



KALUZNY TRUST, CHAPPEL AND GANNON ZONING MAP AMENDMENT 18.698

KALUZNY TRUST, CHAPPEL AND GANNON REZONING 18.698

Public hearing on the request of Kaluzny Trust, Jerome G. and Barbara C. Chappel and Robert L. and Barbara J. Gannon for recommendation to City Council for rezoning of property in Section 20, located on the south side of Eleven Mile Road, west of Beck Road, from the RA, Residential Acreage District to the R-4, One-Family Residential District. The subject property is 38.86 acres.

Required Action

Recommend to City Council approval or denial of rezoning request from RA, Residential Acreage to R-4, One-Family Residential.

| REVIEW | RESULT | DATE | COMMENTS |
|-------------|----------------------|----------|--|
| Planning | Approval recommended | 05/31/11 | Request is in compliance with the Master Plan for Land Use |
| Engineering | Comments provided | 05/25/11 | Summary of findings provided |
| Traffic | Comments provided | 05/18/11 | Summary of findings provided |

Motion sheet

Approval

In the matter of the request of Kaluzny Trust, Jerome G. and Barbara C. Chappel and Robert L. and Barbara J. Gannon for Zoning Map Amendment 18.698, motion to **recommend approval** to City Council to rezone the subject property from RA, Residential Acreage District to R-4, One-Family Residential District, for the following reasons...

1. *As the highest density one-family residential district, the proposed R-4 District is consistent with the single family residential use designation in the Master Plan for Land Use 2010;*
2. *Eleven Mile Road is largely residential in character in this area and residential zoning is appropriate for this location; and*
3. *Adequate infrastructure exists to support the proposed density.*
4. *(Additional reasons here if any...)*

Denial

In the matter of the request of Kaluzny Trust, Jerome G. and Barbara C. Chappel and Robert L. and Barbara J. Gannon for Zoning Map Amendment 18.698, motion to **recommend denial** to City Council to rezone the subject property from RA, Residential Acreage District to R-4, One-Family Residential District, for the following reasons...

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

May 31, 2011

Planning Review

Kaluzny Trust - Oberlin

Zoning Map Amendment 18.698

Petitioner

Kaluzny Trust

Jerome G. & Barbara C. Chappel

Robert L. & Barabara J. Gannon

Review Type

Rezoning Request from RA (Residential Acreage) to R-4 (One-Family Residential)

Property Characteristics

- Site Location: South side of Eleven Mile Road, west of Beck Road
- Site Zoning: RA, Residential Acreage
- Adjoining Zoning: North: R-3 (across Eleven Mile Road); South, East and West: RA
- Current Site Use: Vacant
- Adjoining Uses: North: Vacant, Single-Family Residential, Vacant land part of larger Providence Hospital parcel; South: Vacant; East: Single-Family Home, Vacant; West: ITC Corridor
- School District: Novi Community School District
- Proposed Rezoning Size: 38.86 acres

Project Summary

The petitioner is requesting the rezoning of three parcels on the south side of Eleven Mile Road, west of Beck Road. The subject property is currently zoned RA, Residential Acreage. The applicant has requested a rezoning to R-4, One-Family Residential. The applicant has indicated they are requesting the rezoning in order to bring the parcels into compliance with the recommended Future Land Use and Residential Density standards identified for the parcels in the Master Plan for Land Use. Staff has discussed the Planned Rezoning Overlay option with the applicant, but the applicant has elected to proceed with a standard rezoning. These properties were previously part of a rezoning with Planned Rezoning Overlay that rezoned the parcels to R-1, One-Family Residential and included a concept plan showing a 58 unit single-family site condominium. That Rezoning with Planned Rezoning Overlay has since expired and the zoning of the parcels has therefore reverted back to the original RA zoning.



Recommendation

Staff **recommends approval** of the proposed Zoning Map Amendment, which would rezone the property from RA, Residential Acreage to R-4, One-Family Residential. The rezoning request is generally consistent with the Master Plan for Land Use, which recommends Single Family Uses for the property and the recommended residential density for the property, 3.3 units per acre. Approval is recommended for the following reasons.

- The requested zoning is in generally in compliance with the Master Plan for Land Use and recommended residential density.
- Eleven Mile Road is largely residential in character in this area and residential zoning is appropriate for this location.

Planning Commission Options

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

1. Recommend rezoning of the parcel to R-4, One-Family Residential (*APPLICANT REQUEST, STAFF RECOMMENDATION*).
2. Deny the request, with the zoning of the property remaining RA, Residential Acreage.
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 parcels proposed to be rezoned are designated for Single-Family Residential uses on the Future Land Use map. A rezoning to the R-4 District would be in compliance with the planned uses for the site as indicated by the Future Land Use map. Additionally, the Residential Density Patterns map in the Master Plan for Land Use recommends a density of 3.3 units per acre for the subject parcels. The permitted maximum density in the R-4 District is 3.3 units per acre.

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 | RA, Residential Acreage | Vacant land | Single-Family Residential |
| Northern Parcels (across Eleven Mile Road) | R-3, One-Family Residential (One parcel directly north tentatively rezoned to RM-1, Low-Density Low-Rise Multiple-Family Residential but PRO not yet finalized.) | Vacant, Single-Family Residential, Vacant land part of the larger Providence Hospital parcel | Suburban Low-Rise |
| Southern Parcels | RA, Residential Acreage | Vacant | Educational Facility |
| Eastern Parcels | RA, Residential Acreage | Single-Family Residential, Vacant | Single-Family Residential, Educational Facility |
| Western Parcels | RA, Residential Acreage | ITC Corridor | Utility |

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested R-4 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 Eleven Mile Road. Beyond Eleven Mile Road is vacant land that has been tentatively rezoned for an assisted living facility (PRO has not been finalized.), single-family homes and vacant land that is part of the larger Providence Hospital parcel. A rezoning of the subject property to R-4 will not adversely affect the northern parcels as the subject properties are currently used for residential uses or are vacant.

Vacant land is located directly **south** of the subject property. Similar to the impacts listed for properties to the north, no negative impacts are expected as land is currently vacant. That vacant land is currently master planned for educational uses and is owned by the Novi Community Schools. Residential development on the subject property would not adversely affect the development of educational uses to the south as educational facilities are regularly located in residential areas with no substantial negative impacts.

Vacant land (owned by Novi Community Schools and planned for an Educational Facility) and a single-family home are located directly **east**. Impacts would be the same as those noted above for other adjacent single-family homes and vacant school-owned land and should not be substantial.

Directly to the **west** of the subject property is the ITC utility corridor. The rezoning and eventual development of the subject property will not impact this existing corridor.

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 although rezoning to any less dense one-family residential district (i.e. R-1, R-2, R-3) would be in compliance with the Master Plan for Land Use.

| | RA (Existing) | R-1 – R-4 (Proposed) |
|--------------------------|--|---|
| Principal Permitted Uses | 1. One-Family dwellings. 2. Farms and greenhouses* 3. Publicly owned and operated parks, parkways and outdoor recreational facilities 4. Cemeteries (existing) 5. Public, parochial and other private elementary schools 6. Home occupations 7. Accessory buildings and uses 8. Family Day Care Homes | 1. One-family detached dwellings 2. Farms and greenhouses* 3. Publicly owned and operated parks, parkways and outdoor recreational facilities 4. Cemeteries (existing) 5. Home occupations 6. Accessory buildings and uses 7. Keeping of horses and ponies* 8. Family Day Care Homes |
| Special Land Uses | 1. Raising of nursery plant materials* 2. Dairies* 3. Keeping and raising of livestock* 4. All principal uses permitted subject to special conditions | 1. Churches and facilities normally incidental thereto* 2. Public, parochial and private elementary, intermediate or secondary schools offering courses in general education* 3. Utility and public service buildings |

| | RA (Existing) | R-1 – R-4 (Proposed) |
|--|--|--|
| | and regulated in Section 402 (R-1 through R-4 Districts) 5. Historical buildings occupied by limited nonresidential uses* | and uses* 4. Group Day Care Homes, Day Care Centers and Adult Day Care Centers* 5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pools* 6. Golf courses* 7. Colleges, universities and other such institutions of higher learning* 8. Private pools* 9. Cemeteries (proposed)* 10. Railroad right-of-way 11. Mortuary establishments* 12. Bed and breakfasts* 13. Accessory building and uses incidental to a Special Land Use |
| Minimum Lot Size (Area) | 43,560 square feet | R-1: 21,780 square feet R-2: 18,000 square feet R-3: 12,000 square feet R-4: 10,000 square feet |
| Minimum Lot Size (Width) | 150 feet | R-1: 120 feet R-2: 110 feet R-3: 90 feet R-4: 80 feet |
| Building Height | 2.5 stories –or– 35 feet | 2.5 stories –or– 35 feet |
| Building Setbacks | Front: 45 feet Sides: 20 feet Aggregate of Two Sides: 50 feet Rear: 50 feet | <u>R-1</u> Front: 30 feet Sides: 15 feet Aggregate of Two Sides: 40 feet Rear: 35 feet <u>R-2</u> Front: 30 feet Sides: 15 feet Aggregate of Two Sides: 40 feet Rear: 35 feet <u>R-3</u> Front: 30 feet Sides: 10 feet Aggregate of Two Sides: 30 feet Rear: 35 feet <u>R-4</u> Front: 30 feet Sides: 10 feet Aggregate of Two Sides: 25 feet Rear: 35 feet |
| Minimum Floor Area Per Unit / Maximum % of | 1,000 square feet / 25% | 1,000 square feet / 25% |

| | RA (Existing) | R-1 – R-4 (Proposed) |
|------------------|------------------|---|
| Lot Area Covered | | |
| Maximum Density | 0.8 units/acre | R-1: 1.65 units/acre R-2: 2.0 units/acre R-3: 2.7 units/acre R-4: 3.3 units/acre |

*Subject to certain conditions.

Infrastructure Concerns

See the Engineering review letter for a specific discussion of water and sewer capacities in the area serving the subject property. The Engineering review indicates there will be increased demand on utilities as a result of the proposed rezoning. However, these impacts were evaluated as part of the Master Plan for Land Use update process and determined to have a minimal impact on the water and sanitary sewer systems. Per the Site Plan Manual, a Rezoning Traffic Study is required for any proposed rezoning from a residential category to a residential category two or more higher than the current level. The City's traffic consultant has indicated that the proposed rezoning would only slightly increase the number of expected trips. The City's traffic consultant does not have any concerns related to the proposed rezoning. See the Traffic review letter for additional information.

Natural Features

The regulated wetland and woodland maps indicate that there are regulated woodlands and wetlands covering a large portion of the site. 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 property, development under the existing zoning could result in a site condominium or subdivision of approximately 31 houses. However, considering the amount of regulated natural features on the site, it is unlikely that number of homes could be developed without a developer utilizing one of the residential development options that allow for smaller lots and clustered developments. Development under the proposed zoning could result in a subdivision or site condominium of 130 houses. This amount is unlikely given the area of regulated natural features on the site.

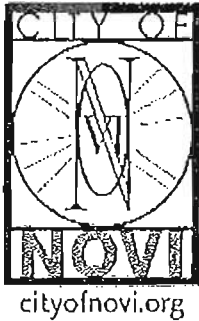
Submittal Requirements

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- The applicant has placed the rezoning signs on the property, in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request.



 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: NATHAN BOUVY, STAFF ENGINEER

SUBJECT: REVIEW OF REZONING IMPACT ON PUBLIC UTILITIES
REZONING 18.698 – KALUZNY TRUST – OBERLIN

DATE: MAY 25, 2011

The Engineering Division has reviewed the rezoning request for the 38.858 acres located on the south side of Eleven Mile Road, one-half mile east of Wixom Road and one-quarter west of Beck Road. The applicant is requesting to rezone 38.858 acres from RA to R-4. The Master Plan for Land Use indicates a master planned density of 3.3 units per acre, which is roughly equivalent to an R-4 density. The impact to the utilities was evaluated as part of the Master Plan revisions for this area.

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 31 REUs. The proposed zoning would yield about 128 REUs. This would be an increase of 97 REUs over the current zoning.

Water System

The project is located within the Intermediate Water Pressure District. Water service is currently available along Eleven Mile Road. The proposed rezoning would have no impact on capacity.

Sanitary Sewer

The project is located within the Lannys Road Sanitary Sewer District. Sanitary service is currently available along Beck Road. The proposed rezoning would have a minimal impact on the capacity.

Summary

While the rezoning of the subject parcel results in a net increase in demand for the water system and in sanitary capacity needs, the rezoning of these properties to R-4 would match the City's Master Plan for Land Use which was determined to have a minimal impact to the water or sanitary sewer systems.

TRAFFIC REVIEW

May 18, 2011

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



SUBJECT: Rezoning Request by Kaluzny Trust, RZ 18.698, Traffic Review

Dear Ms. McBeth:

At your request, we have reviewed the above and offer the following comments.

Site Description

What is the applicant proposing, and what are the surrounding land uses and road network?

1. The applicant, Kaluzny Trust, has requested the City to rezone three contiguous parcels, totaling 38.858 acres, from RA (Residential Acreage) to R-4 (One Family Residential). The subject property is on the south side of 11 Mile Road, ¼ to ½ mile west of Beck Road (see attached aerial photo).
2. The site is bordered on the east and south by property owned by the Novi Community Schools and planned by the City as a future park. Bordering the site on the west is a high-tension electrical transmission line easement. A 120-bed nursing home is planned for the 20-acre site directly across 11 Mile Road from the site.
3. 11 Mile Road near the site is a paved, two-lane Residential (major) Collector under City jurisdiction. According to a traffic study done for the City by Birchler Arroyo Associates last November, this section of 11 Mile is now carrying 2,165 vehicles per day. The posted speed limit is 30 mph, but the 85th-percentile speed is 37.2 mph.

Traffic Study and Trip Generation

Was a traffic study submitted and was it acceptable? How much new traffic would be generated?

4. According to the City's *Site Plan and Development Manual (SPDM)*, a Rezoning Traffic Impact Study is required for a "proposed zoning change from residential to a residential category two or more higher than the current level." Since the requested R-4 zoning is four levels higher than the existing RA zoning, a rezoning study is, in fact, required.
5. The main component of a rezoning traffic study is a trip generation comparison between typical uses permitted under the requested rezoning to those under the existing zoning. The *SPDM* requires that the person responsible for preparing the study have extensive relevant and recent experience, and that the trip generation forecast be based on the most recent data and procedures recommended by the Institute of Transportation Engineers (now found in *Trip Generation – 8th Edition* and the *Trip Generation Handbook – 2nd Edition*).

Birchler Arroyo Associates, Inc. 28021 Southfield Road, Lathrup Village, MI 48076 248.423.1776

6. The trip generation forecasts prepared by the applicant's engineer are included in Table I. We have deduced that these forecasts are based on average trip generation rates found in *Trip Generation – 5th Edition*, rather than by the regression equations recommended by ITE in the two publications cited above. The correct forecasts are also included in Table I.

Table I. Trip Generation Comparison

| Zoning | No. of S-F D,U. | Weekday Trip Ends | AM Peak-Hour Trip Ends | | | PM Peak-Hour Trip Ends | | |
|----------------------------------|-----------------|-------------------|------------------------|------|-------|------------------------|------|-------|
| | | | In | Out | Total | In | Out | Total |
| Applicant's Forecasts | | | | | | | | |
| RA | 20 | 191 | 3.8 | 11.0 | 14.8 | 13.1 | 7.1 | 20.2 |
| R-4 | 72 | 688 | 13.9 | 39.4 | 53.3 | 47.3 | 25.5 | 72.7 |
| Birchler Arroyo Forecasts | | | | | | | | |
| RA | 20 | 237 | 6 | 18 | 24 | 16 | 9 | 25 |
| R-4 | 72 | 769 | 15 | 45 | 60 | 49 | 29 | 78 |

7. Since none of the peak-hour, peak-direction volumes shown in Table I equal or exceed 75, no further formal traffic study will be required, regardless of which of the above two zonings are in force when the property develops. A traffic review by the City's traffic consultant will determine what, if any, access improvements are required to support a specific proposed plat or site condominium.

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E.
Director of Traffic Engineering

Attachment:
Vicinity aerial photo



Figure 1. Vicinity Aerial - Rezoning 18.698

APPLICANT RESPONSE LETTER

SEIBER ENGINEERING, PLLC
ENGINEERING CONSULTANTS

CLIF SEIBER, P.E.

8145 BENNY LANE
WHITE LAKE, MI 48386-3507
Phone No. 248.231.9036
E-mail: cs@seibereng.com

June 9, 2011

City of Novi
45175 West Ten Mile Road
Novi, MI 48375

Attn: Kirsten Kapelanski, Planner

Re: **Rezoning 18.698**

Dear Ms. Kapelanski:

As the agent for the applicants, please be advised that the applicants for the above referenced rezoning have received the staff and consultant review letters for said rezoning and offer no objections to the comments contained therein.

Seiber Engineering, PLLC

Sincerely,

Clif Seiber, P.E.

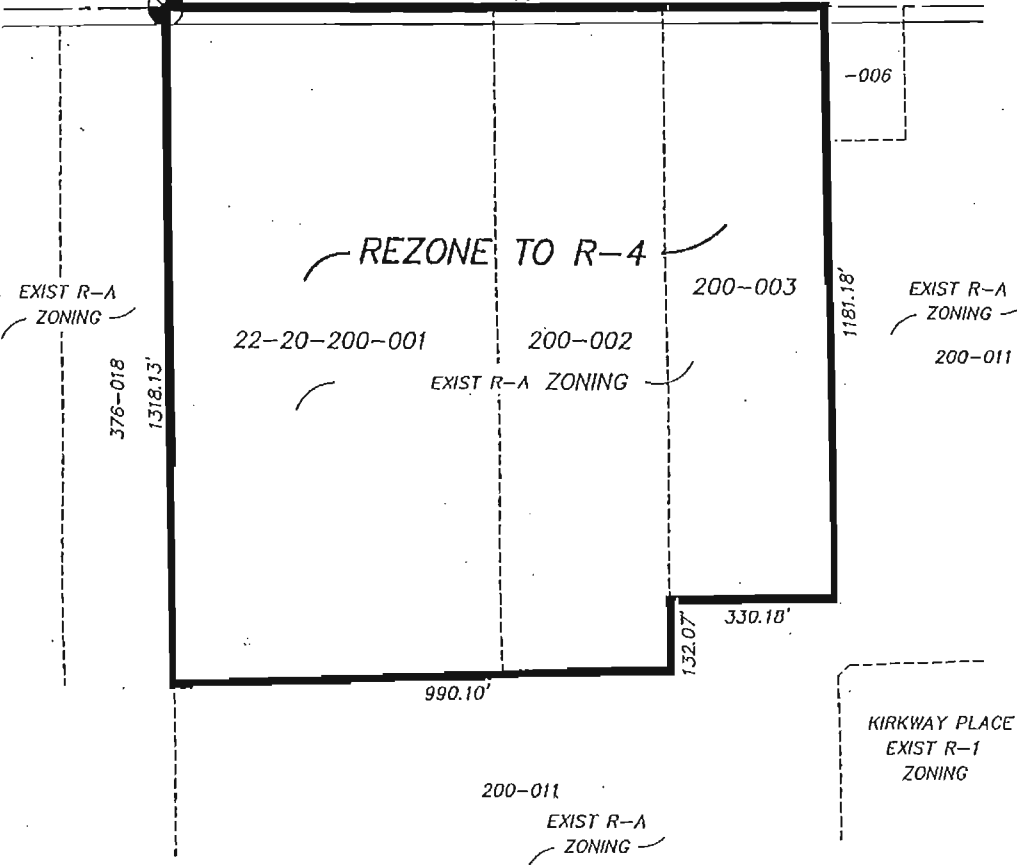
cc: Bill Bowman

PROPERTY SURVEY

NORTH 1/4 COR SEC 20
T.1N., R.8E.
CITY OF NOVI

N LINE SEC 20 & NOMINAL C/L 11 MI RD

1319.00'



To rezone a part of the Northeast 1/4 of Section 20, T.1N., R.8E., City of Novi, Oakland County, Michigan, being parcels 22-20-200-001, -002 & -003 more particularly described as follows:

Beginning at the North 1/4 corner of Section 20; thence N87°24'47"E, 1319.00 feet along the North line of Section 20, nominal C/L of Eleven Mile Road, (said point being S87°24'47"W, 1320.71 feet from the Northeast corner of Section 20); thence S02°32'46"E, 1181.18 feet; thence S87°12'05"W, 330.18 feet; thence S02°31'39"E, 132.07 feet; thence S87°12'05"W, 990.10 feet to a point on the N-S 1/4 line of said Section 20, (said point being N02°29'20"W, 1340.50 feet from the center of Section 20); thence N02°29'20"W, 1318.13 feet along said N-S 1/4 line to the point of beginning. Containing 38.86 acres.

FROM: RA RESIDENTIAL ACREAGE DISTRICT

TO: R-4 ONE FAMILY RESIDENTIAL DISTRICT

ORDINANCE NO. 18.698

ZONING MAP AMENDMENT NO. 698 CITY OF NOVI, MICHIGAN

ADOPTED BY THE CITY COUNCIL _____

DAVID LANDRY

MAYOR

MARYANNE CORNELIUS

CLERK

MAPS

**Location
Zoning
Future Land Use
Natural Features**

Rezoning 18.698 - Kaluzny Trust - Oberlin

Location



Map Author: Kristen Kapetanski
Date: 06-09-11
Project: Rezoning 18.698
Version #: 1.0

Map Legend

Subject Properties



City of Novi
Planning Division
Community Development
45176 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org



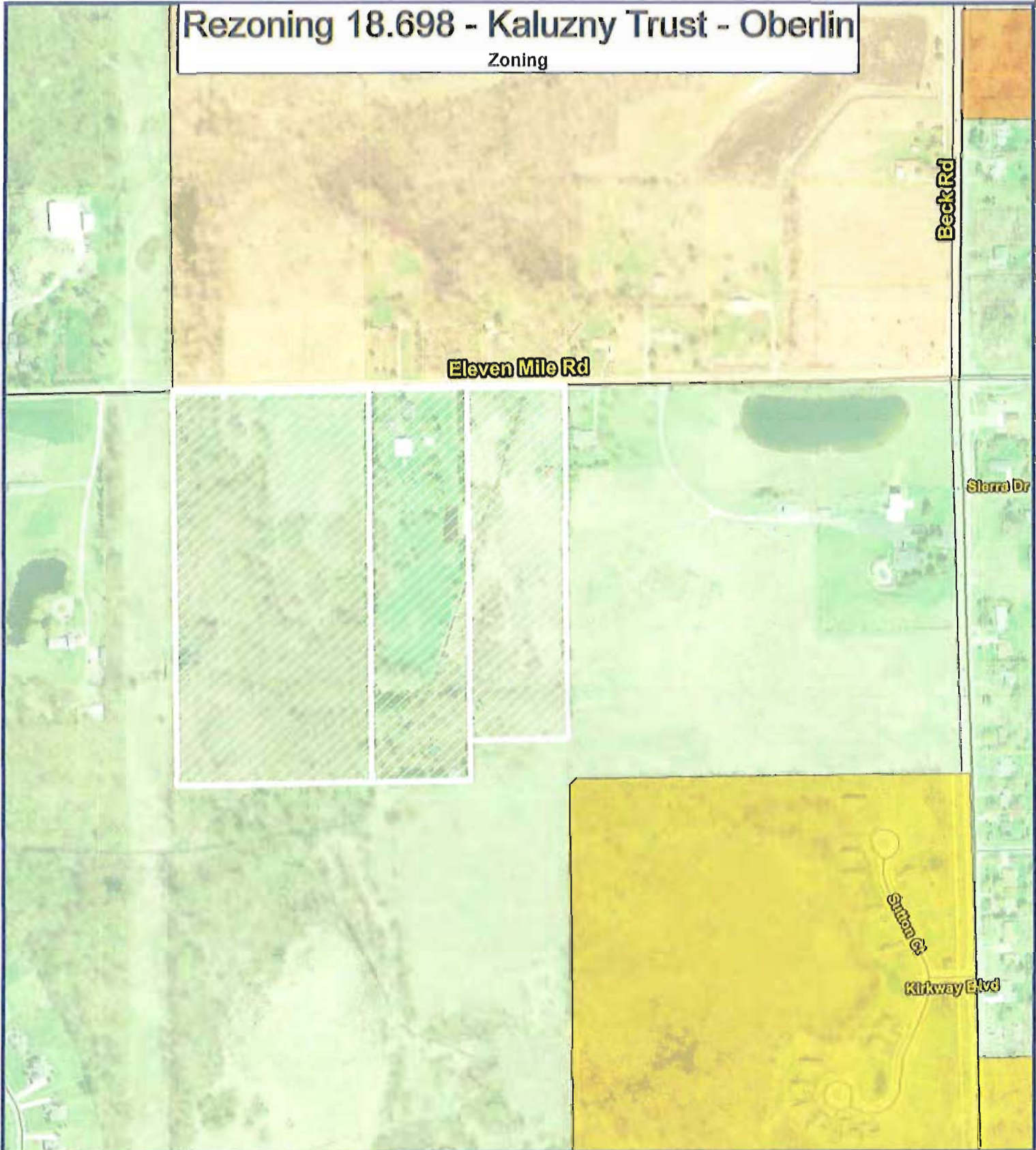
1 inch = 83,333 feet

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.

Rezoning 18.698 - Kaluzny Trust - Oberlin

Zoning



Map Author: Krysten Kapelanski
 Date: 06-06-11
 Project: Rezoning 18.698
 Version #: 1.0

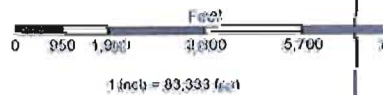
Map Legend

- | | | | |
|--|-----|--|------|
| | R-A | | R-3 |
| | R-1 | | R-4 |
| | | | RM-2 |



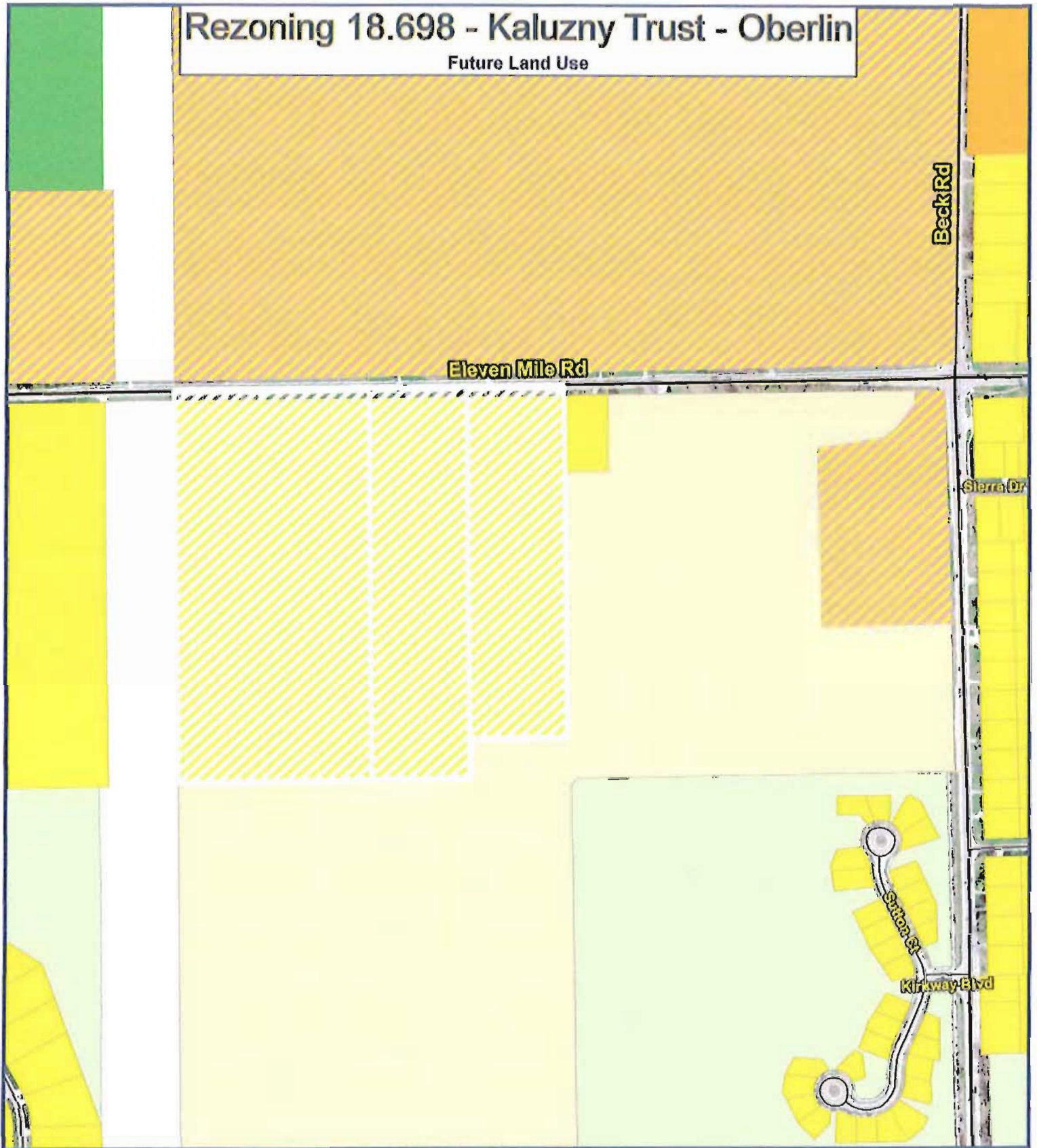
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Rezoning 18.698 - Kaluzny Trust - Oberlin

Future Land Use



Map Author: Kristen Kapelanski
 Date: 06-06-11
 Project: Rezoning 18.698
 Version #: 1.0

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Map Legend

- | | | | |
|---|-------------------|---|----------------------|
|  | Single Family |  | Educational Facility |
|  | Multiple Family |  | Public Park |
|  | Suburban Low-Rise |  | Private Park |
| | |  | Utility |



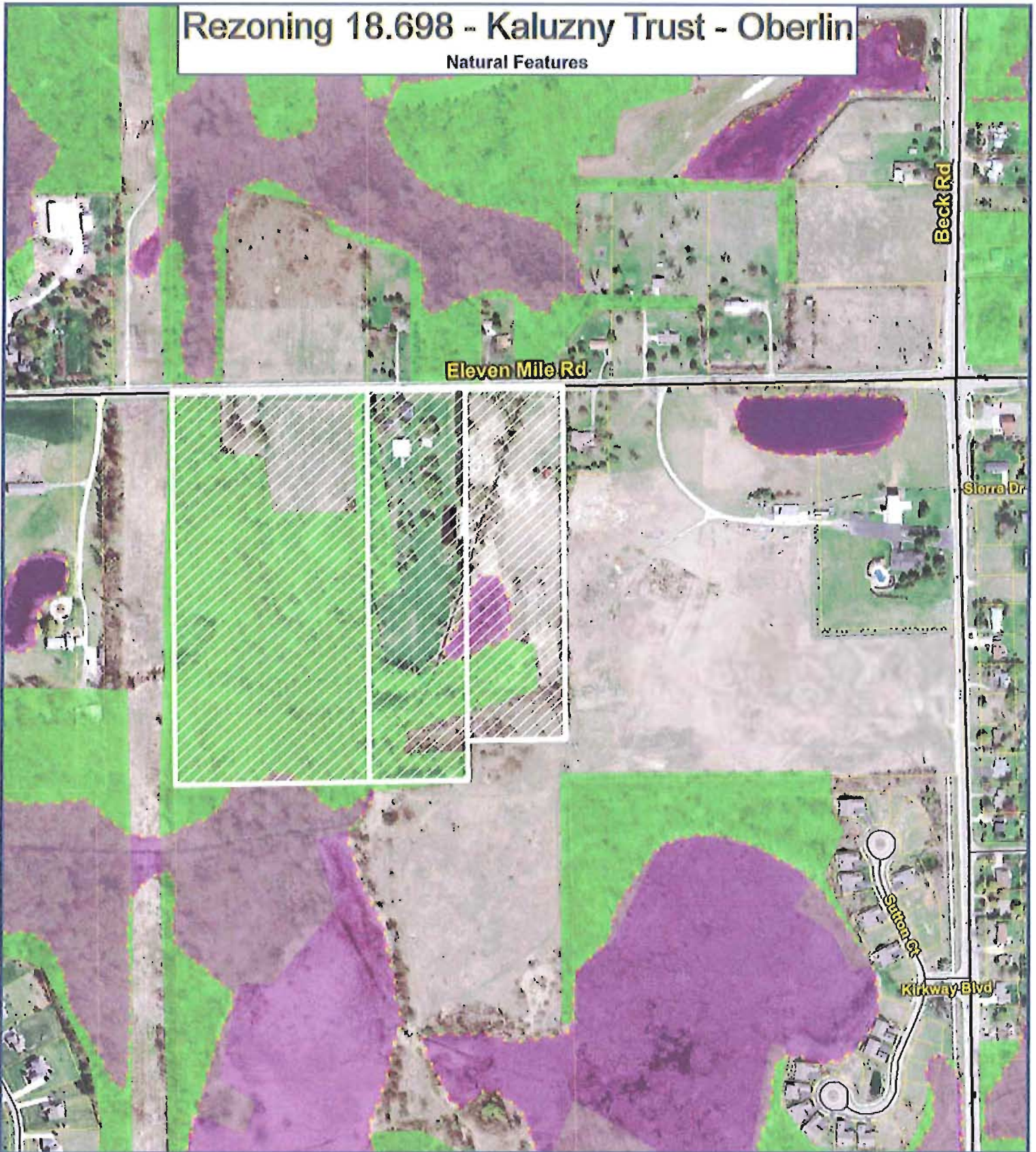
City of Novi
 Planning Division
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 45175 W Ten Mile Rd
 Novi, MI 48376
cityofnovi.org



1 inch = 83,333 feet

Rezoning 18.698 - Kaluzny Trust - Oberlin

Natural Features




Map Author: Kristen Kapelanski
 Date: 06-06-11
 Project: Rezoning 18.698
 Version #: 1.0

Map Legend

Subject Properties

 Wetland Areas

 Woodlands



City of Novi
 Planning Division
 Community Development
 45176 W Ten Mile Rd
 Novi, MI 48375
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