

MASTER PLAN & ZONING COMMITTEE
City of Novi Planning Commission
November 19, 2009 at 7:00 p.m.
Novi Civic Center – Conference Room C
45175 W. Ten Mile, Novi, MI 48375
(248) 347-0475

Members: Victor Cassis, Andy Gutman, Michael Lynch and Michael Meyer
Alternate David Greco
Staff Support: Mark Spencer

1. **Roll Call**
2. **Approval of Agenda**
3. **Audience Participation and Correspondence**
4. **Staff Report**
5. **Matters for Discussion**

Item 1
Master Plan for Land Use Review

- a) Recommended Master Plan Amendments Review and discuss staff recommendations and possibly approve with or without modifications, for inclusion in final review and for recommendations to the Planning Commission.
 - 1) Grand River Avenue and Beck Road Study Area
 - i. Review rezoning submittal 18.691
 - ii. Future Land Use designations and Future Land Use Map
 - iii. Transportation Plan Map
 - iv. Related Objectives and Implementation Strategies

6. **Minutes**
October 7, 2009
7. **Adjourn**

Future Meetings –12/3 & 12/17

November 17, 2009

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375



**SUBJECT: Grand River and Beck Study Area –
Transportation Component Analysis and Recommendations**

Dear Ms. McBeth:

At the request of the City of Novi's Community Development Department, Birchler Arroyo has reviewed the transportation components of the Grand River and Beck Study Area, as part of the proposed amendments to the City's Master Plan. The Master Plan and Zoning Committee has developed three alternatives for that Study Area, and each of those alternatives includes variations to the design of a potential new roadway network. The alternatives also vary with respect to the portion of the Study Area to be included in the proposed Retail Service Overlay.

Our following comments and recommendation will concentrate on the transportation component only, while recognizing the fact that the design of the future roadway network and the size of the retail overlay component are in many ways dependent upon one another. The intent of this report is to provide our analysis and comments on each of the Master Plan and Zoning Committee's three alternatives, and offer a recommendation as to which of the three is most advisable.

RECOMMENDATION

Of the three alternatives developed by the Master Plan and Zoning Committee, Birchler Arroyo recommends adoption of the transportation components included in Alternative 2 (with some revisions as discussed below). This alternative, which includes a collector loop road as well as an interior retail circulation system, facilitates the installation of a future traffic signal along Grand River Avenue at an advisable distance from the existing signal at Beck Road as well as the existing signal at the main driveway for the Rock Financial Showplace. This collector loop road and future signal on Grand River will be critical for safely and efficiently accommodating the additional traffic to be generated by development of the Beck / Grand River Study Area with retail and/or office uses. Also, the retail circulation system as proposed in Alternative 2 would be spaced a more desirable distance from the Beck/Grand River intersection when compared to that proposed in the other alternatives. We have attached a mark-up of the map for Alternative 2 which shows our proposed minor revisions.

Overall Comments Applicable to All Three Alternatives

1. Proposed Collector Loop Road and Beck, south of Grand River

In Birchler Arroyo's report dated May 20, 2009, we show the potential collector loop road following a reverse curve and intersecting the east side of Beck Road (south of Grand River) approximately 75 feet further north of where that same intersection is shown on each of the three alternatives developed by the Master Plan and Zoning Committee. This discrepancy may be a simple drafting error, but it is worth discussing. The path of the collector loop road proposed by Birchler Arroyo was intended to provide the City-minimum same-side driveway spacing relative to the existing commercial driveway to the south (see attached birds-eye aerial photo of that driveway and surrounding uses). The path of the collector loop was also intended to provide a safe opposite-side spacing relative to the existing Providence Park driveway. Whichever alternative the Committee decides upon, the path of the collector loop road where it intersects Beck south of Grand River should be consistent with what we proposed in our May 2009 report.

2. Proposed Collector Loop Road and Grand River

One of the most critical elements of our recommendation for a future collector loop road was designing it so that it intersects Grand River Avenue in a location that would facilitate the future installation of a new traffic signal. It is important to consider the spacing of this future signalized intersection, relative not only to the Beck and Grand River intersection to the west, but also the existing signals along Grand River to the east (at the main driveway to Rock Financial Showplace and at Taft Road). Birchler Arroyo recommended the collector loop road intersect Grand River at or near the existing intersection of Grand River and Heyn Drive. A signal at this location would be approximately 1,900 feet east of the signal at Beck Road and 1,900 feet west of the signal at the main Showplace driveway. This satisfies the RCOC's minimum signal spacing guidelines for a 50-mph road like Grand River, and also creates the opportunity for optimum progression through the four Grand River traffic signals (at Taft Road, the Showplace driveway, the collector loop road, and Beck Road) if ever the timing of those four signals is coordinated. In summation, the possibility of a new traffic signal at Grand River and the collector loop road should be discussed in the Committee's report and should be clearly indicated on Study Area maps which display the collector loop road concept.

3. Proposed Collector Loop and Beck, north of Grand River

Birchler Arroyo's May 20, 2009 report recommends that a future traffic study analyze the potential for a new traffic signal on the northbound side of the Beck Road boulevard where it would intersect the future collector loop road, to facilitate entering left turns as well as exiting right turns. The possibility of a new signal at this location should be cited within the Master Plan and Zoning Committee's report. The timing of a new signal at that location would have to be coordinated such that it would allow protected entering left turns onto

the collector loop from southbound Beck Road, but would not adversely affect the progression of northbound vehicles once released from the signal at Beck and Grand River. The length of the existing southbound left-turn pocket within the Beck Road median would have to be evaluated to determine whether it could adequately store vehicles stacked to make the left turn onto the collector loop. The prohibition of entering left turns from southbound Beck onto the collector loop should not be considered if at all possible. Prohibiting that southbound left turn would severely restrict access to the properties on the north side of Grand River, particularly for vehicles exiting I-96 at the Beck Road interchange, and would create additional southbound left-turn traffic at the Beck / Grand River intersection. For retail uses to be viable on the north side of Grand River, they will require access from southbound Beck Road.

For a number of reasons, we believe that exiting left turns from the collector loop onto southbound Beck should be prohibited by constricting the existing median opening within the Beck Road boulevard, and providing adequate regulatory and wayfinding signage. Restricting exiting left turns at that intersection would only be feasible with the installation of a new traffic signal where the collector loop intersects Grand River (east of Beck). Future traffic exiting the Study Area (north of Grand River) destined for eastbound Grand River would be directed via wayfinding signage to follow the collector loop to the new signal on Grand River. Future traffic exiting the Study Area (north of Grand River) destined for either westbound Grand River or southbound Beck would be directed via wayfinding signage to follow the collector loop to the new traffic signal on Grand River or to follow the Proposed Retail Circulation System discussed below. Outbound right turns toward the freeway interchange should be the only outbound movement permitted from the collector loop onto Beck Road north of Grand River.

Alternative 1

The collector loop road displayed in the Study Area map for Alternative 1 generally follows the path developed by Birchler Arroyo for our May 20, 2009 report (save for the location of its intersection with Beck south of Grand River, discussed in Overall Comment #1 above).

The Proposed Retail Circulation System (which we will henceforth refer to as the “retail loop”) is shown intersecting Grand River approximately 400 feet east of Beck Road. Since the south and north legs of the retail loop are shown to be aligned, we assume the intent is to allow crossover traffic from one side of Grand River to the other. If this is the case, then the intersection of Grand River and the retail loop proposed in Alternative 1 is too close to the intersection of Beck and Grand River. Crossover traffic as well as left-turns out from the retail loop would potentially be in conflict with the queue at the westbound approach to the Grand River / Beck Road intersection, especially during peak hours of traffic. The only way we would support the retail loop in that location would be if the approaches to Grand River were designed to allow only right-in and right-out turning movements.

Alternative 2

The collector loop road displayed in the Study Area map for Alternative 2 generally follows the path developed by Birchler Arroyo for our May 20, 2009 report (save for the location of its intersection with Beck south of Grand River, discussed in Overall Comment #1 above).

Alternative 2 is the most desirable of the three. The intersection spacing between Beck Road and the retail loop is greater than in Alternative 1, although we would still have concerns with the safety of crossover traffic from one side of Grand River to other. The additional spacing would also create the potential for larger developable areas at the northeast and southeast corners of Beck and Grand River, which would likely better accommodate developments that meet the City's setback, parking, and landscaping requirements.

One improvement we would like to recommend for Alternative 2 is amending the path of the retail loop on the south side of Grand River, so that it intersects Beck at the City-minimum same-side driveway spacing relative to the proposed collector loop (215 feet center-to-center for the 40-mph speed limit, assuming both side roads will be 30 feet wide). This could be accomplished by "wrapping" the retail loop further around the west side of the existing pond. The increased spacing of the retail loop from the Beck/Grand River intersection would improve traffic safety as well as create a larger developable area on the southeast corner of Beck and Grand River (see attached mark-up labeled Alternative 2a). We also recommend showing at least one connection between the retail and collector loops east of Beck (see mark-up).

Alternative 3

As discussed above, one of the critical elements of development of the collector loop road was incorporation of a new traffic signal where that road intersects Grand River Avenue. This new signal will be necessary to safely and efficiently accommodate the additional traffic that will be generated by redevelopment of the Study Area with office and retail. The collector loop road as proposed in Alternative 3 would intersect Grand River approximately 800 feet east of Beck Road. This would be too close to the existing signal at Beck and Grand River to accommodate installation of a new traffic signal, which in our opinion would defeat the purpose of developing the collector loop road.

The path of the collector loop road as proposed in Alternative 3 would not provide access to as many of the parcels within the Study Area as the path shown in Alternatives 1 and 2, particularly those on the north side of Grand River. The collector loop road concept was developed to provide access to future developments within the parcels along Grand River, and therefore to minimize the number of new direct-access driveways along Grand River and Beck. Minimizing private commercial driveways onto a major thoroughfare (one of the primary components of a practice known as "Access Management") has been proven to reduce crashes and increase roadway efficiency. The more parcels that have direct access to the collector loop road, the less that will require a driveway directly onto Grand River or Beck. With that in mind, the "scaled back" collector loop road displayed in Alternative 3 is not ideal compared to the

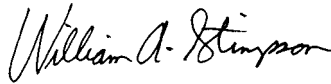
concept displayed in Alternatives 1 and 2. Additionally, the retail loop south of Grand River marginalizes the need for the portion of the collector loop on the south side of Grand River since the two are so close together and follow the same general path.

We hope these comments prove helpful as the Community Development Department, the Master Plan and Zoning Committee, and the Planning Commission proceed with the Master Plan amendment process. Feel free to contact our offices for anything further.

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



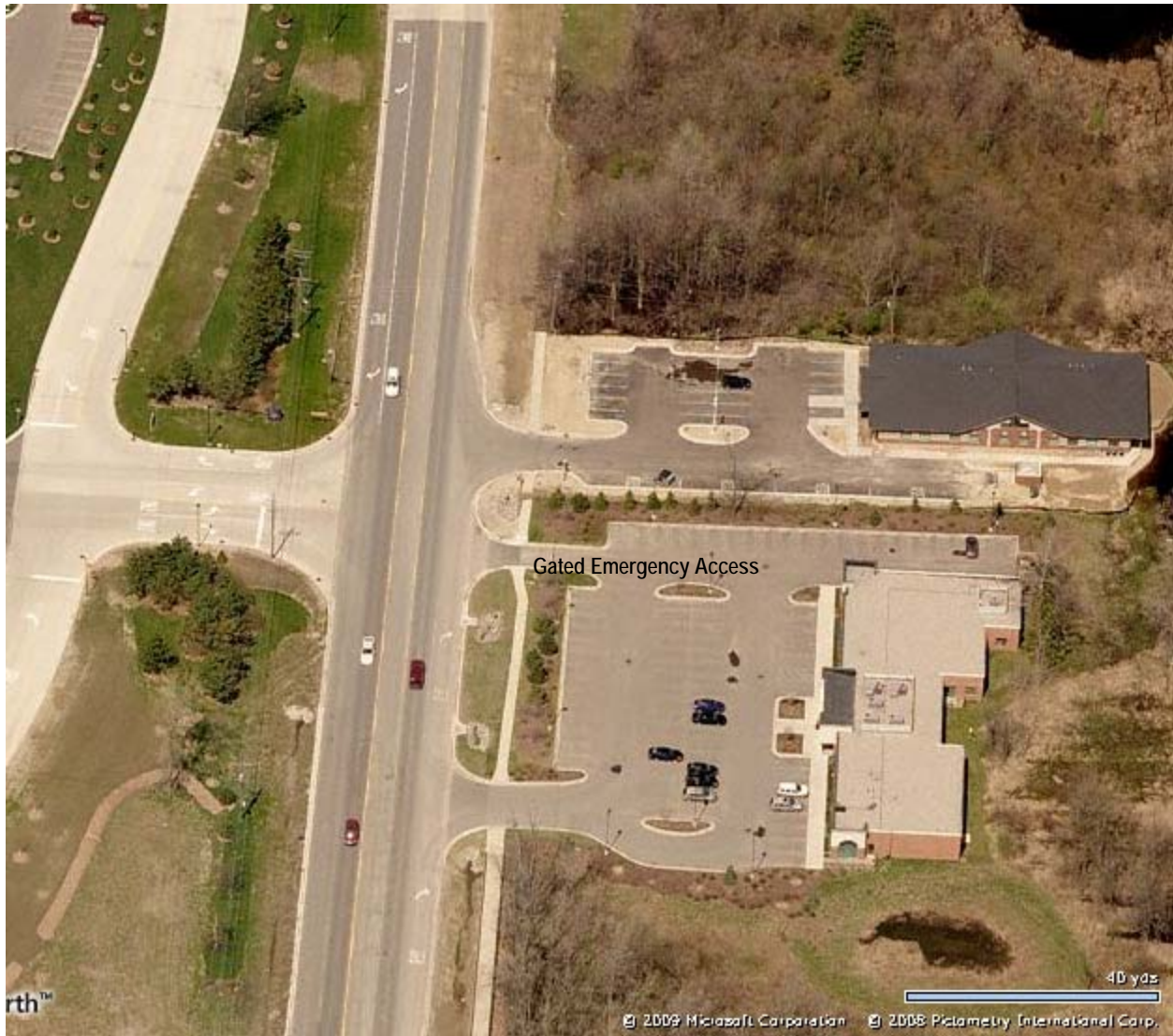
Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E.
Director of Traffic Engineering

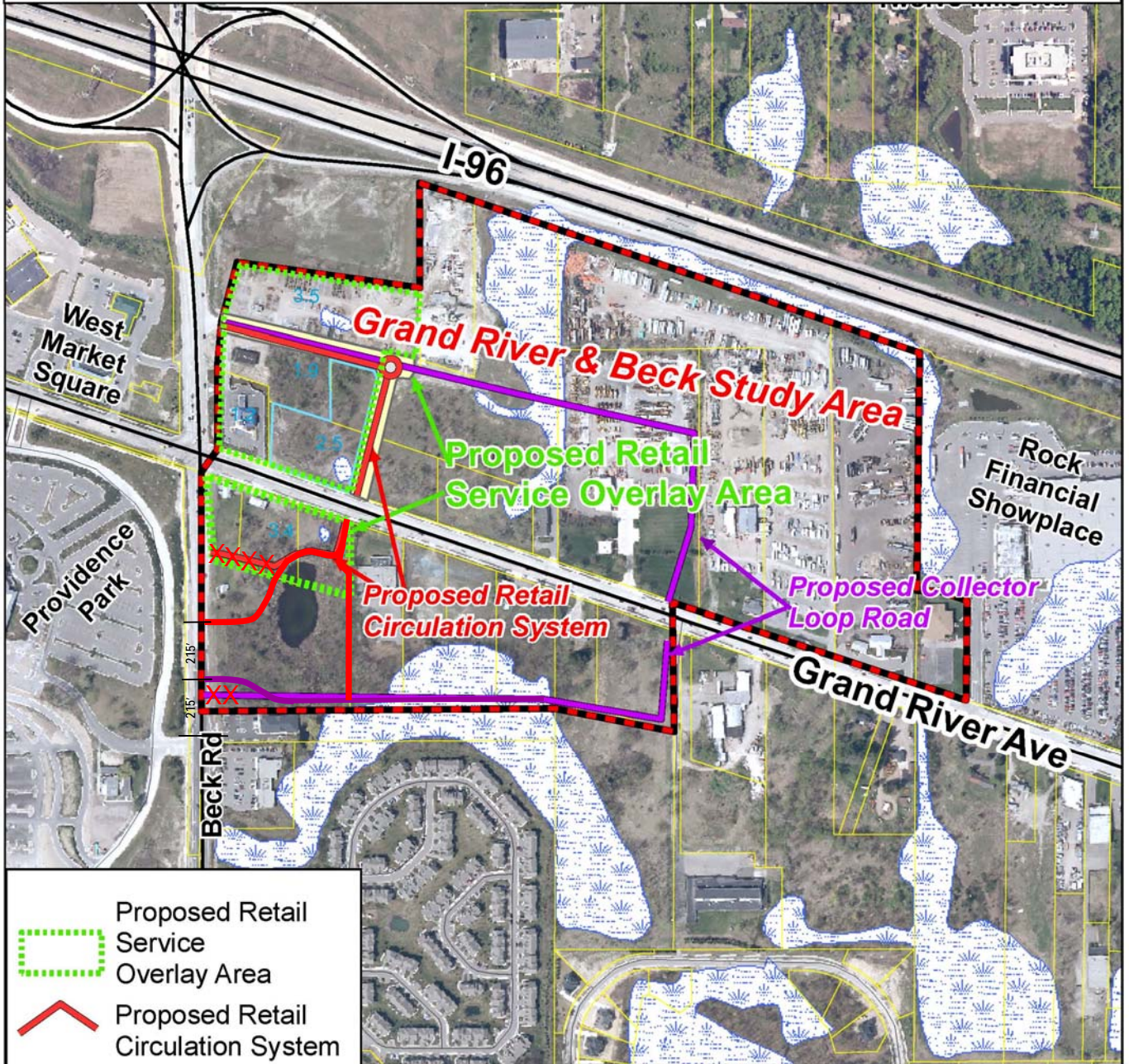





David R. Campbell
Senior Associate





Beck and North Providence Driveway

Grand River & Beck Study Area Proposed Retail Service Overlay Alternate 2a - per Birchler Arroyo

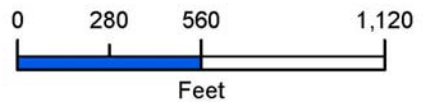


-  Proposed Retail Service Overlay Area
-  Proposed Retail Circulation System
-  Proposed Collector Loop Road

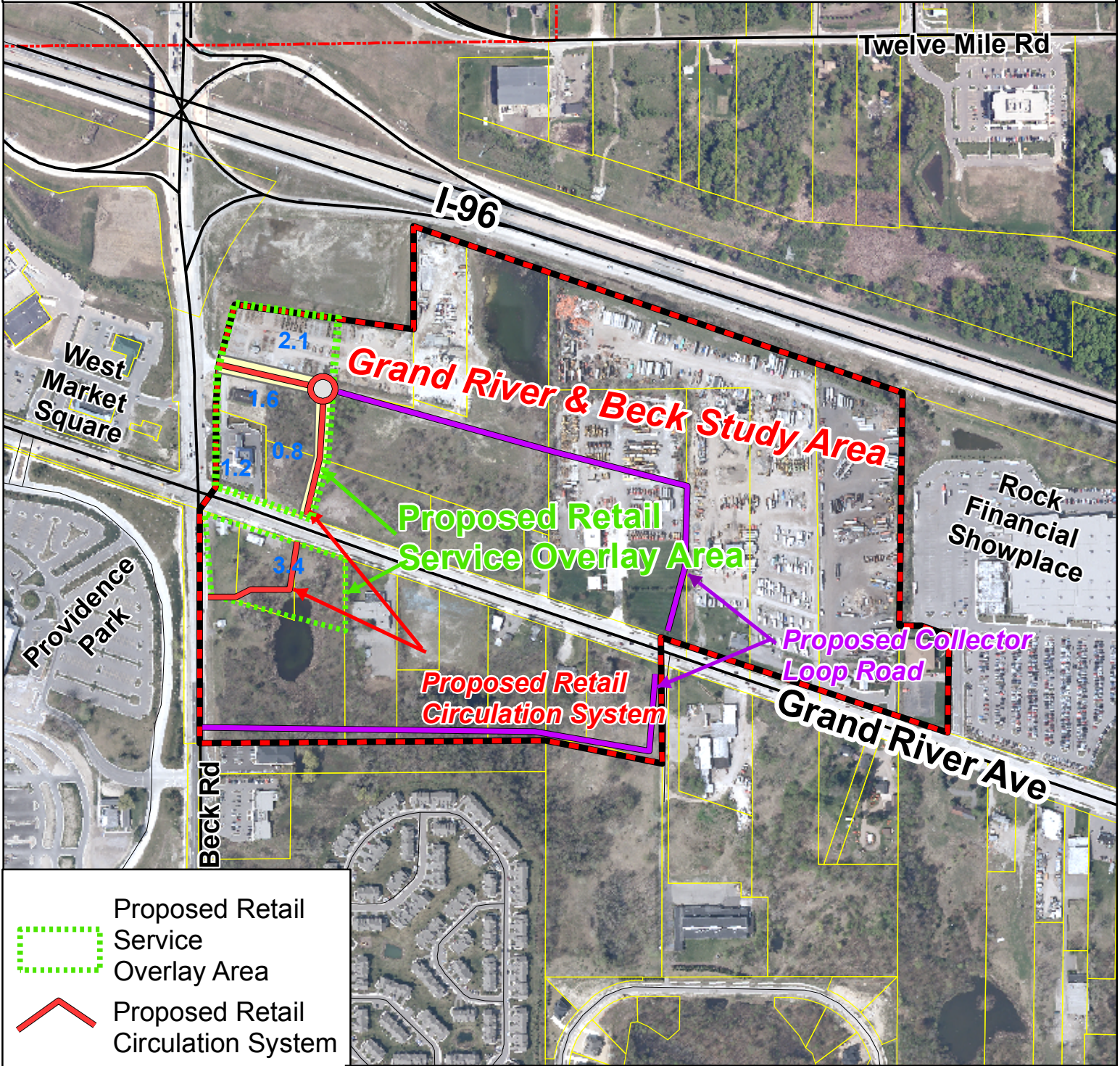
-  Grand River & Beck Study Area
-  Tax Parcels


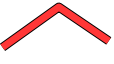

**CITY OF NOVI
2009 MASTER PLAN REVIEW**



CREATED: 8/13/09



Grand River & Beck Study Area Proposed Retail Service Overlay Alternate 1

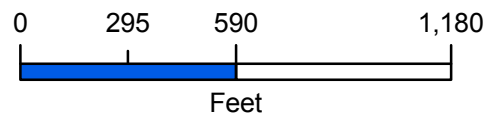


-  Proposed Retail Service Overlay Area
-  Proposed Retail Circulation System
-  Proposed Collector Loop Road

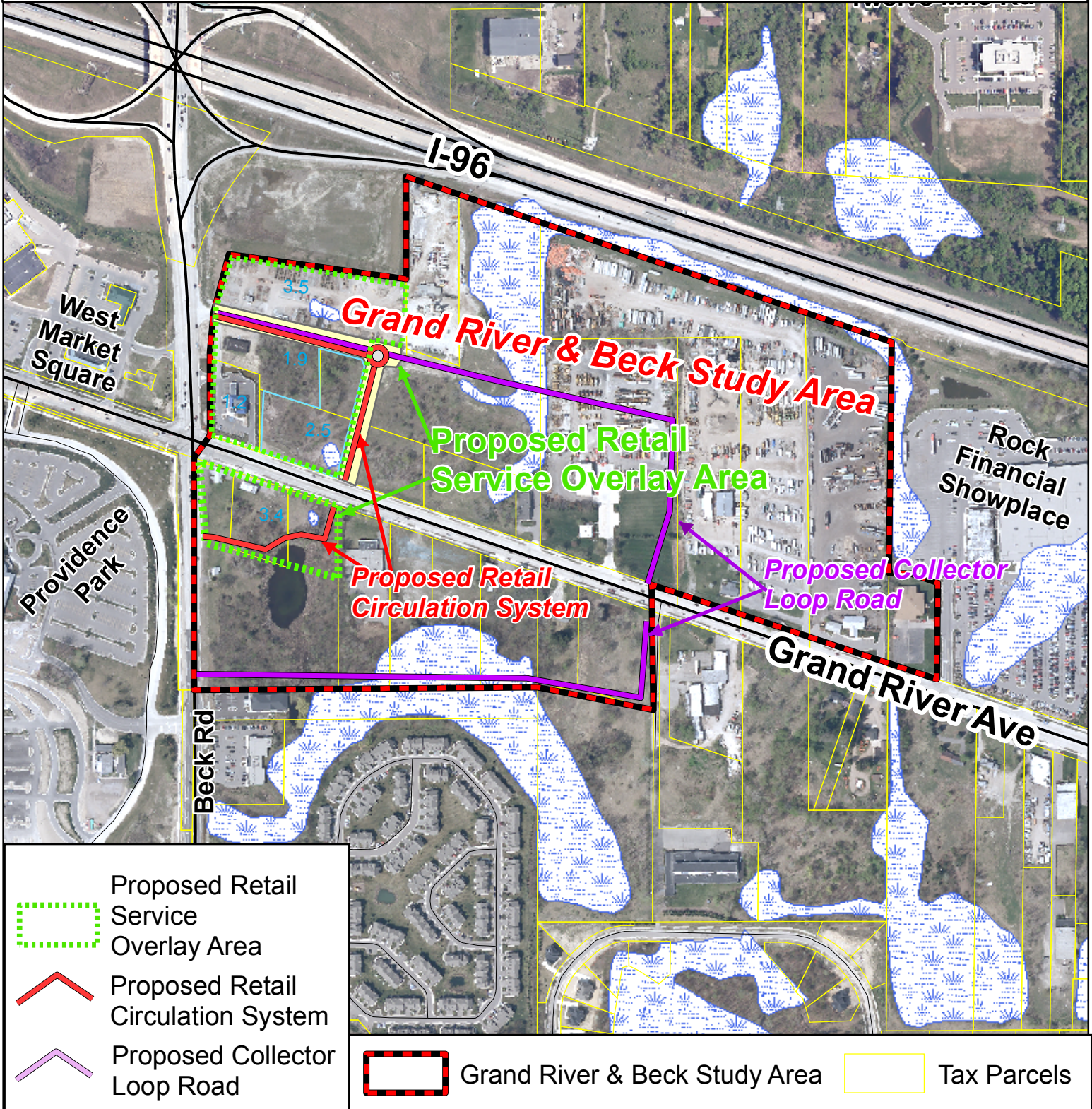
-  Grand River & Beck Study Area
-  Tax Parcels

**CITY OF NOVI
2009 MASTER PLAN REVIEW**

CREATED: 10/27/09

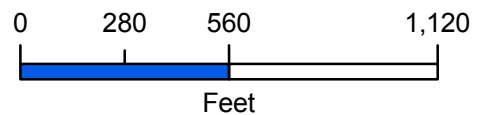


Grand River & Beck Study Area Proposed Retail Service Overlay Alternate 2

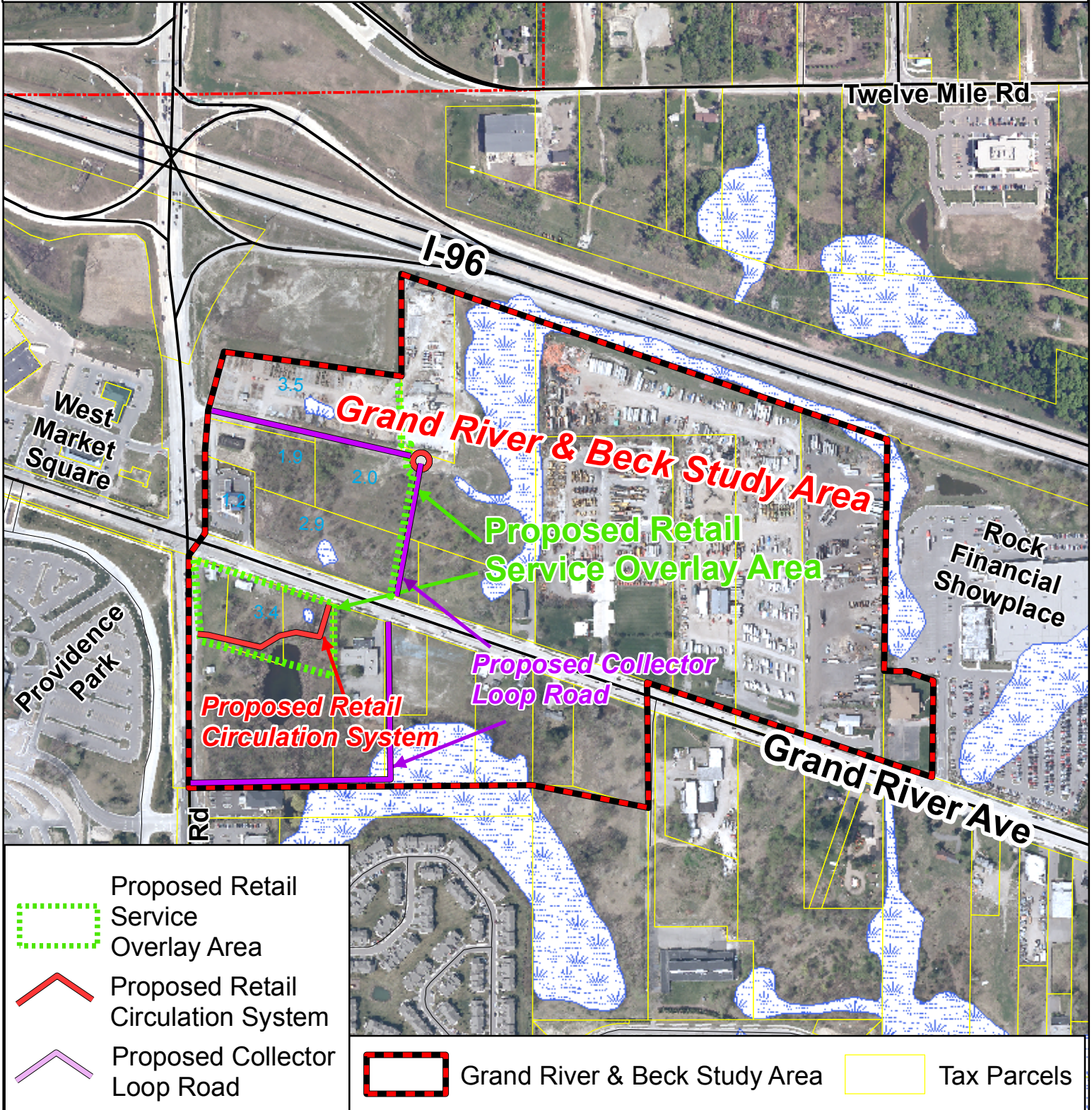


**CITY OF NOVI
2009 MASTER PLAN REVIEW**

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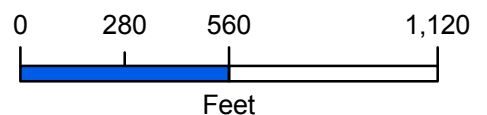


Grand River & Beck Study Area Proposed Retail Service Overlay Alternate 3



**CITY OF NOVI
2009 MASTER PLAN REVIEW**

CREATED: 10/27/09





PLAN REVIEW CENTER REPORT

November 4, 2009

Planning Review

46100 Grand River

Master Plan and Zoning Committee Review

Petitioner

Novi Mile LLC

Review Type

Rezoning Request from OST (Office Service Technology) to FS (Freeway Service)

Property Characteristics

- Site Location: East side of Beck Road between I-96 and Grand River Avenue
- Site Zoning: OST, Office Service Technology
- Adjoining Zoning: North: I-96 right-of-way; South: OST; East: OST; West (across Beck Road): B-2, Community Business District
- Current Site Use: Former Nursery
- Adjoining Uses: North: I-96 right-of-way; South: Wixom Ready-Mix; East: Michigan Laser; West (across Beck Road): Westmarket Square Retail Development
- School District: Novi Community School District
- Proposed Rezoning Size: 1.64 acres
- Existing Parcel Size: 4.3 acres

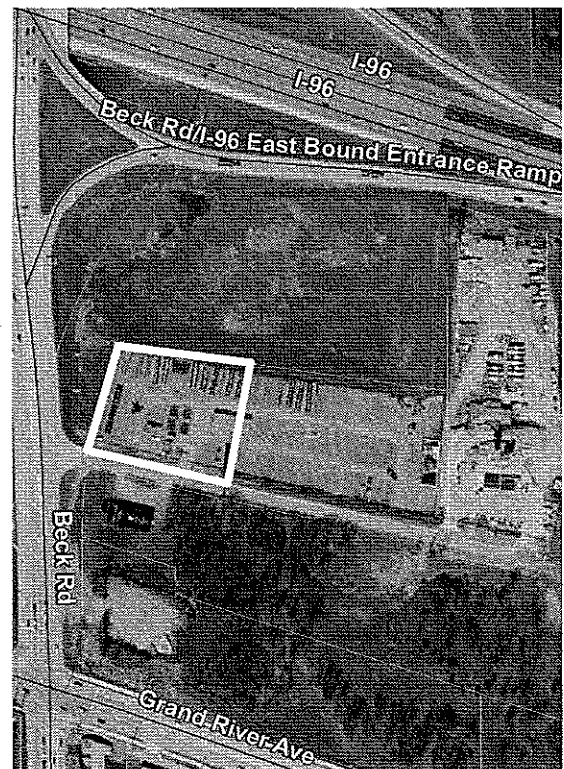
Project Summary

The petitioner is requesting the rezoning of a property on the east side of Beck Road between I-96 and Grand River Avenue in Section 16 of the City of Novi. The proposed rezoning would be split off from a larger parcel totaling 4.3 acres. The proposed area being rezoned would total 1.64 acres. The subject property is currently zoned OST, Office Service Technology. The applicant has requested a rezoning of the parcel to FS, Freeway Service. The site is currently developed with a former nursery, which is no longer in use.

If the rezoning is granted, the applicant should be required to split the rezoned area from the larger parcel. The remainder of the parcel, east of the subject property to be rezoned should then be joined with an adjacent parcel or a new private or public road should be established. Otherwise, a landlocked parcel would be created, which is not permitted by the Zoning Ordinance.

Current Status

Presently, the Planning Commission has opened certain sections of the Master Plan for review and possible



updates. The project area has been included in this review by the Master Plan and Zoning Committee for recommendation to the Planning Commission concerning the future land use of the site. This review should be completed in the coming months.

The applicant is proposing a Zoning Map Amendment, which would rezone the property from OST, Office Service Technology to FS, Freeway Service. As noted in this letter, the Master Plan for Land Use is currently under review by the Master Plan and Zoning Committee. The rezoning request could be evaluated differently depending on whether the Master Plan changes. Staff and the applicant have discussed the option of presenting the rezoning request with a Planned Rezoning Overlay (PRO). The applicant has declined the option to present a PRO at this time, although they have included a conceptual Preliminary Site Plan for reference only as part of their application materials. This review only evaluates the proposed "straight" rezoning and includes no review of the conceptual Preliminary Site Plan.

Planning Commission Options

The Planning Commission has the following options for its recommendation to City Council:

1. Recommend rezoning of the parcel to FS, Freeway Service (*APPLICANT REQUEST*).
2. Recommend postponing a decision on the request until the completion of the Master Plan for Land Use update.
3. Deny the request, with the zoning of the property remaining OST, Office Service Technology.
4. Recommend rezoning of the parcel to any other classification that the Planning Commission determines is appropriate. **NOTE:** 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.

Master Plan for Land Use

The Master Plan for Land Use is currently under review by the Master Plan and Zoning Committee and the subject property is part of a larger study area to be examined as part of the Master Plan review. Several alternatives for future land use are being considered for the subject property and the surrounding area. The recommendations of the Master Plan and Zoning Committee for the subject property could be substantially different from the recommendations of the current Master Plan. The creation of a retail overlay provision for the OST District within the Zoning Ordinance to accommodate limited retail uses is also being considered. The Master Plan update should be completed in the coming months.

The Master Plan for Land Use currently designates this property for office uses. A rezoning of the property to FS would be inconsistent with the recommended actions of the Master Plan. The Master Plan recommends office uses not only for this parcel, but also for the parcels immediately surrounding the subject property.

The Planning Commission may want to discuss whether this proposed rezoning would be considered a "spot zone," since it is an isolated 1.64 acre parcel proposed to be zoned to Freeway Service, which is separated from other commercial business districts by adjacent parcels and/or roadways. The Master Plan and Zoning Committee is currently reviewing the subject site within a larger study area for possible future retail and service uses within a designated overlay area. This possible retail service overlay area would contain a road system to facilitate traffic movements of

the larger retail service area, if this concept is adopted as a part of the Master Plan updates. Please see the accompanying Traffic Engineering review for further comments regarding traffic circulation in this area.

Existing Zoning and Land Use

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

**Land Use and Zoning
 For Subject Property and Adjacent Properties**

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Site	OST, Office Service Technology	Former Nursery	Office
Northern Parcels	I-96 right-of-way	I-96 right-of-way	I-96 right-of-way
Southern Parcels	OST, Office Service Technology	Wixom Ready-Mix	Office
Eastern Parcels	OST, Office Service Technology	Michigan Laser	Office
Western Parcels (across Beck Road)	B-2, Community Business	Westmarket Square Retail Development	Local Commercial

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested FS zoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request.

Directly to the **north** of the subject property is I-96 right-of-way. There is likely to be little to no impact to the existing right-of-way if the property is rezoned.

The Wixom Ready-Mix plant is located directly **south** of the subject property. Based on the uses permitted in the zoning district, FS zoning would most likely bring additional traffic to the area which could impact the existing ready-mix facility. Convenience retail-type uses (i.e., gas station, fast food, etc.) would generate significantly more traffic than an office use.

Directly to the **east** of the subject property is Michigan Laser. As mentioned previously, FS zoning would potentially bring additional traffic to the area, but beyond that other impacts would be minimal.

Directly to the **west** of the subject property, across Beck Road is the West Market Square retail development. In addition to increased traffic in the area, depending on what is developed, retail establishments in the Westmarket Square could experience increased competition if similar retail facilities are constructed on the subject property.

Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classifications. One alternative has been provided at this time, the B-3 General Business District. This district would allow uses similar to the FS district. However, at this time, the B-3 District does not permit drive-through restaurants. The applicant has indicated likely uses for the site include a gas station and a drive-through restaurant. The B-3 District would also be in conflict with the Master Plan for Land Use.

	OST (Existing)	FS (Proposed)	B-3 (Alternate)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. All uses permitted and as otherwise regulated in the OS-2 District at Section 2301, 2302 and 2303. 2. Data processing and computer centers; laser technology and application; repair, service and sale of communications equipment. 3. Laboratories. 4. Research, testing, design and development, technical training and activities (subject to certain conditions). 5. Hotels and business motels (subject to certain conditions). 6. Colleges and universities and other such post-secondary institutions of higher learning (subject to certain conditions). 7. Motion picture, television, radio and photographic production facilities provided all activities are conducted within a completely enclosed building. 8. Accessory buildings and uses. 	<ol style="list-style-type: none"> 1. Gasoline service stations and automobile repair, subject to the standards at Section 1402.1, parking garages and bus passenger stations. 2. Retail establishments to serve the needs of highway travelers, including, but not limited to, gift shops and restaurants, not including drive-ins. 3. Motels, hotels and transient lodging facilities (subject to certain conditions). 4. Other uses similar to the above permitted uses. 5. Accessory structures and uses. 	<ol style="list-style-type: none"> 1. Any retail business or service establishment permitted in the B-1 and B-2 Districts as Principal Permitted Uses and Special Land Uses subject to the restrictions therein. 2. Auto wash when completely in an enclosed building. 3. Bus passenger stations. 4. New and used car salesroom, showroom, or office, except trucks and heavy off-road construction equipment. 5. Other uses similar to the above permitted uses. 6. Tattoo parlors. 7. Publicly owned and operated parks, parkways and outdoor recreation facilities. 8. Accessory structures and uses.

	OST (Existing)	FS (Proposed)	B-3 (Alternate)
	9. Other uses similar to the above uses.		
Special Land Uses	No special land uses in the OST District.	No special land uses in the FS District.	<ol style="list-style-type: none"> 1. Outdoor space for the exclusive sale of new or used automobiles, campers, recreation vehicles, mobile homes or rental of trailers or automobiles (subject to certain conditions). 2. Motel (subject to certain conditions). 3. Business in the character of a drive-in or open front store (subject to certain conditions). 4. Veterinary hospitals or clinics (subject to certain conditions). 5. Plant materials nursery (subject to certain conditions). 6. Public or private indoor recreational facilities and private outdoor recreational facilities. 7. Mini-lube or quick oil change establishments (subject to certain conditions). 8. Sale of produce and seasonal plant materials outdoors (subject to certain conditions).
Minimum Lot Size	Based on the amount of off-street parking, landscaping, and setbacks required.	Based on the amount of off-street parking, landscaping, and setbacks required.	Based on the amount of off-street parking, landscaping, and setbacks required.
Building Height	3 stories –or– 46 feet (additional height permitted if certain	1 story –or– 25 feet	30 feet

	OST (Existing)	FS (Proposed)	B-3 (Alternate)
	conditions are met)		
Building Setbacks	Front: 50 feet Sides: 50 feet Rear: 50 feet	Front: 30 feet Sides: 10 feet Rear: 20 feet	Front: 30 feet Sides: 15 feet Rear: 20 feet
Parking Setbacks	Front: 20 feet Sides: 20 feet Rear: 20 feet	Front: 20 feet Sides: 10 feet Rear: 10 feet	Front: 20 feet Sides: 10 feet Rear: 10 feet

Infrastructure Concerns

See the Engineering review letter for specific discussion of water and sewer capacities in the area serving the subject property. The Engineering review indicates there will be an impact on utility demands as a result of the proposed rezoning. Per the Site Plan Manual, a Rezoning Traffic Study is required for any proposed rezoning that would likely increase trips generated per day by 1,000 or more over one or more principal uses in the existing zoning district. The applicant has submitted and the City’s Traffic Consultant has reviewed the required traffic study. Overall, the study’s content and methodology are acceptable. However, the City’s Traffic Consultant does have substantial concerns regarding access specifically related to safely accommodating traffic turning into and out of the future development. Please see the traffic review letter for additional information. Any future commercial developments would be subject to any approved recommendations of the draft Grand River and Beck Transportation Plan presented in the Master Plan update currently underway.

Natural Features

The regulated wetland and woodland maps indicate that there are no natural features on the subject property in the City’s inventory at this time. The location of any woodlands and wetlands will need to be field verified by the applicant with the submittal of any site plan for the parcels. Impacts to these natural features will be reviewed and discussed during the site plan submittal for any project on the property.

Development Potential

Development under the current OST zoning could result in an office building of approximately 11,000 square feet. The ultimate size of the facility would depend on the parking requirements associated with its specific use. A general office building on this site would increase this yield, due to the slightly lower parking demand when compared to a medical office. Considering the size of the subject property, the development of the parcel under the proposed FS zoning would most likely result in the development of a retail establishment, gas station or restaurant. The applicant has indicated it is their intention to construct a 16 pump gas station with associated 5,000 sq. ft. convenience store and a 2,000 sq. ft. fast food restaurant with a drive-through on the site should the rezoning be approved.

Submittal Requirements

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- The applicant should place the rezoning signs on the property, in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning

Planning Review of Rezoning Request

Rezoning 18.691

November 4, 2009

Page 7 of 7

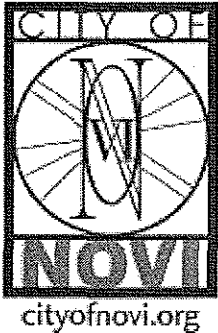
request. Staff has reviewed the proposed sign location submitted by the applicant and finds the proposed location acceptable. The applicant should refer to the Site Plan Manual for appropriate wording for the proposed sign.

- The applicant has submitted the required Rezoning Traffic Study.



Kristen Kapelanski, *ACIP*, Planner
248-347-0586 or kkapelanski@cityofnovi.org

MEMORANDUM



TO: BRIAN COBURN, P.E.; SR. CIVIL ENGINEER
BARB MCBETH, AICP; DEPUTY DIR. COMM. DEV.

FROM: LINDON K. IVEZAJ, STAFF ENGINEER *LKI*
BEN CROY, P.E.; CIVIL ENGINEER

SUBJECT: REVIEW OF REZONING IMPACT ON PUBLIC UTILITIES
REZONING 18.691 SE CORNER OF BECK ROAD AND I-96

DATE: NOVEMBER 9, 2009

The Engineering Division has reviewed the rezoning request for the proposed 1.64 acre parcel split located at the southeast corner of I-96 and Beck Road. The applicant is requesting to split 1.64 acres from the existing 4.3 acre parcel and rezone it from OST to FS.

Utility Demands

A residential equivalent unit (REU) equates to the utility demand from one single family home. The current zoning for this property would yield approximately 4.6 REUs based on the highest use, which for a parcel this size would be office use. Based on FS zoning, we estimate the parcel could yield up to 18 REUs as a restaurant use, an increase of 13.4 REUs over the current zoning.

Water System

Water service is currently available along the west side of Beck Road. The increase of 13.4 REU's had a negligible effect on the water pressure in the area adjacent to the parcel.

Sanitary Sewer

The project is located within the Lannys Sanitary Sewer District. The proposed rezoning would increase the required capacity by approximately 0.03 cfs.

Summary

The rezoning would have a slight impact on the public utilities when compared to the current zoning. The proposed rezoning yields an increase of 13.4 REUs to be served with utilities on the site, and would cause a 0.1% increase in the peak sanitary discharge from the City.

The increase in the peak discharge is notable because the City is currently seeking opportunities to resolve the limit on its contractual sanitary sewer capacity at its outlet to Wayne County. Additional contractual capacity (estimated to be 0.03 cfs based on the rezoning) will be needed to serve the increased density proposed by this rezoning.

October 30, 2009

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



BIRCHLER ARROYO
ASSOCIATES, INC.

SUBJECT: Rezoning Traffic Impact Study for Proposed Rezoning at Northeast Corner of Beck Rd. and Grand River Ave., ZC#18.691

Dear Ms. McBeth:

Birchler Arroyo has reviewed the Trip Generation Comparison Analysis prepared by Bergmann Associates dated October 9, 2009, submitted as part of an Application for Change of Zoning for the property at 46100 Beck Road (northeast corner of Beck and Grand River). This Comparison is intended to satisfy City's *Site Plan and Development Manual* requirement for a Rezoning Traffic Impact Study for a proposed change in zoning. The applicant (Novi Mile LLC) proposes to rezone 1.64 acres from OST - Office Service Technology to FS - Freeway Service to build a combination gas station/drive-through fast food restaurant.

Recommendation

Birchler Arroyo finds the content and methodology of the Rezoning Traffic Impact Study to be acceptable and consistent with the requirements of City's *Site Plan and Development Manual*.

Our office wishes to make it clear to the City, the applicant, and their traffic consultant that we have significant concerns with the operation of the proposed access to the subject property in terms of its driveway safely and efficiently accommodating the volumes of traffic turning into and out of the future development. Those concerns will have to be addressed when a full Traffic Impact Study is submitted as part of a preliminary site plan. It is in the best interest of the public and the developer that customers and employees of the proposed development can safely access the proposed site without impeding traffic flow along Beck Road.

Comments

1. As required, the Rezoning Traffic Impact Study included a trip generation comparison between a use which could be developed on the site under existing zoning (an 11,300 square foot office building) and the proposed use (a 16-pump gas station with an attached drive-through fast food restaurant). The comparison assumes that over half of all peak-hour trips to and from the proposed gas station/restaurant will be pass-by trips. Pass-by trips are those made by vehicles already travelling along the adjacent roadway that would stop at the proposed development in-route to destinations elsewhere (e.g. a daily commuter on Beck Road stopping for a coffee at Tim Hortons). Since those vehicles are already on the road, they are not technically "new" trips. What is critical to consider however is that while they may not be new trips to the adjacent road, those vehicles will be making turns into and out of the proposed driveway that

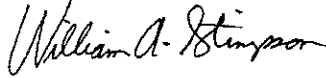
they otherwise would not make. So while an office building would generate 33 turns in/out during the morning peak hour, a gas station/drive-through restaurant would generate 253 turns during that time. In the evening peak hour, an office building would generate 91 turns while a gas station/drive-through restaurant would generate 276 turns. Every additional turn to and from Beck Road will reduce the efficiency of traffic flow and creates the potential for traffic conflicts and crashes.

2. Relative to Comment 1 above, it is probably not advisable to apply such a high pass-by rate to the proposed use due to the location of the subject site. Certainly some portion of trips will be made by vehicles already travelling along Beck Road, but probably not over 50%. It is likely that a higher portion of trips would actually be "diverted trips" made by vehicles from I-96 that otherwise would have stayed on the expressway. Those diverted trips may not be "new" to the vicinity's overall roadway system, but they are certainly "new" to the freeway interchange and to Beck Road. Similarly, diverted trips would include vehicles traveling along Grand River that otherwise would not have turned onto Beck to visit the gas station/restaurant. If and when a full traffic impact study is submitted, it will warrant some additional analysis for application of a pass-by rate, which we expect should be significantly lower than what was assumed in the rezoning traffic study
3. Road Commission weekday turning-movement counts at the intersection of Beck Road and Grand River were obtained for the Rezoning Traffic Impact Study from March 10-13, 2009 (Tuesday through Thursday). The narrative included with the Rezoning Traffic Impact Study states that the Tuesday counts were excluded from the analysis because they demonstrated "extreme fluctuations compared to the other two days of traffic volumes". Birchler Arroyo has contacted Mr. Bowen and he confirmed that there was a training event at the Rock Financial Showplace on March 10, 2009; that event traffic is likely reflected in the high traffic volumes for that day. It is common for this intersection – and particularly the southbound-to-eastbound turning movements – to have significant variation in volumes based on Showplace event traffic. Our office has concern for the potential of southbound Beck Road traffic to queue all the way back past the proposed driveway of the subject site, impeding both inbound and outbound site traffic, particularly during heavy event traffic.
4. The development of this site has broader implications relative to the City's pending Master Plan update for this area. This site, and the driveway that will access it, are potentially the first pieces of a larger development and transportation network plan within this area. Both the City and the developer should be aware that this site, as well as the Chase Bank, will in the near term require direct access to and from Beck Road. Prohibition of direct left turns into or out of the proposed driveway precludes reasonable access until a more extensive collector-road network has been developed. Currently, because both of Chase Bank's driveways are right-out-only, the only way for Chase Bank customers to exit onto southbound Beck or eastbound Grand River is to turn left from the Beck Road driveway proposed to be extended to the subject property. If and when a collector-road system is developed, it is possible that left-turns out of the proposed driveway could be prohibited, and traffic will be diverted to a new traffic signal on Grand River Avenue east of Beck Road. The possibility also exists for a new traffic signal at the proposed driveway and Beck Road; this possibility may need to be analyzed as part of the proposed development's full Traffic Impact Study.

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



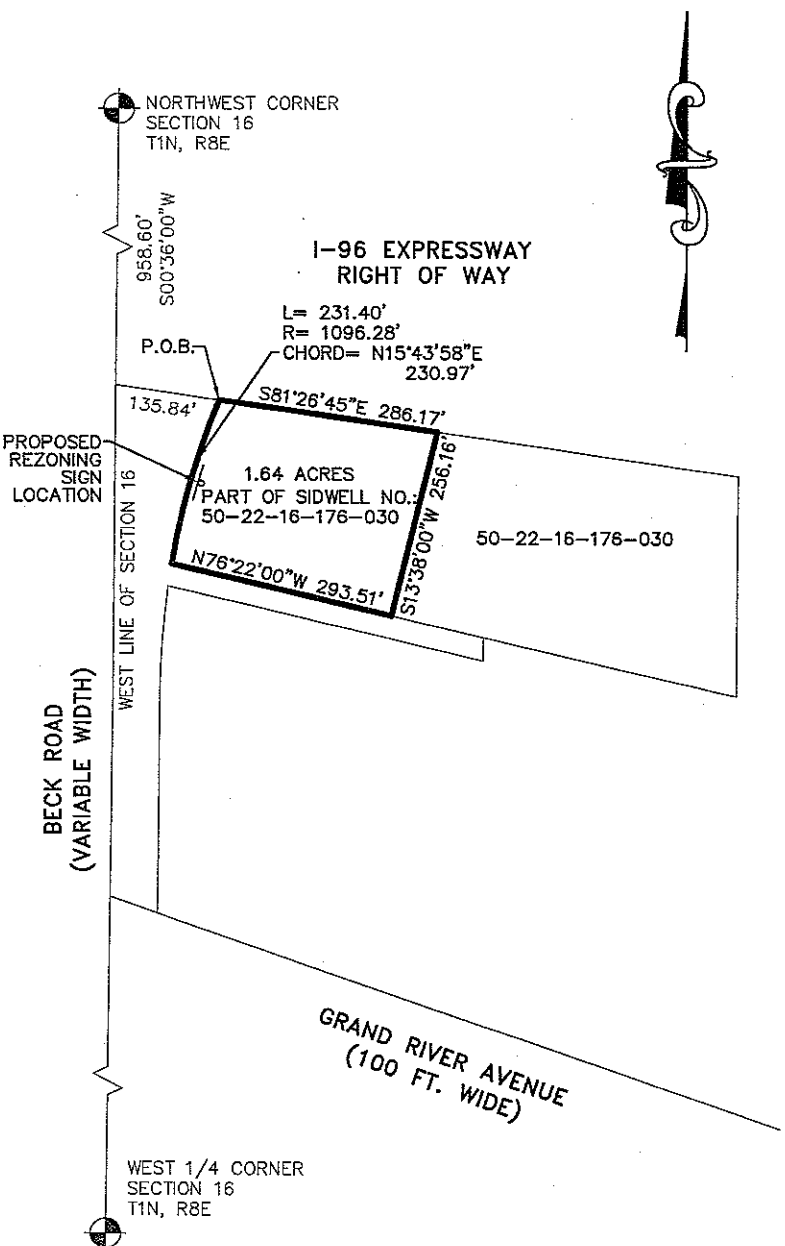
Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E.
Director of Traffic Engineering



David R. Campbell
Senior Associate



LEGAL DESCRIPTION

1.64 ACRE PARCEL
 COMMENCING AT THE NORTHWEST CORNER OF SECTION 16,
 TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND
 COUNTY, MICHIGAN; THENCE S00°36'00"W 958.60 FEET ALONG
 THE WEST LINE OF SAID SECTION 16; THENCE S81°26'45"E
 135.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING
 S81°26'45"E 286.17 FEET; THENCE S13°38'00"W 256.16 FEET;
 THENCE N76°22'00"W 293.51 FEET; THENCE 231.40 FEET ALONG
 THE ARC OF A 1096.28 FOOT RADIUS CURVE TO THE RIGHT,
 CHORD BEARING N15°43'58"E 230.97 FEET TO THE POINT OF
 BEGINNING, CONTAINING 1.64 ACRES OF LAND, MORE OR LESS,
 BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 16,
 AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF
 RECORD.

ALPINE
 ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 46892 WEST ROAD
 SUITE 109
 NOVI, MICHIGAN 48377
 (248) 926-3701 (BUS)
 (248) 926-3765 (FAX)

CLIENT: NOVI MILE, LLC		DATE: 10-9-09
REZONING EXHIBIT		DRAWN BY: TAG
		CHECKED BY: KMA
1.64 ACRE PARCEL SECTION: 16 TOWNSHIP: 1 N RANGE: 8 E CITY OF NOVI OAKLAND COUNTY MICHIGAN		0 100 200
		FBK: 212 CHF: BAJ
		1
		08-278
		SCALE HOR 1"=200 FT. VER 1"= FT.

Memorandum

To: Mr. John Bowen

From: Kelly K. Ferencz, PE

Date: October 9, 2009

Re: Trip Generation Comparison Analysis

Bergmann Associates is pleased to submit this trip generation comparison analysis for your use in the rezoning application for the property located on the east side of Beck Road, south of the I-96/Beck Road interchange and north of the existing Chase Bank development. The subject parcel of land encompasses approximately 1.64 acres, has an existing 36 FT wide curb cut approach to Beck Road and is currently zoned OST – Office/Service/Technology. The project proposes to rezone the parcel of land to a Freeway Service zoning and to construct a USA 2 GO gas station with an attached Tim Horton's Restaurant. This area is currently under review by the City of Novi Planning Department and Planning Commission for modifications to the City's Master Plan. The review process is in the beginning stages, but it is our understanding that the update will include a modification to commercial zoning in this area.

The traffic that would be generated by the parcel of land was forecast based on the rates and equations published in the Institute of Transportation Engineers' (ITE) *Trip Generation (8th Edition)* for the most intense principal permitted uses for the existing zoning. The proposed development would generate the most intense traffic volumes under the principal permitted proposed zoning. Under existing zoning, a single office building of 11,300 SF could be constructed on the site and meet all City of Novi requirements for parking, setbacks, and greenbelts. The proposed project includes the construction of a Gas Station with Convenience Store and a Fast Food Restaurant with Drive Through. Table 1 (attached) compares the trip generation potentials of the two uses.

The subject parcel of land would generate 33 new trips during the AM peak hour (29 inbound and 4 outbound), 91 new trips during the PM peak hour (15 inbound and 76 outbound), and 248 new weekday trips if developed under the existing zoning. With the proposed development, the site would generate 107 new trips during the AM peak hour (54 inbound and 53 outbound), 110 new trips during the PM peak hour (55 inbound and 55 outbound) and 2,987 new weekday trips. The site as proposed would add 74 additional new trips during the AM peak hour, 19 additional new trips during the PM peak hour and 2,739 additional trips on a daily basis to the surrounding roadway network.

Based on traffic volume data (obtained from the Road Commission for Oakland County) contained in the Birchler Arroyo Transportation Analysis for the Master Plan Update for the Beck Road and Grand River Avenue Area, It was determined that the traffic volumes from Tuesday March 10, 2009 demonstrated extreme fluctuations compared to the other two days of traffic volumes. The southbound Beck Road volumes were shown to be almost double as compared to the other two days of data. Therefore, these volumes were not considered a 'typical weekday' and excluded from the traffic volume review. The remaining two days of traffic volumes provided by RCOC show that the intersection of Beck Road and Grand River Avenue carries approximately 28,300 vehicles per day. Beck Road carries approximately 18,600 vehicles per day along the frontage of the proposed development, with 47% of the traffic traveling northbound and 53% of the traffic traveling southbound.

With the submittal of the preliminary site plan for this property, a complete traffic impact study will be included documenting the existing traffic conditions, the impacts of the proposed development on the surrounding roadway network and a complete evaluation of the operation of the access to Beck Road.



Table 1
Trip Generation Comparison ¹

Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Traffic
			In	Out	Total	In	Out	Total	
Existing Zoning - OST									
General Office	11,300	SF	29	4	33	15	76	91	248
Proposed Zoning - Freeway Service									
Gas Station w/Conv. Store Internal Capture	16	Pumps	81	82	163	107	107	214	2,604
Pass-By Trips - 62% AM, 56% PM			-	-	-	6	7	13	
Fast Food Restaurant w/Drive Thru Internal Capture	1,832	SF	46	44	90	32	30	62	909
Pass-by Trips - 49% AM, 50% PM			-	-	-	7	6	13	
Total Trips:			23	22	45	14	13	27	
Internal Capture Trips			127	126	253	139	137	276	3,513
Pass-By Trips			-	-	-	13	13	26	526
Total New Trips - Proposed Zoning:			73	73	146	71	69	140	
Difference between Proposed and Existing Zoning			54	53	107	55	55	110	2,987
			25	49	74	40	-21	19	2,739

Notes:

(1) Trip generation based on the Institute of Transportation Engineers' Trip Generation, 8th Edition and Trip Generation Handbook, 2nd Edition

Memorandum

**Table 2
24 Hour Traffic Volume Data
Beck Road at Site Frontage**

Direction	Wednesday March 11, 2009		Total	Thursday March 12, 2009		Total	Average		Total
	24 Hour Volumes			24 Hour Volumes			24 Hour Volumes		
	NB Beck Road	SB Beck Road		NB Beck Road	SB Beck Road		NB Beck Road	SB Beck Road	
Volume	8999	9026	18025	8531	10662	19193	8765	9844	18609
Directional Distribution	50%	50%	100%	44%	56%	100%	47%	53%	100%

We hope that this memorandum meets your current transportation planning needs. Please do not hesitate to contact us at 517.272.9835 with any questions.





Rezoning 18.691

Location



Map Author: Kristen Kapelanski
Date: 11-17-09
Project: Rezoning 18.691
Version #: 1.0

Map Legend

-  Subject Property
-  Proposed Rezoning



City of Novi

Department Division
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

MAP INTERPRETATION NOTICE

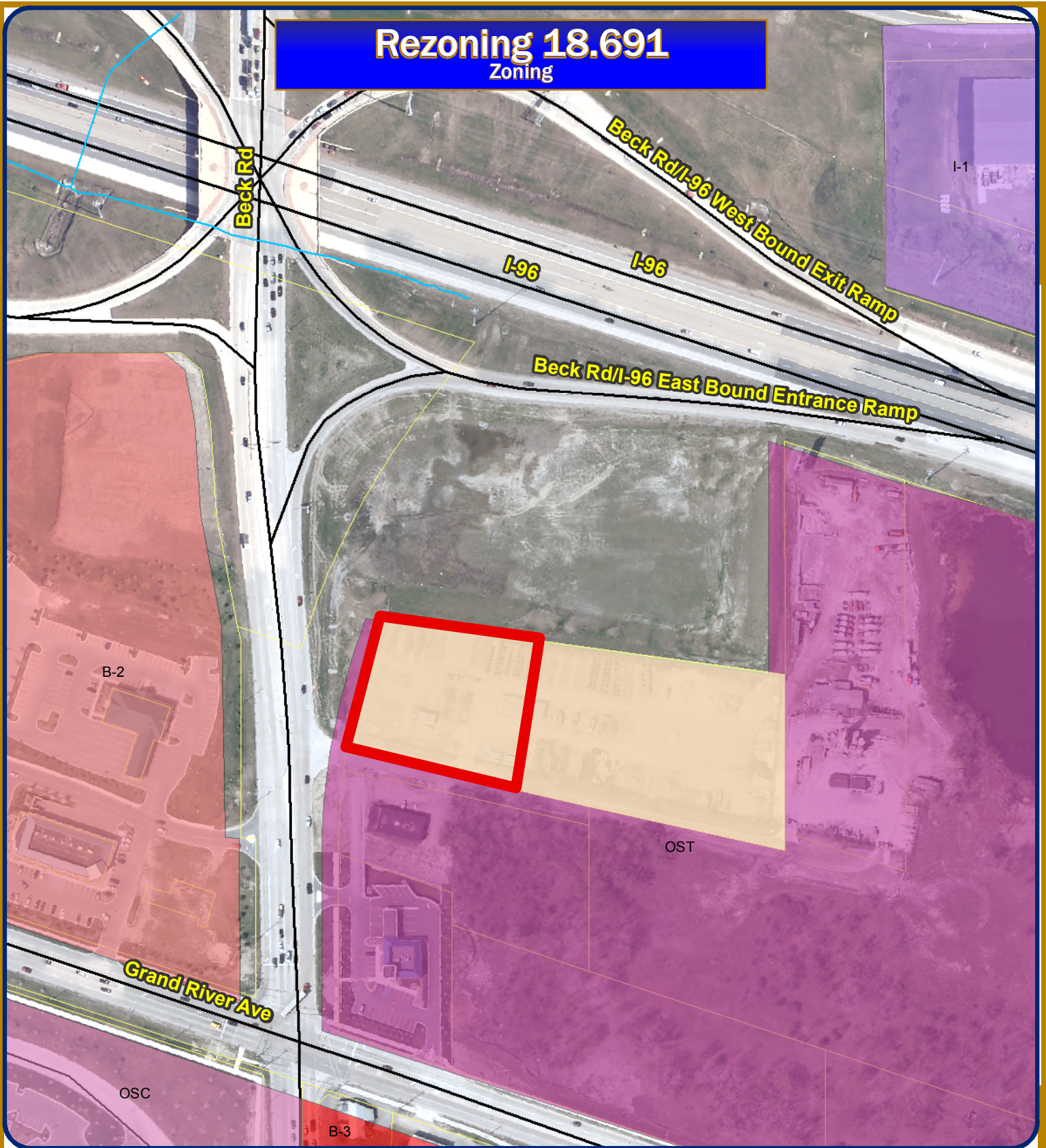
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

0 45 90 180 270 360
Feet

1 inch = 219 feet







Rezoning 18.691

Zoning



Map Author: Kristen Kapelanski
 Date: 11-17-09
 Project: Rezoning 18.691
 Version #: 1.0

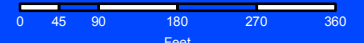
Map Legend

-  Proposed Rezoning
-  Subject Property
-  B-2: Community Business District
-  B-3: General Business District
-  I-1: Light Industrial District
-  OSC: Office Service Commercial
-  OST: Office Service Technology



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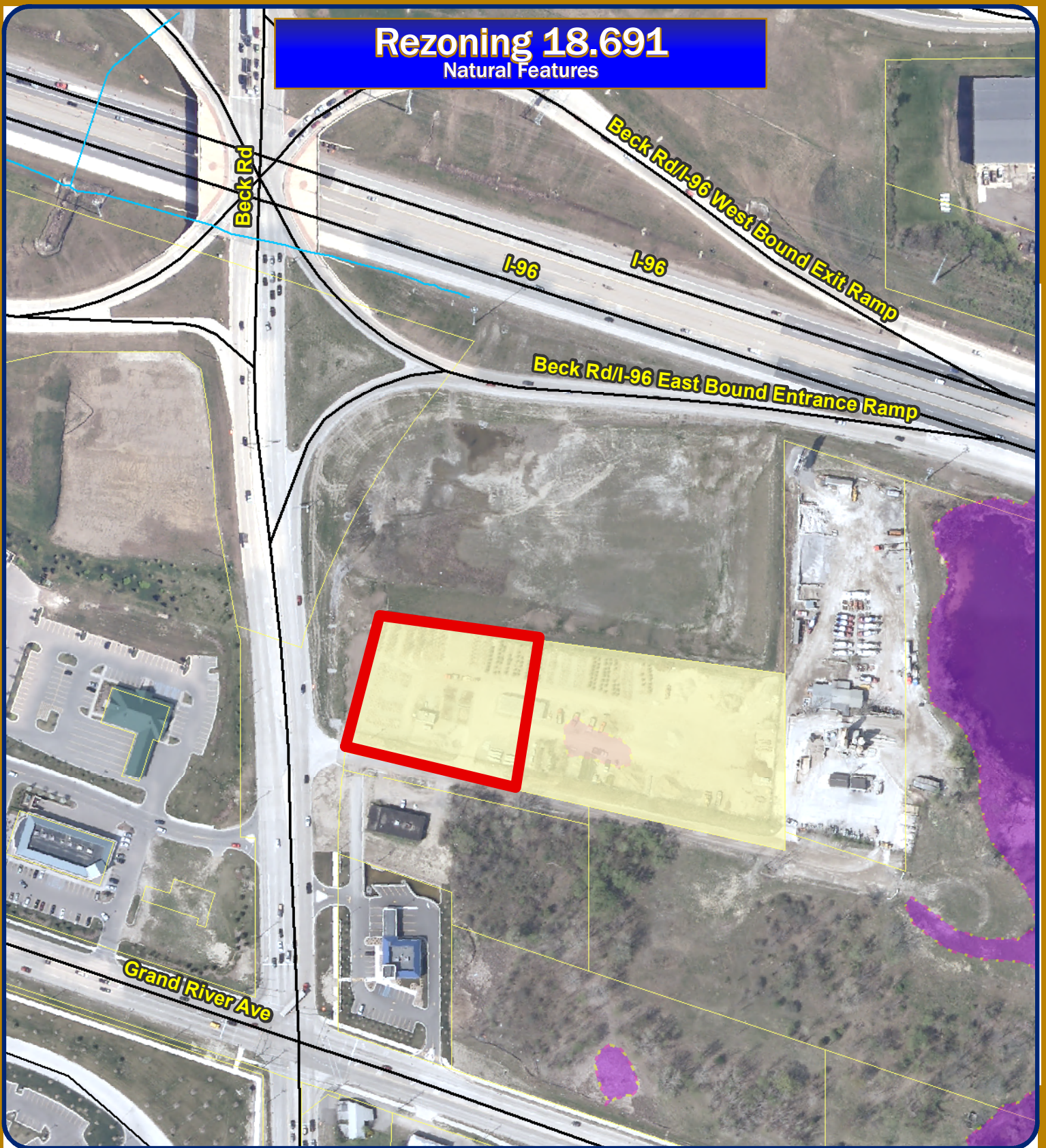
1 inch = 219 feet

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Rezoning 18.691

Natural Features



Map Author: Kristen Kapelanski
 Date: 11-17-09
 Project: Rezoning 18.691
 Version #: 1.0

Map Legend

-  Proposed Rezoning
-  Subject Property
-  Wetland Areas
-  Woodlands



City of Novi

Department Division
 45175 W Ten Mile Rd
 Novi, MI 48375
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1 inch = 219 feet

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MEMORANDUM



TO: MASTER PLAN & ZONING COMMITTEE
FROM: MARK SPENCER, AICP, PLANNER *Mark Spencer*
SUBJECT: GRAND RIVER AVENUE AND BECK ROAD STUDY AREA
RECOMMENDED MASTER PLAN AMENDMENTS
DATE: NOVEMBER 17, 2009

The Master Plan and Zoning Committee has reviewed several proposed Master Plan for Land Use text and map amendments and amendment alternatives for the Grand River Avenue and Beck Road study area. Based on discussions with the Committee members, City Staff and comments from the public, the Staff recommends the following Master Plan for Land Use amendments for the Committee's consideration as recommended amendments to be forwarded to the Planning Commission for approval. Upon full Planning Commission approval of the recommended amendments, Planning Staff will finalize the amendments and Master Plan Review for approval by the Master Plan and Zoning Committee and the Planning Commission. A copy of the Master Plan Review and proposed Master Plan amendments will be forwarded to the City Council to approve the distribution of the proposed amendments.

Staff's recommended amendments for the Study Area are listed below with a recap of findings for the Study Area.

Amendment categories include the following:

1. Future Land Use Designations
2. Future Land Use Map Changes
3. Goals, Objectives and Implementation Strategies

1. FUTURE LAND USE DESIGNATIONS

Delete **OFFICE** - This land use is designated for a variety of office uses. These may range from small-scale, single tenant general and medical offices, to large office buildings or complexes with limited personal service and retail. They may also include facilities for human care, indoor/outdoor recreation and high-tech, research and development operations. There are several large pockets of future office land use located in strategic access areas around the City.

Add **OFFICE, RESEARCH, DEVELOPMENT AND TECHNOLOGY with RETAIL SERVICE OVERLAY** - This land use is designated with an Office, Research, Development and Technology designation and an additional Retail Services Overlay designation to include retail service uses that serve employees and visitors to an office use area, including but not limited to fuel stations, car washes, restaurants (including drive-through) and convenience stores in Office Research, Development and Technology use areas.

2. FUTURE LAND USE MAP RECOMMENDATIONS (see attached Grand River Avenue and Beck Road Study Area Recommended Future Land Use and Transportation Plan maps)

Section 16

- OFFICE to OFFICE, RESEARCH, DEVELOPMENT AND TECHNOLOGY with RETAIL SERVICE OVERLAY 3.4 acres at southeast corner and 10.6 acres at the northeast corner of Beck Road and Grand River Avenue.
- Balance of OFFICE areas to OFFICE, RESEARCH, DEVELOPMENT and TECHNOLOGY.
- Add proposed non-residential collectors and local roads linking Beck Road with the north and south side of Grand River Avenue from proposed Grand River Ave. and Beck Rd. Study Area Transportation Plan.

3. GOALS, OBJECTIVES AND IMPLEMENTATION STRATEGIES RECOMMENDATIONS

Add the following new **GOALS**, Objectives and Implementation Strategies under the listed general Goals, Objectives and Implementation categories. Existing goals, objectives, implementation strategies and general categories are highlighted in *yellow and in italics*.

LAND USE

GOAL: Develop the Grand River Avenue and Beck Road Study Area in a manner that supports and complements neighboring areas.

Objective: Develop the Grand River Avenue and Beck Road Study Area in a manner that facilitates the continuing reinvestment in the area and high quality development.

Implementation Strategy: Gradually phase out outdoor storage uses as redevelopment occurs within the Study Area.

Implementation Strategy: Encourage the use of landscaping and other buffering techniques to improve the appearance of the Study Area from I-96, Grand River Avenue and Beck Road.

Objective: Improve traffic circulation in the Grand River Avenue and Beck Road Study Area.

Implementation Strategy: Explore developing a new traffic circulation system as depicted on the Grand River Avenue and Beck Road Study Area Transportation Plan to create greater potential for additional development and redevelopment, and reduce conflicts on Beck Road and Grand River Avenue.

(insert Grand River Avenue and Beck Road Study Area Transportation Plan map)

ECONOMIC/FISCAL

GOAL: Ensure that Novi continues to be a desirable place to do business.

Objective: Continue to promote and support development in Novi's Office Service Technology (OST) District.

Implementation Strategy: Investigate amending the Zoning Ordinance to permit retail services within "Office" use areas designated on the Future Land Use Map for "Retail Services Overlay" as a special development option conditioned on restricting access to streets other than arterial or section line streets.

4. STUDY AREA FINDINGS SUPPORTING STAFF'S RECOMMENDATIONS FOR THE GRAND RIVER AVENUE AND BECK ROAD STUDY AREA

Staff recommends Office, Research, Development and Technology land uses for the entire Study Area with a Retail Service Overlay on select properties near the intersection of Beck Road and Grand River Avenue to provide for a limited amount of retail services as an additional set of expected uses.

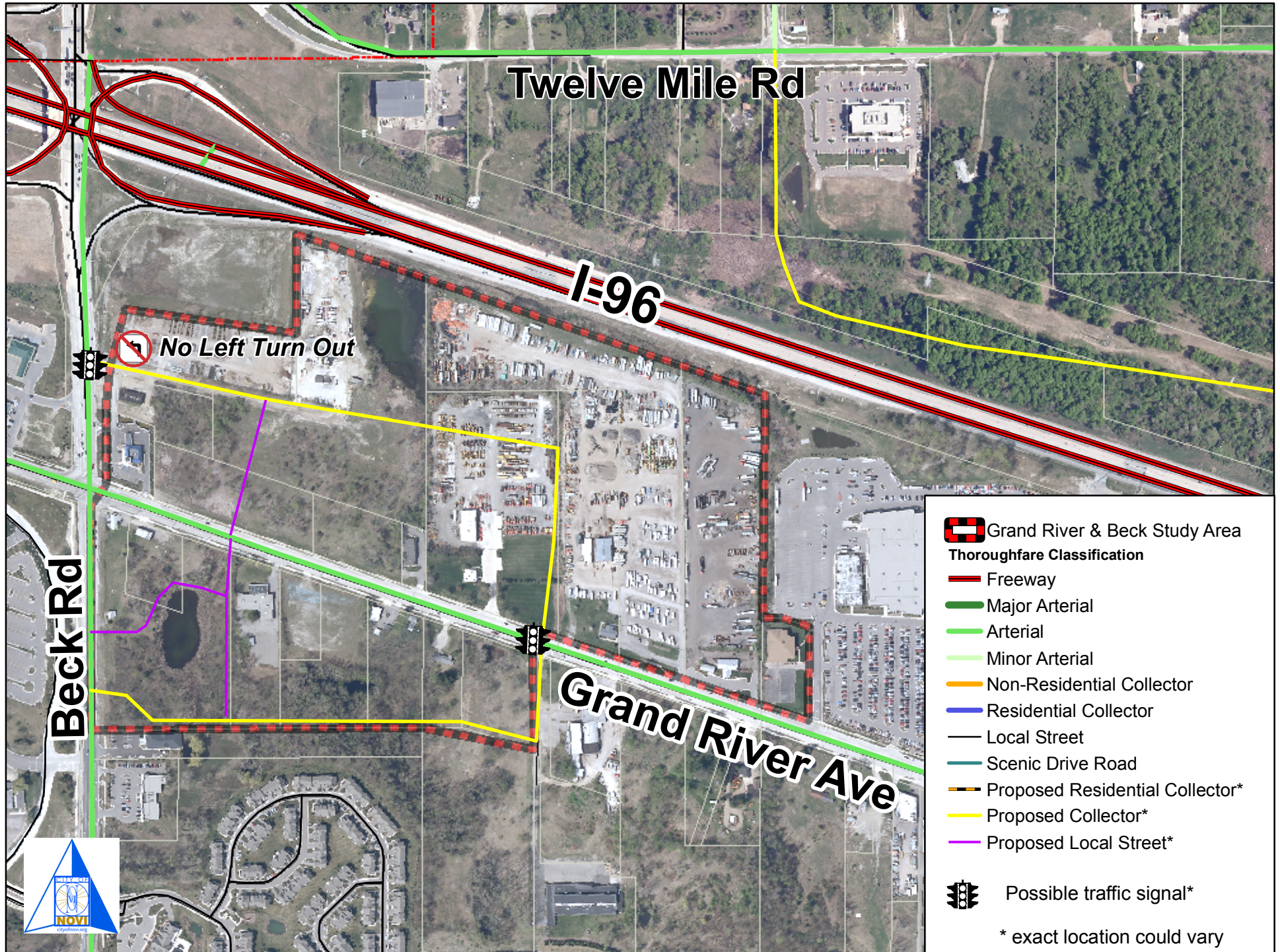
- The I-96, Grand River Avenue and Beck Road vicinity has a limited amount of retail services to serve visitors and employees that travel through the area.
- Allowing a limited amount of retail services in the Study Area, as suggested in the "Retail Services Overlay" designation, and beyond what is permitted in the Office, Research, Development and Technology land use designation, may encourage the development or redevelopment of neighboring properties.
- A "Retail Service Overlay in a limited area to serve the employees and visitors of nearby properties that travel through the area would have little effect upon existing commercial uses in the area.
- A limited amount of retail services could be designed to be compatible with nearby office, research and development and industrial uses in and around this Study Area.
- Requiring retail service developments to have access to both Beck Road and Grand River Avenue will reduce traffic impacts of any retail development on Beck Road, especially by eliminating left turns out onto Beck Road north of Grand River Avenue as recommended in the Traffic Engineering review letter of November 17, 2009.
- A new collector road system could facilitate the development of the existing deep lots fronting along Grand River by providing additional road frontage.
- Re-designating the Office land use area in the Study Area to Office, Research, Development and Technology use designation will support the OST Zoning district and help promote these areas as an attractive place for new and existing businesses to locate.
- The 2001 Grand River Geographic Area Plan supported a limited amount of retail in the Study Area.
- Including a limited amount of retail services in the Study Area would have little impact upon the City's infrastructure.


- 55% of the 2009 Master Plan Review survey respondents strongly agreed or agreed that it is important to provide retail services to serve the motoring public in areas of the City that have a high volume of visitors and employees that travel through the area.
- 94% of the 2009 Master Plan Review survey respondents strongly agreed or agreed that it is important for new developments to have good internal road and driveway systems to minimize their impact upon the existing road system.

If you have any questions on this material or these findings, please feel free to contact me.

c: Barb McBeth, Deputy Director Community Development
Charles Boulard, Director Community Development


GRAND RIVER AVE. and BECK RD. STUDY AREA TRANSPORTATION PLAN



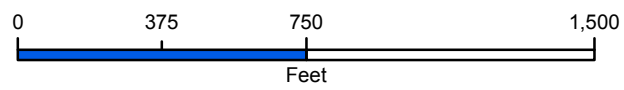
 Grand River & Beck Study Area

Thoroughfare Classification

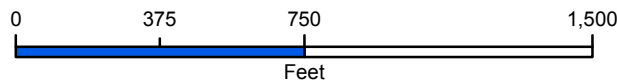
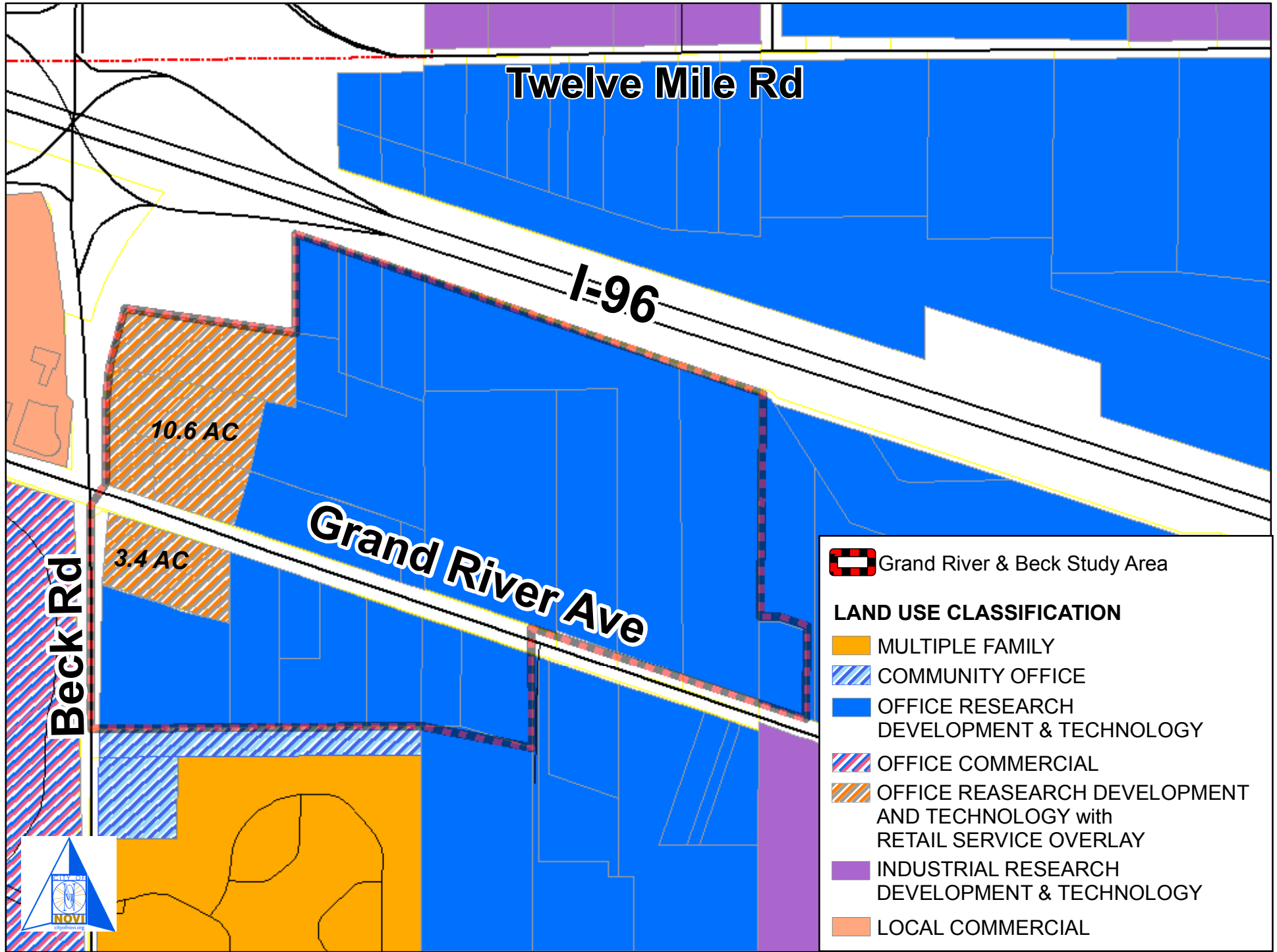
-  Freeway
-  Major Arterial
-  Arterial
-  Minor Arterial
-  Non-Residential Collector
-  Residential Collector
-  Local Street
-  Scenic Drive Road
-  Proposed Residential Collector*
-  Proposed Collector*
-  Proposed Local Street*

 Possible traffic signal*

* exact location could vary



GRAND RIVER AVE. AND BECK RD. STUDY AREA RECOMMENDED FUTURE LAND USE





MASTER PLANNING & ZONING
City of Novi Planning Commission
October 7, 2009 at 7:00 p.m.
Novi Civic Center – Conference Room A
45175 W. Ten Mile, Novi, MI 48375
248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:05 PM.

ROLL CALL

Present: Members Victor Cassis, Andy Gutman, Michael Meyer and Michael Lynch

Staff Support: Mark Spencer, Planner, Barbara McBeth, Deputy Community Development Director, Tom Schultz, City Attorney

APPROVAL OF AGENDA AS AMENDED

Moved by Member Cassis, seconded by Member Lynch – **Motion passed 4-0**

VOICE VOTE ON AMENDED AGENDA APPROVAL MOTION MADE BY MEMBER CASSIS AND SECONDED BY MEMBER LYNCH

AUDIENCE PARTICIPATION AND CORRESPONDENCE

Chairman Gutman asked Planner Spencer if he had any correspondence to report. Planner Spencer answered no.

Mr. Kuenzel stated he appreciates the opportunity to address the group and the Planning Commission. He stated he would like to make some observations this evening. He said he became aware of the upcoming Open House for the master plan on October 14, 2009 through an article in the Detroit Free Press. He commented that he did not see this published in the Novi News. Mr. Kuenzel stated that he watches for these things and he suggested that probably the attendance for this upcoming event will be quite small, in fact he said he wasn't planning on attending himself. He said he just wanted the committee to know that may be the case. He stated the article in the Free Press didn't state what the issues are, didn't talk about the three study areas or what it is all about.

Planner Spencer stated that we have an ad going into the newspaper this week and it's been on our web page for over a week, we also sent out some emails to people. Mr. Spencer said he would double check his email list he thought Mr. Kuenzel was on the email list for this Master Plan & Zoning Open House.

Ms. McBeth stated that it was advertised on the sign in front of the Civic Center.

Chairman Gutman asked how it was advertised the last time.

Ms. McBeth said there were letters sent out the last time. Planner Spencer also said he was checking with Community Relations Department to see if there are some other methods to send notifications out.

Mr. Kuenzel just wanted the committee to know that it is not as widely distributed as in other times. He also stated he has a couple of other observations as well. The reason he mentions this is because there has been a tendency lately under our city government to operate on the principle of opposition or concerns that aren't present to some project proposals. Then the populous must approve what has happened, in reality the populous may not be aware or not have the time to study the reviews. To live in Novi most people have to be working their jobs to afford to live here. Mr. Kuenzel said these are just

observations. Again he stated that the committee's vote is extremely important because you are looking long term you are creating the vision of where we want to be in the future.

Mr. Kuenzel mentioned he has some concerns about the current on line survey. He hoped that we were done with surveys of this type given our experience from the last time we went through the Master Plan review. But, the ability still exists for anyone from anywhere to respond to staff's responses to favor a specific agenda. The second concern is a potential age discrimination problem in the current survey. Residents were asked if the residents in the household were over 55. Residents were asked if they had children under 18 living in the home. The age of the respondent should be irrelevant. Mr. Kuenzel stated that as long as someone is an adult their reviews should not be valued differently no matter what their age or whether or not they have children. He encourages the committee to be very cautious as you look at the results of this survey process.

Member Lynch commented that it is unfortunate as a planning activity that we have to look at the overall structure of the city. We have to provide housing needs for everyone. He stated that one of the comments brought up was we are not doing enough for the aging population, in terms of keeping the older residents in their homes and not having to leave Novi. We are trying to understand where we are right now and that was the purpose of trying to understand where we are, what type of housing is available, how much housing is available. How much real estate we have in Novi, and if we have a shortage of senior housing then we need to accommodate that need. Member Lynch stated that we have two groups that we really need to understand as we go through this strategic planning process. Number one is the young families and how to attract them to our schools to keep them going strong, second is the presentation on how people can age in place.

Member Lynch stated that we will get the results of the 2010 census in 2011 or 2012, but we need to make decisions now and not wait until the census comes out. He stated he applauds staff on their effort in trying to get more data for us to make intelligent decisions.

Planner Spencer stated that the intention of the staff was to apply that towards the general questions to get some sense of the importance to some of those general issues. Mr. Spencer stated to Mr. Kuenzel to keep in mind that this is a just poll to gather information from the public.

Chairman Gutman asked for any other audience participation at this time.

Greg Tysowski [JPRA Architects] is here representing Mr. Jeff Heyn [could not be here tonight]. Mr. Heyn concern is his portion of Grand River and Beck Road area that he is involved with and he is proposing an OSC designation, because they are trying to develop that area for office right now and that would not work for him. Mr. Tysowski said that Mr. Heyn asked him to come and participate in the meeting.

Bill Bowman Sr. has some comments about the sections he is involved with, which is the Eleven Mile Road area as well as Wixom Road. One of the things we would like to put on the table for consideration is a small section on the north side adjacent to the Target store as a small amount of commercial or retail type zoning. One of the reasons for having that additional retail we know that there is a substantial amount in the area is that coupled, which we think is wise relative to section one for the 27 acres of the Profile Steel facility. Mr. Bowman stated that someday that could happen and there is a plan that was submitted. Member Lynch asked if that was the condominiums that were going to be put back there.

Member Lynch asked Mr. Bowman if those were the condominiums that were going to be put back there.

Mr. Bowman stated the zoning was for duplexes. Mr. Bowman said that now we are looking at a new master plan proposed and the modifications of the master plan. He stated that this is part of this study program that is going on to make some determinations. Mr. Bowman is asking the committee to consider putting on the table that potential small amount of commercial that would service not only the 11 acres, but also the proposed office and maybe a daycare center incorporated in that mixed use area. Mr. Bowman said that right now there isn't a sufficient roadway to do a development for the Profile Steel by

itself. It almost needs to be combined in some way for a road situation, which would permit a road to come and service the Profile Steel out to Wixom Road.

Member Lynch asked Mr. Bowman how do we get back there now.

Mr. Bowman said that it is about 100 ft. wide. Mr. Bowman stated that in some way that would likely be worked out when that property is developed, to have a road system that would come through and not have more than necessary road accesses on Wixom Road.

Member Lynch asked Mr. Bowman if that road would serve for that small amount of commercial.

Member Cassis asked Mr. Bowman if they are combining the two for a development.

Mr. Bowman answered that he doesn't want to represent that we have that done, but it seems practical in that some way, shape or form that property is going to have to be married to Profile Steel.

Member Meyer asked Mr. Bowman if we are talking about the 27 acres and the 11 acres. Mr. Bowman answered yes.

Mr. Bowman asked what the density is for the plan. Ms. McBeth stated the current plan is recommended for RT 4.8.

Member Lynch asked if that is the highest density in that area. Planner Spencer indicated that the committee is entertaining 7.3 along with these other areas north of Eleven Mile Road study area [pointing on map].

Member Meyer asked Mr. Bowman if he has been in touch in Carl Wizinsky in this discussion.

Mr. Bowman answered yes we have. Mr. Bowman also said that Mr. Wizinsky furnished some photographs to the committee.

Ms. McBeth asked Mr. Bowman if any conceptual plans have been developed for the combined 2 pieces of property.

Mr. Bowman answered no. The only conceptual plans that we have done were done back at the time under the PRO [duplexes].

Member Meyer wanted to clarify with Mr. Bowman if he is asking for the potential for small amount of commercial in this area [pointing on map]. Mr. Bowman replied yes. He also stated that they don't see any potential for Profile Steel to have any commercial. Mr. Bowman stated that these are not anything he can represent to you that we have, we are just looking to plan ahead and thinking in terms of and will have discussions after the city makes a determination as to what the master plan is going to look like and the future zoning.

Member Meyer thought Mr. Bowman had three areas he wanted to talk about. Mr. Bowman indicated that the committee has already made a decision on number two as he understands. Member Meyer asked what is section 2. Mr. Bowman answered that section two is where the park and school is located and the oil well.

Planner Spencer stated that both properties were part of the RUD agreement for Island Lake. Mr. Schultz [City Attorney] wanted to clarify that both the school and city property are shown in the Island Lake RUD.

Member Lynch asked Planner Spencer if alternative two was resolved previously. Planner Spencer stated that the suggested recommendation was to keep it the same as the master plan designation as public park.

Mr. Bowman went on to discuss the next area that is from the ITC line running east to Beck Road, which includes a 20 acres piece on the north side and a 20 acre parcel on the south side of Eleven Mile Road. Both of those parcels abut the ITC corridor. Mr. Bowman also talked about the southern portion of the combined about 40 acres for a PRO for what was almost a cluster housing type of zoning for smaller lots, but leaving about 51% as natural features because of the requirement under the cluster housing.

Member Lynch asked Mr. Bowman what smaller lots mean. Mr. Bowman stated that it was clustered on the buildable area. There is a substantial amount of floodplain, wetlands and woodlands on the south side. On north side [section 3] those properties on the north side of Eleven Mile Road primarily back up to Providence Park.

Mr. Bowman stated that the designation the way he understands it for discussion is for suburban low rise, which is a mix of uses and one of those is a nursing home to be compatible with Providence Hospital. Mr. Bowman also indicated that his understanding is that the 20 acres immediately east of the ITC lines, north of Eleven Mile and backing up to Providence is under contract with Medilodge [nursing home facility]. As he understands that Medilodge is getting ready to set up their meeting schedule with the City of Novi to start the process. One of their concerns is with the requirement of the two story appearance. Mr. Bowman indicated that the architects for the project are adamant about having a single story operation.

Member Cassis mentioned to Mr. Bowman that he might want to read the article about suburban low rise. Ms. McBeth said she would get a copy of the article for Mr. Bowman.

Mr. Bowman stated that the uses for suburban low rise seem to make good sense not being conflicting with the residential around it and also works well with Providence Park. Mr. Bowman said that they are in strong support relative to the arrangement and proposed master plan for that area along the north side of Eleven Mile Road backing up to Providence Park. He also said that when putting together the campus for Providence Park that we also kept acquiring parcels.

Mr. Bowman indicated that all the things that he has heard discussed are in compliance with the proposed master plan.

Member Lynch responded by saying not the current master plan, but the proposed low rise, form based suburban low rise master plan.

The last item Mr. Bowman would like to discuss is section 4, which is the south side of Eleven Mile Road that backs up to the property [approx. 77 acres] that is owned by the school district, which was going to be Signature Park. Mr. Bowman indicated that the discussion on this section is for higher density than what is permitted under the current zoning. He also stated that the three parcels on the south side make up about 40 acres, which was approved and still is in effect for a PRO. It is based on the cluster housing concept.

Member Lynch asked Mr. Bowman what is meant by cluster housing [condos].

Mr. Bowman replied that they would be single family units.

Member Lynch asked if they would be similar to the Knightsbridge Gate subdivision.

Mr. Bowman answered no. Planner Spencer explained that the density of the houses in the developed areas once developed was to be similar, but our zoning ordinance provides that you can put all of the permitted houses close together and keep open space around them.

Planner Spencer also indicated that the density was 1.65 dwellings units per acre in this area [pointing on map] by definition of our zoning ordinance wetland and right of ways are excluded from those density calculations except from under certain conditions.

Member Lynch wants to be consistent and asked what we did with the Links of Novi. How did we calculate, did we calculate it the same way?

Planner Spencer stated that it was calculated in a similar manner.
Member Lynch asked about Island Lake.

Planner Spencer stated they used another mechanism [RUD].

Member Lynch asked if you could use an RUD in that area. Mr. Schulz responded by saying it is now governed by a plan rezone overlay.

Member Lynch stated that he just wants to be consistent with what we have done in the past.

Member Lynch commented that he would like to get things done as we go through them. He asked Planner Spencer about the property that he is proposing to have 50 or 60 units on 40 acres and put the homes close together with open space to separate the clusters. In his opinion those types of homes would that lend themselves to young families

Mr. Schultz replied that the area Mr. Bowman is talking about is in an agreement to build x number of houses and is recorded against the property, In order to change that you would have to come back through the Planning process. Mr. Schulz also indicated that the area has a very low density of 1.65. He stated that Planner Spencer had proposed and you as a committee agreed to look at increasing the density..

Mr. Bowman stated that what has been suggested has a great deal of merit and the owners would be most willing to cooperate if we can't work it out. One more thing Mr. Bowman wanted to mention is the senior housing [active adult housing] is relative to having duplexes and triplexes and quadplexes with park areas and joint recreational facilities within the program. He stated that these options [duplexes, triplexes and quadplexes] could be affordable housing for young families.

Ms. McBeth asked Chairman Gutman if he would like to see the plan for Oberlin.

Committee all agreed they would like to see the plan for Oberlin. Planner Spencer will bring the plan to the next meeting.

Chairman Gutman asked if anyone else in the audience would like to speak.

Mark Szerlag would like to talk about the south side of Grand River east of Beck Road, which is the Jeff Heyn property. He stated that they have been involved for the last year with the pre approved plan for Old Town Village. He understands that the Planning Commission can only hold on and approve or deny projects that are presented. This project has been going on for 4 years and unfortunately it has been a failure. We are looking for help to possibly go through the ordinance. He stated the only zoning allowed is OS-1 for permitted uses as well as OS-2, which we have. He stated that there is a hotel approval which we don't think is needed for that area. Mr. Szerlag stated that anything they bring to you would be subject to Planning Commission approval. They would like the opportunity to bring something new and fresh to the current property.

Planner Spencer [pointing on map] stated the area [south side of Grand River east of Beck Road] is currently zoned I-1. Mr. Spencer stated that the way the current master plan is looking at this and the way it was discussed in the Grand River plan was for this area to be OST.

Member Lynch asked Mr. Spencer what the difference is between OST and OSC.

Planner Spencer answered OSC allows up to 20% of a office complex to be retail, OST stands for Office Service Technology, no retail component with OST zoning.

Member Meyer stated that Mr. Szerlag and Mr. Tysowski are here to see if we would consider OSC for that area. Planner Spencer answered yes.

Ms. McBeth stated that the OSC district has other standards as well from OST it's not just the uses, but there are different height standards and setbacks requirements and different land uses permitted.

Planner Spencer also stated one of the biggest things OSC doesn't permit is the industrial operations that OST does.

Member Lynch indicated that since he's been on the Planning Commission he thought what we are trying to do is get all the retail and office up along the Grand River corridor and stay out of the residential areas. He stated he doesn't understand the difference between OST and OSC.

Planner Spencer answered that one of things presented to the committee on retail was a retail demand, floor space demand based on residential growth. It did indicate that we were close to maxing out at build out the amount of retail land areas that would be needed to meet those needs.

Member Lynch asked that by putting retail in that area we would be satisfying the deficiencies that we have in the study that Planner Spencer is referring to.

Planner Spencer responded by saying that you would be using it up quicker than the build out. Mr. Spencer also stated that we have a surplus of retail at the present time.

Member Meyer asked Mr. Tysowski and Mr. Szerlag if the proposed office complex was a failure because of it being zoned light industrial.

Mr. Szerlag stated that the previous ownership group came in about 4 years ago for 3 or 4 office buildings along Grand River within the last year we have not had any takers. He stated with Providence Hospital changing that whole intersection we feel that area will get away from industrial type components, we think it will be primarily office. We are not asking for retail we are asking if OSC is still 80% office which would allow for ancillary uses.

Committee discussed the road conditions in the City of Novi and how it reflects on the city.

Member Gutman asked for any more audience participation.

Staff Report

Planner Spencer said no report tonight.

Matters for Discussion

Item 1

Master Plan for Land Use Review

a) Potential Housing Goals, Objectives and Implementation Strategies

Planner Spencer stated that in the committee's packet there is a memo and set of goals and objectives and implementation strategies. Planner Spencer indicated that there are changes from the last time, which are based on the committee's comments from the last meeting. Mr. Spencer said that there was one additional strike out based on staff and administrative discussions and that was "consider policies and programs to encourage affordable housing options."

Member Lynch asked why that was scratched off.

Planner Spencer answered that there was some concern that the exact wording of that could be used to force undesirable affordable housing projects in the city.

Member Lynch stated that the word “affordable” is a broad term.

Planner Spencer stated that affordable is a broad term and we also felt we covered it in other areas by the flexibility we put in this language.

Planner Spencer went through the goals, objectives and implementation strategies.

Mr. Spencer stated another concern if the City required commercial uses near residential areas to incorporate residential characteristics that this language could be used to encourage commercial near residential. The draft includes language to attract new residents to the city by providing housing opportunities, including language to encourage ordinance changes to permit limited size attached accessory dwelling units. There was concern that they could be bigger than the principle [dwelling units]. Staff looked at some ordinances from neighboring communities and gave the committee some information in their packets. It includes an accessory dwelling unit case study that was presented to the US Department of Housing. Planner Spencer encouraged the committee to read through the information.

Member Meyer asked Planner Spencer why “investigate” was eliminated in developing policies and programs.

Planner Spencer indicated that staff took out review and development and added “to continue to research and implement” to promote the development of innovative housing styles.

Planner Spencer indicated that “...under ordinance changes to permit smaller single family homes” we added to expand for opportunities for attached single family homes. Mr. Spencer also said staff has been working since the last master plan review process on some revised residential attached dwelling units standards, and cluster standards.

Planner Spencer stated on the next objective rather than “investigate and develop” the indication Mr. Spencer received from the committee was to develop policies and programs to facilitate the development of new private and public senior housing to meet the needs of the city’s expanded elderly population.

Member Lynch stated that we can still do some more investigating on that objective. Planner Spencer agreed.

The next objective Planner Spencer mentioned was that staff took out “some strength and current ordinances” to ensure that all residential developments are walk able and bike able. There was some concern that we didn’t want to put extra burden on the developers so Planner Spencer reworded it to say “educate the public and developers on the benefits on making residential development more walkable and bikeable to encourage developers to build walkable and bikeable residential developments that are connected to the city’s non-motorized transportation system where possible.”

Planner Spencer also stated that recent statistics show that places that are connected to walking and biking facilities have a higher value. you can sell your houses from \$5,000 to \$35,000 more when connected to a nearby pathway system. Mr. Spencer said that it makes good economic sense, and health sense. This is what people are looking for in a community.

Consensus of the Committee was to present the discussed goals, objectives and implementation strategies as amended at the Open House.

b) Potential Office and Light Industrial description and map changes

Planner Spencer stated that most of this discussion is outside the study areas except the Grand River and Beck Road study area and the southern portion of the Providence Hospital area which is zoned OSC.

Planner Spencer stated there was some concern that having a master plan use category that just says office is a very wide spectrum and being just office may not attract the businesses that the City wants. He also stated that the Plan has a huge area that just says office which ranges from large sites [Haggerty Corridor Corp Park] to little offices on the corner of intersections that have been developed into local office uses.

Planner Spencer said his idea would be to divide the area into three different categories it may suit more of what you would really want for those areas along with expanding some definitions.

The next category Mr. Spencer singled out was office commercial, he proposed this land as designated for a variety of medium scale and large scale general medical office buildings or complexes with limited personal services and retail uses. The area may also include facilities for human care, transit residential, higher educational and indoor and outdoor recreation.

Planner Spencer explained that the area he designated as office commercial are existing OSC areas [around Providence, and Orchard Hills]. Mr. Spencer also expanded to one additional area for discussion, which are properties just due east of the Novi Town Center.

Member Lynch stated what Planner Spencer presented he doesn't have an issue with it.

Planner Spencer stated he will be looking for some feedback on that idea from the committee.

The last category Mr. Spencer wants to address is for office research development and technology this is land designated for a variety medium to large scale general and medical office buildings and complexes and research developments and technology facilities with or without related manufacturing or warehouse facilities. The area also could include office research and development support services, human care, transit residential, higher educational and indoor and outdoor recreational.

Planner Spencer indicated that what he was hearing was that this area sounds more like a research and technology zone versus just plain office.

Ms. McBeth asked Planner Spencer if this is the same as having a couple of different categories for your commercial developments.

Planner Spencer answered it is similar in some ways.

Mr. Schulz asked Mr. Spencer if these are all intended to correspond with existing districts or will you have to do ordinance amendments to match the plan.

Planner Spencer responded by saying currently they would match the existing zoning districts, except that he would propose to eliminate OS-2. Mr. Spencer indicated the only parcel that is zoned OS-2 is under a consent judgment for residential.

Ms. McBeth asked Planner Spencer if he was looking to change the zoning designation at this point.

Planner Spencer answered no not at this point.

Mr. Spencer also stated along with the previous discussion is to have a little more strength to the office research areas was to strengthen some language for our light industrial. Planner Spencer changed the definition of that slightly to "industrial research development and technology versus light industrial."

Mr. Schulz stated that it actually describes what is exactly there rather than just industrial. Consensus of the committee to present at Open House.

Planner Spencer stated that there are some proposed map changes he would like to go over with the committee that includes some map changes.

Planner Spencer [pointing on map] up by Novi Corporate Campus and a city owned parcel on the corner this would give them the flexibility because part of their property is zoned OST [northern portion] the southern part is I-1. This would give them the flexibility to keep it as I-1 or rezone it to OST.

Another piece Planner Spencer [pointing on map] is located next to the cemetery [Eldridge piece]. Mr. Spencer indicated that the city entered into a consent agreement for OS-1 uses on that property.

Tom Schulz responded that the expectation was for some kind of mortuary.

Consensus of the committee is to present at Open House.

Planner Spencer went on to discuss retail overlay being potentially acceptable at Grand River and Beck Road. There has been some discussion to have some additional retail services to serve the nearby office community.

Mr. Spencer stated that he looked at three different areas [pointing on map] the first property is located at Fourteen Mile & Haggerty. There are two parcels vacant around the corner [car wash proposed at one time on L-shape parcel].

Ms. McBeth mentioned that there were some grade changes on the south piece.

Planner Spencer stated that with the retail services in the area it might be a candidate for an office complex.

Ms. McBeth stated that at one time the north piece was mentioned as office by Bennett Donaldson.

Chairman Gutman stated that the area is heavy with retail.

Chairman Gutman stated that he thinks the area is worth further discussion. Committee agreed.

Planner Spencer asked the committee if this is something they would like to see put up at the Master Plan Open House.

Committee agreed to leave it off for the Master Plan Open House for now.

Planner Spencer stated also that the committee should make their decisions about rezoning based on the Master Plan.

Member Cassis asked Planner Spencer what the area is zoned currently.

Planner Spencer answered OST.

Chairman Gutman stated what he likes about our discussions is we thoroughly look into these issues and putting them out to the public for further review. He understands that

Planner Spencer has found a couple of more areas that he would like to discuss, but his feeling is not to have a 5 minute discussion added to the agenda for the public consumption, before we thoroughly review the issues.

Committee agreed with Chairman Gutman statement.

Planner Spencer agreed with what the committee is saying and that is why he was careful in how he presented this. Planner Spencer said that this is a retail overlay concept with a limited basket of [additional] uses.

Planner Spencer indicated he put the other two pieces out there because the committee has heard discussions on these two parcels. Planner Spencer would like to go through the other two parcels with the committee. Mr. Spencer understands the committee does not want these parcels put on for the Open House.

Planner Spencer went on to show the committee the other two parcels, one is located at Twelve Mile and Cabot Dr currently with a bank on it, he stated if the bank closes the property would probably go retail. The other piece the committee had discussions with the property owners for rezoning. Planner Spencer asked Ms. McBeth if they went to the Planning Commission. Ms. McBeth answered she wasn't sure she thought they came before this committee for a coffee shop.

Ms. McBeth stated they came back with a request to modify the zoning ordinance, so they are thinking about modifying the OST district to allow certain kinds of restaurant uses. They are in with that proposal now and we are taking that to the Implementation Committee. Ms. McBeth stated that Planner Spencer is proposing this as an alternative and it would make good sense for this committee to look at specific parcels to identify where the overlay concept is that he is talking about.

Consensus of the committee is to present to the Implementation Committee for further review.

Planner Spencer stated if the committee would like further information on these three parcels to let him know.

Planner Spencer asked the committee if they are still comfortable with including the two areas for retail overlay along Grand River.

Committee agreed.

c) Potential Natural Features map and text changes to update woodland, wetland and floodplain maps recently adopted by City

Planner Spencer said that in the committee's packet is a natural feature element set of maps we proposing to put this on the boards for the Open House. The language in the woodland portion has changed slightly to eliminate the three categories of woodlands we once had in the ordinance which was high, medium and low canopy in the woodland ordinance that has been removed.

Planner Spencer went on to show the committee [pointing on map] the new and old woodland and wetland maps.

Committee discussed how some people's perception with woodland and wetlands on property that it can't be developed.

Planner Spencer stated that what staff is going to present will be a small scale map to express that it needs to be changed versus the details of it. It will also be used as a reference.

Committee discussed flood plain map issues.

Member Meyer wanted the maps to stand out and be easy to read for the public at the Open House.

d) Open House October 14, 2009

Planner Spencer asked for some volunteers for the Master Plan Open House.

Planner Spencer showed a brief layout of the Open House. He stated that we will have a receptionist, a couple of tables for the public to fill out surveys.

Member Cassis asked Planner Spencer if he was going to do an introduction about the Master Plan process.

Ms. McBeth stated that if people come at 6:30 they will have Angie [receptionist table] put them in the Council Chambers and someone on staff will explain to them the process and what it is all about and that we want to get some public input.

Planner Spencer said we can have a 15 minute introduction then the people can ask questions or talk one on one with the Planning Commissioners and staff people.

Chairman Gutman thought that would be useful and let people have a chance to ask questions and tell us what they think.

Member Meyer stated that he was very surprised from the last Open House how many people came up to ask the commissioners what their thoughts were on different items, it seems like there was a real interest on part of the community. He hopes the turnout for this Open House will be well attended, but he's not sure how well the Master Plan Open House was advertised.

Mr. John Kuenzel [in audience] had a few comments about the Master Plan Open House and how it was advertised to the public.

Planner Spencer stated that he is planning on having four tables set up one for the Eleven Mile and Beck study area, Grand River and Beck study area, one for Special Planning Project Area 1 and one combined miscellaneous such as housing, transportation, natural features and parks.

Ms. McBeth stated that there will be one staff person per table.

Planner Spencer stated before the end of the week he will send the committee volunteers what staff member you will be with for the Open House. Mr. Spencer will also send an email to the Planning Commission asking if they would be available to volunteer.

Member Meyer commented about the surveys that they should be short and simple with about 5 questions. He stated the survey looked wonderful, but by the 3rd page he was getting tired.

Planner Spencer said that he tried to be complete with the questions, he also said if he had to do this all over again he would hire a professional to do the survey. Mr. Spencer also stated for next time staff discussed a better way of doing surveys. Next time pay the money for a scientific survey versus a poll.

MINUTES

Moved by Member Lynch, seconded by Member Cassis:

VOICE VOTE ON MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER CASSIS:

A motion to approve the August 19, & September 2, 2009 minutes. Motion carried 3-0

ADJOURN

A motion to adjourn.

The meeting adjourned at 9:44 PM

Future Meetings

November 5, 2009
November 19, 2009
December 3, 2009
December 17, 2009

Transcribed by Bonnie S. Shrader
Customer Service Representative
November 5, 2009
Date Approved: