



cityofnovi.org

PLANNING COMMISSION

DRAFT MINUTES

CITY OF NOVI

Regular Meeting

Wednesday, May 20, 2009 | 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 7:00pm.

ROLL CALL

Present: Members David Baratta, Victor Cassis, David Greco, Andy Gutman, Brian Larson, Michael Lynch, Michael Meyer, Leland Prince

Absent: Member Mark Pehrson (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Lindon Ivezaj, City Engineer; Rod Arroyo, Traffic Consultant; Tom Schultz, City Attorney.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Greco:

VOICE VOTE ON THE AGENDA APPROVAL MOTION:

Motion to approve the May 20, 2009 Agenda. Motion carried 8-0.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

CORRESPONDENCE

Member Greco said that the Planning Commission received a letter from our Traffic Consultant, Rod Arroyo regarding the Hotel Baronette. Being part of the Hotel Baronette consideration, the Commission will review it when the item comes up under Matters for Consideration.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director of Community Development Barbara McBeth spoke about receiving a request for a rezoning for property near Eleven Mile and Beck Road and wanted to clarify that the matter will not be under consideration this evening, as had been advertised. Mr. Paul Bosco owns property at that location and had submitted a rezoning request for that property. Staff had done a review of that request, a notice was put in the newspaper and notices of a Public Hearing were sent out to the members of the public in the immediately surrounding area. Last week, after the notices were mailed, staff received a letter from Mr. and Mrs. Bosco, asking that the matter be postponed indefinitely. If and when the Bosco's rezoning request does come back, Planning will send out notices again to all of those surrounding property owners.

City Council recently approved text amendments related to the PRO (Planned Rezoning Overlay) district, as reviewed and recommended by the Planning Commission. City Council also approved two façade waiver requests, also recently reviewed by the Planning Commission: one was for the façade changes at the Novi Town Center and the other façade request was for the Crown Plaza.

CONSENT AGENDA - REMOVALS AND APPROVAL

1. NOVI CORPORATE CAMPUS PARCEL 8, SP07-24

Consideration of the request of Amson Dembs Development for a one-year Final Site Plan extension. The subject property is located in Section 9, north of Twelve Mile, east of West Park Drive, in the OST, Planned Office Service Technology District. The subject property is approximately 8.34 acres and the applicant is proposing to build a

28,638 square foot speculative office/warehouse building.

2. MERCANTILE MARKETPLACE, SP08-26

Consideration of the request of DAP Investments for a one-year Preliminary Site Plan extension. The subject property is located in Section 15, north of Fonda Drive and west of Novi Road, in the TC, Town Center District. The subject property is approximately 1.29 acres and the applicant is proposing to demolish the existing Big Boy restaurant and construct a 10,000 square foot building consisting of two retail spaces and one restaurant space.

3. MACKENZIE SOUTH TECHNOLOGY CENTRE, SP07-70

Consideration of the request of Northern Equities Group for a one-year Final Site Plan extension. The subject property is located in Section 1, at the southwest corner of Haggerty Road and Mackenzie Drive, north of Thirteen Mile Road, in the OST, Planned Office Service Technology District. The subject property is approximately 5.42 acres and the applicant is proposing to construct a speculative 48,866 square foot one-story general office building.

4. MACKENZIE NORTH TECHNOLOGY CENTRE, SP08-25

Consideration of the request of Northern Equities Group for a one-year Preliminary Site Plan extension. The subject property is located in Section 1, at the northwest corner of Haggerty Road and Mackenzie Drive, north of Thirteen Mile Road, in the OST, Planned Office Service Technology District. The subject property is approximately 6.09 acres and the applicant is proposing to construct a speculative 55,187 square foot one-story general office building.

5. CITY CENTER PLAZA PHASES 4 & 5, SP06-37

Consideration of the request of City Center Plaza, LP, for a one-year Final Site Plan extension. The subject property is located in Section 22, south of Grand River Avenue, west of Novi Road, in the TC-1, Town Center District. The subject properties are approximately 1.8 acres combined and the applicant is proposing to construct a 10,400 square foot general office building at the southwest corner of Flint Street and Grand River Avenue and a 3,640 square foot retail building at the western edge of the existing City Center Plaza development.

Moved by Member Meyer, seconded by Member Prince:

VOICE VOTE ON CONSENT AGENDA APPROVAL MOTION MADE BY MEMBER MEYER AND SECONDED BY MEMBER PRINCE.

A motion to approve the May 20, 2009 Consent Agenda. *Motion carried 8-0.*

PUBLIC HEARINGS

1. SIGN ORDINANCE TEXT AMENDMENT 09-100.38

Public Hearing for Planning Commission's recommendation to City Council for Sign Ordinance Text Amendment 09-100.38. An Ordinance to amend Chapter 28, "Signs" of the City of Novi Code, to update, clarify and provide new substantive regulations concerning the placement of signs within and throughout the City.

Planner Kristen Kapelanski stated that the proposed changes that are before the Commission for recommendation to City Council deal with Chapter 28 of the Code of Ordinances; which is the Sign Ordinance. The Amendments have been reviewed and recommended by the Ordinance Review Committee of the City Council. The changes are as follows. Modifications to the ordinance will more clearly indicate that changeable copy signs are not permitted on off-premises advertising billboards. The regulations for height and area for billboards have been modified along with other more minor modifications.

City Attorney Tom Schultz stated that the issue of changeable copy on off-premises billboards came up with an enforcement issue along the I-96 Corridor. The City Council charged the Ordinance Review Committee to take a look at the Ordinance to see if changeable copy on off-premises advertising billboards was desired, and if not, whether an ordinance amendment is needed. The Ordinance Review Committee's recommendation, which has been reported to City Council, was those off-premises advertising billboards should not be allowed to be changeable copy signs. There are a few that will obviously be grandfathered in or non-conforming, but there are some that are not changeable copy now. The intention is for these amendments to indicate that changeable copy off-premises advertising signs will not

be permitted. There are a couple of changes on off-premises advertising signs to make them slightly bigger and change the setbacks, but they are relatively minor, to bring them in conformity with other area Ordinances.

Chair Gutman indicated that this is a Public Hearing and opened the matter for public comment. There were no Public Hearing responses received and no one from the audience wished to speak, so Chair Gutman closed the Public Hearing.

Member Cassis asked the city attorney about the intent of an item on page 6, Section 28 -3, Permits. Member Cassis asked about what is meant by the term "maintain" in Section 28 -8, reading, "it shall be unlawful for any person to erect, alter, relocate or maintain any sign...without first obtaining a permit..." Member Cassis asked, what is meant by "maintain".

City Attorney Schultz stated the intent of this section is to maintain or keep the sign in place, and is not referring to conducting regular on-going maintenance of the sign. Member Cassis stated that the standard is not clear as to whether the ordinance is intending that maintenance of a sign will not be permitted, such as painting a sign or keeping it to a certain standard. Mr. Schultz stated that on-going upkeep of the sign is not the intent of this section and he would further review the language for clarity.

Member Meyer asked for clarification from the attorney of Section 5.a, page 17, and the term "on-premises". Mr. Meyer noted that changeable copy signs shall be on-premises, business ground-signs only, and this would exclude off-premises signs. Member Meyer indicated that his support for the ordinance changes is to help clarify that off-premises signs would not be allowed to be changeable copy signs, including large billboard signs along I-96.

City Attorney Schultz answered that Member Meyer is correct. Existing signs on I-96 would be grandfathered in and would not be regulated by the new Ordinance, but new changeable copy signs would not be permitted.

Member Cassis stated that we have all read in the papers and heard that there is a possibility that Rock Financial would be enlarged: what kind of arrangements are there in the Sign Ordinance for any eventuality of this taking place.

City Attorney Schultz stated that the City Staff and Administration are reviewing the ordinances and zoning approval processes in response to the stories we've been hearing. The Sign Ordinance may well be one of those ordinances under further review. Member Cassis suggested that review may take place during the rezoning and permit process. City Attorney Schultz stated this ordinance may be one reviewed at that time.

Moved by Member Meyer, seconded by Member Prince:

ROLL CALL VOTE ON SIGN ORDINANCE TEXT AMENDMENT 09-100.38, RECOMMENDATION TO CITY COUNCIL FOR APPROVAL MADE BY MEMBER MEYER, SEONDED BY MEMBER PRINCE:

In the matter of Sign Ordinance Text Amendment 09-100.38, a motion to recommend approval of the Sign Ordinance Text Amendment to City Council. *Motion carried 8-0.*

MATTERS FOR CONSIDERATION

1. THE BARONETTE, A RENAISSANCE HOTEL BY MARRIOTT RENOVATION, SP09-08

Consideration of the request of Hotel Baronette for a recommendation to City Council for Preliminary Site Plan and Storm Water Management Plan approval. The subject property is located in Section 14, south of Twelve Mile, east of Novi Road in the RC, Regional Center District. The subject property is approximately 6.29 acres and the applicant is proposing to add a three-story 5,688 square foot addition to the existing Hotel Baronette. And, is also proposing to extend the patio area of the existing restaurant and eliminate 26 parking spaces from the existing parking lot.

Planner Kristen Kapelanski said the applicant is proposing to add a three-story addition to the southwest corner of the existing Hotel Baronette. The addition will include a new banquet facility on the first floor, a fitness center for hotel guests on the second floor and a guest lounge on the third floor. The applicant is also proposing to extend the patio area of the on-site restaurant and to eliminate 26 parking spaces to accommodate the addition. The subject property is bordered by Gorman's Furniture to the north, Twelve Oaks Mall to the east, and West Oaks to the west and office uses here to the south. The subject property is currently zoned RC (Regional Center) and surrounded by RC in all directions. The Future Land Use Map indicates the property can utilize the PD-2 (Planned Development Option) along with the properties to the north and west. The properties to the southeast are Master Planned for community

commercial uses.

Planner Kapelanski noted further requirements of Section 2505 of the Zoning Ordinance, that 438 parking spaces would be required to accommodate all the existing and proposed uses on the site. However, Section 2505.8 allows the City Council, after a recommendation from the Planning Commission, to reduce the parking requirements with the acceptance of a Shared Parking Study demonstrating how the parking can effectively function on-site. Ms. Kapelanski noted that the applicant has submitted the Shared Parking Study which indicates only 357 parking spaces are required for peak usage; 356 parking spaces have been provided.

Planner Kapelanski displayed the location of the new addition on the southwest corner of the existing building, and the location of the extension of the patio. The Planning, Engineering, Fire and Landscape reviews recommend approval and note a number of minor items to be addressed at the Final Site Plan submittal. The applicant has agreed to correct those items. The Façade Review notes that the proposed addition's façade is in compliance with the façade chart and a waiver is not required. However, the Façade Consultant also notes that the façade of the existing hotel is in need of maintenance, and the applicant should consider completing this regular maintenance as part of the proposed hotel renovation. There are some photo's included in the Façade Consultants review letter to demonstrate that.

The original Traffic Review letter which was included in your packet did not recommend approval of the proposal because of issues regarding the Traffic Impact Study. However, the applicant has worked with the city's Traffic Consultant, and part of the updated review letter that was provided to the Commission this evening, shows that the city's Traffic Consultant now has no remaining issues with the Traffic Impact Study, Shared Parking Study and Preliminary Site Plan, and believes that all the issues noted the review letter can be resolved at the time of Final Site Plan submittal. The applicant is present and available for questions.

Chair Gutman asked the applicant to step forward and state his name for the record.

Mr. Scott Black, Grissim Metz Andriese Associates indicated he is the landscape architect for the project and will be speaking for the client/owner this evening.

Chair Gutman thanked Mr. Black and turned the matter over to the Commission.

Member Cassis stated that it is great to see an existing hotel getting enlarged and investing money and expecting more business. It's good and healthy, and, we welcome it in Novi. Mr. Cassis indicated he is not concerned about the Traffic Study because the city's Traffic Consultant Rod Arroyo has recommended approval. Mr. Cassis asked the applicant how many customers would be expected in the dining room, banquet facility and porch, if all of the facilities are full.

Mr. Black said he did not know the maximum occupancy of the hotel, restaurants and banquet facilities.

Member Cassis said he is more concerned about parking than the Traffic Study. Member Cassis said the Baronette is a beautiful place, but he stated that when attending events, the parking has not been convenient, especially in the winter. Member Cassis said he knows that there is shared parking, and Twelve Oaks is a rather big place. Mr. Cassis questioned if we are really pressing the situation, and making the hotel just a little bit bigger than it should be, for the sake of the customer.

Traffic Consultant Rod Arroyo stated that he had worked with the applicant's Traffic Engineer from Tetra Tech, who prepared a Shared Parking Study. The Shared Parking Study provided an analysis of parking spaces available when activities would be taking place at the Hotel Baronette in the hotel, restaurant and banquet areas.

Member Cassis asked, how many people you would have at the same time, if all of the campus is full of customers.

Mr. Ray, the applicant's traffic consultant from Tetra Tech, indicated that the Shared Parking Study doesn't really address the total number of people; it only addresses the number of vehicles. The Study is based on occupancy factors for vehicles and shows that the maximum demand of 357 parking spaces. This does not necessarily translate

to the number of people at the facility.

Member Cassis asked how the calculations were done, whether it is how many people per car, how many people are coming in, or what is the capacity of the entire campus.

Mr. Ray stated that the Shared Parking analysis was performed by another individual from his office. The Study starts with the gross floor area based on the City of Novi standards. Then, based upon occupancy factors of typical facilities provided by the Urban Land Institute, the ULI, the study further estimates occupancy during various periods of the day, and during various months of the year. It takes into account when different facilities on the site would be peaking. The restaurant and the banquet facilities would not be necessarily be peaking at the same time.

Member Cassis asked Mr. Ray who had prepared the study.

Mr. Ray answered that an individual in his office named Joseph Bellega prepared the study and signed the letter.

Member Cassis asked the City's Traffic Consultant, Rod Arroyo if he had any input.

City Traffic Consultant Arroyo stated that he reviewed a couple of different things in the submitted Shared Parking Analysis. The analysis considered what would be required under the existing Ordinance. The analysis went on to consider shared parking among the different uses at the hotel. The Shared Parking Analysis looked at the site in terms of the time-sharing of the different uses having different peak times: the banquet facility, the restaurant and the hotel. A separate analysis was prepared for different activities on the property. For example, a certain percentage, approximately 25 percent, of the hotel patrons are dropped off in a cab instead of taking a vehicle, so that was factored in. Some people going to the banquet facility happen to be staying at the hotel. Particularly on the weekends, that is considered to be a fairly substantial number. People fly in for an event maybe and their staying at the hotel and their going to go to a banquet, might be a wedding, or whatever the case may be. The Study looked at those different factors. Following the ULI methodology, the conclusion is that there is ample parking on the site, even with the reduction of the 26 spaces that will be caused by changes to the Site Plan.

Member Cassis asked Mr. Arroyo if he was satisfied with the analysis.

Mr. Arroyo stated that he was satisfied.

Member Meyer addressed Mr. Black and said he was curious in light of what Member Cassis said, and agreed it is wonderful that the hotel is expanding. Member Meyer explained how Novi has just had a new hotel built next to Providence Hospital. We have an economic situation going on right at the moment that would make at least someone wonder, if indeed, this is the best time to be doing this. Member Meyer asked the applicant to share the reasoning, the "raison d'être", whatever has led the applicant to believe that this is the appropriate time, over and beyond the fact that Rock Financial may have the auto show in 2011.

Scott Black, Tetra Tech stated that he knows the owner is confident that by constructing this addition, the hotel will be drawing more functions and be able to satisfy more of the cliental they have. Mr. Black stated that the Marriott Renaissance brand has high standards. They will be redoing the carpet inside and other upgrades. His client has done a lot of research and feels very comfortable with this move.

Member Meyer affirmed what Member Cassis said, that we welcome the applicant's improvements, especially in light of the current economic challenges.

Chair Gutman thanked Mr. Arroyo for clarifying the parking situation, and found the explanation was very helpful to understand what the parking needs are. Mr. Gutman is pleased that the study shows that the parking supply is in line with those needs. Mr. Gutman thanked the applicant for investing and growing in a down economic climate. There was comment in the Planning Commission's packet about the façade and how nice it would be if we could see that maintained routinely and hope the applicant will take that to heart because it is a beautiful hotel and could be even better with some routine maintenance. Those are my comments. I will open it up to see if there is a motion.

Moved by Member Greco, seconded by Member Baratta:

ROLL CALL VOTE ON THE BARONETTE, A RENAISSANCE HOTEL BY MARRIOTT RENOVATION, SP09-08, RECOMMENDATION TO CITY COUNCIL FOR A PRELIMINARY SITE PLAN APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA.

In the matter of the Baronette, a Renaissance Hotel by Marriott, SP09-08. a motion to recommend approval to City Council for the Preliminary Site Plan, subject to the following:

- 1. The submitted Shared Parking Study is acceptable and demonstrates that adequate parking will be provided on-site for the expected mix of uses.**
- 2. The Applicant shall demonstrate that the collected traffic counts accurately capture existing conditions, including use of the hotel banquet facilities to assure that the proposed left-turn entry drive from the Mall entry road will not experience spill-backs into the Mall entrance, drives, driveways and thru-lanes.**
- 3. The applicant shall provide documentation from Twelve Oaks Mall approving the proposed changes to the Mall entrance drive.**
- 4. The applicant shall consider routine maintenance on the existing stone-copings and window sills as part of the hotel renovations.**
- 5. The comments in the staff and consultants review letters being addressed on Final Site Plan;**

for the reasons that the proposed site plan is otherwise in compliance with Article 25 and Article 17 of the Zoning Ordinance and all other applicable provisions of the Ordinance and the proposed Shared Parking Study illustrates that adequate parking will be on-site to support both the principle hotel use and all accessory uses. Motion carried 8-0.

Moved by Member Greco, seconded by Member Baratta:

ROLL CALL VOTE ON THE BARONETTE, A RENAISSANCE HOTEL BY MARRIOTT RENOVATION, SP09-08, RECOMMENDATION TO CITY COUNCIL FOR STORM WATER MANAGEMENT PLAN APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

In the matter of the Baronette, a Renaissance Hotel by Marriott, SP09-08. a motion to approve the Storm Water Management Plan subject to the conditions in items listed in the staff and consultant's review letters being addressed on the Final Site Plan and because it is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 8-0.

2. 29 PARK, PROPOSED NIGHTCLUB AT NOVI MAIN STREET DEVELOPMENT, SP09-11

Consideration of the request of 29 Park Inc. for a recommendation to City Council for Preliminary Site Plan and Shared Parking Study approval. The subject property is located in Section 23, south of Grand River Avenue and east of Novi Road, in the TC-1, Town Center District. The applicant is proposing to occupy approximately 10,000 square feet of vacant space at the existing Novi Main Street development located at 43155 Main Street.

Member Larson asked to be recused from the vote since he is a tenant in the building where this use would be located.

City Attorney Schultz asked by way of explanation, as he understands, Mr. Larson is a tenant in the building where this use would be located.

Member Larson answered that this is correct.

City Attorney Schultz stated that the question is probably unclear whether this case might have a financial impact or as to whether or not Mr. Larson would be completely neutral on the question. Mr. Schultz indicated that it is appropriate to ask to be recused if either of those might apply to Mr. Larson's situation.

Member Larson answered, that was correct.

Chair Gutman stated that there needed to be a vote.

City Attorney Schultz confirmed there does need to be a vote, and it must be unanimous.

Motion by Member Cassis, seconded by Member Meyer:

ROLL CALL VOTE ON THE REQUEST THAT MEMBER LARSON BE RECUSED FROM THE VOTE MADE BY MEMBER CASSIS, SECONDED BY MEMBER MEYER.

A motion to recuse Member Larson from this item. *Motion carried 7-0*

Planner Kapelanski described the project to the Planning Commission and stated that the applicant is proposing to occupy approximately 10,000 square feet of vacant space in the existing Novi Main Street development. The nightclub would be located in the space formerly occupied by Steak on Main and the Coffee Trader at the corner of Main Street and Market Street. The subject property is zoned TC-1 (Town Center District) and is surrounded by TC zoning in all directions. Parking was a significant issue in the original Town Center approval because all the various uses were proposed to share the parking provided.

Under Section 2505.8 of the Ordinance, which is part of the Off-Street Parking Standards, the Planning Commission recommends approval to City Council, and the City Council is given authority to reduce the number of parking spaces required. The original approval of the Main Street development included a reduction in the number of otherwise required spaces, based on the City Council's approval of a Shared Parking Study showing a certain mix of uses. This study included all existing parking areas surrounding the Main Street buildings and all the parking areas behind the building in question. It also included the underground parking at the Atrium Building, parking in front of Gus O'Connor's, parking in front of Andiamos, as well as the on-street parking. Originally approved as a single site development, the Main Street area now has four (4) separate property owners in which all have access to the existing parking lots per the original site plan approval.

Planner Kapelanski stated that restaurant uses were anticipated in the building areas where the nightclub is now proposed. The applicant is proposing a more intense nightclub use in terms of parking requirements than what was originally anticipated. The Shared Parking Study had to be updated, as a means of determining if sufficient parking for the proposed new use could be provided. The applicant has submitted an updated Shared Parking Study for the Planning Commission and the City Council's review. The Study shows 1,008 spaces existing and 1,195 spaces required for all the proposed areas of the buildings, if they are fully occupied. The applicant is requesting a reduction of 187 spaces from the number required as determined by the Shared Parking Study.

The primary action to be taken by the Planning Commission this evening is consideration of a recommendation to City Council for Preliminary Site Plan approval. In order to approve the Site Plan, the City Council, after recommendation by the Planning Commission, would need to reduce the number of parking spaces required after considering the Shared Parking Study. So the ancillary action requested of the Planning Commission is also the recommended acceptance or rejection of the Shared Parking Study itself.

The Planning Commission has the following options available this evening:

1. The Commission could recommend approval of the Shared Parking Study and the Preliminary Site Plan.
2. The Commission could recommend acceptance of the Shared Parking Study based on the fact that the methodology is sound, but table the Preliminary Site Plan, until additional information can be provided regarding the proposed valet operation and off-site parking.
3. The Commission could recommend acceptance of the Shared Parking Study, again because the methodology is sound, but recommend denial of the Preliminary Site Plan because parking on-site is significantly deficient to accommodate the proposed use at the peak hour of parking demand.
4. The Commission could recommend denial of both the Shared Parking Study and the Preliminary Site Plan.

Ms. Kapelanski stated that the Community Development Department Staff and Traffic Consultant have all worked quickly with the applicant to bring this matter forward.

The applicant understands that there are some lingering issues regarding the conditions in the Shared Parking Study. One of the main concerns is the deficient 187 spaces on the site at the peak hours. The proponent has suggested securing approval from nearby property owners for off-site valet parking lots along the south side of Grand River Avenue. The lots are identified in the updated Shared Parking Study that was included in the Planning Commission's packets.

Ms. Kapelanski indicated that the applicant is proposing to pick up about 45 spaces at Tommy's Tire, 20 spaces behind Ms. Button's building and 34 spaces behind the Audio Visual Building. These are lots that are not currently part of the Shared Parking associated with the Main Street development and the valet parked cars would be using those lots only. This raises potential issues with regard to terms of any proposed Shared Parking Agreements and whether they can be made to last in perpetuity, or, for as long as the more intense use of these tenant spaces exist on the property.

The logistics of the valet parking operation would also need to be reviewed and how the obligation to use those off-site spots would be carried out by the proponent and what would happen if the obligation is not met. In addition, directional signage has been discussed, but no specifics have been provided.

Under the Off-Street Parking Provisions of the Ordinance, Special Land Use approval is a requirement for the use of off-site parking lots. Since we have only recently received the proposal for off-site valet parking, we have not yet determined whether such a process is required.

City Traffic Consultant, Mr. Rod Arroyo stated that it would be helpful to go over the letter to help walk the Commission through the Shared Parking formulas. The applicant's Parking Consultant did a current count on the parking demand in the evening, starting at 7:00 p.m. through 2:00 a.m., to determine the overall parking demand. Mr. Arroyo noted that, with the originally approved Shared Parking, a specific formula was approved that allowed the development to provide less parking than required by ordinance because of the mix of uses.

Mr. Arroyo stated it is appropriate to provide less parking with a mix of uses than if you were to look at the uses individually. Uses continue to change in the Main Street area, and this type of study continues to be a way of validating the current parking situation. Some uses are more intense in terms of parking demand, such as nightclubs and restaurants, which tend to be fairly high parking generators.

The actual parking count gave us a good indication of the parking demands. Mr. Arroyo worked with the applicant's Traffic Consultant to make sure the methodologies in the Urban Land Institute Guidelines were followed. In a Shared Parking Study, a peak month for the year and a peak hour of the day are identified. In this case, the peak month is December and the counts for May were factored up by 5 percent to reflect that restaurants and nightclubs usually tend to peak in December, based upon research done nationally. Those parking counts were adjusted upward, and there is a current demand of 698 spaces.

Mr. Arroyo stated that the applicant was asked to identify additional vacant space in the development and found that the vacant former Mexican restaurant, which was 8,000 square feet, would generate a parking demand of 117 spaces.

The proposed nightclub has an 800 person capacity and based on the occupancy of 2 people per car, there is a 400 parking space demand for that use. When adjusted to the 9:00 p.m. peak hour, the parking demand goes down to 380 because the nightclub will peak at about 10:00 p.m.

Mr. Arroyo found the 1995 Main Street traffic review letter and identified the original shared parking formula that was applied to the Main Street project. Based on the application of the formula for the 10,000 square foot tenant space, approximately 115 spaces would have been required for the nightclub's space. Now 400 spaces are required, as this use is much more people-intensive.

The total forecasted demand, based on the applicant's analysis, is 1,195 spaces. There is an on-site supply of 1,008 spaces in the Main Street project. Parking is provided within a reasonable walking distance in an urban downtown-

type setting, with parking spaces located within an 800 to 850 foot radius, or a three minute walk. Overall, there is a 187 space deficiency.

One of the things that would be possible to do is to go back to the original formula approved for the Main Street project. Restaurants would have provided a parking ratio of 11.53 per thousand instead of 14.3 per thousand that is currently required. If that formula is applied, the deficiency is reduced to 164 spaces. As Ms. Kapelanski mentioned, one of the things that the applicant has done is to identify off-site locations where valet parking could occur. A total of 99 spaces were identified in off-site lots. Including the 99 spaces in off-site lots would reduce the deficiency from 164 spaces to 65 spaces.

In talking with the applicant's Parking Consultant, one or two different options are proposed:

1. They would like to secure a portion of surface parking area in Main Street or a portion in the garage parking in the Atrium Building and have it cordoned off for valet parking. Andiamos is doing this right now and a certain portion of the south side of Andiamos is identified for valet parking only. The applicant would like to do something like this, where they could double stack or maybe even triple stack cars so they can get more cars into a space that is not open to the general public. The valets can move more cars back and forth and jockey them around to make more space.
2. Another option would be to find other off-site locations that are within a reasonable distance in order to serve this development.

This raises a number of different issues for the Planning Commission to discuss, such as the level of comfort with having a certain portion of the surface or garage parking area cordoned off just for valet parking. These spaces would be unavailable for other patrons who are coming for other uses. If the valet spaces are within the parking garage, those spaces are most proximate and desirable in inclement weather. Mr. Arroyo noted that most valet parkers will park quite a distance away and run back in order to provide a quick turnaround.

The applicant is also proposing to dedicate 3 parking spaces along Main Street as valet staging. It is not unusual to see this in a downtown, but is a policy question for consideration, since it is a public roadway being designated for private purposes. Approval of a queuing analysis is typically needed for valet parking on a public street. In a queuing analysis, the following are considered: arrival rate, the service rate for valet's, the turn-around time, the number of valets in place at peak demand, and the amount of queuing space available for valet service. Spill-back on Main Street would take place if there are not enough stacking spaces, resulting in congestion.

The question is whether or not the Planning Commission is prepared to recommend approval of these issues now, whether additional information is needed, or if these issues could be resolved at the time of Final Site Plan.

Member Lynch stated that he would certainly like to see a nightclub fill that spot, but there was not enough information to approve something at this time. Member Lynch did not want to approve something that would improve the situation for one, yet degrade the situation for another. Member Lynch liked the idea of a valet and agreed with Mr. Arroyo that a queuing study should be done. Member Lynch said that with the parking being such a big issue, as well as valet use proposed in the public right-of-way, he would like to see the queuing study done and have the additional information to assist in making a decision.

Member Greco thanked the applicant for trying to fill the vacant tenant space and stated the nightclub use seems like a good fit for the mix of uses in the area. The concern, however, is not only the degradation of other property owner's ability to park, but also for patrons of other establishments in the area. If someone has to park too far away, or can't park, then the area becomes avoidable in the future and this is something we do not want. Mr. Greco felt the questions raised needed answers and asked the landlord to come forward for questions.

Asher Husain, representing the landlord, came forward and explained that he is a partner in the Main Street Property.

Member Greco asked Mr. Hussein if he had any concerns regarding parking for his other tenants. If there is not enough parking and it becomes inconvenient, is the landlord concerned that people will go elsewhere. Nightclub

patrons are used to standing in line, but the other types of businesses in the area may not abide the wait. Member Greco wanted to know if Mr. Hussein had spoken with any of the other tenants and about their thoughts.

Mr. Husain stated that the parking study is a conservative and appropriate approach. By 9:00 p.m., restaurants are tailing off, as the nightclub would be ramping up. The second floor of the building is all office space and has no usage in the evenings. Mr. Hussein explained that he spoke with the property owners and they are supportive of the nightclub because they recognize the influx of business this nightclub can provide and that is a very positive thing.

Mr. Husain stated that he feels that a big queue of cars and difficulty for the restaurant patrons to find parking spaces would not happen on a day to day basis. The parking garage is typically unused on Friday and Saturday nights. They are looking at some possibilities for improving the signage to have more people use the garage. Mr. Hussein said the tenants are all looking forward to the activity.

Member Meyer appreciated that the owners of Main Street had spoken with the other tenants and that they welcome the possibility of the nightclub coming in as it would stimulate their businesses as well. Member Meyer said that he has driven by there on a particular weekend evening that the parking lots are packed for Gus O'Connor and the Post Bar. Further clarification is needed to identify where the clientele would be parked. Member Meyer stated that there is plenty of parking across Grand River Ave and wondered if there was possibility that the valet parking could be across the street. Member Meyer said he is looking forward to the time that we can start filling some of these empty spaces. However, he will not be able to recommend approval this evening, not because he is not supportive of the effort, but because he does not know where the 65 parking spaces can be provided.

Member Cassis stated he would have a hard time approving this request at this time, due to too many shortages of parking spaces. Mr. Cassis and his wife went to Gus O'Connor's on Tuesday evening and had to park in a space along Grand River Avenue. The street by Gus O'Connor's is a narrow street. The corner can be dangerous, especially when cars start stacking up and someone doesn't want to stop, or someone wants to turn around. That can make it a tough area for a valet. Member Cassis agreed with Member Lynch by saying that we do not want to invalidate the principle of shared parking.

Member Lynch added that is the Commission's role to give the applicant some direction or guidance. Mr. Lynch believes that the valet would work. He encouraged the applicant to proceed with the queuing study. Member Lynch stated that most people want to park right in front of the place of business and want to be able to just walk in. Member Lynch said he respected the applicant's judgment and that we do have to protect the tenants and the customers.

Chair Gutman stated that, from time to time, he has had the pleasure of being in the applicant's position with respect to other municipalities. The theme the applicant is hearing from everyone tonight is that we want to see the applicant be successful. However, we want the other business people in that area to be successful as well. The Commission has to review things in a cautious and appropriate manner and from what he hears; there is not enough information or adequate knowledge to make that decision at this time.

Rob Sassine, representing the proposed nightclub, came forward.

Mr. Sassine stated he would be happy to continue to work with the Traffic Consultant and city staff. Mr. Sassine stated that he has been trying to get into Novi for 2 ½ years and was in preliminary talks with the adjacent property owner, but after waiting for some time, the proposed development did not take place.

Mr. Sassine explained that he wanted to do business here in Novi and is willing to work with the city on the excellent recommendations that have been made. He explained that he has two other nightclubs in Windsor and London, Ontario. Mr. Sassine said that they are looking to invest at least a million dollars in this establishment. They will do the studies that are necessary to accomplish the valet service. Time is of the essence. Mr. Sassine assured the Commission that it is his intent to do the necessary studies, follow the recommendation of the Commission and eliminate parking concerns. Mr. Sassine said he wants to increase traffic to Main Street, and give the area a little boost with the new nightclub and accomplish the city's goals, while accomplishing his goals.

Member Cassis asked the applicant, Mr. Sassine about whether food would be served at the nightclub.

Mr. Sassine stated that in the two operations he runs, food is prepared and given to patrons for free.

Member Cassis asked Mr. Sassine whether he had considered changing the concept slightly to serve food at tables in a quarter of the space. A different parking calculation could be used.

Mr. Sassine said he does not want to mislead the Commission. The reason free food and water are given to the customers is to help with hydration. This has been the practice at the other establishments for over six years.

Member Cassis asked Mr. Sassine if they had shows on the weekend.

Mr. Sassine answered that they had no shows, strictly DJ's. He understands the concern is that the peak time is 9:00 p.m. and the nightclub's doors do not actually open until 9:00 p.m. To fill to the capacity of 800 people by 9:00 p.m. would be impossible due to the time it takes to check identifications and dress code. Mr. Sassine also agreed with the Mr. Husain, the landlord, when he said that when everyone else in the area is winding down, that is when we are winding up.

Moved by Member Meyer, seconded by Member Lynch:

In the matter of 29 Park proposed nightclub at Main Street, SP09-11, motion to postpone a recommendation to City Council for the Preliminary Site Plan until the proposed Shared Parking Study does demonstrate that adequate parking will be available to support the mix of uses.

DISCUSSION

Member Cassis asked for clarification whether the applicant will be willing to work with the City's Traffic Consultant on the remaining issues.

Mr. Sassine answered that his Traffic Consultant will continue to work with the City's Traffic Consultant in hopes of bringing this back before the Planning Commission in a very timely manner.

Member Meyer said that he would be more than happy to include the comment in the motion so the applicant would be in collaborative effort with out Traffic Consultant.

Member Lynch seconded the revised motion.

Member Lynch asked Mr. Arroyo, if this seems reasonable and appropriate since it appears that the applicant has a tremendous amount of information based on the two businesses. Member Lynch suggested a review of actual numbers and the existing data could get them over this hurdle relatively quickly.

City Traffic Consultant, Rod Arroyo said he agreed and it is a matter of collecting the information and doing the additional studies. There are guidelines for queuing studies. Mr. Arroyo stated they will be happy to work with the applicant's consultant as they have been doing and to make sure we are as helpful as we can be so that everything can be completed and get reviewed and back before the Planning Commission.

Member Meyer asked if this is a reasonable approach to expedite the process and it seems the only hurdle is the parking and once it is resolved, I believe the applicant and landlord have heard that we are all in agreement and would welcome their club here.

Deputy Director Community Development McBeth explained that staff will be happy to continue to work with the applicant. Ms. McBeth stated that there were a number of comments in Mr. Arroyo's letter that we would like to have addressed, in addition to the queuing study, valet parking, and items from Planner, Ms. Kapelanski's presentation as well. With the agreement of the Planning Commission, we will work on a number of those issues with the applicant and bring this project back as quickly as possible.

Member Meyer asked that we just communicate with the applicant and not to just think about valet parking, but be creative and if the problems can be resolved, then we want you to do business here.

Member Meyer thought that Member Cassis brought up some valid concerns regarding the parking and what I am saying to the applicant is to work with Mr. Arroyo and be creative and deal with the issues since you have some limited space there.

ROLL CALL VOTE ON 29 PARK, NIGHTCLUB AT NOVI MAIN STREET, SP09-11, TO POSTPONE A RECOMMENDATION TO CITY COUNCIL ON THE PRELIMINARY SITE PLAN AND SHARED PARKING STUDY,

In the matter of 29 Park proposed nightclub at Main Street, SP09-11, motion to postpone a recommendation to City Council for the Preliminary Site Plan and Shared Parking Study until

- 1. The proposed Shared Parking Study does demonstrate that adequate parking will be available to support the mix of uses;**
- 2. The applicant completes a queuing study to demonstrate that the proposed valet parking will not significantly affect traffic circulation on Main Street or Market Street;**
- 3. That the applicant work with the City's Traffic Consultant to resolve any additional remaining issues; and**
- 4. That the matter be brought back before the Planning Commission in a timely manner.**

Motion carried 7-0.

3. REVIEW OF THE CITY OF LIVONIA PROPOSED MASTER PLAN

Deputy Director of Community Development McBeth explained that the City of Livonia is updating their Master Plan for Land Use. Livonia had a number of recommendations that Novi staff reviewed. Staff noted that there was only one change proposed in close proximity to the City of Novi. The proposed Livonia Master Plan update was brought to the Master Plan and Zoning Committee and at the committee meeting staff noted that there was generally no impact to the City of Novi. It was the Committee's recommendation that a letter be sent to the City of Livonia endorsing that plan. The matter is now before the Planning Commission so that formal motion can be made to that effect.

Moved by Member Cassis, seconded by Member Greco:

ROLL CALL VOTE ON THE CITY OF LIVONIA PROPOSED MASTER PLAN TO INDICATE NO OBJECTIONS MADE BY MEMBER CASSIS, SEONDED BY MEMBER GRECO:

In the matter of the City of Livonia proposed Master Plan, a motion to direct the City staff to notify the City of Livonia that the City of Novi has no objections to the proposed Master Plan update and any changes recommended by said update. *Motion carried 8-0.*

4. APPROVAL OF THE FEBRUARY 25, 2009 PLANNING COMMISSION MINUTES

Moved by Member Prince, seconded by Member Baratta:

VOICE VOTE ON FEBRUARY 25, 2009 MINUTES APPROVAL MOTION MADE BY MEMBER PRINCE AND SECONDED BY MEMBER BARATTA:

Motion to approve the February 25, 2009 Planning Commission minutes. *Motion carried 8-0.*

5. APPROVAL OF THE APRIL 8, 2009 PLANNING COMMISSION MINUTES

Moved by Member Larson, seconded by Member Baratta:

VOICE VOTE ON APRIL 8, 2009 MINUTES APPROVAL MOTION MADE BY MEMBER LARSON AND SECONDED BY MEMBER BARATTA:

Motion to approve the April 8, 2009 Planning Commission minutes. Motion carried 8-0.

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES:

Member Meyer stated that the APA Magazine this month had an interesting article on recusing oneself due to a possibility of conflict of interest. He thought the article was excellent, and he thought Member Larson used the act of recusing oneself appropriately this evening. The article highlights the idea of how to avoid problems down the road. There is also an article in this month's magazine about Cleveland, which is where Member Meyer grew up. It mentioned that Cleveland has one of the poorest populations in the United States. Yet, it also has one of the greatest success records of rejuvenating the city in the last ten years. Member Meyer brings this up because he thinks there are some very helpful articles that members of the Planning Commission could learn from.

Member Cassis stated that a few months ago he came forward with a suggestion to the Planning Commissioners to possibly look over the regulations related to religious buildings, churches, temples, synagogues and so on. Member Cassis thought the Ordinance could possibly be re-examined to determine how religious uses fit into residential areas, especially with regard to larger structures. Member Meyer told Member Cassis that perhaps we can open that to discussion in a future meeting if no one is opposed to that and we'll send the idea over to Chair Pehrson for addition to a future agenda.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

ADJOURNMENT

Moved by Member Lynch, seconded by Member Larson:

Motion to adjourn.

The meeting adjourned at 8:22 PM.

SCHEDULED AND ANTICIPATED MEETINGS

MON	05/25/09	CITY OFFICES CLOSED	
MON	06/01/09	CITY COUNCIL MEETING	7:00 PM
THU	06/04/09	MASTER PLAN AND ZONING COMMITTEE	7:00 PM
TUE	06/09/09	ZONING BOARD OF APPEALS	7:00 PM
WED	06/10/09	PLANNING COMMISSION MEETING	7:00 PM
MON	06/15/09	CITY COUNCIL MEETING	7:00 PM
WED	06/24/09	PLANNING COMMISSION MEETING	7:00 PM
FRI	07/03/09	CITY OFFICES CLOSED	
MON	07/06/09	CITY COUNCIL MEETING	7:00 PM
TUE	07/14/09	ZONING BOARD OF APPEALS	7:00 PM
WED	07/15/09	PLANNING COMMISSION MEETING	7:00 PM

Transcribed by Juanita Freeman

Account Clerk

July, 2009

Date Approved:

Angela Pawlowski, Planning Assistant Date