



cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item ³
February 22, 2010

SUBJECT: Consideration of City-initiated Zoning Map Amendment 18.693 for "The Landings" property to rezone land in Sections 2 and 3, located north of Old Novi Road and Thirteen Mile Road, east of South Lake Drive and on both the west and east sides of East Lake Drive, from B-3, General Business District to R-4, One-Family Residential District. The subject property totals approximately 13 acres.

SUBMITTING DEPARTMENT: Community Development Department - Planning *B-3*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The City recently completed a Land Use Study for the property commonly known as "The Landings" located on the south side of Walled Lake near the intersections of South Lake Drive and Thirteen Mile Road, and East Lake Drive and Thirteen Mile Road. Following a presentation of this study to the City Council in December 2009, staff was given the direction to work with the Planning Commission to consider adjusting the zoning of the property in preparation for the potential creation of a public park on the site. R-4 zoning is proposed in order to be consistent with the adjacent residential zoning in the area. Most public parks throughout the City are residentially zoned. In Novi, there is no zoning designation for which a public park is the only permitted use.

A zoning map amendment to rezone the subject property from B-3, General Business District to R-4, One-Family Residential District was proposed by staff and considered by the Planning Commission's Master Plan and Zoning Committee. The Committee further considered adjusting the boundaries of the current park designation on the Master Plan for Land Use to include all of the city-owned property on the west side of East Lake Drive, and to recommend residential land uses for the city-owned property on the east side of East Lake Drive. For the Master Plan update currently underway, an underlying residential density of 3.3 units to the acre is proposed for the entire city-owned property, which is consistent with the R-4 zoning district. Per the guidelines of the Master Plan, an underlying residential density is indicated on the plan in the event that land planned for a public park (or other public use) reverts back to single family residential uses.

There were no utility or traffic concerns identified in the staff and consultant review letters for the proposed change in zoning. While there are no regulated woodlands or wetlands identified on the city-owned parcels, staff notes that careful attention should be paid to the Walled Lake shoreline in the event of any development activity takes place in this area.

The Planning Commission held a public hearing and made a recommendation for approval of the zoning map amendment on February 10, 2010. Relevant meeting minutes including public comments are attached.

RECOMMENDED ACTION: Approval of City-initiated Zoning Map Amendment 18.693 for “The Landings” property to rezone land in Sections 2 and 3, located north of Old Novi Road and Thirteen Mile Road, east of South Lake Drive and on both the west and east sides of East Lake Drive, from B-3, General Business District to R-4, One-Family Residential District for the following reasons:

- The proposed rezoning is generally in compliance with the Future Land Use map and the Master Plan for Land Use update; and
- The proposed R-4 zoning is consistent with the residential zoning surrounding the subject property.

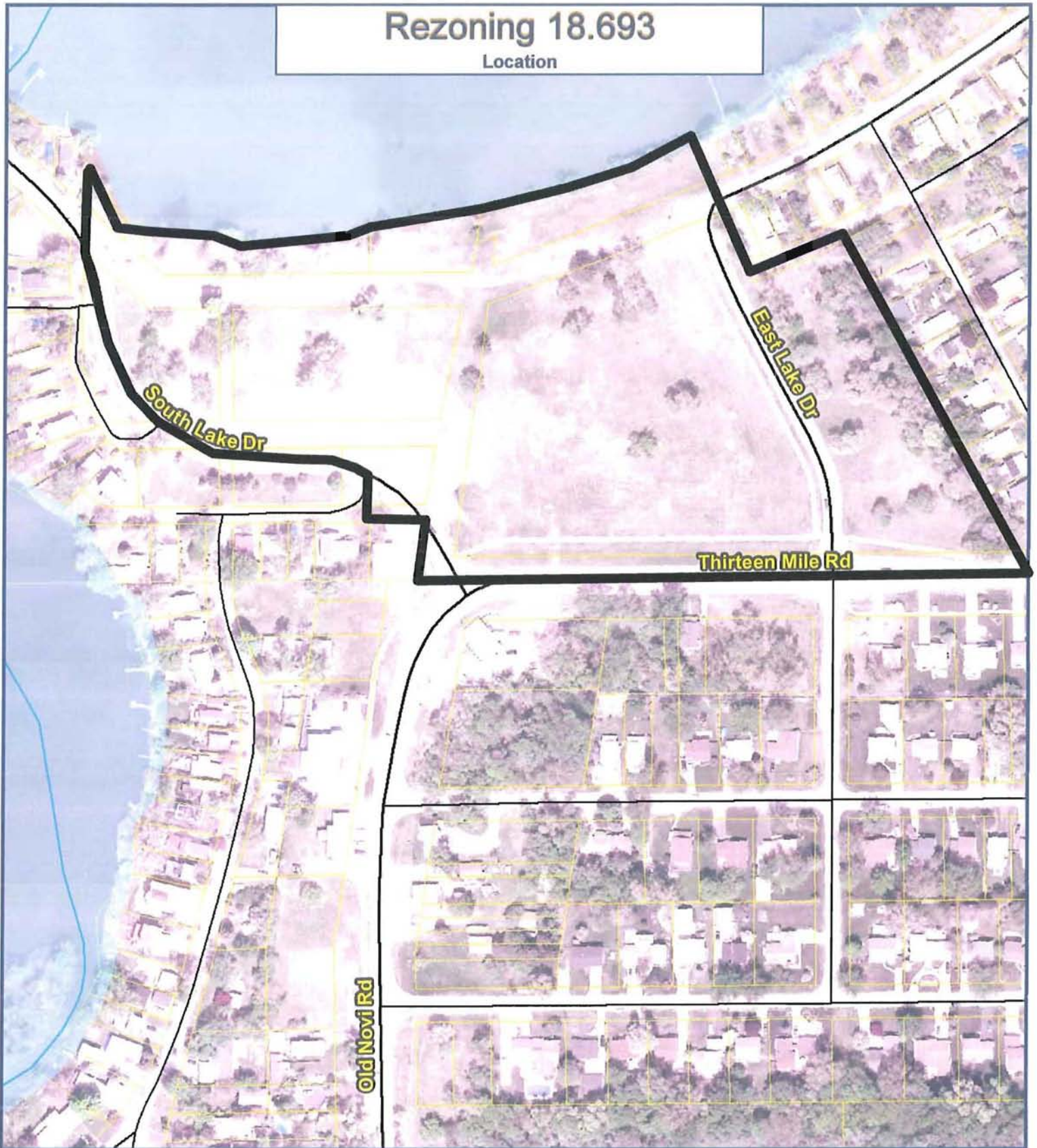
	1	2	Y	N
Mayor Landry				
Mayor Pro-Tem Gatt				
Council Member Crawford				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

MAPS
Location
Zoning
Future Land Use
Natural Features

Rezoning 18.693

Location



Map Author: Kristen Kapelanski
Date: February 1, 2010
Project: Rezoning 18.693
Version #: 1.0

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

Map Legend

— Subject Property



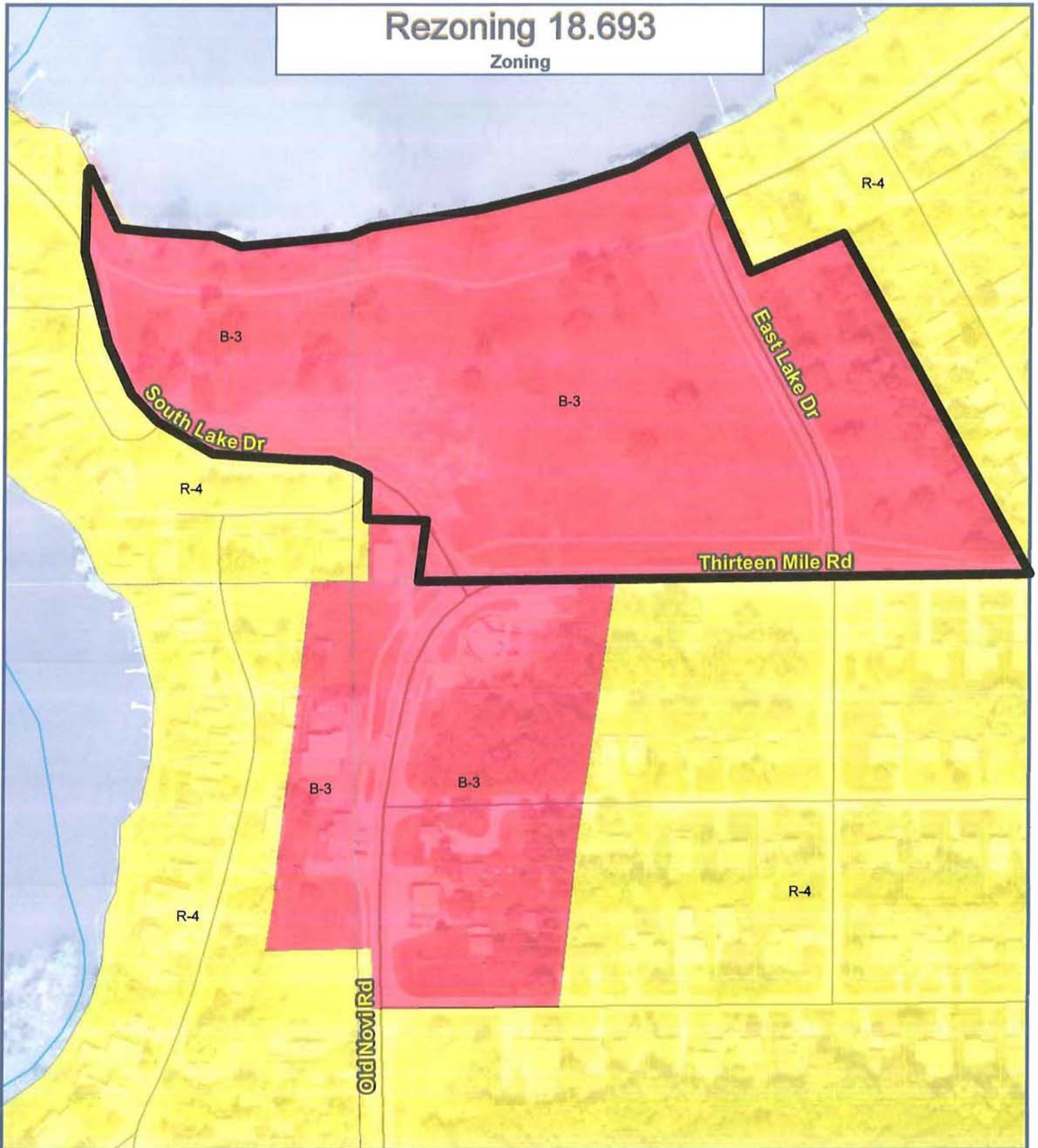
City of Novi
Department Division
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org



1 inch = 191 feet

Rezoning 18.693

Zoning



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Map Legend

- Subject Property
- R-4: One-Family Residential District
- B-3: General Business District

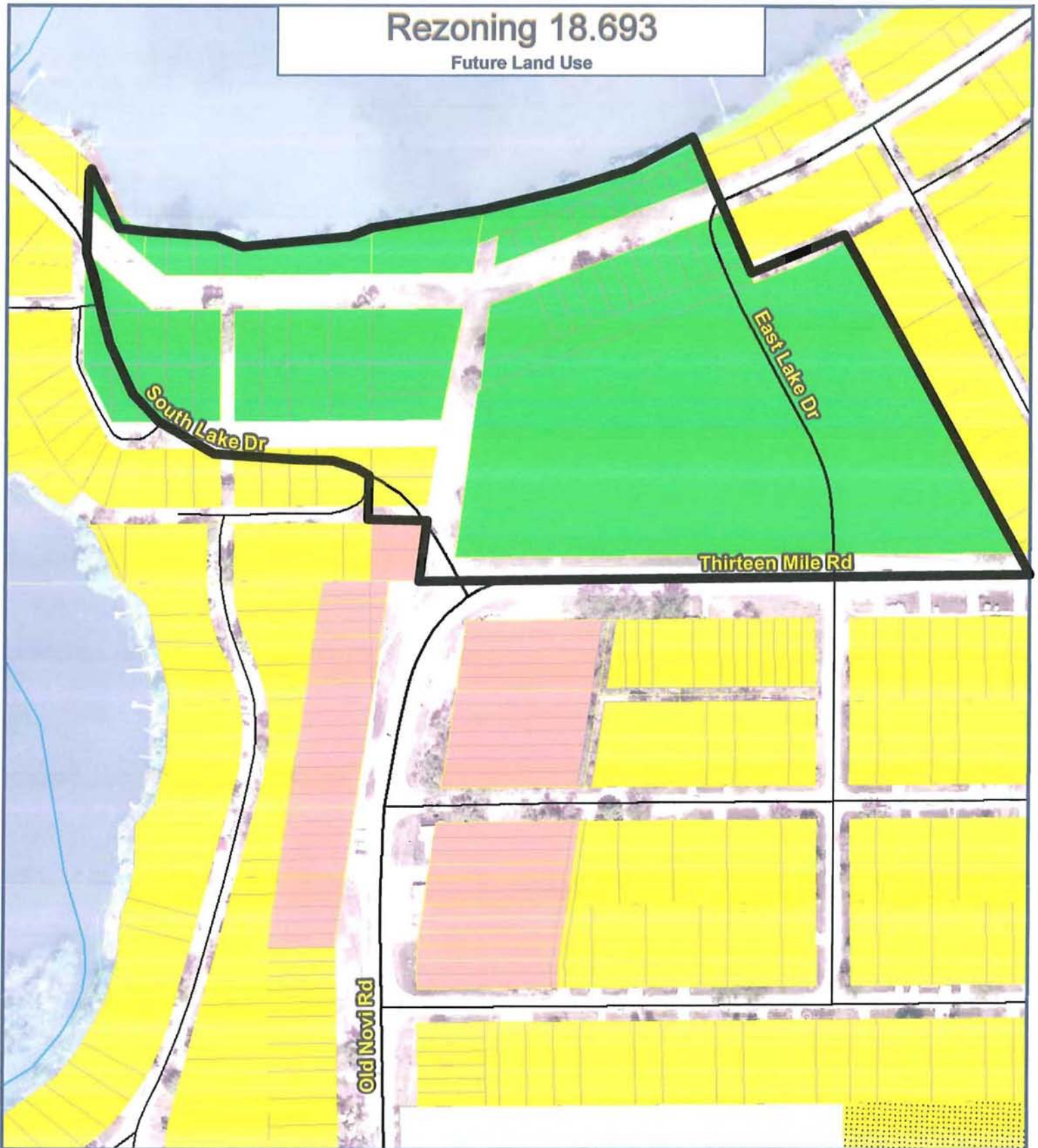


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Rezoning 18.693

Future Land Use



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Date: February 1, 2010
Project: Rezoning 18.693
Version #: 1.0

MAP INTERPRETATION NOTICE

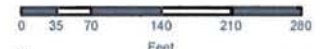
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Map Legend

-  Subject Property
-  SINGLE FAMILY
-  PUD
-  LOCAL COMMERCIAL
-  PUBLIC PARK
-  PRIVATE PARK



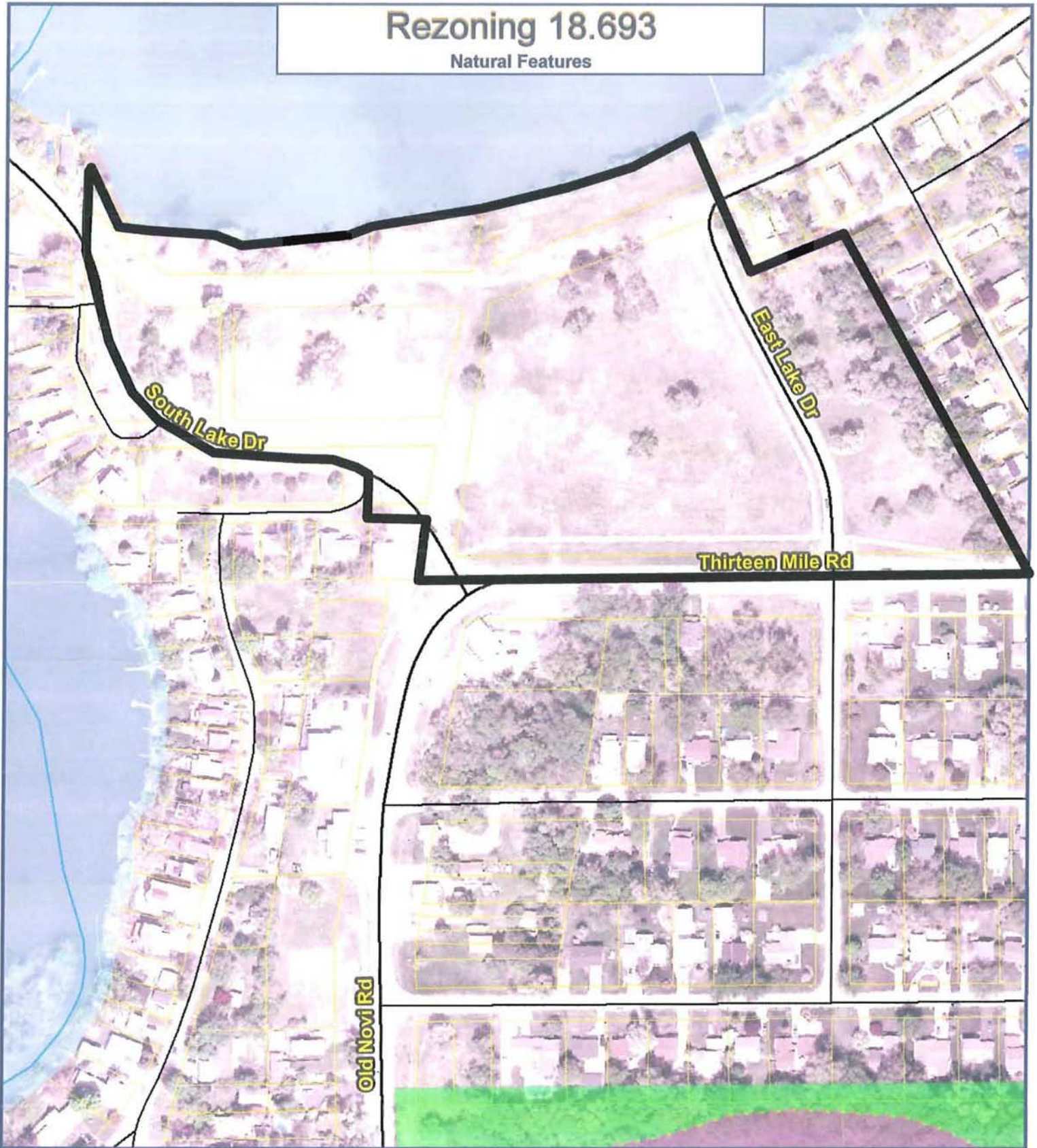
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1 inch = 191 feet

Rezoning 18.693

Natural Features



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Map Legend

- Subject Property
- Wetland Areas
- Woodlands



City of Novi
Department Division
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**PLANNING COMMISSION MINUTES EXCERPT
FEBRUARY 10, 2010**



cityofnovi.org

PLANNING COMMISSION MINUTES

DRAFT

CITY OF NOVI

Regular Meeting

Wednesday, February 10, 2010 | 7 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: Members Victor Cassis, David Greco, Andrew Gutman, Michael Lynch, Michael Meyer, Mark Pehrson, Leland Prince

Absent: Members David Baratta (excused), Brian Larson (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Kristin Kolb, City Attorney

PLEDGE OF ALLEGIANCE

Deputy Director McBeth led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Deputy Director McBeth suggested a change in the Agenda to allow the Kohl's Department Store item to be moved up to the third item on the agenda, as the applicant is present this evening.

Chair Pehrson asked if the Commission Members would indulge in the change to the agenda to move the Kohl's Department Store to the third item on the Agenda.

Moved by Member Meyer, seconded by Member Gutman.

VOICE VOTE ON THE AGENDA MOTION BY MEMBER MEYER, SECONDED BY MEMBER GUTMAN:

Motion to approve the Agenda of February 10, 2010, as amended. Motion carried 7-0.

AUDIENCE PARTICIPATION

Chair Pehrson asked if there was anyone in the audience who wished to address the Planning Commission.

Mr. Norman Malden resides on Endwell Street, Walled Lake: stated that he would like to address the Commission regarding Rezoning 18.693. The property is zoned business. Prior uses of the Lakeshore property were an amusement park, then a flea market. The property is now a park for the people of this area and has been a park for a very long time. Mr. Malden said he can see why the city wants to rezone this property to residential: the city would make a profit on the sale of the land as well as collect property taxes. Other properties in that area are not being utilized. There are businesses for sale in that area. Housing is for sale or being foreclosed on. Mr. Malden stated, that if the property is rezoned, the park will then be gone. There is a smaller park just down the road on South Lake Drive, but pets are not allowed to run there. Mr. Malden stated that he and his neighbors run their animals on this property and would like to see it stay a park.

Mr. Jerry Neuman resides on Henning: stated that he does not see a purpose to rezone this property to residential. If it is developed for residential, the traffic would make it impossible to get in and out. Mr. Neuman is concerned with the way the traffic signal is set up and the way all of the streets come together. Mr. Neuman said he does not know the results of the survey, but ventures to guess that the majority of the people would like to see this stay a park area. If housing is developed, there will be fertilizer and other run-off into the lake. There are no storm sewers on that end of the lake. It took forever for storm sewers to be put in on South Lake Drive. Mr. Neuman said these are not really storm sewers, because the water is being dumped back into the lake. Mr. Neuman does not approve of changing the use of this property and he does realize it is zoned business right now. The land is open and free for the residents to use to go for walks, take animals for walk as well as children playing and flying kites. Mr. Neuman wants to see this stay a park and stated we do not need any housing in that area.

Mr. John Morgan and his wife Leoco have purchased a house on Thirteen Mile and the main attractions were the park across the street, view of the lake and also being able to go for walks. Mr. Morgan and his neighbors do not want

residential neighborhoods on the subject property. There are three or four foreclosed homes behind Mr. Morgan's home and he thinks it is important to focus on getting these homes occupied and keeping the area as a park. A lot of Mr. Morgan's friends go walking there as well as senior citizens, and he would like this to stay as parkland.

Mr. Dave Love came forward and stated that he has lived in the Walled Lake area for at least 15 years now and that he and his fiancé use the park for walking, riding their bikes, watching the sunsets go down and the park means a lot to the people of the community. Once a space like this is rezoned and gone, the community will never get it back again. This is a beautiful park and it draws a large amount of people to it and on a summer day Mr. Love can go outside and see the bikers, joggers, and people just enjoying the property. If anything, Mr. Love would hope there would be more consideration in making this park even better than what it already is and no plans to make it residential. There are a lot of properties in this area with foreclosures that are available. With the economy today, there is no guarantee with builders and if developers for this property go out of business, the land could be sold to someone else. Sometimes a project is started and the builder loses backing or cannot finish it and Mr. Love and his neighbors would not want to see anything like that happen here and would rather keep it parkland.

Mr. Peter Elliott came forward and stated that he lived on Austin Drive. His wife had lived on Charlotte for seven years prior to moving around the corner to Austin. They both enjoyed the view of the lake. Mr. Elliott and his wife do not think redeveloping the major part of that area is a good idea and agree with the comments that the other people have made. Mr. Elliott does think the land east of East Lake Drive is acceptable to rezone for housing.

Mr. Terry Back stated that he and his wife Luann live at 217 Linhart and both agree with the people that have spoken so far that the majority of the land should be left as a park. To his understanding, Mr. Back would agree with the rezoning as long as the property is kept as a park or a plan to enhance the park is proposed. Mr. Back very much enjoys walking in the park in the different seasons and enjoys the views. Parks are important to the community. Parks make a community more wholesome and more family-friendly. There are also statistics on this that show how communities are richer and fuller because of parks in the area. Mr. Back would like to see the property remain a park.

Ms. Luann Kozma who lives at 23837 West LeBost came forward and asked if all of these questions presented tonight would be part of a record of the public hearing?

Chair Pehrson confirmed all of the comments would be made part of the record of the meeting.

Ms. Kozma stated that a lot of people in Novi have not been notified of this meeting due to the fact that they do not live near the public park. The public park belongs to all of the 65,000 residents or so, and she is glad to see a segment of the town come out tonight for this meeting. A lot of people feel the same way. This is a park that everyone feels very strongly about it and wants to keep it a park.

Ms. Kozma was part of one of the two focus groups that were held this summer for the land use study. Ms. Kozma feels the Landings Land Use Study is very hidden on the City's website. The people in the focus groups were not notified of this meeting, but were notified by email on December 4, 2009 that the report exists. Ms. Kozma feels that there would be a lot more people here this evening if they had been notified by the City. Even though rezoning to residential knocks out some of the options that are laid out in this report, only Options D and G are really Public Park. Option D is a public park and Option G is do nothing and everything else is highly development-oriented whether it is commercial or residential. Ms. Kozma thinks that the deck is stacked for this park to go one of those routes rather than what the focus groups were saying. Ms. Kozma thinks that it should stay a park and agrees with what everyone else here tonight is saying. The City should just leave it alone.

Ms. Kozma thinks by rezoning it to residential that the City is cutting out the possibility of using that area that is on the east side for space that would enhance the park and amenities that the park would need so it could be more useable by everyone. Ms. Kozma doesn't mean only people who can walk there, but for people wanting to drive up there and park and be able to use the park. By loading up the space in front of the view of the lake with parking or bathrooms, Ms. Kozma would not want to see any of that crowding any space. If that would have to go somewhere, Ms. Kozma wouldn't want it to be in an area that was blocking the view. Everyone is concerned about the view. As the Planning Commission is considering this rezoning tonight and in future meetings they should be thinking about the total use of

the entire site. Ms. Kozma would like to see this City and the Planning Commission and everyone call it our park, which is what it is zoned for.

No one else from the audience wished to speak.

CORRESPONDENCE

Member Greco stated that he did have correspondence that could be read at the Public Hearing regarding the Public Park.

Member Greco also had a letter regarding something that is not on the agenda tonight that can be read to the Commission.

Member Greco stated that this letter was addressed to the Novi Planning Commission from Margaret J. Grant, 41824 Cherry Hill Dr., Novi and is dated February 7, 2010 and has lived in Novi for 32 years. Member Greco read the letter into the record:

I am writing in regard to the Text Amendment concerning the sale of alcohol and gas stations. Why would anyone want to see this happen in Novi and surely not the residents? The only people who would benefit from this sale would be mainly prospective developers. It was interesting to see these developers who hope to build and would be the one's directly affected by the Amendment to come before the Commission at Audience Participation segments and a Public Hearing. Amendment #3 is the only one that can be debated. There seems to be some ambiguity about the square footage of the building itself as well as the distance from the pump area and monetary value of the establishment. What does the State of Michigan say or have in order a rule that enforces these requirements. Does the State Law override Novi's decision on this Amendment? Other communities have voted against this and these cities can never be compared to our great city. Novi is a jewel and our Master Plan and Ordinances have made it. Let's keep it that way.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth wanted to report on items that were on Monday night's City Council meeting and items that the Planning Commission has recently considered.

The following items were approved by the City Council:

- The Hotel Baronette Phasing Plan
- The Rezoning Request for the Novi Town Center Investors
- The Consideration of the Zoning Ordinance Text Amendment that related to Fast Food Restaurants in the B-3 General Business District and the Parking Standards associated with those.
- The Text Amendment that was related to the Alcohol Sales at Gas Stations. There was a slightly modified version that the City Council approved from the Planning Commission's recommendation. The City Council settled on the minimum building size permitted for this type of use would be 5000 square feet.

One item was postponed was the rezoning request for the property at Grand River and Beck Road. At the beginning of the presentation, the applicant announced that he would be willing to submit a revised rezoning application with a Planned Rezoning Overlay. Staff will be working with the applicant on that revised application and we expect that this will return to the Planning Commission for a public hearing in the new few weeks.

CONSENT AGENDA - REMOVALS AND APPROVAL

Chair Pehrson stated that there were no Consent Agenda items.

PUBLIC HEARINGS

1. ZONING MAP AMENDMENT 18.693

Public Hearing of the request of the City of Novi, for Planning Commission's recommendation to City Council for rezoning of property in Section 2 and Section 3, located north of Old Novi Road and Thirteen Mile Road, east of South Lake Drive and west and east of East Lake Drive, from B-3, General Business to R-4, One-Family Residential District. The subject property is approximately 13 acres.

Planner Kapelanski stated that she would give a brief overview of what is proposed. The City is proposing to rezone approximately 13 acres of property located mostly between South Lake Drive, East Lake Drive and Thirteen Mile Road as well as a small portion of property, about two acres, east of East Lake Drive.

The property is proposed to be rezoned from B-3 (General Business) to R-4 (One-Family Residential). The rezoning is in response to the recently completed Land Use Study that was presented to the City Council at their December 7, 2009 meeting.

At that meeting, the Council discussed the possible land use alternatives and directed the administration to take the necessary steps to begin the process to create a potential park on all or a portion of the site.

The Council requested that the Planning Commission hold a Public Hearing and make a recommendation on the zoning of the subject property, which is commonly known as The Landings.

This matter was reviewed by the Master Plan and Zoning Committee and they generally felt that the rezoning was compatible with the surrounding land uses and generally consistent with the Future Land Use Map. They were also in favor of making some minor adjustments to the Future Land Use Map in response to the Land Use Study and the directions from Council.

This evening the Commission is asked to hold the Public Hearing and make a recommendation.

Chair Pehrson confirmed no one else in the audience wished to speak.

Member Greco read the correspondence related to this Public Hearing into the record.

Letters of Approval:

Mark Adams, 1721 East Lake Drive, Approves

Angie Bruder, 195 Pleasant Cove Drive, Approves with the condition that the we keep the parkland, and if developed as single family homes and that it be done with an open space and pedestrian trail and benches and that the land along the lake be kept as open space, retaining the continuous walking trail and view and the ability to walk up to the lake.

Summit Results LLC, Lynn Roberts, 315 Duana, Approves

Letters of Objection:

Ray Damron, 129 Wainwright, Objects

Laura Gier, Objects

Lynn LeCavoli, 137 Wainwright, Objects

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

Chair Pehrson addressed Deputy Director McBeth and asked relative to the City Council's direction, it is his understanding the Council is trying to establish this property as parkland and changing the zoning from B-3 to R-4 would aid that proposition.

Deputy Director McBeth confirmed that the B-3 zoning has been the historic zoning on the property. B-3 zoning would allow any number of retail uses, specifically more intense uses such as gas stations, restaurants and retail stores. The Community Development Department sometimes gets questions from people interested in knowing whether that land is available to develop as a retail business use. The residential zoning that is proposed would be more consistent in terms of zoning for parkland than the B-3 would be. The City does not have a zoning district that specifically allows parks only. However, most of the parks located in Novi are in a residential district.

Member Lynch confirmed with Planner Kapelanski that the subject property is zoned B-3.

Member Lynch verified that if the property remains zoned B-3, technically someone could come in and develop the site as a strip mall or a similar retail development.

Deputy Director McBeth responded that the City does own the property and the City Council would have the right and authority to allow development on that piece of property. A developer could not just purchase that property and develop it without a discussion of the sale of the property and the terms of that sale through the City Council.

Member Lynch asked that the property be pointed out on the map.

Planner Kapelanski pointed out the property that was involved.

Member Lynch asked if there is a higher probability of the subject property becoming parkland if it is rezoned to residential.

Deputy Director McBeth stated that a park would be a permitted use in the B-3 District. It would also be a use that is permitted in the residential district. There has been discussion at recent City Council meetings regarding the subject property. At the past Monday's City Council meeting the subject property was a part of a number of agenda items. First discussed was the approval of the initial park development components to include in a Michigan Natural Resources Trust Fund Development Grant Application. There was a plan that showed a pathway and some trees along the pathway and a couple of other amenities. The City would be applying for a grant to install these amenities. There was also a discussion about vacating the rights-of-way that are located within that property. Currently, some of the rights-of-way shown on paper are not actually constructed on the property. The City Council is likely going to be considering a vacation of those rights-of-way.

Member Lynch stated that it is his understanding that the City Council is trying to make this into a park and has begun applying for grants to do so.

Deputy Director McBeth stated that was correct. The City Council discussed a Land Use Study that was conducted earlier in the year, and looked at a number of alternatives. The direction that they provided for the Planning Commission to consider was to look at the zoning and see which type of zoning would best fit with the park developments that they are considering.

Member Lynch asked if rezoning the property would increase the likelihood of the property remaining a park or being a park, and if that was the case, he would have no problem with that. If leaving the existing B-3 zoning is going to decrease the likelihood of a park being developed on the site, Member Lynch would not be in favor of that. The citizens who have come out seem to want the property to be a park and Member Lynch would agree with them.

Deputy Director stated that the intent was that the B-3 zoning is not the kind of zoning district that you would typically expect to have as the underlying zoning for parkland. B-3 zoning is where one would expect the most intense kinds of commercial uses.

Member Lynch stated that he felt confident that his question had been answered and that an R-4 zoning would give the subject property a higher likelihood of becoming a park or staying a park.

Deputy Director McBeth stated that the property is really considered open-space right now. A park would be permitted in the B-3 District and it would also be a use that would be allowed in a residential district.

Member Lynch stated that from Deputy Director McBeth's last comment, it sounded like most parks are residentially zoned.

Chair Pehrson responded that it was his understanding that residential zoning is what is typically found on public parks.

Member Meyer stated that in this particular case the Planning Commission should listen to the citizens. If by chance homes are built on the property there should at least be a designated walkway, benches and possibly a sign that would honor where the Casino had been, as indicated in the letters received for the public hearing. It would be nice to have a sign to commemorate this location as the site of the former Walled Lake Casino. Perhaps the new park could be called Sunset Park in recognition of comments from citizens talking about the sunsets they've observed there.

Member Meyer stated that there might be some developers who would like to take advantage of this prime piece of real estate and develop homes there, whether other homes have been foreclosed on or not. Member Meyer would like to be at least realistic enough to think that if the Planning Commission votes in favor of the rezoning that indeed there may be some developers coming to the City in the near future to talk about building on the subject property. If development of the property does take place, a certain portion of that land should be set aside for the designation of a walkway, benches and to honor what used to be there.

Member Gutman stated that it sounds like the intention of this Zoning Map Amendment is in line with what the citizens of Novi are asking for and he would like to clarify that. Member Gutman would not anticipate the development of new homes on the water in the future and he would hate to see that, but would love to see the site remain as parkland. It sounds like the City is trying to do things like achieve grants that would enhance the beauty of that area.

Moved by Member Gutman, seconded by Member Lynch:

In the matter of Zoning Map Amendment 18.693 for City of Novi, motion to recommend approval to the City Council to rezone the subject property from B-3, General Business District to R-4, One-Family Residential District for the reason that it is generally in compliance with the Future Land Use map and the Master Plan for Land Use update and the proposed R-4 zoning is consistent with the residential zoning surrounding the subject property.

Member Cassis wanted to comment that residents of the lake area are to be commended. The people love their area and are protective of it and that is why there are so many people here and have come to this Planning Commission meeting. That is wonderful. In the last thirty-three years that Member Cassis has been in this community, he has seen people from the north area of the City come to various City meetings to comment and he would like to commend them for that. The lake has grown to be such a jewel, as said in letters. The citizens are the custodians of this beautiful lake and it should be preserved for the enjoyment of all the people. The Planning Commission should confirm by their vote on the proposed motion to change the zoning of the subject property to R-4 so that there will not be the insinuation or suggestion that the more intensive B-3 zoning and the uses associated with that zoning district will be permitted on this property.

Member Cassis stated that he heard the City Council discuss the land use study and concept plan with the consultant contracted to complete the study. The development of a park will add to the enjoyment of the property by all the residents. Member Cassis will support the motion, as under his estimation, it is the intent of the City Council as the policy makers of the City government and it is for the Planning Commission to affirm their desire.

Member Greco did want to reiterate to the public that is here that he recognizes that change is something that makes everyone nervous. The proposed rezoning before the Planning Commission has been proposed to ensure a more intense use permitted under the current zoning doesn't occur on that property. There may be some change to the area, but Member Greco does not believe it is the change that everyone has feared. The proposed rezoning is to change from a more intense use such as gas station, strip mall or something similar, to something much less intense. With the economy, in the public sector and in the private sector, money is tight and everyone is wondering if grants can be secured and will this be a park that is developed in the next year or two years. There is no way to know now what grant money will be available, but even if nothing is done in the next couple of years, the proposed rezoning ensures that a more intense use permitted under the current B-3 zoning will not occur in that location even if a new City Council is elected. Member Greco will support the proposed zoning map amendment as it is the prudent thing to do in order to protect residents from intense commercial development on the site if a park development cannot happen right now.

Chair Pehrson stated that as you read the project summary, the one sentence that says why the Planning Commission is considering adjusting the zoning and master plan designation of the property is in preparation for the potential creation of a public park. That is what the rezoning does. This is City owned property and a rezoning is not opening the door for anyone to walk in the door tomorrow and make this a large development. If any developments are proposed, there is still discussion and deliberation to be had at the Planning Commission and the City Council. For all the reasons that have been stated, this is the right amendment to protect that property and the Planning Commission appreciates everyone's opinions.

**ROLL CALL VOTE ON RECOMMENDATION OF APPROVAL MOTION FOR ZONING MAP AMENDMENT 18.693
MOVED BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:**

In the matter of Zoning Map Amendment 18.693 for City of Novi, motion to recommend approval to the City Council to rezone the subject property from B-3, General Business District to R-4, One-Family Residential District for the reason that it is generally in compliance with the Future Land Use map and the Master Plan for Land Use update and the proposed R-4 zoning is consistent with the residential zoning surrounding the subject property. *Motion carried 7-0.*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

December 11, 2009

Planning Review

The Landings Property

Planning Review

Petitioner

City-initiated Rezoning of City-owned property

Review Type

Rezoning from B-3, General Business to R-4, One-Family Residential

Property Characteristics

- Site Location: Property commonly known as "The Landings" located mostly between Old Novi Road, South Lake Drive and East Lake Drive, with a small portion east of East Lake Drive
- Site Zoning: R-4, One-Family Residential and B-3, General Business
- Adjoining Zoning: North: Walled Lake; South: B-3 and R-4; East: R-4; West R-4
- Current Site Use: Vacant open space
- Adjoining Uses: North: Walled Lake; South: restaurant, vacant retail, vacant land, single-family homes ; East: single-family homes; West: single-family homes
- School District: Walled Lake Consolidated Schools
- Subject Property Size: Approx. 13 acres

Project Summary

Birchler Arroyo Associates, acting as a consultant of the City recently completed a Land Use Study for the Property commonly known as "The Landings" located on the south side of Walled Lake near the intersections of South Lake Drive and Old Novi Road and East Lake Drive and Old Novi Road. The property is outlined in black on Figure 1. This study was presented to the City Council at a meeting held on December 7, 2009, where staff was given direction to work with the Planning Commission to consider adjusting the zoning and master plan designations of the property in preparation for the potential creation of a public park on a large portion of the site. As indicated on Figure 2, the property is currently zoned B-3,



Figure 1

General Business, and R-4, One-Family Residential. Staff is recommending the existing B-3 property be rezoned to R-4, One-Family Residential for the City-owned property only.



Figure 2

Current Status of the Master Plan

Presently, the Planning Commission has opened certain sections of the Master Plan for review and possible updates, including updates to the Future Land Use map. As part of those proposed updates, staff will be recommending adjusting the boundaries of the existing park designation for this property to reflect the recent direction from the City Council. The new recommended Future Land Use map will show most of the Landings property as a public park and the remainder for single-family uses.

Recommendation

Staff **recommends positive consideration** for the proposed Zoning Map Amendment, which would rezone the property from B-3, General Business to R-4, One-Family Residential. The rezoning request is consistent with the planned updates for the Master Plan for Land Use and recommendations of the current Master Plan, which recommends public park uses for the majority of the subject property.

The Community Development Department recommends approval of the request, for the following reasons:

- ❑ The requested zoning is generally in compliance with the existing Master Plan for Land Use.
- ❑ The requested zoning is in compliance with the planned Master Plan for Land Use update.
- ❑ Rezoning would be consistent with the existing residential zoning surrounding the subject property.

Planning Commission Options

The Planning Commission has the following options for its recommendation to City Council:

1. Recommend rezoning of the property to R-4 (**STAFF RECOMMENDATION**).
2. Deny the request, with the zoning of the property remaining B-3, General Business.
3. Recommend rezoning of the parcel to any other classification that the Planning Commission determines is appropriate. **NOTE:** This option may require the Planning Commission to hold and send notice for another public hearing with the intention of recommending rezoning to the appropriate designation. At this time, Staff has not reviewed any other alternatives.

Master Plan for Land Use

The existing Master Plan for Land Use currently designates the majority of the property for public park uses with some smaller parcels shown for single-family residential use. A rezoning of the property to R-4 would be consistent with the master plan designation as public parks are a principal permitted use in the R-4 District. Per the guidelines in the Master Plan, any property planned for a public park can revert back to single-family residential uses if public park uses are no longer anticipated. The Residential Density Map within the Master Plan shows a planned maximum density of 3.3 units/acre for the subject property, which is consistent with an R-4 zoning.

The Master Plan for Land Use is currently under review by the Master Plan and Zoning Committee. As part of the review, staff is proposing the remaining immediately adjacent City-owned parcels on the periphery of the Landings property be designated for public park uses rather than single-family residential uses with the property on the east side of East Lake Drive planned for single-family residential uses.

Existing Zoning and Land Use

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

**Land Use and Zoning
For Subject Property and Adjacent Properties**

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Site	B-3, General Business R-4, One-Family Residential	Vacant open space	Public Park, Single-Family Residential
Northern Parcels	Walled Lake		
Southern Parcels	B-3, General Business R-4, One-Family Residential	Restaurant, vacant land, vacant retail space, single- family homes	Local Commercial, Single-Family Residential
Eastern Parcels	R-4, One-Family Residential	Single-family homes	Single-family residential
Western Parcels	R-4, One-Family Residential	Single-family homes	Single-family residential

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the recommended R-4 zoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning.

Directly to the **north** of the subject property is Walled Lake. There is likely to be little to no impact to the existing lake if the property is rezoned.

Vacant retail spaces, vacant land, an existing restaurant and single-family homes are located directly **south** of the subject property. The rezoning of the property to R-4 would eliminate the possibility that the property could be utilized for a commercial development eliminating possible competition for nearby commercially-zoned parcels.

Directly to the **east** of the subject property are single-family residential homes. The single-family homes are not expected to experience any negative impacts as a result of the proposed rezoning and may benefit in terms of property value since the rezoning would indicate to potential buyers that a large commercial development is not likely to be constructed in the area eliminating traffic and other concerns incidental to commercial development in a residential area.

Directly to the **west** of the subject property are single-family residential homes. Impacts will be similar to those noted above for single-family homes to the east.

Infrastructure Concerns


Per the Engineering Division, there are no utility concerns related to the proposed rezoning. Traffic impacts are likely to decrease as the number of trips associated with a retail-type development is substantially greater than the number of trips associated with any of the uses permitted in the R-4 District.

Natural Features

The regulated wetland and woodland maps indicate that there are no regulated woodlands or wetlands on the subject property in the City's inventory at this time. Any proposed development will be required to pay careful attention to the lake shoreline and minimize any negative impacts.

Submittal Requirements

- A survey and legal description of the property will be completed.
- The rezoning signs will be placed on the property a minimum of 15 days prior to the public hearing, in accordance with the public hearing requirements for the rezoning request.



Kristen Kapelanski, ACIP, Planner
248-347-0586 or kkapelanski@cityofnovi.org

TRAFFIC REVIEW

February 3, 2010

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



BIRCHLER ARROYO
ASSOCIATES, INC.

SUBJECT: Traffic Impacts Associated with Proposed Rezoning at the Landings Property, near
13 Mile and Novi Road, ~13 acres, ZC#18.693

Dear Ms. McBeth:

Birchler Arroyo has reviewed the proposed City-initiated rezoning for the Landings property and offers the following:

Comments

1. Traffic volumes over the past 20 years have declined on both South Lake Drive and East Lake Drive due to the construction of alternative, more-desirable commuter routes in the area. Traffic volumes on Old Novi Road have decreased approximately 20 percent since 2004.

As of December 2008, it is estimated that Old Novi Road was carrying 2,200 vehicles per day. During the same period, South Lake Drive was carrying 4,000 vehicles per day, and Thirteen Mile Road was carrying 3,400 vehicles per day.
2. A rezoning traffic study is not required for this application because the proposed zoning classification, R-4, is substantially less intensive than the existing zoning classification, B-3.
3. As part of the Landings report we prepared for the City, some comparisons of potential trip generation total were provided. The following provides a general overview for residential, commercial, and park uses of the property:
 - For an R-4 zoned property, with approximately 11 acres available after taking away existing adjacent right-of-way, a site developed at 3.3 dwelling units per acre could yield 36 homes, if developed privately as residential, which would generate approximately 375 daily trips.
 - For existing B-3 zoning, assuming 20 percent lot coverage by buildings, approximately 96,000 square feet of commercial space could be built on the larger portion of the subject property, west of East Lake Drive, which would generate approximately 6,600 daily trips.
 - City and County parks have been documented to generate between 6 and 12 trips per acre on weekend days and 1.5 to 2.25 trips per acre on weekdays. Trip generation for parks is highly related to the intensity of activities—facilities and programming—on site, weather, and time of year.

If you have any questions or comments, do not hesitate to contact us.

Review of Landings Rezoning Traffic 18.693

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E.
Director of Traffic Engineering

ENGINEERING REVIEW

MEMORANDUM



TO: BRIAN COBURN, P.E.; SR. CIVIL ENGINEER
BARB MCBETH, AICP; DEPUTY DIR. COMM. DEV.

FROM: LINDON K. IVEZAJ, STAFF ENGINEER *LKI*
BEN CROY, P.E.; CIVIL ENGINEER

SUBJECT: REVIEW OF REZONING IMPACT ON PUBLIC UTILITIES
REZONING 18.693 LANDINGS PROPERTY

DATE: FEBRUARY 5, 2010

The Engineering Division has reviewed the rezoning request for the approximate 13 acre rezoning located at Thirteen Mile Road between South Lake and East Lake Drives, more commonly referred to as the Landings Property. The City is requesting to rezone all 13 acres from B-3 to R-4.

Utility Demands

A residential equivalent unit (REU) equates to the utility demand from one single family home. The current zoning for this property would yield approximately 60 REUs based on the most likely use, which for B-3 zoning would be a mix of 30% restaurant and 70% retail. Based on R-4 zoning, we estimate the demand would go down to 43 REUs. This would decrease the total demand by 17 REUs over the current zoning.

Summary

Since the total number of REUs would decrease with the proposed rezoning, there would be no negative impact on either water or sanitary sewer caused by the proposed zoning.