesses moving forward.

Staff recommends approval of the proposed Zoning Map Amendment for the reasons presented. Tonight, the Planning Commission is asked to hold the public hearing and make a recommendation to City Council on the rezoning of property south of Grand River Avenue, as shown in the map, to the City West District. Staff is happy to answer any questions.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium.

Khurram Abbas, 26508 Mandalay Court, stated he is a resident of Asbury Park subdivision and has been a Novi resident for over a decade. He is here to speak on behalf of the Asbury Park HOA Board of Directors. The north side of the subdivision touches what's being termed as the south side of City West. Many Asbury Park and other Novi residents have expressed their concerns, both in person and through letters, with last year's overall City West rezoning proposal for both the north and the south sides with concerns ranging from large unsightly buildings, noise, woodland/woodland eradication, and lack of infrastructure including roads, schools, and general facilities to handle more dense residential housing in this area.

The Planning Commission at the time still decided to unanimously recommend the rezoning for approval to the City Council. However, the City Council at that time was more receptive to residents' concerns and only passed the rezoning pertaining to the north side of City West, with the possibility of reconsidering the south side later. Mr. Abbas recently found out that the mayor requested the Planning Commission to consider the south side at this time. He fails to understand why it was not addressed at one time, and why did they need to wait four months, it kind of breaks up the momentum.

At the time of the City Council meeting, City staff had made some changes to the ordinance steps to provide more protection to the south side for the residents. Mr. Abbas believes staff just mentioned the

parking set back was increased to 75 feet. He appreciates staff working with residents and addressing concerns. There has been a lot of engagement and good interactions with the City Council on this, but we will definitely request that the parking setback be increased to 100 feet.

This seems like a project that has had a lot of consideration, and a lot of input from folks. The residents certainly don't like it, but based on what happened on the north side, this is probably going to happen, Mr. Abbas would appreciate it if the City staff, City Council, and Planning Commission continue to work with residents and make sure that the residents on the south are given a little more protection than what's being offered in this plan today.

James Frankfurth stated he owns the property at 46401 Grand River, 46409 Grand River, and 46411 Grand River. When he received the public hearing notice about the rezoning, he had to think about it for a while. He is in favor because he knows the City has wanted to develop more of a downtown area, primarily the shopping center area on the corner of Novi Road and Grand River. Having business there, he has watched the foot traffic improve over the years, there are more and more bicycles, more and more walkers, and people walking dogs.

Mr. Frankfurth has tried to keep the lawn mowed around there every couple of weeks and he sees deer there all the time. There is designated wetland on the property to the east of his though he is not highly impacted by the wetland area.

Mr. Frankfurt would welcome the City to go ahead and link the west side of the town to the downtown area near Novi Road and Grand River. The SMART buses are running up and down that corridor, and there are young professional people at the medical centers and the hospital. If there are townhouses, condominiums, or apartment buildings along there, that housing is going to be occupied shortly. It's a win, win situation. He has been approached by somebody who wanted to put a five-story hotel on his property. He did not take the offer on the property at the time because he'd rather see residential housing there, along with the business use mix. He thinks the rezoning is long overdue. He has accepted an offer on his property now and it is attached to other adjacent property which may generate property taxes of \$35-50 million.

Seeing no one else, Chair Pehrson requested Member Lynch read the correspondence received on the matter. There were eleven responses received, eight in favor and three opposed.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch recalled his concern from when this was before the Planning Commission prior was the buffer to the residential area. Looking at the buffer, there is a baseline of 100 feet. If a building height goes to 35 feet, the buffer zone is increased to 200 feet, and if a building goes to 45 feet or three stories, the buffer zone increases to 300 feet or the size of a football field. Member Lynch appreciates his comments and the comments of the homeowners being taken into consideration. A recommendation for staff and City Council to consider is to make the 100-foot area a conservation easement. It would not cost anything. If we have to adjust, the conservation easement could be moved.

Member Lynch thinks the area is going to look wonderful. There are still some issues to overcome with traffic and infrastructure (water pressure), but from the City long term strategic standpoint it makes sense. The mixed use is intriguing.

Member Becker stated that almost the entire part of the City West subject property has been zoned I-1 Light Industrial, which means any of the properties there could have been zoned into an industrial type of development. He likes the fact that at some point down the road this will get rid of the random helter skelter look of the various buildings and unify the area into something that is planned. It will complement the development on the north side of Grand River. It will be a tremendous advantage for Novi to have this image and to have a well-reimagined development on the south side of Grand River rather than having various industrial projects with no common sense to it. Member Becker is in support.

Member Verma inquired whether there will be only residential permitted or if there will be any hotels permitted on the south side of Grand River. Senior Planner Bell responded that before City Council adopted the City West amendment, they wanted to remove the option to build hotels on the south side of Grand River. No hotels will be permitted on the south side, there are a variety of other mixed uses, such as offices, daycare, financial institutions, retail instruction centers, businesses, schools, along with other uses that could be developed there as well as residential housing. Hotels are permitted to be developed on the north side of Grand River.

Member Roney stated he likes the proposal for rezoning. A lot of great work went into this. It looks like it's a great opportunity for developers to do something really nice in the City. Of course we need to attract them, and by setting up the foundation here, hopefully we will.

Member Avdoulos stated he is in favor of the City West rezoning. He was on the Implementation Committee when City West was introduced; a lot of consideration went into creating some activity for the area. As Member Becker mentioned, it currently is a hodgepodge or random with a lot of different things going on. The City West zoning will allow some cohesiveness in the area. A lot of consideration was put forward related to the residents and the residential area abutting along the south border shared with them related to buffer zones and building height permitted.

Members of the Committee and staff from the City went to visit other cities to see what was going on in those different locations and take a look at the precedent set, so as not to reinvent the wheel but learn from others. This is a great opportunity to allow the existing businesses also to be successful. Member Avdoulos is very proud of the fact that Novi really supports its businesses and its community. If we can get some residential in this area to provide apartment living or condo living that would be great not only for young professionals, but also for empty nesters and for anybody really who wants to be a part of this City.

Motion to recommend approval to City Council to rezone the subject property to City West made by Member Avdoulos and seconded by Member Lynch.

In the matter of Zoning Map Amendment 18.747, motion to recommend approval to City Council to rezone the subject property from OS-1 (Office Service), RA (Residential Acreage), and I-1 (Light Industrial) to CW (City West) for the following reasons:

- a. **The 2016 Master Plan for Land Use recommended the creation and adoption of a new zoning district for this area of the City in order to foster redevelopment of underutilized parcels, and to create a vibrant, walkable, mixed-use district.**
- b. **The Master Plan for Land Use objective to foster a favorable business climate is fulfilled by allowing more flexible development standards for a unique area of the City.**
- c. **The Master Plan for Land Use objective to support and strengthen existing businesses and attract new businesses is fulfilled by allowing existing businesses to expand and creating new development opportunities in a mixed-use setting.**
- d. **The Master Plan for Land Use objective to provide a wide range of housing options is supported as the new district allows residential use in a mixed-use setting.**
- e. **The Master Plan for Land Use objective to develop the City West/Grand River and Beck area in a manner that supports and complements neighboring areas through the use of setback and height restrictions to provide buffers to single family districts.**
- f. **It provides an opportunity for long-standing businesses to remain at their current location.**

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO REZONE THE SUBJECT PROPERTY TO CITY WEST MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.

5. JZ24-32 FELDMAN KIA PRO PLAN WITH REZONING 18.746

Public hearing at the request of Feldman Automotive for initial submittal and eligibility discussion for a Zoning Map Amendment from Non-Center Commercial (NCC) to General Business (B-3) with a Planned Rezoning Overlay. The subject site is approximately 4.88-acres and is located west of Joseph Drive, south of Grand River Avenue (Section 24). The applicant is proposing to develop an automotive dealership with outdoor vehicle inventory, which is not a permitted use in the NCC District.

Senior Planner Bell stated the petitioner is requesting a Planning Rezoning Overlay for two parcels located southwest of the Grand River Avenue and Joseph Drive intersection from NCC (Non-Center Commercial) to B-3 (General Business). The site, located in Section 24, was formerly the location of Glenda's Garden Center for many years, which was a non-conforming use in the NCC District.

In this area of Grand River, there are professional offices, small strip retail centers, sit down restaurants and the US Energy fuel supplier. Single family residential homes are located to the south of the property.

The Non-Center Commercial Zoning District allows uses such as retail business and service uses, professional and medical offices, financial institutions, sit-down restaurants, and instructional centers. Special Land Use permits could also allow low density multi-family or single-family dwellings, day care centers, places of worship, public utility buildings, and veterinary hospitals or clinics. Similar commercial uses are allowed in the B-3 District, as well as more intense uses such as fueling stations, auto washes, vehicle sales, microbrews or brewpubs as permitted uses.

Current zoning of the surrounding area is I-1 Light Industrial to the north, OS-1 Office Service to the west, NCC Non-Center Commercial to the east, and R-4 One Family Residential to the south.

The Future Land Use Map identifies this property and the parcel to the east as Community Commercial. The parcels to the west along Grand River are planned for Community Office. To the north of Grand River is planned for Industrial, Research Development and Technology. To the south is planned for single family residential uses.

There are no regulated natural features on the site.

As shown in the PRO Concept Plan, the applicant proposes to redevelop the approximately 5 acre property for an auto dealership with accessory outside storage of the inventory vehicles. The proposed dealership building would have a footprint of approximately 18,800 square feet with a mezzanine floor for parts storage, and the parking area consists of approximately 300 spaces.

The stormwater management plan consists of underground infiltration, as well as above-ground infiltration trench and basin.

Engineering review found that there are adequate public utilities to serve the parcel, and that the impacts from B-3 uses are expected to be the same as potential NCC uses.

Traffic consultants have reviewed the anticipated traffic generation from the proposed use and found the impacts are expected to be similar compared to what could be developed under the existing zoning. The site plan utilizes the existing curb cuts on Grand River, so no changes are proposed to driveway spacing.

The applicant has submitted public benefits being offered to meet the objective of the benefits to the public, including providing greater building and parking setbacks than the B-3 ordinance requires. The physical benefit proposed is an enhanced sidewalk along their Joseph Drive frontage. This includes a meandering sidewalk with decorative light poles and the construction of three inset areas with benches. Staff feels these are minor in nature and could be achieved under alternative development scenarios. We would encourage the applicant to consider other ways the detriments of the project could be off set with the provision of more significant community enhancements, including looking at recommendations in the Active Mobility Plan or providing a bus shelter at the nearby transit stop.

The applicant's response letter indicates that they will be able to eliminate the need for four for the deviations that staff had identified in our initial review of the project. This includes the biggest issue we had with the project, which was the berm and landscaping along the southern property line where the site is adjacent to existing residential neighborhoods. They state that the existing trees will be removed (most are in poor health), the berm height will be raised, and new landscaping, including a significant number of evergreens, will be planted to provide the necessary screening.

The remaining deviations Identified are listed in the Planning Commission packet and are generally supported by staff given the justifications provided. Additional information will need to be reviewed at the time for Formal PRO plan submittal to confirm.

While many commercial uses could be developed on the site under the current zoning, staff has highlighted some of the detriments of a car dealership adjacent to residential areas, which include noise, lighting, traffic, and security concerns. The City will want to ensure that if this project is approved, those detriments are minimized or mitigated to protect the adjacent neighbors.

The proposal helps fulfill objectives contained in the Master Plan for Land use, as well as other positive outcomes, such as:

1. The objective to support retail commercial uses along established transportation corridors,
2. The B-3 district is consistent with the Master Plan for Land Use designation for Community Commercial.
3. The impacts on traffic and public utilities are expected to be similar to development under the existing zoning.
4. Submittal of a Concept Plan and any resulting PRO Agreement provides assurance to the Planning Commission and the City Council of the manner in which the property will be developed, and can provide benefits that would not be likely to be offered under standard development options.

As detailed in the review letters, there are comments staff will look at closely in the Formal PRO submittal, which include:

1. Whether the buffer proposed along the south property line will be sufficient to provide the desired audio and visual screening to the adjacent residential district to the south.
2. Identifying the deviations requested from the sign ordinance standards,
3. Additional information to determine compliance of the lighting plan,
4. Whether any additional conditions that would provide a benefit to the public will be offered as part of this request.

This initial public hearing is an opportunity for the members of the Planning Commission to hear public comment, and to review and comment on whether the project meets the requirements of eligibility for Planned Rezoning Overlay proposal. Following the Planning Commission public hearing, the project would then go to City Council for its review and comment on the eligibility.

After this initial round of comments by the public bodies, the applicant may choose to make any changes, additions or deletions to the proposal based on the feedback received. The subsequent submittal would then be reviewed by City staff and consultants, and then the project would be scheduled for another public hearing before Planning Commission. Following the second public hearing on the formal PRO Plan the Planning Commission would make a recommendation for approval or denial to City Council.

Tonight, the Planning Commission is asked to hold the public hearing, and to review and comment on the proposed rezoning. Members may offer feedback for the applicant to consider that would be an enhancement to the project and surrounding area, including suggesting site-specific conditions, revisions to the plans or the deviations requested, and other impressions. No motion is needed.

Representing the project tonight are attorney David Landry and dealership owner Steven Saltz and their team.

Chair Pehrson invited the applicant to address the Planning Commission.

David Landry stated he is representing Feldman KIA requesting a rezoning from NCC to B-3 with a PRO to limit the development to a single B-3 use auto dealership. The history of the property is that it was previously used as a long-standing Glenda's Nursery for landscaping.

The existing NCC zoning would permit a 36,000 square foot retail building with significant parking and the building could be significantly closer to the southern border, which has residential. What KIA is proposing

is not a whole lot different, except the building is significantly more to the north than what could be built on an NCC property.

The use is consistent with other uses on Grand River. There are several auto dealerships along Grand River, so this use is certainly not strange to this particular part of the city or Grand River Ave. There are no additional curb cuts that are being proposed.

With respect to the adjacency to the south, there are four residences immediately abutting this property. The existing 4-6 foot berm would be raised to 8 feet to satisfy the Ordinance. Existing dead plantings would be removed, and evergreens would be added on top of the berm to satisfy the ordinance opacity requirements. In addition, there would be a retaining wall on the northern side of the berm, on the KIA property. The building itself would be 188 feet away from any residence to the south. For the residents abutting the southeast corner there is the detention basin.

The economic impact - \$7,000,000 is what this will cost. It would create 175 to 200 construction jobs, and it would create between 40 and 50 permanent jobs at the dealership.

The PRO ordinance requires two things. First, site specific conditions that are more limiting than the proposed zoning ordinance, which would be B-3. The proposed use setbacks are greater, and the use would be limited to auto dealership use. The dealership would not operate on Sunday, an NCC use could operate seven days a week. Hours of operation would be limited and because this is an auto dealership, the transits where the big trucks come and deliver the vehicles would be limited to 8:00 AM to 6:00 PM on weekdays only.

Mr. Landry is interested at this stage of the PRO process what the Planning Commission has to say about the use. It is important to recognize what the planning department has stated about the use in comparison to NCC. They examined whether relative to other feasible uses that would have detrimental impact on existing thoroughfares, and the conclusion was the use is not expected to increase the demand on public services and utilities. Also important is the Master Plan, whether relative to other feasible uses, the proposed site is consistent with the goals, objectives and recommendations of the Master Plan. The conclusion was the Master Plan recommends community commercial uses, which include uses permitted within B-2 or B-3. Finally, whether relative to other feasible uses on the site, will the proposed use promote the use of land in a socially and economically desirable manner. The conclusion is the redevelopment of the site will remove a long standing non-conforming use and improve the site visually from Grand River Ave. The investment in site improvements as well as the jobs created will benefit the area economically.

Five waivers have been requested. That's not for this stage of the analysis, but four have been supported by the administration. The fifth is dealing with signage which is still being addressed and will be resolved.

Public benefit is always an issue with respect to a PRO as there is no specific public benefit mentioned in the Ordinance. It simply must outweigh the detriment. The report from the Planning Department is that this is similar to other uses that could be there. There is much detriment. A meandering sidewalk is being proposed along Joseph Avenue with three specific areas with benches and decorative light poles. Mr. Landry believes that would be a public benefit.

With respect to the public responses in the Planning Commission packet, there was one negative comment from a gentleman who does not reside directly behind the proposed dealership.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium.

Dave Stanley stated he has lived on Joseph Drive for forty years. He has seen the complete evolution of this dead-end cul-de-sac that when Mr. Stanley moved in had corn growing on three sides around the development. Today, it seems to be an expressway between Ten Mile and Grand River when some angry driver gets upset and endangers all our children and grandchildren. Mr. Stanley is ready for the construction to be done.

Another concern is if this new development will create more traffic on Joseph Drive from customers who want a test drive or repairmen who want to test repairs. That's not acceptable to the parents and grandparents that live on the street who feel like it's unnecessarily endangering children. Over the last couple of years especially, there has been zero enforcement of the excessive speed down through what was a dirt road and is now just a chip sealed piece of asphalt. It's not very wide, so drivers are dodging children and other cars as they race up and down it. Anything that causes additional traffic down Joseph is not acceptable.

The berm on the south side of the proposed development has been improved, but the berm along Joseph Drive has been eliminated. There has been a berm surrounding both the residential side and the Joseph Drive side for about the past 20 years. Eliminating that berm along Joseph and moving the pond closer to the road seems to add an element of danger to our children.

Mr. Stanley is essentially not against this use, but another concern is the traffic. If you've tried to go down Joseph and turn on Grand River, particularly during rush hours, it's imperative to use the center lane to wait until traffic is clear and then merge into the traffic stream. More traffic coming in and out on the south side of the road is only going to make it that much harder for us to get out of the subdivision. There are some logistical concerns that Mr. Stanley prays the Planning Commission will consider to allow people to feel as safe as possible in their homes.

Anthony Geers, 24806 Joseph Drive, stated he is not necessarily opposed to the property being developed but is concerned with what may come along with that. If you drive down Grand River from Haggerty to Meadowbrook, where all the car dealerships are, the car haulers off load in the center lane. They don't pull onto the property. That is a concern for residents to turn left onto Grand River off Joseph Drive.

Mr. Geers had five kids in an area without sidewalks. What Mr. Stanley just stated about traffic already being bad coming down Joseph will only increase. Mr. Geers is concerned about the safety of his kids. Mr. Geers is also concerned about the lighting at night since the property abuts a residential area and hearing, "Harry, you have a customer in the showroom" over the loudspeakers. If these issues could be addressed, Mr. Geers would not be opposed to the development.

Seeing no one else, Chair Pehrson requested Member Lynch read the correspondence received on the matter. There were eleven responses received, one in support and three opposed.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch stated that his biggest concern has been addressed which was the berm. Adding evergreens with get up to 90% opacity plus sound deadening in all seasons. The access drive off Joseph Drive in an earlier proposal has been eliminated. Member Lynch thinks it fits the area even though it might not be next to all the other car dealerships.

Member Lynch inquired to the applicant regarding unloading in the center lane on Grand River. Steve Saltz responded he is the owner's representative. The dealership is not allowed to unload in the center lane. At the Chevy store, there is a loading zone at the back of the property. If they were to unload in the center lane would get a fine. There will also be no test drives on Joseph Drive.

Member Lynch was concerned about the abutment to residential if this were to be rezoned. It looks like there is plenty of foliage and a five-foot hedge along Joseph with street trees. The landscape review recommends approval. The lighting will all be pointed down so the evergreens on the berm will shield any spillover lighting to residential.

Member Becker stated he is not sure about the idea that if there are no detriments, then there doesn't have to be any public benefit for PRO. That might be a little dangerous when the applicant comes back to request approval of the PRO. He does not see a lot of public benefit here other than perhaps the sidewalk.

Member Becker will challenge the idea that no trucks unload or load cars from the center left turn lane in front of the Feldman dealerships. He lives very close to there and it happens quite regularly.

The other thing for public benefit is KIA already has an existing building and employees, so quoting the public benefit of new employees would have to subtract how many are currently employed and what's the total employment in your new building. Otherwise, that's kind of a misstatement of fact.

Grand River is between Haggerty and Novi Road is all car dealerships, so it certainly does fit. It's probably better than what might be built on the former Glenda's property.

Member Becker would recommend that the applicant look into building up the public benefit with real numbers and terms.

Member Verma had two concerns, which have already been addressed. One was the loading and unloading of vehicles, and the other was the lighting.

Member Roney stated that it seems Novi has an auto corridor along Grand River, with about seven dealerships there, so this is very fitting. He is in favor of the project. The Glenda's property has been looking pretty bad for a number of years now. It was a good improvement to get the old structures removed and the lot cleaned up, but it still needs some love. He is not sure if the sidewalk is enough of a benefit. There may be opportunities with bus stops along Grand River.

Member Avdoulos agrees that the proposal is compatible with what that area of Grand River is known for. The applicant has provided a great graphic that shows the lighting calculations along the property line to be one foot candle or less. That graphic could be made available to the resident who had concerns about the lighting.

The hedge and sidewalk along Joseph Drive is a nice addition. Maybe there is a way to talk to the City to help mitigate the speeding down Joseph as a public benefit, possibly with speed bumps.

Member Avdoulos would like to better understand the acoustics in terms of any noise emanating from the dealership for the residents. Most of his other concerns have been addressed.

Chair Pehrson stated he agrees with the Planning Commissioners comments. He would also suggest looking into other dealerships that abut residential to get feedback from those residents relative to their experience being next to a dealership as well as any available empirical data that exists relative to security surrounding car dealerships to help the residents feel more comfortable. The language in the PRO document should include emphasis on not driving down Joseph for any test drives or unloading in the center lane of Grand River Avenue.

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

6. J723-41 SAKURA EAST PRO PLAN WITH REZONING 18.743

Public hearing at the request of Sakura Novi LLC for Planning Commission's recommendation to City Council for a Zoning Map Amendment from Light Industrial to Town Center One with a Planned Rezoning Overlay. The subject site is approximately 3.5-acres and is located south of Eleven Mile Road, west of Meadowbrook Road (Section 23). The applicant is proposing to develop a 45-unit multiple-family townhome development.

Senior Planner Bell stated the applicant is proposing to rezone about 3.5 acres south of Eleven Mile Road, to the west of Meadowbrook Road, utilizing the Planned Rezoning Overlay (PRO) option. The existing development to the east is largely office developments, with some vacant parcels to the west. The City's public works and police training facility is to the north, and a Verizon cell tower is located on the property to the south.

The current zoning of the property is I-1 Light Industrial as are the properties surrounding the site.

The Future Land Use Map identifies this property and those around it in red hatch as TC Gateway, which would be consistent with the Gateway East zoning district. East of the site is planned for Industrial Research Development and Technology, and to the north is public facilities.

The natural features map shows there is a small wetland area in the southwest corner of the site. The wetland survey provided by the applicant confirms this feature.

The applicant is proposing to utilize the Planned Rezoning Overlay to rezone the property to TC-1 Town Center 1. The PRO plan shows a total of 45 attached townhome units on the site, which was reduced from 52 on the original plan. The development is accessed by one entrance off Eleven Mile Road. A secondary emergency access drive to the office development to the east is shown. Parking is provided in garages, on the garage aprons, and a few small bays of surface parking.

The Town Center districts require development amenities to be provided, which have been added to the plans. There are three gathering spaces: one multi-purpose field, one open space area between the buildings, and one area with outdoor furniture, grill and a firepit on the west side. The plan exceeds the requirements for both general open space and usable open space by a significant amount. There are also no impacts to the existing wetland area proposed.

Landscaping was previously a concern, but the applicant has addressed those issues, and the plan now meets the requirements of the Ordinance for number of landscaping trees.

Based on City Council's suggestion during the initial review, the applicant is proposing to design and construct a wetland overlook amenity on the City's wetland property as a public benefit. The concept drawing shows a crushed granite pathway from the 11 Mile sidewalk to a wider area overlooking the pond with benches, accent boulders, a stone retaining wall with a guardrail, and landscaping. The City's Parks and Recreation Director has expressed an interest in having the overlook in the area east of the wetland so that in the future this could be expanded to create a larger park area. The applicant's consultant identified Site A as the preferred location for the overlook based on views to the open water and minimal impact to gain access to the proposed pond overlook. There was concern that placing the amenity on the east side (Site B), it would be less visible and potentially less secure due to lack of visibility. Site A is also more readily accessible from the existing public sidewalk along 11 Mile Road. Previously the applicant had proposed a multi-use pathway on the City parcel that would provide a connection between 11 Mile Road and Grand River, which has since been removed.

The applicant has stated they chose the TC-1 district to be consistent with the Sakura Novi development under construction to the west. They state that this project is an extension of Sakura Novi, and future residents would be able to enjoy the amenities that the larger Sakura Novi development offers. Between this site and Sakura Novi there is a 7-acre parcel of land owned by the City which is largely occupied by a wetland. There is an existing sidewalk along 11 Mile, but the distance between the nearest entrances is over 1,000 feet.

Rezoning to the TC-1 category would permit the use proposed, however that zoning district is not in compliance with the current Master Plan designation as TC Gateway. The corresponding Gateway East district is intended as a transitional zoning into the Town Center area, allowing office, retail, financial, and restaurant uses as principle permitted. Residential uses are only permitted under the Special Development Option, which requires a minimum parcel size of 5 acres, and has requirements for buffers and screening between uses.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. First, the zoning district indicated does not match the Future Land Use map guidance but does correspond to the nearby original Sakura Novi development.

Staff had previously mentioned concerns with the compatibility of the proposed use and buffering from the adjacent uses that will remain I-1 Light Industrial. Being adjacent to a residential development will require additional setbacks or other restrictions, which can be an added burden to surrounding non-residential landowners. Certain uses that were considered principal permitted become Special Land Use

when adjacent to residential uses, and other uses are simply not permitted in the I-1 district when adjacent to residential. I-1 landowners would also be responsible for providing the 10-15 foot berm unless sufficient screening and buffering is provided on the proposed site. The applicant has revised their plan to increase the landscape screening along the eastern property line and added a fence and landscaping to the southern property line.

The traffic study notes that the number of residential units proposed would likely result in fewer vehicle trips compared to a Light Industrial development. Engineering notes there is capacity for the water and sewer demands for the proposed use, and stormwater detention is to be provided in underground systems. The buildings proposed have the same facades as were previously approved for Sakura Novi.

The request to rezone includes the condition to limit the use of the property to the use and number of units indicated on the site plan, which would provide restrictions, unless the agreement is amended. Additional conditions proposed include a limitation on building height and exceeding the open space requirement. The draft motion sheet includes a full list of proposed conditions and deviations requested.

Tonight, the Planning Commission is asked to hold the public hearing, and to make a recommendation to City Council on the PRO Plan. Following the Planning Commission public hearing, the project would then go to City Council for its determination of approval.

The applicant Tim Loughrin from Robertson Brothers is here representing the project tonight. Staff is also available to answer questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Tim Loughrin from Robertson Homes introduced other members of the Sakura team – Phil Kim, Scott Aikens, and Bruce Yeager. The Sakura team is very excited about the Sakura project, there is a lot of progress going on. They are excited about this project as well, which they see as basically the last phase of Sakura development.

Last time the Sakura team was before the Planning Commission, they had some work to do. They have worked with staff to get their support on the project and have made some improvements since the last time they were before the Planning Commission.

The landscape buffering to the south was a big issue. To the south is zoned I-1, although the Master Plan calls for it to be TC Gateway in the future. So, from the letter of the law, it needed a lot of landscape buffering, which has been done. There is a double row of planting with additional trees and a fence. The Sakura team met with planning and landscape staff and addressed outlying issues at this point.

The density has been reduced from 52 units down to 45 units.

Another improvement is an added public amenity that was born out of the City Council meeting. The prior pedestrian pathway did not get much traction. City Council want something done on the City owned wetland site, which Mr. Loughrin thinks is a great idea. It is located based on the recommendation of the Sakura consultant. They wanted to keep it low impact. One of the directions from City Council was not to make it just about Sakura, but a Novi public amenity for everybody.

As far as open space is concerned, three distinct areas were added. These were not really defined the last time Sakura was in front of the Planning Commission. Almost half of the site is open space, so there was some space to work with. It's a small site, it's 3 1/2 acres but we are providing three active areas with benching, lighting, phone chargers, grills, fire pits, really things that you'd expect in a community like this.

Why residential here? There have been a lot of comments from staff about it not being an appropriate use because it's zoned industrial. The Master Plan identifies use as future TC Gateway and specifically calls out residential in that area. You want to see this be part of that Town Center area, which is great planning. Residential is perfect for that site. You're never going to get an industrial user or office. This is bringing people into the Town Center area.

The center green area has underground detention so that is why there are no trees there. The Sakura landscape architect did a fantastic job working with staff to get it to this point. There will be a lot of buffering along 11 Mile and buffering to the south. So, it is a lot greener than was seen before and a lot more amenities.

From a connectivity standpoint, again we see this as just a connection of Sakura Novi. The leasing office will be from Sakura Novi, all the platforms that will be part of Sakura Novi will be part of this.

In summary, it is a very small site, barely 3 acres, with 45 units. It certainly works at that density there, we call it missing middle. That's a term that gets thrown around all over the place, but it is important communities do really kind of strive for this type of housing. It is very expensive to buy homes. It's very expensive to rent homes as well, but in this case with this missing middle, it's something that people are looking for in the Novi community. There has been a lot of interest in Sakura Novi, and we haven't even opened for leasing yet, although we're very close. The units are 1,300 or 1,600 square feet with a two-car garage. The floor plans and elevations are the same as Sakura Novi.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium.

Paul Stoychoff stated he is the representative of the estate of Eleanor Stoychoff. This parcel is the last from his mother's estate. His parents had been trying to sell the property for over 25 years. They used to own property from Grand River all the way to 11 Mile, including the Saratoga Trunk restaurant property. They've sold off property in their retirement piece by piece. They sold the restaurant in 1983 and then they sold the ten acres where the communication tower is at in 1986. This parcel remains the only parcel unsold as it has not been able to be sold as Light Industrial.

Mr. Stoychoff requests that the Planning Commission approve the application. The builders have been very conscientious in working with the City and addressing their concerns. The land has been up for sale for a long time. This project complements the Sakura Novi project. It will be quite desirable and sell like hotcakes.

Brian Gargaro stated he is the real estate agent representing Mr. Stoychoff's nephew, who owns the east parcel. The property has been for sale for seven years and has had zero interest in it as an industrial use. He agrees with everything Mr. Stoychoff stated. The market is the ultimate arbiter of price, use, and demand for a property and the market is telling us loud and clear that the current industrial zoning is obsolete for this parcel. It further indicates that the highest and best use would be for residential use.

Seeing no one else, Chair Pehrson requested Member Lynch read the correspondence received on the matter. There was one response received in favor from Mr. Stoychoff who just spoke.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch thanked the applicant for taking previous comments to heart. It looks like a good project; the amenities look good, he doesn't have any issues. Member Lynch inquired how the public would know that the park area is public and not private to Sakura residents. Mr. Loughrin responded that signage would be proposed at the front that makes it clear it is a City park, he will work with the City staff on that.

Member Becker inquired to staff regarding concern expressed about putting a residential property next to I-1, which would impose further setbacks and limit what the I-1 property owner could do. Senior Planner Bell responded that is true, I-1 parcels would need a 100-foot setback, but noted that the existing Gateway Townhomes are adjacent. The Verizon tower property is also adjacent. It may not be an issue unless or until the Verizon cell tower land is ever redeveloped. The Sakura East plan has reinforced the screening to the south, but that would not help with the setback requirement for the I-1 parcel.

Member Becker stated that initially he was not in favor, it seems more like a satellite than an extension for Sakura Novi, however he is now in favor of the project.

Member Verma stated the project looks good; he is in favor.

Member Roney stated he is in favor of the project.

Member Avdoulos stated he likes the fact that the project is becoming more cohesive. With the same architecture and aesthetics, it will be recognized as one development.

Motion to recommend approval to City Council to rezone the subject property for JZ23-41 Sakura East from Light Industrial to Town Center made by Member Avdoulos and seconded by Member Lynch.

In the matter of JZ23-41 Sakura East, with Zoning Map Amendment 18.743 motion to recommend approval to City Council to rezone the subject property from Light Industrial (I-1) to Town Center One (TC-1) with a Planned Rezoning Overlay Concept Plan.

- A. The recommendation includes the following ordinance deviations for consideration by the City Council, for the reasons noted:**
- 1. Allowable Number of Rooms (4.82.2.B): Planning deviation from Section 4.82.2.B to allow an increase in the number of rooms permitted on the property up to 225 rooms.**
 - 2. Sidewalks (Sec 3.27.1.I): Planning deviation from Section 3.27.1.I to permit the existing 6-foot sidewalk rather than the 12.5 foot wide sidewalk required in the TC-1 District on a non-residential collector road, as this is consistent with the existing sidewalk width along 11 Mile Road and is not considered a gathering space in this area.**
 - 3. Pedestrian Connectivity (Sec. 3.8.2.G): Planning deviation to allow a 5-foot sidewalk along the west side of the entrance driveway only, since it is a relatively small development and areas to the east do not have many walkable destinations.**
 - 4. Landscape Screening (Sec. 5.5.3.B.ii and iii): Landscaping deviation from Section 5.5.3.B.ii and iii. for the lack of a berm between the site and adjacent industrial properties, as the applicant has provided evergreen trees and arborvitae for screening, as well as a fence along the southern property line.**
 - 5. Major Drive (Sec. 5.10): Planning deviation to allow a 24-foot driveway width entering the site, where the ordinance requires a major drive to be 28-feet back-to-back width, as the site has a relatively low number of trips.**
 - 6. Section 9 Waiver (Section 5.15): Façade deviation from Section 5.15 to permit the underage of brick (26% proposed, 30% required) on the front façade, and the overage of Cement Fiber Siding (58% proposed, 50% allowed) on the side facades of the Matsu building style, as the deviation is minor and does not adversely impact the aesthetic quality of the building.**
- B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:**
- 1. The height of the buildings will be limited to 35 feet. The ordinance permits up to 5 stories or 65 feet in TC-1, so limiting the height would be more restrictive.**
 - 2. The use of the property is restricted to 45 attached residential units, with a total room count of 225 and a density of 14.3. This would provide a restriction of the use of the property, as well as layout in conformity with the PRO Plan.**
 - 3. The total open space of the site will exceed the 15% requirement, with no less than 48% provided, which exceeds the ordinance requirements.**
 - 4. The distance between buildings will be a minimum of 15 feet.**
 - 5. No more than 7 units would be in a single building, which is more limiting than the ordinance allows.**
- C. This motion is made because the proposed Town Center One zoning district is a reasonable alternative to the Light Industrial District and fulfills the intent of the Master Plan for Land Use, and because:**
- 1. A reduction in traffic compared to development under the current zoning. The traffic study shows a difference of about 20 fewer trips compared to a general light industrial use, or up to 835 fewer trips compared to a medical office use.**

2. The plan shows that the total open space areas to be provided will exceed the 15% Open Space requirement of the TC-1 district, with approximately 45% shown.
3. The project will exceed the 9,000 square foot Usable Open Space requirement, with about 17,200 square feet proposed.
4. Preservation of the on-site wetland. The wetland is very small in size (less than 0.1 acre) but does represent an ecological benefit.
5. A publicly accessible wetland overlook amenity to be provided on the City's parcel to the west, as shown in the PRO Plan.
6. The detriments to the City from the multiple family development as proposed are not substantial overall, so while the benefits to the public of this proposed use resulting from the conditions above are somewhat minor, they do tend to outweigh the detriments.

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO REZONE THE SUBJECT PROPERTY FOR JZ23-41 SAKURA EAST FROM LIGHT INDUSTRIAL TO TOWN CENTER MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. *Motion carried 6-0.*

MATTERS FOR CONSIDERATION

1. **APPROVAL OF THE SEPTEMBER 11, 2024 PLANNING COMMISSION MINUTES**

Motion to approve the SEPTEMBER 11, 2024 Planning Commission minutes.

ROLL CALL VOTE ON MOTION TO APPROVE THE SEPTEMBER 11, 2024 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS. *Motion carried 6-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were no supplemental issues or training updates.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the October 16, 2024 meeting made by Member Lynch and seconded by Member Becker.

VOICE VOTE ON MOTION TO ADJOURN THE OCTOBER 16, 2024 PLANNING COMMISSION MEETING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER. *Motion carried 6-0.*

Meeting adjourned at 9:22 PM.

*Actual language of the motion sheet subject to review.