



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI
Regular Meeting
April 27, 2016 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 p.m.

ROLL CALL

Present: Member Baratta, Member Giacometti, Member Greco, Member Lynch

Absent: Member Anthony, Chair Pehrson, Member Zuchlewski (all excused)

Also Present: Barbara McBeth, City Planner; Kirsten Mellem, Planner; Adrianna Jordan, Planner; Rick Meader, Landscape Architect; Jeremy Miller, Engineer; Dave Gilliam, City Attorney; Maureen Peters, AECOM; Matt Carmer, ECT

APPROVAL OF AGENDA

Motion to approve the April 27, 2016 Planning Commission Agenda. *Motion carried, 4-0.*

PUBLIC HEARINGS

1. BEACON HILL JSP 15-08

Public hearing at the request of The Ivanhoe Companies for Planning Commission's recommendation to the City Council for rezoning of the property in Section 12, located on the northeast corner of Twelve Mile Road and Meadowbrook Road from RA (Residential Acreage) to R-4 (One-Family Residential) and B-3 (General Business) with a Planned Rezoning Overlay (PRO). The subject property is approximately 21.13 acres. The applicant is proposing a 42-unit single-family residential development with frontage on and access to Meadowbrook Road, up to 22,000 square feet of commercial space with frontage and two access drives on Twelve Mile Road, and an open space/park area at the corner of the intersection.

In the matter of the request of The Ivanhoe Companies for Beacon Hill JSP 15-08 with Zoning Map Amendment 18.710 motion to recommend approval to the City Council to rezone the subject property RA (Residential Acreage) to R-4 (One-Family Residential) and B-3 (General Business) with a Planned Rezoning Overlay (PRO).

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

- a. Reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-4 Zoning standards to allow for smaller lots (10,000 square feet and 80 feet required, 6,000 square feet and 50 feet provided);
- b. Reduction in minimum front yard setback for one-family detached dwellings reviewed against R-4 Zoning standards (30 feet required, 20 feet provided);
- c. Reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-4 Zoning standards (10 feet with 25 feet aggregate required, 7.5 feet with 15 feet aggregate provided);
- d. Reduction in minimum rear yard setback for one-family detached dwellings reviewed against R-4 Zoning standards (35 feet required, 30 feet provided);
- e. Deviation of ordinance standards to allow proposed upsizing of Woodland Replacement Trees (evergreens) throughout the site in an amount not to exceed 33 percent of the evergreen trees provided (102 on the concept plan), as recommended in the Landscape Review letter, and based on the standards of the Landscape Design Manual, which does not allow additional credit for upsizing of Woodland Replacement Trees; and
- f. Deviation from landscaping ordinance standards for the following areas due to the proposed heavily landscaped design, and the proposed improvements to the pond and wetlands:
 - i. Deviation for the required landscape berm, and the required trees and subcanopy trees to be planted on the berm, along the residential frontage of Meadowbrook Road due to the existing wetlands and heavy vegetation in this area;
 - ii. Deviation for the required greenbelt landscaping south of the residential area (approximately 540 feet) due to the existing wetlands, and other heavy plantings proposed for this location; and
 - iii. Deviation from the required greenbelt landscaping along the western 235 feet of the Twelve Mile Road frontage due to the existing wetlands and other heavy plantings proposed for this location.

If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:

- a. Applicant's offer to dedicate 3.28 acres to the City for the establishment of a public park with the following improvements made by the developer:

- i. Mass and fine grading of 5.63 acres, including topography enhancement, wetland and woodland replacement plantings, and seeding on upland park.
 - ii. Augmenting the creek, removal of damaged culverts, and realignment of creek.
 - iii. Creation of a weir system to effectuate a waterfall/spillway to be viewed from the bank of the park.
 - iv. Enhanced design for landscaped retention ponds.
 - v. Habitat restoration.
 - vi. Installation of wetland enhancement plantings.
 - vii. Applicant to construct six parking spaces, a bench, and bike racks.
- b. A minimum of 42% or 8.8 acres of open space as shown on the Concept Plan.
 - c. Limiting the number of dwelling units to 42, in accordance with the Concept Plan.
 - d. Limiting the commercial square footage to 22,000 square feet or less.
 - e. A maximum of two drive-through establishments in the commercial area. The applicant offers to exclude many of the more intense uses permitted in the B-3 District including fast food restaurants, fueling stations, produce sales, day care centers, business schools and colleges, private clubs, motels, veterinary hospitals and clinics, auto washes, bus passenger stations, new and used car salesrooms, tattoo parlors, vapor shops, outdoor space for automobile sales, and automobile service centers.
 - f. Preservation of a 10 foot wide wooded buffer along the east property line, and a minimum of a 50 foot wide buffer along Meadowbrook Road, as shown on the proposed Concept Plan.
 - g. At the time of Preliminary Site Plan Review, the Landscaping and Façade plans for the commercial phase shall meet minimum Zoning Ordinance standards.
 - h. Woodland Replacement Trees shall not be used in place of the required Street Trees along Meadowbrook and Twelve Mile Roads, per the recommendations of the Landscape Review Letter, with modifications to be shown on subsequent submittals.
 - i. Applicant complying with the conditions listed in the staff and consultant review letters.

This motion is made for the following reasons:

- a. The proposed density shown on the PRO Concept Plan is generally consistent with the proposed density recommendation in the Master Plan for Land Use (currently in Draft form).
- b. The proposed development is consistent with several objectives of the Master Plan for Land Use, as detailed in the Planning Review Letter.
- c. While the proposal calls for a significant departure from the vision of the 2010 Master Plan, which is to provide for a maximum of 0.8 dwelling units to the acre north of Twelve Mile Road, both east and west of Meadowbrook road, the submitted PRO Concept Plan displays sensitivity to the adjacent large lot RA properties in the area through the use of buffering along the edges of the site, including preservation of existing vegetation.
- d. The proposed Concept Plan shows the preservation and enhancement of wetlands on the site.
- e. The applicant has worked cooperatively with the Tollgate Education Center to create landscaping along Meadowbrook Road that presents a more natural look that blends well with the Tollgate frontage.
- f. The site will be adequately served by public utilities.

- g. The Traffic Impact Statement that was submitted with the rezoning request was found to be acceptable and the Level of Service (LOS) at study intersections is expected to remain at acceptable levels.
- h. Submittal of a Concept Plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.

Motion carried, 4-0.

2. DUNHILL PARK JSP 15-13

Public hearing at the request of Hunter Pasteur Homes Dunhill Park, LLC for Planning Commission's approval of the Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan. The subject property is located in Section 32 at the northwest corner of Beck Road and Eight Mile Road on 23.76 acres. The property is subject to a Planned Rezoning Overlay (PRO) Plan and Agreement. The applicant is proposing to construct a 31-unit single-family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

In the matter of Dunhill Park JSP15-13, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Applicant shall request an amendment to the PRO Agreement to allow the deviation for the proposed sign, OR the applicant shall modify the sign to comply with ordinance requirements;
- b. Applicant shall provide a satisfactory resolution to the water flow data required by the Fire Marshal and City Engineer prior to Final Site Plan submittal; and
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters, as well as all of the terms and conditions of the PRO Agreement as approved, with these items being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried, 4-0.*

In the matter of Dunhill Park JSP15-13, 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, 4-0.*

In the matter of Dunhill Park JSP15-13, motion to approve the Woodland Permit based on and subject to the following: a) The applicant will not be paying into the tree fund and will only be providing replacement trees that fit on the site; and b) The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because

the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried, 4-0.*

In the matter of Dunhill Park JSP15-13, 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, 4-0.*

MATTERS FOR CONSIDERATION

1. COVINGTON ESTATES JSP 15-02

Consideration at the request of Biltmore Land, LLC for recommendation to City Council for approval of a Residential Unit Development (RUD) Plan – Alternate. The subject property is located in Section 31, north of Eight Mile and West of Garfield in the RA - Residential Acreage District. The applicant is proposing an RUD on a 48.83 acre parcel to construct 38 single-family residential units. The applicant is proposing a temporary relocation of the emergency access drive along the north property line from Garfield Road as an alternate to the current proposed emergency access drive location from the neighboring property to east in the event easements are not acquired.

In the matter of Covington Estates, JSP15-02, motion to recommend approval of the Residential Unit Development (RUD) Plan - Alternate subject to and based on the following findings:

- a. The site is appropriate for the proposed use;
- b. The development will not have detrimental effects on adjacent properties and the community;
- c. The applicant has clearly demonstrated 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;
- e. The applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;
- f. Relative to other feasible uses of the site:
 1. All applicable provisions of Section 3.29.8.B of the Zoning Ordinance, other applicable requirements of the Zoning Ordinance, including those applicable to special land uses, and all applicable ordinances, codes, regulations and laws have been met;
 2. Adequate areas have been set aside for all walkways, playgrounds, parks, recreation areas, parking areas and other open spaces and areas to be used by residents of the development and the Planning Commission is satisfied that the applicant will make provisions that assure that;
 3. Traffic circulation features 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. 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 open space and result in minimal impacts to provided open space and natural features;
 7. The RUD will be compatible with adjacent and neighboring, existing and master planned land uses;
 8. The desirability of conventional residential development within the City is outweighed by benefits occurring from the preservation and creation of open space and the establishment of park facilities that will result from the RUD;
 9. There will not be an increase in the total number of dwelling units over that which would occur with a conventional residential development;
 10. The proposed reductions in lot sizes are the minimum necessary to preserve and create open space, to provide for park sites, 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 and will add to the City tax base;
 12. The Planning Commission is satisfied that the applicant will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;
 13. The Planning Commission is satisfied that the applicant 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. City Council modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 feet as the requested modification will result in preserving and creating open space and recreational area as noted in Section 3.29.8.B.x of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;
 - h. City Council reduction of permitted building setbacks consistent with the proposed reduction in lot size and width;
 - i. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;
 - j. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency accesses;

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, 4-0.

2. THOROUGHFARE MASTER PLAN PRESENTATION

(No motions.)

3. APPROVAL OF THE JANUARY 13, 2016 PLANNING COMMISSION MINUTES

Motion to approve the January 13, 2016 Planning Commission minutes. *Motion carried, 4-0.*

4. APPROVAL OF THE MARCH 9, 2016 PLANNING COMMISSION MINUTES

Motion to approve the March 9, 2016 Planning Commission minutes. *Motion carried, 4-0.*

5. APPROVAL OF THE MARCH 23, 2016 PLANNING COMMISSION MINUTES

Motion to approve the March 23, 2016 Planning Commission minutes. *Motion carried, 4-0.*

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

Please note: actual language of motions subject to review.