



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**March 14, 2018 7:00 PM**

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

## CALL TO ORDER

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

## ROLL CALL

**Present:** Member Avdoulos, Member Greco, Member Howard, Member Lynch, Member Maday, Chair Pehrson

**Absent:** Member Anthony (excused)

**Also Present:** Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Darcy Rechten, Staff Engineer; Thomas Schultz, City Attorney; Peter Hill, Environmental Consultant; Sterling Frazier, Traffic Consultant

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Chair Pehrson asked to remove Item #3 on Matters for Consideration, "Planning Commission Committee Vacancies" to be considered at a later date.

Moved by Member Lynch and seconded by Member Greco.

## **VOICE VOTE TO APPROVE THE MARCH 14, 2018 PLANNING COMMISSION AGENDA OMITTING ITEM #3 ON MATTERS FOR CONSIDERATION, PLANNING COMMISSION COMMITTEE VACANCIES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO.**

***Motion to approve the March 14, 2018 Planning Commission Agenda omitting Item #3. Motion carried 6-0.***

## AUDIENCE PARTICIPATION

Karl Migrin, 49450 West Nine Mile Rd, said I have a general concern over the comment sheets that are sent back by the residents to the Planning Commission and staff. I brought this up in a November meeting last year about the comment sheets that nobody on the Planning Commission reads the citizen comments on those comment sheets.

So if they're not verbally read, the citizen's input is never received and nobody can hear them because none of the comments are read on the comment forms. The forms are not part of the meeting minutes, so you don't even know what the comments were from the same subject from two meetings ago.

Mr. Migrin said so unless they're read by the Planning Commission secretary or staff during the public hearing, that's the only time that the public can hear the public comments that they mail in on their forms. Otherwise, you might as well throw them in the trash can

because we don't know where they end up. That's my concern and I brought it up the first time in November and I haven't heard anything from staff or Planning Commission regarding my concerns, so I'll bring it up again.

Dorothy Duchesneau, 125 Henning Dr, said I am here today because of the project that is in the beginning process and may be coming before the Planning Commission in the near future, the Lakeview Townes by Robertson Homes. This developer is going to be asking for a rezoning of parcels located in the north end of the City, south off Thirteen and Old Novi and directly south of Pavilion Shore Park.

Until last month, most of the residents in this area had no idea that the property left and right of Old Novi Road and the property south of Pavilion Shore Park was targeted by the City as one of its three redevelopment areas under the new Master Plan adopted July 2017. We did not come to the meetings in 2015 because we did not have anything we wanted to change in our area, nor were we expecting anything to change. Had we known, we would have been there then, but we are involved now.

Under the 2017 Master Plan, the R-4 zoning in this area which has been in effect since people started building around the old casino and amusement park years ago, before Novi became a city, is now referred to as Pavilion Shore Village. Under this, the R-4 density of 3.3 homes per acre could be increased. Many of the homes in the area are on original 40x60 foot lots and we live very well on them. Almost every house is unique, there are no cookie cutter houses in this part of Novi. It is a peaceful, up north-feel area that happens to be in Novi. We live and buy in this area because it does not feel like the City and it is not dense, high-rise homes. We do not need to own cottages up north to take our vacations. People are buying, building, and remodeling in this area because they want to enjoy this type of laidback lifestyle.

Ms. Duchesneau said we now have a developer who read the new Master Plan guidelines, has been in discussions with City representatives, and now wants to build 57 three-story attached condos on three of the these eight acres. The proposals that we were shown of these twenty-foot wide three-story townhomes are literally being built on property lines packed on top of our existing long-time neighbors. The developer wants so many units that they may even request that the City tear up existing sidewalks and Old Novi Rd itself to facilitate extra parking on both sides of the roadway since their units account for two cars in the garage but none for guests.

He has met with local residents twice in the past month to pitch his concept. At last Monday's second meeting at the Novi Library, we had over a hundred neighbors in attendance. No one was happy with his proposal either. I guess he didn't hear our concerns from the meeting the month prior. He claims he cannot make enough money unless he builds high-density three-story units and that these are what the City wants to see in this area per the new Master Plan and he intends to be the one building them.

When concepts and proposals come before you, please ask and listen to your residents. These units add absolutely no benefits to the existing neighborhoods other than traffic, traffic, and more traffic. This development is not appropriate for this area on the lake, it is way too densely built.

Ms. Duchesneau continued now, understand, we are not saying don't build anything. We are saying keep it to the current R-4 zoning density. We played by your rules and ordinances, so anyone coming into this area – if the City wants to meet their stated objective of keeping the feel of the existing unique neighborhood – make them follow the same rules. Thank you.

Rachel Sines, 2219 Austin Drive, said I am here to address the same issues that Dorothy so eloquently put out. We did meet with the developer this Monday. They are proposing four times the amount of homes in this area than the current zoning and three times what the City had envisioned for this area.

There is a beautiful park, Pavilion Shore Park that the City has put nearly two million dollars in. It is enjoyed by all and the reason that people come to this area is because of the relaxed, peaceful, tranquil area and this is what they want to enjoy. And now all of a sudden the focus is going to be from the beauty of the area to these huge buildings instead. And people are not going to be able to enjoy this park that we have so much invested in because they're not even going to be able to cross the street if you're adding 150 cars to that corner alone.

Ms. Sines said this is a community within a community, we want people to come enjoy what is offered there – the relaxed laid back nature – and we don't want it to change to the big city plan that this developer has in mind.

Jerilynn Meldrum, 2027 Austin Drive, said I am speaking of the same issue at Thirteen Mile and Old Novi. I back right up to 27 new proposed condos, my house sits right on the back of the property so it's actually going to block my sun, it's going to take away from the quality of my life, my living, of my neighbors. Everyone along that street faces the same issue.

I bought three years ago, and I bought because of the lakes, the nature, the trails at the end of my street. It's almost like the City is willing to give it away. I mean I guess if this builder is conforming to what the City said would be a good idea then it's like a giveaway, it's sad. It's one of the oldest areas of Novi, and it's beautiful. So I think it's like an early sell-out, I'm sorry I'm really upset about it.

I have little excerpts from the Master Plan, and I understand that change is inevitable and it's going to happen and it's going to build. It's a beautiful City, I invested in Novi because of this. But looking at this neighborhood, with our no two houses the same, with our really laidback lake life, to put these three-story fifteen units-per-acre instead of three. Like it's going to be looming over our homes that we take a lot of pride in. We're all homeowners, it's not like a street of renters. It's not a place that needs life breathed back into it. I think it's a place that people need to discover in our City.

Ms. Meldrum continued I think if the inevitable, of course, happens, which is change – ice cream shops, like the City plan identifies mixed-use, village, cool, not the same three-story twenty-foot per unit, stacked, townhomes that are also in Royal Oak, that are also at Twelve Mile, that almost look like a maze when you're inside of them. None of this structure embraces our area. It does nothing for us, it takes away from us.

Todd Keane, 2300 Austin Drive, said I am also here regarding this development. One of the things that she was trying to point out was that these homes are so large, these multiple-size condos. There's different sizes, they're all going to be like 35 feet deep, 35 feet tall, some of them are going to be 80 feet wide, some of them are going to 100 feet wide because you're going 20x20x20 and stacks of multiple units.

In the Master Plan revised in July 2016, on page 23 it talks about neighborhood preservation, and in there it says that planned residential densities will remain the same in most neighborhoods. This place recognizes that the preservation of existing neighborhoods and the way of life it provides is key to preserving the character of Novi, even as the City

embraces new and varied models of development. In particular, the neighborhoods of southeastern Novi and the Walled Lake area predate most other developments in the City and in both areas, the City should seek to develop a framework under which these neighborhoods can continue to evolve in changing residential markets without the loss of the basic atmosphere that make them distinctive.

Mr. Keane said also on page 111 of the same Master Plan in 2016, it says the components of the district housing, given the proximity of the lake and the residential nature of the area, housing is envisioned either two- or three-story mixed-use buildings orientated on West Thirteen Mile and Novi Road, where it's one-story cottage court style homes. So that doesn't really make sense with page 53 because it states keeping the same, not three-story homes.

So on July 11, 2016 the City Council had approved the proposed Master Plan for the distribution for review and comment of the affected neighborhoods and community. I didn't receive any of this documentation, I didn't see any billboards, talking about this change of the Master Plan and I've got eight people in the audience here that I asked also and they did not receive any documentation.

Mr. Keane said that lack of information, I'm going to say that possibly somebody might construe that as called spot zoning. If you don't know what spot zoning is, google it. In conclusion, I would ask that the Planning Commission not approve any of the zoning changes and require all landowners that they build homes according to the ordinance except for the City approval of variances, which is R-4 single family residential. Thank you.

Steve Angus, 145 Linhart Steet, said I'd like to start off with Dorothy, I don't know how I can counter that, it was awesome. Exactly what you said is exactly what my concerns are. Rachel, Jerilynn, exactly. I don't want to repeat exactly but I just want to say I think you hit it right on.

One of the things that I'd like to thank you for is up at Pavilion Shore Park, it's beautiful up there. I was part of the public hearings when they were developing the Pavilion Shores and I view it as a jewel of Novi and when we went through all the forums with City Council, this was never envisioned as far as the 50 three-story, they look like apartments. Right, the builder calls them homes but they look like apartments. They don't look like single-family homes, they tower over the trees.

And what's concerning is that up in the north part of Novi, we just watched two land developments where they were tearing down 150-year-old trees and I was sitting there watching it and they were just knocking down these trees. And that's what the builder plans on doing is knocking all the trees.

Mr. Angus said one of my concerns, I'm an engineer by trade, I used to work in the civil industry I guess before I came to automotive. I worked in a surveying company and one of the things that you notice about this development, this is actually at the top of the hill. So everybody on Austin Drive and on Linhart, we're 25-30 feet below this new land development. So anybody that knows about stormwater, right – you knock down the trees, you tear up the grass, where does that water run. So I'd like to show you a picture of my backyard just the other day. So this is my backyard, and the building that they're planning on is up here 30 feet above where my backyard is. So if they tear down the trees, take out the grass and put concrete, where is all that water going to go?

And it gets even a little bit worse, so in surveying you have stakes that frame the boundaries of the lot, right, so you can see the stakes here. This is the edge of the lot where they plan on building these three-story homes. Does that look like solid ground? Where is all that

water going to go? It's going to go in my backyard. So I'm completely against this from an aesthetic standpoint. This is where that pond is by the way. So I just want to express my opinion that I'm not in support of this builder doing that. If they support the zoning, then I'm ok with that. The zoning there is R-4, 3.3 but 50 homes on three acres, there's not enough parking.

Michel Duchesneau, 1191 South Lake Drive, said I am here on behalf of several neighbors who attended a development review held by Robertson brothers on Monday, two days ago. We are concerned with the proposed development direction for the area on the Master Plan known as Pavilion Shore Village located on Old Novi Rd, south of Thirteen Mile. We are concerned by the proposed density increase beyond the 3.3 units per acre currently allowed under R-4.

For the Pavilion Shore Village district, we are requesting the Planning Commission and the City Council to pursue a Zoning Ordinance Overlay restricting the building density to the existing 3.3 residential units per acre and to meet all of the current R-4 setback requirements to parcels abutting any R-4 property. Also, all residential buildings must meet the 35-foot height or 2.5 story requirements for each unit, whichever is less, per current R-4 requirements. If the height or density requirements are not met, then the 75-foot setbacks are required as per RM-1, low-density, low-rise, single family portion of Novi's Ordinance.

We have four overall concerns, at least to start with. Number one, traffic, increasing the density from 3.3 units per acre will increase traffic for the lakes area and adversely affect the quality of life for hundreds of individuals. I am not personally opposed to multi-family attached housing, but my neighbors and I are vehemently opposed to the increased building density for development in this area.

Mr. Duchesneau continued the second item we have is the existing properties. It can easily be built under the R-4 zoning and meet all of the required setbacks without needing any zoning variances or rezoning. The third item we have is that it's not fair to long-term neighboring residents to take these three small 1-acre parcels and treat them like a major subdivision project. The proposed density increase and development plans will destroy the rural up-north feel of this area.

Four, and final, the City currently has many subdivisions with brownstones or multi-family residential units in existence and many more are being built. Many of these units are easily in walking and biking distance to Novi's Pavilion Shore Park. There is no plausible reason for targeting this small area with increased density development. I thank you for your support and appreciate that as potential developers come before you with proposals that you keep in mind that this community is exceptionally unique and there's a large number of people that would oppose what we have seen. Thank you.

Danielle Fasseel, 1185 South Lake Drive, said I am here to discuss the same thing my neighbors have all brought up, the change of Old Novi Road. I've never been to a Council meeting before, that's how important this is to me. My husband and I moved to this area because of the up north feel, because it's great for our family, we have a six-month-old.

I definitely do not want an increase in traffic, it's very worrisome because if you think about it, all of the houses on South Lake Drive, all of our property is on either side of the street. So if we want to go to part of our property, we have to cross the street. That is a lot of children and homeowners crossing the street all the time, it's like a crosswalk at every single house. And there's already a lot of traffic. All of the people that come to enjoy the lake, there is no sidewalk, you walk along the street and increased traffic makes that dangerous. I was just walking with my child two weeks ago during the nice weather and I had somebody revving

their engine next to me, it's scary. I definitely would not like an increase in traffic.

Also, this was proposed to bring more people to Pavilion Shore Park and I was so happy to see that rehabbed, and I was at that park multiple times this past summer and there was always people there, even if the weather wasn't that nice. We don't need to increase density housing just to bring more people to the park, there are already people coming because of the way the feel of the area is.

Ms. Fasseel said it's not high-density, it's not all packed in, it's as everybody said a very unique area that people come to enjoy because it doesn't feel like the city. And it will take away from people coming to this area because of the nature, it takes away from enjoying the parks, enjoying the lake when you have these giant looming – they say they're condos but they're going to look like apartments. We already have them building even more over by Thirteen Mile and Novi Road, they're doing more and tore down all the trees by Twelve and a Half Mile and Novi Road, I know they're putting tons of brownstones up over by Grand River. I know that's much farther away, but the point is there are a lot of apartments and condos in this area.

I don't see why we need to change the up north feel, especially when it's going to have a big problem with the neighbors that live right next to it. So my point is, we just put all this money into Pavilion Shore Park, I really don't feel like this is the right choice when we just did something so wonderful. And all the people that come to the area to enjoy the parks and the lake, you should think about their safety walking around the parks and the streets. Thank you so much.

Jeff Jones, 220 Shamrock Hill, said I am also a business owner in Novi. I moved during 88. You need to preserve a lot of nature, natural springs and cranes and traffic. Everybody here is my hero, thank you. If everybody in the neighborhood wants this, then ask them. But don't forget the golf course. We're pretty strong as a neighborhood when it comes down to it. Ask everybody, it's kind of simple. Thanks.

Robert Rutherford, 125 Austin Drive, said this is my house here and every time it rains this whole corner fills up with water. The drainage is bad, it always sits there. My house I've been in for 19 years, I've got a log house. Everybody asks me why would I build a log house in Novi – because of the area I live in. When I sit in my backyard, you would never believe that Twelve Oaks Mall is right down the street. All of our neighborhood is like that. You walk down the streets, they're dark, it's like being in the country.

I'm absolutely opposed to this, I have a two-story bay window in my living room and the only thing I'm going to be able to see out of it is a three-story looming building. Not what I built my house for. So I want to thank everyone else for being here and speaking your mind. I want you to know that no one in our neighborhood wants this. We want something, we just don't want this. And I think you should hold to the 3 houses per acre, the R-4 zoning. Thank you for your time.

Rod Schlessman, 100 Pleasant Cove Drive, said I've been a resident of Novi for 35 years and I'm going to express some of my values in support of my neighbors and I share the same concerns. Here are the concerns I have.

Ten years ago, I had to move to a different house. So I looked at different houses in the area, and I actually looked at moving out of Novi. But one of the houses I looked at was the one I currently live in. And what really appealed to me was, it was a very different area. It had an open feel to it, it had a relaxed feel to it, it's really what I was looking for. And that's why I moved in.

I think that the proposed development and proposed changes don't conform to the neighborhood as it currently exists. It will also be more dense units slivered into a 3.5 acre set of parcels, which just kind of seems like it's being shoved into the area, not really being planned for the area.

Mr. Schlessman said this area is unique to the City and I think that's really one of the highlights and that's why I enjoy living there. My neighbors are wonderful people, everyone is just so relaxed and we all seem to get along with whoever we are and I really do enjoy that. Where I lived previously had a very urban feel to it, a true suburban feel, and everyone around you was alike. This area is different where everyone around you isn't alike and not all the same, but that's part of the beauty of it that it's a very diverse area.

But I do think we need to take a look at this to conform to the area versus trying to put something in place that really doesn't fit in the nature. One thing that did disturb me is that when the builder did his presentation, one of his main comments was that he presented it as closer to the main thoroughfare, you have denser housing. And while that's true, I don't think that categorizing Old Novi Rd as a main thoroughfare is accurate. That just seems to me to misrepresent the area. Thank you.

John Hollingsworth, 2440 Shawood Steet, said I vehemently oppose the proposed development on Old Novi Road for the fundamental reason that it's just a very poorly conceived development. For the reason that the fact that the space, the actual property that they're trying to develop is highly inappropriate for this density of this housing. The developer himself on Monday repeatedly explained how it's such a narrow plot of land that would not work for any type of housing other than what they are proposing.

And the simple answer is that they should go elsewhere and not develop on that property because it's not just a random piece of land in the middle of a field or a piece of woodland separated from other neighborhoods. It's slap bang in the middle of an actual neighborhood which is why you're seeing so many people here this evening and on Monday night. Because the people who live in that community and have in many cases lived there for decades are very different from some of the other communities where this could be proposed.

Mr. Hollingsworth continued and so I ask that all of the factors that have been presented this evening are considered for whatever is proposed by the developer and that it's not just about the interest of the project that is being proposed here and that the wider community that's at stake because there's going to be significant opposition, as you can tell, for whatever comes forward. Thank you.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. Seeing no one, he closed the Audience Participation.

## **CORRESPONDENCE**

Member Lynch said there is one written public correspondence from Carrie Schoenig, 150 Pleasant Cove Drive, in objection with the same concerns as spoken by the residents in the Audience Participation.

## **COMMITTEE REPORTS**

There were no Committee Reports.

## **CITY PLANNER REPORT**

City Planner Barb McBeth had nothing to report.

## **CONSENT AGENDA**

There were no items on the consent agenda.

## **PUBLIC HEARINGS**

### **1. VILLA D'ESTE JSP17-52 AND ZONING MAP AMENDMENT 18.718**

Public hearing at the request of Cambridge of Novi, LLC for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from RA (Residential Acreage) to R-1 (One-Family Residential). The subject property is approximately 51-acres and is located east of Napier Road and on the north side of Nine Mile Road (Section 29, 30). The applicant is proposing a 42-unit single-family ranch housing development (for sale). This is a gated community. All land is proposed to be considered as common element to be maintained by association.

Planner Komaragiri said I would like to start with a brief recap of meetings held to discuss the proposed rezoning overlay concept plan. Last year, Planning Commission held a public hearing for the proposed rezoning on September 13 and postponed their decision to allow the applicant to address Staff's comments. Planning staff had a follow-up meeting to discuss those primary concerns. Another public hearing was held on November 08 and the request was recommended for denial. This year, the applicant requested a Master Planning and Zoning Committee input for the revised concept early on January 10.

Since we first saw the plan, the applicant has significantly reduced the number of units proposed from 56 (with a density of 1.43 units per acre) to 42 (1.10 units per acre) in order to address staff's density concerns. Changes were proposed to the road layout to improve sight distance and better turning radii. Additional recreational amenities have been included such as pocket parks with additional guest parking. Impacts to wetland buffers have been reduced from 0.45 acres to 0.30 acres.

The applicant Mark Guidobono is currently requesting to rezone the subject property, measuring approximately 51 acres from RA, Residential Acreage to R-1, One Family residential. The property is located north side of Nine Mile road, near the Nine Mile and Garfield Road intersection. It is surrounded by Residential Acreage zoning on all sides except to the north, which is R-1. The proposed density exceeds the maximum recommended by the Future Land Use map for this and surrounding properties. There are significant amounts of wetlands and woodlands on this property.

Planner Komaragiri said the PRO Concept Plan shows two on-site detention ponds. One boulevard access point is proposed off of Nine Mile Road. The development proposes four unit types with different sizes as opposed to one that was proposed before. Width of units is increased from 50 feet to 75 feet. An emergency access road is proposed off of the proposed cul-de-sac to Nine Mile Road. The development is proposed to be built in two phases.

The applicant has provided a plan that indicates a total of 35.38 acres of regulated woodlands on-site. Of which, the concept plan proposes to impact 10.19 acres (about 29 percent). 1,138 credits would be required for replacements based on the applicant notes. However, the calculations did not include number of trees proposed to be removed. The impact area calculated is based on certain approximations. A tree survey is not provided



to verify the quantities provided. We recommend the applicant providing a survey for staff review prior to Council meeting. Our woodland consultant Pete Hill is here tonight to give a brief overview of the woodland impacts after my presentation.

The applicant has requested two deviations from the Woodland Ordinance which staff is currently not in agreement with. In the response letter, he agreed not to pursue one of those deviations, which has to do with diversity requirement for replacement trees. However, he is still requesting additional credits for upsizing woodland replacement trees which staff is not support of. For example, a credit of 0.67 is allowed per each for 4" deciduous trees, the applicant is requesting 2 credits. Allowing additional credits would not create the woodlands lost.

Planner Komaragiri said the applicant is also seeking deviations from lot size, setbacks and frontage standards as the development proposed does not follow the typical single family lot layout. Based on the changes the applicant has made since then, which has created overall visual relief, staff is now supporting the deviations as shown on the proposed PRO concept plan. The proposed unit boundary shown on the concept plan (sheet 02) does not include the proposed deck, which is to be considered the maximum allowable footprint.

The applicant has provided conceptual elevations with the initial submittal and intends to provide high quality housing style. However, to leave some flexibility in providing options for prospective buyers, he is requesting a Façade deviation from similar dissimilar Ordinance which is supported by staff.

The plan requires a couple of engineering deviations which are supported by staff to prevent impacts to natural features.

The plan also requires some minor deviations from Traffic standards. The applicant has agreed to address most of them except for a few stated in the motion sheet. Staff is not in agreement with item j. for not proving the minimum width for the local residential road. The applicant is proposing 24-foot wide roads as opposed to the required 28-feet. The applicant seeks the deviation to maintain the rural character of the proposed development. Our Traffic Consultant Sterling Frazier is here tonight to answer any questions in this regard. An amendment to Traffic study was provided by the applicant, which noted that the peak hour trips from a total of 13 single family homes would approximately be equivalent to the 42 unit detached senior adult housing that is being proposed.

The applicant is providing two major Public benefits as part of his application. He is proposing to donate 20 acres of land to Novi for existing park system. The proposed area to be donated includes regulated woodlands and wetlands. He is proposing to build a trail head for ITC trail users at the southeast corner of his property. The applicant has been working with City staff to identify elements for the proposed trail head. He has agreed to propose a couple of parking spaces, a bike repair station, and a picnic shelter at the location upon the City's recommendation. He has provided some renderings for the picnic shelter and he has agreed to revise the gravel parking to asphalt as recommended by staff. Timing of construction of these improvements is an ongoing discussion.

Planner Komaragiri said with the response letter, he has indicated to allow use of his property as a staging area for potential dewatering operation for installation of sanitary sewer line along Nine Mile. The plan is proposing extensive landscaping that exceeds certain Ordinance standards, which is also offered as a benefit.

The applicant is proposing to pave a part of Nine Mile Road near the entrance to the

development. City maintenance staff has provided a memo, which was included in the packet, listing potential issues with maintenance when transition from asphalt roadway to gravel surface happens. Staff is continuing the discussions with the applicant to determine the scope of proposed work item and whether it meets the intent of a public benefit. We hope to resolve the item before the Council meeting. Staff does not agree with the other benefits listed in the response letter as they are considered incidental or hard to quantify at the same time acknowledging the significant benefits that are being offered.

All reviews except woodlands are currently recommending approval. Planning Commission is asked tonight to hold the public hearing and make a recommendation to Council. The applicant Mark Guidobono is here tonight with his design team and would like to make a brief presentation following a quick woodland impact overview by Pete Hill.

Planner Komaragiri concluded by saying, I do want to add a note with regards to the motion sheet. Item 1.g. which talks about an engineering deviation for lack of paved eyebrows is no longer valid. It was left there by accident.

City environmental consultant Pete Hill said I've been asked to give a bit of a summary of the woodland impacts that are proposed on the current plan, and we thought a good way to do that would be to show you the figure that's up on the screen and basically just reiterate a few things that were already mentioned.

Starting with the overall site acreage, it's about 51 acres. Based on the City's regulated woodland map, it's hard to see on the plan in front of you but it's the scalloped black line – the regulated woodlands on the site are about 35 acres, or 69% of the project site. The woodland impacts are in four distinct areas and they sum up to about ten acres or 29% of the existing tree canopy. The yellow area on the west side is about 2/10 of an acre of woodland impact, the magenta area to the north of that is about 1.5 acres of woodland impact, all the way over on the east side the orange area labeled impact #4 is about 3/4 of an acre, and then the largest of the impacts to regulated woodlands is right in the middle and it's about 7.8 acres.

City consultant Hill said that being said, the current plan proposes to preserve about 25 acres and the majority of that is on the north side of the site. The 25 acres being preserved is essentially that northern area on the site that you can see on the map and there are basically three pockets of forested wetlands in that area, due directly north, to the northeast, and to the northwest.

So that being said, 25 acres of the development site are proposed to be preserved, and that is about 71% of the existing tree canopy based on the Regulated Woodlands Map. And as Sri mentioned, the plan notes that 1,138 replacement credits are required for this 10.2 acres of impact. We haven't confirmed those numbers specifically, because the plan also states that a detailed woodland plan, a tree inventory, and a removal and replacement plan that specifically quantifies all trees being removed and all the woodland replacement credits required will be provided prior to Preliminary Site Plan or at Preliminary Site Plan. That's all I have at this time.

Mark Guidobono of Cambridge Homes, said I live and work in Novi. Villa D'Este is our proposed age-targeted community for empty nesters in Novi. We have listened to the Planning Commission, staff, and neighbors and have made significant changes to this plan, the biggest being a reduction in density by 14 units. We reduced our density from 56 to 42 units, this translates to a gross density of 0.82 units per acre.

We have made some changes to the unit sizes and width to add some variation and interest to the neighborhood so that when a person drives through, they're not looking at homes that have the same width. We thought that was a nice detail that we could add to this plan.

We have increased our land donation to the City from 18 acres to 24 by the land reconfiguration, we also have reduced our deviations from our original proposal. We've provided the City with drawings of the Comfort Station that we're proposing to build for the City in the southeast corner of the property that you can see on that site plan.

Mr. Guidobono said deviations, to me, sometimes add a creative touch to a development. We had those in Bellagio, which is a really good example where we were able to deviate with a few things to avoid a cookie-cutter feel and that really made a difference for that development, and Bellagio is proof of that today.

One deviation that Sri mentioned that we're looking for, it's not an absolute must but we are proposing a 24-foot width pavement from the gate to the first intersection of the development. The rest of the roads are 28 feet. To us, 28 feet is a two-lane road with parking on one side, 24 feet is a two-lane road with no parking at all and as you see from the gates to the first intersection, there are no homes there. So that, coupled with the fact that it gives a nice rural feeling, having a narrower road as long as you have no parking – I think we could get away with that. It's not a deal breaker for us if the Planning Commission approves 28 feet. We just felt 24 feet gives us a more rural effect, we wanted to quiet down the entrance and the feeling as you come in. We're dealing with empty nesters here and 42 units of empty nesters creates the same amount of traffic as 13 single-family homes, so we're not dealing with a lot of traffic. So we feel 24-foot wide road could pull this off.

Another deviation request that we're asking for is on the woodlands side, the only woodlands side. We promised the residents all along that we would do our best to screen this development from Nine Mile Rd all the way to keep it the rural feel of the area. And we also have future homeowners that we have to deal with. If you look to the east, you'll see a big transmission tower and if you look to the south across Nine Mile you see a big transmission tower, and we'd like to screen that for our future owners and we'd like to screen the development for the people living in the area just to help create that rural feel. So those ITC transmission towers really create a hardship for us and it's the only reason we'd like to plant larger trees but there's a cost to that and the numbers have to make sense. But it does make a difference in the development; we did that in Bellagio and if you drive through there today it looks more mature than a sub that was built ten years earlier. You can really see how it stands out and it does make a difference.

Mr. Guidobono said in our previous meetings, we showed how our plan compared to single-family lots and how much more environmentally-sensitive this is for this site, putting these homes closer together we're saving 50% more trees, we're having less impact on the wetlands, we're creating more open space – 60% of the site is left as open space, that's significant.

Our traffic study shows that 42 empty nester units is the same as 13 single-family units from a traffic standpoint, so traffic is really not an issue. Empty nester communities are very quiet communities, a lot of these people leave for the winter or have places up north. But when they're here, they do spend money in their community, at restaurants, things like that.

To conclude, we're offering significant public benefits, some of which are the land

donation of 20 acres to the Novi Parks system, we're building a comfort station, we're offering to pave the intersection of Nine Mile and Garfield, which is probably one of the worst intersections in our City right now, it needs work. We also have been approached by the City to use our site as a storage area for fill and outlet for dewatering for the Nine Mile sanitary sewer and we've offered to do that for the City as they rebuild that Nine Mile sanitary sewer.

Mr. Guidobono continued I'm an example of your typical buyer, 62 years old and I've lived in this area for over 30 years. My kids are out of the house, I want to downsize but I'd like to stay in the area. I am not interested in a mid-rise but when I look at my options I see Northville or Plymouth or Birmingham. There's a need for this in the area and with your support, we can provide a one-of-a-kind, world-class community here.

There is one more comment, I just want to make sure we don't miss it. The footprint we're talking about, the measurement on the plan, didn't go to the back of the deck, it stopped short of that. So the measurement on Page 2 of the plan was 15 feet short of the footprint. I did mention it to Barb earlier today, but I wanted to let everyone know we need to make that adjustment.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project.

Karl Migrin, 49450 West Nine Mile Rd, said welcome again new members. I object to the Planned Rezoning Overlay concept plan and associated rezoning amendment for the following reasons.

One, the State of Michigan may be harmed by this development. The City of Novi was awarded \$402,500 by the Michigan Natural Resources Trust Fund to purchase the 12.67 acres of property at the southwest corner of Garfield Rd and Nine Mile Rd. This property is now known as the ITC trailhead park. In the application for this grant, the City stated the proposed goal for this piece of property is to develop a trailhead park with potential features such as parking, restrooms, a play structure, outdoor fitness center stations, and/or a shelter to service the ITC Corridor Trail. Cambridge Homes is offering to build a restroom on their property as a public benefit in their Villa D'Este proposal. Acceptance of this restroom as public benefit may void the agreement between the City and the Michigan Natural Resources Trust Fund Board.

Two, the City of Novi will be harmed by paved intersection improvements at Garfield Rd and Nine Mile Rd. As noted in the March 9, 2018 correspondence from Mr. Matt Witkorowski, the City's Field Operations Senior Manager, the Field Operations Division recommends the developer's paving would best be denied. Paving this intersection will result in an increase in transition point rutting in the drive lanes, requiring frequent grading to keep the roadway smooth on each side of the pavement. Why should the taxpayers bear the extra expense of maintaining this intersection, when only the developer will reap the benefits of this improvement? Will the developer also pay for the extra upkeep needed to chip seal portion of Garfield Rd?

Mr. Migrin continued three, the January 10, 2018 Master Planning and Zoning Committee meeting, Commissioner Avdoulos informed me that one of the affected parcels included in this proposed development is owned by his father-in-law, Mr. Alekos Alexandris. Because a familial relationship exists between Mr. Avdoulos and the owner of this 1.5-acre vacant parcel, the appearance of a conflict of interest exists and I believe that Mr. Avdoulos should consider recusing himself from any further discussions or votes on this development. Here are some pictures of the trees along the Villa D'Este proposed drive.

Those trees will be eliminated. And this is some of the wildlife I observed in my backyard which will also disappear when you cut down the trees that are their nesting area. Thank you very much.

Mike Hudson, 22111 Garfield Rd, said I will also state that I am unilaterally opposed to this development for several reasons. First and foremost, we don't have all the information. It's impossible to make a totally informed decision until we have all the information. The tree study has yet to be done. So all we are getting is guesses as to what the total impact to the wooded areas would be.

I would like to point out that in the letter dated September 5 to this committee, Cambridge said we are currently not able to do a tree survey until the leaves are off the trees. I have no clue what that means. I had to have a tree survey done on my property and it was done in June, I don't see the hang up with it. The trees have lost their leaves months ago and we're now just hearing in a letter dated March 6 that he's just now starting the process.

He also said in his original letter dated September 5, patting himself on the back about how much of an ecologist he is, that 40% of the trees are to be saved compared to the previous developer. 830 tree replacement credits required, and that's with the 56 unit footprint on there. Now he says on March 6, that the tree replacement is 1,138 credits and that's with a smaller footprint. That's a 37% increase from his original guess. I have difficulty accepting his numbers at all. He hasn't told us when the survey actually started nor has he told us when it's going to be finished.

Mr. Hudson said I would also like to point out a couple of things that were said at the September 13 meeting by some members of the board. First was from Commissioner Avdoulos, in which you stated the area around the development is going to be landscaped so that it provides more of a hidden feature. So the thought is, that that sort of helps to blend in with the rural character of the area. I understand what you're saying here, but if you look at his proposal he wants to put in berms, he wants to put in evergreens, plants which are not native to the area. He wants to put in a boulevard, he wants to put in gates. If you drive from Beck to Napier on Nine Mile and look at all the roads there, you will not see a single boulevard nor will you see a single gate. It is not in keeping with the character of the neighborhood.

Mr. Hudson said Member Greco carried on with a rather interesting conversation with staff that the staff felt that all probability the maximum number of homes you could build on this under current zoning is less than 30. And the other comment that was made was when our Chair told us that his magic number was 30 units and now he's ecstatic over 42. Quite a change of pace. Thank you for your time.

Tim Mitts, 22125 Garfield Rd, said I've lived there since '90. I've been to all these meetings and I've always been opposed to it under the aspect of increased traffic that cannot be taken into consideration yet. To pave Nine Mile leading onto Garfield would just be, I'll use the word silly, because the sewer system and the water system still has not been upgraded. A date has not been set aside to do that. I don't like seeing money wasted for no reason. Why are we going to pave something and then tear it up?

As far as the property, I agree with Mr. Hudson when he said that there was a number set out there at the very beginning of a maximum of thirty houses. Thirty houses is thirty houses. I had to play by a strict set of rules when I built my house back in '89. Tough way to build a house in Novi but we did it. I think everybody else should have to abide by the same rules.

Mr. Mitts said if there was anything to be done here as far as an exit out on Nine Mile and Garfield area, I think it should go out the opposite way. I think it should go out towards Ten Mile, there's gotta be a way to develop the property, it's in the plans, it's in the Master Plan for something going on there. Take Nine Mile and Garfield out of the play altogether. We can't go with the traffic.

Like we said, you take it and you pave that area, it's more maintenance on that road. Garfield is chip tar and that's going to get broken up, it's already broken up. They did a nice job on it but there's already some major holes there. So what I'd like to say is that there needs to be a lot more discussion about this and if it's going to be built, play by the same set of rules that we all had to play by. Thank you for your time.

Sarah Tedesco, 22830 Evergreen Court, said we are just west of the property boundary there. I'm still opposed to this development. The traffic is still a concern. As everyone has previously said, Nine Mile is a potholed mess. I'm pretty well convinced the construction traffic is going to abuse the chip seal on Garfield.

The new retention ponds are a concern. There's two massive, ten-foot deep ponds and no berm or shielding along our property line to deter my two curious children from examining the two ten-foot deep retention ponds. And while the idea of high-class senior living is a great idea, the minimum 15-foot setbacks between these houses – it will make this development look like high-end manufactured homes. Has anyone seen the development across from Sam's Club? That's exactly what it's going to look like. I don't care how far away you tuck it back from the road, people like me and my neighbors will still be able to see house, house, house. One right after the other and a neighbor leaning out the window handing their other neighbor a cup of sugar. Kind of ridiculous for the area. This will kill the charm of our neighborhood and the density is just inappropriate for the R-A zoned area.

The gated community is not appropriate for Nine Mile, there are already plenty of examples of high-end homes without gates on their driveways. We have a very democratic mix in our neighborhood of modest and high-end housing. Who are the Guidobonos trying to keep out? Which of our neighbors on Nine Mile are so undesirable that we have to throw a gate up to keep them out? That's what the gate says to everybody in the neighborhood. It's a front and it's an insult.

Ms. Tedesco said the largest concern for myself and for the other residents along Evergreen Court is the sewer connection for this proposed development. In the four months that Mark and his team have had to revise the plans, they have yet to address the wastewater accommodations for their development. According to the packet for today's meeting, Mark's company still plans on connecting their water on the Evergreen access point, which is the fire hydrant in my front yard mind you. And their access point for their sewer is going to be along Nine Mile with the proposed sewer development.

I checked the Capital Improvement Projects website, the interactive map, it goes out about five years in projected funding and projects. That project is not even on the map yet for the next five years. And I'm assuming since the Planning Department only gives you what, two three years to develop your property to your plans once it's been approved, just see the Eight and Garfield property that's up for grabs right now, I'm just assuming that Mark's not going to sit on this for five years and waste what he has worked to attain approval for.

The new plan reduces the load at peak hours to 88 flushes morning and night, and our grinding station has not been enlarged or otherwise – I think we had a filter put in so it

doesn't smell anymore, thank you very much by the way, we are appreciating the olfactory relief. But if the sewer plans fail, there's still no back-up plan for Mark to build his own grinding station on his own property to accommodate his own residents. That's what we had to do on Evergreen when Evergreen was developed, we had to build our own grinding station. So I'm really perplexed as to why such an advanced development plan has failed to address comprehensively the very likely contingent plan that they will have to have of having their own grinding station. You had quite a while to plan this.

Ms. Tedesco continued so why can Mark not be bothered to deal with the essential question of waste effluent accommodation from his development? He needs to make serious plans to build his own grinding station just as other developers along Nine Mile have done before him. And also the lack of serious planning on their part in terms of the crowding and infrastructure for this development leaves me wondering about the seriousness of their bid to develop one of Novi's last pristine woodlands.

Muin Rumman, 49280 West Nine Mile Rd, said beautiful weather is coming soon and that's something I really need very badly, it's been an ugly winter. I own a property at 49280 W Nine Mile Rd. I think what Mark is developing is one of the best projects in Novi. I think the City of Novi needs that very badly. He is one of the best developers, not only in Novi but maybe in Michigan.

And with that, I believe he builds such high quality housing and there, you're going to increase the values of the properties next to it and in the surrounding area. So economic impact for residents around this area is going to be increased in value. And I believe that's a very good thing to have. So I do not really see any objection to that project, I think it's a wonderful thing that Mark is doing. I think we will all be proud of what his accomplishment in the past has been and what I believe will be in the future. I support this project 100%. Thank you for your time.

Suzanne Hudson, 22111 Garfield Rd, said I want to echo Sarah's comments about the sewer line. There is no plan for a sewer line. I want to know what the developer will be doing for his particular unit. I am concerned about the roads on Nine Mile, if you've been down there after there's been a good rain. They're pretty good about grading it, but I think with the heavy traffic because he's promised and I don't know how he can do this, but he's promised that all the construction traffic will come down Nine Mile. That means that you're probably going to need almost daily grading. Is he going to be paying for that?

But more importantly over all of this, it's RA zoning by the Master Plan. Why are we not looking for developers that will follow the Master Plan? Otherwise, why did we do that in the first place? So I thoroughly object. I'm sure he's a quality builder, I have no problems with what he wants to do, just that particular piece of property has a lot of issues and goes against the Master Plan. Thank you.

David Jerome said I am here for two reasons. First, my own – I'm a resident of the City of Northville. At age 65, my wife and I started to look for something like this. We haven't found anything like it. We're very interested and we may become Novi residents. We have lived for all of our lives in Northville.

The second reason I'm here is on behalf of Robert Henry Lamp. His address is 49300 West Nine Mile Rd. Hank is not physically able to be here tonight but he would like me to express to you his feelings. He's lived there in that house for 72 years. The last year, he's lived in assisted living. In 72 years, he's seen a lot of changes. And he will tell you, there were six houses on Garfield when he was born in 1945. The whole thing is developed. He

will tell you this is the best development to come around. Nobody likes change, this is a very good change for not only Novi but for the people in the immediate area. Hank and I have been trying to sell the property and put something together for almost fifteen years, this is the only one that's made it this far because it's a tough project to develop. Thank you. Endorse it.

Brian Tedesco, 22830 Evergreen Ct, said I agree that this is a great project in terms of bringing in older residents, empty nesters, stuff like that to the area. But I disagree with adding more density, I think that's inappropriate. It kind of follows the trend that we see from a lot of these Novi residents that times are great right now to get houses built, but we need to keep to the Master Plan and keep our woodlands and wetlands protected. And I still object to this project 100%.

Nick Bodrie, 21940 Garfield Rd, said this is my second time addressing the Commission. I guess the first statement I'll say is that I'm kind of disappointed that it's dragged on this long. Quite frankly, on the November 8 meeting, I don't know if you remember but it was much like the previous people here talking about the next development, very passionate.

Our residents are pretty exhausted by this, and Mr. Guidobono has been very disingenuous with us and with you too, as far as I can see. First he comes in and he says I want 52 units, you tell him to reduce it down to 30 and he comes back with 56. Now he's doing graciousness by reducing it down to 42. We still have all the concerns about traffic – we honestly don't believe his traffic studies, but we have to accept that that's what we're being presented.

But what we're asking you to do is to look at it from our perspective. When we bought this property and we chose to move into Novi, it was zoned RA. We all had to conform to the strictest of codes. We couldn't vary at all. I had to have my foundation re-inspected because it was two inches too low. I'm five feet above my neighbor.

Mr. Bodrie said we don't oppose a development, we oppose a high-density development. This property does not support 42 units, it supports 30. It doesn't matter what he calls it, senior living. It doesn't have to be senior living. As soon as you put your stamp of approval on, it can change. He has no legal way to enforce who buys a home is going to be a senior. It's an open market. Trust me. You're asking a person that he met with us after the meeting. "Oh yeah I'll share my plans with you, I've heard you." You know how I found out about the January meeting? I happened to google my name and it showed up because it was right on the minutes. I didn't even know about the meeting. He told us he was going to share his plans before the meeting came. I don't trust him.

And then when you look at it, everything on this proposal is "I'll provide later." But yet, why doesn't he provide the things now? If he's truly honest about it why provide it later? He wants to get past this step so he can manipulate more. He's like a three-year-old. Say no, I'll just come back later and ask. Say no, I'll ask for more. I'll say I'm gonna do something nastier. He's trying to blackmail and push.

Mr. Bodrie said and I ask you, as a professional planner of our neighborhood, to resist that. And stand up for the zoning of RA. And just deny this, until he comes back with a proposal that meets all the criteria. There's no reason to give him all of these variances. He wants to build bigger homes but he can't even provide a driveway that conforms to a driveway standard. Reduce the density by 5, 10, 15. Make the driveways. How hard is it? You're building \$750,000 homes and he can't even make a driveway wider? So I ask you to do your job for us and protect the residents. Thank you.



Jeff Wainwright said it's a pleasure to be here, thank you Commission members and staff. I represent a ten-acre business in Novi, of which we really enjoy paying property tax on. We are definitely in support of this project. Listening to the design criteria that has been changed and the efforts that have been put into it, it's quite impressive what has been done so far to get it to the point that it's at. Not living in Novi, having a fourteen-year desire to move to Novi and moving into the empty-nester phase, this is a very compelling project. If it were to be sufficiently economical, we are hoping that it can be.

Certainly, this would be an incredibly high-integrity development, something that would be very impressive to Novi. And I think that it fits the need of a generation of which I'm a part of that's moving to this need very quickly. We certainly want to downsize and I think a lot of people in this room are thinking the same way. This would be, looking at the designs, a very tranquil and a very majestic design, and I can understand some of the concerns the surrounding neighbors have but this would without question make a significant increase in property values in that area and probably overall in Novi as a general sense. From that point of view, I think we're very supportive of this and I hope the Commission would give a positive consideration of this.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. When no one else responded, he said there is some written correspondence.

Member Lynch said these are the objections. Kyle Freitag, 50233 West Nine Mile Rd. Janet Thurber, 21668 Garfield Rd. Kurt J Ohlgren, 21666 Garfield Rd. Theresa Ohlgren, 21666 Garfield Rd. Karl Migrin, 49450 West Nine Mile Rd. Gail Bartley, 49050 West Nine Mile Rd. Mary Reynolds, 22015 Garfield Rd. Elizabeth Wylie, 21760 Garfield Rd. Kristin Leirstein, 49000 West Nine Mile Rd.

Member Lynch said these are in support. Manish Mathur, 22685 Evergreen Ct. Terry Conway. Patti Mullen. Barbara Wilson. Fr. George Shalhoub. Daniel B. Smith. Nabeel Faris. David Jerome. Kathy McLallen. Rick Corrant, 45175 Veneto Dr. Christopher Quinn, 41812 Hampshire. Pragati Mathur, 22585 Evergreen Ct. Partha Chakravarti, 50410 Nine Mile Rd. Arundhati Sarkar, 49800 Nine Mile Rd. Shyamal Sarkar, Nine Mile Rd. Lou Agoston, 20911 Turnberry Blvd. Jeffrey Jaghab. Muin Rumman, 22366 Lancaster Ct. Ronald M. Valentine, 49100 West Nine Mile Rd. John P. Connor. Al Abdelnour. Mark Merucci.

Chair Pehrson closed the public hearing for this matter and turned it over to the Planning Commission for consideration.

Chair Pehrson asked, based on comments from one of the residents relative to Mr. Avdoulos' recusal, can we have your thoughts on that?

City Attorney Tom Schultz asked Mr. Avdoulos if that is accurate that the parcel is owned by your father-in-law?

Member Avdoulos said yes.

Attorney Schultz said I'm going to start by reading you from your Planning Commission rules, just so you can hear it because I'm assuming you don't have it in front of you. So this is out of the Planning Commission rules which you are obligated to adopt under the Zoning Enabling Act.

Basically what it says is that a member shall vote unless excused by the unanimous consent of the remaining members in vote. However, the member shall be recused

where a member has a financial interest, other than the common public interest, or where the member clearly cannot render an impartial decision. The vote of the remaining commission members shall be with regard to whether such financial interest or other basis for not voting has been sufficiently established by the member seeking recusal from voting.

Attorney Schultz said so, the question I think here is really both of these items. Is there a financial interest or is there a basis for Member Avdoulos to say he can't render an impartial decision? So we don't have a definition of a financial interest in the rules, there isn't one in the Planning Ordinance, there isn't one in the Zoning Enabling Act. What we do have though, is in your City Charter, a definition of a financial interest in a different context and it has to do with when a Council Member is allowed to vote where there might be a financial interest. It defines financial interest, but more importantly it limits what is meant by financial interest. This is the relevant part.

It's a financial interest in something that involves a member of the Officer's family. Clearly, Member Avdoulos does not have a direct financial interest here. The question really is, is there some indirect financial interest? And the family is including the spouse, child, grandchild, father, mother, sister, brother and/or spouse. None of those fit an in-law situation.

So on the fly, I'd say Member Avdoulos does not have a financial interest in this decision. The question for him becomes the second half of the paragraph there. Does Member Avdoulos believe he cannot render an impartial decision? That is something that he has to indicate here to the rest of the Commission. If he believes the answer is that is something that he cannot render, then he asks to be recused. If he believes that he can, then at this point the disclosure has happened and he indicates that he thinks that he can be partial and we move on.

Chair Pehrson said thank you. Member Avdoulos?

Member Avdoulos said I believe I can be impartial.

Chair Pehrson if there are no further comments, I suggest we keep Member Avdoulos in the vote for this session. Seeing no objection, Chair Pehrson turned it over to the Planning Commission for discussion.

Member Lynch said first of all, I've seen the applicant's work and I know you're going to do a great job with this. I do think that the density is consistent with what we did for Island Lake and a number of properties where it was zoned RA and it ended up being 0.8 or 0.82, and anybody who's driven through Island Lake would probably not even know that there are 1,200 homes in there. It was very well designed, and I suspect that you'll do the same.

I do sympathize and understand the neighbors' comments as far as the change of aesthetics. I personally don't think it will, you've got it secluded far enough back. I do think it's a good idea to put up the 20 foot trees, I'd agree with you, to hide those lines and screen the neighbors. I really don't want to disrupt the feel of that area, which is a somewhat rural area. I think the way it is designed with what appears to be a small path, if you will, going back into the development makes it secluded. And I think it's about 100 feet back, it's quite a distance before you get back into the actual development which is totally screened by foliage.

One thing that I would recommend – and I've been a proponent of this – any tree that

you remove from there, I prefer that you replace it on site and not give it to the tree fund. Member Lynch said so, whatever you can work out with the City. I know that a lot of times developers come in and take trees down and just shove it into a tree fund but if there's a way you could keep the foliage on site, I mean I know you can't plant them too close together because they'll die, but in my personal opinion I prefer to see as many trees on that property as can possibly be put there without impeding on their growth.

But I read through the packet and I did see your comments in your letter back to the City, but one of the people came up and talked about the sewer and I think I brought this up last time – this whole thing with the grinders and if there's going to be a need for a grinder. What are your plans with the sewage removal.

Pat Keast, with Seiber Keast Engineering, said we did the site planning and engineering for the project. The proposal now is to tie into the sanitary sewer that is to be constructed along Nine Mile. It's in the design stages, I think the plans are about 80 or 90% complete. We've been in discussions with the City's Engineering Department, Ben Croy, who shared some of the plans with us. So our plan is to connect to that sewer, which I believe is due to be constructed this year.

Member Lynch said so you and Darcy are attached at the hip on this thing? I was a little concerned when I heard the comments. It's my understanding that sewage is going right into the City Sewers and that you're not going to be building and dumping into septic fields where you're going to need a grinder or use existing grinding stations.

Mr. Keast said correct, we have no plans to connect to the existing grinding station nor to the water main at Evergreen Court. It's completely independent.

Member Lynch said okay, out of the whole packet that was the one that concerned me. That, and I don't want it to be disruptive. The character of the area is quite unique. I drove through there several times and it has quite unique character. I understand why you want to develop it and I like the idea that it's going to be set back and secluded because if you're not right on top of everything, I don't think anybody is even going to know that it's there. That's my impression.

And I did go look at your prior work and spoke to some folks that bought your prior work, and I know you're going to do a great job. The density I can live with based on what we've done in the past with Ten Mile and Napier, the sewage thing is a concern so I want to make sure that everybody was together and that there's not going to be any adverse effects on the surrounding community based on the increase in sewage.

As far as the roads go, that's a tough one. I do agree with your statement that the type of homes that you're building and the type of target buyers will not have a significant increase in traffic once it's built, and my hope is that the City or the County, whoever owns it, can get in there and at some point pave it because that would help everybody out. But I don't think it's going to have as detrimental of an impact as what may have been stated to us in some of review letters. And as far as the trees go, just keep as many trees as you can there and not put them in the tree fund. Those are my three comments and I think you've done a good job with the project. I certainly will support it.

Member Maday said I think this project sounds amazing. I think it's well-needed, I've heard from a lot of people that do want to move here and are of the older age group. I also live in Island Lake and you would never know that there's as many homes, just as Member Lynch said, walking through. I walk through trails in my neighborhood and it just does not have a feel of high density. With regards to that street width of 28 versus 24, I

think that just kind of adds to the aesthetics of it, assuming it's no parking.

The only thing, honestly, that I took to heart from someone talking today was the retention pond on the edge of the property. It is on the edge and it does come close to a residential property, so I would hope that you would screen that well and protect that retention pond just for the safety of the neighbors. But I am excited to see what it's going to look like.

Member Avdoulos said I know that there is a lot of emotion wrapped up in this area and I live in this area, and we all know that it's zoned RA. But as every property in the City is zoned a certain way, there are other vehicles that developers can come in to adopt another type of rezoning and introduce another type of density. And this vehicle is the Rezoning Overlay, and right now this is a Concept Plan. And a Concept Plan is recommended to City Council, so this hasn't been fully engineered and it has a ways to go. So this is the first step, then it goes to City Council, then we have Preliminary Site Plan and so on.

I encourage the developer to continue to work with the City, especially on some of the items that are indicated here where the staff does not support. The big thing here for us has always been that it is zoned RA. RA density is 0.8 units per acre so we wanted to be able to maintain the 0.8 units per acre so that it is within the spirit of RA zoning and by having the 51 acres with 42 units, we are pretty much there.

The developer has come in the past with 53, 56 units and we indicated that that is not going to work and did not approve it and here we are working together to try to get something that is going to work for the City, work for the area, it's going to maintain – I believe, as others do – the rural character, the preservation of more woodlands. If you were to put a typical subdivision, even if you put 30 homes, you would have larger areas of trees gone, you would have larger open areas. It would be similar to what is up at Deer Run, it would be different than regular subdivisions with wider areas between the homes taking up more landscape. There is proposed screening along Nine Mile, it is going to have a secluded feel because a lot of the development is going behind some properties that are creating that little pocket there.

Member Avdoulos said the one question I had, Barb and Sri, is the trailhead that's being proposed on the property with the trail comfort station, is that going to be in lieu of the trailhead being proposed at Nine and Garfield?

City Planner McBeth said I understand that there is still going to be some of those functions at the property that was recently acquired, but I don't know exactly what those will be at this point. We can get back to you with what the Parks Department plans to do there.

Member Avdoulos said okay, because I see the sign there every day that that's what's coming and when I was reading this I didn't know if one was taking the place of the other or if this was just an enhancement to the trail and then the other one was going to provide all the other amenities that's on the signage that is already on the property there. Right now, that's all the comments I have.

Member Greco said with regard to this project, first of all with Mr. Guidobono's reputation and his company and his buildings and what he presents, it's always going to be quality and beautiful. And with regard to some of the comments from the residents directing somewhat disparaging toward Mr. Guidobono, I don't know him personally but I know that these representations and what he presents and puts forward always has quality and I don't believe he's intentionally been trying to do anything as far as deception with

regard to the public or the Planning Commission. I think he's been very straightforward.

Now, with respect to that and having said all that, I still have a concern and a problem with the density. We're still talking about putting approximately 25-30% more homes or dwelling units in an area that's zoned differently. He's done a very good job of secluding it, preserving certain things, or donating things to the City. My problem is that when we have certain zoning and certain zoning in the Master Plan that people rely upon, when you change that by increasing the density by so much – not by adding a few homes, I mean we're always dealing with developers that are adding a few homes here or there, moving things over, adding easements – but this really changes the density of what is allowable there that I do think the residents and neighbors have a legitimate gripe if they have a problem with it.

Member Greco said again, it's going to be beautiful. He'll be able to sell these, no doubt, they'll be desirable to certain people. But as a gated community with more dense homes in an area that is really rural and wooded, is it something that fits into the character of the area? I don't think so. If I lived there, would I object to it? I'm not sure. But I do know that the people and the neighbors that do live there are objecting to it, and with such a drastic change in what is allowable and buildable there, it's not something that I'd be able to support. Notwithstanding, again, the quality and reputation of Mr. Guidobono, which I have no doubt or hesitations about.

Member Howard said I am very excited to see a project like this in Novi. I am excited about the design, I am excited about the efforts to work with the City, I am excited about the various ways that we will be able to accommodate empty nesters in our community.

However, I have to say that I am somewhat of a sympathetic sceptic in that I'm not quite sure that I'm convinced that we're there just yet. I do still have some of the concerns in terms of not just the character, I think that you're doing to do a great job and that these will be beautiful, and that when it really comes down to it and they are actually there, that a lot of the issues that we may think will be issues won't.

However, I do have to agree that when we change and allow this density that the density itself may not be the problem, but the impact of the density. I appreciate the driveway, I think it looks beautiful, I understand that we save trees, but the subdivision that I live in has a very narrow driveway and there's no parking, except for when there is. And I do understand that with empty nesters, we expect that certain things will happen but I'm going to go out on a limb and say that hypothetically there will be holidays, holiday parties, events, and I think that with those type of real life consequences, things like traffic will become an issue.

Member Howard said I think we're going to have to look at this and really hammer down what's going down in terms of why there's not approval by Woodlands – I'm very concerned when I see that, that stuck out at me like a red flag.

Chair Pehrson asked City Planner McBeth is it the City's intention to have the sewer build timing in compliance with the development?

City Planner McBeth said I think I'd like to refer that to Darcy.

City Engineer Rechten my understanding is that it could be under construction as soon as this fall. The project is already funded, so that's why it's not showing up anywhere in the CIP. I think the way the statement in the review letter is that we would want that sewer to be in place and available for service; that would be the sequence of how things would

go is that we wouldn't be issuing approval and stamping the construction drawings for development until there is an actual available-for-service sewer in the ground.

Chair Pehrson said perfect. In terms of grading of the roads during construction, what's the ordinance relative to the nature of Nine Mile in general being dirt for the construction traffic?

City Planner McBeth said again, this is a function of the Department of Public Services and they are certainly aware of this project as we've brought this to their attention and I believe it would be their intention to make sure that the developer abides by the requirements to maintain a clean site as it's being developed and clean roads as the construction goes on, and then any complaints would be taken in by our department and referred either to their maintenance or to the developer to maintain the ordinances.

City Attorney Schultz said just to add to that, this is a PRO with special circumstances over and above an ordinance that say, Engineering decides are appropriate for this project could be worked into that agreement.

Chair Pehrson said depending on how and where this goes, I want to make sure that things that have been mentioned such as the sewer connection being completed prior to, grading requirements have to be superseded based upon the character of that road, it's not Ten Mile or one of the paved roads – I'd like to see language in the PRO Agreement that addresses that. The retention pond safety, whatever is being thought of or conceived, I want to make sure that's completely screened from a safety standpoint on all sides better than what the standard is.

A question relative to the trailhead agreement that was brought up: is there any thought relative to what was brought up as far as this goes forward negating the agreement that is already in place or having a negative effect?

City Planner McBeth said this is something that we would look into and I know that the Parks, Recreation and Cultural Services Department has got a handle on this. So we will take a look at that before this moves forward to make sure that it doesn't negate any agreements.

Chair Pehrson said who is here to talk about the paving of the intersection?

City Engineer Rechten said I am.

Chair Pehrson said what is the concern with the potential for paving the intersection?

City Engineer Rechten said like Mr. Wiktorowski wrote in his memo, just with it being such a short segment and the issues that come up at either end when you change the road surface, just yearly maintenance and operations, I think it presented an issue and a concern to him and his team.

Chair Pehrson said as opposed to doing nothing and leaving it as is, and from my experience, a dirt road on a wonderful Michigan spring day with rain now creating a right turn lane rut going into a subdivision like that?

City Engineer Rechten said right, so I think this was just the first conversation and his first reaction to the idea of a small segment of pavement. I think one of his questions, too, was why not a longer stretch so we don't have that interface on either end so close to each other?

Chair Pehrson said so I guess again, in my consideration of this potential development, I'd like to see a longer-than rather than a shorter-than, only meets the requirement of, extension of the roadway in that intersection to eliminate any of that. And I agree that there's the purpose of the PRO, and from Mr. Greco's standpoint I agree and still have concerns about density.

But when I look at what the developer is proposing and knowing exactly what Member Avdoulos stated, if this were a residential unit this would still have the same audience in front of it and would still be the same "I don't want it in my backyard," and I'm sorry to say that but I think that's going to be what's going to happen with any of these developments that we put in front of this Commission from a residents' standpoint going forward. Nobody is happy with the change that would happen, and I wouldn't be happy with a 30-home desiccation of that entire wooded area to fulfill the type of density that would be requested for RA or R-4. That's why the PRO exists. That's why we ask the developer to do more than what's required from the minimum standard. So going forward, I certainly would want to see those as this would come back to us at some point in time, I would like to see all that language go back into the agreement from City Council.

Member Avdoulos said in one of the items on the motion, it says that the applicant has presented a reasonable alternative to the Master Plan for land use recommendation of 0.8 units to the acre, 1.1 units proposed. So where do we get the 1.1? Is that due to land donated and not being part of the actual development?

Planner Komaragiri said when we calculate the density, it's based on net site density. The gross site area is 51 acres, when you take away the wetlands and the statutory right of way which is 33 feet along Nine Mile, we end up with 38 and some acres. So the density is calculated based on that 38 acres and we came up with 1.1.

Member Lynch said there is one thing I want to clarify before I make a motion. How will the motion show that we make sure the comments made by Chair Pehrson and the Commission members will be reflected in the PRO agreement?

City Attorney Schultz said when you get to the end of Number 1 on the motion, the maker of the motion should make a general reference to the items listed by the Chair to be addressed in the drafting of the PRO Agreement.

Member Avdoulos said I would like to make a friendly amendment to item 1d. in lieu of the landscape deviation to indicate that the applicant shall conform the ordinance requirements at the time of Preliminary Site Plan and Woodland permit approval.

Motion made by member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REZONING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**In the matter of Villa D' Este JSP17-52 with rezoning 18.718, motion to recommend approval to the City Council to rezone the subject property from RA (Residential Acreage) to R-1 (One-Family Residential) with a Planned Rezoning Overlay Concept Plan, based on the following:**

- 1. The recommendation shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:**

- a. **Planning Deviation from Sec. 3.1.2 of Zoning Ordinance for reduction of the minimum lot size, setbacks, minimum lot frontage and minimum site acreage as shown on the proposed concept plan provided,**
  - i. **The proposed unit boundary shown on the concept plan (sheet 02) is to be considered the maximum allowable footprint. Any accessory uses such as hot tubs, patios, etc. will be provided within the footprint shown on the plan.**
  - ii. **A minimum of 15 feet shall be maintained between two buildings.**
  - iii. **A minimum of 30 feet is provided between the front façade and the back of the curb.**
  - iv. **Rear setbacks will be as shown on the Concept plan, based on the proposed boundary line of land to be donated to City.**
- b. **Façade deviation from Sec 3.7, similar dissimilar ordinance, to replace internal calculation of square footage to a 2200 square foot minimum requirement for this development;**
- c. **Landscape deviation from Sec. 5.5.3.B.ii and iii of Zoning Ordinance for lack of berms along the westerly Nine Mile Road frontage and portions of the easterly frontage, due to existing natural features;**
- d. **The applicant shall conform to the ordinance requirements at the time of Preliminary Site Plan and Woodland permit review;**
- e. **Engineering deviation from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet intervals along the property boundary to provide connection to the adjacent property boundary, due to conflict with existing wetlands;**
- f. **Engineering deviation from Chapter 7(c)(1) of Engineering Design manual for reducing the distance between the sidewalk and back of the curb: 15 feet required, 10 feet proposed;**
- g. **Engineering deviation for absence of sidewalk along a portion of Villa Drive, with payment into the City's sidewalk fund for the cost of the sidewalk not constructed;**
- h. **Traffic deviation for not conforming to minimum required standards as indicated in Figure IX.5 of the City's Code of Ordinances for residential driveway, provided the applicant works with staff to minimize the number of driveways that deviate from the standard at the time of Preliminary Site Plan;**
- i. **Traffic deviation from Figure VIII-A in the City Code of Ordinances, for not providing the minimum width for local residential road( 28 feet required, 24 feet provided).**
- j. **Traffic deviation from Section 7.4.2.c (1) of Engineering Design Manual for not meeting the maximum distance between sidewalk and Right of way line along Nine mile. A maximum of 1 foot is required for a small portion where it conflicts with existing wetland area;**
- k. **The applicant shall redesign the utility layout along proposed internal roads to avoid conflicts with proposed street trees at the time of Preliminary Site Plan. Street trees cannot be located within 20 feet utility easements.**
- l. **The applicant shall provide a tree survey prior to consideration of Concept Plan by City Council, in order to allow staff to identify the proposed impacts and to**



recommend options to minimize impacts as needed;

- m. The items outlined by the Chair should be addressed in the drafting of the PRO agreement:
  - a. Construction of this development would not be permitted to begin prior to the public project gravity sewer main in Nine Mile being in place and available for use.
  - b. Grading requirements for development are superseded based on the character of Nine Mile Road.
  - c. Retention ponds are completely screened for safety on all four sides above the standard.
  - d. Staff will confirm that the proposed trailhead agreement will not negate already existing agreements.
  - e. The portion of asphalt paving on West Nine Mile Road is longer than the minimum to eliminate issues of the interface of gravel and asphalt.
  
2. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:
  - a. The development shall be limited to a maximum density of 42 units, to be determined at the Planning Commission meeting.
  - b. The proposed unit boundary shown on the concept plan (sheet 02) is to be considered the maximum allowable footprint. Any accessory uses such as hot tubs, patios, etc. will be provided within the footprint shown on the plan.
  - c. A minimum of 15 feet shall be maintained between any two buildings.
  - d. A minimum of 30 feet shall be provided between the front façade and the back of the curb.
  - e. Rear setbacks will be as shown on the Concept plan, based on the proposed boundary line of land to be donated to City.
  - f. The applicant shall work with staff to identify a proper location to connect to ITC trail, beyond the subject property line.
  - g. The applicant shall limit the wetland and woodland impacts to the areas and percentages indicated on the concept plan at the time of Preliminary Site Plan.
  - h. Minor modifications to the approved Planned Rezoning Overlay Concept Plan (PRO) can be approved administratively, upon determination by the City Planner, that the modifications are minor, do not deviate from the general intent of the approved PRO Concept plan and result in reduced impacts on the surrounding development and existing infrastructure.
  - i. Applicant shall comply with the conditions listed in the staff and consultant review letters.

This motion is made because

1. The applicant has presented a reasonable alternative to the Master Plan for Land Use recommendation of 0.8 units to the acre (1.10 units to the acre proposed) for the parcel as indicated in the applicant's letter dated December 12, 2017, noting the appropriateness of an empty-nester residential development for the site given the layout of the plan, the proposed preservation of open space, the offer to provide an enhancement to public park facilities, and the provision for landscape or open space buffering on most sides of the development.
2. The proposed plan meets several objectives of the Master Plan, as noted later in this review letter, including:
  - a. *Maintain the semi-rural character of the southwest quadrant of the City that is created by low-density residential development and undeveloped land (by protecting a majority of natural features on site and provides ample*

- screening from Nine Mile Road.
- b. **Provide a wide range of housing options (by being geared towards empty nesters, or those wishing to downsize from larger homes.**
  - c. **Protect and maintain the City's woodlands, wetlands, water features, and open space (by proposing to donate about 20 acres (40 %) of land with regulated woodlands and wetlands in the rear).**
3. **The City's Traffic Engineering Consultant has reviewed the Rezoning Traffic Impact Study and found that the proposed senior adult housing would produce 175 less trips per day than 40 single-family homes (as expected to be permitted under the RA zoning district, and the number of trips produced by the senior adult housing development is not expected to significantly impact Nine Mile Road.**
  4. **Submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and to the City Council of the manner in which the property will be developed, and offers benefits that would not be likely to be offered under standard development options.**
  5. **While the applicant has addressed some of the concerns highlighted in the staff and consultant review letters, there are a number ongoing concerns by staff, details of the likely woodland impacts and lack of tree survey (which the applicant wishes to address at the time of Preliminary Site Plan Review), and the deviations requested for receiving additional credits for upsizing replacement trees.**

**Motion carried 5-1 (Greco).**

## **2. ZONING ORDINANCE TEXT AMENDMENT 18.286**

Public Hearing for Planning Commission's recommendation to the City Council for an ordinance 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.

City Planner McBeth said staff has received an application for a proposed ordinance amendment for the purpose of allowing restaurants in the B-1, Local Business District throughout the City of Novi. The applicant, Jonathan Brateman, is primarily interested in allowing sit-down restaurants in the Peachtree Plaza, which is located near the southwest corner of Ten Mile Road and Meadowbrook Road.

The B-1 District currently does not allow restaurants of any kind, but does allow various retail business and service uses that are intended to serve the day-to-day convenience shopping and service needs of persons residing in nearby residential areas.

Throughout the City of Novi, there are several locations where the B-1 Districts are located: near the intersections of Ten Mile Road and Haggerty Road, Ten Mile Road and Meadowbrook Road (including the Peachtree Plaza), the Walgreens at Ten Mile Road and Novi Road, and on the west side of Wixom Road, south of Twelve Mile Road. These business districts are generally small in size, and located very near, if not immediately abutting, residential areas.

The applicant presented an ordinance amendment to the B-1 District that includes restaurant businesses with sit down and carry out service shall be allowed in B-1 shopping center provided that the restaurants do not exceed 4800 sf., restaurant trash removal to be no closer than 100 feet from a residential area and is not open longer than 12 am in the evening, and the customer assembly area shall be sprinklered.

Following the discussion at the November 2017 Planning Commission meeting when this text amendment was introduced, the Planning Commission asked a number of questions

that were detailed in a memo from the Planning Department dated January 25, 2018. Among those questions were the following:

What do other communities allow in a similar zoning district? Our staff planner Lindsay Bell reviewed six similar nearby communities: Farmington Hills, City of Northville, Northville Township, Plymouth, Bloomfield Township, and Troy. The memo finds that in all of those communities districts that are most similar to Novi's local business district, restaurants are either Principal Permitted Uses or uses Permitted with Special Land Use consideration. Bloomfield Township is the only community that requires special land use consideration for all restaurants in planned shopping centers in the local business district.

Will the ordinance changes affect the permitted uses at Ten Mile and Beck Road – the Briar Pointe Plaza? The Consent Judgment that governs the Briar Pointe Plaza indicates that the uses allowed in the shopping center are those allowed in the B-1, Local Business District as of the date of the consent judgment. The Ordinance in the 1990s did not allow restaurants in the B-1 District.

So at this time, staff has prepared an alternative to the text amendment prepared by the applicant. Staff is proposing that if both Sit-Down Restaurants and Fast Food Carryout Restaurants be permitted in the B-1 District, that the approval would be subject to Special Land Use approval by the Planning Commission, so that each instance may be reviewed individually, per the standards of the Special Land Use section of the Zoning Ordinance, and proper limitations may be applied at that time.

Additionally, staff suggests the total restaurant space would be limited to no more than 20 percent of the gross floor area of any B-1, Planned Commercial Center. The limitation proposed by the applicant of 4800 square feet is slightly less than 20 percent of the Peachtree Plaza's size of 24,949 square feet and would therefore fit within that standard.

At this time, the Planning Commission is asked to hold the public hearing, and consider the proposed ordinance in order to make a recommendation to the City Council. The applicant, Jonathan Brateman, is present and may wish to provide comments and answer questions.

Jonathan Brateman, 40015 Grand River Ave, said on a personal note, I'm sure you remember that last time I was here my daughter was here and she has a math test tomorrow so I told her she couldn't come tonight but she sends her regards to everyone.

My office address is 40015 Grand River Ave Ste. 105 in Novi, I want to thank the Planning Department and the Planning Commission for the opportunity to speak before you tonight. As stated, my purpose is to amend the Zoning Ordinance as it relates to B-1 to include sit-down restaurants.

First, we already have sit-down restaurants in the B-1 here in Novi. Historically, there are no marches in the streets, no major petitions to un-do those. Moe's on Ten is an example, Dunkin Donuts, Maisano's – these exist, the sun comes up the next day, nobody is hurt. So they can exist, they do exist, nothing bad happens.

Mr. Brateman said I want to present two visions to you. There are some new people I believe on the Planning Commission so I want to go over some of my remarks from an earlier period of time. The first vision is one of hope, prosperity, and light. By allowing sit-down restaurants in the B-1 District, you accomplish a number of goals. You bring

economic sustenance to centers that need the energy and the traffic that these types of businesses provide. You give a chance, an opportunity, to a new business that can neither afford nor are they sought out by power centers and position centers to have these kinds of businesses in their locations because they're local, they're small, they're independent. And you enhance the culture and the hallmark of a local community who likes the national names yet cherishes the unique, one-of-a-kind local spots.

Let me begin with the first. There are some shopping centers that are just underperforming economically. The remedy is not just to do a lease with anyone with an idea, but the idea is to build up the center through a combination of special rent incentives and by attracting quality individuals with capital aptitude and creativity to make their dream happen.

The problem of Special Land Use, putting another layer of bureaucracy on that, is that these are relatively unsophisticated entrepreneurs that say how much is this going to cost, how long is this going to take, can I do it or not? Well, and once you say well, they're in the car, they're gone, you'll never see them again. You call them, they don't call you back. And with the Special Land Use, we might as well not be here tonight. Because the Special Land Use will kill any enthusiasm on the part of the would-be entrepreneur to be there. The tenants have the capital and the aptitude and the creativity and they can do it, they can make it.

Mr. Brateman said we have a center, and what I'm doing will affect every B-1 except the one that you mentioned that would not be affected by it, but at Peachtree we have 75-100 cars every day that visit the Koby Learning Academy. The first time I spoke, I had three different Japanese restaurants that wanted to be here, now I'm down to one because the other two have lost enthusiasm, moved on to another community, whatever. But I can't do the lease because of the restrictions in the B-1 Ordinance.

We need to allow this change to happen. And I see Mr. Schultz here tonight, Mr. Schultz and I have worked successfully over time on changing the NCC Ordinance, the B-1 Ordinance, I was part of the team that helped create the OST Ordinance and the GE Ordinance. I'm here as a broker, I'm here trying to help the community, I have brought lots of business to this community, I'm proud of the things that we've done, my office is here, and I'm just trying to make the community better by asking for something very, very small just a little bit of restaurant in the B-1.

Some restaurants have a very narrow market segment, like the Japanese restaurant. They can compete, but not at a mass market level. They can't pay \$30 per square foot to be at the intersection of Grand River and Novi. They're destination-oriented and because of that, they can't pay the major rent and they need to be in a center that will allow them to be there economically. Restaurants in this category include vegetarian restaurants, ethnic restaurants, dietary restriction restaurants, high-end pastry, high-end coffee, just to name a few.

Mr. Brateman said let me continue to the last point that I want to make on that, is that the rent where places like Burger 21 or Blaze Pizza are, they're outside the realm of the independent restaurant to be able to afford. By passing this ordinance, you give a chance for a local restaurant to make it. Each of you probably has five restaurants that you visit once a year but how many of them provide for a local person to showcase their skills?

The shopping malls across America, great accessibility occurred to merchandise and restaurants but there's a lack of a local flavor. You can close your eyes in a mall and open

them, and you don't know if you're in Kansas City or Tallahassee or here in Novi. We need our local places because these people who own these are usually the backbone of the Chamber of Commerce, sponsors of the softball team, youth organizations, and in a sense they make a community unique and special. We need this.

Now let me give you a second vision. I spoke about the vision of hope and prosperity and light. Now I'm going to speak about the opposite of those – underperforming and dark shopping centers, and people who would like to be there but are priced out that can't be in the community because they can't make it and can't fulfill their dream. I'm afraid that if you don't pass this revision, the immediate situation will worsen and this will lead to situations all of us want to avoid. On the landlord side, there will still be vacancies and on the tenant side, a dream backed by capital but with no affordable place to go to.

Mr. Brateman finished by saying I want you to please consider to choose hope and prosperity and light. Pass this text amendment, forget the Special Land Use, give these people a chance “Can I do it or not do it?”, to be able to come in here and move forward in the light of a bright future. I'd be happy to answer any questions.

Chair Pehrson said I don't know whether to say thank you, applaud, or just carry on. Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project.

Christina Pierce, 24055 Meadowbrook Rd, said the company I own is the Koby Learning Group. I occupy many units in there, I'm the biggest company in that unit, I'm slowly taking over I imagine. Someday I might have my own restaurant there, that would be wonderful. I have about 500 students, 50 employees and most of those students are Japanese, but there's also other international communities that we are targeting – Brazilians, Koreans, German, Spanish. We have ESL classes offered at my school so we have a very large international community.

I also have other services for international communities such as packaging, translation, interpretation. We have a lot of people, we have moms waiting for their kids to finish studying, we have tons of people going through.

We used to have a pizza place there, they're no longer there. We are always looking for something to eat. The pizza place probably thrived on us. There are some restaurants in front there, there's a 7-11, it's not the most convenient. We have a great location, we have some open areas.

Ms. Pierce said my connections got us some possible leads for having a Japanese restaurant, that has not gone through yet because of these restrictions and it's really unfortunate; someone came from California, they have a real ramen shop in California and he came through the connections and he is still waiting. I hope he's the one that is still left.

So there is so much potential, we are kind of tucked away, we don't get a lot of people but with the community that I have brought in there and the international community that I serve, there is a lot of potential to have a lot more restaurants or stores in the strip mall.

Ms. Pierce continued someone said there might be an issue of smell for the residents behind us. We've had pizza there before, nobody complained. Ramen smells really good, sushi doesn't really smell at all. So I would love, love, love to have some sit down place. Even a café, we've thought about doing that on our own if there was no limitations on that, that would be wonderful. I appreciate your consideration of this and I look forward

to some positive changes. Thank you very much.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. When no one else responded, he asked if there was any written correspondence.

Member Lynch said there is some written public correspondence. We have a support from Christian Financial, Michael Borucki, 41690 W Ten Mile Rd. And Dr. Noah Levi, 18800 W Ten Mile Rd, is in support.

Chair Pehrson closed the public hearing for this matter and turned it over to the Planning Commission for consideration.

Member Lynch said I have one question. If there was a pizza place there before, why can't they put a Japanese restaurant there now?

City Planner McBeth said there was an unusual situation a number of years ago. The pizza place wanted to go into the center and they were denied because restaurants weren't permitted. They actually went to the Zoning Board of Appeals and got approval but only for as long as that particular pizza place was located there. So it was very specific and it did last for quite some time, but it was for a very limited use.

Member Lynch said so on a broader scale, the intent of revising this Ordinance is to fill some empty store fronts right now that are vacant. If I were to vote in favor of this, this would allow us to put restaurants in areas which could potentially fill some of these empty storefronts in these strip malls?

City Planner McBeth said in these areas that were shown on the map that was shown previously, the B-1 Zoning Districts and there are just a few of them in the community. The intent would be to add sit-down restaurants and carry-out restaurants only, not drive-through restaurants. Just in these four locations in the community and just in a planned commercial shopping center.

So the limitations that we are proposing would be for the size of the restaurants within that shopping center and for the Special Land Use consideration because most of these locations are immediately adjacent to residential districts and sometimes neighbors are concerned about the noise, the smell, the additional traffic that you get from a restaurant.

Member Lynch said so basically if we don't vote for this, we're still going to have vacant store fronts, right? That we could potentially fill? I guess it seems kind of like a no brainer to me but I'll listen to my colleagues. I don't know what the downside would be to approving this Ordinance. I'm looking for people that are more experienced than me to possibly show me the other side of the argument.

Member Greco said I don't see a downside either and I think the discussion for us, based upon Mr. Brateman's presentation, is do we want the added requirement of it being a Special Land Use? That's really the issue. And is the limitation on the 20% of the gross floor area enough to limit that if it is next to a residential area that it's not a whole row of restaurants – that it's limited for the building use. I don't know.

After Mr. Brateman spoke, despite the fact that he didn't bring his daughter again – we'll still look favorably upon him – I was thinking to myself that the Special Land Use was not necessary. But based upon what Barb indicated, it looks like the staff has carefully

considered what they think we may want to do. I don't know, it's a B-1, it's commercial, we're talking about a very small thing. I suppose, even if it went through a Special Land Use review, the restaurant could still smell. I don't know, I guess I'd like to hear any other comments if anyone has strong feelings either way.

Member Avdoulos said I think that was the concern that I had, too, and Mr. Brateman brought it up. If we keep the Special Land Use in there, it's a deal breaker because now you've got another level to go through in order to do it. But, I think staff has that concern and this has been brought up over the years that this could be something that if we do it without a Special Land Use, then something could go in and those neighbors that are next to these pieces of property or zoned areas won't have an opportunity to see this business come in.

So if we allow this to happen in B-1, then it gets put into the Ordinance and somebody could come in and pop a restaurant in there and none the wiser. But if we make it Special Land Use, then it comes before Planning Commission?

City Planner McBeth said that's correct. They would come to our department first and tell us what they were proposing, and we'd review whatever ordinance standards were in place. And then we would advise them about providing the plan or the layout of where they would be located in the shopping center and advise them to write a letter indicating what it is they propose to do and what kind of restaurant and how they'd meet those seven Special Land Use criteria. Then staff would schedule the public hearing, and send out the notices, and the applicant would come to the Planning Commission for consideration. The Commission would hear from the public about whether there were any concerns about that particular restaurant.

Member Avdoulos said and it's actually four areas because the one area is not available for this. I think just as we are trying to be good stewards of the Master Plan and the zoning and everything else that's associated with this kind of indication to look at a zoning district, I would feel uncomfortable just to say we can just allow it in B-1. Especially since these are in areas where they're existing and there are people that live around them and they expect the City to be watching out for them. That's why I didn't have an issue with the Special Land Use.

Member Maday said I am struggling with this one because I definitely see his point of view – it's hard for me to see what's wrong with it, other than the fact that yes, Meadowbrook and Ten Mile is very residential and there's people that live there. I do worry about the odor, I really do. I lived in Europe for a couple years and there were restaurants close to me that I didn't particularly like the smell, so I do worry about that.

But in my opinion, the way to get over that is the Special Land Use. That way, each individual case is looked at and if people want to come and talk about it that live nearby, they have the right to do that. If we just overall change it, then we're kind of just making a blanket statement for everybody. So I think individually, as much as I don't like the bureaucracy of it all, I think that's the best way to go.

Member Howard said I'm on the fence here because initially, I really looked at this as a very small change, a very helpful and beneficial change to small and local businesses. I am concerned about the odor but at the same extent, my other thought is that if we allow this in with Special Land Use, do we still have the odor, the dumpster, the increase in traffic?

And if this is a retail commercial place, there are other things that smell besides

restaurants that could hypothetically happen in this area. So I am very torn. Because if you think about something like smell, that can be very annoying, but if this is not a residential use, there are already other things there that are probably equally as annoying.

Chair Pehrson said Ms. McBeth and Lindsay, from the other Ordinances that you looked at, do you think that we've somewhat limited the use of the scope of what we would typically call a restaurant to something that's pre-cooked food or with microwave? Is that any of the consideration, or if you saw it in any of the other Ordinances?

City Planner McBeth said we did not add it into the proposed language. I think you may be remembering the minutes from years ago where this was discussed previously and they had talked about the fryers and the cookers and the smells that come from those. But this time we did not add that in.

Chair Pehrson said because I am trying to think inside the scope of pre-packaged food, microwavable something that doesn't emit or have exhaust to the atmosphere, could that get rid of the odor issue that I think we're struggling with or if it might be way around it to help put something in place that would take out the blight of that storefront. The other thing is, walk me through the hardship. I'm an applicant, I come to you, I want to open up a restaurant in that area and you put those three words in front of me, Special Land Use. What's the difference, what's my obligation as a developer for those three words?

City Planner McBeth said a permitted land use in an existing shopping center would be able to come to the Building Department and provide their plan and pay their fees and have the plan reviewed and get the permits and do the work.

If it's a Special Land Use, the applicant would still come to our department and they would be directed to Planning staff to let them know that's a Special Land Use and we need to look at these criteria and think about if there will be any impacts on the neighboring properties. Staff would like to identify the spot in the shopping center where the applicant would like to go, and we'd verify it's under 20% of the total area. Then the applicant would fill out an application, pay their fees, staff does the review. Staff would put a notice in the newspaper and notify everyone within 300 feet of the request, and there could be discussion here at the Planning Commission, or it could be that none of the neighbors within 300 feet had any concerns when they saw the notice. The Planning Commission would decide whether to approve the request, and then the applicant would move on through the process to get building permits.

Chair Pehrson said so I'm looking at the Peachtree as a model for what's there and for the life of me, I'm going back on the fence for a moment, I can't think of a restaurant or establishment that's going to go into that location that is going to be any worse than what's existing there at 7-11 if you happen to drive by or go by to Stewarts and catch the breeze coming off the dumpster from 7-11.

That being said, I can recognize smell being the issue but again, I'm trying to understand that fine line with the Special Land Use and I can understand your concern Mr. Brateman relative to that, but I don't think I can give that up relative to the fact that we're setting a precedent that's going to go across four sites, it's four sites. If it's one site, it's one site. And I don't see that as being a big enough hardship where I couldn't convince someone else, and I'm not in the business so I'm not saying I'm an expert, but there's something that has to go along with that. So I think I'd have to live with that Special Land Use.

Motion made by Member Greco and seconded by Avdoulos.



**ROLL CALL VOTE TO RECOMMEND APPROVAL OF TEXT AMENDMENT 18.286 MADE BY MEMBER GRECO AND SECONDED BY MEMBER AVDOULOS.**

**In the matter of Zoning Ordinance Text Amendment 18.286, motion to recommend approval to City Council of the Text Amendment for allowing restaurants as set forth in the proposal as a Special Land Use in the B-1 District. Motion carried 5-1 (Howard).**

**MATTERS FOR CONSIDERATION**

**1. HILLSIDE INVESTMENTS OFFICE BUILDING JSP17-84**

Consideration at the request of Hillside Investments for Preliminary Site Plan and Storm Water Management Plan approval. The subject property contains 1.7 acres and is located in Section 12, on the southwest corner of Haggerty Road and Thirteen Mile Road. The vacant parcel is zoned OST, Office Service Technology. The applicant is proposing to construct a two-story professional office building with a total of 25,881 square feet.

Planner Bell said the subject property is in Section 12, south of Thirteen Mile and west of Haggerty Road. The 1.7 acre site is zoned OST, Office Service Technology. North, south and west of the parcel is also zoned OST. East of the property is Haggerty Road, with Farmington Hills on the opposite side developed with single family homes.

The Future Land Use map indicates Office Research Development and Technology for this property and surrounding properties. Farmington Hills has single family residential planned for the properties across Haggerty. There are no regulated woodlands or wetland areas on the site.

The applicant, Hillside Investments, proposes to construct a 2 story, 25,881 square foot building for their real estate development and construction firm offices, with speculative space for additional professional tenants. The owner plans to combine this parcel with the adjacent parcel to the west, which they also own. Access to the site would be from Haggerty Road. The applicant has worked with staff to resolve Fire Marshal concerns by providing an area for vehicle turn-around in the north-east corner of the parking lot.

Planner Bell said the site plan is in general conformance with the zoning ordinance, with a few deviations that will need Planning Commission approval. A waiver is requested for not providing full screening of the loading zone. Because the required loading zone cannot be placed behind the building without being in the side yard of the existing Caring Nurses building to the west, the least visible alternative appears to be in rear of the side yard parking lot. However this location won't be fully screened. If the applicant agrees to move the loading zone to this location staff supports the screening waiver due to the site constraints.

A waiver is requested for the required Right of Way berm along Haggerty Road. Staff supports this waiver due to the topography of the site which is significantly higher than the road.

A Section 9 waiver is requested for the overage of Decorative Block material that replicates the appearance of limestone panels. Our façade consultant supports this waiver as the facades are otherwise in conformance with the ordinance.

All reviewers are recommending approval of the Preliminary Site Plan, with a few

additional comments to be addressed before Final Site Plan approval. Tonight the Planning Commission is asked to approve the Preliminary Site Plan and the storm water management plan. Representing the project tonight are Dave Hardin from Hillside Investments, engineer Pat Williams, planning consultant Gary Roberts, and architects David Brinkmeier and Chip Faudie to give you more details and to answer any questions you may have.

Dave Hardin, from Hillside Investments, said I don't have much to add to what Ms. Bell has already said other than we are very excited about this project, we are planning to relocate our offices from Plymouth Township to this building and occupy the majority of the second floor. The partners at Hillside Investments and our family of companies have all done numerous projects in Novi in the past and we are really looking forward to becoming part of the community and adding to it.

Chair Pehrson turned it over to Planning Commission for their consideration.

Member Avdoulos said first I'd like to thank you for working with the City. I think the waivers, even though they come up, when staff supports them it's a good thing. So we thank you for that. I think the design is well-balanced and it's going to fit nicely into that corner of Haggerty and Thirteen. So we welcome the project and I'd like to make a motion.

Motion made by Member Avdoulos and seconded by Member Greco.

**ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

**In the matter of Hillside Investments Office Building JSP17-84, motion to approve the Preliminary Site Plan based on and subject to the following:**

- a. A waiver from Section 3.20.2.A for the full screening of the loading zone due to the location in the parking lot (with minor modifications to the location of the loading area at the time of Final Site Plan) with the reasoning that it cannot be reasonably placed elsewhere and appropriately screened, which is hereby granted;**
- b. Landscape waiver from Section 5.5.3.B.ii and iii for not providing a berm adjacent to the public Right-of-Way along Haggerty and Thirteen Mile Roads with the reasoning that the site topography makes it unreasonable to provide a berm, which is hereby granted;**
- c. A Section 9 waiver for exceeding the maximum allowed percentages for Decorative Block, which is determined to resemble Limestone Panels, is hereby granted;**
- d. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

**This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 6-0.**

**ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

**In the matter of Hillside Investments Office Building JSP17-84, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and**

**items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 6-0.**

## **2. A123 SYSTEMS JSP17-21**

Consideration at the request of A123 Systems for approval of the revised Preliminary Site Plan, Phasing Plan and Storm Water Management Plan. The subject parcel is located in Section 15, West of Cabaret Drive and South of Twelve Mile Road and is zoned OST, Office Service Technology. The applicant is proposing to develop the 31.25 acre parcel with two buildings: one office/lab space of 128,936 square feet on the southern portion of the site (Phase 1) and the other as an assembly building of 53,469 square feet (Phase 2) including associated site improvements. Phase 1 would also include a temporary pad for a shipping container and nitrogen tank enclosure and a request for landbanked parking spaces.

Planner Bell said the subject property is in Section 15, south of Twelve Mile Road and west of Cabaret Drive. The 31.25 acre site is zoned OST, Office Service Technology. East and West of the parcel is also zoned OST. On the southwest side run the CSX railroad tracks, with RA Residential Acreage zoning beyond. To the east across Cabaret Drive is zoned Regional Commercial and developed with the Fountain Walk project. South of the property is I-96, and to the north across Twelve Mile, zoned Residential Acreage, is the Liberty Park residential development with both townhomes and single family lots.

The Future Land Use map indicates Office Research Development and Technology for this property and surrounding properties. The properties to the east across Cabaret Drive are identified as Regional Commercial. The area to the north across Twelve Mile is planned for single family and multiple family residential. There are regulated woodlands on the northern end of the property near Twelve Mile, as well as some wetland areas in that area.

The applicant previously received approval from the Planning Commission in June 2017 for the headquarters and assembly building for A123 Systems. They now propose to divide the project into two phases and have made other minor changes to the originally approved plan. Phase 1 would include the 128,936 square foot office/lab building, stormwater detention pond, and a temporary pad location for a shipping container and nitrogen tank enclosure. They have also added some additional parking on the east side of the site near Cabaret Drive. Phase 2 would consist of the 53,469 square foot assembly building and permanent locations for the shipping container and nitrogen tank, which would be located behind the assembly building to minimize visibility.

Planner Bell said site access would not change from the previously approved plan off of Cabaret Drive. The previously approved woodland permit would not require any changes. The applicant has agreed to provide the sidewalk along Twelve Mile Road in Phase 1.

Phase 1 requires 367 parking spaces for the office/lab building. The site plan shows 340 parking spaces to be constructed in Phase 1. The applicant asks the Planning Commission to consider the additional parking spaces proposed in Phase 2 as land banked parking, which could be constructed as designed if additional parking is needed before Phase 2 is fully executed. Staff supports this proposal since there is adequate future parking planned and the area will be essentially ready for construction.

Staff asks that the applicant reduce the number of parking spaces to be built in Phase 2

to more closely reflect the parking needs for the whole site. As proposed, there would be 153 more spaces than required at build-out. These changes could be made when Phase 2 is submitted for final approval.

The landscaping plan shown is in compliance with the previous landscape ordinance, and the applicant is still considering the option of revising their plans to be in conformance with the newer ordinance requirements, so would like to reserve the right to work with City staff to revise their landscaping. If major changes or waivers from the requirements are proposed the applicant could come back to the Planning Commission for approval.

The applicant submitted a No Revision Façade Affidavit, so the building elevations have not been altered from the previously approved Plan, and are shown here.

Planner Bell said the site plan is in general conformance with the zoning ordinance at this time. Planning Commission waivers have previously been approved for the driveway spacing along Cabaret Drive and for not providing covered bicycle spaces. All reviewers are recommending approval of the revised Preliminary Site Plan, with a few additional comments to be addressed in a revised Final Site Plan.

Tonight the Planning Commission is asked to approve the Preliminary Site Plan with landbanked parking and the Storm Water Management Plan. Representing the project tonight are Mike O'Kronley from A123 Systems, engineer Steve Sorenson from PEA, and the rest of their team to answer any questions.

Steve Sorenson from Professional Engineering Associates, 2430 Rochester Ct Troy MI, said this is our third time back here, after June and August as stated in the report. We were right at getting stamping sets finalized and found the need and necessity of their current production requirements did not need them to build the production assembly facility right now, so they've decided to cut that back.

They really desire to be in Novi, they want to be here and get this done as originally discussed. They just need to phase the project at this time until they have the future contracts they need to build the assembly facility.

Mr. Sorenson said as stated, everything else is pretty much the same. We added some more parking spaces into Phase 1 to better accommodate them. They have sufficient spaces for what they need right now so we're not worried about landbanking the extra 27, but if there is a problem we have a ton of spaces available and planned out in Phase 2 if they could build to meet those requirements.

We are happy to work with staff to increase some green spaces because of the amount of spaces that we added into Phase 1, we can take out some spaces that we added in Phase 2 when we come back for final approval. We have pretty much our entire team here tonight and we're happy to answer any questions.

Chair Pehrson turned it over the Planning Commission for their consideration.

Member Avdoulos said again, another project that the applicant has been working diligently with the City so we appreciate that. I am a fan of landbanking, so I have no issues because there is less surface area to deal with and then if we need it we could always get it back. And I also appreciate the comment that you would look at revising landscape to the new ordinance when the time came, so I think that's another positive aspect of this project.

Motion made by Member Avdoulos and seconded by Member Greco.

**ROLL CALL VOTE TO APPROVE THE REVISED PRELIMINARY SITE PLAN AND PHASING PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of A123 Systems JSP17-21, motion to approve the revised Preliminary Site Plan and Phasing Plan based on and subject to the following:

- a. Approval of up to 27 landbank parking spaces (367 required, 340 provided, 27 land banked), due to Planning Commissions finding below, which is hereby granted;
  - i. The applicant has demonstrated through substantial evidence that the specified occupant and building use will require less parking than what is required by the Zoning Ordinance;
  - ii. Parking will not occur on any street or driveway;
  - iii. Parking will not occur on any area not approved and developed for parking;
  - iv. Parking will not occur on that area where parking construction has been landbanked until such time as that area is constructed for such parking;
  - v. The requested parking landbanking will not create traffic or circulation problems on or off site; and
  - vi. The requested parking landbanking will be consistent with the public health, safety and welfare of the City and the purposes of the Zoning Ordinance;
- b. Applicant to provide a sidewalk on Twelve Mile Road in Phase 1;
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan;
- d. Previous actions taken by the Planning Commission related to this matter approving certain waivers and the Woodland Permit.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

In the matter of A123 Systems JSP17-21, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**3. APPROVAL OF THE FEBRUARY 28, 2018 PLANNING COMMISSION MEETING MINUTES**

Motion made by Member Lynch seconded by Member Greco.

**ROLL CALL VOTE TO APPROVE THE FEBRUARY 28, 2018 MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO.**

Motion to approve the February 28, 2018 Planning Commission Meeting Minutes. *Motion carried 6-0.*

## **SUPPLEMENTAL ISSUES**

There were no supplemental issues.

## **AUDIENCE PARTICIPATION**

Karl Migrin, 49450 W Nine Mile Rd, said I want to thank you again for your time and thank your staff. I just have the same concern about the citizen's comments that are sent back by citizens. Do all the Commission members receive a copy of the comments there?

Chair Pehrson said yes.

Mr. Migrin said okay, so I need to assure that somebody is reading them, specifically that you're reading them. And ideally, it would be nice if you could read them aloud so that the people watching on cable TV have assurance that there's some integrity in the system and that their voices are being heard. It's something maybe you could consider or have the staff read them all to save your voice, Mr. Secretary. But it is an important concern and I have trouble relaying to the area residents that they listen to us, but this way there is some assurance that we are being listened to.

## **ADJOURNMENT**

Moved by Member Lynch and seconded by Member Avdoulos.

## **VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

***Motion to adjourn the March 14, 2018 Planning Commission meeting. Motion carried 6-0.***

The meeting was adjourned at 9:47 PM.