

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, SEPTEMBER 24, 2018 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

**Mayor Gatt called the meeting to order at 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Gatt, Mayor Pro Tem Staudt, Council Members Breen, Casey, Markham, Wrobel (absent, excused)

**ALSO PRESENT:** Alan Weber, Economic Development Director  
Thomas Schultz, City Attorney

**APPROVAL OF AGENDA:**

**CM 18-09-137 Moved by Casey, seconded by Markham; MOTION CARRIED: 6-0**

**Roll call vote on CM 18-09-137**                      **Yeas: Staudt, Breen, Casey, Markham, Mutch, Gatt**  
**Nays: None**  
**Absent: Wrobel**

**INTERVIEWS FOR PLANNING COMMISSION**

1. Domenic Policicchio - Absent
2. Willie White

Willie White said she submitted the application because it would be a way for her to become involved in the inner workings of the City government. Member Breen didn't have any questions at that time. She thanked her for stepping up. She said she hoped no matter the outcome that we could find a place for her to volunteer. Member Casey said she believed Council spoke with Ms. White a few months ago. She wondered if she has seen anything in Novi in the last couple of months that makes her more interested. Ms. White said her interest has not diminished. She noticed that the City is growing and has potential to grow even more. She stated she would like to be part of that growth as a resident and also on the government side of it. Mayor Pro Tem Staudt noted that the Planning Commission is one of the more difficult Boards and Commissions to get on. He asked what other things she was interested in. He wondered what her primary focus in Novi would be. Ms. White replied that housing would be her focus. She would be interested in either the Planning Commission or something to do with housing. She does have experience in housing. She owned a non-profit in Detroit. She noted that she is very interested in the building of houses, specifically low income housing, and mentioned the Manchester project. She stated the starting rent is \$1,400 and she questioned how that was considered low income. She said the median income is rising, but seniors have steady income. She wondered what provisions are being made for seniors and low income. Member Mutch followed up on her experience with housing in Detroit. He said there are different needs in Novi, but many of the same challenges, especially low income. He asked from her experience what the key needs were for

lower income housing in terms of what the City can do to assist them. Ms. White said her focus has been quality low income housing that meets the medium and low income needs. They too deserve to have quality housing. Member Markham thanked her for coming again. She shared her concern that we don't have a broad spectrum of housing available. We need new and quality housing in this community. They have to have a conversation about that long term. It's a need in the community. She said if the Planning Commission isn't where she ends up; she hoped they could find a place. Mayor Gatt had no questions and thanked her for volunteering.

**PUBLIC HEARING: None**

**PRESENTATIONS:**

1. Proclamation in recognition of Fire Prevention Week October 7 – 13, 2018 – Jeff Johnson, Director of EMS/Fire Operations

Jeff Johnson, Director of EMS/Fire Operations thanked the Mayor and Council. He appreciated the opportunity to represent all of the men and women of the Novi Fire Department. He said we have a number of fire prevention programs available on the webpage. He said we are here to serve community, businesses and residents. All programs are free. Everyone needs a working fire alarm in their residence. He mentioned that they can come in and install one in your residence if you need one. He emphasized "Look, Listen, Learn – Be Aware Fire Can Happen Anywhere".

**MANAGER/STAFF REPORT: None**

**AUDIENCE COMMENT:**

Dorothy Duchesneau, 125 Henning, said we are getting down to the wire regarding the area known as Pavilion Shore Village, located south of the intersection of South Lake Dr. and 13 Mile and south along Old Novi Road. Wednesday Robertson Brothers is scheduled to go before the Planning Commission regarding their PRO proposal for 3 parcels, just over 3 acres, in the Master Plan proposed "Pavilion Shore Village" Rezoning. The 194 pages are available in the Planning Commission's Wednesday packet if you want to go without sleep for a couple nights. Also a summary of the results of the MKSK workshop that covered that area can be found in the What's New Community Development on the City website. There is 30 more pages of interesting reading. For nearly 8 months, you heard from the residents, as has the Planning Commission, as has Robertson Brothers. Their current proposal existing of only single family homes does fall in line with the current shoreline neighborhood around the lake. It is still denser than what the current R4 zoning is and still denser than what the existing homes in these two subdivisions come out to, but it does fall under the density of what the 2016 Master Plan envisioned. She said she would not expect to end up with McMansions on these 50' wide lots. I personally still have some heartburn over oversized homes, but her definition of Cottage Style 1, 1 ½ story many not be the same as others. Inching up to 2,900 square foot homes is stretching the footprint of these smaller 50 foot wide lots. The majority of existing homes in these two existing subdivisions are averaging less than 1500

square foot. She agreed they are not easy parcels to work with because of the wetlands/woodlands, and many with their lack of depth and Old Novi Road frontage. They have required some creativity from both the developer and the Planning Department. A few items could still be tweaked. She said Robertson has to be given credit for being up front and meeting with local residents back in February, with their intention to develop the property and even to let residents see what was being proposed at that time. They revised the first proposal several times and finally dropped the hated attached three story townhomes concept completely. In pocket areas as sensitive as this, meeting with local residents early on should be a requirement with the developer. It could save a lot of time, money and effort from being wasted by all parties concerned. In this case, Robertson wants to develop, the City wants to develop and the residents know that the development of zoned residential property will someday happen. She felt a three-way win can come out of this if all three parties get together closer to the beginning of a project. It doesn't have to be this painful.

Al Bialek, Novi resident and Vietnam vet was there to invite everyone to his veterans presentation November 13, 2018 to teach our next generation about veterans and good citizenship. He updated Council that last Memorial Day he was at Buffalo New York Naval Park as a guest speaker for his hometown of Buffalo New York. The Ronald Reagan Presidential Library is looking to fit him in. A few weeks ago he received a letter from the President of the USA. This has all happened because City of Novi supported him. Thank you for spreading word about our beautiful veterans. He thanked Member Markham for attending the first national holiday of Vietnam Veterans. He said thank you and God Bless. It's an honor to have served.

Mike Duchesneau, 1191 South Lake Dr., said he wanted to compliment administration for making us the best City in the country to live in. That's quite an accomplishment. He felt that had to do with the process and retention of the Boards and Commissions. There is consistency with what goes on in community. He mentioned last week the Council had a good discussion about the PRO process. He thought all the comments made were spot on, including Mayor Pro Tem Staudt's comment because we don't want to usurp the Planning Commission's responsibility. He sees Council is now doing what the ZBA's does on a traditional development. He said the process currently bypasses the ZBA, also the Master Plan and Zoning Committee. Look at purpose and membership of that committee. A lot of headaches can be avoided there. We are finding that due to the economy, we are getting applicants ready to build, but not familiar with the PRO process, and are trying to skip steps.

Jeff Warner, 24630 Nottingham Dr., said he has been a resident for 49 years. He was there to express displeasure with the way he and neighbors have been treated in relation to ITC Trail. In June they received a map showing the final path. It showed it was about 100 feet from rear property lines. On June 11th the City filed request with DEQ for a wetlands permit because the trail will cross wetlands. There was a map which showed where the trail is going in. That map wasn't provided to the residents or the Council as far as he can tell. He noted that as recently as July 23rd there was a package for approval of budgets for ITC Trail final section between 10 and 11 Mile. In that package was a map that showed the path. That path would be at least 100 feet from property.

On August 24th, the surveyor stakes went in and the path is about 20 feet from properties. A number of residents have contacted the Mayor and City Manager and had discussions with PRCS. Basically nothing has happened as far as the location of the trail. They felt totally ignored and blocked from having any say. He didn't know where the decision was made on where the trail would be. There is no record of voting or discussion on the exact location of the trail. He felt as far as the information provided to them was incorrect.

**CONSENT AGENDA REMOVALS AND APPROVALS:**

- A. Approve Minutes of:
  - 1. September 17, 2018 – Regular meeting
- B. Approval of the Traffic Camera License and Use Agreement, for viewing real time intersection traffic conditions, between Oakland County and the City of Novi.
- C. Approval of the purchase of one (1) Verity Central Unit in the amount of \$88,155.00 from Hart InterCivic, Inc. through the State of Michigan contract.
- D. Approval to purchase an unmarked vehicle from Galeana's Van Dyke Dodge/Ram for the Novi Police Department in the amount of \$25,823.50 through the Oakland County Cooperative purchasing contract.
- E. Adoption of Oakland County Hazard Mitigation Plan.
- F. Approval of Claims and Accounts – Warrant No. 1020

**CM 18-09-138            Moved by Mutch, seconded by Markham; MOTION CARRIED: 6-0**

**To approve the Agenda as presented.**

**Roll call vote on CM 18-09-138**

**Yeas: Breen, Casey, Markham, Mutch, Gatt,  
          Staudt  
Nays: None  
Absent: Wrobel**

**MATTERS FOR COUNCIL ACTION**

- 1. Consideration of the request of Orville Properties, LLC for Tentative Approval of Zoning Map Amendment 18.724 for a Planned Rezoning Overlay (PRO) Concept Plan associated with a rezoning from Expo (EXPO) to TC (Town Center). If the City Council determines that it may approve the rezoning with PRO, the City Council shall specify tentative conditions and direct the City Attorney to work with the applicant in the development of a proposed PRO Agreement. Upon completion of the PRO Agreement, the City Council shall make a final determination to approve, approve with conditions, or deny the rezoning with PRO. The subject

property is approximately 21.48 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 PRO Concept plan includes a request for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance.

Kevin Adell said he was the owner of the property on Novi Road and I-96 where the water tower is that has the Adell name on it. A picture is worth 1,000 words, so he showed a video presentation showing what the development would like in 30 days and then at final completion a year from now if given the opportunity. They would take concrete out and foundation October 1st. Second, they would start road and utilities in winter. In the spring construction would start. He explained they are tenants. Each person buys into it at \$1 million to \$3 million per acre. They are putting a \$20 million building on each property. They have skin in the game. It will not be like 12 Oaks Mall. This will spark redevelopment along Grand River. He said there are no guarantees in business. He owns the Word Network. He can tell you this will spark redevelopment along Grand River. He humbly asked Council that they approve this project.

Member Casey asked the City Attorney how the development will proceed since this was not a typical PRO. She asked if they will see the sale of individual units, clear lot delineation, then the maintenance of roads, common elements, and pedestrian crosswalk will be part of a condominium association. She wanted confirmation that the units will maintain their lots and all of the other amenities will be maintained by a condominium association. City Attorney Schultz replied yes, that is what we expect as part of PRO agreement. If it reached the next phase, they would outline that process in the agreement. Typically a site condo works that way. Member Casey asked if any of the unit owners wish to sell, that sale needs to be for a purpose that meets existing approved per the Town Center district. Mr. Schultz said any sale has to be in accordance with the PRO agreement. He did mention one issue would be dealing with subsequent users. They will have to wait and see what the proponent proposes. Member Casey had a question for the traffic consultant. Member Casey understood that the City was undertaking a traffic study on Grand River as a whole and was looking for an update. The traffic consultant said they have looked at Grand River from Meadowbrook to Novi Road. They also looked from Novi Road from Ten Mile to 12 Oak Mall and Novi Road. They submitted a draft study to the City for review. The general findings of the study are regarding the existing conditions and projected out to 2028 with some assumptions built in. Examples such as the Ring Road which was built into the CIP they assumed would be built by 2028. So that is what their analysis took into consideration. Under existing conditions there are issues at Novi Road and Grand River in terms of meeting the level of service deemed acceptable. Adding traffic to that in the year 2028 was showing progressively worse at certain locations. They proposed some mitigations. It is in the City's hand and they are reviewing. Member Casey said she works for General Motors and because Carvana is a proposed use, she wanted to state that she does not receive any benefits since Carvana is likely to sell used General Motors vehicles. She can be objective. She thought this was an interesting opportunity to have this development brought to them. Some of the questions she had were about

unique special buildings, like Carvana and iFly. She said they are very unique facilities and specifically built for this. She was curious what it would look like 30 years down the road. Generally speaking, she was comfortable with this project. She would like to see, since this is tentative approval, more info on traffic study. She said understanding that a significant development was going in, they need to understand traffic and mitigation opportunities. Going forward she didn't see any specifics about signage deviation. She wanted to see that for the monument signs. Those are her outstanding questions. Mr. Adell mentioned that this would bring in \$3.4 million in tax revenue and right now it brings in zero. With all of these users that will bring \$3.4 million plus personal property. They figure about \$4 million additional tax revenue.

Member Mutch said he had a chance to review the packet and at this step in process with PRO he has three key issues that he was focused on. He said he would like to have more information to give him a level of comfort to move forward. First off would be the traffic issue. He drives through that intersection every day. He commutes to Waterford. The longest part of his commute is getting off M-5 and onto I-96 at Novi Road and taking Novi Road south past this site to Grand River. This is always the most congested part of his drive. He knows news articles and mailings have gone out, and the residents complain about traffic, traffic, traffic. That's a key issue. One concern is the traffic review provides some information about trip generation. This will generate 4,000 trips per day, plus peak hour, on top of what's going on already. He felt this was something that they need to have a conversation about. When he looks at this development and location there is only one access point off of Novi Road. All traffic goes through that intersection. Right now it gets hardly any traffic, but if this development is successful it will generate traffic and have significant impact on corridor. He understands the City is doing a traffic study. Before we get to final approval, he wants to see that study. For any development at that location, he needs to know how traffic will be addressed. That location is seven lanes wide. Grand River is five lanes wide and there is no room to put any more lanes. He said related to that is the site plan proposing a single entrance with a long cul-de-sac design. He felt that was longer than what was permitted by ordinance. He has a concern about what would happen if Police and Fire need to respond and that primary access is blocked off or inaccessible. The ordinance requires a secondary access point so emergency response folks can get into developments; especially developments of this size with hotels. From what information was provided, that aspect of the plan hasn't been nailed down in terms of secondary access and having it secured in place. He said before he would give final approval that would have to be addressed. His final piece is that they still have questions regarding which uses are going to be in place. He said he knew that Mr. Adell has lined up several companies such as Carvana, iFly, Fairfield, Planet Fitness and Texas Roadhouse. Mr. Adell said they have purchase agreements with 10% escrow. Mr. Adell said he is also talking to HopCat about a proposed restaurant there. Member Mutch wants to see more detail from a planning and traffic perspective what the impact will be. He was looking to staff to provide additional information from those applicants providing detail of what they have proposed. He understood that Mr. Adell will be selling these properties and the City will deal with each applicant. Mr. Adell said Sears, Denny's, and Toys R Us are going out of business, so there is less traffic. He sat on I-96 due to many reasons such as road construction, union problems, freeways that aren't built,

etc. His father bought the property 51 years for \$150,000 before the growth. Growth is positive, more development, and open for business. This is the gateway to Novi. This is what you see. He is offering the opportunity to have these Fortune 500 companies. This will spark redevelopment. He didn't create the traffic problems. These are executed purchase agreements. They are committing to spending real money. He doesn't know what more he needs to show. Member Mutch appreciated that. He isn't holding him responsible for traffic. Every development generates traffic. He wants to understand what the City needs to do, taking into account all developments that they are reaching gridlock and chocked from traffic. It's congested and the number one complaint. When people heard about this proposal, the complaint was regarding traffic. Mr. Adell said that wasn't true. Member Mutch said he listed his concerns. At this point in the process, there are no specifics in the plan that would prevent him from moving forward, but those need to be addressed before final approval.

Member Markham thought that using the TC zoning as the underlying zoning is a good idea. That's the right choice of all of the zoning districts and it makes sense with the right kinds of uses. She thought that was a move in the right direction. She echoed previous comments on the traffic situation. It is their job as Council to represent the residents. Novi residents, she included, and anyone else who drives through the Novi Road, I-96, Grand River intersection knows that it is a problem. Even though she felt this is the right kind of development, she saw serious issues on how we will move people through. We need to see the plan that the City has and how it incorporates with his proposal to avoid worsening traffic. She said they were all good uses, but if we don't do something different with how we move people through there, it won't work. A discussion needs to take place and they need more detail on how we will handle that. She asked if where the road terminates was big enough for the car haulers to turnaround. Our traffic consultant replied yes, it meets the standards. Member Markham said she would like more information about signage and why the deviations are required. She typically thinks it's hard to find businesses. She felt that our sign ordinance is restrictive. She is not against signage deviations as long as they make sense. Dan LeClair from Green Tech Engineering said they are asking for several signage deviations for the development as well as for some of the users. This property does not lie right on Novi Road so they have to get people in and out smoothly and efficiently. He explained they are asking for two deviations with respect to monument signs, one out near the intersection of the eastbound off ramp at Novi Road and one at Crescent Boulevard where it goes into the current Expo Center Drive, just for monument signage to identify the center. Member Markham wondered if they will say the Adell Center, they aren't welcome signs, they really identify development. Mr. Adell said regarding traffic, these are destination places, like iFly. Member Markham understood that, but stated that they need to look at things comprehensively when a big development comes forward. Council needs to ask questions. She also agreed certain locations have a lot of traffic, but they talk about that also because it is a problem for the residents and the subject needs to be discussed. Member Markham questioned City staff about the process. She stated that our development manual requires concept approval from Council and then it goes to site plan approval at the Planning Commission. This proposal has already gone through site plan approval at the Planning Commission before they saw it. She wondered how that worked and wondered if they wanted to change something,

would they be able to. City Attorney Schultz stated that at the beginning of conversations with applicant one of the questions raised to the City Manager and Community Development was if it was possible and permissible to do the site plan concurrent with PRO concept plan. He said they researched the issue and wrote a letter to them saying there is no prohibition or absolute limitation on doing that. The developer had to understand they were doing it at their own risk. Essentially it said it was a gamble for the developer. From Council's perspective that was their choice and their risk to go to the Planning Commission before they had the concept approval. Mr. Schultz stated if the concept changes between now and whenever they would actually do something with their site plan approval then that's Council's ability to do so. Mr. Adell stated he was not changing it. Mr. Schultz said this was not a back and forth with the developer unless there was a direct question. Member Markham wondered if Mr. Adell had given any thought to public transit as something that might service the development. Mr. Adell said Uber and Lyft were available. He said he contacted the different malls about having trolleys taking people back and forth. Member Markham said she was thinking a little more broadly. The facilities would have employees and patrons. She asked if he had given any thought to accommodating some type of transit like a bus stop. Mr. Adell said he knew something was proposed with SMART, but he didn't know if anything had been approved. He considered that the City's obligation, same as infrastructure. Mr. Adell said he has the property and is trying to find the best use for the property.

Member Breen said she didn't have any questions for the developer or staff at that time. She also wanted to echo the same concerns. She said traffic was a big concern. She lives on north end and her only option is to go south and it was terrible. It's not looking any better. She would like to see what can be done to alleviate those concerns. She would like to review the pending traffic study. She thought a lot of things are different with this plan and it sounded fun. She worried about the viability of Carvana and adding more hotels. She didn't know what the capacity would be. There are concerns from the Fire Marshal though it appears those will be addressed. There is nothing finalized for secondary access. She felt those things need to be address before final approval.

Mayor Pro Tem Staudt said there have been a lot of proposals over the years for the property including a flea market. One of the beauties of this particular plan is that it is a pretty finite program of development. He thought that was a huge benefit to this community. Everybody has an opinion on traffic. He works a block away from that area and he drives it on a regular basis. He agreed that traffic is horrible during rush hour. During the day there isn't a significant traffic problem in Novi. This is something we have to, as a community, figure out how to fix. This isn't a one development issue; Twelve Oaks Mall, Fountain Walk and Walmart aren't going anywhere. He said he does not hold a developer responsible to fix the traffic problem, which is strictly Council's responsibility to figure out. Our success has bred more traffic. He didn't think the applicant should be penalized because he chose to take a slightly difference process for the development process. He said he has attended a couple of the meetings and the Planning Commission did a tremendous job of holding this applicant accountable for the many variances required to pull off something like this. He understood there are

concerns for following the process. This was a City decision; we could have said no and held it up. We allowed it to happen because of a commitment that was made by our City Manager to this applicant. He thought that Mr. Adell has a tremendous passion for this property. This is a small part of his financial empire. He wants to see that it is successful. He hopes they can move this forward.

**CM 18-09-139      Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0**

**Tentative approval at the request of Orville Properties, LLC for a Zoning Map Amendment 18.724 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 Expo (EXPO) to TC (Town Center), based on the following findings, City Council deviations, and conditions, with the direction that the City Attorney's Office shall prepare the required Planned Rezoning Overlay Agreement and work with the applicant to return to the City Council for Final Consideration pursuant to the PRO Ordinance:**

**The agreement shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:**

- 1. Planning deviation from section 3.1.26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, for the following, provided they conform to the 2015 International Building Code standards for High- Rise (Type I or Type II) construction:
  - a. Unit 5 Drury Hotel (84'-5", 7 stories proposed),**
  - b. Unit 8 Carvana (75'-10", 8 tiers proposed), and**
  - c. Unit 1 I-fly (70 feet)****
- 2. Planning deviation from section 5.12 to allow lack of required frontage on public road for Units 1 through 8. Frontage is proposed via a proposed private drive, built to City standards;**
- 3. 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;**
- 4. Planning deviation from section 3.27.1.C to allow for not meeting the minimum requirements for exterior side yard building setback of 50 feet from 1-96 Rights-of- way for Unit 1. A minimum setback of 32.5 ft. is requested;**

5. **Traffic deviation from section 11-I 94(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;**
6. **Planning deviation from section 3.1.25.D to allow reduction of minimum required front parking setback of 20 ft., from the proposed access easement. A maximum of 18 feet is requested;**
7. **Planning deviation from section 3.1.25.D to allow reduction of minimum required interior side parking setback of 20 ft. for the following units as shared access is proposed between parking lots;**
  - a. **Unit 1: 14 ft. along West, 0 ft. along South**
  - b. **Unit 2: 15 ft. along South**
  - c. **Unit 3: 15 ft. along West and 5 ft. along South**
  - d. **Unit 4: 5 ft. along East**
  - e. **Unit 5: 10 ft. along West**
  - f. **Unit 6: 0 ft. along West**
  - g. **Unit 7: 0 ft. along East and 10 ft. along West**
  - h. **Unit 8: 10 ft. along East**
8. **Planning deviation from section 3.1.25.B& C to allow the water tower 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;**
9. **Planning deviation from section 4.19.2.F to allow alternate location for dumpsters, instead of required rear yard for units 1, 5, 6, 7 and 8, provided the proposed location does not impact traffic circulation and appropriate screening is provided at the time of preliminary site plan. The applicant requests dumpsters to be allowed in exterior/interior side yards;**
10. **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;**

- 11. Planning deviation to allow lack of required loading areas, as listed in section 5.4.2., for unit 9 as requested by the applicant;**
- 12. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review**
  - a. Unit 1: exterior side yard**
  - b. Unit 3: interior side yard (no double frontage)**
  - c. Unit 4: interior side yard (no double frontage)**
  - d. Unit 5: exterior side yard or front yard under canopy**
- 13. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review:**
  - a. Unit 2: interior side yard (no double frontage)**
  - b. Unit 6: exterior side yard**
  - c. Unit 7: exterior side yard**
  - d. Unit 8: exterior side yard**
- 14. The applicant shall provide supporting data to justify the proposed loading area square footages, to be reviewed and approved by Planning Commission at the time of Preliminary site plan approval;**
- 15. Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking (to be established by staff after reviewing the calculations provided) for each unit within the development subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of respective site plan approval;**
- 16. Façade deviation to allow the following allowable percentages listed in section 5.15 of Zoning Ordinance for the buildings listed below:**
  - a. Unit 1 I-fly (based on the assumption that no EIFS is being proposed):**



- a. **Entranceway Sign Area (Section 28-1 & 28-5(b) (2)a) to allow for an increased sign area of 60 square feet. A deviation of 20 square feet is requested.**
  - b. **Entranceway Sign Height (Section 28-5(a) to allow for a 15' high monument sign. A deviation of 9 feet is requested.**
  - c. **Ground Sign Area (Section 28-1 & 28-5(b) (2)a) to allow for an increased sign area of 265 square feet. A deviation of 165 square feet is requested.**
  - d. **Ground Sign Height (Section 28-5(a) to allow for a 15' high monument sign. A deviation of 9 feet is requested.**
  - e. **To allow two ground signs on Unit 6. A maximum of one sign is allowed.**
18. **Planning deviation to allow Side Lot lines between Units 6 and 7, 4 and 5, 1 and 2 for not being perpendicular or radial to the road, as listed in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances;**
19. **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. I .F.);**
20. **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;**
21. **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 to the maximum allowable 4:1 ;**
22. **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;**

**23. 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;**

**24. Engineering deviation from Section I I-1 94(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;**

**The following revisions shall be made to the PRO Concept plan prior to City Council final approval of the PRO Concept Plan**

- 1. A note shall be added to on Sheet 2, PRO Concept Plan, that each of the uses is subject to Use Standards in Article 4 of Zoning Ordinance;**
- 2. The following notes shall be removed from the PRO Concept Plan**
  - a. A note on sheet 02 that refers to "The Users are as of 08-29-18 and will be updated as new users are determined".**
  - b. A note on sheet 03 and 04 that refers to "Internal lot lines within the Adell Center Development are subject to move".**
  - c. Building and Parking setbacks provided in a small inset on Sheet 2 as they conflict with the suggested deviations at August 22nd Planning Commission meeting;**
- 3. The applicant shall remove the parking reference summary from sheet 02 as the Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking will address the counts at the time of respective site plan approval as indicated earlier in this motion sheet;**
- 4. The applicant shall add a note on PRO Concept Plan under Allowable uses that each of the uses is subject to Use Standards in Article 4 of Zoning Ordinance;**

- 5. The applicant shall provide a list of restricted uses on the PRO Concept plan, to be included in the agreement to ensure a quality development. Some of the staff recommended uses are as follows:**
- j. Gas Stations**
  - k. Sexually-oriented businesses**
  - l. Medical/Recreational Marijuana Uses**
  - m. Hookah bar/lounges or similar uses**
  - n. Vape shops or similar uses**
  - o. Convenience Stores**
  - p. Fast-food restaurants**
  - q. Fast food restaurants with a drive-through**
  - r. Tattoo parlors**

**The items outlined by the Planning Commission should be addressed in the drafting of the PRO agreement prior to final approval by City Council:**

- 1. The applicant shall conform to the maximum 15 bay parking requirement at the time of Site plan approval for individual units;**
- 2. The applicant shall revise and include the accurate legal description of the subject parcel and the road rights-of-way for the Ring Road in the PRO Concept plan and PRO Agreement;**
- 3. The applicant shall provide a secondary access point to the parking lot for Unit 5 at the time of Preliminary Site Plan review**
- 4. The applicant shall submit additional information as to be reviewed at this time;**
- 5. The applicant shall revise the length of the drive aisle in the southeastern parking lot in Unit 5 to be no longer than 150 feet to conform to the fire code requirement at the time of site plan review for Unit 5**
- 6. 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;**

- 7. 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;**
- 8. The applicant shall indicate the proposed decorative brick wall on Sheet 2, PRO Concept Plan;**
- 9. 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;**
- 10. 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;**
- 11. The applicant shall provide an approvable wetland/woodland restoration plan for the southerly portion of the site at the time of Wetland permit/Preliminary Site Plan approval for Roads and Utilities;**
- 12. 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;**
- 13. 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;**

- 14. 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;**
- 15. The applicant shall note that the following would possibly require an amendment to the PRO agreement, unless otherwise agreed upon:**
  - a. Any major changes to building and parking layout from the approved PRO plan**
  - b. Any deviations from ordinance requirements that are not requested/approved at this time**
  - c. Any change of use for any of the units that are not listed as part of the allowable uses**
  - d. Reduction of established minimum parking count, below the offered maximum of five percent reduction. A shared parking study may be required at that time**
  - e. Any future redevelopment for any of the units, other than what is shown on the Concept Plan**
- 16. Unit 4 remains green space and park area along with parking and the applicant shall work with staff on the layout and design at the time of Preliminary Site Plan approval for Unit 4;**
- 17. The applicant should incorporate enhanced pedestrian flow and shared parking elements for Units 6 & 7 with pedestrian crossings at the time of Preliminary Site Plan review of the individual unit which will be reviewed first;**
- 18. Deviations from the Chapter 28, Signs, from City Code of Ordinances that are not identified as part of the current review are subject to Zoning Boards of Appeals approval at the time of individual site plan review;**
- 19. Other items as the City Attorney's office and staff determine need to be addressed during the drafting**

**of the agreement, in light of the complexity of the above;**

**This motion is made because the proposed Town Center zoning district is a reasonable alternative to the Master Plan for Land Use, because the development will improve a property that is blighted, and because the likelihood of alternative development is unknown and the potential for less favorable development exists.**

Mayor Gatt stated that he wasn't going to comment, but he felt compelled after listening to his colleagues. He wondered what the Detroit City Council said when Joe Louis or Comerica were being built. He believed that traffic is a sign of vibrancy. Novi is a vibrant city and we need to celebrate it. Those of us in the City know ways around Novi Road and Grand River because we live here. Yes, traffic is a problem in Novi. He would rather have a traffic problem than a blight problem. He didn't want to turn down development because it will bring traffic. That's what we want. We want people to come to Novi. According to Money Magazine Novi is the number one City in the State of Michigan and it's because we are vibrant and growing. He echoed what Mayor Pro Tem Staudt said about the traffic and said this is the City's problem and he couldn't agree more. We have to figure it out. Someone was the Mayor when Twelve Oaks was being proposed and traffic was a big deal. We built the property anyway and look at where we are. He didn't think we should hold up a multi-million dollar project because of traffic. He mentioned Member Markham mentioned transit, and he agreed with her, transit will resolve itself. He said our City Manager is looking into SMART. If SMART doesn't work, they are committed to doing something. He is sure there would be a stop in front of this project when it becomes a reality. He thought it was a good deal. He didn't agree with the tactics that have been used in the past several months. This is America and we can all do what we want to do and move forward that way. He said he was in favor. This is something that will bring acclaim to the City. He said he was the only one who can say he had met Mr. Adell's father when he was an officer and he would be very proud of what's happening there. We have to look out for the residents and we have to do it in a professional, smart, educated manner. He applauded his colleagues for their dialogue. Everyone is thinking. He is in favor 100 percent. He thought we should move forward. He said nothing that has been proposed bothers him. The City has a burden now to make traffic better. He isn't an engineer or planner, but knows we have them on staff that can do that. It isn't Mr. Adell's problem.

Member Mutch had a few questions for City Attorney Schultz regarding the motion we are approving that is on page 15. He said the language included is confusing. He assumed the businesses listed such as; hookah bar, tattoo, and the others listed are uses that we would not want to see allowed under the PRO, is that the intent? Mr. Schultz replied yes, that was their intent. Member Mutch asked if that will be drafted more clearly in the final PRO. Mr. Schultz said yes, the idea is that those uses are not

permitted in the district. The document gets recorded and this property will not have those listed uses. They will be limited to TC uses, but also whatever happens in the future, unless there is an amendment to the agreement, those uses will not be permitted. Member Mutch noted on that same page that the very last point talks about the secondary access point. It references Unit 5, which appears to be the first unit in development. He was not sure how that functions as secondary access point. City Planner McBeth said yes, Unit 5 is the first unit coming into site. The intent actually was that the secondary access could be at that location or potentially at the very northwest corner of the development that goes into adjacent property. To make the secondary access at Unit 5 something else would have to be done to connect that unit to the other units through driveway connections. Member Mutch wasn't clear how that becomes a secondary access point if the primary access point is right there. Ms. McBeth stated that it hasn't been resolved. Initially they thought that the secondary access would be at the northwest corner of the development. Member Mutch said that was in the motion and he wanted to know the intent. He wanted to hear from the Fire Department about the usefulness of that. His primary concern that he raised previously can be addressed between now and a future date when they vote on PRO agreement. He will support the motion to move forward because there is enough information to start the process of drafting the PRO. He put his concerns on the record. He tried to make it clear. He doesn't expect the applicant to solve traffic problems on Novi Road. We as a City have to get a handle on traffic in that area. Every development has an impact, whatever the use is. We have to be cognizant of that, and how we as a City are going to manage that. We may be 23<sup>rd</sup> best City in the country, and number one in Michigan. The Number one concern of our residents is quality of life which is negatively impacted by traffic. He believed it was Councils' job to mitigate that as much as we can. He is looking for City administration to provide more information before we take a final vote so that they can have clarity on how that will be addressed.

Mayor Pro Tem Staudt didn't think there is any doubt that we will have some level of transit in the City. He thought that was really important when developing the PRO that we take that into consideration. Whether its internal buses, trolleys, whatever it may be someday, we are going to have something. It's important as they are thinking about it, roads aren't wide, and we need good spots to drop people. We will have something.

City Attorney Schultz wanted to make a clarification on a comment that was made earlier that we might see some activity out there shortly. Just to clarify that this is a two-step process. This is a tentative approval. This will come before Council at a meeting in the future. The applicant may have some approvals under separate review and approval to do some demolition, maybe move some dirt. If you see anything it is not because of the motion that evening, it is other stuff.

**Roll call vote on CM 18-09-139**

**Yeas: Casey, Markham, Mutch, Gatt, Staudt,  
Breen**  
**Nays: None**  
**Absent: Wrobel**

Mr. Adell presented a shovel to Council for the development that represents \$3.4 million in additional tax revenue, plus another \$500,000 personal property.

2. Consideration of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District.

**CM 18-09-140      Moved by Staudt, seconded by Gatt; MOTION CARRIED: 6-0**

**Tentative approval of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance, for the use of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District, subject to final approval of the Planned Rezoning Overlay (PRO) rezoning of the property on which the development is to be located, and subject to the recommended conditions as noted in staff's memo. This motion is made for the following reasons:**

- a. **Carvana is not expressly authorized or contemplated in the City of Novi Zoning Ordinance as a principal permitted use or a principal permitted use subject to special conditions;**
- b. **The proposed use is an appropriate use in the TC District but only in the location and as part of the development proposed at 43700 Expo Center Drive, and not in other locations in the TC District, and therefore this determination is subject to and contingent upon the City Council's final approval of the proposed PRO rezoning for the property as a whole;**
- c. **A trip generation report or any additional information as required by the City's Traffic Consultant, will be submitted at the time of Special Land Use Consideration.**

Arwa Lulu, Project Manager for Carvana on this project. Carvana is an online car company. The customer has two options to fulfill their order, pickup or delivery. She said what they are proposing is a pickup option which is the Vending Machine Fulfillment Center. The customer goes through the transaction process online, finishes the paper work and they decide what they want to do. If they are near a Vending Machine Fulfillment Center they can pick that option at the end of their transaction. They schedule the customer to go to the Vending Machine for pickup within 24-48 hours. It takes approximately 15 minutes to pick up vehicle. They only sell used vehicles. The City has been great to work with. They are excited.

Mayor Pro Tem wondered if there has been any Vending Machine Fulfillment Center Special Land Use ever proposed anywhere in Michigan. City Attorney Schultz said he was not aware of any. There is a Carvana presence from Hub Facilities to fulfill delivery. Mayor Pro Tem Staudt wondered if this will be their only location in Michigan for this type of facility or are they looking at other locations throughout the state. She replied this is the only location at this time in Michigan. Their expansion has been outrageous in the past year. Mayor Pro Tem Staudt wondered if there was an identical building in the United States. Ms. Lulu said there are 13 in the United States. This was designed to add the brick aesthetic feel. This is their newest version; they do not have any others like it. She said they have several in construction. Mayor Pro Tem Staudt wondered if there has been any secondary use proposed, and if they have envisioned a secondary use. Ms. Lulu replied anything can happen. They haven't shut a facility down yet. It could be repurposed though. The tower always raises a question, but it's just glass and steel. She replied that they could be repurposed or demolished. Mayor Pro Tem Staudt wondered what her guess was at the amount of investment as far as construction cost in this particular building. Ms. Lulu she said they see anything from \$4 million and up. Mayor Pro Tem Staudt wondered how much out of that amount the cost of the tower was. Ms. Lulu said she would have to look at that and follow up with the information. Mayor Pro Tem Staudt said he was probably asking some questions that are on the minds of his colleagues, as it is an entirely unique building. They want to make sure this concept will survive, although they know we cannot ensure that.

Member Markham wondered what the turnover was in the other facilities. She read that it holds seven cars. Ms. Lulu explained that this tower will hold up to 28 cars. Member Markham asked what the general idea was on the pickup per day was. Lulu replied that it can vary. They have seen it go up to 20, with an average of 6-15 pickups per day. She noted that 50% of the deliveries can happen, so they can deliver cars to customers also. We could be selling 20 or more cars per day from Vending Machine Facility.

Member Mutch noted that in the information provided it indicated that there would be two drop offs per day. He asked when the vehicle drop offs typically take place. Ms. Lulu said late afternoon and then in the evening. It varies throughout the nation depending what the need is. Member Mutch stated that staff indicated a need to provide temporary parking for the site. Currently they are showing 30 parking spaces. He noted that one of his concerns with this site plan was the amount of parking. He felt that 30 spaces seemed like a lot. He wondered if we required 30 or did they feel the need for 30. She believed that 30 were allowed for this space allowed on the zoning code. She noted that on average at their other locations, 35-40 is what they need operationally. They don't utilize them always. Sometimes they can have 8 to 12 employees on site, and they may have 1 to 2 customers coming in per hour. Member Mutch said he was interested to see, too often he felt that our ordinance requires excessive parking for uses. He would like to see less parking if it isn't necessary. He wondered what the total height of the tower would be. Ms. Lulu replied that the proposed elevation was for 71 feet and she believed there was screening required which would bring it up to 74 feet 10 inches. Member Mutch wondered if the cars

parked in the structure will have gas in them. He said this is different than a parking garage. He wondered how it functioned as far as fire safety for a structure like this. Ms. Lulu said the tower itself is not occupied. They always make it a point that the City understands the tower portion is not occupied; therefore no individual is going up there. She said she could provide fire reports if requested. Member Mutch confirmed that Carvana was proposed to be front and center of the proposed development. Ms. Lulu confirmed that there is visibility from I-96. Member Mutch asked City Attorney Schultz if this would be coming back for another vote or is our vote approved pending the PRO being approved. City Attorney Schultz replied that normally the process would be approval of unlisted use in the TC District and that would be the last you would see it. He said this is set up as tentative approval because it's dependent upon the rest of the PRO. It will come back for another look when they look at the PRO agreement next time. Member Mutch asked if there would be a separate motion on this. Mr. Schultz explained that it would be set up the same way as a separate motion. Then it will come back to the Planning Commission once their determination with the TC District is an appropriate district. The Planning Commission, in addition to site plan, will review Special Land Use.

**Roll call vote on CM 18-09-140**

**Yeas: Markham, Mutch, Gatt, Staudt, Breen,  
Casey**

**Nays: None**

**Absent: Wrobel**

Stefan Bailey, from Clark Hill was representing Carvana. He noted that they had a request for a sign deviation which he didn't think was part of this aspect of it, but the sign deviation would be part of the PRO agreement to be addressed as part of the draft agreement. Mayor Gatt asked Mr. Schultz to respond. Mr. Schultz said the request from the applicant to consider in the PRO agreement some of the sign deviations. He said some of their staff have questioned if there is enough information for their final approval of that. Hopefully before now and the PRO agreement we will get more explanation for that. Mr. Bailey said they wanted to make sure that everyone was aware of that.

3. Approval of the request of Cambridge of Novi, LLC, for Villa D'Este, JSP17-52, with Zoning Map Amendment 18.718, to rezone from RA (Residential Acreage) to R-1 (One-Family Residential), subject to a related Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan. The property is approximately 50.6 acres and is located east of Napier Road on the north side of Nine Mile Road. The applicant is proposing a 41-unit single-family housing development in a gated community.

Planning Director McBeth noted two things that are in the draft PRO agreement on page 6, letter F. It mentions an engineering deviation for the absence of the sidewalk along a portion of Villa Drive while we were discussing this, whether a private street would need to consider paying into the Sidewalk Fund if it is a private road. The applicant also pointed out they are offering, not as a benefit, but a benefit to the

residents a separate pathway that goes on the east side out to the ITC trail. She said the applicant requested they do not need to make payment into the City sidewalk fund for the cost of the missing sidewalk. One other item, that Member Mutch had written to them asking about the suggested motion, and she wanted to clarify the detail of that. The third reason, the City's traffic engineering consultant has performed an updated trip generation estimate and found that the proposed senior adult housing would produce 86 fewer trips per day than the 30 single family homes as expected to be permitted under the RA zoning district and the number of trips produced by the senior adult housing development is next expected to significantly impact Nine Mile Road. Those were the updated numbers provided by our traffic consultants. Mayor Gatt confirmed with Mr. Guidobono and Matthew Quinn that was correct. Mr. Quinn replied yes, they are in agreement with everything that Ms. McBeth stated. He also thanked the staff for working on the PRO with them over last few weeks. It is a lot of work; they put in a lot of time, and did a great job.

Mayor asked City Attorney Schultz how to go about the motion. Mr. Shultz said if there is a motion to approve it can be the motion as written with the addition of addressing Item F. Ms. McBeth pointed out to remove the requirement for paying into the fund. There is one other item and he didn't know if it needed to be in the motion which was spotted by one of the Councilmembers clarifying that Mr. Guidobono does intend to donate the Master Plan ROW for Nine Mile. It is in all of the plans, but it is not in the agreement. That should be clarified in the motion as well. Mayor Gatt confirmed with Mr. Guidobono that he was in agreement with that also. Mr. Quinn said yes, he agreed, that has always been agreed to. Mayor then confirmed that when the motion is made that these two items be included.

**CM 18-09-141            Moved by Staudt, seconded by Gatt; MOTION CARRIED: 6-0**

**Final approval of the request of Cambridge of Novi, LLC, for Villa D'Este, JSP17-52, with Zoning Map Amendment 18.718, to rezone property in Sections 29 and 30 on the north side of Nine Mile Road, east of Napier Road from RA (Residential Acreage) to R-1 (One-Family Residential) subject to the related Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, and subject to the conditions listed in the staff and consultant review letters, and with any changes and/or conditions as discussed at the City Council meeting (including clarification regarding the applicant agreeing to dedicate the requested Nine Mile Road Right of Way extending across the entire frontage of the subject property, and to correct item 2.f on page 6 of the draft PRO Agreement), with any final minor alterations required in the determination of the City Manager and City Attorney to be incorporated by the City Attorney's office prior to the execution of the final agreement. This motion is made for the following reasons:**

- 1. The applicant has presented a reasonable alternative to the Master Plan for Land Use recommendation of 0.8 units to the acre (1.08 units to the acre proposed) for the parcel as indicated in the applicant's letter dated December 12, 2017, noting the appropriateness of an empty-nester residential development for the site given the layout of the plan, the proposed preservation of open space, the offer to provide an enhancement to public park facilities, and the provision for landscape or open space buffering on most sides of the development.**
  
- 2. The proposed plan meets several objectives of the Master Plan, as noted later in this review letter, including:**
  - a. *Maintain the semi-rural character of the southwest quadrant of the City that is created by low-density residential development and undeveloped land (by protecting a majority of natural features on site and provides ample screening from Nine Mile Road).***
  - b. *Provide a wide range of housing options (by being geared towards empty nesters, or those wishing to downsize from larger homes).***
  - c. *Protect and maintain the City's woodlands, wetlands, water features, and open space (by proposing to donate about 20 acres (40 %) of land with regulated woodlands and wetlands in the rear).***
  
- 3. The City's Traffic Engineering Consultant has reviewed the Rezoning Traffic Impact Study and found that the proposed senior adult housing would produce 175 less trips than 40 single-family homes (as expected to be permitted under the RA zoning district, and the number of trips produced by the senior adult housing development is not expected to significantly impact Nine Mile Road.**
  
- 4. 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.**

Member Mutch said he raised some concerns when this first came around. There had been some changes to address some of his concerns such as widening the wildlife

corridor, and shifting the path to the north side of 9 Mile Road, the ITC portion of that to provide additional public benefit which he appreciated. He also appreciated the parkland donation that Mr. Guidobono is making as part of this development. Any time we have property owners who make significant land donations to the City of Novi that we incorporate into park system. We should have conversation about naming rights opportunity. He would be the first to say that a lot of this property couldn't be developed so this would be a win/win situation. Mr. Guidobono didn't have to do that, there was no requirement that the property had to be dedicated to the City. It does provide a continuation of City parkland through that area. It's a conversation we should have to do that. It wouldn't be a commercial names, but family names or something that has significance to them would be a fair part of a donation process. He thanked Mr. Guidobono for the spirit with which he has approached this development. He said we have challenged him all along the way and it hasn't been easy. He expressed that there are things he would like to see different, yes, but he is willing to support this proposal. He believed that we will get a high quality development out there. He trusted that he would continue to work with neighbors to be a good neighbor. He trusted that he would work with the City to make the improvements to that area that will become part of the ITC Trail. He commented about the pathway out to the ITC Trail there was some concern of creating an impression that it is a leg of the ITC Trail to explore. He would like to see something other than asphalt pathway. Something concrete that delineates that, but something higher quality 5 foot asphalt pathway. He threw that out for consideration; it is not part of the PRO Agreement.

**Roll call vote on CM 18-09-141**

**Yeas: Mutch, Gatt, Staudt, Breen, Casey,  
Markham,  
Nays: None  
Absent: Wrobel**

4. Approval of the FY 2018-19 Winter Maintenance Agreement between the City of Novi and the Road Commission for Oakland County for snow and ice control on selected County roads in Novi; and adoption of resolution authorizing Novi to provide winter maintenance of selected County roads.

Member Markham supported it because it makes sense. She wanted to remind the staff that last year residents were very unhappy with clearing of 8 Mile Road. She knew that half is Wayne County and half is the City of Novi. She said she would like the City to pay attention. If there is trouble this year with 8 Mile not being plowed, she would hope the City wouldn't just say it's their problem. She brought that up because last year was a problem and she hopes this year isn't.

**CM 18-09-142**

**Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0**

**Approval of the FY 2018-19 Winter Maintenance Agreement  
between the City of Novi and the Road Commission for Oakland  
County for snow and ice control on selected County roads in Novi;**

**and adoption of resolution authorizing Novi to provide winter maintenance of selected County roads.**

**Roll call vote on CM 18-09-142**                      **Yeas: Gatt, Staudt, Breen, Casey, Markham, Mutch**  
**Nays: None**  
**Absent: Wrobel**

5. Approval of the 2018-2019 Summer Maintenance Agreement between the City of Novi and the Road Commission for Oakland County for street sweeping on selected County Roads in Novi; and adoption of resolution authorizing Novi to provide summer maintenance on selected County roads.

**CM 18-09-143**                      **Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0**

**Approval of the 2018-2019 Summer Maintenance Agreement between the City of Novi and the Road Commission for Oakland County for street sweeping on selected County Roads in Novi; and adoption of resolution authorizing Novi to provide summer maintenance on selected County roads.**

**Roll call vote on CM 18-09-143**                      **Yeas: Staudt, Breen, Casey, Markham, Mutch, Gatt**  
**Nays: None**  
**Absent: Wrobel**

**AUDIENCE COMMENT: None**

**COMMITTEE REPORTS:**

Member Mutch gave a quick update on the Walkable Novi Committee that met last week. They reviewed a preliminary top 20 list of prioritized sidewalk and pathway segments which City uses to plan out CIP projects. He said the City staff got input from the committee and they will make updates from that. He wanted to make Council and the residents aware because they get a lot of questions about when certain segments will get done. He said at least the top 20 list out in the foreseeable future.

**MAYOR AND COUNCIL ISSUES:**

**CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None**

**ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 8:50 P.M.

---

Cortney Hanson, City Clerk

---

Robert J. Gatt, Mayor

---

Transcribed by Deborah S. Aubry

Date approved: October 8, 2018