



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

FEBRUARY 11, 2015 7:00 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Baratta, Member Giacometti, Member Greco, Chair Pehrson, Member Zuchlewski

Absent: Member Lynch (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Kristen Kapelanski, Planner; Sri Komaragiri, Planner; Jeremy Miller, Engineer; Gary Dovre, City Attorney; Matt Carmer, Environmental Consultant; Pete Hill, Environmental Consultant; Maureen Peters, Traffic Engineer Consultant; Matt Klowan, Traffic Engineer Consultant.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Baratta and seconded by Member Greco:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

Motion to approve the February 11, 2015 Planning Commission Agenda. *Motion carried 6-0.*

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

CORRESPONDENCE

There was no Correspondence.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

The Community Development Deputy Director Barbara McBeth stated that she had nothing to report.

CONSENT AGENDA - REMOVALS AND APPROVAL

1. Dice Holdings Building Renovation JC14-0154

Consideration at the request of DICE holdings for approval of the Section 9 Façade Waiver. The subject property is located in Section 22, on Novi Road, north of Ten Mile Road, in the B-

3, General Business District. The subject property is approximately 4.68 acres and the applicant is proposing alterations to the existing façade.

Moved by Member Greco and seconded by Member Baratta:

VOICE VOTE ON THE CONSENT AGENDA APPROVAL, MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to approve the Consent Agenda. *Motion carried 6-0.*

PUBLIC HEARINGS

1. Chamberlin Crossings JSP14-0082

Public hearing at the request of Park Place South of Novi, LLC for Preliminary Site Plan utilizing the Open Space Preservation Option, Woodland Permit, Wetland Permit and Stormwater Management Plan approval. The subject property is 16.61 acres in Section 31 of the City of Novi and located at 21550 Napier Road on the east side of Napier Road, south of Nine Mile Road in the RA, Residential Acreage District. The applicant is proposing a 12 unit development using the Open Space Preservation Option.

Planner Kapelanski stated that the applicant is proposing a 12 unit single-family residential development using the open space preservation option on the east side of Napier Road south of Nine Mile Road. To the north and east of the property are existing single-family homes. To the south is the ITC utility corridor and to the west across Napier Road in Lyon Township is vacant land. The subject property is currently zoned RA, Residential Acreage with RA zoning to the north, south and east. Single-family zoning is also proposed for the parcels on the west side of Napier Road. The Future Land Use map indicates single-family uses for the subject property and most of the surrounding properties with a utility corridor shown to the south. The natural features map shows an existing wetland near the northwest corner of the site. There are trees near the property boundaries and within the existing wetland. There is also a large black walnut tree on the site that will be preserved and protected during construction. The City's environmental consultant, ECT, is here to address any questions you may have concerning woodlands or wetlands. The applicant is proposing 12 single-family lots utilizing the open space preservation option which is intended to encourage the preservation of open space and natural features. The applicant has designed the site with the preservation of the existing wetlands and additional open space in mind. The wetland area near the northwest corner of the site is proposed to be preserved. Additionally, open space is also proposed at the rear of the site where a pathway will lead from the development to the ITC corridor and a smaller open space is proposed at the southwest corner of the site. The planning review recommends approval of the plan noting additional items that should be addressed in the final site plan submittal. The engineering review does not recommend approval stating pathways are required along both sides of Chamberlin Court. The applicant has agreed to include this item on the Final Site Plan submittal.

The landscape review recommends approval of the plan and supports the requested landscape waivers for the lack of a greenbelt, berm and greenbelt plantings along the Napier Road frontage in order to preserve the existing wetland. The wetland and woodland reviews recommend approval of the plan. A wetland permit and authorization to encroach into the required natural features setback is required for the proposed impacts. The traffic and fire reviews recommend approval with items to be addressed on the final site plan. The Planning Commission is asked to approve the preliminary site plan, wetland permit, woodland permit and stormwater management plan this evening.

Chair Pehrson called the applicant to stand before the board and present his case.

Jim Galbraith, on behalf of Park Place South stood before the board. He said he did not have much to add at this time. He is able to answer any questions that the staff, commissioners or audience may have.

Chair Pehrson opened the case to public hearing. No one wished to speak and public the hearing was closed. Chair Pehrson asked if there was any correspondence and there was none.

Member Anthony stated that his firm does work for the developer for this case, but he does not believe it would affect his ability to review it.

City Attorney Dovre stated that their by-laws define a conflict of interest as a member having proprietary and financial interest in the issue or if they receive gain or financial benefit as a result of the vote. He believes that with this being disclosed, it is not a conflict of interest but he could request to be excused if he feels to do so.

Chair Pehrson stated he did not feel there was a need to excuse him. He asked the rest of the board if they had any objections and there were none.

Member Baratta stated that he looked at the material and he does not see anything objectionable. The sidewalks are being taken care of and it is conducive to the area. He stated he would like to make a motion if there were no other comments.

Moved by Member Baratta and seconded by Member Greco:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

In the matter of Chamberlin Crossings, JSP14-82, motion to approve the Preliminary Site Plan with Open Space Preservation Option based on and subject to the following:

- a. Planning Commission waiver for the lack of a berm, lack of a greenbelt and lack of greenbelt plantings in areas of preserved wetlands along Napier Road which is hereby granted;**
- b. Applicant providing the required pathway along both sides of Chamberlin Court; and**
- c. 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 6-0.*

Moved by Member Baratta and seconded by Member Greco:

ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

In the matter of Chamberlin Crossings, JSP14-82, 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 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

Moved by Member Baratta and seconded by Member Greco:

ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

In the matter of Chamberlin Crossings, JSP14-82, 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 6-0.*

Moved by Member Baratta and seconded by Member Greco:

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

In the matter of Chamberlin Crossings, JSP14-82, 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 is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

2. Valencia South JSP13-0075 with Rezoning 18.706

Public hearing of the request of Beck South LLC for Planning Commission's recommendation to City Council for rezoning of property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. The subject property is approximately 41.31 acres.

Planner Kristen Kapelanski stated that the applicant is proposing a rezoning with PRO to develop 66 single-family homes on a 41 acre site at the southwest corner of Beck Road and Ten Mile Road. The parcels are currently made up of single-family homes and vacant land. Land to the north of the proposed project across Ten Mile Road is under construction for the development of single-family homes very similar to this proposal. Existing single-family developments can be found to the south and west and vacant land, single-family homes and a church are located to the east. The subject property is zoned R-1, One-Family Residential with R-1 zoning surrounding the site with the exception of the property to the north, which is zoned R-3 with a Planned Rezoning Overlay. The future land use map indicates single-family uses for the subject property and the surrounding properties along with a private park designation to the east. There are significant amounts of natural features on the site. Impacts to natural features have been minimized to the extent practical. Permits for wetland and woodland impacts would be required at the time of site plan review and approval. The City's environmental consultant is here this evening to address any natural features concerns. The applicant is proposing 66 single-family homes with 28% open space resulting in a density of 1.65 units per acre, consistent with

the R-1 zoning district provisions. Proposed lot sizes and widths are consistent with the standards provided in the R-3 district, hence the proposed rezoning.

Planning staff has recommended approval of the proposed rezoning to R-3 with a PRO as the plan meets the intended master plan density and the objective to maintain low density development and natural features preservation patterns in this area of the City. A PRO requires the applicant propose a public benefit that is above and beyond the activities that would occur as a result of the normal development of the property. The applicant has proposed the following benefits: housing style and size upgrade as demonstrated by the included renderings and similar to what is being constructed to the north; increased frontage open space, 28% open space on the site, dedication of rights-of-way and an off-site sidewalk connection along Beck Road. The applicant has also offered to preserve the remaining on-site natural features with a conservation easement. Ordinance deviations have been requested by the applicant for inclusion in the PRO Agreement for the following items: Lack of berm along the church property line, lack of paved eyebrows and missing pathway connections to Ten Mile Road and to the adjacent Andover Pointe No. 2. Staff supports the waiver of the berm surrounding the church property and the lack of paved eyebrows. Staff does not support the missing pathway connections for the reasons noted in the engineering review letter. The applicant has proposed a creative solution in response to the concerns of residents in the adjacent developments to the west and south for an increased rear yard setback for the proposed homes. The sketch shows an altered building footprint that would increase the rear yard setback but require a five foot deviation for the front yard setback and the aggregate setback of the two side yards. This would only apply to those lots bordering the existing residential developments. Staff supports these deviations. All reviews recommend approval of the concept plan noting items to be addressed on the Preliminary Site Plan submittal. The Planning Commission is asked to make a recommendation on the proposed rezoning with PRO this evening.

Chair Pehrson asked the applicant to come to the front and address the board.

Howard Fingerroot, managing partner with Pinnacle Homes stood before the board. He stated that he wanted to do a review of what they were proposing at Valencia South. The process was started in May of last year and they have had discussions with neighbors and listened to what they had to say. He thinks they have been able to put together a very nice plan. By way of background, Pinnacle Homes has built four communities, making this project the fifth since 2009. In 2009 they bought a project called Provincial Glades. It was a 70 unit development and they completed the development along with the last 67 homes. A few years later they did a smaller project on Eight Mile called Normandy Hills. It was started by another company and they came in, finished the development and built about 12 homes. Two years ago, they started Andelina Ridge at Napier Road and Twelve Mile Road, which is currently under construction. They paved Twelve Mile in front of their site and put together a nice landscape package including the entry way and walls which is being well received. Across the street from the proposed Valencia South is Valencia Estates which was 38 home sites. They have a lot of experience in the City of Novi, they work well with the staff and have lived up to all of the requests and obligations they have made. Before discussing Valencia South, he brought some elevations of homes to show the board to give them an idea of what these homes would look like. The samples are upgraded in elevation, size and materials and range from approximately 2,800 to 4,000 square feet. These are homes they have built in Novi over the last few years with a variety of elevations. He stated that Novi has an ordinance called Similar-Dissimilar which no other city has. When builders come to Novi, it is difficult because you have to look through the entire neighborhood. He appreciates it because it has resulted in them doing a variety of elevations which they have also been able to use in other communities. Ultimately, it has been a positive process. The samples he brought with

him today will be used to a limited degree in the Valencia South development. He also brought pictures with him of other homes they have built in Novi.

The plan for Valencia South is to build 66 luxury home sites as a PRO. The PRO is a good way to develop this site. There are two boulevard entrances off Beck Road with sidewalks throughout, open space (approximately 28%) and a park in the middle. From a planning and environmental perspective, they feel the open space is a good benefit. They have increased the greenbelt primarily along Ten Mile Road and there is a lot of landscaping to make it appealing for the traffic driving back and forth. On the north corner, they took away the concern of having it rezoned, which is also an added benefit. They bought the corner and 70% of it will be left untouched, or they will have additional trees planted in that area so it will be nice for the community. In regards to the rear yard setback, they met last summer with the neighbors. They requested that the homes be pushed back further from theirs. The rear yard setback required is 35 feet and they requested it to be 50 feet. Mr. Fingerroot provided a photo slide to show the potential changes they were going to make to provide a larger rear yard and be able to accommodate the neighbors. The other issue to be addressed is the two paths which were not shown in the site plan. One of the paths would go to the property to the south where there is an existing home, which he was not sure if it would be beneficial to anyone, but if the board wants them to install it they will. The second path goes to the north to Ten Mile Road and goes between two homes. He prefers not to put paths between homes because the people that buy those homes typically do not like people walking within 10 or 15 feet of their house. Again, if the board would like them to install it, they will.

Chair Pehrson opened the case to public hearing and asked anyone that wished to speak to address the board.

John Kuenzel, 23819 Heartwood, President of the Echo Valley Homeowners Association stood before the board. He is concerned about another community being developed next to them. He listed who would be affected and who would gain from Valencia South. Even with a 50' rear setback, the new homes would be very close to their properties and the space would be denuded of trees and wildlife. He is requesting a conservation easement bordering the neighboring subdivisions to be a part of the new development plan. If this easement is not a requirement for the design, the association will be challenging the proposed zoning change request from R-1 to R-3.

Gerald Harris, 23918 Forest Park Drive East, expressed his feelings against the proposal. This is the fourth attempt to make this development. He agrees that they wanted a greater rear setback behind the new homes and the attempt to accommodate from the developer is the only one that they will receive. He does not believe that that developer is complying with R-1 zoning requirements. In addition, there will be 2100 trees removed and only 481 trees will be replaced, resulting in a 78% loss. He is concerned about the loss of the specimen trees which are not accounted for in the tree replacement.

Michelle Brower, 47992 Andover Drive, stated that her house would be where the first path described would end if one was to be required. If Valencia South were already built when they were purchasing a home last summer, they would not have purchased the home that they did because they wanted a home in a less dense area. She feels that selling their home in the future will make it less marketable if R-3 zoned homes are surrounding their R-1 zoned home.

Chris Brower, 47992 Andover Driver, stated that he is against the rezoning. It is not consistent with the look and feel of the surrounding area and does not feel it is in the public's best interest. With

all the trees that would be removed to build the development, only 20% will be replaced. Based on the location of their home, there will be three homes built adjacent to his home, equivalent to his lot.

Jimmy McGuire, 48028 Andover Drive, stated that he has objections to the proposal. He does not think that he and the others in his community would gain anything from the rezoning. The only benefit the city would gain is the tax revenue. He likes the existing wooded buffer which is part of the reason why he chose to purchase a home on Andover Drive 20 years ago.

Bruce Flaherty, 48048 Andover Drive, stated that prior to purchasing his home, he spoke to someone at the city and asked about the possibility of the land going up for rezoning, and was told that it was R-1 and would stay R-1 based on the amount of existing wetlands and woodlands. The community and residents will not benefit and the impact on their property taxes will be substantial.

Marti Anderson, 48360 Burntwood Court, President of Andover Pointe No. 1, was present to represent Andover Pointe No. 1 and No. 2. She has a lot of wooded area behind her home which was a major reason as to why she purchased it. If there was a preserve, she thinks that people will be more receptive. Out of the 39 residents in Andover Pointe 1 and 2, 18 people reached out to her regarding the rezoning stating they wanted to fight it. Traffic is a problem at 10 Mile Road and Beck Road and at Grand River Avenue and Beck Road. They are also concerned about the water table rising since they have wells and septic systems.

Stacey Rose, 23940 Forest Park Drive, says that he has a ranch home and having an R-3 dense subdivision behind him will cause these large homes to be looking down onto his yard. He is strongly against the rezoning.

Chair Pehrson asked the board if there was any correspondence.

Member Greco stated that there is a lot of correspondence. He will read them in two groups, those in support and those that object to the rezoning. He started with those in support of the rezoning.

Reverend Timothy S. White of Oakland Baptist Church, 23893 Beck Road, thinks the addition to more homes and families to the area will bring good change to the community. Jacqueline Bakewell, 42750 Grand River Ave, is happy to see that the number of units proposed is what is permitted under R-1 zoning. If there is no additional impact on traffic and utilities she thinks it will be a positive development. Dan and Mona Poinsett, 23937 Beck Road, are in support because it is the exact same number of units allowed under R-1 zoning. The large open space at the corner of 10 Mile Road and Beck Road will be a good asset. Patricia Heath, 23445 Beck Road, thinks it will be beneficial to Novi. Kimberly Lochos, 42750 Grand River Ave, is in support. She likes the open spaces left at the corner of Ten Mile Road and Beck Road. Dr. Michael and Denise Balon, 47825 W Ten Mile Road, is in support of the development which includes their home and the six acres. They have reviewed the site plan and think the development is a good idea for the area. Krishna Baddam, 24266 Warrington Court, is in support. Jerry and Margo Smith, 23962 Forest Park Drive, are in support if the developer adheres to the 50 foot setback to the west four lots 43-46. Virginia A. Klaserner, 23973 Beck Road, thinks the development would be good for the city. Houston J. Taylor, 47665 W Ten Mile Road, is in support because of the same number of units, reduced lot size and because Novi will get more tax dollars.

Member Greco read the letters from those that are opposed to the development.

- William F. and Sally McInnes, 23830 Forest Park Drive, think the builder is interested in acquiring the R-3 zoning to allow a greater number of homes on smaller lots.
- Patricia Dominick, 47940 Cedarwood Drive, thinks the land should stay zoned R-1 as planned.
- Jeffrey Almoney, 47955 Andover Drive, thinks too many trees will be removed and the boundaries shown overlap Andover Drive properties. He says they need more green space and wetlands need to be preserved.
- Denise Edwards, 23880 Forest Park Drive, says there is already too much congestion. Traffic will be even worse with 66 more residents.
- Wonho Son, 47552 Valencia Circle, says there is already too much traffic at Beck Road.
- Thomas Jones, 47991 Andover Drive, says that the development only benefits Valencia South. There will be a decrease in property values for surrounding homes along with a loss of green space, environmental issues and an increase in traffic.
- Charles and Bonnie Threet, 47911 W Ten Mile Road, are in objection due to congestion and traffic accidents which are already a problem.
- John Nicholson, 47350 Baker Street, objects because traffic is already a problem. He does not want to see a decrease in wildlife.
- Maria Muzzin, 23966 Heartwood Drive, says that large homes backing up to her property will cause loss of property and loss of quality of life.
- James and Lucy McGuire stated that the development will decrease property values, increase traffic, loss of privacy, loss of greenspace, impact wildlife and environmental issues. Andover Pointe 1 and 2 were told by builders that nothing could ever be built on that property due to drainage issues.
- George Mahan, 47961 Cedarwood Court, thinks there will be too many homes in a small area and it will obstruct the nature of the landscape growth.
- Gerald & Susan Harris, think the change and rezoning is excessive. They have issues with the tree removal and replacement proposal. The proposed public open spaces would not be public or open for the citizens.
- Michelle Brower wrote that the proposed development is inconsistent with the city plan, there will be a loss of trees and increased traffic congestion. There was also a letter submitted from
- Chris and Michelle Brower outlining the statements they made at the meeting.
- Stacey & Kathy Rose, 23940 Forest Park Drive, state that the R-1 density around their home was a considered when they purchased their home. The proposed 50 foot setbacks do little to ease the change in density and the large homes would tower over the smaller homes of Echo Valley Subdivision.
- Debra Nikutta objects because of the increase in traffic and potential drainage issues.
- Barry Buha, 48035 Andover Drive, thinks that the number of homes proposed is too dense for the property and will result in a loss of privacy.
- Stacey Gleeson, 23819 Forest Park Drive, thinks the area is already too crowded, the roads are congested, wildlife will be impacted and zoning does not conform for that area.
- Kevin Nikutta, 23714 Forest Park Drive, believes the increased density will cause more traffic, reduced privacy and potential drainage issues. The development will be out of character with the surrounding area.
- Bruce and Mary Flaherty, 48048 Andover Drive, believe there will be an impact on the environment and there is no benefit to the community.
- Marti Anderson, 48360 Burntwood Court, does not believe the development will benefit the current residents and there are concerns on the impact of the wildlife.
- Bruce Bergeson at 48299 Burntwood Court, Laura Yokie at 47700 Edinborough Lane, Robert Gasparotto at 48320 Burntwood Court, Dan Brudzynski at 47699 Edinborough,

Harry Nutile at 48227 Andover Drive and Kelly Esper at 48051 Andover Drive, are all in objection because there is no benefit to the abutting subdivisions and they are concerned about environmental issues, wildlife impact, water table change, increased traffic, loss of privacy and greenspace.

- Mr. and Mrs. Krupic at 48076 Andover Drive, state that the 50 foot setback does not provide privacy and believes it will impact their septic system and existing well, along with increased traffic, loss of wildlife and other listed concerns.
- Daniel Carlson, 48340 Burntwood Court, thinks the area of interest is already over-developed.
- Tim Ruffing at 23733 Heartwood Drive wrote that he was in objection.
- Mr. Kuenzel is objecting because the open spaces are not a natural transition between the new development and existing subdivisions, and it will cause more traffic problems, a loss of privacy and many other issues. He would like to see a conservation easement between the proposed and existing subdivisions along with the 50 foot rear setback requirement.
- Kristen Pietraz, 48380 Burntwood Court, does not see any benefit to the current abutting subdivisions. There will be an impact on wildlife, environmental and drainage issues, decreased property values and loss of privacy.

Chair Pehrson closed the public participation and opened the discussion to the Planning Commission.

Member Baratta asked City Attorney Dove if the public benefit for change of zoning needs to exclusively benefit the neighbors or the city as a whole.

Attorney Dove stated that a public benefit means the city in general, it is not exclusive to the neighbors.

Member Baratta asked Engineer Jeremy Miller if they have looked at water hookups, water table reduction and impact on septic systems in their studies.

Engineer Miller stated that it has not been reviewed entirely but the project would be connecting to the city water main and sanitary and it provides stubs to connect to in the future.

Member Baratta asked if the elevation has been reviewed in comparison to the elevation of surrounding neighborhoods.

Engineer Miller stated that it was detailed on the plans.

Member Baratta asked if someone could confirm that the density allowed in R-1 and R-3 is the same.

Planner Kapalanski stated that the proposal is consistent with R-1 zoning which is 1.65 units per acre. If it were an R-3 zoning district, more would be allowed, which is about 2.7 units per acre.

Member Baratta inquired about the drawing the developer brought in proposing elevations and a smaller garage and asked if it is consistent with city codes.

Planner Kapalanski stated that they would need the reduced setback for the front yard and side yards, otherwise it looks consistent.

Member Greco asked the petitioner if they considered installing an easement or tree line between the properties that abut the subdivision.

Mr. Fingerroot stated that the city has a strict tree ordinance. They are cutting down a lot of trees and will be replacing as many as possible on site. For those they cannot replace on site they can replace off-site or put towards a tree fund. They could put a conservation easement in the rear yard and plant some of the replacement trees in that easement. His concern was whether a conservation easement could be in someone's yard and what would happen if the homeowner were to cut one of the trees down. Another option would be to create the conservation easement and put it in favor of the homeowners association which would make them enforce the trees not to be cut down.

Member Greco stated he thought it would make more sense to have the homeowners association enforce it.

Mr. Fingerroot stated his engineer says there are a lot of drainage considerations. If trees were to be placed in a conservation easement, they may not be placed every 15 feet because of the topography and where the storm sewer is located.

Member Greco asked the staff that with the increased setback from the neighboring properties, if it was left R-1 and someone was coming in with an R-1 project, would it be safe to say that a bigger home on a bigger lot with smaller setbacks, could be imposed on the existing subdivisions?

Planner Kapalanski confirmed that the R-1 district does not require a 50 foot rear yard setback, only 35 feet is required. She also stated that in regards to side entry garages, they are encouraged by the ordinance but are not required.

Member Greco asked the staff if they reviewed and considered the pathways the developer was willing to install and whether it was a requirement. He is generally in favor of pathways but was unsure about the proposed pathways for this particular project.

Engineer Miller stated that a pathway ordinance passed in December 2014 to encourage more pathways and connections to existing and future city facilities and between neighborhoods.

Member Anthony asked the environmental consultants if someone were to come in with an R-1 development for this area, if the state has a process for the wetlands to become buildable.

Matt Carmer, ECT Consultant, stated that the wetlands are not regulated by the State of Michigan due to their small size, but they are regulated under the Novi ordinance.

Member Anthony said that this is a key point that he wanted everyone to be aware of. He stated that more wetland areas and green space will be preserved with the proposed configuration. The corner space that residents were concerned about becoming commercial would no longer be an issue. He asked the applicant if the 50 foot setback would apply to both the southern and western lots along with confirming the tree replacement program being for both the southern and western lots.

The applicant confirmed that the setback and tree replacement program would apply to both sets of lots.

Member Anthony expressed his support on the pathways being installed. The City of Novi is working to continue to create a non-motorized work plan, which ties the communities together and makes it a walkable, bicycle ride-able community. This is beneficial to raising young families.

Chair Pehrson asked the developer if he considered what the plan would look like if it were developed R-1.

Mr. Fingeroot stated that he thinks there would be lots that would back up to Ten Mile Road and the buffering would be different. With larger homes built in an R-1 district there would be a greater impact on the trees. The plan to rezone to R-3 is more environmentally sensitive. It would not affect the neighbors much differently.

Chair Pehrson asked the applicant if the smaller side setbacks may generate a more dense appearance to the neighborhood.

The applicant stated he did not think it would. He believes it would appear denser if the homes were built 65 feet wide as opposed to the proposed 55 feet wide.

Chair Pehrson asked the other board members if they could require the smaller homes to be in a certain area of the subdivision instead of mixed in with the larger homes.

The applicant explained that there would be no visual change if a 2,800 square foot home were next to a 4,000 square foot home because of how they maximize the width of the house.

Chair Pehrson stated that density is the main concern. Echo Valley has a density of 1.94. The proposed subdivision would have a density of 1.6. Looking across the street, there are homes abutting Ten Mile Road. He asked the applicant if he looked at the configuration to possibly mirror what already exists on Ten Mile Road. Homes would be moved to the north and further away from Andover Pointe. He also asked if he had considered removing the first three lots facing Beck Road and moving everything to the east furthering the buffer between the west and the south.

The applicant said they could not move the homes further east without changing the density.

Chair Pehrson stated that he understands that the developer wants to install as many homes as possible on the land. No matter what they decide, there is going to be someone that is not happy with the decision since it is interfering with the existing open land but the board is trying to re-plan the proposed development to make it accessible and comply with the public's requests. He asked the board if the Planning Commission were to suggest a conservation easement be added, do they prepare language to put in front of City Council or table a motion to allow the applicant to consider what was discussed in regards to the conservation easement and pathways?

Attorney Dovre confirmed that the Planning Commission can make recommendations for City Council or they could postpone consideration.

Chair Pehrson stated that he is in favor of the motion for the rezoning because the density is consistent with the best case scenario. He is asking the maker of the motion to consider a review of the configuration of the lots to potentially remove the three lots adjacent to Beck Road and consider moving everything to the north to mirror what is existing on the southeast side of the street. In regards to the number of trees being removed, he would like to see a sufficient number

of trees be replaced on the property or elsewhere in the city.

Planning Director McBeth stated that the wetland and woodland permit are reviewed in more detail at the time of preliminary site plan. If this goes to City Council and it is approved, it will go for an agreement then back to Planning Commission for the woodland and wetland permits.

Chair Pehrson stated that in regards to the paths, he wants staff to sit down with the applicant and determine what the best resolution is.

Mr. Fingerroot commented that he has reviewed the condition of the road pattern with staff multiple times. It is a complicated process and he believes they have come up with what they feel is the best road pattern taking the woodlands, wetlands and the geometry of the roads into account.

Chair Pehrson stated he doesn't know what the solution is or if this is the final product, but he wants them to review it as many more times as needed to see if they happen to think of additional ideas and to make sure nothing has been missed.

Member Baratta said when he originally saw the proposal, he initially thought the homes were close to the existing homes. He is concerned about the septic systems, wells and sewer systems and is interested in the idea of the buffer and tree lines being installed. He would like to see what the plan and engineering study would look like, along with the impact it would have on the adjacent properties before he would be prepared to make a motion.

Moved by Member Baratta and seconded by Member Zuchiewski:

In the matter of the request of Valencia South JSP13-75 with Zoning Map Amendment 18.706 motion to postpone consideration until the February 25, 2015 Planning Commission Meeting agenda in order for the applicant to consider and provide details on the following items:

- a. Elevation and drainage as they relate to adjacent properties;
- b. Impacts on adjacent properties' septic systems and wells;
- c. Applicant consideration of the creation of a conservation easement area bordering the existing developments to the south and west to be planted with woodland replacement plantings;
- d. Applicant consideration or further detail provided on the ability of the neighboring developments to the south and west to connect into the City sewer and water systems.

Mr. Fingerroot stated that in regards to the septic, they are connecting to city water and sewer. It will not affect the resident's wells or septic field when developing 200 feet away. He will be able to make the next meeting to go over the additional details.

Chair Pehrson asked the board if they had any additional comments or questions.

Member Giacometti asked for verification on the specific details that will be discussed at the next meeting.

Chair Pehrson stated that it relates to the neighbors and the buffer, the conservation easement and the trees installed.

Member Giacometti stated that he is not in agreement to table to motion since he is prepared

to make a motion.

ROLL CALL VOTE TO POSTPONE CONSIDERATION UNTIL THE FEBRUARY 25, 2015 MEETING APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHIEWSKI:

In the matter of the request of Valencia South JSP13-75 with Zoning Map Amendment 18.706 motion to postpone consideration until the February 25, 2015 Planning Commission Meeting agenda in order for the applicant to consider and provide details on the following items:

- e. Elevation and drainage as they relate to adjacent properties;**
- f. Impacts on adjacent properties' septic systems and wells;**
- g. Applicant consideration of the creation of a conservation easement area bordering the existing developments to the south and west to be planted with woodland replacement plantings;**
- h. Applicant consideration or further detail provided on the ability of the neighboring developments to the south and west to connect into the City sewer and water systems.**

Motion carried 5-1.

MATTERS FOR CONSIDERATION

1. SUNBELT RENTAL BUILDING ADDITION JSP14-0068

Consideration at the request of Ideal Contracting for the approval of the Preliminary Site Plan. The subject property is located in Section 17, south of Grand River Avenue, east of Wixom Road and west of Beck Road in the I-2, General Industrial District. The applicant is proposing to expand the existing 10,353 SF construction equipment rental space by adding 6,250 SF three (3) bay pre-manufactured metal building addition for equipment repair and related parking and landscape improvement. The applicant is not proposing any storm water improvements on site.

Chair Pehrson asked the applicant to stand and address the board.

Kristofer Enlow from Enlow Engineering stated that he is the engineer on the job, and with him is Sam Gill from Ideal Contracting and Dean Cushman with Core Design Group. They are proposing an addition on the existing Sunbelt Rental building. The addition will be on the south side of the site and it is accurate that they are not proposing any storm water improvements. The addition is being placed over an existing parking area and an additional impervious surface is not being created.

Planner Sri Komaragiri stated that the subject property is approximately 5 acres and is located in section 17, south of Grand River Avenue, east of Wixom Road and west of Beck Road. The subject property is zoned I-2, General Industrial district. It is surrounded by I-2 zoning on the east, I-1 Light Industrial on the south and west and Community Business District on the north of Grand River Avenue. The Future Land Use map indicates Office Research Development and Technology uses for the subject property and the surrounding properties. There are no regulated wetlands or woodlands areas on the property. The applicant is proposing to expand the existing 10,353 sq. ft. Sunbelt construction equipment rental space by adding a 6,250 sq. ft. three bay pre-manufactured metal building addition for equipment repair along with required parking and landscaping. This is a permitted use in the I-2 district. The applicant has been actively working with the staff addressing the concerns with the initial and the revised submittals. Planning, engineering, traffic and fire reviews recommend approval for the current site plan with additional comments to be addressed during final submittal. The applicant has agreed to staff

suggestions to add more landscape to enhance the frontage along Grand River Avenue. Landscape also recommends approval of the site plan. A Section 9 Waiver would be required for the overage of Ribbed Metal, EIFS and Embossed Metal Panels on the south façade. The façade material samples provided indicate that the proposed colors will be harmonious with the existing structure. Therefore, it is our Façade Consultant's recommendation that the overall design is consistent with the intent and purpose of the Façade Ordinance and that a Section 9 Waiver is granted for the overage of Embossed Metal Panels on the south façade. At the request of the applicant, the site plan is presented before the Planning Commission for a site plan and a section 9 Façade waiver approval.

Moved by Member Greco and seconded by Member Baratta:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

In the matter of Sunbelt Building Rental Addition JSP14-68, motion to approve the Preliminary Site Plan and Section 9 Façade Waiver based on and subject to the following:

- a. To allow the overage of Ribbed Metal, EIFS and Embossed Metal Panels on the basis that the Ribbed Metal Panels and EIFS are existing materials and therefore do not represent a violation of the Façade Ordinance;
- b. The plan is generally consistent with the intent and purpose of Section 5.15 of the Zoning Ordinance; and
- c. 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 6-0.

2. APPROVAL OF THE JANUARY 28, 2015 PLANNING COMMISSION MINUTES

Moved by Member Baratta and seconded by Member Greco:

VOICE VOTE ON THE JANUARY 28, 2015 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

Motion to approve the January 28, 2015 Planning Commission Minutes. *Motion carried 6-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda Removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Baratta and seconded by Member Greco:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

Motion to adjourn the February 11, 2015 Planning Commission meeting. *Motion carried 6-0.*

The meeting was adjourned at 9:09 PM.

Transcribed by Stephanie Ramsay
February 20, 2015
Date Approved: February 25, 2015

Richelle Leskun, Planning Assistant
Signature on File