



CITY of NOVI CITY COUNCIL

www.cityofnovi.org

**Agenda Item B
October 8, 2007**

SUBJECT: Acceptance of a Conservation Easement for Country Inn from Novi Lodges, LLC for property located on the west side of Haggerty Road, between Orchard Hill Place and Nine Mile Road, covering 0.15 acres of woodland, wetland and wetland buffer.

SUBMITTING DEPARTMENT: Community Development Department – Planning *Buis*

CITY MANAGER APPROVAL: *PLA for CDP*

BACKGROUND INFORMATION:

On February 20, 2001 the petitioner, Novi Lodges, LLC, received Final Site Plan approval for a proposed hotel on a 2.47 acre lot located on the west side of Haggerty Road between Orchard Hills Place and Nine Mile Road, SP00-02. The Planning Commission had previously approved the Preliminary Site Plan showing a four-story, 50,876 square foot hotel with 101 rooms which included the preservation of a small amount of woodlands, wetlands and wetland buffer along the west property line. The applicant recently submitted the executed easement in an effort to finalize this project, as acceptance of the conservation easement by the City Council is a requirement to obtain a final certificate of occupancy for this building.

The conservation easement covers a total of 0.15 acres which represents 6% of the site. "Exhibit A" graphically depicts the woodlands, wetland and wetland buffer areas being preserved. The easement covers a portion of a larger woodland/wetland complex that transverses multiple properties.

The easement has been reviewed by the City and is currently in a form acceptable to the City Attorney's office for approval by the City Council.

RECOMMENDED ACTION: Acceptance of a Conservation Easement for Country Inn from Novi Lodges, LLC for property located on the west side of Haggerty Road, between Orchard Hill Place and Nine Mile Road, covering 0.15 acres of woodland, wetland and wetland buffer.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Gatt				
Council Member Margolis				

	1	2	Y	N
Council Member Mutch				
Council Member Nagy				
Council Member Paul				

City Attorney Review Letter

May 29, 2007

30903 Northwestern Highway
P.O. Box 3040
Farmington Hills, MI 48333-
3040
Tel: 248-851-9500
Fax: 248-851-2158
www.secretwardle.com

Elizabeth M. Kudla
Direct: 248-539-3816
ekudla@secretwardle.com

Barb McBeth, Planning Director
City of Novi
45175 West Ten Mile Road
Novi, Michigan 48375-3024

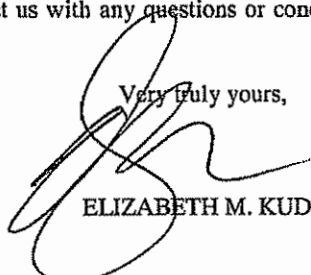
**Re: Country Inn & Suites
Conservation Easement
Our File No: 72236 NOV**

Dear Ms. McBeth:

We have reviewed and approved the Conservation Easement pertaining to the Country Inn & Suites Property, a copy of which is enclosed. The Conservation Easement provides for the protection, in perpetuity of certain woodland and wetland areas on the subject property. The language was drafted by Tom Schultz of our office and provided to the property owner in 2002. We therefore approve the language of the Easement. Subject to approval of the exhibits by the appropriate consultants, the Conservation Easement may be placed on an upcoming City Council Agenda for acceptance. The original Conservation Easement has been provided to the City Clerk's Office.

Please feel free to contact us with any questions or concerns in regard to this matter.

Very truly yours,



ELIZABETH M. KUDLA

EMK
Enclosure

C: Maryanne Cornelius, Clerk (w/ Original Enclosure)
Alan Baskins, Country Inn & Suites (w/Enclosure)
Marina Neumaier, Assistant Finance Director (w/Enclosure)
Aaron Staup, Construction Engineering Coordinator (w/Enclosure)
Sarah Marchioni, Building Department (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

C:\N:\Portbl\imange\BKUDLA\940518_1.DOC

Conservation Easement and Exhibits

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT made this ____ day of _____, 2003, by and between Novi Lodges, LLC, whose address is 31492 Glendale Avenue, Livonia, MI 48150 (hereinafter the "Grantor"), and the City of Novi, and its successors or assigns, whose address is 45175 W. Ten Mile Road, Novi, MI 48375, (hereinafter the "Grantee").

RECITATIONS:

A. Grantor owns a certain parcel of land situated in section 36 of the City of Novi, Oakland County, Michigan, described in Exhibit A, attached hereto and made a part hereof (the "Property"). Grantor has received final site plan approval for construction of a commercial building on the Property, subject to provision of an appropriate easement to protect an area of woodlands and wetlands from destruction or disturbance. Grantor desires to grant such an easement in order to protect the area.

B. The Conservation Easement Area situated on the Property is more particularly described on Exhibit B, attached hereto and made a part hereof, the second page of which contains a drawing depicting the protected area.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$ 1.00), in hand paid, the receipt and adequacy of which are hereby acknowledged, Grantor hereby grants and conveys the Conservation Easement to Grantee, pursuant to subpart 11 of part 21 of the Natural Resources and Environmental Protection Act being MCL 324.2140, et. Seq., upon the terms and conditions set forth herein as follows:

1. The purpose of this Conservation Easement is to preserve the Easement Area described and depicted in Exhibit B in its natural and undeveloped condition, and to protect the existing woodlands and wetlands in the Easement Area.

2. Except as otherwise mutually agreed by both parties, Grantor and Grantee shall refrain from altering the topography of; placing fill material in; dredging, removing or excavating and soil, minerals, trees, or vegetation from constructing or placing any structures on; draining surface water from; or plowing, tilling, cultivating, or otherwise altering or developing, the Easement Area.

3. This Conservation Easement does not grant or convey to Grantee, or any member of the general public, any right of ownership, possession or use of the Easement Area, except that, upon reasonable written notice to Grantor, Grantee and its authorized employees and agents (collectively, "Grantee's Representatives") may enter upon and inspect the Easement Area to

determine whether the Easement Area is being maintained in compliance with the terms of the Conservation Easement.

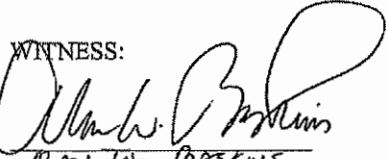
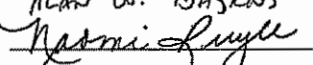
4. In the event any person shall fail to maintain protective measures and/or preserve the Easement Area as required in this Conservation Easement, the City shall be authorized to send written notice to the owners of the Property as disclosed on the most recent records in the office of the City, specifying the corrective action required on the Property in the City's reasonable discretion in order to restore, preserve and protect the Easement Area, and specifying a reasonable time within which such corrective action must be completed. If the corrective action specified in the notice is not completed on a timely basis, following notice and opportunity for the owner to be heard, the City or agent of the City, may enter upon the Property and undertake the appropriate maintenance and preservation action. The cost of any such corrective action taken by the City, or caused to be taken by the City, including, but not limited to, reasonable attorney and administrative fees, shall be paid by the owners of the Property, and if not paid within 30 days following a billing to the Owners, such amount shall become a lien on the Property, to be collected by placing an amount on the next annual delinquent real property tax roll, to accrue interest and penalties, and to be collected in the manner provided by law for the collection of real property taxes.

5. The Conservation Easement shall be binding upon the respective successors and assigns of both Grantor and Grantee, and shall run with and bind the Easement Area in perpetuity unless modified or terminated by written agreement of the parties.

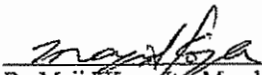
6. Within 90 days after the Conservation Easement shall have been recorded, Grantor at its sole expense, shall place such signs, demarcating the boundaries of the Easement Area and, describing its protected purpose, as indicated herein.

7. This Conservation Easement has been made and given for a consideration of a value less than One Hundred (\$ 100.00) Dollars, and, accordingly, is (i) exempt from the State Transfer Tax, pursuant to MSA 7.456(26)(2) and (ii) exempt from the County Transfer Tax, pursuant to MSA 7.456(5)(a).

IN WITNESS WHEREOF, Grantor and Grantee have executed the Conservation Easement as at the day and year first above set forth.

WITNESS:

Alan W. Basens

NAOMI RUYKE

(Grantor)
NOVI LODGES, LLC


By Majid Koza, Member

STATE OF MICHIGAN)
)ss

COUNTY OF OAKLAND)

The foregoing instrument was acknowledges before me this 10th day of April, 2004 by MAJID KOZA, as the MEMBER of Novi Lodges, LLC.

NAOMI RUYLE
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Sep 2, 2004

Naomi Ruyle
Notary Public
Oakland County, Michigan
My Commission Expires: 9-2-2004

WITNESS:

(Grantee)
CITY OF NOVI
A Michigan municipal corporation

By: ~~Richard J. Clark~~ Its: Mayor
DAVID CANDRY

By: Maryanne Cornelius Its: Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me on this _____ day of _____, 200_, by _____ and _____, on behalf of the City of Novi, a Municipal Corporation.

Notary Public
Oakland County, Michigan
My Commission Expires: _____

Drafted by and after recording,
return to:

Thomas R. Schultz
30903 Northwestern Highway
P.O. Box 3040
Farmington Hills, MI 48333-3040

295254_1.DOC

EXHIBIT A

July 10, 2000

Job No. 96-039
Country Inn and Suites

**LEGAL DESCRIPTION:
SUBJECT PARCEL (COUNTRY INN AND SUITES)**

A part of the Northeast 1/4 of Section 36, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the East 1/4 Corner of said Section 36; thence North 01°38'53" West, 300.00 feet, along the East line of said Section 36 and the centerline of Haggerty Road, to the POINT OF BEGINNING; thence South 87°27'27" West, 470.01 feet; thence North 01°38'53" West, 229.03 feet; thence North 87°27'27" East, 470.01 feet, to the East line of said Section 36 and the centerline of said Haggerty Road; thence South 01°38'53" East, 229.03 feet, along the East line of said Section 36 and the centerline of said Haggerty Road, to the point of beginning. All of the above containing 2.471 acres. All of the above being subject to the rights of the public in Haggerty Road. All of the above being subject to easements, restrictions, and right-of-ways of record.

EXHIBIT A

HAGGERTY ROAD

PUBLIC ROAD 66' 1/2 R.O.W.

E. LINE SEC. 36 AND C. HAGGERTY ROAD

S01°38'53"E

229.03'

EAST 1/4 CORNER
SECTION 36
T.1N., R.8E.

NORTHEAST CORNER
SECTION 36
T.1N., R.8E.

2109.80'
S01°38'53"E

300.00'
N01°38'53"W

POINT OF
BEGINNING
SUBJECT PARCEL

PROP. 60 FT. R.O.W.

SUBJECT PARCEL
2.471 ACRES

"COUNTRY INN AND SUITES"

470.01'

N87°27'27"E

470.01'

54.13

N87°27'27"E

44.66

S42°27'27"W

EASEMENT FOR WETLAND AND
WOODLAND CONSERVATION

S02°32'33"E

197.42

S87°27'27"W

26.13

POINT OF
BEGINNING
EASEMENT

N01°38'53"W

229.03'

470.01'

443.88

S87°27'27"W

S87°27'27"W

SUBJECT PARCEL AND
EASEMENT FOR WETLAND



**SEIBER, KEAST &
ASSOCIATES, INC.**
CONSULTING ENGINEERS

40399 GRAND RIVER AVENUE SUITE 110 NOV, MI 48375-2123
(248) 473-7880



MILLETICS AND
ASSOCIATES
LAND SURVEYORS

COUNTRY INN
SECTION 36, T.1N., R.8E.,
CITY OF NOVI
OAKLAND COUNTY, MICHIGAN

SCALE: 1" = 50'
DATE: 07-10-2000
JOB NO.: 86-039
OWG FILE: 96-039EEQA
DRAWN BY: KAL
CHECK: GWN
SHEET: 1 OF 1

EXHIBIT B

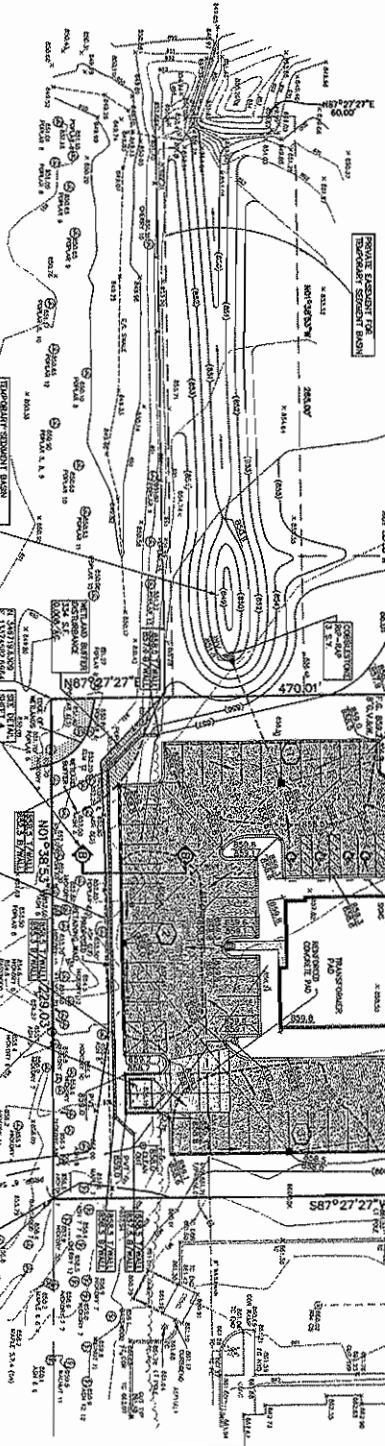
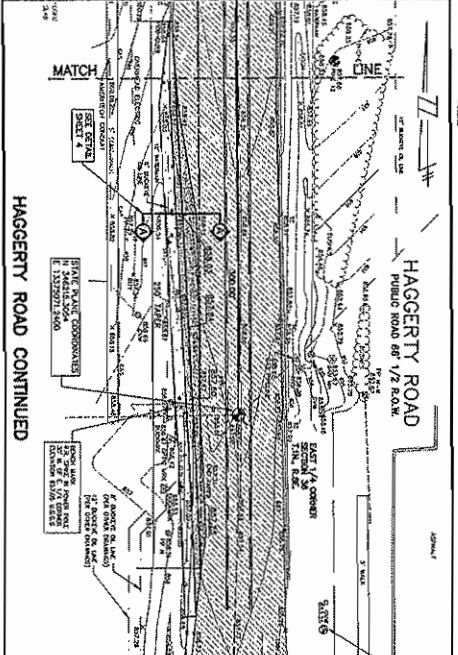
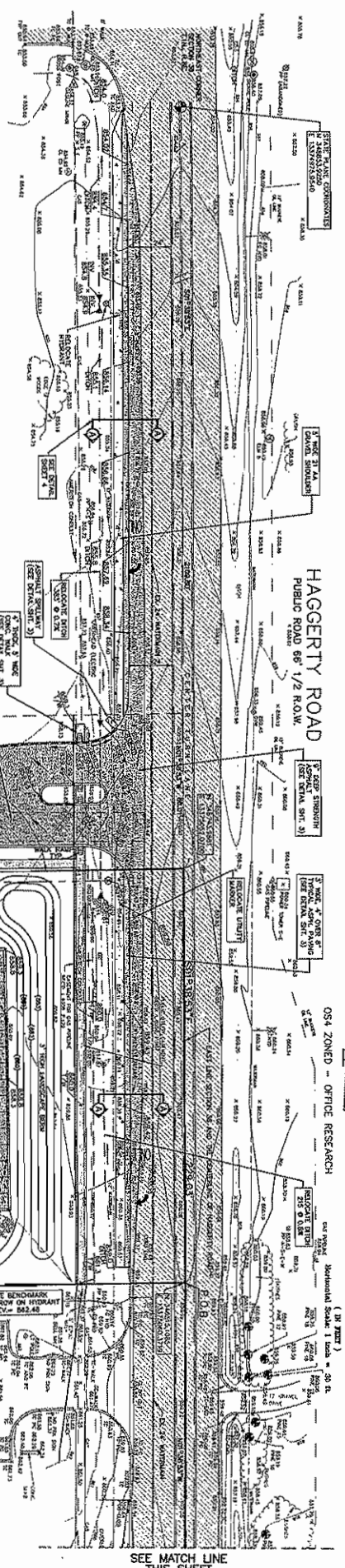
October 20, 2000

Job No. 96-039
Country Inn and Suites

LEGAL DESCRIPTION EASEMENT FOR WETLAND AND WOODLAND CONSERVATION

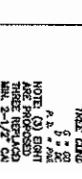
A part of the Northeast 1/4 of Section 36, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the East 1/4 corner of said Section 36; thence North 01°38'53" West, 300.00 feet, along the East line of said Section 36 and the centerline of Haggerty Road, to the Southeast corner of the Subject Parcel; thence South 87°27'27" West, 443.88 feet, along the Southerly line of the Subject Parcel to the POINT OF BEGINNING; thence South 87°27'27" West, 26.13 feet, along the Southerly line of the Subject Parcel, to the Southwest Corner of the Subject Parcel; thence North 01°38'53" West, 229.03 feet, along the West line of the Subject Parcel, to the Northwest Corner of the Subject Parcel; thence North 87°27'27" East, 54.13 feet, along the North line of the Subject Parcel; thence South 42°27'27" West, 44.66 feet; thence South 02°32'33" East, 197.42 feet, to the Point of Beginning.

Site Plan



TREE LEGEND

NUMBER	DESCRIPTION
0001	10" DB DIA
0002	6" DB DIA
0003	3" DB DIA
0004	2" DB DIA
0005	1" DB DIA
0006	4" DB DIA
0007	6" DB DIA
0008	8" DB DIA
0009	10" DB DIA
0010	12" DB DIA
0011	14" DB DIA
0012	16" DB DIA
0013	18" DB DIA
0014	20" DB DIA
0015	22" DB DIA
0016	24" DB DIA
0017	26" DB DIA
0018	28" DB DIA
0019	30" DB DIA
0020	32" DB DIA
0021	34" DB DIA
0022	36" DB DIA
0023	38" DB DIA
0024	40" DB DIA
0025	42" DB DIA
0026	44" DB DIA
0027	46" DB DIA
0028	48" DB DIA
0029	50" DB DIA
0030	52" DB DIA
0031	54" DB DIA
0032	56" DB DIA
0033	58" DB DIA
0034	60" DB DIA
0035	62" DB DIA
0036	64" DB DIA
0037	66" DB DIA
0038	68" DB DIA
0039	70" DB DIA
0040	72" DB DIA
0041	74" DB DIA
0042	76" DB DIA
0043	78" DB DIA
0044	80" DB DIA
0045	82" DB DIA
0046	84" DB DIA
0047	86" DB DIA
0048	88" DB DIA
0049	90" DB DIA
0050	92" DB DIA
0051	94" DB DIA
0052	96" DB DIA
0053	98" DB DIA
0054	100" DB DIA
0055	102" DB DIA
0056	104" DB DIA
0057	106" DB DIA
0058	108" DB DIA
0059	110" DB DIA
0060	112" DB DIA
0061	114" DB DIA
0062	116" DB DIA
0063	118" DB DIA
0064	120" DB DIA
0065	122" DB DIA
0066	124" DB DIA
0067	126" DB DIA
0068	128" DB DIA
0069	130" DB DIA
0070	132" DB DIA
0071	134" DB DIA
0072	136" DB DIA
0073	138" DB DIA
0074	140" DB DIA
0075	142" DB DIA
0076	144" DB DIA
0077	146" DB DIA
0078	148" DB DIA
0079	150" DB DIA
0080	152" DB DIA
0081	154" DB DIA
0082	156" DB DIA
0083	158" DB DIA
0084	160" DB DIA
0085	162" DB DIA
0086	164" DB DIA
0087	166" DB DIA
0088	168" DB DIA
0089	170" DB DIA
0090	172" DB DIA
0091	174" DB DIA
0092	176" DB DIA
0093	178" DB DIA
0094	180" DB DIA
0095	182" DB DIA
0096	184" DB DIA
0097	186" DB DIA
0098	188" DB DIA
0099	190" DB DIA
0100	192" DB DIA



LEGEND

DESCRIPTION	DATE
PROK	10/10/00
PROP	10/10/00
FLOW	10/10/00
IMPROV	10/10/00
EXIST	10/10/00

COUNTRY INN AN
SECTION 35, TOWN 1 NORTH, 1
CITY OF HOWLAND, OHIO
REVISIONS

NO.	DATE	DESCRIPTION
1	10/10/00	INITIAL DESIGN
2	11/15/00	REVISED PER COMMENTS
3	12/10/00	REVISED PER COMMENTS
4	01/10/01	REVISED PER COMMENTS
5	02/10/01	REVISED PER COMMENTS
6	03/10/01	REVISED PER COMMENTS
7	04/10/01	REVISED PER COMMENTS
8	05/10/01	REVISED PER COMMENTS
9	06/10/01	REVISED PER COMMENTS
10	07/10/01	REVISED PER COMMENTS
11	08/10/01	REVISED PER COMMENTS
12	09/10/01	REVISED PER COMMENTS
13	10/10/01	REVISED PER COMMENTS
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16	01/10/02	REVISED PER COMMENTS
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18	03/10/02	REVISED PER COMMENTS
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21	06/10/02	REVISED PER COMMENTS
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144	09/10/12	REVISED PER COMMENTS
145	10/10/12	REVISED PER COMMENTS
146	11/10/12	REVISED PER COMMENTS
147	12/10/12	REVISED PER COMMENTS
148	01/10/13	REVISED PER COMMENTS
149	02/10/13	REVISED PER COMMENTS
150	03/10/13	REVISED PER COMMENTS

GRADING & WOODLAND ASSOCIATES, INC.
SHEHER KHAST & ASSOCIATES, INC.
4639 GRAND RIVER AVENUE, SUITE 100, HOWLAND, OHIO 44028

NOTES

1. SET LIGHTING SHALL BE PROVIDED BY THE CONTRACTOR.
2. ON-SITE EROSION CONTROL SHALL BE PROVIDED BY THE CONTRACTOR.
3. WORK SHALL BE ACCORDING TO THE SPECIFICATIONS.
4. NO OUTDOOR STORAGE IS PERMITTED.

WOODLAND COST ESTIMATE

ITEM	QUANTITY	UNIT	PRICE	TOTAL
WOODLAND COST ESTIMATE				
WOODLAND COST ESTIMATE				
WOODLAND COST ESTIMATE				

WOODLAND NOTE

WOODLAND COST ESTIMATE

WOODLAND COST ESTIMATE

WOODLAND COST ESTIMATE

WOODLAND COST ESTIMATE

CLASSIFICATION

CLASSIFICATION

CLASSIFICATION

CLASSIFICATION

USING LEGEND

USING LEGEND

USING LEGEND

USING LEGEND

Location Map

Country Inn Location



CITY OF NOVI PLAN REVIEW CENTER
 Created by Mark Spencer
 9/27/07
 NOVI PLANNING DEPARTMENT
 45175 W. TEN MILE ROAD
 NOVI, MI 48375-3024
 (248) 347-0475
 WWW.CI.NOVI.MI.US

/Country inn location.mxd

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Planning Commission Minutes

Excerpts

February 16, 2000

REGULAR MEETING OF THE NOVI PLANNING COMMISSION
Excerpts
WEDNESDAY, FEBRUARY 16, 2000 AT 7:30 P.M.
COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 WEST TEN MILE ROAD
(248)-347-0475

Meeting called to order at 7:30 p.m. by Acting Chair Watza.

PRESENT: Members Cassis, Koneda, Mutch, Richards and Watza

ABSENT/EXCUSED: Members Canup, Capello, Churella, Piccinini

ALSO PRESENT: Planning/Traffic Consultant Rod Arroyo, Engineering Consultant Victoria Weber, Assistant City Attorney Paul Weisberger, Landscape Architect Linda Lemke, Director of Planning & Community Development Jim Wahl, and Planning Assistant Beth Brock

PUBLIC HEARINGS

1. COUNTRY INN & SUITES SP00-02

This hotel project is located in Section 36, on the west side of Haggerty Road between Eight and Nine Mile Roads. The 2.47 acre site is zoned Office Service Commercial District (OSC). The applicant is seeking Preliminary Site Plan and Woodland Permit approvals.

George Norberg of Sieber Keast and Associates introduced Todd Pipfer and Alan Baskins representing the applicant. He proposed a four-story, 101 room, 50,876 square foot hotel on a location previously approved for a Ramada Inn. The site contains 110 parking spaces of which 107 are required. Access to the site will be provided by a boulevard entrance off of Haggerty Road. There are two accesses provided to the site for emergency vehicle access. Sanitary sewer will be provided by connecting to the existing sewer. Mr. Norberg stated connection would be a 6" lead from the existing sewer which only impacts two trees which will be replaced. He stated there is a third tree to be removed in order to construct the retaining wall. Water for the site will be provided by connecting into the existing Extended Stay stub, it will be looped back to Haggerty Road. Storm sewer on site will discharge into a temporary sediment basin. The proposal shows parking lot detention at 12" at the deepest point.

Mr. Norberg stated he had no objections to making all of the changes and corrections that Linda Lemke asked be done on the Landscape Plan. In regard to the parking lot detention, Mr. Norberg stated he has since put together a plan that shows three parking spaces being removed and a detention basin would be constructed. It would provide volume for about 50 percent of the storage while the balance would be stored in the parking lot with a depth of about 6". Mr. Norberg asked for approval of the original plan subject to the Consultants review. He stated he could meet the requirements.

Rod Arroyo, Planning and Traffic Consultant recommended approval, he indicated that there was one contingent item he would like to see resolved. There is an Ordinance requirement that the front yard parking does not occupy more than 50% of the front yard. He stated Mr. Norberg provided him with calculations that indicated he meets the requirements of the Ordinance. There were some other minor items that needed to be resolved on the Final Site Plan.

In regard to traffic, Mr. Arroyo recommended approval. He stated he has received trip generation information from the applicant's consultant. There is an existing center turn lane, therefore, there is no need for them to add additional pavement. There will be a shared driveway which will have

a deceleration lane which he felt would have a positive benefit. Mr. Arroyo recommended approval.

Victoria Weber, Engineering Consultant did not recommend approval based on the original proposed complete parking lot detention. She stated she has since met with the applicant who presented the revision showing a portion of the site being able to be detained in a detention basin. She stated with the change, she was in a position to recommend approval of the plan subject to those revisions being shown on a revised plan in the future.

In regard to the façade review, Ms. Weber referred to a letter dated January 21, 2000 from Doug Necci of JCK which states the percentage of asphalt shingles exceed the maximum allowed by Ordinance. In consideration of the fact that the use of asphalt shingles is consistent with the style of architecture used, it was his recommendation that the design was consistent with the intent and purpose of the Ordinance. A Section 9 Waiver was therefore recommended.

Linda Lemke, Landscape Architect did not recommend approval of the Woodlands and Landscape Plans because they did not match and it was hard to get a handle on how many trees were to be removed. The quality of the woodlands was a very narrow edge vegetation, the applicant is removing very little of it. They are proposing three trees to be removed but not more than six total. Ms. Lemke stated the plans now match. She stated there were some concerns that could be addressed at the time of Final. She did not see a problem with approving both the Landscape and Woodland Plans at Preliminary. Ms. Lemke recommended approval of the Woodlands Plan with her standard conditions based on financial guarantees and fees, the resolution of all of the items in her letter at the time of Final, and no construction until an Environmental Pre-Construction Meeting is held and snow fencing is inspected. With these comments Ms. Lemke recommended both Landscape and Woodland approval.

Acting Chair Watzka announced he has received a letter from Michael W. Evans, Fire Marshal for the City of Novi Fire Department, which states that the above plan has been reviewed and approval is recommended.

Acting Chair Watzka announced it was a Public Hearing and opened the Matter to the Public.

Seeing no one he closed the Public Hearing and turned the Matter over to the Commission for Discussion.

DISCUSSION

Member Mutch expressed concern regarding the boulevard concept serving this parcel as well as the other parcel. He asked what the distance was between this entrance and the new traffic light and boulevard entrance that serves the other portions of the office complex?

Mr. Arroyo stated it was several hundred feet, he did not have the exact number at this time.

Member Mutch asked if there was no opportunity to use that entrance to service the larger parcels?

Mr. Arroyo believed that when a traffic study was submitted for the entire office development, they were looking at about 800,000 square feet of development at build-out. This would be too much development to serve with just one access point. Therefore, a second point of ingress and egress would definitely be looked at. He did not anticipate the need for another one, therefore, this should be the second and hopefully last access point to serve the project.

Member Mutch asked if the amount of traffic generated at this entrance would justify another signal?

Mr. Arroyo stated he would expect that it would remain unsignalized as typically one signal would be sufficient. He stated the signal is primarily to help adjust the left turn movements.

Member Mutch asked if the hotel to the south would present any turning conflicts?

Mr. Arroyo answered, no. He stated there was adequate separation between the two.

Member Mutch asked if there was any knowledge of any development plans for the neighboring Farmington Hills as far as coordinating driveways?

Mr. Arroyo answered, no. He stated they have shown the access points that are across the street and there does not appear to be any conflicts associated with Commercial development on the other side of the road.

Member Mutch asked the applicant if they would be responsible for constructing the boulevard entrance into the property?

Mr. Norberg answered it would be constructed as part of the development.

Member Mutch asked if the section immediately west of the first entrance was the planned width of the road entrance?

Mr. Norberg answered it would be reconfigured but they would still have to maintain two accesses off of the boulevard entrance.

Member Mutch asked if there were easements?

Mr. Norberg answered if the easements were not in place, they would be before the closing occurred.

Member Mutch asked Mr. Arroyo if it was part of the conditions?

Mr. Arroyo answered, yes. He stated as a part of the Final Site Plan review and approval, all easement documentation must be submitted for review.

Member Mutch expressed concern that pedestrian access was not being provided from the exterior sidewalk system into the interior. He stated when the larger property is developed, he would like to see if a sidewalk could be put in along the boulevard. He stated if the applicant could plan and provide connection from their property to the boulevard, it should be explored.

PM-00-02-032 TO APPROVE COUNTRY INN & SUITES SP00-02 FOR PRELIMINARY SITE PLAN AND WOODLAND PERMIT APPROVAL CONTINGENT UPON ALL OF THE CONSULTANTS COMMENTS AND RECOMMENDATIONS CONCERNING FUTURE REVISIONS TO THE PLAN AND A SECTION 9 WAIVER

Moved by Mutch, seconded by Richards, CARRIED UNANIMOUSLY: To approve Country Inn & Suites SP00-02 for Preliminary Site Plan and Woodland Permit approval contingent upon all of the Consultants comments and recommendations concerning future revisions to the plan and a Section 9 Waiver.

DISCUSSION

Member Koneda asked if there was a traffic impact statement provided to demonstrate that the minimum site distance requirements for the boulevard entrance was in compliance with the Ordinance?

Mr. Arroyo stated that was a piece of information that he was looking to be submitted with the Final Site Plan. He did not anticipate there to be a problem.

In regard to the front yard parking, Member Koneda asked the front yard was considered to be Haggerty Road?

Mr. Arroyo answered, yes.

Member Koneda asked if landscaping the berm along Haggerty Road was a condition of approval?

Ms. Lemke answered, yes. She stated they have already added shrubs and some sub-canopy trees to the plan.

Member Koneda asked if there was enough room to achieve the correct height to the berm?

Ms. Lemke answered, yes. She added that it would be looked at during the time of Final and stated it appears to be able to meet it at this time.

In regard to the lot split, Member Koneda asked what the boundaries were for the original 6.4 acres?

In regard to the original 6.4 acres, Mr. Arroyo did not know. He stated the balance plus the remainder was all under one ownership. He stated the narrowest point of the large piece was about 400' deep and continues to the north. He believed this was all part of the planned office development.

Therefore, Member Koneda stated at some point there could be another site plan that comes in for the land directly behind the parcel. He assumed that the boulevard entrance would also extend to the rear to service whatever development comes in.

Mr. Arroyo answered, yes. He stated the boulevard was planned to eventually link up internally to the boulevard to the north.

Member Koneda asked if the detention basin could be put in the northwest corner of the property without affecting the road alignment? He asked if it was possible to have a larger detention basin so the parking lot would not have to be used for detention.

Ms. Weber stated unfortunately the topography is quite flat, therefore, to locate a basin in that area would face the same types of issues of obtaining the adequate depth for storage.

Member Koneda asked if she was satisfied with the alternative plan?

Ms. Weber answered, yes.

Acting Chair Watza asked to see a colored rendering of the facades.

VOTE ON PM-00-02-032 CARRIED UNANIMOUSLY

Yes: Cassis, Koneda, Mutch, Richards, Watza
No: None