



With a MASTER PLAN & ZONING COMMITTEE
City of Novi Planning Commission
April 16, 2009 at 7:00 p.m.
Novi Civic Center – Conference Room C
45175 W. Ten Mile, Novi, MI 48375
(248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Members Victor Cassis, Andy Gutman, Michael Lynch and Michael Meyer

Alternate: David Greco

Staff Support: Barbara McBeth, Deputy Director of Community Development; Mark Spencer, Planner & Tom Schultz City Attorney

APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Cassis:

VOICE VOTE ON AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER CASSIS:

A motion to approve the Agenda. *Motion carried 3-0.*

AUDIENCE PARTICIPATION AND CORRESPONDENCE

No one in the audience wished to speak at this time.

Mark Spencer told the Committee that staff sent letter to property owners in the Eleven Mile and Beck study area inviting them to contact the Community Development Department to meet with staff and go over their ideas of what they envision for this area for the future. A list will also be put together of nearby homeowners associations within ½ mile of those properties, Island Lake will be included.

Matters for Discussion

Item 1

City of Livonia proposed Master Plan amendments. Master Plan & Zoning Committee recommend to the Planning Commission to authorize a letter to the City of Livonia stating that the Planning Commission has no objection to the city's proposed Master Plan for future land use changes. Motion to approve by Member Cassis seconded by Member Lynch. *Motion carried 3-0.*

Item 2

Potential rezoning northeast corner Twelve Mile and Novi Roads. Mark Spencer stated that the subject Property is a small piece of property located at the entrance of Oakland Hills Memorial Garden Cemetery. It is approximately where the entrance wall and gate is currently. The proposed change would be slightly greater. This matter was proposed by Mark Szlerlag a representative of the Thomas A Duke Company to discuss possible design plans for the above referenced property. This property has been through the rezoning process twice in the past. Minutes from the past meetings, one set of minutes written included the 2004 City Council meeting where there was a resolution made to deny this rezoning. The last motion said that the Master Planning permits reasonable use of the land proposed commercial uses of the property is not compatible with cemetery uses, and the proposal is not consistent with the existing zoning. There is adequate retail in the area. The landscaping

requirements would make the usable area of this property very limited, because of the high standard to separate residential uses and commercial uses. The last thing to mention is that there is platted burial ground that has never been vacated over a portion of the property. Our research shows that this area (Mark pointing on map) as actual platted cemetery .

Mark Szerlag of the Thomas A Duke Co. thanked the Committee for their time. He stated that he is a representative for the owner of the property Bill Eldridge. Approximately ten years ago Bill sold the cemetery property and kept from the sale two parcels one which is a little over a acre and the other one is a 10 acre piece about ½ mile east on Twelve Mile.

To answer the question regarding the cemetery plots there is a small cut of the survey you will see at the top where there were 3 grave sites sold that were never occupied. There has been some negotiations with the owners of these grave sites to relocate them to some other spot within the cemetery. There are no other grave sites within this slightly over one acre of land. Mark stated he would like to share ideas and get some feedback from the committee for anybody to move forward on this property. Mark Szerlag knows of a developer from Brighton that would be interested in asking The City of Novi once he gets a property contract, to build a very classy high end building. He anticipates based on the ordinances that he could a build 9,000 or 10,000 sq. ft. He anticipates 3 or 4 tenants as part of the site plan. He has taken the liberty in doing a conceptual site plan of the property. There is a couple of issues that may not work on the site plan. Mark pointed them out to the Committee. The interest with the developer and property owners is to have a quality development for this property understanding that there is a number of uses that the City would find objectionable, such as gas stations, automotive, fast food restaurants. He would be more than happy and willing to do deed restrictions or some other vehicle to limit those uses. In this conceptual plan it does meet the B-1 local ordinance in terms of parking count and setbacks you will see on the west end of property is a drive-up window. The anticipation without having any tenants in mind that could possibly be a coffee shop not a fast food restaurant. He knows that could create a problem with the B-1. We know that there are some issues to be worked out in terms of how ultimately this could come before the Planning Committee in terms of zoning type or in terms of using a overlay option or flat out unacceptable and we would have to go to plan B. We see a need for some type of business use in this area. With my experience in commercial real estate there are users that are not currently in the City of Novi that would like to be. We are all hearing about how difficult the real estate market is right now and we are experiencing these Class A communities and Class A locations are still very desirable and this definitely fits that criteria.

Mark Spencer asked the committee for any feedback. Member Cassis brought up that he was on the Planning Commission back then and that about 100 people showed up. These were people who had family or friends that were buried in that cemetery. They were outraged that this property would get a use other than a cemetery. Member Cassis asked Tom Schulz City Attorney about any legalities that may arise once you look into the matter. Tom Schulz said that there are a couple of issues one being that there is a cemetery plat that extends over the whole property that would need to be vacated. The other issue would be that Mr. Eldridge sold the cemetery and it's never been split.

Mark Spencer indicated that the other major issue was the site issues with the setbacks you would be creating a non conforming use. The lot line is too close to this building (Mark pointing on map) all non residential uses and residential zoning districts must be 75 ft from the property line. Member Cassis brought up if the legal aspects are overcome Tom Schulz said they would need variances and approvals that relaxes various standards. Mark Szerlag stated that they would have to go through

the process to have the cemetery vacated, which is a lengthy process. Their hope would be to come and talk to the Planning Commission first and find out what is reasonable for that corner and then move forward. Member Cassis suggested to Mark Szerlag that Mr. Eldridge might want to contact some of the neighboring people who have people buried there to negotiate with them about the cemetery issue. Member Cassis asked Mr. Schulz if he had any ideas about the process or the cost or even a possibility to begin with. Mr. Schulz said he really has no idea about the cost. Mr. Schulz also stated it could be a circuit court lawsuit with notices and anytime you have a lawsuit for a vacation like this it's like a subdivision type vacation, if somebody were to show up with an objection the section is not very clear what the basis is for objecting, but the judge would decide. The cemetery opened in the 20's. Committee discussed how could they sell the cemetery and Tom Schulz said that the City did not get a lot split and the City was unaware. They sold the cemetery and they didn't formalize keeping the corner as one of their reasons why were in this predicament. Mark Spencer indicated that the master plan is divided up into different land uses, the city in the long term has always taken the position that the land uses that are planned are reasonable land uses that provide reasonable opportunities for the properties and balance those things within the community, this is part of the process and the recommendation to the Planning Commission. If this matter proceeds further it would involve more research and take some direction from the people involved and the Planning Commission on details on what you would like to make a better decision on this issue. Mark Spencer also indicated that he did look at the traffic and safety issues with the police department and they have no issue with the existing cemetery entrance. Funeral processions go through there and there are no concerns with that issue. Committee feels that applicant would have an uphill battle trying to rezone for commercial piece and that it would be a very difficult battle for them if they plan to continue with the rezoning. Committee suggested that they might want to look through the minutes from the past that might be helpful. Mark Szerlag thanked the committee for their time.

Item 3

Potential rezoning of the southwest corner of Eleven Mile and Beck Roads. Barb McBeth left a message with the applicant's attorney but never heard back. Mark Spencer sent an e-mail to anybody interested and also to Mr. Bosco himself but heard nothing back. Prior to that we had talked to their attorney he said to proceed do whatever we need to do we just want to proceed to the Planning Commission for the public hearing. Barb McBeth indicated that we gave them fair notice that this would be coming back to The Master Plan & Zoning Committee for further discussion. Mark Spencer gave the committee some background on the property, including the proposed Signature Park owned by the Novi Community School District. Mark Spencer said the current zoning of the property is RA. If the property is rezoned to OS-2 that would be inconsistent with the Master Plan which the master plan shows single family residential. Property is currently under review by the Master Plan and Zoning Committee for recommendation to the Planning Commission. Member Cassis asked what the zoning is for section 17 Mark Spencer indicated that it is zoned R3. Mark Spencer (pointing to map) said the property is not all owned by Providence Hospital, the area by Providence is zoned office.

Barb McBeth indicated that a few years back they came in and rezoned it OSC to make it consistent, that is the reason why Mark and I decided to bring in the owners in that area along with Providence to talk to them to see what their plans are for that part of the property.

Mark Spencer (pointing to map) along Eleven Mile Rd a variety of people own property in that area. There was talk about a Nature Center (Mark pointing to map) over by this area near the school. One of the Committee members asked if Mr. Bosco who has been so nice to the city and the schools for all these years if he is in favor of the proposed Signature Park. Member Cassis asked Mr. Schulz

if there is any kind of agreement between the schools or the city and Mr. Bosco when the property was purchased.

Mr. Schulz said that when the school purchased from Mr. Bosco there were some use restrictions on the property and some other requirements. Mr. Schulz indicated that the city and Mr. Bosco are still talking. Committee member suggested that the voters should be made aware of the possibility of office buildings or something else in that area if they were to vote for the park. Mr. Schulz said if a park does get developed there Mr. Bosco is going to be adamant that he deserves a land use change. Mr. Schulz indicated that Mark Spencer's opinion for residential is not unreasonable, but that would be a Planning Commission decision then City Council. Mark Spencer had a few things to add. He mentioned the potential of what could be on it if it is zoned RA six dwelling units R1, twelve dwelling units. OS-2 could add about 40,000 sq. ft. of office. OS-1 would be about 30,000 sq. ft. RM1 multiple family would get about thirty units. Mr. Bosco is asking for OS-2 office which allows office uses. The difference between OS-1 and OS-2 is the setbacks and building heights. Building heights can go up to 42 ft. and 3 stories in OS-2, 30 ft. in OS-1. There is some provisions for sit down restaurants subject to special land uses and also to have accessory pharmacy, medical supplies etc within an office building. Also mentioned was to see if they could use a PRO option to blend some things. I think there is some fears that you would have to have a specific site plan, which is not the case with a PRO. Mark Spencer indicated that the ordinance does allow a broad concept plan be used. Committee stated that if park does not go in, the property should remain residential. Mark Spencer (pointing to map) brings us to this study area beside this being park already that the school would own this property is this a reasonable transition zone to do something different with Grand River. One proposal is to modify the ordinance or do an overlay that makes it more like a PRO which would make sure that anything that comes in for multi family or office does not have a commercial component, and that it looks and feels like residential as much as you can make 2 1/2 2 story buildings look that way. And that retains that residential character in the neighborhood yet still have a higher intensity use for the land. We know Providence owns this huge piece of property with a lot of wetlands on it. Providence is most likely going to want some kind of institutional use or senior housing or something to compliment their whole campus. Providence will not want single family residential in that area. The property owners (Mark pointing to map) most of them own substantial pieces of property that have been on the market or are under developed where they could have been developed into bigger things. Committee discussed different opportunities for housing to keep the school system up and running, not having to close down schools because we don't have enough kids. If we keep these condos and high senior stuff we lose our schools, committee agreed that was a good point. Good area to attract young families how would we go about doing that. What can we do as a Planning Commission to insure that our schools are fully utilized and maybe this is the area that we are willing to go to R-4 or RT and houses that are affordable. Mark Spencer stated that there are a lot of issues to attract young people to the area. Mark Spencer said that the area is not zoned for mixed uses developments like at Mainstreet. Committee brought up that the number one issue is to attract young families in our school system so that our schools need to stay as good as they are currently. Mark Spencer will gather more information and get back to the committee.

Item 4

Master Plan for Land Use Review

- A. Housing for the Elderly. Mark Spencer gave a recap of the memo stating that the changing demographics is from SEMCOG data published this year. In the 2000 census 20% of the city of Novi household were senior citizens 65 and older. They forecast by 2035 that could jump up to 56% and that is based on using our current master plan and our current ways of planning things.

This subject was brought up by Member Lynch asking about a housing study the Planning Commission had seen about a year and half ago. This was a comprehensive housing needs assessment for Oakland County published in August 2006. Elderly population is growing 21% will be elderly in Oakland County by 2030. Some of the biggest needs for the elderly will be for low cost elderly housing. You will see a large number of existing homes being sold as elderly households downsize. There is a shortage of housing for the disabled right now and that demand will increase with the demographic changing. Most elderly with affordably needs are owners of property not renters. Elderly needs will grow dramatically in the coming decades. Community assessments survey for older adults in Novi was conducted in July 2007. In 2007 35% of Novi seniors have housing needs. Half of the residents rate availability for quality housing as fair or poor. Mark Spencer asked the committee if they would like him to explore some alternatives that could help make some goals for the master plan or objectives that could be added to encourage things that would help with these issues. Committee agreed that would be a good idea.

Mr. Lynch brought up that seniors don't bring kids into the school district and we want to attract young families. He suggested that someone could make that argument to protect our school system. Member Cassis mentioned a very hot discussion about affordable housing on the City of Council about 15 years ago. The Council members said that we have Village Oaks, Applegate Condos, Ten Mile & Meadowbrook area, also around Walled Lake all kinds of areas with affordable housing. Member Cassis said that it was a very heated discussion as far as zoning in the city. Mr. Lynch said we need to think about our school system, if we don't get enough kids here the taxes will go up to support half empty schools, laying off teachers, cutting programs and that defeats Novi's biggest asset which is our school system. Maybe some goals to think about would be how to attract younger families to our area to keep up our school system. How do we keep our older residents here in the city, but need to move to the next stage of their lives, which might be senior housing. Committee member asked how we would accomplish something like that. Barb McBeth mentioned about diversity housing styles would be appropriate, so if a developer came in with a different type of housing you might weigh it against the goals in the master plan and would this be suitable for diversity housing styles.

Committee member said he is worried about the east side of Novi, we spend so much time on the west side. What can we do for people on the east side to help them out with selling their homes. Barb McBeth said that we could talk about the programs that are out there that are available like the block grant money for the lower income people to help them fix up their homes. Barb McBeth also said that its not good to ignore the existing houses that would be a valid goal to put in the master plan. The committee member would like to see a good turnover on houses on the east side of Novi. He mentioned Birmingham and Royal Oak as being areas that are constantly having good turnover. Mark Spencer added that they have a few different things than Novi one being that they are two out of four walkable areas in the Detroit Metropolitan Area, they have transit available, walk ability to downtown areas. Those are some of the things that attract people there and continue to make it grow. Another consideration is that without population growth you might not get the industrial and office growth that you are hoping to get. Mark provided some build-out numbers of what the population will be at build-out and that's taking all these areas master planned, all the vacant lots that we have and were only talking about 5900 dwelling units. Is that going to be enough to support our goals for industrial office and retail for the community?

Other points Mark Spencer made from the same survey are 1/3 of older residents were found to pay housing costs that exceeded 30% of their income. He also said he distributed a series of

articles from the Planning and Zoning News about planning for an aging population. The American Association of Retired People surveyed older people and 90% would like to age in their place. Only 4 to 5 percent of older Americans change residents each year, that's why you find them staying in the same place. Sales have dropped for age restricted housing studies are finding that elderly don't want to be in older developments, they like to be in mixed developments with young and old people. Mark Spencer said that the Planning & Zoning News also stated that the four top planning issues facing elderly Americans are housing, walkable streets, transportation and the physical built environment which means accessible built environment. A lot of houses are not designed for elderly people. Mark Spencer suggested to the Committee that he could develop some potential goals and objectives to be aimed toward senior housing communities or a young people community. Encourage walking facilities we could maybe do some mixed type developments. Committee asked if we have enough senior housing or do we need more. Mark also added if we are looking for more people for the City of Novi or think we need more to fulfill the development opportunities that could happen in Novi we need to look at where and how we could come up with those possibilities. Committee asked Mark if the staff could help strategize on the feedback that we have received tonight. The committee discussed the City of Novi's relationship with the Novi School district and Mark Spencer stated that they contact the School district when there is a master plan update. Mark Spencer stated that he will come up with some potential goals and objectives. He would also like the committee to consider the next step regarding the young people issue in the City of Novi which is so important to our community.

Item 4

B. Sections 13, 14, 15, 16, 21, 22, 23 & 24 postponed

ADJOURN

Moved by Member Lynch, seconded by Member Cassis

VOICE VOTE ON ADJOURNMENT MOTION MADE BY MEMBER LYNCH AND
SECONDED BY MEMBER CASSIS

A motion to adjourn.

Transcribed by Bonnie S. Shrader
Customer Service Representative
June 19, 2009
Date Approved