



ZONING MAP AMENDMENT 18.672

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Public Hearing on the request of Ten & Beck, LLC. for Planning Commission's recommendation to City Council for rezoning of property in Section 20, on the north side of Ten Mile Road, west of Beck Road, from R-1, One-Family Residential, to B-2, Community Business District. The subject property is approximately 24.3 acres.

REQUIRED ACTION

Recommend to City Council approval or denial of rezoning request from R-1, One-Family Residential to B-2, Community Business.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval is not recommended	02/06/08	<ul style="list-style-type: none"> • Requested zoning is not in compliance with the Master Plan for Land Use. • Requested rezoning would constitute a "spot zoning."
Engineering	Comments provided	08/27/07	Summary of findings provided
Traffic	Comments provided	08/09/07	<ul style="list-style-type: none"> • Requested zoning is not in compliance with the Master Plan for Land Use. • Proposed site is shown to yield a negative impact on adjacent roadways.
Traffic Impact Study	Approval recommended	01/30/08	Summary of findings provided.

Motion sheet

Approval

In the matter of Zoning Map Amendment 18.672 for Ten & Beck, LLC, motion to **recommend approval** to the City Council to rezone the subject property from R-1, One-Family Residential to B-2, Community Business *for the following reasons...*

Denial

In the matter of Zoning Map Amendment 18.672 for Ten & Beck LLC, motion to **recommend denial** to the City Council to rezone the subject property from R-1, One-Family Residential to B-2, Community Business, *for the following reasons...(because is not in compliance with the Master Plan for Land Use.)*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

February 6, 2008

Planning Review - Updated

Ten & Beck LLC

Zoning Map Amendment 18.672

Petitioner

Ten & Beck, LLC

Review Type

Rezoning Request from R-1 (One-Family Residential) to B-2 (Community Business)

Property Characteristics

- Site Location: North of Ten Mile Road, West of Beck Road
- Site Zoning: R-1, One-Family Residential
- Adjoining Zoning: North: R-1; East: Beck Road, R-1, B-1; West: R-1; South: Ten Mile Road, R-1
- Current Site Use: Vacant Land
- Adjoining Uses: North: Greenwood Oaks Subdivision; East: Beck Road, Briar Pointe Plaza, Briarwood Village; West: Warrington Manor Subdivision; South: Single-Family Homes, Vacant
- School District: Novi Community School District
- Site Size: 24.3 acres

Project Summary

The petitioner is requesting the rezoning of a property on the northwest corner of Ten Mile and Beck Road in Section 20 of the City of Novi. The 24.3 acres under review are currently zoned R-1, One-Family Residential. The applicant has requested a rezoning of the parcel to B-2, Community Business. The applicant has indicated that the rezoning is being requested to facilitate the construction of commercial use on the site in the future, which is not a permitted use in the R-1 zoning district. The applicant should be made aware that this area is under review for further study and possible amendments to the Master Plan for Land Use.



Review by the Planning Commission may be delayed due to the current study.

Recommendation

Staff **recommends denial** of the proposed Zoning Map Amendment, which would rezone the property from R-1, One-Family Residential, to B-2, Community Business. The rezoning request is not consistent with the Master Plan for Land Use, which recommends One-Family Residential land uses on the parcel. Denial is recommended for the following reasons.

- The requested zoning is in not compliance with the Master Plan for Land Use, which calls for One-Family Residential land uses on the property.
- The requested rezoning would constitute a "spot zoning" as all immediate surrounding areas are zoned One-Family Residential and the Master Plan recommends One-Family Residential land uses for the area in general.

Planning Commission Options

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

1. Recommend rezoning of the parcel to B-2, Community Business (*APPLICANT REQUEST*).
2. Recommend rezoning to B-1, Local Business. (This is not recommended by staff since it is not consistent with the Master Plan for Land Use.)
3. Recommend rezoning to B-3, General Business. (This is not recommended by staff since it is not consistent with the Master Plan for Land Use.)
4. Deny the request, with the zoning of the property remaining R-1, One-Family Residential (**STAFF RECOMMENDATION**).
5. Recommend rezoning of the parcels to any other classification that the Planning Commission determines is appropriate. **NOTE:** This option would require the Planning Commission to hold and send notice for another public hearing with the intention of recommending rezoning to the appropriate designation. At this time, Staff has not reviewed any other alternatives.

Traffic Impact Study

A rezoning Traffic Impact Statement (TIS) was required for Rezoning 18.672. This was submitted along with all other required paperwork in July of 2007. However, the Traffic Impact Statement was incomplete at that time. The City's traffic consultant has worked with the applicant to create a complete traffic study. The final review letter from the City's traffic consultant noting approval of the TIS was issued on January 30, 2008. The original Planning review letter was issued on August 7, 2007. This letter has been updated to note the completion of the traffic review based on the resubmittal of the TIS.

Master Plan for Land Use

The Master Plan for Land Use currently designates this property for One-Family Residential zoning. A rezoning of the property to a B-2 zoning would be inconsistent with the recommended actions of the Master Plan. The Master Plan recommends One-Family Residential land uses not only for this parcel, but also for the immediate surrounding parcels and the general area, with the exception of a small portion of the northeast corner of the intersection, which is master planned for local commercial.

Existing Zoning and Land Use

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

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

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Site	R-1, One-Family Residential	Vacant	One-Family Residential
Northern Parcels	R-1	Greenwood Oaks Subdivision	One-Family Residential
Southern Parcels	Ten Mile Road, R-1	Ten Mile Road, Single-Family Homes, Vacant	One-Family Residential
Eastern Parcels	Beck Road, R-1,B-1	Beck Road, Briar Pointe Plaza, Briarwood Village	One-Family Residential, Local Commercial
Western Parcels	R-1	Warrington Manor Subdivision	One-Family Residential

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested B-2 zoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request.

The property to the **north** of the subject property is in the R-1, One-Family Residential district and contains Greenwood Oaks Subdivision. Changing the zoning of the subject property to B-2 has the potential to positively and negatively affect the existing subdivision. While the subdivision north of the subject property would experience increased traffic in the area and could see a drop in the residential values of their

homes, a commercial establishment in the area would also provide a convenient place for them to shop.

Directly to the **south** of the subject property is Ten Mile Road. The properties to the south of Ten Mile Road are zoned R-1, One-Family Residential and have large lots with single-family homes situated on them. There is also one residentially zoned vacant parcel of land. This property is in the Master Plan for Land Use for One-Family Residential. Changing the zoning of the subject property to B-2 will have a mostly negative impact on this property. The owners would likely see an increase in traffic and a potential decrease in the re-sale value of their home if an office or commercial development is constructed directly across the street from their existing homes. However, a commercial development could also bring a convenient shopping place to the area.

The property to the **west** of the subject property is in R-1, One-Family Residential district and contains Warrington Manor subdivision. The impacts to this subdivision would be consistent with the impacts described for the subdivision to the north.

The property to the **east** of the subject parcel is Beck Road. The properties to the east of Beck Road are Briar Pointe Plaza and Briarwood Village. Briar Pointe Plaza could experience increased competition if a shopping area/commercial establishments are situated directly opposite the existing plaza. Briarwood Village is an existing residential development that would not be greatly impacted. The development is currently adjacent to an existing shopping plaza. The residents would experience increased traffic in the area as a result of an additional shopping area but would also benefit from the increased convenience and store selection.

The development of an commercial area in the Ten Mile Road/Beck Road area would detract from the residential character of the surrounding area and create a commercial development within a mostly residential sector of the City.

Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classifications. Two alternatives have been provided at this time, the B-1, Local Business district and the B-3, General Business district. Although the principal permitted uses and special land uses would fit with the applicant’s request to construct a commercial development on the property, neither of the proposed alternatives would be in compliance with the Master Plan, which recommends One-Family Residential for the site.

	R-1 Zoning (Existing)	B-2 (Proposed)	B-1 Zoning (Alternative, Not Preferred)	B-3 Zoning (Alternative, Not Preferred)
Principal	1. One-Family	1) Any retail	1. Generally	1. Any retail

	R-1 Zoning (Existing)	B-2 (Proposed)	B-1 Zoning (Alternative, Not Preferred)	B-3 Zoning (Alternative, Not Preferred)
Permitted Uses	<p>detached dwellings.</p> <ol style="list-style-type: none"> 2. Farms and greenhouses (subject to specific conditions). 3. Publicly owned and operated parks, parkways and outdoor recreational facilities. 4. Cemeteries. 5. Home occupations, as set forth and regulated in Section 201 of this Ordinance. 6. Accessory buildings and uses, customarily incident to any of the above uses. 7. The keeping of horses and ponies (subject to specific conditions). 8. Family Day Care Homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence. 	<p>business or service establishment permitted in the B-1, Local Business district, subject to the regulations applicable in the following sections of this Article.</p> <ol style="list-style-type: none"> 2) All retail business or service establishments uses as follows: <ol style="list-style-type: none"> a) Any retail business whose principal activity is the sale of merchandise in an enclosed building. b) Any service establishment of an office, showroom or workshop nature of a decorator, dressmaker, tailor, bridal shop, art gallery, interior designer or similar establishment that requires a retail adjunct. c) Restaurants (sit down), banquet facilities or other places serving food or beverage, except those having the character of a drive-in or having a drive- 	<p>recognized retail businesses which supply commodities on the premises, such as but not limited to: groceries, meats, dairy products, baked goods or other specialty food products (excluding all restaurants), drugs, dry goods, clothing and notions or hardware.</p> <ol style="list-style-type: none"> 2. Personal service establishments which perform services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe and etc.), tailor shops, beauty parlors or barbershops, photographic studios, and self-service laundries and dry cleaners. 3. Dry cleaning establishments or pick-up stations, dealing directly with the consumer. 4. Business establishments which perform services on the premises, such as but not limited to: banks, loan companies, insurance offices and real estate offices. 	<p>business or service establishment permitted in B-1 and B-2 districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions and subject to the restrictions therein.</p> <ol style="list-style-type: none"> 2. Auto wash when completely enclosed in a building. 3. Bus passenger stations. 4. New and use car salesroom, showroom, or office, except trucks and heavy off-road construction equipment. 5. Other uses similar to the above uses. 6. Tattoo parlors (subject to specific conditions). 7. Publicly owned and operated parks, parkways and outdoor recreational facilities. 8. Accessory structures and use customarily incident to the above permitted uses.

R-1 Zoning (Existing)	B-2 (Proposed)	B-1 Zoning (Alternative, Not Preferred)	B-3 Zoning (Alternative, Not Preferred)
	<p>through window.</p> <p>d) Theaters, assembly halls, concert halls, museums or similar places of assembly when conducted completely within enclosed buildings.</p> <p>e) Business schools and colleges or private schools operated for profit.</p> <p>3) Day care centers and adult day care centers provided that all of the conditions contained within subsection 1102.4 are met.</p> <p>4) Private clubs, fraternal organizations and lodge halls.</p> <p>5) Hotels and motels, provided the site does not abut a residential district.</p> <p>6) Office buildings of any of the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting, sales and medical offices, including laboratories and clinics.</p> <p>7) Other uses similar to the above uses.</p> <p>8) Accessory structures and uses customarily incident</p>	<p>5. Professional services including the following: offices of doctors, dentists and similar or allied professions.</p> <p>6. Post office and similar governmental office buildings, serving persons living in the adjacent residential area.</p> <p>7. Off-street parking lots.</p> <p>8. Instructional centers for music, art, dance, crafts, martial arts, exam preparation and similar instruction.</p> <p>9. Other uses similar to the above uses.</p> <p>10. Accessory structures and uses customarily incident to the above permitted uses.</p>	

	R-1 Zoning (Existing)	B-2 (Proposed)	B-1 Zoning (Alternative, Not Preferred)	B-3 Zoning (Alternative, Not Preferred)
		to the above permitted uses.		
Special Land Uses	<ol style="list-style-type: none"> 1. Churches (subject to specific conditions). 2. Public, parochial and private elementary intermediate or secondary schools (subject to specific conditions). 3. Utility and public service buildings and uses (subject to specific conditions). 4. Group day care homes, day care centers and adult day care centers (subject to specific conditions). 5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to specific conditions). 6. Golf courses (subject to specific conditions). 7. Colleges, universities and other such institutions of higher learning, public and private (subject to specific conditions). 8. Private pools shall be permitted as an accessory use (subject to specific conditions). 9. Cemeteries (subject 	<ol style="list-style-type: none"> 1. Gasoline service stations (subject to specific conditions). 	<ol style="list-style-type: none"> 1. Mortuary establishments (subject to specific conditions). 2. Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations; gas regulator stations with service yards but without storage yards; water and sewage pumping stations. 	<ol style="list-style-type: none"> 1. Outdoor space for exclusive sale of new or used automobiles, campers, recreation vehicles, mobile homes, or rental of trailers or automobiles (subject to specific conditions). 2. Motel (subject to specific conditions). 3. Business in the character of a drive-in or open front store (subject to specific conditions). 4. Veterinary hospitals or clinics (subject to specific conditions). 5. Plant materials nursery (subject to specific conditions). 6. Public or private indoor recreational facilities, including, but not limited to, health and fitness facilities and clubs, swimming pools, tennis and racquetball courts, roller skating facilities, ice skating facilities, soccer facilities, baseball and softball practice areas, indoor archery ranges and similar indoor recreational uses, and private outdoor recreational facilities, including, but not limited to, playfields, playgrounds, soccer

	R-1 Zoning (Existing)	B-2 (Proposed)	B-1 Zoning (Alternative, Not Preferred)	B-3 Zoning (Alternative, Not Preferred)
	<p>to specific conditions).</p> <p>10. Railroad right-of-way but not including terminal freight facilities, transfer and storage tracks.</p> <p>11. Mortuary establishments (subject to specific conditions).</p> <p>12. Bed and breakfasts subject to the standards of Section 2522.</p> <p>13. Accessory buildings and uses customarily incident to any of the above permitted uses.</p>			<p>fields, swimming pools, tennis and racquetball courts and ice skating facilities.</p> <p>7. Mini-lube or quick oil change establishments (subject to specific conditions).</p>
Minimum Lot Size	Dwelling Units/Net Site Area = 1.65	2 acres	Based on the amount of off-street parking, landscaping, and setbacks required	Based on the amount of off-street parking, landscaping, and setbacks required.
Building Height	2.5 stories –or- 35 feet	2 stories –or- 30 feet	1 story –or- 25 feet	30 feet
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Front: 40 feet Sides: 30 feet Rear: 30 feet	Front: 20 feet Sides: 15 feet Rear: 20 feet	Front: 30 feet Sides: 15 feet Rear: 20 feet

Infrastructure Concerns

See Engineering review letter for specific discussion of water and sewer capacities in the area serving the subject property. The applicant was required to submit a Traffic Impact Study with the rezoning request. It indicated a decrease in the overall function of the intersection of Beck Road and Ten Mile Road and suggested roadway improvements to be included with the Preliminary Site Plan should the rezoning be approved. Any specific and necessary improvements to the roadway will be reviewed at the time of Preliminary Site Plan submittal. See the traffic review letter for additional information regarding the Traffic Impact Study.

Natural Features

The regulated wetland and woodland maps indicates that there are no natural features in the City’s inventory at this time. The location of any woodlands and wetlands will need to be field verified by the applicant with the submittal of any site plan for the

parcels. Impacts to these natural features will be reviewed and discussed during the site plan submittal for any project on the property.

Development Potential

Development under the current R-1 zoning could result in the construction of up to forty houses based on the density regulations of the district and depending on the size of the proposed residences. The development of a commercial establishment under the proposed B-2 zoning would result in a moderately sized commercial establishment. The ultimate size of the facility would depend on the parking requirements associated with its specific use. Any restaurant uses on this site would decrease this yield, due to the slightly higher parking demand when compared to general commercial uses. The applicant has suggested a general office or commercial shopping center of 75,000 square feet.

Submittal Requirements

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- The rezoning sign still needs to be erected on the property, in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request. This sign should be erected a minimum of 15 days prior to the scheduled public hearing.
- A traffic impact statement was submitted.



Kristen Kapelanski, Planner- City of Novi 248-347-0586

ENGINEERING REVIEW



CITY OF NOVI
Engineering Division

MEMORANDUM

To: Barbara McBeth, AICP
Deputy Community Development Director

From: Brian T. Coburn, P.E. *BTC*
Civil Engineer

Date: August 27, 2007

Re: Rezoning Request 18.672
Northwest corner of Beck and Ten Mile

In response to your request, we have reviewed the proposed rezoning of the parcel at the northwest corner of Ten Mile and Beck Roads for availability and potential impacts to public utilities. It is our understanding that the applicant is requesting that the 24.24 acres parcel be rezoned from R-1 to B-2. A map has been attached to this memo showing the location of the site and the location of public water and sanitary sewer in the area.

Utility Demand

The rezoning would result in a significant increase in the water and sanitary sewer demands for this parcel. The resultant increase in water and sewer demand as a result of the proposed rezoning could be approximately 2.5 to 3 times depending on the size of the buildings and use. Because restaurants are allowed in B-2 zoning, the likelihood of a potentially high demand is increased.

Water Service

Water service is currently available from the existing water main on the east side of Beck Road along the frontage of this parcel. At the time of development, the applicant would be required to extend the water main along the frontage of their site on Ten Mile Road.

The rezoning request is for 24.24 acres to be rezoned from R-1 to B-2, which typically results in a higher water demand. In this case, the impact to the water system by rezoning this parcel would be minimal based on its location adjacent to a 16-inch water main having adequate pressure and flow. The water model indicates a pressure decrease of less than one percent as a result of the increased water demand.

Sanitary Sewer Service

According to the sanitary sewer service district map; the sanitary sewer flows from this parcel are master planned to discharge to the sanitary sewer located adjacent to the site along Beck Road through the Simmons Sanitary Sewer District.

As stated previously, a B-2 use results in a higher water demand and thus a higher sanitary sewer discharge than an R-1 use.

Depending on the specific use constructed on this parcel if rezoned to B-2, the sanitary flows could be as much as three (3) times higher than those under an R-1 zoning. Our preliminary calculations determined that the flows into the Simmons Sewer District could increase by approximately 0.14 cubic feet per second (cfs), depending on the types of uses proposed. This represents an increase of 16% of the flows leaving the Simmons Sewer District and a 1.4% increase in the current base flow leaving the city at Eight Mile Road. While the sanitary sewer infrastructure is capable of handling the additional flow, the zoning change could impact the outlet capacity at the time of build-out. The October 2005 sanitary sewer capacity study indicated that under existing master planned land use the city will exceed its contractual sewer capacity by approximately 2.5 cfs. Therefore, any time a parcel is rezoned to a use that could result in a high sanitary sewer discharge; it could result in the acquisition of additional capacity.

Summary

In summary, the water main facilities that are in place are adequate to serve the proposed change in zoning with little or no impact on the rest of the water system and the water master plan. The sanitary sewer facilities have capacity to support the additional flows that would be anticipated with a higher use zoning of B-2. Therefore, we conclude that the rezoning would have a minimal impact on the public utility infrastructure, but due to the potentially large increases in sanitary sewer flow the rezoning could require the acquisition of additional capacity downstream of Eight Mile Road at the time of build-out.

cc: Rob Hayes, P.E.; City Engineer
Ben Croy, P.E.; Plan Review Engineer
Benny McCusker, Public Works Director

Utility Location Map

Rezoning Request 18.672

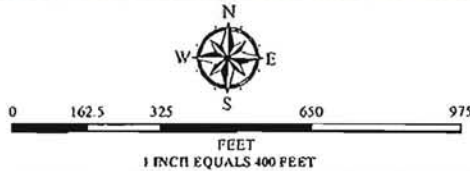


Legend

- Sanitary Sewer
- Water Main

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CITY OF NOVI
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