



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

March 14, 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 Howard, Member Lynch, Member Maday, Chair Pehrson

Absent: Member Anthony (excused)

Also Present: Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Darcy Rechtiem, Staff Engineer; Thomas Schultz, City Attorney; Peter Hill, Environmental Consultant; Sterling Frazier, Traffic Consultant

APPROVAL OF AGENDA

Motion to approve the March 14, 2018 Planning Commission Agenda omitting Item #3 on Matters for Consideration, Planning Commission Committee Vacancies.

Motion carried 6-0.

PUBLIC HEARINGS

1. **VILLA D'ESTE JSP17-52 AND ZONING MAP AMENDMENT 18.718**

Public hearing at the request of Cambridge of Novi, LLC for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from RA (Residential Acreage) to R-1 (One-Family Residential). The subject property is approximately 51-acres and is located east of Napier Road and on the north side of Nine Mile Road (Section 29, 30). The applicant is proposing a 42-unit single-family ranch housing development (for sale). This is a gated community. All land is proposed to be considered as common element to be maintained by association.

In the matter of Villa D' Este JSP17-52 with rezoning 18.718, motion to recommend approval to the City Council to rezone the subject property from RA (Residential Acreage) to R-1 (One-Family Residential) 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 Deviation from Sec. 3.1.2 of Zoning Ordinance for reduction of the minimum lot size, setbacks, minimum lot frontage and minimum site acreage as shown on the proposed concept plan provided,
 - i. The proposed unit boundary shown on the concept plan (sheet 02) is to be considered the maximum allowable footprint. Any accessory uses such as hot tubs, patios, etc. will be provided within the footprint shown on the plan.
 - ii. A minimum of 15 feet shall be maintained between two buildings.
 - iii. A minimum of 30 feet is provided between the front façade and the back of the curb.
 - iv. Rear setbacks will be as shown on the Concept plan, based on the proposed boundary line of land to be donated to City.
- b. Façade deviation from Sec 3.7, similar dissimilar ordinance, to replace internal calculation of square footage to a 2200 square foot minimum requirement for this development;
- c. Landscape deviation from Sec. 5.5.3.B.ii and iii of Zoning Ordinance for lack of berms along the westerly Nine Mile Road frontage and portions of the easterly frontage, due to existing natural features;
- d. The applicant shall conform to the ordinance requirements at the time of Preliminary Site Plan and Woodland permit review;
- e. Engineering deviation from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet intervals along the property boundary to provide connection to the adjacent property boundary, due to conflict with existing wetlands;
- f. Engineering deviation from Chapter 7(c)(1) of Engineering Design manual for reducing the distance between the sidewalk and back of the curb: 15 feet required, 10 feet proposed;
- g. Engineering deviation for absence of sidewalk along a portion of Villa Drive, with payment into the City's sidewalk fund for the cost of the sidewalk not constructed;
- h. Traffic deviation for not conforming to minimum required standards as indicated in Figure IX.5 of the City's Code of Ordinances for residential driveway, provided the applicant works with staff to minimize the number of driveways that deviate from the standard at the time of Preliminary Site Plan;
- i. Traffic deviation from Figure VIII-A in the City Code of Ordinances, for not providing the minimum width for local residential road(28 feet required, 24 feet provided).
- j. Traffic deviation from Section 7.4.2.c (1) of Engineering Design Manual for not meeting the maximum distance between sidewalk and Right of way line along Nine mile. A maximum of 1 foot is required for a small portion where it conflicts with existing wetland area;
- k. The applicant shall redesign the utility layout along proposed internal roads to avoid conflicts with proposed street trees at the time of Preliminary Site Plan. Street trees cannot be located within 20 feet utility easements.
- l. The applicant shall provide a tree survey prior to consideration of Concept Plan by City Council, in order to allow staff to identify the proposed impacts and to

recommend options to minimize impacts as needed;

- m. The items outlined by the Chair should be addressed in the drafting of the PRO agreement:
 - a. Construction of this development would not be permitted to begin prior to the public project gravity sewer main in Nine Mile being in place and available for use.
 - b. Grading requirements for development are superseded based on the character of Nine Mile Road.
 - c. Retention ponds are completely screened for safety on all four sides above the standard.
 - d. Staff will confirm that the proposed trailhead agreement will not negate already existing agreements.
 - e. The portion of asphalt paving on West Nine Mile Road is longer than the minimum to eliminate issues of the interface of gravel and asphalt.

2. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:
 - a. The development shall be limited to a maximum density of 42 units, to be determined at the Planning Commission meeting.
 - b. The proposed unit boundary shown on the concept plan (sheet 02) is to be considered the maximum allowable footprint. Any accessory uses such as hot tubs, patios, etc. will be provided within the footprint shown on the plan.
 - c. A minimum of 15 feet shall be maintained between any two buildings.
 - d. A minimum of 30 feet shall be provided between the front façade and the back of the curb.
 - e. Rear setbacks will be as shown on the Concept plan, based on the proposed boundary line of land to be donated to City.
 - f. The applicant shall work with staff to identify a proper location to connect to ITC trail, beyond the subject property line.
 - g. The applicant shall limit the wetland and woodland impacts to the areas and percentages indicated on the concept plan at the time of Preliminary Site Plan.
 - h. 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.
 - i. Applicant shall comply with the conditions listed in the staff and consultant review letters.

This motion is made because

1. The applicant has presented a reasonable alternative to the Master Plan for Land Use recommendation of 0.8 units to the acre (1.10 units to the acre proposed) for the parcel as indicated in the applicant's letter dated December 12, 2017, noting the appropriateness of an empty-nester residential development for the site given the layout of the plan, the proposed preservation of open space, the offer to provide an enhancement to public park facilities, and the provision for landscape or open space buffering on most sides of the development.
2. The proposed plan meets several objectives of the Master Plan, as noted later in this review letter, including:
 - a. *Maintain the semi-rural character of the southwest quadrant of the City that is created by low-density residential development and undeveloped land (by protecting a majority of natural features on site and provides ample screening from Nine Mile Road.*

- b. *Provide a wide range of housing options (by being geared towards empty nesters, or those wishing to downsize from larger homes.*
 - c. *Protect and maintain the City's woodlands, wetlands, water features, and open space (by proposing to donate about 20 acres (40 %) of land with regulated woodlands and wetlands in the rear).*
3. The City's Traffic Engineering Consultant has reviewed the Rezoning Traffic Impact Study and found that the proposed senior adult housing would produce 175 less trips per day than 40 single-family homes (as expected to be permitted under the RA zoning district, and the number of trips produced by the senior adult housing development is not expected to significantly impact Nine Mile Road.
 4. Submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and to 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.
 5. While the applicant has addressed some of the concerns highlighted in the staff and consultant review letters, there are a number ongoing concerns by staff, details of the likely woodland impacts and lack of tree survey (which the applicant wishes to address at the time of Preliminary Site Plan Review), and the deviations requested for receiving additional credits for upsizing replacement trees.

Motion carried 5-1 (Greco).

2. ZONING ORDINANCE TEXT AMENDMENT 18.286

Public Hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.1.10, B-1, Local Business District, in order to allow restaurant uses in the Local Business Zoning District.

In the matter of Zoning Ordinance Text Amendment 18.286, motion to recommend approval to City Council of the Text Amendment for allowing restaurants as set forth in the proposal as a Special Land Use in the B-1 District. *Motion carried 5-1 (Howard).*

MATTERS FOR CONSIDERATION

1. HILLSIDE INVESTMENTS OFFICE BUILDING JSP17-84

Consideration at the request of Hillside Investments for Preliminary Site Plan and Storm Water Management Plan approval. The subject property contains 1.7 acres and is located in Section 12, on the southwest corner of Haggerty Road and Thirteen Mile Road. The vacant parcel is zoned OST, Office Service Technology. The applicant is proposing to construct a two-story professional office building with a total of 25,881 square feet.

In the matter of Hillside Investments Office Building JSP17-84, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **A waiver from Section 3.20.2.A for the full screening of the loading zone due to the location in the parking lot (with minor modifications to the location of the loading area at the time of Final Site Plan) with the reasoning that it cannot be reasonably placed elsewhere and appropriately screened, which is hereby granted;**
- b. **Landscape waiver from Section 5.5.3.B.ii and iii for not providing a berm adjacent to the public Right-of-Way along Haggerty and Thirteen Mile Roads with the reasoning that the site topography makes it unreasonable to provide a berm, which is hereby granted;**
- c. **A Section 9 waiver for exceeding the maximum allowed percentages for Decorative Block, which is determined to resemble Limestone Panels, is hereby granted**

- d. 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.

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.*

In the matter of Hillside Investments Office Building JSP17-84, 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 6-0.*

2. A123 SYSTEMS JSP17-21

Consideration at the request of A123 Systems for approval of the revised Preliminary Site Plan, Phasing Plan and Storm Water Management Plan. The subject parcel is located in Section 15, West of Cabaret Drive and South of Twelve Mile Road and is zoned OST, Office Service Technology. The applicant is proposing to develop the 31.25 acre parcel with two buildings: one office/lab space of 128,936 square feet on the southern portion of the site (Phase 1) and the other as an assembly building of 53,469 square feet (Phase 2) including associated site improvements. Phase 1 would also include a temporary pad for a shipping container and nitrogen tank enclosure and a request for landbanked parking spaces.

In the matter of A123 Systems JSP17-21, motion to approve the revised Preliminary Site Plan and Phasing Plan based on and subject to the following:

- a. Approval of up to 27 landbank parking spaces (367 required, 340 provided, 27 land banked), due to Planning Commissions finding below, which is hereby granted;
 - i. The applicant has demonstrated through substantial evidence that the specified occupant and building use will require less parking than what is required by the Zoning Ordinance;
 - ii. Parking will not occur on any street or driveway;
 - iii. Parking will not occur on any area not approved and developed for parking;
 - iv. Parking will not occur on that area where parking construction has been landbanked until such time as that area is constructed for such parking;
 - v. The requested parking landbanking will not create traffic or circulation problems on or off site; and
 - vi. The requested parking landbanking will be consistent with the public health, safety and welfare of the City and the purposes of the Zoning Ordinance;
- b. Applicant to provide a sidewalk on Twelve Mile Road in Phase 1;
- c. 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;
- d. Previous actions taken by the Planning Commission related to this matter approving certain waivers and the Woodland Permit.

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.*

In the matter of A123 Systems JSP17-21, 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 6-0.*

3. APPROVAL OF THE FEBRUARY 28, 2018 PLANNING COMMISSION MEETING MINUTES

Motion to approve the February 28, 2018 Planning Commission Meeting Minutes. *Motion passed 6-0.*

ADJOURNMENT

The meeting was adjourned at 9:47 PM.

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