

# MEMORANDUM



**TO:** CITY OF NOVI PLANNING COMMISSION  
**FROM:** SRI RAVALI KOMARAGIRI, PLANNER  
**THROUGH:** BARBARA MCBETH, AICP, CITY PLANNER  
**SUBJECT:** JSP 13-43 BALLANTYNE FINAL SITE PLAN EXTENSION  
**DATE:** DECEMBER 11, 2018

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Ballantyne is a 41 unit Residential Unit Development (RUD) site condominium project on a 50.85 acre site located on the north side of Eight Mile Road, west of Garfield Road. The lots range in size from 21,780 square feet to 44,045 square feet, as permitted in the R-A district as the RUD plan was approved under the RUD section of the ordinance.

The development includes 2 parks with woodchip trails for the benefit of the residents. Two entrances are proposed on the existing public streets; one on Eight Mile Road and one on Garfield Road, directly across the street from the Tuscany Reserve Development. There are no regulated woodlands on Ballantyne Site. However, as listed in the RUD agreement, approximately 908 woodland replacement trees (817 woodland credits) are shown as proposed on approximately 14.26 acres of open space not utilized for storm water retention or other purposes. These replacements were considered off-site woodland replacements for Bolingbroke project. However, the applicant has paid into the tree-fund as per the condition of woodland permit approval, since the construction for Ballantyne did not start prior to November 2018.

Approvals proceeded as follows:

- The Ballantyne RUD Plan and Agreement were approved by the City Council on February 3, 2014.
- The Preliminary Site Plan, Woodland Permit, Wetland Permit and Storm water Management Plan were approved by the Planning Commission on June 11, 2014.
- Final stamping sets were approved on December 22, 2015.
- A one-year extension was approved by the Planning Commission on December 13, 2017.
- A second one-year extension was approved by the Planning Commission on December 12, 2018.

**The applicant is requesting a third one-year extension of Final Site Plan approval, as they are not yet ready to commence construction on the development and the planned start is now in 2020. The Zoning Ordinance allows for three, one-year extensions of Preliminary and Final Site Plan approvals.**

At this time, the Planning staff is not aware of any changes to the ordinances, or surrounding land uses, which would affect the approval of the requested extension for one year. Approval of the extension of Final Site Plan is **recommended**.

Please refer to the attached letter dated November 07, 2019 from Todd J. Rankine, Director of Architecture and Planning of Singh Development requesting the one-year extension of the Final Site Plan approval. Also attached are relevant minutes from the Planning Commission and City Council meetings.

**APPLICANT LETTER OF EXTENSION REQUEST**



A TRADITION OF EXCELLENCE

Singh Development, L.L.C.  
7125 Orchard Lake Road  
Suite 200  
West Bloomfield, MI 48322

Real Estate - Developers - Builders - Investors – Management

Telephone: (248) 865-1614  
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November 7, 2019

Mrs. Sri Komaragiri  
City Planner  
City of Novi  
45175 W. Ten Mile Road  
Novi, Michigan 48375-3024

Re: Request for Extension of Final Site Plan Approval  
Ballantyne; JSP13-0043  
Novi, Michigan

Dear Sri:

Please accept this letter as our formal request for an extension to the approved Final Site Plan for the referenced development for a period of one (1) year, pursuant to Section 6.1.7 of the City of Novi Zoning Ordinance.

Based on our observation and understanding of the current residential market, demand for large homes on half-acre lots has continued to be soft over the last 12 months. As a result, we have not yet begun construction at Ballantyne. Therefore, the projection to commence construction on the development is now in 2020.

Please let me know if you may require any additional information in order to consider our request for an extension to the Final Site Plan.

Sincerely,

Todd J. Rankine, RA  
Director, Architecture and Planning

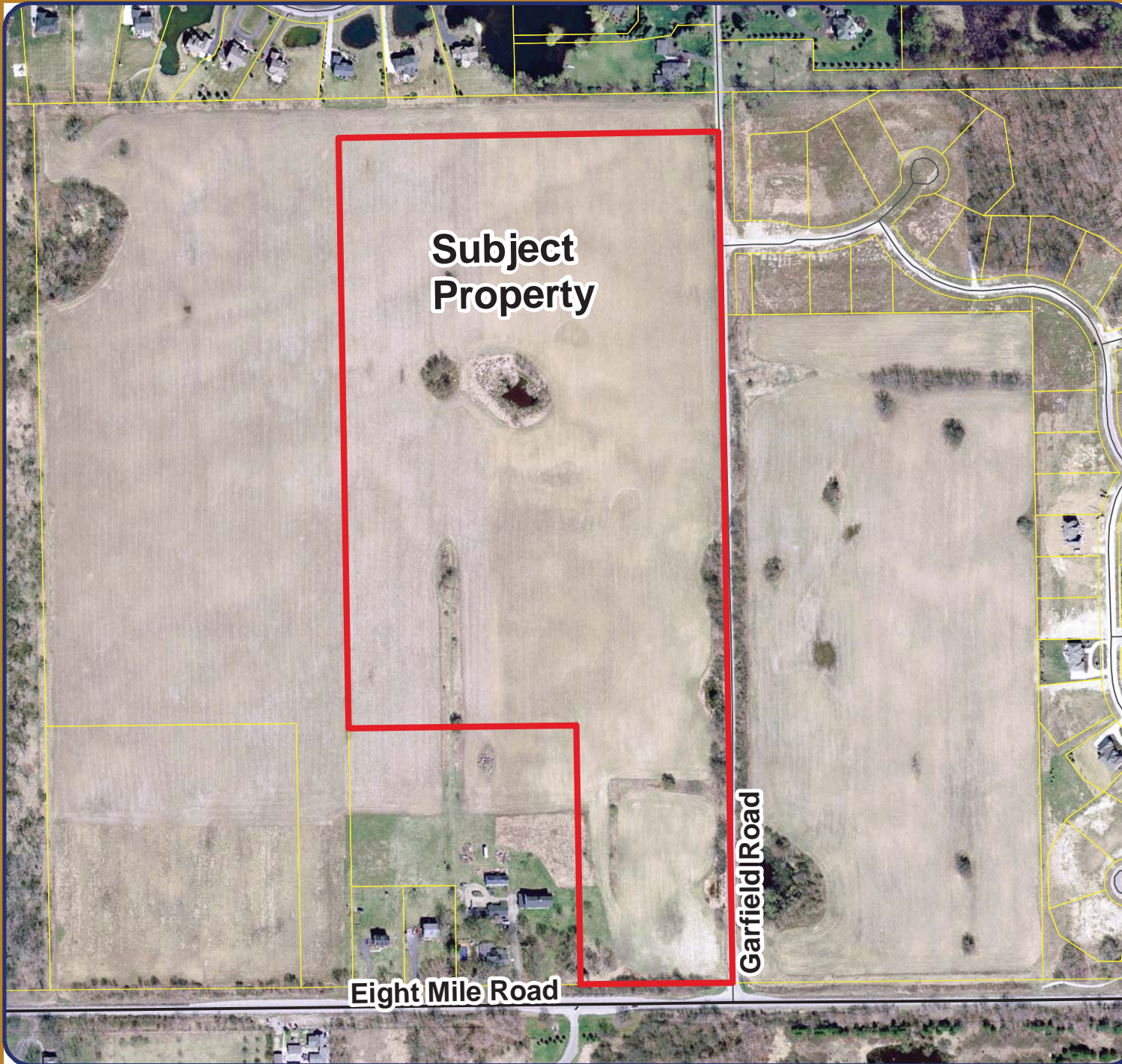
Cc: Bob Emerine, Seiber Keast Engineering, LLC  
Sunny S. Grewal, Singh Homes, LLC  
Avi S. Grewal, Singh Development, LLC

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features

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# Ballantyne JSP13-43

Location



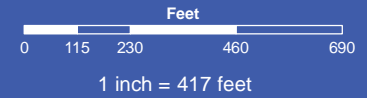
**Subject  
Property**

**Garfield Road**

**Eight Mile Road**

## Map Legend

 Subject Property



## City of Novi

Planning Division  
Community Development Dept.  
45175 W Ten Mile Rd  
Novi, MI 48375  
cityofnovi.org

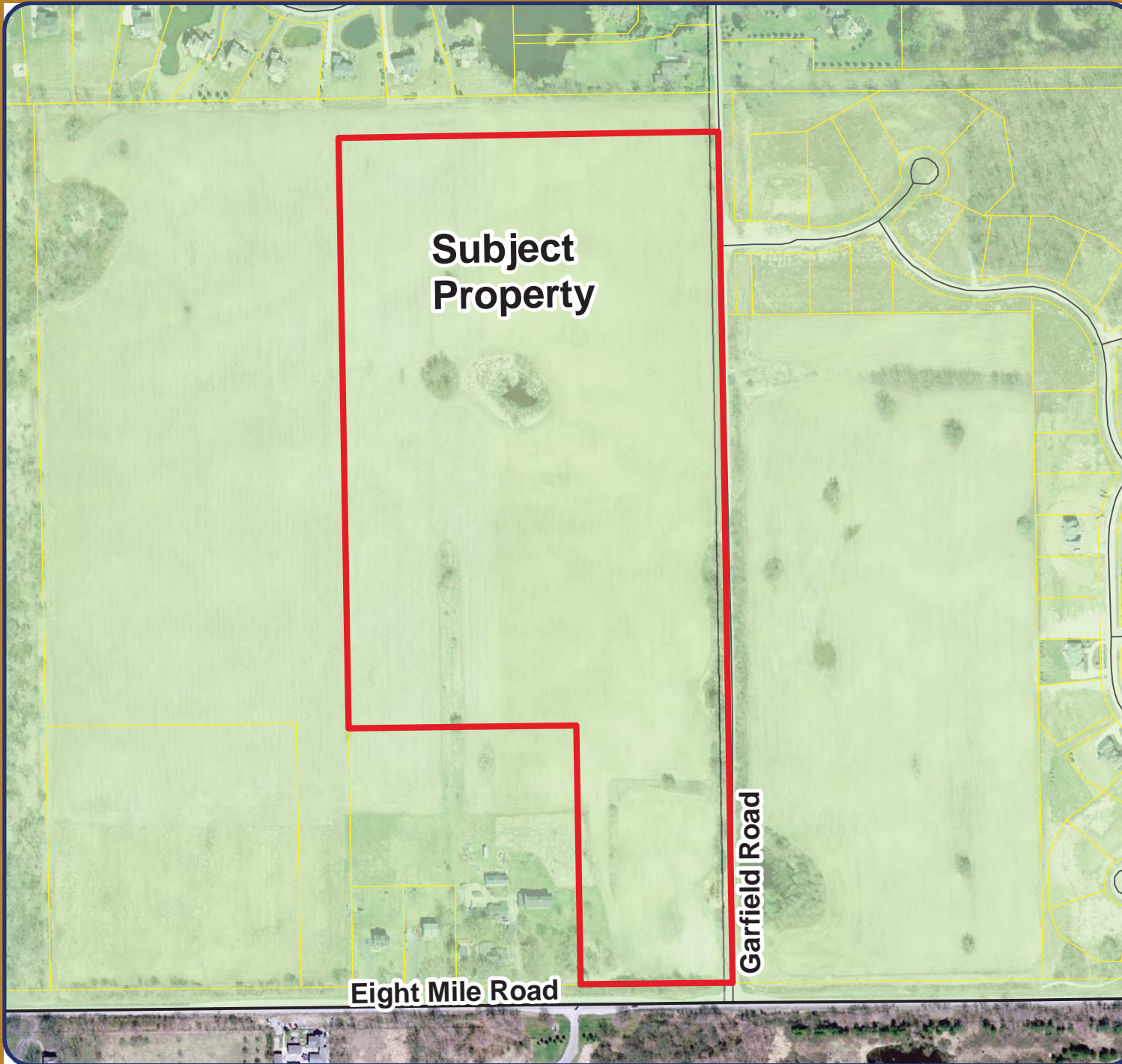
Map Author: Kristen Kapelanski  
Date: 01-06-14  
Project: Ballantyne JSP13-43  
Version #: 1.0

### MAP INTERPRETATION NOTICE



Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

# Ballantyne JSP13-43

Zoning



**Map Legend**

-  Subject Property
-  R-A: Residential Acreage

Feet

0 115 230 460 690

1 inch = 417 feet



**City of Novi**  
Planning Division  
Community Development Dept.  
45175 W Ten Mile Rd  
Novi, MI 48375  
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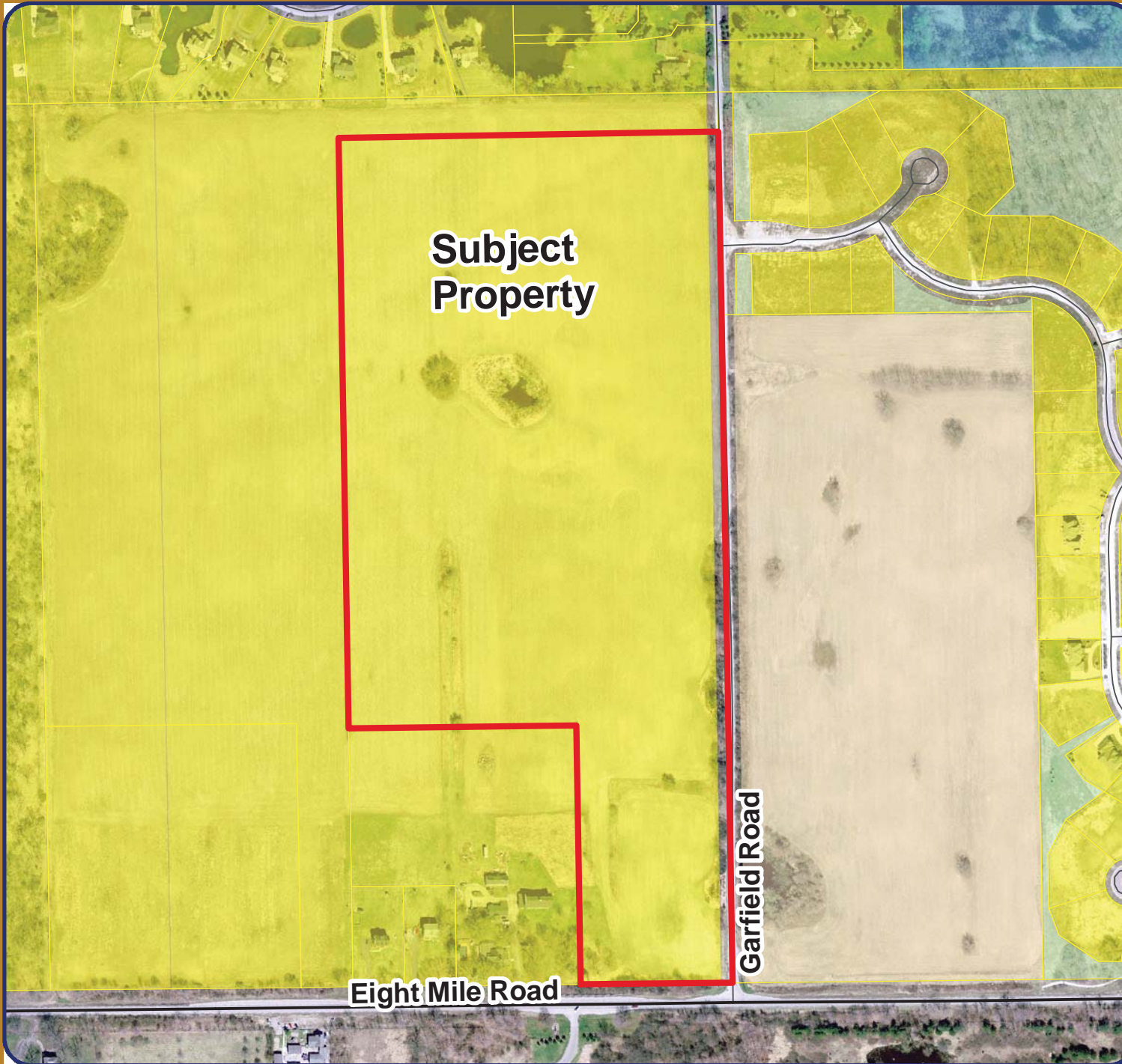
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# Ballantyne JSP13-43

Future Land Use



### Map Legend

-  Subject Property
-  Single Family
-  Educational Facility
-  Public
-  Private Park



1 inch = 417 feet



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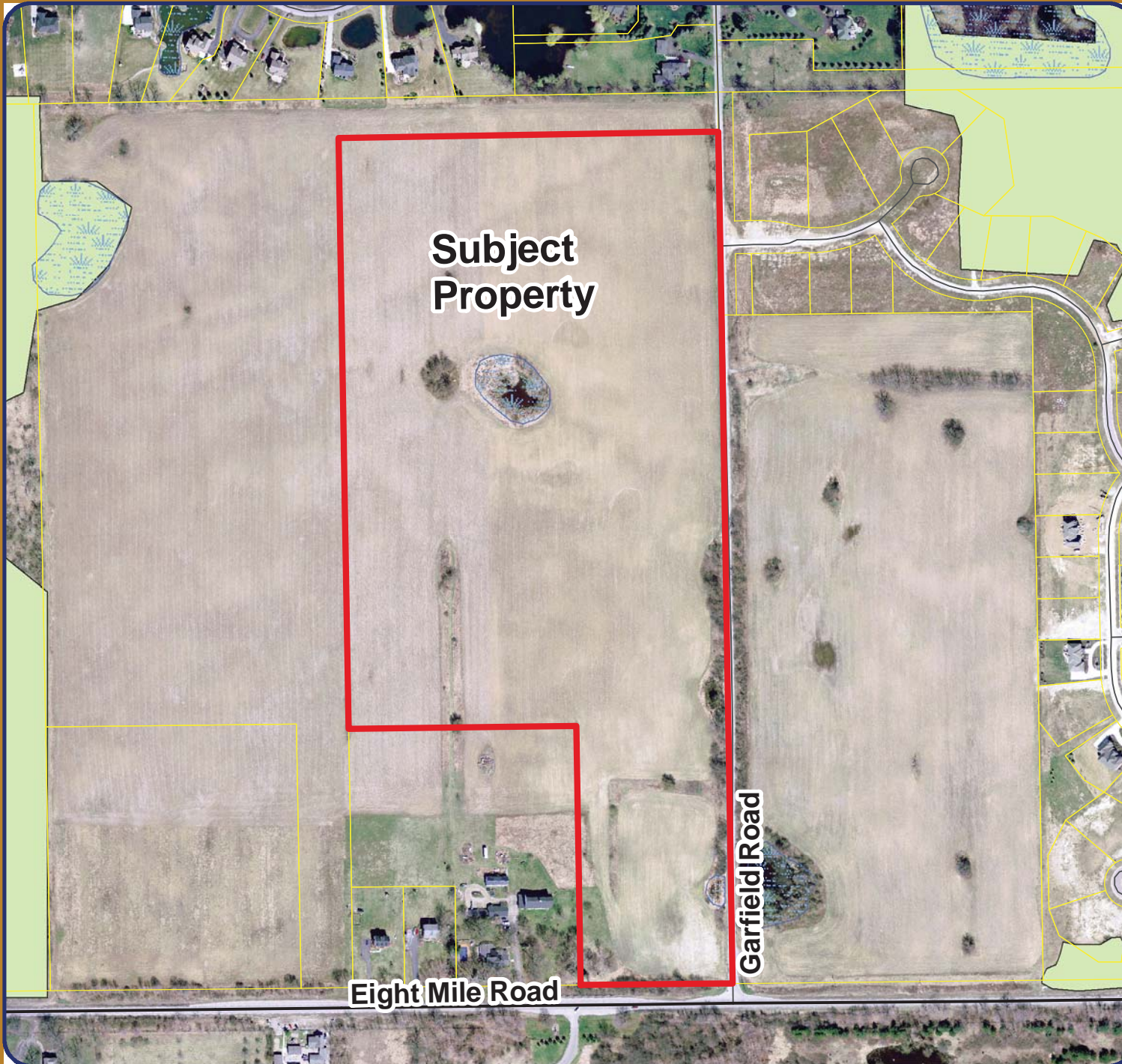
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# Ballantyne JSP13-43

Natural Features



**Map Legend**

-  Subject Property
-  Wetlands
-  Woodlands

Feet

0 115 230 460 690

1 inch = 417 feet



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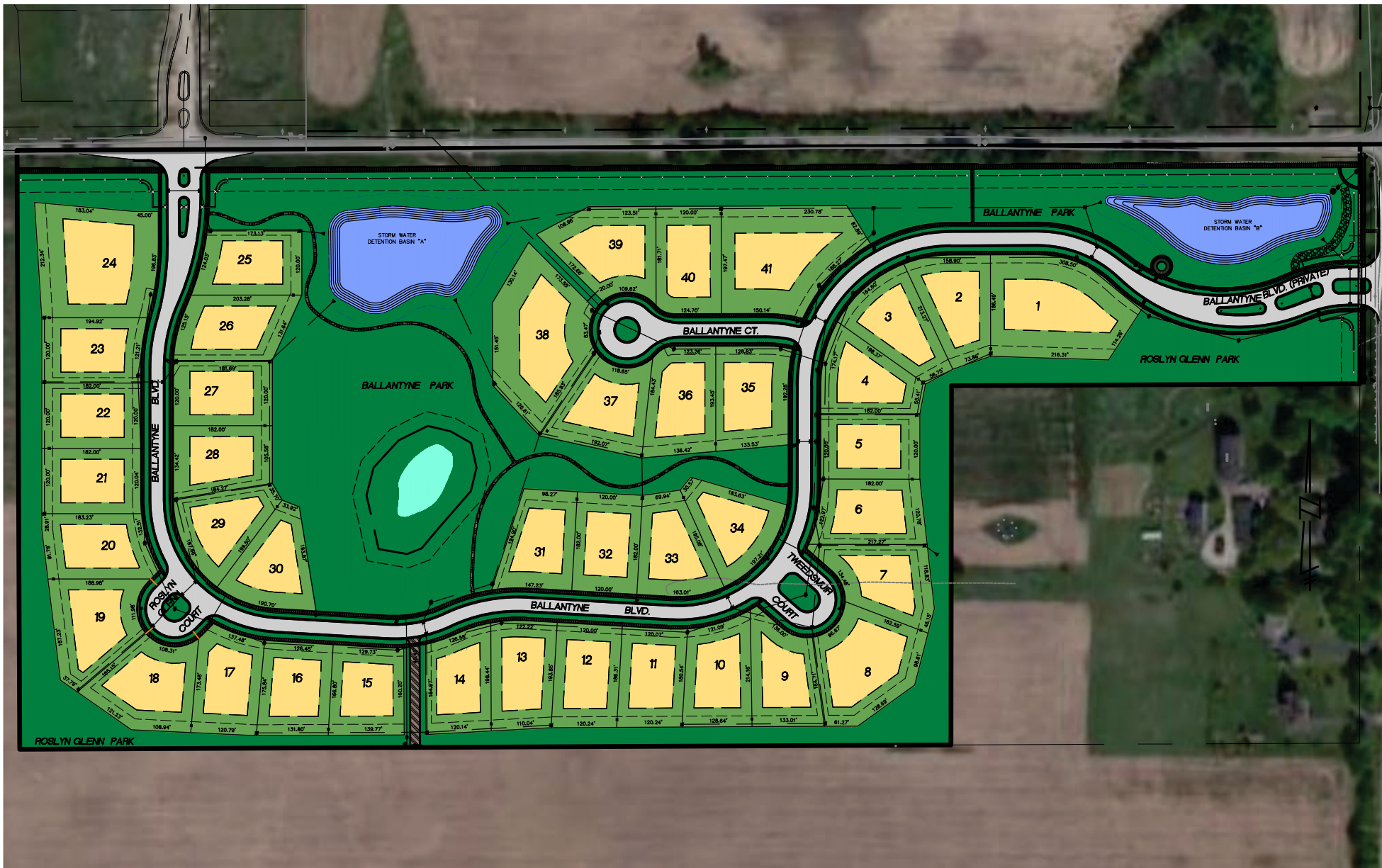
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**RUD PLAN**

(Full plan set available for viewing at the Community Development Department.)

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**BALLANTYNE**  
SECTION 31, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



P:\12-020 8 MILE & GARFIELD\PRESENTATION\2020PRES.DWG 6/2/2014 10:36 AM



**SEIBER, KEAST  
ENGINEERING, L.L.C.**

CONSULTING ENGINEERS  
7125 ORCHARD LAKE ROAD • SUITE 304 • WEST BLOOMFIELD, MI • 48322  
PHONE: 248.562.7357 FAX: 248.562.7397

**CITY COUNCIL MINUTES  
FEBRUARY 03, 2014**

- B. Enter Executive Session immediately following the regular meeting of February 3, 2014 in the Council Annex for the purpose of discussing property acquisition and privileged correspondence from legal counsel.
- C. Acceptance of a Conservation Easement from The Medilodge Group for woodland and wetland conservation areas on the Medilodge of Novi site, located on the north side of Eleven Mile Road between Beck Road and Wixom Road in Section 17 of the City.
- D. Approval of a Storm Drainage Facility Maintenance Easement Agreement with Novi Real Estate, LLC for the Medilodge of Novi project located on 11 Mile Road between Beck Road and Wixom Road in section 17 (parcel 22-17-400-002).
- E. Approval of Ordinance No. 14-23.30 to amend the City of Novi Code of Ordinances at Chapter 22, "Offenses," Article I, "In General," Section 22-7, "Begging in Public Places," in order to revise existing regulations relating to begging and to provide a specific prohibition against aggressive begging, as defined. **SECOND READING**
- F. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation costs of one street light near the intersection of Acorn Trail and Wixom Road to serve the Island Lake 7A development; and approval of an agreement with Toll Brothers, Inc. for the sharing of installation costs per the City's Street Lighting Policy.
- G. Approval of a Resolution of Support for a Transportation Alternatives grant for the Metro Connector Regional pathway along the east side of Meadowbrook Road between I-96 and 12 Mile Road.
- H. Approval of Claims and Accounts – Warrant No. 909

**Roll call vote on CM 14-02-028**

**Yeas: Casey, Fischer, Markham, Mutch,  
Wrobel, Gatt, Staudt**

**Nays: None**

#### **MATTERS FOR COUNCIL ACTION**

1. Consideration of the request of Singh Development for Ballantyne JSP13-43, for approval of a Residential Unit Development (RUD) Plan and related Agreement. The subject property is 50.85 acres in Section 31 of the City of Novi and located at the northwest corner of Garfield Road and Eight Mile Road. The applicant is proposing a 41 unit single-family development.

City Manager Pearson said this is a quality residential development. This is a RUD for consideration with a positive recommendation from Planning Commission and City staff to move this forward.

**CM 14-02-029**

**Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:**

To approve the Residential Unit Development Plan for the Ballantyne. This motion is based on the following findings, lot size modifications, building setback reductions and conditions:

Determinations (Zoning Ordinance Section 2402.8.A):

- a. The site is zoned for and appropriate for the proposed single-family residential use;
- b. Council is satisfied that with the proposed pathway and sidewalk network and added open space, the development will not have detrimental effects on adjacent properties and the community;
- c. Council is satisfied with the applicant's commitment and desire to proceed with construction of 41 new homes as demonstrating a need for the proposed use;
- d. Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings through the preservation of 18.17 acres (or 35.7%) of the proposed development area as open space;
- e. Council is satisfied that the applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;
- f. Factors evaluated (Zoning Ordinance Section 2402.8.B):
  1. Subject to the lot size modifications and building setbacks reductions, all applicable provisions of the Zoning Ordinance, including those in Section 2402 and for special land uses, and other ordinances, codes, regulations and laws have been or will be met;
  2. Council is satisfied with the adequacy of the areas that have been set aside in the proposed RUD development area for walkways, parks, recreation areas, and other open spaces and areas for use by residents of the development;
  3. Council is satisfied that the traffic circulation, sidewalk and crosswalk features and improvements for within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
  4. Based on and subject to the recommendations in the traffic consultant's review letter, Council is satisfied that the proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;
  5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;

6. The RUD will provide for the preservation and creation of approximately 35.7% of the site as open space and result in minimal impacts to provided open space and the most significant natural features;
  7. The RUD will be compatible with adjacent and neighboring land uses for the reasons already stated;
  8. The desirability of conventional residential development on this site in strict conformity with the otherwise applicable minimum lot sizes and widths being modified by this motion is outweighed by benefits occurring from the preservation and creation of the open space that will result from the RUD;
  9. Any detrimental impact from the RUD resulting from an increase in total dwelling units over that which would occur with conventional residential development is outweighed by benefits occurring from the preservation and creation of open space that will result from the RUD;
  10. Council is satisfied that the proposed reductions in lot sizes are the minimum necessary to preserve and create open space and to ensure compatibility with adjacent and neighboring land uses;
  11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost;
  12. Council is satisfied that the applicant has made or will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;
  13. Council is satisfied that the applicant has made or will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and
  14. Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.
- g. Modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 is hereby approved with this approval based on and limited to the lot configuration shown on the concept plan as last revised, as the requested modification will result in the preservation of open space for those purposes noted in Section 2402.3.8 of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;

- h. Applicant extending the proposed pathway along both sides of Emery Boulevard as indicated in the response letter;
- i. Reduction of permitted building setbacks consistent with the proposed reduction in lot size and width;
- j. Same-side driveway spacing waiver for the Eight Mile Road access drive (275' required, 218' provided) being approved at the time of Preliminary Site Plan approval;
- k. The applicant providing a cross section of the area around the Deer Run Subdivision, the vacant property to the north and the subject property in order to identify the need for minor berming and/or rearrangement of the tree replacement plantings to provide screening; and
- l. This approval is subject to all plans and activities related to it being in compliance with all applicable provisions of the Zoning Ordinance, including Articles 3, 24 and 25, and all applicable City Zoning Ordinance approvals, decisions, conditions and permits.

Roll call vote on CM 14-02-029

Yeas: Fischer, Markham, Mutch, Wrobel, Gatt,  
Staudt, Casey  
Nays: None

CM 14-02-030

Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve of the Residential Unit Development Agreement for Ballantyne, with any changes and/or conditions as discussed at the City Council meeting, and any final minor alterations required in the determination of the City Manager and City Attorney to be incorporated by the City Attorney's office prior to the execution of the final agreement.

Member Mutch noted that there was staff correspondence that addressed issues related to the reviews. He asked Clif Sieber, Engineer for Ballantyne Development, if the outstanding issues that were raised by staff had been cleared up. The applicant said he was comfortable with it moving forward and has come to agreement on most of the issues.

Roll call vote on CM 14-02-030

Yeas: Markham, Mutch, Wrobel, Gatt, Staudt,  
Casey, Fischer  
Nays: None

2. Consideration of requests from Mynt Martini Novi, Inc.:

- A) Consideration of request for a Special Land Use for approval for service of alcoholic beverages.



**PLANNING COMMISSION MEETING MINUTES  
JUNE 11, 2014**



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**June 11, 2014 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 Baratta, Member Giacometti, Member Greco, Member Lynch, Chair Pehrson

**Absent:** Member Anthony (excused), Member Zuchlewski (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Sara Roediger, Planner; Sara White, Planner; Brian Coburn, Engineering Manager; David Beschke, Landscape Architect; Doug Necci, Facade Consultant; Gary Dovre, City Attorney.

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Giacometti:

## VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:

**Motion to approve the June 11, 2014 Planning Commission Agenda. Motion carried 5-0.**

## 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

Deputy Director McBeth had nothing to report.

## CONSENT AGENDA - REMOVALS AND APPROVAL

### 1. ARAMCO SERVICES, JSP14-21

Approval of the request of Kirco Manix Construction for Preliminary Site Plan. The applicant is proposing to construct a new 75-space parking lot expansion to the east of the existing Aramco Services building, construct a new hazard materials storage building and tanks in the existing enclosure, and construct a screened explosion relief area in the existing building. The property is located at the northeast corner of Hudson Drive and Peary Court in the Beck North Corporate Park.

Moved by Member Lynch and seconded by Member Baratta:

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

**In the matter of Aramco Services, JSP14-21, motion to approve the Preliminary Site Plan based on and subject to the following:**

1. **Planning Commission waiver for same-side driveway spacing (105 feet required, 29 feet provided) which is hereby granted, and**
2. **The conditions and items listed in the staff and consultant review letters being addressed on the stamping set. Motion carried 5-0.**

## **PUBLIC HEARINGS**

### **1. BALLANTYNE, JSP13-43**

Public hearing at the request of Singh Development for approval of Preliminary Site Plan, Site Condominium, Woodlands Permit, Wetlands Permit, and Stormwater Management Plan approval. The subject property is 50.85 acres in Section 31 of the City of Novi and located at the northwest corner of Garfield Road and Eight Mile Road. The applicant is proposing a 41 unit single-family site condominium development.

Planner White said the applicant is proposing a 41 unit, single-family Residential Unit Development (RUD) site condominium on a 50.85 acre site. The subject property is located at the northwest corner of Garfield Road and Eight Mile Road in section 31. The subject property is zoned RA, Residential Acreage and is surrounded by RA zoning to the north, east, and west. To the south is land zoned R-2, single-family residential in Northville Township. The Future Land Use map indicates single-family uses for the subject property with single-family, park, and educational uses planned for the surrounding properties. There are non-regulated woodlands on the property and three wetland areas that have been identified in the field and are shown on the site plan. The large wetland that is centrally located will be preserved within a proposed open space. One of the smaller wetlands and its entire associated setback, .35 acres in total, are proposed to be filled for the construction of an 8 foot pathway along Garfield Rd. The other small wetland will be preserved with a small impact on the wetland buffer. Although there are no regulated woodlands on the site, a City of Novi Woodland Permit is required due to replacement trees from another Singh development, Oberlin, being planted on this site. These plantings are detailed on sheets LS-5 and LS-6 of the site plan.

A conservation easement is required to preserve these trees and the applicant has indicated that it will be included on the Final Site Plan submittal. The proposed development will result in 41 single-family detached homes on lots ranging in size from 21,780 square feet to 44,045 square feet. The proposed development includes 2 parks totaling 18.17 acres, 35.7% of the site, with woodchip trails for use by the residents. Sidewalks are proposed along Twelve Mile Road and Garfield, as well as along both sides of interior streets. Additionally, staff is recommending pedestrian paths that connect from the site to Garfield road and potential future school site to the East and to the Church property to the West. The Ballantyne RUD plan and agreement were approved by City Council on February 3, 2014. The agreement specified private and gated roads through the development. The planning review recommends approval of the preliminary site plan to allow development of the subject property. As a discretionary review, the Planning Commission should consider the various standards from Section 2402 outlined and listed in the planning review letter. In response to some of the concerns from neighbors that have been received, staff is working with the applicant to increase landscaping and berming along the northern property line to better buffer existing homes from the elevation difference. All reviews are recommending approval of the proposed plan with items to be addressed on the final site plan. The Planning Commission is asked to hold a public hearing and to approve the Preliminary Site Plan, Site Condominium, Wetland Permit, Woodland Permit and Stormwater Management Plan. The applicant is here tonight to answer any questions that you may have.

Clif Seiber, of Seiber-Keast Engineering, said I'm representing the Singh Development Company. When we were before you last time on this project, it was for RUD approval and during that meeting a couple of points were brought up. One, the neighbor to the north in Deer Run had a concern

about the view from the back of their house to the homes on Ballantyne. They indicated that there was a concern about the homes in Ballantyne towering over their home. You may have seen in your packets on our plan now that we provided a cross section of that. It appears that the closest home in Ballantyne to that home is approximately 320 feet; the length of a football field. If you were standing under the goal post at one end of the football field the other home would be at the other goal post. So you have a significant amount of distance there. Also, there's a berm that's proposed along our south property line and in the one lot that backs up to her home we're proposing 40 trees just on that berm. There is, in addition, 115-foot wide piece of property that is neither part of Ballantyne nor part of her property that separates the two properties. So that, in addition to the part that is being proposed along the north edge of Ballantyne and the rear yard setback in Ballantyne provides that large distance of 320 feet. So we think that what is being proposed now more than satisfies that concern.

Mr. Seiber said the other point that was discussed at the last meeting was concerning the sidewalks. In that plan we did not propose a sidewalk on both sides of Ballantyne Boulevard near the entrance to Eight Mile Road. We thought because a good section of that boulevard is zero loaded, in other words there's not lots fronting on that front of the roadway and a good portion of it has no homes on it, for that reason we thought maybe an alternative would be to provide for a sidewalk out to Garfield Road at a midblock point. Subsequently when we were going through site plan approval and in order to avoid a waiver from the City Council, we went ahead and provided sidewalks on both sides of Ballantyne Boulevard. As a result, there are sidewalk accesses to Garfield Road at two points; one at Eight Mile Road and one a Ballantyne Boulevard where it approaches Garfield Road. Because this is a private, gated community, Singh Development didn't want to see a midblock sidewalk connection out to Garfield Road. In fact, in the engineers review there was some concern about the midblock crossing. Having a sidewalk crossing at midblock and in order to mitigate that they thought that may a speed table, which is a form of a speed bump in this roadway to try to slow down traffic, which suggests there is a concern about safety. So this is a gated community, they really don't want pedestrians crossing through the development. Other similar communities, such as Tuscany across the street or Bellagio have that kind of situation. So Singh does not want to provide the sidewalk connection. They think it's unnecessary. When you see where the location of the walkway is there's very few lots right there in that vicinity. Many lots they could still access to the new sidewalk that is being proposed along Eight Mile Road and out to Garfield Road where Ballantyne Boulevard intersects. With that, I think all the other items in the staff review we're fine with. I hope this project can move ahead.

Chair Pehrson opened the public hearing. Seeing no one wishing to speak, Chair Pehrson asked if there was any correspondence. Member Lynch read the correspondence.

James and Kristen Korotney of Deer Run said after reviewing the preliminary site plan for the Ballantyne community, we are requesting the landscaping on the berm between our land and this to be widened and thickened with more landscaping in depth and height since there is such a difference in elevation between the lands.

Chair Pehrson closed the public hearing and asked the Planning Commission for comments or a motion.

Member Lynch said I've looked at this and I think it's going to be a good project. I agree that with a gated community, there's a reason it's gated – for privacy. So I don't have an issue with the sidewalk. I think you've done an adequate job with the one homeowner to the south. I did look at the cross section, it's a little more than a football field actually, and with 40 trees I think that was the only outstanding issue and I applaud you for working with them and getting that taken care of. So other than that, I will be in support of this.

Member Baratta said the homeowner with this correspondence that was just read, is that that same homeowner right off of Eight Mile that you were referring to.

Mr. Seiber said no they're north of us off Garfield Road.

Member Baratta said ok so they would be on the north side of the plan. So would that be behind 24 and 25?

Mr. Seiber said yes, right where the circle is in the northwesterly corner. The one that backs directly to the north, that corner lot.

Member Baratta said what are we doing in that corner. It looks like there is ample green area, is there landscaping in that corner also?

Mr. Seiber said yes, a huge amount of landscaping. There is a very large berm that is at least 6 feet high. Just on that lot alone, we're planting 40 trees. It's a mix of evergreen trees and deciduous trees.

Member Baratta said ok thank you very much, I appreciate it.

Member Greco said I'd like to make a motion.

Moved by Member Greco and seconded by Member Lynch:

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

**In the matter of Ballantyne, JSP13-43, motion to approve the Preliminary Site Plan with Site Condominium based on and subject to the following:**

- a) The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan;
- b) The applicant provides the pedestrian safety connections to the properties to the East and West per Section 4.05.E of the Subdivision Ordinance and Section 2516 of the Zoning Ordinance;
- c) The applicant provides on the Final Landscaping plans details of the berm running along the North property line behind lots 19 through 24, maximizing the 3:1 slope with a 3 foot crest up to a height of 7 feet.

**This motion is made because the plan is otherwise in compliance with the RUD agreement, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Greco and seconded by Member Lynch:

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

**In the matter of Ballantyne, JSP13-43, 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 the RUD agreement and Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Greco and seconded by Member Lynch:

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

**In the matter Ballantyne, JSP13-43, motion to approve the Wetlands 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 the RUD agreement and Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Greco and seconded by Member Lynch:

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

**In the matter of Ballantyne, JSP13-43, 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 the RUD agreement and Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Mr. Seiber said just as a point of clarification, did that motion include the requirement for the midblock sidewalk out to Garfield Road.

Member Greco said I thought we were satisfied with what the applicant did with respect to the sidewalk.

Member Lynch said, I'm satisfied with that, the elimination of it.

Member Greco said so the elimination of that requirement so I would amend my motion.

Chair Pehrson said is that part of the motion.

Gary Dovre, city attorney, said so the motion is to not include the sidewalk to Garfield.

Member Greco said the midblock, the extension.

Planner White said the motion currently reads as you're requiring the midblock to Garfield and also one along the other property line to include a connection to the west.

Deputy Director McBeth said those are pedestrian connections.

Chair Pehrson said in the presentation that you made requesting that we did not require it, I'm sorry I guess I should have seen that.

Member Greco said I'd like to amend my motion to eliminate that requirement because I thought that was fine.

Mr. Dovre said just for the clarification point, staff had recommended two sidewalks; one going up to Garfield that's called a midblock and the second one not addressed by Mr. Seiber was to put a sidewalk along the emergency access that goes to the west. And up to the motion I thought those were being required.

Deputy Director McBeth said to further clarify these kinds of sidewalk connections are made in certain situations even when there are gated streets because there's a need for the pedestrians to be able to travel between subdivisions or between a subdivision and a neighboring church or school. There's an example of this right across the street at Tuscany Reserve where even though the roads don't connect there's still pedestrian connections so the residents of Tuscany can go visit the residents of Maybury Park Estates and vice versa and not have to go out onto the public streets to do that.

Member Barratta said so when I look at the drawing, this is one sidewalk, correct? Or an access? That was the issue. Is it the one up there where there's a line right behind number two and there'd be an access point off of Ballantyne to Eight Mile over on this side. And there'd be an access route for a sidewalk up Ballantyne to Garfield at the top of the page. Correct?

Deputy Director McBeth said that's correct. There would be sidewalks along both sides of the streets, even though they're private streets. Staff was suggesting an additional sidewalk to the west through that emergency access to connect to future development on the adjacent site. The other point that you identified would be to the left of the detention pond was shown on the plans, and staff supports that location for an additional sidewalk.

Member Barratta said so the question that you had on sidewalks, Cliff, which one were you trying to avoid? Is it the one just to left of the detention pond at the intersection?

Mr. Seiber said yes that's the one that we had a concern about. That is school property on the other side of Garfield Road. But again that would be a midblock crossing even across Garfield Road. We don't think it's a safe location for that. As far as the other sidewalk on the emergency access drive, because that is a paved emergency access drive and they could use the paved emergency access drive. We don't have any objection to that.

Member Barratta said just so we're clear, you have no objection to the one on the west, right here? But you have an objection to the one that is shown to the north of the pond, correct?

Mr. Seiber said that is correct. If we could use the emergency access drive as the walk way then we have no objection to that. We don't want to put in a separate sidewalk in addition to an emergency access drive.

Member Giacobetti said the point of the motion is that the midblock access is going to be somewhat dangerous there, particularly if you have a school.

Member Barratta said I agree.

Member Giacobetti said you're talking about item B on the motion that we strike.

Brian Coburn, Engineering Manager, said regarding the midblock crossing on Garfield that connection that is shown on the plan would just get you to Garfield. The actual location of the midblock crossing, if the school is ever built, would be determined at that time. Where the pedestrians would want to access and where the safest place to cross Garfield? I think the point of that connection is that students are not going to want to go all the way down to Eight Mile, cross

Garfield and come back north. Or go all the way up to Ballantyne and come south. This would be a connection for if there is a school crossing or pedestrian walk zone for students, there would be crossing guard there to help them cross the street, most likely.

Member Greco said so the issue is with my motion at this point right now.

Member Lynch said let me ask the applicant. With the point from the staff regarding that access point right there, the point being that you don't have to necessarily cross the road there. Do you have a problem with that?

Mr. Seiber said you're talking about crossing Ballantyne or crossing Garfield Road?

Member Lynch said crossing Garfield because I think your point is that we don't really want people crossing Garfield there necessarily if it gets developed east of your development, correct?

Mr. Seiber said yes but you need to be crossing Ballantyne Boulevard. They'd want a midblock crossing. If pedestrians are on the west side of Ballantyne Boulevard, they want a midblock crossing across that internal roadway to get to that connecting sidewalk. The point is we're providing two access points already to Garfield Road and now they're asking for three. We think it's not necessary to provide that many.

Member Greco said at this time I'd like to amend my motion to eliminate that. I don't think it's necessary with respect to the access points that are available. I don't think it's necessary so I'd like to amend my motion to eliminate that requirement.

Mr. Dovre said somebody should move to reconsider that motion since it's already been moved.

Moved by Member Baratta and seconded by Member Lynch:

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

**In the matter of Ballantyne, JSP13-43, motion to reconsider the Preliminary Site Plan motion.  
*Motion passed 5-0.***

Mr. Dovre said now that puts that motion back in front of you as if it had not been voted on. Next thing is the amend it. Sara, what was the condition that you had noted?

Planner White said condition b currently requires that the applicant provide the safety connections to the properties to the east and the west for Section 4.05.E of the Subdivision Ordinance and Section 2516 of the Zoning Ordinance.

Mr. Dovre said so that was interpreted over at this table as meaning up to Garfield, a separate sidewalk in addition to the emergency access road to the west.

Member Greco said so we want to remove to one from the east.

Member Baratta said not necessarily. There is already an access point on Ballantyne going east to Garfield. It's at the top of the page. It's the one north of that first detention pond.

Member Greco said right. That's the one that I agree with that we don't need. And I think that's the one that you requested that we fix.



Mr. Dovre said yes. Before you doing anything, you've heard the applicant say they would like the emergency access to serve as the sidewalk that's recommended by staff. So keep that in mind in tweaking this motion however you're going to. Staff did not recommend the use of the access road as a sidewalk, they recommended a separate sidewalk.

Member Greco said so we could strike the entire B which would require neither, right?

Mr. Dovre said well the site plan that is before has the stub up to Garfield and it doesn't have an emergency sidewalk access. So if you're looking for my input, you would change B to read to eliminate the midblock sidewalk to Garfield and allow the emergency access road to serve as the sidewalk recommended by staff.

Chair Pehrson said and keeping the westerly access.

Mr. Dovre said yes but I'm not suggesting that's what you do, but if you look into everything, that's what I believe the applicant is asking for.

Member Greco said so should I remake the motion completely.

Mr. Dovre said no, you would just need to amend item B of your motion to read as follows.

Moved by Member Greco and seconded by Member Lynch:

**In the matter of Ballantyne, JSP13-43, motion to amend item B of the Preliminary Site Plan motion to include the elimination of the midblock sidewalk access from Garfield Road into Ballantyne Drive and allow the emergency access to serve as the access sidewalk.**

Engineering Manager Coburn said regarding the use of an emergency access as the sidewalk, I think there's option available that might be more attractive to permit that. They could use pavers or some other sort of material to delineate the rest of the emergency access and then pave the pathway connection so that it's very well delineated. Similar to what we did on Valenica where we had the fire access and they used it as the pathway access too. So I don't want to tie our hands during final site plan with being able to have that discussion, I would just maybe recommend that we talking about that we want that pathway connection and then maybe we can work some of that out with the applicant during final site plan.

Member Greco asked the applicant, do you have any objection to that.

Mr. Seiber said no that's fine. We'd be glad to sit down with staff and work that out.

Moved by Member Greco and seconded by Member Lynch:

**ROLL CALL VOTE ON THE REVISED CONDITION ASSOCIATED WITH THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**In the matter of Ballantyne, JSP13-43, motion to amend item B of the Preliminary Site Plan motion to include the elimination of the midblock sidewalk access from Garfield Road to Ballantyne Boulevard and providing a pedestrian connection to the west property line near the emergency access, with the details of that pedestrian connection to be worked out between staff and the applicant on the Final Site Plan. *Motion carries 5-0.***

Attorney Dovre indicated that the entire restated motion should be voted on, with the amended condition.

Moved by Member Greco and seconded by Member Lynch, on the amended motion:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH, ON THE AMENDED MOTION:**

**In the matter of Ballantyne, JSP13-43, motion to approve the Preliminary Site Plan with Site Condominium based on and subject to the following:**

- a) **The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan;**
- b) **The elimination of the midblock sidewalk access from Garfield Road to Ballantyne Boulevard and providing a pedestrian connection to the west property line near the emergency access, with the details of that pedestrian connection to be worked out between staff and the applicant on the Final Site Plan; and**
- c) **The applicant provides on the Final Landscaping plans details of the berm running along the North property line behind lots 19 through 24, maximizing the 3:1 slope with a 3 foot crest up to a height of 7 feet.**

**This motion is made because the plan is otherwise in compliance with the RUD agreement, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 5-0.**

**2. DETROIT CATHOLIC CENTRAL PARKING LOT EXPANSION, JSP14-12**

Public hearing at the request of Catholic Central High School for approval of the Special Land Use Permit, Preliminary Site Plan and Phasing Plan, Woodlands Permit, Wetlands Permit and Stormwater Management Plan. The subject property is located on the south side of Twelve Mile Road, west of Wixom Road, in Section 18 of the City. The property totals 112.86 acres and the applicant is proposing to construct additional parking as an accessory use to the existing high school and recreational facilities in two phases.

Planner Sara White said the applicant is proposing to construct additional parking facilities on the property located on the south side of Twelve Mile Road, west of Wixom Road. The site is zoned mostly one-family residential with a portion zoned I-1, light industrial. The site is bordered by vacant single-family residential to the west and south, light industrial and vacant low density multi-family to the east, and multi-family and general business in the City of Wixom to the North. The Future Land Use map indicates Educational Facility uses for the subject property surrounded by local and community commercial and single-family residential. There are some areas of regulated woodlands and wetlands on the site. Phase I will include .041 acres of impact to wetlands and .063 acres of impact to wetland buffers due to the construction of parking and a pathway and boardwalk along Twelve Mile Road. This phase will also require the removal of 8 trees which were not found to be of unique or high-quality nature. Phase II does not include any wetland or woodland impacts.

The applicant is proposing two phases of parking expansion including one all new lot with 288 spaces and the reconfiguration of 16 existing parallel spaces to 39 spaces. The applicant is proposing a phasing plan with the larger lot and 6 foot sidewalk along Twelve Mile first and the reconfiguration of the parallel spaces second. Staff recommends approval of the phasing plan. The applicant is requesting and staff is recommending a waiver of the required Noise Impact Statement as no noise generating equipment is being added to the site. The staff is also recommending a waiver for bicycle parking spaces to be constructed further than 120 feet from an entrance to allow spaces to be placed near the Phase II parking in order to serve the practice field located there. The applicant will

typically that kind of use would not be expected or allowed. So this ordinance amendment would allow for limited display areas in the OSC District.

Moved by Member Greco and seconded by Member Lynch:

**VOICE VOTE ON SETTING THE PUBLIC HEARING FOR JULY 9<sup>TH</sup> APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:**

**Motion to set the Public Hearing for the Outdoor Display Lots in the OSC District Text Amendment July 9<sup>th</sup>, 2014. Motion carried 5-0.**

**3. APPROVAL OF THE MAY 28, 2014 PLANNING COMMISSION MINUTES**

Moved by Member Lynch and seconded by Member Giacometti:

**VOICE VOTE ON THE MAY 28, 2014 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:**

**Motion to approve the May 28, 2014 Planning Commission Minutes. Motion carried 5-0.**

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no Consent Agenda Removals.

**MATTERS FOR DISCUSSION**

There were no Matters for Discussion.

**SUPPLEMENTAL ISSUES**

There are no Supplemental Issues.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Lynch and seconded by Member Greco:

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

**Motion to adjourn the JUNE 11, 2014 Planning Commission meeting. Motion carried 5-0.**

The meeting was adjourned at 8:08 PM.

Transcribed by Valentina Nuculaj

June, 2014

Date Approved: July 9, 2014

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Richelle Leskun, Planning Assistant  
Signature on File