



**SUBJECT:** Consideration of Zoning Ordinance Text Amendment 18.291 to establish the Pavilion Shore Village Zoning District, for future consideration to rezone 1.61 acres of property at the intersection of Old Novi Road and Thirteen Mile Road from B-3 General Business to PSV Pavilion Shore Village. **FIRST READING**

**SUBMITTING DEPARTMENT:** COMMUNITY DEVELOPMENT, PLANNING

**BACKGROUND INFORMATION:**

The City of Novi 2016 Master Plan Update included recommendations for redevelopment of three sites within the City that were considered vacant or under-utilized given their location, unique features and size. One of the sites identified was named Pavilion Shore Village, due its proximity to the City's Pavilion Shore Park to the north. The area is located south of Thirteen Mile Road and extends southward along Old Novi Road. Staff, with feedback from community members and the Planning Commission, has developed the draft Pavilion Shore Village Zoning District text in response to the Master Plan recommendation for this area.

The relatively small area identified as Pavilion Shore Village in the Master Plan is approximately 6.02 acres. Of that area, approximately 3.15 acres was approved by the Planning Commission and City Council for rezoning and redevelopment using a Planned Rezoning Overlay (PRO) option. The terms of the PRO agreement specify that 20 single family detached homes can be developed, and provides specific conditions for development. This development, known as Lakeview, is shown on the area map as *Lakeview Properties*. Construction of that development is underway, with 15 of the home sites having approved or submitted plot plans.

The Planning Commission's Implementation Committee reviewed the draft text developed by staff in May 2021. Based on compelling comments from Mr. and Mrs. Duchesneau at the initial Planning Commission meeting, Staff prepared an **Option B** for the text amendment for the Implementation Committee to consider. With Lakeview currently under development, the six remaining residential parcels either have existing homes or can be developed under the requirements of the R-4 District as currently zoned and configured. The Option B text amendment would therefore remove all residential uses except live/work units, and is intended to limit the district to the 1.61 acres of commercial properties. Members of the Implementation Committee preferred this option and also suggested off-street parking be included as a stand-alone use given the area lacks enough parking to support nearby businesses and the park. The new standards for the PSV district are more tailored to the configuration of the currently vacant parcels, which will hopefully encourage development.

Staff has reached out to the affected property owners within the proposed district, first with a letter explaining the intent of the new district and a copy of the draft text amendment. We have spoken with three of the four property owners in the area to be rezoned, and each have been supportive of the proposed changes. We have assured each that the existing businesses will be allowed to continue operating in the proposed district. There was also support for additional parking to accommodate visitors to both the park and businesses. They were hopeful the changes proposed would encourage new development and additional parking on the underutilized parcels. Affected and nearby property owners were also notified of the public hearing, and signage was posted.

The Planning Commission considered the proposed ordinance amendment at a public hearing held at its September 22nd meeting, and forwarded **a favorable recommendation to the City Council to adopt the Pavilion Shore Village Zoning District**. There was discussion of a proposal to include food trucks as a permitted use in the new district, however it was determined that food trucks are permitted as a temporary use permit currently, and would therefore not need to be listed as a specific use in the district at this time. The Planning Commission also recommended approval of the rezoning from B-3 to PSV for the subject properties.

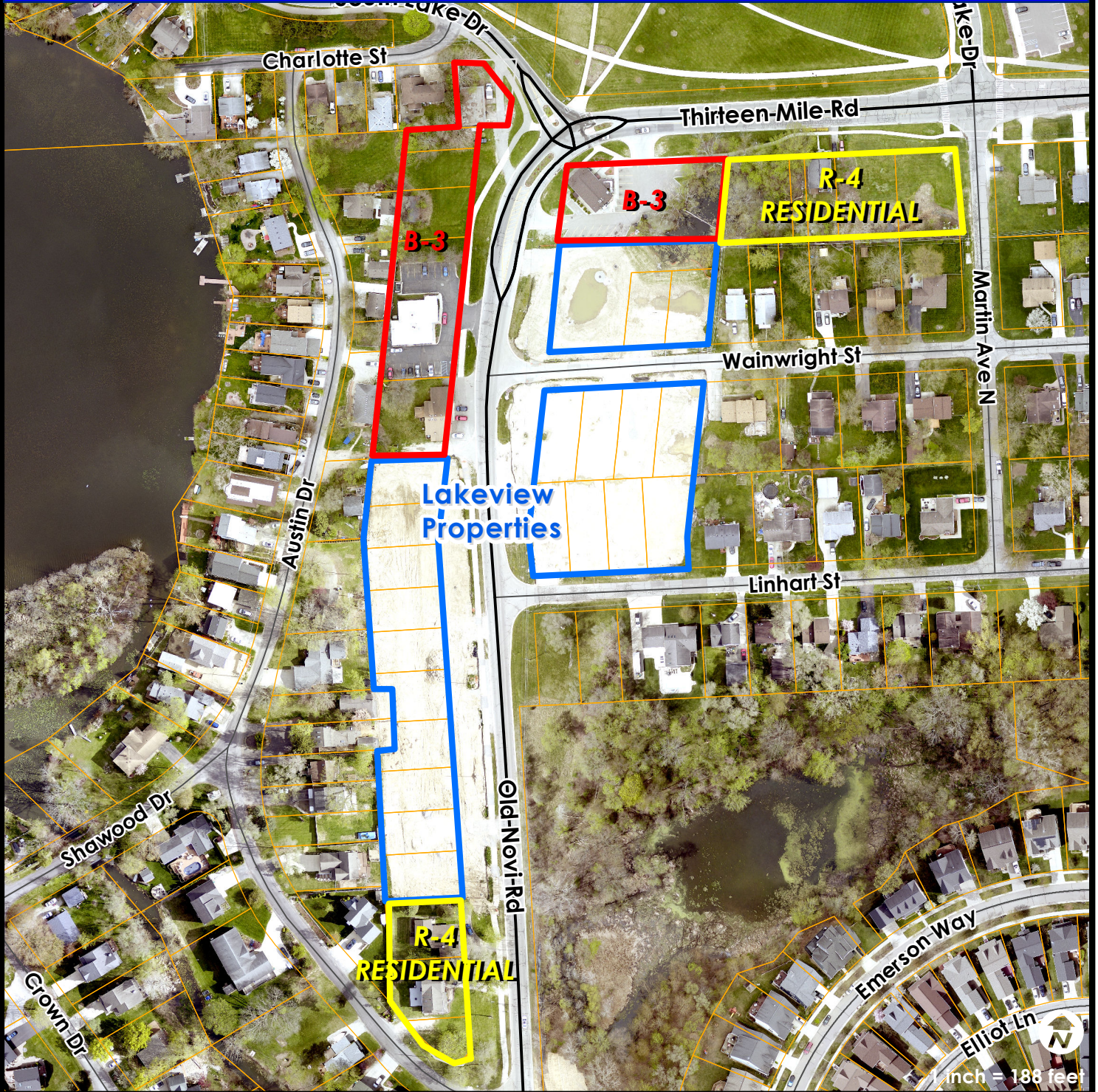
The proposed ordinance amendment, as recommended by the Planning Commission, would allow a subset of the uses that are currently allowed in the B-3 District. The B-3 District uses and development standards are included in the packet for comparison. Some of the more intensive uses that are not appropriate for these small lots surrounded by residential uses, such as fueling stations, car washes, car dealerships, and drive-through fast food restaurants would not be permitted in the new district. The PSV district would instead allow Restaurants (sit-down, fast food carryout, or fast food sit down), retail business uses (such as specialty food stores, recreational retail or sporting goods stores), retail business service uses (such as pet grooming, bicycle rental and repair, personal service establishments), live/work units, off-street parking lots, and similar uses as determined by the Planning Commission. Veterinary hospitals or clinics would still be permitted as a special land use. Building setbacks would be reduced to allow buildings to be located closer to the sidewalks, with parking encouraged to be located behind the buildings. The maximum building height of 30 feet is the same as in the B-3 district. The required conditions for the PSV district include ground floor transparency standards and streetscape amenities to enhance the pedestrian environment.

**RECOMMENDED ACTION:** Approval of Zoning Ordinance Text Amendment 18.291 to establish the Pavilion Shore Village Zoning District, for future consideration to rezone 1.61 acres of property at the intersection of Old Novi Road and Thirteen Mile Road from B-3 General Business to PSV Pavilion Shore Village. **FIRST READING**

# MAPS

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# PAVILION SHORE VILLAGE AREA

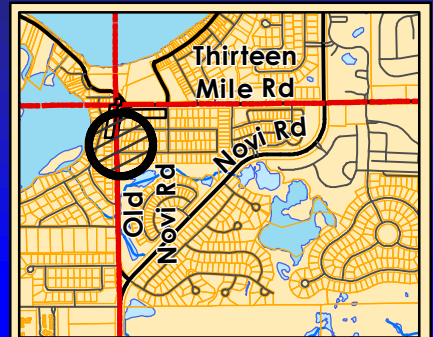


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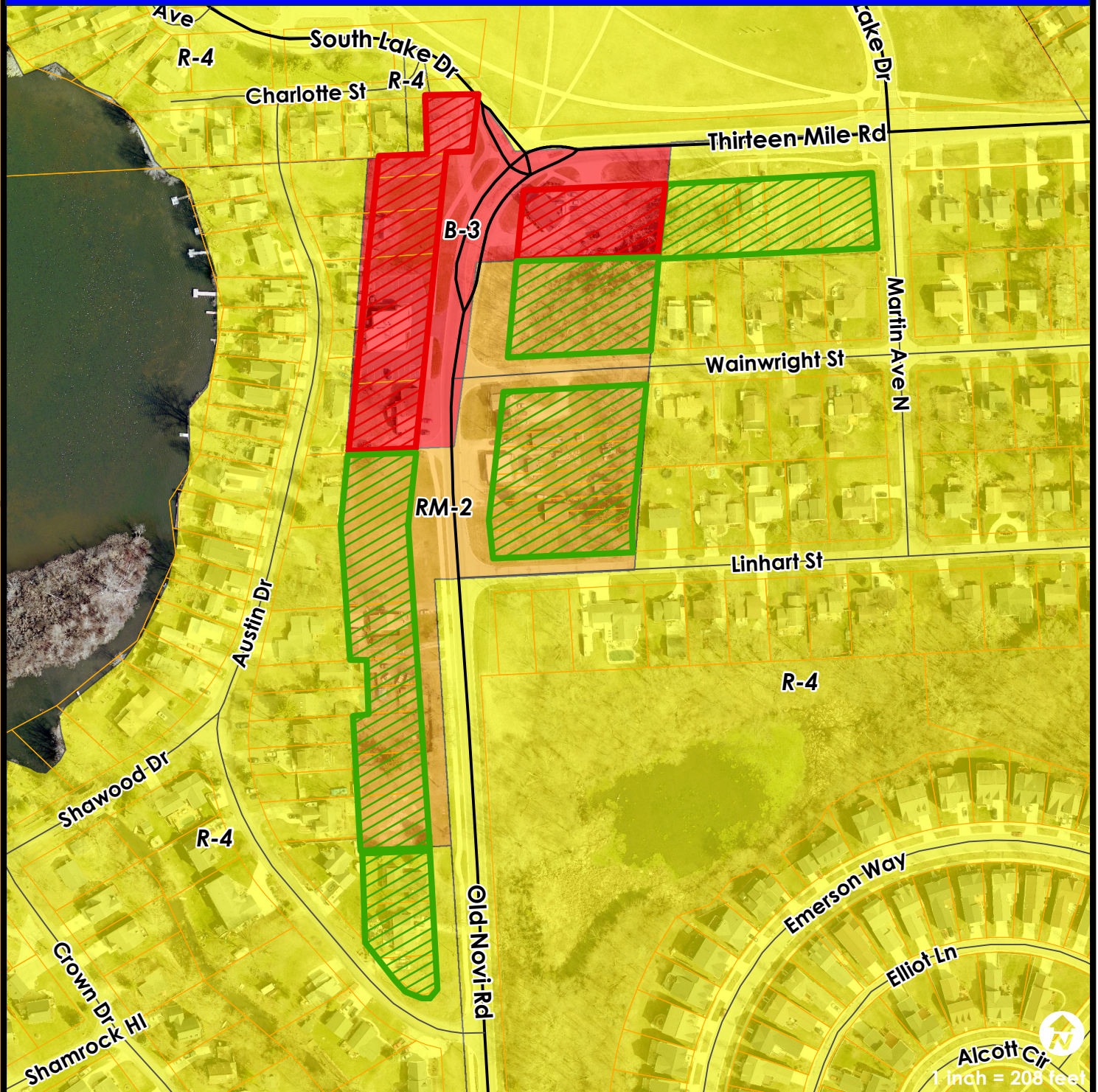
### MAP INTERPRETATION NOTICE

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.



Map Author: Lindsay Bell  
 Date: April 2021  
 Project: PAV SHORE VILLAGE  
 Version #: 1

# PAVILION SHORE VILLAGE: Current Zoning

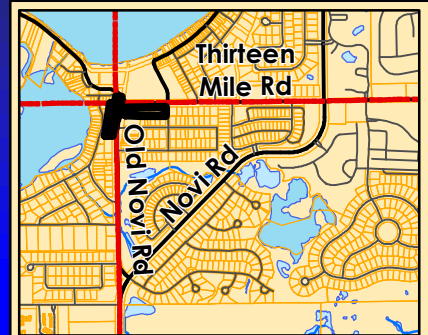


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Map Author: Lindsay Bell  
 Date: 8/12/19  
 Project: PAV SHORE VILLAGE  
 Version #: 1

# PAVILION SHORE VILLAGE AREA OPTION B



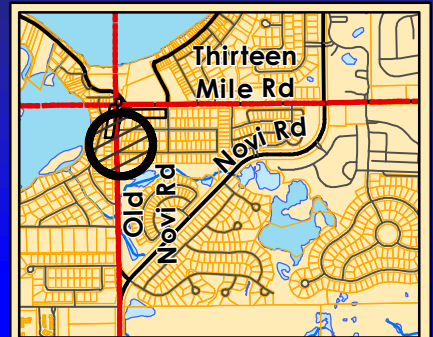
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**DRAFT ORDINANCE AMENDMENT**

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**STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI**

**ORDINANCE NO. 18.291**

**AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 14-271, THE CITY OF NOVI ZONING ORDINANCE, AS AMENDED, AT ARTICLE 3.0 ZONING DISTRICTS, ADD SECTION 3.1.29 TO ESTABLISH THE PSV – PAVILION SHORE VILLAGE DISTRICT, AND SECTION 3.32 PAVILION SHORE VILLAGE REQUIRED CONDITIONS, RENUMBERING GENERAL EXCEPTIONS TO SECTION 3.33, AND TO AMEND ARTICLE 4.0 USE STANDARDS, SECTION 4.31 VETERINARY HOSPITALS AND CLINICS AND SECTION 4.71 LIVE/WORK UNITS. ALL BEING DONE TO ADD REQUIREMENTS FOR THE PSV, PAVILION SHORE VILLAGE DISTRICT.**

**THE CITY OF NOVI ORDAINS:**

**Part I.**

That the City of Novi Zoning Ordinance, as amended, Article 3.0, Zoning Districts, Section 3.1 Districts Established, is hereby amended to add a new district as number 29 PSV Pavilion Shore Village District.

**Part II.**

That the City of Novi Zoning Ordinance, as amended, Article 3.0, Zoning Districts, Section 3.1 Districts Established, is hereby amended to add section 3.1.29 as follows:

3.1.29 PSV Pavilion Shore Village District

A. Intent

The Pavilion Shore Village District is established to implement the vision and goals of the City of Novi 2016 Master Plan and specifically address the vision of the Pavilion Shore Village area. The development standards are described to ensure that new development complements the existing community character, promotes walkability, and enhances the overall quality of life in the neighborhood. Small-scale business types that can be supported by the surrounding residents and visitors to the area are encouraged in the areas designated PSV. Uses that would not be compatible with existing land use and community character of the surrounding areas are prohibited.

B. Principal Permitted Uses

- i. Restaurants: Sit-down, Fast Food Carryout or Fast Food Sit-Down
- ii. Retail Business Uses (Such as specialty food stores, recreational retail or sporting goods stores)



- iii. Retail Business Service Uses (Such as Pet Grooming, Bicycle Rental and Repair, and Personal Service Establishments)
- iv. Live/work units
- v. Off-street parking lot
- vi. Uses similar to those listed above, as determined by the Planning Commission
- vii. Accessory Structures and Uses (4.19)

C. Special Land Uses

- i. Veterinary Hospitals or Clinics

D. PSV- Development Standards

**Lot Size**

Minimum lot area: See Section 3.6.2.D

Minimum lot width: See Section 3.6.2.D

**Lot Coverage**

Maximum lot coverage: See Section 3.6.2.D

**Setbacks**

Minimum front yard setback: 0 ft

Maximum front yard setback: 20 ft

Minimum rear yard setback: 25 ft

Minimum side yard setback: 10 ft

**Building Height**

Maximum building height: 30 ft

**Parking Setbacks**

Front yard setback: Front yard parking is not permitted

Rear yard setback: 10 ft

Side yard setback: 10 ft

**Part III.**

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, is amended to add a new Section 3.32, Pavilion Shore Village Required Conditions, as follows in its entirety:

Section 3.32 Pavilion Shore Village Required Conditions

- A. Landscaping Standards. The landscaping for any development, including along the right-of-way, landscaping as a buffer for parking lots, and landscaping as a buffer between commercial and residential uses, shall conform to the standards below.

<b><u>Non Residential adjacent to Residential</u></b>				
<u>Required Buffer:</u>	<u>6-foot tall opaque fence or masonry wall along all property lines abutting Single family residential</u>			
<b><u>Right-of-Way Buffers</u></b>				
<b><u>Minimum Standards</u></b>				
	<u>Greenbelt width</u>	<u>Wall</u>	<u>Greenbelt Trees</u>	<u>Canopy Street Trees**</u>
<u>Adj to parking</u>	<u>10 feet</u>	<u>3 ft masonry wall with landscaping in front</u>	<u>1 subcanopy tree per 25 lf</u>	
<u>Not adj to parking</u>	<u>5 feet</u>	<u>None</u>	<u>1 subcanopy tree per 25 lf</u>	

\*\* Use subcanopy trees where overhead wires exist in right-of-way.

B. The following conditions shall apply to all uses in the area designated as Pavilion Shore Village district, as shown on the Zoning Map:

1. Off-Street Parking Standards
  - a. Side yard parking adjacent to a front yard shall be setback from the front building facade line by a minimum of five (5) feet, or if no building 10 feet from the Right of Way.
  - b. Rear yard parking adjacent to residential zoning shall be set back 10 feet from the shared property line;
  - c. Shared Parking is encouraged and subject to approval by the Planning Commission as described in Section 5.2.7.
  - d. Other off-street parking standards and possible reductions shall follow the standards set forth in Section 5.2 Off-Street Parking Requirements.
2. Ground Floor Transparency Standards.
  - a. Transparency is defined as clear and non-reflecting glass or other clear material that provides unobstructed views into the building interior.
  - b. At least 60 percent of the building façade between 3 and 8 feet elevation height along the primary street frontage shall be transparent in order to engage pedestrians with goods and services being offered, as well as to enhance the overall aesthetics of the street.
3. Streetscape Amenities: The use of decorative, pedestrian-scale parking lot lighting, public pathways, bicycle racks, and similar site features shall be an integral part of any site plan in the PSV district. Amenities along Old Novi Road or 13 Mile Road shall include landscape plantings, seating and other such features that reflect a consistent theme, and shall take into consideration the surrounding neighborhood. All such

- amenities shall be privately maintained and shall be available for public use and enjoyment.
4. Uncovered roof seating areas and general outdoor dining and seating (in accordance with Section 4.84 Outdoor Restaurants) for a restaurant or specialty food store, may be permitted upon a demonstration by the applicant that such seating would not jeopardize public safety and/or privacy of adjoining uses and would not result in any other adverse consequences to the surrounding area, and, particularly, adverse consequences to residential uses.
  5. All businesses, services or processing, except for off-street parking or loading and, where permitted, outside dining, shall be conducted within a completely enclosed building. Loading and unloading shall take place in the rear yard or side yard. A designated area of not less than 200 square feet shall be dedicated for loading and unloading purposes. Loading and unloading requirements may be waived by the approving body upon further review given the proper justification from the applicant that the loading and unloading area is unnecessary for their business or services.
  6. The outdoor storage of goods or materials shall be prohibited.
  7. All site plans shall be submitted and reviewed according to Section 6.1.

#### **Part IV.**

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, is amended to renumber Section 3.32, General Exceptions to Section 3.33.

#### **Part V.**

That the City of Novi Zoning Ordinance, as amended, Article 4, Use Standards, Section 4.31 Veterinary Hospitals or Clinics, is amended to read as follows:

#### **4.31 VETERINARY HOSPITALS OR CLINICS**

Veterinary hospitals or clinics are permitted as a special land use in the B-2, B-3, NCC, PSV, TC, and TC-1 districts. They are also a special land use in the I-I and EXPO districts when the I-1 and EXPO districts are abutting residential districts. In the I-1 and EXPO districts, when not abutting a residential district, and in the I-2 district they are a permitted use. In all districts they are subject to the following:

1. In the B-2, B-3, NCC, PSV, TC, TC-1, I-1, I-2 and EXPO districts:
  - A. All activities must be conducted within a totally enclosed building
  - B. All buildings must be set back at least two-hundred (200) feet from abutting residential districts on the same side of the street.
2. In the B-2, B-3 NCC, PSV, TC, TC-1 and I-1 (when the I-1 district is abutting residential) districts a noise impact statement is required subject to the standards of Section 5.14.10.B.

#### **Part VI.**

That the City of Novi Zoning Ordinance, as amended, Article 4, Use Standards, Section 4.71 Live/Work Units, is amended to read as follows:

#### **4.71 LIVE/WORK UNITS**

~~In the PSLR district, d~~ Dwelling units providing for living and working areas are permitted as a special land use in the PSLR district and as a principle permitted use in the PSV district, subject to the following restrictions:

1. Units must contain at least one (1) bedroom, one (1) bathroom, and kitchen facilities;
2. Minimum floor area per live/work unit shall be seven-hundred fifty (750) square feet in the PSLR district, and one-thousand (1000) square feet in the PSV district.
3. In addition to residential uses the following uses shall be permitted:
  - A. Photography, art, craft, music and similar studios.
  - B. Professional offices of architects, engineers, lawyers, accountants ~~of or~~ other similar professionals.
4. Employees shall be limited to residents of the live/work unit and up to two (2) additional employees.
5. Maximum six and one-half (6.5) dwelling units per net acre in the PSLR district.

**PART VII. 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 VIII. 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 IX. 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 X. 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent:

**B-3 General Business District**

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## A. INTENT

The B-3, General Business district is designed to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the Local Business district or the Community Business district.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Retail businesses use
- ii. Retail business service uses
- iii. **Dry cleaning establishments, or pick-up stations, dealing directly with the consumer** §4.24
- iv. Business establishments which perform services on the premises
- v. Professional services
- vi. **Retail business** or **retail business service** **establishments** §4.27
- vii. Professional and medical offices, including laboratories
- viii. **Fueling station** §4.29
- ix. **Sale of produce and seasonal plant materials outdoors** §4.30
- x. **Auto wash** §4.32
- xi. Bus passenger stations
- xii. New and used car salesroom, showroom, or office
- xiii. Other uses similar to the above uses
- xiv. Tattoo parlors
- xv. Publicly owned and operated parks, parkways and outdoor recreational facilities
- xvi. **Accessory structures and uses** §4.19 customarily incidental to the above permitted uses
- xvii. **Public or private health and fitness facilities and clubs** §4.34
- xviii. **Microbreweries** §4.35
- xix. **Brewpubs** §4.35
- xx. **Day care centers, and adult day care centers** §4.12.2

(Amended by Ord. No. 18-278, Pt. 1, 11-28-2016)

## C. SPECIAL LAND USES

- i. **Outdoor space for exclusive sale of new or used automobiles, campers, recreation vehicles, mobile homes** , or **rental of trailers or automobiles** §4.36
- ii. **Motel** §4.28
- iii. **Business in the character of a drive-in or open front store** §4.37
- iv. **Veterinary hospitals** or **clinics** §4.31
- v. **Plant materials nursery** §4.6
- vi. **Public or private indoor and private outdoor recreational facilities** §4.38
- vii. **Mini-lube or oil change establishments** §4.39
- viii. **Sale of produce and seasonal plant materials outdoors** §4.30
- ix. **Restaurant in the character of a fast food carryout** , **drive-in** , **fast food drive-through** or **fast food sit-down** §4.40



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: See [Section 3.6.2.D](#)  
 Minimum lot width<sup>☐</sup>: See [Section 3.6.2.D](#)

### Lot Coverage<sup>☐</sup>

Maximum lot coverage: See [Section 3.6.2.D](#)

### Setbacks<sup>☐</sup>

Minimum front yard setback: 30 ft  
 Minimum rear yard setback: 20 ft  
 Minimum side yard setback: 15 ft

### Building Height<sup>☐</sup>

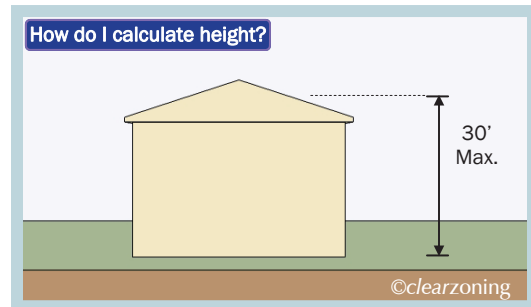
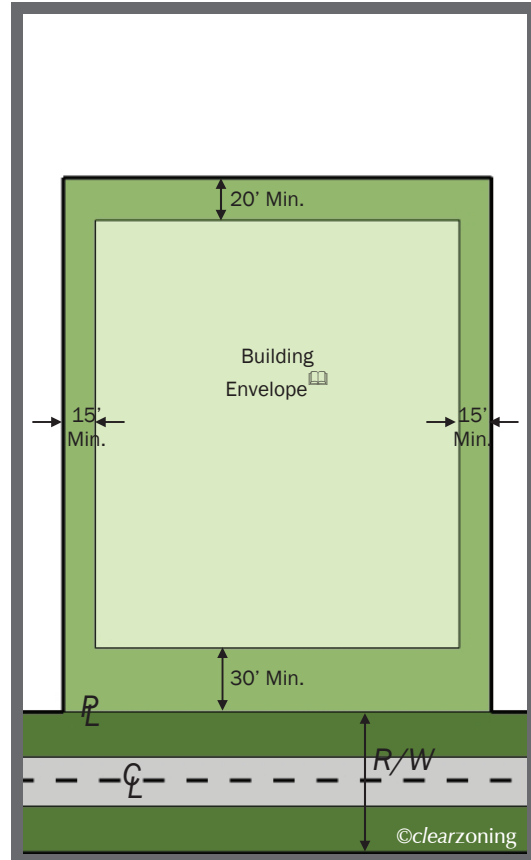
Maximum building height: 30 ft

### Parking Setbacks

Minimum front yard setback: 20 ft  
 Minimum rear yard setback: 10 ft  
 Minimum side yard setback: 10 ft

### NOTES

- For additions to the above requirements, refer to [Section 3.6.2 Notes to District Standards: C, D, E, L, M, P, and Q.](#)
- See *Selected References* below for applicability



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- [B-1, B-2, and Required Conditions](#) §3.10

### 4. Use Standards

- [Uses Not Otherwise Included](#) § 4.86
- [Unlisted Use Determination](#) § 4.87

### 5. Site Standards

- [Off-street Parking Requirements](#) § 5.2
- [Off-street Parking Layout, Standards...](#) § 5.3
- [Off-street Loading and Unloading](#) § 5.4
- [Landscape Standards](#) § 5.5
- [Signs](#) § 5.6
- [Exterior Lighting](#) § 5.7
- [Corner Clearance](#) § 5.9
- [Additional Road Design](#) § 5.10
- [Fences](#) § 5.11
- [Frontage on a Public Street](#) § 5.12
- [Access to Major Thoroughfares](#) § 5.13

- [Performance Standards](#) § 5.14
- [Exterior Building Wall Facade Materials](#) § 5.15
- [Bike Parking Facility Requirements](#) § 5.16

### 6. Development Procedures

- [Site Plan Review](#) § 6.1
- [Public Hearing](#) § 6.2

### 7. Admin. and Enforcement

- [Nonconformities](#) § 7.1
- [Planned Rezoning Overlay](#) § 7.13.2





**PLANNING COMMISSION MINUTES  
JULY 28, 2021 EXCERPT**

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Chair Pehrson said this is a public hearing, if anyone in the audience wishes to address the Planning Commission you may do so now. Seeing no one wished to speak, Chair Pehrson closed the public hearing and turned it over to the Planning Commission for their consideration.

Member Avdoulos said like the other Text Amendment that we had, I think this is good that we cleaned this up and provided a little more clarity.

Motion made by Member Avdoulos and seconded by Member Lynch.

**Motion to recommend Text Amendment 21-188.01 to City Council for reading and adoption.**

Member Becker said I'm just happy I don't have to sit in and administer this day-in and day-out. This is comprehensive. I hope you all know how to interpret it because it looks more detailed than I can believe, so nice job. Maybe Madeleine gets to do this one now! Great job, there's a lot of weeds here.

Chair Pehrson asked Barb, do any of our Ordinances regarding signs contemplate the future of electronic billboards and what can and can't be produced on something that can be changed at the spur of a moment?

City Planner McBeth said there is a section on changeable copy signs for electronic signs. There are set periods where it needs to remain constant, and then it can change to the next bit of advertisement if they want to.

Chair Pehrson said I'm not trying to squash free speech, but in today's world, what is seen as applicable or nice? What can or can't be illustrated on a sign like that? If I wanted to be very mean and say I don't like the Spartans, someone might take offense to it. Are there remedies for issues like that?

City Attorney Schultz said basically no. This is classic First Amendment stuff. In fact, the changes that are being made for the billboard section, which are being renamed from off premises signs to highway signs –aren't any of the actual regulations, literally just the name. We don't control the message, that was the message from the Supreme Court case.

Chair Pehrson said I just want everyone to understand that. It's your building, your sign, your prerogative if you want it to be that way. Very good.

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO RECOMMEND TEXT AMENDMENT 21-188.01 TO CITY COUNCIL FOR READING AND ADOPTION OF THE DRAFT SIGN ORDINANCE AMENDMENTS AS PREPARED MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to recommend Text Amendment 21-188.01 to City Council for reading and adoption. Motion carried 6-0.**

**MATTERS FOR CONSIDERATION**

**1. INTRODUCE TEXT AMENDMENT 18.291– PAVILION SHORE VILLAGE ZONING DISTRICT**

Set a public hearing for Text Amendment 18.291 to establish the Pavilion Shore Village Zoning District, in order to fulfill the Master Plan recommendation for redevelopment near Thirteen Mile Road and Old Novi Road.

Senior Planner Bell said the Pavilion Shore Village District was called out in the 2016 Master Plan update as an area for redevelopment. The area is located south of Thirteen Mile Road and extends southward along Old Novi Road. It is approximately 6.02 acres, as shown by the parcels outlined in red, yellow, and blue on the map on the screen and in your packet. We introduced draft text to the Planning Commission in August of 2019. At that time, the Planning Commission recommended the proposed district be forwarded to the Implementation Committee for further review. Based on compelling comments from community members at that commission meeting and during the Lakeview PRO, staff prepared an Option B for the Text Amendment for the Implementation Committee to consider. With 3.15 acres of the area currently under development as the Lakeview homes, which are shown on the map in blue, the six remaining residential parcels either have existing homes or can be developed under the requirements of the R4 district as currently zoned and configured. These are just a couple pictures of the Lakeview homes under construction, and these are the remaining parcels that are zoned B3 currently: the commercial properties. The Option B Text Amendment would therefore remove all of the residential parcels from the proposed district and limit the rezoning to the 1.61 acres of commercial properties. Members of the Implementation Committee preferred this option and also suggested off-street parking be included as a standalone use, given the area lacks enough parking to support nearby businesses and the park. The proposed Text Amendment included in your packet reflects the recommendations of the Committee. Staff has recently reached out to affected property owners within the proposed district with a letter explaining the intent of the rezoning and a copy of the draft Text Amendment along with a map. We have heard back from only one property owner who does not object to the rezoning as long as the existing business on his property will be allowed to continue operating. The proposed text allows all the existing businesses to continue under the new district to be created. The Planning Commission is asked this evening to consider setting a public hearing for this proposed Ordinance Amendment at an upcoming meeting.

Chair Pehrson turned it over to the Planning Commission for their consideration.

Member Lynch said I've been kind of involved in this thing, and agree with what is going on. One thing I want to do, and I typically don't do this, but there has been a couple who usually sits in our audience, and they have been very active with this particular project. I think we should give them a shoutout, the Duchesneaus. I think they provided some valuable input. I really think they should be recognized; it was nice for them to come forward the way that they did and actually work with the Implementation Committee.

Member Becker said just some things for me to get clear because I have not been involved in-depth with some of this stuff. For the Planning Department, in the resource material provided, it looks like this Option B would require that any new commercial building on the property in the district would have to have a 25-foot minimum setback for the rear yard. Just so I'm clear about this, that means that the commercial building itself could not be built less than 25 feet from the back lot. Is that correct?

Senior Planner Bell said that's correct because they do all about residential properties. We wanted to protect that.

Member Becker said okay thank you. I also read that there would be a requirement to have a 6-foot opaque or masonry buffer wall when a commercial building in the district is adjacent to a single-family residence. Would this wall be along the lot line and, therefore, the 25-foot setback would start at the wall and go into the property?

Senior Planner Bell said presumably yes.

Member Becker said then the Text Amendment says the rear yard parking adjacent to residential zoning shall be set back 10 feet from the shared property line. That would mean on a 25-foot setback you'd have your wall, and then you'd have 10 feet, and then the parking lot could start?

Senior Planner Bell said the wall would possibly be at the lot line. The 25-foot setback would be for the building. The parking could extend up to 10 feet from the property line, so it's not additive. We're trying to encourage the parking behind the building rather than along Old Novi Road or 13 Mile Road.

Member Becker said I'll make sure I check my math. We have 25 feet between the lot line where the building would start, and then 10 of those 25 feet would have to be not parking lot. Is that correct?

Senior Planner Bell said that's right.

Member Becker asked so we'd have only a 15-foot parking lot potentially behind the building?

Senior Planner Bell said it would still have to meet the requirements, and their engineers could figure out how to arrange the building and the parking. The building does not have to start at 25 feet; it could be further away.

Member Becker said I took 3 trips out there to try to get my arms around this stuff. You got basically 4 either unimproved or unused lots. That one commercial building at the very top – on my 3 trips I never saw signs of life, or anything change out there. I'm trying to look at what commercial buildings could be squeezed onto those other two and a half lots. There's one that looks like it's half a lot. To leave space behind the building and not have parking in front, it looks like it's going to be a difficult challenge. I was interested in the fact that we also looked at perhaps providing parking. I would assume that would be public parking as well as for any of the commercial developments that might come in there. The parking on the east side of Lakeshore Pavilion Park is really useful. There are a lot of people that use that parking lot over there. We have nothing over on the west side, especially with the little pavilion area, and the playground, and things like that. Especially on those first two lots or so, I would highly recommend we look at parking being available. Also, it's a miserable road. I don't know how we are going to get people out of commercial buildings on that turn. Left turners are going to have trouble. The final thing was concerning that buffer wall between the Lakeshore Party Store and the veterinary clinic. In particular, I believe the vet clinic on the Austin Street side, the west side of that wall, is about 8 feet tall, and the residences are less than 6 feet away from the wall. Extending that wall if we have commercial developments, I think, would be perhaps an aesthetic challenge. I also noticed that the Lakeview Party Store has parking in the front even though they have unimproved land behind the building that could be used for parking. The veterinary clinic is hard up against the lot line, and they use side parking. I just think it is going to be an interesting challenge. I'm not the one to say how it should be done, but I think we have some real

issues. I worry only about setting this up, and then every single lot is going to require variances, waivers, and everything else because it's going to be so tough to put commercial property there.

Member Dismondy said I think the idea of this was to create more flexibility going forward. I think it's not going to create anymore issues; it might alleviate some issues. Also, ultimately, it might create the possibility for some more parking use for that park, so I support it.

Member Avdoulos said I think this is going in a positive direction.

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO SET A PUBLIC HEARING FOR A FUTURE PLANNING COMMISSION MEETING FOR TEXT AMENDMENT 18.291 PAVILION SHORE VILLAGE ZONING DISTRICT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to set a public hearing for a future Planning Commission meeting for Text Amendment 18.297. Motion carried 6-0.**

**2. APPROVAL OF THE JULY 14, 2021 PLANNING COMMISSION MINUTES**

Motion made by Member Avdoulos and seconded by Member Verma.

**ROLL CALL VOTE TO APPROVE THE JULY 14, 2021 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER VERMA.**

**Motion to approve the July 14, 2021 Planning Commission Meeting Minutes. Motion carried 6-0.**

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

**SUPPLEMENTAL ISSUES/TRAINING UPDATES**

City Planner McBeth said just before the meeting, Member Verma asked me about the Planners' Conference this fall. There is a flyer on the table in front of you. I'm going to provide some additional information to Member Verma, and I'll copy everybody so you all can see that information too.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Motion to adjourn made by Member Lynch and seconded by Member Avdoulos.

**VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to adjourn the July 28, 2021 Planning Commission meeting. Motion carried 6-0.**

The meeting adjourned at 7:26 PM.

**PLANNING COMMISSION MINUTES**  
**SEPTEMBER 22, 2021**

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# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**September 22<sup>nd</sup>, 2021 7:00 PM**

Council Chambers | Novi Civic Center

45175 W. Ten Mile (248) 347-0475

## CALL TO ORDER

The meeting was called to order at 7:00 PM.

## ROLL CALL

Present: Acting Chair Avdoulos, Member Becker, Member Dismondy, Member Lynch, Member Roney, Member Verma

Absent (excused): Chair Pehrson

Staff: Barbara McBeth, City Planner; Elizabeth Saarela, City Attorney; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Victor Boron, Plan Review Engineer; Christian Carroll, Planner; Ben Peacock, Planning Assistant

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Verma.

## VOICE VOTE TO APPROVE THE SEPTEMBER 22, 2021 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER VERMA.

***Motion to approve the September 22, 2021 Planning Commission Agenda. Motion carried 6-0.***

## AUDIENCE PARTICIPATION

No one in the audience wished to speak.

## CORRESPONDENCE

There was no correspondence.

## COMMITTEE REPORTS

There were no Committee Reports.

## **CITY PLANNER REPORT**

The City Planner had nothing to report.

## **CONSENT AGENDA - REMOVALS AND APPROVALS**

### **1. SRI VENKATESWARA TEMPLE AND CULTURAL CENTER, JSP18-32**

Approval of the request of Sri Venkateswara Temple and Cultural Center for a one-year Preliminary Site Plan extension. The subject property is located at 26233 Taft Road, on the west side of Taft Road, south of Grand River Avenue in Section 16 of the City. The site plan proposes phase 2 of the project: a 24,136 square foot, 2-story Cultural Center on the eastern portion of the site.

### **2. MERCEDES-BENZ SPRINTER SERVICE SHOP JSP21-20**

Approval of Mercedes-Benz Sprinter Service Shop Preliminary Site Plan at the request of Mercedes-Benz of Novi. The subject property contains 2.31 acres and is located in Section 24, on the west side of Haggerty Road, north of Grand River Avenue. The applicant is proposing to remodel a former body and service facility for the servicing of Mercedes-Benz Sprinter Service Vans.

Motion made by Member Lynch and seconded by Member Roney.

## **ROLL CALL VOTE TO APPROVE BOTH CONSENT AGENDA ITEMS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY.**

**Motion to approve the Preliminary Site Plan extension for JSP18-32 and the Preliminary Site Plan for JSP21-20. Motion carried 6-0.**

## **PUBLIC HEARINGS**

### **1. PAVILION SHORE VILLAGE TEXT AMENDMENT 18.291 WITH REZONING 18.735**

Public hearing of the staff initiated request for Planning Commission's recommendation to City Council Text Amendment 18.291 in order to create a new zoning district, Pavilion Shore Village, and rezoning of property in Section 3, 10 and 11, located south of Thirteen Mile Road along both sides of Old Novi Road from B-3 (General Business) to PSV (Pavilion Shore Village). The subject properties total approximately 1.61 acres.

Senior Planner Bell said the Pavilion Shore Village District was called out in the 2016 Master Plan update as an area for redevelopment. The area is located south of 13 Mile Road and extends southward along Old Nov Road, and it is approximately 6.02 acres. We introduced draft text to the Commission in August of 2019. At that time, the Planning Commission recommended the proposed district be forwarded to the Implementation Committee for further review.

Based on compelling comments by community members at that meeting and during the Lakeview PRO, staff prepared an Option B for the text amendment for the Implementation Committee to consider. With 3.15 acres of the area currently under development as Lakeview Homes, the six remaining residential parcels either have existing homes or can be developed under the requirements of the R-4 district as they are currently zoned and configured. The Option B text amendment would therefore remove all the residential parcels under the proposed district and limit the rezoning to the 1.61 acres of commercial properties which are currently zoned B-3. Members of the



Implementation Committee preferred this option and suggested off-street parking be included as a standalone use given the area lacks enough parking to support nearby businesses and the park. The proposed text amendment included in your packet reflects those recommendations from the Committee.

Senior Planner Bell continued by explaining staff has recently reached out to the effected property owners within the proposed district: first with a letter explaining the intent of the rezoning and a copy of the draft text amendment. We then followed up with phone calls, and we were able to talk to four of the five property owners. Each was supportive of the change and was happy that the existing businesses would be allowed to continue operating. We did not receive any written correspondence from them. The proposed text allows all the existing businesses to continue. They were also hopeful the changes would encourage new development and additional parking on the underutilized parcels.

The new standards for the PSV district are also more flexible given the configuration of the currently vacant parcels, which will hopefully encourage development. Tonight, the Planning Commission is asked to hold the public hearing for this proposed ordinance text amendment and rezoning and to make a recommendation to City Council.

Acting Chair Avdoulos invited any members in the audience to approach the podium to participate in the public hearing.

Dorothy Duchesneau, 1191 South Lake Drive, said Member Becker said it best at a previous meeting, with his comments of the need for more public parking near the park for parkgoers and businesses. The 30 years I've driven past that corner, I have often wished for a small donut shop, sandwich shop, or even a carry out pizza place; someplace I could do a quick run for a meal or a beverage. Learning more about these properties, I think it may have just been wishful thinking. I understand that there may be some potential remediation issues. However, paving over the contaminated soils would solve a lot of expensive problems. Now, I'd like to propose an outside-the-box suggestion that might be worth adding to the allowed uses at this unique corner of the properties.

Ms. Duchesneau continued saying the postcard displayed on the screen shows the heyday of the amusement park and the casino, including the little building in the upper right which is currently the Lakeview Bar and Grill. With the history of the amusement park at this location, my suggestion would both fit in and give a nod to the good times of the area, yet it would not involve permanent buildings. Instead of trying to only build fixed commercial buildings on these miserably shaped, small lots, imagine what else could be added to this zoning district if several of the vacant lots could be turned into parking lots with several other allowed uses. What could the Planning Commission add to this text amendment that could allow a small portion of those lots to be used by food trucks? At least, you could allow them during the weekends and summer months. Food trucks are self-contained, they're portable, and they come in many flavors. Over the past year and a half, many Novi subdivisions have held rotating food truck nights during the last 18 months of the COVID-19 pandemic. The library fundraiser, Pour on the Shore, uses them at their event. Food trucks belong at fairs and parks. In a walkable district, they make sense for both the parkgoers and the local residents; let's make use of all the sidewalks we put in. The Lakeview Bar and Grill is great for adults, but I bet kids would rather have some popcorn or ice cream before they race back to the park playground.

Rachel Sines said I live at 2219 Austin Drive, and I back up to the Pavilion Shore Village Concept. The first thing I would like to mention is the concept was added to the 2016

Master Plan by city officials without any input from residents. It wasn't until Robertson Brothers requested to build 74 three-story apartment-style homes per the PRO that the residents found out about the concept in the Master Plan. There was such an uproar that the city backtracked and hired a consultant for a very substantial amount of money to gather residents' visions for the area. Overwhelmingly, the residents responded that they wanted one-story buildings that would blend in with our quaint area. The proposal for rezoning before you today is reminiscent of what Robertson Brothers attempted to do. While I am all for the existing businesses getting relief from the current zoning restrictions, this proposal goes a little too far. It is requesting live-work units, a building height of 30 feet, and parking that would accommodate three-story apartments. It has been made very clear that we do not want three-story buildings, so I ask you today to take these changes into consideration: eliminate the 30-foot height requirement, get rid of the live-work use, and make this proposal truly for the businesses and not the developers.

Seeing that no other audience members wished to speak, and no written responses were received, Acting Chair Avdoulos closed the public hearing and turned it over to the Planning Commission for consideration.

Member Lynch said concerning Ms. Duchesneau's idea for a food truck use within this text amendment, are there any prohibitions from the city ordinance that would not allow food trucks to be used on vacant lots? My understanding is that if the vendor has permission from the property owner, then it is fine.

City Planner McBeth responded by saying typically the food trucks could be allowed if they are on private property and have the property owner's permission. Outside uses often come in with a temporary use permit because it is not located in a permanent building, so sometimes we have a provision for that. However, if the Planning Commission wanted to include something like that, we could certainly add it in.

Member Lynch said I don't want to add anything else to it. The temporary use is already in our ordinance, so we don't really have to add anything to this proposal to allow what Ms. Duchesneau was getting at conceptually.

City Planner McBeth said I think you are right. If someone wanted to make that application, they would come into our department and talk about what they are going to do and where the food truck would be located. It is typically not an every weekend event but more for special events.

Acting Chair Avdoulos asked would we put something in the amendment that something like a 'food truck park' would be allowed in the district just so people know that it is okay to have them there?

City Planner McBeth said that makes sense to me. The terms of that would be something we would want to consider, so you might say subject to the city standards for temporary special events.

Member Becker said although parking is mentioned in here as a potential use, there are only a few lots. I personally think those northern most two or three lots should be parking for many reasons. My question is who owns those lots, and who maintains them? Would that become a city parking lot, or would it somehow be owned by the

businesses in the district?

City Planner McBeth said at this time, those parcels are in private ownership. If those owners wanted to sell to either the adjacent property owners or the city, they could. I don't know if the city wants to do buy those properties for a parking lot. That would be up to our City Manager's office and the City Council to make that decision.

Member Becker said I think that if we have a city-maintained park, then a city-maintained parking lot might be a natural thing to do. Again, for some of the other uses, there are only a couple of other lots that are vacant in the proposed zoning district. We won't have a flood of 30-foot high live-work buildings because it is such a small area. I think it is right to establish the area as its own designation.

Member Dismondy said I think the spirit is to make the potential for redevelopment more flexible. Unfortunately, I think the lots are so small that you are restricted as to what they could actually become. I think that's why everyone is so focused on parking because being there on the weekends it obvious there is a lack of parking, and the residents that way are frustrated with it. I applaud the efforts of making it more flexible, and perhaps in the future it evolves into what everybody is envisioning. For the time being, I think people who own them privately will continue to use the lots in the same manner they have been. With this flexibility in the future, maybe down the line we would be able to get a city parking lot with the opportunity for food truck uses. I think it is a step in the right direction.

Member Roney said I agree that it is a step in the right direction. I just want to be clear though: the proposal is to recommend to the City Council to make this area the Pavilion Shore Village District which gives us the flexibility?

City Planner McBeth replied yes. Technically, you are considering two things tonight. They are the rezoning of the lots Senior Planner Bell showed on the previous slide and approval of the text amendment that provides the standards for those lots.

Member Roney said then I think it is a good idea.

Member Verma had no comments.

Acting Chair Avdoulos said I think allowing some flexibility for this area is the right direction. When Ms. Duchesneau indicated food trucks, I thought of how inventive people were over the past 18 months of the COVID pandemic. As I would walk my dog, I would see the signs for the food trucks in different neighborhoods, and the neighbors were supporting it. I have also been to other cities where they have parking lots that they've converted into food truck parks, or they call them "box-car parks". They'll land old box cars in an empty parking lot to create a year-round destination that is more pedestrian friendly. Looking at what we have in our zoning ordinance, we could allow food trucks as a temporary special use. Then, as things grow organically over the years, the city might figure it would be a use that makes sense to exist permanently. I think if we do this step-by-step and work with residents in the area to help create an outcome we all want to see then we are heading in the right direction. Do we have a motion?

Member Lynch said before I make a motion, I do want to acknowledge Rachel Sines. I was on the commission when we went through the project you've mentioned, and I

thank you very much for your input. To the Duchesneaus, thank you for working with city staff and the Commission. We have taken an interesting group of lots, and it has some potential now. With that, I would like to make a motion on the text amendment.

**In the matter of Text Amendment 18.291, motion to recommend approval to City Council to adopt the Pavilion Shore Village District into the Zoning Ordinance as shown in the draft amendment, with the addition of permitting temporary special event uses in accordance with City requirements.**

Motion made by Member Lynch and seconded by Member Roney.

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF TEXT AMENDMENT 18.291 TO CITY COUNCIL MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

**In the matter of Zoning Map Amendment 18.735, motion to recommend approval to City Council to rezone the subject property from B-3 (General Business) to PSV (Pavilion Shore Village) for the following reasons:**

- 1. The 2016 Master Plan for Land Use recommended the creation and adoption of a new zoning district for this area of the city to foster redevelopment of underutilized parcels,**
- 2. The Master Plan for Land Use objective to foster a favorable business climate is fulfilled by allowing more flexible development standards for a unique area of the City,**
- 3. The Master Plan for Land Use objective to support and strengthen existing businesses is fulfilled by allowing an existing business to expand and develop a vacant parcel,**
- 4. There is no negative impact expected on public utilities or traffic as the permitted uses are generally the same or less intense than those permitted under B-3 zoning, and**
- 5. It provides an opportunity for a long-standing businesses to remain at their current location.**

Motion made by Member Lynch and seconded by Member Roney.

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF ZONING MAP AMENDMENT 18.735 TO CITY COUNCIL MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

Acting Chair Avdoulos said I would like to echo Member Lynch's comments to the residents of that area for participating. When we started meeting in this area many years ago, we were encouraging and asking the residents to not be disheartened but rather to work with the Planning Commission, the Master Plan and Zoning Committee, and the staff to work things out. Many times, there are ideas that are put forward that are not ours. We are just here to make sure they meet the requirements. Without the citizens' input, we sometimes fly blind, so we appreciate your participation.

**2. HOLIDAY INN JZ19-24 WITH REZONING 18.730**

Public hearing at the request of Grand River Show, LLC for initial submittal and eligibility discussion for a Zoning Map amendment from Light Industrial (I-1) to Town Center (TC) with a Planned Rezoning Overlay. The subject property is approximately 5.5 acres and is located on the south side of Grand River Avenue, east of Beck Road (Section 16). The applicant is proposing to develop a 4-story, 117-room hotel with sit-

MASTER PLAN EXCERPT:  
PAVILION SHORE VILLAGE

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**Redevelopment Site 1: Pavilion Shore Village**

The intersection of Old Novi Road and Thirteen Mile Road has been identified by the City as a potential redevelopment area. It is envisioned that redevelopment of this area could establish a unique sense of place at the corner of Old Novi Road and Thirteen Mile Road by providing housing and commercial uses that are inspired by the natural and recreational features of the park and lake.

Conceptually known as the Pavilion Shore Village, the site is surrounded on the east and west by medium-density residential development. To the north is Pavilion Shore Park, on the south shore of the 670-acre all-sports Walled Lake. The current land area encompasses a total of 8 acres, which includes 41% vacant, 28% commercial/office, 20% single-family residential, and 11% roadway. The recently upgraded Pavilion

Shore Park north of the intersection provides a desirable park and green space connection adjoining the mixed use redevelopment. The market assessment conducted with this Master Plan Update estimates 50%-60% of new units would be oriented towards active adults with housing concentrations that are walkable and have a range of services. The greatest potential assets of the site are the park and lake to the north. Where feasible, development should face the park to enhance the visibility and competitiveness of the commercial uses and desirability of the residential dwellings. Seasonal and year-round outdoor restaurant-entertainment activity is appropriate.

**Components of the District**

Housing

Given the proximity to the lake and residential nature of the area, housing is envisioned in either two- to three-story mixed-use buildings oriented to W. Thirteen Mile and Old Novi Roads or as one-story “cottage court” style homes. Smaller, market-rate housing units, either for sale or rent will offer unique housing for young professionals and empty-nesters.

Commercial, Restaurant, and Entertainment Uses

All-sports Walled Lake, Pavilion Shore Park, and nearby Lakeshore Park offer passive and active recreation amenities that draw Novi residents and those from surrounding communities. Commercial uses could tap into the needs of these recreation users and offer related goods and services such as equipment sales, service, instruction, and rentals; fitness-related clothing; and healthy food and dining.



Source: Fairmont Properties



Source: CWD Real Estate



Source: Cottage Company



Source: Cottage Company

Above, left: Map of Pavilion Shore Village planning area, in context with existing land use. Above, right (clockwise from upper left): unique townhomes in Hudson, Oh; Gaslight Village mixed use in Grand Rapids, MI; Eriksen Cottages on Bainbridge Island, WA; Danielson Grove, Kirkland, WA

Transportation & Parking

Vehicular parking could be provided in surface parking lots behind the mixed-use buildings and on-street parking could be allowed along Old Novi Road. Accommodations should be made for bicycle parking to encourage the connections between the nearby recreation facilities. Safe, comfortable, and attractive non-motorized transportation facilities should be provided that connect this site with surrounding neighborhoods, as well as activities and shopping at Twelve Oaks Mall and West Oaks 1 and 2 Shopping Center.

Character of Development & Placemaking

High-quality architectural design and natural materials that visually and physically connect to the natural environment are encouraged. Landscaping elements should be integrated into site design to provide walkable connectivity with the adjoining Pavilion Shore Park. All development should be sensitive to adjoining residential neighborhoods through screening of parking areas, orientation of commercial uses to W. Thirteen Mile and Old Novi Roads, and by incorporating a mid-block pass through development on W. Thirteen Mile Road that allows visual and physical connectivity with the park and lake.

Sustainability

The attraction of this redevelopment area is the proximity to Walled Lake and related City parks. An emphasis should be placed on low-impact development techniques as this area redevelops. Sites should be designed to mitigate storm-water runoff and landscaping should be comprised of native, low-maintenance plants that do not require chemical treatments for long-term health.

**Development of the District**

The creation of a simple form-based district that defines building forms and architectural elements should be considered to encourage redevelopment of this area as envisioned.

The City should also prioritize implementation of its Non-motorized Transportation Plan in this area, particularly as it relates to connections with the nearby parks.



Source: Jim Hess



Source: Neumann Smith



Source: Real Building Consultants

Clockwise from top left: Example of walkable environment assisted with sidewalk landscape amenities (East Grand Rapids); Paved pathways in Pavilion Shore Park that continue for miles with a regional network of non-motorized connectivity; Example of green infrastructure surface parking lot in rear of commercial; Attractive shopping and entertainment activities within walking/biking distance; Grand opening in 2014 of fishing pier at Pavilion Park.