



PLANNING COMMISSION MINUTES

Draft

CITY OF NOVI

Regular Meeting

Wednesday, April 13, 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 Cassis, Member Greco, Member Gutman, Member Larson, Member Meyer (7:03 PM), Chair Pehrson, Member Prince

Also Present: Mark Spencer, Planner; Kristin Kolb, City Attorney

Absent: Member Lynch (excused)

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Chair Pehrson asked to make the change in the Agenda as noted, to include an additional item under Matters for Consideration, related to setting a public hearing for a text amendment to the fence ordinance.

Moved by Gutman, seconded by Member Larson.

VOICE VOTE ON THE AMENDED AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LARSON.

Motion to approve the April 13, 2011 Planning Commission Agenda, as amended. *Motion carried 7-0.*

AUDIENCE PARTICIPATION

Mr. Bruce Joseph came forward and said he is a homeowner at Knightsbridge Gate and said he is on the Homeowner's Association Board. He said he is here to give an opinion on behalf of community members in regard to the rezoning.

Mrs. Doina Graetz came forward and she was here regarding the Knightsbridge Gate rezoning that the city has made. She said she will hold her comments until the Public Hearing.

CORRESPONDENCE

Member Greco indicated that there are comments from Mr. Bruce Joseph at 27469 Albert Street in Knightsbridge Gate asking if the rezoning is approved, will there be a joint effort between Wixom and Novi to pave Twelve Mile Road from Napier to Grand River Avenue.

Member Greco said that there is also a note from Doina and Anton Graetz, 51360 Knightsbridge, with no comment as of yet.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Mr. Mark Spencer, Planner explained that the item Ms. McBeth asked him to pass along to commission is was placed in the commission's packet. It is a solicitation to attend a Planning Basics Workshop. These are great programs and have good speakers and give a good understanding on the basics of Planning and Zoning.

Planner Spencer said, if the commission members have not attended one of these types of sessions, this is an excellent opportunity. The City will pay the commission member's way to attend it.

CONSENT AGENDA - REMOVALS AND APPROVAL

PUBLIC HEARINGS

1. ZONING MAP AMENDMENT 18.697

Public Hearing of the request of the City of Novi for Planning Commission's recommendation to City Council for rezoning of property in Section 18, south of Twelve Mile Road and east of Napier Road, from OS-2, Planned Office Service District, to R-4 One-Family Residential District. The subject property is 74.5 acres.

Planner Spencer explained that the property contained in this petition is the portion of the Knightsbridge Gate site condominium that is located in the OS-2 zoning district. It excludes their clubhouse and pool. This 74.5 acre property is located at the Southeast corner of Twelve Mile and Napier Roads.

This property is subject to a Consent Judgment between Paragon Properties and the City of Novi permitting single family residential development at 4.8 dwelling units per acre for a total 348 homes once all of the lots are built out.

The surrounding land uses include land to the east used for Knightsbridge Gate residential club house and vacant land. To the south is vacant land and Old Dutch Farms Mobile home Park. To the west is a gravel extraction facility, Cadillac Asphalt, single family homes and a light industrial warehouse building in Lyon Township. To the North is a Catholic high school for girls (under construction) and vacant property in City of Wixom.

The property carries a Master Plan future land use designation of single family as are the properties to the east. To the south the properties are designated Mobile Home Park and to the west the properties are designated Rural Residential and light industrial research office and To the north the properties are designated industrial research office.

Planner Spencer continued, the property in the petition is currently zoned OS-2, Planned Office Service. The properties to the east are zoned Residential Acreage (RA) and One-Family Residential (R-1). To the South the properties are zoned One-Family Residential (R-1). To the West, the properties are zoned Residential Agricultural. To the North the properties are zoned Industrial Research Office (IRO).

The recently adopted amended Master Plan for Land Use divided the previously designated "Office" future land use areas into three new office use areas, "Community Office" to coincide with areas zoned OS-1, Office Service District, "Office Commercial" to coincide with areas zoned OSC, Office Service Commercial District, and "Office, Research, Development and Technology" to coincide with areas zoned OST, Planned Office Service Technology District.

Since only one area of the City is currently in the OS-2, Planned Office Service District, Knightsbridge Gate, and the property is subject to a Consent Judgment permitting single family residential development, the elimination of the OS-2 District was contemplated during the Master Plan review process and a use designation to match the OS-2 District was not proposed in the Master Plan.

As the first step in eliminating the OS-2 district from the Zoning Ordinance, Planning Staff recommends rezoning the Knightsbridge Gate development to R-4, One-Family Residential to match the use permitted in the Judgment and the Master Plan for Land Use. This City of Novi petitioned rezoning will not change the terms of the Judgment and which will still control the use of the Knightsbridge Gate properties. Rezoning the property to R-4 will also reduce the number of inquires the City receives regarding the approved use of the Knightsbridge Gate properties. Appraisers, lending institutions, realtors and potential home owners are often

puzzled by the properties being zoned for office uses when the properties are homes or residential lots.

The subject property is developed with the Knightsbridge Gate site condominium and the Planning Staff is not aware of any issues regarding compatibility with the surrounding uses.

The current OS-2 District is intended to be primarily for various types of office uses and the proposed R-4 District is intended to for medium density medium size lot single-family dwellings.

The petition area is adequately served by utilities. Although the area in the petition includes some regulated wetlands and woodlands, all woodland and wetland issues were addressed with the approval of the Knightsbridge Gate development.

Late last year the Planning Staff contacted the four major owners of lots in the development including the home owners association. Staff received no negative responses. At this time, the Planning Department recommends positive consideration of the petition to rezone the subject property from OS-2 to R-4 for the following reasons:

- As the highest density one-family residential district, the proposed R-4 District is consistent with the single family residential use designation in the Master Plan for Land Use 2010;
- The use of the property is regulated by the Paragon Properties verses the City of Novi consent judgment;
- The proposed R-4 District is in harmony the single family residential uses permitted in the above Consent Judgment that permits single family homes and the Knightsbridge Gate site condominium development;
- Rezoning the property does not change any of the terms of the above consent judgment; and
- Adequate infrastructure exists to support the proposed single family homes.

Planner Spencer continued by indicating that the Planning Commission has the following options for its recommendation to City Council:

1. Recommend rezoning of the property to R-4, One-Family Residential (*STAFF RECOMMENDATION*).
2. Recommend denial of the request, with the zoning of the property remaining OS-2, Planned Office Service.
3. Recommend rezoning of the parcel to any other classification that the Planning Commission determines is appropriate. This option may require the Planning Commission to hold and send notice for another public hearing with the intention of recommending rezoning to the appropriate designation. At this time, Staff has not reviewed any other alternatives.

Chair Pehrson opened the public hearing and asked if anyone in the audience had any comments to please step forward.

Mrs. Graetz came forward and stated that she hoped the Commission would approve the rezoning and wanted to make sure that the wetlands remain untouched.

Mr. Bruce Joseph came forward and stated that he believes that the community approves of the rezoning to R-4. It is restrictive and the setbacks are consistent in the distance between the homes. It would be difficult to rezone it to another district given that most of the homes are 10 to 12 feet apart. R-4, in the homeowner's opinion, is consistent with the way the site has been developed.

Chair Pehrson, seeing no one else in the audience wishing to speak, asked if there is any correspondence.

Member Greco said, other than those speaking tonight, there is one letter received by the City on March 29, 2011 from Mr. Matt St. Charles, 27458 Cromwell. The letter approves of the zoning map amendment that is before the Commission today.

Chair Pehrson closed the public hearing turned it over to the Planning Commission for consideration.

Member Gutman complimented the staff on the presentation and said that everything seems to be in order.

Motion made by Member Gutman, seconded by Member Baratta.

ROLL CALL VOTE ON RECOMMENDATION OF APPROVAL OF ZONING MAP AMENDMENT 18.697, MOTION MADE BY MEMBER GUTMAN, SECONDED BY MEMBER BARATTA.

In the matter of Zoning Map Amendment 18.697, City of Novi, motion to recommend approval to City Council to rezone the subject property from OS-2, Planned Office Service District to R-4, One-Family Residential, for the following reasons: 1) As the highest density one-family residential district, the proposed R-4 District is consistent with the single family residential use designation in the Master Plan for Land Use 2010; 2) The use of the property is regulated by the Paragon Properties verses the City of Novi consent judgment; 3) The proposed R-4 District is in harmony the single family residential uses permitted in the above Consent Judgment that permits single family homes and the Knightsbridge Gate site condominium development; 4) Rezoning the property does not change any of the terms of the above consent judgment; and 5) Adequate infrastructure exists to support the proposed single family homes. *Motion carried 8-0.*

MATTERS FOR CONSIDERATION

1. SET A PUBLIC HEARING FOR MAY 11, 2011 FOR ZONING ORDINANCE TEXT AMENDMENT 18.248 RELATED TO MAINTENANCE AND MATERIAL COMPOSITION FOR RESIDENTIAL AND NON-RESIDENTIAL FENCES.

Motion made by Member Gutman, seconded by Member Greco.

VOICE VOTE TO SET A PUBLIC HEARING FOR MAY 11, 2011 FOR ZONING ORDINANCE TEXT AMENDMENT 18.248, MOTION MADE BY MEMBER GUTMAN, SECONDED BY MEMBER GRECO.

Motion to set a public hearing for Text Amendment 18.248 for May 11, 2011. *Motion carried 8-0.*

2. APPROVAL OF THE MARCH 23, 2011 PLANNING COMMISSION MINUTES

Motion made by Member Gutman, seconded by Member Baratta.

VOICE VOTE ON APPROVAL OF THE MARCH 23, 2011 PLANNING COMMISSION MINUTES, MOTION MADE BY MEMBER GUTMAN, SECONDED BY MEMBER BARATTA.

Motion to approve the March 23, 2011 Planning Commission minutes. *Motion carried 8-0.*

MATTERS FOR DISCUSSION

There were none.

SUPPLEMENTAL ISSUES

There were none.

AUDIENCE PARTICIPATION

Seeing no one, Chair Pehrson closed the last audience participation.

ADJOURNMENT

VOICE VOTE ON THE MOTION TO ADJOURN. *Motion carried 8-0.*

The meeting was adjourned at 7:19 PM.

Transcribed by:

Juanita Freeman, Account Clerk, April, 2011

Date Approved:

Richelle Leskun, Planning Assistant