



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

April 3, 2013 7:00 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Lynch, Chair Pehrson, Member Prince, Member Zuchlewski

Absent: Member Gutman, Member Greco

Also Present: Barbara McBeth, Deputy Director of Community Development; Gary Dovre, City Attorney; Kristen Kapelanski, Planner; Adam Wayne, Engineer; David Beschke, Landscape Architect; Doug Necci, Façade Consultant.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Anthony:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

Motion to approve the April 3, 2013 Planning Commission Agenda. *Motion carried 5-0.*

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 reported on several items that were approved at the City Council meeting the previous week. The Cheesecake Factory located at the Twelve Oaks Mall was approved for their Section 9 Waiver. Also approved was the Meadows of Island Lake 6th Amendment to the Residential Unit Development Agreement from Toll Brothers. The concept plan was first tentatively approved by the City Council and then at the last meeting, the actual agreement was approved. Before the Planning Commission this evening is the Preliminary Site plan that would generally follow that concept plan approval. Also approved at the City Council meeting was the Detroit Metropolitan Credit Union at the corner of Novi Road and Main Street.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

PUBLIC HEARINGS

1. THE RESERVE OF ISLAND LAKE, JSP12-65 fka THE MEADOWS OF ISLAND LAKE

Public hearing at the request of Toll Brothers, Inc. for Preliminary Site Plan, Woodland Permit and Stormwater Management Plan approval. The subject property is 40.68 acres in Section 20 of the City of Novi and located near the northeast corner of Ten Mile Road and Wixom Road. The applicant is

proposing a 74 unit development that would be Phase 7 of the existing Island Lake of Novi development.

Planner Kapelanski said the applicant is proposing the construction of a 74 unit development as part of the existing Island Lake of Novi residential development. This property and the accompanying area plan were added to the existing Island Lake of Novi RUD upon City Council's approval of the finalized agreement last month. The subject property is located near the northeast corner of Wixom Road and Ten Mile Road, bordering Dinser Drive and is currently zoned RA, Residential Acreage. The subject property is zoned RA, Residential Acreage and surrounded by RA zoning. The Future Land Use map indicates single-family uses for the subject property with single-family and park uses planned for the surrounding properties. There are regulated woodlands on the western side of the property and several high quality trees along Dinser Drive that are not called out on the natural features map. Those high quality trees will be preserved. There are also regulated wetlands on the property, although those are not identified on the natural features map. These two small wetland areas are located near the center of the property and near the center of the Ten Mile Road frontage.

The proposed development area would connect into the existing Vineyards pod of Island Lake to the north and would line up with the existing development entrance off of Wixom Road. The applicant has proposed and the City Council has approved (after a positive recommendation from the Planning Commission) the addition of 74 units. A pocket park will border the existing Vineyards pod of Island Lake. The applicant has also included features to aid pedestrians including a sidewalk connection to the proposed Dinser Drive sidewalk, a crosswalk on Wixom Road and the construction of a missing link of sidewalk along Wixom Road.

Planner Kapelanski continued noting the planning review recommends approval of the plan. The City Council has granted a modification of the lot size and width. The packet materials incorrectly stated a modification of the building setback has been approved. The Council elected not to approve that waiver and the applicant has agreed to comply with the required building setbacks on the site. There are only minor planning related items to be addressed on the final site plan. The City Council also approved several landscape waivers as part of the RUD Agreement amendment including a waiver of the berm in areas of existing vegetation and adjacent to proposed storm basins. All reviews are recommending approval of the proposed plan with items to be addressed on the final site plan. The Planning Commission is asked to consider the Preliminary Site Plan, Phasing Plan, Woodland Permit and Stormwater Management Plan this evening. The general layout has already been approved as part of the RUD Amendment.

Jason Minock of Toll Brothers, the project manager of Island Lake said Toll is requesting approval for Preliminary Site Plan for this site. This plan is the same one that the Planning Commission saw about a month ago and that the City Council saw last week. There have been a couple minor changes that were based on comments from City Council as well as the neighbors from Pebble Ridge to the east of the project. They asked us to change where the sidewalk comes in to make it more convenient for homeowners to access through the community and we're going to have some more open space to buffer the new residents from the existing homes at Pebble Ridge.

Chair Pehrson opened the public hearing.

Anthony Scrow representing Titus Scrow on Dinser Drive came forward and asked if the extra traffic due to the construction of 74 new homes had been considered by the developers and if so, what is their conclusion? He also asked if Dinser, Ten Mile and/or Wixom will be repaved or widened to accommodate this extra traffic. Lastly, he wondered if City water and sewer would be extended to the existing subdivision.

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

Member Lynch said thank you Jason and Mike for working with City staff. I know these things sometimes become emotional. It looks like one of the primary concerns that I heard during the last time this was before the Planning Commission was about the amenities and that seems to have been addressed. It also looks like you've already taken the City Council comments into consideration. To answer Mr. Scrow's questions, I believe the traffic study was done and it didn't have any kind of impact. Is that correct?

Planner Kapelanski said the City's traffic consultant reviewed the plan of the addition of the units on this particular corner. They did not have any concerns with the decrease in the level of service on either Wixom Road or Ten Mile Road. So no improvements to that intersection are anticipated.

Member Lynch said he recalled that the applicant planned to be a stub in for water and sewer for the people at Pebble Ridge to tie into it. One final note, per the woodland review letter the City is making the developer contribute \$16,000 into the tree fund because there's no place to put the trees that they're removing from the development. ECT's letter says currently the plan proposes 30 woodland replacement trees and the applicant will be required to pay the City of Novi tree fund at a value of \$400 per credit. In my opinion, the homeowners that are buying here are being taxed twice. Number one, they're going to have to pay extra for their home because we're making the developer put this money into the tree fund. Secondly, they pay city taxes that contributes to these trees that are supposed to be replaced. My recommendation is why can't we take that same amount of money and give it to the homeowner's association specifically for replacing those trees in that area. Since the trees came out of that area, why can't we take the same amount of money and give it to the homeowner association and let them determine how that money is going to be allocated? It seems to me that the homeowners get double taxed here.

Deputy Director Barb McBeth said ideally the plan would preserve the quality of woodlands wherever possible and maintain the woodlands on the site. On a lot of sites, the woodlands can't be maintained throughout the whole development so that applicant will work with staff and the City's consultant to try to identify where the woodland replacements can go around the site. A lot of developments will be completely replanted on the site itself. On this location it looks like a good number of them will be planted around the detention basin and other open spaces. And the staff feels that's a good idea. Sometimes the developer says they'd like to put a few woodland replacement trees on a single family lot and the staff feels that's not necessarily consistent with the woodland ordinance because if somebody comes to buy the house and says they don't like the trees on the property and want to remove them then the City loses control over the woodland preservation.

Landscape Architect Beschke said the value of the tree fund is that we can plant all over the community and do good in the community as a whole. We plant about 600 trees a year.

Member Lynch said that's great, although it's still my opinion the money should stay in that area. When a tree replacement is needed in the subdivision, then instead of calling the City to replace the tree, the homeowner's association could go ahead and put it in there. Other than that, I certainly look forward to the development of this. The staff and the developer have done a nice job. I do appreciate keeping the density in that area of Novi consistent with what's in the master plan.

Staff Engineer Wayne said the plan proposes to extend public water to allow Dinser Drive while stubbing sanitary to the south. So the residents in Pebble Ridge would have the option to connect to City water but wouldn't be forced to by any means. If they were to choose to extend the sanitary sewer they could approach the City to form a special assessment district for the area. Currently, for Dinser Drive addressing the potential paving of that, the City doesn't allocate funds to paving gravel roads although it is being

considered for resealing at the moment.

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The applicant adding additional landscaping near the northeast corner of the subject property along Dinser Drive as discussed at the March 25th City Council approval of the 6th Amendment to the RUD;
- b. The applicant providing open space near the northeast corner of the subject property along Dinser Drive as discussed at the March 25th City Council approval of the 6th Amendment to the RUD;
- c. The applicant investigating the potential to relocate the sidewalk connection to the Dinser Drive sidewalk as discussed at the March 25th City Council approval of the 6th Amendment to the RUD; and
- d. 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 the approved 6th Amendment to the RUD, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Anthony and seconded by Member Lynch:

ROLL CALL VOTE ON THE PHASING PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to approve the Phasing Plan based on and 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 the approved 6th Amendment to the RUD, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Anthony and seconded by Member Lynch:

ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to approve the Woodland Permit based on and 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 the approved 6th Amendment to the RUD, Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Anthony and seconded by Member Lynch:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to approve the Stormwater Management Plan, based on and 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 the approved 6th Amendment to the RUD, Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 5-0.

MATTERS FOR CONSIDERATION

1. MCDONALDS REBUILD, JSP13-01

Consideration of the request of Dorchen/Martin Associates, Inc., for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located in Section 36 at 21050 Haggerty Road, north of Eight Mile Road and east of Haggerty Road in the FS, Freeway Service District. The subject property is 1.25 acres and the applicant is proposing to demolish and rebuild the existing McDonald's restaurant.

Planner Kapelanski said the applicant is proposing to demolish and rebuild the existing McDonald's restaurant site on the east side of Haggerty Road north of Eight Mile Road. To the north is a Marathon gas station, to the south is Big Boy restaurant, to the east is I-275 right-of-way and to the west is High Point shopping center. The subject property is FS, Freeway Service with FS zoning to the north and south, Office Service Commercial zoning to the west and I-275 to the east. The Future Land Use map shows Community Commercial uses for the subject property and properties to the north and south with Office Commercial uses planned to the west. There are no natural features on the property.

The applicant is proposing an approximately 4,273 sq. ft. store with one access point to be provided off of Haggerty Road. Associated landscaping and parking areas would also be constructed. A drive-through lane, a permitted use in the FS District, is also proposed. The planning review recommends approval of the plan noting variances are required to permit the proposed loading zone location in the front yard and to permit the dumpster to be located in the side yard. The traffic review recommends approval noting same-side and opposite-side driveway spacing waivers are required. The landscape review recommends approval of the plan. A waiver is required for the berm along the I-275 right-of-way, which staff would support and also for the deficient foundation landscaping, which staff would also support. A Section 9 façade waiver is required for the overage of limestone and the underage of natural clay brick. A waiver for those items is supported by the City's façade consultant. The applicant has also proposed the inclusion of ribbed metal panels, a material not permitted by the ordinance. Staff does not support a waiver for this item and recommends the applicant adjust the façade to comply with the ordinance in this area. The City's facade consultant is here to address facade concerns. The engineering and fire reviews both recommend approval with items to be addressed on the final site plan submittal.

Frank Martin, architect with Dorchin-Martin Associates came forward representing the applicant and said they were very excited about the opportunity to eliminate a 30 year old building and replace it with a brand new McDonald's that has the facilities, cooking equipment and the lobby of a style of the newer McDonald's model. This particular store is being considered as a LEED project for McDonald's. This will be the third LEED project for McDonald's utilizing a company owned store. So there's not a franchisee involved. McDonald's is still in the process of determining what LEED certification they will be seeking.

In the staff report there were a couple of items that require variances from the Zoning Board of Appeals. One item was the trash enclosure that is in the side yard. It is pushed as far back into the site as possible. There happens to be a forty foot MDOT easement along the rear of the property so that has created some challenges. The present trash enclosure acknowledges that same easement and it's out in the parking lot. One of the interesting things that has been provided is approximately 10 feet of landscaping along the back property line which right now is a curb and a guardrail. That area will be used for parking

and landscaping; it's very heavily landscaped. The other variance is for the loading area location, which is at the beginning of the drive-through lane. This particular store and all the new stores that McDonald's has utilize a double drive-through with a double ordering station; they call it a side-by-side ordering. There is still one pay window and there's still one presenters window. The drive-through stacking lane splits depending on how much traffic there is at one order station or the other and then they merge back together and pay. That particular configuration improves the efficiency, reduces stacking and is very successful in terms of making the whole experience of the drive-through pleasant for the parking lot and also for the guests who use it. Traditionally in an area like this, the McDonald's drive-through is probably about 70% of the volume of business for the store so the drive-through lane is very important to McDonald's. You'll probably notice that in the new McDonald's, the number of seats within the store are greatly reduced compared to what you saw 20 years ago when they had over 100 seats. Now you're down to the level of 70-80 seats. The seating is also much more varied; they're not just four tops and booths.

Mr. Martin continued noting the LEED issue is very important. This is the first LEED project that our firm has been involved with. Also, this store will probably be a showcase for many McDonald's franchisees to come and visit this location and see some of the features that are utilized in LEED buildings. The one other issue that was brought up in the review letters was the treatment at the top of the building which is a horizontal, corrugated material that is about three feet high. This material and design is part of the McDonald's building design that they have been developing over the past two years. The color of the material works with the colors of the facias and the trellises that are a part of the design. The material partially conceals the rooftop equipment. The façade ordinance allows flat metal but it doesn't allow a corrugated metal. Often times we think of corrugated metal as the material that was on some very inexpensive buildings. This particular metal is not that. It tends to give us some shadow and relief up at the top as opposed to a flat metal. We considered flat metal as an option but one of the reason McDonald's would like to use this is this is going to be a building that will be viewed by many people and photographed and part of publications, McDonald's is interested in having a building that would be very similar and identical to buildings that will be built in other locations. The idea of having a different material up there that's not a part of the McDonald's design would be a little bit compromising so we would like to Planning Commission to consider the use of that material and grant a waiver for it in this case. We obviously would work with you and staff if we have to select another material, but that's what we would prefer.

Member Zuchlewski asked if the loading zone will interfere with vehicle stacking in the drive-through lane.

Mr. Martin said that store will probably get three deliveries a week and those deliveries last about 45 minutes. That loading zone is situated where it is because there is a loading door that goes into the freezer and then there's a loading door that goes into their dry storage. McDonald's has recently undergone a new process for their deliveries and they're palletizing their deliveries. So they're essentially shrink wrapping their product on pallets and when the delivery truck brings them through the freezer/cooler and through the dry storage area, they are left for the crew to disassemble and move about. So the amount of time that the truck is there is minimal; 45 minutes to an hour for three days a week. At the time of the loading, the cars that are in the stack would essentially go around the truck. One lane is still open and that would be the outside lane. And they schedule these deliveries to be at times when they're not peak drive-through times.

Member Zuchlewski said the reason he is asking is that Mr. Martin indicated that 70% of the business is going to come through the drive-through windows. At this McDonald's location at almost any time you go there, they're busy.

Planner Kapelanski said drive-through restaurants are required to have essentially ten vehicles of stacking space, one vehicle at the pickup window, four behind that, one at the order board and four behind

that.

Member Zuchlewski confirmed the stack starts at the window, not at the board.

Planner Kapelanski said four spaces are required between the board and the window and four beyond the menu board.

Member Zuchlewski said there appear to be three doors for loading; one on the east side and two on the west side. There's a ramp being used for a door on the south side. So are there actually 4 doors?

Mr. Martin said actually there are only two doors that go into the kitchen. The door that is the furthest south goes into the freezer/cooler. The door that is just to the north of that goes into the dry storage. The door north of that goes into the side lobby of the dining room. Then there are into the main entrance doors going into the facility.

Member Zuchlewski asked in regards to the door to the south with the ramp, if the vehicle is in the loading zone, how do we get the product from the loading zoning over to the door to the south? Shouldn't there be then a loading zone over on the east side of the building also?

Mr. Martin said the door and ramp at the back of the building are used for the staff to take trash out to the carrel. They don't load in that door.

Member Zuchlewski said ok. The other question that I have is regarding grease interceptor in the loading zone.

Mr. Martin said it doesn't get pumped out. It does have man holes so that it can be pumped out, but it's one that uses a chemical process that essentially eats all the grease. It isn't like a traditional grease interceptor. But they do have man holes in it that you can service pipes that might be in there, but it has a biodegradable material in there that break down the grease and turn it into product that can exit the interceptor into the sewer system.

Member Anthony said he is in favor of the limestone as an alternative for the brick as it is a natural material. In the LEED certification, what percentage of your exterior needs to be in a natural material? And how many points would you be going for?

Mr. Martin said he didn't have the answer to that question since he is not designing the building and is not the LEED expert. The number of points is being generated by McDonald's.

Member Anthony said so with the ribbed material at the top, also you would note things like rather it's recycled or not?

Mr. Martin said I know that material that we're using for the masonry material is recycled. It's a cement product. It's of a modular, normal brick size. The material that was called out as lime stone is actually a 12 inch by 24 inch by 3/8 inch porcelain tile which is a LEED product with recycled materials.

Member Anthony said he wanted to focus on the ribbed metal since that's the issue. Is that not a LEED material?

Mr. Martin said he did not have that answer.

Member Anthony said with how the building is constructed now is it able to handle, structurally, any of the additional weight for the alternative materials that the City has proposed.

Mr. Martin said they would make some modifications if need be. If it was a flat metal panel that we are able to put on, it would be put on very similar to the corrugated metal in terms of the structure.

Member Anthony asked as an architect have you worked with flat metal panels on other buildings.

Mr. Martin said he has.

Member Anthony asked is it possible to do that here?

Mr. Martin said it is.

Member Lynch said he liked the ribbed panel. It looks nice.

Doug Necci, façade consultant for the City, said that façade ordinance has a paragraph that encourages LEED design. It states that materials that may not be listed on the façade chart are given a free pass as far as the percentages. So the problem here is that the corrugated metal panels are only allowed up to zero percent. There are very few materials that are listed as zero. So it's a discouraged material on the façade chart. As far as I can tell, there's no such thing as a LEED consistent, corrugated metal panel. Whereas they have brick and ceramic tile that are LEED consistent, the corrugated metal is not. There's also some history on this. All of these waivers were applied for and granted for the other location on 12 Mile Road and in that case, the upper part of the building was done as brick. So we're looking at some consistency and the preferable solution would be to use brick on that portion of the building. The way the building is constructed, there's a wall there that is not just a roof screen, although it looks like that. It's really part of the building wall and from an architect's point of view, it would be consistent to make it a bona fide façade material such as brick. I mentioned flat metal panels in the letter because that's also allowed, but frankly it probably wouldn't be any better looking than the corrugated metal panels. Brick would be the preferable material there. We understand they're explanation that they're doing a prototype building and there is kind of a demonstration value here, but that's not part of the ordinance.

Member Lynch said he didn't want to violate any ordinances. So the only issue that's outstanding is really this corrugated material. Would it have to go to the Zoning Board of Appeals or City Council to get approved?

Planner Kapelanski said if that Planning Commission approves the façade waiver for the limestone and underage of brick, but elects to not approve the waiver for the corrugated metal panels, the applicant could work with staff to come up with an alternate material.

Member Lynch said it sounds like this material, according to Façade Consultant Necci, is a clear violation of the ordinance.

Façade Consultant Necci said flat metal panels would be in compliance. So that would be one solution.

Member Lynch said a flat metal is boring. He likes the way the corrugated metal looks but doesn't want to violate the ordinance.

Member Anthony said the corrugated metal on top is not contributing anything to the LEED certification of the building. He is very glad to see McDonald's come into our community and making it a LEED certified building. The fact that we want them to comply with the ordinance and change the corrugated metal will not change the great attention that this will bring because there are very few LEED buildings in Michigan, let alone across the country. So it certainly will get the attention and I'm sure the

staff will work with them to help them get the completion of this. There's a good reason why the City of Novi said zero on any corrugated metal and it's important that that is maintained. There are alternatives that McDonald's can use here and it's an ideal location at Haggerty and 8 Mile right near I-275 so it doesn't seem like a deal stopper either. This could be approved with the condition that they continue working with staff for an alternative material that is compliant with the ordinance.

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of McDonald's Rebuild, JSP13-01, motion to approve the Preliminary Site Plan based on and subject to the following;

- a. Applicant receiving a variance from the Zoning Board of Appeals in order to locate a loading zone in the front yard and within the boundaries of the drive-through lane;
- b. Applicant receiving a variance from the Zoning Board of Appeals in order to locate a dumpster in the side yard;
- c. Planning Commission same-side drive-way spacing waiver (230' required, 63' provided);
- d. Planning Commission opposite-side drive-way spacing waiver (150' required, 30' provided)'
- e. Planning Commission waiver for the required berm along the I-275 right-of-way as an existing 6' retaining wall is proposed to remain;
- f. Planning Commission waiver for the required foundation landscaping as the applicant has provided all feasible landscaping;
- g. Section 9 façade waiver for the overage of limestone and the underage of natural clay brick provided that applicant uses an alternate material such as brick or flat metal panels in lieu of the ribbed metal panels and submits additional information on the LEED credits and certification per the façade review letter; and
- h. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan.

This motion is made because it is otherwise in compliance with Article 18, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Anthony and seconded by Member Lynch:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:

In the matter of the McDonald's Rebuild, JSP13-01, motion to approve the Stormwater Management Plan, based on and 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 it is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.

2. APPROVAL OF THE MARCH 13, 2013 PLANNING COMMISSION MINUTES

Moved by Member Lynch and seconded by Member Prince:

VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:

Motion to approval the March 13, 2013 Planning Commission minutes. *Motion Carried 5-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda Removals.

MATTERS FOR DISCUSSION

1. ORDINANCE AMENDMENTS RELATED TO THE SALE OF ALCOHOL FOR CONSUMPTION ON PREMISES

Deputy Director McBeth said the state liquor control commission has announced new procedures for the processing of the state level of transfers for liquor licenses and that has an impact on local communities. Currently the procedure is when the applicant wants to transfer a liquor license they submit an application to the clerk's office. A number of departments review that and provide some feedback. The recommendation of the staff will go to the City Council for consideration. At this point, our City attorney's office had noted that the process might be challenged and that it might be good to bolster the process a little bit if the City Council chooses to do that. City Council did discuss it at some length at a recent meeting and they forwarded a question to the Planning Commission for consideration of a possible Zoning Ordinance amendment.

There is nothing in this Zoning Ordinance that addresses the liquor license transfers but the process that is provided in the draft ordinance would include a public hearing that would be more of an administrative public hearing, not the public hearing in front of the Planning Commission but in front of our Community Development Director or a group of staff yet to be determined. They would then hear any comments the public might have discussed and reviewed in the same manor that we have done in the past and then forward a recommendation on to City Council. That would be the new Special Land Use permit procedures of the new Section 25.25 of the Zoning Ordinance. There are a couple things that the Planning Commission might want to consider. The version that was presented was actually called version two from the City Council's consideration. There would be a review with a public hearing, two alternatives with the staff members that would be involved. We'll come back with a recommendation based on comments from the staff people. We also want to note that any existing use that already has a license would be grandfathered in. Also there's a reference to liquor licenses in the Town Center, TC and TC-1, which have brew pubs as a permitted use. So if this goes ahead, the recommendation would be to take that section of the ordinance from the permitted use section and put it into the Special Land Use category. This has already set the public hearing for the April 24th Planning Commission meeting. Staff welcomes any comments from the Planning Commission.

2. UPDATE OF IMPLEMENTATION OF NON-MOTORIZED MASTER PLAN

Deputy Director McBeth said healthy lifestyles have been important to the City of Novi for a number of years. Walking and bicycling facilities have been an important part of this community and today it's a popular form of recreation as well as a good mode for alternative transportation. Novi currently has over 74 miles of pathways and sidewalks adjacent to arterial or collector roads, ten miles of paved and unpaved off road connecting paths and trails, eight miles of mountain bike trails, three miles of regional pathways, 164 miles of sidewalks along local roads, as well as five miles of bike lanes. We've noted that the allocation for resources for the non-motorized network continues to grow and there have been improvements even since 2011 when they Non-Motorized Master Plan was approved.

That was also based on the sidewalk and prioritization analysis that was first adopted in 2006 and is updated by staff annually for the City's Walkable Novi Committee. The City has completed over two and three quarter miles of pathways and sidewalks in the last two years, started designing and engineering on additional two and a quarter miles of pathways, inventoried the sidewalks and pathways and initiated a computerized asset management system, City Works, to track the installation and maintenance of all the public sidewalks and pathways in the City. We've also begun work on ordinance amendments and engineer design standards to implement the Non-Motorized Master Plan in complete street policies and recommendations and drafted the bicycle parking Zoning Ordinance amendments that the Planning Commission reviewed a few weeks ago. The City has also conducted the first annual bike rodeo and established the Novi Walkers Club. The summary memo was really a result of a lot of people working together and coordinating their efforts and it's great to have a summary of them all in one place. This is available on the webpage for anybody who may want to take a look at it and really

study all of those things. This was just a brief highlight of the many things that have happened.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

Paige Scrow, resident on Dinser Drive, said I have two concerns about this new 74 unit development (The Reserve of Island Lake). First of all, a lot of people use Dinser Drive as a shortcut from Ten Mile Road and they drive very fast. I'm just very worried that when the new development comes along that it might have an impact. We've had many close encounters with people driving so fast when I'm just walking my dog. Second of all, we have well water there and it makes my face and eyes itchy. I was wondering if it's possible for us to tap into the City water because I would really appreciate it.

City Engineer Wayne said it would be possible to tap into City water. The development proposes to put a 12 inch watermain on their frontage on both Ten Mile Road and Dinser Drive. So if your property directly fronts Dinser Drive across from the Reserve of Island Lake, you would be able to contact the City's treasury department to setup water connection fees and then contact the water and sewer division to set up a tap.

Chair Pehrson said relative to speed down Dinser Drive, if there are any issues like that, we can pass that information to Deputy Director McBeth and the police department and they can take a look at that.

ADJOURNMENT

Moved by Member Lynch and seconded by Member Anthony:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

Motion to adjourn the April 3, 2013 Planning Commission meeting. *Motion carried 5-0.*

The meeting was adjourned at 8:06 PM.

Transcribed by Valentina Nuculaj
April, 2013
Date Approved: March 13, 2013

Signature on File

Richelle Leskun, Planning Assistant