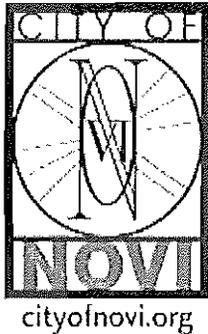


MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KRISTEN KAPELANSKI, PLANNER *Kuiste*
THRU: BARBARA MCBETH, COMMUNITY DEVELOPMENT *Barb*
SUBJECT: TEXT AMENDMENT 18.245
DATE: MARCH 3, 2011

Attached are ordinance amendments the Community Development Department has proposed to permit Planning Commission approval of projects on smaller sites in the RC, Regional Center District and for façade waivers in the TC and TC-1, Town Center Districts. Staff has proposed these amendments in an effort to create a more streamlined process for potential development and redevelopment.

Changes to the RC District

Currently, all Special Land Use Permits and all Site Plans in the RC District require the approval of the City Council after the review and recommendation of the Planning Commission. The proposed amendment would allow Special Land Use Permits and Site Plans to be approved by the Planning Commission on sites under development that are four acres or less in area and not directly connected to a regional or community commercial shopping center. Attached is a map highlighting the parcels that would be eligible for Planning Commission approval should this amendment be adopted. Building developments associated with a large shopping center, parcels greater than 4 acres and those choosing to utilize the PD-2 option will still be required to be reviewed by the Planning Commission with a recommendation provided for consideration by the City Council.

Changes to the TC and TC-1 Districts

Currently, all site plans, landscape waivers and façade waivers on sites under development in the TC and TC-1 Districts that are five acres or larger in area require the approval of the City Council after the review and recommendation of the Planning Commission. Staff has proposed modifying the ordinance to allow for approval of façade waivers by the Planning Commission on site plans that would otherwise qualify for administrative review under the site plan review provisions of the Ordinance. Preliminary Site Plan approval on sites five acres or larger would remain with the City Council.

Public Hearing

The Planning Commission set the public hearing on February 9th. Relevant meeting minutes are attached. On March 9th, the Commission will hold the public hearing and forward a recommendation to the City Council, for reading and adoption. 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 – 245

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 16, TC AND TC-1 TOWN CENTER DISTRICTS, SECTION 1603, REQUIRED CONDITIONS AND ARTICLE 17, RC REGIONAL CENTER DISTRICT, SECTION 1702 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS AND SECTION 1703, REQUIRED CONDITIONS; IN ORDER TO ALLOW FAÇADE WAIVERS IN THE TC AND TC-1 DISTRICTS TO BE APPROVED BY THE PLANNING COMMISSION WITHOUT REVIEW AND APPROVAL BY CITY COUNCIL AND TO ALLOW PLANNING COMMISSION APPROVAL WITHOUT REVIEW AND APPROVAL BY CITY COUNCIL OF SPECIAL LAND USE PERMITS AND SITE PLANS ON SITES TOTALING FOUR ACRES OR LESS IN THE RC DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I.

That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 16, TC and TC-1 Town Center Districts, is hereby amended to read as follows:

ARTICLE 16. TC AND TC-1 TOWN CENTER DISTRICTS

Section 1600 – Section 1602. [Unchanged.]

Section 1603. Required Conditions

The following standards shall apply to all uses permitted in the TC and TC-1 Districts:

1. *Site Plans.* For all uses permitted in the TC and TC-1 Town Center Districts, site plans shall be submitted for preliminary approval by the Planning Commission, in accordance with the provisions of this ordinance and other applicable ordinances. In those instances where the site under development is five acres or more in area, preliminary site plan approval shall be by the City Council after review and recommendation by the Planning Commission. In those instances where the site under development is five acres or more in area and the site plan meets the eligibility requirements of Section 2516.c for administrative site plan review and approval, a façade waiver may be granted by the Planning Commission.

2. – 16. [Unchanged.]

Part II.

That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 17, RC Regional Center District, is hereby amended to read as follows:

ARTICLE 17. RC REGIONAL CENTER DISTRICT

Section 1700 – Section 1701. [Unchanged.]

Section 1702. Principal Uses Permitted Subject to Special Conditions

The following uses shall be permitted by the City Council, following review and recommendation of the Planning Commission subject to the conditions hereinafter imposed for each use and subject to the additional requirements of Section 2516.2(c) for special land uses. Notwithstanding the above, in those instances where the parcel under development is four acres or less in area and buildings are not directly connected to a regional shopping center or a community shopping center, special land uses shall be subject to approval by the Planning Commission. There shall be held a public hearing by the Planning Commission in accordance with the requirements set forth and regulated in Section 3006 of this Ordinance:

1. – 4. [Unchanged.]

Section 1703. Required Conditions

1. – 3. [Unchanged.]

4. Site plans shall be prepared in accordance with the requirements of Section 2516 of this Ordinance and, prior to issuance of a building permit, shall be subject to approval by the City Council following review and recommendation by the Planning Commission. Notwithstanding the above, in those instances where the parcel under development is four acres or less in area and buildings are not directly connected to a regional shopping center or a community shopping center, site plans shall be subject to approval by the Planning Commission.

5. – 6. [Unchanged.]

PART III.

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 IV.

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 V.

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 VI.

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:

PROPOSED ORDINANCE AMENDMENTS – CLEAN VERSION

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 11- 18 – 245

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 16, TC AND TC-1 TOWN CENTER DISTRICTS, SECTION 1603, REQUIRED CONDITIONS AND ARTICLE 17, RC REGIONAL CENTER DISTRICT, SECTION 1702 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS AND SECTION 1703, REQUIRED CONDITIONS; IN ORDER TO ALLOW FAÇADE WAIVERS IN THE TC AND TC-1 DISTRICTS TO BE APPROVED BY THE PLANNING COMMISSION WITHOUT REVIEW AND APPROVAL BY CITY COUNCIL AND TO ALLOW PLANNING COMMISSION APPROVAL WITHOUT REVIEW AND APPROVAL BY CITY COUNCIL OF SPECIAL LAND USE PERMITS AND SITE PLANS ON SITES TOTALING FOUR ACRES OR LESS IN THE RC DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I.

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ARTICLE 16. TC AND TC-1 TOWN CENTER DISTRICTS

Section 1600 – Section 1602. [Unchanged.]

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The following standards shall apply to all uses permitted in the TC and TC-1 Districts:

1. *Site Plans.* For all uses permitted in the TC and TC-1 Town Center Districts, site plans shall be submitted for preliminary approval by the Planning Commission, in accordance with the provisions of this ordinance and other applicable ordinances. In those instances where the site under development is five acres or more in area, preliminary site plan approval shall be by the City Council after review and recommendation by the Planning Commission. In those instances where the site under development is five acres or more in area and the site plan meets the eligibility requirements of Section 2516.c for administrative site plan review and approval, a façade waiver may be granted by the Planning Commission.

2. – 16. [Unchanged.]

Part II.

That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 17, RC Regional Center District, is hereby amended to read as follows:

ARTICLE 17. RC REGIONAL CENTER DISTRICT

Section 1700 – Section 1701. [Unchanged.]

Section 1702. Principal Uses Permitted Subject to Special Conditions

The following uses shall be permitted by the City Council, following review and recommendation of the Planning Commission subject to the conditions hereinafter imposed for each use and subject to the additional requirements of Section 2516.2(c) for special land uses. Notwithstanding the above, in those instances where the parcel under development is four acres or less in area and buildings are not directly connected to a regional shopping center or a community shopping center, special land uses shall be subject to approval by the Planning Commission. There shall be held a public hearing by the Planning Commission in accordance with the requirements set forth and regulated in Section 3006 of this Ordinance:

1. – 4. [Unchanged.]

Section 1703. Required Conditions

1. – 3. [Unchanged.]

4. Site plans shall be prepared in accordance with the requirements of Section 2516 of this Ordinance and, prior to issuance of a building permit, shall be subject to approval by the City Council following review and recommendation by the Planning Commission. Notwithstanding the above, in those instances where the parcel under development is four acres or less in area and buildings are not directly connected to a regional shopping center or a community shopping center, site plans shall be subject to approval by the Planning Commission.

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PART III.

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PART IV.

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 V.

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 VI.

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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:

**PLANNING COMMISSION MEETING MINUTES
EXCERPT- FEBRUARY 9, 2011**



PLANNING COMMISSION MINUTES

Approved

CITY OF NOVI

Regular Meeting

Wednesday, February 9, 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 Gutman, Member Larson, Member Meyer, Chair Pehrson, Member Prince

Absent: Member Baratta, (excused), Member Cassis, (excused), Member Greco, (excused), Member Lynch, (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristin Kolb, City Attorney; Kristen Kapelanski, Planner; Mark Spencer, Planner; David Beschke, Landscape Architect; Brian Coburn, Engineer

PLEDGE OF ALLEGIANCE

Member Prince led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Meyer:

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

Motion to approve the February 9, 2011 Planning Commission Agenda. Motion carried 5-0.

MATTERS FOR CONSIDERATION

3. SET A PUBLIC HEARING FOR MARCH 9, 2011 FOR ZONING ORDINANCE TEXT AMENDMENT 18.245 RELATED TO TC AND TC-1 TOWN CENTER DISTRICTS AND RC, REGIONAL CENTER DISTRICT.

Planner Kapelanski stated that this has been proposed by the Community Development Department as an effort to streamline the Ordinance. It would allow for Planning Commission approval of smaller sites in the RC District and would also allow façade waivers in the TC and TC-1 Districts to be approved by the Planning Commission. Previously both of these items would go on the City Council.

Motion made by Member Meyer and seconded by Member Prince:

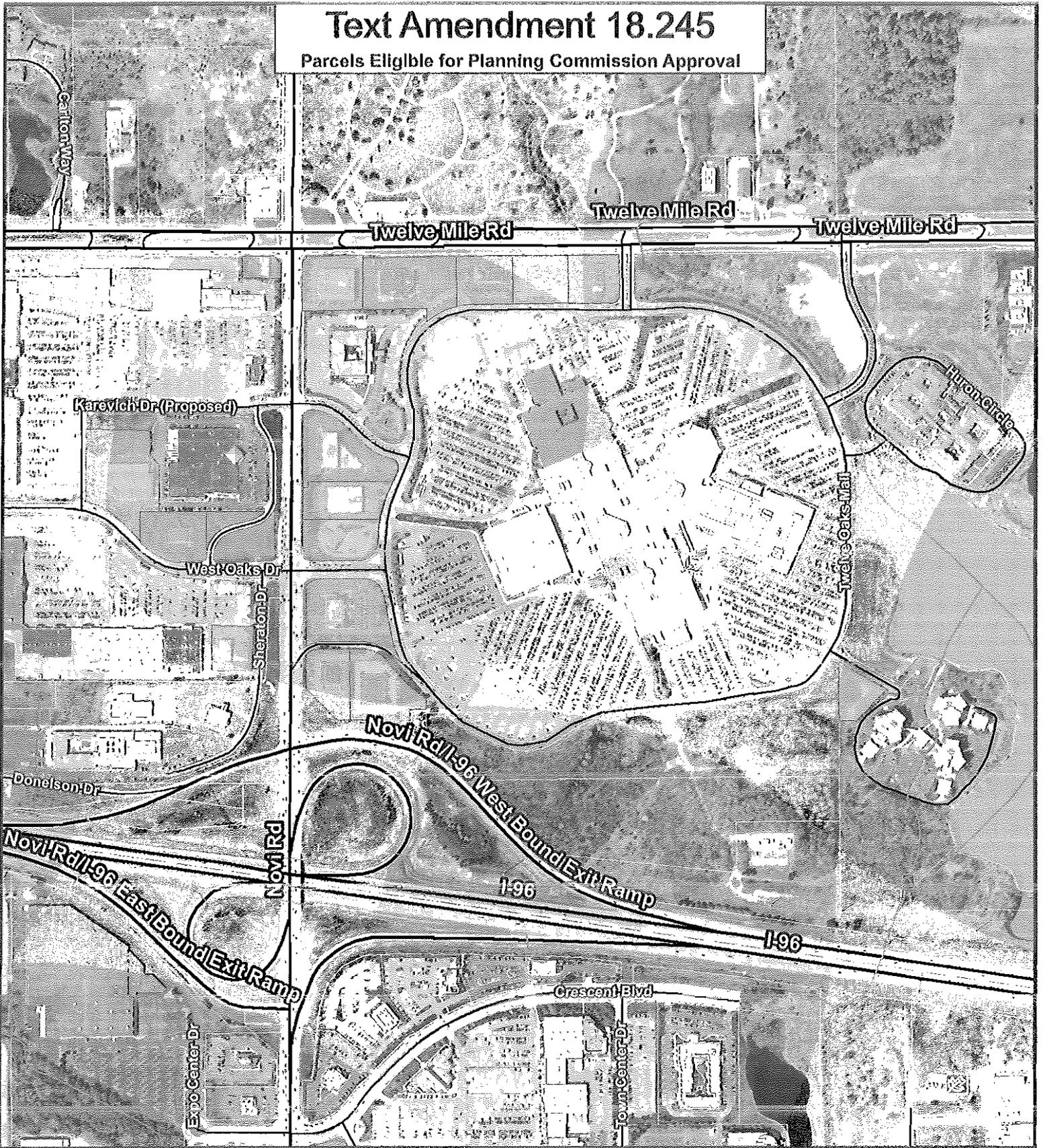
ROLL CALL VOTE ON THE MOTION TO SET A PUBLIC HEARING FOR TEXT AMENDMENT 18.245 MADE BY MEMBER MEYER AND SECONDED BY MEMBER PRINCE:

Motion to set the Public Hearing for Text Amendment 18.245 for March 9, 2011. Motion carried 5-0.

**PROPERTIES ELIGIBLE FOR
PLANNING COMMISSION APPROVAL**

Text Amendment 18.245

Parcels Eligible for Planning Commission Approval



Map Author: Kristen Kapelanski
 Date: March 3, 2011
 Project: Text Amendment 18.247
 Version #: 1.1

Map Legend

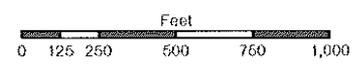
 Parcels Zoned RC Equal to or Less Than 4 Acres and Not Connected to a Regional or Community Commercial Shopping Center



City of Novi
 Department Division
 Department Name
 45176 W Ten Mile Rd
 Novi, MI 48375
 cityofnovi.org

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.



1 inch = 634 feet