



# PLANNING COMMISSION MINUTES

CITY OF NOVI  
Regular Meeting

**May 10, 2023 7:00 PM**

Council Chambers | Novi Civic Center  
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: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Staff: Barbara McBeth, City Planner, Elizabeth Saarela, City Attorney; Lindsay Bell, Senior Planner; Christian Carroll, Planner; James Hill, Planner; Rick Meader, Landscape Architect; Ben Croy, City Engineer

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Roney to approve the agenda.

## ROLL CALL VOTE ON MOTION TO APPROVE THE MAY 10, 2023 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY.

*Motion carried 7-0.*

## AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward.

Dorothy Duchesneau, 1191 South Lake Drive, expressed concerns after becoming aware that the City is considering the possible inclusion of Accessory Dwelling Units (ADU) to the single family zoning districts. It is an admirable idea to allow a smaller dwelling footprint that can be used to house an aging family member or full-time on-site caregiver, but this needs to be attached to the existing home, not an additional building. Older Novi residents have shown they don't want to move out of Novi as they age, but the availability of smaller homes in Novi is scarce. If the City is not careful in how this is enacted, it will become a magnet for short term Airbnb, VRBO and HomeToGo rentals and Craigslist listings. In essence, this would create in-home businesses in areas that are not in keeping with what the neighbors expected to live near. The rules for Accessory Dwelling Units should be written before ADU's are added to the Residential zoning districts. It needs to be determined how this affects the Principal Residential Exemption in Michigan.

Chair Pehrson closed the first public participation.

## CORRESPONDENCE

There was not any correspondence.

## COMMITTEE REPORTS

There were not any committee reports.

## **CITY PLANNER REPORT**

City Planner McBeth reported that City Council approved the updates to the Site Plan and Development Manual so that will be available online shortly.

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

There were no Consent Agenda Items.

## **PUBLIC HEARINGS**

### **1. 22535 EVERGREEN COURT WOODLAND PERMIT**

Public hearing at the request of Angela Havistiuc for consideration of a Woodland Use Permit at 22535 Evergreen Court. The property is located north of Nine Mile Road and west of Garfield Road in Section 30 of the City. The applicant is requesting the removal of eleven regulated woodland trees in order to construct a single-family residential structure.

Planner Christian Carroll relayed the proposed woodland use permit is requested by the applicant to remove 11 regulated woodland trees at 22535 Evergreen Court to build a single family home. The site is located north of Nine Mile Road and west of Garfield Road, is zoned RA, and has a single-family future land use.

The City's Woodland Consultant reviewed the request and prepared a review letter dated 4/13/23. The review letter states that the applicant is proposing to remove 11 regulated woodland trees and impacts to the critical root zones of four trees, all of which are regulated woodland trees, from a section of City Regulated Woodland ranging in size from 8 to 17 inches DBH. These removals require 24 Woodland Replacement Credits. The Woodland Consultant's review letter provides a detailed count and explanation of the required replacements. The proposed removals are not located within any recorded conservation or preservation easements that abut or encroach onto the property. At this time, the applicant has not indicated if they plan on replanting on-site or paying into the tree fund.

Staff suggests that the Planning Commission approve the Woodland Use Permit. A suggested motion is provided in the memo. The applicant is here tonight and is available to answer any questions. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Angela Havistiuc relayed she is planning to build a house and replace the trees.

Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium. Seeing no one, and as there was no correspondence, Chair Pehrson closed the Public Hearing and turned it over to the Planning Commission for consideration.

Member Lynch relayed he drove by the site and saw it was fairly large and heavily wooded. His preference is to have the trees replanted onsite rather than paying into the tree fund.

Member Becker relayed as always when we have a site zoned residential that is currently wooded, we understand that trees will have to be removed. What Member Becker liked about the plan was that a lot of the trees are being kept and the trees being removed mainly are where the house will be built. Member Becker is in support.

Motion to approve Woodland Use Permit PBR23-0107 made by Member Avdoulos and seconded by Member Lynch.

**In the matter of 22585 Evergreen Court Woodland Permit, motion to approve Woodland Use Permit, PBR23-0107, for the removal of eleven regulated woodland trees within an area mapped as City Regulated Woodland at 22535 Evergreen Court for the construction of a single-family residence. The approval is subject to on-site tree replacements to the extent possible and payment into the City's Tree Fund for any outstanding Woodland Replacement Credits, along with any other conditions as listed in the Woodland Consultant's review letter.**

**ROLL CALL VOTE ON MOTION TO APPROVE WOODLAND USE PERMIT PBR23-0107 MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

*Motion carried 7-0.*

**2. CITY WEST TEXT AMENDMENT 18.296**

Public hearing of the staff-initiated request for Planning Commission's recommendation to City Council regarding Text Amendment 18.296 in order to create a new zoning district, CW City West, with associated changes to reference the new district as appropriate, and to amend text related to the EXO District, to reflect an underlying zoning of CW - City West.

City Planner Barb McBeth relayed that before Senior Planner Bell presents information on the draft City West Ordinance, Design Guide, and the potential rezoning of land, she would like to share a few concepts from the 2016 Master Plan for Land Use. The Chapter in the Master Plan titled Redevelopment Strategies says, "As outlined in this 2016 Master Plan Update, the City of Novi seeks to maintain its high quality single-family neighborhoods, preserve natural features, support business growth, improve traffic, and create an authentic identity. To implement this vision, three specific redevelopment sites have been identified by the City that are currently vacant or under-utilized, given their location, unique features, and size. The plan stated the redevelopment of these sites offers the opportunity to increase housing and stimulate business growth in concentrated areas of the City, allowing the rest of the City to retain its existing suburban character." Following is a summary of the three redevelopment sites.

The first redevelopment site identified in the 2016 Master Plan is located at the intersection of Old Novi Road and Thirteen Mile Road and was referred to as Pavilion Shore Village. The plan envisioned that redevelopment of this area could establish a unique sense of place by providing housing and commercial uses that are inspired by the natural and recreational features of the nearby park and lake.

Following the approval of the Master Plan, and the submittal of the developer's plans that went through the Planned Rezoning Overlay process, that area of Novi has now been redeveloped with 20 homes within the Lakeview development. Many of the new homes have a view of Walled Lake and Pavilion Shore Park as anticipated in the master plan.

The second redevelopment site identified in the Master Plan is located at the northeast corner of Grand River Avenue and Town Center Drive and has been known as "The Anglin Property." The property is approximately 10 acres in size and had been used as a car wash and garden supply yard.

Following the approval of the Master Plan, a developer presented plans for the site (and an adjacent property) to allow for redevelopment of the properties using the City's PRO process. The development is now called Sakura.

The approved plan shows an Asian-themed mixed-use development with access points off Grand River Avenue and Eleven Mile Road. The commercial portion of the project will consist of four buildings containing office, retail and restaurant spaces. Up to 132 multifamily residential rental units in 22 townhome buildings would be located on the northern portion of the site with access to Eleven Mile Road. The existing pond on the west side of the site would serve as a focal point and public gathering space, to be enhanced with Japanese-style gardens and a walkway with amenities around the perimeter. The Sakura site has been cleared and graded and the applicant is now in the final stages of site plan approval for this project.

City West is the third redevelopment site that was presented in the 2016 Master Plan and is being

presented and discussed this evening, with the goal toward implementing some more of the Master Plan's recommendations. Implementation of this recommendation is being done through the development of detailed zoning ordinance standards, and through the city-initiated rezoning of the involved property. Lindsay will provide detailed presentations regarding both matters in a few minutes, but I will share a few of the details of the Master Plan's guiding principles for City West that provided the direction for the proposed ordinance language.

The Master Plan noted that Grand River Avenue between Taft and Beck Road includes the Suburban Collection Showplace, a convention center with space to expand if needed, as well as a mix of commercial, office, and industrial uses. The Master Plan noted that many sites along this part of Grand River are underutilized, disused, or vacant, but the plan also noted that this area offers the potential for the creation of a prominent new district combining entertainment, convention, commercial, office, and residential uses in a cohesive, high-density, walkable pattern.

The Master Plan envisioned three to five story buildings for most of the area, while buildings on the north side of Grand River, with frontage on I-96 may rise as high as ten stories. While the Master Plan anticipated buildings as high as ten stories, during the evaluation and drafting of the proposed ordinance, the maximum number of stories as currently proposed will be limited to 8 stories on the north side of Grand River, and a maximum of 5 stories on the south side of Grand River. Lindsay will explain this further during her presentations.

Components of the District anticipated that the new City West district would consist of Residential Uses, as well as commercial, restaurant and entertainment uses. Townhouses may be appropriate south of Grand River on the edge of the district as a transition to nearby homes and neighborhoods. Mixed-use buildings including commercial on the first floor and residential on the second floor or higher was also anticipated for other areas of the district.

The City West district is envisioned as a distinct neighborhood as well as a complement to major nearby uses such as the Suburban Collection Showplace and the Ascension Providence Park hospital. The Master Plan notes that Commercial uses in this area could include specialty retail stores or art galleries, in addition to uses that serve nearby residents, and personal service uses. Creating a vibrant restaurant and entertainment scene that spills into outdoor patios and open spaces is a major goal of this redevelopment strategy.

Finally, the Master Plan talked about sustainability aspects within the City West District. The Master Plan notes that development of a new district presents a prime opportunity to consider development from a holistic standpoint. The development of City West should consider mitigating stormwater runoff through bioretention systems such as rain gardens and bioswales, and alleviating concentration of runoff through use of permeable pavement. As the Commission knows, the City's Wetland Ordinance and Woodland Preservation Ordinances will still apply to any developments within this new district and will be reviewed in detail along with individual site plans as those are submitted to the city for review.

Further sustainability aspects include Landscaping with native plants, incorporation of alternative energy systems such as solar collectors or geothermal heat pumps into building designs, accommodations for electric vehicles, bicycle facilities, and, ultimately, integration with mass transit. The plan noted that these are all steps that can be taken to build a district that adheres in the long term to basic principles of environmental sustainability. When well-implemented, these measures can also help to limit certain long-term operational costs.

The Planning Commission is aware that the staff and the City attorney have been working on the details of the draft ordinance and the design guide over an extended period of time, with updates provided to the Implementation Committee along the way, incorporating the committee's recommendations into subsequent drafts. We are looking forward to your comments as a part of the implementation of the recommendations of this part of the Master Plan.

Senior Planner Lindsay Bell relayed as City Planner McBeth has outlined, the 2016 Master Plan provided a clear vision for what City West could become. The challenge for staff over the last 4+ years has been to

craft an ordinance that would allow, support and encourage that vision to become a reality.

Working with the Planning Commission's Implementation Committee, and the City Attorney's office, we have developed the City West Zoning Ordinance text to provide the standards under which properties in the new district will be developed, as well as a Design Guide that offers visual examples that the Master Plan and ordinance language are working together to accomplish. The Design Guide complements the ordinance language and will be made part of the ordinance by reference. It includes background information on the area, inspiration images from around Novi and other communities, and 3D models to visually show certain requirements or suggestions. The intent is that both documents would be used in conjunction to guide development within the district. Each 3D model shown in the Design Guide is conceptual only; actual projects would need to be designed by professional architects and engineers based on specific on-the-ground information not currently available to staff.

The history and existing conditions of the proposed area to be rezoned will be presented for the Zoning Map Amendment public hearing.

As the current 2023 Master Plan update effort continues, Novi continues to grow, as evident from the 20% population growth from 2010-2020. At the recent community open houses, 74% of participants indicated the City West area should be "transformed" when given the definition "long-term and large-scale change in the appearance and function of an area with the intent for dramatic shift in use, design, and accessibility." Another 21% indicated the area should "evolve," while only 5% thought the area should be "maintained" in its current state.

The City West area provides an opportunity to expand the housing choices available for young professionals, empty nesters, and other residents who prioritize a more urban, walkable community, easy access to the highway and destinations within Novi, and entertainment opportunities. Grand River Avenue is a major corridor with greater road capacity than many areas of the city. SMART has recently released its proposed route expansion, and has proposed extending bus service along the Grand River corridor through Novi and into Wixom. One of the proposed locations for a transit stop would be within the City West area.

Over time, the City West ordinance has evolved to incorporate elements of the Town Center districts, Gateway East and the Planned Development options. We also drew from examples of mixed use districts in other communities, as well as best practices in planning guidelines.

The City West District includes a baseline level of development for principal permitted uses, which would be allowed at a similar intensity to what can currently develop in the I-1 District. At the baseline level of development, building height is limited to three stories.

The ordinance includes an optional Mixed-Use Development Option (MDO) which permits a wider range of uses and higher intensity development in order to encourage the creation of a dynamic mix of compatible uses. While the MDO provides greater flexibility in parking and landscaping, as well as setbacks and building height to allow a more urban form of development, projects will still be subject to other applicable codes and regulations of the City, including Wetland and Watercourse protection, the Woodland Ordinance, Stormwater detention standards, façade and landscape requirements, as well as lighting and noise ordinances.

Approvals of MDO projects are up to the discretion of City Council, and subject to the project meeting various criteria.

One of the project criteria to be evaluated is whether a proposed site design and layout minimizes negative impacts on existing natural features. Other criteria provide stipulations that surrounding landowners shall not be unreasonably burdened, and the proposed development is deemed to be compatible/harmonious with surrounding area.

While the proposed ordinance standards allow for greater height along the north side of Grand River for MDO projects, staff believes that most projects will have 3-5 story buildings, with additional height

potentially requested for mixed-use buildings, or for a signature office building or hotel. The maximum height is limited to eight stories in the proposed ordinance for developments on the north side of Grand River Avenue, and five stories on the south side of Grand River Avenue.

The proposed provisions permitting higher buildings involves meeting specific criteria:

- Preservation of open space (25% of site or more)
- Using sustainable building elements and design strategies (ex: LEED Best Practices)
- Allocation of units for Workforce Housing (at least 15%); or
- Lower-level parking or parking garage to limit impervious surfaces

The Grand River Avenue corridor, running from downtown Detroit all the way to Lake Michigan on the west side of the state, bisects the City West area. In this area of the city, Grand River is an auto-centric five-lane major arterial with a speed limit of 50 miles per hour. Staff would pursue funding to study alternatives for making this area safer for pedestrians and bicyclists to get between the north and south sides of the district as marked crossings are currently available only in three locations: the Grand River and Beck Road signal, the signal at the main entrance to the Suburban Showplace, and the Taft Road signal. The Design Guide provides samples of elevated pedestrian bridges and street-level crossings with a raised median as possible design options to consider, however those are not the only alternatives. Traffic calming measures may also be recommended, such as reducing the speed limit through the district.

Development in this district is required to meet specific design standards to ensure future development is cohesive and walkable. Buildings are meant to front on internal street networks rather than Grand River to create a more pedestrian-friendly development than the thoroughfare can offer. Shared off-street parking facilities are encouraged. Development projects are required to provide public plazas and open spaces for gathering.

City West is meant to have sidewalks and pathways throughout the district, providing connections to the City's non-motorized network beyond the district. The recently expanded Ascension Providence campus trail network provides miles of non-motorized opportunities, and connects to the ITC Trail. Bosco Fields park is accessible via Beck Road less than 1 mile away. The planned project to expand Beck Road between 11 Mile and Grand River includes the completion of missing sidewalk segments on the east side of Beck Road. Taft Road already includes on-road bike lanes as well as an 8-foot pathway (except for a small segment near the intersection of Taft and 10 Mile where it drops to 5 feet) on the west side of the road from Grand River to south of 9 Mile. This facility connects the City West area to several Novi schools, as well as the library and Civic Center campus. Pathways along Grand River also provide a direct connection to the Town Center area within a 1-2 mile distance.

Residential uses can be developed under the MDO, either as a stand-alone use or as part of a mixed-use project. The granting of a Mixed-Use Development Option requires review and recommendation by the Planning Commission and approval of the City Council. As part of the review and approval process, and in light of the potential additional uses and flexible building standards, the development will be subject to certain conditions, and will have to demonstrate conformance with the Design Guide adopted by the City as part of this ordinance. The MDO process is similar to the approval process for the PD-1 and PD-2 Options, with City Council authorized to grant deviations to area, bulk, yard and dimensional requirements, as well as density, if found to be an enhancement in the public interest and to not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources.

The City West area south of Grand River Avenue is directly adjacent to areas designated for multi-family and single-family residential. This portion of the district is intended to provide a gradual transition to the surrounding uses, with buildings between two to five stories tall. Within 100 feet of existing single family residential areas to the south, non-residential uses are not permitted, and residential buildings are limited to 35 feet in height to ensure a proper transition and prevent undue impact on the existing neighbors. The 100-foot setback for non-residential uses is consistent with current I-1 District requirements, to insure that no new hardship is created on landowners, and adjacent residents are afforded the same protections that exist today.

Residential buildings are required to be set back a minimum 2 feet for each foot of building height. If the maximum building height of 35 feet is proposed, that structure would require a minimum 70-foot setback from the single-family district. By way of comparison with existing multiple family zoning districts in Novi, in the RM-1 and RM-2 Districts, the minimum side and rear yard setbacks are 75 feet. As a comparison, the existing Central Park Estates buildings are setback about 70 feet from the property line. The City West district also requires a 50-foot setback for any parking areas adjacent to single family zoning districts, as well as the installation of a wall or landscaped berm to provide screening. The landscape ordinance requirement for a 6 to 8 foot screening wall or berm would also apply where adjacent to single family districts.

The creation of the new district also requires some amendments to other parts of the Zoning Ordinance, especially for various Use Standards in Chapter 4, and for the sections related to the EXO Exposition Overlay District. As we are proposing to change the underlying zoning to City West, that requires changes also be made to the description and permitted uses of the EXO, and the required conditions, while still allowing the exposition facility to remain and expand, as needed.

Staff have engaged with property owners and relevant stakeholders through mail notifications, in-person meetings with developers, tenants, and landowners of all 54 parcels subject to the rezoning, and by providing a feedback form on the City website. All the responses from landowners within the district have showed positive support for the amendment to the Ordinance. Some property owners were concerned over how the change would affect a current use that would become nonconforming, but that concern was eased after explaining how nonconforming uses or structures would be permitted to continue, and even expand in a limited capacity. Some current nonconforming uses would actually become more conforming under the proposed standards, such as restaurant uses in the I-1 district.

Staff also met with representatives from the Asbury Park Homeowners Association, who shared their concerns about noise, visibility, drainage, and property values. Issues of traffic and school impacts were also raised. Staff discussed the existing City regulations related to stormwater management, wetlands and woodland protection ordinance, which all projects would be subject to, and how the new ordinance was designed to minimize impacts to the existing neighborhoods through use and height restrictions, setbacks, and buffer requirements.

Although some adjustments were made to the draft text amendment based on the feedback received, other items were left as standards that could be determined on a case-by-case basis in the MDO process -- this is where some conditions or deviations can be up to Planning Commission and City Council's discretion to allow some flexibility to accommodate site-specific circumstances if it makes sense within the context of the development, neighboring uses, and the overall intent of the district.

Since the introduction to the proposed text amendment on April 5<sup>th</sup>, staff have continued to work on the draft ordinance to make improvements. We included new landscaping standards within the Mixed-Use Development option to recognize that the more compact development style would need more urban-style landscaping. The height limits have been clarified throughout, and buildings within 200 feet of single-family residential districts are now proposed to be limited to 40 feet and will not be eligible for bonus height increases. Staff has added a requirement that applicants include a contextual plan sheet with general layout and uses within 300 feet of their property lines to illustrate a proposed project in context with its surroundings. Planning Commission will need to consider Special Land Use standards, along with other items, in making its recommendation to City Council when MDO projects are considered.

Parking requirements for residential uses, based on number of bedrooms, have been included, which are consistent with the requirements in the Town Center district. Sidewalk requirements were also expanded on. An item was added to the approval standards to require applicants to demonstrate that the proposed layout of the site is designed to minimize the negative impact on existing natural features, including woodland and wetland areas.

Staff recommends approval of the proposed text amendment and Design Guide, with any necessary modifications as it continues to move through the process, as it is in compliance with the Master Plan for Land Use, which recommends the establishment of the City West district, as a vibrant, walkable, mixed-use district.

The Planning Commission is asked to hold the public hearing on the proposed text amendments, and consider making a recommendation to the City Council on adopting the text amendment. We are happy to answer any questions you may have.

Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium.

Pat Torossian, 26165 Mandalay Circle, relayed he is on the Board of Asbury Park Homeowner's Association, and has been a resident of Novi for 35 years. The northern and northeastern border of Asbury Park adjoin the City West zoning proposal. Mr. Torossian stated he understands the proposed zoning is unique to any zoning in the City and made specifically for City West multi-use with very little concern for the residential impact. Nowhere in the City is there a multi-use impact to a residential area like this. The zoning has been in progress since 2016, and only now are residents being made aware when letters were sent to those within 300 feet of the zone. We feel this type of zoning change should have been discussed with the residents impacted by this change for their input prior to the plan being developed. The proposal shows density that is unacceptable and no regard for the wetlands. There is a very large pond to the northeast of the subdivision where all the water drains into. As each developer comes forward with a proposal, it will be evaluated for wetland and woodland impact, but that is a major source of water retention for the subdivision. You've left the responsibility protecting the surrounding area in the hands of multiple developers to do the right thing and are not protecting the residential area with the proper zoning. Residents in Asbury Park are all for progress near Grand River, but not near residential homes. It seems it's been forgotten who pays taxes and votes in this City.

Ali Ozbeki, 26484 Mandalay Court, relayed he would like to ask the Planning Commission to reflect on the Novi Road, Main Street, Fountain Walk and the Walmart shopping center developments. Although he is not sure if the current Planning Commission members were those who approved these developments, Mr. Ozbeki has lived in Novi since 1986 and all the developments he mentioned have come since then. The City of Novi will never have a downtown like Northville, Rochester Hills, Birmingham, or Plymouth. You cannot manufacture a downtown area on Grand River. The marketing brochures are excellent, but what is the rate of occupancy of restaurants, residential areas, and office space on Main Street? Restaurants continue to turn around in Fountain Walk. A self-assessment needs to be done if we are doing a good job. If not, we walk away. Now another development is being proposed which could be a vacant lot.

Rob Massard, owner of Redford Lock Security Solutions, located on Grand River, relayed he is in favor of the proposed zoning change although he is not sure how it affects an existing industrial business and questions if there are plans for sewer along Grand River.

Lynne Paul, 45761 Willingham Drive, relayed she is a former Planning Commission member and City Council member. She is very happy to see so many familiar faces and recognizes the very hard job Commissioners and Council members have to do. A lot of the Master Plan was a big question when it was looked at in 2016 and Ms. Paul can understand why. The zoning being proposed is extremely dense, it doesn't fit our City, the building height and buffers are a problem, and ordinance to protect natural resources of wetlands and woodlands is not sufficient. Ms. Paul requests that the Planning Commission considers tabling or denying it the proposed City West ordinance. Blair Bowman is a wonderful businessman; he comes to the City and asks for so much. He's been buying the property, which is his right, but we have given him so much as residents. On record, total tax abatements since 2001 was \$4,092,163. If we increase the density and the height of the buildings all we are doing is giving more money to one single developer. Are we being fair to all our businesses? Some hotels and apartments in the area might like to have the height that will be allowed. Ms. Paul would like to propose we look at the development on the highway in Royal Oak. There are beautiful brick condos, and lots of people want to funnel into that area. Like Novi, they have good schools, but our density is more controlled. The landscaping and sidewalks are beautiful, and they have done a wonderful job with amenities. Mixed use is a good idea,



not more restaurants, not more commercial. As a City, Ms. Paul proposes we look at areas that are truly in need, such as Fountain Walk and Main Street. We can do a lot more for amenities and bring people in. Ms. Paul is not against development and changes in the proposed City West district but in keeping with our Master Plan and Ordinance, not in creating a district that would be so close to Asbury Park, which is not acceptable. These are beautiful homes that we need to respect. If it was your neighborhood, or mine, Ms. Paul would be livid. Ms. Paul is here as a citizen to state this is not the development for our City. Ms. Paul would like it to look like Royal Oak or another beautiful city, not like Southfield with high rises.

Rida Salim, Mandalay Circle, relayed she is a High School student who moved to Novi about three years ago from Texas. One thing she really appreciates in Novi that she did not have back in Texas is all the greenery and nature. Everyday Ms. Salim, her friends and siblings go for bike rides, and walks around in the safety of her neighborhood. A concern with the zoning proposal is that there will be additional traffic impacting the safety of the neighborhood and disruption of the greenery that is enjoyed every day. Ms. Salim is in support of and acknowledges the benefits of this proposal for the North side of Grand River but has deep concerns about the disruption of greenery that will occur with this change as well as the safety of residents in Asbury Park. Ms. Salim urges the Planning Commission to amend the proposal, so it does not affect the south side of Grand River.

Khurram Abbas, 26508 Mandalay Court, relayed he would like to echo the concerns his neighbors have expressed. Mr. Abbas has been a Novi resident for over a decade, previously he was on the southeast side of Novi where he was in close proximity to a busy mixed commercial and dense residential area. One of the reasons Mr. Abbas moved to Asbury Park was to be surrounded by trees and wetlands while still in the Novi school district. Mr. Abbas expressed concerns with adding more dense residential areas and overcrowding the school district. The north side of Asbury Park touches the proposed City West district and Mr. Abbas has concerns about that. He is concerned about the reduction of trees and wetlands, about unsightly buildings that will be in view from the neighborhood, about the lack of buffer and noise abatement between the neighborhood and the City West district, and the possible reduction in property values. Although the replacement trees go to the tree fund, those trees won't go into the Asbury Park neighborhood; they will go elsewhere in the City which is an injustice to the Asbury Park residents. The Expo event held last year, a Monster Truck rally, impacted residents as a huge nuisance but Mr. Abbas appreciated that the owner of Suburban Showplace reached out and indicated he is willing to work with the residents in the future. Civil Engineers Mr. Abbas has spoken with have expressed concerns with water runoff from the wetlands that may become an issue for Asbury Park homes. Mr. Abbas also expressed concern with the rezoning from Light Industrial to City West as he does not think the City has the infrastructure to support it. He urges the Planning Commission to take a second look at the proposed zoning district and address some of the residents' concerns.

Swanand Dhayagude, 26348 Mandalay Circle, relayed due to the location of his home he will be most directly impacted by this zoning change and construction. He has a young family and is concerned about the noise, pollution, and any people from the multi-family that would be trespassing through the backyard, which is not appreciated. This will lead to more of that. Also, losing trees and some of the wetlands is a big concern. Mr. Dhayagude asks that the City reconsider this zoning change.

Kai Yuan, 26362 Mandalay Circle, relayed his backyard directly faces the new development. Along with all the other concerns brought forward, a major concern is all the kids in the neighborhood that bike and play together, wandering around in a very safe environment. If we cut down the trees and have a direct access to the new City center, that will really create a lot of attraction for the kids. Often time they wander off, but right now because of all the trees and wetlands, it actually protects them in a safe way, but now they can easily have access to a new world so a lot of concerns for the kids that go wander and play near there. This will also potentially bring a lot of unwanted people to the neighborhood, so there are a lot of safety concerns. Looking at the northwest side of the subdivision, there is multi-family rental property that a lot of parents chose to live in to have their children attend Novi schools. Even though they don't own their property, Mr. Yuan wants to have a voice for them because a lot of the kids there are facing the same concern with access to big parking lots and a lot of restaurants. Also, even though now there is a building beyond the backyard, there are a lot of trees screening it, with future taller buildings they will be seen from the bedroom windows. Mr. Yuan kindly suggests adjusting the zoning to make sure there are adequate trees, protective fencing or other safety measures to protect the kids from potential

dangers. Again, looking at the south side of the subdivision, there are a lot of families there that will be directly impacted. Mr. Yuan's preference is to have the City plan for adequate preparation and reduction of noise from any construction rather than hearing a lot of complaints as that would be a smoother process for everyone.

Kara Murtha, 26223 Mandalay Circle, relayed she moved here in 2012 from Florida where she lived very close to her neighbors. The reason she chose the Asbury Park neighborhood was the tall trees. Ms. Murtha grew up in New Jersey in the pine barren, so she was used to having really tall trees. Sitting in her backyard, she can hear birds, which is beautiful. Ms. Murtha implores the Planning Commissioners to come and walk the neighborhood rather than look at a piece of paper. Looking great on paper is not reality. If a five-story building is built near the back of the neighborhood, it will be hideous, and everyone will want to move out of the neighborhood. The property values will plummet. Ms. Murtha implores the Planning Commissioners to think of the impact on the community and the reason why people are attracted to Novi and its nature. Ms. Murtha had to replace 44 tree credits on her lot which was fully wooded, they were all planted back on her lot with no money donated to the tree fund. Ms. Murtha loves Novi due to its nature. She has children and does not want them to be able to walk to something that is dangerous and would never allow her children to ride their bikes to Beck Road or Grand River as it's too dangerous. Ms. Murtha asks that the security aspects of people coming in and out of her neighborhood, the views, the impact to nature, and the impact to the schools all be considered.

Surabhi Sardesai, Mandalay Circle, relayed her concerns that 75-100 feet is too close. Right now, looking out to her backyard, it is beautiful with the tall trees. Seventy-five feet is unacceptable. She pleads that this zoning change does not happen. She has two little kids who play in the backyard, it's not going to be safe. From her second floor she can basically only see trees right now and that privacy will be gone. Ms. Sardesai asks the Planning Commission to please consider cancelling the zoning change.

Haramesh, Mandalay Circle, relayed as her fellow residents have said, she would implore the City Council and Planning Commission to walk through the Asbury Park neighborhood. The reason she was convinced to move from Texas to Michigan was not the Michigan roads, it was Michigan's natural beauty. She enjoys walking in the evenings and biking with her children due to the tall trees, the wetlands, the sounds of the birds. Unfortunately, if we go through with the City West zoning, we won't see that, we will hear noise pollution and smell smoke, which will be a health risk.

A resident, no name given, relayed he has some questions about the presentation tonight. There were comparisons to other communities, and he would like to know which communities that were referenced. These are holes in the analysis because it wasn't indicated that this matches the general idea that you can pick and choose, which isn't right. That includes examples of buildings that were compared to. As far as the survey of residents that was referenced, was the target of the survey adjacent residents or the community as a whole, as he is just newly aware of this. Grand River is a unique road from beginning to end, from one side of Novi to the other, trying to develop it as a marketplace to stop doesn't make sense as it's a road frequently used to commute and avoid the freeway. As a 40-year resident of Novi, he was involved with City Council and the Planning board back in the 1980's, and was associated with an organization called PLAN - People Looking After Novi. The organization tried to make sure residents were represented. At that time, Novi was looked at as a community of residents, and didn't look to become a community like Southfield with high rise buildings. That was the intent of City Council and the Planning board at the time so it's not clear why we are trying to deviate from that, as that has been the intent of Novi all along. Notable City Council members at that time were Hugh Crawford and Nancy Cassis. What is the status of the restaurant atmosphere of Main Street, as it seems everything goes in there and dies. Why are we trying to move it somewhere else along Grand River, which is a busy road, that seems to make absolutely no sense. We keep allowing things to be built, they don't work, so we move on to another area and allow it to go there.

Beth Hinman, lives on Christina Lane, relayed she has a lot of questions about this proposal. Who is behind it, who is sponsoring it, who is pushing it, what is the benefit or reward that the Planning Commission is getting, who is the Staff we keep hearing about that is pursuing this proposal. How will additional development of a highest intensity district, with the destruction of more woodlands and wetlands and five to eight story buildings along Grand River, bring any value to the existing residents of Novi. Why is the

Planning Commission's goal to make Novi as congested and unpleasant to reside in as West Bloomfield or Southfield. Grand River doesn't need to turn into another Orchard Lake Road. She objects to this proposal - the density, congestion, the destruction of woodlands and wetlands, without any recourse. The idea of high-rise buildings will significantly degrade the overall quality of Novi. There is absolutely no added value to the existing residents of Novi. She is asking the Planning Commission to listen to the protests and concerns and for once put the needs of the residents above the developers. That hasn't happened for a long time in Novi; do the right thing for a change.

Megan Sedghi, 26529 Mandalay Circle, relayed her property is close to Eleven Mile, but she will be impacted like all the other properties in her subdivision by this development. She already can hear the highway even though she is far away from it. Reducing the green zone is not going to benefit anyone. While the presentation showed something really grand, it doesn't seem to fit with what Novi is. Novi has a small city feel, which we love. We are surrounded by trees and are family-oriented. She is hoping we are not losing sight of that when we are trying to put something out of another city into a place that may be underdeveloped. She knows we can do better than what the presentation showed. Ms. Sedghi is an architect by education and does not see how we can construct something like this on these parcels. As previously stated, there are other parcels in Novi that we started developing and somehow abandoned. Now there is someone who is trying to purchase these parcels and develop them; Ms. Sedghi thinks we should focus on the developments we started already, reduce what the presentation showed, to consider existing homeowners who will be impacted by this rezoning.

**Humza Salim**, 26433 Mandalay Circle, moved to Novi on January 1<sup>st</sup>, 2020, in the middle of Junior year of High School. Two months later COVID struck, and he was left alone at home. He had no friends as he had just moved. To spend time, he walked the green streets of Mandalay Circle, which was very nice. He found a lot of peace there. He and his brother played basketball every day for a few hours a day as it is a very safe neighborhood. With the introduction of this plan that won't be possible; the safety net will be gone. Now he is a Sophomore at the University of Michigan and every weekend he comes back just to have the solace again. Mr. Salim strongly recommends that this proposal not move forward.

Aaron Martinez, a 30-year resident of Novi, relayed a lot of his comments have already been stated, but he thinks we can do better than the proposal that is before the Planning Commission at this point. There are a lot of concerns in the community that still need to be addressed. A lot has been heard tonight; people are worried about what this zoning change could mean for them, and Mr. Martinez asks that the Planning Commission take this seriously. As this is considered tonight, Mr. Martinez thinks the proper step would be to table this. It could be sent back to the drawing board, we could collaborate a lot more with the residents, hear their concerns and allow those concerns to be reflected in the plans before a vote is taken.

Mark Weinbaum, is an owner of the Novi Mile, LLC parcel, which is at the northeast corner of Beck and Grand River, behind the Chase Bank, USA to Go and Starbucks. Mr. Weinbaum purchased the property over 15 years ago. He can't speak to the other parcels, or their owners, but he has always found this community to be very mindful and thoughtful about the type, nature and character of development and zoning, such that he has not developed the site in the time he has owned it. The right ideas have not come along. Mr. Weinbaum develops in Milford, Brighton, and Fenton. With all due respect to the homeowners, he hears and appreciates their comments; however, in every development he has done, he has heard the same refrain. The day after a project is completed, people are out riding their bikes and walking. The greatest pleasures of a good developer are that they develop something that is economically viable, serves the community, and is something that they can be proud of as in his particular case, this is not something they will build and leave and go off and do another thing. He is part of the southeast Michigan development community, and their reputation is very important to him. Mr. Weinbaum believes Staff has come up with a very proactive approach. He had no role in developing this, he watched from the sidelines as the Master Plan was developed in 2016-2017. He was approached recently and gave input. There are parts that could be refined further, but the idea that this is going to remain a park or forest is not realistic. There is a significant industrial area to the north of a subdivision. Mr. Weinbaum has developed a lot of industrial properties and the last thing he would want is to live south of an industrial building. There are trucks coming in and out, there is noise all hours of the day. There is a need for good quality, affordable, attainable housing in this community. He would encourage residents

to think through this. He appreciates Staff's thoughtfulness and thinks this is a good foundation for prospectively and holistically activating this whole section in a way that is going to protect the environment, retain quality woodlands and wetlands, and give an opportunity for everyone to be involved in a larger, grander plan.

Ali Ozbeki, who spoke previously, wished to add a comment. Chair Pehrson noted only one comment is permitted per resident during the public hearing. Mr. Ozbeki stated that he has a house that he would be happy to sell at a 20 percent discount of market value to Mr. Weinbaum.

Mike relayed he moved to Mandalay Circle in Novi a year ago. What drew him to Novi, as his neighbors have said, is the greenery, it's a special place. However, the writing is in front of us. What he does not like is driving down Grand River, seeing "Now Hiring" signs at places like Suburban Showplace and Kroger. There are a lot of developments that don't have staff. Day one, everything will be beautiful, there will be TV cameras and ribbon cuttings. What will happen a year down the road when the employees are not there anymore? There will be more help wanted signs, it's a vicious cycle.

David Landry, 45471 Kimberly Court, relayed he is representing members of the Joanne M. Ward trust who own the ten-acre parcel on the southeast corner of Grand River and Beck Road. The northern three acres are zoned B-3, the southern acres are zoned RA. Mr. Landry relayed the family has owned the parcel since the 1940's. Looking at a 1990 aerial, the houses and buildings shown were their family business. In fact, looking back at a 1949 aerial, the buildings shown were their family business, so they are very much invested in this property. Mr. Landry asks that the ordinance treat the southeast corner the same as the it treats the northeast corner; carve out the B-3. He has no objection to the RA piece being included in City West. This particular corner is unique in the sense there is a hospital right across the street, which is a very intense regional use. There are intense business uses to the northwest with a Home Depot along with the other businesses there. The northeast corner is carved out, with the bank and a Starbucks, a fancy gas station. This whole corner is a classic B-3 use, so he asks to be treated equally. Secondly, with respect to drive-thru uses, Mr. Landry previously drafted a letter to the Planning department and asked for it to be forwarded to the Planning Commission. He was concerned that the version of the ordinance he saw did not allow drive-thru for businesses. However, since the April 5<sup>th</sup> Planning Commission meeting, Mr. Landry is aware that the administration has amended a few things and recommended as a Special Land Use that drive-thru is included for retail, restaurant and pharmacy businesses. Mr. Landry is in support of how the Ordinance is currently worded that a drive-thru is a Special Land Use. Like all drive-thru's, there is a concern for adjacency, sound, traffic stacking, things of that nature and Special Land Use takes care of that. Mr. Landry concluded he is in support of the drive-thru aspect in the Ordinance and asks that recommendation be passed on to City Council and asks to be treated like the northeast corner with B-3 zoning.

Jeff Wainwright, 45799 Grand River, relayed that this address is his business, Paradise Park. It is a very family-based business, and he likes the idea of a lot of families and a lot of kids in the area. He wants to see the area of Grand River developed well that is west of his business. This ordinance has gone through an unbelievable amount of work to get to the point it is, and the Staff have tried to craft something that answers everybody's needs. It's never going to be perfect, but Mr. Wainwright, as an engineer, has a few suggestions that could answer some of the concerns brought up tonight. The setbacks are set in general against the residential area at 100 feet. In thinking about a setback in principle, a parking lot will not be any less attractive whether it is 25, 50 or 100 feet back. The issue can be resolved with proper berming, proper landscaping that can be added to the Ordinance. It does not need to be a 100-foot setback which is punishing to developers, who won't be able to develop at that setback distance. There are only 33 parcels in that sector, which is 133 acres, that averages 3 acres per parcel. A 100-foot setback on a 3-acre parcel makes it unbuildable. We need to give pause to that and come up with a solution for the residents when they look out their window see good landscape like what was done at Paradise Park. Mr. Wainwright compels the Planning Commission to give thought to this and send the Ordinance back for one more revision.

Megan Zatkoff, 50735 Chesapeake Drive, relayed she lives in Island Lake and wanted to bring up the issue of traffic and congestion in the area as it has not been mentioned enough. While she empathizes with the residents on Mandalay Circle and other nearby areas, traffic increasing to this area would be

detrimental to all nearby neighborhoods, down Beck Road, Wixom Road and Napier Road. They are already feeling the effects from nearby construction. That gives an idea of what would happen if this area becomes overly congested without a plan for the vehicles which typically now use Grand River as a thoroughfare. Are those vehicles going to start spilling over to Ten Mile? Where will they go when I-96 is backed up? Offer that as something else to consider, not only what do we do with the land, but what is the impact of traffic nearby.

Blair Bowman, owner of the Suburban Collection Showplace, relayed he is very proud of what he has been able to accomplish. After some assistance with tax abatements, they are one of the largest taxpayers in Novi. One thing that must be understood is this is not something that they have pushed in any way. They are certainly interested in seeing what is going to develop from this Ordinance process. If it's any consternation at all, removing the Showplace and the surrounding properties used to support it is fine, and concentrating more towards the west where the intersection and interchange is. Mr. Bowman does also represent some of the properties on the south side of Grand River and has met with the Asbury Park Homeowners' Association. He cannot commit to anything that is going to develop out of this Ordinance, he can only speak to what he would develop, and how he would develop the parcels immediately north of Asbury Park. Mr. Bowman referred to a plan that would preserve 98 percent of the wetlands, and most of the woodlands. The structures he would propose are a single-family residential townhouse style apartment community, immediately 100 feet north, but over 400 feet away would be the first three story style building. Mr. Bowman welcomes the opportunity to work with the residents only if and when we get to that point.

Andrew Mutch, 24740 Taft Road, relayed there were a few things that he recognized in going through the Ordinance that raised concerns for him. One of the things that stood out, while there have been changes since the initial draft, there are still areas where this Ordinance is deficient in comparison to comparable ordinances particularly in the area of adjacency to residential areas in terms of setbacks and buffering. For example, the building setback requirements, while they have been increased, are still less than what is required for I-1, RM-1 or RM-2 which would be a minimum of what we would want. Those building setbacks are absolute, so it's not a matter of how tall the building in RM-1 is, it's setback 75 feet. In the case of this Ordinance, if you have a building that is not as tall, you can move it closer to the property line potentially increasing the impact on adjacent residential properties. We need some clarity on what constitutes residential, as there are other uses permitted in this that are traditionally listed in residential land use category such as live-work, daycare centers, and private schools. If these are considered residential uses, then the non-residential setback does not come into play. Those uses could be a lot closer to residential property lines than otherwise might be allowed. Another area lacking compared to other zoning districts is the open space requirement. This Ordinance requires 150 square feet per unit, every other district, such as RM-1, RM-2, TC, TC-1 where we have these kinds of more urban residential areas, require 200 square feet per unit of open space. Why are we cutting back here compared to other areas in the City? Another thing that has been reflected in many of the comments tonight is the impact on natural features and resources. The Ordinance and all the material that has gone out with that talks about the importance of conservating natural resources, yet we get these concept plans that show the areas being blown away. Reading through the City West Ordinance language, there is nothing in there that protects woodlands and wetlands beyond what our Woodlands and Wetlands Ordinance does today. Mr. Mutch does not have confidence that those Ordinances would be enforced in a way that would protect those areas in a meaningful way. Mr. Mutch believes that there needs to be substantial language in the City West district if adopted, that protects those areas because that is what is being counted on to help buffer those adjoining residential areas. While berming helps, it does not replace mature trees. There is a lot more work to do with this if it goes forward, and Mr. Mutch hopes the deficient areas get addressed.

Matt Heinz, 24551 Kingspointe, relayed many of the residents have done a phenomenal job sharing their concerns, and the Staff has done a lot of work putting this plan together. One thing that has not been discussed is there is a big difference between the woodland permit that was heard prior to this which was a very specific plan, with the outcome being option A or option B to have trees replanted or not. One of the largest deficiencies of this proposal being discussed at length, is there is not much defined. There are suggestions of initiatives related to sustainability or other mentions to be environmentally friendly and energy efficient, but much of the language in the proposal is "might", "should", "mostly". If you were to

ask anyone here what this is going to look like, there would not be a clear projection. To vote on something that is not clear on what it will be could lead to a terrible mistake. This needs to be much more fleshed out and developed into a concrete plan.

Natalie Jocz, 45144 Nine Mile Road, relayed even though she lives far from the proposed City West district she has concerns as a Novi resident. The first concern being the height of the buildings, which would be taller than the local hospital or mall. It is concerning that the residents who are living nearby are not being listened to. If this were to be approved, Ms. Jocz would hate to live near a ten-story building. Another concern is talk of lowering the speed of Grand River as that is a four-lane road, in some parts five-lane. How can the speed be lowered when there is so much traffic that goes through there? As has been mentioned, we need to look at the traffic and where that flow would go. Before we do that, we really need to look in more detail at this project.

Seeing no other participants, Chair Pehrson closed the public comment. Member Lynch read the written correspondence:

- Support from Thomas Meyer
- Objection from Paulette and Louis Alioa
- Letter from David Landry representing the trust of Joanne B. Ward
- Objection from Rafael Barkas and Kasia Barkas
- Objection from Khurram Abbas
- Objection from Giles McGill
- Objection from Alex and Lisa Ljucdjonaj
- Support from Novi Mile, LLC/Mark Weinbaum
- Support from WixMix LLC, Jeffrey Heyn
- Support from Central Park, LLC/South Grand Equities, LLC/Nobe Property Group, LLC/Nobe II Property Group/Peter Scodeller
- Support from Grand Beck Venture Group, LLC/Servman, LLC/Blair Bowman
- Support from Blair Bowman
- Objection from Bijan Sedghi
- Objection from Jason Wright
- Objection from Kelly Kasper
- Objection from Annett Hoermann
- Objection from Joe and Jennifer Patton
- Objection from Michael McDougal
- Objection from Swanand Dhayagude
- Support from Mary N. Frankfurt and James M. Frankfurt
- Objection from Claire Smith
- Objection from Charles Smith
- Objection from Surabhi Sardesai
- Objection from Lauren Santeiu

Chair Pehrson closed the audience participation and turned the matter over to the Planning Commission for consideration.

Member Lynch relayed it is his understanding that Staff got the assignment four years ago to do something with the mishmash of parcels on Grand River. First, when Member Lynch first looked at this project...

Member Avdoulos offered a clarification that this is not a project or proposal, it is a rezoning of a large piece of property. We are looking at a district, and at a text amendment for the whole area. To clarify, we are not approving a specific project, as that seems to be where there is a lot of confusion.

Member Lynch relayed in terms of the rezoning, as he brought up in the past, Grand River Avenue right now is four and five lanes. His advice to City Council would be they might want to take a look at a traffic calming proposal that came up a few years ago where boulevards were put in. Similar to Van Dyke, it calmed the traffic to a point where it would be appropriate in this district. Member Lynch also relayed he had initial concerns with the proposed height. His understanding is in the Ordinance the height will be a maximum of eight stories on the north side. City Planner McBeth confirmed that a maximum of eight stories

will be allowed on the north side, only if they apply for and receive the additional bonus stories.

Member Lynch inquired as to his understanding that we are allowing vertical development to preserve more of the wetlands and woodlands. City Planner McBeth confirmed that is one of the purposes.

Member Lynch referred to the references made to Southfield, and stated we need to be careful about that, but he can only advise City Council. Novi has its own character. Something needs to be done to put uniformity there – looking at the various zones south of Grand River there are quite a few parcels that are currently zoned industrial, so if someone wanted to come in and put in, for example an extrusion business, they could.

City Planner McBeth stated that is correct, everything that is permitted in the Light Industrial district, which is the majority of the parcels on the south side, except for the residential and office to the west, could be built there under the current zoning.

Member Lynch inquired if there were industrial uses in the proposed zoning change. City Planner McBeth confirmed there are no light industrial uses included in the new Ordinance. The existing light industrial uses that are there would be grandfathered in, until they decide to move. When someone else comes to develop the property, it will be under the new Ordinance.

Member Lynch inquired as to what the current setback is on the south side of Grand River adjacent to the residential area. Senior Planner Bell relayed that in the current I-1 district nonresidential uses must be set back 100 feet. In the proposed City West district, nonresidential uses would maintain the 100-foot setback. Residential uses, like a townhouse, would be limited to 35 feet in height and for every foot of building height, the building would have to be set back two feet from the property line. Member Lynch confirmed his understanding that the new district doesn't change the current setbacks and berming, but improves it in some areas. Senior Planner Bell confirmed this what we've attempted to do.

Member Lynch inquired how many different property owners there are in the proposed district. Senior Planner Bell stated that there are 54 properties, some owners own multiple properties.

Member Lynch relayed he appreciates the work that has been done and he thinks it best overall to have an overriding zoning district although a concern was the permitted building heights. This would be a perfect opportunity to implement a traffic calming plan on Grand River, and make it more attractive, very similar to what was done on Beck Road between Five and Six Mile Roads.

Chair Pehrson added we are not suggesting any design standards other than what is in the manual. There is a hope that all the parcels will become uniform, and at some point, we address the traffic.

Member Becker relayed that our job is to listen to everyone in the City. Whenever an opinion is expressed to the Planning Commission and they do something contrary to the opinions expressed, it does not mean that they didn't listen and consider the opinions.

Member Becker referred to comments made regarding why the City does not go back and try to redevelop West Oaks or Main Street. The City doesn't develop property, and the City does not go in and help a business succeed or fail or replace a business. The City decides what business fits the zoning.

Member Becker relayed it is often remarked that one way to preserve green space and open land is to build up and not out and some of the suggestions in the proposed Ordinance would allow for that. As was pointed out, all the industrial zoned properties could take away all the trees with a parking lot and industrial building that will never look as nice as a well-done residential building. There are setbacks which allow for trees to be maintained, and probably a lot less lighting than there might be in some industrial settings. What this proposed zoning district is actually doing is trying to protect some of the features that the residents have mentioned. As Member Becker is frequently bent on asking, would the Asbury Park residents consider how many trees and wetlands were taken away to build their homes?

Member Dismondy relayed that his understanding is that the City's mission here is to activate a part of

the City that is aging. The average life of the properties along that stretch is 43 years. Industrial hasn't taken root in that corridor to date. As City employees, the staff are looking to make the City a better place and come up with progressive ideas with best practices from around the country. That's what we saw today, which was years of work to come together. Inevitably, we feel like we see it too late to have an opinion, which is what we are experiencing tonight. This wasn't done hastily by any means. There are things to it that Member Dismondy likes very much and some things that he does not think will work without further revision, namely the speed of traffic. Member Dismondy does not think he is ready to make a decision on the outcome but will wait to hear from his colleagues on the Commission.

Member Verma relayed listening to the public and in the written correspondence there are so many positives and negatives brought forth as well as ideas that have come. Member Verma would like to wait for another ten to fifteen days to combine those thoughts with what our Staff has already presented.

Member Roney relayed he has been on the Implementation Committee and has seen this for the last couple of years, and thinks it has exciting potential. It's not a proposal, we need to yet see the proposals. This is opening the possibility for developers to start talking about what they can do in that area. Member Roney likes the proposal and supports it. He appreciates Member Lynch addressing the setback concerns and is glad to hear they are not different than what they are today. He would rather have something like what this vision is than have a manufacturing plant in his backyard.

Member Avdoulos relayed this is not a project nor a proposal. It is taking an area, looking at how it is currently zoned, then thinking about what potential projects can go there and rezoning it to allow some flexibility and allow interesting projects to come in. It is up to the developers to come in and show us what they are thinking. Just like the gentleman said earlier, the woodland permit was one project that came forward on one site and asked for the removal of eleven trees. In the same way with this area, any project that comes in has to go through the planning process, has to go through site plan approval, has to follow all the ordinances, and has to maintain wetlands and woodlands. Right now, the majority of the properties are zoned residential, which means someone could put up a light industrial building that is 100 feet abutting residential.

Any project still must follow all the other requirements we have for all other projects. The concern with the height, as City Planner McBeth indicated there are requirements for that. The tallest buildings will be on the north side of Grand River. The heights on the south side of Grand River for residential are a minimum of two stories and a maximum of three stories. If there are mixed use, then four stories are permitted on the south side and five stories are permitted on the north side. These are just ideas, there are no planned projects yet.

For a frame of reference, the nearby hospital is seven stories to the top of the penthouse. It is actually closer to eight stories because hospitals are allowed a higher floor to floor height on the first couple of floors. There wouldn't be anything taller than the hospital in the City West district.

What this whole process is looking at doing is not dictating what should be built here, but allowing some flexibility for developers. At some point, these properties are going to be developed. The City wanted to put something together to help guide that so it does protect the residents who are close to Grand River. The document was driven by maintaining the wetlands and woodlands. Member Avdoulos has been on the Planning Commission long enough to see how diligent the City is to help maintain that. That is why a lot of people move to the City as has been indicated. As a resident of Novi for 30 years, Member Avdoulos has seen it develop much better than a lot of cities. This document has a lot of work put into it and is improving what we currently have on the boards. We are not saying what goes in there, we are just zoning it to give flexibility to developers who want to build there.

Chair Pehrson relayed he agrees with much of what's being said. This is to drive a conceptual idea that has to be brought forward by whomever the developers are. As mentioned, some of these properties have been sitting fallow for 43 years. This is not something that is going to happen between now and next month. There are properties that are going to have to be adjoined. All the plans brought before the Planning Commission need to go under the same scrutiny relative to all things such as setbacks and woodlands. What we are looking to do here is to create something as uniform as the Town Center when



that was developed. Most of the development will be abutting Grand River, not be sitting in the backyard of the residents. As individual projects come to the Planning Commission, they will make the hard decisions as to whether that particular application has the correct setback and intent for the given area. As has been stated, we are not building another Southfield. The max height on the north side will likely be five stories, and 35 feet on the south side. This is to create flexibility, so we can help developers come forward with their best ideas. What we are trying to do is give those who want to invest in the City of Novi the opportunity to do that within some guidelines to this specific design standard. We hear everything said about setbacks and the applicability of safety and what that means. There are certain things we have no control over, we can ask for with inside the plans certain lighting conditions, certain exit gates to prevent people from wandering into neighborhoods. Just because we vote a certain way, doesn't mean we are not listening. Chair Pehrson appreciates everyone's input and really appreciates the respect given the Planning Commission and hopes that we afforded the same to you.

Motion to recommend approval to City Council to adopt the City West district into the Zoning Ordinance made by Member Avdoulos and seconded by Member Lynch.

**In the matter of Text Amendment 18.296, motion to recommend approval to City Council to adopt the City West District into the Zoning Ordinance as shown in the draft amendment 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 in order to foster redevelopment of underutilized parcels, and to create a vibrant, walkable, mixed-use district,**
- 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 and attract new businesses is fulfilled by allowing existing businesses to expand and creating new development opportunities in a mixed-use environment,**
- 4. The Master Plan for Land Use objective to provide a wide range of housing options is supported as the new district allows residential use in a mixed-use setting,**
- 5. The Master Plan for Land Use objective to develop the City West/Grand River and Beck area in a manner that supports and complements neighboring areas through the use of setback and height restrictions to provide buffers to single family districts, and**
- 6. It provides an opportunity for long-standing businesses to remain at their current location.**

**ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO ADOPT THE CITY WEST DISTRICT INTO THE ZONING ORDINANCE AS SHOWN ON THE DRAFT AMENDMENT MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

*Motion carried 7-0.*

**3. CITY WEST ZONING MAP AMENDMENT 18.741**

Public hearing of the staff-initiated request for Planning Commission's recommendation to City Council regarding the rezoning of property in Section 16, located east of Beck Road, west of Taft Road along both sides of Grand River Avenue from OS-1 (Office Service), RA (Residential Acreage), I-1 (Light Industrial), B-3 (General Business), and OST (Office Service Technology) to CW (City West). The subject properties total approximately 250 acres.

Senior Planner Lindsay Bell relayed historical photos of the area show the land was largely agricultural fields and orchards in the 1940s. When I-96 was constructed in 1957 there was a highway rest stop until the Suburban Collection Showplace was constructed in 2005 in its location. The Fairlane Motel appears to have been developed on the north side of Grand River in the 1950s, and is still open today. By the 1970s there was greater industrial activity in the area, including the Wix-Mix concrete plant, trucking operations, outdoor storage yards, various industrial buildings, and a gas station near the intersection of Beck and Grand River. Over the last 20 years many of the remaining homes and vacant structures have been torn down after falling into disrepair, and the properties have not yet redeveloped. As stated in the 2016 Master Plan, "Many sites are underutilized, disused or vacant."

Approximately 144 acres are north of Grand River Avenue with 21 parcels included. The majority of the area, 128.13 acres, is currently zoned OST Office Service Technology. There is an EXO Exposition Overlay District over a 55-acre portion of the Suburban Collection Showplace property. Approximately 14.06 acres are zoned I-1 Light Industrial. A mix of offices, industrial and manufacturing businesses, and vacant properties are present on either side.

To the south of Grand River Avenue, the City West area is recommended to include all of the parcels between Beck Road and Taft Road. These properties are currently zoned OS-1 Office Service, I-1 Light Industrial, B-3 General Business, and RA Residential Acreage.

There are some significant areas of wetland in the southern portion of the district. Preserving those wetlands would help to provide natural buffers between the City West developments and the residential districts to the south.

Of the existing structures in the area, the average age is 43 years, with many built between 1967 – 1978. Excluding a few building additions, only two new projects have been developed over the last 10 years: PetSuites (2020) and Beck Plaza, which contains the Starbucks (2016). During this same period development has not lagged in the rest of the City.

The number of permitted uses under I-1 zoning is limited when adjacent to single-family districts, which may have contributed to the lack of investment in this area. Restaurant uses in the I-1 district are only permitted in limited circumstances, so the existing restaurants south of Grand River have been non-conforming uses and have not been permitted to expand or make desired improvements such as adding covered outdoor patio areas. The expense of extending public utilities may have also discouraged new development.

Approximately 110 acres in the district are vacant or have a non-conforming residential use. Parcels developed with industrial uses that are not consistent with the desired future use for City West make up a total of about 32 acres. Development nearby in the corridor includes destinations such as Ascension Providence Hospital System and Suburban Collection Showplace, which are significant economic drivers in Novi, providing jobs and bringing in visitors. Commercial uses have developed by the I-96 interchange at Beck Road north of Grand River.

You may notice that the boundaries for City West have changed from what was recommended in the 2016 Master Plan. On the north side, the Implementation Committee agreed with staff that the small parcel east of Taft Road next to I-96 did not seem to be necessary to include, and the drive-through uses just east of Beck did not seem to fit with the vision for City West. On the south side of Grand River, leaving the eastern half toward Taft Road planned for Industrial did not seem to make sense given one of the main pedestrian crossings between north and south is at the main entrance to the Suburban Showplace. Many of the existing uses in that area also were not incompatible with the uses permitted in the proposed district. Meetings with some of the landowners in that area confirmed that they would like to be included in the district. The Implementation Committee agreed that the district should be extended all the way to Taft Road.

As mentioned previously, staff sent mail notifications to landowners of all 54 parcels subject to the rezoning, and by providing a feedback form on the City website. All the responses we received from landowners within the district have showed positive support for the rezoning.

Staff recommends approval of the proposed Zoning Map Amendment for the following reasons:

- ❑ The requested zoning is in generally in compliance with the Master Plan for Land Use, which recommends the establishment of the City West district, as a vibrant, walkable, mixed-use district.

- ❑ The requested rezoning would help further the objective of providing a wide range of housing options.
- ❑ The requested rezoning would help retain and support the growth of existing businesses and attract new businesses to the City of Novi.
- ❑ The requested rezoning would further the objective of developing the City West/Grand River Avenue and Beck Road area in a manner that supports and complements neighboring areas.

The Planning Commission is asked to hold the public hearing on the zoning map amendment and consider making a recommendation to the City Council regarding the rezoning. Staff is happy to answer any questions you may have.

Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium.

Mike Duchesneau, 1191 South Lake Drive, relayed he has attended many of the meetings that led to this proposal from the Master Plan update and would like to say that resident's concerns have been discussed in those meetings. The Staff has done a good job considering residents' input, concerns about traffic, and limiting curb cuts. The proposal tends to encourage larger parcels of property to be combined so there is not a hodge podge of one ups. The meetings are ongoing and are monthly. Residents should be voicing their concerns there where changes made as has happened in the meetings Mr. Duchesneau has attended. His reason for being involved in the first place is due to the 2016 Master Plan which adversely affected him in many of the same ways as was discussed and mentioned here today.

Resident (name not discernable), Asbury Park, relayed some of the things he is hearing from the Planning Commission is what they are offering is better, and maybe it is, however he would like to let everyone know that the Light Industrial zoning limits height to 25 feet, whereas the City West zoning allows multiple stories. The residents understand the setback is the same, but the height is a concern. There is an existing building, Screenworks, zoned in I-1, and there has never been a problem.

Blair Bowman, relayed he has a question regarding buffering. Along the common property line there is a 30-foot easement where the City installed a sewer line many years ago. If it is possible, that area might offer an opportunity for a developer to plant replacement trees along the easement. This would create a nice additional buffer, using the existing area there that is within the 100-foot setback and enhancing that by planting in the easement. The question is can you plant in an easement? Mr. Bowman pledges again as this rezoning progresses, and if this is something that does come to a reality, he is happy to meet with the homeowners association to go over plans and whatever they can do to enhance the screening and buffering.

Chair Pehrson closed the audience participation and turned the matter over to the Planning Commission.

Member Lynch relayed after getting the package on Friday, he drove through the surrounding neighborhoods. He gets the feeling most people are not aware how much industrial is currently there and is glad to hear we are not making it any worse than it currently is. In fact, Member Lynch would prefer to see a lot less noise and light intensity being put into the area over what it is currently zoned for. Member Lynch, putting himself in the resident's shoes who live nearby, would not want to see an extrusion plant in his backyard.

Member Roney referred to Mr. Bowman's question regarding planting in an easement. City Engineer Ben Croy relayed that in general it is not good practice to plant in an easement. There will be some opportunity to look for that. Generally, we try to keep trees off of the area directly over the main and in this particular area there is no road nearby so if we have to get equipment back there, we have to drive along the route of the sewer. As long as it is not restricting maintenance access, there may be an opportunity to plant some trees in the easement.

Member Roney remembers discussing during Implementation Committee meetings the northeast corner and why it was excluded, but the Committee did not discuss the southeast corner. If this is moved forward,

is there a way to suggest City Council consider whether that corner should have the same consideration as the northeast corner. City Planner McBeth relayed that it is a good idea to forward that recommendation to City Council and include that there are a couple of pieces we don't have a lot of information on, however Staff is happy to go back to the land owner for additional information.

Member Avdoulos relayed as Member Roney indicated, he is also on the Implementation Committee, and they have been looking at the City West rezoning for some time. All the meetings are open to the public. Our diligent citizens who attend the meetings look out for not only their area but also are good at making sure the Committee keeps residents' thoughts and concerns in mind. Member Avdoulos is a practicing architect by profession and works on a lot of urban projects. He would like to reiterate that the idea was not to create something that would be a hardship to the area but create something that would provide good opportunities and would help existing businesses.

Member Avdoulos relayed it was his understanding that this rezoning would allow Gatsby's to have outdoor seating, which is not currently allowed based on existing zoning. City Planner McBeth confirmed that Gatsby's would like to make some improvements that would expand beyond their existing seating and add a canopy and other improvements, so they are excited that this may be moving forward. Member Avdoulos said we want to create opportunities like this and help support our local businesses. There is an instance when we were working on the Adell Center, and anyone who has property can develop their property, there was a lot of back and forth, through the process we were able to have an open space provided. That is what we are looking for in this area.

Member Avdoulos wants to let the citizens know we are not looking at this cavalierly, but with a lot of information. The Staff has been doing a phenomenal job of putting this together, there were two site visits in Indiana to look at similar plans. We held two Open House meetings where we looked at the Master Plan and this is one of the areas we looked at.

Motion made by Member Avdoulos to recommend approval to City Council to rezone the subject property and seconded by Member Lynch.

**In the matter of Zoning Map Amendment 18.741, motion to recommend approval to City Council to rezone the subject property from OS-1 (Office Service), RA (Residential Acreage), I-1 (Light Industrial), B-3 (General Business), and OST (Office Service Technology) to CW (City West) 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 in order to foster redevelopment of underutilized parcels, and to create a vibrant, walkable, mixed-use district,**
- 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 and attract new businesses is fulfilled by allowing existing businesses to expand and creating new development opportunities in a mixed-use setting,**
- 4. The Master Plan for Land Use objective to provide a wide range of housing options is supported as the new district allows residential use in a mixed-use setting,**
- 5. The Master Plan for Land Use objective to develop the City West/Grand River and Beck area in a manner that supports and complements neighboring areas through the use of setback and height restrictions to provide buffers to single family districts, and**
- 6. It provides an opportunity for long-standing businesses to remain at their current location.**

**ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO REZONE THE SUBJECT PROPERTY FROM OS-1 (OFFICE SERVICE), RA (RESIDENTIAL ACREAGE), I-1 (LIGHT INDUSTRIAL), B-3 (GENERAL BUSINESS), and OST (OFFICE SERVICE TECHNOLOGY) to CW (CITY WEST) MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

*Motion carried 7-0.*

## **MATTERS FOR CONSIDERATION**

### **1. APPROVAL OF THE APRIL 19, 2023 PLANNING COMMISSION MINUTES**

Motion made by Member Lynch and seconded by Member Avdoulos to approve the April 19, 2023 Planning Commission Minutes.

**ROLL CALL VOTE ON MOTION TO APPROVE THE APRIL 19, 2023 PLANNING COMMISSION MINUTES WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

*Motion carried 7-0.*

### **CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no consent agenda items.

### **SUPPLEMENTAL ISSUES/TRAINING UPDATES**

There were no supplemental issues/training updates.

### **AUDIENCE PARTICIPATION**

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

### **ADJOURNMENT**

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

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

**Motion to adjourn the May 10, 2023 Planning Commission meeting. *Motion carried 7-0.***

Meeting adjourned at 9:24 PM.