



**CITY OF NOVI CITY COUNCIL  
FEBRUARY 27, 2023**

**SUBJECT:** Adoption of a Resolution Authorizing Distribution of proposed City of Novi Master Plan amendments relating to Future Land Use Map designations for Public Park and Educational Facilities, to be sent to neighboring communities, Oakland County, railroads public utilities and other agencies, for a 42-day review and comment period.

**SUBMITTING DEPARTMENT:** Community Development – Planning Division

**BACKGROUND INFORMATION:**

At the November 14, 2022 City Council meeting, Council unanimously approved the Property Exchange Agreement by and Between the City of Novi and the Novi Community School District. A due diligence period was provided to address issues raised by the transfer of City park areas. One issue is the process for the City to follow in order to swap the park land under State Law with regard to the Master Plan's Future Land Use Map. It was determined that an amendment to the Future Land Use Map must occur to continue finalizing the exchange agreement.

The Master Plan Amendment process being followed is separate from the Master Plan Update that is currently underway. The Amendment follows a similar process to the Master Plan Update with regard to the reviews and actions by the Planning Commission and the City Council. The process provides opportunities for public hearing and comment, and distribution of the proposed map amendments to the required entities (nearby communities, regional planning bodies, utility companies, etc.) before the matter returns for final consideration approximately 45-60 days following the distribution of the proposed updates to the Future Land Use Map.

**MASTER PLAN – PROPOSED AMENDMENTS**

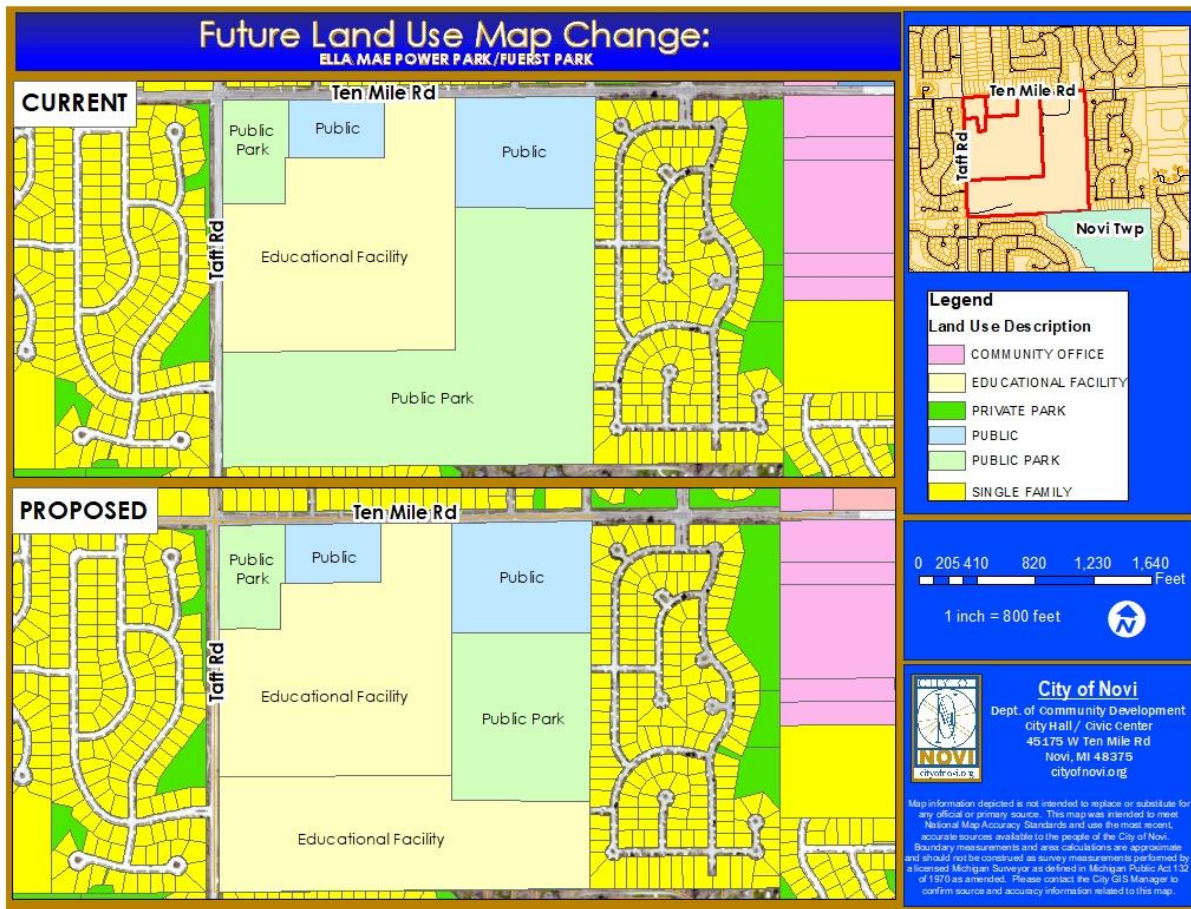
Staff prepared information for the Planning Commission to consider with regard to the Future Land Use Map, identifying the areas on the map that are recommended to be modified as shown in the Planning Commission Meeting Packet, and detailed below.

The City properties involved (being transferred to the School District) are:

- A portion of the City's Wildlife Woods Park adjacent Novi Middle School located near the northeast corner of Eleven Mile and Wixom Roads (about 23 acres), and

- An area at south end of the Civic Center/Ella Mae Power Park located south of Ten Mile Road and east of Taft Road, and is currently used for School athletic field purposes and open space consisting of woodlands and wetlands (about 46 acres).

The amendments propose to reclassify land being conveyed to the School District from “Public Park” as shown on the Future Land Use Map to “Educational Facility”, in addition to including a statement that this land is no longer required for park purposes by the City.

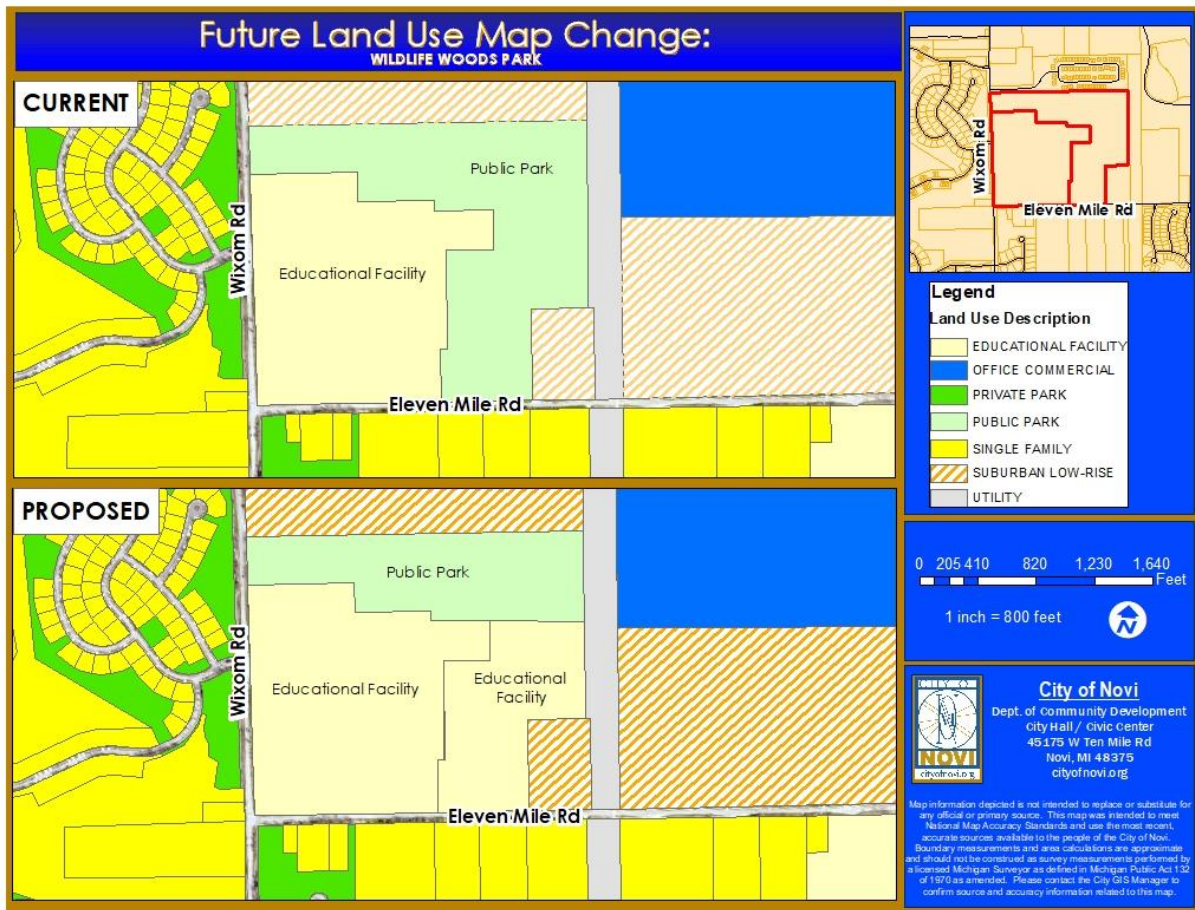


*Future Land Use Map change at Ella Mae Power Park/Fuerst Park*

The School properties involved (being transferred to the City) are:

- A small piece of land near Fuerst Park (roughly 1.77 acres) and
- Bosco Fields, at 11 Mile and Beck Roads (about 70 acres).

The amendment proposes to reclassify Bosco Fields from “Educational Facility” on the Future Land Use Map to “Public Park”



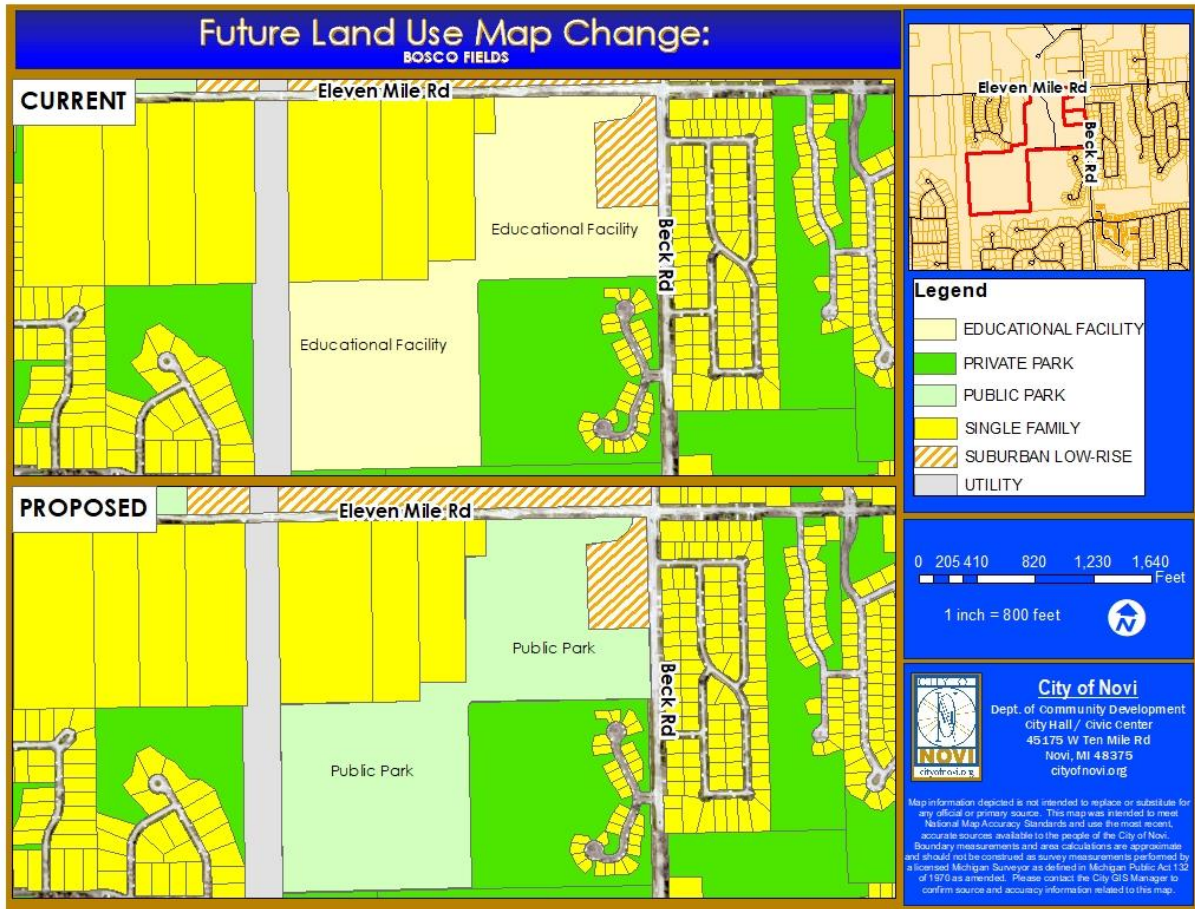
*Future Land Use Map change at Wildlife Woods park*

The second part to the amendment is a change to the Residential Density Map of the 2016 Master Plan. The 2016 version of this map did not attribute a residential density to the southeast corner of 10 Mile and Taft (area of the Civic Center, Novi High School, library, Ella Mae Power Park), because it is owned by the City. However, the 2016 Master Plan specifically stated that if conversion of park land were to occur, then residential uses would make sense at the density prescribed in the Residential Density Map. The proposed amendment to the Residential Density Map would show this area with a maximum density of 2.7 dwelling units per acre, which is consistent with the R-3, One Family Residential Zoning District and the surrounding residential uses to the west and south; more importantly, it's less dense than the underlying zoning of R-4, One Family Residential Zoning at this area, and the reference to the Residential Density Map in the 2016 Master Plan required a change to provide this area with a prescribed density.

**MASTER PLAN DENSITY DISCUSSION (WHY ADDRESS DENSITY AT ALL IN THE AMENDMENT?)**

Generally, the density shown on the Future Land Use Map is provided for all residentially zoned areas throughout the City. The numbers range from the least dense at 0.8 units/acre (consistent with the R-A, Residential Acreage district) to the

most dense at 20 – 30 units/acre (consistent with the TC Town Center District and the planned City West District.)



*Future Land Use Map change at Bosco Fields*

The planned maximum density is determined at the time of the Master Plan updates, and takes into consideration the current and planned uses for a site, and any special initiatives recommended in the Master Plan, such as a new Zoning District, or if there has been a significant change in character in a particular area since the previous update to the plan. Typically every residentially-zoned parcel will have a density assigned to it, unless it is City-owned. Since schools and churches are often located in residential zoning districts, the maximum density that is provided for these uses on the plan may never be achieved, since schools and churches are often remain as is for many years.

### **PLANNING COMMISSION PUBLIC HEARING**

On February 8th, the Planning Commission held a public hearing on the opening of the Master Plan, and received public comment. The Planning Commission considered the proposed amendments and adopted a resolution opening the Master Plan review process and forwarding the proposed amendments to the City Council for distribution. During the public hearing, residents voiced their concerns over the change to the respective maps, questioned why Residential Density was a

part of the amendment, and asked what the School District planned to do with the properties. Novi Community Schools Superintendent Ben Mainka was at the meeting and explained that no plans were established for any of the properties in the near future, except for maintenance of the land as it is currently used. He mentioned the possibility of an additional ball field being put in along with the other athletic fields south of the High School. The remainder of the property being used by the cross-country teams would continue to be used in that manner, and clarified that the property would remain open to the residents to use the trails, similar to how the public is able to use the high school's tennis courts. Mr. Mainka emphasized that this exchange between the City and the School had been in the works for quite some time.

### **FURTHER COMMUNICATION FOLLOWING THE PUBLIC HEARING**

Following the Planning Commission Public Hearing, the City Manager's office continued the conversation with nearby residents and shared the following regarding the proposed land swap between Novi Schools and the City of Novi.

*For years, the City and Schools have been using large chunks of each others' property for particular uses (athletic fields, parkland, etc.) under either formal lease agreements or by informal consent. Both the City and Schools are now looking at ways to make better use of these public areas, and along with that comes an obligation to explore whether it makes more sense to exchange the properties so that the public "user" of the property is also the public "owner" of it, and to get rid of lessee/lessor relationship. Doing that turns out to require not only an exchange of deeds/title from one entity to the other, but a change to the City's master plan maps to reflect the change in the nature of the underlying ownership and use (from City to Schools and vice versa).*

*Part of the process of changing the master plan maps for those parcels that would go from City to the Schools is to recognize that they would no longer be City parkland. That means literally changing their designation on the maps from "public park" to "educational facility" – still a public use, just not City-owned. But along with that, under the language of the City's existing master plan, the City needed to add an underlying "density" number to the land no longer designated "public park." That doesn't mean it will not be an educational facility, or that it will ever actually be developed; it's just a designation like any other non-park property in the master plan. That density designation is no different than the underlying zoning designation of the property—right now, today—of R-4 single-family residential. That current zoning doesn't mean it's going to be developed for residential—every property in the City, even City-owned properties that are not at all going to be developed for any other use, have an underlying zoning designation. The master plan density designation is no different.*

*Because the City would be transferring the Ella Mae Power Park property to the Schools, we have no reason to believe that it will have any use other than for school purposes—which is what the Schools have committed to. **But offer***

**hearing the concerns shared at a recent Planning Commission meeting about some future transfer to a private owner, the City and the Schools have discussed inserting language into the property exchange agreement that might lessen that concern by allowing for a right of “re-purchase” should the body acquiring property now decide in the future that they don’t need it anymore. So, in the unlikely event that the Schools decided they didn’t want the Ella Mae Power Park property, the City would have the right to get it back. We’ve also suggested to the Schools that the agreement say that it will adhere to the City’s Woodlands Ordinance as it pertains to the wooded area on the south side of Ella Mae Power Park, and its my understanding that the Schools might be amenable to that.**

Residents replied, *the suggested changes really clarify the reasons for the swap and long- term plans for the Park. It's good to know the City and NPS listened to the residents' concerns.* The response indicated that the information is being forwarded to board members of the Dunbarton Pines HOA for distribution to the residents.

### **City Council Action**

Attached to this motion sheet is the Resolution to Authorize Distribution of Proposed City of Novi Master Plan amendments to the required entities and the amendment to the 2016 City of Novi Master Plan, including changes to the Future Land Use Map and Planned Residential Density Map.

The final clause of the Suggested Resolution provides that after the required review period and public hearing, final adoption of the amendments is up to the Planning Commission, and Council does **not** assert its right to approve or reject the amendments. Under the state Planning Enabling Act, the City Council may choose to assert its rights to approve or reject the amendments by stating as a part of the motion that it does assert its right to approve or reject the amendments.

### **RECOMMENDED ACTION:**

Adoption of a Resolution Authorizing Distribution of proposed City of Novi Master Plan amendments relating to Future Land Use Map designations for Public Park and Educational Facilities, to be sent to neighboring communities, Oakland County, railroads public utilities and other agencies, for a 42-day review and comment period, in addition to permitting final adoption of the plan amendments to the Planning Commission following a second public hearing held after the 42-day review and comment period.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

**RESOLUTION AUTHORIZING DISTRIBUTION OF PROPOSED CITY OF NOVI  
MASTER PLAN AMENDMENTS AND PERMITTING FINAL ADOPTION BY  
PLANNING COMMISSION**

At a regular meeting of the City Council of the City of Novi, Oakland County, Michigan, held on the \_\_\_\_ day of \_\_\_\_\_, 2023

PRESENT:

ABSENT:

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**WHEREAS** the City of Novi ("City") and Novi Community School District ("District") have prepared a draft Property Exchange Agreement ("Agreement") under which the City will convey to the District a portion of Ella Mae Power Park and a portion of Wildlife Woods Park, and the District will convey to the City land directly south of Fuerst Park and all the Bosco Fields property; and

**WHEREAS** the approval of final form of the Agreement includes ensuring that the exchange complies with MCL 117.5(e) (the Home Rule Cities Act), which states that land designated as park in an official Master Plan may not be sold; and

**WHEREAS** an amendment to the Master Plan, to comply with MCL 125.3845 (Michigan Planning Enabling Act), must follow the procedures set forth in Sections 39, 41, and 43 of the Michigan Planning Enabling Act; and

**WHEREAS** The City of Novi Planning Commission has held a public hearing and considered draft amendments to the 2016 City of Novi Master Plan in accordance with the requirements of MCL 125.3801 *et seq*; and

**WHEREAS** pursuant to MCL 125.3841, upon completion of the proposed amendments the Planning Commission is required to submit the same to the City Council

for review and comment, and for approval of distribution of the proposed amendments to adjacent communities and certain other governmental or public agencies for their review and comment, as described in MCL 125.3841, except for the shorter time period for review and comment of amendments as described in MCL 125.3845; and

**WHEREAS** the City Council has reviewed and approves the attached "Amendments to the Master Plan's Future Land Use Map and Residential Density Map Relating to City Parkland" (Attachment A) for distribution as required;

**NOW THEREFORE BE IT RESOLVED**, pursuant to MCL 125.3841(1), that the Secretary of the City of Novi Planning Commission and all other necessary administrative personnel are hereby notified to cause a copy of the proposed amendments to be submitted to those entities and agencies described in MCL 125.3841(2), for review and comment within the time limits set forth in MCL 125.3845(1)

**BE IT FURTHER RESOLVED**, that pursuant to the foregoing authority, such review is advisory only.

**BE IT FURTHER RESOLVED** that after the required review period and public hearing, final adoption of the amendments is up to the Planning Commission, and Council does not assert its right to approve or reject the amendments.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

#### **CERTIFICATION**

I hereby certify that the foregoing Resolution is a true and complete copy of the resolution adopted by the City Council of the City of Novi, Oakland County, Michigan, at a meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2023, the original of which is on file in my office.

I further certify that the notice of the meeting was given pursuant to, and in full compliance with, Act No. 267 of the Public Acts of Michigan, 1976, as amended.



IN WITNESS WHEREOF, I have hereunto affixed by official signature this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023

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Cortney Hanson, City Clerk

**MAYOR'S CERTIFICATION**

I hereby certify that the foregoing resolution accurately reflects the action taken  
by the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2023

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Robert Gatt, Mayor

**SUGGESTED CITY COUNCIL RESOLUTION**

**ATTACHMENT A - AMENDMENTS TO THE MASTER PLAN**

1. Cover page
2. Future Land Use Map amendment
3. Residential Density Map amendment

## Current Future Land Use

**Legend**

**Streets Key**

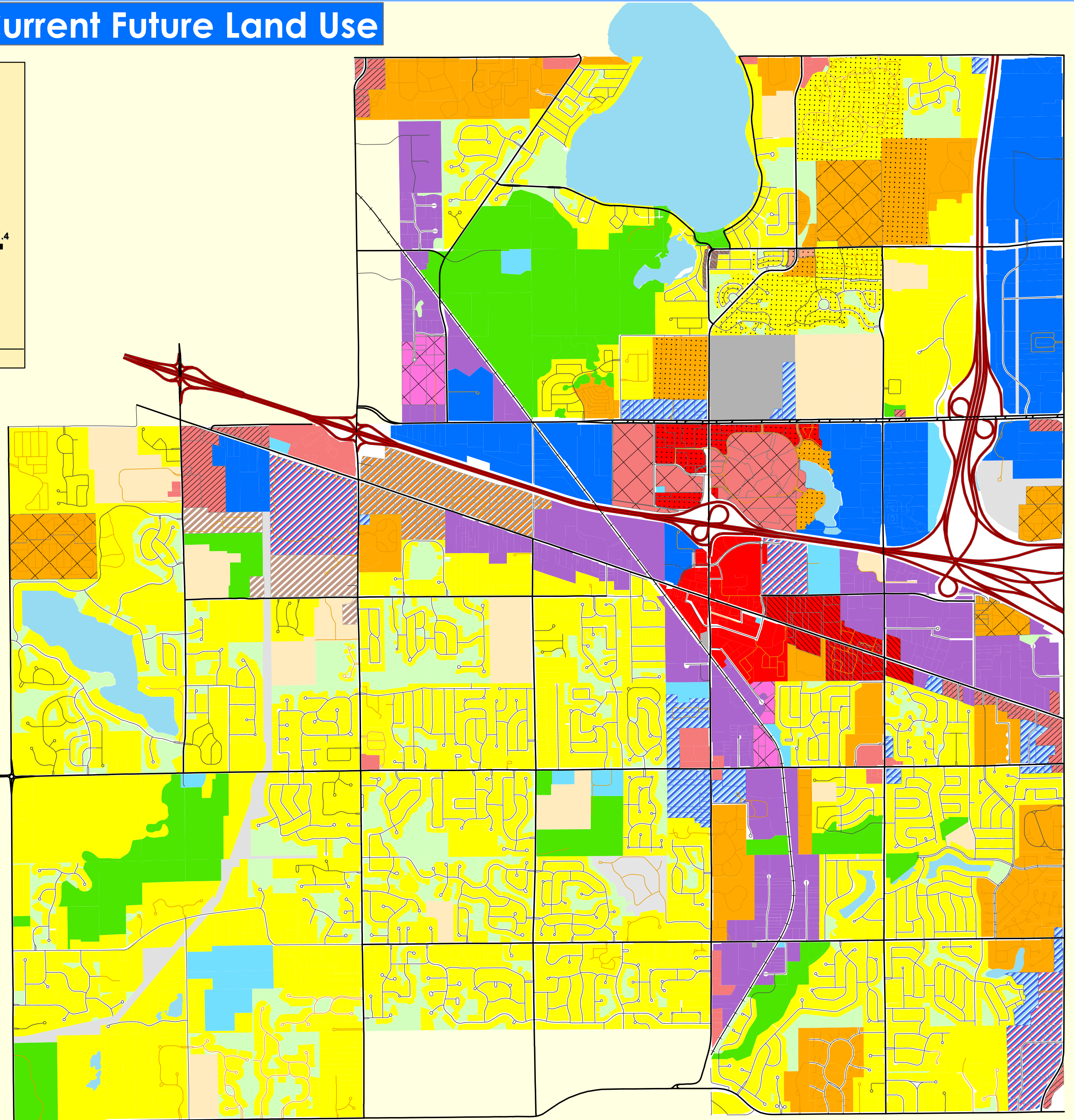
- Interchange and Exit Numbers
- Freeway
- Major Public Streets
- Minor Public Streets
- Private Streets
- Railroad

0 0.35 0.7 1.4  
Miles

Map Print Date: January 11, 2023

Visit [maps.cityofnovi.org](http://maps.cityofnovi.org) to access interactive, locally based geographic information in the Novi community.

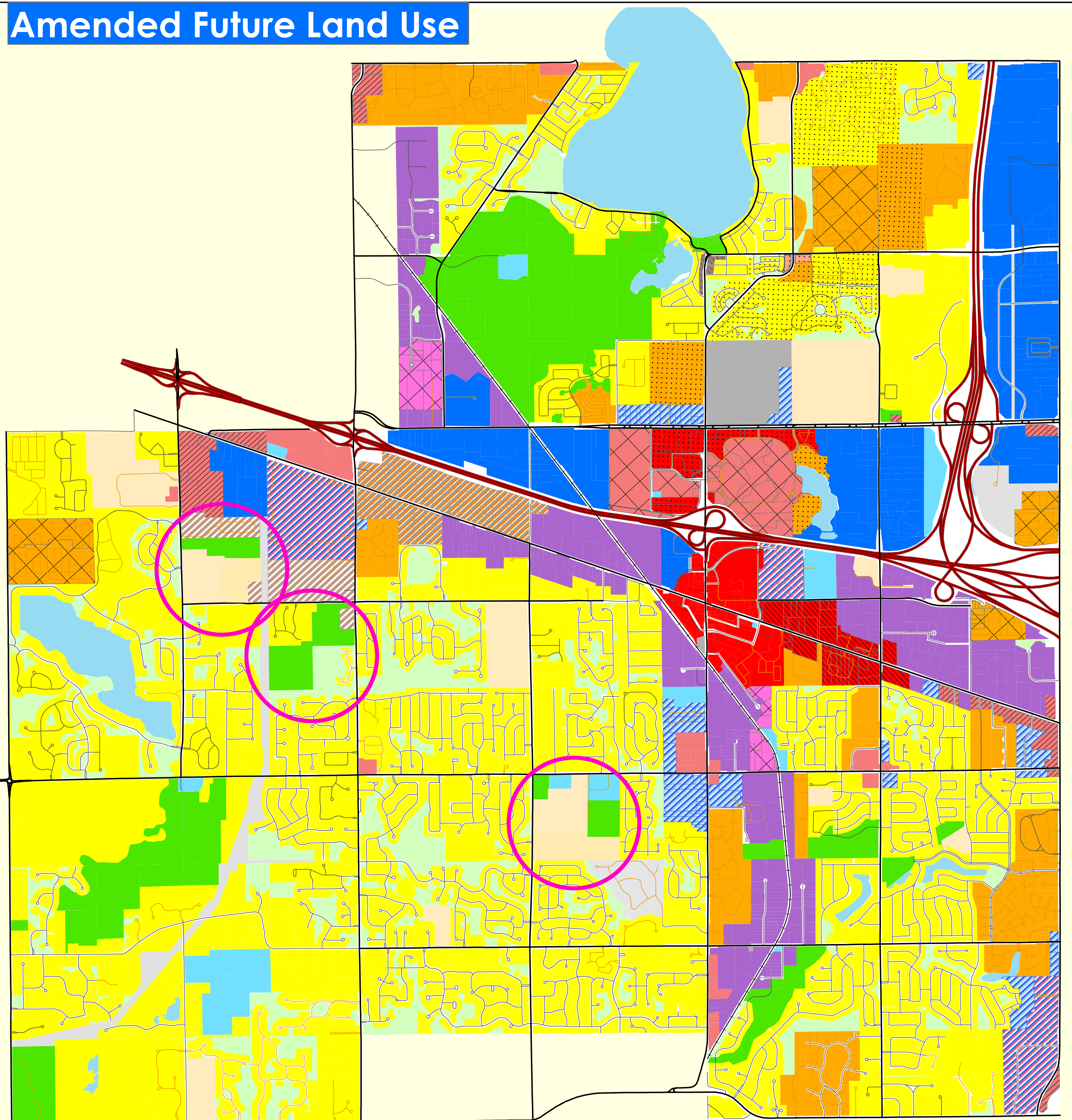
Map Author: J.Hill, Planner  
Community Development Department



## Legend

- Single Family
- PUD
- Multiple Family
- PD1
- Manufactured Home Residential
- Suburban Low-Rise
- Community Office
- Office Research Development Technology
- Office Commercial
- Industrial Research Development Technology
- Heavy Industrial
- PUD3
- Local Commercial
- Community Commercial
- Regional Commercial
- City West
- Pavillion Shore Village
- TC Commercial
- TC Gateway
- PD2
- Educational Facility
- Public
- Public Park
- Private Park
- Cemetery
- Utility

## Amended Future Land Use



**Notes:**

1. The areas circled in pink are the areas undergoing a reclassification of land use. The land being reclassified from Public Park to Educational Facility, as shown in the map, is not required for park purposes by the City
2. This map is meant to replace the Future Land Use Map and all other material found on page 47 of the 2016 Master Plan
3. This Master Plan amendment includes the amended Future Land Use Plan and the amended Residential Density Plan
4. This map is intended to show generalized land use and is not intended to indicate the precise size, shape, or dimension of areas.
5. See the Residential Density Plan map for more specific residential density recommendations
6. If future conversion of public and private recreation areas to a non-public or non-recreation area occurs, the intended use is residential at the density identified on the Residential Density Map

**CURRENT RESIDENTIAL DENSITY**

**Legend**

**Streets Key**

- 162 Interchange and Exit Numbers
- Freeway
- Major Public Streets
- Minor Public Streets
- Private Streets
- Railroad

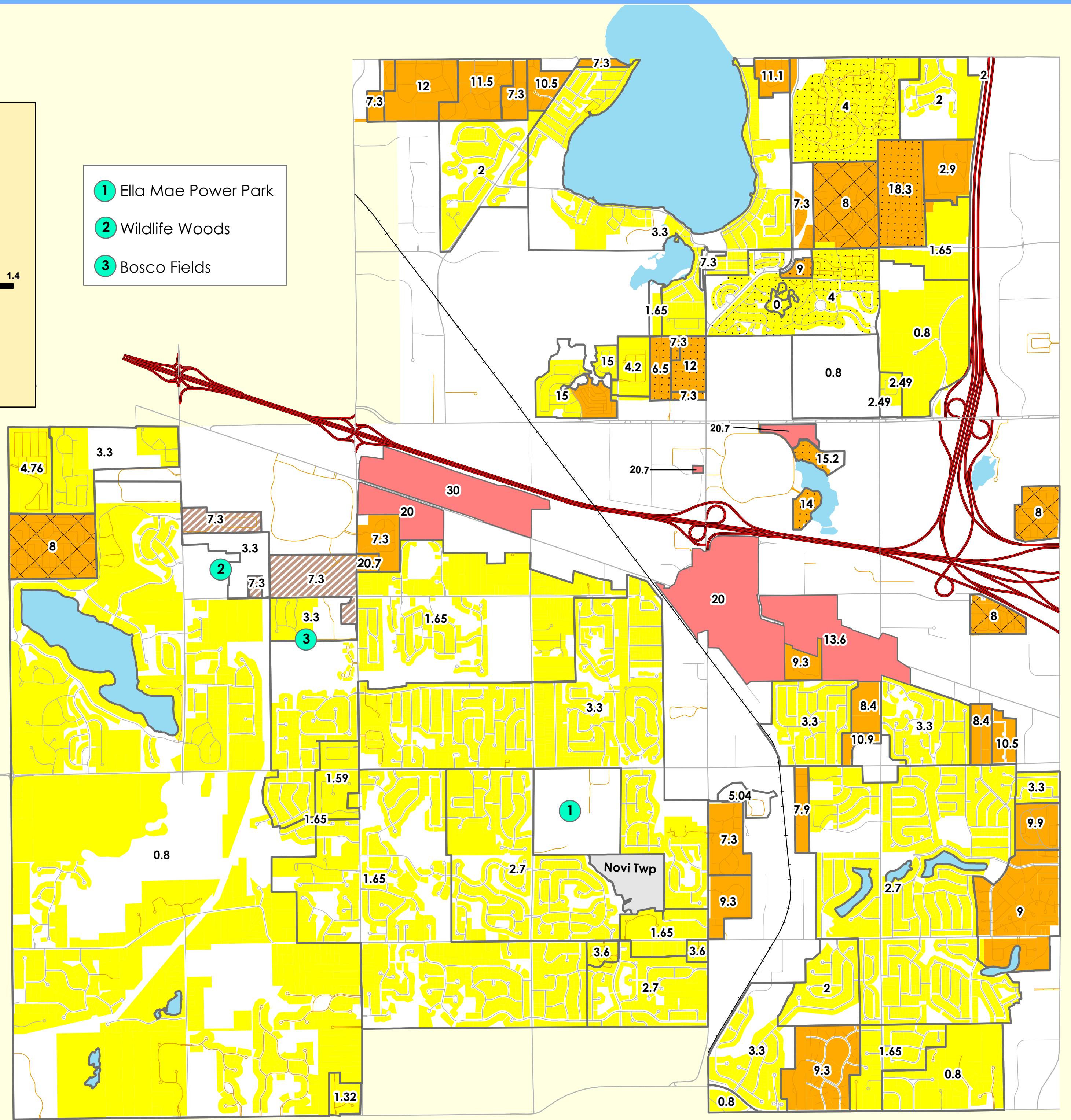
Map Print Date: January 11, 2023

Map Author: J.Hill, Planner  
Community Development Department

- 1 Ella Mae Power Park
- 2 Wildlife Woods
- 3 Bosco Fields

**Proposed Land Use**

- Single Family
- PUD
- Multiple Family
- PD1
- Manufactured Home Residential
- Suburban Low-Rise
- Mixed Use



**AMENDED RESIDENTIAL DENSITY CHANGE IN PINK**

**Legend**

**Streets Key**

- 162 Interchange and Exit Numbers
- Freeway
- Major Public Streets
- Minor Public Streets
- Private Streets
- Railroad

Map Print Date: January 11, 2023

Map Author: J.Hill, Planner  
Community Development Department

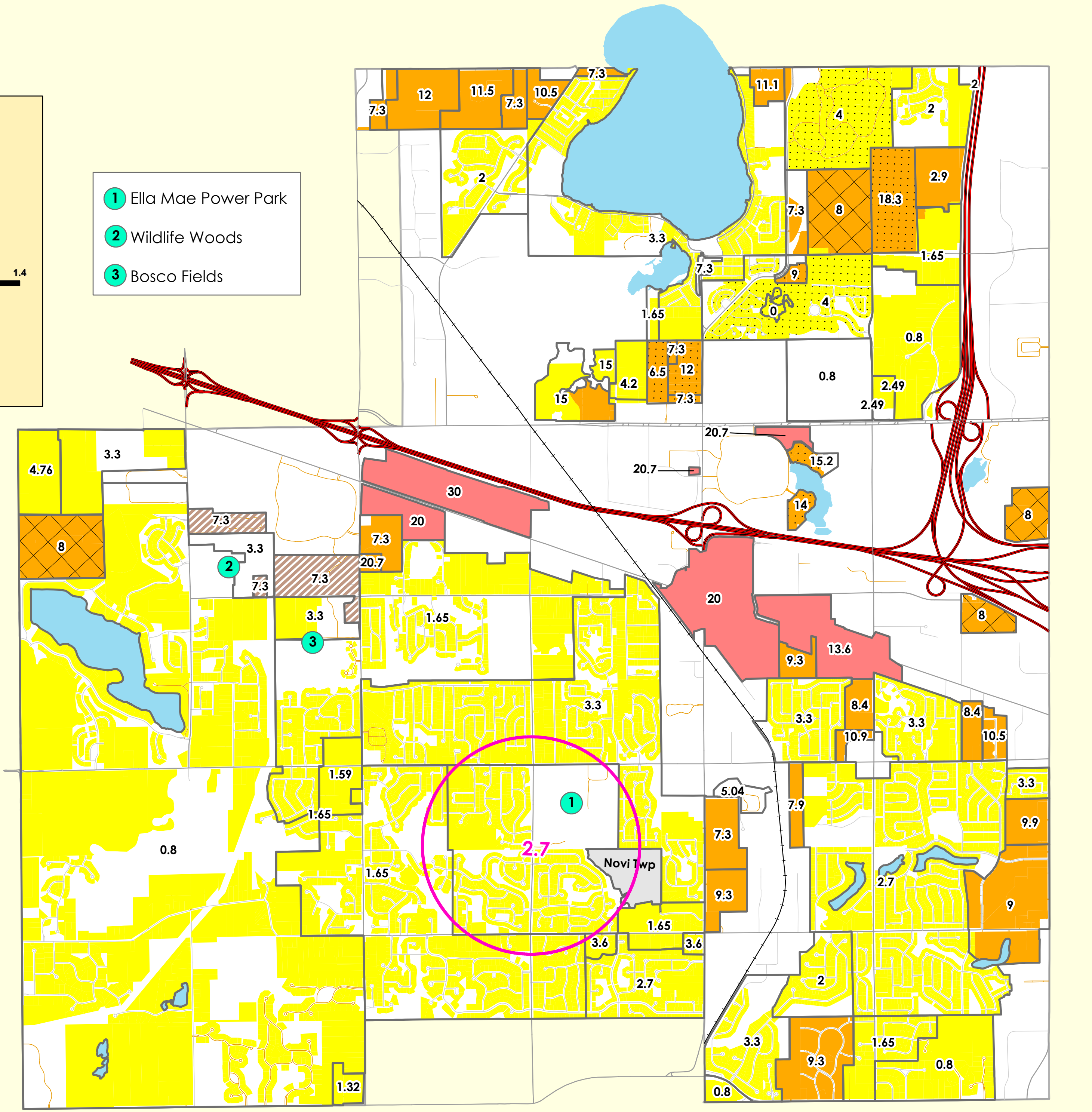
- 1 Ella Mae Power Park
- 2 Wildlife Woods
- 3 Bosco Fields

**Proposed Land Use**

- Single Family
- PUD
- Multiple Family
- PD1
- Manufactured Home Residential
- Suburban Low-Rise
- Mixed Use

**Notes**

1. This map is meant to supplement the Residential Density map and all other material found on page 48 of the 2016 Master Plan. Existing references to the original Residential Density map remain valid
2. The change designated in pink provides a Residential Density of 2.7 dwelling units per acre to an area that previously had no planned Residential Density attributed to it
3. Actual maximum number of dwelling units permitted per acre may be less due to site conditions and City of Novi Code of Ordinance requirements and the specific recommendations of the Master Plan for mixed use areas



**FEBRUARY 8 PLANNING COMMISSION RESOLUTION**

**PLANNING COMMISSION RESOLUTION OPENING THE MASTER PLAN REVIEW PROCESS, NOTIFYING ALL REQUIRED ENTITIES TO CONSIDER AMENDING THE 2016 MASTER PLAN FUTURE LAND USE MAP TO RECLASSIFY A PORTION OF ELLA MAE POWER PARK FROM PUBLIC PARK TO EDUCATIONAL FACILITY, A PORTION OF WILDLIFE WOODS PARK FROM PUBLIC PARK TO EDUCATIONAL FACILITY, AND BOSCO FIELDS PROPERTY FROM EDUCATIONAL FACILITY TO PUBLIC PARK**

At a regular meeting of the Planning Commission of the City of Novi, Oakland County, Michigan, held on the 8<sup>th</sup> day of February, 2023

PRESENT: Member Avdoulos, Member Becker, Member Dismondy,  
Member Lynch, Chair Pehrson, Member Roney, Member Verma

ABSENT: None

The following resolution was offered by Member Avdoulos and seconded by Member Roney:

WHEREAS the City of Novi ("City") and Novi Community School District ("District") have prepared a draft Property Exchange Agreement ("Agreement") under which the City will convey to the District a portion of Ella Mae Power Park and a portion of Wildlife Woods Park, and the District will convey to the City land directly south of Fuerst Park and all the Bosco Fields property; and

WHEREAS at the November 14 City Council meeting an initial draft of the Agreement was presented and approved subject to the approval of final form by the City Manager and City Attorney's Office; and

WHEREAS the approval of final form includes ensuring that the exchange complies with MCL 117.5(e)(the Home Rule Cities Act), which states that land designated as park in an official Master Plan may not be sold; and

WHEREAS the portions of land agreed to be conveyed to the District are currently designated as Public Park on the 2016 Future Land Use Map; and

WHEREAS the Bosco Fields property to be conveyed to the City is currently designated as Educational Facility on the 2016 Future Land Use Map; and

WHEREAS an amendment to the Master Plan, to comply with MCL125.3845 (Michigan Planning and Enabling Act), must follow the procedures set forth in Sections 39, 41, and 43 of the Michigan Planning and Enabling Act; and

WHEREAS Section 39 requires sending notices of the amendment to the same entities required for an entire master plan update and requesting comments and cooperation; and

WHEREAS Section 41 requires submitting the proposed amendment to the legislative body for approval of distribution to the same entities as required by section 39; and

WHEREAS Section 43 requires a public hearing at the Planning Commission 42 days after the legislative body approves the distribution of the amendment, at which point the Planning Commission can adopt the proposed amendments or adopt them subject to modifications; and

WHEREAS the Agreement between the City and the District is partially contingent upon the completion of this master plan map reclassification, and within the Agreement, both parties agree that time is of the essence; and

WHEREAS City Council has already approved the land exchange associated with the map reclassification, and the Planning Commission can condense steps in the amendment process due to the circumstances of the Agreement.

NOW THEREFORE BE IT RESOLVED that the Planning Commission hereby authorizes the opening of the Master Plan review process.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends to the City Council the draft amendments to the 2016 Future Land Use Map and text, as presented as Attachment A, for approval by the City Council for distribution.

BE IT FURTHER RESOLVED that once the draft amendments are approved for distribution by the City Council, the Planning Commission Chairperson hereby authorizes the mailing of a notification of the opening of the Master Plan for Land Use to all required entities of the start of the process requesting comments before the matter returns for final consideration.



RESOLUTION DECLARED ADOPTED

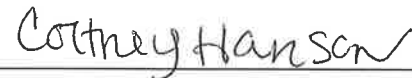
YEAS: 7  
NAYS: 0  
ABSENT: 0  
ABSTENTIONS: 0

**CERTIFICATION**

I hereby certify that the foregoing Resolution is a true and complete copy of the resolution adopted by the Planning Commission of the City of Novi, Oakland County, Michigan, at a meeting of the City of Novi Planning Commission held on the 8<sup>th</sup> day of February, 2023, the original of which is on file in my office.

I further certify that the notice of the meeting was given pursuant to, and in full compliance with, Act No. 267 of the Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed by official signature this 9<sup>th</sup> day of February, 2023.



Cortney Hanson, City Clerk

**CHAIRPERSON'S CERTIFICATION**

I hereby certify that the foregoing resolution accurately reflects the action taken by the Planning Commission on the 8<sup>th</sup> day of February, 2023.



Mark Pehrson, Chairperson

**ATTACHMENT A: AMENDMENTS TO THE MASTER PLAN'S FUTURE LAND USE MAP AND RESIDENTIAL DENSITY MAP RELATING TO CITY PARKLAND**

This attachment contains the amendments to both the Future Land Use Map and the Residential Density Map of the 2016 Master Plan. The first set of maps attached shows the change in Future Land Use as it relates to the areas being considered for the exchange between the City and Novi Community Schools. As noted in the maps, this is meant to replace the map and all other material found on page 47 of the 2016 Master Plan. Also noted in the map is the following statement:

*"The land being reclassified from Public Park to Educational Facility, as shown in the map, is not required for park purposes by the City."*

The second set of maps attached shows the change in Residential Density. As noted, this is only meant to supplement the map and all other material found on page 48 of the 2016 Master Plan. The small change does not warrant a complete replacement of the page and references throughout the Plan to the existing Residential Density Map will remain valid.

If adopted by the Planning Commission, these amended maps will become a part of the 2016 Master Plan and either replace or supplement the respective portions of the Plan, as described herein. Until adoption, these are draft amendments and can be edited by Staff based on review from the Planning Commission and City Council, comment during the Public Hearings, or as a result of the comments received following distribution of the plan to surrounding communities and other entities.