



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

April 13, 2022 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 Becker, Member Dismondy, Chair Pehrson, Member Roney

Absent – Excused: Member Avdoulos, Member Lynch, Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Christian Carroll, Planner; Rick Meader, Landscape Architect; Humna Anjum, Plan Review Engineer; Ben Peacock, Planning Assistant; Emily Hansen, Environmental Consultant

APPROVAL OF AGENDA

Motion to approve the April 13, 2022 Planning Commission Agenda. Motion carried 4-0.

PUBLIC HEARINGS

1. **COVINGTON ESTATES RUD JSP21-47**

Public hearing at the request of Toll Brothers LLC for recommendation to City Council for approval of a Residential Unit Development (RUD) Plan. 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 a Residential Unit Development (RUD) on a 54.3-acre parcel to construct 44 single-family residential units.

In the matter of Covington Estates, JSP21-47, motion to recommend approval of the Residential Unit Development (RUD) Plan subject to and based on the following findings and conditions:

- a. **The Site is appropriate for the proposed use, as the density proposed does not exceed that allowed under the RA Zoning District and is consistent with the Master Plan for Land Use;**
- b. **The development will not have detrimental effects on adjacent properties and the community, as the use proposed is consistent with the surrounding land uses;**
- 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, as the existing regulated wetland and woodland areas on the site will not be disturbed;**
- 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 and 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 states they will permanently protect these areas as open space in the Master Deed and an Open Space Preservation Easement;
 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 to R-1 development standards consistent with the proposed reduction in lot size and width;
- i. City Council variance from Section 3.29.2 to permit one unit on the west side of the

property to be located up to 65 feet from the peripheral property line rather than the 75 feet required.

- j. Landscape waiver from Section 5.5.3.B.ii requirement of a landscaped berm along Garfield Road, as there are no proposed buildings near this area requiring screening;
- k. City Council variance from Appendix C Section 4.04(A) (1) of City of Novi Code for not providing a stub street to the subdivision boundary along subdivision perimeter at 1300-foot intervals, as two access points are provided in suitable locations;
- l. 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 access route, as two access points are provided in suitable locations;
- m. 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 in 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 4-0.*

2. ANCHOR PRINTING WAREHOUSE JSP22-02

Public hearing at the request of Anchor Printing for Special Land Use and Preliminary Site Plan approval. The subject property contains 9.32 acres and is located at 43043 Nine Mile Road (Section 35). The applicant is proposing to fully occupy lease space within an industrial building, remove a gazebo, and install two overhead doors for loading and storage purposes. The site abuts Knapp Cemetery, which is zoned R-1 (One-Family Residential) and requires a Special Land Use permit pursuant to Section 4.45 of the Zoning Ordinance for the proposed change in use.

In the matter of Anchor Printing Warehouse, JSP22-02, motion to approve the Special Land Use permit based on the following findings:

a. Relative to other feasible uses of the site:

- i. The proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service because the proposed use is not traffic-intensive;
- ii. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area because the proposed use does not result in a major increase in utility usage;
- iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats because the proposed use does not impact any regulated features;
- iv. 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 because the proposed use is similar to the surrounding industrial uses;
- v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use because the proposed use is a compatible light industrial development that provides economic value to the community;

- vi. The proposed use will promote the use of land in a socially and economically desirable manner because the proposed use promotes the expansion of a business within the City;
- vii. The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this ordinance, and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

In the matter of Anchor Printing Warehouse, JSP22-02, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The Planning Commission finds the following conditions of Section 3.14.3 are met:
 - i. The scale, size, building design, facade materials, landscaping and activity of the use is such that current and future adjacent residential uses will be protected from any adverse impacts;
 - ii. The intended truck delivery service can be effectively handled without long term truck parking on site;
 - iii. The lighting, noise, vibration, odor and other possible impacts are in compliance with standards and intent of Article 5 and the performance standards of Section 5.14;
 - iv. The storage and/or use of any volatile, flammable or other materials shall be fully identified in application and shall comply with any city ordinances regarding toxic or hazardous materials.
 - v. Compliance with the City's hazardous materials checklist is required;
- b. Zoning Board of Appeals Variance from Section 3.14.5.B.ii of the Zoning Ordinance for a loading area less than 100 feet from a residential zoning district (XX feet provided) as recommended by staff because the proposed loading area allows for safe and efficient loading/unloading and has proper screening in relation to the adjacent residentially zoned property;
- c. Zoning Board of Appeals Variance from Section 3.14.5.A of the Zoning Ordinance for the allowance of two overhead doors and a loading dock proposed on or in a wall of a building that faces an abutting residential zoning district as recommended by staff because the overhead doors and loading dock are properly screened and setback from the adjacent residentially zoned property;
- d. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those 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 4-0.*

3. 29930 BRUSH PARK COURT, PBR21-0676

Public Hearing at the request of Meridian Homes Construction, LLC for consideration of a request for a Woodland Use Permit at 29930 Brush Park Court. This property is also known as Lot 10 West Park Place Condominiums, which is located north of West Road and West of West Park Drive in Section 4 of the City. The applicant is requesting the removal of twenty-four regulated woodland trees in order to build a single-family structure on the lot.

Motion to approve Woodland Use Permit, PBR21-0676, for the removal of twenty-four regulated woodland trees within an area mapped as City Regulated Woodland on Lot 10 of the West Park Place Condominiums 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 Environmental Consultant's review letter. *Motion carried 4-0.*

MATTERS FOR CONSIDERATION

1. CITY CENTER OFFICE PLAZA JSP21-06

Consideration of the request of City Center Office Plaza, LLC for approval of the Preliminary Site Plan and Stormwater Management Plan. The subject property contains 1.25 acres and is in Section 15, on the west side of Flint Street, south of Grand River Avenue. The applicant is proposing a three-story office building with a bank on the first floor and general office on the upper floors (15,300 square feet total). The site plan includes a two-lane drive-through for the bank use on the south side of the building.

In the matter of City Center Office Plaza, JSP21-06, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **A waiver from Section 11-216.d.1.d of the Code of Ordinances to allow same side driveway spacing of 112 feet on Grand River Avenue where 185 feet is required, because of the small lot size and RCOC has approved the placement, which is hereby granted.**
- b. **A waiver from Sections 3.27.1.H and 5.4.2 to allow the loading area in the exterior side yard where rear or interior side yard placement is required, as the property will have road frontage on all four sides and screening on three sides of the area is proposed, which is hereby granted.**
- c. **A landscape waiver from Section 5.5.3.B to permit a reduction of the required greenbelt width along Bond and Flint Streets (10 feet proposed, 20 feet required), which is hereby granted.**
- d. **A landscape waiver from Section 5.5.3.B to permit a reduction of 1 canopy tree along Flint Street, as the river occupies a good portion of the greenbelt area, which is hereby granted.**
- e. **A landscape waiver from Section 5.5.3.B and Section 3.27.1.D to reduce the parking lot screening required, if the applicant plants hedges between the wall sections as suggested in the Landscape Review to more effectively screen the parking lot, which is hereby granted.**
- f. **A landscape waiver from Section 5.5.3.C for lack of landscaped island on the southwest side of the building, as the proposed sidewalk prevents enough room for a tree, which is hereby granted.**
- g. **A landscape waiver from Section 5.5.3.D for lack of frontage landscaping on the south side of the building, as the drive-through would conflict with planting areas, which is hereby granted.**
- h. **ZBA approval of the applicant's requested variances from Ordinance standards as follows:**
 1. **from Section 3.1.25.D to permit a parking setback reduction on the east, west and south sides (10 to 12.4 feet requested, 20 feet required);**
 2. **from Section 3.27.1.D to allow parking in the exterior side yard of nonresidential collector road (Flint and Bond Streets);**
 3. **from Section 5.2.12 to allow a reduction in the number of parking spaces required (65 spaces proposed, 70 spaces required);**
 4. **from Section 5.4.2 to allow the size of the loading area to be reduced (540 square feet proposed, 940 square feet required);**
- i. **City Council approval of a variance from Design and Construction Standards, Section 11-265, for absence of a sidewalk along the Flint Street frontage on the west side of the site.**

- j. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those 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 4-0.*

In the matter of City Center Office Plaza, JSP21-06, motion to approve the Stormwater Management Plan subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan. *Motion carried 4-0.*

2. APPROVAL OF THE JANUARY 26, 2022 PLANNING COMMISSION MINUTES

Motion to approve the March 23, 2022 Planning Commission Meeting Minutes. *Motion carried 4-0.*

ADJOURNMENT

Motion to adjourn the April 13, 2022 Planning Commission meeting. *Motion carried 4-0.*

The meeting adjourned at 8:09 PM.

*Actual language of the motion subject to review.