



cityofnovi.org

GABRIEL REZONING JZ23-16 WITH ZONING MAP AMENDMENT 18.742

GABRIEL REZONING JZ23-16 WITH ZONING MAP AMENDMENT 18.742

Public hearing at the request of Paul Gabriel for Planning Commission's recommendation to City Council for a Zoning Map amendment from Light Industrial (I-1) to Residential Acreage (RA). The subject site is approximately 3.98 acres and is located at 41700 Eleven mile Road, which is on the north side of Eleven Mile Road and west of Meadowbrook Road (Section 14). The applicant has indicated that the proposed rezoning is being requested to allow for the existing home and pole barn onsite to be remodeled/expanded. The current residential use is nonconforming, and the expansion of nonconforming uses is prohibited by the Zoning Ordinance (Sec. 7.1).

REQUIRED ACTION

Recommendation to City Council for approval or denial of the rezoning request from Light Industrial (I-1) to Residential Acreage (RA).

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval not recommended	7-5-23	<ul style="list-style-type: none">• Inconsistent with surrounding zoning and the Master Plan for Land Use
Engineering		5-15-23	<ul style="list-style-type: none">• No concerns noted.
Traffic		5-16-23	<ul style="list-style-type: none">• No concerns noted

MOTION SHEET

Denial

In the matter of Gabriel Rezoning, JZ23-16, with Zoning Map Amendment 18.742, motion to **recommend denial** to City Council to rezone the subject property from Light Industrial (I-1) to Residential Acreage (RA) for the following reason(s):

1. *The proposed Residential Acreage (RA) Zoning District does not meet the intent of 2016 The Master Plan for Land Use for the Industrial Research Development Technology land use*
2. *The rezoning is inconsistent with the current surrounding zoning and uses consisting of Light Industrial (I-1) zoning and office uses*
3. *The intensity of uses in the I-1 Zoning District vastly differ from the uses in the RA Zoning District*
4. *The proposed rezoning would require adjacent property owners to abide by stricter development standards of the Zoning Ordinance due to adjacency to residential zoning*

Approval

In the matter of Gabriel Rezoning, JZ23-16, with Zoning Map Amendment 18.742 motion to **recommend approval** to City Council to rezone the subject property from Light Industrial (I-1) to Residential Acreage (RA) for the following reason(s)...

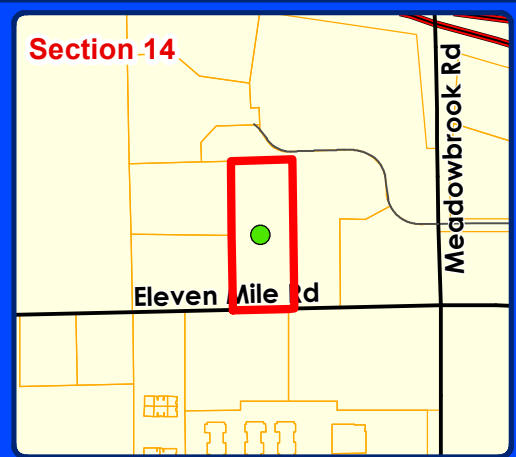
Postponement

In the matter of Gabriel Rezoning, JZ23-16, with Zoning Map Amendment 18.742 motion to **postpone the consideration to a later date** for the following reason(s)...


1. *The applicant would like more time to explore alternative options available to them*

MAPS
Location
Zoning
Future Land Use
Natural Features

41700 ELEVEN MILE ROAD REZONING LOCATION



LEGEND

 Subject Property



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Christian Carroll
Date: 5/3/23
Project: 41700 ELEVEN MILE ROAD REZONING
Version #: 1

0 25 50 100 150 Feet

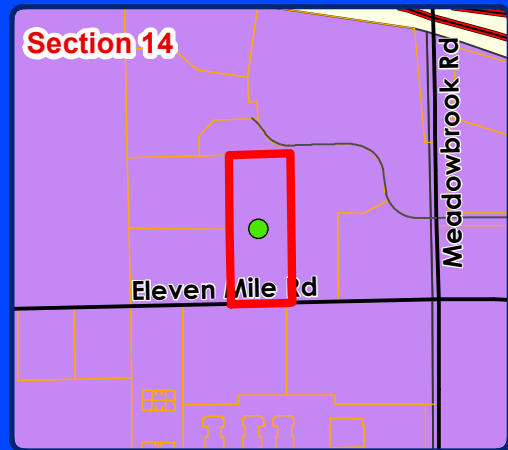
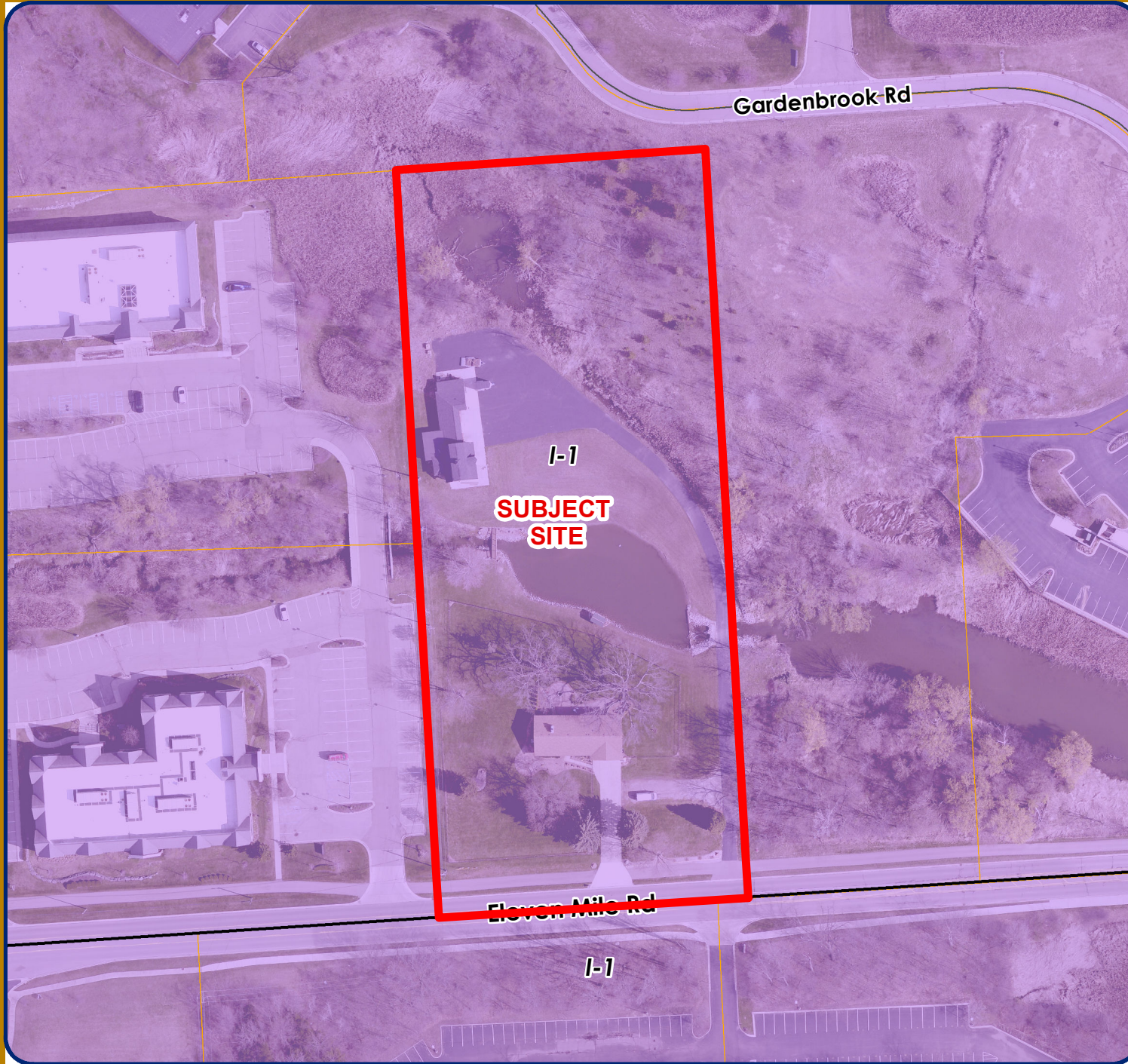
1 inch = 125 feet



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

41700 ELEVEN MILE ROAD REZONING ZONING



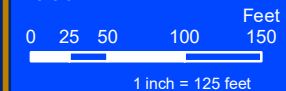
LEGEND

- I-1: Light Industrial District
- Subject Property



City of Novi
Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Christian Carroll
Date: 5/3/23
Project: 41700 ELEVEN MILE ROAD REZONING
Version #: 1

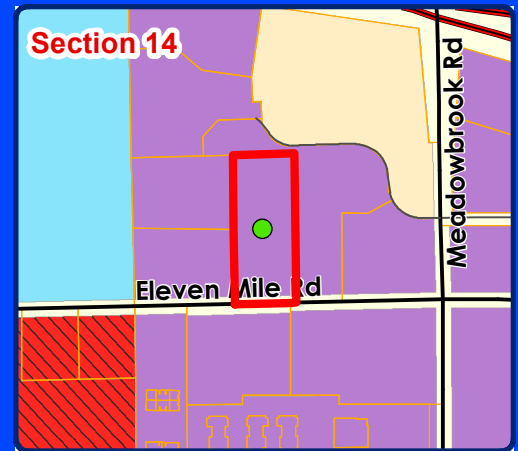
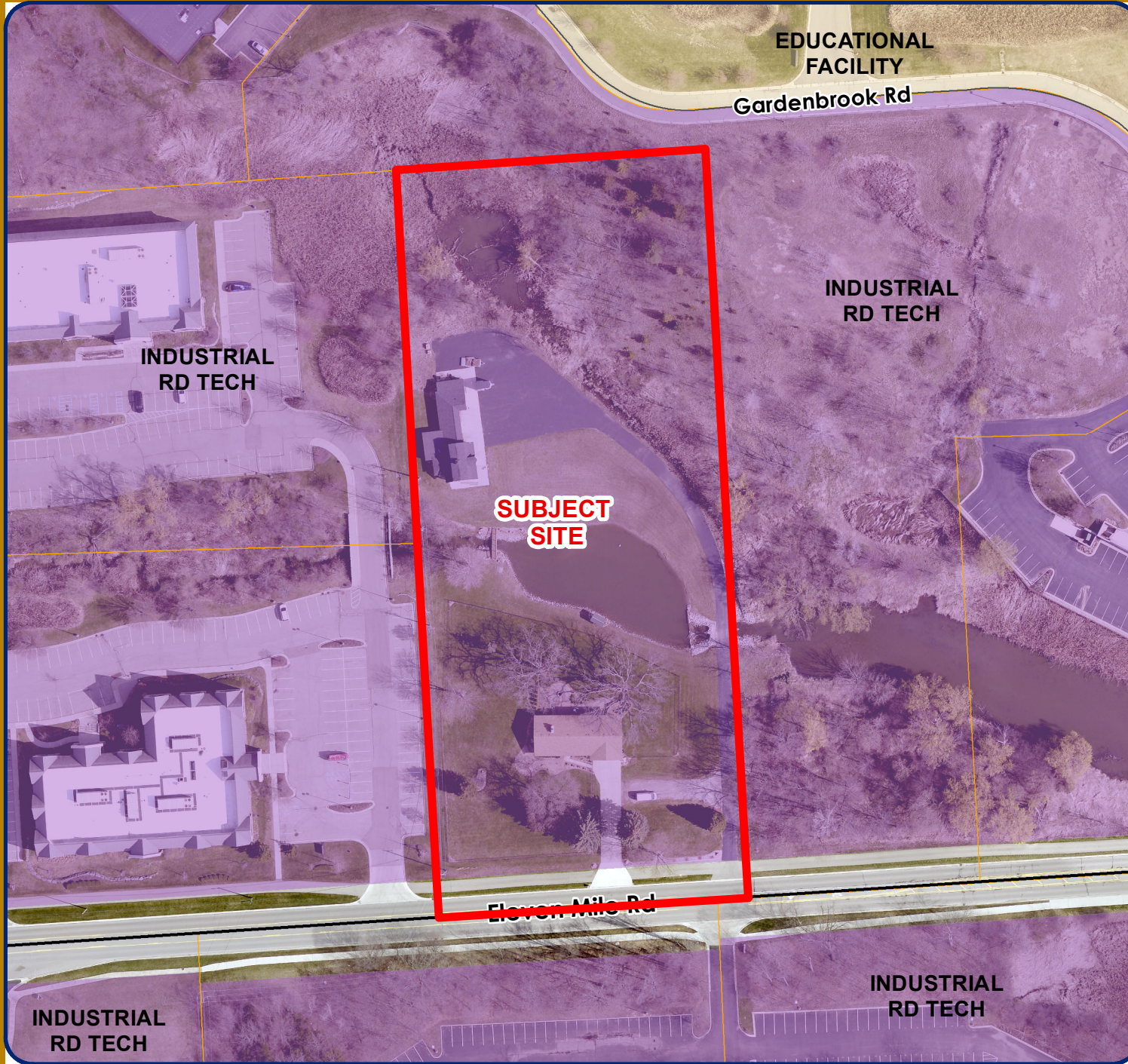


MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

41700 ELEVEN MILE ROAD REZONING

FUTURE LAND USE



LEGEND

- Industrial Research Development Technology
- TC Gateway
- Educational Facility
- Public
- Subject Property



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Christian Carroll
Date: 5/3/23
Project: 41700 ELEVEN MILE ROAD REZONING
Version #: 1



1 inch = 125 feet

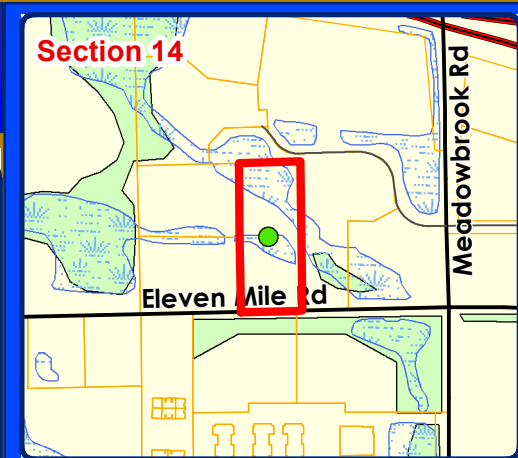


MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.


41700 ELEVEN MILE ROAD REZONING

NATURAL FEATURES



LEGEND

- WETLANDS
- WOODLANDS
- Subject Property



City of Novi
Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Christian Carroll
Date: 5/3/23
Project: 41700 ELEVEN MILE ROAD REZONING
Version #: 1

0 25 50 100 150 Feet
1 inch = 125 feet



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

PLOT PLAN

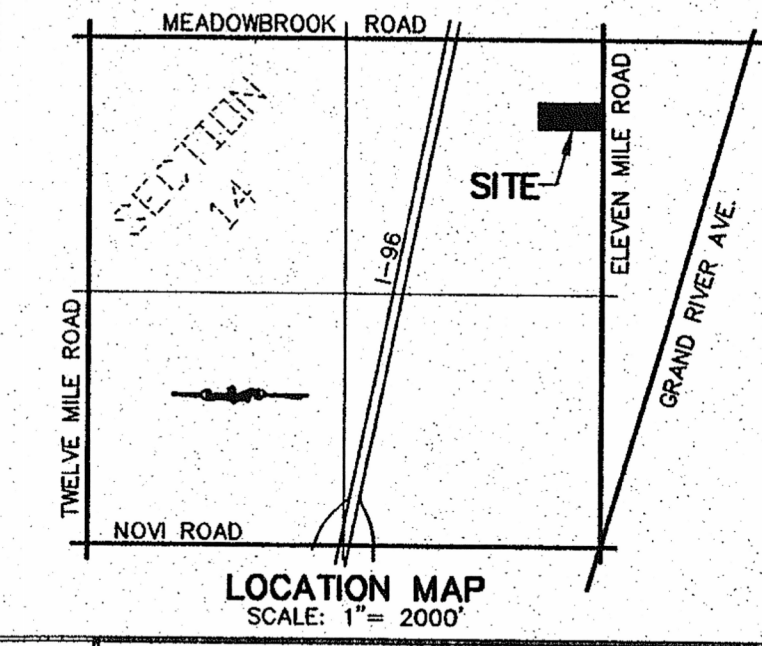
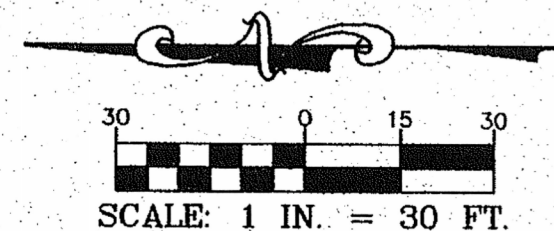
FLOOD PLAIN NOTE:

THE FLOOD HAZARD AREA AS SHOWN ON THE DRAWING IS IDENTIFIED BY FEMA FLOOD MAP FOR OAKLAND COUNTY, CITY OF NOVI MAP NO. 260175, PANEL 0622, DATED SEPTEMBER 29, 2006.

BENCH MARKS

BM #1 - CITY OF NOVI BENCH MARK 1443, "X" ON NORTH RIM OF GATEWELL 26' NORTH OF 11 MILE ROAD CURB & 3' WEST OF EAST OF PROPERTY LINE. ELEV. 882.51 NAVD 1988

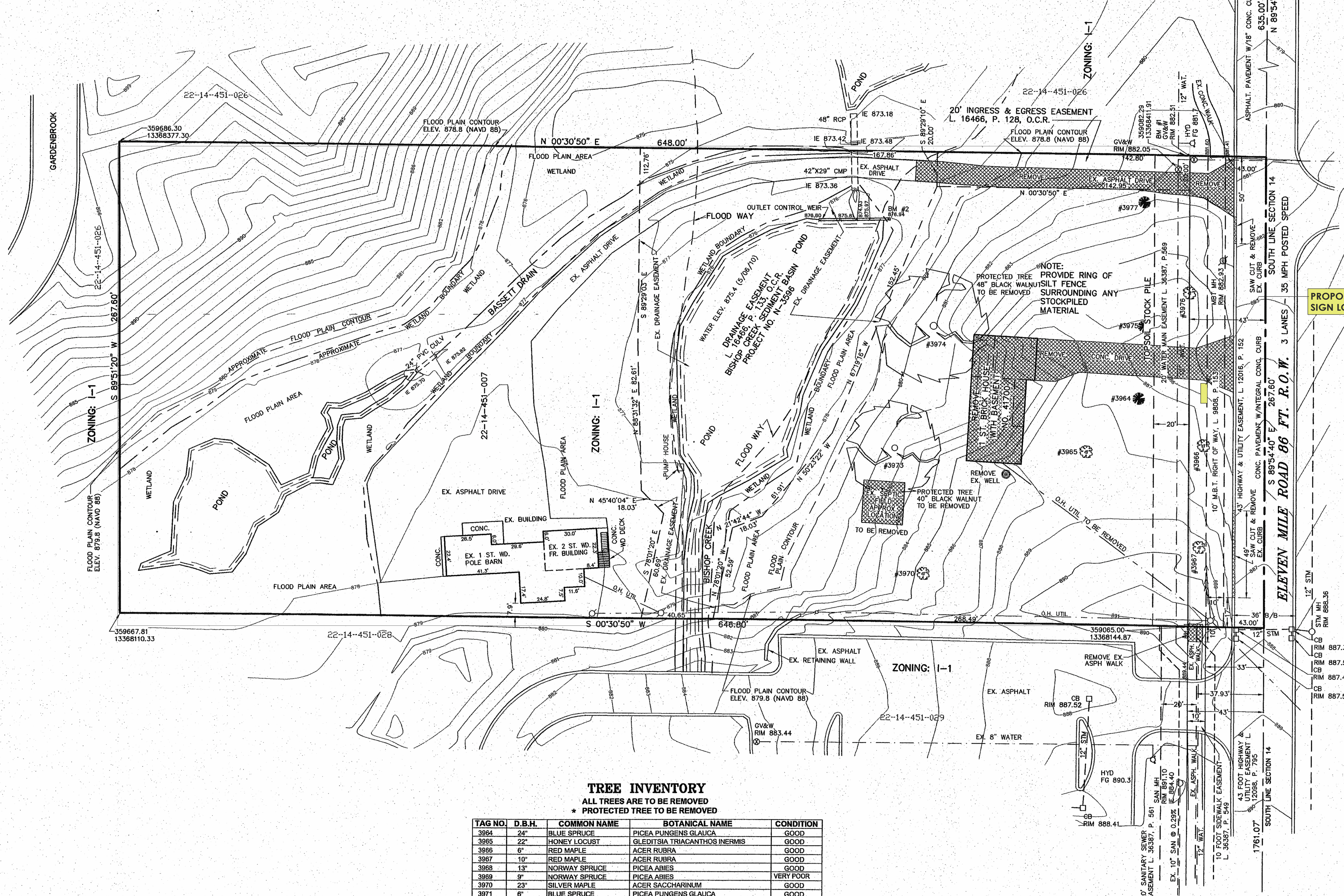
BM #2 - "X" CUT IN CENTER OF WIER 2.2' NORTH OF SOUTH END OF WIER. ELEV. 876.94 NAVD 1988



EXISTING LEGEND

○ SEWER MANHOLE	○ M.B.T. MANHOLE
□ FIRE HYDRANT	○ TELEPHONE BOX
□ CATCH BASIN	○ UTILITY POLE
— SIGN	○ LIGHT POLE
○ SPOT ELEVATION	○ GUY ANCHOR
— SANITARY SEWER	○ GATE VALVE & WELL
— STORM SEWER	— SW
— WATER	— STM
— ELECTRIC	— WAT
— OVERHEAD	— GAS
— GAS	

TO BE REMOVED



PROPOSED REZONING SIGN LOCATION

PROPERTY DESCRIPTION

PARCEL NO. 22-14-451-007
 PART OF THE SOUTHEAST 1/4 OF SECTION 14, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 14; THENCE N 89°54'40" W 635.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 14 AND THE CENTERLINE OF ELEVEN MILE ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°54'40" W 267.60 FEET ALONG THE SOUTH LINE OF SAID SECTION 14 AND THE CENTERLINE OF ELEVEN MILE ROAD; THENCE N 00°30'50" E 646.80 FEET; THENCE N 89°49'55" E 267.61 FEET; THENCE S 00°30'50" W 648.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.977 ACRES.

TREE INVENTORY
 ALL TREES ARE TO BE REMOVED
 * PROTECTED TREE TO BE REMOVED

TAG NO.	D.B.H.	COMMON NAME	BOTANICAL NAME	CONDITION
3964	24"	BLUE SPRUCE	PICEA PUNGENS GLAUCA	GOOD
3965	22"	HONEY LOCUST	GLEDDITSIA TRIACANTHOS INERMIS	GOOD
3966	6"	RED MAPLE	ACER RUBRA	GOOD
3967	10"	RED MAPLE	ACER RUBRA	GOOD
3968	13"	NORWAY SPRUCE	PICEA ABIES	GOOD
3969	9"	NORWAY SPRUCE	PICEA ABIES	VERY POOR
3970	23"	SILVER MAPLE	ACER SACCHARINUM	GOOD
3971	6"	BLUE SPRUCE	PICEA PUNGENS GLAUCA	GOOD
3972	14"	COTTONWOOD	POPULUS DELTOIDES	GOOD
3973 *	40"	BLACK WALNUT	JUGLANS NIGRA	GOOD
3974 *	48"	BLACK WALNUT	JUGLANS NIGRA	GOOD
3975	20"	BLUE SPRUCE	PICEA PUNGENS GLAUCA	GOOD
3976	20"	SILVER MAPLE	ACER SACCHARINUM	GOOD
3977	14"	EASTERN RED CEDAR	JUNIPERUS VIRGINIANA	GOOD

Cert. By: John J. Nagy, RLA
 MI Reg. # 0425
 Job # 10-4-TS-401

ZONING CHANGE PROPOSED FROM I-1 LIGHT INDUSTRIAL TO R-A RESIDENTIAL ACREAGE

For more information call:
 Novi Community Development Department
 248-347-0475

Rezoning Sign Plan

REVISIONS
 10/14/2010
 01/11/2011
 STAMPING SET
 03/21/2011

PREPARED FOR
NEHER HOLDINGS, LLC
 33604 GRAND RIVER
 FARMINGTON, MICHIGAN 48335
 (248) 442-4800

ARPEE/DONNAN, INC.
 LAND SURVEYING • ENGINEERING • MAPPING
 32233 SCHOOLCRAFT ROAD, SUITE 103
 LIVONIA, MICHIGAN 48150
 PHONE (734) 953-3335 FAX (734) 953-3324

NEHER SALES

PLOT PLAN

PART OF THE SOUTHEAST 1/4 OF SECTION 14,
 T. 1 N., R. 8 E.
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

DATE 08/31/2010
 DRAFTED BY WRD
 CHECKED BY WRD
 F.B. 266
 FILE: 10017
 JOB # 10017
 SH. C-8



PLANNING REVIEW



PLAN REVIEW CENTER REPORT

July 5, 2023

Planning Review

41700 Eleven Mile Road – Rezoning
JZ23-16 with Rezoning 18.742

PETITIONER

Paul Gabriel

REVIEW TYPE

Rezoning Request from I-1 (Light Industrial) to RA (Residential Acreage)

PROPERTY CHARACTERISTICS

Section	14	
Site Location	41700 Eleven Mile Road; North of Eleven Mile Road, West of Meadowbrook Road (Parcel 22-14-451-007)	
Site School	Novi Community School District	
Site Zoning	I-1 Light Industrial	
Adjoining	North	I-1 Light Industrial
	East	I-1 Light Industrial
	West	I-1 Light Industrial
	South	I-1 Light Industrial
Current Site	One-Family Residential	
Adjoining Uses	North	Office
	East	Vacant
	West	Office
	South	Office
Site Size	3.977 acres	
Plan Date	March 23, 2011	

PROJECT SUMMARY

The petitioner is requesting a Zoning Map amendment for a 3.977 acre site located at 41700 Eleven Mile Road (Section 14) from I-1 (Light Industrial) to RA (Residential Acreage). The applicant states that the rezoning is being requested so that the process of remodeling/expanding on-site is more feasible. This would allow for expansion of residential structures so long as all ordinance requirements are met during the process. The applicant would like to eventually alter the footprint of the residential structure, install a swimming pool, add some additional landscaping, and convert the barn in the rear of the property to a home office.

The residential structure, which was built in 1950 according to City records, has always been part of a 3.977 acre site that was originally zoned AG (Agricultural District) from 1956 to 1968. In 1968, it was rezoned to R-1-F (Small Farms District) and remained as such until July 1984, when it was rezoned to RA (Residential Agricultural District at the time, now called Residential Acreage). In November 1985, it was rezoned for the final time to I-1 Light Industrial. The final rezoning to I-1 was completed to make

the property's zoning consistent with the surrounding area and both property owners at the time were aware that the residential function of both lots would become non-conforming.

MASTER PLAN FOR LAND USE

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property as Industrial Research Development Technology. As the Master Plan states, "this land use is designated for a variety of office, research and development, light industrial and warehousing uses. These uses may range from a single use site to a large mixed use complex. The area may also include facilities for office, research, development and manufacturing support services, higher education and indoor recreation." Given the site's location along Eleven Mile Road, the current zoning meets the intent of the Master Plan. In addition, the I-1 Zoning District is consistent with the Industrial Research Development Technology land use. The proposed RA Zoning District would be inconsistent with the surrounding zoning and uses as outlined below.



All surrounding properties are zoned I-1, Light Industrial and have a future land use as Industrial Research Development Technology, which is consistent with the I-1 Zoning District. The proposal would not entirely meet the intent of the 2016 Master Plan for Land Use but would relate to an objective concerning the maintenance of existing housing stock as outlined below.

Objective 4 of the 2016 Master Plan for Land Use is to "maintain existing housing stock and related infrastructure." An Action Item under Objective 4 stated the following: "Evaluate areas of the City where zoning standards restrict redevelopment of existing homes, such as around Walled Lake. Consider zoning amendments that facilitate home renovations and expansions in a context-appropriate manner."

EXISTING ZONING AND LAND USE

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

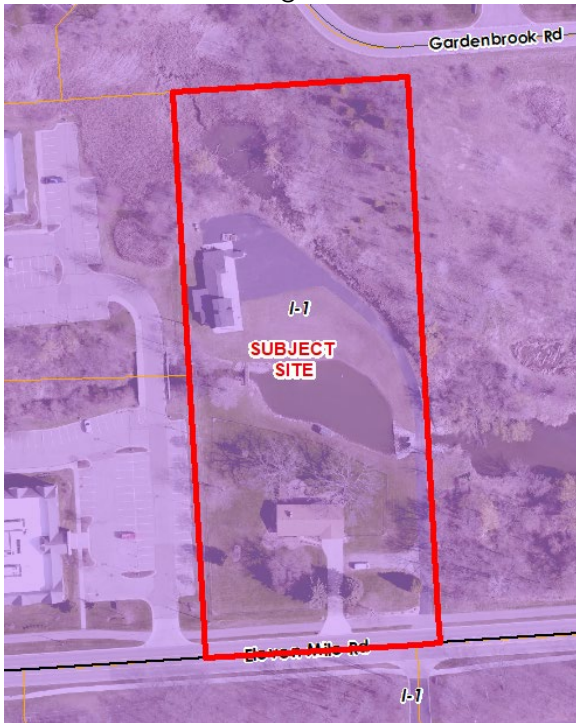
Land Use and Zoning: For Subject Property and Adjacent Properties

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property (Project Area)	I-1 Light Industrial	One-Family Residential	Industrial Research Development Technology (Uses consistent with I-1 District)
Northern Parcel	I-1 Light Industrial	Office	Industrial Research Development Technology (Uses consistent with I-1 District)
Southern Parcel	I-1 Light Industrial	Office	Industrial Research Development Technology (Uses consistent with I-1 District)

Eastern Parcel	I-1 Light Industrial	Vacant	Industrial Research Development Technology (Uses consistent with I-1 District)
Western Parcel	I-1 Light Industrial	Office	Industrial Research Development Technology (Uses consistent with I-1 District)

COMPATIBILITY WITH SURROUNDING LAND USE

The surrounding land uses are shown in the above chart. The compatibility of the proposed rezoning 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.



Zoning



Future Land Use

DEVELOPMENT POTENTIAL

The parcel proposed to be rezoned is currently occupied by a single-family residential structure and a pole barn in the rear of the property. Development under either the current I-1 zoning or the proposed RA zoning would result in the development of fairly different uses as indicated in the chart in the next section. While the site does have some challenging topography and site constraints, there are several uses in the I-1 zoning district that could fit onto the site including small office uses, parkways, small indoor recreational facilities, and other similar uses as listed in the I-1 zoning district.

Given the location of this site, if it were to be rezoned to RA Residential Acreage, it would be inconsistent with the surrounding uses as well as the 2016 Master Plan for Land Use. The history of the site also indicates that the site could potentially be used for other uses as minutes from the November 11, 1985, City Council Meeting indicate that the rear building on this site was used as a nursery with outside parking for delivery trucks. Please view the image to the left for an aerial



of the property from 1990 indicating such use. The applicant believes that due to the slope of the property and the waterway that bifurcates the parcel, commercial uses are not viable, and it remains the intention of the applicant to use the property for residential purposes.

COMPARISON OF ZONING DISTRICTS

The following table provides a comparison of the current and proposed zoning development standards. The applicant is requesting a change of districts from the existing I-1 Light Industrial to RA Residential Acreage. The types of uses allowed in these districts differ in important ways. [use, height, setbacks].

	I-1 (Existing)	RA (Proposed)
Principal Permitted Uses & Special Land Uses	<p>Principal Permitted Uses</p> <ol style="list-style-type: none"> 1. Professional office buildings, offices and office sales and service activities 2. Accessory buildings, structures and uses customarily incident to the above permitted uses 3. Public owned and operated parks, parkways and outdoor recreational facilities 4. Public or private health and fitness facilities and clubs 5. Medical offices, including laboratories and clinics <p>The following uses are subject to Section 4.45:</p> <ol style="list-style-type: none"> 6. Research and development, technical training and design of pilot or experimental products 7. Data processing and computer centers 8. Warehousing and wholesale establishments 9. Manufacturing 10. Industrial office sales, service and industrial office related uses 11. Trade or industrial schools 12. Laboratories experimental, film or testing 13. Greenhouses 14. Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, other than outside storage and service yards 15. Public or private indoor recreation facilities 16. Private outdoor recreation facilities 17. Pet boarding facilities 18. Veterinary hospitals or clinics 19. Motion picture, television, radio and photographic production facilities 	<p>Principal Permitted Uses</p> <ol style="list-style-type: none"> 1. One-Family dwellings 2. Farms and greenhouses 3. Publicly owned and operated parks, parkways and outdoor recreational facilities 4. Public, parochial and other private elementary schools 5. Home occupations 6. Family day care homes 7. Accessory buildings and uses customarily incidental to any of the above uses <p>Special Land Uses</p> <ol style="list-style-type: none"> 1. Raising of nursery plant materials 2. Dairies 3. Keeping and raising of livestock 4. Places of worship 5. Public, parochial and private elementary, Intermediate or secondary schools 6. Utility and public service buildings and uses (without storage yards) 7. Group day care homes, day care centers, and adult day care 8. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs 9. Golf courses 10. Colleges, universities and other such institutions of higher learning 11. Private pools 12. Cemeteries 13. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks 14. Mortuary establishments 15. Bed and breakfasts 16. Limited nonresidential use of historic buildings 17. Accessory buildings and uses customarily incidental to any of the above permitted uses

	<p>20. Other uses of a similar and no more objectionable character to the above uses</p> <p>21. Accessory buildings, structures and uses customarily incident to any of the above permitted uses</p> <p>Special Land Uses The following uses shall be permitted where the proposed site does not abut a residentially zoned district:</p> <ol style="list-style-type: none"> 1. Metal plating, buffing, polishing and molded rubber products 2. Uses which serve the limited needs of an industrial district (subject to Section 4.43), as follows: <ol style="list-style-type: none"> a. Financial institutions, unions, union halls, and industrial trade schools or industrial clinics b. Industrial tool and equipment sales, service, storage, and distribution c. Eating and drinking establishments and motels 3. Automobile service establishment 4. Self-storage facilities 5. Retail sales activities 6. Central dry cleaning plants or laundries 7. Railroad transfer, classification and storage yards 8. Tool, die, gauge and machine shops 9. Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies 10. Municipal uses 11. Motion picture, television, radio and photographic production facilities 12. Outdoor space for parking of licensed rental motor vehicles 13. Accessory buildings, structures and uses customarily incident to any of the above permitted uses 	
Minimum Lot Size	See Section 3.6.2.D	1 acre
Minimum Lot Width	See Section 3.6.2.D	150 feet
Building Height	40 feet; 25 feet when abutting residential (Section 3.14.5.C)	35 feet or 2.5 stories, whichever is less
Building Setbacks	Front Yard: 40 feet Rear Yard: 20 feet, 100 feet when abutting residential (Section 3.6.2.H) Side Yard: 20 feet, 100 feet when abutting residential (Section 3.6.2.H)	Front Yard: 45 feet Rear Yard: 50 feet Side Yard: 20 feet one side, 50 feet total two sides

Parking Setbacks	Front Yard: 40 feet (Section 3.6.2.E) Rear Yard: 10 feet, 100 feet when abutting residential (Section 3.6.2.F) Side Yard: 10 feet, 100 feet when abutting residential (Section 3.6.2.F)	Not listed
-------------------------	---	------------

INFRASTRUCTURE

Engineering

The Staff Engineer has reviewed the rezoning request and indicated that they have no concerns. See the Engineering Review letter for more information.

Traffic

The City's Traffic Consultant has reviewed the rezoning request and indicated that they have no concerns. See the Traffic Review letter for more information.

NATURAL FEATURES

The site contains regulated wetlands. No impact to the regulated wetlands is proposed. The regulated wetlands are as shown in the aerial below. In addition, the waterway running through the property includes both the Basset Drain and Bishop Creek, along with the associated floodplain that exists on the property. Finally, as illustrated on the site survey, there are significant grade changes on the property. In considering development under the current I-1 zoning, all of these factors limit significant development on the property without substantial impacts to natural features.



Regulated Wetlands Aerial

ALTERNATIVE OPTIONS

Although the proposed rezoning would resolve the issue of nonconformity and allow the applicant to expand/renovate their home, it does not align with the Master Plan for Land Use or the use and zoning of the surrounding area, as outlined in this review letter.

Alternatively, a text amendment to the Zoning Ordinance could be prepared and presented that provides more flexibility for existing uses that have become nonconforming. If successful, this would have the benefit of not burdening adjacent industrial uses with stricter development standards because the industrial zoning on the subject site would remain. The text amendment could provide relief for a select number of other properties in the City that are nonconforming uses but would benefit from being able to expand or renovate their buildings.

REVIEW CONSIDERATIONS

Staff asks for the following items in **bold** to be addressed in the next submittal:

1. Rezoning Sign: The rezoning sign shown on the provided plot plan should be installed no later than 15 days prior to the Planning Commission public hearing. Once a date is set, the Planning Division will let you know when the sign should be installed. *Sign has been installed properly.*
2. Setbacks (Sec. 3.1.1.D): If the site were to be rezoned to RA Residential Acreage, building setbacks that are greater than I-1 district setbacks would apply (see chart on previous page for more information).
3. Wetland/Watercourse Setback (Sec. 3.6.2.M): If developed in the future, a 25 foot setback from the high watermark of any regulated wetlands shall be maintained.

SUMMARY OF OTHER REVIEWS:

- a. Engineering (dated 5-15-23): Engineering has no concern regarding the proposed rezoning as it has no impact on the existing utilities.
- b. Traffic Review (dated 5-16-23): Traffic has no concern regarding the proposed rezoning and a rezoning traffic study (RTS) is not required.

RECOMMENDATION

Approval of the Rezoning is not recommended by Planning staff for the following reasons:

- The proposed rezoning does not align with the goals and intent of the 2016 Master Plan for Land Use, except for Objective 4: maintain existing housing stock and related infrastructure.
- The intensity of uses in the I-1 Zoning District vastly differ from the uses in the RA Zoning District.
- The proposed rezoning would not be compatible, nor consistent, with the surrounding area.
- The proposed rezoning would require adjacent property owners to abide by stricter development standards of the Zoning Ordinance due to adjacency to residential zoning.

MASTER PLANNING & ZONING COMMITTEE

Given that the rezoning does not align with the 2016 Master Plan for Land Use, the rezoning request was scheduled to go before the Planning Commission's Master Planning & Zoning Committee for informal review prior to going to the Planning Commission for a public hearing. The meeting took place on June 14, 2023. Staff and the applicant presented the plans, and Committee members had the opportunity to ask questions and provide feedback. The committee members in attendance agreed that it made sense for the property owner to be able to expand/renovate their existing residence but showed concern for the impact a proposed rezoning would have on neighboring properties.

NEXT STEP: PLANNING COMMISSION PUBLIC HEARING

The rezoning is scheduled for public hearing before the Planning Commission on Wednesday, July 12. Notification letters have been sent to neighboring property owners within 300 feet in addition to the public hearing being publicized in a newsletter. It is requested that the applicant or someone familiar with the project be in attendance.

Following the hearing, the Planning Commission will either make a recommendation to City Council or postpone pending further information. If a recommendation is made, the rezoning will then be scheduled for a first reading by the City Council. If the City Council recommends approval at that time, it will go before City Council for a second reading and final approval. If the applicant has any

questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0547 or jhill@cityofnovi.org.

A handwritten signature in black ink that reads "James Hill". The signature is written in a cursive, flowing style.

James Hill, Planner

HISTORIC DOCUMENTS

ZONING MAP AMENDMENT FROM NOVEMBER 18, 1985
EXCERPT FROM CITY COUNCIL MINUTES NOVEMBER 18, 1985

ORDINANCE NO. 18.408

AMENDMENT
TO
ZONING ORDINANCE
OF
CITY OF NOVI

THE CITY OF NOVI ORDAINS:

PART I. That Ordinance No. 84-18, known as the Zoning Ordinance of the City of Novi, is hereby amended by the amending of the Zoning Map as indicated on Zoning Map No. 408 attached hereto and made a part of this Ordinance.

PART II. CONFLICTING PROVISIONS REPEALED. Any Ordinance or parts of any Ordinance in conflict with any of the provisions of this Ordinance are hereby repealed.

PART III. WHEN EFFECTIVE. The provisions of this Ordinance are hereby declared to be immediately necessary for the preservation of the public peace, health and safety and are hereby ordered to take effect ten (10) days after final enactment and publication. The effective date of this Ordinance is Nov. 28, 1985.

Made and Passed by the City Council of the City of Novi, Michigan, this 18th day of Nov., 1985. Copies of the Ordinance Amendment may be purchased or inspected at the Office of the City Clerk 45225 W. Ten Mile Road, Novi, Michigan, weekdays between 8:00 a.m. and 5:00 p.m.

Patricia A. Karwick

Mayor

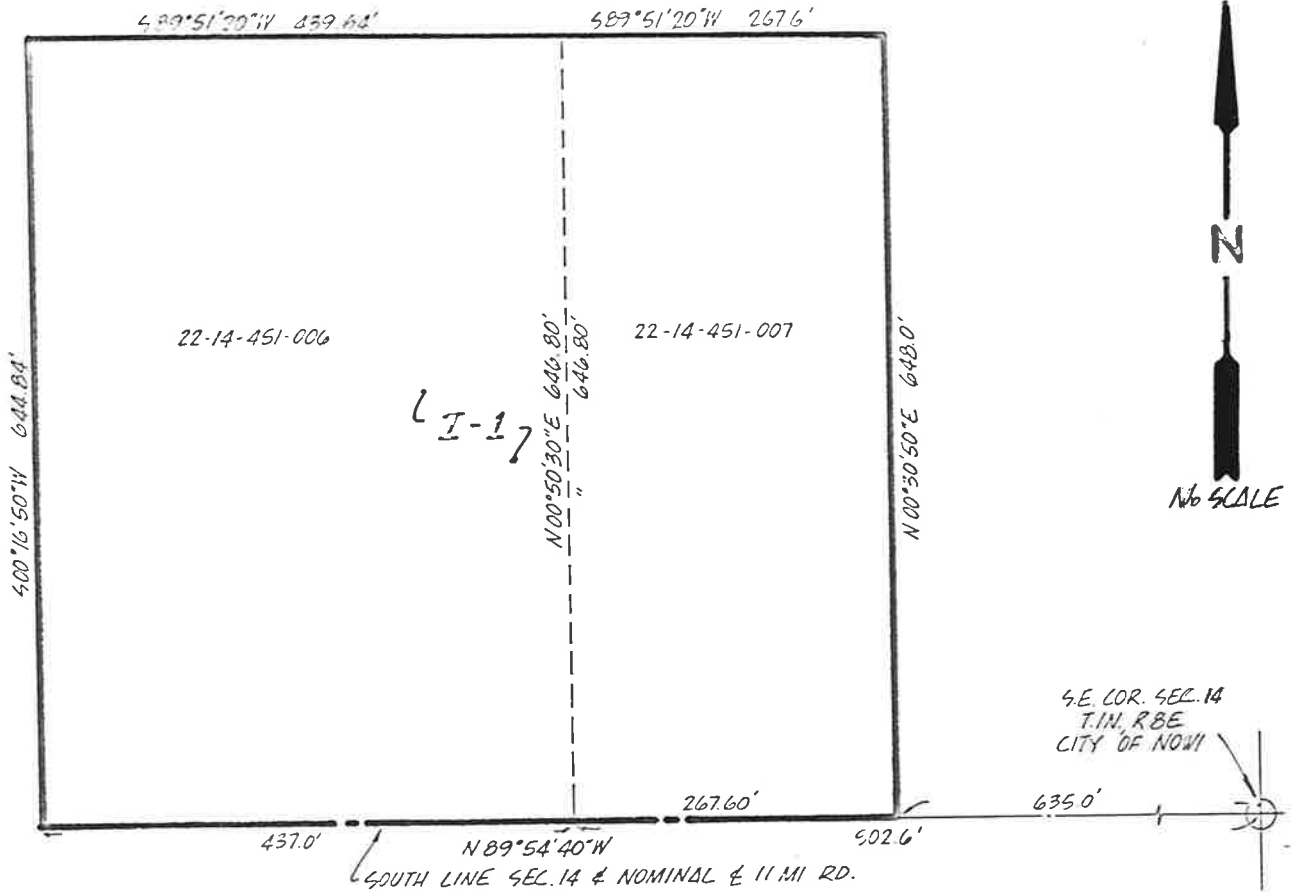
Geraldine Stipp

Clerk

CERTIFICATE OF ADOPTION

I, Geraldine Stipp, Clerk of the City of Novi, do hereby certify that the above Ordinance was approved and adopted by the Council of the City of Novi, at a Regular Meeting thereof, duly called and held on this 18th day of Nov., 1985, and was ordered to be given publication in the manner prescribed by law.

Geraldine Stipp
Clerk



To rezone a part of the E 1/2 of the SE 1/4 of Section 14, T.1N., R.8E., City of Novi, Oakland County, Michigan, being parcels 22-14-451-006 and -007 more particularly described as follows:

Parcel 22-14-451-006

Beginning at a point on the south line of Section 14 (nominal centerline of Eleven Mile Road) said point being N89°54'40"W 902.60 feet from the southeast corner of Section 14; thence N00°50'30"E 646.80 feet; thence S89°51'20"W 439.64 feet; thence S00°16'50"W 644.84 feet to the south line of Section 14 (nominal centerline of Eleven Mile Road); thence S89°54'40"E 437.00 feet along said south line to the point of beginning.

Parcel 22-14-451-007

Beginning at a point on the south line of Section 14 (nominal centerline of Eleven Mile Road) said point being N89°54'40"W 635.00 feet from the southeast corner of Section 14; thence N00°30'50"E 648.00 feet; thence S89°51'20"W 267.60 feet; thence S00°30'50"W 646.80 feet to the south line of Section 14 (nominal centerline of Eleven Mile Road); thence S89°54'40"E 267.60 feet along said south line to the point of beginning.

EXCEPTING THEREFROM: Any parts of the above described lands taken, deeded or used as a street, road or highway.

FROM: R-A RESIDENTIAL AGRICULTURAL DISTRICT

TO: I-1 LIGHT INDUSTRIAL DISTRICT

ORDINANCE N^o 18.408

ZONING MAP AMENDMENT N^o 408

CITY OF NOVI, MICHIGAN

ADOPTED BY THE CITY COUNCIL November 18, 1985

Patricia A. Karevich

PATRICIA A. KAREVICH

MAYOR

Geraldine Stipp

GERALDINE STIPP

CLERK

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is a true copy of Ordinance No. 18.408, passed and adopted by the City Council of the City of Novi, Oakland County, Michigan, at the regular meeting of said City Council held on the 18th day of November, 1985.

Geraldine Stipp

Geraldine Stipp
City Clerk

CERTIFICATE OF CLERK

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 20th day of Nov., 1985, at 11:30 AM.

- | | |
|----------------------|------------------------|
| 1. Novi City Hall | 45225 W. Ten Mile Road |
| 2. Novi Library | 45245 W. Ten Mile Road |
| 3. Novi Police Dept. | 45125 W. Ten Mile Road |

I do further certify that on the 20th day of Nov., 1985, A.D., said Ordinance No. 18.408 was published in full in the Novi News, a newspaper published and circulated in said City.

Geraldine Stipp

Geraldine Stipp
City Clerk

Moved by Councilman Crawford
Seconded by Councilman Watson

RESOLVED that Zoning Map Amendment 18.406 be adopted, changing the zoning from B-3 to R-4.

ROLL CALL: Council Members Crawford (Yes), Hoyer (Yes), Leininger (Yes), Schroeder (Yes), Watson (Yes), Mayor Karevich (Yes), and Council Member Covert (Yes).

Yeas (7) Nays (0) Motion Carried

85-11-6730 18.407 - Chateau Estates, North Side of 13 Mile Road

Mr. Rogers stated that this is presently the site of Chateau Estates Mobile Home Park. He said the property is substantially developed. You could probably put in 10-20 more units, but there is no intention of doing so. The Master Plan proposed the site for a mobile home use, and until recently it was in the Township. He feels that they should recognize it under the MH standards and make it a conforming use.

It was then,

Moved by Councilwoman Hoyer
Seconded by Councilman Crawford

RESOLVED that Zoning Map Amendment 18.407 be adopted, changing the zoning from RA to MH (Mobile Home District).

Discussion

ROLL CALL: Council Members Hoyer (Yes), Leininger (Yes), Schroeder (Yes), Watson (Yes), Mayor Karevich (Yes), Council Members Covert (Yes), and Crawford (Yes).

85-11-6731 Yeas (7) Nays (0) Motion Carried

18.408 - Mr. Rogers stated that this involves two properties on the north side of 11 Mile west of Meadowbrook Road, totally surrounded by Light Industrial zoning. One of the gentlemen who lives in one of the two homes has a nursery

in back, and there is outside parking of trucks. It is the recommendation of the Planning Board to make the area a uniform Industrial district. They realize that the residential function of these two lots does become non-conforming. He recommended the rezoning to Light Industrial, since that is the pattern of development that is taking place in that area.

It was then,

Moved by Councilman Crawford
Seconded by Councilwoman Hoyer

RESOLVED that Zoning Map Amendment 18.408 be adopted, changing the zoning from RA to Light Industrial.

Discussion

Councilman Leininger noted from the Planning Board Minutes that the basic concern of one of the land owners was an increase in taxes.

Mayor Karevich stated that the gentleman had been present, and he didn't say anything.

ROLL CALL: Council Members Leininger (Yes), Schroeder (Yes), Watson (Yes), Mayor Karevich (Yes), Council Members Covert (Yes), Crawford (Yes), and Hoyer (Yes).

Yeas (7)

Nays (0)

Motion Carried

85-11-6732

18.409 - Mr. Rogers advised that this property includes the Core property on the south side of I-96 down to 11 Mile and also south of 11 Mile to Grand River. The map takes in Jack Anglin's property, a piece of property to the west of his, and some residential property zoned RA on the south side of 11 Mile Road. He said all of this property abuts the Town Center property. If this property is zoned OSC, 5-story buildings, office buildings, and hotels would be permitted; also planned commercial uses. He said it is highly compatible with the Town Center area. The rezoning was strongly recommended by the Planning Board and the Town Center Steering Committee.

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

5/15/2023

Engineering Review

41700 Eleven Mile Road Rezoning

Applicant

Paul Gabriel

Review Type

Rezoning Application

Property Characteristics

- Site Location: Located North of Eleven Mile Road, West of Meadowbrook Road.
- Site Size: 3.98 acres
- Plan Date: 03/21/2011
- Design Engineer: Krieger Klatt Architects

Project Summary

- No changes proposed to the existing property, located at 41700 W. Eleven Mile Road. The property is currently used as a single-family residential home, currently zoned I-1. Applicant would like to have property rezoned to RA (residential acreage).

Recommendation

Approval of the Rezoning Site Plan is recommended.

Comments:

1. Add note to plans stating no changes are proposed to existing site and utilities, plans are only for change to zoning.

Flood Plain

2. *Flood Plain is located on the property, no impacts to the floodplain are proposed.*

Please contact Humna Anjum at (248)735-5632 with any questions.

Humna Anjum
Project Engineer

cc: Christian Carroll, Community Development
Adam Yako, Engineering
Ben Croy, City Engineer

TRAFFIC REVIEW



AECOM
39575 Lewis Dr
Novi
MI, 48377
USA
aecom.com

Project name:
JZ23-16 – 41700 Eleven Mile Road Rezoning
Traffic Review

From:
AECOM

Date:
May 16, 2023

To:
Barbara McBeth, AICP
City of Novi
45175 10 Mile Road
Novi, Michigan 48375

CC:
Lindsay Bell, Christian Carroll, Humna Anjum, Ben
Peacock, Diana Shanahan

Memo

Subject: JZ23-16 – 41700 Eleven Mile Road Rezoning Traffic Review

The preliminary rezoning site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward as long as the comments below are addressed to the satisfaction of the City.

GENERAL COMMENTS

1. The applicant, Paul Gabriel, is proposing rezoning the parcel that is currently occupied by a single family residence.
2. The development is located on the north side of Eleven Mile Road, west of Meadowbrook Rd. Eleven Mile Road is under the jurisdiction of the City of Novi
3. The site is zoned I-1 (Light Industrial). The applicant is proposing rezoning it to RA (Residential Acreage).
4. There are no traffic-related deviations indicated at this time.
5. The applicant has provided a plan set to show the location of the sign that must be placed for rezoning, which is proposed next to the driveway. **It is understood that no changes are being proposed to buildings or parcel access.**

TRAFFIC IMPACTS

1. AECOM has not performed an initial trip generation based on the ITE Trip Generation Manual, 11th Edition, as no changes are being proposed.
2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
-	RTS not required in this case as zoning change is from non-residential to residential, not the other way around, and the proposed zoning is the least dense from a traffic perspective.

Memo

Should the City or applicant have questions regarding this review, they should contact AECOM for further clarification.

Sincerely,

AECOM



Patricia Thompson, PE
Traffic Engineer



Paula K. Johnson, PE
Senior Transportation Engineer



Saumil Shah, PMP
Project Manager

APPLICANT NARRATIVE AND RESPONSE

Attachment A

Support of Rezoning 41700 W. Eleven Mile Road

The Property at 41700 W. Eleven Mile Road has been and continues to be used as a single-family home sited on nearly 4 acres. The Property was rezoned to I-1 many years ago. Many of the surrounding single-family homes have been demolished to make way for commercial development. In essence, the Property is in some respects, “the last home standing.” The applicant requests a rezoning to RA (Residential Acreage).

The likelihood of the Property being purchased and redeveloped for uses consistent with I-1 zoning is highly unlikely for the following reasons:

1. There are two very significant elevations for the Property with the home on the higher, southern elevation and the out-buildings on the lower, northern elevation. There is a significant “drop off” from south to north on the Property.
2. There are wetlands to the rear of the Property adjacent to the expressway, upon which no development can take place.
3. There is a waterway through the Property that connects through adjacent properties as a part of an open stormwater drainage system for the general area. Obviously, this water feature, which is literally in the middle of the Property, severely limits commercial development.
4. The likelihood of any of the adjacent properties wanting to purchase and utilize this Property for parking or another purpose seems rather distant. The adjacent buildings to the west are office and research and development, which are experiencing their own challenges in keeping tenants and office workers given the recent trend to work from home. The adjacent buildings appear to have adequate parking.

As a result of the current zoning, the buildings on the Property are nonconforming and each time a change is to occur, there would be an elaborate process, including variances in order to accomplish any change. Subsequently, the Property is treated much differently than most residential properties in Novi when a residential owner simply submit building or renovation plans and have them approved so long as they are observing standard single-family requirements.

Rezoning to RA is the best option to preserve and ensure the residential nature of the Property into the future.

Prepared by: Dennis Cowan
Plunkett Cooney

Dated: April 18, 2023



CITY OF NOVI
RESPONSE FORM

NOVI Business
41551 Eleven mile Rd
41541 Eleven mile Rd
NOVI MI 48375
RECEIVED

JUN 26 2023

CITY OF NOVI
COMMUNITY DEVELOPMENT

ZONING MAP AMENDMENT 18.742 FOR A RECOMMENDATION TO THE CITY COUNCIL TO REZONE PROPERTY LOCATED NORTH OF ELEVEN MILE ROAD AND WEST OF MEADOWBROOK ROAD IN SECTION 14 FROM I-1 LIGHT INDUSTRIAL TO RA RESIDENTIAL ACREAGE

You are invited to attend the public hearing on July 12, 2023 and voice your support or objection.

Participants may also choose to submit comments that can be read into the record if they are unable to attend. To submit a written reply, you may use this form to reply by mail, email, or fax. Returning this form by mail, email, or fax has as much validity as verbal comments. Signed comments will be added to the record of the meeting. Unsigned or anonymous comments **WILL NOT** be considered. Written comments must be received by 4:00 PM on the day of the meeting.

Return via email: dshanahan@cityofnovi.org

Return via mail or fax: Community Development Department
45175 W. Ten Mile, Novi, Michigan 48375
248-347-0475 (Main) 248-735-5633 (Fax)

Information regarding the project will be available the Saturday prior to the meeting date at: <https://www.cityofnovi.org/Agendas-Minutes/Planning-Commission/2023.aspx>.

Plans are available for viewing during the City's regular business hours, Monday thru Friday, 8:00 AM to 5:00 PM, at the Community Development Department, or by contacting bmcbeth@cityofnovi.org.

I SUPPORT

I OBJECT

TO THE ABOVE REQUEST FOR THE FOLLOWING REASONS:

This is a business park. This is the last parcel in a business park and there is no other immediate residential that would make it make sense to add this residential in the middle of this park. Access is off of a private road from Meadowbrook, the property may legally reach 11 mile but it is all wetlands along 11 mile and would be difficult to reach 11 mile. We own the property in the business park and immediately across the street south of 11 mile.

SIGNATURE: _____

PRINT NAME: Joseph Kosik on behalf of JFK Investment Company, LLC

ADDRESS: JFK Investment Company -43252 Woodward Ave. Ste 210, Bloomfield Hills MI 48302

IN ACCORDANCE WITH MCL 125.3103, THE MANAGER OR OWNER OF A SINGLE STRUCTURE CONTAINING MORE THAN 4 DWELLING UNITS OR OTHER DISTINCT SPATIAL AREAS OWNED OR LEASED BY DIFFERENT PERSONS, IS HEREBY REQUESTED TO POST THE NOTICE AT A PRIMARY ENTRANCE TO THE STRUCTURE(S).



CITY OF NOVI

RESPONSE FORM

NOVI Garden
41650 ; 41700 Gardenbrook
NOVI MI 48375
RECEIVED

JUN 26 2023

CITY OF NOVI
COMMUNITY DEVELOPMENT

ZONING MAP AMENDMENT 18.742 FOR A RECOMMENDATION TO THE CITY COUNCIL TO REZONE PROPERTY LOCATED NORTH OF ELEVEN MILE ROAD AND WEST OF MEADOWBROOK ROAD IN SECTION 14 FROM I-1 LIGHT INDUSTRIAL TO RA RESIDENTIAL ACREAGE

You are invited to attend the public hearing on July 12, 2023 and voice your support or objection.

Participants may also choose to submit comments that can be read into the record if they are unable to attend. To submit a written reply, you may use this form to reply by mail, email, or fax. Returning this form by mail, email, or fax has as much validity as verbal comments. Signed comments will be added to the record of the meeting. Unsigned or anonymous comments **WILL NOT** be considered. Written comments must be received by 4:00 PM on the day of the meeting.

Return via email: dshanahan@cityofnovi.org

Return via mail or fax: Community Development Department
45175 W. Ten Mile, Novi, Michigan 48375
248-347-0475 (Main) 248-735-5633 (Fax)

Information regarding the project will be available the Saturday prior to the meeting date at: <https://www.cityofnovi.org/Agendas-Minutes/Planning-Commission/2023.aspx>.

Plans are available for viewing during the City's regular business hours, Monday thru Friday, 8:00 AM to 5:00 PM, at the Community Development Department, or by contacting bmcbeth@cityofnovi.org.

I SUPPORT

I OBJECT

TO THE ABOVE REQUEST FOR THE FOLLOWING REASONS:

This is a business park. This is the last parcel in a business park and there is no other immediate residential that would make it make sense to add this residential in the middle of this park. Access is off of a private Road from Meadowbrook, the property may legally reach 11 mile but it is all wetlands along 11 mile and would be difficult to reach 11 mile. We own the property in the business park & immediately across the street South of 11 mile.

SIGNATURE:
PRINT NAME: Joseph Kosik on behalf of JFK Investment Company LLC
ADDRESS: JFK Investment Company - 43253 Woodward Ave. St. 210 Bloomfield Hills MI 48302

IN ACCORDANCE WITH MCL 125.3103, THE MANAGER OR OWNER OF A SINGLE STRUCTURE CONTAINING MORE THAN 4 DWELLING UNITS OR OTHER DISTINCT SPATIAL AREAS OWNED OR LEASED BY DIFFERENT PERSONS, IS HEREBY REQUESTED TO POST THE NOTICE AT A PRIMARY ENTRANCE TO THE STRUCTURE(S).