



PLANNING COMMISSION MINUTES

DRAFT

CITY OF NOVI

Regular Meeting

Wednesday, February 23, 2011 | 7 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Baratta, Member Cassis, Member Gutman, Member Larson, Member Lynch, Member Meyer, Chair Pehrson, Member Prince

Absent: Member Greco (excused)

Also Present: Victor Cardenas, Assistant City Manager; Barbara McBeth, Deputy Director of Community Development; Tom Schultz, City Attorney; Mark Spencer, Planner; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Brian Coburn, Senior Civil Engineer; Doug Necci, Façade Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Meyer:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER MEYER:

Motion to approve the February 23, 2011 Planning Commission agenda. *Motion carried 8-0.*

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

CORRESPONDENCE

There was no correspondence.

COMMITTEE REPORTS

There were no committee reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth had nothing to report.

CONSENT AGENDA - REMOVALS AND APPROVAL

There was no Consent Agenda.

PUBLIC HEARINGS

1. 2011-2017 CAPITAL IMPROVEMENTS PROGRAM

Public hearing for consideration and adoption of the Capital Improvements Program.

Deputy Director McBeth said Novi's Capital Improvement Program (CIP) is a planning tool with a goal to identify and schedule capital improvements over a six-year period. The CIP is an opportunity to formulate strategic long-term policy decisions that extend beyond the current budget year. A capital improvement is defined as any new equipment, construction, acquisition or improvement to public lands, buildings or structures in excess of \$25,000 and with a minimum life expectancy of five years.

There have been a number of people involved in the development of the Capital Improvement Program this year: The Capital Improvement Program Committee, the Planning Commission, the Parks, Recreation and Forestry Commission (regarding park facilities) and administrative staff. Staff members, including Assistant City Manager Victor Cardenas and Senior Civil Engineer Brian Coburn, are here this evening if the Planning Commission has questions. Planner Mark Spencer is also very familiar with any pathways and sidewalk plans, specifically the Prioritization Plan and Non-Motorized Master Plan, which was recently reviewed by the Planning Commission.

Deputy Director McBeth asked the Planning Commission to hold a public hearing and consider the Capital Improvement Program for adoption, with or without modifications.

Chair Pehrson opened the public hearing. No one from the audience wished to speak and there was no correspondence. Chair Pehrson closed the public hearing.

Member Lynch stated that he and Member Gutman were on the Capital Improvement Committee, which ensures staff examines all the things that affect the planning of the City. Staff has done a magnificent job. They have certainly evaluated a number of projects that affect the planning of the City as well as the infrastructure.

Member Lynch did say there was one item of some concern. As Novi starts to grow, that will affect the sewage capacity. One question raised was, what will be done with the excess sewage and is there enough water and infrastructure capacity to accommodate new developments. Fortunately or unfortunately right now, there is not a lot of growth going on in the City and it is nice to see that the staff is looking at all the infrastructure projects that will affect decisions in the future.

Moved by Member Lynch and seconded by Member Gutman:

Motion to adopt the 2011-2017 Capital Improvements Program, as presented.

Member Meyer was pleased with item number 2 in the CIP, dealing with the Grand River rehabilitation from Novi Road to Haggerty Road. Number 117, an update to the audio visual equipment in the Council Chambers, is also important to ensure that people at home can see what is up on the screen during public meetings.

Member Lynch stated that the good news is it's on there, but he doubts it will be funded this year.

Assistant City Manager Cardenas explained audio visual updates come out of a different kind of fund, the cable peg fees. There will be some financing available for that as it does not come out of the general fund or any other kind of dedicated fund. Changes could include HDK cameras and different projectors and things should be implemented by the next budget year.

Member Cassis stated that he does echo the sentiment of Member Lynch on item number 2 and indicated he has been concerned with traffic on Grand River Avenue, especially with the Walmart coming in. So this is at least does something to address the eventual problems with traffic on that road.

Chair Pehrson asked if the purchase of new police cars comes out of forfeiture funds.

Assistant City Manager Cardenas stated that a lot of those purchases are made with forfeiture funds, so that's really not going to be allocated in CIP.

Chair Pehrson asked if there was any money allocated to address the parking lot condition at the DPS facility.

Assistant City Manager explained that improvements were considered for the Novi Ice Arena parking lot and he wasn't sure if the DPS parking lot was included.

Senior Civil Engineer Coburn stated that the DPS parking lot does need to be fixed. Item 122 addresses the DPS Field Services complex improvements, building and site work and he isn't sure if that is part of the scope of that item. There are a lot of miscellaneous things that are needed at the DPS complex that need to be addressed and the parking lot is one of them.

Chair Pehrson said asked about the replacement of Engine 3 and the tanker and ladder 1 replacement.

Assistant City Manager Cardenas stated that Engine 3 is actually being retrofitted right now with a new engine and that would extend the life of that vehicle for another ten years.

ROLL CALL VOTE ON THE APPROVAL MOTION FOR THE 2011-2017 CAPITAL IMPROVEMENTS PROGRAM.

Motion to adopt the 2011-2017 Capital Improvements Program, as presented. *Motion carried 8-0.*

2. GENJI JAPANESE STEAKHOUSE, SP 10-47A

Public hearing for Planning Commission recommendation to the City Council on the request of Pi's Property Management, for Special Land Use Permit, Preliminary Site Plan, and Storm Water Management Plan. The subject property is located at 27155 Sheraton Drive in Section 15, west of Novi road and north of I-96, in the C, Conference District. The subject property is 5.79 acres and the applicant is proposing two building additions totaling 2,593 square feet.

Planner Spencer stated the project is located at 27155 Sheraton Drive on a 5.79 acre parcel near the northwest corner of I-96 and Novi Road. To the north of the site is the West Oaks shopping center and a City of Novi regional detention pond. To the west is Twelve Mile Crossing at Fountain Walk. To the south is the Crown Plaza Hotel and to the east is Twelve Oaks Mall (across Novi Road).

The property is designated PD-2 and planned for Regional Commercial uses and eligible for the use of the PD option, which provides for an expanded set of uses. The City's regional detention basin property to the northwest is planned for public uses, the hotel property to the south is master planned PD-2 and the remaining neighboring properties are all master planned for regional commercial uses.

Planner Spencer noted the property is in the C, Conference District, as are the hotel property to the south and the City property to the northwest. The balance of the neighboring properties are zoned RC, Regional Commercial.

There are no priority habitat areas, regulated wetlands, woodlands or floodplains that would be affected by this proposal.

Planner Spencer said all uses permitted in the Conference District require a special land use permit and site plan approval by the City Council. Pi's Property Management, LLC, is seeking a positive recommendation to City Council from the Planning Commission for their Preliminary Site Plan and Special Land Use Permit application to accommodate a new restaurant business (Genji Japanese Steakhouse). The project includes remodeling the interior and exterior of the former Too Chez restaurant building, two additions to the building totaling 2,593 square feet, reconfiguring and expanding the parking lot, adding outdoor seating, reworking the landscaping and outdoor lighting, and changing the use of the existing rear building from a catering business to a food preparation area for the restaurant business. The applicant also proposes to landbank a portion of the required parking spaces.

The site plan demonstrates general compliance with the City's ordinances with a few exceptions. Based on

the applicant's proposed floor plan, the maximum occupant load for the proposed restaurant and the floor area of the food prep building, the Zoning Ordinance requires a total of 264 parking spaces (237 for the restaurant and 27 for the "food prep" building).

Planner Spencer stated the City Council may approve the land banking of up to 25% of the required number of parking spaces on the site if an applicant can demonstrate that the number of parking spaces required is in excess of the actual requirements for the functional use of the business and some other general conditions are met. If later it is determined by the City that more parking spaces are required to adequately serve the business, the property owner would be required to provide the additional spaces. In addition, the final design of the additional spaces would require site plan approval.

The applicant has provided a narrative outlining the reasons their restaurant and "food prep" building would need fewer parking spaces. The proposed floor plan includes 418 seats including 193 bar stool seats associated with fixed grill tables. The applicant states that based on using a limited number of rotating chefs for serving customers at the grill tables, it is realistic to assume that 25% or 48 of these 193 seats would be unoccupied during peak periods. The applicant also states that in their experience, they believe they will have a large number of larger parties arriving in one vehicle which could further reduce the parking demand. The planning staff supports the narrative's assumptions and supports landbanking the parking spaces required for 48 occupants. At one space for every 2 occupants, 24 parking spaces required for the restaurant are recommended to be landbanked.

Planner Spencer noted the applicant has also stated that they will only have 6 employees in the "food prep" building and at one space for every 2 employees the parking demand would be reduced to 3 parking spaces. The Zoning Ordinance requires 27 parking spaces. The landbanking of 24 parking spaces is proposed for this building and supported by the planning staff. This brings the total supported landbanked parking spaces to 48, leaving a requirement to have 216 developed parking spaces.

The site plan depicts 210 proposed parking spaces and 41 landbanked parking spaces (251 total). The applicant has responded that they will provide the additional 6 developed and 7 landbanked parking spaces. All new proposed and landbanked parking spaces and access aisles meet the Conference District's setback requirements, except for the northwestern bay of landbanked parking spaces. The applicant stated they will redesign to meet the setback requirement.

End islands with raised curbs and landscaping are required at the end of each bay of parking spaces that abut traffic circulation aisles. A new bay of parking spaces is proposed just west of the "food prep" building without end islands. The applicant stated they would provide the end islands with raised curbs and landscaping.

Planner Spencer stated restaurants and uses accessory to a restaurant are permitted as Special Land Uses on parcels in the C, Conference District subject to meeting the requirements of Sections 2202 and 2516.2(c) of the Zoning Ordinance. The Site Plan meets the requirements of Section 2200 regarding access, floor space, density, height, uses and setbacks that are required in that district. This Section also requires proposed buildings to provide for an atrium or other public gathering place. The existing restaurant was not required to have a separate public gathering place. The planning staff believes a restaurant can be considered a public gathering place and the applicant is requesting the City Council to approve the restaurant as a public gathering place.

The City Council, with a recommendation from the Planning Commission, when exercising its discretion over Special Land Use Permit and Site Plan approval should consider the following factors relative to other feasible uses of the site:

- Whether the proposed use will cause any detrimental impact on existing thoroughfares.

- Whether the proposed use will cause any detrimental impact on the capabilities of public services and facilities.
- Whether the proposed use is compatible with the natural features and characteristics of the land.
- Whether the proposed use is compatible with adjacent uses of land.
- Whether the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- Whether the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether the proposed use is listed among the provision of uses requiring special land use review and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

The Planning staff believes the following. The small increase in potential occupants should have a minimal impact on area roads and municipal services. The proposed use does not disturb any woodlands, wetlands, watercourses or wildlife priority habitat areas. Since the proposed uses are almost the same as the existing uses, they will have little impact on neighboring properties. This area is depicted in the Master Plan for commercial uses and restaurant uses are desired in the City. The proposed use is in general compliance with the Zoning Ordinance.

Planner Spencer said the City's landscape architect has asked the applicant to provide additional parking lot landscaping area and other minor changes. The applicant has agreed to provide the additional landscaping area and make the minor changes.

The site as a whole exceeds the threshold to require a Traffic Impact Study. Since the additions only increase the potential trips into and out of the site by a small amount, the City's traffic consultant recommends waiving this requirement. The proposed driveway locations do not meet the City's same side driveway spacing requirement of 105 feet. Since this is an existing site and there is no practical way to improve the access drive locations, the traffic consultant recommends that City Council grant a driveway spacing waiver.

Planner Spencer stated the proposed façade consists of weathered cedar and core tan steel panels which will naturally oxidize and have a unique appearance to them. The façade exceeds the permitted amount of EIFS and wood siding. The façade is also required to be composed of at least 30% brick and the proposal has none. The City's façade consultant has stated that the proposed façade is a significant improvement over the existing façade, unique and imaginative and is visually compatible with the surrounding buildings. Therefore he recommends a Section 9 Waiver for the overage of EIFS and wood siding since it meets the intent of the ordinance. Façade Consultant Necci is available for questions.

The applicant has also agreed to make all of the other minor changes requested in the staff and consultant review letters. At this time, the planning staff recommends that the Planning Commission make a recommendation to City Council for conditional approval of the Preliminary Site Plan and Special Land Use Permit and Stormwater Management Plan.

Chair Pehrson asked if the applicant would like to address the Planning Commission at this time.

Roman Bonislowski from Ron and Roman, LLC, project architects, came forward. Mr. Bonislowski noted he was the architect for the project that was previously approved at this location, which resembles this one very much as well as the Too Chez restaurant before that and he is happy to maintain that continuity in the building design.

Mr. Bonislowski stated Planner Spencer did an excellent job of addressing all of the aspects of the project and the plans will be corrected on the next plan submittal to comply with all of the staff's comments.

Genji Japanese Steakhouse is owned by Henry Pi of Pi's Property Management, who has restaurants in Saginaw, Midland, Brighton and Flint. They are very respectful of architecture and design at all of their restaurants. Their offices are in the City of Midland.

Mr. Bonislawski noted Mr. Pi saw his previous design and liked it and wanted to proceed with this design on that basis because it happened to fit the concept of the new design that they are proposing. What they are proposing is something that is very special. On top of being a very high end Japanese Steakhouse and Sushi Bar and having an Asian Café, Mr. Pi is also working directly with a brand new technology, tappanyaki tables which are state of the art and currently only exist in certain places in Taiwan and Asia.

These are very unique tables that do not require any of the duct work or hoods that one would typically encounter in any other Japanese Steakhouse. This provides a lot of flexibility for being able to move the tables around, which then prompted the need to put on tiny additions on the front and the back of the building to organize the space appropriately. They will be the only distributor in this country of these specialty tables.

Mr. Bonislawski stated that cultured stone and stucco EIFS is proposed for the facade along with some weathered cedar and copper and bronze detailing on the building noting that he has been able to take the existing design and improve on it with some modifications. He has also worked with Façade Consultant Necci to ensure the design meets the intent of the façade ordinance.

Chair Pehrson closed the public hearing as there was no correspondence and no one from the audience wished to address the Planning Commission on this matter.

Member Meyer asked if there was a large gathering at some point, is there not the possibility of using some of the parking spaces provided by the hotel and other adjacent facilities.

Planner Spencer explained that the owner has not presented any parking agreement with the neighbors or any easements that would allow parking on adjacent properties. But, informally, often times you will find that people will do some overflow parking onto neighboring properties. If that becomes a problem, staff would ask the applicant to increase the number of parking spaces if it is something the neighbors complain about or it becomes a regular occurrence. But, on a sporadic nature, staff does not anticipate any problems with that. Staff does expect some walk in traffic from the neighboring hotel and one of the items that has been asked for in the minor details is to provide a sidewalk connection to that parking lot and work with the neighbor and property owner to pick the right location for that sidewalk connection.

Member Meyer explained that there seems to be plenty of parking provided on the site. He does like the idea of a sidewalk between the hotel and the restaurant.

Planner Spencer stated that they would have to work with the hotel on the exact location of the sidewalk because it will mean the elimination of a parking space on the hotel site.

Member Cassis stated that he was happy to see this site developed again as it has been sitting vacant for a long time. He has been to quite a few of the Japanese steakhouses and the tappanyaki tables are wonderful he is happy to see something come into that area. That particular corner with the hotel close by has needed some help.

Member Cassis asked how many employees would be employed at this restaurant.

Mr. Bonislawski explained that they would have 20 – 30 employees that are working in the facility.

Motion made by Member Meyer, seconded by Member Gutman:

ROLL CALL VOTE ON THE SPECIAL LAND USE APPROVAL MOTION MADE BY MEMBER MEYER AND SECONDED BY MEMBER GUTMAN:

In the matter of Genji Japanese Steak House, SP10-47A, motion to recommend approval of the Special Land Use Permit for two restaurant additions subject to the following: a). Planning Commission finding under Section 2516.2.c. for a Special Use Permit that: The proposed use will not cause any detrimental impact on existing thoroughfares or the capabilities of public services and facilities; The use is compatible with the natural features and characteristics of the land and adjacent uses of land; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located; b). The proposed restaurant meets the Conference District requirement of providing a public gathering place; and c). Compliance with all conditions and requirements in the staff and consultant review letters. *Motion carried 8-0.*

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER MEYER AND SECONDED BY MEMBER GUTMAN:

In the matter of Genji Japanese Steak House, SP10-47A, motion to recommend approval of the Preliminary Site Plan, subject to the following: a). Redesigning parking space placement to meet 20 foot parking lot setback; b). Providing a minimum of 216 proposed and 48 land banked parking spaces; c). City Council approval of landbanking 48 parking spaces; d). Providing 2 additional parking lot end islands; e). Providing additional 638 square feet of parking lot landscaping; f). Redesigning all parking lot islands to meet the City's standards; g). Waiver of west parking lot island landscaping and curbs; h). Waiver of the Traffic Study; i). Waiver of minimum same side driveway spacing requirement; j). Section 9 façade waiver; and k). The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made for the following reasons: because the plan is otherwise in compliance with Article 22, Section 2400 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 8-0.*

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER MEYER AND SECONDED BY MEMBER GUTMAN.

In the matter of Genji Japanese Steak House, SP10-47A, motion to recommend approval of the Stormwater Management Plan subject to the conditions and items listed in the staff and consultant review 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 8-0.*

3. MARTY FELDMAN CHEVROLET/KIA DEALERSHIP, SP 11-04

Public hearing on the request of Marty Feldman Chevrolet/Kia Dealership for Preliminary Site Plan, Phasing Plan, Stormwater Management Plan and Special Land Use Permit. The subject property is located on the south side of Grand River Avenue, west of Meadowbrook Road, in Section 23 of the City. The property totals 9.8 acres. The zoning of the parcel is currently split between B-3, General Business and P-1, Vehicular Parking.

Planner Kapelanski stated that the site is located on the south side of Grand River Avenue, west of Meadowbrook Road. The site is bordered by Grand River to the north, Fountain Park apartments to the south, the Fountain Park apartment's access drive to the east and vacant land to the west.

The zoning of the property is split between B-3, General Business and P-1, Parking District, with the B-3 zoning adjacent to Grand River. The site is bordered by B-3 zoning to the west, RM-1 zoning to the west and south and NCC zoning to the east.

A site plan showing the new Kia dealership and a smaller addition to the existing Chevrolet dealership than what is currently proposed was previously approved by the Planning Commission in August of last year. The applicant is proposing to enlarge the Chevrolet addition to 4,930 square feet from the previously approved additions totaling 3,575 square feet. The applicant is also proposing a 720 square foot car wash. The customer parking and inventory parking layout throughout the site will generally be the same as what was previously approved, as is the Kia building.

Planner Kapelanski noted the applicant is now proposing a phasing plan. Phase 1 would include the Kia dealership and most of the parking lot improvements. Phase 2 would include the car wash and rear addition and Phase 3 would include the front addition to the north.

Outdoor space for the sale of cars is a special land use in the B-3 and P-1 Districts and changes to the previously approved plan require a new special land use permit. All reviews recommend approval of the Preliminary Site Plan, Special Land Use Permit, Phasing Plan and Stormwater Management Plan.

Chair Pehrson asked if the applicant would like to address the Planning Commission.

Tony Dellicolli from Cityscape Architects came forward representing the petitioner and the owners, Jay Feldman and Marla Feldman from Feldman Automotive. Tom Gizoni from Alpine Engineering is also present to assist with any questions the Planning Commission may have.

Mr. Dellicolli explained that Planner Kapelanski has outlined the request and mentioned that this project was here in August and was granted approval. The site plan has now been slightly amended to include 5 additional service stalls and a car wash. The purpose of those is to better serve the customers. There is an existing car wash in the facility at the extreme southeast corner of the service department and the plan now proposes a new drive-thru car wash in the immediate area. The new car wash will use the same drainage system that is established for the existing car wash. There is already a water and oil separator installed in the building. This is growth and expanding to better serve the customers.

Mr. Dellicolli explained that the phasing has been proposed because the owners realized that they didn't want to be building the east section for the Kia store and then adding on in back of the Chevy store and then expanding the showroom all simultaneously as they felt it would be disruptive to their business. The Kia construction is currently underway. The service department addition would follow that and then subsequently will be followed up with the expansion of the showroom.

Chair Pehrson stated that this was a public hearing and if anyone in the audience who would like to address the Planning Commission on this specific matter, please step forward. No one from the audience wished to speak and no public hearing responses were received, so the public hearing was closed and it was turned over to the Planning Commission for discussion and deliberation.

Member Gutman stated that everything seems in order.

Motion made by Member Gutman, seconded by Member Larson:

In the matter of the request of Marty Feldman Chevrolet/Kia Dealership SP 11-04, motion to approve the Special Land Use permit subject to the following: a). Planning Commission finding under Section 2516.2.c for the Special Land Use permit that, relative to other feasible uses of the site: The proposed use will not cause any detrimental impact on existing thoroughfares due to the fact that the new peak hour, peak direction trips will likely not exceed 19 trips; The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood due to the fact that no changes in the use of the site are proposed; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; and the proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff and consultant's review letters; and b).

Compliance with all conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 21, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.

Jay Feldman came forward and stated that the Kia building should be done roughly by July 2011. The service addition would start in April and be completed at the same time as the Kia building. The showroom addition would probably start in July and should be around a 90 day project.

Member Cassis stated that it is good to see an existing business that has been here 30 years and to see it is updating.

ROLL CALL VOTE SPECIAL LAND USE APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LARSON:

In the matter of the request of Marty Feldman Chevrolet/Kia Dealership SP 11-04, motion to approve the Special Land Use permit subject to the following: a). Planning Commission finding under Section 2516.2.c for the Special Land Use permit that, relative to other feasible uses of the site: The proposed use will not cause any detrimental impact on existing thoroughfares due to the fact that the new peak hour, peak direction trips will likely not exceed 19 trips; The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood due to the fact that no changes in the use of the site are proposed; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; and the proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff and consultant's review letters; and b). Compliance with all conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 21, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 8-0.*

Motion made by Member Gutman and seconded by Member Larson:

ROLL CALL VOTE ON PRELIMINARY SITE PLAN AND PHASING PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LARSON:

In the matter of the request of Marty Feldman Chevrolet/Kia Dealership SP 11-04, motion to approve the Preliminary Site Plan and Phasing Plan, subject to compliance with all the conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 15, Article 21, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 8-0.*

Motion made by Member Gutman and seconded by Member Larson:

ROLL CALL VOTE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LARSON:

In the matter of Marty Feldman Chevrolet/Kia Dealership, SP 11-04, motion to approve the Stormwater Management Plan, subject to the conditions and items listed in the staff and consultant review letters being addressed on the Stamping Set submittal. 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 8-0.*

MATTERS FOR CONSIDERATION

1. **ENVISIONS DIAGNOSTICS, SP 11-05**

Consideration of the request of Lewis MOC, LLC for Envision Diagnostics for Preliminary Site Plan approval. The subject property is located at 39475 Lewis Drive, at the northwest corner of Haggerty Road and Lewis Drive, in Section 12 of the City. The property totals 5.6 acres and the applicant is proposing to locate a mobile MRI/CAT Scan unit and fabric canopy on the north side of the existing medical office.

Planner Kapelanski stated that the applicant is proposing to locate a mobile MRI unit on the north side of the existing medical building at the northwest corner of Lewis Drive and Haggerty Road.

The access to the mobile unit would be provided by the adjacent walkway. The applicant has proposed a fabric canopy with sides to shield patients from the outside as they make their way to the mobile unit on the exterior of the building. The proposed enclosure has been deemed an enclosed structure since it includes a roof, walls and a door. The enclosure is not consistent with an awning, which would typically only include a roof. A Section 9 waiver is required for the use of canvas as a material on a structure other than an awning. The planning review initially did not recommend approval of the plan, noting various outstanding issues with the Building Code and Fire Code requirements. The applicant has been working with the Building Division and the Fire Marshal to resolve those issues and planning staff is now recommending approval of the plan.

Planner Kapelanski noted plans will not be stamped approved until the Fire Marshal is satisfied with the fire protection issues. The façade review recommends approval of the Section 9 waiver provided the enclosed structure is temporary in nature. The applicant has indicated the eventual plan is to move the imaging unit indoors, eliminating the need for the outdoor enclosed structure. Staff is recommending approval of the requested Section 9 waiver be granted for one year. If the structure is still needed after that time, the applicant could come back to the Planning Commission for re-consideration of the waiver.

Chip Faudie of Faudie Architecture came forward and stated that they were the architects of the original building and of the tenant that is requiring this MRI. It is actually two MRI units, one is a MRI unit and one is a Cat Scan unit and each will be there one day a week. The proposed canopy is canvas and it technically does not meet the requirements of an awning because it has canvas on the sides. That requires a Section 9 Waiver because the sides are a façade of a building instead of a canopy.

Mr. Faudie stated that this is a typical canopy with sides. A good portion of the sides are clear glazing and aesthetically, it seems like a canopy. However, with respect to the Façade Ordinance, it does violate the ordinance by having sides. The purpose of this structure is to get people from the upper floor diagnostic tenant, where they can have anything from x-rays, mammography and ultra-sounds down to the MRI or CAT scan unit, if that is what they need. The patients need to be protected from the weather. Initially the tenants had thought that this would be more temporary and now it seems it could be in place a bit longer. The tenants are trying how to figure out how to finance an MRI in the building, which costs millions of dollars.

Mr. Faudie explained that the 1 year limit could be an issue and the preference would be to have a permanent variance, if that is possible. The color will be black and somewhat goes with the décor on the building. The building is brick with a black roof and black window frames and black doors.

Brian Hughes, representing Lewis MOC, stated that Envision Diagnostic is going to be the tenant in the building and he is excited about adding them to the building. Their space is approximately 10,000 square feet and this is a new venture for the doctors that are bringing this to the City of Novi. It actually completes the services that are offered in the building and the doctors expect to get a lot of referrals from the existing practices for this diagnostic center. While the 1 year waiver would be acceptable, with the understanding per Planner Kapelanski that we could come back for additional waivers, it would be preferable to get a permanent waiver. The doctors do hope to bring the MRI and CT scan into the building, but as Mr. Faudie mentioned this

could cost millions of dollars and could be 3 or 4 years out. Given that this is really a canopy with sides and is very tastefully done, the preference would be to have a permanent waiver.

Chair Pehrson confirmed there was no correspondence.

Member Cassis stated that he had never seen this in his lifetime and asked City Attorney Schultz if there are mobile units that go around the neighborhoods and do MRI's.

City Attorney Schultz answered yes, he is aware of this situation.

Member Cassis asked Façade Consultant Necci what his thoughts were on the canvas type addition to connect to the MRI unit and the possibility of extensions of the façade waiver.

Façade Consultant Necci stated that the façade ordinance allows 10% of fabric awnings and in his review he felt that this was more than just an awning - it forms a complete enclosure of a hallway with all of the appropriate code implications of that, such as lighting, heating, sprinkler system, which are not part of the façade review. The façade ordinance allows 15% of façade to be a fabric awning, but does not allow fabric walls and roofs. The applicant has gone beyond just building an awning. This is a corridor leading from one part of the building to what will be a temporary mobile unit, another, so to speak, room or component in the building. Generally, the City does not want to encourage fabric buildings.

Façade Consultant Necci stated that having said that, it would also seem reasonable to allow that as a temporary measure. Other such enclosures have been made of steel and of materials that are consistent with the architectural construction of the structural component of the building, rather than just being fabric and a light gauge aluminum frame. That is really the debate here and at what point does the longevity of it dictate a building as compared to just an awning.

Mr. Schultz added that the Planning Division has handled it the correct way. It is a site plan approval question and the applicant is enclosing it, which makes it a structure and it needs Planning Commission approval. The real discretionary question before the commission is the façade material, which was reviewed by Façade Consultant Necci.

Member Lynch asked the applicant if eventually this is going to be a permanent MRI. Have the doctors applied to the State yet or started that process.

Mr. Hughes answered the doctors have applied to get permission from the State for a temporary MRI and CAT scan unit. Once they monitor it over the next 3-4 months, they will then make their determination whether they will actually go for the permanent units in the building. Mr. Hughes stated that was always their goal to bring it inside the building. There is still a significant portion of the suite that was left undeveloped to accommodate permanent MRI & CT scan units inside the building.

Member Lynch asked if the applicant was working with the Fire Marshal to resolve the outstanding Fire Code issues.

Mr. Hughes indicated he has been working with Mike Evans and Andy Gerecke and, in concept, they have an agreement on doing the sprinkling of the canopy itself, even on a temporary basis.

Member Lynch stated that approval would be conditioned on meeting Building Code and Fire Code requirements.

Mr. Hughes stated that was correct and they would like to get the Section 9 Waiver before moving forward with Building and Fire.

Member Lynch explained that this is a difficult decision and he understands Member Cassis's concern. He does not want to see a permanent tent out there. Member Lynch also understands the state approval process. It would take at least 1 ½ to 2 years by the time everything is done and approved by the State for a permanent unit. Member Lynch does not have a problem with the proposal as long as it is temporary.

City Attorney Schultz stated that the exercise of discretion, the waiver for the façade, gives the Planning Commission the authority to put a time limit to such things.

Member Baratta asked about the cost of meeting the Building Code requirements, the sprinkler systems, power and heat that would be required.

Mr. Hughes stated the projection the costs for doing it as a temporary structure, as currently proposed would be approximately \$20,000. A permanent structure could be between \$60,000 and \$70,000.

Member Larson asked how large the structure will be.

Mr. Faudie explained that the structure is 193 square feet. At its tallest point, where it goes up and covers over the trailer, it is 14 feet high. Most of it is only 10 feet high. It comes out from the building 13 feet, 6 inches.

Member Baratta stated that is sounded like a relatively small structure. Is there any way the applicant could come up with a much simpler and less expensive structure to meet their objectives.

Mr. Faudie explained that they had done 2 or 3 different designs of a more permanent nature and it had been priced by the contractor. That is where Mr. Hughes got his numbers.

Mr. Hughes stated that it is still the doctors' intent to make this temporary and they do not want to invest that kind of money in a structure that they do not plan to have there permanently.

Member Cassis stated that it seems that this turns on a financial of consideration on the part of the petitioners or whoever is supporting them. Member Cassis cannot in good conscience go along with something like this that could have been done correctly, even if it would have been more costly.

Chair Pehrson stated that he understood the concept. He knows the dilemma of what Façade Consultant Necci goes through when he is looking at the façade and what the ordinance says and considering new materials that continually outgrow and outpace the ordinance. The applicant is basically putting together a canvas building - they are going to sprinkle it, heat it and put electricity in it. Chair Pehrson can't support that because he can see others coming back and trying to use canvas as a substitute for true building materials.

Member Prince asked if there are other structures of a similar nature or is the first one of that kind.

Mr. Faudie stated that there were others of this nature. The manufacturer of this canopy enclosure has a number of them all over the State. There is one at Botsford Hospital that it is a telescoping canvas type material on three sides.

Mr. Hughes stated that Beaumont Hospital, Providence Hospital and California Pizza Kitchen have something similar with an overhead structure and the sides that come down. Those are also fully sprinkled, and have electricity and heat. So, this isn't atypical for something of its nature.

Motion made by Member Meyer, seconded by Member Prince:

ROLL CALL VOTE ON PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER MEYER AND SECONDED BY

MEMBER PRINCE:

In the matter of the request of Lewis MOC, LLC for Envision Diagnostics SP 11-05, motion to approve the Preliminary Site Plan, subject to the following: a). Section 9 waiver for the use of canvas as a façade material on a structure other than an awning; b). The Section 9 waiver shall be granted for a period of one year, after which the applicant will need to return to the Planning Commission for reconsideration of the waiver; c). The applicant complying with all applicable Michigan Building Code requirements and Fire Code requirements; and d). Compliance with all the conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 23A, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. Motion failed 4-4 (Nays: Baratta, Cassis, Larson, Pehrson).

Chair Pehrson asked if anyone would like to make a second motion based on any other considerations.

Member Lynch stated he agreed with Chair Pehrson. He would like to see the applicant come back with something more sustainable, a better quality material. Member Lynch would invite the applicant to reconsider.

City Attorney Schultz stated that as just a reminder, since there is an aspect of this that is a discretionary approval, some findings would be appropriate. If there were a motion going the other way, the basis would be that it doesn't meet the façade requirements. Just a reminder, the standards are Section 2520, whether the request is in keeping with the purpose and intent of the overall façade section and whether the materials are consistent with and will enhance the building design. If there is a second motion to deny, that's the ordinance section that would apply.

Moved by Member Cassis, seconded by Member Baratta:

ROLL CALL VOTE ON MOTION TO DENY MADE BY MEMBER CASSIS AND SECONDED BY MEMBER BARATTA.

In the matter of the request of Lewis MOC, LLC for Envision Diagnostics SP 11-05, motion to deny the Preliminary Site Plan because the plan is not in compliance with Article 23A, Article 24 and/or Article 25 of the Zoning Ordinance and because the façade materials are not consistent with, nor will they further the purpose and intent of Section 2520 of the Zoning Ordinance. Motion failed 4-4. (Nays: Gutman, Lynch, Meyer, Prince).

2. MACPROFESSIONALS, SP 11-06

Consideration of the request of Nadlan 32 LLC for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located at 30275 Hudson Drive, at the southwest corner of Cartier Drive and Hudson Drive, in Section 4 of the City. The property totals 3 acres and the applicant is proposing interior renovations and landbanked parking.

Planner Kapelanski stated that the applicant is proposing to occupy the existing vacant speculative office/warehouse building at the southwest corner of Hudson Drive and Cartier Drive. The property is currently zoned I-1, Light Industrial and is surrounded by I-1 zoning. Office and warehouse space and light manufacturing uses are principal permitted uses in the I-1 District. The future land use map indicates industrial, research, development and technology uses for the subject property. There are no natural features on the site that will be impacted.

When the plan was originally approved, parking was calculated based on 21,000 square feet of warehouse/manufacturing use and 12,000 square feet of office use. The applicant is proposing to increase the office space by adding a mezzanine and converting some of the warehouse space. The site now requires a total of 128 parking spaces. The applicant has proposed landbanked parking to account for a portion of

this shortfall. The Planning Commission may permit landbanked parking if the applicant can demonstrate that the number of parking spaces required is in excess of the actual functional requirements of the use. The applicant has submitted correspondence indicating the number of employees and visitors is below the current number of parking spaces on the site. The area proposed for landbanked parking would not interfere with the site circulation. The applicant has only shown a portion of the additional required spaces. They are seeking a variance from the Zoning Board of Appeals for the remaining 18 spaces. An alternate plan has been included in the packet demonstrating how all the required parking could be accommodated on the site should the applicant not receive the requested variance from the Zoning Board of Appeals. The planning review, engineering review, landscape review, woodlands and wetlands review and fire review all recommend approval of the plan with items to be addressed on the Final Site Plan submittal.

Chair Pehrson asked the applicant if he would like to address the Planning Commission.

Ryan Dembs with Amson Dembs Development came forward and stated that Planner Kapelanski has explained everything thoroughly. The applicant is MacProfessionals which is a corporate distributor for Mac computers. Amson Dembs is happy with the use and the tenant. They are currently in Novi, but have plans to substantially grow. The space is going to be very unusual and a very high tech interior space and the use fits great. The parking is the one issue and the plan is to landbank a number of spots, but it still doesn't meet the exact requirement of the code. One of the issues for MacProfessionals is that the parking lot is too big for their use and they do not want the appearance of a regularly empty parking lot. They do not want to have a bigger parking lot than what they need. Currently, they will have about 40 employees and 20-30 on and off visitors. The site currently holds 85 spots and additional spots are proposed as landbanked spaces.

Member Meyer stated that they had a letter from the President & CEO of MacProfessional, Lisa Glush. The letter reads with respect to our future location we currently will have 45 employees working out of this location on a daily basis. Our daily visitor traffic is approximately 20 people per day for short periods of time.

Chair Pehrson asked if there were any comments.

Member Cassis stated that he appreciated that Amson Dembs always gets high quality tenants.

Mr. Dembs thanked Member Cassis and noted Novi gives us a good name and it is a great location and great City.

Motion made by Member Gutman, seconded by Member Lynch:

ROLL CALL VOTE ON PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH.

In the matter of the request of Nadlan 32 LLC for MacProfessionals SP 11-06, motion to approve the Preliminary Site Plan, subject to the following: a). Applicant receiving a variance for the deficient number of parking spaces from the Zoning Board of Appeals (110 spaces provided, 128 spaces required); If the applicant does not receive the needed variance, the alternative plan provided to show the full amount of parking required would satisfy the requirements of Section 2505 of the Zoning Ordinance and a variance from the ZBA would be required to allow banked parking to exceed more than 25% of the total amount of required parking; b). Planning Commission finding that the applicant has demonstrated the following: The use would require less parking than would typically be required; Parking will not occur on any street or driveway, any area not approved and developed for parking and will not occur on that area where parking construction has been landbanked until such time as that area is constructed for such parking; The requested parking landbanking will not create traffic or circulation problems on or off site; and the requested parking landbanking is consistent with the public health, safety and welfare of the City and the purposes of the Zoning Ordinance; and c). Compliance

with all the conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 19, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 8-0.*

Motion made by Member Gutman, seconded by Member Lynch:

ROLL CALL VOTE ON STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH.

In the matter of the request of Nadlan 32 LLC for MacProfessionals, SP 11-06, motion to approve the Stormwater Management Plan subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan submittal. 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 8-0.*

3. SET A PUBLIC HEARING FOR MARCH 23, 2011 FOR ZONING ORDINANCE TEXT AMENDMENT 18.247 RELATED TO ADDITIONAL HEIGHT PROVISIONS FOR PROPERTIES ADJACENT TO LIMITED ACCESS FREEWAYS.

Planner Kapelanski stated that this is a staff initiated amendment and it would allow all buildings north of Grand River Avenue in the OST District to be constructed up to a height of 65 feet with additional building setbacks. It would also allow all buildings on parcels adjacent to freeway rights-of-way to be constructed up to 65 feet, again with the additional building setbacks. This would align with one of the Implementation Strategies listed in the Master Plan for Land Use and staff is asking the Planning Commission to set the public hearing for March 23, 2011.

Motion made by Member Meyer, seconded by Member Gutman:

ROLL CALL VOTE ON MOTION TO SET THE PUBLIC HEARING FOR TEXT AMENDMENT 18.247 MADE BY MEMBER MEYER AND SECONDED BY MEMBER GUTMAN:

Motion to set a public hearing for March 23, 2011 for Text Amendment 18.247. *Motion carried 8-0.*

4. APPROVAL OF FEBRUARY 9, 2011 PLANNING COMMISSION MINUTES

Motion made by Member Gutman, seconded by Member Larson:

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

Motion to approve the February 9, 2011 Planning Commission minutes. *Motion carried 8-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no items on the Consent Agenda.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

Chair Pehrson asked if anyone from the audience that would like to address the Planning Commission.

Todd Stowell of 39640 Nine Mile Road came forward and stated he missed the opportunity to speak earlier regarding the Capital Improvement Program. The main thing that the neighbors have been really discouraged about with the City has been with the Pathway Prioritization Project. The residents have not received adequate notice on Pathway Projects that are coming through and are given misinformation on when to attend meetings to voice their concerns.

Mr. Stowell and some of his neighbors attended a meeting that took place on December 13, 2010 at the Police Department and were told by some staff at that meeting that they would have an opportunity in March to discuss the final funding of that program that was going to come through their yards. Mr. Stowell now found out that everything has been approved by City Council and there wasn't a proper forum for the citizens to talk to City Council or the Planning Commission about any of these actions. Mr. Stowell and his neighbors have received letters in the mail from the City saying they have the right to come in and take part of their land as an easement, but we still have not received a time to really address the group, Planning Commission and City Council to discuss these matters.

It seems like that is a pattern that has been happening within the City, because in talking with the neighbors, there are other projects that have gone on through the City where citizens are not being told about what is proposed. Mr. Stowell frequently sees signs saying the City is considering changing the zoning of a property but there was nothing that came around for this particular project where the residents would really have an opportunity to look at it and say, do we want this in our front or back yards. The residents are not being afforded that opportunity and it is very frustrating. Mr. Stowell and his neighbors are attending the Planning Commission meeting and do not feel they have been represented very well with the City.

Mike Looney of 40645 Oakwood came forward. Among other things he has concerns, if this project goes through, about the maintenance of this pathway. It is supposed to be 10 feet wide. He did some checking on his own and talked to the City. It almost seems like the neighbors are supposed to be in charge of cleaning that area off. If there is a snowfall and someone owns a snowplow or snowblower, it is going to be used in the front of their house and the City is expecting them to tote that to the back of their property and clean that pathway off. If someone is walking their dog and the dog does its business, are the residents suppose to be cleaning that up? It is unclear who is going to be in charge of keeping this area clear.

Mr. Looney also wanted to know what type of work was done to solicit feedback from people that thought this pathway would be worthwhile. He never received anything and he is along that stretch of roadway. Who was surveyed on this, people that weren't along that stretch? Mr. Looney and his neighbors have never had that presented to them as residents. Federal grant dollars are proposed to finance the installation but can't that money be diverted for another purpose to a stretch of roadway in Novi that needs to be upgraded, maybe Eleven Mile Road from Meadowbrook Road through the Town Center if that is a City road. That road is full of potholes and cement and terrible to drive on. As a resident, Mr. Looney would like this project to be reconsidered. Can it be put on the south side of the road? There has to be a better place. There is a pathway that goes from Meadowbrook Road to Novi Road and continues on the south side of the road and a new path could be linked up with the bike path without going to the north side and linked up with 275.

Laura Debuca of 39630 Nine Mile Road came forward. She would like to speak about the safety issues. There are five driveways there for residents that back out into Nine Mile Road. It is bad enough right now with all the traffic trying to get out and now the City is proposing a ten foot bike path with people flying across the driveways. Ms. Debuca feels, as a homeowner and a resident of Novi for 33 years, that the City has pulled the rug out from underneath her for any kind of resale of her home. The condominiums behind her were supposed to be detached single-story condominiums. She went on vacation for 1 month and came back to 2-story homes with the grade raised up 5 feet and her backyard flooded to her deck. It took her months to get someone to take care of that and then there was supposed to be a fence or tree line for some kind of

privacy and she doesn't have any of that because the condos are looking down into her yard from a 2-story building on top of another 5 foot berm.

Now the City is taking away her front yard, where she has put in shrubs so she can block the traffic and some of the pedestrian traffic that comes through and she is forever picking up beer bottles, beer cans, papers and McDonald wrappers that are in her front yard. The proposed pathway will not enhance the property for resale, as she was told because no one is going to want a 10 foot bike path going through their driveway and it is not safe due to the accidents at that corner. Ambulances go by daily for that corner. There are always people slamming on their brakes. Ms. Debuca's husband was rear-ended trying to get into their driveway.

Ms. Debuca asked where the City was planning to cross children and bikes safely across Nine Mile Road & Haggerty Road. Are they going to bring the pathway to the curb and if so, it has to be ten feet wide, that would still be on part of her property. If the City can bring it to the curb, why couldn't they put it on the south side of the road and not have to worry about the pine trees or the other problems. It would just connect and make more sense because the people using the bike path will be the people who live on the south side of the road.

Ms. Debuca raised 4 kids at her residence and never had a sidewalk and it didn't seem like anyone even cared if she did. A sidewalk is something people would be walking on, but a 10 foot bike path is different. Ms. Debuca's only place to turn around is the property that she purchased with her neighbor Todd, a 20 foot driveway from Trillium Village when they didn't need it. MS. Debuca uses that as a turnaround so she can get back out onto Nine Mile Road. She cannot back into her front yard because she has a septic field there. So, her only way to get out is to back down there. For her to be able to see the bikes, she would have to take out her shrubbery that she put there so she didn't see all the traffic.

It seems like the City doesn't care about people at that end of the town. Ms. Debuca does not want a bike path coming past her driveway and does not feel safe with it. She doesn't want to hit a kid on a bike or be hit by a bike. This is so unsafe.

Pam Wolstencroft of 40611 Oakwood Drive came forward and stated that she agrees with everything that was said so far. Communication with the City of Novi has been horrible. She did not find out about this project until February 21, 2011 when she received her letter from the City. She opposes the project primarily because she bought her house because it has a full privacy fence and she has 3 young children. Under the temporary easement, the City wants to take down her privacy fence and inconvenience her family and risk the safety of her kids by exposing them to 9 Mile Road.

Ms. Wolstencroft also agrees with the safety issues mentioned and thinks the pathway should be on the south side of the road where there is a lot of vegetation and less driveways. On the north side the pathway is interfering with the driveways and there is a lot of vegetation and old trees that cannot be replaced. Her backyard is all full of trees and they would have to come down in order to put that pathway in as well as her privacy fence. Who is going to pay for all of that? Ms. Wolstencroft bought her house for safety reasons and wanted to raise her kids in a City that she grew up in.

No one else from the audience wished to speak and Chair Pehrson closed the audience participation.

Chair Pehrson addressed Deputy Director McBeth and said that he thought they had considerable public meetings and forums to voice opinions and get input. Typically in the audience participation, participants are allowed to ask questions but the Planning Commission and staff are not obligated to answer those questions right away or at this meeting. But, given the amount of concerns that were noted, Chair Pehrson asked Deputy Director McBeth to explain the process that the City has gone through to date regarding the Non-Motorized Plan and Pathway Prioritization Plan.

Deputy Director McBeth stated that she could touch on a few of the big items that the staff and Planning Commission have looked at over the last several months and last several years as well. There is the Pathway Prioritization Plan, the PSPAP Plan that the Walkable Novi Committee has been working over the last 4 or 5 years to identify gaps in the sidewalk system and finding the areas that are most in need of having the sidewalks completed.

This Nine Mile Road segment was one of the segments that was identified in that plan as important to link a number of neighborhoods and make other regional connections. This link was also included in the Non-Motorized Master Plan that was recently reviewed by the Planning Commission as being a desirable location for sidewalks. Sidewalks on both sides of the major thoroughfares are generally considered desirable in terms of linking up and connecting the neighborhoods. There is also the Capital Improvement Program and there a number of projects included in there that have to do with pathways and sidewalks. This Nine Mile Road segment is listed in that program as one of the recommended projects for continued funding.

At this point, the Capital Improvements Program is recommending funding this improvement partially with City funds and partially with grant funding that had been pursued sometime back. There are these opportunities at planning stages for public hearings at the Planning Commission that are always available to the members of the public. There was a meeting in December as well, where residents were invited to come and discuss and learn about the Nine Mile Road project itself. The feedback received this evening is valuable and will be included in the minutes, as is the case with all the meetings.

Chair Pehrson asked who in the City residents should be contacting for any safety concerns. Senior Civil Engineer Coburn stated this under the purview of the Engineering Division and Ben Croy is the project engineer for the project and he can be reached at the Department of Public Services.

ADJOURNMENT

Motion made by Member Meyer, seconded by Member Gutman:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER MEYER AND SECONDED BY MEMBER GUTMAN.

Motion to adjourn the February 23, 2011 Planning Commission meeting. Motion carried 8-0.

The meeting was adjourned at 8:53 PM.

Transcribed by Juanita Freeman

March, 2011

Date Approved: March , 2011

Richelle Leskun, Planning Assistant