

DRAFT

**REGULAR MEETING OF THE COUNCIL OF CITY OF NOVI
MONDAY, DECEMBER 7, 2009 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

Mayor Landry called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE: Webelos I from Cub Scout Pack 50, Deerfield Elementary 4th Graders
Den Leader: David Verellen
Kevin Blossfeld, Connor Bradley, Sean Cornellier, Nick Forkey, Jonathan Lee, Ethan Liu, Dylan Murray, Kiran Rushton, Clay Simmon, Buddy Verellen, Maxwell Weng, Saud Zahoor

ROLL CALL: Mayor Landry, Mayor Pro Tem Gatt, Council Members Crawford, Fischer, Margolis, Mutch, Staudt

ALSO PRESENT: Clay Pearson, City Manager
Tom Schultz, City Attorney
Rob Hayes, Public Services Director
Barbara McBeth, Planning Director

APPROVAL OF AGENDA

CM-09-12-147 Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY: To approve the Agenda as presented.

Roll call vote on CM-09-12-147	Yeas:	Landry, Gatt, Crawford, Fischer, Margolis, Mutch, Staudt
	Nays:	None
	Absent:	None

4. City's Landings Property (13 Mile Road and Old Novi Road) Land Use Study and Options – Birchler Arroyo Associates, Inc.

Rod Arroyo, Vice President from Birchler Arroyo, was commissioned by the Council to prepare the analysis of the Landings property and provided an overview of alternatives for land use. They explored advantages and disadvantages of various options and offered a concept plan for public use of the property. The history dated back to the early 1900's and included the Walled Lake Bath House, the casino and the Walled Lake Amusement Park. The Landings was put up for consideration in the 1980's but never constructed.

Mr. Arroyo said the property was currently master planned for public park and open space, with a small portion for single-family residential. The history showed it was primarily planned for non-center commercial, in direct correlation with the Landings project. The Zoning reflected a B-3 general business classification for the majority of the property, with a small portion designated as R-4 for single-family residential.

Birchler-Arroyo did a site analysis documenting the existing conditions which included the views and property sloping towards the lake, existing platted streets, rights-of-ways, flood plains, nearby land uses and traffic conditions. Public input was taken through and internet survey and two public workshops. The consistent theme in options was to retain the lakefront as being public waterfront.

Option A was single-family residential with a public waterfront component. Option B was a mixed use with a public waterfront including commercial development with residential of office above. Option C was a commercial development. Option D was a public park. Option E was a public park with the option of single-family residential on a two acre piece of land. Option F was a public park with the option of single-family residential and a restaurant. Option G was to do nothing and maintain the land as open space.

Mr. Arroyo stated the concept plan was in two phases. The plan was based on ideas from the public. Phase 1 of the public park concept plan included a number of improvements, including a waterfront promenade, fishing pier, tree-lined promenade through the site, picnic pavilion, restrooms, historical marker to symbolize the past history of the site and a turf paver parking lot along 13 Mile Road. Phase 2 added an amphitheater with a view of the lake, a splash pad, two volleyball courts and additional trees for shading.

Member Margolis noted that it appeared to extend along South Lake Drive on the concept plan. Mr. Arroyo stated that the section functioned as a buffer from the single family residential to South Lake Drive. No significant changes were proposed to that area and it would be maintained as park land. Member Margolis asked if there would be grant money available for the project. Mr. Arroyo said the grant application period for DNR money was April 1, 2010 and the information just needed to be put into place.

Member Margolis wanted to know what the City needed to do in order to apply for the grant. Rebecca Bessey said the City would have to complete the grant application, provide justification for and a description of the proposed project and how it would meet the DNR's funding priorities and scoring criteria. The City would also have to provide a detailed concept plan with additional detail and finalize exactly what the City planned to do on the property as well as provide cost estimates.

Member Margolis stated she thought the best use of the property would be to leave it as open and park-like as possible even though she liked the concept plan overall and the idea of having a section of residential. She had no interest in leasing or owning a restaurant. She did not see the need for an amphitheater, but thought the splash pad was a great idea. She wanted to know if the parking would suffice. Mr. Arroyo said it would depend on the types of uses that would occur and mentioned that it could be tweaked when the final plan was prepared. He said it was a good estimate according to the concept plan but it didn't factor in the potential programs.

Member Margolis said the concept plan made sense overall but would prefer not to do heavy programming because the parking becomes part of the park due to its low impact on the park itself. It would open it up to people who don't live there but wouldn't become a huge draw to people. She thought the park would be a great plan if the City could get a grant for the funding.

Mayor Pro Tem Gatt agreed with Member Margolis. He asked what the property would be worth if it were sold. Mr. Pearson suggested \$20,000 to \$30,000 per lot.

Mr. Arroyo said the piece east of East Lake Drive, assuming the current density is 3.3 dwelling units per acre, would be roughly 6 lots on the property. He said based on his information, the land would be worth \$40,000 per lot if it were sold to a builder. He said there were many factors that would contribute to the cost of the property, but that was a ballpark estimate based on comparable properties nearby. Mayor Pro Tem Gatt wanted to know how much improvement to the park area \$240,000 would buy if the property were sold for that amount. Mr. Arroyo said according to the cost estimates prepared, both phases would cost \$2.27 million. He said anywhere from 10% to 15% potentially would help fund that. Mayor Pro Tem Gatt wanted to know what type of grants would be available through the DNR. Mr. Arroyo said it would depend on how the community is ranked according to the DNR criteria and point system. Ms. Bessey said the criteria could change each grant cycle but the maximum grant amount is \$500,000 and minimum local match is 25%. Mayor Pro Tem Gatt stated he would like to see the property left as passive park land for the residents to use, but there should be parking available.

Member Crawford stated she liked the options made available, especially the option of the fishing pier. Historically, the property has had a fishing pier and there is not another elsewhere on the lake. She would prefer to see this as a passive park; however the splash pad would be a popular amenity. She was concerned about the parking and the access available for people with mobility issues. She asked if there could be a paved path for direct access to the lake. Mr. Arroyo said there were a couple possibilities with the concept. There would be potential for on-street parking along East Lake Drive that would have a pathway directly to the lake, which would be the shortest route. There could also be barrier free spaces closer to the lakeshore if necessary. He said there was a lot of potential to accommodate those requests. Member Crawford said the amphitheater wasn't necessary since there was one at Fuerst Park. She said she was in favor of a lot of seating, the pavilion and a peaceful atmosphere where people could go and be near the water. Member Crawford liked the idea of selling the residential piece and using the money to help support to cost for the improvements to the park. She was in favor of phase 2.

Member Mutch asked about the parking needed for Option F. Mr. Arroyo said he would have to look at the requirements for restaurants but said typically it consumes 15-20% of the land area. He said it would be larger than retail lots because retail requires less parking area. Member Mutch asked when the traffic from the new development would impact the area. Mr. Arroyo said most of the traffic would be in the early evening,

weekends and possibly at lunch times. He said it would depend on the market and goal of the restaurant. Member Mutch pointed out that the traffic volumes on South Lake at 13 Mile and Novi Road were low volume. Mr. Arroyo verified that they were in the 2,000 to 4,000 vehicle per day range, which has since been lowered from 10,000 vehicles per day.

Member Mutch asked how they came to the size of the parking lot and the amount of parking spaces. Mr. Arroyo stated they planned around 40-50 spaces in the off street lot off of 13 Mile and there would be on street parking on both sides of East Lake Drive. He said there may have been another 35-40 in that area. He said Randy Metz developed those numbers based on the proposed use under the concept plan.

Member Mutch asked how Birchler Arroyo would logically see phasing out this project over several years and what types of improvements would be seen in Phase 1 versus Phase 2 and Phase 3. Mr. Metz said it would start with the infrastructure and move up from there. He also stated that the promenade was an integral part of the park as it would bring the community close to the water so it should be considered for the first phase.

Member Mutch asked how much would have to be designed up front in order to plan for infrastructure and final build out. He wanted to know if there would be flexibility in the plan. Mr. Metz stated it would primarily affect the infrastructure. He said once the program is together that everyone is satisfied with, then they could put the infrastructure in to accommodate it.

Member Mutch asked what kinds of benefits and impacts would there be if the Council decided to move forward with a public park to the surrounding properties being developed or re-developed. Mr. Arroyo said that by developing a quality park with amenities that people find desirable, it would make it a more attractive neighborhood. He said there are currently no homes overlooking the park and providing the residential area would provide a positive aspect.

Member Mutch asked what types of uses would go into the B-3 properties that would be complimentary to the park use. Mr. Arroyo stated that a park of that size would not be strong enough to drive a particular land use nearby. Member Mutch stated he believed that the City had a diamond in the rough with that large of a piece of public property on a lake. He thought it was important to maintain the public access to the lake and the public view of the lake. He said in regards to the residents, although they turned down the Signature Park proposal, his viewpoint is that the process is a long-term view and won't necessarily lead to immediate improvements or development. It would be a long-term process and as funds became available, the vision would be fulfilled. Member Mutch stated he had never been in favor of selling any portion of the property. He thought selling the land would cause more problems than it would be worth. He said it could be detrimental to the efforts in obtaining grants for the property. The Trust Fund of Michigan criteria valued the waterfront access, access to Walled Lake in terms of a boardwalk and a fishing pier as well as developing the public open space. He felt this

was the long term vision for the property. He was in support of this project moving forward.

David Staudt stated he was in support of the area being a public park with a historical element. He noted there are 40-50 years of history at the site, including the amusement park and the casino. Member Staudt has been approached by residents over the past couple years who have expressed interest in naming the park after a family member or wanting to make significant investment in it. He said the park should never be sold by anyone for any purpose. He stated the value of the property would not justify selling it. He said the timing is appropriate because it is something that needs to be done and it was time to move forward with it.

Member Fischer asked if access to the lake for residents to swim would be part of the concept. Mr. Arroyo said no because it was available at Lakeshore Park just down the street and they did not want to replicate that. Mr. Fischer said the planned amenities including the volleyball courts, splash park and amphitheater seemed like relatively active amenities and wanted to know if there would be less active areas. Mr. Arroyo stated some residents wanted very little additional improvement on the property while some residents wanted it to have very active sports activities. The plan reflected the majority of what the residents were asking for. Member Fischer asked about the \$60,000 annual cost stated in the budget. Mr. Arroyo said the splash pad would be something that would require a higher level of ongoing maintenance than some of the other facilities. Member Fischer said the area should remain for the residents to enjoy.

Mayor Landry commended Birchler Arroyo for the thoroughness of the plan and the involvement of the public opinion. He thought it was good to explore the options available and important to make a thorough analysis. He believed everyone was in favor of maintaining it as a public use but not to leave the property alone. Mayor Landry said in order to solicit dollars, there would need to be a plan. There should be a plan with some options so that if the City obtained a grant, portions would be completed as the money was obtained. Mayor Landry was not opposed to selling off the land on the east part of East Lake Drive, but he would like to see it rezoned. He was concerned about the safety of pedestrians walking across East Lake Drive.

Mayor Landry asked if the splash park could be used in the winter as an ice skating rink. Mr. Arroyo said that is could be. Mayor Landry said he was in favor of having an all year use. He said it should be referred to the Planning Commission for a public hearing and to receive their recommendation.

Mr. Pearson noted the unanimity was there to develop a grant application for phase 1A to get the waterfront features so that the grant opportunity is not missed.

CM-09-12-148 Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY: To ask administration to come back with a phasing plan to allow the City to move forward on a grant

**application and refer to the Planning Commission for
recommendation on zoning and schedule a public hearing.**

Roll call vote on CM-09-12-148 **Yeas:** **Crawford, Fischer, Margolis, Mutch,
Staudt, Landry, Gatt**
 Nays: **None**
 Absent: **None**

Member Mutch wanted clarification on what information the Council would be asking the Planning Commission for in terms of the zoning, specifically if it was regarding the whole property or a portion. He asked if the B-3 zoning regarding public parks and recreation facilities were principal permitted use. Barb McBeth answered that parks were principally permitted. Member Schultz asked where parks fell in the residential zoning district. Ms. McBeth said parks were permitted in the residential zoning district and could possibly be a special land use. Member Mutch asked if the City could develop the property regardless of the zoning. Mr. Schultz stated the City could develop the park even if the zoning doesn't permit such a use. Member Mutch said as long as it came back in a timely manner and the Planning Commission was clear on what the Council was asking for, he didn't have a problem sending it to the Planning Commission but he didn't believe it was necessary.

Mr. Pearson said the property suffered from lack of use, lack of awareness, lack of plan and confusion about what the City intended to do with the property. He said the business zoning has added to the confusion. He said the intention was to leave the property as open space and signaled what the Council is trying to get at with the core of the piece of the property.

Member Margolis stated the property should be cleaned up in order to have it go concurrently with the grant application. Member Staudt stated he wanted to see the plan move forward quickly. He would like to make it as difficult as possible to sell off the property as a commercial piece of property. He wanted that to be very clear. He was happy to hear that the administration would be willing to work concurrently to gather a grant application for the very basics of the site so that they can provide public access as soon as possible.

Member Mutch wanted to be clear that the rezoning would be strictly for city owned property.