



ZONING MAP AMENDMENT 18.692

ZONING MAP AMENDMENT 18.692

Public Hearing of the request of Matthew Quinn, for Planning Commission's recommendation to City Council for rezoning of property in Section 14 and Section 23, located at the southwest and southeast corners of Town Center Drive and Crescent Boulevard and the east and west sides of Town Center Drive between Eleven Mile Road and Grand River Avenue, from OSC, Office Service Commercial District and OS-1, Office Service District to TC, Town Center District. The subject property is approximately 10.85 acres.

REQUIRED ACTION

Recommend to City Council approval or denial of rezoning request from OSC, Office Service Commercial District and OS-1, Office Service District to TC, Town Center District.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	01/15/10	Proposed rezoning is generally in compliance with the existing Future Land Use map
Engineering	Comments provided	12/14/09	Summary of findings provided
Traffic	Not required	N/A	Traffic Study not required as the proposed zoning is not a change from residential to non-residential and the proposed rezoning would not likely increase trips generated per day by 1,000 or more over one or more principal permitted uses in the existing zoning district.

Motion sheet

Approval

In the matter of Zoning Map Amendment 18.692 for Matthew Quinn, motion to **recommend approval** to the City Council to rezone the subject property from OSC, Office Service Commercial District and OS-1, Office Service District to TC, Town Center District *for the following reasons...(because it is generally in compliance with the Future Land Use map, the rezoning would not create a non-conformity in terms of use or dimensional standards of the ordinance and the proposed TC zoning is consistent with the TC zoning immediately adjacent to the subject properties and throughout the surrounding area.)*

Denial

In the matter of Zoning Map Amendment 18.692 for Matthew Quinn, motion to **recommend denial** to the City Council to rezone the subject property from OSC, Office Service Commercial District and OS-1, Office Service District to TC, Town Center District, *for the following reasons...*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

December 21, 2009 revised January 15, 2010

Planning Review

Novi Town Center

Zoning Map Amendment 18.692

Petitioner

Matthew C. Quinn, Esq.

Review Type

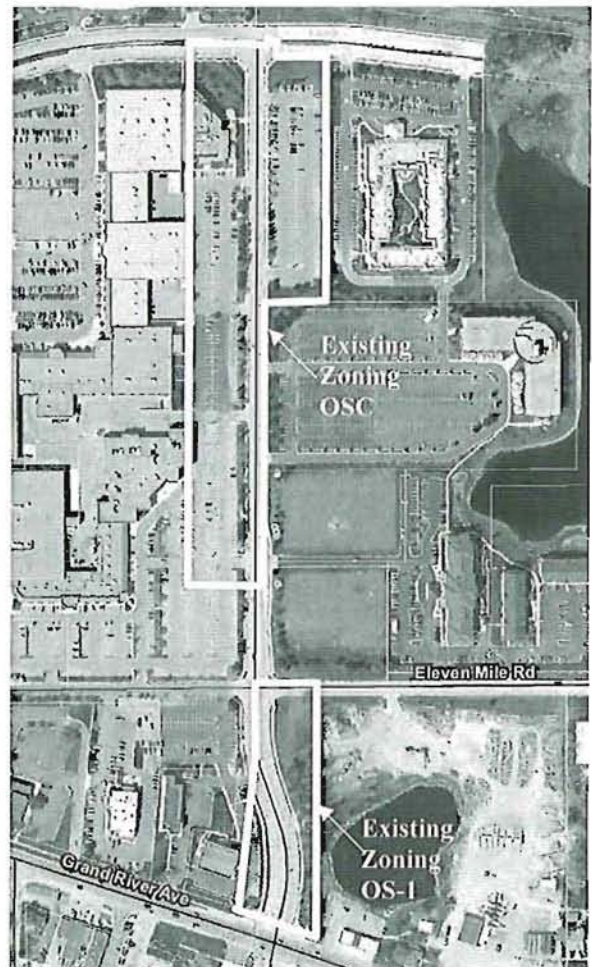
Rezoning Request from OS-1 (Office Service) and OSC (Office Service Commercial) to TC (Town Center)

Property Characteristics

- Site Location: Town Center Drive and Crescent Boulevard and Town Center Drive between Eleven Mile Road and Grand River Avenue
- Site Zoning: OSC, Office Service Commercial and OS-1, Office Service
- Adjoining Zoning: North: TC, Town Center and OSC; South: TC, OSC and TC-1; East: OSC and OS-1; West: TC
- Current Site Use: Existing buildings, parking and drives of the Novi Town Center retail development
- Adjoining Uses: North: Existing retail/restaurant; South: Existing retail/restaurant, Main Street development (south of Grand River); East: Hotel, office and Main Street development; West: Novi Town Center
- School District: Novi Community School District
- Proposed Rezoning Size: 10.85 acres

Project Summary

The petitioner is requesting the rezoning of three parcels within the Novi Town Center. The subject property is currently zoned OS-1, Office Service and OSC, Office Service Commercial. The applicant has requested a rezoning to TC, Town Center. As indicated in the adjacent figure, most of the parcels to be rezoned are currently developed as retail space and associated parking for the Novi Town Center. The applicant has indicated they are requesting the rezoning in order to bring all parcels within their ownership under a zoning district consistent with the Novi Town Center development. Staff has discussed the Planned Rezoning Overlay option with the applicant, but the



applicant has elected to proceed with a standard rezoning.

Recommendation

Staff **recommends approval** of the proposed Zoning Map Amendment, which would rezone the property from OSC, Office Service Commercial and OS-1, Office Service to TC, Town Center. The rezoning request is generally consistent with the Master Plan for Land Use, which recommends Town Center commercial uses for the majority of the subject property. Approval is recommended for the following reasons.

- The requested zoning is in generally in compliance with the Master Plan for Land Use.
- The requested rezoning would not create a non-conformity in terms of use or dimensional standards of the ordinance.
- TC zoning on this site is consistent with the TC zoning immediately adjacent to the subject properties and throughout the surrounding area.

Planning Commission Options

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

1. Recommend rezoning of the parcel to TC, Town Center (*APPLICANT REQUEST*).
2. Deny the request, with the zoning of the property remaining OSC, Office Service Commercial and OS-1, Office Service.
3. 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.

Master Plan for Land Use

The parcel proposed to be rezoned on the west side of Town Center Drive is designated for Town Center commercial uses on the Future Land Use map. A rezoning to the TC District would be in compliance with the planned uses for the site as indicated by the Future Land Use map. The parcel to be rezoned on the east side of Town Center Drive and north of Eleven Mile Road is planned for office uses. A rezoning to TC would not be consistent with the planned office use for this parcel. However, the parcel east of Town Center Drive is currently being used as parking for the Novi Town Center retail development and is owned by the Novi Town Center. It is reasonable to entertain a rezoning so that all parcels within the Novi Town Center are consistently zoned. An update to the Future Land Use map as part of the Master Plan update currently under review has been proposed by staff changing the future land use designation on the parcel on the east side of Town Center Drive and north of Eleven Mile Road to Town Center commercial uses. The parcel on the east side of Town Center Drive and south of Eleven Mile Road is designated for Town Center gateway uses. A rezoning to the TC District would not be in compliance with the planned uses for the site as indicated by the Future Land Use map. It could be considered consistent with the Master Plan's Future Land use Map designation since parcel is adjacent to the Town Center Commercial land use designation and since the Future Land Use Map includes the following statement "The plan intended to show generalized land use and not intended to indicate precise size, shape or dimension." The Map reflects "...future land use recommendations and does not necessarily imply that short range zoning is appropriate."

In addition, parcels surrounding the majority of the area to be rezoned are planned for Town Center commercial uses or Town Center gateway uses on the Future Land Use map.

Master Plan and Zoning Committee

This matter appeared before the Master Plan and Zoning Committee on January 6, 2010. The proposed rezoning was discussed along with a possible amendment to the Future Land Use Map to remove a 2.2 acre parcel that is part of the proposed rezoning from the Office Commercial use area and place it in the adjacent Town Center Commercial use area. The Committee did not have any reservations or substantial concerns regarding the proposed rezoned or the proposed Future Land Use map amendment.

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	OSC, Office Service Commercial and OS-1, Office Service	Parking, small portion of retail building, vacant land adjacent to Town Center Drive	TC Commercial, Office, TC Gateway
Northern Parcels	TC, Town Center and OSC, Office Service Commercial	Novi Town Center and Vacant land adjacent to I-96 right-of-way	TC Commercial, Office
Southern Parcels	TC-1, Town Center	Fire Station and Main Street development	Public, TC Commercial
Eastern Parcels	OSC, Office Service Commercial and OS-1, Office Service	Hotel, office center and Main Street development	Office, TC Gateway
Western Parcels	TC, Town Center	Novi Town Center	TC Commercial

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested TC 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.

Directly to the **north** of the subject property is Crescent Boulevard. Beyond Crescent Boulevard and to the east of Town Center Drive are retail and restaurant developments associated with the Novi Town Center. West of the Town Center Drive and north of Crescent Boulevard is a narrow vacant piece of land designated for office uses and bordering the I-96 right-of-way. A rezoning of the subject property to TC will not adversely affect the northern parcels as the subject property is currently used for uses associated with the Novi Town Center and TC zoning.

A fire station and the Main Street development are located directly **south** of the subject property. Similar to the impacts listed for properties to the north, no negative impacts are expected as the subject property is already used for uses associated with the TC District.

Directly to the **east** of the subject property is a hotel, an office center and the Main Street Development and directly **west** of the subject property is the Novi Town Center. As mentioned previously, no negative impacts are anticipated as the subject property is already being utilized as part of the Novi Town Center.

Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classifications. No alternatives have been provided at this time as the applicant has indicated their intent with regards to the proposed rezoning is to bring all parcels associated with the Novi Town Center into the Town Center Zoning District which currently covers the majority of the Novi Town Center.

	OSC (Existing)	OS-1 (Existing)	TC (Proposed)	GE
Principal Permitted Uses	<ol style="list-style-type: none"> 1. All principal uses permitted in OS-1 and OS-2. 2. Transient residential uses. 3. Public utility offices and telephone exchange buildings. 4. Accessory buildings, structures and uses customarily incident to the above permitted uses. 5. Publicly owned and operated parks, parkways and outdoor recreational facilities. 6. The inpatient bed facility portion of General Hospitals.* 	<ol style="list-style-type: none"> 1. Office buildings. 2. Medical office. 3. Facilities for human care.* 4. Banks, credit unions, savings and loan associations. 5. Personal service establishments. 6. Off-street parking lots. 7. Churches. 8. Other uses similar to the above uses. 9. Accessory structures and uses customarily incident to the above permitted uses. 10. Publicly owned and operated parks, parkways and outdoor recreational facilities. 	<ol style="list-style-type: none"> 1. Any principal use permitted in the B-1 District as follows: generally recognized retail businesses which supply commodities on the premises, personal service establishments, dry cleaning establishments, business establishments which perform services on the premises, professional services, post office and similar governmental office buildings and off-street parking lots.* 2. Any principal use permitted in the B-2 District as follows: Any retail business whose principal activity is the sale of merchandise in 	<ol style="list-style-type: none"> 1. Office Uses: <ol style="list-style-type: none"> a. Office buildings b. Medical offices, c. Financial d. Real estate 2. Restaurants (sit down) up to a maximum of 125 seats, or other places serving food or beverage, excluding those having the character of a drive-in or having a drive through window. 3. Publicly Owned and Operated Parks. 4. Retail Business Uses: 5. Retail Business Service Uses: 6. Funeral Homes 7. Post Office, Mailing Center 8. Principal uses similar to those listed above as determined by the City Council. 9. Uses customarily accessory to the above uses, as determined by the City Council. 10. Uses with a drive through

OSC (Existing)	OS-1 (Existing)	TC (Proposed)	GE
		<p>an enclosed building, any service establishment of an office, showroom or workshop nature, restaurants or other places serving food or beverage, theaters, assembly halls, concert halls or similar places of assembly, business schools and colleges or private schools operated for profit and private clubs, fraternal organizations, lodge halls and similar organizations.*</p> <ol style="list-style-type: none"> 3. Offices and office buildings. 4. Public and quasi-public uses. 5. Indoor commercial recreation facilities. 6. Outdoor theaters, plazas, parks and public gathering places. 7. Hotels. 8. Financial institutions. 9. Residential dwellings.* 10. Day care centers and adult day care centers.* 	<p>window are not consistent with the intent of the GE District.</p>

	OSC (Existing)	OS-1 (Existing)	TC (Proposed)	GE
			11. Microbreweries.* 12. Brewpubs.* 13. Instructional centers. 14. Other uses similar to the above uses.* 15. Accessory structures and uses.	
Special Land Uses	1. Retail commercial business uses other than restaurants, serving the convenience shopping needs of persons working in a single office building.* 2. Retail, commercial business uses including restaurants, serving the convenience and comparison shopping needs of the area.* 3. Sit-down restaurants.* 4. Amusement and entertainment uses, including commercial recreation centers and theaters.* 5. Day care centers and adult day care centers.* 6. Public or private	1. An accessory use customarily related to a principal use. 2. Mortuary establishment.* 3. Publicly owned buildings, telephone exchange buildings and public utility offices. 4. Day care centers and adult day care centers.* 5. Public or private indoor recreational facilities and private outdoor recreational facilities.	There are no special land uses in the TC District.	SDO Options* 1. Multiple-family residential dwellings, including senior, age-qualified, independent housing. 2. Developments which include a single use, a Mixed Use Building and/or a Mixed Use Development may be proposed and approved as an SDO project

	OSC (Existing)	OS-1 (Existing)	TC (Proposed)	GE
	indoor recreational facilities and private outdoor recreational facilities.*			
Minimum Lot Size	Based on the amount of off-street parking, landscaping, and setbacks required.	Based on the amount of off-street parking, landscaping, and setbacks required.	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	5 stories –or– 65 feet	30 feet	5 stories –or– 65 feet	
Building Setbacks	Front: 35 feet Sides: 35 feet Rear: 35 feet	Front: 20 feet Sides: 15 feet Rear: 20 feet	Front: 50 feet Sides: 50 feet Rear: 50 feet	Major Streets Front: 70 feet from centerline minimum 90 feet from centerline maximum Sides: 0 feet Rear: 30 feet Collectors & Residential Streets Front: 20 feet Sides: 0 feet Rear: 0 feet Private Drives Front: 10 feet Sides: 0 feet Rear: 0 feet
Parking Setbacks	Front: No parking permitted in the front yard. Sides: 20 feet Rear: 20 feet	Front: 20 feet Sides: 10 feet Rear: 10 feet	Front: 20 feet Sides: 20 feet Rear: 10 feet	Front yard parking not permitted Sides: 10 feet Rear: 10 feet

*Subject to certain conditions.

Infrastructure Concerns

See the Engineering review letter for specific discussion of water and sewer capacities in the area serving the subject property. The Engineering review indicates there will be an impact on utility demands as a result of the proposed rezoning. The attached review letter assumes the “worst-case scenario” in terms of required utility capacity. This is not likely to occur as the parcels are currently being used for parking and a small portion of a retail building in the Novi Town Center. Per the Site Plan Manual, a Rezoning Traffic Study is required for any proposed rezoning that would likely increase trips generated per day by 1,000 or more over one or more principal uses in the existing zoning district. The City’s traffic consultant has indicated that the proposed rezoning

would not increase traffic trips by 1,000 or more per day and therefore a traffic study is not required. The City's traffic consultant does not have any concerns related to the proposed rezoning.

Natural Features

The regulated wetland and woodland maps indicate that there are no regulated wetlands on the subject property in the City's inventory at this time. The Regulated Woodlands map indicates there may be regulated woodlands located on a small portion of the subject property east of Town Center Drive and south of Eleven Mile Road. 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

Based on the total size of the OSC zoned property, development under the existing zoning could result in an office building of approximately 20,000 square feet. However, the parcels zoned OSC are not contiguous and are bisected by Town Center Drive. Realistically, a smaller office building could be constructed on the largest portion of the OSC property. The portion of the property zoned OS-1 totals approximately one acre and is adjacent to Town Center Drive. Considering the size and shape of the property, it is unlikely it could be developed without significant variances and even then that would only result in a very small office building (approximately 2,000 sq. ft.). Most of the OSC property is currently developed with buildings and parking associated with the Novi Town Center and it is very unlikely that redevelopment of the parcel as an office use would occur in the near future.

Submittal Requirements

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- The applicant should place the rezoning signs on the property, in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request. Staff has reviewed the proposed sign locations submitted by the applicant and finds the proposed locations acceptable. The applicant should refer to the Site Plan Manual for appropriate wording for the proposed sign.



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

ENGINEERING REVIEW

MEMORANDUM



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

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

SUBJECT: REVIEW OF REZONING IMPACT ON PUBLIC UTILITIES
REZONING 18.692 NOVI TOWN CENTER

DATE: DECEMBER 14, 2009

The Engineering Division has reviewed the rezoning request for the total proposed 10.85 acre rezoning located at the southeast corner of Novi Town Center along Town Center Drive. The applicant is requesting to rezone 10.85 acres from OSC and OS-1 to TC.

Utility Demands

A residential equivalent unit (REU) equates to the utility demand from one single family home. The current zoning for this property would yield approximately 75 REUs based on the highest use, which for a parcel this size would be restaurant and office. Based on TC zoning, we estimate the parcel could yield up to 120 REUs as strictly restaurant use, an increase of 45 REUs over the current zoning.

Water System

Water service is currently available along Town Center Drive. The increase of 45 REU's had a negligible effect on the water pressure in the area adjacent to the parcel (0.1 psi decrease).

Sanitary Sewer

The project is located within the Hudson Sanitary Sewer District. The proposed rezoning would increase the required capacity by approximately 0.09 cfs.

Summary

The rezoning could have a slight impact on the public utilities when compared to the current zoning. The proposed rezoning could yield an increase of 45 REUs to be served with utilities on the site, and would cause a 0.4% increase in the peak sanitary discharge from the City.

The increase in the peak discharge is notable because the City is currently seeking opportunities to resolve the limit on its contractual sanitary sewer capacity at its outlet to Wayne County. Additional contractual capacity (estimated to be 0.09 cfs based on the rezoning) will be needed to serve the increased density proposed by this rezoning.

In all likelihood, the four parcels being rezoned are long, narrow and would not be buildable as currently shown and a majority of the proposed parcels are currently being used as parking areas. The calculations shown above are for an absolute maximum allowable use.

APPLICANT RESPONSE LETTER

Kapelanski, Kristen

From: Matthew Quinn [quinn@gabequinnseymour.com]

Sent: Wednesday, January 20, 2010 11:48 AM

To: Kapelanski, Kristen

Cc: JClear@simon.com

Subject: Novi Town Center Rezoning

Kristen,

I acknowledge receiving the Planning Staff and Engineering review letters on this rezoning request. My client and I appreciate the positive recommendations and we concur with you. I look forward to appearing before the Commission on January 27th and the City Council on February 8th for this matter.

Thank you,
Matt Quinn

MAPS

Location

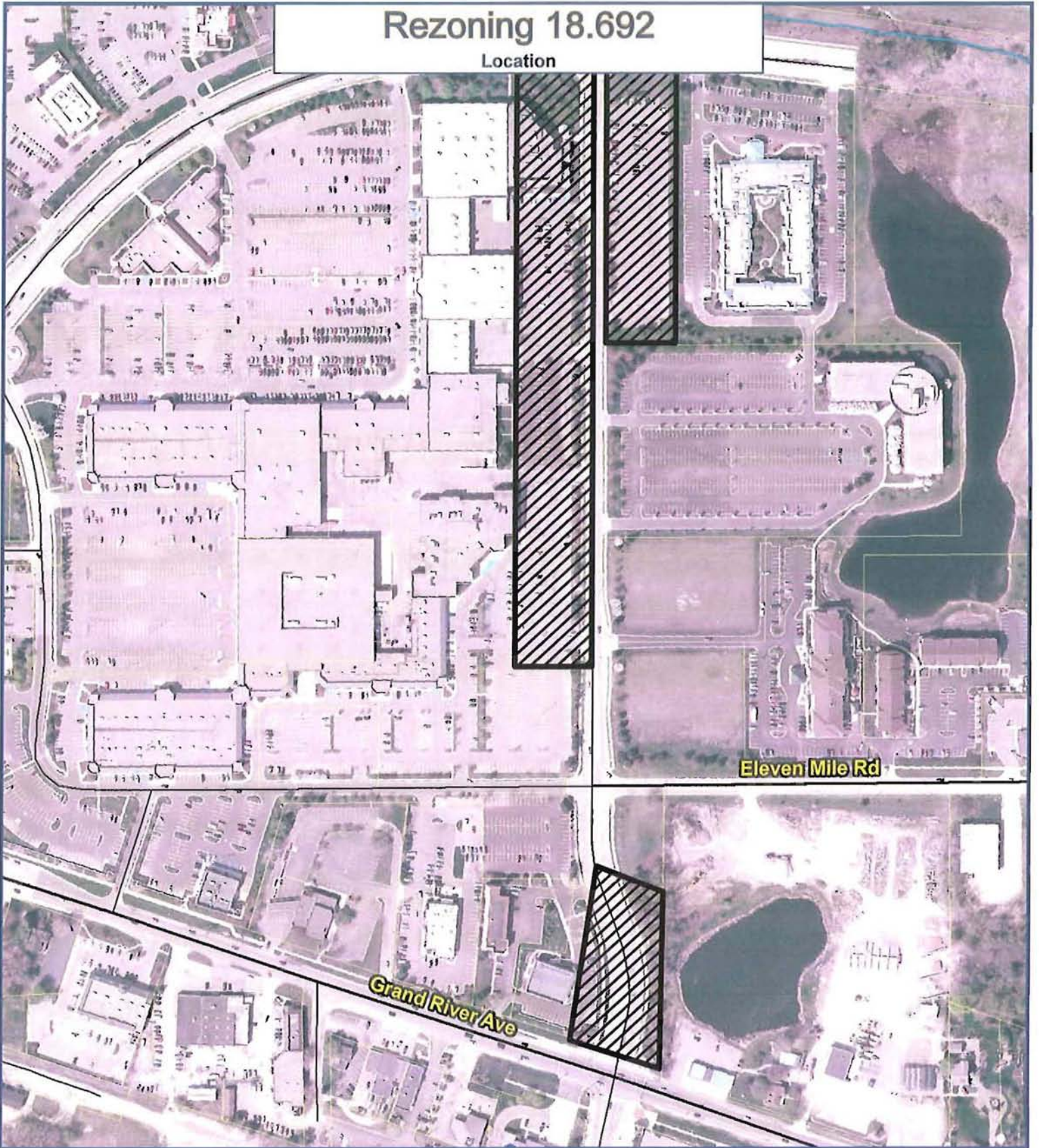
Zoning

Future Land Use

Natural Features


Rezoning 18.692

Location



Map Author: Kristen Kapelanski
Date: 01-15-10
Project: Rezoning 18.692
Version #: 1.0

Map Legend

 Proposed Rezoning

MAP INTERPRETATION NOTICE

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City of Novi
Department Division
Department Name
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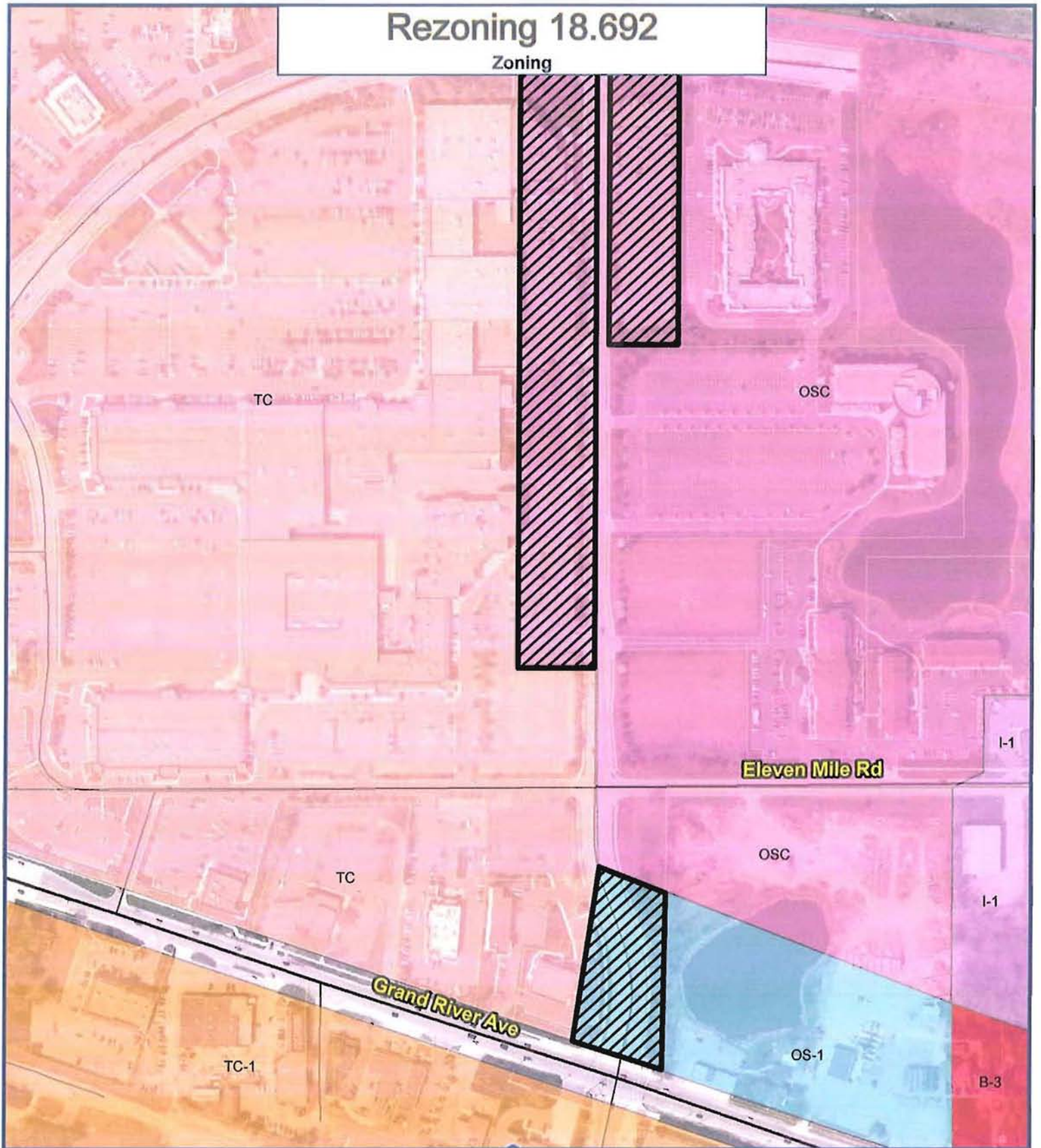
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Feet



1 inch = 285 feet

Rezoning 18.692

Zoning



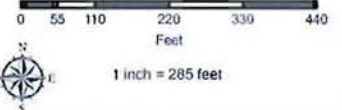
Map Author: Kristen Kapelanski
 Date: 01-15-10
 Project: Rezoning 18.692
 Version #: 1.0

Map Legend

- B-3: General Business
- I-1: Light Industrial
- OS-1: Office Service
- OSC: Office Service Commercial
- TC: Town Center
- TC-1: Town Center -1
- Proposed Rezoning



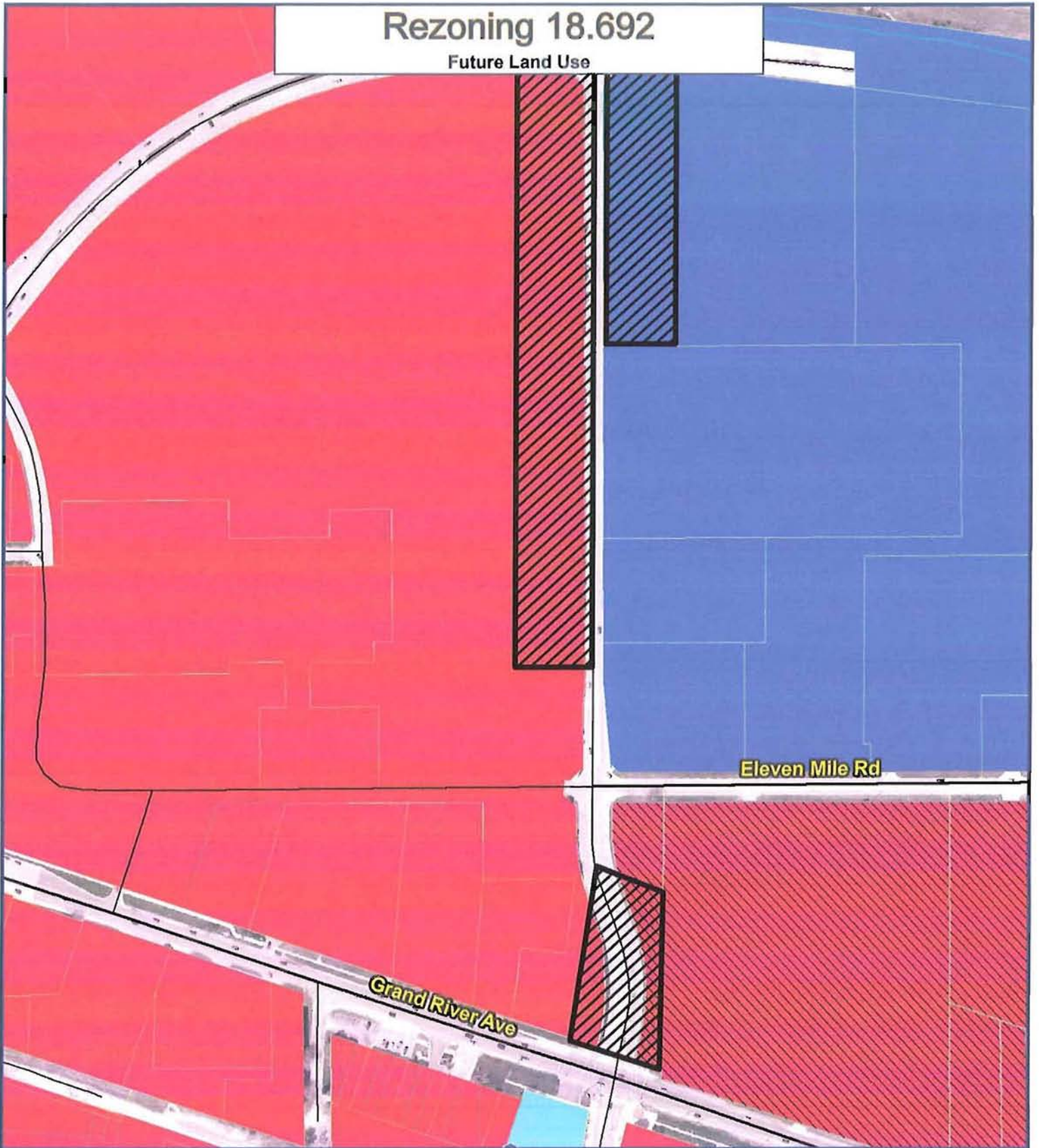
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Rezoning 18.692

Future Land Use




Map Author: Kristen Kapelanski
Date: 01-15-10
Project: Rezoning 18.692
Version #: 1.0

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Map Legend

-  OFFICE
-  TC COMMERCIAL
-  TC GATEWAY
-  PUBLIC

 Proposed Rezoning



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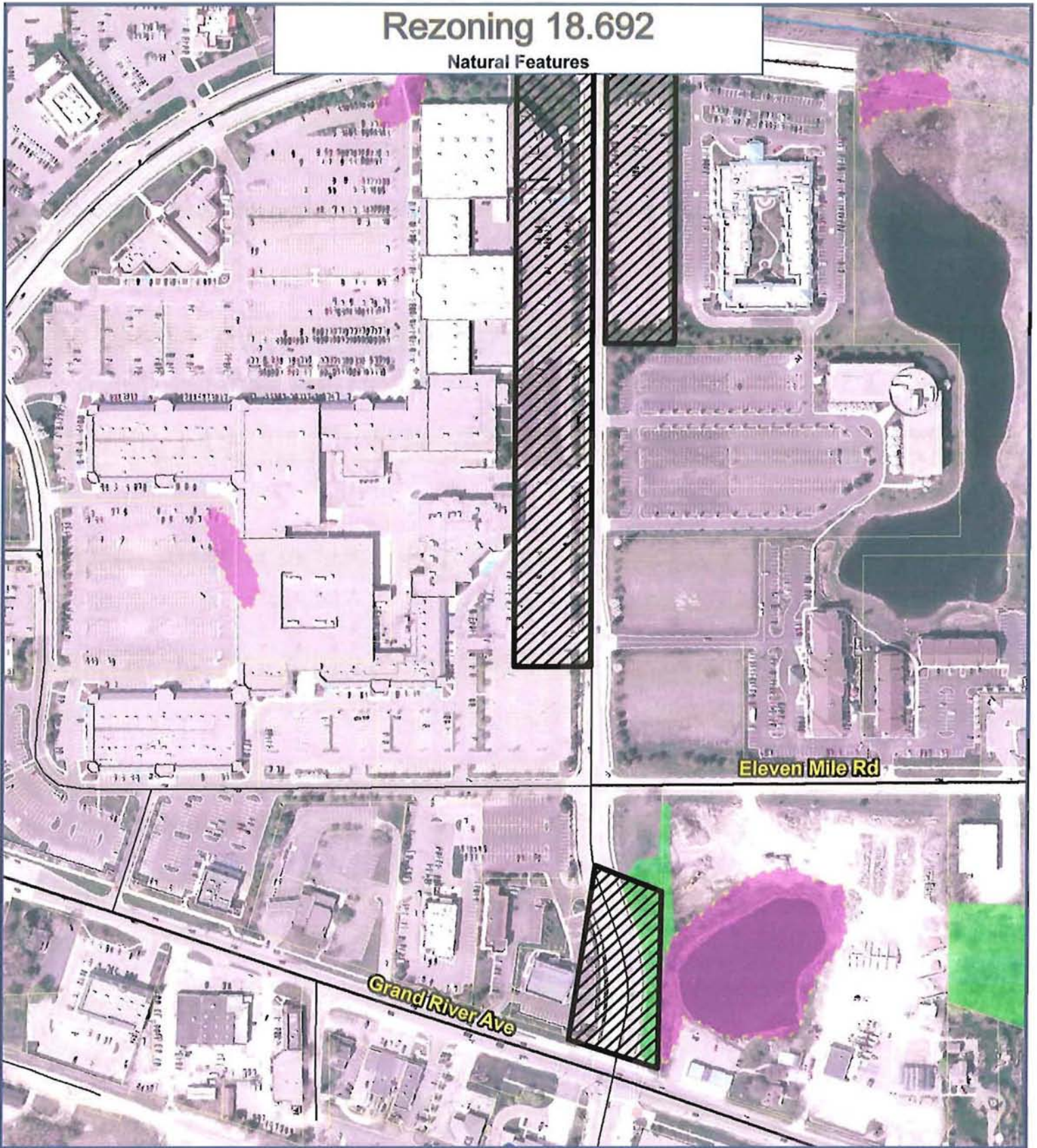
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Rezoning 18.692

Natural Features




Map Author: Kristen Kapelanski
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Map Legend

 Wetland Areas

 Woodlands

 Proposed Rezoning



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 Feet



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