



CITY OF NOVI CITY COUNCIL
JANUARY 22, 2024

SUBJECT: Consideration for tentative approval of the request of Wixom Road Development, LLC, JSP22-01, for a Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan for the Camelot Parc development. The subject property is approximately 8.78 acres of land located on the east side of Wixom Road, north of Eleven Mile Road, in Section 17. The applicant is proposing 46 units in three 2-story apartment buildings. The subject property is currently zoned R-1, One Family Residential, with a Planned Suburban Low-Rise Overlay.

SUBMITTING DEPARTMENT: Community Development - Planning

BACKGROUND INFORMATION:

The applicant is proposing a Planned Suburban Low-Rise Overlay (PSLR) Concept Plan to construct 46 apartment units on the east side of Wixom Road, north of Eleven Mile Road. The homes will be in three low-rise (2-story) buildings with a proposed density of 5.6 units per acre. The concept plan indicates the main entrance to the development off of Stonebrook Drive, with secondary emergency access provided on the west side of the site connecting directly to Wixom Road. The applicant is proposing a trail for residents through the open space areas and proposes wetland preservation and wetland mitigation on-site. Low-rise multiple family is considered a Special Land Use in the PSLR overlay ordinance.

PSLR Overlay Procedures

At its June 7, 2023, meeting the Planning Commission held a public hearing, and reviewed the PSLR Overlay Concept Plan and other information relative to the PSLR Overlay Development Agreement Application. The Planning Commission has provided a favorable recommendation to the City Council of the PSLR Overlay application and Concept Plan, subject to a number of conditions (see attached minutes).

At this point, the City Council is asked to review the application and take one of two possible actions under Section 3.21.3.C of the zoning ordinance:

- (a) Indicate its tentative approval of the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, and direct the

- City Administration and City Attorney to cause to be prepared, for review and approval by the City Council, a PSLR Overlay Development Agreement; or
- (b) Deny the proposed PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan.

If tentative approval is offered, following preparation of a proposed PSLR Overlay Development Agreement, the City Council will be asked to make a final determination regarding the approval of the PSLR Overlay Concept Plan and Agreement. Following final approval of the PSLR Overlay Concept Plan and Agreement the applicant may proceed with the standard site plan review and approval procedures outlined in Section 6.1 and Section 3.21 of the Zoning Ordinance.

Staff Reviews and Ordinance Deviations

All staff and consultants have reviewed the proposed concept plan and recommended approval having found the plan to generally be in compliance with the stated intent of the PSLR Overlay District which is to:

"Promote the development of high-quality uses, such as low-density multiple family residential, office, quasi-public, civic, educational, and public recreation facilities that can serve as transitional areas between lower-intensity detached one-family residential and higher-intensity office and retail uses while protecting the character of neighboring areas by encouraging high-quality development with single-family residential design features that will promote a residential character to the streetscape."

Section 3.21.1 permits deviations from the strict interpretation of the Zoning Ordinance within a PSLR Overlay agreement. These deviations may be granted by the City Council on the condition that *"there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District."* The applicant has provided a narrative document describing each deviation request and substitute safeguards for each item that does not meet the strict requirements of the Zoning Ordinance.

Further Discussion following the Planning Commission Public Hearing

Following the discussion by the Planning Commission at the June 7, 2023, public hearing, **the applicant agreed to prepare a Traffic Impact Assessment (to supplement the previously completed Trip Generation Analysis) prior to consideration by the City Council.**

The anticipated trip generation from the proposed project did not meet the threshold for study as described in the City's Site Plan and Development Manual. However, given concerns from nearby residents, the Planning Commission recommended the applicant provide a traffic study prior to City Council's consideration. The applicant elected to provide the abbreviated Traffic Impact Assessment (TIA), since the project scope did not warrant a full Traffic Study under the City's guidelines. The TIA is included in this packet, as is the City's Traffic Consultant review of the TIA.

The City's Traffic Engineering Consultant provided the following comments regarding the submitted TIA:

The abbreviated traffic study subsequently does not offer any insight into the 'capacity' or 'impact' on Wixom Road. However, the proposed development is anticipated to have little impact on the traffic conditions on Wixom Road due to the number of trips (40 trips during PM peak hour) it is estimated to generate. A traffic study that includes 'capacity' and 'safety' analysis for existing and future conditions will inform the traffic operation along Wixom Road.

RECOMMENDED ACTION:

Note, two motions are provided for consideration, Motion 1 for tentative approval, Motion 2 for denial.

Motion 1 (Based on the Planning Commission's motion):

Tentative approval of the request of Wixom Road Development, LLC, JSP22-01, for a Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan for the Camelot Parc development based on the following findings, City Council deviations, and conditions, with the direction that the applicant shall work with the City Attorney's Office to prepare the required Planned Suburban Low-Rise Overlay Agreement and return to the City Council for Final Approval:

1. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community. *The plan proposes a reasonable transition between adjacent land uses, and the proposed concept plan proposes a walking trail through a 0.74 acre area of woodland to be preserved. Much of the existing wetland areas on the site are proposed to be preserved as well.*
2. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment. *The applicant has provided a Traffic Impact Assessment and a Community Impact Statement which indicate minimal impacts on the use of public services, facilities and utilities. The proposed concept plan impacts about 0.3 acres of the existing 2.41 acres of wetlands and proposes removal of approximately 19 percent of the regulated trees. The plan indicates appropriate mitigation measures on-site and off-site.*
3. In relation to the underlying zoning and the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a

negative impact upon surrounding properties. *The proposed buildings have been buffered by the proposed landscaping and preserved natural features. The low-rise multiple family use is a reasonable transition from the two-family and one-family developments to the west, east and south, and the commercial shopping center to the north. The site utilizes the driveway access easement on Stonebrook Drive that was provided by the Villas at Stonebrook project for the purpose of limiting multiple exits onto Wixom Road, which is a safer alternative compared to exiting directly onto Wixom Road.*

4. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of this Article (Article 3.1.27). *The proposed development fills the gap in providing the recommended missing middle housing in the City's 2016 Master Plan for Land Use. The area was included in the PSLR overlay in the Master Plan and Zoning Ordinance, which permits multiple-family housing as a special land use. The proposed arrangement of buildings and site layout minimizes the impact on existing natural features.*
5. City Council deviations for the following, as the Concept Plan provides substitute safeguards for each of the regulations and there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District, as stated in this motion sheet and in the staff and consultant's review letters:
 - a. Deviation from Sec. 3.21.2.A.i to allow development to front on an approved private drive, which does not conform to the City standards with respect to required sixty foot right-of-way, *as the road was previously approved for the Villas at Stonebrook development, and because the shared access reduces the number of curb cuts on Wixom Road;*
 - b. Deviation from Sec. 3.21.2.A.iii.c. to allow parking spaces to be within 12 feet of a building in one location south of building 1 (15 feet minimum required);
 - c. Deviation from Sec. 3.21.2.A.v to allow a reduction in the minimum required private open space (9,200 square feet total required, 3,150 square feet provided), *as constructing additional private open space would cause greater wetland and woodland impacts;*
 - d. Deviation from Sec. 3.21.2.A.v to allow reduction of minimum percentage of active recreation areas (50% of open spaces required, approximately 30% provided), and less than 10% of the total site (9% proposed), *as the development proposes connection to Wildlife Woods Park, which contains connections to the Providence and the ITC tail systems, and providing additional active recreation would cause greater wetland and woodland impacts;*

- e. Deviation from Sec. 3.21.2.C.ii. for lack of pedestrian entrances on rear side of two buildings, *as this side of the building will be screened by the existing berm and trees;*
 - f. Deviation from Section 3.21.2.C.ii.d. to allow the use of a minor amount of standing seam metal material (2-4% proposed), *as in the opinion of the City's Façade Consultant the material is used in a manner that enhances the facades, and the design is otherwise in conformance with the façade standards;*
 - g. Deviation from Sec. 5.7.3.K for exceeding the 4:1 average to minimum illumination ratio (5.3:1 proposed), *as the light from the fixtures at the western turn-around will be shielded from visibility in the ROW;*
 - h. Deviation from Sec. 3.21.2.A.iii and Sec. 5.5.3 to allow absence of required landscaped berm along Wixom Road north of the emergency access drive due to resulting woodland impacts *as there is no development proposed in that area. In addition, the berm south of the access drive is not long enough to provide undulation;*
 - i. Deviation from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 foot intervals along the property boundary to provide connection to the adjacent property boundary, *due to conflict with existing wetlands and woodlands; and*
6. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Preliminary 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.

- OR -

Motion 2:

Denial of the request of Wixom Road Development, LLC, JSP22-01, for a Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan for the Camelot Parc development based on the following findings:

1. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will **not** result in a recognizable and substantial benefit to the ultimate users of the project and to the community over and above any ordinance requirements *given the density and scope of the improvements, their effect on the natural*

features of the property, and the number of deviations required, including the loss of open space and screening from adjacent properties.

2. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, but **will** place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, and the natural environment *due to proposed impacts to existing woodland and wetland natural features.*
3. In relation to the underlying zoning and the potential uses contemplated in the City of Novi Master Plan, the proposed development **will** cause a negative impact upon surrounding properties, *due to proposed impacts on existing woodland and wetland natural features.*
4. The Planning Commission requested that the applicant provide a Traffic Study before the matter was presented to the City Council. Additional information was provided by the applicant, however, the City's Traffic Engineering consultant noted the following: *A traffic study that includes 'capacity' and 'safety' analysis for existing and future conditions will inform the traffic operation along Wixom Road.*

In the City Council's review of the requested deviations from the requirements of Section 3.21.2, the applicant has **not demonstrated substitute safeguards for each regulation for which there is noncompliance**, in whole or in part, in the PSLR Overlay Concept Plan, including in particular the deviation from Sec. 3.21.2.A.v to allow a reduction in the minimum required private open space (9,200 square feet total required, 3,150 square feet provided); the deviation from Sec. 3.21.2.A.v to allow reduction of minimum percentage of active recreation areas (50% of open spaces required, approximately 30% provided), and less than 10% of the total site (9% proposed); and the deviation from Sec. 3.21.2.A.iii and Sec. 5.5.3 to allow absence of required landscaped berm along Wixom Road north of the emergency access drive.