# **CITY of NOVI CITY COUNCIL**



Agenda Item 1 December 3, 2012

SUBJECT: Approval of a City-initiated rezoning for rezoning of property in Section 20, located at the southwest corner of Eleven Mile Road and Beck Road, from the RA, Residential Acreage to the PSLR, Planned Suburban Low-Rise Overlay District. The subject property is 7.4 acres.

SUBMITTING DEPARTMENT: Community Development Department - Planning

CITY MANAGER APPROVAL:

#### BACKGROUND INFORMATION:

The City Council approved a resolution at their September 24, 2012 meeting requesting the Planning Commission consider a potential rezoning of the Bosco Family property located at the southwest corner of Eleven Mile Road and Beck Road from RA, Residential Acreage to RA with the PSLR, Planned Suburban Low-Rise Overlay.

#### Master Plan Recommendation

The areas recommended for Suburban Low Rise Uses were considered carefully in the Planning Commission's Master Plan Review for certain properties near Providence Park Hospital. The new Suburban Low Rise District was seen as an opportunity to provide a transitional area between the higher-intensity uses closer to Grand River Avenue, and the one-family residential uses to the south and west. Last Fall, as a result of the implementation of this aspect of the approved Master Plan, the City Council approved a City-initiated rezoning request for most of the areas identified in the Master Plan for the Suburban Low Rise uses, except for the Bosco family property. The Bosco family property remains planned for the Suburban Low Rise Uses, but it is currently zoned for One-Family Residential Uses only.

The PSLR District allows for appropriate additional uses for the overlay properties in addition to the underlying residential uses. The Master Plan describes the Suburban Low-Rise use area as an area that will maintain the characteristics of a low-rise, single-family residential area, while providing a transition between adjacent one-family dwellings and higherintensity uses. The "overlay" aspect of the district allows currently permitted uses to continue but will also permit an applicant to seek the following additional uses: attached single family and low density multiple family residential, community service, human care, civic, educational, public recreation and office facilities. Multiple family residential uses are included in the district, since part of the intent of this area was to provide a vibrant mix of uses that includes housing options for seniors as well as young families who may want to live near schools, parks and other homes, as well as being close to the employment opportunities at Providence Park and other commercial establishments along Grand River Avenue.

#### Staff's Recommendation

Staff's rezoning report indicates that <u>rezoning the Bosco property to allow overlay uses is</u> <u>appropriate</u> for a number of reasons:

- 1. The proposal is consistent with the 2010 Master Plan for Land Use Future Land Use Map and land use goals;
- 2. The PSLR Overlay District's set of moderate-intensity permitted uses will be compatible with neighboring single family uses because the District's "form-based" standards will require developments be of a moderate scale and single family residential character;
- 3. Adequate infrastructure exists or is planned to support the uses permitted in the PSLR Overlay district; and
- 4. The permitted moderate-density residential development could increase the demand for retail, office and industrial floor space in the City and provide additional
- housing options that could help attract more young families and seniors to the City.

The Planning Commission set the matter for a public hearing on October 24, 2012 with little comment or discussion at that time. Prior to the public hearing, the public was notified via signage on the property and direct mailing to property owners within 300 feet of the property (in accordance with the City's ordinance and State law). As a courtesy, notices were mailed to homeowner's association presidents in the immediate vicinity of the Bosco property. Over the last few weeks, staff fielded calls from the residents who received notice. Many of these calls were simply to ask if any particular development is proposed at this time, or if the buildings on the property will be removed. Staff answered that no development or building removal is planned at this time. City staff believes that having the overlay district in place will be an affirmative step that gives confidence for private development plan in conformance with the desired overlay district's goals.

#### Planning Commission Public Hearing

The Planning Commission considered the rezoning and a public hearing was held at the November 14, 2012 Planning Commission meeting. An excerpt of the meeting minutes is attached. Four members of the public spoke at the public hearing, and several public hearing response forms were received. This participation is summarized in the attached draft Planning Commission meeting minutes. Following the discussion, the Planning Commission recommended denial of the proposed rezoning by a vote of 4-1.

In addition to the discussion about the favorable Master Plan recommendation for Suburban Low Rise Land Uses on the property, the Planning Commission's discussion included a fair amount of conversation related to the traffic impacts of the proposed rezoning. The City's traffic consultant prepared a report (attached) analyzing the potential impacts of the rezoning, the general conclusion of which was as follows:

"...Based on the March 2009 traffic counts and the assumption that site-generated traffic would distribute in proportion to existing traffic, the forecasted medical office traffic [the most intense use allowed under the new overlay] would constitute 3.9% of the current total entering traffic at the Beck/11 Mile intersection in the more critical PM peak hour, and the forecasted multi-family residential traffic would constitute 0.9%. Site traffic impacts on the order of 5% or less are typically considered manageable by existing road and traffic control features."

This statement from the letter indicates that even the projected most intense use of medical office on the property would be considered manageable with the existing road improvements and traffic signals at Beck and Eleven Mile Road intersection. The letter

goes on to say:

"...Regardless of how the site is redeveloped, good access management will be essential to the maintenance of safe and efficient traffic flow..."

The review letter notes that a medical office building of the size that could be constructed on the Bosco property would require the submission of a Traffic Impact Statement at the time of site plan consideration which would address the intersection as well as proposed site access drives.

At the Planning Commission meeting, the City's traffic consultant expressed some concern regarding any additional traffic being added to Beck Road, as it was at or near capacity for a two-lane roadway. Redevelopment of the Bosco property, or any properties near the intersection under <u>any</u> zoning district, would likely add additional traffic to Beck Road. Already recognizing that future traffic growth - apart from this one development parcel should be accommodated, the Beck Road Study completed several years ago has targeted future improvements along the Beck Road corridor.

#### **RECOMMENDED ACTION:**

Approval of request of Zoning Map Amendment 18.703 to rezone land located at the southwest corner of Eleven Mile Road and Beck Road in Section 20, from RA, Residential Acreage District and PSLR, Planned Suburban Low-Rise Overlay District.

This motion is made for the following reasons:

- The requested zoning is consistent with the Future Land Use map in the 2010 Master Plan for Land Use as well as the recommended land use goals;
- The PSLR Overlay District's set of moderate-intensity permitted uses will be compatible with neighboring single family uses because the District's "form-based" standards will require developments be of a moderate scale and single family residential character;
- Adequate infrastructure exists or is planned to support the uses permitted in the PSLR Overlay District Twelve Mile Road is largely residential in character in this area and residential zoning is appropriate for this location; and
- The permitted moderate-density residential development could increase the demand for retail, office and industrial floor spaces in the City and provide additional housing options that could help attract more young families and seniors to the City.

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Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

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Council Member Margolis				
Council Member Mutch				
Council Member Wrobel				

<u>MAPS</u> Location Zoning Future Land Use Natural Features







Planning Division ommunity Development 45175 W Ten Mile Rd Novi. MI 48375

390





Suburban Low-Rise

**Educational Facility** 

180

100



Map Author: Kristen Kapelanski Date: 10-15-12 Project: Rezoning 18,703 / JZ12-11 Version #:



Wetlands Woodlands



# City of Novi Planning Division

Community Development 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

27.0

### PLANNING COMMISSION MEETING MINUTES – EXCERPT NOVEMBER 14, 2012



# PLANNING COMMISSION MINUTES Draft

CITY OF NOVI Regular Meeting **November 14, 2012 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 or about 7:00 PM.

#### ROLL CALL

Present: Member Anthony, Member Greco, Chair Gutman, Member Lynch, Member Zuchlewski Absent: Chair Pehrson (Excused), Member Prince (Excused)

Also Present: Kristen Kapelanski, Planner: David Beschke, Landscape Architect; Brian Coburn, Engineer; Adam Wayne, Engineer; Beth Kudla-Saarela, City Attorney; Rod Arroyo, Traffic Consultant

#### APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Anthony:

#### VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

Motion to approve the November 14, 2012 Planning Commission Agenda. Motion carried 5-0.

#### AUDIENCE PARTICIPATION

Chair Gutman asked if anyone in the audience wished to speak.

Diana Canup came forward noting she has been a resident of Novi her whole life. She and her husband chose to stay here and help plan the community. Her husband was on the Planning Commission and Zoning Board of Appeals for a total of 35 years. She was also on the Parks and Recreation Commission for over 20 years. Her concern as the president of the Pioneer Meadows Homeowner Association is the rezoning possibility of the property on the corner of Beck Road and Eleven Mile Road. Six month ago she attended the Planning Commission for this matter and it was taken to the City Council and turned down. She would like an explanation as to why it's back to the Commission in less than six months. Her major concern is that no one had a problem with this land use on the other side of Eleven Mile Road but to cross into a residential section of the community is not understandable. There is no reason to move this planning and zoning into a regular residential zoned area. When's it going to stop? Where are you going to draw the line at? Are you going to continue going down Eleven Mile Road? Are you going to continue going down Beck Road? This is a residential neighborhood; in the past the only thing that went into residential neighborhoods were schools, cemeteries, fire stations and child care, but not you're planning on putting office buildings and other things. It's beyond understanding to jump across Eleven Mile Road for that type of zoning. The homeowners have not received a letter from the City or any other communication as a notification of this circumstance. The law requires that anyone within a 500 foot area of the property is notified, but Mr. Bosco owns the property across the street from this property and the other two houses in the area are up for foreclosure so really no one received a letter. At the last circumstance that this came up, the Pioneer Meadows homeowners requested notification when this rezoning would be taking place and about any meetings that were going to be held regarding this. We've not been notified. We're ready for an explanation and to ask that this action not be taken.

#### PUBLIC HEARINGS

#### 1. ZONING MAP AMENDMENT 18.703 BOSCO FAMILY PROPERTY JZ12-11

Public hearing for a City-initiated rezoning for recommendation to City Council for rezoning of property in Section 20, located at the southwest corner of Eleven Mile Road and Beck Road, from the RA, Residential Acreage District to the PSLR, Planned Suburban Low-Rise Overlay District. The subject property is 7.4 acres.

NOVI PLANNING COMMISSION November 14, 2012, PAGE 2 DRAFT

Planner Kapelanski said that the City Council approved a resolution at their September 24, 2012 meeting for the Planning Commission to consider a potential rezoning of the Bosco family property located at the southwest corner of Eleven Mile Road and Beck Road.

The proposal would overlay the PSLR, Planned Suburban Low-Rise District over the existing RA, Residential Acreage zoning. The property is generally surrounded by RA zoning except for the area on the north side of Eleven Mile Road, which is overlaid with the PSLR District. The PSLR District allows for additional uses including low density multiple family and office uses but requires developments to be residential in character in order to act as a transition area between nearby single-family uses and higher-intensity uses.

Planner Kapelanski said the Future Land Use map indicates suburban low-rise uses for the subject property and the properties north of Eleven Mile Road, educational uses for the property to the south and west of the subject property and single family uses to the east. The Bosco family property was previously considered for rezoning as part of the larger block of properties rezoned to the PSLR District last year. The Bosco family property was ultimately removed from that rezoning because of concerns regarding the extension of the PSLR District south of Eleven Mile Road. Since the rezoning, staff has noted significant interest in the PSLR District and given the recommendations of the master plan for the property, reconsideration of the proposed rezoning seems appropriate. The Planning Commission is asked to hold the public hearing and make a recommendation to the City Council on the proposed rezoning.

Chair Gutman opened the public hearing and asked if anyone would like to speak on the matter.

Resident Tami Bethune said the residents of Walden Woods pass by the Bosco Property regularly and have enjoyed it through the years. It has been a landmark in its historical and architectural desian. In the last 12 hours with a quick email to the subdivision, 15 signatures were obtained from neighbors in a petition against the zoning change. Given that all of the property north of Eleven Mile, west of Beck has been rezoned and is vacant, there is plenty of property there to accommodate this PSLR type development. We feel that it is the only property south of Eleven Mile that would have this type of zoning and it's surrounded by property that is currently owned by the school district. We'd like to see that stay residential. We do believe that traffic could be a consideration here with the emergency medical facility right at the corner on the south side of Eleven Mile. Another proposal is to maintain this landmark as is, that this property should not be rezoned unless it can be maintained in its current state. Perhaps we could see this property become a community property open to the public. Since the property is surrounded by school property it would be the only property zoned PSLR south of Eleven Mile; we, the residents living in proximity to the farm, would rather see someone ask to rezone this property for a specific purpose than for it to be rezoned for no particular reason. The Planning Commission attempted to rezone this parcel a year and a half ago when rezoning in the area north of Eleven Mile and due to public comment, this property was removed from the rezoning petition. We would like to see the Bosco Property zoned as is.

Resident Lee Mamola said his experience with the Novi planning process and its ordinances dates back to 1982. At that time was a member of the Novi Planning Board and there was very little development in Novi. The Planning Board at that time had the advantage of time and rewrote many ordinances. Other communities have since copied what the Novi Planning Board and Commission have done over the years. This ordinance, the Planned Suburban Low Rise Ordinance, fits into that family of cutting edge type ordinances. It has a very stringent use of criteria of how property can be developed. Mr. Mamola certainly can understand the anxiety of nearby residents when they hear of something being rezoned, especially if it's going to be rezoned to something other than a residential type district. But this ordinance and the language within it basically demands and requires that buildings be built that end up looking like houses or a series of houses. The criteria for gables, the type of façade materials, even the spacing of the doorways all the way down to the detail of the windows all are characteristics of residential design. So

NOVI PLANNING COMMISSION November 14, 2012, PAGE 3 DRAFT

the ordinance overall is very strict and the Planning Commission will look very stringently at any site plan that comes before them that tries to comply with this ordinance. That, in combination with the unique character of this piece of property, such as its historical context, aesthetics and natural features all which go hand-in-hand with this ordinance and make a wonderful planning opportunity with the city and a winning situation for the nearby citizens.

Margi Stone said if you leave the property RA, then the possibilities are endless for what this can become. But once you've rezoned it, you've said basically said that's it. So if you leave it RA, a developer can come in and make a proposal and rezone it at that time. So my suggestion is that you wait to rezone it until you have an acceptable plan.

No one else wished to speak and Chair Gutman asked if there was any correspondence.

Member Greco shared the correspondence.

John and Barbara Piggot formally object to the zoning request changes suggested to the Planning Commission. They are long time residents of Novi and have seen the expansion of commercial development in the name of progress. But they generally object to adding new commercial development in the southwest corner. It will be overkill at the very least.

Clayton Tierney is vehemently opposed to this change because this will adversely affect his property and quality of life.

John and Diana Skrobe object to this rezoning because there is already too much traffic on Beck Road.

Diana Canup opposes the rezoning and her letter reflects the public comments she made earlier.

Richard Herbel approves and indicates that the zoning seems appropriate for a heavily traveled road and developing area of the City. It would also bring in more property taxes for the City.

Lee Mamola approves and his letter reflects his earlier comments.

Eugene Zembrzuski is a trustee of the Virginia Kaluzny Trust and respectfully requests that the Planning Commission vote in favor of the zoning change.

Bill Bowman Sr. emailed the City on behalf of Paul and Maryann Bosco asking for approval of the rezoning.

There was no additional correspondence and Chair Gutman closed the public hearing.

Chair Gutman asked about the character of the rezoning and the way these properties would be developed if this is approved. Are there specific standards for the façades and things like the doors and windows? Is there also a set of specifications regulating the density that would be allowed? Is the density more that it would be as single family residential?

Planner Kapelanski said the overlay district, if approved, would allow the property to develop under the existing zoning if someone chose to do that but this property could also be developed as a multiple family property. Staff looked at the usage of the site in for the traffic review and the maximum number of multiple family housing units that could be constructed is 48 multiple family units versus six single family units under the current zoning. There is also a height restriction of two and a half stories.

Member Anthony asked if the City's engineering department had looked at the roads and their ability to

NOVI PLANNING COMMISSION November 14, 2012, PAGE 4 DRAFT

handle the traffic with the proposed development.

Traffic Consultant Rod Arroyo said with a rezoning they typically look a comparison between what could be developed under the existing zoning and the possibilities under future zoning. The medical office component has the greatest potential for trip generation above and beyond the existing zoning. The potential of 184 trips with medical office verses eight with six single family homes, 37 with apartments and 29 with condominiums. Beck Road has seen an interesting variation in traffic over the years and it looks like the volumes have rebounded from the low levels we saw during the recession. Traffic dipped throughout the entire region as the economy slowed but now it appears that Beck Road is up to 22,771 trips per day as of May 2012 that is just shy of what the volume was back in 2006, which was 23,216 trips per day. We've seen it dip to under 19,000 trips per day in 2009. So essentially, what you're looking at here is that volumes continue to increase, and if they continue to increase on Beck Road, with is only a two lane road in this area, you're going to start to see some congestion and ultimately the only relief to that would be adding a lane in each direction. That would be a long term solution, but we probably wouldn't see the need for this in the next couple years. If traffic continues to grow, you either allow for the congestion to continue or you increase the capacity of the road.

Member Anthony said it looks like with the City's overlay district and the most intense use permitted, the medical office building, that Beck Road currently doesn't have the capacity to handle that.

Traffic Consultant Arroyo said Beck Road is approaching the point where you're going to start to see congestion. Once a two lane road gets in the neighborhood of 18,000 to 19,000 vehicles a day it's really starting to push its practical capacity with a reasonable level of service. As you see incremental growth in traffic, you're going to start to see additional congestion.

Member Anthony said asked how the public use property would compare to the traffic of a medical office building?

Traffic Consultant Arroyo said it depends on the public use. There are some public uses that could be fairly intense and others milder. From an ice arena to a public park, the public uses could vary tremendously.

Member Anthony said since the property is privately own, not publically owned, it limits the ability to look at public use. He would like to ask to ask the staff to look at ways to allow some control of what's approved in the future, particularly in terms of traffic concerns.

Member Greco said this particular property was pulled out of the previous rezoning even though the master plan indicates PSLR uses for the property and includes the idea that this area can grow. There are proposed future educational uses around the property, but we don't specifically know what the plans are for that. The Bosco property is carved out in the corner. We're being asked to change the zoning but we don't really know what for and that is my concern. I know this is a City-initiated rezoning, so there isn't a plan before us. We're speculating on what the traffic could be or couldn't be. Our traffic expert can't answer that because he doesn't know what it's going to be. We also don't know what's going to be surrounding it.

Because this was pulled out and not changed a year or two ago, I have concerns as to why it's here and why we would approve something we don't know. I have a great deal of respect for Architect Mamola his ideas and I know he'd do a great job if he came to us with an idea, but the issue is, we don't have an idea to go with. We don't know what we're really approving here other than just a change for the sake of change. I assume it would be a more marketable property like some of the residents suggested and maybe that's the part of it. But I think the fact that we've already gone through this so recently makes me uncomfortable approving this when we don't really know what it is. Member Greco continued saying to the residents present that are opposing this, we've dealt with this stretch of Beck Road as you know, to the south at Ten Mile and we were very understanding of the residents over the years. When a good plan came, we were ready to go with it because we were comfortable with what was going on and the density proposed. So I'm not against any of the plans and the overlay and the rezoning for this area in the future and there may come a plan, whether it's an office building or a nursing home or whatever may be allowable in such a district that we look at it and approve. At this point though, I'm not sure what we're really approving or why we would be doing this.

Member Lynch said in looking at the Master Plan, this kind of sticks out. There is also all of the property on the north side of Eleven Mile that has already been rezoned. Member Greco is correct in saying that this property will change at some point, but I am nervous about approving something for the sake of approving it. I don't fully understand why we need to do it now, today. There is no plan in front of us and nothing viable pressing us to approve this. I'm not going to vote in favor of this mainly because I just don't understand why this little area is being thrust upon us again without at least a better understanding of why.

Chair Gutman said the Commission packet says that the zoning is in compliance with the Master Plan. Is that why this is coming before us, because it's in compliance with the Master Plan?

Planner Kapelanski said yes, this would be the last piece of the puzzle as far as the PSLR District and uses are concerned and it would be the last part of implementing the recommendations of the Master Plan for this area.

Chair Gutman said the Planned Suburban Low Rise has a very distinct process to it, it's not something that someone could come before us and simply say 'here's what I'm doing' and they get to do that. The process itself is a very thorough one, correct?

Planner Kapelanski said that's correct, this is one of the unique overlay districts that we have in the ordinance. It includes a lot of requirements and very specific requirements for architectural features that aren't aren't required for any other district. So yes, the process and the standards for this district are very thorough and unique.

Chair Gutman said if anyone comes to us with a medical office building that was mentioned as having a heavy traffic impact, that would have to go through a process, that isn't automatically allowed because it's in that PSLR District.

Planner Kapelanski said that's right, they would have to participate in a public hearing and go through the usual site plan review process and also go to the City Council after going to the Planning Commission.

Chair Gutman said that items such as the traffic impact statement would be evaluated at the point in time.

Planner Kapelanski said that every site plan application is evaluated to see if a traffic impact study or statement is required.

Member Lynch said all the property surrounding the Bosco Property is planned for school use, correct?

Planner Kapelanski said the property to the west and the south is planned for educational uses and is owned by the school district.

Commissioner Lynch asked if the Master plan has already planned the Bosco property for PSLR uses?

Planner Kapelanski said that in the Master Plan this area is planned for Suburban Low Rise uses.

Commissioner Lynch asked if the Planning Commission would just be recommending changes in compliance with the Master Plan?

Planner Kapelanski said yes, as Chair Gutman alluded to, this would implement the recommendations of the Master Plan for this area and there is no development planned at this time.

Commissioner Lynch asked before anything is constructed, what's the process? As long as it fits in, as long as it looks residential, even if it's office building can it be constructed here? We have a high peak traffic demand if it's a medical office building.

Planner Kapelanski said if the property were to develop under the existing zoning, which would still be an option because this is an Overlay District, the process would be fairly straightforward with our usual site plan review and consideration and approval or denial from the Planning Commission. If it were to develop utilizing the Overlay District and any of the uses that are approved under that district, the process is a little more detailed. They would go through the regular site plan review by staff but then there would be a public hearing required at the Planning Commission. The Planning Commission would look at the plan and make a recommendation to the City Council. The plan would move on to the City Council and they would enter into a development agreement with the applicant and either approve or deny the site plan proposal.

Commissioner Lynch asked for additional information on the Master Plan recommendations for the property.

Planner Kapelanski said as far as the Master Plan approval is concerned, this property was planned for Suburban Low Rise uses just at the properties on the north side of Eleven Mile were. There was a rezoning that was proposed about a year and a half ago to rezone all of the properties that were planned for this district. There was some objection to extending the district south of Eleven Mile Road, so the Bosco Property was removed from that original rezoning while the properties on the north side of Eleven Mile Road were all rezoned to include the new Overlay District.

Commissioner Lynch asked what would happen if this rezoning proposal wasn't approved.

Planner Kapelanski said the property would remain zoned Residential Acreage if it were not approved. The City or the property owner could initiate a rezoning in the future.

Commissioner Anthony asked if there was a particular reason this piece of property was not zoned for school use.

Planner Kapelanski said this land is not owned by the school district. The properties that are currently planned for educational uses are all properties owned by the school district.

# ROLL CALL VOTE ON THE MOTION RECOMMENDING DENIAL MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:

In the matter of Zoning Map Amendment 18.703, JZ12-11, motion to recommend denial to the City Council to rezone the subject property from RA, Residential Acreage District to PSLR, Planned Suburban Low-Rise Overlay District because the traffic generated under the proposed district has the potential to adversely affect the level of service on Beck Road. Motion carried 4-1.

# PLANNING REVIEW



cityofnovi.org

#### Petitioner

City of Novi

#### Review Type

City-Initiated Rezoning Review

#### **Property Characteristics**

- Site Location:
- Site Size:
- Current Zoning: RA, Residential Acreage

7.4 acres

- Surrounding Zoning: North (across Eleven Mile Rd.): R-3 with Planned Suburban Low-Rise Overlay; East (across Beck Rd.), West and South: RA, Residential Acreage
- Site Use
- Surrounding Land Uses:
- nd Uses: North (across Eleven Mile Rd.): vacant land, single-family residential; East (across Beck Rd.): single family residential; West and South: vacant land

Southwest corner of Eleven Mile Rd. and Beck Rd. (Section 20)

School District:

### Novi Community Schools

Existing single-family home

#### Project Summary

The City of Novi Community Development Department is reviewing the City-initiated rezoning request of a parcel in Section 20 totaling approximately 7.4 acres by overlaying the PSLR, Planned Suburban Low-Rise Overlay (PSLR) District on a parcel zoned RA, Residential Acreage. The 2010 Master Plan for Land Use contemplated an ordinance amendment to expand the potential land uses for the subject property and other nearby properties to provide for a transitional use area between the higher intensity office, retail and industrial uses to the north and the one-family residential uses to the south. Nearby properties were previously rezoned to the PSLR District as part of a rezoning approved in 2011. The subject property was originally included in that rezoning proposal but was ultimately removed prior to the City Council's final approval following concerns raised by nearby residents. All uses permitted in the existing underlying RA District will continue to be permitted, subject to the conditions and restrictions of the RA District.

This matter was considered by the City Council at their September 24, 2012 meeting where they referred the matter to the Planning Commission for additional study with the following motion:

"Referral to the Planning Commission for Public Hearing and recommendation back to the City Council for consideration of a Zoning Map Amendment to rezone from RA Residential Acreage to PSLR, Planned Suburban Low-Rise Overlay of the Bosco family property location at 25805 Beck Road, parcel 22-20-200-012, on the west side of Beck

# PLAN REVIEW CENTER REPORT

November 6, 2012

# Planning Review

Bosco Family Property Rezoning 18.703 JZ12-11

**November 6, 2012** Page 2 of 5

City Initiated Bosco Family Property 18.703

Road, south of Eleven Mile Road."



Rezoning 18.703 Location and Air Photo Map

#### Recommendation

Staff **recommends approval** of the proposed Zoning Map amendment which would overlay the PSLR Overlay Zoning District on the subject property. The rezoning request is consistent with the Master Plan for Land Use which depicts the area for "Suburban Low-Rise" uses. Approval is recommended for the following reasons:

- 1. The proposal is consistent with the 2010 Master Plan for Land Use Future Land Use Map and land use goals;
- 2. The PSLR Overlay District's set of moderate-intensity permitted uses will be compatible with neighboring single family uses because the District's "form-based" standards will require developments be of a moderate scale and single family residential character;
- 3. Adequate infrastructure exists or is planned to support the uses permitted in the PSLR Overlay district; and
- 4. The permitted moderate-density residential development could increase the demand for retail, office and industrial floor space in the City and provide additional housing options that could help attract more young families and seniors to the City.

#### Planning Commission Options

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

1. Recommend approval of the rezoning for the subject property with the PSLR, Planned Suburban Low-Rise Overlay District as requested and recommended in the 2010 Future

City Initiated Bosco Family Property 18.703

Land Use Map (Staff recommendation).

- 2. Recommend denial of the rezoning request to allow the property to remain zoned as RA without an overlay.
- 3. Recommend rezoning of the parcel to any other designation that the Planning Commission determines is appropriate. Given the current Master Plan designation for the property and the developments in the area, there are no other alternatives that the Planning Staff has analyzed at this time. **NOTE:** This option would require the Planning Commission to send notice for and hold another public hearing with the intention of recommending rezoning to another designation.

#### Master Plan for Land Use

During the City's 2009-2010 review of the Master Plan for Land Use, the area along both sides of Eleven Mile Road between Wixom and Beck Roads was extensively studied. The Study found that high-intensity retail, office and residential development was located within a ½ mile of Grand River Avenue and the Study recommended the creation of a transitional use area located between the higher intensity development located near Grand River and the nearby existing and planned single family home areas. It further recommended that the transitional area permit moderate-intensity development while establishing a set of "form based" standards to create a predictable streetscape to help maintain the single-family residential character of the area. The 2010 Master Plan for Land Use incorporated the Study's recommendations and established a proposed "suburban low-rise" use area and a set of supporting land use goals. The subject property is within the designated "Suburban Low Rise" land use area identified on the Future Land Use Map.

#### Zoning

The following table summarizes the zoning and land use status for the property in the petition and the surrounding property.

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property	RA, Residential Acreage	Single-family home with accessory structures	Suburban Low-Rise
Northern Parcels	R-3, One-Family Residential with Planned Suburban Low- Rise Overlay	Large lot detached single family residential and vacant land	Suburban Low-Rise
Southern Parcel	RA, Residential Acreage	Vacant	Educational Facility
Eastern Parcels	RA, Residential Acreage	Detached single family residential	Single Family Residential
Western Parcel	RA, Residential Acreage	Vacant	Educational Facility

#### Land Use and Zoning For Subject Property and Adjacent Properties

#### Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested PSLR Overlay zoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request. The moderate intensity uses permitted in the Overlay District should be compatible with all of the neighboring land uses because the PSLR District's "form-based" standards will require new developments to be of a moderate scale and be designed with a single family residential character.

City Initiated Bosco Family Property 18.703

### Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classification. No alternatives have been provided at this time.

	RA- Zoning (Existing)	PSLR- Overlay Zoning (Requested)
Principal Permitted Uses	<ol> <li>One-family dwellings.</li> <li>Farms and greenhouses.</li> <li>Public parks, and outdoor recreational facilities.</li> <li>Cemeteries</li> <li>Public and private elementary schools.</li> <li>Home occupations.</li> <li>Accessory buildings and uses.</li> <li>Family Day Care Homes.</li> </ol>	1. Uses permitted in underlying district unless restricted by a PSLR development agreement.
Special Land Uses	<ol> <li>The raising of nursery plant materials.</li> <li>Dairies.</li> <li>The keeping and raising of livestock.</li> <li>Historical buildings may be occupied by limited nonresidential uses.</li> <li>Bed and breakfasts.</li> <li>Churches</li> <li>Intermediate and secondary schools.</li> <li>Utility and public service buildings.</li> <li>Group Day Care Homes &amp; Centers</li> <li>Private recreation.</li> <li>Golleges.</li> <li>Private pools.</li> <li>Mortuaries.</li> </ol>	<ol> <li>Low-rise multiple-family residential</li> <li>Independent and congregate elderly living facilities.</li> <li>Assisted living, convalescent homes and hospice care.</li> <li>Live/work units.</li> <li>Day care centers.</li> <li>General office.</li> <li>Medical offices, laboratories and clinics.</li> <li>Religious centers.</li> <li>Elementary, intermediate or secondary schools, colleges, business and trade schools.</li> <li>Public parks, and recreation facilities.</li> <li>Non-profit community buildings and cultural facilities.</li> <li>Mixed-use buildings.</li> <li>Accessory buildings and uses.</li> </ol>
Minimum Lot Size	43,560 sq. ft.	None
Maximum Residential Density	0.8 DUs/net site area	7.3 DUs/net site area
Building Height	2 ½ stories 35 ft.	2 ½ stories 35 ft.
Building Setbacks	Front: 45 ft. Side: 20 ft. min. 50 ft. aggregate both sides Rear: 50 ft.	Front: 30 ft. Side: 15 ft. Rear: 35 ft. Section line road: 50 ft.

City Initiated Bosco Family Property 18.703

#### Intent of Proposed Zoning District

The intent of the PSLR, Planned Suburban Low-Rise Overlay District, is to promote the development of high-quality uses, such as low-density multiple family residential, office, quasipublic, civic, educational, and public recreation facilities that can serve as transitional areas between lower-intensity detached one-family residential and higher-intensity office and retail uses while protecting the character of neighboring areas by encouraging high-quality development with single-family residential design features that will promote a residential character to the streetscape.

#### Infrastructure Concerns

Public road, water and sanitary sewer infrastructure is generally adequate to serve the property in the petition at full build-out with typical minor infrastructure improvements. The proposed increase in development intensity would be considered manageable under the existing roadway in terms of increased traffic. See the City Engineer and Traffic Consultant reports for details (attached).

#### Natural Features

The City's Regulated Woodland and Regulated Wetland Maps indicate the existence of a small portion of regulated wetlands on the property and no regulated woodlands. The location of any wetlands will need to be field verified by the applicant with the submittal of any site plan for the parcel. Impacts to these natural features will be reviewed and discussed during the site plan submittal for any project on the property.

#### **Development Potential**

Development under the current RA zoning could result in a residential development of approximately six single-family homes. Other uses permitted in the RA District include plant nurseries, churches, day care facilities, public or private schools or public parks. The subject property would be large enough to accommodate a non-residential use permitted in the RA District. The development of the parcel under the proposed PSLR zoning could result in a multiple family dwelling of up to 48 units or an office establishment of approximately 60,000 sq. ft. The ultimate size of the facility would depend on the parking requirements associated with its specific use. The applicant has not proposed a specific development, use or building size.

Please feel free to contact me at (248) 347-0586 or <u>kkapelanski@cityofnovi.org</u> with any questions or concerns.

Kristen Kapelanski, AlÇP, Planner



October 31, 2012

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



# SUBJECT: Potential Rezoning of Bosco Family Property, Traffic Review

Dear Ms. McBeth:

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

# Key Findings and Conclusions

- 1. Rezoning the subject property to PSLR (Planned Suburban Low-Rise Overlay) would (according to City planning staff) permit the construction of 48 multi-family housing units or a 60,000-s.f. medical office building, as opposed to six single-family detached homes under its current RA (Residential Acreage) designation.
- 2. The potential medical office building could generate as many as 2,238 one-way vehicular trips per day, 143 in the AM peak hour (113 entering and 30 exiting), and 184 in the PM peak hour (52 entering and 132 exiting). These volumes of site traffic would range from 23-33 times as large as would be generated by six single-family homes.
- Alternatively, the 48 potential apartments would be expected to generate 366 daily trips, 26 AM peak-hour trips, and 37 PM peak-hour trips. These volumes would all be roughly five times as great as the trip generation by six single-family homes.
- 4. Based on March 2009 traffic counts and the assumption that site-generated traffic would distribute in proportion to existing traffic, the forecasted medical office traffic would constitute 3.9% of the current total entering traffic at the Beck/II Mile intersection in the more critical PM peak hour, and the forecasted multi-family residential traffic would constitute 0.9%. Site traffic impacts on the order of 5% or less are typically considered manageable by existing road and traffic control features (the signal at Beck and II Mile is traffic-actuated). Per City policy, however, a 60,000-s.f. medical office building would generate enough traffic (more than 100 peak-hour, peak-direction trips) to warrant the preparation of a traffic impact statement (addressing the intersection as well as site access drive(s)) in conjunction with a site plan application. Multi-family housing on the site would not require any type of additional traffic study.
- 5. Regardless of how the site is redeveloped, good access management will be essential to the maintenance of safe and efficient traffic flow. Since direct access to 11 Mile is precluded by the presence of a pond, all vehicular access will have to be taken on Beck or (potentially) any future driveways serving the adjacent (currently vacant) school property. Given the

City's minimum permissible 230-ft driveway spacing on a 45-mph road such as Beck, access on that road will have to be limited to at most two locations: directly across from Sierra Drive and near the site's south property line.

### **Existing Road and Traffic Conditions**

Beck Road is a 2-3-lane arterial with a posted speed limit of 45 mph. Eleven Mile Road is a 2lane residential collector with posted speed limits of 30 mph east of Beck and 35 mph west of Beck. Both roads are under City jurisdiction. The intersection of Beck and 11 Mile is equipped with left-turn lanes on all approaches, right-turn lanes on the north and south approaches, and a fully-actuated (SCATS) traffic signal (see Figure 1, below).

Approach counts made by the signal system in March 2009 show 18,761 vehicles per day (vpd) on Beck and 3,228 vpd on 11 Mile. The peak-hour volumes on Beck were 1,407 in the AM peak hour (67% northbound) and 1,887 in the PM peak hour (54% southbound). Counts available for May 2012 show 22,771 vpd on Beck, reflecting nearly a full recovery from the pre-recession (May 2006) volume of 23,216. Recently malfunctioning detectors on the westbound 11 Mile approach to the intersection preclude a comparison of volumes for that road.

## Trip Generation Comparison

Table I (below) presents our trip generation forecast for potential site development under current and proposed zoning. According to City planning staff, the current RA zoning would accommodate six single-family homes; these homes are expected to generate about 68 one-way vehicle trips per day, five in the AM peak hour (80% exiting) and eight in the PM peak hour (63% entering).

Under the proposed PSLR zoning, staff indicates that the site could accommodate 48 multifamily housing units (apartments or condominiums), or alternatively, a 60,000-s.f. medical office building. Apartments typically generate slightly more trips than condominiums; in this case, 48 apartments are expected to generate 366 one-way vehicle trips per day, 26 in the AM peak hour (80% exiting) and 37 in the PM peak hour (65% entering).

## **Trip Distribution**

Based on the 2009 directional split of the peak-hour volumes on Beck Road (cited above), it is reasonable to assume for a medical office building on the site that in the AM peak hour, 67% of its entering traffic would arrive from and later return to the south. In the PM peak hour, one would expect that 54% of its exiting traffic would depart to the south and, by reciprocity, 54% of any entering traffic that hour would arrive from the south.

For multi-family housing on the site, it is reasonable to assume that 67% of its exiting traffic would depart to the north in the AM peak hour and, again by reciprocity, 67% of any entering traffic that hour would arrive from the north. In the PM peak hour, one would expect that 54% of the entering traffic would arrive from the north and the same percentage of the exiting traffic that hour would depart to the north.



Figure I. Aerial Photo of Bosco Property

Land Use	ITE Size	Weekday	AM Peak-Hour Trips			PM Peak-Hour Trips			
	Use #	Use #	Trips	In	Out	Total	In	Out	Total
Existing RA Zoning									
Single-Family Detached Housing	210	6 d.u.	68²	1	4	5 <sup>2</sup>	5	3	8
		Propo	sed PSLR Z	oning					
Apartments	220	48	366 <sup>2</sup>	5	21	26²	24	13	37 <sup>2</sup>
or Condominiums	230	48	310 <sup>2</sup>	4	21	25 <sup>2</sup>	19	10	29 <sup>2</sup>
or Medical Office	720	60,000 s.f.	2,238	113	30	143	52	132	184
Highest Potential	Highest Potential Trip Generation			113	30	143	52	132	184

#### Table I. Trip Generation Comparison<sup>1</sup>

<sup>1</sup> Based on data and guidelines found in *Trip Generation Manual – 9th Edition*, Institute of Transportation Engineers, 2012. A trip is a one-directional vehicular movement into or out of the site.

<sup>2</sup> Due to relatively small number of units, forecast is based on averaging results from both average rate and regression equation.

The preceding trip generation forecasts and trip distribution assumptions were used to develop findings included in item 4 above. Feel free to contact us if there are any questions regarding our methodology, findings, or conclusions.

Sincerely, BIRCHLER ARROYO ASSOCIATES, INC.

Rodney L. Arroyo, AICP Vice President

William a. Stimpson

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

# ENGINEERING REVIEW

# MEMORANDUM



TO: KRISTEN KAPELANSKI; PLANNER, COMMUNITY DEVELOPMENT
FROM: ADAM WAYNE, STAFF ENGINEER, ENGINEERING
SUBJECT: ENGINEERING REVIEW OF REZONING REQUEST 18.703
DATE: OCTOBER 29, 2012

In response to your request, we have reviewed the proposed rezoning of the parcel at the southwest corner of Beck and Eleven Mile for availability and potential impacts to public utilities. City Council is requesting that 7.3 acres be rezoned from R-A to Planned Suburban Low-Rise (PSLR) Overlay. This parcel has water available on both road frontages, and has sanitary sewer available along the Beck Road frontage. The zoning change would result in an increase Residential Equivalent Unit (REU) to 72 units versus 6 units as currently zoned.

#### Water Service

Water service is currently available from the existing 16-inch water main on the east side of Beck Road along the frontage of this parcel, and also on the north side of Eleven Mile.

The request is for 7.4 acres to be rezoned from R-A to PSLR, which typically results in a higher water demand. In this case, the impact to the water system by rezoning this parcel would be minimal based on the size of the parcel and its location adjacent to a 16-inch water main having adequate pressure and flow. The water model indicates a pressure decrease of less than one percent as a result of the increased water demand.

#### Sanitary Sewer Service

As stated above, a PSLR use results in a higher water demand and thus a higher sanitary sewer discharge than an R-A use. Depending on the specific use constructed on this parcel, if rezoned to PSLR the sanitary flows could be as much as eleven (11) times higher than those under an R-A zoning. However, because of the size of the parcel the overall impact of the rezoning is minimized and would have a negligible impact (<2% change) on the capacity of the Lannys Road sanitary sewer service district. The proposed rezoning would result in an increase of 0.03 cfs in the overall discharge to Wayne County.

#### Summary

In summary, the water main facilities that are in place are adequate to serve the proposed change in zoning with little or no impact on the rest of the water system and the water master plan. The sanitary sewer facilities have capacity to support the additional flows that would be anticipated with a higher use zoning of PSLR. Therefore, we conclude that the rezoning of this parcel alone would have a minimal impact on the public utilities.

The increase in the peak discharge, although small, is notable because the City is currently seeking opportunities to resolve the limit on its contractual sanitary sewer capacity at its outlet to Wayne County. Any increased density also increases the additional contractual capacity needed to serve this district.

# CORRESPONDENCE

#### S. VIRGINIA KALUZNY TRUST Eugene S. Zembrzuski, Trustee 2842 Shadywood Drive Troy, Michigan 48098

November 5, 2012

Dear Chairman Mark Pehrson and Members of the City of Novi Planning Commission:

I am the Trustee of the **S**. Virginia Kaluzny Trust, which is the owner of the 20 acreparcel at 48301 Eleven Mile Road, Novi, Michigan.

I wish to inform the Novi City Planning commission as well as City Planning Staff that I am in favor of the City of Novi application for rezoning of the Bosco 7 Acres of property located at the South West Corner of Beck and Eleven Mile Roads.

I respectfully ask that the Planning Commission vote to send a favorable recommendation to the City Council at the Planning Commission Public Hearing for the Novi City Council to vote in favor of Rezoning as presently Master Planned to the "Planned Suburban Love rise Overlay," zoning classification.

Such rezoning is consistent with the evaluations made by the City of Novi Planning Staff and the Master Planning and Zoning Committee. Moreover, I believe such rezoning will be beneficial to the nearby property owners as well as the City of Novi.

Sincerely,

Eugene S. Zembrzuski

Eugene S. Zembrzu Trustele

# RECEIVED

NOV 5 2012

CITY OF NOVI COMMUNITY DEVELOPMENT

#### McBeth, Barb

	Bill Bowman, Sr. SIOR <billsr@thompson-brownrealtors.com> Sunday, November 04, 2012 11:30 PM</billsr@thompson-brownrealtors.com>
То:	McBeth, Barb
Cc:	Carol Higley; Lee Mamola; Paul Bosco
Subject:	Please provide delivery of this memo to Planning Commission Chairman Mark Pehrson and members of the Novi Planning Commission Re Proj No. 10-9424.06

Dear Chairman Mark Pehrson and Members of the City of Novi Planning Commission .

Mr. Paul and Maryanne Bosco are currently out of the Country visiting family and they have asked me to inform the Novi City Planning commission as well as City Planning Staff that they are absolutely in favor of the City of Novi application for Rezoning of their 7 Acres of property located at the South West Corner of Beck and Eleven Mile Roads and ask that the Planning Commission vote to send a favorable recommendation to the City Council at the Planning Commission Public Hearing for the Novi City Council to vote in favor of Rezoning as presently Master Planned to the "Planned Suburban Lowrise Overlay, zoning classification.

The last time that this application was before the Planning commission, the Planning Commission voted unaminously to recommend addoption by the City Council to rezone the parcel as it was already MASTER PLANNED,

This Zoning "Planned Surburban Low Rise Overlay" was generated out of very detail studies by the City of Novi Expert Planning Staff and then the Master Planning and Zoning Committee which evaluated since early year 2010 at virtually every one of their meetings through 2011.

I personally exercised my privilege to attend the far majority of those Mster Planning Committee meetings and I did report to Mr. and Mrs Bosco after each meeting. The Boscos after receiving information from the Novi Planning staff actually met in person with Ms Barbara Mc Beth and Mr. Mark Spencer, well educated and experienced experts in Urban Planning who were the ones along with members of the Master Plan and Zoning Committee who identified the Bosco property as no longer appropriate for single family residential and most ideal to be planned for future development as the Planned Suburban Low Rise Overlay. This location has also is located a Novi Station and now an EMF headquarters.

A review of the requirements and proceedures that are contained in the PSLO shows that the almost unique set of required process and proceedures for multiple reviews starting with conceptual sketches and meeting with Novi Planning Staff then to Planning Commission and Public Hearing and then to City Council and Public Hearing for review and comment by the public . Also worth noting is the "Form Based" provision which requires design of the buildings to be constructed to be compatable , with the existing residential properties

It should be mentioned that the history of the process leading to the City of Novi Placing this Rezoning to PSLO on the Planning Commission agenda started early 2011 when the identification as to all of the properties so identified for the subject Rezoning started with the formal Master Plan Designation, including all public notices required and all Public Hearings required to get to final Master Plan approval including notification of the other close municipalities.

Again , Mr. and Mrs Bosco ask that you give serious consideration to the recommendations of your Planning Experts that this PSLO zoning is the proper zoning classification for this subject site which is already MASTER PLANNED for the PLANNED SUBURBAN LOWRISE OVERLAY ZONING

The Bosco's Thank you for your attention and Consideratioon .



DiClemente Siegel Design Inc. Engineering and Architecture

November 1, 2012

City of Novi 45175 W. Ten Mile Novi, MI 48375

Attn: Mr. Mark Pehrson, Chair City of Novi Planning Commission

Re: Rezoning Planned Suburban Low Rise DSD Project No. 10-9424.06

Dear Mr. Pehrson and Members of the Novi Planning Commission,

During the past two years or so I have had the pleasure of collaborating with Mr. Bill Bowman from Thompson Brown, and Paul and Maryanne Bosco regarding the potential impact for development of the Bosco's 7 acre parcel. I have prepared preliminary concepts reflecting potential development if the land were to be rezoned to the Planned Suburban Low Rise district.

As an architect familiar with Novi's planning and development since 1982, I applaud the Planning Commission and the City of Novi planners for their leadership role in developing the standards for this district. I believe the standards assure development that will result in innovative design proposals to produce an overall final development that all of Novi can be proud to view.

While there are presently no specific design proposals for the development of this property, I do believe that if the Planned Suburban Low Rise designation is allowed, then the property can become a wonderful opportunity to evolve into uses that are consistent with the neighboring community. The unique requirements of the ordinance also assures the overall architectural scale and character of the abutting homes and houses while also complementing existing natural features such as the pond and terrain.

I encourage the City of Novi Planning Commission provide a positive recommendation to Council that the 7 acres of property commonly referred to as the Bosco Property be rezoned, consistent with the Master Plan, from single family residential to the Planned Suburban Low Rise designation.

Very truly yours,

DICLEMENTE SIEGEL DESIGN INC.

Lee J. Mamola, AIA Director of Architecture

cc: Bill Bowman Paul Bosco

28105 Greenfield Road, Southfield, MI 48076

VOICE 248.569.1430

FAX 248.569.0096

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EMAIL mktg@dsdonline.com





ADOPTED BY THE CITY COUNCIL

BOB GATT

MAYOR

MARYANNE CORNELIUS

CLERK

AMW 11/5/12