



MASTER PLANNING & ZONING
City of Novi Planning Commission
December 16, 2009 at 7:00 p.m.
Novi Civic Center – Conference Room C
45175 W. Ten Mile, Novi, MI 48375
248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Members Victor Cassis, Michael Meyer, Michael Lynch

Absent: Andy Gutman

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

APPROVAL OF AGENDA AS AMENDED

Moved by Member Lynch, seconded by Member Cassis – **Motion passed 3-0**

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

Audience Participation and Correspondence

Luanne Kozma had some comments regarding the Landings Property. She stated it is a park that she has used a lot through the years. She was one of the people participating in the focus group that was held here at the Civic Center and she stated that everyone involved would like this property kept as a park. She stated she has looked over the report and there are so many options on the table that were never brought up by the people of Novi. They are only interested in improving it as a park and only as a park. The other thing she wants to bring up is that she is real familiar with the Michigan Natural Resources Trust Fund Grant Program she helped with two reputable grants that the city put forward one she assisted with was for Meadowbrook Park. The report talks about the trust fund being a possible grant opportunity to develop this park, but the Michigan Natural Resources Trust Fund prohibits city's from doing certain things as removing parkland, destroying parkland, selling parkland or removing it from parkland status without some consequences. She stated that you really can't remove parkland status from this park and not have consequences for future grants for the entire city. She asked the committee if they had any questions.

Planner Spencer stated he wanted to shed a little light on this for Ms. Kozma. The packet of materials provided to the Planning Commissioners was distributed from the City Council Meeting for background reference for their consideration that are on the agenda. Planner Spencer stated that tonight on the agenda we are going to look at updating the boundaries in the master plan to match our city property ownership as one part of the Landings property and the other part was to discuss the possibility of recommending or providing comments on rezoning the property to a residential zoning district designation. Ms. Kozma stated that by making that change that removes parkland status. Planner Spencer stated that we do not have a park zoning district so all of our public parks basically are in single family residential zoning districts. Ms. Kozma asked Planner Spencer if it is not changing the status of the park. Planner Spencer answered no.

Member Cassis asked Planner Spencer about the designated areas on our map as park. Planner Spencer answered yes. Member Cassis asked how would we designate this? Planner Spencer stated that most of it is already designated as parkland there are some areas around the fringe that are not they were an oversight many years ago. Planner Spencer stated that when they looked at the city as a whole on an 8 1/2 x 11 or 11x17 map you couldn't see the errors on the map. This process as it was

brought forward through City Council alerted us that there were some discrepancies with the boundaries. Planner Spencer stated that when we get to that agenda item he will be showing the commissioners where those edge differences are and making some recommendations on that to include those areas and expanding the area that is master planned as parks. Tom Schulz, City Attorney asked if we are talking about not removing parkland once you use the grant funds to fund the park? Ms. Kozma responded yes. She stated that the restriction is on any park. Member Lynch asked Ms. Kozma if her main concern is that we are taking parkland and rezoning it. Ms. Kozma stated yes and leaving it vulnerable with these other options to happen

Planner Spencer stated that the current zoning for the park property is B-3 general commercial so commercial activities could be placed on those properties and be in compliance with the zoning ordinance. He stated that staff thought presenting single family residential zoning district, which has a lot less possibilities of what it could be used for. Public parks are permitted use they are not subject to special conditions, they are permitted uses in our residential zoning district. Ms. Kozma asked Planner Spencer that right now there is no special designation for it as a park. Planner Spencer answered no not in the zoning ordinance. Member Lynch commented that it is zoned B-3 right now and we are using it as a park. Committee continued to discuss the B-3 zoning.

Staff Report

Planner Spencer stated no report tonight.

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 or recommendations to the Planning Commission.

- 1) Special Planning Project Area 1 Study Area

- i. Future Land Use designations and Future Land Use Map
 - ii. Review rezoning submittal 18.690

Planner Spencer stated that he has given the committee some memos regarding this and he is going to touch on some of the high points of the material. Planner Spencer [pointing on map] said the outline red area is Special Project Area 1 staff is recommending the properties be master planned with the Community Office and Industrial Research Development Technology Future Land Use Designations. Staff is recommending these because they are compatible with neighboring uses.

Planner Spencer stated that earlier in the year the Committee reviewed a retail floor space demand forecast and found that there is a lack floor space demand meaning that we have a excess supply of land for retail floor space in the city. The forecast shows a surplus still in the year 2018 that was using a revised building forecast, which could be high by today's standards. Planner Spencer indicated that we have a high rate of vacancies in our commercial properties [around 10%].

Planner Spencer stated the Master Plan Objectives and Implementation Strategies statements support this and the two statements are "Support retail commercial uses along established transportation corners that are accessible to the community at large such as along Grand River Ave to decrease future traffic congestion." The other one is to "Limit commercial uses to locations current zoning or areas identified for commercial zoning in the Master Plan for Land Use."

Planner Spencer [pointing on map] identifying the areas we are talking about. Current master plan shows Light industrial, Office and the Special Planning Project Area 1. Staff's proposal would be to take that line that divides the Office and Industrial uses and extend it north where industrial use designation is on the east side of property and office designation on the west side of property.

Planner Spencer [pointing on map yellow area] is the area that the City received a petition for rezoning. Member Lynch asked Planner Spencer if it is zoned industrial and office. Planner Spencer answered yes. Planner Spencer stated the proposal is for a Kroger store and retail strip center, retail outlots [restaurants] and some offices. Mr. Spencer indicated the proposal would be about 123,000 sq. ft

for retail and 26,000 sq. ft. for office and finance. Planner Spencer stated that as far as utilities for this plan if it was to move forward would add more demand on utilities. Mr. Spencer stated that the city might have to buy additional sewer capacity. City has a contract to buy sewer capacity because we don't have our own processing plant and we are approaching the end of our contract for capacity. As the city has grown over the years the city has purchased additional capacity, this is some of the impact this proposal could have.

Member Lynch asked Planner Spencer if the city has to purchase or the taxpayers? Planner Spencer answered yes [taxpayers] he said it would probably be covered by the utility fund.

Planner Spencer stated that unless Ms. McBeth, Deputy Community Development Director, or Tom Schulz, City Attorney have anything else to add to the motion. Member Lynch asked Planner Spencer if this is the recommendation from staff. Planner Spencer answered yes. Committee went on to discuss the areas and the recommendations from staff.

Member Meyer asked where do you want us to go from here. Mr. Tom Schulz, City Attorney stated you have items 1 and 2 you have to do two things as the Master Plan & Zoning Committee. The first is to react to the proposal for office use industrial, the second thing you have to do is listen to the proposal from Mr. Weiss and his council on the same property ahead of the issue of the master plan in which, they are going to ask you to reject that [master plan] and also react to their proposed development of that hatched area and the frontage for commercial office. Mr. Schulz indicated it is up to the committee to decide how to do that, but it also seems you need to do the second one first.

Member Meyer asked if tonight we need to come up with a recommendation? Mr. Schulz answered yes. There is a recommendation on the master plan question what is it going to be designated. Then you will have to as a committee give your recommendations on the development to Mr. Weiss. Member Cassis stated that they still have the right to come before the Planning Commission. Committee, Mr. Schultz responded yes.

Member Meyer stated he just wanted to know what the process is and so the process is that it seems we should listen to Mr. Weiss and his council first then we should as the Master Plan & Zoning Committee to share with the staff what our thoughts are, and then we can come up with a recommendation or determination of where we think it should go. Then they could come before the Planning Commission or City Council. Committee agreed.

Item 2

Weiss Rezoning PRO

Mr. Matt Quinn asked the committee if they wanted to discuss the master plan or PRO first. Member Meyer said he hoped they would share their thoughts about the office on the west and industrial on the east.

Mr. Matt Quinn stated he wanted to remind the committee what they did back in March of this year when we were last in front of you to talk about the master plan, and at that time you made certain findings at Mr. Spencer's request concerning the request you were looking at. At that time you were to make the Ten Mile frontage Community Commercial on the master plan and we were looking at office on the Novi Road frontage, but your consensus motion said to leave and make this industrial so it fit in with the southern portion of the project. The reason Member Cassis said leave it light industrial is to keep the height down of the possibility of offices. Mr. Quinn stated the quote from that meeting was "the meeting attendees firmed up their designations one piece would be named light industrial one section would be named local commercial" that is what we talked about. Mr. Spencer asked the Committee to make some findings so the committee made findings: Number one the natural features provide a natural boundary for separate designations. Mr. Quinn said they agreed with that. Number two the light industrial designation is more effective then an office designation it works with the surrounding designations as developments will be low rise. Number three the committee determined that there was adequate roads existing to serve light industrial and commercial. Number four committee determined local commercial is acceptable along Ten Mile Road as the area needs

this service. Mr. Quinn stated that these are the committee's words and findings in March. Mr. Quinn said those were based on some of his comments. He stated that he said that in the 1999 master plan the frontage was deemed to be local commercial and at that time it was still commercial along Novi Road. The Novi Road corridor plan was done in 2001 that still was designated in there as commercial for the southeast quadron of this area. Mr. Quinn stated in the next two master plans those came through with special project areas. Mr. Quinn asked what was the special project areas based upon? He stated he remembers in 1999 getting the Planning Commission to vote that as local commercial frontage. He stated that special designation area was based on listing commercial, this being office or some commercial, the special project area wanted a coordinated development, but they didn't know at that time how it was going to be coordinated or how it was going to turn out and all of sudden SP1 went on it. And then the next time it was looked at we were back in front of the Planning Commission arguing the same thing because the Planning Commission couldn't make up their mind we weren't ready with the project yet and again SP1 went on again and it's been on there. Mr. Quinn stated that while it's been on there Mr. Weiss has come forward [4 years ago] with a similar type project and we went through the Planning Commission. Planning Commission didn't vote on it so we withdrew the project, because the city said wait till this intersection is improved and upgraded before you put commercial along this roadway, which we did. Planning Commission also said look at your development a little bit more, cut down on curb cuts so the new project has three curb cuts within a 1/3 of a mile as compared to eight curb cuts across the street. Also the city said to decrease the square footage of your commercial area which we did.

Mr. Quinn said as far as the master plan is concerned Mr. Weiss has been patiently waiting to come forward with this as a commercial development and with the other offices that will go through [medical offices etc]. Mr Weiss has already sold off [Mr. Quinn pointing on map] this piece which became a Credit Union and he's ready to move forward. For the master plan this project will move forward regardless, we will be at City Council with our PRO long before the master plan ever goes through it's approval process, but we would like to have this sub committee's recommendation as you did in March and hopefully we can get the Planning Commission's full recommendation that this area goes. The plan right now is to resubmit this plan in January, which would put us before the Planning Commission at the end of February or early March and be at the City Council within 30 days thereafter. Mr. Quinn stated that the master plan amendments will be 6 months out or even longer.

Mr. Quinn stated that as far as the master plan they agree with what the committee said the last time we obviously disagreed with staff. Mr. Quinn stated that not much has changed since the last time, there was a survey, public hearing [very limited input] the survey was very limited [it went city wide] the survey doesn't talk about the people who live around here. He stated he lives in the northeast part of the city and he said his wife can't wait for a Kroger store to be put there. Mr. Quinn stated that we only have 1 grocery store and a part of another grocery store in the City of Novi. He stated we need to give the people of Novi what they want. As far as the retail portion Mr. Quinn stated that Mr. Weiss will not build until he has tenants. He also stated when this does get built-out you will have a 15 to 20 million dollar project, which would be great for the city. Mr. Quinn asked the committee to just follow what they decided before.

Member Meyer asked Mr. Quinn to talk about the survey and the burden on the utilities, particularly sewage and drainage. Mr. Quinn stated drainage is not a problem [pointing on map] this is the drainage creek they are going to build retention basins, which will all go through the creek, which will require DEQ permits that are underway as we speak. As far as water supply that is not a problem as far as sewage there is a small overall deficiency for this quadrant of the city. Mr. Quinn stated that when someone comes in to buy that sewer tap that money is paid to the city and they use it on a first come first serve basis there is no such thing as reserving capacity for some future business in some location. Whoever comes in with an approved plan gets to use that sewer. Member Meyer asked if anyone had any questions. Member Lynch stated he remembered talking about this and remembers that we all agreed that this would be a good use of that land. Member Lynch asked Planner Spencer if staff surveyed the people in that area on where they buy their groceries. Planner Spencer stated that staff has not done a complete market survey of the residents on where they buy their groceries. Member Lynch stated that this is

what we kind of envisioned with the meeting that the applicant is referring to, a coordinated development. He stated he thought that the committee established the need for this type of service. Member Lynch stated he personally doesn't have a problem with this proposal he does understand both sides. Committee and audience went on to discuss the development further from the previous meeting in March.

Member Meyer stated to Mr. Quinn and Mr. Weiss that they are not going to wait for the master plan committee to finish our business which would take about six months so you are going to go with the PRO right? Mr. Quinn stated that yes we are ready to go.

Member Cassis stated that he is going with the recommendation of the planners and he said that he remembers differently then his colleague. Member Cassis said we as a committee talked about local commercial, but where he differs is to what extent are we going to allow local commercial. Member Cassis wants to compare Kroger to Busch's and he said if he was the owner of Busch's he would break his lease immediately, because having Kroger go in will kill Busch's for sure. He also stated what Mr. Quinn and Mr. Weiss are asking for is too much. Mr. Cassis also indicated to much commercial for a two lane highway [Ten Mile]. Member Cassis said to Mr. Weiss that he respects his argument but let us see improvement on Ten Mile Road and Novi Road, which we have but he said the improvement is nothing with all the traffic on Ten Mile Road. Mr. Cassis stated unless Mr. Weiss wants to widen Ten Mile Road along that stretch to make it three lanes. Mr. Weiss stated that there is a certain amount of widening that's required by the city and he said we have gone way beyond that. He also stated the reason this is being submitted as a PRO is because there are a lot of community benefits far beyond the requirements. Another comment he had was that in the city's own studies on how many food stores we should have when they looked at the area where Busch's is and our area and the surrounding areas a lot of people are shopping down at Eight Mile Road, a lot of them shopping somewhere else. Mr. Cassis said he is not opposing the Kroger store he is willing to go with some commercial, but not too that extent.

Member Meyer stated he has gone through the city recently and has seen more than 10% vacancy particularly at the Novi Town Center. He stated he's not sure we need more commercial retail at this point. Member Meyer stated he understands what Mr. Quinn said regarding what was said in March and particularly what was he said regarding Mr. Weiss not putting in retail unless he has tenants. Member Meyer stated his concerns are the restaurants and the impact on the utilities.

Member Meyer offered Mr. Quinn, Mr. Weiss and staff one more opportunity to defend office west industrial east as opposed to commercial light industrial.

Mr. Spencer said the biggest reason is because we have a surplus of properties available for commercial uses in the city. Committee and audience went on to discuss further industrial and commercial light industrial.

Member Lynch stated that the southwest quadrant is all residential the information you received from the people in the city is don't put commercial in the middle of residential. Member Lynch said that the reason in his opinion that Busch's and that whole strip center is not getting the business is because it is poorly maintained.

Member Cassis made a motion to recommend Master Plan staff recommendations seconded by Member Lynch. **Motion carried 2-1**

Item 3

Landings Park Property

- a) Master Plan Review – Review and discuss staff recommendations to reaffirm land use Designations as public park and open space for City owned property with or without Adjustments and revise underlying residential density.
- b) Zoning Map Amendment – Discuss rezoning from B-3 General Business to Single Family Residential

Planner Spencer stated that in the committee's packets there is a substantial amount of information from the studies. The questions we are asking tonight are much simpler they revolve around the master plan issues, which is the fact that the boundaries of the properties that are owned by the city currently do not match the boundaries that are outlined in the master plan. Majority of this property is already master planned for public park and open space. Planner Spencer [pointing on map] stated the hatch area is the area we are proposing to add to public park and open space. The adjacent areas are currently owned by the city and areas of right-of-ways where the roads are no longer there. Ms. McBeth asked Planner Spencer if previously these areas weren't designated on the master plan they were just white areas. Planner Spencer answered yes.

Member Lynch asked if the blue area is park? Planner Spencer responded by saying they are areas that are city property. Tom Schulz City Attorney stated that the blue area is mostly subdivision roads that were never developed or have been physically removed. Planner Spencer stated these are just an adjustment we are proposing, and staff would like the committee to recommend these adjustments. Mr. Lynch asked if this is just administrative. Planner Spencer answered yes.

Member Lynch made a motion to designate the hatched area as the park. Seconded by Member Cassis. **Motion carried 3-0**

Planner Spencer stated the next part staff is presenting tonight is the zoning issues. The current [pointing on map] zoning for the area is B-3 and R-4 surrounding it. Planner Spencer stated the outline green area is the area that is master planned for parks that is not in the R-4 district it is currently in the B-3 district. Most rezonings are presented to the Master Plan & Zoning Committee for comments. In this instance, your comments and staff recommendations would go to the Planning Commission suggesting they recommend rezoning these properties to R-4. Then all Landings Properties would be in the same R-4 zoning district.

Member Meyer wanted to ask if all the area is going to go yellow. Committee answered yes. He asked if that will impact in light of the residents concerns will that impact anything residential being put on that. Tom Schulz City Attorney stated that we retain ownership of everything up above that area. It will be on the plan if the Planning Commission goes along with your earlier recommendation it will be on the plan as parkland, which would make it difficult for us to develop it for single family residential.

Member Lynch motion is to confirm Planning staff's recommendation to the Planning Commission to rezone the Landings property to R-4 seconded by Member Cassis. **Motion carried 3-0**

Member Cassis motion is to recommend propose changes to add Public Park and Open Space to future land use map as proposed by staff seconded by Member Lynch. **Motion carried 3-0**

2010 Schedule

Planner Spencer stated the committee didn't want Thursdays so the proposed schedule changed it to Wednesdays. Meetings are scheduled the opposite Wednesdays of the Planning Commission meetings. The written dates are in the packet also. If the schedule is agreeable with the committee we will put that out. Mr. Spencer said that we may need to add additional meetings in the months that only have one meeting for the master plan review process. For the rest of the year scheduled meetings if there is no business to be brought before the committee those meetings will be dropped. Committee accepted the 2010 schedule.

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 November 5, 2009 minutes. Motion carried 3-0

ADJOURN

Moved by Member Lynch, seconded by Member Cassis:

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

A motion to adjourn.

The meeting adjourned at 8:30 PM

Future Meetings

- January 6, 2010
- January 20, 2010
- February 3, 2010
- February 17, 2010