



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

September 12, 2018 7:00 PM

Council Chambers | Novi Civic Center

45175 W. Ten Mile (248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Avdoulos, Member Greco, Member Lynch, Chair Pehrson

Absent: Member Anthony (excused), Member Maday (excused)

Also Present: Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Darcy Rechten, Staff Engineer; Rick Meader, Landscape Architect; Thomas Schultz, City Attorney; Peter Hill, Environmental Consultant; Maureen Peters, Traffic Consultant; Doug Necci, Façade Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Greco and seconded by Member Avdoulos.

VOICE VOTE TO APPROVE THE SEPTEMBER 12, 2018 AGENDA MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER AVDOULOS.

Motion to approve the September 12, 2018 Planning Commission Agenda. Motion carried 4-0.

AUDIENCE PARTICIPATION

Gary Zack, 359 South Lake Drive, said I'm here to speak about the Robertson Brothers development that's being proposed for Pavilion Shores Village. I have a couple concerns and I've voiced them before and sent them in. My big concerns are adding traffic to the area and maintaining the look and feel of the existing neighborhood. I feel, as many others do, that it should be single-family homes. I don't think we should be changing zoning from single family to commercial as they are proposing for the strip on Thirteen Mile. People bought their homes there backing up to what they thought was residential and I think it should stay that way.

I am a bit concerned about recently I've heard that they're proposing a zoning of RM-2, which is high-density multiple-family mid-rise building for the development which they've been telling us is single-family homes. Now I've heard the reason this is being done is because there's no zoning in the City of Novi with the density they're proposing for single-

family homes. Well, I think that ought to give us pause. We ought to ask ourselves if the density is too high if we don't have anything else like this, why are we doing it here? But I would much rather see than RM-2, which is basically an apartment building in my mind when I read it; I would much rather see R-4 with maybe a variance for lot size. They're trying to get more density in there but I think we really ought to question trying to put too much density in an area. Thank you very much.

Connie Varana, 40535 Village Wood in Village Oaks, said my concern – and it's kind of after the fact but it's still a concern. There's two building projects that are going on right now, one on the south side of Grand River between Meadowbrook and Novi Road, and the other on Novi Road between Twelve Mile and Thirteen Mile. On both of those projects, the housing is practically right up to the road and I don't understand why a setback wasn't in the plans. It would be so much safer, I think, for the property on Novi Road. I don't live there, I'm just mentioning this. And aside from the fact that aesthetically, it would be nice to have some greenery in front of both of those projects. The one on Grand River, there is gating in front of the building and I can't imagine living in one of those units and looking at bars, looking out the window at black bars. That's all I have to say.

Rachel Sines, 2219 Austin Drive, said I'm here to talk about Pavilion Shores Villages, as well. As I'm sure you've reviewed, what's going to be coming up later in the agenda is the Pavilion Shore workshops. I'm not the lone crazy woman who's been standing here telling you it's just me, the community as a whole spoke up that overwhelmingly we want country cottages, small homes. The reason I'm showing you this – this is my home right here, and the way that it's proposed right now I have two driveways that will look right into my windows. This is my bedroom window, and the living room windows, so there's two windows there. It's just too dense.

And basically what Robertson has done is it's less expensive for them to build a detention pond than put it underground as they originally proposed, so in order to sacrifice that area they want to put the extra homes on my side and I don't think that I should be penalized for something that's cost-effective for them. Only nine homes should be on that area. We've already talked that eleven should not exist because that's property that is owned by the City. If we eliminate the two homes and go back to nine which it should be, you can put nice homes in the area. You can put something as the Richmond, this is from Robertson. You can put the Lakewood. And these are less invasive to the existing neighborhoods and fit in with the community, and that's really what we're looking for.

Again, and one thing I want to mention is the garages. I mean, it is just driveway, house, driveway, house. There is no green area. These are on top of a hill, all of the water is going to run off to the lakes and down the streets. If we can switch the garages to be front-facing, or better yet attached like I mentioned, it would be less invasive. And that's everything I have. Thank you.

Michael Davis, 2345 Austin Drive, said I live right at the back of the proposed Pavilion Shores build and I oppose this. This is a picture of what just happened with that little rain we had, that's the radiator shop. It was coming down that road from the building that's going on on Twelve and a Half and Novi Road. This is right on the corner of my street, Austin Drive and Old Novi Road. It just ponded right there. That's just from the runoff of just a little bit of rain on that one building that's going on. My home sits just up the hill from this picture here and

you know, I'm a disabled vet. And I've had three heart attacks living in Novi. And we built our home in 99 and we were the first ones to build in the Shawood program there. And now I'm going to have to sell, because if this goes through, I will flood. You can't engineer this in any way that will keep me from flooding. I've got a bi-level; we have a bottom that's completely done with oak floors, and a top that's completely done with oak floors. There's just no way in this world that I'm going to not flood. This is just a little rain that happened just a few days ago, and it just ran like a river down Old Novi Road.

So I oppose this building, and I'll tell you what; if they do build, I'll have Channel 2, Channel 4, Channel 7, I'll have the Disabled Veterans out there, I'll have the Vietnam Veteran Association of America there and we will protest somehow, because you're going to force me to move. Thanks.

CORRESPONDENCE

There was no correspondence.

COMMITTEE REPORTS

There were no Committee Reports.

CITY PLANNER REPORT

There was no City Planner Report.

CONSENT AGENDA

There were no items on the consent agenda.

PUBLIC HEARINGS

1. MIRAGE CINEMA AND DICE RETAIL PRO JZ 18-33 AND ZONING MAP AMENDMENT 18.726

Consideration at the request of Potluri Cinemas and DICE Holdings for a Zoning Map Amendment 18.726 for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan (PRO) associated with a zoning map amendment, to rezone from OS-1 (Office Service) and B-3 (General Business) to B-2 (Community Business). The subject property is approximately 14.29 acres. The property is south of Grand River Avenue located west side of Novi Road in Section 22. The applicants are proposing to develop a 9 screen theater with 773 seats and a 20, 406 square feet retail space that includes retail and restaurants.

Planner Komaragiri said the subject property is located west of Novi Road and north of Ten Mile in Section 22. It is surrounded by Churchill subdivision to the west, industrial office to the east, Pine Ridge shopping center to the south, and Emerson Park which is under construction to the north. It comprises of two properties. The northern property is zoned OS-1 (Office Service) and the southern property is zoned B-3 (General Business). It is surrounded by I-1 to the east, B-3 and OS-1 to the south, R-4 to the west, and RM-2 with a PRO to the north, as shown on the map. The northern parcel is currently vacant and there is an existing Cultural Center building on the southern parcel.

The Future Land Use Map indicates Local Commercial for the subject properties and Community Office to the properties to the west. The applicant has been discussing concepts with staff since before the 2016 Master Plan Update. Staff suggested that B-2

would be an appropriate rezoning category and would be supported by the 2010 Master Plan in effect at that time, in order to allow a theater for the subject parcel. The applicant could have requested a straight rezoning at the time of that initial discussion, but Staff has recommended that a Planned Rezoning Overlay would be a better option so that we can work together for a quality and cohesive development.

The western portion of the southern parcel and the western half of the northern parcel are mapped as City-regulated woodlands. In terms of habitat quality and diversity of tree species, the overall subject site consists of fair quality trees.

Like mentioned earlier, the applicant is requesting a Zoning Map Amendment utilizing the Planned Rezoning Overlay option to rezone the property from OS-1 and B-3 to B-2. The Concept Plan proposes a nine screen theater with a reduced number of seats of 761, and 20,406 square feet of retail space that may include retail and restaurants. The current Concept Plan proposes two site access points off of Novi Road. A combined stormwater detention pond is proposed on the theater parcel. Phasing is not proposed at this time. The site with the current listed uses has sufficient parking on site.

Planner Komaragiri said as part of the benefits to the public, the applicant is proposing to preserve all the remaining wetlands and woodlands in the westerly area – everything beyond this line – within a conservation easement in order to permanently maintain the natural buffer between the proposed use and the neighboring residential uses. They are also proposing to dedicate two locations for display of public art near the entrance drive. Details about this one are still to be worked out.

The applicant has provided cross-sections that indicate the grades from the neighboring residential properties to the theater building. As you can see, the building is located at least 700 feet away from the nearest residential building to the west. The applicant is also willing to work with staff to provide additional screening like a hedge or a screening wall as determined to be appropriate by our Landscape Architect to provide additional screening. The proposed Concept Plan would require multiple minor deviations from Planning and Landscape requirements which are listed in the motion sheet and are supported by Staff.

The theater is currently proposing signage that doesn't meet the current Ordinance requirements. The applicant is asked to provide reasoning behind the request tonight.

Currently, the Plan appears to indicate a minor impact to the stormwater outfall to the wetland from the parking area. No impacts are proposed for building and parking improvements to the wetlands.

The woodland survey only includes the area between the wetland boundaries and the rest of the property, approximately 50% of the total site area. Of that area, about 144 regulated trees have been identified, and 106 trees are proposed to be removed which would require 159 replacements. Everything beyond the wetland line has not been surveyed at this point because the applicant is not proposing any impacts beyond that line.

Planner Komaragiri said the development will be included in the Novi Road and Grand River Avenue Area Traffic Impact Study, which is being undertaken by the City currently.

The developer is not required to provide an independent Traffic Study; however, they may be subject to the mitigation measures identified in the regional study at a later time. A deviation may be required for same-side, opposite-side driveway, which is supported by staff.

A Shared Parking Study was provided to determine the recommended composition of the retail portion of the site. The applicant proposes to lease the spaces to possible professional service establishments or restaurants, or any other uses that are allowed under B-2. He did restrict a couple of uses that are listed in the motion sheet. The applicant has provided a revised study which is currently under review. Traffic recommended denial due to missing information, but from a cursory review, it appears to address the concerns and sit-down restaurants can be proposed up to 75% of total leasable area. Final conclusions of the study will be incorporated into the PRO Agreement.

Building elevations for both the retail and the theater building require multiple deviations that are supported by our consultant. There is an underage of brick on the north and east facades and an overage of EIFS on the south and west facades of the retail building. There is an underage of brick and overage of EIFS on the south and east facades of the cinema building. The applicant has provided multiple renderings and façade sample boards that indicate the quality of material that is being proposed.

The Fire review noted some revisions to be made prior to approval of the site plan.

Planner Komaragiri said as you can notice, this project has received overwhelming public response in support and in objection. We have shared about 178 letters in support and 113 in objection earlier today with you. Since then, we have received an additional 74 letters in support and 47 letters in objection. The common reasons for objection appear to include traffic congestion, noise disturbance, safety concerns, increase in crime, excessive light and noise pollution, and loss of natural screening, and reduction of house values. The reasons for support refer to different forms of economic development.

The Planning Commission is asked tonight to make a recommendation on the proposed PRO and Concept Plan to City Council. The applicants, Dinesh Potluri and Raghu Ravipati, are here with their representative Richard Konik and their design team to answer any questions you have. And as always, all of our Staff and consultants are here, as well. Thank you for your time.

Richard Konik, with Siegel Tuomaala Associates Architects, said we are the Architect for the theater. As Sri had said, I have with me Mr. Raghu Ravipati, the owner and CEO of DICE Holdings and the owner of the retail center. And I have with me Mr. Dinesh, Potluri, CEO of Digital Terrain, a national information and technology company established about seventeen years ago with about 200 employees nationally, as well as the CEO of Mirage Cinemas. He is also a filmmaker and a cinematographer. I have also with us James Klinkenberger from Nowak & Fraus, he is our site Planner and Civil Engineer, George Ostrowski from Nowak & Fraus, our Landscape Architect, and Rob Budzeika from GAV, the architects for the retail.

I think Sri has made my presentation a tad shorter tonight because she has done a very good job presenting everything and talking about it. I probably just have a few additional

comments dealing with some of the comments from City residents regarding some of the concerns. Some of the concerns with noise here – the noise from the theater and the retail building are going to be extremely low. It's nothing more than it would be from a typical shopping center or an office project. The only noise around would be people walking from vehicles into the facilities, which is going to be dispersed by the 750 plus feet of wetlands and woodlands between this property and the residents to the west. And the same for the new development to the north, it is 300 feet from building to building there, again full of wetlands and woodlands.

The lighting from vehicles concern – this section here is running east to west, from the theater to Churchill Crossing. There is about a twenty foot grade change from Churchill Crossing to the theater site, downwards from the residents. So any lighting from the theater is going to be buried in the woodlands between these two properties. Again, as Sri had said, we are willing to put some additional screening, shrubbery, as needed and if needed, but I don't see this extending to those properties from this location. And same goes for the property to the north, there's about 300 feet from building to building with about a seven foot grade change, as the theater is about seven feet lower than the Emerson Park project to the north. Again, full of densely wooded wetlands.

There were a couple of other comments regarding why in the City of Novi we are looking to build another theater. The owner feels, with the diverse cultural population of the City of Novi, this will develop, strengthen, and enhance the City as a desirable place to live and work, provide entertainment, and keep the existing wetlands and woodlands because these will part of an easement so they will be staying.

Mr. Konik said and then, as part of the package you have, we had a letter from Mr. Thomas Duke from the Thomas Duke company describing the project, which Mr. Duke had no involvement in – didn't sell it, had no brokerage, nothing with that. I can read through the letter, it's pretty short. It says 'To the City of Novi, my firm Thomas Duke Company has brokered and managed hundreds of properties in Novi over the last 40 years. We have been a leader in bringing new and lasting retail, office, and residential assets to the community. In the last few years, we took on the renovation of the Pine Ridge Center just to the south of the property in question. Our success with the center and its considerate jump in value is a testament to the logic of the rezoning this site to the north with a PRO. This corridor would greatly benefit from redevelopment of a movie theater and adjoining retail on the sites proposed. There is no downside to the concept for other businesses on the corridor. The residents to the west by over 700 feet would not be affected negatively in any way imaginable. This corridor has come a long way in the last decade or so, and the proponent's plans are sound and will benefit the greater population for the surrounding miles. Thank you, Mr. Thomas Duke.'

We have a few photographs just from the existing site. This is a view looking from Churchill Crossing out towards Novi Road to the east and this a drone shot approximately 100 feet in the air looking out over all of the wetlands and woodlands. So this little piece of white roof over here is the Pine Ridge Center, to the south of these developments. So it is going to be very well protected from the Churchill residents, and that was a big concern in the original design of this project, maintaining this wooded woodlands area between the two projects. Again, this is a side view looking to the south from Churchill to the woodlands and wetlands. And this is a ground view from Churchill looking to the east as grade level, just to get an idea of what is actually going on there. At this time, I guess Ghassan can

come up and talk about the retail center and then I will come back and finish talking about the theater.

Ghassan Abdelnour, from GAV Associates, said we are the designer for the shopping center part of this project. Tonight I just want to thank the Planning Department, Building, Landscape, everybody in all the departments at the City of Novi for a lot of meetings and trying to revise the drawings, they were very helpful through this project.

In trying to come up with a nice elevation and a nice concept for this project, having them move the theater and the retail center so that they work together. We made them like a nice street in between, put each building on each side and hopefully, we tried to reuse the parking for both buildings at the same time; when the movie theater is not very busy, the retail can use it, and vice versa. But at the same time, we do meet the requirements for the parking.

And at the same time, we created that corridor that you come in and there's a nice kind of playground at the end of this project. We're trying to make it like a focal concept for the City. On Novi Road, there's a lot of big nice projects. This one comes closer to Ten Mile, that side of town actually needed something a little bit more to kind of create movement in that different than Grand River. So eventually it will kind of connect the two together. And we do a lot of work in Novi, it's a great City, but we thought that this project will help a lot.

For elevations, we tried to kind of put the elevations between the movie theater and the shopping center retail together and using the same materials. We're using two different materials, the black granite and the white marble, trying to make it look not totally different but at the same time different with the density of colors. Actually, by having that main entrance to the project we kept them so it looks like one project. We could have them each separate and have it like any shopping center or any retail that might end up having problems with the same people using the same retail or the movie theater. But in this situation, maybe people might go to the movie theater and at the same time, they can go if they find good restaurants or retail they can go to the retail strip. They also could go to the other retail areas, so we thought it was positive for the City of Novi.

Mr. Abdelnour said for the materials, like I was saying before, we are using the white marble and the black granite, it's actually a little connection between the two buildings. But at the same time, on the retail center that Rob and I worked on, we added a lot of brick that you see in Novi that is more beige brick, we have some burnished block at the back in the center area, so the back area is mainly all brick and finished block with limestone. And the front of the building, we tried to play a little bit with the different heights, we took the two connections of the building, the front and the corner where the L-shape comes in and we made them kind of look nice for when you drive on Novi, you see the building and the different kind of elements in it, so it doesn't look like one straight shopping center. So you have different heights, you have different intrusion with columns, and different materials.

And we tried to give it some texture to make it a modern building but at the same time, use traditional elements for it. We think that this project worked together between these two buildings and for the retail side, the movie theater having almost 750 feet away from the residential and the retail part is actually more like 900 feet away from residential, we

think with the amount of existing trees that are there and we are willing to add more trees, more wall to enclose the sound and if there are any barriers. And the same thing for the lighting, if there are any shadows, it's away from the neighbors. We are open to answering any questions anyone has. Thank you.

Mr. Konik said so as Ghassan was saying, we are trying to be a cohesive project between the two, even though there are two different owners and it is two different sites using similar materials between the buildings. As Ghassan brought up, we figure people will be traveling back and forth and in the 2016 Master Plan, there is a note under the commercial demand and entertainment area that says that the additional opportunity is particularly strong for food service activity often blended with entertainment in this area. So I think this is a really good fit with these two projects together here.

As for the theater, it is 30 feet tall, within what the zoning allows. I can give you a brief description of the floor plans. The first floor of the theater is basically the lobby and concessions area, so it's a long corridor area with the lobby and concessions areas. On either end of that lobby and concessions are stairs and elevators leading up to the second floor, which is where the access to the cinemas are at, all on the second floor and then you go back down to your seating. There is a total of nine theaters, as Sri had said, with approximately 80 seats in each cinema. Just to compare that, the AMC's and Emagine are roughly about 150 seats per cinema, so this is going to be smaller, more higher tech of a theater comparatively than the ones in the area.

The exterior, as Ghassan was saying, we have the same black granite, white marble, EIFS on the south and the east, and the north and west are an all-brick façade, so helping to screen the residents so that we're not having glass on those elevations. Minimal lighting, just for security, all shielded.

Back to the theater with the technology there, the owner has been in discussions with Samsung and they are getting ready to launch a new LED screen, non-projection. And they are looking to launch that in the US here in Novi. And again, we had a letter come in late from Mr. Choi of Samsung, I don't know if that got out to everybody, but his is a little longer so I'll just paraphrase it to everybody: Hello, my name is Stephen Choi, I'm the head of North America Display Office for Samsung Electronics Visual Display Business. For the past several months, the Samsung team has been working with Mr. Potluri in the implementation of Samsung Onyx Theaters at Mirage Cinemas in Novi. Samsung Onyx Cinema Screen is the world's only certified direct-view LED display for use in theaters by Digital Cinema Initiative. Mr. Potluri has been working with our design teams and Samsung looks forward to premiere ONYX at Mirage Cinemas, Novi, Michigan, giving a new identity to a technology that is unlike anything heard or experienced before. When opened, Mirage Cinemas with Samsung Onyx Cinema Screens will be trailblazing the movie experience which has not seen any significant change in more than 100 years of projection based cinema industry. We believe that this cinema will make Novi the focus of national and international attention and be a proud addition to the City of Novi. Sincerely, Stephen Choi.

Mr. Konik said so at this time, if you have any questions, we are here to answer them.

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

Ankireddy Ankireddygari, 24631 Thatcher Drive, said today I am here to strongly protest the rezoning of this land to allow to be built movie theaters or any other business that supports night life activities near Ten Mile and Novi Road for the following reasons. Current data shows that 29,000 people are going out of Novi and 25,000 people are coming into Novi. During peak hours, Ten Mile Road is backed up to Taft Road and Novi Road is overcrowded from I-96 ramp towards Ten Mile Road. With this development and movie theater proposed, that back up might increase to another mile or so. Pulte Homes is coming up with about 124 homes at the Novi Road and Ten Mile location, which is likely to add another 248 cars which will generate a lot of traffic. Toll Brothers condo complex is coming up on Novi Road between Nine Mile and Ten Mile, which is going to add an additional 200 cars to Novi Road. If the movie theater with 773 seats is adding to that, it will make the situation worse. Commutes may take additional time and you can add up extra time as one goes outside for other activities including grocery, restaurants, kids' activities, etc. There is approximately 30 acres of land behind Walgreens on Ten Mile, which could add another 300 cars if homes are allowed to be built there in the future. This will further worsen the traffic. The long commute time of Novi residents is adversely affecting their health and ability to spend quality time with family. This will worsen. If this rezoning is approved to permit movie theaters or any nightlife supporting business, there will be increases in crime rate, decreases in house prices. The quality of life for Novi residents in general would suffer. I strongly ask the Planning Commission to consider this before approving this.

Maggie Dunham, 23488 High-Meadow Drive, said I have lived in Novi since 1974, I've seen more growth and development in the City probably than everyone in this room and most of the people in the City. I think this proposal is absolutely ridiculous. We have three theaters within five miles and a total of 47 screens. Is this theater going to play any different movies than those other three theaters? I really highly doubt it. So one of these theaters will eventually close, it will probably be this one because it's the smallest, it's the newest. And then we're going to have a vacant eyesore. I'm not against development but I think we need to do the right things in the right places. More people aren't going to attend the theater because of this location, there will be less people attending each theater. Again, which will lead to one of these theaters closing, and I don't want this to be the one in our backyard.

I think that the multi-tenant retail space is also ridiculous, especially considering the Adell proposal which is a mile and a half away which also contemplates multi-tenant retail and entertainment space. I think we have so many vacancies right now with retail in Main Street, Town Center, Twelve Oaks, West Oaks, Fountain Walk, I could go on and on. And we're going to add more right here. I think it's ridiculous. The traffic, the noise, everything that everyone else is saying, sorry I don't know your name but I don't know any office building that lets its employees out at eleven o'clock at night or twelve o'clock at night when the theater is done, which will continue to produce noise, crime, not only light pollution but trash and garbage that people take out of the theater and leave in the parking lot. It happens all the time. I live in the City, I walk my dog everywhere, I pick up trash every single day as we walk. And I don't think we need this in our backyard.

I think this City needs to reconsider this proposal. I'm not saying it's not a good proposal, I'm saying it doesn't belong here. There are plenty of other spaces in the City of Novi where this could work, you could put it on Eleven Mile behind the Town Center, where

there are all of these new hotels where people are coming into the City and would be able to walk over and grab something for dinner and go see a movie. But I don't think it belongs here with the already congested traffic on Novi Road and Ten Mile, a new residential development planned just to the north of this, I think it's ridiculous and I urge you to reconsider this proposal in this location. Thank you.

Shalini Singh, 24559 Perceval Lane, said when I moved to Novi fourteen years ago, the cityscape of Novi was much different. Ten Mile was a much quieter corridor. Now the lush green scape is slowly becoming replaced by multiple subs of cookie cutter homes, we have seen the addition of many needed facilities and businesses, and we have also watched some areas struggle to hold on to relevance. One thing is for sure, Novi is slowly but surely losing the charm of a small, quiet community that it once had. We are replacing our wetlands and woods and driving the wildlife from their natural habitat into our backyards. I have been on a walk with my husband and dog in the early evening hours on Ten Mile across from the Civic Center, and was surprised by a fox cub coming out of nowhere. Luckily the fox was also startled, and scampered away. The bright night lights which would be associated with the proposed development here would be very disruptive to the wildlife, who are already struggling to maintain their habitat. Novi is a beautiful community, and I would love to see it maintain its charm. I believe there is a way of doing this while striving to maintain the progress that we are hoping to have for our future. I would not want to lose our beautiful City to become an urban sprawl. Thank you.

Vishwanatharaju Brahmandhabheri, 24659 Cavendish Avenue East, said this is my four-year old daughter. Four years ago, while I was scouting for a future home in a City, my selection criteria was for a City with the utmost security, safety, good schools, and good City Administration. I was glad that Novi fit the bill perfectly and made me move to Novi. I really want to raise my four-year-old daughter in an environment that is free from crimes and insecurity. But with the subject proposal to build a theater right next to my neighborhood, I'm not sure if I can keep my promise. As you know, historically the potential of crimes is higher at places such as theaters which are open late for business and associated nightlife activities. I would like to use a reference of crime statistics for Emagine Theater Novi for the year 2017, as quoted by William Dokianos, Crime Analyst for the City of Novi in the public hearing packet, page 34. Police were called 139 times and most of the times for crime-related incidents. Not to mention, twelve times for Pine Ridge center, located south of the subject property. The safety and security will be at stake, given 3,000 to 5,000 more people flocking to my neighborhood on a daily basis.

I am also worried about the impact on a theater on the school-going kids due to its proximity to Novi schools. I'm sure this is not the desirable environment every parent here in Novi wants to provide for their kids and future generation. So I sincerely request this City Council to reject the proposal as it is going to create an environment susceptible to crimes. The petitioner doesn't have a right to shatter any parent's promise.

Anupman Arora, 24529 Cavendish Avenue East, said I just wanted to share my thoughts on one of the points I am sure my other brothers and sisters will share. I would just like to highlight the noise part. I am willing to volunteer, if the Planning Commission wants to assign somebody to check the noise. One sound after 10 pm will travel miles, no tree is going to stop that noise from travelling. So having a theater from 10 pm to 1 am, how much sound will it produce? It will wake up people who can't sleep. I would like to challenge the noise part of what has been presented by the developers that there will be

no noise. Lighting, also. I would like the Planning Commission to conduct a sample study to see if it really helps or not. And I am willing to volunteer my time and effort helping with a study about the noise. Thank you.

Matt Lazell, 24396 Cavendish Avenue East, said my home backs up directly to one of those buildings or proposals there. The noise portion, I have to beg to differ; in a perfect world, you exit the theater, you exit the mall, you go to your car, you get in your car, you drive away, everybody drives a Prius, makes no noise. That's not where we live. We live in a society where people make noise, vehicles make noise, people are impatient, they blow their horn, and they do whatever. I don't know if this theater will offer alcohol, but if alcohol is involved we all know what that does to everybody. It amps them up, they become louder, they become aggressive. There are just many issues that we live with today that are covered under their proposal.

The traffic out onto Novi Road, I don't know if you're going to put up more traffic lights and add two or three more traffic lights between the Post Office and Ten Mile, but with a condominium complex going in right next door they are going to need some type of traffic control. If this proposal goes through and they do great business, you're going to need more traffic control there. So what does that do with traffic on Novi? It backs it up even farther. There are many issues to discuss, reasons to say no. I don't fault them for trying to do a business, but not in my backyard. My backyard is right behind one of those proposals. Strongly say no. Fifteen and a half years living in Novi, I have never once said 'gosh, I wish there was a theater back there that we could go to and let's walk.' I've never once said that. And as a resident, if this goes through, I can tell them that I will go five to ten miles out of my way to avoid going to any of their businesses. Thank you.

Soma Suryadevara, 24656 Thatcher Drive, said presently, these two parcels that are marked are zoned as OS-1 and B-3 on the zoning district map of the approved Master Plan as recently as 2016. Our Future Land Use map of the Master Plan, it's categorized as Local Commercial, meaning this land is usable for convenience shopping for residents within nearby neighborhoods. It includes retail, personal service establishments, and small offices. This proposal instead wants to categorize it as B-2, Community Business, after rezoning. Community Business district in the Zoning Ordinance is reflected as Community Commercial in the Master Plan. The area where these parcels are located were not planned for Community Commercial as of the recent Master Plan of July 2017. Having said that, the City of Novi can still have more new cinema theaters in any of these three locations that I could identify: on Grand River between Novi and Beck Road, on any one of the empty lots near Suburban Showplace and Paradise Park; the former Novi Expo Center on I-96 and Novi Road, a Novi eyesore along the expressway which I believe is the best idea for the Master Plan for City developer and it would compete with Emagine theaters; Wixom Road between Sam's Club and Target, there's a very large empty lot and close to Wixom Road freeway exit and this is also identified in the Master Plan. Thank you.

Seetaram Ponugupati, 24691 Thatcher Drive, said I live a block away from the immediate properties that are facing the proposed plan. So the proposal here is two-fold: one is for rezoning, and second is post the rezoning, the builder wants so many, too many, deviations. Let us look into that. Let me make it clear, I do not have any objection to the movie theater, but what I object to is the location and the deviations. So one of the deviations, I want to pull out three out of so many, countless. One is that deviation for lack

of screening berms between the proposed properties and the residential properties to the north and west. The second is deviation for exceeding the maximum height of the building. The engineer told us it was 30 feet high. And then, to allow access of screening for the rooftop equipment on these proposed new buildings. Lack of berms, lack of screening. This will create a privacy nightmare for the community of folks living nearby. So if a person, a weirdo, climbs onto the rooftop – like maybe a repair person – can easily take pictures of the residents behind it. These trees will not have foliage in the winter, not much. If you see the photographs that were shown before, not many of them are evergreen trees. These are deciduous trees. So my recommendation is, outright reject this proposal. If the City has a reason to accept this proposal, at least ask the builder to forgo all of the deviations, which is a fair game. One more thing that the builder may consider is give something back to the community and that is, perhaps, develop the City property near the post office into a community park. Thank you.

Srinivas Kasireddy, 24376 Cavendish Avenue West, said I oppose this proposal for the following reasons. I bought this home in Churchill Crossing thinking that it would be a quiet and peaceful community. With this proposal, it is not going to be the same. This proposal is going to hurt the property values and reduce the buyers' interest in the neighborhood because of constant traffic and a big commercial building just in the back of the residential community. Within the City, we already have a big failure of Novi Town Center theater. But the good thing there was no residential property. If you look at the Novi Town Center, there is no residential property around the Novi Town Center. That worked fine for the Novi theaters there. But here, this is a densely populated residential area. And next to that, if you have a theater, it's going to have a huge impact to all of the residents. Behind that, there is a Pulte proposal of 200 plus homes that are coming. So this is in the middle of the residential community, it does not belong there. This place does not suit for a big commercial building like a movie theater. Nobody needs to look at this proposal in detail, even if you just hear about it, it feels and looks very bad. I would like to conclude that this proposal does not belong to this space, and the rezoning is not a good idea for Novi.

Doraswamy Morasa, 24330 Thatcher Court, said I have lived behind the proposed location in Churchill Crossing for the past fifteen years. I really live behind the theater and the DICE property. For the first ten years, our family with two kids had a tough time sleeping until 1:30 am due to the noise from the bar located at this proposed location. We had to simply live with the noise problem until DICE moved in, which limited the noise disturbance and we thank them for that. For five years, we have been sleeping – we can open the door, we can open the window, and sleep quietly. I am a proponent of builders developing their land and helping the community with additional revenues to the City, within the proposed Master Plan. But I strongly oppose the rezoning that extends late night businesses and activities and disturbance to the neighborhoods due to noise caused by the theater and increased traffic on Novi Road. Late night parking and car lights beaming into the residents' windows is not good for Churchill Crossing.

I have seen the voting where I heard about the number of people who voted no are very less compared to yes; I really request you to look at Churchill Crossing as a primary place when you decide on this. I'd like to have a theater three miles away from me – I would want it, everyone would want it. But a theater coming right behind our houses; if you see a lot of yes votes to have a theater from Churchill, I'd like you to approve it. Otherwise, I would like you to really go through each one's concerns, including the Next Door app. It was the biggest Next Door post ever had in Novi. You could look at it, I sent it to one of

you. With this rezoning, we'd be forced to call law enforcement to deal with late night disturbances, we might have no other option than to move out of the City of Novi. In case the City still chooses to rezone, I expect the City to mitigate any disturbances caused by this new development and be aware of reduced revenues due to fallen home values. I strongly request Planning Commission here tonight to save our residents and neighborhood and stay to the original Master Plan. Thank you.

Fayaz Hirji, 24763 Thatcher Drive, said I've been a Novi resident for about eight years and have lived in Churchill Crossing for about six and a half of that. I oppose the proposal as it calls for significant deviation and amendments to zoning that are really not residential friendly or friendly for the City of Novi. They are also too close to homes in Churchill Crossing and the impact on safety and security of residents, it may negatively impact property values in this community, and significantly damage the family-friendly and environmentally-friendly values of Churchill Crossing and also of the City of Novi as a whole. There will be significant impacts on the wetlands and all the wildlife that these wetlands actually hold, and I think that needs to be given a serious consideration. There are, as others have mentioned, other theaters in the area. There is Emagine Theater in Novi, there is an AMC theater in Livonia, an AMC theater in Southfield, all within about a fifteen minute driving distance. And these theaters also show other cultural movies, not just American movies, so there is a variety of theaters for all people within short distances of Novi.

I have a daughter in high school who is on the youth council and she is also on the teen advisory board at the Novi Library, and she is a grade 10 student in high school and thinks that this would be a terrible idea, being that the theater is so close and within walking distance from the high school. She thinks that this may become, for some students, a hangout instead of being in class or spending their time studying. And the cost of movie tickets, as experienced from Emagine or AMC, for shows before 6pm is likely going to be only four to six dollars. So that is not going to be a limiting factor for these students to be able to hang out at the theater. The impact of traffic from Novi, we currently have traffic signals between the Novi Post Office and Ten Mile Road. And with the significant developments of this project as well as the townhomes or condos, we likely will need another signal, and that is likely going to paralyze traffic on Novi Road. I would also lastly encourage my fellow residents here to speak up on this proposal because this really may be the only chance for you to do so. Thank you.

Ankita Kumar, 24559 Perceval Lane, said as you might tell, I'm pretty young compared to everyone who has so far spoken; in fact, I am a freshman at Novi High School. And I think this proposal is a bad idea. This is because I'm not against building movie theaters in Novi and I think it's a great idea, but just not by my sub. One thing that I realized when I've gone to movie theaters before, especially at late night, is that there's a lot of smoke in the air from tobacco products. And I think that's really bad for plant life. We're already taking away and cutting down so many trees and getting rid of so much wetlands, we don't want to just add in another place for plants to get hurt. So it's been shown that when people smoke near plants, the chemicals in tobacco can actually hurt the plants a lot more even though some studies say it can help it by producing more carbon dioxide, but it actually poisons the plants.

Also, I think that it's a really bad idea, like the person before me was saying, that the theater will be so close to the school that a lot of people might think 'oh let me just go to

the theater instead of going to the school,' which is really, really bad. And I also think that and wanted to bring up that I know that there might be like 700 or whatever feet of trees behind the sub between the theater, but say that, as one person had said before that there may or may not be alcohol involved, and I think that someone who may or may not be drunk could have the potential to walk 700 feet, even through a woods because they're drunk and I've seen a lot of things that even when you're drunk, you have impaired vision and you might not be making the best choice. And they might end up at my sub and I don't want that to happen. Thank you for your time.

Ed Morris, 46962 Sunnybrook Lane, said I've lived in Novi for 21 years. I think this is an easy decision for the Commission; this proposal should absolutely be rejected. Somebody bought this property zoned for office use and now wants to zone it to the great detriment of Novi residents for a totally different use. They knew when they bought it that it was zoned office. And they're now trying to jam way too dense of retail use onto too small of a parcel – that is shown by the deviations. An earlier gentleman noted some of the deviations but the deviations are for the side yard setback requirements – instead of 30 feet, they want 16 feet. The minimum requirements for retail buildings, they want deviations for that. They're asking for deviations for exceeding the maximum spillover of one foot candle, which is the lighting; it's going to allow more than one foot, that's light pollution. They're asking for deviations for the minimum light level ratio. They're asking deviations for the sign ordinance, I guess the Ordinance allows one sign and they want two. Instead of 200 feet which is all that is allowed, they want 248 feet. They want to put another 29 signs around the building, those lighted signs showing movies. Just the deviations alone show that they bought a piece of property that is too small, and now they're trying to jam as much as they can into this. And it just doesn't make sense.

One of the main functions of a Planning Commission is obviously to protect the quality of life, property values, and protect the residents, and approving this doesn't do any of that. It does exactly the opposite. The parking is an issue, the traffic review notes that I saw today – and I just learned about this within the last few days – shows the two access points off of Novi Road, but the number of trips exceeds the City's threshold of more than 750 trips per day or more than 100 trips per either the morning or afternoon peak hour. Novi Road is already highly congested. Out of the box, you're saying that this is going to add to the congestion and exceed the threshold. The shared parking study, that's very suspect. The lack of a screening berm between the residential properties to the north and west, they're asking for a deviation for these screening berms. I disagree with the gentleman representing the developer who said that people just walk to their car at night; no, people open their car with a buzzer, the horn goes off, if people are drinking they're loud, they're talking about the movie.

These people who bought their homes there, this is incredibly unfair to them because you're changing the zoning. And again, this is no hardship. And if I read right, I don't know if this is a legal standard or not, but it says in the documents I read today that the applicant has to make a showing that the new proposed use and zoning offers benefits which would not likely be offered under the standard development options. He bought it, it was zoned office. He can put an office there. You've got an investor who bought it for one use and knew it was zoned that use, and now is trying to jam in on the thirteen or fourteen acres – the movie theater will be nine of that – for all of these reasons, you can just look at the number of deviations alone they're asking from the standards that have been long set by Novi for development. Look at the number of deviations alone and say

that this is not a good idea. And then if you take into account the quality of life of those people who live there who at midnight are going to be hearing somebody opening up their car or talking about the movie they just saw – this isn't just walking to your car. So noise pollution, sign pollution, traffic congestion: for all those reasons, I really think after looking at this whole document today that this is an easy decision, an easy rejection. Thank you.

A Churchill Crossing resident said I live in Churchill Crossing subdivision and have been in the Novi community for over twenty years. I just came to realize that this issue is ongoing, I wanted to come out to raise two questions for the City Council. The first one is, I would like to urge you politely and kindly to put on record what the response is or has been from the existing Emagine theater management. And I haven't heard any of that view yet. And only two miles away, we're building another theater. So I just want to see. And my second question is, what is the City's justification in terms of supporting that or not? So I would like to urge the City to put on public record those two justifications. Thank you.

A Churchill Crossing Resident said I live close to the proposed Mirage theater and DICE retail center. I would request that the Planning Commission do a study of the long-term effects of proposed zoning changes. I believe this zoning change might affect Novi City as a whole in terms of traffic, noise pollution, vehicle pollution, late night disturbances, and security. The zone changes and the new upcoming condominiums right adjacent to the proposed theater and DICE retail center add stress to the existing infrastructure systems, in my opinion. For example, the sewer and drainage, the roads, and it might also increase the cost of maintenance of all infrastructure systems. At the same time, it might affect the residential property values surrounding the Mirage cinema and DICE retail. Nobody wants to build a house next to a theater. I request Novi City Planning Commission members to reconsider this rezoning of OS-1 and B-3 to B-2. Thank you.

Aravinda Kancharla, 24704 Thatcher Drive, said I've lived in Churchill Crossing adjacent to this proposed location for the past twelve years. Today I'm here to strongly oppose the rezoning of this currently OS-1 and B-3 property to Commercial Retail, B-2, for theater and retail purposes. While I agree with the concerns of my fellow neighbors to oppose this proposal, not long ago a former OS-1 parcel which has been rezoned to RM-2 with a PRO to become Emerson Park multi-family development by Pulte builders. And today, we are making a mistake by altering the approach to rezone the remaining OS-1 zone next to the single-family and multi-family residential developments, to Commercial Business retail which will significant impact and cause the property values in the adjacent subdivisions to go down drastically. Emerson Park's addition is a multi-family development which is set to start construction, and this rezoning proposal may directly affect the sales and cause lower property values with less demand. The Churchill subdivision is struggling to sell some of the empty lots at a reasonable rate and we have noticed a pattern of people moving out, as well. If we allow this theater proposal, this will definitely increase the community members to look for other avenues and move out of the Novi City. So I strongly suggest the Planning Commission to understand this concern and reject this rezoning request, and stick to the original City Master Plan. Thank you.

Glayde Moulder, 25147 Sullivan Lane, said I don't live in Churchill Crossing, I live next to them and I am really scared of this project. We pride ourselves on a peaceful, quiet neighborhood where I walk my dog every day, I know all of my neighbors, and we actually can hear each other talking across the street because it's nice and quiet. I am

afraid that we have been misled by some of the people who are running this project to believe that the 900 feet that they are proposing of trees are going to really cover for the noise that the traffic, the loud people, to our homes. I live more than half a mile from the high school, there are wetlands behind my property and I hear the high schoolers when they are coming, when they are getting out, when the kids are having breaks in school. And there is wetlands DNR property behind me, a half a mile of it. What makes you think that 900 feet is going to foil the noise from a theater? The lights, the artificial lights that are going to invade our privacy in the night.

The traffic that it's going to bring on Ten Mile Road that is already choked everywhere. When we moved here eighteen years ago, it used to take us five minutes from my door to I-96. Today, I time it. If I make it across the traffic light on Grand River and Novi Road within eight minutes, I'm lucky. Because you can't make a left, it's just a jam, and jam, and jam. If there is an event at the convention center, good luck to you getting out of your house. Because you can't. Now, we're back up traffic on Grand River, on Novi Road, on Ten Mile – are we going to be prisoners of our homes for the other people from outside to come into our town? Because we're not going to be able to get out or to get home. I heard that there is no plan from the staff to do anything about Ten Mile Road to widen it – there is no way because now, it's overbuilt. I don't know, what's the plan? How are we going to overcome the traffic jams of this town? Thank you.

Netresh Rege, 24444 Cavendish Avenue East, said so this is a home that backs up to this also in Churchill Crossing. I see that half of my community is here and I think they are all going to talk. The thing that was surprising, like one person mentioned, is that there were all of these people that were saying yes, and I don't see any of them here. There is one or two. This is surprising. The whole community is opposed to this and not to rehash all of the points that people brought up before, but just wanted to also voice my concern about the proposed development and let you know that I'm also opposed to it, being backed up right to this. One of the concerns that hasn't been brought up here is that light office will not have garbage and food like you would have in restaurants and other things they are proposing. There is a lot of wildlife, like people are mentioning. We've seen deer from our house, we've seen foxes, we've seen thirty species of birds in that wetland area that going to have access to this nice restaurant food and maybe drinks, so we will bear the brunt of all of that along with everything else that others have said. So on behalf of the community and myself, we are very opposed to this development.

Reba Pilibosian, 24504 Cavendish Avenue East, said I live just a couple houses further than whatever that property is that it's attached to the movie theater. I have a couple concerns. The main concern and I don't want to repeat myself, I agree with every one of them and what they said 200 percent, that I object this project. I can't even build a fence. When I bought this property, they told me I can't build a fence and you guys are going to build a movie theater and I would not even have a fence to protect myself from people coming and jumping from that movie theater to come to my house. And the City would not let me do a fence there. I was going to do a swimming pool, I went to the City, we drew everything and I spent so much money on the planning, and they said two feet this way, three feet that way, one foot this way – I felt like I was doing a swimming pool that I have to barricade myself just from the water to the fence that I can't even have to put a lawn chair so I can lay next to the swimming pool because you guys had rules and regulations.

This is something that I object and if the City will anytime approve this, me myself I say shame to the City. Because this should never be approved. And like everybody said, this was office and they have to build offices. They can't just come and I don't know all the details, but I listened to everybody and what they said. But I am very upset. And if this project goes through, first thing I'm going to build a fence and second, I'm going to call every day at 10:30 to the police station if I hear any noise or any lights. I'm going to bother the police station every day when I get bothered. And if I don't get protected, then we're all going to move out from Novi looks like.

Mohan Joshi, 24543 Thatcher Drive, said I've been the Treasurer for the Churchill Crossing HOA for the last three years. I was involved in seeing the proposal for the Pulte subdivision that is being put up right behind us. There were a lot of concerns when that Pulte division was being put up; noise was one of them, traffic was the other. And I second what everybody said about the volume of traffic on Novi Road, I've never been able to take a left turn into the subdivision for years now and I've lived there for thirteen years. I'd like to say I actually like this proposal, I just don't like where you're putting it. The Novi Expo Center, that area right there behind the freeway, is probably the best place to put it. So what I would recommend is that you maybe approve it in that location, but don't approve it near the Churchill sub. Thanks.

Supraja Morasa, 24330 Thatcher Court, said my husband and I bought the house in Churchill Crossing and we made it a home with our two kids for the past fifteen years, so this is our house, this is our home. My good friends here well-articulated the objections to this development and I stand with them. I just came here to stress and urge the City Council that the number of counts that you got as yes for the project, I want you to look and see where those residents live. Are they within a one mile radius of the proposed location, or are they two or three miles far off? I want you to look at the 'no's' and where those people live, is it close to the proposed location? So that can tell you the seriousness and the gravity of the situation. Thank you very much.

Vicki Garon, 25123 Sullivan Lane, said I'm not for this proposal either at its location for a number of reasons. One, that has already been said today and right off the bat when I first looked through this - I was actually made aware of this project on Sunday. But looking through it was the number of deviations and variances that they had to request to be able to make this property work. There's so much other property that the City of Novi has designated to be entertainment and to be business and to be restaurants, and so many other vacant places of restaurant and open office space that we already have that our citizens would love to see filled. Stuff comes and goes, it starts and a year later it's back gone.

Some other things that I want to bring up that if this proposal should go through, I would really like you to take a look at some of those issues I found when I was looking at it very briefly. One, as somebody had mentioned, is refuse. I don't know if you had noticed where they plan on putting some of the open dumpsters for their refuse. They had talked about this beautiful corridor that they plan coming in right from the entrance, and then a nice park area. But where I have highlighted is where the theater plans on having their dumpsters. It is in the main corridor where everybody is planning on being. It is right next to the retention pond. I'm sorry, but dumpsters do leak, and they leak pollutants when they're in there. I mean, they don't get collected, that's where it's going. There's many other different areas where they could place those where it's not going to be an eyesore.

Dumpsters, everybody knows, you see it, it's food, it's etc. The other retail's is hidden back down here, much better place for that.

Some of the other things – the retail says it wants a deviation from having the rooftop be screened. Your architectural renderings are beautiful, do you see those renderings having rooftop equipment? No. Therefore, I think they need screen them. They are showing you something that is not what it is really going to look like when it's done. The renderings should depict what their heart is saying and what they have in their proposals.

Ms. Garon said one of the other things that I have that I looked through is, I know they say the number of wetlands that they have, however when I go and look at the State of Michigan wetland GIS, the top one is the approximate same area that the properties are below. What you see in green and in hatched, as you look there is a key there, and I can leave this with you, that area straight green is designated under the state statute, what you see in orange is humic soils that are affiliated with wetlands and associated with those wetlands. The cross hatched are where they overlay together. This is far, far greater than the wetlands that you see on the bottom depiction, which is just that straight darker green. The bottom depiction is the City of Novi's. And municipalities, through all their best efforts, don't always mesh with what the State of Michigan has when they have gone out and done something. So somebody is off between these two, and I hope it's not the developers because if they rely on the one and they are off, they can still have to come back and have to mitigate all of those wetlands that they've then destroyed by this project. And I know they said they don't plan on even destroying or touching any of the western acreage, well folks that's already in our woodland preservation. They would have to do a whole lot more to even touch that area. So to ask for that as a credit, I think again is something that is not in the correct heart and spirit of them trying to be in good citizenship with this community, with all of our residents.

I'm not for this, there's a number of other items that I know you've pulled out and other people have mentioned. Please take a real close look. You're going to bring this forward, they need to do everything that everyone else has to do, even the things us residents have to do. Just because they're a business. I mean, I want them here, I want their taxes – I just don't want it in this spot. One other thing I forgot to mention on their proposal – they have biking. Thank you, I commend you for that and having biking space and spots for bikes. But I didn't see any bike lanes, nor did I notice a sidewalk along the frontage of Novi Road. We're trying to get people to come and be more community, small town that we tried to do with Main Center. Well we need to look at these simplicity things. How are people going to get around, should they want to walk from Cedar Springs, should I want to walk or ride my bike there? I'm less than a mile, good Lord I hope I can make it on a bicycle, I'm fit enough to do so. Yet I'm not seeing those other simplistic things. Thank you for your time.

A Churchill Crossing resident said I've had the opportunity to become the first elected president of Homeowners' at Churchill Crossing. And like you've heard everyone say, it's going to be a big no. I know about 200 people in the subdivision and we are 200 people that are going to say no to that proposal. And amongst our friends, there's probably going to 500 votes that you will find against the proposal. I love my friend Raghu, who is the owner of the property also.

One of the things I want to mention is that any of the Council members who have

approached us, we have been a very strong community and a proponent. For example, when one member wanted to walk, I walked with him the entire sub from Ten Mile and Haggerty to Ten Mile and Beck Road voting asking for him. When Gwen came to my home five years ago, I helped her walk door to door collecting votes for members like you. And now we are being approached to do the exact same thing. What I am suggesting to you is look at this community, because this community is a very large community of Asian Indians who will be pretty against in case this proposal were to go through. For the 70 or 80 people that you see over here from Churchill Crossing, I can assure you I can bring 200 if you would like to have another meeting to see the disgust with this plan that the proposal is offering. So we stand very strongly against this proposal. So please bear in mind that we are here to support you and we require your support, as well. Thank you.

Raman Mehta, 24729 Cavendish Avenue East, said let me tell you my story. We love, especially my two daughters, Churchill Crossings so much that once we sold our house, which we bought the first time, we actually moved back into Churchill Crossing. That's the level of love we have for the community. And here you are, looking at the outpouring of this emotion, I hope the Committee takes a very hard look at what you're about to do. I do project evaluations for my life, that's my job – if a proposal made it this far in my job, I would have been shocked. So many deviations, and it made it so far, it's unbelievable. It does not make sense from an environment point of view; it does not make sense from a security and safety point of view. Do we want our police officers, the fine women and men in uniform, to respond to some frivolous drunk guy walking out of a movie theater and he didn't like the movie? All too real problems. We have got to take a very, very hard look. And most of it, it does not make sense economically. It's a lose-lose petition. Have we done the analysis how many empty seats are there in all of these big theaters? How will this theater make money? And people will move out, you're going to lose a very protected revenue base. I urge all of you to take an extremely hard look to see if you were living there and if you love the City, what would you do? Thank you very much.

Arun Kumar, 24643 Thatcher Drive, said being an entrepreneur, I love this place. I love bringing more jobs to a community; whatever we could do to help our community, I love that. This proposal, absolutely I love it, but all I'm trying to say is that this is not the right place. If the same property could be built somewhere else, absolutely we would support it 100%. All the points our community members have made are absolutely right, I stand behind those. And also, one other point is we are literally forty, fifty plus folks that didn't speak up here – if we give three minutes each, we will be here for another two hours saying no to this project. With that, I want you guys to reconsider this property development. Thank you.

A Churchill Crossings resident said I don't know if my phone will work on the projector or not. This picture is from a couple weeks ago, my wife and I went to the theater and there were only a few in the theater. I don't know why they still want to build another theater in the same area. We enjoy the movies, but any time I go there, there are only a few people there. I don't know why have another one.

Christina Fridenberg, 23384 Winnsborough Drive, said I live in Mystic Forest which is about a half mile south of Ten Mile and Novi Road. I just want to speak on behalf of our sub, we're just really concerned about the traffic issues. Already, it can take it up to ten minutes to take a left hand turn out of our sub to head north on Novi Road. And we're just really

concerned that it's a safety issue. And to add, I don't know how many people are going to be coming to this area and this proposed development, but we're just really concerned about the excess traffic and I agree with everything that everyone has already said. Everyone has been really well spoken about it and I very much am 100% against this proposal. And just thinking about how we've been here twenty years and have seen a lot of changes, and to see what happened to Main Street which was supposed to be our downtown and now it's a ghost town. What is going to happen to this if this theater isn't successful, what's going to happen to that area ten to twenty years from now? Just a thought. Thank you.

Sirisha Uppalapati said I am part owner of the DICE, LLC. I am here to just let you know that we understand all of the concerns, we certainly do. And we have been working diligently with the City trying to meet all of those concerns. And if there are general concerns, certainly; we are part of this community, we want to see this community develop and make sure that this community is safe and secure. No way will we try to build something there that doesn't meet the City requirements. Having said that, as I'm listening to all of these concerns, and I am thinking. There was one gentleman who came and was just throwing statistics, he said there will be 3,000 additional people because of the proposed development and then just now, one other gentleman said there were only ten people in the theater. So I guess they are saying, part of their opposition is that the theater will not sustain because there are not that many people who would be going to the theater. And at the same time, they're saying there will be thousands of people flocking to these developments. So, are these genuine concerns, or is it just the NIMBY situation that it's ok if it's in somebody else's backyard but not in my backyard? So that's all, I just wanted to make that point. But again, as a developer, as a property owner, I am part of Novi and I certainly, certainly will respect all of the planning requirements and we will go beyond that just because I want my business to develop there and flourish there. I don't want something that would go bankrupt in a couple years. I will make every possible thing to make sure that it complies with the City rules. Thank you.

A Churchill Crossings resident said I wasn't going to say anything, but I heard the owner talk about something about the concerns we have. My concerns lie with a lot of the concerns that people have – lighting, safety, security. When you develop this as a project, how much of the noise through the wetland is going to reach through to our Churchill Crossings community? The picture is showing the forest in the summer with all the leaves, so what about the winter? You should show us the real data. What are the control numbers for the lighting? The shops and theater are going to make Novi Road even worse. We live in a peaceful and quiet community, that's the reason we bought a house in Novi and that's the reason I'm raising my kids in Novi. So I really suggest that the community rejects this project.

Venkateshwara Vadlamudi, 24555 Thatcher Drive, said I have a big concern. Previously one theater was closed and converted into Walmart, and what happens if something happens like 5G comes tomorrow? That would be a huge problem for movie theaters, that's what the statistics say. If something happens like that, are you going to bring another Walmart into this place? How is that going to work? That's what my concern is. So the theater business is not such a viable business at this time and bringing it next to my community, and again it is going to change, that's going to have much more impact than what is proposed. If something happens to this, are you going to demolish the whole thing, will it go back to the present status? We are looking for that information. Thank you.

Sreenadh Kundurthy, 24615 Thatcher Drive, said I am also a resident of Churchill Crossing. I strongly oppose the rezoning of this property. Ten Mile and Novi Road, where all the traffic flows through, but at the same time if you see Ten Mile Road and Novi Road at the peak hours, usually people spend twenty to thirty minutes on those roads. And rezoning this property to bring more people in is definitely something I don't support. I agree with neighbors in Churchill Crossing completely, I don't think a theater belongs here.

Cynthia Senatore, 23900 Argyle Street, said I live in Broadmoor Park at Ten and Beck. And I just wanted to say something because of the comment earlier – I don't want you to think that it's only the people of Churchill Crossing that are here and concerned about this development. I'm sick of seeing Novi develop all of these wetlands. There's other places that this could be and I agree with everything that's been said and I just think that this is the wrong place for this development. I think it's a good idea and it might be good for the community but just not in that location. And I'm sick of all the traffic on Ten Mile Road, so we need to look at widening the roads before we look at more big developments like this, especially in areas that are backing up to subdivisions in the community. Thank you.

Lori Pilibosian, 24504 Cavendish Avenue East, said I agree with what all of my neighbors have been saying. I just wanted to add on that I've been at this house since my parents built it in 2004. I graduated from Novi High School in 2006, I've been living here and seeing all of the new developments and it's fantastic. I do not agree that a movie theater should be placed in the middle of all these residential properties. On our street –and there is actually a lot of statistics about this – breaking into cars, breaking windows, I've had multiple, back then it was iPods, but things stolen out of my car. I currently go to college and I go late at night after work. When I come home, there are days when I'm afraid. There are tons of animals that are roaming around from all of the developments, because Pulte, or somebody, already started cutting down trees behind our house. So I just wanted to bring that to everyone's attention. As a single woman coming home at night, this is going to bring a lot more people around in this intersection and driving through our subdivision, which they do already thinking that there's an exit at the end. Also, it was mentioned that the developer wants to build everything with all the requirements but meanwhile, they applied with all of these deviations. So, that was it.

Channakeshavulu Kakarla, 24561 Cavendish Avenue East, said I agree with all my neighbors and I strictly say no to this because I have a kid that goes to middle school that will be moving to the high school soon and they walk to school from our subdivisions and will all of the more traffic going on, it will be a really bad idea for the school kids. Thank you.

A Churchill Crossing resident said I've been a resident of Novi for the last 28 years. I'm sure you're pretty tired of hearing the same story for the last couple of hours. These residents are tax-paying residents. They've been paying taxes, and probably taxes to the City of Novi for its growth, for the last eighteen to twenty years. Or much more, many of them since 1974. So my humble request to this council is take into consideration what they are saying, because this also impacts your newer projects, this also impacts your newer incoming residents, what kind of example you're going to set. I don't care about their business case. I don't care about their occupancy of their theater, they could be wrong. 3,000 people coming, 10,000 people coming, it doesn't matter. It takes 43 minutes today from Haggerty to Novi Road from a traffic jam every day at 4 o'clock. So that is ample

proof and ample statistics to prove either way. So you make your business case for building it, all good and dandy with it – make a good business case to shift it somewhere else. That is the request from this group. So humble request from sincere tax-paying residents of this City – set a good example, and please oppose the project.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. When no one else responded, he said I believe we have some letters and correspondence.

Member Lynch said Sri summarized it on the record and these will be put into the public record.

Planner Komaragiri said yes, and the public that spoke tonight pretty much summarized everything that was in the letters.

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

Member Greco said first I'd like to thank the applicant and also thank all of the members of the community who came out here tonight. In looking at this project and looking at our obligations as Planning Commissioners, I am not going to be supporting this project. Looking at where it's placed, there are several things. Number one, the traffic – although it's not required that they submit a traffic study, the City does indicate that it exceeds the number of trips for the City's threshold. But also, just as a practical matter. What's been noted here is that we do have traffic in Novi during certain times. And actually, with Grand River, Novi, 96, and Ten Mile which gets backed up, the issue of not being able to expand Ten Mile for various reasons not necessarily under the control of the City, that avenue of Novi Road where it's at least four lanes wide does provide a little bit of respite in an open artery when you're moving in between the roads, between Grand River, Ten Mile, and Novi. It does get backed up, but when I get back from work and I get off at Novi Road, once I get through the Grand River exit there I've got a little bit of open road before I get to Ten Mile and it gets backed up again. So adding to the traffic to that area is a problem to me.

With respect to the actual plan, it's not zoned for what they're putting through. I don't believe that the PRO provides the benefits that are needed. And there are too many deviations. But just generally speaking, with regard to all the renderings look fantastic of course. But looking at what it is, which is an entertainment-type retail project, I don't think it fits in to where we're going from the Town Center, from the new Adell area, from the Fountain Walk and that whole area, coming back as we're heading toward the residential. One of the things that I appreciate living close to this area is that we're near commercial but it doesn't seem like we're near commercial, at least in certain areas of the City. But you go a mile or two, and you start to get into it. This doesn't seem to fit. We do have some residential areas that are coming in, multi-tenant residential developments. I just don't think that an entertainment complex in that particular area fits, it looks more like it fits more to the north.

Member Lynch said I'm not willing to make the Zoning Ordinance change and I'll give you my reasons why. Since I've been on the Commission, which is quite a number of years, the entertainment district has been focused on the Grand River, 96, Town Center

area. And I think that was the concept when it was developed, that the entertainment would be focused on that area. I guess I don't have a problem with the retail portion, I think it's well within the zoning if they just want to put the retail. I was happy with the Adell property being part of that Town Center district because it made sense. Going this far south and putting an entertainment district, I think doesn't make sense.

As far as traffic goes, we may be shooting ourselves in the foot because if you're looking at a movie theater and the peak hours between 7 am and 9 am, not too many people are going to the movies so there isn't going to be much there. And there's not going to be too many people going to the movies between 3 pm and 5 pm or 6 pm. But I just don't think an entertainment center, or a movie center or something along those lines, is sufficient for me to want to make a zoning change. I know that the office, as far as the building goes, it's zoned OS-1 right now, so someone can put an office there that's almost exactly like the building that they're putting in. But I just think in my perspective, I'm not willing to put another entertainment district that will compete with what the City has decided would be our entertainment district or Main Street, which would be in the Town Center area. So with that, I appreciate the developers work and what you've done, and I appreciate the comments from the residents, I do appreciate the comment from the business owner. I think that right now, it doesn't make sense.

Member Avdoulos said Sri, can we put up the slide from the applicant that shows Emerson Park and the development?

Planner Komaragiri said this one shows Emerson Park a little bit.

Member Avdoulos said we received our packet, I saw a cinema and wondered where was the cinema, and then I read Ten Mile and Novi Road area, and I wanted to see if it would make sense. The image that was provided in our packet actually showed the entire Emerson Park area, showed this development, and then showed the Pine Ridge Center down in the corner. And just looking at it overall, just this little section, I was thinking like some of the comments from the residents, having a community supporting the businesses in the community. We're on a committee here with the Planning Commission, the Walkable Novi Committee, getting people to move around, using sidewalks. And I thought okay, if there's a development here, it might be good because the residents in the surrounding communities could support it. I'm glad that the community supports China Café, the Breakfast Club – this City is great in supporting all of the businesses that come in. But then, as you start looking at it and thinking about what this business actually is, I agree with Member Lynch that another retail component here with a coffee shop and a restaurant could be something that the community could support.

That's the map I was looking at. So, looking at it, I want to be fair to everyone – be fair to the developers, be fair to the residents. I'm a very optimistic person. But then, when you look at the development, you see how far back the development goes, and it doesn't go as far back as Emerson Park, which basically touches the boundary of the Churchill Crossings. And you do have a big nice gap between the residents and this particular development. So that part of the planning doesn't bother me as much.

But in the end, as we're looking at this before even all of the comments came from the citizens, and again I thank you all for coming and I know that this is very emotional for all of you because this where you live, for us we have to look at it from what we're charged with

from what is available to the developers in the Zoning Ordinance. They can bring the project before us, they have to do their due diligence, this is the first time we're seeing it. So sometimes when you're yelling at us, I'm not taking it too personally because I understand, but I think I'm with you and I'm with the other Commissioners who spoke, that this development is a great development but in particular the theater just doesn't fit and I can't see it fitting. I agree that we have other corridors, more populated areas, that this would fit in. So I'm going to be one of the Commissioners that is going to vote to deny this project.

Chair Pehrson said thank you. So as stated by many of the Commissioners, we have to look at this from both sides. The petitioner had the right to build on the property and we do that through PRO, which allows them to come in and present things to us that might not necessarily fit what is typically zoned in that particular area. However, in this case, I think I agree with all the Commissioners that at this point in time, the PRO right now doesn't expand well enough to demonstrate the benefits to the City. I don't necessarily agree that this is the right implementation for the property.

I think this is a great idea if it were somewhere else located in the entertainment district, somewhere north of Grand River. I believe that the buffer to the residential, we always look at residential as a primary factor when we're trying to weigh and look at some of these opportunities that are brought forward to us. This is a pretty intense use and that's one of the things that we typically draw distinction with. The traffic count, knowing that it is over the traffic count as depicted by our consultants, I have a big problem with, regardless of whether it were a movie theater or markets or whatever. And when we look at opportunities like this, we also look at deviations. And the deviations are a mark of how well the development, not the developer, but the development fits the particular parcel that we're looking at. And in this case, there are just way too many deviations for me to support going forward. So with that, I'm also going to not offer my support in this matter.

Member Greco said I'd like to make a motion.

Motion made by Member Greco and seconded by Member Lynch.

ROLL CALL VOTE TO RECOMMEND DENIAL OF REZONING WITH PRO MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH.

In the matter of the request of Potluri Cinemas and DICE Holdings for the Mirage Cinema and DICE Retail JZ18-33 with Zoning Map Amendment 18.726, motion to recommend denial to the City Council to rezone from OS-1(Office Service) and B-3 (General Business) to B-2 (Community Business) with a Planned Rezoning Overlay Concept Plan. The motion is made for following reasons:

- 1. The applicant has not met its burden under the Planned Rezoning Overlay (PRO) ordinance to provide PRO conditions that result in the enhancement of the project area as compared to the existing zoning that can only be achieved through use of the PRO;**
- 2. The applicant has not established a basis for many of the proposed deviations for the reasons set forth in the staff and consultant review letters, and it therefore cannot be determined that if the deviations were not granted, it would prohibit an enhancement of the development that would be in the public interest.**

Motion carried 4-0.

2. ADELL CENTER ROADS AND UTILITIES JSP 18-27

Public hearing at the request of Orville Properties, LLC for Adell Center JSP 18-27 for Planning Commission's recommendation to City Council for approval of a Site Plan for Roads and Utilities, a Wetland Permit, a Woodland Permit and a Site Condominium Plan. The subject property is approximately 22.48-acres and is located at 43700 Expo Center Drive, north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The existing water tower on site will remain on a separate unit.

Planner Komaragiri said thank you. As you can remember, just at the last meeting the Planning Commission has recommended approval to City Council for the applicant's request to rezone the subject property from EXPO to Town Center on August 22nd. The current proposed improvements include a site condominium request for nine units and the construction of the road and utilities, along with certain landscaping, storm water management, and lighting in preparation for future development. The planned improvements are all proposed to be completed in one phase except the paving for the secondary emergency access, from the proposed private drive to a location west of the existing water tower. The applicant is proposing to use a gravel surface for the secondary emergency access drive at this time until Unit 2 is developed. The existing water tower on site is proposed remain, but be located on a separate condominium unit.

The current site plan is reviewed against TC standards where applicable. The current plan does not conform to the code for certain requirements as discussed in detail at our last meeting. Those deviations such as not having access on public road, lots being in floodplain, not meeting the standards for side lot lines, lighting, and a few others are currently being reviewed as part of the PRO plan concurrently.

Recommendation for approval motion for the rezoning request required the applicant to provide an approvable restoration plan for the southerly area with regulated wetlands and woodlands. The applicant has supplemented that information since the last meeting and staff recommends approval. The work associated with the enhancement plan includes removal of invasive species of woody vegetation, including Buckthorn and Honeysuckle, removal of invasive common reed and trimming of City of Novi Regulated Trees. The proposed site enhancement work would not be significantly disturbing any existing desirable vegetation that provides wildlife habitat. The applicant agreed to work with staff to provide additional details listed in letter.

Planner Komaragiri said this review and recommendation with respect to approval of the Preliminary Site Plan is being conducted at the applicant's request before the PRO rezoning process has been completed by the City Council. The recommended motion for approval is therefore completely contingent on approval by the City Council of the PRO rezoning as required by the ordinance, The Planning Commission is asked to hold the scheduled Public Hearing make a recommendation to City Council to either approve or deny the applicant request for roads and utilities with site condominium. Thank you again for your time.

Dan LeClair from GreenTech Engineering said we don't have a whole lot to add tonight. We've been working diligently with staff on this project and we are also working on several of the individual sites so those will be coming before you in the next month or month and a half. So with that, we're happy to answer any questions. Mr. Adell is here, as well.

Kevin Adell said thank you, I appreciate you taking the time. I know it's late, so we'll keep it short. Thank you for considering this, I know last time we were here, there was overwhelming approval of the project. This is the road and utilities; we already brought equipment out there. I would like to start tearing up the cement pad and foundation October 1st, and start with the wetlands in November. And so I humbly ask and request that you approve the road and utilities, and I'm here for any questions.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he asked if we have any correspondence.

Member Lynch said there is no correspondence.

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

Chair Pehrson said Mr. Schultz, is this compliant with the PRO still going forward?

City Attorney Schultz said as Sri indicated, this is probably something that you haven't actually done before, looking at a site plan before the actual rezoning is complete. I think the language of the motion makes clear that it's a request, you can do it. So this will all end up on the City Council's desk in a few weeks.

Chair Pehrson said thank you.

Member Avdoulos said this is something that we, at least in my business, we try to avoid this because you don't know what is actually going to happen. So if there are adjustments that come forward and it has to come back to the City, are there additional fees that the applicant pays? Or is this like a bottomless cup of coffee and we're taking a shot? That's why we avoid it, and then it takes more time for us, so I didn't know how the City would handle it. Because right now, we're approving a Preliminary Site Plan and the Concept hasn't even been approved by the City yet. And then after the City approves the Concept, then this goes to the City for approval, correct? So we're backlogged two projects to the City for this.

City Attorney Schultz said I'll defer to the Planning folks on the amounts of fees and what not, but there is nothing about this process that waives any fees or reduces any or fails to collect what we would normally collect.

Member Avdoulos said thank you.

Motion made by Member Lynch and seconded by Member Avdoulos.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF PRELIMINARY SITE PLAN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

In the matter of the request of Orville Properties, LLC, for the Adell Center JSP 18-27, motion to recommend approval to the City Council for Preliminary Site Plan for Roads and Utilities with a site condominium, based on and subject to the following:

- 1. This review and recommendation with respect to approval of the Preliminary Site Plan is being conducted at the applicant's request before the PRO rezoning process has**

been completed by the City Council. The applicant has acknowledged as part of its submission of this request that the City Council has not yet reviewed its PRO concept Plan and proposal and that there is no PRO Agreement between the City and the applicant. The City Council might or might not approve the rezoning. The following provisions are therefore completely contingent on approval by the City Council of the PRO rezoning through the PRO Concept Plan and PRO Agreement at the City Council as required by the ordinance, and if those approvals do not occur, then any approval of the preliminary site plan is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan approval, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.

2. This recommendation for Preliminary Site Plan approval is therefore granted subject to completion of the of the PRO Concept Plan and PRO Agreement process, and any and all requirements that result from such approval, if it is granted; at a minimum, the Planning Commission the following deviations would need to be granted as part of the City Council's PRO rezoning process in order for the preliminary site plan to be approved as prepared:
 1. Planning deviation from Section 5.12 to allow lack of required frontage on public road for Units 1 through 8. Frontage is proposed a proposed private drive, built to City standards;
 2. Planning deviation to allow lack of required frontage on public road as listed in section 5.12 for Unit 9. Frontage is proposed on a private access/secondary emergency access drive;
 3. Traffic deviation from Section 11-194(a)(7)of Design and Constructions Standards Manual to allow exceeding the maximum allowable length of the proposed cul-de-sac street length of 800 feet, from the centerline intersection of Crescent Boulevard to the center of the bulb of the Adell Center Drive cul-de-sac. A maximum of 1,540 feet is proposed;
 4. Planning deviation from Section 3.1.25.B& C to allow the water tower is to remain on its own separate site (Unit 9). This is not a principal permitted use of a site. It is also not considered an accessory use, since its proposed use is not detailed; provided that the creation of a new, separate legal parcel of limited size for the purpose of housing the tower on its own shall be addressed in the PRO Agreement including, but not limited to, the prohibition of future uses in the event the tower is removed and requirements relating to maintenance obligations;
 5. Planning deviation to allow partial rear yards for Units 3, 4 and 5 to be located within the floodplain, as listed in section 4.03A of Subdivision Ordinance, provided there is no danger to health, life or property are proposed. There appears to be no impacts proposed for Units 3 and 5. A pedestrian bridge is proposed on Unit 4;
 6. Planning deviation to allow proposing the minimum required Open Space for each Unit as Common element spread within the development boundaries as shown in the Open Space Plan, provided the applicant restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements is submitted and approved at the time of Wetland permit/preliminary site plan approval, and provides the pedestrian walkway through the open space as proposed. (A minimum of 15% of total site area designed as permanently landscaped open areas and pedestrian plazas is required per section 3.27.1.F.);

7. Traffic deviation from section 7.13.1.D. to waive the requirement for required Traffic Impact Study as the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City;
 8. Planning deviation from Section 5.7.3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept the maximum allowable 4:1;
 9. Planning deviation to allow exceeding the maximum spillover of 1 foot candle and approvable increase of the average to minimum light level ration from 4:1 within the Adell Drive pavement areas as listed in Section 5.7.3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units;
 10. Engineering deviation from Section 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet interval along the property boundary to provide connection to the adjacent property boundary;
 11. Engineering deviation from Section 11-194(a)19 of the Design and Construction Standards for allowing gravel surface for the secondary emergency access road within Unit 2 lot boundaries until construction of Unit 2 site improvements or until an agreed upon timeline provided in the PRO agreement;
3. This recommendation for Preliminary Site Plan approval is also subject to following conditions being made part of any PRO rezoning through the PRO Concept Plan and PRO Agreement approval if granted by the City Council:
1. The creation of a new, separate legal parcel of limited size for the purpose of housing the water tower on its own is a required deviation that will need to be addressed in the PRO Agreement. No other use than the existing tower shall be permitted, maintenance of this Unit must be addressed in the PRO agreement;
 2. A irrigation plan and any necessary easements that demonstrates the applicant's intent will be required at the time of the approval of the Roads and Utilities plan;
 3. The applicant shall develop the road with a three-lane cross-section to further accommodate left-turning activities and provide a wider "buffer zone" for large vehicles entering/exiting the various facilities without entering into the opposing traffic through lane, at the time of Preliminary Site Plan approval;
 4. The applicant shall confirm understanding that they may be subject to certain off-site and/or on-site mitigation measures as a result of the region-wide traffic impact study. Any mitigation measures that are determined as part of the region-wide traffic impact study shall consider existing congestion and network deficiencies absent this project, as well as the proportion of existing versus future traffic, in evaluation and determination of responsibility of such measures;
 5. The applicant has provided a preliminary restoration plan which is recommended for approval. The applicant shall provide additional information at the time of Final Site Plan approval for Roads and Utilities;
 6. The applicant shall stake the trail proposed on the south part of the site prior to construction to allow for the City of Novi's staff and consultants to approve the alignment prior to the applicant's construction of the trail;
 7. The timeline for paving the temporary gravel secondary access in the event Unit 2 is not completed within a certain period of time shall be addressed in the PRO agreement;

8. The applicant shall obtain all necessary off-site easements for connecting secondary emergency access to the west prior to Final Site Plan approval for Roads and Utilities.

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

ROLL CALL VOTE TO RECOMMEND APPROVAL OF WETLAND PERMIT MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

In the matter of the request of Orville Properties, LLC, for the Adell Center JSP 18-27, motion to recommend approval to the City Council for Wetland Permit based on and subject to the following:

- a. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan; and
- b. This recommendation is subject to completion of the of the PRO Concept Plan and PRO Agreement process at the City Council, and any and all requirements that result from such approval, if it is granted; and if those approvals do not occur, then this recommendation is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan and other approvals, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.

This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

ROLL CALL VOTE TO RECOMMEND APPROVAL OF WOODLAND PERMIT MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

In the matter of the request of Orville Properties, LLC, for the Adell Center JSP 18-27, motion to recommend approval to the City Council for Woodland Permit based on and subject to the following:

- a. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan; and
- b. This recommendation is subject to completion of the of the PRO Concept Plan and PRO Agreement process at the City Council, and any and all requirements that result from such approval, if it is granted; and if those approvals do not occur, then this recommendation is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan and other approvals, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.

This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

ROLL CALL VOTE TO RECOMMEND APPROVAL OF STORMWATER MANAGEMENT PLAN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

In the matter of the request of Orville Properties, LLC, for the Adell Center JSP 18-27, motion to recommend approval to the City Council for Stormwater Management Plan based on and subject to the following:

- a. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan; and
- b. This recommendation is subject to completion of the of the PRO Concept Plan and PRO Agreement process at the City Council, and any and all requirements that result from such approval, if it is granted; and if those approvals do not occur, then this recommendation is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan and other approvals, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.

This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

3. FOX RUN NEIGHBORHOOD 3, JSP 18-18

Public hearing at the request of Erickson Living for Planning Commission's recommendation to the City Council of a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit and Revised Stormwater Management Plan approval. The subject property is 102.8 acres in Section 1 of the City of Novi, located north of Thirteen Mile Road and west of M-5 in the RM-1, Low Density Low-Rise Multiple-Family District. The applicant is proposing to revise the original approval and layout of Neighborhood/Phase 3 of the Fox Run Community.

Planner Bell said Erickson Living is proposing to move forward with Phase 3, or Neighborhood 3 of the Fox Run Community. The total Fox Run site is over 102 acres and located in Section 1, north of Thirteen Mile Road, west of M-5. The location of Neighborhood 3 is north of the Fox Run ring road. The proposed Phase 3 consists of four residential buildings, associated parking, and utilities. Within the buildings are 370 independent living units, multiple dining facilities, as well as spaces for social gathering, classrooms, fitness and other lifestyle amenities for the residents.

The subject property is currently zoned RM-1 and developed under a PD-1 Option development agreement. The properties to the east are zoned RM-1 low density low rise multiple family (Lenox Park) and RA Residential Acreage (developed as Brightmoor Church). The property to the west is zoned MH Mobile Home District and is the location of the Oakland Glens community. On the north and northwest sides is the Maples of Novi community, zoned RA Residential Acreage. The northwest side is zoned R-2 One Family Residential and is part of the Haverhill Farms development. South of Thirteen Mile is zoned RA and contains single family homes and vacant land.

The Future Land Use Map indicates Multiple Family with the PD-1 option for the subject property. The property to the west is planned for Manufactured Home Residential. The northern east side is planned for multiple family. Remaining adjacent land to the north, east, and south is planned for single family uses.

There are many acres of wetlands and woodlands throughout the Fox Run parcel. The proposed project site contains 5 wetland areas, and is protected by an existing conservation easement. One small wetland outside of the conservation easement will be permanently impacted by the proposed development. A City of Novi minor use wetland permit would be required for the proposed permanent impacts of 0.014-acre, as well as an authorization to encroach into the 25-foot natural features setback. Temporary disturbance of 0.14 acres and permanent disturbance of 0.02 acres are proposed within 25-foot wetland buffer areas. Wetland mitigation is not required as the total area of impact is less than the 1/4 acre threshold, however the applicant has proposed wetland mitigation in excess of the requirement behind Building 2.5, which was just completed, on the south side of Fox Run Road.

Woodland review determined that 311 regulated trees are proposed to be removed, with a total of 665 woodland tree credits required. The applicant intends to plant 74 of the credits on-site and contribute to the Tree Fund for the remaining 591 credits.

The proposed 370 dwelling units would complete the build-out of the originally approved 1,497 independent residential units in the Fox Run development. The current building layout and design has been modified somewhat from previous approvals while maintaining the same general area of disturbance and respecting the previously established Conservation Easement to the north and south.

Planner Bell said the proposed buildings are 7 stories, with a height of up to 90 feet. The applicant has stated that the additional building height is necessary to build the approved number of units while accommodating the market demand for larger units. The ordinance indicates that structures exceeding the maximum height limit of the district should have increased setbacks of one additional foot for each foot of the building in excess of the maximum. In this case the building closest to the west side yard, RB 3.4 is 85 feet, which would require an additional setback of 50 feet for a total side yard setback of 125 feet. The building has a proposed setback of 123.25 feet, or about 2 feet short of the requirement at one corner of the building. All other setbacks for the buildings exceed the additional length requirement. The deviation for building heights will require City Council approval and a recommendation from the Planning Commission. Staff supports the request for additional building height because the location of Phase 3 buildings are buffered from surrounding properties as well as previous phases of the Fox Run community. In addition, the height allows the building footprint to remain smaller for less impact to the significant natural features of the site.

Buildings 3.3 and 3.4 on the west side of the project site are proposed to be connected by a 4-story pedestrian link or hallway, with additional units located on the east side of the structure. The resulting structure is a total length of 517 feet, while the ordinance only allows up to 360 feet with increased setbacks.

All buildings within the Fox Run community have pedestrian links between them in order to provide safe passageways for residents that offer protection from the weather and make it easier for seniors of all abilities to get around the campus. The 4-story link between buildings 3.3 and 3.4 offers this same amenity, but also include living and gathering space on the eastern side of the hallway, making it somewhat different than other links between buildings. The full building length will only be visible from above, as there are protruding corridors and recessed areas that break up the façade from all vantage points on the ground. The visual bulk of the buildings are broken up by 90 degree wings as well as the shorter recessed structure that connects the buildings. Staff supports the request for additional building length because the intent of the ordinance is met by the design and the connected buildings will better serve the residents of Fox Run. City Council approval of the deviation in building length is required.

Garage parking is proposed under 3 of the buildings. A total of 388 parking spaces are proposed under and around the buildings, which exceeds the parking requirement of the zoning ordinance. Bicycle parking spaces are also proposed.

Planner Bell said access drives to the parking facilities and buildings will likely require a waiver for same-side driveway spacing along the north side of Fox Run Road, as well as possible sight-distance, sidewalk off-set, and driveway radii variances. These are issue that the applicant would like to continue to study and work on with staff, which is why we ask tonight that you postpone making a recommendation on this item after the public hearing is held. Additional concerns from the Traffic and Engineer's reviews will also be addressed to resolve certain comments and to clarify the waivers and variances needed.

All other reviewers are all recommending approval with additional items to be addressed with final site plan submittal.

The Planning Commission is asked tonight to hold the public hearing as scheduled for this evening. However we recommend that no recommendation to the City Council be made tonight in order to allow the applicant and staff to work through remaining traffic and engineering issues. The architect Christian Fussy is here tonight to tell you more about the project, along with his team. Staff and consultants are here to answer any questions you have. Thank you.

Christian Fussy with Lantz-Boggio Architects said we're here tonight to answer any questions you might have, thank you for the presentation. I'm here with my Landscape Architect, my Civil Engineer, and we are happy to answer any questions you might have.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he said I think we have some correspondence.

Member Lynch said we do, there are four. The first is from Rick Montes, 41410 Cornell Drive, he objects saying he paid for a premium lot next to the wetlands and doesn't want it disturbed. The next one is an objection from Kristina Atanasoski, 30138 Lanford Drive, with noise level concerns. The next one is an objection from Lisa Smith, 41418 Cornell Drive, with concerns about disruption of lifestyle, decreased property values, and destruction of wildlife. And we have a support from Dorothy Powell, 40851 Lenox Park Drive.

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

Member Greco said I will make a motion.

Motion made by member Greco and seconded by Member Lynch.

ROLL CALL VOTE TO POSTPONE RECOMMENDATION OF REVISED PRELIMINARY SITE PLAN, REVISED SPECIAL LAND USE PERMIT, REVISED PHASING PLAN, REVISED WOODLAND PERMIT, REVISED WETLAND PERMIT, AND REVISED STORMWATER MANAGEMENT PLAN MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH.

In the matter request of Erickson for the Fox Run Neighborhood 3, JSP18-18, a motion to postpone making a recommendation on the proposed Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use permit, Revised Phasing Plan, Revised Woodland Permit, Revised Wetland Permit, and Revised Stormwater Management Plan. This motion is made for the following reasons: To allow the applicant time to study and revise driveway and parking layout issues and to allow the City staff, consultants, and the Planning Commission, to evaluate changes to be made to the plans as proposed. The applicant and staff are in agreement with this action to postpone. Motion carried 4-0.

4. SPEEDWAY #2224, JSP 17-63 AND ZONING MAP AMENDMENT 18.720

Public hearing at the request of McBride Dale Clarion for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from OST (Office Service Technology) and B-3 (General Business) to B-3 (General Business). The subject property is approximately 2.03 acres and is located on the southwest corner of 14 Mile Road and Haggerty Road (Section 1). The applicant is proposing to demolish the existing gas station and replace it with a larger convenience store with an outdoor seating area, 8 double-sided fuel dispensers, associated parking and storm water detention pond.

Planner Bell said so the map here shows the subjection property, which is about 2.03 acres of land and it's located at the southwest corner of Fourteen Mile and Haggerty Road in Section 1. The zoning map shows that the property is zoned OST, Office Service Technology, and B-3, General Business. The Future Land Use map indicates Office R & D Technology for both the subject site and the surrounding parcels. The natural features map shows that the subject property has no regulated woodlands or wetlands on the site.

The Planning Commission last reviewed this rezoning request with the Concept Plan in November 2017. A public hearing was held; however, the Planning Commission postponed action to allow the applicant and staff additional time to work on issues related to the taper lane and new driveway along Haggerty Road, and engineering concerns about the stormwater management system.

The PRO Revised Concept Plan proposes to remove the existing 2,400 square foot building and the six double-sided fuel dispensers that are on the site today in order to construct a larger convenience store (4,600 square feet) with an outdoor seating area. The Concept Plan also includes a 5,400 square foot canopy over eight double-sided fuel dispensers.

As part of the redevelopment, the existing gas station's driveways would be shifted further away from the intersection of Fourteen Mile and Haggerty Road. Speedway is proposing to dedicate about ten feet of Right of Way along Fourteen Mile Road and is offering the installation of a "Welcome to Novi" sign along the Haggerty Road frontage, and will be providing an off-site extension of the sidewalk to connect to existing and proposed sidewalks on Fourteen Mile.

Planner Bell said Planning recommends approval of the request because the rezoning fulfills two objections of the Master Plan for Land Use, fostering a favorable business climate, and strengthening an existing business. The rebuild and extension of the site provides an update to the visual aesthetic of an entryway to the City, modern fuel dispensers and a convenience store, and replacement of underground storage tanks. The plan improves existing non-conforming minimum site size, and improves the driveway locations away from the intersection, and provides an upgraded stormwater management plan. Pedestrian access and safety around the site is also improved.

The applicant has submitted a Traffic Impact Study, which has been reviewed by the City's Traffic consultant. The study does not contain all of the required elements and additional information is needed. However, Traffic recommends approval of the Concept Plan to move forward.

The applicant has worked with City staff to reduce the number of Landscape and Traffic waivers and address concerns raised in the review letters. Deviations are still required for some items. However, all are now supported by staff.

The Façade review recommends approval of a Section 9 Façade Waiver which may be addressed in the PRO Agreement for the overage of flat metal panels and the overage of asphalt shingles. The underage of brick on the canopy columns has been addressed in this submittal.

Engineering staff states that there will be a negligible impact on utilities with this rezoning, and recommends approval.

Planner Bell said tonight the Planning Commission is asked to hold the scheduled public hearing and take action to recommend approval or denial to the City Council. The applicant, Robert Sweet, and Kevin Foley from Speedway are here this evening to provide a few comments and answer any questions that you may have. Thank you.

Rob Sweet with McBride Dale Clarion, 5721 Dragon Way Suite 300 in Cincinnati, OH 45227, said I don't think I could've said what Lindsay said any better. If you all have any questions, feel free to ask. Otherwise, we respectfully request approval of what we're trying to do out there.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he asked if we have any correspondence.

Member Lynch said no correspondence.

Chair Pehrson closed the public hearing and turned it over to the Planning Commission for

their consideration.

Member Lynch said the first thing is I want to thank staff and the developer, I know this was brought to us quite some time ago and you guys worked through all the issues and got everything worked out and I appreciate staff's and your effort doing that. I think it's going to be a good project, I have no issues with it. I can make a motion.

Motion made by Member Lynch and seconded by Member Avdoulos.

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

In the matter of Speedway #2224 JSP17-63 with rezoning 18.720, motion to recommend approval to the City Council to rezone the subject property from OST (Office Service Technology) and B-3 (General Business) to B-3 (General Business) with a Planned Rezoning Overlay Concept Plan, based on the following:

1. The recommendation shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:
 - a. Planning deviation from Section 4.29 to forgo the required noise impact statement for this project because the proposed use is the same as the existing use and no additional noise impacts are anticipated;
 - b. Planning Deviation from Sec. 5.4.2 of the Zoning Ordinance for loading space size and location:
 - i. 570 square foot loading zone proposed, 940 square feet required.
 - ii. Loading zone is located in the front yard where the ordinance indicates it should be located in the interior side yard of a double-frontage lot.
 - c. Section 9 Façade Waiver for the overage of Asphalt Shingles (maximum 25%; proposed 50% on east, 35% on south, 40% on north) on the building.
 - d. Section 9 Façade Waiver for the exceeding the percentage of flat metal panels on the fuel canopy, because the canopy consists of the maximum percentage of brick feasible due to relative proportions of the columns to fascia;
 - e. Landscape deviation from Sec. 5.5.3.C of Zoning Ordinance for deficiency in parking lot landscape area (2456 sf required, 1916 sf proposed) because the applicant has agreed to widen landscape islands near the detention pond, which will lessen the deviation;
 - f. Landscape deviation from Sec. 5.5.3.D for a portion of the building foundation landscaping being located away from the building;
 - g. Engineering deviation to reduce the required buffer width from 25 feet to 10 feet around the proposed detention basin because modifying the location will cause the slope of the detention basin to exceed the City's requirements;
 - h. Traffic deviation from opposite side driveway spacing requirement on Haggerty Road because the new driveway location has optimized site conditions and will improve safety along Haggerty Road from the existing location;
 - i. Traffic deviation to allow the driveway on 14 Mile Road to be located approximately 121 feet from the neighboring driveway to the west to allow the proposed driveway to align with the opposing driveway on the north side of 14 Mile Road, which will improve safety and site distance at the intersection;
 - j. Traffic deviation for the width of the driveways. The applicant is proposing 35 foot wide driveways rather than the City's standard of 30 feet to ensure the fuel delivery

truck can access the site and maneuver without running over internal or external curbing or landscaping.

2. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:
 - a. Install a "Welcome to Novi" sign along the Haggerty Road property line.
 - b. Dedicate 10 feet of Right of Way along 14 Mile Road.
 - c. Redevelop the site with a building and canopy that is architecturally consistent with current zoning regulations.
 - d. Pedestrian access is improved:
 - i. Sidewalks will be extended the length of the expanded property and will close gaps in the sidewalk system,
 - ii. An approximately 18 foot section of missing off-site sidewalk west of the development would be constructed, and
 - iii. Sidewalk connections from the convenience store to 14 Mile Road and Haggerty Road are provided.
 - e. Safety improvements:
 - i. Relocation of driveway away from 14 Mile and Haggerty intersection and to align with opposing driveway and
 - ii. On-site circulation and visibility with new canopy.
 - f. Applicant complying with the conditions listed in the staff and consultant review letters.

This motion is made because:

1. The proposed plan meets several objectives of the Master Plan, as noted in the review letter, including:
 - a. *The City, working with the development community and partners, should continue to foster a favorable business climate (by allowing an existing business to grow, provide an update to the visual aesthetic at an entryway to the City, and provide addition jobs, sales volume, sales tax and investment).*
 - b. *Support and strengthen existing businesses, as it is easier to keep a business in the City than attract a new one to fill a vacant facility (by allowing an existing business to expand and develop an available parcel).*
2. The concept plan improves existing non-conformities (minimum site size from 0.7 acres to 2.03 acres, location of driveways away from intersection, and upgraded stormwater management).
3. The rebuild and expansion of this site provides an update to the visual aesthetic at an entryway to the City, modern fuel dispensers and convenience store, and replacement of underground storage tanks.
4. There is a negligible impact on the utilities due to expected utility demand reduced from 4 residential equivalent units to 3, minimal impact on available water capacity, pressure, and flow, and no apparent impact of the downstream sanitary sewer.
5. Submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and to the City Council of the manner in which the property will be developed, and offers benefits that would not be likely to be offered under standard development options.

Motion carried 4-0.

Chair Pehrson said just one comment. Mr. Sweet, I am 100 percent behind this, but I am wondering do you have other locations that have the outdoor seating?

Mr. Sweet said yes, we do.

Chair Pehrson asked how are they used? I've never seen myself pulling up to a gas station and wanting to sit.

Mr. Sweet said they're good. In certain areas, they work out really well because it acts as a rest stop. So folks can stop and stretch their legs and do what they need to do. In other areas, not so much.

Chair Pehrson said fair enough, just curious. If I'm traveling on Fourteen Mile and need to get to Thirteen Mile, I'll stop for a rest.

MATTERS FOR CONSIDERATION

1. REGENCY CENTRE LOT 1, JSP 18-35

Consideration of the request of Oliver/Hatcher Construction for Preliminary Site Plan and Storm Water Management Plan approval for a new 34,782 square foot Research/Development/Office building. The subject property (25150 Regency Drive) contains 2.99 acres and is located in Section 24, north of Grand River Avenue and west of Haggerty Road, in the I-1, Light Industrial District.

Planner Bell said as the map shows, the subject property is in Section 24 on the north side and east side of Regency Drive, west of Haggerty Road. The parcel is 2.99 acres. It is zoned I-1 Light Industrial, and surrounded by I-1 properties. The Future Land Use map indicates Industrial, Research Development and Technology for this property and surrounding properties.

There are not wetland or woodland areas present on the site.

The applicant is proposing a new 34,782 square foot Research, Development, Office building. A tenant has not been identified at this time. The site would be accessed by two driveways off of Regency Drive. Measurements provided by the applicant indicate that no waivers are needed for same-side driveway spacing. The applicant has agreed to comply with driveway width standards. Traffic recommends approval of the Preliminary Site Plan with additional comments and details to be provided at the time of Final Site Plan submittal.

The site plan as proposed would require a total of 102 parking spaces. The applicant has proposed 103 spaces. Bicycle parking is also proposed; however, the applicant is seeking a waiver for the location near the rear door rather than main entrance with the justification that employees are more likely to utilize the bicycle parking than customers.

Stormwater would be collected by a single storm sewer collection system and discharge to existing storm sewer. The site is located within a regional detention basin area. Engineering recommends approval with additional details required in a Final Site Plan submittal.

All reviews are recommending approval with additional comments to be addressed in the

Final Site Plan.

Planner Bell said the Planning Commission is asked tonight to approve or deny the Preliminary Site Plan and the Stormwater Management Plan. Representing the project tonight are the owner Arie Leibovitz, Dave Tremonti with Oliver Hatcher, architect Kevin Biddison, and engineer Jason Longhurst to answer any questions you may have. Thank you.

Arie Leibovitz said we are here seeking Preliminary Site Plan approval tonight. Just to give you a little bit of background, Regency Centre consists of about seven or eight buildings of flex space, engineering, some assembly and design. We're pleased to build this last building in the development. This one is similar, almost a twin building to the building we built across the street last year. We do have a prospective user for the building, who is one of the companies within the park who is looking to expand. So I'm here with my team to answer any questions.

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

Member Avdoulos said one waiver, not 100%. No, I'm kidding. I appreciate projects coming like this where they're meeting all the requirements of the Zoning Ordinance and I have no issues or questions, but I will make a motion.

Motion made by Member Avdoulos and seconded by Member Greco.

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

In the matter of Regency Centre Lot 1 JSP18-35, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **Waiver from Section 5.16 of the Zoning Ordinance to allow bicycle parking on the north side of the building rather than at the southern public entrance because employees are more likely to use the bicycle parking than customers, which is hereby granted;**
- b. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

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

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

In the matter of Regency Centre Lot 1 JSP18-35, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. APPROVAL OF THE AUGUST 22, 2018 PLANNING COMMISSION MINUTES

Motion made by Member Lynch and seconded by Member Avdoulos.

ROLL CALL VOTE TO APPROVE THE AUGUST 22, 2018 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

**Motion to approve the August 22, 2018 Planning Commission Meeting Minutes.
*Motion carried 4-0.***

SUPPLEMENTAL ISSUES

1. PAVILION SHORES VILLAGE WORKSHOP MEMO

City Planner McBeth said I'll try to keep this brief but we did want to share with you the results of the Pavilion Shore Workshop. It was held on Thursday, August 23. The Planning Staff and our consultants hosted that workshop at the Pavilion Shore Park, and we wanted to discuss with community members both the vision that was identified in the 2016 Master Plan for Land Use for that study area near Old Novi Road and Thirteen Mile Road, and also get the residents' point of view about what they'd like to see at that location. More than 50 residents attended and signed in, so we have their names and email addresses to forward additional information. But additional community members who were either invited or were just enjoying the park also stopped by and participated with us.

So we did provide the brief summary that was included in the packets, as well as various emails and supporting documents that the public had provided for us. And those are all included there. As the project moves forward, we anticipate that we will work on a Zoning Ordinance text amendment for this area, as well as the City West area, which is another area in the City, and we will be presenting those to the Planning Commission in the near future.

Chair Pehrson said I have one issue that I wanted to include for Supplemental Issues and Rick and/or Barb could help me with this. I always hear Tree Fund and people paying into the Tree Fund and putting fifteen trees on the property and requesting 500 credits go elsewhere. How many credits are there in our bank account currently? And if we had to plant all of those trees, where would they go? I mean, would we be planting them on 96 and Novi Road?

Landscape Architect Meader said I think we have around two or three million dollars in the account, so divide that by 400 and that's how many trees are there. Generally they're used for street trees to put in parks, we use them for shrubs as well. We haven't done much in the 96 corridor or the big corridors, those are typically MDOT and they don't have as much. It's used for maintenance, as well, so we have 12,000 per year for removing Buckthorn from Rotary Park and that type of thing. It's getting used, it just has built up over time and takes a while to get through. We couldn't plant that many trees all at one time.

Chair Pehrson said I'd expect we'd be sitting in a forest right now, right?

Landscape Architect Meader said yes. We have gotten direction from City Council to spend more of it, so we will.

Chair Pehrson said excellent.

Member Lynch said this is just a comment. We get angry homeowners here, and they start approaching us. I'm looking at where he's at in the back, and I'm looking at where we're at, and there's no way he can get to them before they get to us.

Chair Pehrson said I've seen these guys in action.

AUDIENCE PARTICIPATION

Nobody in the audience wished to speak.

ADJOURNMENT

Moved by Member Lynch and seconded by Member Avdoulos.

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

Motion to adjourn the September 12, 2018 Planning Commission meeting. *Motion carried 4-0.*

The meeting was adjourned at 9:46 PM.