



PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting

April 5, 2023 7:00 PM

Council Chambers | Novi Civic Center
45175 W. Ten Mile, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney

Absent Excused: Member Verma

Staff: Barbara McBeth, City Planner, Lindsay Bell, Senior Planner; Beth Saarela, City Attorney; Christian Carroll, Planner; James Hill, Planner

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Avdoulos to approve the agenda.

ROLL CALL VOTE ON MOTION TO APPROVE THE FEBRUARY 22, 2023 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

Motion carried 6-0.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the first public participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were not any committee reports.

CITY PLANNER REPORT

There was no City Planner report.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were not any consent agenda items.

PUBLIC HEARINGS

1. **2023 SITE PLAN AND DEVELOPMENT MANUAL 18.300**

Public hearing for Text Amendment 18.300 to update Section 6.1, Site Plan Review (All Districts), to reference the updated Novi Site Plan and Development Manual, dated 2023. The manual has been updated to reflect current processes and practices, and in particular the new standards for the Planned Rezoning Overlay ordinance adopted in 2021.

Senior Planner Lindsay Bell relayed the City of Novi's Site Plan and Development Manual has served as an important resource for planners, developers, landowners, and residents of the city since it was adopted in 1999. It is intended to provide a general overview of the city's various development processes and review standards. It steps readers through the complexities of the site plan, rezoning, special land use, woodland and wetland permitting, and preconstruction processes and submittal requirements. The Site Plan and Development Manual also answers frequently asked questions. The last update to the manual was adopted in 2011. The current draft update proposed would replace the 2011 version.

The most important update to the document is the section on the Planned Rezoning Overlay (PRO) process (Chapter 3, Section 3.2). Since ordinance 18.297 amending the PRO was adopted in August 2021, the description of the PRO process has been out of date. That amendment changed several aspects of the PRO, including an initial submittal with review by the Planning Commission and City Council regarding eligibility to use the PRO option. The new text also clarifies what an applicant is to provide at the time of application.

Other minor updates to the manual have also been made, including an explanation of phasing plans (page 7), requiring digital copies of plan submittals to improve recordkeeping, and updating ITE rates as they relate to Traffic Studies (page 45). Clarifications have also been made in Chapter 6 for the Pre-Construction process and Soil Erosion permitting (pages 54-55). A rough mark-up of the 2011 version of the document is provided in the packet for further illustration of the changes that have been made.

The Implementation Committee reviewed the draft document on February 8, 2023. Members made some suggestions for improvements, and recommended the document be presented to the full Planning Commission. On February 22, staff introduced the proposed update and text amendment to the Planning Commission, and a motion was made to schedule a public hearing.

Tonight, the Planning Commission is asked to hold the public hearing and make a recommendation to the City Council on the proposed ordinance text amendment. Staff is happy to answer any questions you may have.

Chair Pehrson opened the public hearing and asked if anyone in the audience wished to speak about this topic. Seeing none, he confirmed there was no correspondence, closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch relayed the document is easy to read as past versions were challenging and confusing to follow. This version will help developers save time and money. Member Lynch appreciates the work done on this.

Member Becker relayed his compliments to the Staff for presenting finished work and echoed Member Lynch in that it's a terrific document, very clear, precise and will help everyone who uses it. Member Becker supports going forward with the document revisions.

Member Dismondy concurred with Member Lynch and Member Becker.

Member Roney relayed as part of the Implementation Committee he has had a chance to review the document, it's a very good document and is up to date with current practices.

Member Avdoulos relayed he appreciates the time and effort that has gone into the document. The addition of images helps to make it easier to follow and read. Many cities don't have a document similar to this.

Motion made by Member Avdoulos and seconded by Member Lynch to forward the amendment to City Council.

In the matter of 2023 Site Plan and Development Manual Text Amendment 18.300, motion to forward a favorable recommendation to City Council on the proposed ordinance amendment.

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL OF THE 2023 SITE PLAN AND DEVELOPMENT MANUAL TEXT AMENDMENT 18.300 MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion carried 6-0.

2. 21111 MEADOWBROOK ROAD WOODLAND PERMIT

Public hearing at the request of Barima Opong-Owusu for consideration of a Woodland Use Permit at 21111 Meadowbrook Drive. The property is located north of Eight Mile Road and west of Meadowbrook Road in Section 35 of the City. The applicant is requesting the removal of thirty-six regulated woodland trees in order to construct a single-family residential structure.

Planner Christian Carroll relayed the proposed woodland use permit as requested by the applicant, Barima Opong-Owusu, is to remove thirty-six regulated woodland trees at 21111 Meadowbrook Road to build a single-family home. The site located north of Eight Mile Road and west of Meadowbrook Road, is zoned R2, and has a single-family future land use. There are no regulated wetlands on the site.

The City's Woodland Consultant reviewed the request and prepared a review letter dated 2/17/23. The review letter states that the applicant is proposing to remove thirty-six regulated woodland trees, all of which are regulated woodland trees, from a section of City Regulated Woodland ranging in size from 8 to 18 inches DBH. These removals require sixty-two Woodland Replacement Credits. The Woodland Consultant's review letter provides a detailed count and explanation of the required replacements. The proposed removals are not located within any recorded conservation or preservation easements that abut or encroach onto the property. The applicant is proposing to replant all sixty-two woodland replacement credits on site.

Staff suggests that the Planning Commission approve the Woodland Use Permit. A suggested motion is provided in the memo. Barima Opong-Owusu, the future homeowner, is here to tonight and is available to answer any questions. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission. The applicant declined to speak at this time.

Member Lynch read four letters of correspondence, three in support and one opposed.

Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium.

Parthiv Dandnaik, 41450 Carmela Court, relayed Novi is a great place to make a home, so he welcomes the new neighbor. One of the challenges he saw on the plan is a new driveway and garage being built on the south side very close to other properties. Mr. Dandnaik would appreciate it if the Planning Commission would help the existing residents to see where new trees are being planted to maintain a buffer zone.

Amy Robertson, 41579 Carmela Court, relayed she would like to echo Mr. Dandnaik's comments and added there is a lot of natural wildlife on the site, and she would like request that the residents are a part of the replacement tree plan to see the tree buffer maintained for the wildlife.

Barima Opong-Owusu, applicant, relayed that he purchased the lot from the neighbor to the west. He purchased 0.9 acre of 1.3 acre site and does not intend to get rid of all the trees, he just would like an area to build a home. A large reason he chose the lot is due to the trees and privacy and intends to

maintain a buffer.

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

Member Lynch recognized the questions in the audience comments and inquired to Staff to the planting plan. Planner Carroll responded that it is typically provided after the Planning Commission has approved the woodland permit. Member Lynch relayed the homeowner has the right to develop the property, provided it meets the standards. Rick Meader will work with the homeowner to make sure trees are replaced on site or a donation is made to the tree fund. Member Lynch has no issue with the homeowner developing his property, however his preference is to see the trees replanted on the property rather than a donation to the tree fund.

Member Becker relayed the property is zoned for residential, so the understanding is a house would be built there. Residents on Carmela Court and Llewelyn Drive are in homes that replaced woods, likewise it is the right of the property owner to build a home on his property. Wildlife have habitats, not homes, there is a huge habitat going through the Deerbrook subdivision. Member Becker lives on the west side of Meadowbrook Lake and watches the deer transit from north to south. A single lot with trees removed is not a detriment to wildlife, as they will find a habitat, and this particular lot has what may be considered an unhealthy amount of tree growth. If the property owner leaves some more mature trees and replants others, it would be better. Member Becker is in support of the woodland permit.

Member Dismondy had nothing to add.

Member Roney had nothing to add.

Member Avdoulos relayed using his scale, for a point of reference the face of the garage will be about 120 feet away from the residence to south, the driveway is 20-25 feet wide so that will be about 100 feet away, and it appears there will be remaining trees in that location. The role of the Planning Commission is to look at woodland permits to ensure the woodland ordinance is met, however for individual lots the Planning Commission does not approve landscape plans. The landscape plan has to go to the City as part of the building permit, so residents can look at that through the Building Department.

Motion made by Member Avdoulos and seconded by Member Lynch to approve the woodland permit.

In the matter of 21111 Meadowbrook Road Woodland Permit, motion to approve Woodland Use Permit, PBR22-0569, for the removal of thirty-six regulated woodland trees within an area mapped as City Regulated Woodland at 21111 Meadowbrook Road for the construction of a single-family residence. The approval is subject to on-site tree replacements to the extent possible and payment into the City's Tree Fund for any outstanding Woodland Replacement Credits, along with any other conditions as listed in the Woodland Consultant's review letter.

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL OF THE 21111 MEADOWBROOK WOODLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion carried 6-0.

3. 22585 MONTEBELLO COURT WOODLAND PERMIT

Public hearing at the request of Mark Sieckman for consideration of a Woodland Use Permit at 22585 Montebello Court. The property is located north of Nine Mile Road and west of Novi Road in Section 27 of the City. The applicant is requesting the removal of four regulated woodland trees in order to increase recreational space in the backyard.

Chair Pehrson noted that the applicant is not in attendance, so it is at the discretion of the Planning Commission to move forward with approval or postpone.

Planner Carroll relayed the proposed woodland use permit as requested by the applicant, Mark

Sieckman, is to remove four regulated woodland trees at 22585 Montebello Court to increase back yard space. The site is located north of Nine Mile Road and west of Novi Road, is zoned R3, and has a single-family future land use. There are no regulated wetlands on the site.

The City's Woodland Consultant reviewed the request and prepared a review letter dated 2/27/23. The review letter states that the applicant is proposing to remove four regulated woodland trees, all of which are regulated woodland trees, from a section of City Regulated Woodland ranging in size from 8 to 18 inches DBH. These removals require five Woodland Replacement Credits. The Woodland Consultant's review letter provides a detailed count and explanation of the required replacements. The proposed removals are not located within any recorded conservation or preservation easements that abut or encroach onto the property. The applicant has indicated that they may plant trees in place of the removals.

Staff suggests that the Planning Commission postpone a decision on the Woodland Use Permit because the applicant is not in attendance and cannot provide justification for the removals. The applicant was given ample notice about the attendance request. Two motions are provided in the memo – one requested by the applicant, and one requested by staff. Staff is available to answer any questions.

Chair Pehrson opened the public hearing and asked if anyone in the audience wished to speak about this topic. Seeing none, he confirmed there was no correspondence, closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Becker inquired about the plot information provided and the location of the house shown as it looks as if the house is on the property line. Planner Carroll relayed it's an old aerial from 2020 showing a former barn on the Montebello property that has since been torn down.

Member Lynch relayed he has no issue with the permit.

Member Dismondy had no questions.

Member Roney had no questions.

Motion made by Member Avdoulos and seconded by Member Roney to postpone the woodland permit.

In the matter of 22585 Montebello Court Woodland Permit, motion to postpone the consideration of Woodland Use Permit, PBR22-0464, for the removal of four regulated woodland trees within an area mapped as City Regulated Woodland at 22585 Montebello Court to a later date because the applicant is not in attendance and cannot provide justification for the proposed removals that complies with the City of Novi Woodland Ordinance.

ROLL CALL VOTE ON MOTION TO RECOMMEND POSTPONEMENT OF THE 22585 MONTEBELLO COURT WOODLAND PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion carried 5-1 (Lynch).

MATTERS FOR CONSIDERATION

1. INTRODUCE TEXT AMENDMENT 18.296 – PROPOSED CITY WEST ORDINANCE AND DESIGN GUIDE

Set public hearing for Text Amendment 18.296 to add a new Section 3.1.30, the CW, City West District, to add a new Section 3.33, City West Required Conditions, to add a new Section 3.34, City West Mixed-Use Development Option, and to add the City West Design Guide, as well as to amend various additional sections of the ordinance in order to create and add requirements for the proposed CW, City West District.

Senior Planner Bell relayed the City West district was identified in the 2016 Master Plan update as an area for redevelopment. The area is along Grand River Avenue, between Beck and Taft. Over the last several years staff has been working to create a new zoning district that would help to transform this area from

the sparsely developed industrial past to a vibrant, walkable, mixed-use district.

Working with the Planning Commission's Implementation Committee, planning staff and the City Attorney's office have developed new City West Zoning Ordinance text to provide the standards under which properties in the new district will be developed, as well as a Design Guide that offers visual examples that the Master Plan and ordinance language are working together to accomplish. The Design Guide complements the ordinance language and will be made part of the ordinance once it is adopted. Properties to be included in the City West District would be considered as a part of a city-initiated rezoning that would follow the public hearing and notice standards of a typical rezoning request.

The new ordinance contains provisions for the existing uses that may choose to remain once the properties are rezoned, and not redevelop under the new standards. The ordinance will consider the uses existing at the effective date of the ordinance as legal non-conforming uses that may continue to be used in the same manner as allowed throughout the City, and even to expand in a limited capacity. In the longer term those uses not consistent with the district may relocate and allow for redevelopment.

The memo in the Planning Commission packet provides:

- An overview of the proposed district (see attached maps),
 - A description of the existing character of the district,
 - The stated intent of the proposed district,
 - An overview of the ordinance standards, including the proposed Mixed-Use Development Option (MDO),
 - Buffering standards for properties adjacent to existing residential areas,
 - Feedback from property owners in the district, and
 - Next steps for the draft ordinance and design guide.
- The Planning Commission packet also has the full draft text amendment and the draft City West Design Guide.

Staff has recently reached out to the affected property owners and developers with an interest in the proposed district. We have met with several property owners to answer questions, provide clarifications, and receive feedback. All the responses have shown positive support for the amendment to the Ordinance as well as some good feedback on changes for consideration as we bring this through the process. Some current nonconforming uses would actually become more conforming under the proposed standards, such as restaurant uses in the I-1 district.

The Planning Commission is asked to offer feedback on the proposed text amendment and design guide and to consider setting a public hearing for proposed ordinance amendment and rezoning at an upcoming meeting. Following the Public Hearing, the Planning Commission will be asked to make a recommendation to City Council on both the text amendment and rezoning for the approximately 250 acres in this new district. Staff is available to answer and questions.

Chair Pehrson relayed that this has been in the works for years, so the City is making a bold statement to create this rather than keep the status quo on Grand River. There have been some field trips to research and emulation of other cities that have used property like this to create a more urban setting and it is a major step in the growth of the City to help move that entire part of the city into the next millennium. He applauds everything presented there, and ultimately if it gets built out in regard to the renderings shown it will add to the vitality of the City. Chair Pehrson is really impressed with what has been done and is really looking forward to seeing what the future holds for this property.

Member Lynch is in agreement with Chair Pehrson and echoes the comments made. Member Lynch relayed this would be the perfect opportunity to implement a boulevard concept on Grand River Avenue instead of the landing strip of concrete currently there. With City Council's authority, Member Lynch recommends they find a way to fund the boulevard along with the City West project. The concept would be similar to what was done on VanDyke Avenue, where a boulevard was added with trees and artwork to calm the traffic and make it more interesting. Member Lynch also referenced the boulevard added to Beck Road between Five Mile and Six Mile.

Member Becker relayed that in his research, he counted nine parcels along Grand River between Beck and Taft that have for sale signs. As indicated in the packet, recently the City contacted all the landowners to inform them of the City West plan. Member Lynch inquired to staff if any of these nine parcels, or other parcels in the proposed City West district is sold prior to the formal implementation of the proposed City West zoning ordinances, which replace the current zoning designations, would the new owner be bound by the new City West zoning when implemented, or could they develop the property according to the zoning in existence at the time of purchase?

City Attorney Beth Saarela responded that vested rights in a zoning district don't apply until you actually start construction. If a developer goes through the site plan approval process, but doesn't start construction and zoning changes, the developer could lose their plan. Unless a developer takes action to start construction, they don't have any vested rights in a zoning district as purchase and sale don't dictate zoning.

Member Becker acknowledged that if the City West Ordinance is not implemented in a timely fashion, we could be faced with an owner who purchased a property and develops it according to current zoning.

Member Becker relayed a concern that there are thirty-two acres that would now have non-conforming, mostly commercial buildings, on them that may discourage new developments especially on the south side where there could be a lot of residences. Member Becker wondered if this would be a detriment to moving forward what he sees as a beautiful and visionary plan for that part of Grand River. He hopes the significant wetlands can be kept. He still has concerns around traffic calming, and likes the idea of boulevards, along with a pedestrian bridge to connect residents on the south side of Grand River with massing areas on the north side as striped walkways would not be the safe way to traverse.

Member Becker relayed there should be discipline in the future regarding variances to maintain the desired look of the City West district.

Member Dismondy relayed he thinks it is very forward thinking and likes the concept and ideas. He inquired to Staff as to whether the City has received feedback from developers as to why this area hasn't worked for industrial over the years.

Senior Planner Bell responded she has not heard any feedback from any of the landowners. City Planner McBeth responded she has not heard any direct feedback either.

Member Dismondy thinks this concept is appealing, the key will be traffic management. If the zoning is changed without a clear plan on how to make Grand River a slow traffic area, developers may not want to develop here.

Member Roney relayed he really likes the concept, and it would be exciting to see this happen in Novi. He also really likes the design guide as well as it puts a vision on what we are looking for in this area.

Member Avdoulos relayed as part of the Implementation Committee, he was able to watch this project grow and appreciates the work the Staff has put in. The design guide with renderings, images, guiding principles, and recommendations will give developers a vision of what we are looking for. The aerials help tremendously, especially the aerial from Beck Road looking down Grand River to Taft Road. This is an opportunity to develop all the way from Novi Road to Beck Road, as we've done work from Haggerty to Novi Road, then the development from Beck Road to Wixom is good, so this helps clean all that up. A lot of cities and municipalities don't provide a guide of this type so this will help developers and help guide the vision.

Motion made by Member Avdoulos and seconded by Member Lynch to set a public hearing.

In the matter of Text Amendment 18.296 to add a new section 3.1.30 City West District, to add a new section 3.33 City West required conditions, to add a new section 3.34 City West Mixed Use Development Option, and to add the City West Design Guide as well any amended various

additional sections of the Ordinance to create and add requirements for the City West District, motion to set a public hearing for an upcoming Planning Commission meeting.

ROLL CALL VOTE ON MOTION TO SET A PUBLIC HEARING WAS MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion carried 6-0.

2. APPROVAL OF THE MARCH 8, 2023 PLANNING COMMISSION MINUTES

Motion made by Member Lynch and seconded by Member Avdoulos to approve the March 8, 2023 Planning Commission Minutes.

ROLL CALL VOTE ON MOTION TO APPROVE THE MARCH 8, 2023 PLANNING COMMISSION MINUTES WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

Motion carried 6-0.

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were no supplemental issues/training updates.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward.

Jerry Dinello with Tower Building introduced himself along with Joe Johnson, owner of Gatsby's Restaurant on Grand River, and relayed that Mr. Johnson and his business are included in the new City West area. Mr. Johnson hired Tower Building to do some exterior renovations to Gatsby's representing significant investment in the outside appearance and dining areas. They are currently held up based on the current zoning restrictions on covered dining areas. Based on the new proposed zoning, the renovations would be considered conforming, so they are very excited to hear it's progressing and are in support.

Mr. Johnson added that he is in support of the proposed walkway bridge over Grand River.

Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the meeting made by Member Lynch.

VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER LYNCH.

Motion to adjourn the April 5, 2023 Planning Commission meeting. Motion carried 6-0.

Meeting adjourned at 7:46 PM.

*Actual language of the motion sheet subject to review.