



# PLANNING COMMISSION MINUTES

CITY OF NOVI  
Regular Meeting  
July 27, 2011 | 7 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 Greco, Member Gutman, Member Lynch, Member Prince

**Also Present:** Member Anthony (excused), Chair Pehrson (excused)

**Absent:** Barbara McBeth, Deputy Director of Community Development; Kristin Kolb, City Attorney; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Brian Coburn, Engineering Manager; Nathan Bouvy, Engineer

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Deputy Director McBeth stated the agenda originally sent out to the Planning Commission has been amended to include a phasing plan as part of the Catholic Central item for consideration.

Moved by Member Greco and seconded by Member Baratta.

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

Motion to approve the amended July 27, 2011 Planning Commission agenda. *Motion carried 5-0.*

## AUDIENCE PARTICIPATION

No one from 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 noted there were several action items on the July 18, 2011 City Council meeting agenda that Planning Commission had recently considered as well.

The Zoning Map Amendment for the Catholic Central High School property on the south side of Twelve Mile, to rezone from I-1 (Light Industrial) to R-4 (One-Family Residential) was approved. The PRO Agreement for the proposed Medilodge facility was approved, and the second readings for text amendments related to veterinary clinics and fences were approved by the City Council.

## CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

## **PUBLIC HEARINGS**

### **1. MEDILODGE OF NOVI, SP10-05B**

Public Hearing of the request of The Medilodge Group for revised Preliminary Site Plan, revised Woodland Permit and revised Wetland Permit and Stormwater Management Plan approval. The subject property totals approximately 20.05 acres and is located in Section 17, north of Eleven Mile Road between Beck Road and Wixom Road, parcel 50-22-17-400-002. The applicant is proposing a 120 bed 78,560 square foot convalescent (nursing) home building.

Planner Kapelanski stated the applicant is proposing a 78,000 square foot convalescent home on the north side of Eleven Mile road between Beck Road and Wixom Road. The site is bordered by vacant land and the Providence Hospital Campus to the north, the ITC utility easement to the west, existing single-family residential and vacant land to the south and a single-family residential home to the east.

Planner Kapelanski stated that this matter previously appeared before the Planning Commission for a recommendation to the City Council for a rezoning with Planned Rezoning Overlay and approval of the Preliminary Site Plan and associated permits. The City Council did recently approve the rezoning and Planned Rezoning Overlay Agreement, rezoning the property to RM-1, Low Density Low-Rise Multiple Family Residential.

The natural features include on-site wetlands, mainly concentrated in the center of the site and extending down on the southwestern side. There are also high-quality woodlands on the site occupying the northern half of the property.

Planner Kapelanski explained that the applicant previously received approval of the Preliminary Site Plan in 2010. Since that time, revisions to the plan have taken place that require the Planning Commission to reconsider the Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan. These changes include the following: the sanitary sewer extension has been relocated from the south side of Eleven Mile to the north side of the road, an existing boardwalk near the southwest corner of the site will be removed and replaced with a sidewalk and the plans now include the pathway through the ITC corridor and extending onto the Medilodge property. The PRO Agreement included the ITC pathway as a significant public benefit and includes the most recent plan submittals showing the proposed pathway alignment. Staff is still working with ITC to confirm the details for the exact trail location and the exact alignment may shift slightly before the final design is in place.

Planning staff recommends approval of the revised Preliminary Site Plan with items for the applicant to address on the Final Site Plan. The woodland review, wetland review, engineering review and fire marshal all recommend approval of the plan noting items to be addressed on the Final Site Plan.

Chair Gutman asked if the applicant had anything to add.

Matt Brown of J.W. Design came forward and noted he was available for questions.

Chair Gutman opened the public hearing. As no one from the audience wished to speak and there was no correspondence, Chair Gutman closed the public hearing.

Member Lynch stated there did not appear to be any major changes to the plan and asked if staff had requested the sanitary sewer extension be moved to the north side of the street.

Planner Kapelanski stated that the applicant was originally proposing the sanitary sewer on the south side as a benefit to saving some of the wetlands on the site. It wasn't feasible to locate that on the south side and it was determined that the impacts to the wetlands on the north side would not be that significant.

Member Lynch said he recalled discussion on that item and he was looking forward to the project.

Motion made by Member Lynch and seconded by Member Prince.

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

In the matter of The Medilodge Group, SP 10-05B, motion to approve the revised Preliminary Site Plan, subject to the following: a) Execution and recording of the approved PRO Agreement; b) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and c) Applicant incorporating revised ITC pathway shown in Exhibit D of the PRO Agreement into the Final Site Plan submittal. This motion is made because the plan adheres to the approved concept plan and deviations included therein and is otherwise in compliance with Article 6, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 5-0.*

Motion made by Member Lynch and seconded by Member Prince.

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

In the matter of The Medilodge Group, SP 10-05B, motion to approve the revised Wetland Permit, subject to: a) Execution and recording of the approved PRO Agreement; b) 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 in compliance with Chapter 12 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Lynch and seconded by Member Prince.

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

In the matter of The Medilodge Group, SP 10-05B, motion to approve the revised Woodland Permit, subject to: a) Execution and recording of the approved PRO Agreement; and b) 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 in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Lynch and seconded by member Prince.

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

In the matter of the Medilodge Group, SP 10-05B, motion to approve the Stormwater Management Plan, subject to the following: a) Execution and recording of the approved PRO Agreement; and b) 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 Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

**2. DETROIT CATHOLIC CENTRAL FIELD EXPANSION SP 11-26**

Public Hearing on the request of Catholic Central High School for approval of the Preliminary Site Plan and Phasing Plan, Special Land Use 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 39.8 acres and the applicant is proposing to construct an area for shot-put and discus practice and

competition and four grass athletic practice fields for practice only.

Planner Kapelanski stated that the Planning Commission recently recommended approval of and the City Council approved a rezoning from I-1, Light Industrial to R-4, One-Family Residential for the subject property. The existing Catholic Central High School is zoned residential and located to the south. The site is bordered by vacant residential zoning to the west and commercial and industrial zoning to the west.

The Future Land Use map indicates Educational Facility uses for the subject property. The Natural Features Map shows there are some areas of regulated woodlands and wetlands on the site. The applicant has not proposed any impacts to the regulated natural features.

Planner Kapelanski stated that the applicant is proposing four grass athletic fields to be used for practices only and a discus and shot-put area. No lighting is proposed. The applicant recently indicated they do not intend to construct all four grass fields. They are proposing a phasing plan with the fields closest to the existing high school and the discus and shot-put area to be constructed first and the remaining two grass fields to be constructed at some time in the future. Staff recommends approval of the phasing plan provided the applicant includes the emergency access and emergency gate located along Twelve Mile Road in the first phase.

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 planning review recommends approval of the special land use permit and preliminary site plan. The Planning Commission should consider the factors listed in Section 2516.2.c of the Zoning Ordinance regarding the special land use request. The planning and traffic review letters note that a five foot sidewalk is required along Twelve Mile Road. The applicant is requesting a Design and Construction Standards waiver from the City Council for this sidewalk. Staff supports this waiver request provided the applicant constructs the sidewalk when any structures are proposed on the subject property or when an adjacent property develops. The applicant has agreed to this arrangement and the City attorney's office is currently working with the applicant on an agreement that would be recorded against the property stating these conditions.

Planner Kapelanski continued by saying the landscape review notes that a number of landscape waivers have been requested. Staff supports waivers for the berm required along the I-1 property to the east and the berm required along the B-2 property to the east. The applicant has requested waivers for the berm, street trees and greenbelt planting along Twelve Mile Road. Staff supports these waiver requests provided the applicant agrees to construct these items when any structures are proposed on the subject property or when an adjacent property develops. The applicant has agreed to include these provisions in the aforementioned agreement regarding the required sidewalk. The landscape review letter notes staff does not support the landscape waiver request for the berm along the adjacent residential property to the west. Staff has since met with the applicant and indicated a waiver could be supported if the applicant supplements the existing vegetation with evergreen trees spaced 12 feet to 15 feet apart and this has been included in the suggested motion. Dave Beschke is available to discuss any landscape waivers or environmental concerns. The engineering, traffic and fire reviews all recommend approval with items to be addressed on the Stamping Set submittal.

Chair Gutman asked if the applicant would like to come forward and speak to the Commission.

John Argenta, representing Catholic Central stressed that Catholic Central has a rather active sports program and they are really in dire need of more practice fields. They were fortunate to acquire this piece of property and it would be in addition to the school campus. It was rezoned and it conforms to the Master Plan.

Mr. Argenta stated that what is proposed on the site is a shot-put and discus throw area composed of two concrete slabs there that can be used during track meets and the fields themselves, which would have no

seating or lighting. The only competition that would take place in this area is during a track meet in the stadium when a handful of people who throw the shot-put or the discus would use the concrete pads.

Chair Gutman opened the public hearing. As no one from the audience wished to speak and there was no correspondence, Chair Gutman closed the public hearing.

Member Lynch asked Planner Kapelanski about the sidewalk and street trees that would be held off until the adjacent property develops. Twelve Mile Road is the boundary of Novi and Wixom. Would the property across Twelve Mile Road in Wixom be considered adjacent?

Planner Kapelanski stated that there is currently a developed property on the other side of Twelve Mile Road which is a cooperative housing development that covers a substantial amount of the frontage on Twelve Mile Road.

Member Lynch asked if the sidewalk and landscaping would be required when any vacant property in Wixom developed.

Planner Kapelanski did not think it was anticipated that would trigger the sidewalk and landscape requirements, but staff is still working out the details of that agreement. The staff was mainly thinking of the residential property to the west and the industrial property to the east in terms of adjacent properties.

City Attorney Kolb added that she thought the idea was that if the adjacent properties are developed there would be pedestrians who would want to walk along the Twelve Mile Road so the property across the street wouldn't trigger the need for a sidewalk on the south side of Twelve Mile Road.

Member Lynch asked how these provisions were enforceable.

City Attorney Kolb answered that it would be a contract recorded against the property so it would run with the land.

Member Lynch confirmed with City Attorney Kolb that the agreement would be recorded with Oakland County.

Member Lynch asked Landscape Architect Beschke about the location of the trees on the property.

Landscape Architect Beschke answered the trees were mostly along the property boundary lines.

Member Lynch asked about the proposed solution of installing evergreens in open spaces along the property line in place of the berm.

Landscape Architect Beschke stated those trees would need to be installed on the west property line every twelve to fifteen feet.

Member Greco stated that based upon the presentation, it looks like everything is in order and he would support the project.

Motion made by Member Greco seconded by Member Lynch.

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

**In the matter of the request of Catholic Central High School for Detroit Catholic Central Field Expansion SP 11-26, motion to approve the Preliminary Site Plan and Phasing Plan, subject to the following: a) Applicant**

providing the required sidewalk along Twelve Mile Road or receiving a Design and Construction standards waiver from the City Council to provide it with the construction of any structures on the property and/or the development of any adjacent properties; b) Applicant providing the required right-of-way greenbelt planting along Twelve Mile Road. Alternately, a Planning Commission waiver of this requirement in conjunction with the required Design and Construction Standards waiver for the sidewalk along Twelve Mile Road with the condition that the applicant provides the right-of-way greenbelt planting at the time the sidewalk is installed; c) Applicant providing the required berm along Twelve Mile Road. Alternately, a Planning Commission waiver of this requirement in conjunction with the required Design and Construction Standards waiver for the sidewalk along Twelve Mile Road with the condition that the applicant provides the berm at the time the sidewalk is installed; d) Planning Commission waiver for the berm required adjacent to the I-1 property; e) Planning Commission waiver for the berm required adjacent to the B-2 property; f) Planning Commission waiver for the required berm along the adjacent R-1 property to the west provided the applicant supplements the existing vegetation with evergreen trees spaced 12' to 15' apart; g) Planning Commission waiver of the required street trees along Twelve Mile Road in conjunction with the required Design and Construction Standards waiver for the sidewalk along Twelve Mile Road with the condition that the applicant provides the street trees at the time the sidewalk is installed; h) Applicant including the emergency access and emergency gate in the first phase; and i) Compliance with all the conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 5-0.*

Motion made by Member Greco and seconded by Member Lynch.

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

In the matter of the request of Catholic Central High School for Detroit Catholic Central Field Expansion SP 11-26, motion to approve the Special Land Use permit, subject to the following: a) Planning Commission finding under Section 2516.2.c for the Special Land Use permit: That, relative to other feasible uses of the site: The proposed use will not cause any detrimental impact on existing thoroughfares due to the fact that no additional traffic is anticipated as a result of the development; 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 due to the fact that the proposed use is an extension of a previously approved adjacent use; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; and The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff and consultant review letters; b) Waiver of the required Noise Impact Statement as the use is not expected to generate any substantial additional noise; c) Applicant providing the required sidewalk along Twelve Mile Road or receiving a Design and Construction standards waiver from the City Council to provide it with the construction of any structures on the property and/or the development of any adjacent properties; and d) Compliance with all conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 5-0.*

Member Baratta asked Planner Kapelanski if the concrete pads for the discus and shot-put areas would be considered structures.

Planner Kapelanski answered they would not.

Motion made 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 the request of Catholic Central High School for Detroit Catholic Central Field Expansion, SP 11-26, motion to approve the Stormwater Management Plan, subject to compliance with all the conditions and requirements listed in the staff and consultant review letters. 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.*

**MATTERS FOR CONSIDERATION**

**1. ELECTION OF OFFICERS**

Deputy Director McBeth stated that there was a memo provided by staff that talks about the election of officers and appointments to the various committees. There was also a request by the City Council at a recent meeting for the Planning Commission to discuss and provide input regarding the joint member of the Planning Commission and the Zoning Board of Appeals.

Chair Gutman stated that they would be electing three officers tonight; a Chairperson, Vice Chairperson and Secretary.

Motion made by Member Baratta and seconded by Member Lynch.

**ROLL CALL VOTE ON THE MOTION TO ELECT MARK PEHRSON PLANNING COMMISSION CHAIRPERSON MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:**

**Motion to elect Mark Pehrson Chairperson of the Planning Commission. *Motion carried 5-0.***

Motion made by Member Lynch and seconded by Member Greco.

**ROLL CALL VOTE ON THE MOTION TO ELECT ANDY GUTMAN PLANNING COMMISSION VICE CHAIRPERSON MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:**

**Motion to elect Andy Gutman Vice Chairperson of the Planning Commission. *Motion carried 5-0.***

Motion made by Member Lynch and seconded by Member Prince.

**ROLL CALL VOTE ON THE MOTION TO ELECT DAVID GRECO PLANNING COMMISSION SECRETARY MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:**

**Motion to elect David Greco Secretary of the Planning Commission. *Motion carried 5-0.***

Chair Gutman asked if any Planning Commissioners had any comments on the joint Planning Commission/Zoning Board of Appeals member.

Member Lynch stated that he had read the City Council minutes and Councilmember Wrobel didn't see any value in having anyone from the Planning Commission as part of the Zoning Board of Appeals. Member Lynch agreed with Councilmember Wrobel's comments.

Member Greco stated that he did not think a joint member was necessary based upon his conversations with former Planning Commission/Zoning Board of Appeals member Cassis and Councilmember Wrobel's comments. If there was a Planning Commissioner who wanted to serve on the Zoning Board of Appeals as well, Member Greco would support it, but does not think it is necessary.

Chair Gutman asked Deputy Director McBeth how this input could be shared with the City Council.

Deputy Director McBeth said a recommendation would be appropriate and if anyone was interested in serving, City Council would be interested to know that.

Chair Gutman stated the members who are at the July 27<sup>th</sup> Planning Commission meeting would not be interested in serving on the Zoning Board of Appeals and all members present believe that it is not a valuable position.

## **2. COMMITTEE MEMBER APPOINTMENTS**

The Planning Commission member discussed the various Committees and each member's interest in joining. The following Committee appointments were made:

**Administrative Liaison Committee: Member Greco, Member Gutman, Chair Pehrson**

**CIP & Budget Planning Studies Committee: Member Baratta (alternate), Member Gutman, Member Lynch**

**Environmental and Walkable Novi Committee: Member Anthony, Member Baratta, Member Greco**

**Implementation Committee: Member Baratta, Member Gutman, Chair Pehrson (alternate), Member Prince**

**Main Street Committee: Member Anthony, Member Greco**

**Master Plan & Zoning Committee: Member Baratta, Member Gutman, Member Lynch, Member Prince (alternate)**

**Rules Committee: Member Greco, Chair Pehrson, Member Prince**

**Zoning Board of Appeals Committee: None recommended at this time.**

## **3. APPROVAL OF THE MAY 18, 2011 PLANNING COMMISSION MINUTES**

Motion made by Member Baratta and seconded by Member Greco.

**ROLL CALL VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:**

Motion to approve the May 18, 2011 Planning Commission minutes. *Motion carried 5-0.*

## **4. APPROVAL OF THE JULY 13, 2011 PLANNING COMMISSION MINUTES**

Motion made by Member Lynch and seconded by Member Baratta.

**ROLL CALL VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:**

Motion to approve the July 27, 2011 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 were no Supplemental Issues.

## **AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

## **ADJOURNMENT**

Moved by member Lynch and seconded by Member Baratta:



**VOICE VOTE ON ADJOURNMENT MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:**

**Motion to adjourn the July 27, 2011 Planning Commission meeting. *Motion carried 5-0.***

The meeting adjourned at 7:30 PM.

Transcribed by Juanita Freeman, August, 2011

Date Approved:

---

Richelle Leskun, Planning Assistant