

CITY of NOVI CITY COUNCIL

Agenda Item 2
October 24, 2011

SUBJECT: Approval of the establishment of the Suburban Low Rise Overlay District and related regulations, including:

- A. **Zoning Ordinance Text Amendment** 18.253 to amend the City of Novi Zoning Ordinance to add Article 23B, PSLR, Planned Suburban Low-Rise Overlay District; to amend at Article 24, Schedule of Regulations, Section 2400 Height, Bulk, Density and Area by Zoning District; and to amend at Article 25, General Provisions, Section 2509 Landscape Standards: Obscuring earth berms and walls, right of way buffers, and interior and exterior landscape plantings; Section 2519 Performance Standards and Section 2520. Exterior Building Wall Façade Materials; and
- B. **Zoning Map Amendment** 18.700, initiated by the City of Novi, for rezoning 131.7 acres of property in Section 17 and Section 20, located north and south of Eleven Mile Road, east of Wixom Road and west of Beck Road, by overlaying the PSLR, Planned Suburban Low-Rise Overlay District on properties in the R-1, One-Family Residential; R-3, One-Family Residential; RA, Residential Acreage; RM-1, Low Density, Low-Rise Multiple-Family Residential; and I-2, General Industrial Districts. **SECOND READING**

SUBMITTING DEPARTMENT: Community Development Department - Planning

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

Attached are a proposed Zoning Ordinance text amendment and Zoning Map Amendment that the Community Development Department has proposed in order to fulfill the Master Plan for Land Use's implementation strategy to create a Planned Suburban Low-Rise (PSLR) form-based zoning district.

The Master Plan describes the Suburban Low-Rise use area as an area that will maintain the characteristics of a low-rise single-family residential area, while providing a transition between adjacent one-family dwellings and higher-intensity uses. The master-planned area designated for planned suburban low-rise uses is located near Eleven Mile Road between Wixom and Beck Roads. Please see the attached maps for the location of the described properties.

City Council approval of First Reading on October 17th

The City Council approved the First Reading of the Zoning Ordinance Text Amendment and Zoning Map Amendment on October 17th, with further direction to staff to provide additional information for the City Council to consider at the Second Reading. Among the requested information were the following three topics:

1. Infrastructure,
2. Possible reduction in allowed density for traditional multiple family units, and

3. Appropriate boundaries of the proposed rezoning, and review of parcels identified as eligible for the overlay uses.

Each topic will be addressed below.

Infrastructure - Utilities

As reported in the Engineering Division's September 29th review letter and the possible impacts of the proposed Suburban Low Rise on public utilities, both the water main and sanitary sewer facilities have capacity to support the proposed changes brought about by the higher intensity uses within the proposed zoning overlay. The review letter further notes, as with **any** proposed increase in intensity of development within the City, an additional burden could be placed on the City's daily sewer flow that may necessitate the need to negotiate or acquire additional sewer capacity before build-out. However, if there were somehow additional piping or capacity necessary, it is the capital connection charges, potentially special assessment charges, and developers' paying for and donating utilities internal to a development that have built our water and sewer systems. Further information on a specific would be required to determine if any additional system upgrades are required to the local sanitary network to accommodate the increased sanitary sewer flow.

Infrastructure - Traffic

The Traffic Engineer's review letter dated September 20, 2011 indicates that overall trip generation impacts proposed under the ordinance as drafted, is somewhat *less* than what had been expected for the study area when first reviewed as a part of the transportation analysis prepared for the Master Plan for Land Use Review in 2009 (see attached). The proposed overlay area will not likely require a need for widening Wixom Road north of 11 Mile in the foreseeable future, and the stretch of 11 Mile Road between Beck and Wixom's roads will not need to be widened due to the effects of the new overlay district. Further, the Traffic Engineer has noted that generally prohibiting direct-access drives along the section line roads (as proposed in the ordinance) should result in the addition of only a minimal number of warranted left- and right-turn lanes.

For Beck Road, both Birchler Arroyo's 2009 transportation analysis and September 20, 2011 review of the ordinance as currently proposed, conclude that full development in the area – under any density heretofore considered – would warrant the planned widening of Beck Road to two travel lanes in each direction. In fact, this planned widening of Beck Road has been considered a likely eventuality in other studies done for the City, and may be more impacted by regional traffic considerations than individual site developments. On discussion with Rod Arroyo, reduction of the residential density from what is proposed in the ordinance as drafted is not likely to change the conclusions of the previous review letters for any necessary transportation impacts or trip generation numbers.

It should also be noted that multiple-family development generates fewer total daily trips than most types of office developments. For example, multiple family development of 7.3 dwelling units per acre would likely generate one-half the number

daily vehicle trips as an office development at 7,000 square feet per acre, and one-third the number of vehicle trips of the same size medical office.

Multiple-family density

As drafted for the first reading, the overlay ordinance allowed a multiple family residential density of up to 7.3 dwelling units/acre (consistent with the RM-1, Low-Rise, Low-Density Multiple Family Residential). This density is also consistent with the maximum theoretical density provided in the 2010 Master Plan for Land Use.

One issue raised before the City Council meeting was that the proposed ordinance allowed 7.3 units per gross acre, while other residential districts typically allow a certain number of units per net acre. Net acreage typically excludes regulated wetlands greater than 2 acres. The gross acreage provision was included in the text to allow a little greater flexibility in terms of the maximum allowed density, somewhat similar to the RUD ordinance which allows an increase in density for preservation of environmental features. Planning Staff has noted, with the other provisions in the proposed overlay ordinance requiring a greater setback, more open space requirements and height limitations of 2.5 stories, the greater density that may be achieved on sites with wetlands would be mitigated or reduced by these other, stricter requirements in the overlay district. If the intent is to reduce or standardize the density calculations across zoning districts, **one option the City Council may wish to consider, and that staff recommends for the second reading, is to modify the draft ordinance to reduce the overall density to provide for a maximum of units per net acre instead of gross acre.** The net term would also reduce the overall density of any multiple-family areas.

As a comparison of existing RM-1 Low-Rise, Low-Density multiple family residential developments in Novi, the following information is provided.

Name of Development	Number of units	Total acres	Total acres less wetlands	DU/ gross acre	DU/ net acre
Carlton Forest	180	33	27.6	5.4	6.5
Central Park	262	43.6	36.2	6.0	7.2
Lennox Park (consent agreement)	192	62.5	47.5	3.1	4.0
Meadowbrook Commons (zoned RM-2)	101	18.6	18.6	5.4	5.4
Stonehenge	296	34.5	34.5	8.5	8.5
Total/Average	1031 (total)	192.2 (total)	164.4 (total)	5.7 DU/gross acre (average)	6.3 DU/net acre (average)

As noted in the chart above, many times the maximum theoretical density of developments in the RM-1 District, is not reached. This can be because of the natural

features on the site, the shape or configuration of the property or buildings, or because of other ordinance standards. Actual density below the theoretical density is also likely to be the case for properties developed with multiple family uses in the overlay area.

As proposed in the amended text amendment, overall density may be reduced to a standard that the City Council is more comfortable with, based on the above review of current developments in Novi. Staff suggests that a development like Carlton Forest provides a reasonable example of multiple-family developments consistent with the RM-1 standards and would fit with this identified transitional zoning area. The Planning Staff had originally recommended the 7.3 dwelling unit per acre density to allow more development flexibility for multiple family developments choosing to use the overlay district. **Ordinance language is now amended to an actual maximum density of 6.5 dwelling units / net acre (consistent with the Carlton Forest development).**

As mentioned at the City Council meeting there is an area of natural features on the property that is the subject of the rezoning. Removing the regulated wetlands from the total 131.7 acres of land subject to the rezoning would reduce the development opportunity for multiple family uses, office uses, or other uses that have been identified for potential development such as senior housing, convalescent care or assisted living facilities. It is estimated that the regulated wetland area in the 131.7 acres amounts to approximately 30 acres, or 23 percent of the total area. An additional 8 acres is located in regulated floodplain and an additional 1 acre is located in a conservation easement. Both areas are unlikely to be developed.

One option staff considered following the City Council's discussion was to exclude the multiple family residential from the proposed permitted uses in the overlay district. Staff is not in support of completely removing multiple family residential from the district, since part of the intent of this area was to provide a vibrant mixed-use district that includes housing options for a seniors as well as young families who may want to live near schools, parks and other homes, as well as being close to the employment opportunities at Providence Park and other commercial establishments along Grand River Avenue.

Medilodge

The Medilodge development approved for the north side of 11 Mile Road, between Beck and Wixom Roads was a point of discussion at the First Reading. Staff notes that this development is a convalescent home, and the density is not reviewed in the same manner as multiple family homes. The density of Convalescent Homes is usually defined by the number of beds. Medilodge consists of 120 beds on 14 net acres, amounting to 8.6 beds/acre. The building is proposed to be 78,500 square feet, or about 5,607 square feet of building area per acre. Planning staff notes that there may be an additional 2-3 acres of developable land remaining on the Medilodge site, but no additional development planned at this time. As approved, Medilodge would fit with the purpose and intent of the proposed overlay ordinance in terms of use and development potential, and achieves most of the form-based standards of the proposed district.

Boundaries of the Proposed Rezoning

A question of appropriate future uses for the Bosco family property at the southwest corner of Beck Road and Eleven Mile Road was discussed at the First Reading. Staff had proposed that allowing this property the opportunity to seek the overlay uses and be included in the rezoning request at this time is appropriate for a number of reasons:

- The property is within the area identified on the 2010 Master Plan for Land Use Future Land Use Map for Suburban Low Rise Uses,
- The standards provided in the proposed overlay district would assist in insuring that future development would be compatible with neighboring single family uses because the District's "form-based" standards will require developments to be of a moderate scale and single-family residential in character;
- Adequate infrastructure exists or is already planned to support the uses permitted in the PSLR District for this property, as well as the other properties under consideration; and
- This property is located adjacent to school property (anticipated to be developed for educational uses), and a section line road, which provides additional buffer and separation from one-family residential areas.

One alternative, if the City Council wishes to reduce the overall residential density in the district to limit the potential impacts of multiple-family residential throughout this district, the reduced maximum residential density as proposed by staff could resolve any question of this parcel being developed with multiple family density that is not in keeping with the City Council's expectations. As another alternative, City Council could remove the Bosco family parcel from the rezoning map amendment at this time, or any other parcel that was proposed as a part of the map amendment. At a future time, when redevelopment is considered, an applicant could seek rezoning to the overlay district or another zoning district. Staff believes that any of these options could be done at Second Reading.

Options

Three options are offered for consideration:

1. **Approval** of the proposed zoning ordinance text and zoning map amendment as provided in the first reading as recommended by staff and the Planning Commission for the reasons provided below.
2. **Approval** of modifications to the initial proposal, as follows (**STAFF RECOMMENDATION**):
 - a. Approval of the attached amended zoning ordinance text, (which is the same as presented for First Reading), with the following modifications:
 - i. Multiple family residential will be allowed only to the maximum actual density of 6.5 units/net acre.
 - ii. The applicant will be required to submit information sufficient for Engineering review of utility capacity of the request at the time of Concept Plan review. Amendments are proposed to include estimated sanitary sewer and water on a conceptual utility plan, in addition to the requirements for conceptual building size and use.

- b. Alternate Option for the City Council's consideration: Approval of the proposed Zoning Map amendment with certain parcels removed at this time (i.e. Bosco family property, parcel 22-20-200-012, located near the southwest corner of Beck Road and 11 Mile Road). Further consideration of rezoning to allow Overlay uses on this property could be petitioned by the property owner in the future.
3. **Refer** the text amendment and zoning map amendment to the Planning Commission for reconsideration and rework of the concepts with possible return of this matter to the City Council with amendments following another public hearing.

Planning Commission Recommendations

The Planning Commission held the required public hearing and **recommended approval** of the Zoning Ordinance text amendments on October 5, 2011. At a public hearing on October 5, 2011, the Planning Commission reviewed and **recommended approval** to the City Council to adopt a Zoning Map amendment establishing boundaries of the PSLR Overlay District, as recommended in the staff report.

City Council **approved** the first reading of both amendments on October 17, 2011, with a number of comments for further consideration at the Second Reading.

RECOMMENDED ACTION:

Approval of the establishment of the Suburban Low Rise Overlay District and related regulations, including the following **two** items:

- A. Approval of **SECOND READING** of **Zoning Ordinance Text Amendment 18.253** to amend the City of Novi Zoning Ordinance to add Article 23B, PSLR, Planned Suburban Low-Rise Overlay District, and other Sections as noted, **as amended and recommended by staff based on the City Council's comments from the First Reading:**
 1. **Multiple family residential will be allowed only to the maximum actual density of 6.5 units/net acre.**
 2. **The applicant will be required to submit information sufficient for Engineering review of utility capacity of the request at the time of Concept Plan review. This information would include uses anticipated, number of residential units, total square footage, and storm water features.**

This motion is made for the reasons provided in the report and as provided below:

- These amendments will fulfill the Master Plan for Land Use's implementation strategy to create a Planned Suburban Low-Rise form-based zoning district.
- The new Overlay District would permit an expanded set of moderate-intensity development opportunities that could benefit the City as a whole while protecting the property values of the neighboring detached single-family home neighborhoods by limiting the scale and maintaining a residential character to any new development.
- Moderate-scale and intensity development could increase City tax revenues beyond that which would occur if the properties were developed as currently zoned for detached single-family and general industrial uses.

- Moderate-density residential development could also increase the demand for retail, office and industrial floor space in the City and increase housing options that could help attract more young families and seniors to the City.
- B. Approval of **SECOND READING** of **Zoning Map Amendment** 18.700, initiated by the City of Novi, for rezoning property in Section 17 and Section 20, located north and south of Eleven Mile Road, east of Wixom Road and west of Beck Road, by overlaying the PSLR, Planned Suburban Low-Rise Overlay District on properties in the R-1, One-Family Residential; R-3, One-Family Residential; RA, Residential Acreage; RM-1, Low Density, Low-Rise Multiple-Family Residential; and I-2, General Industrial Districts. Rezoning is recommended for the following reasons:
- The proposal is consistent with the 2010 Master Plan for Land Use Future Land Use Map and land use goals;
 - The PSLR Overlay District's set of moderate-intensity permitted uses will be compatible with neighboring single family uses because the District's "form-based" standards will require developments be of a moderate scale and single family residential character;
 - Adequate infrastructure exists or is planned to support the uses permitted in the PSLR Overlay district;
 - The permitted moderate-density residential development could increase the demand for retail, office and industrial floor space in the City and provide additional housing options that could help attract more young families and seniors to the City; and
 - This proposed district is located where the natural and built environment provides defined borders to provide additional buffer and separation from one-family residential area.

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

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

MAPS

Location

Future Land Use

Zoning

**Natural Features (Flood Plains, Regulated Woodlands and
Wetlands)**



Rezoning 18.700 Planned Suburban Low-Rise Overlay District

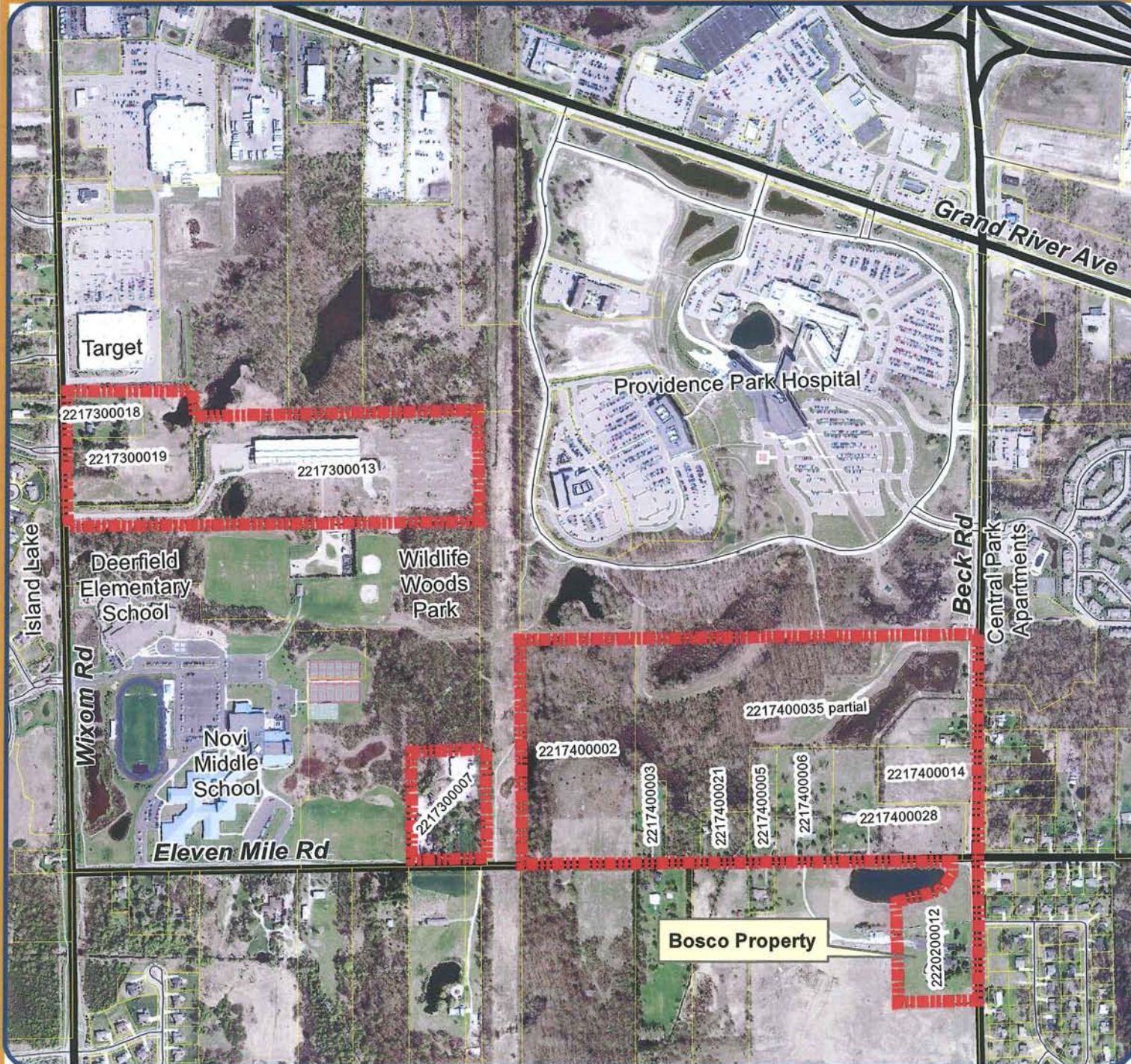
Location Map and Air Photography



Map Legend

Tax Parcels

-  Tax Parcels
-  Proposed PSLR Overlay
-  Section Line/Major Roads
-  Local Roads



City of Novi

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 Community Development Dept.
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 Novi, MI 48375
cityofnovi.org

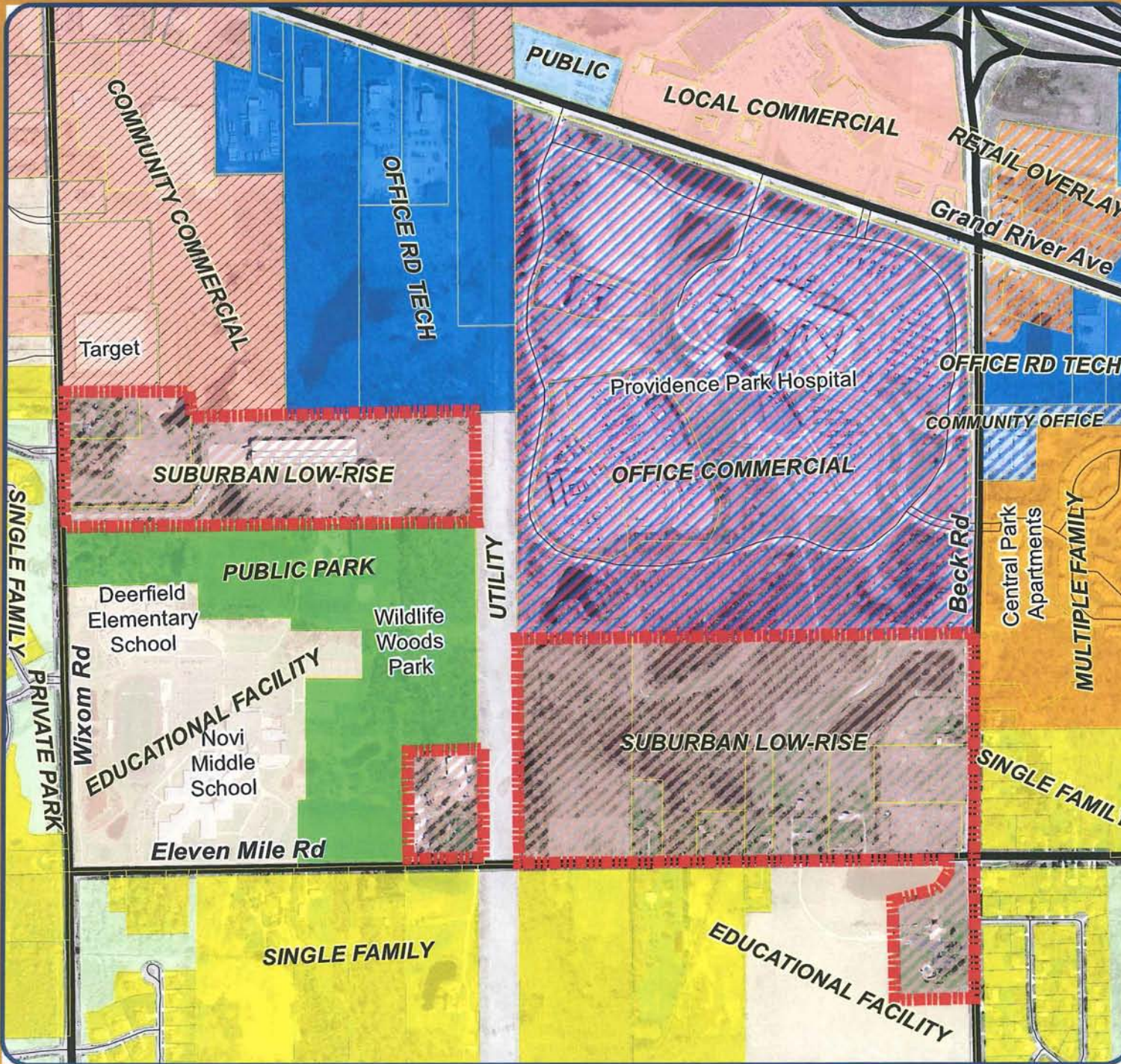
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 Date: 10/19/11
 Project: Rezoning 18.700 PSLR Overlay location
 Version #: 1.2

MAP INTERPRETATION NOTICE

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Rezoning 18.700 Planned Suburban Low-Rise Overlay District

Future Land Use Map



Map Legend

Tax Parcels

- Tax Parcels
- Proposed PSLR Overlay
- Section Line/Major Roads
- Local Roads

FUTURE LAND USE CLASSIFICATION

- SINGLE FAMILY
- MULTIPLE FAMILY
- SUBURBAN LOW-RISE
- COMMUNITY OFFICE
- OFFICE RESEARCH DEVELOPMENT TECHNOLOGY
- OFFICE COMMERCIAL
- OFFICE RD TECH w/RETAIL OVERLAY
- LOCAL COMMERCIAL
- COMMUNITY COMMERCIAL
- EDUCATIONAL FACILITY
- PUBLIC
- PUBLIC PARK
- PRIVATE PARK
- UTILITY



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Map Author: Mark Spencer
Date: 9/27/11
Project: Rezoning 18.700 PSLR Overlay FLU #: 1.0

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Rezoning 18.700 Planned Suburban Low-Rise Overlay District

Zoning Map



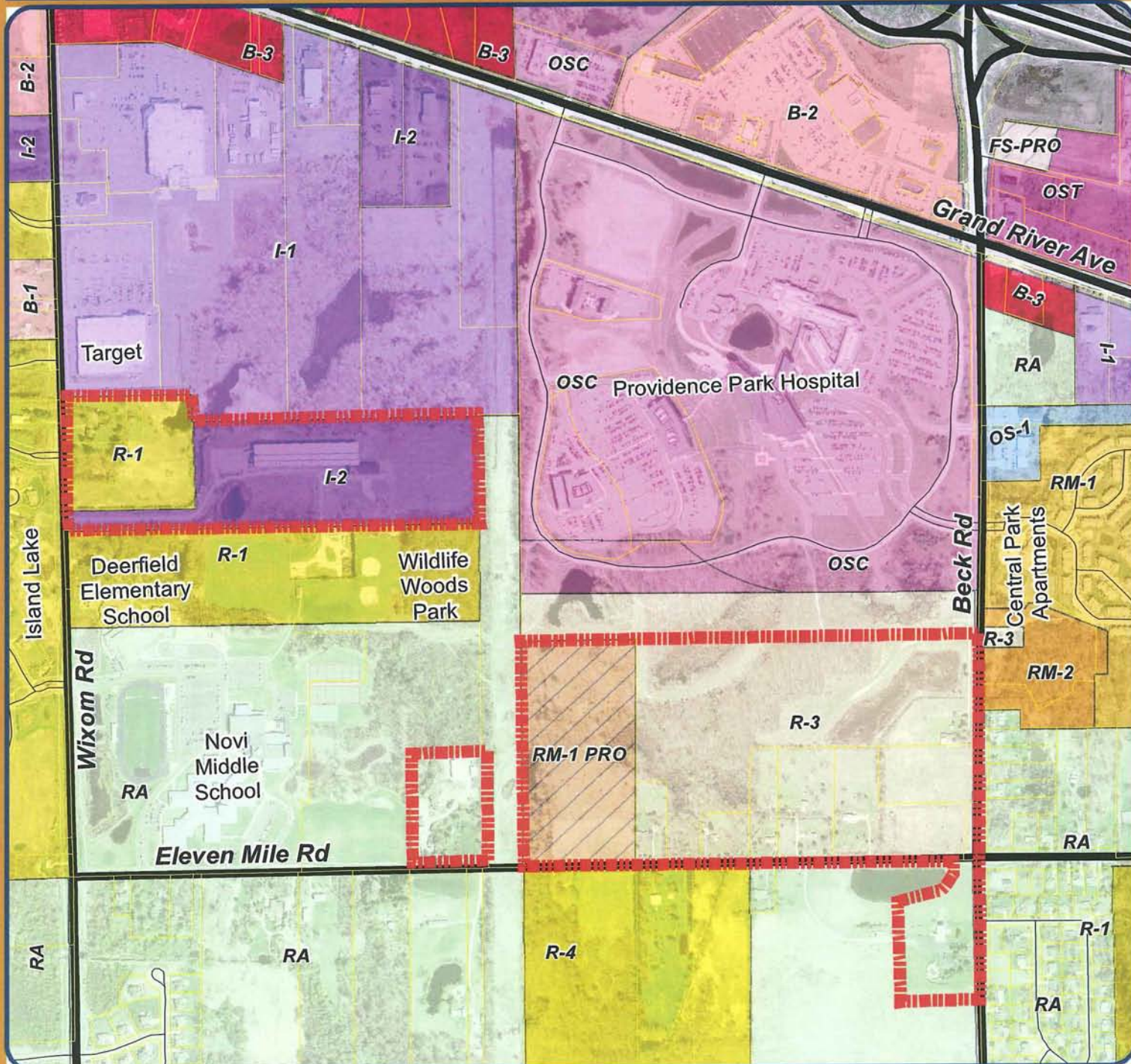
Map Legend

Tax Parcels

- Tax Parcels
- Proposed PSLR Overlay
- Section Line/Major Roads
- Local Roads

Zoning

- R-A: Residential Acreage
- R-1: One-Family Residential District
- R-1 PRO: R-1 With Planned Rezone Overlay (PRO)
- R-2: One-Family Residential District
- R-3: One-Family Residential District
- R-4: One-Family Residential District
- RT PRO: Two-Family Residential District With PRO
- RM-1: Low-Density Multiple Family
- RM-1 PRO
- RM-2: High-Density Multiple Family
- B-1: Local Business District
- B-2: Community Business District
- B-3: General Business District
- FS-PRO
- I-1: Light Industrial District
- I-2: General Industrial District
- OS-1: Office Service District
- OSC: Office Service Commercial
- OST: Office Service Technology



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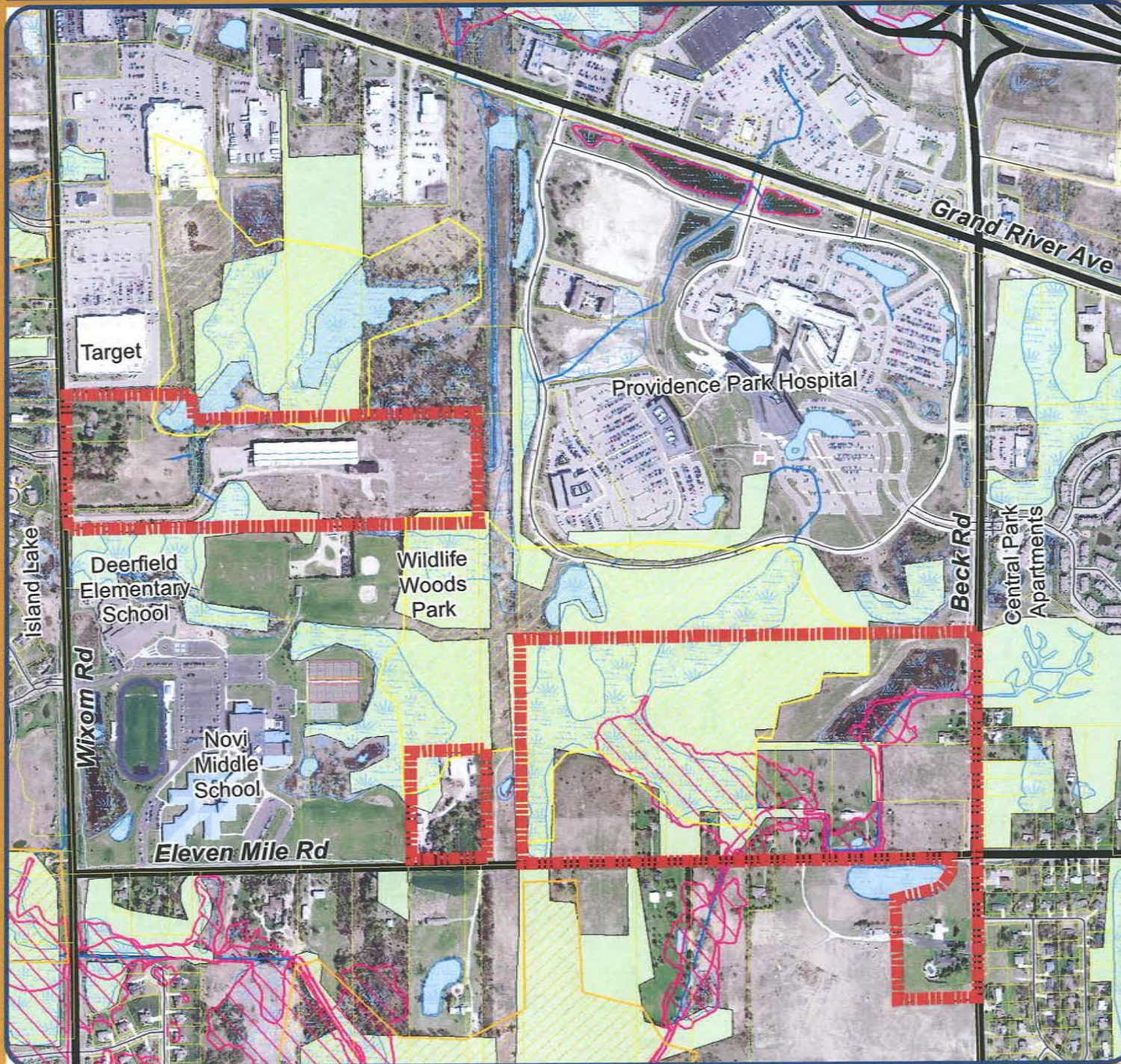
Map Author: Mark Spencer
 Date: 9/27/11
 Project: Rezoning 18.700 PSLR Overlay zoning V 1.2

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Rezoning 18.700 Planned Suburban Low-Rise Overlay District

Natural Features and Flood Plain Map



Map Legend

Tax Parcels

- Tax Parcels
- Proposed PSLR Overlay
- Section Line/Major Roads
- Local Roads

Habitat Priority Areas

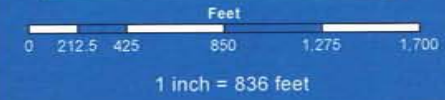
RANK

- High
- Medium
- Low

FIRM Flood Hazard Areas

Flood Zones

- 1.0% Chance Flood Zone A
- 1.0% Chance Flood Zone AE
- Wetlands
- Woodlands
- Lake or Pond
- Waterways



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Map Author: Mark Spencer
 Date: 9/14/11
 Project: Rezoning 18.700 PSLR Overlay Nat Version #: 1.0

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**Proposed Planned Suburban Low-Rise Overlay District
Strike-Through Version**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

ORDINANCE NO. 11- 18 – 253

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ADDING ARTICLE 23B, PSLR, PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT; TO AMEND ARTICLE 24, SCHEDULE OF REGULATIONS, SECTION 2400 HEIGHT, BULK, DENSITY AND AREA BY ZONING DISTRICT, TO ADD REQUIREMENTS FOR THE PSLR OVERLAY DISTRICT AND TO AMEND ARTICLE 25 GENERAL PROVISIONS SECTION 2509 LANDSCAPING STANDARDS, SECTION 2519 PERFORMANCE STANDARDS AND SECTION 2520 EXTERIOR BUILDING WALL FAÇADE MATERIALS TO ADD REQUIREMENTS FOR THE PSLR OVERLAY DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I. That Article 23B, PSLR, Planned Suburban Low-Rise Overlay District is added to read as follows:

ARTICLE 23B. PSLR, PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT

Section. 2300B. Intent

The intent of the PSLR, Planned Suburban Low-Rise Overlay District, is to promote the development of high-quality uses, such as low-density multiple family residential, office, quasi-public, civic, educational, and public recreation facilities that can serve as transitional areas between lower-intensity detached one-family residential and higher-intensity office and retail uses while protecting the character of neighboring areas by encouraging high-quality development with single-family residential design features that will promote a residential character to the streetscape. Uses not contemplated in the district include personal services, retail sales (except as an ancillary use to a photography, art or craft studio located in a live-work unit), restaurants, hotels, motels, repair shops, private recreation and fitness facilities, theaters, drive-through facilities, financial institutions and private clubs.

Section. 2301B. Definitions

The following definitions shall apply in the interpretation of this Article.

PLANNED SUBURBAN LOW-RISE (PSLR) OVERLAY DISTRICT CONCEPT PLAN

A plan prepared by a licensed professional, for development of the property that is described in the PSLR Overlay Development Agreement Application that shows the location of natural features, existing improvements and proposed infrastructure and may show the general location of buildings, structures, other improvements, phasing and ordinance deviations on, and in some cases adjacent to, the property in the Petition, to be used as the guiding or general plan for the development of the area described in the PSLR Overlay Development Agreement. The PSLR Concept Plan shall be made a part of the PSLR Overlay Development Agreement.

PLANNED SUBURBAN LOW-RISE (PSLR) OVERLAY DISTRICT DEVELOPMENT AGREEMENT
An agreement between the City and the property owner(s) of the land depicted in the PSLR Overlay Development Agreement Application that incorporates the PSLR Overlay District Concept Plan and specifies the terms and provisions upon which City Council approval is based and the uses that will be contemplated.

Section 2302B. Principal Uses Permitted

In areas identified on the zoning map for PSLR, Planned Suburban Low-Rise Overlay, all Principal Uses Permitted and Principal Uses Permitted Subject to Special Conditions in the underlying zoning district shall continue to be permitted as regulated in the underlying zoning district.

Section 2303B. Additional Overlay Uses Permitted Subject to Required Conditions

The following additional uses shall be permitted in areas identified on the zoning map for PSLR, Planned Suburban Low-Rise Overlay, subject to the conditions, restrictions and requirements listed in Sections 2304B, 2305B, 2306B:

1. Low-rise multiple-family residential uses, up to a maximum of ~~7.3~~ 6.5 dwelling units per gross-net acre, excluding existing road rights-of-way.
2. Independent and congregate elderly living facilities, as defined by Section 201.
3. Assisted living facilities, convalescent homes, and hospice care facilities.
4. Live/work units – Dwelling units providing for living and working areas, subject to the following restrictions:
 - a. Units must contain at least one bedroom, one bathroom, and kitchen facilities;
 - b. Minimum floor area per live/work unit shall be seven hundred fifty (750) square feet.
 - c. In addition to residential uses the following uses shall be permitted:
 - i. Photography, art, craft, music and similar studios.
 - ii. Professional offices of architects, engineers, lawyers, accountants of other similar professionals.
 - d. Employees shall be limited to residents of the live/work unit and up to two (2) additional employees.
 - e. Maximum 7.3 dwelling units per gross acre excluding existing road rights-of-way.
5. Day care centers and adult day care centers, subject to the standards provided in Section 1102.4 except that the vehicle access, setback and façade requirements shall not apply.
6. General office uses for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting or sales.
7. Medical offices, including laboratories and clinics.
8. Religious centers and other places of worship, along with rectories, parsonages, schools, recreation facilities and other uses customarily accessory to the place of worship.
9. Public, parochial and private elementary, intermediate or secondary schools, offering courses in general education, colleges, universities, business training schools, and trade schools
10. Publicly owned and operated parks, parkways and recreation facilities.

11. Non-profit community buildings and cultural facilities established primarily to provide services to the community, such as, but not limited to, museums, senior centers, performing arts centers, indoor recreation centers.
12. Mixed-use buildings with two (2) or more of the above permitted uses.
13. Uses similar to those listed above, as determined by the City Council.
14. Accessory buildings, structures and uses customarily incidental to the above uses, subject to the following:
 - a. Accessory buildings and structures shall be located in the rear yard or interior side yard.
 - b. Accessory buildings shall be constructed of the same materials as the principal building(s), and shall not exceed 25% of the floor space of the principal building.

Section 2304B. General Overlay Use Requirements

The Planned Suburban Low-Rise (PSLR) Overlay District uses listed in Section 2303B shall only be permitted on land subject to an approved PSLR Overlay Development Agreement between the City of Novi and the property owner(s). The City Council, following a public hearing held by the Planning Commission and in receipt of a recommendation from the Planning Commission, may approve a PSLR Overlay Development Agreement together with a PSLR Overlay Concept Plan setting forth the uses and improvements authorized and the terms and conditions upon which they are authorized.

An Applicant, in seeking approval of a PSLR Overlay Development Agreement, shall submit to the City an Application with a proposed PSLR Overlay Concept Plan. The following items shall be included with the Application.

1. A PSLR Overlay Concept Plan, prepared by a professional engineer, landscape architect or architect registered in the State of Michigan, that includes the following minimum components:
 - a. Legal description and a graphical depiction of the dimensions;
 - b. Existing zoning of the property and all adjacent properties;
 - c. Location of existing flood plains, lakes, waterways and wetlands and a conceptual plan depicting the proposed impact upon these features and any proposed mitigation of such impacts;
 - d. Location of City of Novi regulated woodlands as well as a conceptual plan depicting the proposed impact upon regulated woodlands and proposed mitigation (if any);
 - e. Existing and proposed rights-of-way and pavement width of all adjoining and internal roads, and a layout of all proposed roads and drives including acceleration, deceleration, and passing lanes;
 - f. Bicycle and pedestrian facilities plan;
 - g. Conceptual storm water management plan;
 - h. Conceptual utility plan including estimated sanitary sewer and water demand;
 - i. Building, parking and wetland setback requirements;
 - j. Conceptual building size, use, type, footprint and location plan;
 - k. Conceptual open space/recreation plan;

l. Conceptual streetscape and landscaping plan;

and may contain the following optional components (when applicable):

- m. Parking plan;
 - n. Building size, use, type, footprint and location details;
 - o. Residential density calculations, number and types of units;
 - p. Detailed open space/recreation plan;
 - q. Detailed streetscape and landscaping plan;
 - r. Graphic depiction of each deviation from the applicable ordinance regulations which will be sought to be approved; and
 - s. Phasing plan.
2. A Community Impact Statement when the petition area is ten (10) acres or larger.
3. A Traffic Impact Study as required by the City of Novi Site Plan and Development Manual.
4. Proposed ordinance deviations with supporting narrative(s).

As part of the approval of a PSLR Overlay Concept Plan and PSLR Overlay Development Agreement, departures from compliance with the standards in this Article and other articles of the Zoning Ordinance may be authorized on the condition that there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District. Any deviations from the requirements of Section 2305B shall require the Applicant to provide substitute safeguards for each regulation for which there is noncompliance, in whole or in part, in the PSLR Overlay Concept Plan.

Section. 2305B. Required PSLR Overlay Use Standards/Conditions for uses permitted subject to special conditions.

The following standards and requirements shall apply to all uses permitted in Section 2303B in the PSLR Overlay District and shall be incorporated into all PSLR Overlay Concept Plans and Site Plans:

- 1. Site Standards.
 - a. Buildings shall front either on a dedicated non-section line public street or an approved private drive. An approved private drive is defined as a non-dedicated street constructed in accordance with the City of Novi Design and Construction Standards for private roads or streets and in accordance with specifications for site plan approval as referred to in this Ordinance.
 - b. Buildings shall meet the following setback requirements:
 - Front yard or exterior side yard adjacent to roads and drives (other than planned or existing section line road rights-of-way) - minimum of thirty (30) feet and a maximum of seventy-five (75) feet.
 - Exterior side yard adjacent to planned or existing section line road right-of-way – minimum of 50 feet.
 - Other interior side and rear yards – minimum of 30 feet.

- Other buildings – minimum of thirty (30) feet. Corner-to-corner relationships shall be a minimum of fifteen (15) feet.
- c. All buildings, parking lots and loading areas shall be separated from all existing or planned section line road rights-of-way as defined in Chapter 11 - Design and Construction Standards by a fifty (50) foot wide landscape buffer containing an undulating, three (3) to five (5) foot tall landscaped berm. Such berm(s) and plantings shall be as provided in the landscaping standards of Section 2509.3.
- d. Parking spaces for all uses in the District, except for townhouse style multiple-family dwellings that provide private garages for each dwelling unit, shall meet the following requirements:
- Off-street parking shall be located only in the rear yard or interior side yard.
 - Off-street parking shall be screened from the view from adjacent streets by a three (3) to five (5) foot undulating landscape berm as provided in the landscaping standards of Section 2509.3.
 - Parking spaces and access aisles shall be a minimum of fifteen (15) feet from all buildings, except as provided in residential driveways.
 - Parking lots and access aisles shall meet the following setback requirements:
 - Front yard parking is not permitted, except that parking spaces for townhouse developments shall be permitted in the front yard setback when the parking area is also a driveway access to a parking garage contained within the unit.
 - Exterior side yard adjacent to a section line road – minimum of 50 feet.
 - Exterior side yard adjacent to a local street – minimum of 30 feet.
 - Interior side yards adjacent to single family residential districts – minimum of 30 feet.
 - Interior side yards not adjacent to a single family residential district – minimum of 15 feet.
- e. Multiple-family residential developments shall provide open space recreation areas that meet the following requirements:
- Each dwelling unit shall have a minimum of two-hundred (200) square feet of private open space adjacent to and accessible directly from the dwelling unit. This open space may include covered porches, patios and balconies.
 - All residential developments shall provide common open space areas, enhanced with play structures, furniture, and landscaping as central to the project as possible.
 - Active recreation areas shall be provided in all residential developments, with at least fifty percent of the open space area provided to be designed for active recreation.
 - Active recreation area shall consist of a minimum of ten percent (10%) of the site area.
- f. All uses involving the receipt and of goods or services shall have a truck loading and unloading area and comply with Section 2507.2.
- g. Off-street parking shall be provided as required in Section 2505 and Section 2506 of this Ordinance.

h. The maximum overall horizontal length of any one building or group of buildings attached together over any portion of a common party wall, or other architectural feature which attaches buildings together, shall not exceed one hundred eighty (180) feet. The overall horizontal length requirement may be modified by the City Council if the following conditions are met:

- The building includes common areas with a minimum capacity of fifty (50) persons for recreation, dining or social activities; and
- The building is setback an additional one (1) foot for every three (3) feet of building length in excess of 180 feet from all property lines abutting a residential district. In no case shall the building length exceed three hundred and sixty (360) feet.

i. Landscaping throughout the site shall be provided as set forth and regulated in Section 2509 of this Ordinance. All sites shall include streetscape amenities such as but not limited to benches, pedestrian plazas, etc.

j. Outdoor lighting of parking lots, access drives, and pedestrian and bicycle facilities, shall meet the requirements of Section 2511 and the following additional special conditions:

- i. The height of light fixtures shall not exceed twenty (20) feet.
- ii. All fixtures shall have a cut-off angle of ninety (90) degrees or less.
- iii. No direct light source shall be visible at any property line abutting a section line road right-of-way at ground level.
- iv. Maximum illumination at the property line shall not exceed one-half (½) foot-candle.

2. Circulation Standards.

All uses that include the construction of a new building shall be designed, to the extent possible, with full time access drives connected only to non-section line roads. Emergency access routes normally closed with an emergency access gate may be connected to section line roads when no other practical location is available:

a. New public or private local streets shall be designed to provide public access connections to neighboring properties at location(s) acceptable to the City and the neighboring property owners.

b. New streets shall include public pedestrian and bicycle facilities, as follows:

- i. All new streets shall be designed as bicycle/pedestrian focused corridors as outlined in the City of Novi Non-Motorized Master Plan and include design features that will result in motorists driving at speeds typically found on non-arterial residential streets.
- ii. All buildings and active recreation open space areas shall be connected to the City's existing or planned bicycle and pedestrian facilities.
- iii. Where existing non-motorized facilities do not exist on adjacent neighboring properties, facilities shall be stubbed to the property line.

3. Building Design Standards

All buildings shall meet the following requirements:

- a. Maximum building height shall be thirty-five feet or two and one-half (2 ½) stories.
- b. All buildings shall be constructed with a "single-family residential character" and include the following design features, unless the Planning Commission, upon recommendation from the City's façade review consultant, determines that the feature(s) does not add to the residential character of the building:

Building Footprint/Shape

Buildings shall include façade variations with shifts in the plane of walls, set backs, step-backs, reveals, overhangs, and details in order to create variations in a building's façade and shall include the following footprint features:

- Offsets in the façade plane shall be provided at least every fifty (50) feet, with a minimum offset of four (4) feet.
- All front and rear building elevations shall have ground floor pedestrian entrance doors spaced no more than every sixty (60) feet.
- All pedestrian entrance doors shall be recessed from the building plane by at least four (4) feet or shall be located under a covered porch that has a minimum width of at least six (6) feet and a depth of at least four (4) feet.

Roofs

All building roofs shall meet the following requirements:

- Roofs shall be designed with gable and/or hip roof lines. Attached accessory structures for utility boxes and HVAC or with a similar function may be of an alternative roof design provided it is less than ten percent (10%) of the total roof area as viewed in each elevation of the façade plan.
- Roof designs shall include multiple dormers and/or gable roof features to limit the amount of roofing material visible on any façade elevation to a maximum of seventy percent (70%) of any elevation above the eave or gutter line of the roof.
- Roof designs shall include a minimum of a one (1) foot roof overhang, be designed with gutters and downspouts to prevent sheet flow of water from the roof, and have a minimum roof pitch of 6:12.
- All roofs shall be of a shingle or tile design and of fiberglass, asphalt, wood, slate, ceramic tiles, or metal.
- Notwithstanding the above, solar collectors may replace any portion of a roof.

Windows

- All windows shall be of a multiple pane or divided light design. The maximum pane or undivided light size shall not exceed six (6) square feet.
- Windows shall not exceed fifteen (15) feet in width and shall be separated from another window by at least two (2) feet.

- Windows shall be framed with window trim such as shutters or decorative moldings.

Façade Materials

All building façades shall be include a variety of siding textures and colors, and be of materials typically found on single-family residential homes in Novi and shall not exceed the maximum allowable percentages as listed for Façade Region 1 in Section 2520, except that there shall be no use of flat metal panels, standing seam metal, spandrel glass, display glass, EIFS, granite, marble or 'C' brick.

The City Council may permit building designs that do not meet the above requirements if it makes a finding, following recommendation from the City's consulting architect, that the proposed façade meets the intent of this section and has a "single-family residential character" and is in general compliance with the approved PSLR Overlay Development Agreement and PSLR Overlay Concept Plan.

Section 2306B. PSLR Development Agreement Application Review and Approval.

PSLR Development Agreement Applications are subject to review and approval as provided in this Section.

1. Pre-Application Conference. Prior to submittal of a PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, the Applicant shall apply for and attend a Pre-Application Conference with the Planning Division, and other appropriate officials deemed necessary by the Planning Division. Prior to the meeting, the Applicant shall provide to the Planning Division a brief narrative of how the development meets or exceeds the standards of this ordinance.
2. Planning Commission Review. After the Pre-Application Conference and upon receipt of PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan submittal, the Application shall be referred to the Planning Commission. The Planning Commission shall hold a public hearing and provide its report and recommendation to the City Council with regard to the PSLR Overlay Development Agreement Application and the PSLR Overlay Concept Plan. In making its recommendation to the City Council, the Planning Commission shall evaluate the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan for eligibility and compliance with the above requirements, conditions and requirements and with the following:
 - a. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community.
 - b. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon

the subject property, surrounding land, nearby property owners and occupants, or the natural environment.

c. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties.

d. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of this Article.

3. City Council Review. The City Council, after review of the Planning Commission's recommendation, consideration of the input received at the public hearing, and review of other information relative to the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, may take one of two actions:

a. Indicate its tentative approval of the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, and direct the City Administration and City Attorney to cause to be prepared, for review and approval by the City Council, a PSLR Overlay Development Agreement; or

b. Deny the proposed PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan.

If the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan are denied, the City Council shall make findings with regard to the standards set forth in this Article.

If tentative approval is offered, following preparation of a proposed PSLR Overlay Development Agreement, the City Council shall make a final determination with regard to the Application. The City Council may deny the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan or may approve the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan. The City Council shall make findings with regard to the criteria established in this Article.

4. PSLR Overlay Development Agreement. The approved PSLR Overlay Development Agreement, including the PSLR Overlay Concept Plan, shall be executed by the City and the Applicant and be recorded in the office of the Oakland County Register of Deeds. Final approval of the PSLR Overlay Development Agreement and PSLR Overlay Concept Plan shall be effective upon recording. Physical development of the site shall be in accordance with the approved PSLR Overlay Development Agreement and PSLR Overlay Concept Plan and shall not be commenced until after a Final Site Plan is approved for any site within the area depicted in the PSLR Overlay Development Agreement.

5. Amendments. Amendments to the approved PSLR Overlay Development Agreement Application and the PSLR Overlay Concept Plan shall follow the same procedure as would a new PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan.

Section 2307B. Review and Approval of Site Plans.

Submission of a site plan for a development permitted within the PSLR Overlay District may be made after City Council approval of the PSLR Overlay Development Agreement and PSLR Overlay Concept Plan.

- a. Preliminary site plans shall be reviewed and approved by the Planning Commission.
- b. Final Site Plans may be reviewed and approved administratively unless the Planning Commission directs otherwise at the time of Preliminary Site Plan approval.
- c. Site plans meeting the requirements for administrative review in Section 2516.1.c shall be reviewed and approved administratively.
- d. No building permit shall be issued for any building or structure within the petition area until a Final Site Plan for the project has been approved. Site plans shall be reviewed in accordance with the requirements of Section 2516 and Article 23B of this Ordinance and for general compliance with the approved PSLR Overlay Development Agreement and PSLR Overlay Concept Plan.

Part II. That Article 24 Schedule of Regulations is amended to read as follows:

ARTICLE 24 SCHEDULE OF REGULATIONS

Section 2400 Schedule limiting height, bulk, density and area by zoning district.

RA to GE requirements in table – [unchanged]

		Minimum Zoning Lot Size for Each Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Pkg. Setback*, ** (Per Lot in Feet)				
Zoning District	Area in Sq. Ft. or Ac.	Width in Feet	Stories	Feet	Front	Each Side	Rear	Front	Each Side	Rear	Open Space Area	Maximum % of Lot Area Covered (By All Buildings)	
PSLR	<u>Planned Suburban Low-Rise Overlay uses (Sec. 2303B)</u>	(g)	(g)	2 1/2	35	<u>See Sec. 2305B</u>							25%

Table footnotes – [unchanged]

Balance of Article – [unchanged]

PART III. That Article 25, General Provisions, is amended to read as follows:

Sections 2501.-2508. [no change]

Section 2509. Landscape Standards: Obscuring Earth Berms and Walls, Rights-of-Way Buffers, and Interior and Exterior Landscape Plantings.

1. to 2. [unchanged]

3. Landscape Requirements.

a. [unchanged]

b. Adjacent to Public Rights-Of-Way.

(1) [unchanged]

(2) Requirements. Landscape plantings shall be installed and maintained adjacent to existing or proposed public rights-of-way according to the standards set forth on the Right-of-Way Landscape Screening Requirements Chart, and as otherwise established in this ordinance, including the individual zoning district, and in the Landscape Design Manual.

(a) There shall be provided adjacent to the abutting right-of-way or private road a landscape area of sufficient width to accommodate a required berm as indicated in the Right-of-Way Landscape Screening Requirements Chart, except in those use districts or development options that require a greater greenbelt, or except as otherwise provided in the TC and TC-1 districts.

Right-of-Way Landscape Screening Requirements Chart

			Requirements:						
Use	Zoning	Berm Located	Green-belt width (2) (3) (5)	Min. berm crest width	Min. Berm Height (9)	3' Wall	Canopy decid. or large evergreen trees 1 per: (1) (10)	Sub-canopy decid. Trees 1 per: (2) (10)	In area between sidewalk and curb, plant 1 canopy decid. tree per: (1) (6) (10)

Single Family Residential	R-A, R-1, R-2, R-3, R-4		34 ft.	4 ft.	4 ft.	N/A	35 l.f.	20 l.f.	35 l.f.
Two Family Residential	RT	Adjacent to parking	20 ft.	2 ft.	3 ft.	(4) (7) (8)	35 l.f.	20 l.f.	35 l.f.
		No parking	30 ft.	4 ft.	4 ft.	(4) (7) (8)	35 l.f.	25 l.f.	45 l.f.
Multi Family Residential	RM-1, RM-2, MH	Adjacent to parking	20 ft.	2 ft.	3 ft.	(4) (7) (8)	35 l.f.	20 l.f.	35 l.f.
		No parking	34 ft.	4 ft.	4 ft.	(4) (7) (8)	35 l.f.	25 l.f.	45 l.f.
Commercial/Office	NCC, C, OS-1, OS-2, OSC, OST, B-1, B-2, B-3	Adjacent to Parking	20 ft.	2 ft.	3 ft.	(4) (7)	35 l.f.	20 l.f.	35 l.f.
		No parking	25 ft. except OS-1 & B-1 = 20 ft.	3 ft., except OS-1 & B-1 = 2 ft.	3 ft. except OS-1 & B-1 = 2½ ft.	(4) (7)	40 l.f.	25 l.f.	45 l.f.
Industrial	I-1, I-2	Adjacent to Parking	25 ft.	3 ft.	3 ft.	(4) (7)	40 l.f.	30 l.f.	45 l.f.
		No parking	25 ft.	—	—	(7)	40 l.f.	35 l.f.	55 l.f.
Downtown	TC, TC-1	Adjacent to Parking	20 ft.	—	—	(7) (8)	25 l.f.	15 l.f.	—
		No parking	—	—	—	(7) (8)	30 l.f.	20 l.f.	—
Misc. Large Use	P-1, Expo, EXO, RC, FS	Adjacent to Parking	20 ft.	2 ft.	3 ft.	(4) (7)	30 l.f.	20 l.f.	45 l.f.
		No parking	25 ft.	3 ft.	3 ft.	(4) (7)	35 l.f.	25 l.f.	55 l.f.
Planned Suburban Low Rise	PSLR	Parking and buildings adjacent to a section line road right-of-way	50 ft.	4 ft.	3 ft.	Not permitted	35 l.f.	20 l.f.	35 l.f.
		Parking adjacent to other right-of-ways	Front of principal building	4 ft.	3 ft.	Not permitted	35 l.f.	20 l.f.	35 l.f.

Footnotes (1) to (12) [unchanged]

(b) to (f) [unchanged]

3) [unchanged]

c. to f. [unchanged]

4. to 6. [unchanged]

Sections 2510.-2518. [no change]

Section 2519. Performance Standards.

No use otherwise allowed, shall be permitted within any district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained within said area:

1. to 9. [unchanged]

10. Noise.

a. [unchanged]

b. Noise Disturbances.

(1) and (2) [unchanged]

(3) The measurement of sound level shall be made at a height of five (5) feet (+ or -), at a horizontal distance of five and one half (5.5) feet (+ or -) from a lot line or right-of-way line on any lot or right-of-way other than that on which the sound source or sources being measured is located.

The sound level meter shall be a Type I or Type II instrument, adjusted to measure dB(A) sound levels using fast meter response. The instrument calibration shall be verified before use. A wind screen shall be used and no measurement shall be made when the wind speed is in excess of 12 miles per hour.

TABLE A

A-WEIGHTED SOUND LEVEL

LIMITS DECIBELS

RECEIVING ZONING DISTRICTS			
R-1, R-2, R-3, R-4, RT, RA, RM-1, RM-2, MH		NCC, B-1, B-2, B-3, EXPO, EXO, OS-1, OS-2, OSC, TC, TC-1, RC, FS, C, I-1, I-2, P-1, <u>PSLR</u>	
Night	Day	Night	Day Time Hours

Time Hours Decibels	Time Hours Decibels	Time Hours Decibels	Decibels
55	60	70	75

(4) to (6) [unchanged]

C. [unchanged]

Section 2520. Exterior Building Wall Facade Materials.

The purpose of this section is to provide a consistent and equitable set of exterior building wall material standards, the intent of which is to create, enhance and promote the qualitative visual environment of the City of Novi. Also, the intent is to encourage developers and their architects to explore the design implications of their project to the context of the site, surrounding area and the City, and to provide the Planning Commission with a sense and appreciation for the design process. This Section is not intended to regulate the quality, workmanship and requirements for materials relative to strength, durability and endurance, maintenance, performance, load capacity, or fire resistance characteristics.

1. to 14. [unchanged]

SCHEDULE REGULATING FACADE MATERIALS

REGION 1	BUILDINGS LOCATED IN THE TC, TC-1 (NOTE 7), RC, RA, R, RM-1, RM-2 PSLR, AND GE DISTRICTS AND ALL BUILDINGS LOCATED WITHIN 500 FEET OF THE R.O.W. OF A FREEWAY OR MAJOR THOROUGHFARE, AS DEFINED IN THE CITY'S MASTER PLAN FOR LAND USE.
REGION 2	ALL BUILDINGS IN DISTRICTS OTHER THAN I-1 AND I-2, OTHER THAN THOSE IN REGION 1.
REGION 3	BUILDINGS IN I-1 AND I-2 DISTRICTS, OTHER THAN THOSE IN REGION 1.

FACADE REGIONS

MAXIMUM ALLOWABLE PERCENTAGES table [no change]

NOTES:

Notes 1. to 6. [unchanged]

7. Refer also to Sec. 1602.9 for additional TC and TC-1 districts facade requirements and Section 2305B.3 for additional PSLR overlay district facade requirements.

Notes 8. to 14. [no change]

GENERAL NOTES: [no change]

Sections 2521. and 2522. [no change]

PART IV.

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART V.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART VI.

Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART VII.

Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

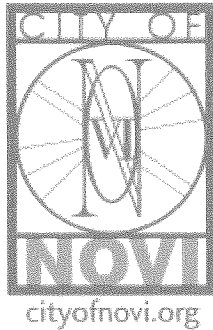
MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN, ON THE ___ DAY OF _____, 2011.

DAVID LANDRY, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent:

MEMORANDUM



TO: PLANNING COMMISSION
FROM: MARK SPENCER, AICP, PLANNER
THROUGH: BARBARA MCBETH, AICP, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT
SUBJECT: PLANNED SUBURBAN LOW-RISE SIGN ORDINANCE TEXT AMENDMENT 11.100.41
DATE: SEPTEMBER 29, 2011

Attached you will find a proposed Sign Ordinance Text Amendment that includes requirements for signs in areas with an approved Planned Suburban Low-Rise (PSLR) concept plan. This text amendment will follow the adoption of the PSLR Overlay Zoning Ordinance text and map amendments.

Based on the intent of the PSLR Overlay District, the proposed sign standards strive to promote a residential character to the streetscape. The signage requirements are similar to those for properties in an office district with larger section line road setbacks and lighting restrictions to lessen the impact future signs could have on neighboring residential properties.

The Planning Commission is asked to hold the public hearing for Sign Ordinance Text Amendment 11.100.41 and forward a recommendation to the City Council, for reading and adoption.

If any Commissioner has any questions related to this request, please feel free to contact me at mspencer@cityofnovi.org or 248-347-0475.

Planned Suburban Low-Rise (PSLR) Overlay District

Part A.

Zoning Ordinance Text Amendment

MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: MARK SPENCER, AICP, PLANNER *Mark*
THROUGH: BARBARA MCBETH, AICP, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT
SUBJECT: PROPOSED PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT
DATE: SEPTEMBER 28, 2011

Plan Review Center staff has been working to implement the recommendations of the 2010 Master Plan for Land Use for certain properties south and west of Providence Park Hospital to expand potential land uses and include a new zoning district: the Planned Suburban Low-Rise Overlay (PSLR) District.

At this time, Zoning Ordinance amendments have been prepared, properties to be included in the new district have been identified, and related sign ordinance amendments have been drafted. Public hearings for these items are scheduled for the Planning Commission's meeting next week. Notices were mailed to property owners, placed in the newspaper, and rezoning signs have been placed in and near the areas to be rezoned. Following the Planning Commission's public hearing, the Commission's recommendations on these City-initiated changes will be forwarded to the City Council for consideration.

Background Information

In 2009, the Planning Commission and its Master Plan and Zoning Committee conducted an extensive review of the Eleven Mile and Beck Roads area as part of a larger Master Plan for Land Use Review. This Master Plan Review concluded that the properties in the Study Area (located about one-half to three-quarters of a mile from Grand River Avenue) were a logical

location for medium-intensity uses that would provide a transition between the higher intensity land uses located near Grand River Avenue and neighboring one-family detached residential, if the form and scale of the transitional developments maintained a residential character.



The adopted 2010 City of Novi Master Plan for Land Use includes a new future land use category, Suburban Low-Rise. The area designated for planned suburban low-rise uses is located near Eleven Mile Road between Wixom and Beck Roads (see map to the left with areas striped in yellow/brown). These areas are generally separated from detached one-family uses

by section line roads and areas planned for public parks and educational uses.

The Master Plan describes the Suburban Low-Rise use area as maintaining a low-rise single-family residential character while providing a transition between adjacent one-family dwellings and higher intensity uses. The Master Plan includes a set of goals, objectives and implementation strategies that promote the creation of a “form-based” zoning district that permits attached single family and low-density multiple family residential, community service, human care, civic, educational, public recreation and office facilities and prohibits detached one-family residential, retail and personal service uses.

PSLR Uses

The proposed Planned Suburban Low-Rise Overlay District would permit a variety of moderate-intensity land uses. These uses include the following:

- Attached single-family dwellings (townhouses which are technically defined as multiple family dwellings in the Zoning Ordinance);
- Low-rise multiple family dwellings;
- Independent and congregate elderly living facilities;
- Assisted living, convalescent and hospice care facilities;
- Live/work mixed use buildings;
- Day care centers;
- General offices, medical offices, laboratories and clinics;
- Religious centers and customary accessory uses;
- Public and private schools;
- Publicly owned recreational facilities;
- Community buildings or cultural facilities; and
- Mixed use buildings with two or more of the permitted uses.

The District would not permit the following higher-intensity commercial uses:

- Personal services;
- Retail sales (except as an ancillary use to a photography, art or craft studio);
- Restaurants;
- Hotels/motels;
- Repair shops;
- Private recreation and fitness facilities;
- Theaters; drive through facilities;
- Financial institutions; and
- Private clubs.

Additionally, a PSLR Development Agreement could limit or eliminate any of the underlying district uses, including detached single-family residential.

Form-Based Standards

The proposed “form-based” standards would provide regulations to maintain the desired residential appearance of the area. When viewed from the section line roads (Wixom, Eleven Mile and Beck Roads), a person would see buildings similar in height and design to detached single-family dwellings in the area and a landscaped berm. An occasional emergency access driveway and parking lot lighting would be visible until the landscaping

matured. The ordinance also provides that driveway entrances to the developments would be from new local streets. Along the new local streets, a person would view sidewalks and bike paths, pedestrian amenities, pedestrian-scaled lighting, and moderately size buildings with architectural features as commonly seen on single-family homes. The buildings would be located close to the street and parking areas would be located behind the buildings and would be generally out of view. Limited size signage would identify the developments.

The scale and character of the permitted uses would be controlled with a set of “form based” provisions that include site layout, internal road and building façade requirements. These provisions include the following:

- A 50-foot wide buffer with a landscape berm along section line roads to soften the view from these roads and provide additional buffer from any nearby one-family residential developments;
- Buildings will front on and have access to local streets to help maintain a one-family residential look along the section line roads;
- Buildings will be setback a minimum of 30 feet from the road right-of-way or easement and a maximum of 75 feet to promote a one-family residential look and make the buildings more pedestrian- and bicycle-friendly.
- Buildings will have a maximum footprint of 25%, a maximum building length and width of 180 feet, and a maximum building height of 2½ stories and 35 feet. These restrictions will limit the scale of any development to help maintain a transitional scale of development between the neighboring one-family homes and the higher intensity developments to the north;
- Buildings will have façade shifts at least every 50 feet, doors placed at least every 60 feet, single family residential design features, gabled or hip roofs, single family residential siding materials, and truck unloading facilities will be in rear of the building and screened to promote a single family residential look along the local streets; and
- Streets will include pedestrian and bicycle facilities with pedestrian streetscape amenities and pedestrian scale lighting to encourage non-motorized travel.

Overlay District Review Process

The proposed zoning ordinance text amendment would create a PSLR Overlay district, and the zoning map amendment (being proposed simultaneously) would identify the properties being covered by the new district. If approved, the new ordinance would not create a non-conformity with the existing uses, but allow an applicant the opportunity to request one or more of the additional identified uses. This PSLR overlay ordinance—like the Planned Rezoning Overlay ordinance—contemplates a 2-step development process, involving the adoption of a concept plan and approval of a development agreement, followed by site plan review:

- Concept Plan and Development Agreement: The applicant would submit a concept plan allowing the City Council to exercise its discretion to approve the concept plan and grant ordinance deviations in the process, if requested. Approval of a concept plan would at a minimum, establish the location of utilities, drainage facilities, new streets, and pedestrian and bicycle facilities and amenities. The Plan could also propose the location of open space, parking, building and uses, and propose landscaping and façade elements. The Plan could depict proposed deviations (if

any) from ordinance regulations and it could depict development phases if a project is proposed for phased construction. The PSLR Agreement would set the uses and terms of the rezoning and incorporate the PSLR Concept Plan.

- Site Plan Review: The Concept Plan and Development Agreement step is followed by the typical site plan review procedure, in which the City verifies that the plans comply with the concept plan, the agreement, and the zoning ordinance.

Stakeholder Involvement

The proposed PSLR concepts and draft Zoning Ordinance language were reviewed with several stakeholders and property owners in the area. In addition, a letter has been sent to each property owner in the area to be rezoned explaining the benefits of the proposed overlay district. Recently, staff has received a number of phone calls from property owners and community members seeing the rezoning signs that have been installed along Eleven Mile Road, Beck Road and Wixom Road. Additional opportunities for public comment will be at the Planning Commission public hearings on October 5th.

Conclusion

The adoption of the proposed PLSR Overlay District text, the proposed Zoning Map and Sign Ordinance amendments are recommended by staff for a number of reasons:

- These amendments will fulfill the Master Plan for Land Use's implementation strategy to create a Planned Suburban Low-Rise form-based zoning district.
- The new Overlay District would permit an expanded set of moderate-intensity development opportunities that could benefit the City as a whole while protecting the property values of the neighboring detached single-family home neighborhoods by limiting the scale and maintaining a residential character to any new development.
- Moderate-scale and intensity development could increase City tax revenues beyond that which would occur if the properties were developed as currently zoned for detached single-family and general industrial uses.
- Moderate-density residential development could also increase the demand for retail, office and industrial floor space in the City and increase housing options that could help attract more young families and seniors to the City.

Planning Commission Action

On October 5th, the Planning Commission is asked to hold the public hearing for the three separate agenda items: the zoning ordinance amendment, the zoning map amendment and the sign ordinance amendment, in order to gather any remaining public comment on these matters. The Planning Commission will be asked to review the matters and make recommendations to the City Council on these City-initiated requests.

**2010 Master Plan for Land Use
Excerpts**

EXCERPTS from the City of Novi 2010 Master Plan for Land Use

Suburban Low Rise

This land use is designated for suburban low rise uses including attached single family residential, multiple family residential, institutional and office uses when developed under a set of use and design guidelines to keep the residential character of the area and minimize the effect that the transitional uses would have on nearby single family residential properties.

GOAL: Provide for planned development areas that provide a transition between high intensity office, industrial and commercial uses and one-family residential uses.

Objective: Provide for form-based, low-rise, suburban development options to promote the development of key areas that can provide a transition from higher intensity office and retail uses to one-family residential developments that include access, design and uses standards that promote a residential character to the streetscape and provide increased economic value.

Implementation Strategy: Create a Planned Suburban Low-Rise form-based zoning district that permits attached single family and low-density multiple family residential, community service, human care, civic, educational, public recreation and office facilities. This new district will provide a transition area from higher intensity commercial, office or industrial areas to one-family residential uses. This district would be located where the natural and built environment provides defined borders to provide separation from one-family residential area. Detached one-family residential uses would not be permitted in this district. The district would be designed to reduce traffic, environmental and visual impacts while providing higher intensity use than detached one-family districts while maintaining a residential character.

GOAL: Create, preserve and enhance quality residential areas in the City.

Objective: Attract new residents to the City by providing a full range of quality housing opportunities that meet the housing needs of all demographic groups including but not limited to singles, couples, first time home buyers, families and the elderly.

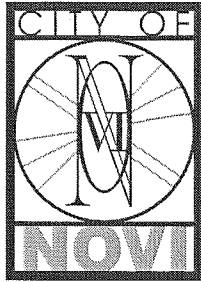
Implementation Strategy: Continue to provide land area for new residential development

Implementation Strategy: Consider ordinance changes to permit limited size attached accessory dwelling units with single family homes.

Implementation Strategy: Continue to research and implement programs to promote the development of innovative housing styles including lofts and mixed use developments.

Implementation Strategy: Consider ordinance changes to permit smaller single family homes and expanded opportunities for attached single family homes.

Planning Commission Minutes Excerpts
October 5, 2011



PLANNING COMMISSION MINUTES

Draft EXCERPTS

CITY OF NOVI

Regular Meeting

October 5, 2011 | 7 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Baratta, Member Gutman, Chair Pehrson, Member Prince

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristin Kolb, City Attorney; Mark Spencer, Planner; Dave Campbell, Planner, David Beschke, Landscape Architect; Nathan Bouvy, Engineer;

Absent: Member Greco (excused); Member Lynch (excused)

2. ZONING ORDINANCE TEXT AMENDMENT 18.253 FOR PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT

Public hearing for Planning Commission's recommendation to the City Council for an Ordinance to Amend Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance to add Article 23B, PSLR, Planned Suburban Low-Rise Overlay District; to amend at Article 24, Schedule of Regulations, Section 2400 Height, Bulk, Density and Area by Zoning District; and to amend at Article 25, General Provisions, Section 2509 Landscape Standards: Obscuring earth berms and walls, right of way buffers, and interior and exterior landscape plantings; Section 2519 Performance Standards and Section 2520 Exterior Building Wall Façade Materials.

Planner Spencer stated that tonight the Planning Commission is asked to hold three simultaneous public hearings and to review and make a recommendation to City Council on three items. 1) A zoning text amendment to create a new Planned Suburban Low-Rise Overlay zoning district. 2) A sign ordinance amendment to provide sign standards for the new overlay district. 3) A zoning map amendment to place the overlay district on the zoning map.

The Suburban Low-Rise concept was developed during the City's Master Plan review in 2009 and a set of goals and implementation strategies supporting this concept were incorporated into the 2010 Master Plan update. Adoption of these amendments will implement the Plan's goals. During the Master Plan Review, the properties located between Beck and Wixom Roads near Eleven Mile Road were extensively studied. The review concluded that properties located between the high intensity development near Grand River and single family neighborhoods could be developed with moderate intensity office, institutional and multiple-family residential uses to provide a transition between the two areas. Further, it concluded that by using a set of form based standards that would limit the scale of development, require buildings to include single family design features, require landscape buffers from the main roads and only permit access off of local streets, the transitional area could maintain a single family residential character.

Planner Spencer stated that the review also concluded that new moderate scale and intensity development in the area could increase City tax revenues beyond that which would occur if the properties were developed as currently zoned. In addition, if the area was developed for moderate density residential, the additional dwelling units would increase the demand for retail, office and industrial floor space in the City and attract more young families and seniors to the City. The review further concluded that with relatively minor improvements, the public infrastructure is adequate to serve the proposed development of the area. As with any increase in development intensity, the City may need to increase its overall sewer treatment capacity and some road improvements may be needed before total build-out of the area is reached.

As drafted, Planner Spencer explained that these ordinance amendments will create a new Planned Suburban Low-Rise Overlay district. This overlay district would permit an expanded set of moderate intensity residential, office and institutional uses, subject to meeting a set of form based design standards but only after the property owner receives City Council approval for a Planned Suburban Low-Rise Concept Plan and Development agreement. Until such time, the property would continue to be regulated by the provisions of the existing underlying zoning district. After a development agreement and concept plan are approved, projects would go through the normal site plan review process with the Planning Commission.

The Concept Plan, at a minimum, would establish the location of utilities, drainage facilities, new streets, and non-motorized transportation facilities. The Concept Plan could also propose the location of open space, parking, buildings, uses, landscaping and façade elements. It could also depict proposed deviations from ordinance regulations and development phases. The Planned Suburban Low-Rise Development Agreement would set the approved uses and terms of the rezoning, and incorporate the Concept Plan. The Development Agreement could limit or eliminate any of the underlying district uses, including detached single-family residential.

Since the location of the proposed Overlay district is buffered from neighboring single family residential by parks, schools and section line roads, and along with the form based requirements to maintain a single family residential character, is unlikely that the proposed rezoning will have any negative impacts on neighboring properties.

Planner Spencer said, in April, the Implementation Committee reviewed the draft text. Since then, Staff has had a number of meetings with property owners and stakeholders in the area and subsequently made a few revisions to the text, taking into consideration their comments. In September, letters were sent to each property owner in the area to be rezoned explaining the rezoning and text amendments. Also, since the public hearing notices were sent out and the rezoning signs were installed, staff has had a number of discussions with property owners and other stakeholders in the area.

At this time, the Planning Staff recommends that the Planning Commission make three positive recommendations to City Council: 1) On the proposed Planned Suburban Low-Rise Zoning text amendment 2) On the proposed Sign ordinance amendment. 3) And on the proposed Zoning Map amendment, all for the reasons listed in the Planning Reviews and on the rezoning motion sheet.

Chair Pehrson opened up the matter to the audience for the public hearing. Chair Pehrson asked the audience to please note there is a three minute time limit to individuals speaking on their own behalf. If speaking for a group, time is limited to ten minutes.

Ms. Amy Glen came forward and said she lives on Eleven Mile Road since 1987. She wishes she had never agreed to let them pave the road. She does not think Eleven Mile Road is suitable for this low-density plan. The road was not designed for it and she does not think the ordinance will keep the residential character that she is used to. Ms. Glen said that she is already dealing with traffic from the school, and football games that go on during the weekends. This property is not is suitable for this and she thinks the City is pushing for more of the commercial character of Grand River into an area of spacious lots that has been farm land. Eleven Mile Road is not a subdivision and she said she lives there because of that. This type of zoning will dramatically change the character of the road. People already do not obey the 25 miles per hour speed limit on this road. Ms. Glen understands the issues with transition, but that is going to put a lot more pressure on Eleven Mile Road than what is already there. Ms. Glen thinks the City underestimates the impact that the development is going to have on the rest of the neighbors. Also, Ms. Glen says that she lives about a one-half mile down the road and did not receive a notice on this.

Mr. Gregory Gallo of 48000 Eleven Mile Road received the notice and saw the posting. He said his elderly neighbors and he have the following questions: First, in the letter we received from the city, a paragraph on page 2 states, *the overlay approach avoids making any existing uses non-conforming. There are*

currently several existing single-family residential homes in the affected areas and these homes would be permitted to remain until redevelopment is contemplated. Mr. Gallo asked, what does this mean? Does that mean the City is going to use eminent domain at some point? Number two, Mr. Gallo asked, who is going to pay for the sewer upgrade that will be necessary to accommodate the building of additional properties on land that is in large part a swamp or has a very high water table? Has an EPA or DNR Study been completed for the environmental impact that this land development will have? Who will pay for the studies and upgrades and increase of taxes - mileage proposals or the property developer? Mr. Gallo asks this because during the last phase of the Providence Hospital Development, the members of the Planning Commission assured the homeowners that run-off from this development would be contained on hospital property. Since the main hospital was completed, there is water behind Mr. Gallo's property that was never present in the past and now approximately 40 feet behind his property line has been encroaching ever since the completion of this phase of the development. At times, the hospital or its contractors ran portable pumps for days and all night long when periods of rain were particularly heavy. Pumps could be heard from 1 to 1 ½ miles away.

Mr. Gallo's third question, Section 2303, B, part 7 allows medical offices including laboratories and clinics. How will medical waste from these facilities be disposed of? Will or have federal guidelines for proper disposal of medical waste been adhered to? In other words, the EPA, OSHA and the agency for toxic substances and diseases registry has guidelines - will those be adhered to if these facilities are going to be allowed to be built? Number four, will low-income or Section 8 housing be permitted as part of this rezoning? It appears so when he looks at Part 4, E of Section 2303 B. Mr. Gallo lists this one as a comment, but, it looks like in one of the worst economic periods in Michigan's history, retail properties less than one mile from the proposed development have fewer than 20 percent occupancy rate. With many commercial and retail and residential properties in foreclosure, who would pay to develop this property?

Mr. Gallo's sixth question is, has anyone from the City Council received a campaign contribution from Providence Hospital or an employee of the hospital? Mr. Gallo's last question: is anyone on the City Council or Planning Commission a paid real estate or legal consultant and receiving compensation from the hospital, or from any of its subsidiaries, or related to any contractor who stands to gain from this development? In summary, Mr. Gallo said he is opposed to this development.

Mr. Lee Lewis has lived at 49225 W. Eleven Mile Road for 21 years. Mr. Lewis is in the area that is immediately impacted in terms of the overlay. Novi Road has seen significant changes in the past 21 years and he has lived with most of the changes. The school is another area that has changed. Mr. Lewis said, the school changes were a good move from his standpoint being an educator, but, more importantly, it provides a great deal of activity for students and children up and down Eleven Mile Road. Mr. Lewis said, we have a number of people that use the sidewalks up and down Eleven Mile Road. The school has added a significant amount of traffic. Being an issue with students, he is concerned with the new developments that are proposed for the east end of Eleven Mile that were discussed tonight. Mr. Lewis is concerned with the traffic and traffic patterns. In addition to that, he is concerned with the overall plan. If you were to drive down any of our major roads such as Grand River Avenue from Wixom down to Meadowbrook, or take Twelve Mile from Beck Road down to Meadowbrook, you are going to notice an abundance of vacant commercial land and also an abundance of vacant buildings with for lease signs. With all of those commercial properties vacant right now, such as Main Street area, Novi Town Center or Fountain Walk, there are vacant properties in commercial areas. Mr. Lewis said that he has no idea why anyone would agree that we should develop more commercial or light industrial lands of any nature, and especially down Eleven Mile Road. Eleven Mile Road is a quaint road. It has homes on it, farmhouses, deer run across the road regularly, and it is a road that has a sidewalk the entire length of it. Children walk up and down it every day of the week, along with bikers and joggers. It is a country setting and not a commercial setting. It is not a setting made for what we're considering in this particular plan. Mr. Lewis said, he doesn't live close enough to be notified by mail for any of this, even though he lives across from the school on two acres. After talking to individuals around as the developers are talking, Mr. Lewis is not sure who they talked to. He is in the area and did not know anything about it. Mr. Lewis is against it 1000 percent. He thinks it is the wrong move for Novi at this particular time.

Mrs. Diana Canup of 47201 Glamorgan in Pioneer Meadows came forward and said that she is the President of Pioneer Meadows Association which is directly across from the corner of Eleven Mile and Beck Road. She said no one in her subdivision that she is aware of received a letter. Her understanding is that the school property is not included in this. She asked if this correct: the 9 acres that the school owns is not included in this request.

Planner Spencer stated that the school district property that is near the southwest corner of Beck and Eleven Mile is not in this petition, only Mr. Bosco's property.

Mrs. Diana Canup explained that adjacent to Mr. Bosco's property are all vacant properties that he owned. No one in her subdivision had any inclination of this planned zoning change until the signs went up. Mrs. Canup called the Department and no one could tell her what was included in a PSLR. Mrs. Canup is still not sure she understands from the description of what the gentlemen from the Planning Department gave, what is included in the district. Mrs. Canup asked, is this strictly multiple housing and low-rise housing or is there any light industrial or any commercial? Mrs. Canup said, no one can tell me. She asked two gentlemen here tonight and they said we cannot tell you, you will have to talk to the Commissioners. She would like to know what exactly is in a PSLR. - What type of zoning is it and what does that include?

Mrs. Canup said she was born and raised in Novi, and stays quite aware of what is going on in the city. Mrs. Canup was on the Parks and Recreation Committee for 20 years and her husband was on the Planning Commission as well as the Zoning Board of Appeals for 35 years. Mrs. Canup said, we are aware of what goes on in this community and would like to stay that way, but, we do not know what a PSLR is and we have never seen or heard of it. No description was sent to anyone in our neighborhood. We are very concerned. If it is residential and maintains a very private situation, Mrs. Canup said, none of us will be concerned.

But, for 35 years of the 40 years that the city has been a city, everyone has thought that down Ten Mile, down Beck Road, down Eleven Mile - not to have any commercial type buildings put on the corner of Ten Mile and Beck. Everyone has told the city and the Planning Commissions and the ZBA for 35 to 40 years to put commercial on Grand River Avenue. Everything there is beautiful and it works for everyone in that quadrant of our city. Mrs. Canup said, if this particular zoning includes any of that, there are going to be a lot of unhappy people from all of the newer subdivisions and the older subdivisions that are in that portion of the town. None of us are aware of what this is. When people do not know what is going on, they get angry. Mrs. Canup wants an explanation and if it makes sense and if it's logical to the zoning that is already there, there won't be a problem. If people cannot ask questions and get answers, it makes them feel very uncomfortable and very concerned as she is at this very moment.

Pioneer Meadows sets directly across from this property and Mrs. Canup said we were never given any information about it. How do we go about getting information of property that is up for sale in that particular quadrant and has been zoned residential? Mrs. Canup says she knows the rule for notifying is 300 feet, but a subdivision that does not have any residential on that 300 feet, as the other people stated, were not aware of this. Mrs. Canup said maybe the rules have to be changed for the benefit of everyone and so people understand that the job the City is doing is for the benefit of the community. Mrs. Canup said, before she leaves here tonight, she would like a very through explanation of what is in a PSLR so she can take it back to the 100 homes in her subdivision and explain it to them so the residents can make their own decisions on how they feel about this.

Mrs. Bonnie Lewis came forward and said her husband just spoke. She is an educator and a teacher. Having seen kids coming in and out of that school district, she said that you don't want to start opening businesses with parking lots behind them. She said that the kids run track along Eleven Mile as well as walk to school. When there is parking behind buildings, we are risking some of our safety as well as the student's safety. She said you hear on the news how kids are abducted when you have parking behind buildings. Middle school kids will find anyplace to sneak out or hide. She worries about their safety with this type of development. Mrs. Lewis said, she is all for business, but houses are different when you have

businesses there and kids are subjected to those environments. Mrs. Lewis sees the soccer fields filled and says we are known as one of the best cities to raise a family. Mrs. Lewis wants that to continue.

Mrs. Dana Bates of 25928 Sierra Drive said she is a resident in the Pioneer Meadows Subdivision directly across from the farms at Eleven Mile and Beck. She said she actually looks down the street directly to the farm. There was a comment on how this was not going to cause impacts and how it is buffered from the residential, and that anything going on there is not really going to impact the resident's that live there. Ms. Bates said she certainly thinks that a change in that land to some sort of offices would certainly have an impact on our view of the neighborhood. She said that her other concern is that we have a lot of open office and commercial in the City of Novi. She wondered why are we adding when we don't have everything full that is currently out there. Also, to speak to what Diana Canup was talking about with the Suburban Low Rise, Mrs. Bates was confused with that as well. Mrs. Bates called the office earlier in the week and tried to get a definition, but it was just too vague to her. She said she does need to understand what it means and what it is going to look like. It sounds like it could go a couple of different ways and she would like a better understanding. Also, Mrs. Bates said that she is concerned with traffic and what it is going to do with an already congested area at Eleven Mile and Beck.

Mr. Karl Wizinski of 26850 Wixom Road said he is a 35 year resident of Novi, living on Wixom Road for 25 years. He said he his property is currently bounded on the north by Target and by heavy industrial behind, with his property currently zoned R-1 (Residential). Mr. Wizinski said he has been a part of the process of this new zoning overlay for over two years and has attended many, many meetings. There has been a lot of work and thought behind what land uses to include, how do you buffer and what is good transition zoning between heavy commercial such as on Grand River, Target, Sam's Club, the hospital and residential across the street from us versus Island Lake. Mr. Wizinski thinks this is a good plan. Right now there are no plans in front of the Commission and all we are talking about is an overlay. Mr. Wizinski said, we are not talking about specific plans. He is aware of the process and what it takes to get plans approved, and there is a lot of process to this after it is rezoned to an overlay. Mr. Wizinski said that he is very supportive of this and has worked on it for over two years.

Seeing no one else wishing to speak, Chair Pehrson asked if we had correspondence.

Member Gutman stated that we do have correspondence:

- Ken and Donna Henderson, 46771 Crestview Drive, are appreciative of the new signage that indicated what this is about. They do not want to see further development in the area and do not need more homes, commercial, or retail going up in places that are not currently developed as such. There are far too many vacant buildings in the area.
- Ms. Bernice Klebba, 26566 Anchorage Court, objects to it - there is too much traffic and too many schools. She wants to save the wetlands and wildlife.
- Mr. Allan Burton, 48100 W. Eleven Mile Road, objects to it. He also objects that Novi can tell residents that they cannot live in their home anymore and have to move. There is too much vacant land with no homes on property already.
- Mr. Charles Bilyeu, 26548 Anchorage Court, objects to it. He says the proposal will increase traffic and lighting in a primarily residential area, that the proposed general definition for allowed development is too broad and that the proposed amended property usage would result in a devaluation of neighboring properties.
- Ms. Chei Long Tsai, 29144 Creek Bend in Farmington Hills, approves of this.
- Mr. Gregory Gallo lives at 48000 Eleven Mile Road, stated he will outline his comments at the public hearing.

Chair Pehrson then closed the audience participation/public hearing portion and turned it over to the Planning Commission for consideration.

Planner Spencer stated that if the Commission would like, he could address several of those questions and concerns.

Chair Pehrson said we will get to that and we would like to start out by just a couple of process questions. Chair Pehrson asked Ms. McBeth for purposes of clarity, how long have we been working on this particular zoning overlay relative to the Master Plan. He also asked what the impact is relative to when we go out to provide notice to the different community members and what is the relative range we go out to? Is there process inside that, which could be changed relative to some of the other neighboring subdivisions?

Deputy Director McBeth stated that on this particular concept which was to develop a transitional area between the more intense uses along Grand River and the less intense residential uses to the south, the idea was first discussed as part of the Master Plan for Land Use Review which went on for over a year in 2009 and 2010. These text and map amendments have been in the process and in the works for the last several months. So, for about two years this concept has been under review and under consideration. The idea was always to think about the residential character of the area, and think of additional uses that might provide a transition between Providence Hospital and the less intense uses to the south.

Deputy Director McBeth explained that Planner Spencer could go over again what those particular uses are and the way the ordinance was framed: the ordinance was intended to not to make any uses non-conforming that are currently there. If people have a house they could continue to live in a house even if this overlay district is approved. Residents could continue to make improvements to that home and it would still remain a permitted use. It is only when people elected to add additional uses that they would need to come again in front of this body and requests the additional uses. The plan would also go to the City Council and then go through the site plan review process.

For the meeting this evening, staff sent out a number of notices to the property owners as required by the ordinance including all the property owners within 300 feet of the boundaries of the properties subject to the rezoning. There are also five rezoning signs that were placed out along the edges of the properties to help identify the changes to more members of the public. Staff has been taking numerous calls and answering questions over the last couple of weeks since the signs were placed. The record shows that 61 letters were mailed as required public hearing notices to the adjacent property owners. The staff has also been working with the property owners that are directly affected and mailed letters specifically to those property owners to bring them up to speed on the progress that the Planning Commission has made and the additional progress that staff has made on developing the ordinance. So, that is the usual process and 300 feet is the typical boundary for providing notices. This public hearing was also published in the Novi News as required by the ordinance. The three public hearings notices were placed in the newspaper about 15 days ago.

Chair Pehrson asked Planner Spencer to take them through the concept of the overlay and, relative to what the zoning that is there right now, to describe what permitted uses are possible in that area, and then what the overlay would add relative to future uses.

Planner Spencer explained that if he could he would go into the Master Plan process that occurred with this concept, staff felt that we did a tremendous outreach during that process. We had public meetings, open houses and we had home owner association mailing list with invitations to attend and inquire about the concept. During that process, that is when we developed this concept. Along with this concept the whole study area was reviewed. The areas on the south side of Eleven Mile were master planned still for single-family residential, but the intensity increased to 3.3 dwellings units per acre and equivalent our R-4 zoning district. The Oberlin rezoning that was recently passed took into account that part of the master plan process and those properties were rezoned to that higher intensity single-family residential. For the properties being reviewed this evening, currently we have some single family uses on large lots and we

have some vacant property. Providence Hospital owns the largest parcel in this entire area. On the southwest corner of Eleven Mile and Beck Road is the Bosco property homestead farm. Mr. Bosco and other representatives have been in to our office several times approaching and asking us if they can increase the development on that property to some form of low-impact office development.

Planner Spencer also explained that we have the Profile Steel property that is zoned I-2 (General Industrial) and that is the most permissive district that we have in the City. Staff would prefer to see that parcel developed more in keeping with the neighborhood uses. At one time, the City of Novi had a "Grand Plan" and that whole area was going to be industrial - new industrial uses were going to move out of the Novi Road area and be relocated over to part of the area under review. Profile Steel is a remnant of industrial uses that is still there and Cadillac Asphalt across the street was the other one. Under the proposed ordinance, Profile Steel and the existing single family homes are all permitted to stay. The large parcel that Providence owns is zoned R-3 and they could develop single-family homes with that density right now.

Planner Spencer stated that if anyone elects to use the development options under the proposed PSLR District, then they will enter into a Development Agreement. Applicants would lay out some roads and utilities on a concept plan. The city is going to have discretionary approval over that concept plan. That means that developers are not going to just be meeting a minimal threshold, they are going to have to meet a set of standards that is a higher bar than typical site plan review. The City would likely ask for things to be better than the minimum. The City will make sure that the plan incorporates certain details and will relate to the neighboring properties that are not being developed so there will be access provided for utilities and roads to those neighboring properties. There is a process that those developers will have to go through to accomplish that.

The other restraints on the use of this property under review are the natural features. There is an extensive amount of wetlands on the subject properties as well as regulated woodlands. This is especially the case between the ITC Corridor and Beck Road, mostly on the property that Providence Park owns. On the good side of that, there are a couple large Conservation Easements already in place on that property and some of that land is already protected from development. Woodlands and Wetlands are expensive to develop and most of the time. Staff and the Planning Commission will typically work with developers in conserving large portions of these natural features to provide habitat areas and to maintain those habitat areas while still facilitating development.

Planner Spencer explained that another already-approved piece that is soon to be underway is the Medilodge site. Even though the overlay is proposed to cover that property, it is subject to a PRO Agreement (Planned Rezoning Overlay Agreement) which will dictate the terms in which that land is developed.

Planner Spencer outlined the uses that could be included in the Planned Rezoning Overlay District are multiple-family, attached single-family residential up to a density of 7.3 dwelling units per acre and that is the maximum density that was permitted that was based on the Master Plan. In addition, the district allows offices, medical offices, community buildings, nursing homes, mixed-use live/work units (where the downstairs would be limited to professional offices or photography studios). Storefront commercial uses in general would be prohibited. Retail is prohibited; things that look storefront are basically prohibited. The recommended sign ordinance requirements are keeping the signs on a smaller scale than most office developments.

Chair Pehrson asked Planner Spencer what is not included in this Overlay District.

Planner Spencer answered in saying the things that would not be included would be retail, industrial, single-family residential. If an applicant moves forward with some of the other options, new single family homes would likely be removed because the Master Plan asked for it to not be included.

Chair Pehrson asked that what you have listed here: professional services, retail sales, restaurants, hotels,

motels, repair shops and private recreation and fitness facilities, theatres, drive-thru facilities, financial institutions and private clubs are all **not** permitted in this district.

Planner Spencer answered that is correct. The reason these uses were eliminated from the district was to help preserve the residential character. All of us have driven by office buildings that have a residential look. With the height requirement of 2 ½ stories or 35 feet, the expectation when you drive down Eleven Mile is that you are going to see the same roof lines that you currently see going through Island Lake. The height of 2 ½ stories is what we allow in a single-family residential district. So, those roof lines are going to be similar to residential. Peaked roofs are going to be required with overhangs on the roof. There is also a requirement for doors and for the front façade of the building and the facades of the building to undulate so you do not have one big slab of a building. If you look at it at a 90 degree angle or close to that, it is going to look very similar to looking at a row of single-family homes that are all set back the same 35 feet from the road. Those are the kind of things that were incorporated into the ordinance.

Chair Pehrson stated then, that this is truly a transitional area by which you have now added some other potential uses to keep the character of what is there for the new uses that might be coming in. Prior to this, was there an opportunity for a developer to put in something not of residential character?

Planner Spencer answered in saying only on the property that is zoned industrial with a caveat that we are assuming that the zoning follows the Master Plan. Further, there are permitted institutional uses in single-family districts such as churches, schools, funeral homes, daycare centers and there is a list of things that could have developed that are not similar to detached single-family homes.

Chair Pehrson stated that he wanted to go over the list of the questions and then turn it over to his colleagues.

Working from the bottom going up, there is such a thing in politics as ethics and the Commission is bound by that. One of the questions that were asked was if we've received financial payment of any kind from real estate firms for this consideration. Planning Commissioners make notice to the city of any financial dealings that we have in the city relative to property or other businesses. Those are public records for anyone to view. If there was anyone on this Commission, which we have had in the past, that had some affiliation with a property or some other business, and the Commission member did not feel comfortable being in the discussion because they might gain from this activity, then those members have requested recusal for themselves. That is a standard by which this Planning Commission works.

Chair Pehrson stated to his knowledge, the members of the Planning Commission are not elected so therefore we do not receive campaign contributions from anyone. Chair Pehrson doesn't and cannot speak for our City Council members, but anyone is free to donate to any member that is looking to hold an office. There is no one developing this property. This request is strictly for potential of zoning and potential of something coming in. There is not a developer waiting once this is passed or denied to start moving dirt with bulldozers at this time. Relative to Section 8 Housing, it is not the Planning Commission's purview to mandate who can and who can't live in these areas. If a developer builds a house, a low-rise condominium or multi-tenant facility and chooses to provide Section 8 housing, that is on a whole different plane. The Novi Planning Commission has no regulatory oversight on that issue.

As far as medical waste removal, anyone that builds a medical office facility has standards by which they have to deal with from the State and from the National/Federal level. That issue would be contained within their business operations on how they deal with that. Certainly, if a medical office has something like that as one of their byproducts, they have to live with the same standards that a hospital would or any kind of medical facility. Chair Pehrson said, we talked about the property for what the current is and what the future might be. Relative to the one question to the sewer upgrades and costs, Ms. McBeth or Planner Spencer could comment on that. Also, one of the questions was about the run-off from Providence Park and is that an ordinance issue.

Planner Spencer answered in saying that they were not aware of any drainage issues. Those properties

were developed to ordinance standards with storm water detention on site and an outlet for the drainage. Typically we do hear some minor problems associated with lots of different developments because there are changes to drainage sometimes. As far as noise from pumping, as an example, when they are building the sewer line they are pumping because there is groundwater. That is a typical construction problem. As far as who pays for the construction, developers pay for it. Over the long term, the city does pay for added capacity if the city needs to acquire capacity for overall sewer discharge. Novi has been doing that since the first sewer line was installed and will be doing it as the city continues to grow. That is something that will not change.

Chair Pehrson asked whether it was with or without a PSLR that this goes on? This type of development could add additional burdens to that capacity sooner or anytime you increase intensity or development that could happen. Typically, the line extensions are paid for by individual developers. Those lines need to be extended to the property lines so the next guy can use them and they are sized accordingly. Sometimes special creative districts are created to help finance infrastructure on a larger scale.

Chair Pehrson asked relative to any of the projects that might come forward as a result of this Zoning Overlay, do they still have to go through Planning Commission, Woodlands, site plan reviews, and typical reviews we would do. This would also go through City Council for final approval, is that correct?

Planner Spencer answered in saying no - the part of that statement that is not correct is that the Concept Plan would have to go through and be approved through City Council. But, the site plan for each individual development would be approved by the Planning Commission and Final Site Plan would be an administrative review.

Member Anthony wanted to direct his questions to Planner Spencer. Member Anthony stated that he is very supportive to be open and transparent. With that in mind and to help clarify some of the concerns that were brought up, he is asking would the following be restricted or allowed in this area: 7-Eleven, gas station, liquor store, or a day-care.

Planner Spencer answered in saying that a 7-Eleven, a gas station and liquor store would not be permitted. A day-care would be permitted.

Member Anthony stated that the type of development we are looking for here is really a low traffic or a very subtle type of business. If a single-family subdivision were built in one of these low-density or vacant areas, would that increase traffic on Eleven Mile?

Planner Spencer answered that it would increase some.

Member Anthony stated that the reason he brings this up is that he lives in a subdivision that is pretty close to the Novi elderly housing over on Meadowbrook. Surprisingly, that facility doesn't really generate a lot of traffic. The bulk of traffic was generated from the new subdivision that he lives in. Member Anthony stated whether the development is single-family residential or this low-rise suburban district, we still have an increase in traffic. The type of development here is not the type to bring in high traffic such as a liquor store or a gas station, such as a party store and things that we fear.

Member Anthony explained that we were looking at Ten Mile and Beck. One of the residents had mentioned that area, and when we look at retail, would that be allowed?

Planner Spencer answered no to Member Anthony.

Member Anthony stated that when we look at safety he thinks that putting in the sidewalks that the city has done will keep the kids off the street. Member Anthony stated that his kids have gone to the elementary, middle school and the high school and there seems to be police at every corner. He commends the Novi Police for the outstanding job they do. When it comes to medical waste and wetland, Member Anthony reiterates that these are all governed by not just Federal Law but State Law as

well. For the earlier concern that we would be losing our wetlands, there is a requirement both in State and Federal level that the wetland's that are in this particular area require mitigation which means if you take a little bit, you are going to have to add twice the amount back. We do have protection of our natural resources within our city.

If the Planning Commission were not to pass this overlay, Member Anthony asked Planner Spencer about the area that is zoned industrial. Planner Spencer answered it being Profile Steel on Wixom Road. Member Anthony asked Planner Spencer if someone could construct on that property a tool and die shop or a stamping operation. Planner Spencer answered yes to the tool and die shop and the stamping operation. Member Anthony then said that what this overlay does is it now prevents that area from having loud industrial noise in a higher traffic industrial use. Planner Spencer said he would caveat that statement. The City would have to look at these specific site requirements on that particular I-2 piece. The use might not meet our setback requirements or meet the standards for a really loud use or open air use.

Member Anthony stated, in summing up, we're Novi and were going to grow. We are a community that is in high demand and that this transitional area from Grand River to our residential areas is being addressed. Member Anthony thanked the staff and said they did a wonderful job and the proposed ordinance really does create good transition. Some of the fears of increased traffic maybe somewhat overstated - you still have increase in traffic even with residential development. Member Anthony commends staff on what is a job well done.

Member Baratta said he is very familiar with this property because he jogs by the property 4 days a week. Member Baratta said when you are changing this to a different zoning district; he understands that this is a very organized method to protect that area from what it has today. The land today isn't protected other than some regulations for some residential, some industrial etc. Member Baratta said he knows a lot of people have worked very hard in this overlay district. Once something is built there, do they have to comply with any noise restrictions?

Planner Spencer answered that while it is under construction, the City does have regulations stating when they can start work and stop and typically they operate between 7:00am and 10:00pm and even more restricted on the weekends. After one of these uses are in place, particular site plans that come in will have to go through same noise standards that we have in our ordinance for locating those uses anywhere else in the city. So a school might have to do a Noise Impact Study.

Member Baratta asked if any of the townhouses have some waste, how would that be analyzed and how would that be reviewed?

Planner Spencer said if it were attached townhouses were built, they would have a common dumpster that would be inside an enclosure with a gate on it, property screened.

Member Baratta asked if there would be any buffers to the street.

Planner Spencer said yes, district is designed to a 50 foot buffer to the section line road right-of-ways. So, going down Eleven Mile 50 feet outside of the Right of Way would be all landscaped. Buildings would be back 50 feet, and the parking would be behind the buildings.

Member Baratta asked then it would give a feel of a residential community in essence?

Planner Spencer answered yes because on the local streets buildings would be setback a minimum of 30 feet with a maximum of 75 feet which is typically what we find in higher end residential districts in the city.

Member Baratta asked about the signage and if there is secondary use in the house, is signage allowed in this district?

Planner Spencer answered in saying, signage is not allowed in a house, if it is a single-family or multiple-family dwelling. In a mixed-use building where they are allowed to have a studio or office and it is a mixed-use building, then there would be a limited amount of signage available. Similar to what is allowed in other multiple-use office building or Town Center District buildings. Lighting on the signage would be reflective light versus internally lit signs, that would lower the intensity so signs are not as bright.

Member Baratta asked Planner Spencer then what you just said was that whatever sign we have is an external light and not internally lit which means the light is shining on the sign from outside the sign and it is not a contained unit.

Planner Spencer answered that was correct.

Chair Pehrson had a question on the Concept plan listed as an example for illustration only. Chair Pehrson asked why we would not want to include the things that say "may also include".

Planner Spencer answered that to keep this in the simplest form and to encourage development; we kept minimum requirements to a very minimum. The most important part of this is as far as the discretionary decision making is the layout of the roads and utilities to ensure that people are going to be able to walk, bike, drive around the community and design speeds of the road are going to be kept low. We are going to want to see traffic circles and speed control devices and methods to keep people driving a residential speed in these neighborhoods. The utilities will be in the minimum of the concept plan.

Chair Pehrson asked aren't all of those things that are listed as the "may also include" integral to really understand a community feel for what the building going to be, whether it is an open use, or if it is part of a development or adding to a phasing plan. Chair Pehrson said he thinks that everything that has come before the Commission where it is something relatively large, the question always comes about as what is the phasing relative to the plan. If this goes forward then what applicants have to provide and what they can use as optional, based on what I read here, I would like to see something other than "may also include" as far as the verbiage. No offense to any developers out there, but if I am a developer I may be lazy and I'm going to do the bare minimum to try to get through. I would try to convey an idea and if one of the big things that is there is the open-space plan, I should really want to make that part of this to really understand more of the transition between where we are and what we're trying to do.

Planner Spencer answered that in saying by requiring more things, then we limit flexibility of development.

Chair Pehrson stated that he is not telling them what to do, he is suggesting to them that they need to convey in graphics, words and music and dance in whatever format that they want - how they're going portray development on that property.

Planner Spencer stated that the flexibility he is describing - an example in a single family residential neighborhood you might have 50 different styles of houses. Some similar materials and a lot of different materials, different color brick, different color siding, different kind of residential features on their houses. If the plans start with just a road system and no lot lines and a basket of uses they could do, then as the need for that type of development matures and a developer comes along and wants to do one of those uses, he has got that whole basket of uses to choose from. He is not pre-platting something that will never happen or need to be amended a bunch of times because the market has changed.

Chair Pehrson said, the building footprint relative to where that building is on that parcel of land makes a huge difference whether or not it is acceptable. What I am asking for a developer to do - not to put the burden on them, and it is their property and they can do with it what they wish as long as it meets the ordinances - but at least from a concept point of view, I certainly would want to know how it faces, where it faces and things of that nature. Chair Pehrson said, again I am not telling them what to do, but asking them to provide it on the plan.

Planner Spencer explained that part of that is answered in the setbacks that are required. If setbacks are

30 – 75 feet and you have the road in place that is where the building is going to be. The maximum length of the building is 180 feet. If they are going to be building multiple-family or office buildings they are going to be pretty close to that because you don't want to build 2-unit multiple-families. Our thoughts were that basic minimums put in place are kind of going to frame how that is going to look without being design specific at that time. There are a set of form based standards that they have to comply with.

Chair Pehrson explained that we need to think about the words used there and "may" is way too ambiguous and there is too much leeway. Chair Pehrson said he thinks there could be a better word, but shall or may consider is too lenient.

Deputy Director McBeth stated another ordinance that was adopted 5 or 6 years ago, that what we refer to as the Roads and Utilities Ordinance, seeks a similar concept plan. When a developer comes in and just wants to put in the roads in and utilities and get the land ready for development that is why those just have the bare, basic requirements. One example was when Providence Park came in they put in the Ring Road and they didn't necessarily identify where the lot lines were going to be or what the uses would be. There was comfort with the Planning Commission because you knew the uses would fit into that zoning district and meet the setback requirements.

Chair Pehrson stated that at that time Providence did have a neat drawing showing the proposal in some representative mode so we kind of knew from the greensward to the buildings, how it flowed. Chair Pehrson remembers those presentations and everyone walked away with a sense of what was being proposed.

Deputy Director McBeth stated that was true and the plans presented at that time added a lot to the comfort level. Those features could certainly be added to this ordinance if the Planning Commission wants. The other thought in developing this ordinance was that if the applicant needs to come in with a lot of detail on the concept plan for Planning Commission's recommendation to City Council, if later they find another potential use or another type of building, the applicant has to start again and go through the process to amend that plan. So, I think again in the spirit of flexibility, the idea was just provide the basic information and if more is requested by the Planning Commission or staff, the applicant could choose to provide that.

Chair Pehrson said so long there is the understanding that in typical form when someone comes in front of the Commission and we don't get the "warm and fuzzy", if we don't have that understanding, we typically will table it and make them go off and come back at the next meeting with something that gives us a little bit of feel for what it is. So, either we ask for it up front or we postpone the process and come on back in two weeks with a little more information. As long as they know the burden is on them to make us feel warm and fuzzy with that. I'm not designing the building for them, but there is a better way in which we can suggest that this is the kind of information we are looking for.

Planner Spencer asked if his main concern the natural resources on the site.

Chair Pehrson said he didn't know that you have a blank parcel right now. Regardless of setbacks, the building orientation, how that is and what that means, the proposed building locations relative to one of these neighbors could mean something. The open spaces and whether or not there is open-space relative to that type of building is important to me in order to say thumbs up, thumbs down. So long as they know, that within the ordinance there is going to be a lot more scrutiny on these kinds of overlays than they have in the past, and somebody from this side of the table or City Council is going to suggest something they have not thought about. That is the kind of input that we need to make sure we have. Chair Pehrson said, I am not going to design the building for them and I am not doing façade, but I want to know what the landscaping is and I want a get a sense of the essence of what that is, I am going to feel comfortable with it. But, if the developer just comes in and says on this particular parcel, given the lot lines that I have, I want to put this Ring Road in, and what do you think of that? Chair Pehrson said he is just going to walk away and say I don't have that warm and fuzzy feeling. That is what I am looking for

this ordinance to do. If you can come up for a legal word for "warm and fuzzy", I suggest you do that.

Planner Spencer said that we could look into that and one other product that Planning Commission has approved in the past which is similar to this plan is a site condominium for commercial or industrial uses. As an example, Beck North and they did have a natural resource, delineation and they had just enough mitigation provided on that plan to compensate for the road and utility construction and some hypothetical lot lines.

Chair Pehrson stated that now were talking about a commercial entity that is putting a bunch of rectangular buildings and fitting them into the topography so it doesn't mess with the wetlands and woodlands. Now, were dealing with people that who are going to come back to us in a year or two years, and complain - I can see out of my back window their back window. There are other things that were going to have to think about that we don't have to think about for Beck Corporate North Park. So, this is that transition space that we're using. Chair Pehrson said I think this PSLR is the right application for what we are trying to do, to go between the heavy use and the residential, but what I am looking for is a little bit insurance that when somebody on this side of the table makes a suggestion to a developer that says here is what you should do, that we will have a great warm and fuzzy feeling.

Planner Spencer answered in saying we will see what we can come up with that would accomplish that.

Member Gutman stated that we heard a lot of good comments from the good citizens of Novi. He thinks that is an important part of the process. One of our residents said tonight that when you don't know what's going on it sparks fear in people not to understand. Member Gutman wants to commend the Staff and the Commission for helping to clarify what's being attempted to accomplish here. This is an area that was thought out during the Master Plan process. The input of many citizens was received through many meetings and open forums, all so that it could be put together to better the community. I think when we all walked away from the Master Plan and Zoning Committee with this recommendation we thought this was a spectacular thing for the community and we applaud our wonderful staff, and this was a staff-created idea, but we all bought into it as it went along. Hopefully with what has been said tonight can allay the concerns of the citizens of Novi. This is a much easier use of a district than having those industrial uses that could have come into play here. I think this ordinance will provide for a uniform transition from certain aspects of Novi to other parts of it.

Motion made by Member Gutman and seconded by Member Baratta:

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL OF ZONING ORDINANCE TEXT AMENDMENT 18.253 FOR PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER BARATTA:

Motion to recommend approval to the City Council for Zoning Ordinance Text Amendment 18.253 an Ordinance to Amend Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance to add Article 23B, PSLR, Planned Suburban Low-Rise Overlay District; to amend at Article 24, Schedule of Regulations, Section 2400 Height, Bulk, Density and Area by Zoning District; and to amend at Article 25, General Provisions, Section 2509 Landscape Standards: Obscuring earth berms and walls, right of way buffers, and interior and exterior landscape plantings; Section 2519 Performance Standards and Section 2520. Exterior Building Wall Façade Materials with the friendly addendum of language added by Chair Pehrson. Subject to including additional concept plan requirements to provide clarity to the design of the development for the following reasons listed in the Staff report. Recommendation for approval is subject to staff and the City Attorney's office modifying the text to include additional concept plan requirements to provide clarity to the design of the development at the conceptual plan stage of review. This motion is made for the following reasons: a) These amendments will fulfill the Master Plan for Land Use's implementation strategy to create a Planned Suburban Low-Rise form-based zoning district. b) The new Overlay District would permit an expanded set of moderate-intensity development opportunities that could benefit the City as a whole while protecting the property values of the neighboring detached single-family home neighborhoods by limiting the scale and maintaining

a residential character to any new development. c) Moderate-scale and intensity development could increase City tax revenues beyond that which would occur if the properties were developed as currently zoned for detached single-family and general industrial uses. d) Moderate-density residential development could also increase the demand for retail, office and industrial floor space in the City and increase housing options that could help attract more young families and seniors to the City. *Motion carried 5-0.*

3. SIGN ORDINANCE TEXT AMENDMENT 11-100.41

Public hearing for Planning Commission's recommendation to the City Council for Sign Ordinance Text Amendment 11-100.41, an Ordinance to amend Chapter 28, "Signs", of the City of Novi Code to add regulations concerning the placement of signs within the PSLR, Planned Suburban Low-Rise Overlay Zoning District.

Motion made by Member Gutman and seconded by Member Baratta:

Motion to send recommend approval to the City Council for Sign Ordinance text amendment 11-100.41 an Ordinance to amend Chapter 28, "Signs", of the City of Novi Code to add regulations concerning the placement of signs within the PSLR, Planned Suburban Low-Rise Overlay Zoning District for the following reasons listed in the Staff report: a) The proposed sign standards strive to promote a residential character to the streetscape; b) The signage requirements are similar to those for properties in an office district with larger section line road setbacks and lighting restrictions to lessen the impact future signs could have on neighboring residential properties. *Motion carried 5-0.*

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL OF CITY CODE AMENDMENT 11-100.41 MADE BY MEMBER GUTMAN, SECONDED BY MEMBER BARATTA.

4. ZONING MAP AMENDMENT 18.700 FOR PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT

Public Hearing for Planning Commission's recommendation to the City Council to rezone property by Overlaying the PSLR, Planned Suburban Low-Rise Overlay District on Properties in the R-1, One-Family Residential; R-3, One-Family Residential; RA, Residential Acreage; RM-1, Low Density, Low-Rise Multiple-Family Residential; and I-2, General Industrial Districts. The Subject Properties are located in Section 17 and Section 20, north and south of Eleven Mile Road, east of Wixom Road and west of Beck Road.

Motion made by Member Gutman and seconded by Member Anthony.

In the matter of Zoning Map Amendment 18.700, City of Novi, motion to recommend approval to City Council to rezone property by overlaying the PSLR, Planned Suburban Low-Rise Overlay District on properties in the R-1, One-Family Residential; R-3, One-Family Residential; RA, Residential Acreage; RM-1, Low Density, Low-Rise Multiple-Family Residential; and I-2, General Industrial Districts for the following reasons: a) The proposal is consistent with the 2010 Master Plan for Land Use Future Land Use Map and land use goals; b) The PSLR Overlay District's set of moderate-intensity permitted uses will be compatible with neighboring single family uses because the District's "form-based" standards will require developments be of a moderate scale and single family residential character; c) Adequate infrastructure exists or is planned to support the uses permitted in the PSLR Overlay district; d) The permitted moderate-density residential development could increase the demand for retail, office and industrial for floor space in the City and provide additional housing options that could help attract more young families and seniors to the City; e) This proposed district is located where the natural and built environment provides defined borders to provide additional buffer and separation from one-family residential area. *Motion carried 5-0.*

ROLL CALL VOTE ON RECOMMENDATION OF APPROVAL OF ZONING MAP AMENDMENT 18.700, MOTION MADE BY MEMBER GUTMAN, SECONDED BY MEMBER ANTHONY.

**2010 Master Plan for Land Use Review
Excerpts**

5. Eleven Mile and Beck Roads Study Area

Located between existing high intensity office, retail and industrial and low intensity single family home developments, the Eleven Mile and Beck Roads Study Area is a logical location for medium intensity transitional suburban low-rise land uses. To help maintain a residential character and reduce the impact of development on neighboring properties, a set of “form-based” development standards could be added to the Zoning Ordinance. With an expanded basket of permitted uses, the Study Area will likely produce more tax revenue than the current planned single family residential uses and at the same time provide space in the City for new office, community, human care and residential facilities. Increasing housing choices and density in the Study Area could bring more singles, elderly and families to the City of Novi which could increase demand for retail, office and industrial floor space outside of the Study Area.

Location/Study Area Description

The Eleven Mile and Beck Roads Study Area encompasses about 327 acres and contains 20 parcels (see Figure 13). The parcels are located on both sides of Eleven Mile Road, west of Beck Road and east of Wixom Road. The Study Area includes most of the southeast quarter and part of the southwest quarter of Section 17 and most of the northeast quarter of Section 20.

The Study Area is bounded by the following developments:

- North: Providence Park Hospital site, developed industrial sites, vacant lots and the Novi Promenade retail center (including Sam’s Club and Target stores);
- West: Wixom Road with the Island Lake condominium development and two residential parcels adjacent to the west side of the road, the

Proposed Amendments

- Create new *Suburban Low Rise* future land use definition;
- Designate *Single Family* use areas north of Eleven Mile Road and at the southwest corner of Eleven Mile and Beck Roads for *Suburban Low Rise* uses;
- Designate current *Office* use areas for *Office Commercial* uses;
- *Public Park, Educational Facility and Utility* use areas remain the same with an increase in maximum underlying residential density;
- *Single Family* use areas south of Eleven Mile Road, except the southwest corner of Eleven Mile and Beck Roads, remain the same with an increase in maximum residential density; and
- Add new goals, objectives and implementation strategies in support of the new *Suburban Low Rise* future land use designation.



Figure 12 - Eleven Mile and Beck Roads Study Area oblique air photograph looking southwest (2009).

5. Eleven Mile and Beck Roads Study Area

Eleven Mile and Beck Roads Study Area and Sub-Study Areas

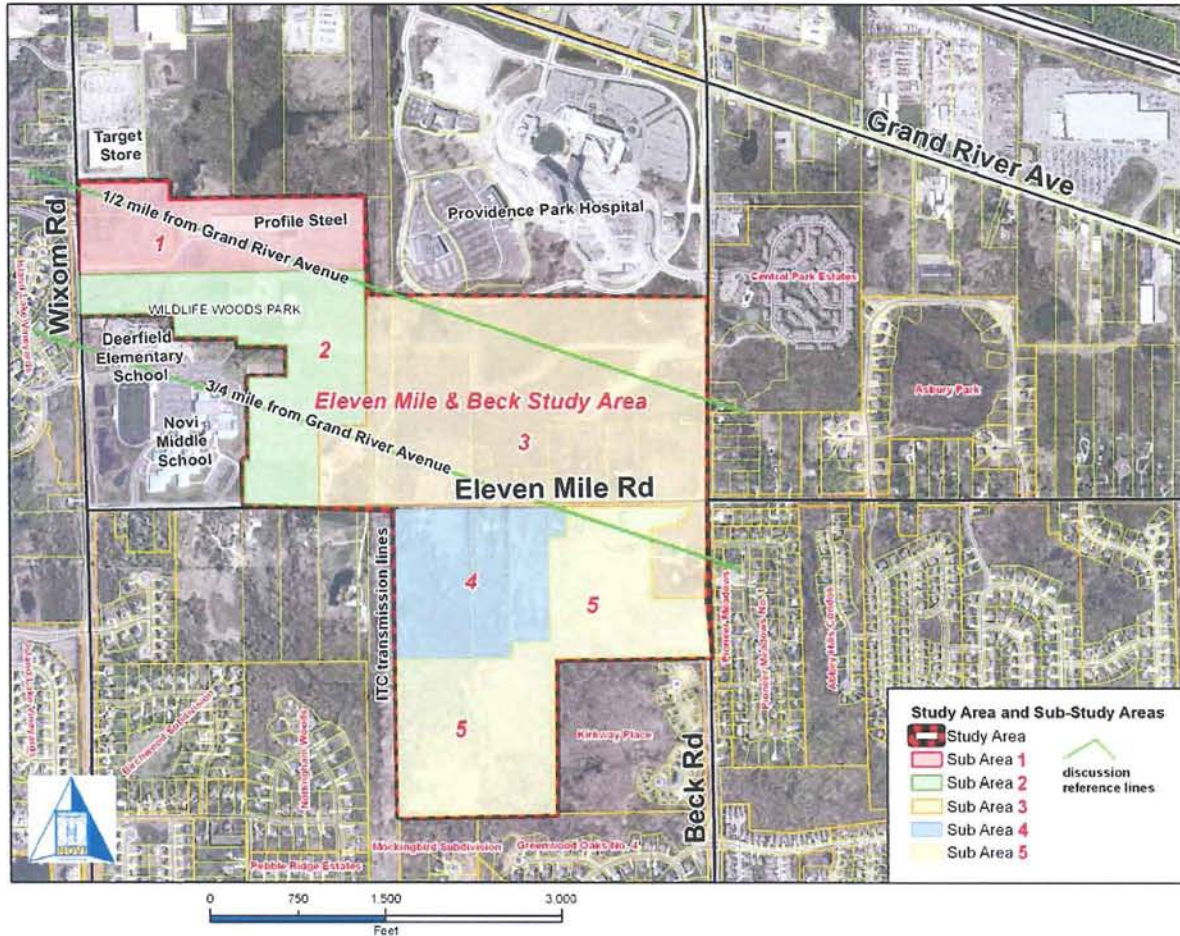


Figure 13 - Eleven Mile and Beck Roads Study Area and Sub-Study Areas with distance from Grand River reference lines.

City of Novi’s Wildlife Woods Park, Novi Middle School, Deerfield Elementary School and the ITC electrical transmission line corridor parcel;

- South: Mockingbird and Greenwood Oaks subdivision open space, Kirkway Place condominium open space; and
- East: Beck Road with the Central Park Estates apartments, a vacant multiple family parcel; vacant and developed one-family quarter acre to one acre residential lots in the Summit and Pioneer Meadows subdivisions; and the vacant City of Novi fire station adjacent to the road.

Due to the Study Area’s size, five sub-study areas were defined to simplify the discussion. The five sub-study areas are as follows (see Figure 13):

- 1 - Profile Steel and two parcels with an area of 37.6 acres located north of Wildlife Woods Park and west of the ITC corridor;



5. *Eleven Mile and Beck Roads Study Area*

- 2 - Wildlife Woods Park parcel with an area of 52.2 acres;
- 3 - Eleven parcels with an area of 124.7 acres located east of Wildlife Woods Park and north of Eleven Mile Road along with the parcel at the southwest corner of Eleven Mile and Beck Roads (Bosco property);
- 4 - Four parcels with an area of 38.9 acres located south of Eleven Mile Road and west of the Novi Community School District's parcel; and
- 5 - Novi Community School District parcel with an area of 72 acres located south of Eleven Mile Road and west of Beck Road.

Natural Features

The Study Area includes woodlands, wetlands, stream corridors, floodplains and priority natural features habitat areas. Most of the Study Area drains to the south and west into the Novi-Lyon Drain which flows into Island Lake and eventually into the Huron River. The balance of the Study Area near the east portion of the Profile Steel site, drains north into tributaries of the Rouge River. The Study Area is a headwater area for both the Rouge and Huron River watersheds and as such the City's wetland map indicates that about 21% of the Study Area is wetlands. The City's woodland map indicates that about 37% of the Study Area is regulated woodlands and the City's Natural Features map indicates that about 36% of the Study Area contains priority habitat areas. The wetlands, woodlands and priority habitat areas all overlap each other. As development is proposed, field delineation of these features will be required. As with other areas of the City, the preservation of natural features will be encouraged.

Planning History

In the 1967 Village of Novi Master Plan, the Eleven Mile and Beck Roads Study Area was depicted for a variety of uses. The former Bob O Link golf course property that is now the Providence Park hospital site and the stream corridors north and south of Eleven Mile Road were depicted for Community Recreation. The area north of the present Wildlife Woods Park was designated for single family residential use at a maximum density of 3.0 dwelling units per acre. The balance of the Eleven Mile and Beck Roads Study Area was depicted for single family residential uses at 1.6 dwellings per acre. This was the least dense designation in this Master Plan.

In the 1980 Master Plan, the north part of Wildlife Woods Park was designated for office uses and the properties north of it for light industrial uses. The balance of the Study Area was depicted for single family residential uses at a maximum density of 0.8 dwellings per acre. In the 1988 Master Plan, the land use designations remained the same except the office use area was changed to single family residential at a maximum 0.8 dwelling units per acre. Details of the 1993 through 2008 Master Plans are discussed in the Sub-Study Area discussions below.

Between 1993 and 1999, Sub-Study Area 1 was designated in the City of Novi Master Plan's Future Land use Map for light industrial uses. In 2004, the designation was changed to Single Family Residential with a maximum density of 4.8 dwelling units per acre and it was not changed in the 2008 update of the Plan. The existing zoning of the Sub-Study Area does not match the current Future Land Use Map designation. The two northwest parcels totaling 8.7 acres of the Sub-Study Area are in the R-1, One-Family Residential district which permits a maximum density of 1.65 dwelling units per acre and the balance of the Sub-Study Area is in the I-2, General Industrial district.

5. Eleven Mile and Beck Roads Study Area



Figure 14 – Sub-Study Area 1 frontage on Wixom Road looking north (source Microsoft Corp. 2009).

On the 1993 Future Land Use Map, Sub-Study Area 2 was designated for single family residential uses at a maximum of 0.8 dwelling units per acre. In the 1999 Master Plan, the designation was changed to Community Park. In 2004, the designation was changed to Public Park and included an underlying single family residential component with a maximum density of 0.8 dwelling units per acre should the property no longer be appropriate for a public park and it was not changed in the 2008 update of the Plan. The northern portion of Sub-Study Area 2 is not consistent with the current Master Plan. It is in the R-1 zoning district which permits a maximum residential density of approximately 1.65 dwelling units per acre. The RA, Residential Acreage zoning district of the southern portion of the Sub-Study Area is consistent with the existing Master Plan.

In 1993, all but a small strip approximately 150 feet wide along the north boundary of Sub-Study Area 3 was designated in the Master Plan for single family residential uses with a maximum density of 0.8 dwelling units per acre. The small strip was planned for office uses. In the 1999 Master Plan, the Future Land Map designated the Sub-Study Area the same except that the maximum residential density for the parcels east of the ITC corridor was increased to 1.65 dwelling units per acre. In 2004, the Future Land Use Map expanded the office use designation to include the north 25 acres of the Sub-Study Area and it designated the ITC corridor for utility use. A maximum underlying residential density of 0.8 dwelling units per acre was added to the utility use area in 2008.

Sub-Study Area 3 includes several zoning districts and portions of the Sub-Study Area are located in zoning districts that matches the Master Plan's future land use designation. The ITC corridor parcel and the parcel immediately to the west of it are both in the RA district which permits a maximum of 0.8

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Figure 15 – North portion of Sub-Study Area 2 with oil facility looking west toward Wixom Road (source Microsoft Corp. 2009).

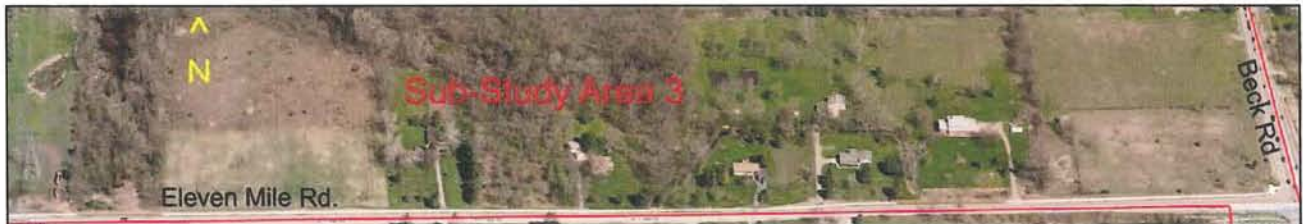


Figure 16 - North side of Eleven Mile Road from ITC power lines to Beck Road (Sub-Study Area 3)(source Microsoft Corp. 2009).



Figure 17 – West side of Beck Road from Kirkway Place to Providence Parkway (Sub-Study Area 3) (source Microsoft Corp. 2009).



Figure 18 – South side of Eleven Mile Rd. from ITC power lines to Beck Road (Sub-Study Areas 3, 4 & 5)(source Microsoft Corp. 2009).

Note: The above photographs are composite photographs and may show some distortion.

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dwelling units per acre, which matches the density in the current Master Plan. One half of the north 25 acres master planned for office are in the OSC district. The lower half of the master planned office area and the balance of the parcels north of Eleven Mile Road are in the R-3 zoning district that permits a maximum of 2.7 dwelling units per acre versus 1.65 recommended by the Master Plan. The 7 acre Bosco property on the southwest corner of Eleven Mile and Beck Roads is in the RA district that permits up to 0.8 dwelling units per acre and the Master Plan for this property recommends up to 1.65 dwelling units per acre.

Sub-Study Area 4 has been designated for single family residential uses in the City's master plans from 1993 to 2008. In 1993 the maximum residential density was 0.8 dwelling units per acre and in 1999, this was changed to the current maximum of 1.65 dwelling units per acre. All but the east one acre parcel, which is in the RA zoning district, is zoned R-1 with a PRO (Planned Rezoning Overlay) for 58 single family dwellings. Originally approved in 2006 as the Oberlin Condominiums, the Novi City Council granted the property owners a one year extension in 2008 and another one year extension in 2009.

Sub-Study Area 5 was Master Planned for single family residential in the 1993 and the 1999 plans. In 1993, the maximum residential density was shown as 0.8 dwelling units per acre. In 1999, this was changed to a maximum of 1.65 dwelling units per acre. In the 2004 the future land use designation was changed to Educational Facility. This remained the same in 2008 update of the Plan except that provided for an underlying maximum residential density of 1.65 dwelling units per acre should the property ceases to be viable for educational facility use. The current zoning of Sub-Study Area 5 is RA. Educational facilities are permitted in this district. The current zoning is generally compliant with the current future land use designation in the Master Plan, although it could be rezoned to R-1 for a higher residential density.

Existing Development

The sub-study areas contain a variety of development types as listed below:

- Sub-Study Area 1 is occupied by the former Profile Steel building site, a single family home with accessory buildings and a vacant parcel.
- Sub-Study Area 2 is owned by the City of Novi and is partially developed as Wildlife Woods Park. The Area also includes a 2 acre oil well site. The property was recently considered to be



Figure 19- Example attached single-family dwellings at 7.3 dwelling units per acre (*The Springs 2009*).

exchanged with the Novi Community School District for potential parkland in Sub-Study Area 5 but this exchange did not take place.

- Sub-Study Area 3 is the largest of the sub-study areas in the Eleven Mile and Beck Roads Study Area and it comprises 11 parcels that cover 124.7 acres. It includes the ITC electrical transmission lines parcel north of Eleven Mile Road, one parcel to the west of the power lines developed with a single-family home and the Westside Forestry and Signature Lawn Care business facilities. The balance of Sub-Study



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Area 3 includes vacant land and single family homes.

- Sub-Study Area 4 contains single family homes and vacant land.
- Sub-Study Area 5 is vacant land except for a few agricultural buildings located on the eastern edge of the Sub-Study Area.

Utilities and Infrastructure

All of the parcels in the study area could be served by an existing 16-inch water main along the Wixom Road, Eleven Mile Road and Beck Road frontages.

The properties fronting on Wixom Road can be served by a 12-inch sewer on the west side of Wixom Road. The properties fronting on Beck Road can be served by the 18-inch sewer on the west side of Beck Road. The remaining parcels fronting only on Eleven Mile could be served by a sewer extension along Eleven Mile from Beck Road, or by connecting to the 21-inch sewer along the northern limits of some of the parcels.

The existing road system in the Study Area consists of Eleven Mile Road, a paved two-lane residential collector road; Wixom Road a paved two-lane minor arterial road; and Beck Road a paved two-lane arterial road. The three-way stop signed intersection of Wixom and Eleven Mile Roads and the signalized intersection of Beck and Eleven Mile roads are both improved with turn lanes.

Study Area Review

Since the Eleven and Beck Study Area is sandwiched between residential open space, low density single family residential dwellings and public schools, industrial, retail, office and multiple family dwellings, it is appropriate to consider land uses for this study area that provide a transition between the lower and higher intensity uses rather than the currently planned low density single family residential uses. By placing moderately intense development between high and low intensity development, traffic, noise and bulk impacts would more gradually decrease.



Figure 20 - Example multiple-family dwellings (senior housing) with a single family residential character at 15 dwelling units per acre (Walton Woods 2009).

Historically, the City's Master Plans have placed multiple family residential and office use areas to buffer more intense retail and industrial uses from single family residential uses. Existing retail (Target and Sam's Club), office (Providence Park), industrial (Profile Steel) and multiple family residential (Central Park Apartments) uses extend south from Grand River Avenue about one-half miles. In addition, a parcel zoned RM-2, High Density Multiple Family, is located along the east side of Beck Road about one-half mile south of Grand River. Creating a less intensive transitional use area of about one-half of this width, with a nominal distance from Grand River Avenue from about one-half to three-quarters of a mile from Grand River Avenue and increasing single family

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Key Information

- Medium intensity Low-rise office, human care, educational, attached single family and multiple family residential developments could provide an attractive transition between the higher intensity developments along Grand River Avenue and low intensity single family residential developments;
- Existing parks, preserved open space, schools, utility corridors and major roads separate the Study Area from neighboring single family residential developments;
- Increasing the planned intensity of development in the Study Area could increase City tax revenues;
- Increasing residential density could increase demand for retail, office and industrial floor space in the City;
- Increasing residential density could increase housing options and attract more young families and seniors to the City;
- A "form based" zoning district creates a predictable streetscape through a set of ordinance standards; and
- A set of suburban low-rise design and use standards would help protect the residential character of the neighborhood.

residential densities in the portions of the study area that are further from Grand River Avenue, are logical extensions of the "concentric ring" planning concept that placing less intense rings of development around nodes or lineal areas of more intense development.

Increasing the planned intensity of development could increase tax revenues and it may increase the ultimate number of dwelling units that could be built in the City. A larger number of dwelling units in the City would increase the size of the available workforce and potentially increase demand for retail, office and industrial floor space which could spur additional development outside of the study area. Increasing the permitted residential density could increase the range of housing choices which could attract more singles, elderly and families to Novi. Providing for a mix of uses will increase available services in the area and could provide more opportunities for social interaction. Increasing the permitted basket of uses could increase the potential of these properties developing in the near future. Increasing density and providing for a mix of uses are principals supported by the American Planning Association, the Smart Growth Network and the Governor's Council on Physical Fitness.

On the negative side, increasing the intensity of development in this transitional area by replacing the planned single family dwellings with senior housing, condominiums, apartments, attached single family units or offices would increase traffic on Beck, Wixom and Eleven Mile Roads and increase demand on utilities and public services.

Suburban Low Rise

Two amendment concepts are recommended to further the concept to plan for the Eleven Mile and Beck Road Study Area to act as a transition area between high intensity land use and low intensity single family land uses. The first, is to add a new Suburban Low Rise use definition and assign the use to an area about one-half to three quarters mile from Grand River Avenue. The second, is to increase single family residential density south of the new land use designation.

The Suburban Low Rise land use designation would permit attached single family residential, multiple family residential, community service, human care, civic, educational, public recreation and office uses when developed under a set of use and design guidelines to keep the residential character of the area and minimize the effect that the transitional uses would have on nearby single family residential properties. Permitting these uses could produce higher per acre value taxable value than would be achieved with the current planned low density single-family uses. Allowing medium intensity development could encourage the development of housing that could be more attractive to seniors and young families.

