

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, APRIL 9, 2018 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Breen, Casey, Markham, Mutch, Wrobel

ALSO PRESENT: Peter Auger, City Manager
Victor Cardenas, Assistant City Manager
Elizabeth Saarela, City Attorney

APPROVAL OF AGENDA:

CM 18-04-043 Moved by Casey, seconded by Wrobel; CARRIED UNANIMOUSLY

To approve the Agenda as presented.

**Roll call vote on CM 18-04-043 Yeas: Staudt, Breen, Casey, Markham, Mutch,
Wrobel, Gatt
Nays: None**

PUBLIC HEARING: None

PRESENTATIONS:

1. Proclamation in Recognition of National Library Week April 8 – 14, 2018 – Julie Farkas, Library Director and Christina Salvatore, Communications Coordinator

Communications Coordinator, Christina Salvatore accepted the Proclamation for Library Director, Julie Farkas. She thanked Mayor Gatt and all of City Council for recognizing this week as National Library Week. She loved this week because it lets us celebrate how amazing, not just the Novi Library is, but how amazing all libraries are all over the world. She said they kicked off the week with a concert held yesterday, with Tom Sharpe, recording artist, and drummer for Manheim Steamroller. They had over 120 guests. They have over 40 programs this week ranging this week ranging from youth, tween, teen, and adult programs. They will end the week at with an event at Lucky Strike to celebrate reading and this amazing week. That event will be from 11a.m. to 2p.m. at Lucky Strike this Saturday. She started working for the Library five years ago and said it is amazing to see how much the organization has grown. What they have accomplished, from the technology they now have 3-D printing, virtual reality, and the monthly scheduled programs. They could not have accomplished this without all of the support.

2. Proclamation in Recognition of Arbor Day, Saturday, April 28, 2018 from 9 - 11 a.m. at Rotary Park- Wendy Duvall, Community Outreach & Events Specialist

Community Outreach & Events Specialist, Wendy Duvall accepted the Proclamation in recognition of Arbor Day. She invited everyone, individually, or groups to join us that day. They will be removing invasive plants and planting native plants, removing trash, mulching, and weeding. Please come out and join us.

MANAGER/STAFF REPORT: None

AUDIENCE COMMENT:

Ginger Barrons, 24777 Glenda, Novi, said she also owns Reliable Real Estate which is a local business in Novi since 1991. She said she came to speak about the Matters for Council Action first reading on Item 1 regarding the Local Business Zoning. She said within that ordinance is allowing a restaurant use in our smaller shopping centers. She stated that the ordinance amendment also requires that in order for them to have a restaurant there they would have to apply for a Special Land Use permit which is time consuming and a little costly. That puts an undue burden on the property owner because it is very difficult to find a tenant for a small restaurant use which is what we are talking about. We are talking about a small restaurant in a shopping center such as Peachtree Plaza which is small and quaint. She said for that particular size restaurant if someone wants to come in there and be a restaurant owner, they will want to be a smaller business, not a national chain. Those shopping centers need our help, we have a lot of vacancies here in Novi and our smaller shopping centers are the ones that really suffer from getting these tenants. She would like the city to take it back to the drawing board and consider possible limitations on business hours, there has to be some way with a compromise where the restaurants would be allowed within that zoning without the special permit.

Karen Zyczynski, 22125 York Mills Cir, Novi, said she was there that evening to introduce City Council to an organization that has existed in the community since 1975, The Northville/Novi affiliate of the American Association of University Women. She pointed out approximately 100 women of the Northville/Novi affiliate has been quietly working to advance equity for women and girls through advocacy, education, philanthropy, and research. She mentioned recently they held two career path days for 8th grade girls. The focus being on careers in science and related fields, stem fields. The Novi girls visited Lawrence Tech to learn about stem careers. They had lunch at Genetti's in Northville and visited some stem related businesses. She said they did a similar program for the Northville girls at Schoolcraft College. She also mentioned that March was reading month and women's history month. She said they send members out into classrooms by invitation only to read to students about women and history. She noted that each year they read to hundreds of students in our local elementary schools introducing them to women who made a difference in the world. She wondered if everyone knew that the windshield wiper was actually invented by a woman, her name was Mary Anderson. She was awarded a patent in 1903 for a window cleaning devise.

She said no one was interested, they said it wouldn't work. Once her patent ran out someone else revived it and made a lot of money. She mentioned they have a "Let's Read Math" program which is a fun way to learn about math concepts as they relate to everyday life for 2nd and 3rd grade students. She said this program is conducted on Saturdays in the fall and spring in a series of three or four consecutive encounters. Students receive a related book of their choice at the final session. Novi students just participated on three consecutive Saturdays in March at the Novi Library. She said they have donated thousands of dollars in scholarships to graduating women from both Northville and Novi High Schools. Each year they help pay the expenses for delegates to the National Conference for College Women student leaders. It is a leadership training program for undergraduate students at Schoolcraft College and Oakland Community College. She explained that back in 1992 one of their members, Winnie Fraser, did a little research project and realized our Library had a lot of books about men in history and hardly any about women in history. This was the impetus for "Remember the Ladies" program which helps place books or a cash donation in each elementary media center in Northville and Novi for books and other resources about women in history.

Rachel Zimes, 2219 Austin, Novi said she was there to talk about the Pavilion Shore Village development that is being proposed. She thanked everyone who was involved in bringing the Pavilion Shore Park to the area. It is a wonderful gift. She said it was almost a \$2 million dollar park and that it was a great investment. She said there is a sign on the west area that states "The serene shores of Walled Lake haven't always been this quiet". That made her think of the proposed development of Pavilion Shore Village by Robinson Brothers of 50+ multi-family three story homes added to the corner of this park will forever change this serene and quiet atmosphere of the area and the park as a whole. She took a picture of the park from the corner and wanted to ask everyone if they want the focus to be the homes or the beautiful park instead.

Dorothy Duchesneau, 125 Henning, Novi reported that while pursuing the City Website over the weekend, she ran into information about a recent development called Manchester, which is located on the southeast corner of Novi Road and 13 Mile Road. She said she found it interesting that on a relatively major intersection with an existing Rite Aid and an existing Shell Gas Station already on two corners, and with a large amount of available land, the developer determined that no businesses could be supported at that location because of the lack of population. She said she found it more interesting that the City bought that argument and let them turn it into all housing. Not a Pizza Carry Out, not a Nail Salon, no a major Grocery Store, not a Dollar Store, not a McDonalds or even drive through Starbucks for those heading to nearby M-5 or I-696 in the morning. Nothing that provides any benefit to the surrounding existing residents on the north side of Novi, or induces anyone from other surrounding cities to do anything but drive through on their way to elsewhere, just more housing. She said her spending money goes to Walled Lake, Wixom, Commerce and West Bloomfield. Yet on the other hand, on a tiny sliver of land across from and facing Pavilion Shore Park, less than a mile from this major intersection on the north side of Novi that backs up to the residential housing of a 90+ year old subdivision near the lake, a consultant

recommended a commercial development that is “inspired by the natural and recreational features of the park and lake”. She gave some examples such as, seasonal and year round restaurant-entertainment activities, related goods and services such as sales, service, instruction, health food, and fitness-related clothing. She mentioned they suggested rentals although you aren't allowed to walk into the lake from the land at the park. She said to top it off, the recommendation is that the parking for these “seasonal” businesses that likely won't be open for more than 5 months of the year is that their parking would be in the area behind these businesses. The lots are only 110 foot deep to start with, and there are residents already living behind that. The concept of the 2016 Master Plan of creating a Pavilion Shore Village out of selected lots of an existing subdivision had good intentions, but it needs to be totally revisited.

Steve Angus, 145 Linhart, Novi said he was a 19 year resident of Novi, and a father of three school aged children. He reported that he has been to three previous meetings regarding the Robertson property development proposed on the corner of Old Novi Road and Linhart Street. He was not in support of the development, having 50 to 57 multi-family homes on three acres. He was concerned that the 35 foot tall vertical style homes proposed will tower over the existing homes in the area and the parklike setting and privacy will be gone. Imagine these new residents sitting 35-40 feet above them on their balconies looking down at them in their backyards. The shoebox shaped apartment homes do not conform to the existing park like setting by Pavilion Shore Park. He reiterated that the property was only three acres and it is not designed to properly handle 50-57 apartment homes, with additional 100-150 cars. There will be little room for guest overflow parking spaces. Their guests will be parking up and their street. He said that Robertson is planning the main exits to be on side streets of Linhart and Wainwright where children play, ride their bikes, and people walk their dogs to the park. He felt the proposed exit plan for vehicles was poor. It encourages more cars to shortcut the light and speed through Linhart and Wainwright. He stated that they already have an issue on Linhart with speeding cars dodging the light. He said their street is where small children walk to the park and the side streets are not well lit. He also stressed that the property is 30 feet higher in elevation to his home. Robertson has shown no plans to prevent additional water runoff to his property from this proposal. He stated that all they have shown to date is a proposal to fill in an existing pond.

Michel Duchesneau, 1191 South Lake Drive, said he was there to talk about the similar/dissimilar ordinance and some issues concerning when it is applied. The ordinance is also known as the Gross Dissimilarity Ordinance. He said to paraphrase, Zoning Ordinance 3.7.1 says that for single family detached dwellings in the RA and R1 zoning districts, and new dwellings shall not be grossly dissimilar in exterior design and appearance from dwellings in the surrounding area. No gross dissimilarities are allowed for new dwellings. The ordinance then lists several adverse impacts to neighborhoods not complying with this requirement. It's a pretty lengthy list. The zoning ordinance never envisioned building three story single family attached homes in an existing subdivision. He said that in keeping with the intent of the Zoning Ordinance, the Gross Dissimilarity requirement needs to be applied to a PRO Overlay in an existing subdivision. In particular, the Gross Dissimilarity requirement should be applied to the

area known as Pavilion Shore Village located south of 13 Mile and Old Novi Road. This area can still be developed in a manner that meets the similar/dissimilar ordinance. He thanked them for their support.

Todd Keen, 2300 Austin Dr., stated he was there again in regards to the proposed development Pavilion Shore Village. He expressed that he and his neighbors are strongly against this. He has not met one person that is for this development, except the seller and the developer. He stated he has lived at this address for 25 years. He planned on retiring at this home, but now he sees those plans changing for the worse. He echoed all of the previous speakers and their concerns. He said that some group that doesn't live in his neighborhood came up with this idea. He stood before Council, and his neighbors stood before them, not because they enjoy it, but to say this is not good for us, or Novi. He asked them please don't do this to our neighborhood.

Scott, 2027 Austin Dr., echoed the previous speakers that are against this development. He said the parking lot for the liquor store would go from the front where it currently is, directly backing up three feet from his house. He said he has been here a few years and he thought it was a great area. He thought the development was being squeezed into a tight area. He stated there is a subdivision just up the road that is being developed which is in the upper \$500,000 to \$600,000 range, which is what he thought the Novi brand should be. He believed this development would be bad for Novi.

CONSENT AGENDA REMOVALS AND APPROVALS:

Member Casey removed Consent Agenda Item A. - Approval of the Minutes for March 26, 2018 for further discussion.

CM 18-04-044 Moved by Wrobel, seconded by Mutch; CARRIED UNANIMOUSLY

To approve the Consent Agenda as amended with the removal of Agenda Item A for further discussion.

- A. Approve Minutes of:
 - 1. March 26, 2018 – Regular meeting – **REMOVED LATER APPROVED**
- B. Approval of Pawnbroker License renewal requested by Joseph Haddad, owner of Gold Buy and Jewelry, 41490 Grand River Avenue.
- C. Approval of a Street Light Purchase Agreement with DTE Energy (The Detroit Edison Company) for the installation and ongoing operation cost of one (1) street light at the entrance of Beacon Hill Meadows development on Hummingdale Boulevard; and approval of an agreement with Pulte Homes of Michigan and the Beacon Hills Meadows Condominium Association for the sharing of installation and ongoing operation costs per the City's Street Lighting Policy.

- D. Approval of Resolution granting the Novi Parks Foundation a one-time exemption from the City's policy regarding alcohol on public property for purposes of its July 27, 2018 fundraiser at Pavilion Shore Park.
- E. Approval of a three-year Benefit Plan Consulting agreement with Gallagher Benefit Services with two (2) one-year options to renew.
- F. Acceptance of a warranty deed from Doeting Education Company for the dedication of 10 feet of additional R.O.W. for a total of the 60-foot master planned right-of-way along the north side of Grand River Avenue southeast of Twelve Mile Road as part of the Goddard School project (parcel 22-17-126-012); and approval to execute a Quit Claim Deed conveying the dedicated Grand River Avenue right-of-way to the Road Commission for Oakland County.
- G. Acceptance of an Easement and Temporary Grading Permit for Streambank Maintenance for parcel 50-22-25-132-003 as part of the Ingersol Creek Streambank Stabilization Project.
- H. Approval of Claims and Accounts – Warrant No. 1009

Roll call vote on CM 18-04-044

**Yeas: Breen, Casey, Markham, Mutch, Wrobel,
Gatt, Staudt**
Nays: None

MATTERS FOR COUNCIL ACTION

- 1. Approval of Zoning Ordinance Text Amendment 18.286 to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.1.10, B-1, Local Business District, in order to allow restaurant uses in the Local Business Zoning District. **FIRST READING**

Mayor Gatt mentioned he had a few minutes to talk to City Planner McBeth before the meeting. He asked her if they passed this ordinance as it is written, would it add an extra cost to the person or the developer if they wanted to open up a restaurant in the B-1 District. He stated that one of the previous speaker's opinions was that it would be an extra cost. City Planner McBeth confirmed that if this does get approved and someone comes in for a Special Land Use approval, there would be a fee associated with it. Mayor Gatt wondered how much that fee would be, she responded it would be \$500. The fee would assist the city in paying for the cost to advertise the public hearing, mail letters out, and prepare reports that are presented to the Planning Commission. Mayor Gatt wondered if there were any other detriments to the applicant other than the \$500 fee. City Planner McBeth said she wouldn't call them detriments; she would call them conversation, such as what type of restaurant would be proposed, where it would be located, the size, and the hours of operation. She stated if they planned on anything on the outside of the building they would want to know that as well. He asked

if the Special Land Use passes, will the residents in the area surrounding of this be informed of what is being proposed. She answered, yes; it would follow a similar process as any other Special Land Use. Our staff would prepare response letters and a brief indication of what the request is. The residents could fill out a response letter and say they are in support, reject, or they can come to the Planning Commission meeting and express their thoughts on the record. Mayor Gatt asked if there was an alternative proposed. He stated the applicant; Jonathan Brateman has contacted Council and provided material regarding an alternative suggesting a restaurant of a smaller proportion. He said that a smaller restaurant doesn't need a Special Land Use. What would happen to that applicant? City Planner McBeth stated that would be a policy decision for City Council. City Council can decide if it would be a Special Land Use or if it would be a permitted use. If it is a permitted use in an existing shopping center, the applicant would likely come in and talk to the Planning Department and to the Building Department about what is being proposed. If it is permitted then they can move right in to the building permits process in most cases. Mayor Gatt confirmed with City Planner McBeth that there would be no Special Land Use fee, and no appearance before the Planning Commission or City Council because that applicant is using a business that has been approved by ordinance.

Jonathan Brateman, the applicant, said he has a business in Novi, Jonathan Brateman Properties since 1989 at 40015 Grand River Ave., Suite 105. He reiterated that any proposed change to the B-1 Zoning Ordinance will not affect the shopping center at 10 Mile and Beck Road. That is part of a PUD which set forth the B-1 uses allowed at the time of the creation of the PUD. He said nothing that we talk about tonight will affect 10 Mile and Beck. He stated that the owners of the Koby Language Academy, Novi Family Dental, and the Novi-Northville Jewish Center at Peachtree Plaza are all in support of this. He was there to give support to all of the small businesses we still cherish. They don't make the same impact as a large business, but they still deserve a place in our community setting. They have a standard for risk and they are willing to take some, but not all, risk. He referred to the packet of information he provided to Council and pointed out that residential can live next to retail. He referred to the area of Moe's on Ten which is in a B-1 Zoned District property whose restaurant use was "grandfathered". He provided a map which showed the proximity of the homes to that site and he stated that business has continued for many years. He then pointed out the Peachtree Plaza and its proximity to the residential homes. He stated there was no difference between the two pictures. He believed Peachtree Plaza should be allowed to have restaurants in the B-1 Zoning District. He pointed out that Cottage Inn Pizza did exist at the Peachtree Plaza for 15 years and there were no problems there due to it tenancy. He stated in his request, the Planning Commission approved his request allowing restaurants in the B-1 District. To his regret they included the Special Land Use provision. He felt with that provision perspective restaurants must pay a fee and it would take a tremendous amount of time. He submits that this is a non-starter. He emphasized he has over 33 years of experience in commercial real estate and confirmed this as the lack of success in finding entrepreneurs who would be willing to submit to this. Restaurateurs will not submit to this approval process. He said a developer might, they have tremendous resources, but restaurateurs they will not. Restaurant business owners

don't understand Special Land Use and they refuse to be educated about it. They just move on to another site in another city. He wondered how the Planning Commission will deal with it. Will a deli be allowed if it doesn't toast the bread? How far should the reach of government be allowed to extend? To help bridge the government culture of wanting to help preserve its role as the defender of residents in the area versus the private sector that looks for a niche to serve the public, he offered the following compromise. He created a substitute motion on page 1 of the packet he provided. He believed he could attract maybe one or two food uses; help centers in the B-1 District meet their economic potential, and yet limit the impact on the neighborhood. He asked for City Council to consider allowing small business in the form of restaurants to come to the B-1 District without the Special Land Use provision. He thanked Council for their consideration.

Member Mutch wondered if there would be notification regarding the proposed change sent out to residents in that area. It was noted earlier that all of these locations about single family homes, in particular 10 Mile and Meadowbrook Road. City Planner McBeth stated if the amendment is modified, staff recommended neighbors within 300 feet of the proposed restaurant would be notified of the request. We would also advertise in the local paper and City Council Agendas would have the information. Member Mutch clarified with City Planner McBeth that at this time residents have not been notified of what the Planning Commission is contemplating. She said in this particular case they understood that it would primarily impact the Peachtree Plaza; they did notify the residents within 300 feet of this text amendment. Member Mutch wondered how this will work, will they have limits on hours of operation that are adjacent to residential. She said there is nothing in the ordinance in regards to that. He wondered if that was considered during the review process. She said they did consider that, they thought it was a little bit of additional protection not to put that in the ordinance itself, but to include the Special Land Use provisions so that could be explored as part of the process. Member Mutch wondered if through the Special Land Use, if the Planning Commission could impose hours of operation. City Planner McBeth replied yes, that is correct. He indicated that we would want to provide some guidance on that if it was approved. He mentioned a couple of the locations that this is being proposed it seems like the 10 Mile and Meadowbrook is where the uses are being proposed, but the zoning text amendment would apply to all B-1 Zoning Districts. He pointed out there would be a potential for anywhere we have B-1 Zoning that is not otherwise limited, such as 10 Mile and Beck, that someone could come in and put in a restaurant use. He thought some of those buildings looking again at Peachtree Plaza look fairly close to some of the adjacent residential uses. He wondered if staff looked at that in terms of distance. City Planner McBeth said looking at a map that she assumed was in their packet, she said it was 35 to 40 feet from the rear yard of some of those homes. She said there is an access road and some parallel parking, it may be 30 feet to the back of the building. Member Mutch said he understood Mr. Brateman's concerns regarding the challenges he has to try to match tenants with the spaces in these centers. The problem with this shopping center goes back to when it was built, because it probably was not the place to build that much retail in the first place. He pointed out that the big challenge is that we want these retail centers filled and

occupied, but if a restaurant use doesn't work here, there is no guarantee that will fix that problem. He pointed out that now we have opened up the potential to allow these restaurant uses that are adjacent to residential. He noted he always likes to look at it in a perspective of "what if this was my house" backing up to the center. If he would have bought his home with the understanding that yes there is a retail center there, but it doesn't allow restaurant uses, would he want that in his back yard. He said he likes having restaurants near him, but he doesn't want a restaurant right next to him. He believed it would be true for many residents. He understood Mr. Brateman's goal is to have a streamline process as possible, and that he is not going to get tenants if they have to jump through a bunch of hoops. He explained at the same time our job is to balance those interests. He agreed that some restaurant uses could coexist, but there is no guarantee about that. Once that use is in there, if it does cause problems, it is a lot harder to deal with it then to not create a situation where it could be a problem in the first place. He said he generally takes on a conservative viewpoint airing on the side of protecting the residents from potential impacts of a use that may not be compatible versus opening up the ordinance in a way that it is suggested.

Member Markham said she was in support of trying to bring some small restaurants into B-1 developments around our city. She said we talk about walkability, a lot of areas in the city there is no place to walk to. She said if she lived in a subdivision and there was a little restaurant she could walk to, that would be a good thing. She suggested if we approve this that we not have it have to be a Special Land Use every time a new little restaurant comes. If we believe there should be some restrictions as to hours of operation, or how much area of the total development or gross floor area, it belongs in the B-1 ordinance itself. She was opposed to a Special Land Use being a requirement every time the little restaurant becomes the pizza restaurant, and becomes the coffee shop. She didn't want us to go through Special Land Use discussions every time that happens. She said she was in support of doing something with this ordinance to allow these small restaurants in the B-1 shopping centers. If we think there should be restrictions then let's do it in the higher level within the B-1 Zoning District and not have the Special Land Use.

Member Breen agreed with both of her colleagues on a few aspects. She thought it needed to be easier for small businesses to get a foothold here in Novi. She didn't think that imposing an extra \$500 fee was conducive to making things easier for small business owners. She was concerned that only the residents around the Peachtree Plaza receive notification. She was hoping that the residents in the six other areas that were noted would receive notification also. In general she would like to see something happen with this ordinance in order to make sure that the residents are afforded the opportunity to speak, but also make it a little easier for small businesses to get a foothold in Novi.

Mayor Pro Tem Staudt mentioned three years ago he decided to get an office in Novi. He said ironically the first place he went was this particular development. He offered what he thought was a very fair rent, and was rebuffed, they said they would rather leave it empty than have someone come in at a lower price. He ended up going to

another place and negotiated a price. That is one of the problems in Novi, but we have a lot of buildings where small business owners can go. He said during his 11 years on Council, he has had many residents bring that up, for an example 10 Mile and Beck, this particular situation doesn't include that. That has come up at least two or three times during his term and is extremely emotional for those who live there. In that situation it was opening up a consent agreement and they made it much easier to turn it away. He was concerned about giving free reign depending on the size of the restaurant without allowing the residents to have some type of input. He reiterated that this was the first reading and he has listened to his colleagues. He understood that \$500 was a lot of money, a lot of delay, and as someone that has rented would not have wanted to go through that at all. He said he really wanted to think this through. He said that 4800 square feet or 20% was a pretty good size restaurant; we are not talking about a small carry out. He thought about Main Street and all the empty stores, he would like to fill those areas before putting them in pockets of neighborhoods. He understood the perspective, he was willing to move it through, but he wasn't sure he could agree on it long term.

Member Wrobel echoed his colleagues and would like to make it easier for small businesses to come into Novi. He stressed it was very important that we take into consideration the needs of the residents surrounding the area. He said they have been there a lot longer than the shopping centers have. He said he was willing to move this forward, but he could not support it as it is. We will have to have some checks and balances to make sure it is easier for the businesses to come in, but also for the homeowners needs are taken care of also. They need some say in the process.

Member Casey echoed her colleagues also. She too struggled with this one. There is a balance that is being asked, and it is hard to want to put some sort of restriction on a small business coming in. She made it clear that they were not talking about 10 Mile and Beck, yet we have heard from the residents who about 10 Mile and Beck with their concerns about putting restaurants in. She said when you look at the footprint of that plaza to the residents, she ventured to say as close as what we are talking about here and their concerns have also resonated with her. She was willing to pass this through the first reading, she wanted to make sure the needs of those residents are protected and that they get the chance to come in to present their point of view to the Planning Commission. She noted she was not sure if she would approve a second reading if she did not see some additional changes and additional conversation on the topic.

Mayor Gatt said he will support the first reading, but he will not support a second reading. He noted that in order for an ordinance to pass or change, there has to be two readings. The first reading sends a message to the Administration as to what the Council is thinking and what their hopes are. They come back at the next meeting with a second reading. If it passes the second reading then it becomes part of the ordinance. He will not agree to the ordinance as it is being presented. He would never agree to force a restaurant owner to pay \$500 extra to come before the city and get a Special Land Use Permit. There has to be some sort of compromise. Everyone said the same thing; we have to protect the residents. Second we need to protect the city, we

AUDIENCE COMMENT:

Ginger Barrons, 24777 Glenda, Novi wanted to point out something she didn't think of the first time she spoke. She sells primarily residential real estate, Mr. Brateman sells primarily commercial so we are on a combined team. She is concerned with residents and with this Special Land Use permit in this particular zoning. Her second concern was in the Special Land Use permit process, it is rather suggestive, and does not have any rules. She cited that one business owner might come in; and the city might approve it, but possibly not approve the next restaurant. She didn't like to see our city in that position; we need clear cut rule to begin with. She was concerned about the residents in the area. She didn't think that a resident who buys a home abutting a commercial development who has an understanding that a restaurant couldn't go in there, especially in a center like Peach Tree where Cottage Inn was in there for many, many years without any problem. She did think that a cupcake shop that you could walk to and sit down and have a coffee is an advantage to residents. She would like to see us come to a compromise to consider the residents who live near the shopping center, but at the same time provide a place for the small businesses.

Christina Pierce, owner of Koby Learning Group, 24055 Meadowbrook Rd., Novi in the Peachtree Plaza area. She started there a few years ago and has been growing. She said that 90% of her students are Japanese. She has another company, Japanese Family Services USA, they offer support to local Japanese Families. She is also part of the Japanese Welcoming Committee of which Novi is a big part of. One of the reasons we are trying to get a restaurant here is because we have such a large group of Japanese it would be nice to have an authentic Japanese restaurant right there. She said they have people coming from out of state to look at this space next to her company. She said that Peachtree Plaza is very special to her, it is not an eye sore, she is growing enough she might become an owner one day. She appreciated their consideration. She said she understood the residential concerns. She appreciated the consideration to help a small international restaurant that will help her support the growing corner.

Rabbi Susskind lives in Novi and he runs the Jewish Educational Center in Novi. He said they use space at the Peachtree Plaza which they share with the International School when they are not using it. He said the current owner has been very accommodating the last year and a half that they have been using the space. He said he noticed the people dropping off their children at the school are also wonderful people. He said he lives in Meadowbrook Glen right across the street and would be happy to have them in his backyard.

Jonathan Brateman, 40015 Grand River Ave., Suite 105, Novi said he did not know that the residents were contacted that live behind Peachtree Plaza. He said there was an article in the Novi News that went into great detail on this topic. We have been here before the Planning Commission which was advertised, and advertised on for this

Agenda. He said people don't come forward to say there is a problem, nor did they come forward if there was a problem when Cottage Inn was there. The restaurants can live next to the residential. He was willing to sit down with City Planner McBeth or anyone with the city about hours of operation, size, the Planning Commission approved up to 20% of the shopping plaza, and he said he came in and said he would go down to 14% instead of 20%. He expressed he was willing to work with the city. He is available and he looked forward to working with the city prior to the second reading.

MAYOR AND COUNCIL ISSUES: None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

A. Approve Minutes of March 26, 2018 – Regular meeting

Member Casey removed the Item A due to an error in the maker of the motion, and also the seconder of the motion for Item 2. She confirmed the error was identified to staff and that they received an amended set of City Council Minutes to correct the error. City Manager Auger confirmed that the amended Minutes were on the website.

CM 18-04-046 Moved by Casey, seconded by Staudt; CARRIED UNANIMOUSLY

**Roll call vote on CM 18-04-046 Yeas: Gatt, Staudt, Breen, Casey, Markham,
Mutch, Wrobel
Nays: None**

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:58 P.M.

Victor Cardenas, Assistant City Manager

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: April 23, 2018