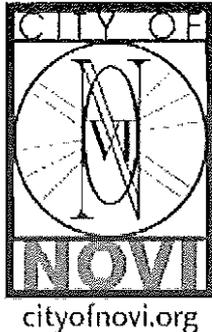


MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KRISTEN KAPELANSKI, PLANNER *Kristen*
THRU: BARBARA MCBETH, COMMUNITY DEVELOPMENT
SUBJECT: TEXT AMENDMENT 18.247
DATE: FEBRUARY 14, 2011

Attached are ordinance amendments the Community Development Department has proposed to allow all buildings in the OST District to be constructed to a height of 65 feet with additional building setbacks and to allow buildings on parcels adjacent to freeway rights-of-way to be constructed up to a height of 65 feet with additional building setbacks. This amendment would align with the following Implementation Strategy listed in the Master Plan for Land Use: "The City should review the Zoning Ordinance to see if it would be appropriate to increase permitted building heights for properties close to the freeway in all non-residential districts."

Changes to Building Heights in the OST District

Currently, buildings in the OST District north of Grand River Avenue can be constructed up to a height of 65 feet if additional building setbacks are provided. The proposed amendment would also permit buildings on parcels with OST zoning south of Grand River Avenue and also abutting a freeway to be up to 65 feet in height if additional setbacks were provided. There are several parcels master planned for office research uses south of Grand River Avenue that could be rezoned to OST in the future but if not abutting a freeway would not be allowed additional height. See the attached map highlighting these parcels.

Changes to Buildings Heights Adjacent to Freeway Rights-of-Way

As previously noted, buildings adjacent to freeway rights-of-way would be permitted to reach 65 feet in height if additional building setbacks were provided. The following districts would include this provision: RC, Regional Center District, I-1, Light Industrial District and I-2, General Industrial District. The other districts adjacent to freeway rights-of-way that would not include the additional height amendments are the B-2, EXPO, C, TC and OSC Districts. Buildings in the EXPO, TC and OSC Districts are already permitted to have additional height. Additional height options were not included in the B-2 District as it would not be consistent with the intent of the district. Building height is regulated by a specific section of the Ordinance in the C District and was not addressed as part of this amendment. Additional height would not be permitted on properties abutting residential districts. See the attached map illustrating existing zoning adjacent to freeway rights-of-way.

Set Ordinance Amendments for a Public Hearing

On February 23rd, the Planning Commission will be asked to set a Public Hearing for March 23rd on the proposed ordinance amendments. At that time, the Commission will hold the public hearing and forward a recommendation to the City Council, for reading and adoption.

This matter appeared before the Implementation Committee where members were generally in support of the proposal. Relevant meeting minutes are attached. If any Commissioner has any questions related to this request, do not hesitate to contact Kristen Kapelanski, in the Community Development Department at (248) 347-0586 or kkapelanski@cityofnovi.org.

PROPOSED ORDINANCE AMENDMENTS – STRIKE VERSION

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 11- 18 – 247

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 24, SCHEDULE OF REGULATIONS, SECTION 2400, SCHEDULE LIMITING HEIGHT, BULK, DENSITY AND AREA BY ZONING DISTRICT; IN ORDER TO INCLUDE PROVISIONS TO ALLOW FOR ADDITIONAL HEIGHT IN PROPERTIES ADJACENT TO LIMITED ACCESS FREEWAYS.

THE CITY OF NOVI ORDAINS:

Part I.

That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 24, Schedule of Regulations, Section 2400, Schedule Limiting Height, Bulk, Density and Area by Zoning District is hereby amended to read as follows:

ARTICLE 24. SCHEDULE OF REGULATIONS

Sec. 2400. Schedule Limiting Height, Bulk, Density and Area by Zoning District

[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)
OS-1	Office Service	(g)	(g)	—	30	20 (h, t)	15 (c, t)	20 (l, t)	20	10(a)	10(a)	—	(g)
OS-2	Planned Office Service	(g)	(g)	3	42	50(h, t)	50(l, m, t)	50(l, m, t)	20	20	20	—	(g)
OSC	Office Service Commercial	(g)	(g)	(j)	(j)	35(h, t)	35(c, i, t)	35(i, l, m, t)	(h)	20	20	—	(g)
OST	Office Service Technology	(g)	(g)	3	46(u)	50(h, t, u)	50(c, m, t, u)	50(l, m, t, u)	20	20	20	—	(g)
B-1	Local Business	(g)	(g)	1	25	20(h, t)	15(c, t)	20(l, t)	20	10(a)	10(a)	—	(g)
B-2	Community Business	2 ac.	(g)	2	30	40(h, t)	30(c, t)	30(l, t)	20	10(a)	10(a)	—	(g)
B-3	General Business	(g)	(g)	—	30	30(h, t)	15(c, t)	20(l, t)	20	10(a)	10(a)	—	(g)
RC	Regional Center	(g)	(g)	3	45 (w)	100(h, t)	100(c, m, t)	100(l, m, t)	20	10(a)	10(a)	—	(g)
TC	Town Center	(See Article 16)		5	65	(h, t)	(c, m, t)	(m, t)	20	20	10(a)	—	(g)
TC-1	Town Center	(See Article 16)		(See Article 16)		(t)	(c, m, t)	(m, t)	20	10	10(a)	—	(g)
FS	Freeway Service	(g)	(g)	1	25	30(h, t)	10(c, t)	20(l, t)	20	10(a)	10(a)	—	(g)
I-1	Light Industrial	(g)	(g)	—	40 (w)	40(h, m, t)	20(c, i, m, t)	20(i, l, m, t)	(h)	10	10	—	(g)
I-2	General Industrial	(g)	(g)	—	60 (w)	100(h, m, s, t)	50(c, i, m, s, t)	50(i, l, m, s, t)	(h)	20	20	—	(g)
NCC	Non-Center Commercial	2 ac.	200	2	25	40(h, t)	20(c, t)	20(l, t)	20(h)	10(a)	10(a)	—	(g)
C	Conference (See Article 22)	30 ac.				(t)	(t)	(t)		20	20		
EXPO	Exposition	(See Article 10)				(h, t)	(t)	(t)					
EXO	Exposition Overlay	(See Article 10A)				(h, t)	(t)	(t)					
GE	Gateway East	2 ac(n)	200	2(k)	35(o)	See Section 902A			See Section 902A		25%	See Section 902A	

* [Unchanged.]

** [Unchanged.]

DWELLING UNIT DENSITY/TYPE REGULATIONS

[Unchanged.]

Notes to Schedule of Regulations:

(a) – (t) [Unchanged.]

(u) The maximum height permitted in the OST districts shall be forty-six (46) feet or three (3) stories, with a minimum building setback of fifty (50) feet, except as provided below.

~~(1) Properties south of Grand River Avenue shall not qualify for additional building height.~~

~~(21) On properties abutting a right-of-way line of a limited access freeway and on all properties north of Grand River Avenue, buildings may be constructed up to sixty-five (65) feet in height, with building setbacks increased by two (2) feet for every one (1) foot of building height in excess of forty-six (46) feet.~~

~~(32) On properties located north of Grand River Avenue any portion of a building located within 1,200 feet of a right of way line of a limited access freeway, and on any property east of M-5 and north of Thirteen Mile Road, and on any property west of Cabaret Drive north of I-96 and south of Twelve Mile Road, may be constructed up to one hundred and fifteen (115) feet in height, subject to the following:~~

~~a. All building setbacks shall be increased by two (2) feet for every one (1) foot of building height in excess of forty-six (46) feet, unless the building is within a planned development approved as part of a single development plan, in which case setbacks shall be increased by one (1) foot for every one (1) foot of such additional building height.~~

~~b. Buildings utilizing this subsection shall be designed to minimize their impact on surrounding existing uses, including, but not limited to building design elements such as variation in building materials, mitigation of exterior and interior building lighting, and utilization of building relief (including step backs of higher stories).~~

~~(43) The maximum height of all buildings shall include all rooftop appurtenances, architectural features, skylights, or other such roof mounted building amenities.~~

~~(54) Notwithstanding the above, the minimum building setback from all residentially zoned properties shall be one hundred (100) feet.~~

(v) [Unchanged.]

(w) On properties located within 1,200 feet of a right of way line of a limited access freeway and not adjacent to residentially zoned properties, buildings may be constructed up to sixty-five (65) feet in height, with building setbacks increased by two (2) feet for every one (1) foot of building height in excess of the maximum height permitted in that district.

PART II.

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 III.

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 IV.

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 V.

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:

**IMPLEMENTATION COMMITTEE MEETING
MINUTES EXCERPT – NOVEMBER 10, 2010**



IMPLEMENTATION COMMITTEE
City of Novi Planning Commission
NOVEMBER 10, 2010 at 6:00 p.m.
Novi Civic Center – Mayor's Conference Room
45175 W. Ten Mile, Novi, MI 48375
(248) 347-0475

Members: Cassis, Gutman, Meyer, Pehrson
Staff Support: Kristen Kapelanski

Roll Call

Present: Members Cassis, Meyer (Chair), Pehrson and Gutman

Also Present: Kristen Kapelanski, Planner; Barbara McBeth, Community Development Department Deputy Director

Approval of Agenda

Moved by Member Gutman, seconded by Member Pehrson:

Motion to approve the Agenda.

Member Cassis added a discussion of the signage in the Novi Town Center to the end of the agenda.

Member Gutman and Member Pehrson agreed to the amendment.

VOICE VOTE ON AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER PEHRSON:

Motion to approve the Agenda with Member Cassis's suggested amendment. Motion carried 4-0.

Discussion Items

2. Amendment to Allow Additional Building Height Adjacent to Freeways

Discussion of possible ordinance amendment to allow buildings to be constructed up to a height of 65 feet in areas adjacent to freeways.

Planner Kapelanski reviewed the proposed amendment with Committee members.

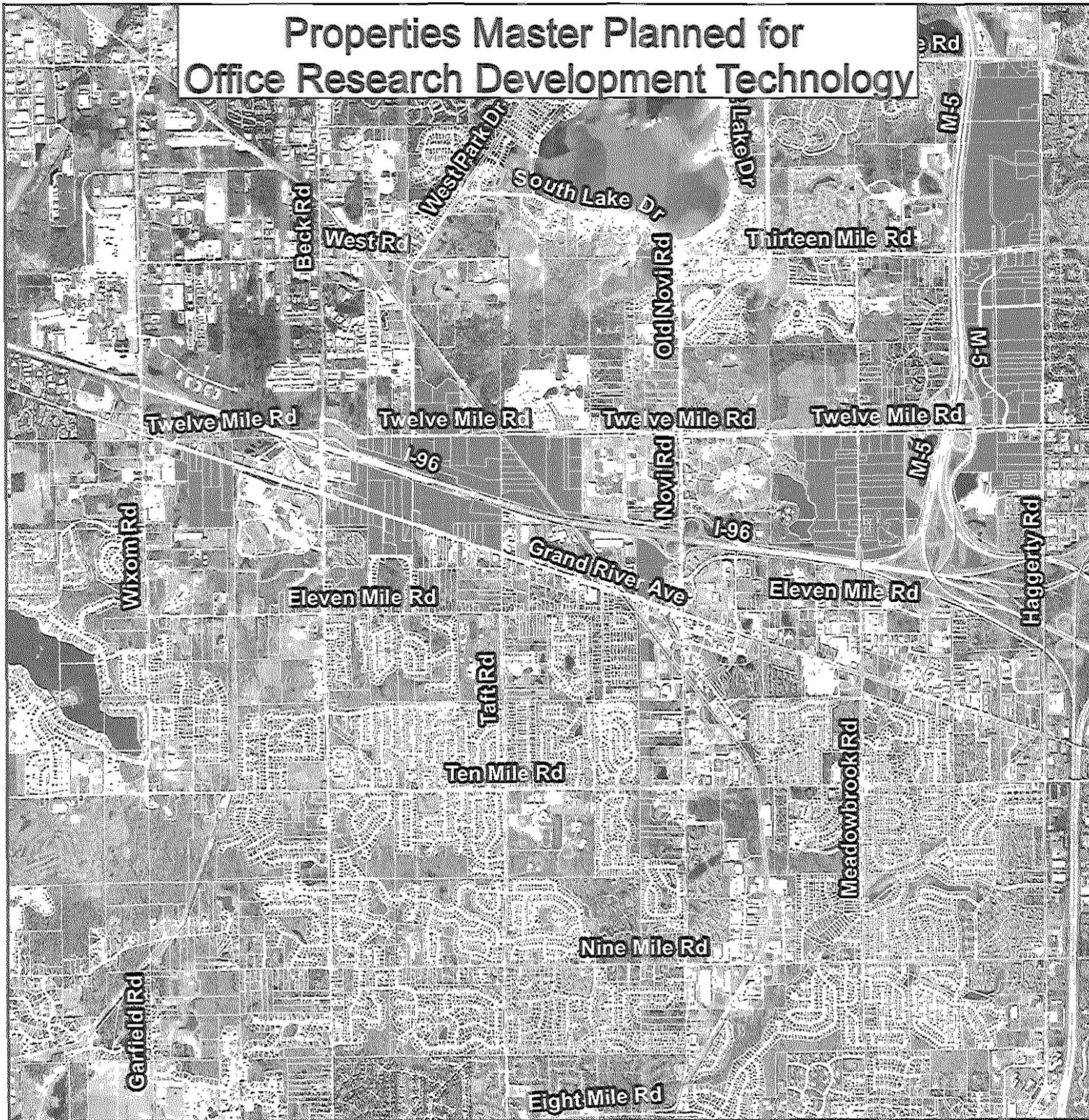
Member Cassis worried that the additional height of new buildings adjacent to freeways would block the visibility of buildings constructed behind those properties adjacent to the freeway.

Member Pehrson was not opposed to the amendment.

Chair Meyer noted that properties south of Grand River are not adjacent to the freeway and asked staff to clarify what was intended regarding the changes to the OST District before the amendment moves forward.

**PROPERTIES MASTER PLANNED
FOR OFFICE RESEARCH DEVELOPMENT TECHNOLOGY**

Properties Master Planned for Office Research Development Technology



Map Legend



 Office Research Dev. Tech.



1 inch = 83,333 feet



City of Novi
 Planning Division
 Community Development
 45175 W Ten Mile Rd
 Novi, MI 48375
cityofnovi.org

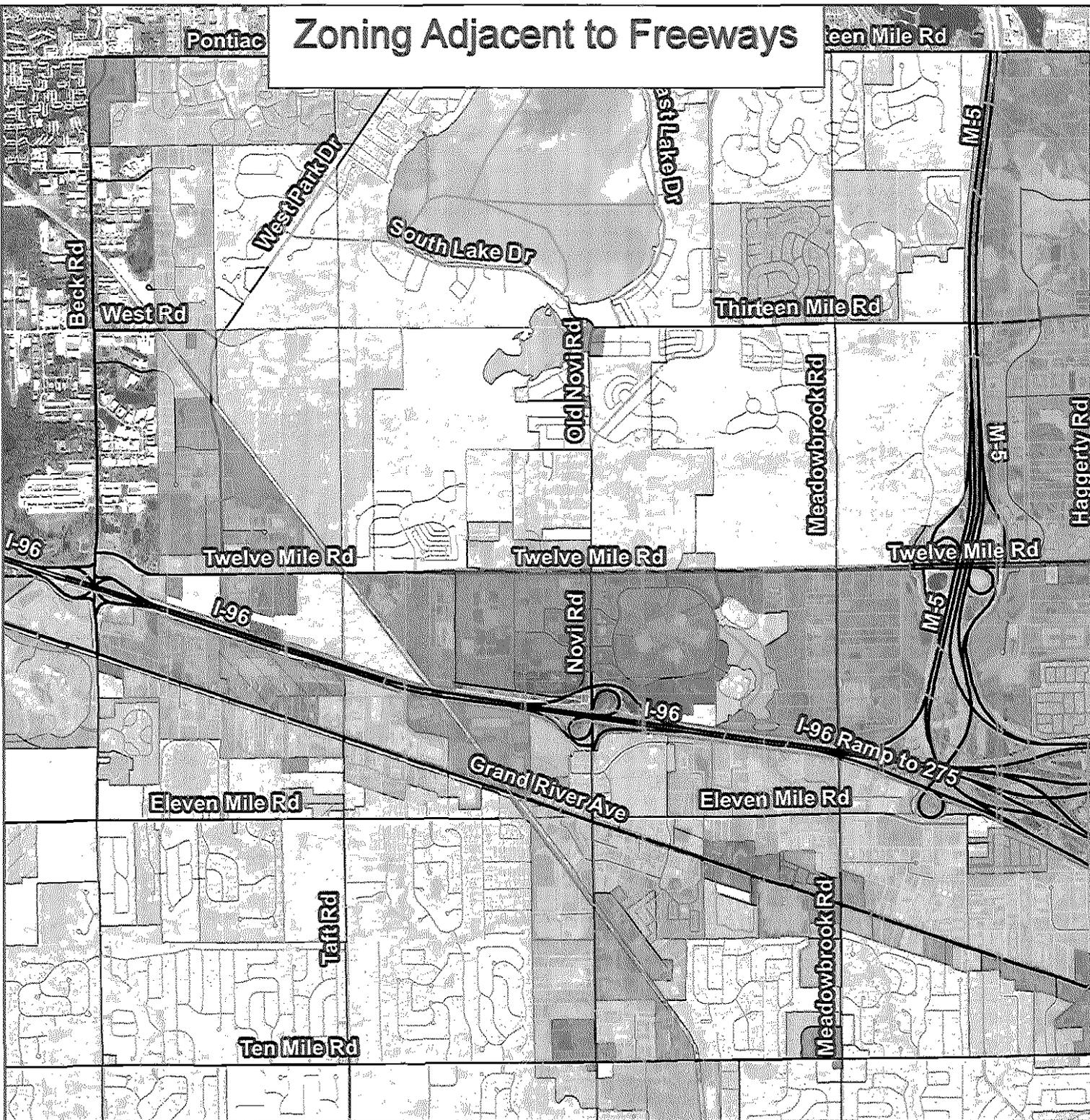
Map Author: Kristen Kapelanski
 Date: January 11, 2011
 Project: Properties Master Planned for OST
 Version #: 1.0

MAP INTERPRETATION NOTICE

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

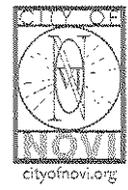
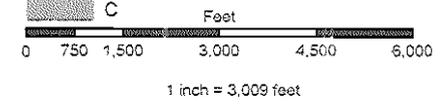
PROPERTIES ADJACENT
TO FREEWAYS

Zoning Adjacent to Freeways



Map Legend

	R-A		EXO
	R-1		EXPO
	R-1 PRO		GE
	R-2		FS
	R-3		I-1
	R-4		I-2
	RT PRO		NCC
	RM-1		OS-1
	RM-2		OS-2
	RM-2 PRO		OSC
	MH		OST
	B-1		RC
	B-2		P-1
	B-3		TC
	B-3 PRO		TC-1
	C		



City of Novi
 Planning Division
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