



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

September 26, 2018 7:00 PM

Council Chambers | Novi Civic Center

45175 W. Ten Mile (248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Avdoulos, Member Greco, Member Lynch, Member Maday,
Chair Pehrson

Absent: Member Anthony (excused)

Also Present: Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell,
Planner; Darcy Rechten, Staff Engineer; Rick Meader, Landscape
Architect; Thomas Schultz, City Attorney; Peter Hill, Environmental
Consultant; Maureen Peters, Traffic Consultant; Doug Necci, Façade
Consultant

APPROVAL OF AGENDA

Motion to approve the September 26, 2018 Planning Commission Agenda. Motion carried 5-0.

PUBLIC HEARINGS

1. **LAKEVIEW JSP18-16 AND ZONING MAP AMENDMENT 18.723**

Public hearing at the request of Robertson Brothers Homes for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from R-4 (One Family Residential) and B-3 (General Business) to RM-2 (High-Density, Mid-Rise Multiple Family). The subject property is approximately 3.15 acres and is located south of 13 Mile Road on the east and west sides of Old Novi Road (Section 10 and 11). The applicant is proposing 21 single family homes and a storm water detention pond.

In the matter of Lakeview JSP18-16 with rezoning 18.723, motion to recommend approval to the City Council to rezone the subject property from R-4 (One Family Residential) and B-3 (General Business) to RM-2 (High-Density, Mid-Rise Multiple Family) with a Planned Rezoning Overlay Concept Plan, based on the following:

1. The recommendation shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:
 - a. Planning Deviations for Single-Family (R-4 standards):

- i. Reduction of minimum lot area by 5,000 square feet (10,000 sf required, 5,000 sf provided);
 - ii. Reduction of minimum lot frontage by 32 feet (80 ft required, 48 ft provided);
 - iii. Reduction of the minimum required building front setback by 23 feet (Required 30 feet, provided 7 feet);
 - iv. Reduction of the minimum required building principal side setback by 5 feet (Required 10 feet, provided 5 feet);
 - v. Reduction of the minimum required building side total setback by 10 feet (Required 25 feet, provided 15 feet);
 - vi. Reduction of the minimum required building rear setback by 15 feet (Required 35 feet, provided 20 feet);
 - vii. Reduction of the exterior side yard required building setback by 20 feet (Required 30 feet, provided 10 feet);
 - viii. Reduction of the side and rear yard setback for accessory buildings (Section 4.19.1.G) by 1 foot (Required 6 feet, providing 5 feet);
 - ix. Exceeding the maximum lot coverage percentage by 20% (25% allowed, 45% provided);
- b. Engineering DCS deviation for the width of storm sewer easements (10 feet requested);
 - c. Engineering DCS deviation for the driveways less than 3 feet from the property line;
 - d. Traffic deviation for driveway width of 10 feet (16 feet standard) which is within the acceptable range and may be granted administratively;
 - e. Landscape deviation for no screening berm provided between the B-3 commercial district and the residential properties to the south on both sides of Old Novi Road (6-8 feet tall landscaped berm required) with alternative screening with fence/wall and/or landscaping to be provided;
 - f. Landscape deviation for street trees located in front yards of single family homes on Wainright and Linhart, rather than within the right-of-way due to the presence of utilities;
 - g. Landscape deviation for subcanopy trees used as street trees due to the presence of overhead power lines on Old Novi Road;
 - h. Landscape deviation for fewer subcanopy trees substituted for canopy street trees than required, due to the number of driveways and the 10 foot spacing requirement from driveways;
 - i. Landscape deviation for landscaping and decorative fence proposed within the right-of-way due to the width of Old Novi Road right-of-way;
 - j. Façade waiver under Section 5.15.9 for underage of brick and overage of horizontal siding on certain elevations;
 - k. Subdivision Ordinance deviation for site condominium unit boundaries extending into wetland area for lots 20 and 21; and
 - l. Planning deviations for lots 50-22-10-231-019 and 50-22-10-231-008 (remainder of lots fronting on Austin maintaining R-4 zoning designation) as follows:
 - i. 21 foot rear setback where 35 foot is required;
 - ii. Lot area of 6,500 square feet where 10,000 sf is required;
 - iii. Lot coverage of 30% where 25% is permitted.
2. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:

- a. A homeowner's association shall be established as part of the development and the City shall review the Master Deed and Bylaws prior to recordation. A separate maintenance agreement to be assigned to the homeowner's association is proposed to meet the intent of this provision.
- b. The use of the property will be for single family homes meeting the standards spelled out in the development agreement.
- c. The maximum number of single family units shall be 21.
- d. The maximum density of the development shall be 6.67 DUA.
- e. Use easement extending 15 feet into the Old Novi Road ROW for the parcels along the west side of the road. The use easement would be used as front yard space for the homes, including landscaping features and decorative fences to be maintained by the home owners association established in a Master Deed.
- f. The small wetland area on the northeast corner of the site shall be minimally impacted only as permitted by MDEQ and City Wetland Permit, and the applicant has indicated that the Master Deed for Lakeview will provide for a conservation easement for these two properties such that the wetlands will not be disturbed.
- g. Screening fences and/or landscaping shall be provided along the rear lot lines of the properties on the west side of Old Novi Road.
- h. On both sides of Old Novi Road, in lieu of the required berm separating the residential uses from the non-residential uses to the north, the applicant shall provide alternate screening in the form of a fence or wall and/or landscaping to be approved by the City's landscape architect. Consideration shall be given to limiting noise and visual impacts for the residents, as well as impacts to wetlands and buffer areas.
- i. The two lots north of Wainwright, east of Old Novi Road, shall have front entry garages due to the presence of the wetland in the rear yards that shall be preserved. The remaining 19 lots shall be constructed with detached or rear attached garages.
- j. The applicant shall provide 10 on-street parking spaces along the east side of Old Novi Road, as recommended by the Master Plan.
- k. The city shall abandon the 50 feet of the utility easement within the previously vacated Erma Street, but shall require a 20 foot water main easement.
- l. Applicant complying with the conditions listed in the staff and consultant review letters.

This motion is made because:

1. The proposed plan meets several objectives of the Master Plan, as noted in the review letter, including:
 - a. *The Pavilion Shore Village area is identified in the Master Plan for redevelopment with a vision for a cohesive mixed use village that complements the surrounding neighborhood. (Bringing additional residents and investment into the area could drive development interest in the other areas of Pavilion Shore Village, and the community has strongly expressed single family uses are preferred on these parcels).*
 - b. *Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities (Pedestrian improvements are proposed along Old Novi Road including building a segment of planned sidewalk on the east side of the road, which includes a bench seating area with landscaping).*

- c. *Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments. (The homes are set in a walkable context with sidewalks leading to the nearby parks.)*
 - d. *Provide a wide range of quality housing options. Attract new residents to the City by providing a full range of quality housing opportunities that meet the housing needs of all demographic groups including but not limited to singles, couples, first time home buyers, families and the elderly. (The homes include characteristics of the "missing middle" housing option with medium density, well-designed units with smaller footprints that will appeal to many types of demographic groups.)*
2. The proposed detention pond provides improved management of storm water in an area not currently detained.
 3. The redevelopment of this site provides an update to the visual aesthetic in a unique area of the City with underutilized parcels.
 4. The redevelopment of the subject parcels will remove non-conforming structures from the Right-of-Way.
 5. The proposed single family homes are consistent with the surrounding residential neighborhoods.
 6. The topography and parcel configuration are such that single family home development under the existing zoning would not be possible without similar variances for lot depth, lot area, lot coverage and setbacks.
 7. The density proposed is within the density recommended in the Master Plan.
 8. 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 offers benefits that would not be likely to be offered under standard development options.

Motion carried 5-0.

2. FOUNTAIN VIEW AKA STONERIDGE WEST II JSP18-30

Public hearing at the request of Acquire Realty Holdings for approval of Preliminary Site Plan, Phasing Plan, Wetland Permit, and Storm Water Management Plan. The subject property is located in Section 10 of the City of Novi north of Twelve Mile Road and west of Novi Road. The applicant is proposing to construct three medical and professional office buildings totaling 40,240 square feet with associated site improvements.

In the matter of Fountain View AKA Stoneridge West II, JSP 18-30, motion to approve the Preliminary Site Plan and Phasing Plan based on and subject to the following:

- a. For buildings A & C, a Section 9 waiver to allow the overage of Burnished CMU on all facades (10% allowed; up to 20% proposed), an underage of Brick on the rear, left and right facades (30% required; minimum 20% proposed) and an overage of Standing Seem Metal on rear, left and right facades (25% allowed; up to 36% proposed). *These deviations are supported because the buildings exhibit well balanced composition and the proportions of materials used are consistent with and will enhance the overall design, and overall the building is consistent with the intent and purpose of the Façade Ordinance. The Section 9 waiver is hereby granted;*
- b. Waiver for deficiency in total foundation landscape area provided which is hereby granted *because the site will be heavily and attractively landscaped,*

and only the limited paved areas of the building are not landscaped as required;

- c. Waiver for use of a gray dogwood to screen along the northwestern half of the parking lot in place of the required 4.5-6 foot tall berm, *which is hereby granted because more of the wetland would have to be filled if the required berm was built along the entire northern frontage;*
- d. Waiver for driveway spacing of 140 feet from the driveway to the east, where 230 feet is required, *which is hereby granted because of constraints on the site and in the Twelve Mile right-of-way;*
- e. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan.

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

In the matter of Fountain View AKA Stoneridge West II, JSP 18-30, motion to approve the Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Fountain View AKA Stoneridge West II, JSP 18-30, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

3. JAGUAR LAND ROVER JSP17-65

Public Hearing at the request of Erhard Motor Sales, Inc. for Planning Commission's recommendation to City Council for consideration of a Special Development Option Concept Plan in the GE, Gateway East zoning district. The subject property is comprised of two parcels totaling 9.48 acres. It is located on the southwest corner of Grand River Avenue and Meadowbrook Road in section 23. The applicant is proposing to build a 58,663 square feet car sales facility for Jaguar Land Rover. The concept plan proposes 138 parking spaces and 287 parking spaces for storing cars for sale.

In the matter of Jaguar JSP17-65 motion to recommend approval to the City Council of the Special Development Option Concept Plan:

1. The recommendation shall include the following ordinance deviations:
 - a. The applicant shall work with staff to provide acceptable amount of Open Space as defined in Section 3.11.7 GE District required conditions, prior to City Council's consideration of SDO Concept Plan;
 - b. The applicant shall work with City's Façade consultant to provide alternate design elements to meet the intent of Section 3.11.8;

- c. Planning deviation from Section 3.11.8 for absence of required sidewalk along Cherry Hill Road due to existing wetlands;
 - d. Deviations from Section 5.15. Exterior Building Wall Façade Materials for the following:
 - i. Underage of brick (30% minimum required, 25% on north façade and 28% on east façade proposed);
 - ii. Overage of flat metal panels (50% maximum allowed, 58% on north façade and 56% on east façade proposed);
 - iii. Overage of horizontal rib metal panels for roof top screening (0% allowed, 17% on north, 16% on east, 12% on south and 18% on west proposed);
 - e. Defer the Traffic Impact Study to the time of Preliminary Site Plan review, as the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City;
 - f. Traffic deviation for variance from Design and Construction Standards Section 11-216(d) for not meeting the minimum distance required for same-side commercial driveways along Grand River Avenue;
 - g. Landscape deviation from Section. 5.5.3.E.i.c for lack of street trees along Grand River Road frontage due to lack of space (8 trees required);
 - h. Landscape deviation from Section. 5.5.3.E.i.c for lack of street trees along Cherry Hill Road frontage due to lack of space (8 trees required);
 - i. Landscape deviation from Section 5.5.3.B.ii and iii for not providing greenbelt berm or plantings in area of wetland in order to preserve wetland along Cheery Hill Road frontage;
 - j. Landscape deviation from Section 5.5.3.B.ii and iii for not providing greenbelt berm or plantings between Cherry Hill and the parking lot area not behind the wetland;
2. The Applicant shall comply with the conditions and items listed in the staff and consultant review letters as a requirement noted in the Special Development Option Agreement.

This motion is made based on the following findings:

- a. The project results in a recognizable and substantial benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved by a traditional development;
- b. In relation to a development otherwise permissible as a Principal Permitted Use under Section 3.1.16.B the proposed type and density of development does not result in an unreasonable increase in the use of public services, facilities and utilities, and does not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants and/or the natural environment;
- c. Based upon proposed uses, layout and design of the overall project, the proposed building facade treatment, the proposed landscaping treatment and the proposed signage, the Special Development Option project will result in a material enhancement to the area of the City in which it is situated;
- d. The proposed development does not have a materially adverse impact upon the Master Plan for Land Use of the City, and is consistent with the intent and spirit of this Section;
- e. In relation to a development otherwise permissible as a Principal Permitted Use under Section 3.1.16.B, the proposed development does not result in an unreasonable negative economic impact upon surrounding properties;
- f. The proposed development contains at least as much usable open space as would

be required in this Ordinance in relation to the most dominant use in the development (*provided the applicant makes the required revisions*);

- g. Each particular proposed use in the development, as well as the size and location of such use, results in and contributes to a reasonable and mutually supportive mix of uses on the site, and a compatibility of uses in harmony with the surrounding area and other downtown areas of the City;
- h. The proposed development is under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance;
- i. Relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service;
- j. Relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area;
- k. Relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats;
- l. Relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood;
- m. Relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- n. Relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner; and
- o. Relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Motion carried 5-0.

4. KEFORD COLLISION AND TOWING JZ18-32 with REZONING 18.725

Public hearing at the request of Keford Collision and Towing for Planning Commission's recommendation to the City Council for rezoning from I-1 (Light Industrial) to I-2 (General Industrial) with a Planned Rezoning Overlay (PRO). The subject property is approximately 7.61 acres and is located on the south side of Grand River Avenue between Taft Road and Novi Road in section 15. The subject property contains two existing buildings which are currently unoccupied. The applicant proposes to use the larger building (23,493 square feet) for an auto body collision repair shop and related offices, along with an accessory use of car rental services.

In the matter of Keford Collision and Towing JZ 18-32 with Zoning Map Amendment 18.725, motion to recommend approval to the City Council to rezone the subject property from I-1 (Light Industrial) to I-2 (General Industrial) with a Planned Rezoning Overlay (PRO).

1. The recommendation shall include the following ordinance deviations for consideration by the City Council:

- a. Planning deviation from Section 3.1.19.D for not meeting the minimum requirements for side yard setback for Parking (20 feet minimum required, 10.7 proposed in the northwest parking lot);
 - b. Landscape deviation from Section 5.5.3.A for not meeting the minimum requirements for a 10-15 foot tall landscaped berm or not providing the minimum required screening trees between residentially zoned property and industrial. A berm approximately 7 feet in height is proposed south of the southeast corner of the storage lot, but not along the entire southern frontage, nor at the southwestern corner of the property (not including the preserved woodland);
 - c. Landscape deviation from Section 5.5.3.C.ii and iii. for lack of interior canopy trees, in the southern portion of the vehicular storage area due to conflict with truck turning patterns. Landscape deviation from Section 5.5.3.C.iv for lack of parking lot perimeter trees along 400 feet of eastern edge of property due to lack of room between drive and adjacent property;
 - d. Landscape deviation from Section 5.5.3.C.iv to allow planting of parking lot perimeter trees, more than 15 feet of the vehicular storage area;
 - e. Landscape deviation from Section 5.5.3.D for the shortage of a total of 2980 square feet (37%) of required building foundation landscaping for the two buildings;
 - f. Landscape deviation from Section 5.5.3.D for allowing less than 75 percent of each building perimeter to be landscaped;
 - g. Landscape deviation from Section 5.5.3.D for the shortage of green scape along the building frontage facing Grand River (60% required, 54% proposed);
 - h. Landscape deviation from Section 5.5.3.C.ii.i. for the lack of landscape islands every 25 spaces within the enclosed outside storage yard due to the nature of the proposed use;
 - i. Traffic deviation from Section for proposing painted end islands in lieu of raised end islands.
2. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:
- a. Outside storage of vehicles shall be limited to 160 parking spaces only.
 - b. Minor modifications to the approved Planned Rezoning Overlay Concept Plan (PRO) can be approved administratively, upon determination by the City Planner, that the modifications are minor, do not deviate from the general intent of the approved PRO Concept plan and result in reduced impacts on the surrounding development and existing infrastructure.
 - c. Applicant shall comply with the conditions listed in the staff and consultant review letters.
 - d. Any proposed use of the existing building on the south side of the property would return to the Planning Commission for review.

This motion is made because

- a. The rezoning request fulfills one objective of the Master Plan for Land Use by supporting the growth of existing businesses.
- b. The rezoning is a reasonable alternative as the proposed use is less intense of uses that would be typically allowed under I-2 zoning.
- c. The rezoning will have no negative impact on public utilities.

- d. According to City's Traffic Consultant's report, the proposed Keford Towing and Collision land use would be expected to generate fewer trips than what could be built under the existing I-1 zoning, as well as fewer trips than could be expected for other permitted uses under the proposed I-2 zoning.
- e. City Council's determination that the proposed PRO rezoning would be in the public interest and the benefits to public of the proposed PRO rezoning would clearly outweigh the detriments.

Motion carried 5-0.

MATTERS FOR CONSIDERATION

1. CITY OF NOVI BOSCO PARK JSP 18-42

Consideration at the request of City of Novi for Planning Commission's approval of Preliminary Site Plan and Stormwater Management Plan. The subject property is currently zoned RA, Residential Acreage and is located in Section 20, west of Beck Road and south of Eleven Mile Avenue. The applicant is proposing to build a total 13 outdoor soccer fields of varied sizes with 298 parking spaces on site. The Planning Commission is asked to consider the location, character, and extent of the improvements proposed as a City park, per state law.

In the matter of City of Novi Bosco Park, JSP 18-42, motion to approve the Preliminary Site Plan based on and subject to the following landscape waivers and subject to City Council approval of Design and Constructions standard variances:

- a. Planning Commission finding based on Section 5.2.9. that the 298 proposed parking spaces for the proposed use are sufficient, as the use is not specifically mentioned in the requirements for off-street parking facilities of the zoning code;
- b. A Landscape waiver to permit a deficiency in required greenbelt plantings along Beck Road frontage as listed in Section 5.5.3.B.ii.f (12 large trees and 19 sub canopy trees are required, 22 large evergreens are provided), which is hereby granted;
- c. A Landscape waiver to permit a deficiency in required greenbelt plantings along Eleven Mile Road frontage as listed in Section 5.5.3.B.ii.f (10 large trees and 16 sub canopy trees are required, 14 large evergreens are provided), which is hereby granted;
- d. A Landscape waiver to permit the absence of the required Right of Way trees along Beck Road (13 street trees are required, 0 are provided) as listed in Section 5.5.3.B.ii.f, which is hereby granted;
- e. A Landscape waiver to permit the absence of the required Right of Way trees along Eleven Mile Road (11 street trees are required, 0 are provided) as listed in Section 5.5.3.B.ii.f, which is hereby granted;
- f. A Landscape waiver for exceeding the maximum number of contiguous spaces within a parking bay (15 maximum allowed) as listed in Section 5.5.3.C.ii.i, which is hereby granted;
- g. A Landscape waiver to permit the absence of required vehicular use area perimeter trees as listed in Section 5.5.3.C.iii Chart footnote, which is hereby granted;
- h. A Landscape waiver to permit the absence of required parking lot interior trees as listed in Section 5.5.3.C.iii, which is hereby granted;
- i. A Landscape waiver to permit the absence of required landscaped area within the parking lot end islands and interior islands to break up long parking bays as listed in Section 5.5.3.C.iii, which is hereby granted;
- j. City Council variance from Sec. 11-239(b)(1),(2) of Novi City Code for absence of hard surface for parking lot and driveway;

- k. City Council variance from Sec. 11-239(b)(1),(2)of Novi City Code for absence of curb and gutter for parking lot and driveway;
- l. City Council variance from Sec. 11-239(b)(3) of Novi City Code for absence of pavement markings and layout including end islands;
- m. City Council approval for lack of required Traffic Impact study based on existing conditions and proposed mitigation measures near Beck Road and Eleven Mile Road entrances;
- n. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-1 (Lynch).*

In the matter of City of Novi Bosco Park, JSP 18-42, motion to approve the Stormwater Management Plan, based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-1 (Lynch).*

ADJOURNMENT

The meeting was adjourned at 9:16 PM.

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