



# PLANNING COMMISSION MINUTES

DRAFT

CITY OF NOVI

Regular Meeting

**August 10, 2011 | 7 PM**

Council Chambers | Novi Civic Center | 45175 W. Ten Mile  
(248) 347-0475

## CALL TO ORDER

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

## ROLL CALL

**Present:** Member Anthony, Member Baratta, Member Gutman, Member Lynch, Chair Pehrson, Member Prince

**Absent:** Member Greco (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Kristin Kolb, City Attorney

## PLEDGE OF ALLEGIANCE

Member Anthony led the meeting attendees in the recitation of the Pledge of Allegiance.

## APPROVAL OF AGENDA

Chair Pehrson stated that there is a change to the agenda. The public hearing for the Main Market Condominium revisions will be postponed to a date yet to be determined.

Moved by Member Lynch and seconded by Member Gutman:

**VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN.**

**Motion to approve the August 10, 2011 Planning Commission agenda. Motion carried 6-0.**

## AUDIENCE PARTICIPATION

Chair Pehrson asked if there was anyone in the audience who would like to speak to the Planning Commission.

Asher Husain, representing Main Street Partnership LLC, came forward. Main Street Partnership LLC owns unit 1 and a portion of unit 2 in the Main Market Condominium complex, 43155 Main Street. Mr. Husain noted at this time he has submitted a response to the proposed elimination of unit 3 in the Main Market Condominium. In short, Main Street Partnership LLC is in general support the concept of the elimination as long as all units are allowed to be withdrawn with the conditions that the responsibilities for the street lights and sprinkler systems that are in the development and serve units 1, 2 and 3 be fairly allocated.

The original developer of the Main Market condominium had an agreement with the City that a condominium association would take responsibility for maintaining and paying the utilities on the street lights and on the sprinklers. The condominium association has been disbanded and the property is now in the hands of four different owners which include the City of Novi, Luna Properties, Victor Cassis and TCF Bank. Up until now, Main Street Partnership LLC has born the sole responsibility of paying for the street lights, the utilities for the entire development and sprinklers and the maintenance. Main Street Partnership LLC asks that a mechanism be put into place so that those costs are fairly allocated. Mr. Husain said he is not opposed to eliminating the condominium because there is no condominium association anymore but a mechanism needs to be put in place with the City's enforcement to separate those costs, either by separate meters or a method by which the bills are equally allocated.

Chair Pehrson noted that the Planning Commission has Mr. Husain's formal written comment as well and it will be included as part of the audience participation. Notices will be sent to the public when the matter is brought back to the Planning Commission.

Victor Cassis came forward and explained that he purchased the northern part of the Main Street development which is zoned TC-1 and he agrees with much of what Mr. Husain said. This area has certainly had a very tumultuous history to say the least. Mr. Cassis also agrees with Mr. Husain and with the bank that the condominium should be eliminated. Triangle and James Chen, before, went and composed these different condominiums because they had an end result they wanted to achieve. They wanted to sell each one of those condominiums to different people. The area property owners want to approach the development of this area in a new way. To start from scratch would be the best option.

Chair Pehrson closed the audience participation as no one else in the audience wanted to speak.

### **CORRESPONDENCE**

There was one letter from Asher Husain be included in the record. Mr. Husain summarized the comments in his letter during the audience participation.

### **COMMITTEE REPORTS**

There were no Committee Reports.

### **COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT**

Deputy Director McBeth stated that at the August 8, 2011 City Council meeting, the City Council took action on an item that the Planning Commission recently considered. Detroit Catholic Central High School sought a variance for the sidewalk along Twelve Mile Road. The City Council granted that variance with an agreement that the school agreed to enter into regarding future installation of the sidewalk, the landscaping, the berms and the street trees.

### **CONSENT AGENDA - REMOVALS AND APPROVAL**

There were not items on the Consent Agenda.

### **PUBLIC HEARINGS**

#### **1. MAIN MARKET CONDOMINIUM REVISIONS SP11-33**

Public Hearing on the request of TCF Bank, for recommendation to the City Council of modifications to the Main Market Condominium (SP95-53), located south of Grand River and east of Novi Road. The subject property is located in Section 23 in the TC-1 (Town Center) District. The applicant is proposing revisions to the existing condominium, including the removal of Unit 3. The property is approximately 20 acres.

This matter and the scheduled public hearing have been postponed to a date to be determined.

### **MATTERS FOR CONSIDERATION**

#### **1. SET PUBLIC HEARING FOR SEPTEMBER 7, 2011 FOR TEXT AMENDMENT FOR THE SITE PLAN MANUAL**

Planner Kapelanski stated that the Site Plan Manual is a document that is part of the zoning ordinance and applicants must follow all the procedures outlined in it. If they want to veer from those procedures, they would have to seek a waiver or variance depending on what they are trying to do. Generally, it is meant to give an overview of the site plan review process and some of the more typical reviews that Community Development does. Staff has asked the Planning Commission to set a public hearing for September 7, 2011.

Motion made by Member Gutman and seconded by Member Lynch:

**ROLL CALL VOTE ON MOTION TO SET A PUBLIC HEARING FOR SEPTEMBER 7, 2011 FOR THE TEXT AMENDMENT FOR**

**THE SITE PLAN MANUAL:**

**Motion to set a public hearing for Text Amendment for the Site Plan Manual update. Motion carried 6-0.**

**2. APPROVAL OF THE JULY 27, 2011 PLANNING COMMISSION MINUTES**

Moved by Member Gutman and seconded by Member Baratta:

**VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY BARATTA:**

**Motion to approve the July 27, 2011 Planning Commission minutes. Motion carried 6-0.**

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no Consent Agenda Removals.

**MATTERS FOR DISCUSSION**

Deputy Director McBeth stated that at this time there are no agenda items for the August 24, 2011 meeting and staff will confirm the cancellation of that meeting in the next few days.

**SUPPLEMENTAL ISSUES**

There were no Supplemental Issues.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Lynch and seconded by Member Gutman:

**VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:**

**Motion to adjourn the August 10, 2011 Planning Commission meeting. Motion carried 6-0.**

The meeting adjourned at 7:10 PM.

Transcribed by Juanita Freeman  
August, 2011

Date Approved:

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Richelle Leskun, Planning Assistant