



CITY OF NOVI
Administrative ePacket
April 11, 2024

Public Safety (Police/Fire)

[Public Safety Year-to-Date](#)

[Novi High School HOSA - Baetens](#)

Infrastructure (Roads/Water/Sewer)

[Le Bost Drive Gate - Cardenas](#)

Economic Development (City Revenue/Job Growth)

Citizen-Focused Government (Shared Services/Customer Services)

[City West Ordinance Updates - Bell](#)

[OAS Transportation Rider Subsidies - Kieser](#)

Natural Areas & Features and Community Character (Community that Preserves)

Fiscally Responsible Government (Maintain)

Parks, Recreation & Cultural Services (Enhance Services)

Capital Improvement Program

City Council Only or Confidential

Novi Public Safety

Police and Fire Departments 2024 v. 2023 Year-to-Date Statistics
January - March

April 2024

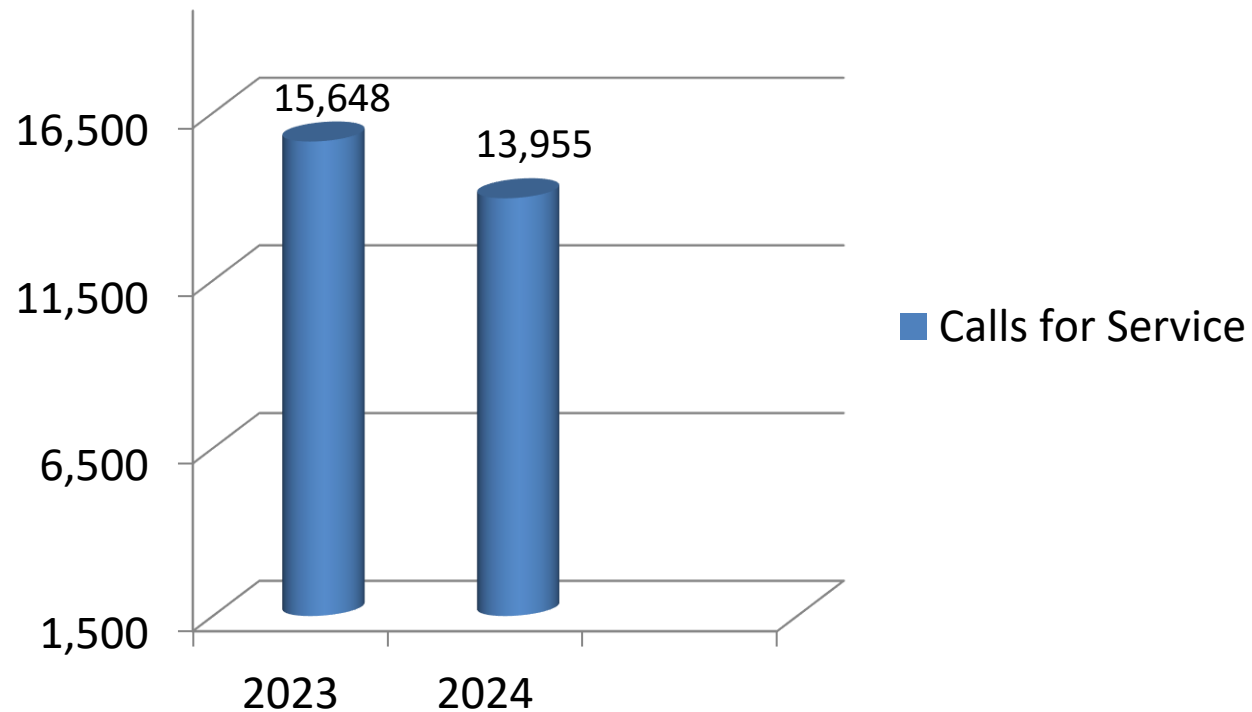


Part A Crime

Description	2024	2023	% Change	Arrests/ EXC	% Cleared	24 YTD	23 YTD	% Change	Arrests/ EXC 24 YTD	% Cleared 24 YTD	Arrests/ EXC 24 YTD	Arrests/ EXC 23 YTD	% Change
Murder	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Negligent Homicide	0	1	-100.00%	0	No Change	0	1	-100.00%	0	No Change	0	0	No Change
Kidnapping/Abduction (Parental)	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Crim. Sexual Conduct	1	1	0.00%	0	0.00%	4	3	33.33%	0	0.00%	0	2	-100.00%
Robbery	1	0	N/C	0	0.00%	2	0	N/C	0	0.00%	0	0	No Change
Assault (Aggravated)	2	3	-33.33%	2	100.00%	5	7	-28.57%	5	100.00%	5	7	-28.57%
Assault (Non-Aggravated)	29	26	11.54%	23	79.31%	56	71	-21.13%	49	87.50%	49	68	-27.94%
Threats/Stalking	0	2	-100.00%	0	No Change	6	7	-14.29%	4	66.67%	4	7	-42.86%
Arson	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Extortion	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Burglary	1	2	-50.00%	0	0.00%	9	5	80.00%	1	11.11%	1	1	0.00%
Larceny	13	17	-23.53%	5	38.46%	46	65	-29.23%	9	19.57%	9	8	12.50%
Motor Vehicle Theft	8	4	100.00%	1	12.50%	21	16	31.25%	3	14.29%	3	0	N/C
Forgery/Counterfeiting	0	0	No Change	0	No Change	2	1	100.00%	0	0.00%	0	0	No Change
Fraud	9	9	0.00%	0	0.00%	23	27	-14.81%	3	13.04%	3	1	200.00%
Retail Fraud	24	21	14.29%	17	70.83%	59	62	-4.84%	39	66.10%	39	45	-13.33%
Embezzlement	2	3	-33.33%	2	100.00%	5	5	0.00%	4	80.00%	4	1	300.00%
R&C Stolen Property	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Vandalism	1	3	-66.67%	1	100.00%	9	16	-43.75%	5	55.56%	5	5	0.00%
Narcotics	4	2	100.00%	3	75.00%	10	3	233.33%	8	80.00%	8	1	700.00%
Obscenity	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Prostitution & Vice	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Weapons	0	5	-100.00%	0	No Change	1	7	-85.71%	1	100.00%	1	4	-75.00%
Animal Cruelty	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Total Part A Incidents	95	99	-4.04%	54	56.84%	258	296	-12.84%	131	50.78%	131	150	-12.67%



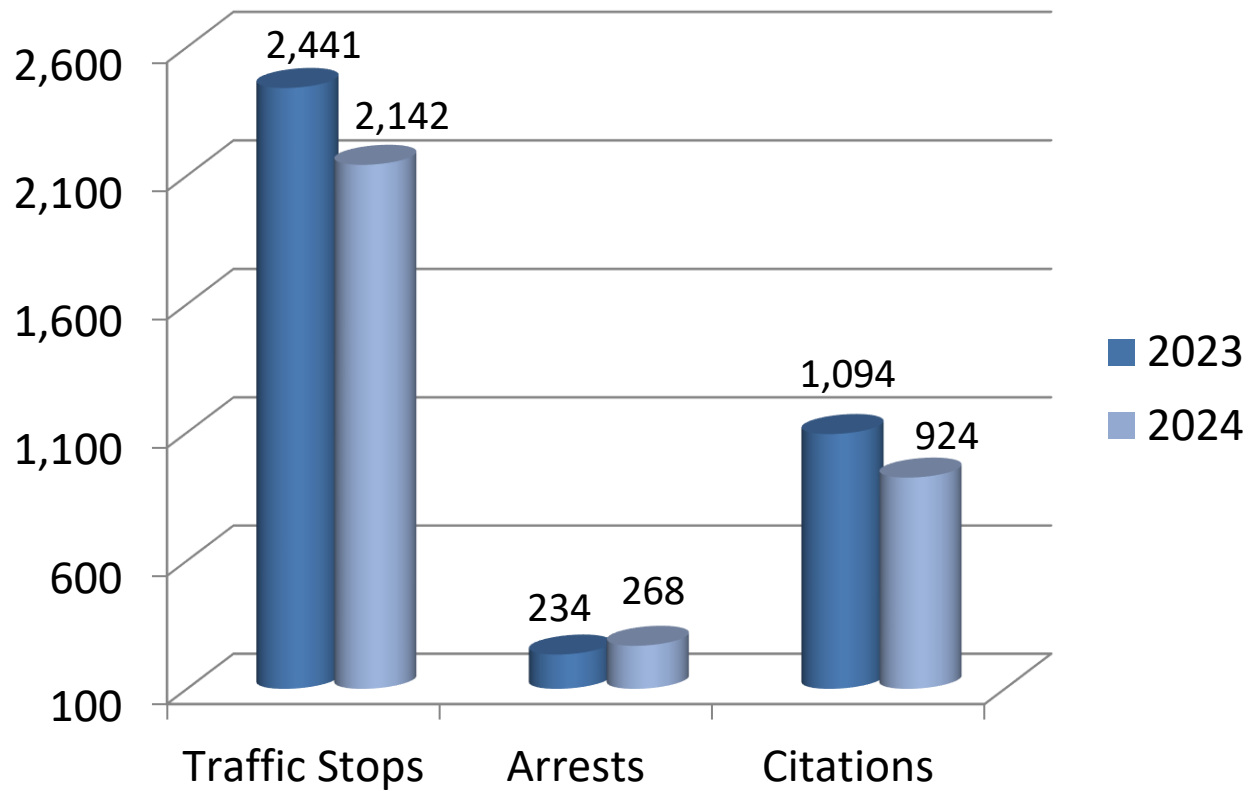
Police Total Calls for Service*



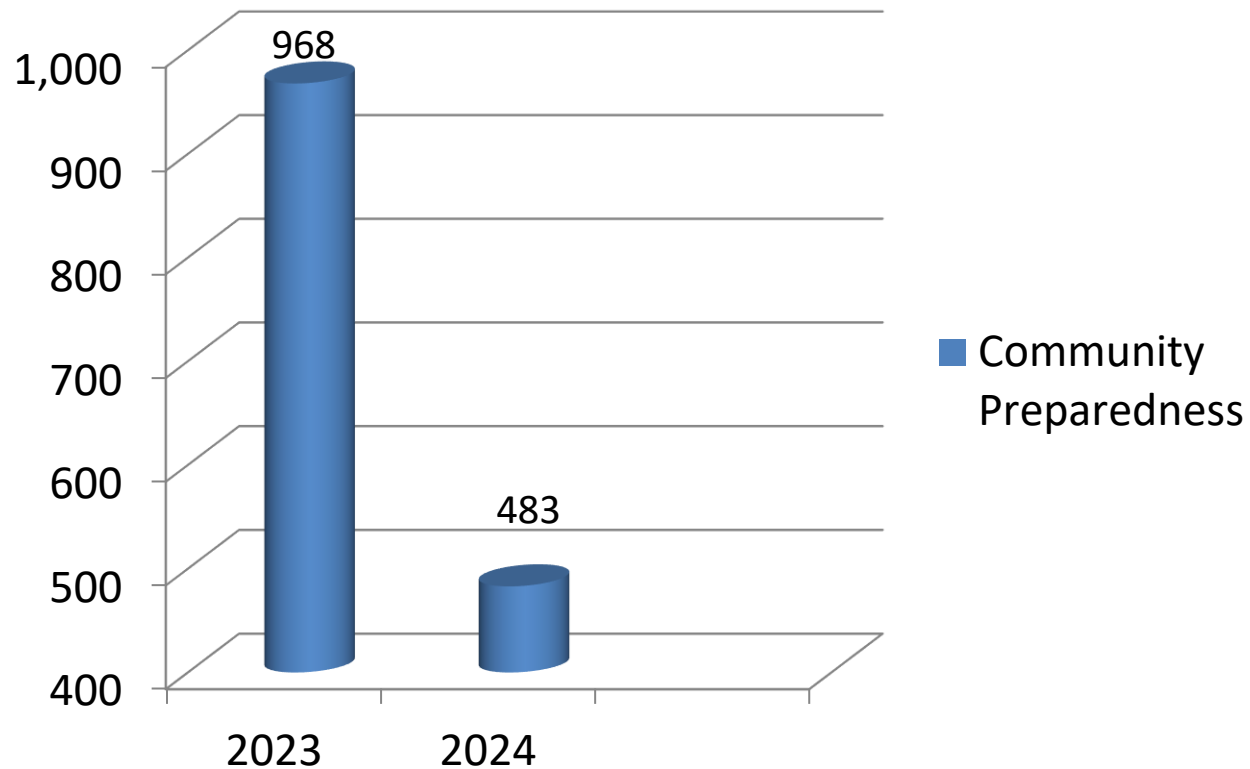
*includes all traffic stops, self initiated activity, routine and priority calls for service, etc.



Officer Productivity



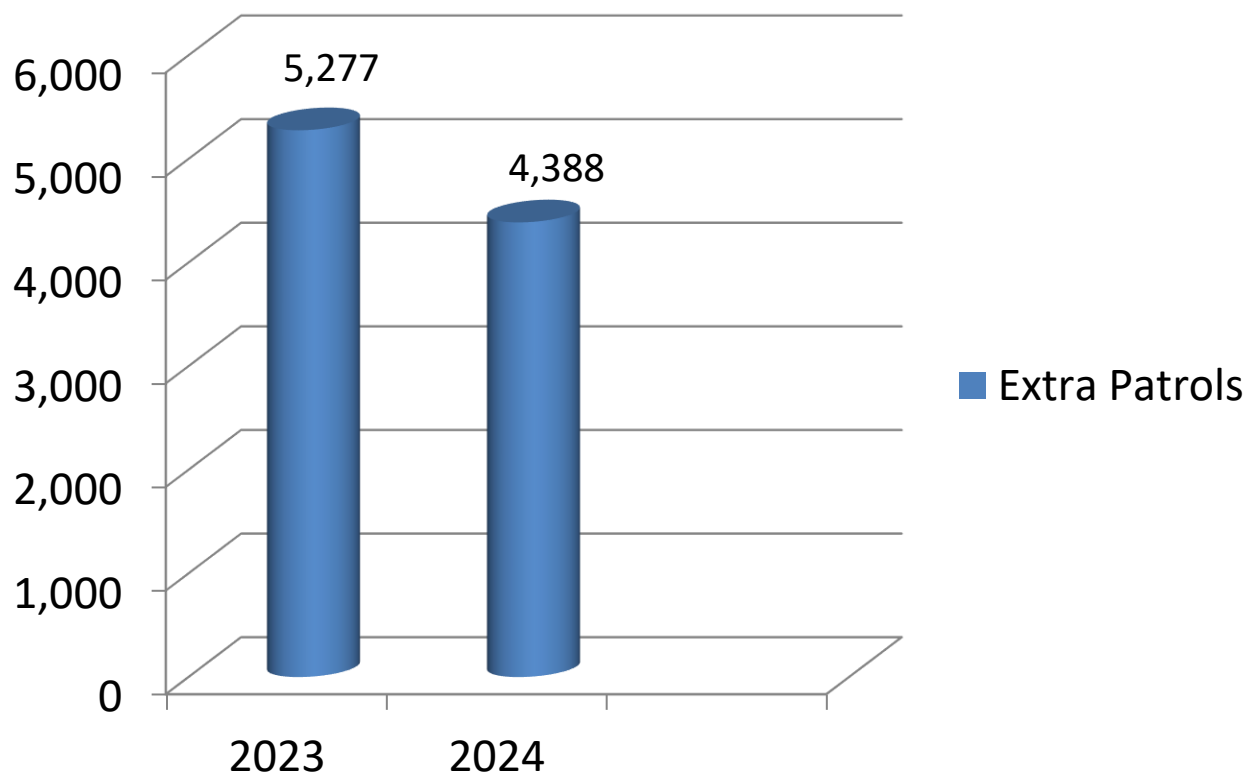
Community Preparedness Numbers* – Self Initiated



*Extra patrols at critical infrastructure (ie. ITC Transmission, US Energy Distribution, Ascension Providence Park Hospital, Water Treatment Facility, etc.) within the city.



Extra Patrol Numbers* – Self Initiated

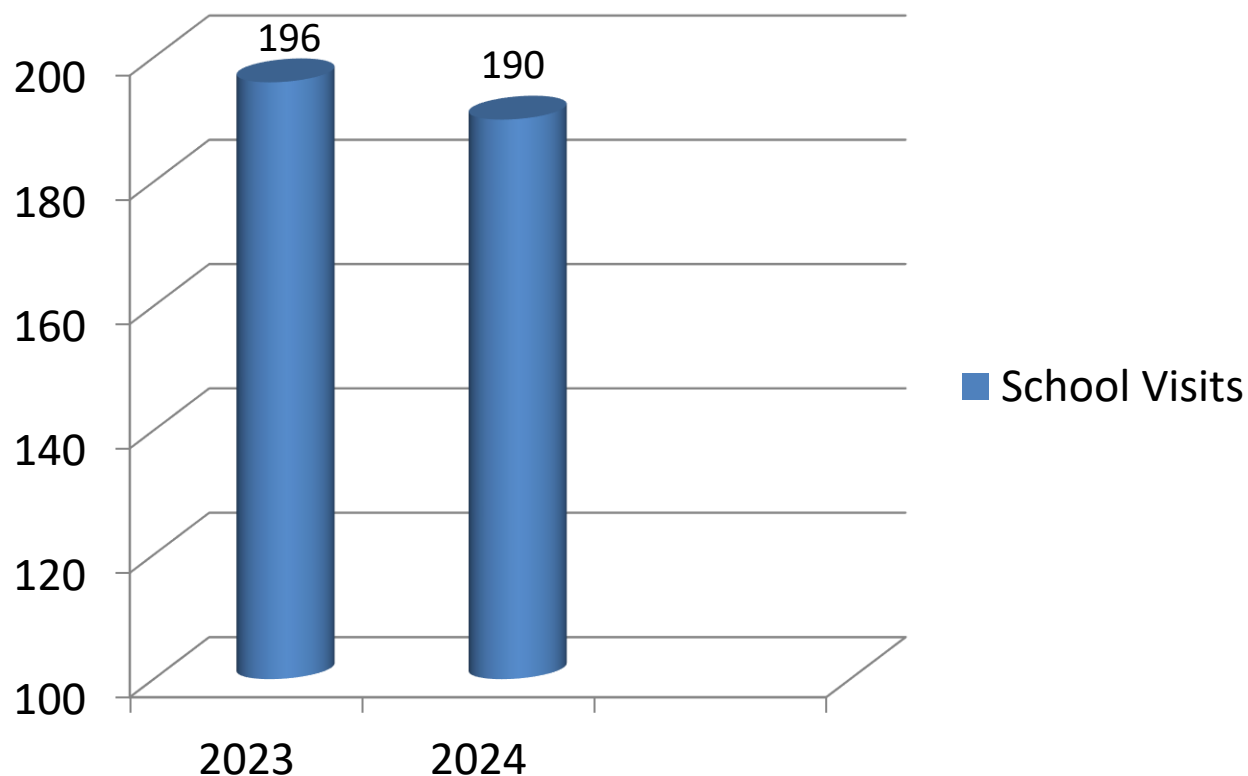


*Officers providing additional patrols at various locations above and beyond routine patrol.



cityofnovi.org

School Visit Numbers* – Self Initiated



*Additional patrols at area schools where officers typically walk inside.



Fire Priority Calls for Service

March 2024 v. 2023

FIRE OPERATIONS AVERAGE RESPONSE TIMES PRIORITY RESPONSES ONLY

TEAM / STATION	March	Total Calls	2024	Total Calls	2023	Total Calls
	2024		YTD		YTD	
TEAM 'A':						
STATION 1	4:38	80	4:29	294	4:45	319
STATION 2	4:48	95	4:45	284	4:46	245
STATION 3	4:50	44	4:51	113	4:52	85
STATION 4	5:42	31	5:25	91	4:52	126
TEAM 'A' AVERAGE:	4:59	250	4:52	782	4:48	775
TEAM 'B':						
STATION 1	5:04	97	5:09	308	4:57	290
STATION 2	5:33	89	5:44	271	5:24	271
STATION 3	5:15	38	5:43	137	5:56	129
STATION 4	5:45	28	6:09	93	6:07	105
TEAM 'B' AVERAGE:	5:24	252	5:41	809	5:36	795
TEAM. AVERAGE	5:11	502	5:16	1591	5:12	1570



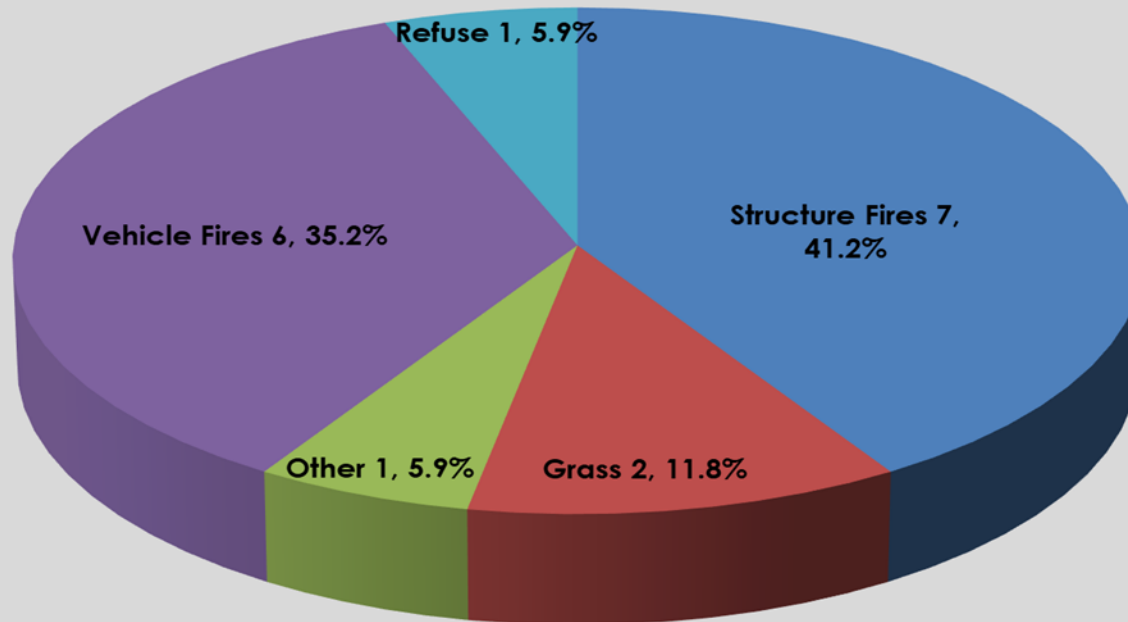
Fire All Calls for Service

March 2024 v. 2023

INCIDENT ACTIVITY REPORT				
Summary Comparison YTD				
Priority Calls for Service				
Incident Type	2024	2023	Difference	% Change
Fire (All Fires)	18	21	-3	-14%
EMS (Medicals, Rescues & PIAs)	1385	1352	33	2%
Hazardous Condition (Haz-Mat, Wires)	31	79	-48	-61%
Service Call (Pub.Assist, Unauth.Burn)	29	30	-1	-3%
Good Intent (Haz not found, CNX call)	47	36	11	31%
False Calls	79	80	-1	-1%
Other (Inspections, Pub-Ed, Pub-Relations, Car Seats,	2	2	0	0%
TOTAL	1591	1600	-9	-1%



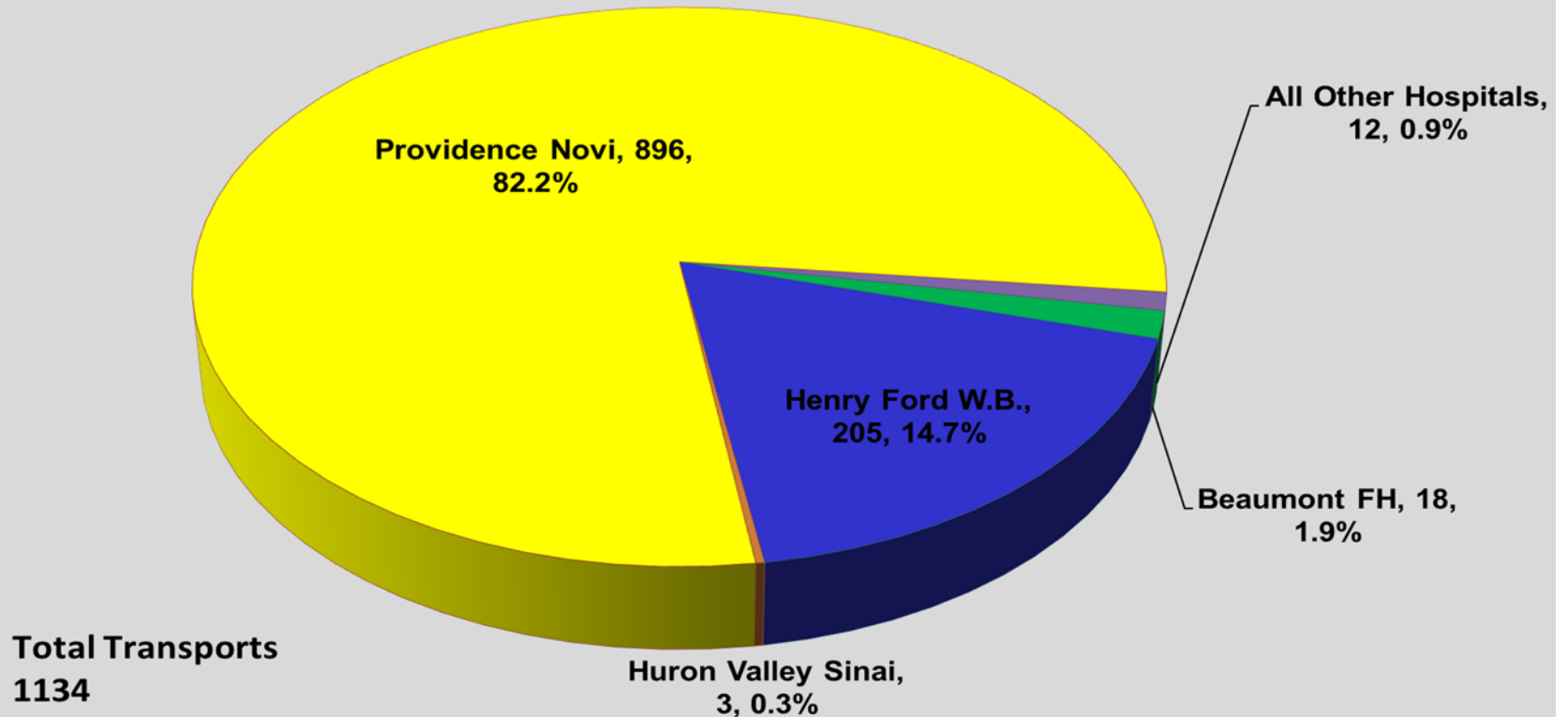
2024 YTD FIRES



TOTAL 17



Hospital Transports 2024



MEMORANDUM



TO: ERICK W. ZINSER
DIRECTOR OF PUBLIC SAFETY / CHIEF OF POLICE

FROM: SCOTT R. BAETENS
ASSISTANT CHIEF OF POLICE

SUBJECT: NOVI HIGH SCHOOL HOSA PSA

DATE: APRIL 11, 2024

Mayor and Council –

FYI, a great opportunity for our Public Safety team to engage with Novi HS students.

- Victor

On Wednesday, April 10th, we hosted an insightful meeting with students from the Novi High School's HOSA – Future Health Professionals chapter. They presented a Public Service Announcement (PSA) on fentanyl use, a project six months in the making, which aligns with our public safety and community outreach goals.

The session was an excellent dialogue, blending their research insights with our practical experiences on fentanyl's dangers, enforcement challenges, and public health impacts. We shared knowledge from our law enforcement perspective, highlighting the complexities of combating fentanyl distribution, use, and treatment.

Constructive feedback was provided to enhance their PSA, aiming to increase its effectiveness as an educational tool. The students were open to our suggestions, showing a strong commitment to accurately addressing the fentanyl issue and making a meaningful community impact.



MEMORANDUM



TO: MAYOR AND CITY COUNCIL
FROM: VICTOR CARDENAS, CITY MANAGER
SUBJECT: LEBOST GATE
DATE: APRIL 11, 2024

The breakaway gate on LeBost between Willowbrook Estates Subdivision and Willowbrook Farms No. 2 Subdivision came up at public comment the other night. I wanted to note a few things for City Council, as I assume there will be more conversation about this.

First, when Willowbrook Farms No. 2 was developed in the late 1990s, people in Willowbrook Estates *didn't* want a road connection between the two subdivisions (there was just a dead end there in Willowbrook Estates). The developer (Singh) offered to put a berm in instead of a connection; City Council agreed to that, and a requirement for a berm was written into the subdivision restrictions recorded at the Oakland County Register of Deeds. (See the attached minutes from the tentative plat approval in 1998.) It's not clear exactly how the berm became a gate instead, but we're looking into the history of that.

Second, the speaker the other night wanted to know how the City could just close that road, since it's a public road, people pay taxes for roads, etc. The answer is simple: The City has full control over opening and closing public streets generally under its charter. But it is also the approving body for streets in a plat, and therefore also had every right to limit the extent to which these subdivision streets connected (or didn't).

Finally, the speaker asked the City to just open the connection up. It's not that easy. Since the plat approval contemplated no connection (i.e., a permanent berm), to change that condition/decision would require some similar formal action. At this point, the City Attorney's office is suggesting that an amendment to the Willowbrook Farms No. 2 plat would likely be required. That would likely require a lawsuit in the circuit court involving all the members of at least Willowbrook Farms No. 2 and possibly Willowbrook Estates, too. There's also the matter of the recorded subdivision restrictions that prohibit the connection, which would also probably have to be amended.

This matter comes up every few years, and it does appear that there are people on "both sides" of the question (i.e., others like the gate closed). From now on, and in keeping with what was contemplated when the Willowbrook Farms No. 2 plat was approved, we plan on keeping the gate closed all year long in order not to cause any confusion.



CITY of NOVI CITY COUNCIL

Agenda Item J
December 21, 2015

SUBJECT: Approval of Traffic Control Order 15-26 to prohibit parking in the emergency turnaround at the north end of North LeBost Drive in Willowbrook Estates (at the gate).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BTC* *GA*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

An emergency access gate was constructed on North LeBost Drive between Willowbrook Estates Subdivision and Willowbrook Farms No. 2 Subdivision in the late 1990s. The gate was required as part of the tentative plat approval for Willowbrook Farms No. 2 in 1998 (see attached minutes excerpt) to prohibit through traffic between the two subdivisions, but to facilitate emergency access. Prior to construction of Willowbrook Farms No. 2, North LeBost was a dead end street with a T-turnaround, or hammerhead, added to the dead end sometime between 1963 and 1974 (see attached aerial photos). Hammerheads are usually added to dead end streets without cul-de-sacs to allow vehicles to turnaround without using private driveways.

A resident contacted the City to express concerns about vehicles parking in the turnaround area. Staff reviewed the concerns and determined that a parking prohibition is necessary to keep the area clear for its intended use as a turnaround and to keep the gate clear in case of emergency. (It should be noted that the gate is opened in the winter months to facilitate snow removal).

Traffic control orders are required under the Uniform Traffic Code to enforce traffic control signs that have been installed on public streets. Therefore, staff has proposed the attached traffic control order based on the recommendation of the consultant for approval by City Council. Once approved, the appropriate signs will be installed.

RECOMMENDED ACTION: Approval of Traffic Control Order 15-26 to prohibit parking in the emergency turnaround at the north end of North LeBost Drive in Willowbrook Estates (at the gate).

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Burke				
Council Member Casey				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

Location Map

North LeBost Drive



Map Author: Coburn
Date: 12/14/15
Project:
Version #:

Amended By:
Date:
Department:

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.



City of Novi
Engineering Division
Department of Public Services
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

Feet
0 45 90 180 270
1 inch = 227 feet



Proposed No Parking Sign Locations

N LeBost Drive

Scarborough Ln

No Parking Sign
Attached to existing gate

No Parking Sign

No Parking Sign

Existing Gate

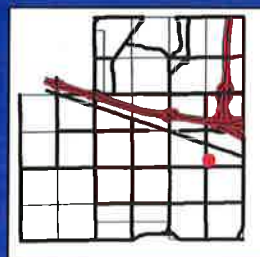
N LeBost Dr

Map Author: Coburn
Date: 12/21/15
Project:
Version #:

Amended By:
Date:
Department:

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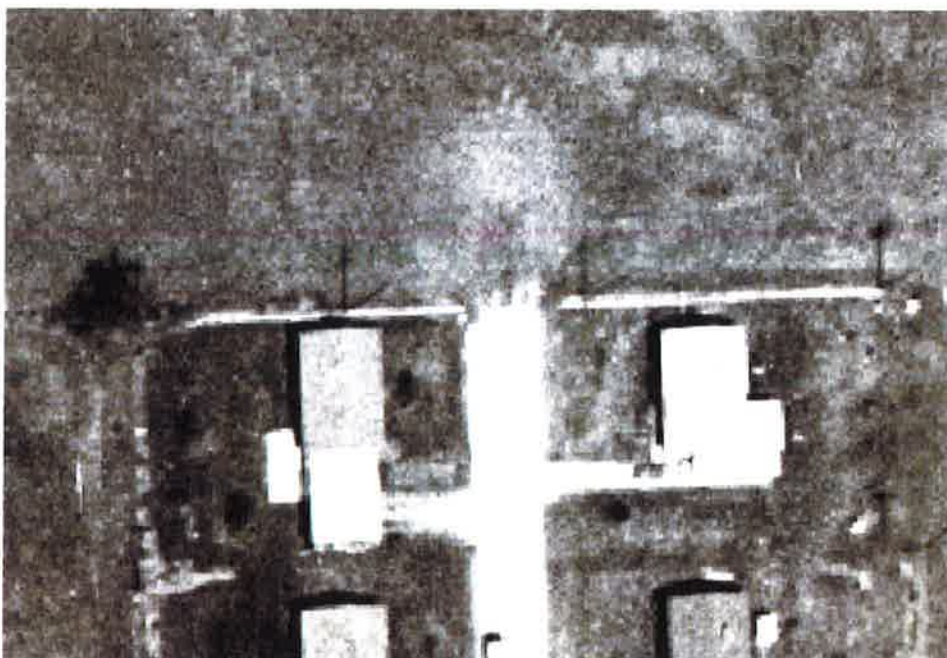
City of Novi

Engineering Division
Department of Public Services
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

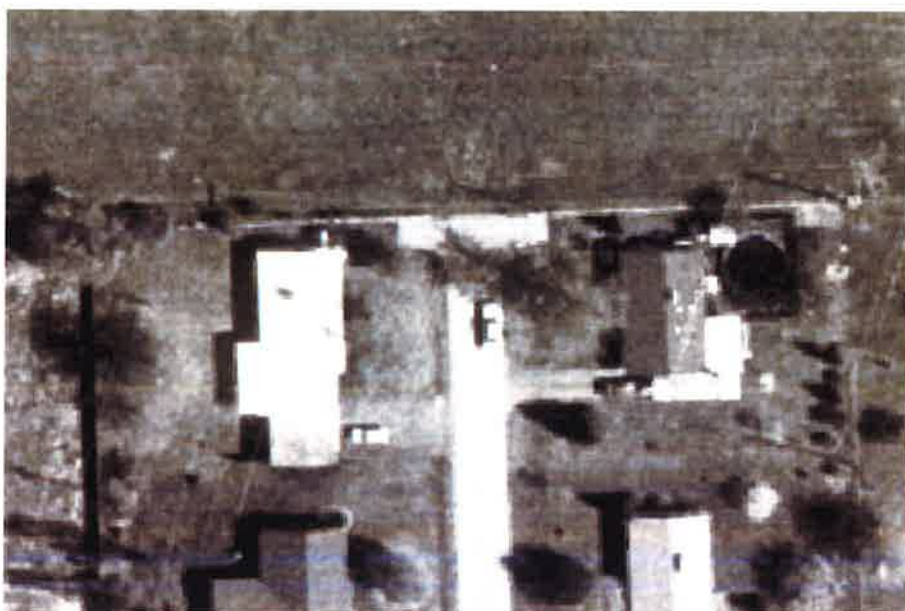
Feet
0 5 10 20 30
1 inch = 42 feet







1963 Aerial



1974 Aerial

**CITY OF NOVI
TRAFFIC CONTROL ORDER**

 SPEED
 X PARKING
 OTHER

DATE OF ORDER: 12/11/2015

CONTROL NUMBER: 15-26

PURSUANT TO CHAPTER NO. 33 OF THE CODE OF ORDINANCES OF THE CITY OF NOVI, MICHIGAN, SAME BEING THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS AND VILLAGES OF MICHIGAN AND IN THE INTEREST OF PUBLIC SAFETY AND CONVENIENCE THE FOLLOWING TRAFFIC CONTROL ORDER IS HEREBY ISSUED BY BRIAN COBURN, ENGINEERING MANAGER, DULY AUTHORIZED AS TRAFFIC ENGINEER, BY SEC. 33-51 OF THE AFORESAID CHAPTER.

ISSUANCE OF THIS TRAFFIC CONTROL ORDER WAS PRECEDED BY STUDY AND INVESTIGATION OF TRAFFIC CONDITIONS ON THE FOLLOWING PUBLIC ROAD OR ROADS IN THE CITY OF NOVI, MICHIGAN.

N LEBOST DRIVE

AND AFTER SAID INVESTIGATION, IT IS HEREBY ORDERED AND DIRECTED THAT THE DEPARTMENT OF PUBLIC SERVICES ERECT AND MAINTAIN THE NO PARKING SIGN (S) IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AS REQUIRED BY SEC. 33-51 OF THE AFORESAID CHAPTER, SAID SIGNS TO GIVE NOTICE OF THE FOLLOWING DETERMINATION:

NO PARKING WITHIN THE T-TURNAROUND ADJACENT TO THE GATE AT THE NORTH END OF NORTH LEBOST



Brian Coburn, P.E. - Traffic Engineer

Dated: 12/11/2015

APPROVED BY CITY COUNCIL

TRAFFIC CONTROL ORDER NUMBER 15-26 HAVING BEEN PRESENTED TO THE COUNCIL OF THE CITY OF NOVI, MICHIGAN FOR STUDY AND APPROVAL, IS HEREBY APPROVED AND IT IS HEREBY ORDERED AND DIRECTED THAT THIS ORDER BE FILED IN THE OFFICE OF THE CITY CLERK AND A COPY THEROF IN THE OFFICE OF THE CHIEF OF POLICE OF SAID CITY.

IT IS FURTHER ORDERED AND DIRECTED THAT THIS ORDER SHALL BECOME EFFECTIVE UPON BEING FILED WITH THE CLERK AND UPON ERECTION OF ADEQUATE SIGNS GIVING NOTICE OF THE EXISTENCE OF AFORESAID,

NO PARKING WITHIN THE T-TURNAROUND ADJACENT TO THE GATE AT THE NORTH END OF NORTH LEBOST

ADOPTED AT THE REGULAR MEETING OF
CITY COUNCIL ON 12/21/2015.

By: _____
Robert J. Gatt, Mayor

By: _____
Maryanne Cornelius, Clerk

very clear and the applicant has a reliable reputation in the community. She further believes that the staff has been highly sensitized within the last year to those projects that have failed to meet the expectations of this Council.

Councilman Schmid will not support the motion, although he supports the intent of the motion. He added that he also believes staff will review this project appropriately at final site plan approval.

**Vote on CM-98-12-385: Yeas: Kramer, Lorenzo, Mutch
Nays: McLallen, Crawford, Schmid DeRoche**

**Vote on CM-98-12-384: Yeas: McLallen, Crawford, DeRoche, Kramer, Lorenzo,
Mutch, Schmid
Nays: None**

5. Request for approval of Tentative Preliminary Plat and Wetlands Permit application for Willowbrook Farm Subdivision #2 and #3, SP 97-45C, located north of Ten Mile Road and east of Meadowbrook Road and appeal of the Woodlands Permit subject to ZBA variance

Mike Kahm advised they appeared before the Planning Commission on November 3 at which time they gave a negative recommendation for the projects proposed preliminary plat. Mr. Kahm advised the proposal includes Phases 2 and 3 of Willowbrook Farm Subdivision. He noted that many lots for Phase 1 have been built out and reminded Council that it was somewhat of a controversial subdivision because of the concerns raised regarding access. Mr. Kahm added that they were required to provide for a barrier at Brenda Lane into Joseph Street for safety purposes until such time they could make a connection to Meadowbrook Road which will be accomplished by Phases 2 and 3. Mr. Kahm added that he believes the Planning Commission's denial was based upon the fact that the applicant exceeded the forty five day approval period required by the city's ordinance.

Mr. Kahm then referred to his December 2, 1998 letter and noted that the subdivision substantially conforms to all the city's zoning and subdivision requirements. Mr. Kahm reported they originally submitted their plan for review in October 1997. Mr. Kahm explained they have been working diligently to try not only to meet the city's ordinances, but also the city's desire for responsible planning. Mr. Kahm advised they have saved an additional 102 trees and lost six lots in the process of trying to do what they thought was the right thing in a cooperative effort with the city's consultants. He added two of those lots were lost because off-line storm water detention now serves the site entirely.

Mr. Kahm advised that the proposed configuration of the cul-de-sac meets all of the city's zoning and subdivision requirements. However, he added that they were

removing some additional woodlands in the extension of that cul-de-sac. He advised in the spirit of cooperation and trying to preserve as much of the natural habitat on the site as they could, they modeled Bradford of Novi where in Phase 4 of that subdivision they had a similar situation. He explained there were some woodlands located in an area where if they extended the cul-de-sac all the way in, they would have removed substantially more trees. He reminded Council that they went to the ZBA and asked for an enlargement of the front yard set back distance. He advised they are proposing to enlarge the set back to approximately 181 feet for the Willowbrook Farms' cul-de-sac so that the lots will be in conformance with the front yard widths and the width of the lot at the throat of the cul-de-sac will meet the city's requirements. Mr. Kahm explained this is the compromise for trying to preserve more of the natural woodlands and understory, and a better way of planning than to develop the cul-de-sac in the standard way. Mr. Kahm advised it also resulted in a width to depth ratio problem when they moved the cul-de-sac upward to make the lots deeper. Mr. Kahm noted that the lots do not meet the one to three width to depth ratio, so with this plan they are asking Council to give them a positive recommendation to the ZBA for the enlargement of the front yard setbacks for two of the lots so they will conform with the zoning ordinance and so that they can get a waiver on the one to three width to depth ratio. In addition, Mr. Kahm advised this also caused Lot 108 to be less than 144 feet deep. Mr. Kahm reminded Council that the city's Subdivision Ordinance requires all lots that back to a major thoroughfare be at least 140 feet deep. Mr. Kahm advised Exhibit C of his letter indicates that although the lot does not meet the subdivision ordinance requirement of 140 feet deep because of the cul-de-sac bulb, they can comfortably construct a house on that site that is consistent with the other homes they are already building in the subdivision.

Mr. Kahm added there are 110 lots in Phases 2 and 3 which results in a density of two lots per acre and reminded Council that their zoning (R-4) allows as many as 3.3 lots per acre.

Mr. Kahm advised the two eyebrows were another concern raised by the Planning Commission and consultants. Mr. Kahm reported they took another look at the geometrics of these two eyebrows and advised that they can meet the standards required by the ordinance for U streets. Consequently, they are withdrawing their request for a variance.

Mr. Kahm advised that the neighbors to the south expressed concerns about through traffic on LeBost. Mr. Kahm explained they show that drive on their plat because the city's Subdivision Ordinance requires them to do that. Mr. Kahm believes the neighbors have some legitimate concerns and therefore, they propose to construct a decorative berm at the interface of the two subdivisions that would provide only for pedestrian traffic only. Mr. Kahm noted the berm would be similar to the berm they constructed in Phase 1 at Brenda Lane (Exhibit E) of their project in response to mitigate the concerns of their easterly neighbors.

Mr. Kahm reported storm drainage is another area of concern. As a result of the off line detention, Mr. Kahm reported that they were able to configure a detention basin that would allow for a hundred year storm storage for 62% of the area of the subdivision. Mr. Kahm reminded Council that they only require them to store a ten year storm. Consequently, Mr. Kahm believes there will be a substantially greater amount of detention just because of the geometrics of the design of the subdivision than they are required to have and he hopes that will help mitigate some of the concerns of the residents to the south.

In conclusion, Mr. Kahm advised that they walked the site with Ms. Lemke, Mr. Bluhm and Ms. Weber twice to find ways to be responsible and save as many trees as they possible can. Mr. Kahm agreed there are quality woodlands on the site, but noted there is a delicate balance between environmental preservation and responsible development. Mr. Kahm added that he believes they have accomplished that. Mr. Kahm noted they have achieved a 61.15% preservation factor and in the process of the different design changes, he recalled Ms. Lemke felt strongly about pulling the houses out of the valley that Bishop Creek creates through this subdivision. Mr. Kahm reported they removed the lots from the valley area which would have created walkout lots in order to preserve that corridor and he believes they have done everything they could to provide feasible and prudent alternatives as required in the city's woodland ordinance. Mr. Kahm then introduced Todd Holloway, President of Holloway Environmental Planning to give a brief overview of the woodland issues.

Mr. Holloway advised he is a registered landscape architect and a certified professional wetland scientist. Mr. Holloway advised he evaluated the property to determine what the core resource base of the project is today and how the core research base of the woodland, wetland and stream corridor system of Bishop Creek would look upon implementation of the plan that is currently before Council. Mr. Holloway reported he has prepared a graphic that summarizes all of the area that will remain in post development state. He noted the areas that they depict in white is the subdivision plan proper and those areas depicted in dark green are woodland area proposed to be preserved. Mr. Holloway reported the resource value that remains by removing the walkout lots and surrounding the valley wall system with development becomes consolidated into the central portion of the system. He explained that occurs from the top of the valley walls, inward where they have the ability for the ecological processes to continue through the soil moisture that is there, the protection and preservation of both woodlands and wetlands, and wildlife value. Mr. Holloway advised he has intended to demonstrate that the integrity of the core resource value will remain with the development proposal currently before Council because they will preserve it from the top of the slopes downward.

Councilman DeRoche asked for further clarification regarding the LeBost connection to the southerly subdivision. Mr. Kahm explained he was not making a decision; he was only offering a proposal in way to try to be sensitive to the concerns of the residents to

the south who are concerned about through traffic. He then restated how they addressed a similar issue in Phase 1 of their project.

Councilman DeRoche understands that the petitioner will provide a landscaped berm. Mr. Kahm agreed and added that the subdivisions will still be interconnected via pedestrian traffic.

Councilman Schmid understands that the development still has three entrances even with the elimination of LeBost; Mr. Kahm agreed.

Councilman Schmid believes there is no problem with eliminating the LeBost access and there is justification to eliminate it based upon the type of road it is beyond the applicant's subdivision.

Councilman Schmid believes the greater issue is with the wetland, woodlands and the number of homes in the subdivision. Councilman Schmid asked Mr. Holloway to point out where they are removing the 495 trees from the development. Mr. Holloway pointed out where the trees that are jurisdictionally protected under the ordinance as designated woodlands occur.

Councilman Schmid stated the number of trees they are removing is more extensive than he visualized. He asked whether Mr. Holloway is suggesting that they will save no trees? Mr. Holloway replied that saving those trees is very difficult. He explained some trees immediately along the lot lines where there is no grading or construction for the foundations of the buildings will be saved. However, he continued by stating it is difficult to save trees with the construction of underground utilities, sidewalks and driveways.

Councilman Schmid asked how old are the trees they are removing? Mr. Holloway replied the stand of trees are medium in age and vary in age from 6-8 years to 40-45 years.

Councilman Schmid asked how many trees are in the 25-45 year range? Mr. Holloway explained this was not as important an issue to him as the overall long term ecology of the site. He continued by stating he would estimate that approximately 50% fall in the 25-45 year range and would range from 18"-24" in diameter.

Mayor ProTem Crawford concurred there should be no vehicle connection on LeBost to the south because the current LeBost Drive is not constructed to withstand that kind of traffic. Mayor ProTem Crawford asked why should they even have the stub off Scarborough Lane? Mr. Kahm replied there are two reasons; it provides some level flexibility for the city in the future because it will need to be repaved at some point and because it is not desirable to have a street abutting someone's back yard. Mayor ProTem Crawford would like to eliminate the stub because he believes they can

COUNCIL DISCUSSION

Mayor ProTem Crawford is unclear about the LeBost emergency connection. Mr. Arroyo advised that the road right-of-way is 60 feet, but they would only need 18 feet for an emergency access.

Mayor ProTem Crawford would rather see an emergency connection than a stub that leads to nowhere. Mr. Arroyo advised they make sure the requirements of the ordinance are met at the final engineering level.

Mayor ProTem Crawford understands that it could involve losing a lot (Lot 51). Mr. Arroyo disagreed, and advised they could bring the road down and then turn it into an emergency access.

Mayor ProTem Crawford understands Ms. Lemke suggested that they eliminate Lots 93-100 and 114-118 and asked whether there are other alternatives to eliminating all of those lots. Ms. Lemke replied that she does not want to eliminate all those lots. She explained her recommendation is to remove any 5-6 lots from those particular lots. She would suggest removing one or two lots from Lots 70-73 and then remove the remainder from the other two ranges.

Mayor ProTem Crawford suggested that they remove Lots 114-118. Ms. Lemke believes the removal of those particular lots would be the best choice because of the quality of the woodlands in that area.

Mayor ProTem Crawford asked whether the applicant would consider removing those lots.

Mr. Kahm believes asking to remove all five lots is somewhat punitive and wondered whether Council could support the plan if they removed some of those lots.

Mayor ProTem Crawford asked if this issue is something that could come back at the next step. Mr. Watson believes Council could direct the applicant to work with Ms. Lemke on a plan by eliminating whatever number of lots that would be most advantageous to preserving the trees.

Mayor ProTem Crawford asked whether he had to amend the motion to eliminate two or three lots.

Councilman DeRoche understands they would eliminate no less than two and no more than five lots; Mayor ProTem Crawford agreed.

Councilman DeRoche would agree to include that condition in his motion.

Although Councilman Schmid believes they are making headway, he believes they are not there yet. He explained they are eliminating an extensive number of mature trees and to suggest that this is a good subdivision, is a wrong approach. Further, Councilman Schmid suggested that the city develop a requirement where an applicant should submit a financial document that could verify the breaking point of a project. Although Councilman Schmid believes Singh is a quality developer, he believes they are being too hastily in allowing this subdivision to move forward because of the number of homes and because of the extensive removal of trees. He continued by stating he is confident that Mr. Singh and Mr. Kahm would accommodate a greater reduction in lots if it can be shown that they are eliminating substantial trees from this subdivision. Councilman Schmid added that he does not believe someone can develop a piece of property just because they purchased it. He explained they can only develop what the ordinance provides they can develop.

Councilman Schmid suggested that they ask the developer what they can do in terms of eliminating lots and that Ms. Lemke should suggest a minimum number of lots that they should eliminate based upon the preservation of the woodlands. Ms. Lemke restated she has submitted a very serious denial and she did not mean to get into a bidding negotiation. However, she noted that the elimination of any number of lots would be an improvement, but ideally she would recommend that they eliminate a minimum of ten lots and closer to twenty lots. She noted that she has already discussed this with Mr. Kahm.

Councilman Schmid would like to know at what point would they know this is a good project. Looking at this project strictly from the benefit to its natural resources, Ms. Lemke would recommend eliminating a minimum of ten and a maximum of twenty lots.

Councilman Schmid asked whether the petitioner can reasonably define what will make this project financially feasible. With all due respect, Mr. Kahm believes they must look at how this piece of property fits in Novi. He explained there is light industrial zoning to the north, an existing subdivision to the east and south, and Meadowbrook Road is to the west. He noted the area is fully developed to the west of Meadowbrook Road. Consequently, the area they are developing is an isolated pocket of residential land and reminded Council that the negotiation to purchase the property was difficult. Further, Mr. Kahm agrees that the woodlands on the site are of high quality, but the fact remains it is an isolated woodland area that remained undeveloped because the property was not reasonably on the market until recently. Mr. Kahm believes they have tried to preserve quite a bit of the woodland and he is willing to come up with a reasonable compromise. However, he would ask that they not remove lots for the sake of removing lots. He advised that they have to look at what the market is for these particular sized lots and noted they are the smallest lots in Novi. Consequently, they would sell these homes to a first or second time home buyer and they are trying to keep their prices in the \$275,000-\$300,000 range. He reminded Council that the price of the

land dictates the price of the home and this particular piece of property was very expensive because Novi is a desirable place to live. Mr. Kahm advised they are willing to remove lots in areas where there are substantial trees, but noted as they developed their plan they went lot by lot to try to find the best way to preserve every significant tree they could (i.e., Lot 114).

Councilman Schmid asked if Mr. Kahm is willing to work with Ms. Lemke in trying to preserve the woodlands? Mr. Kahm is willing to work with Ms. Lemke, but he reminded Council this is a gray area and he is somewhat frustrated that his fourteen months of effort are somewhat for nil. He continued by stating if they were to proceed, he would respectfully request that they zero in on some specific number and because he has walked the site, he knows the areas where he could remove a couple of lots because there is an attractive stand of beech trees.

Councilwoman Mutch understands the concern is not about specific lots, but about certain areas that they would like to see protected. Ms. Lemke believes the key word is area and agreed it is not concern for a tree or for a stand of trees. She continued by stating that if she could not get an area of woodlands, then she was looking for a grouping of trees that would have a good understory around them because they are trying to preserve areas so that the woodland system keeps regenerating.

Councilwoman Mutch asked whether addressing this particular problem by not limiting it to numbers or certain lots would be more effective. She suggested they could then meet with the applicant and identify those areas so they can reconfigure lots. Ms. Lemke would agree to that approach if it were a different piece of land. However, she noted that the site is already tight and she believes the best approach would be to identify the areas of concern by providing the lot numbers.

Councilwoman Mutch believes there may be an area that spans more than one lot and consequently, two lots would be removed. Councilwoman Mutch's point is that the petitioner may have a way of reconfiguring the ten to twenty lots of concern in a way that he would still result with a number closer to ten or twenty rather than arbitrarily eliminating entire lots. Ms. Lemke believes the only way the applicant could do that would be to combine lots. She added that the applicant has already reconfigured and lost lots for that.

Councilwoman Mutch asked whether there is a benefit to having that flexibility? Mr. Kahm agreed he has already done that, but noted if they could agree on a reasonable number, then he would be willing to work with Ms. Lemke and select where those areas should be lost to preserve the woodlands to the highest benefit. Mr. Kahm asked whether Council would permit them to come back with that change at the time of final preliminary plat approval.

Councilwoman Mutch is trying to determine whether she will vote for a restrictive

amendment to this motion that states somewhere between 2 and 5 lots will be lost.

Mr. Kahm restated that Ms. Lemke is concerned about three specific areas (Lots 93-100, Lots 70-73 and Lots 114-118) Mr. Kahm questions the benefit they will achieve with the elimination of lots in the range of Lots 93-100 because the woodlands are at the rear of those lots. Regarding Lots 70-73, Mr. Kahm advised they have a functional geometric problem with those lots and explained if they pull the cul-de-sac any further down, it will not be a functional cul-de-sac because the bulb will be on Scarborough Lane. Mr. Kahm believes they can be more flexible with Lots 114-118 and that they can selectively remove some lots and save a more premium stand of trees because of the way it is configured.

Mayor McLallen restated the motion.

Councilwoman Mutch noted that does not want to include Ms. Lemke's comment about closing the northerly road that enters from Meadowbrook in the motion. Although Ms. Lemke believes this alternative would have a positive impact, she noted that condition is not included in her written recommendation.

CM-98-12-387: Moved by Schmid, Seconded by Lorenzo, FAILED: To amend the motion to state, a minimum of 2 lots with a maximum to be determined and not to exceed 10 lots

COUNCIL DISCUSSION

Mayor ProTem Crawford will not support the motion because he believes it only increases the possibility by five lots and he believes that number is unrealistic.

**Vote on CM-98-12-387: Yeas: DeRoche, Lorenzo, Schmid
Nays: Mutch, McLallen, Kramer, Crawford**

Mayor ProTem Crawford called the question.

Mayor McLallen asked whether there is any debate on calling the question. Mr. Watson advised there must be a motion voted upon. He explained calling the question is essentially a motion to end debate and would require a second and passed with a two third majority vote without debate.

Mayor ProTem Crawford moved to call the question.

CM-98-12-388: Moved by Crawford, Seconded by DeRoche, FAILED: To call the question

**Vote on CM-98-12-388: Yeas: McLallen, Crawford, DeRoche, Mutch
Nays: Lorenzo, Schmid, Kramer**

Mayor McLallen noted the motion failed because there was not the required two thirds vote.

Mayor McLallen is concerned because they have ordinances under which they develop land and this particular land was proposed to be developed under R-4 or any of the city's other options. Mayor McLallen understands the only options applicable to this site are the Woodland Preservation Option and the Open Space Option. Mayor McLallen noted that the Open Space Option did not achieve the goal of greater preservation of environmental features and it merely reconfigured lots. The Mayor asked whether the other option was applicable to this site? Mr. Arroyo advised that the Open Space Option would only permit them to reduce the area of the lot from 10,000 to 9,000 and not the lot width.

Mr. Arroyo then asked Ms. Lemke whether the site meets the requirements for the preservation of the minimum percentages for woodlands and other features as specified. Ms. Lemke replied that the Preservation Option requires an 80 acre minimum. Consequently, she reported this site would not qualify because it would not meet that requirement.

Mayor McLallen understands that only the R-4 zoning was applicable to this property. She continued by stating they require roads, setbacks and utilities under the R-4 zoning and whether they like it or not, this land traversed a major water body and an intact wooded eco system. Mayor McLallen referred to the woodland ordinance and restated that the woodland's ordinance is for the protection of the woodlands and by that they are all seeking to preserve the largest system, not individual trees. She continued by stating that the mechanism that allows the removal of trees suggests there is no other acceptable option.

Mr. Watson advised that particular provision talks about the removal or the relocation of trees and limits it to two different situations. He explained the first is when it is necessary for the location of a structure or site improvements and when they can have no feasible or prudent alternative location of the structure or improvements without causing undo hardship. In other words, Mr. Watson understands if there is an alternate location that would not take out the trees they would have to ask whether relocating would cause a hardship. Mr. Watson advised the other instance is for trees that are dead, diseased, injured, or in danger of falling too close to a proposed structure.

Mayor McLallen was referring to the first situation. She explained the only option they have is R-4 zoning which requires a certain width for streets and access at multiple points on public roads. The Mayor then asked if there was another way to design a

street system that did not violate the core corridor? Mr. Arroyo believes the proposed access plan is reasonable and to eliminate the southerly access basically means that they will only have one external point. He continued by stating the only other point of access would then be through an existing subdivision and his preference would be that it remains that way. Mr. Arroyo advised if they eliminated the southerly access and still have the emergency access through LeBost, at least the subdivision would be served by a secondary access. Mr. Arroyo continued by stating there is a potential way where they could actually cut off the access to the south and still make the subdivision functional. However, he believes the access system they proposed is preferable to eliminating that access.

Mayor McLallen's point is that they have limited themselves in this community and put themselves at odds with their goal of maintaining environmental features with the inflexibility of their zoning ordinances. She explained they have no other opportunities except the very intense negotiating that occurred tonight and she does not believe that is how the city should run itself. She believes if they are truly committed in protecting their woodlands and environmental features, then they need to develop ordinances that provide for that and provide for certain flexibility. She continued by stating the applicant's should not have to spend the time this applicant has spent on a plan that is no closer a solution by Council. She reminded Council that they have reached a compromise that still is not over and her point is that she believes this Council must look at other mechanisms besides the rigidity of the R-4 and RA zoning.

Councilwoman Lorenzo will support the motion because it promotes the elimination of several lots in order to preserve more of the woodlands. However, she noted whether she will support the final plat will depend upon how much preservation has been achieved.

Councilman Schmid recalled that the Mayor has expressed her opinion similarly on other issues for other developments and he totally disagrees with her comments. He believes the purpose of the city and the purpose of Council should be to protect the environment as much as possible. He also believes that the woodland's ordinance has more effectiveness than suggested by the Mayor. He explained that the ordinance suggests that they preserve trees unless it presents a hardship on a developer. He continued by asking what is the hardship and if there is no hardship, then they should save as much of the woodlands and wetlands as possible. He stated just because a developer buys a piece of land, he does not believe the intent of the city or the ordinance is to permit that developer to remove all the woodlands. Further, he believes they should negotiate these things and that they have done that successfully on several occasions.

Councilwoman Mutch restated that they have had major debates where they have tried to redesign a development plan around preservation issues. She continued by stating that when the city staff and consultants have made the effort, and spent the tax dollars

to identify these areas that are of such high priority in terms of preservation, she asked why are they not providing the leadership in the community to persuade the community to acquire these properties so that they do not have to worry about how they are going to be developed and what kind of compromises they have to make. She believes if the city had acquired this area, it would have been a wonderful green space area for this part of the city. Therefore, she is once again reminding Council that if these things are important to them, then they should be more pro-active in a real preservation effort.

Mayor McLallen restated the motion.

Mr. Kahm asked whether those items outlined in his December 2, 1998 letter are included in the motion? Councilman DeRoche understands those items are acceptable to the consultants and would agree to make them a part of his motion.

**Vote on CM-98-12-386: Yeas: Crawford, DeRoche, Kramer, Lorenzo, Mutch
Nays: McLallen, Schmid**

AUDIENCE PARTICIPATION

Darryl Phelps - 48763 Pebble Lane, understands there were lower bids received for Item 7 under Matters for Council Action - Part II.

Mayor McLallen advised Council is discussing this matter this evening and noted that Mr. Kapelczak from JCK & Associates can speak with Mr. Phelps about this matter during Council's break.

BREAK from 11:20 p.m. until 11:35 p.m.

Mayor McLallen advised there is a consensus of Council to move Item 7 before Item 6.

MATTERS FOR COUNCIL ACTION - Part II

- 7. Award bid for Eleven Mile/Wixom Sanitary Sewer Extension, Eleven Mile/Wixom Water Main, Beck Road Sanitary Sewer Extension and Eleven Mile/Beck Road Intersection Improvements to the lowest responsive bidder, D.O.C. Contracting, Inc., in the amount of \$2,148,146.00, contingent upon receipt of permits and easements/rights-of-way for each individual project and authorization for the engineers to issue individual project notices to proceed and the Finance Director to transfer woodland replacement costs from the construction accounts to the tree account**

Councilman Schmid is concerned about the limited number of right-of-ways acquisitions. He explained if they go out to bid without the needed right-of-ways, it may

MEMORANDUM



TO: VICTOR CARDENAS, CITY MANAGER
FROM: LINDSAY BELL, AICP, SENIOR PLANNER
THROUGH: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: CITY WEST DISTRICT – OPTIONS TO CONSIDER
DATE: APRIL 9, 2024

Mayor and Council –

For your information, work and revisions to the proposed City West Ordinance that will most likely come before Council on May 6th.

- Victor

Since the City Council's first look at the City West Ordinance on July 10, 2023, staff has taken the feedback received into account and made changes to the proposed text. Those changes were summarized in the attached August 17, 2023 Administrative Packet. Changes to City West ordinance since the last version are shown in blue strikethrough/underline in the updated draft ordinance that is attached.

The purpose of this correspondence is to:

- Provide background information for those not yet familiar with City West, and
- Summarize the potential options or potential additional changes that City Council will be asked to consider on April 22nd, when we hope to bring the City West topic back for consideration.

BACKGROUND

The City of Novi's 2016 Master Plan Update included recommendations for redevelopment of three areas within the City that were considered vacant or under-utilized given their location, unique features, and size:

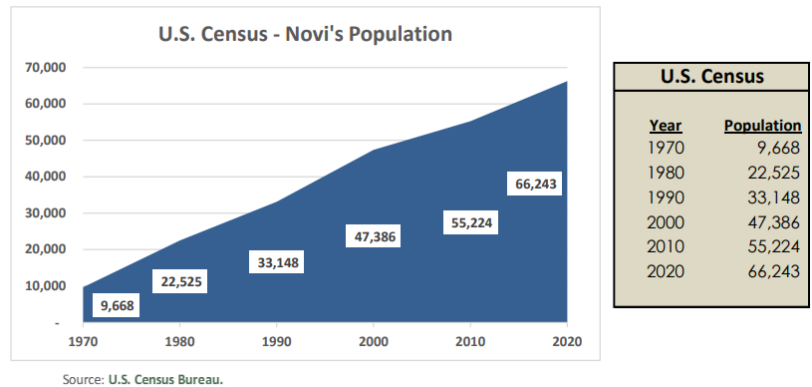
- 1) Pavilion Shore Village, near Walled Lake, which was rezoned to a new zoning classification in 2021;
- 2) Anglin Property near Town Center, which is now incorporated into the Sakura Novi development; and
- 3) City West. City West is proposed north and south of Grand River Avenue, east of Beck Road and west of Taft Road.

The Master Plan recommendation for this area was to create a vibrant, integrated, mixed-use arts and entertainment district that would support and enhance the nearby Suburban Collection Showplace and Ascension Providence Park.

Working with the Planning Commission's Implementation Committee (comprised of Commissioners) and the City Attorney's office, the City West Zoning Ordinance text was developed 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 for both documents to 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.

As the current 2023 Master Plan update effort continues, Novi continues to grow, as evidenced by 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 a 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.

HOUSING OPTIONS

The City West area provides an opportunity to expand the housing choices available for young professionals, empty nesters, and other residents who prioritize an interconnected community with a mix of complementary uses providing easy access to destinations within Novi, as well as access to the freeway. Grand River Avenue is a major corridor with greater road capacity than many areas of the city. Mass transit has recently been offered along the Grand River corridor through Novi and into Wixom. With the addition of transit stops in the City West area, it is a logical location for additional density to be permitted following the principles of transit-oriented development. Most of the city's housing options are currently not in proximity to the new transit routes, which will limit their utilization.

The state's Growing Michigan Together (GMT) Council has recently completed their comprehensive population growth report for the state. Michigan ranks 49th for population growth in the nation. In order to begin to reverse this trend, the GMT Council has recommended three strategies to build back the state's population. Strategy 3 is to “Create thriving, resilient communities that are magnets for young talent.” The City West district could help establish the type of housing in proximity to transit that would attract not only the workforce needed for innovative entrepreneurs and businesses, but also provide appealing housing options for the City's aging population in a compact, connected setting.

CREATING A SENSE OF PLACE

City West is also an opportunity to showcase Novi as an area of interest to the thousands of visitors to the Suburban Showplace and Ascension Hospital each year. Creating a place of interest surrounding these existing activity centers will boost the City's image, while reducing the need for shorter vehicle trips with a mix of uses available.

INTEREST IN THE PROPOSED DISTRICT

Property owners south of Grand River in the City West area, both of vacant land and currently developed property, have expressed an interest in and support of the ordinance amendment. Some property owners have introduced concepts for projects that could align with the intent of the City West ordinance amendment and Design Guide. Current businesses such as Gatsby's, Paradise Park, and Total Sports Novi have found the text amendment appealing due to the flexibility it offers for those businesses moving forward.

The density and height of the buildings would also permit more preservation of sensitive areas, as the footprint of the buildings could be smaller. Above or underground structured parking, instead of surface parking lots, would go further in promoting areas for open space and reducing impervious surfaces. More taxable value would be created on a smaller footprint of developed area.

COMPARABLE SETBACKS TO WHAT IS CURRENTLY PERMITTED IN THE I-1 DISTRICT

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, Light Industrial District. Within 100 feet of a single-family residential district, non-residential buildings are not permitted, which is the same as in the I-1 District currently. At the baseline level of development, building height is limited to three (3) stories.

MIXED-USE DEVELOPMENT OPTION (MDO)

The ordinance includes an optional Mixed-Use Development Option (MDO), which permits a wider range of uses and higher-intensity development 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. As an optional form of development under the state zoning enabling law, 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 for MDO projects 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.

Residential uses are permitted using the MDO option with a minimum setback of 2 feet per each foot of building height from single family residential districts. Within 200 feet of single family residential, building height is limited to 35 feet, which is the same height limit as the single-family districts—that is, the same height as a typical single-family home in Novi. Building heights for all uses within 200 to 300 feet of a single-family residential district are limited to 45 feet. These are significant height limitations that respect the existing developments. By way of comparison, the current I-1 District allows a 40-foot building with a setback of just 20 feet to adjacent property.

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. Buildings greater than 300 feet from single-family residential districts may be eligible for bonus height at City Council's discretion. Bonus height may be granted if the project provides the following:

- Underground or structured parking (1 additional story per 125 spaces provided)
- Dedicated open space or preservation of natural areas in excess of 25 percent (up to 1 story bonus)
- Gold or Platinum LEED certification in building design (up to 1 story bonus)
- 15 percent or more residential units targeted for workforce housing (up to 1 story bonus)

NEXT STEPS

As the draft ordinance returns to the City Council for a First Reading on the amended text, staff will be presenting three options for consideration by the City Council (see accompanying maps for the locations of each of the three options):

Option 1: Adopt the current City West District Text Amendment, with minor modifications, and Rezone areas both north and south of Grand River

This is the option recommended by Staff. The City Council appeared to be in favor of excluding the B-3, General Business zoned property at the southeast corner of Grand River and Beck Road, which could still be done under this option.

Option 2: Adopt the current City West District Text Amendment, with minor modifications, but rezone only the north side of Grand River Avenue at this time

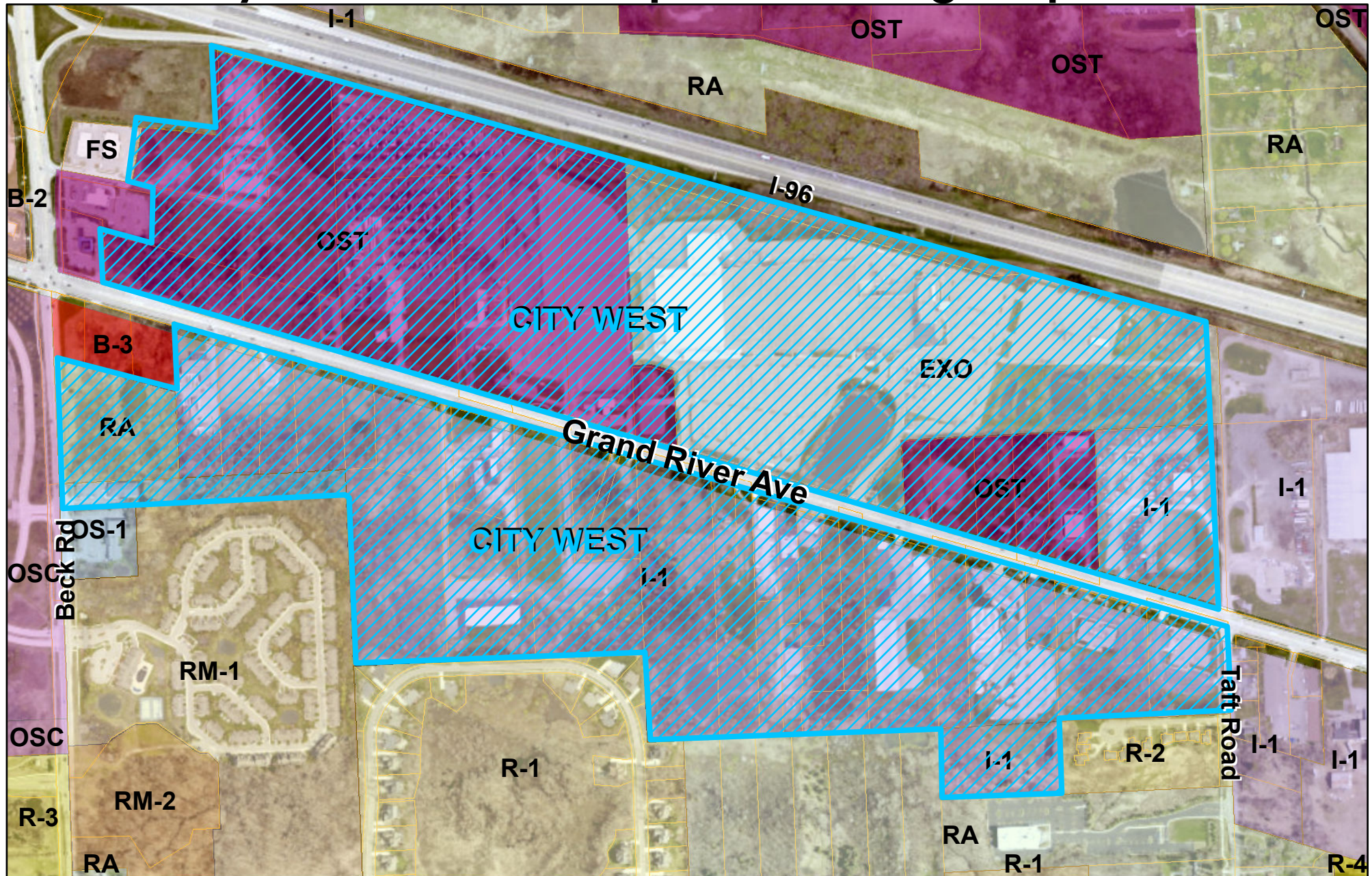
This option would leave the potential for the south side to be rezoned at some point in the future without having to amend the City West zoning ordinance. In the meantime, the south side of Grand River Avenue would remain zoned primarily Light Industrial, and any new development proposed would need to meet the I-1, Light Industrial District standards (or RA or B-3, in the case of two properties near the southeast corner of Grand River and Beck). This would also leave open the option for a developer to request a rezoning of the land on the south side of Grand River to City West if that district is needed to support a particular development.

On the north side of Grand River, 144 acres would be rezoned to the new City West District.

Option 3: Direct staff to revise the City West District Text Amendment and City West Design Guide to remove all references to the south side of Grand River Avenue, with the intent to Rezone only the north side of Grand River Avenue

This option would remove the area south of Grand River Avenue as an option for the development that the City West Ordinance and Design Guide contemplates as originally introduced. If the City Council chooses this option, Staff would make revisions to the text amendment and Design Guide so that it only pertains to that area north of Grand River Avenue prior to the Second Reading or the ordinance amendment.

City West District: Proposed Zoning - Option 1



0 0.1 0.2 0.4 Miles

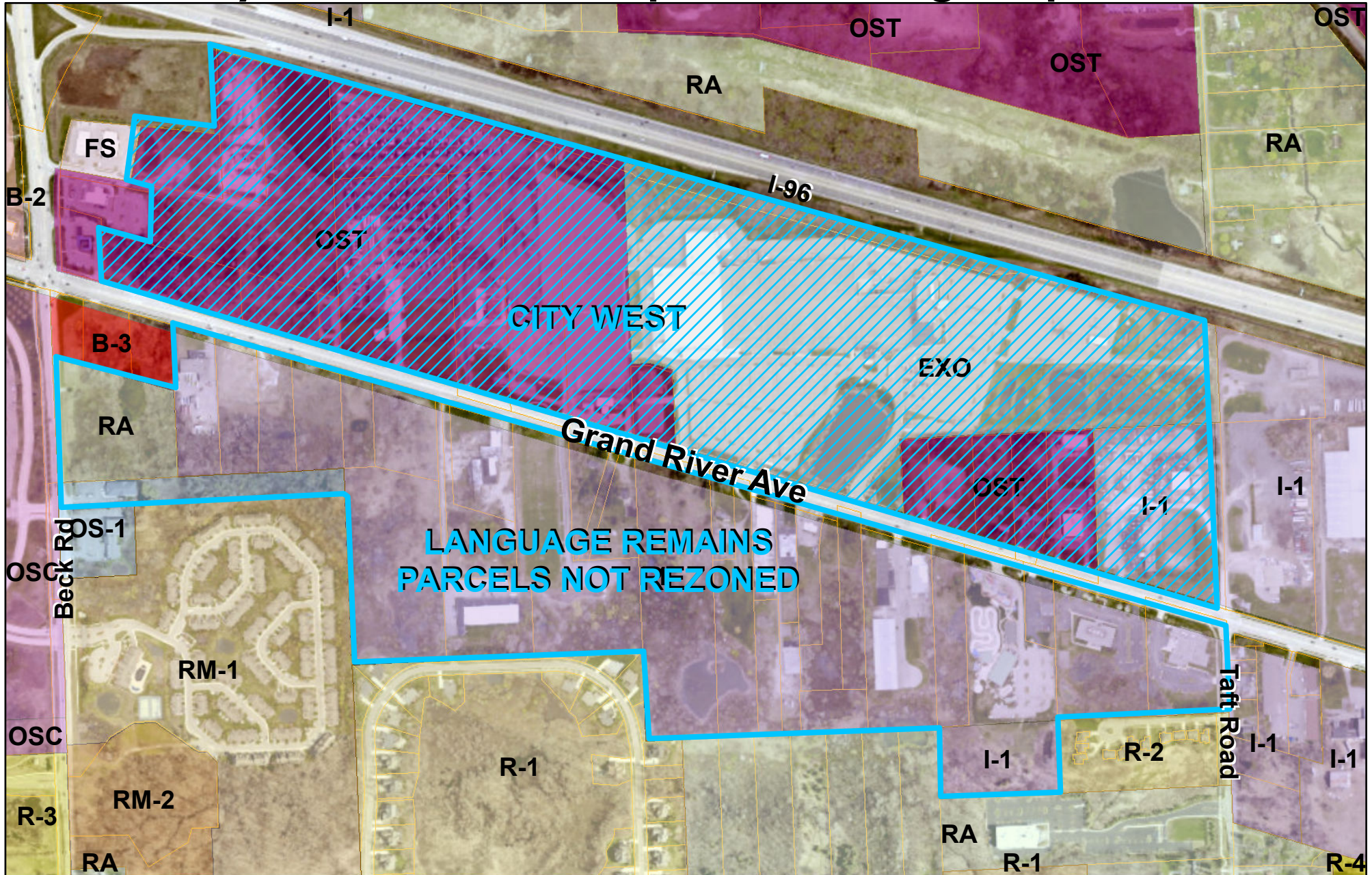


MAP INTERPRETATION NOTICE

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. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



City West District: Proposed Zoning - Option 2



0 0.1 0.2 0.4 Miles



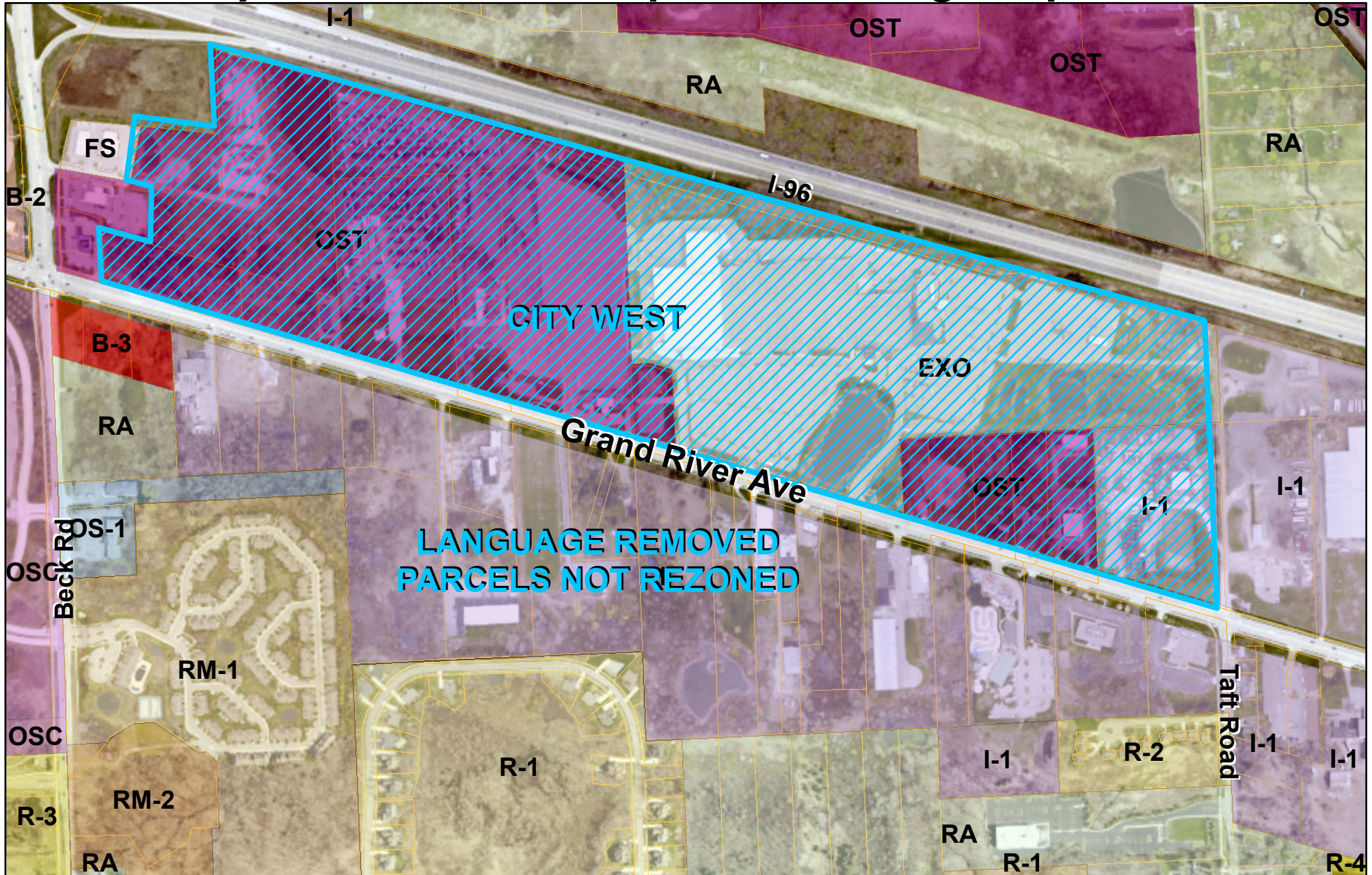
Map Author: James Hill
Date: 3/27/24
Project: City West

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City West District: Proposed Zoning - Option 3



0 0.1 0.2 0.4 Miles



Map Author: James Hill
Date: 3/27/24
Project: City West

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MEMORANDUM



TO: VICTOR CARDENAS, CITY MANAGER
FROM: LINDSAY BELL, AICP, SENIOR PLANNER
THROUGH: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: DRAFT CITY WEST ORDINANCE - REVISIONS
DATE: AUGUST 17, 2023

Since the City Council's first look at the City West Ordinance on July 10, staff has taken the feedback received into account and made changes to the proposed text. This memo will summarize the issues that were identified, and explain the changes made or offer further explanation. In the draft Text Amendment attached, the changes to City West since the last version are shown in blue strikethrough/underline. Corresponding changes will also be made in the Design Guide.

Approvals

The ordinance provides two separate procedures for review and approval depending on whether the proposed development consists of a single-use project (referred to as baseline level projects) or alternatively, if the proposed development is a mixed-use development, or a residential project (referred to as Mixed-Use Development Option or MDO). Each approval process is described separately, and as detailed below, the MDO applications are subject to a greater level of discretion by the City Council, similar to the level of discretion currently allowed in the Planned Development Options, Residential Unit Development (RUD), or Planned Rezoning Overlay (PRO) sections of the ordinance.

The baseline level of development is limited to single-use projects consisting of one of the Principal Permitted Uses on page 3 of the text, and only up to 0.275 Floor Area Ratio (FAR) is allowed. Baseline level projects are reviewed and approved by the Planning Commission. Any multiple-family residential project, or multi-use projects, would need to seek approval under the Mixed-Use Development Option. The granting of a MDO application requires review and recommendation by the Planning Commission and approval of the City Council. This means that the City Council will be involved in any larger-scale projects (or any involving residential use, or multiple uses) proposed for the City West district, and will have broad discretion in deciding what gets approved. MDO eligibility criteria are described on page 11, and general approval standards to be demonstrated by the applicant are stated on pages 11-12. The impacts the Planning Commission shall consider in making its recommendation to City Council are listed on page 18. The City Council's criteria to impose conditions and approve deviations are included on pages 18-19.

Building Height

While the proposed building heights on the north side of Grand River were supported by the City Council, the proposed maximum height of 5 stories on the south side was a concern. In the revised draft attached to this memo the text now reflects a maximum height of 2 stories

south of Grand River under the baseline option. For MDO projects, the height limit is increased to 3 stories, or up to 4 stories if bonus height conditions are met. City Council would need to approve the increase. Adjacent to single-family residential, additional restrictions would control building heights, with a maximum of 35 feet permitted within 200 feet of single-family districts, and a maximum of 45 feet between 200-300 feet of such districts. Within 300 feet of such districts buildings are not eligible for bonus height approval.

Setbacks from Single Family Residential

The City Council expressed concern with the building setbacks potential to negatively impact adjacent single-family neighborhoods. In the revised draft, all buildings, regardless of use, would be required to have a minimum setback of 100 feet from single family residential districts. Under the current I-1 Light Industrial district, the minimum building setback from single family residential is 100 feet. In the revised draft, the parking setback has also been increased from 50 to 75 feet, and would be required to be screened with a 5-foot wall or landscaped berm.

Buffers and Berms

Under the required conditions for City West, item K (page 9) states all sites must comply with Article 5, Site Standards for all applicable requirements, unless more specific standards are specified for City West. Article 5 includes the review standards for the following: off-street parking requirements, off-street parking layout and standards, off-street loading and unloading, landscape standards: obscuring earth berms and walls, right of way buffers, and interior and exterior landscape plantings, exterior lighting, corner clearance, road design, façade standards, and bicycle parking.

In particular, the landscaping section related to residential uses adjacent to non-residential has been attached to this packet to show what existing standards would be applied to projects in City West when they are adjacent to a residential use. New multifamily and commercial buildings require a berm or wall of 6-8 feet in height. This section of the ordinance is very comprehensive in terms of placement, design, and waiver standards, and has been used successfully throughout the city. It would be unnecessary to repeat the information in Article 5 of the ordinance, as it is referenced by section number in the draft City West ordinance.

Hotel Use

At the July 10th meeting, the City Council indicated that hotels would not be an appropriate use on the south side of Grand River. The updated draft states on page 3 that hotels would be permitted only north of Grand River.

Protection of Natural Features

Throughout the City West text, staff has attempted to make clear that protecting the existing natural features (woodland and wetlands) should be a priority for both developers and decision makers for projects in the district. While the Woodlands Protection Ordinance and the Wetlands and Watercourse Protection Ordinance will apply to any proposed

projects in this district just as they do to every other site in the city, additional language has been included to show a strong commitment to preservation in the City West District. Please see the highlighted text throughout the proposed text that mentions of natural feature protections in the intent, design guides, and approval criteria.

Pedestrian Orientation, Sidewalks and Open Space

The sections on pages 8 and 9 related to the topics have been revised and reorganized to provide more clarity and direction for such features to be coordinated between developments to create a system of connectivity within and between projects in the district. Usable open space requirements are also more fully described, including encouraging active recreation facilities for children.

Grand River Corridor

If the City West District is adopted and the property rezoned, staff would begin working more closely with the Road Commission for Oakland County to discuss what changes might be necessary to this section of the corridor. We would propose possible changes to the speed limit, road crossing opportunities, design alternatives and accommodating the planned bus route stops.

Current Master Plan Update

The current Master Plan Update is still on-going. However, the proposed Future Land Use map that has been reviewed by the Steering Committee at multiple meetings designates the City West area for "General Mixed-Use." Draft documents describe the purpose of this land use category: "The GMX land use category provides the highest flexibility of the categories. It recognizes that certain properties will be developed based on prevailing market trends utilizing a site-specific master plan to guide development, reserving certain portions of the subject property for different land use typologies." The General Mixed-Use designation would not be contrary to the proposed City West ordinance.

Rezoning

Based on the City Council's feedback, when the rezoning request returns to City Council for consideration, the suggested motion for rezoning will exclude the portions of property currently zoned B-3 at the southeast corner of Beck Road and Grand River. If in the future the owner decides to pursue development more consistent with the City West district, they could request a rezoning of that area separately. The area will remain shown in the Design Guide Maps, as well as the Future Land Use map, to be included in City West, as it is Staff's opinion that the area would add to the creation of a cohesive district.

CITY WEST TEXT AMENDMENT – 8/15/23 DRAFT

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

ORDINANCE NO. 18.296

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 14-271, THE CITY OF NOVI ZONING ORDINANCE, AS AMENDED, AT ARTICLE 3.0 ZONING DISTRICTS, ADD SECTION 3.1.30 TO ESTABLISH THE CW – CITY WEST DISTRICT, SECTION 3.33 CITY WEST REQUIRED CONDITIONS, SECTION 3.34 CITY WEST MIXED USE DEVELOPMENT OPTION, RENUMBERING GENERAL EXCEPTIONS TO SECTION 3.35, AND TO AMEND ARTICLE 4.0 USE STANDARDS, SECTION 4.12 GROUP DAY CARE HOMES, DAY CARE CENTERS AND ADULT DAY CARE CENTERS, SECTION 4.24 DRY CLEANING ESTABLISHMENTS, SECTION 4.27 RETAIL BUSINESS OR SERVICE ESTABLISHMENTS, SECTION 4.28 HOTELS AND MOTELS, SECTION 4.35 MICROBREWRIES AND BREWPUBS, SECTION 4.62 INSTRUCTIONAL CENTERS, AND SECTION 4.81 FINANCIAL INSTITUTIONS. ALL BEING DONE TO CREATE AND ADD REQUIREMENTS FOR THE CITY WEST (CW) DISTRICT. AMEND ARTICLE 2, SECTION 2.2 DEFINITIONS, TO ADD A DEFINITION FOR WORKFORCE HOUSING. AMEND ARTICLE 3.0 ZONING DISTRICTS, SECTION 3.1.15 EXO EXPOSITION OVERLAY DISTRICT AND 3.25 EXO OVERLAY DISTRICT REQUIRED CONDITIONS, TO CHANGE THE UNDERLYING ZONING OF THE EXO OVERLAY DISTRICT TO CITY WEST.

THE CITY OF NOVI ORDAINS:

Part I.

That the City of Novi Zoning Ordinance, as amended, Article 3.0, Zoning Districts, Section 3.1 Districts Established, is hereby amended to add a new district as number 30 CW City West District.

Part II.

That the City of Novi Zoning Ordinance, as amended, Article 3.0, Zoning Districts, Section 3.1 Districts Established, is hereby amended to add section 3.1.30 as follows:

3.1.30 CW City West District

A. Intent and General Provisions

1. Description of the District. The City West district permits a mix of uses, including amusement and entertainment uses, office, commercial, and multiple-family housing, that are appropriate within the context of the City West area. Key design concepts include multiple-story buildings that frame the internal street network, a corridor of buildings massed along Grand River Avenue, shared access and parking, a mix of uses including commercial and multi-family residential, and public gathering spaces. Buildings should have high-quality materials and allow for changing uses over time.

Development will be pedestrian-oriented, with a high degree of transparency on the ground level and functional, attractive outdoor amenities such as plazas and pocket parks with seating and lighting. Parking is placed to the side or rear of main buildings, preferably in parking structures, driveways are consolidated from the major thoroughfare, and on-street parking is permitted on secondary streets.

2. Intent. The intent of the City West district is to encourage high-quality and distinctive development that will complement and support nearby areas. The district will reflect an inviting and vibrant identity for this area of the City's Grand River Corridor while implementing land use planning and development techniques that result in a pleasing, compatible, visual presence. Assembly of small lots and long, narrow lots into larger development parcels is anticipated and encouraged to provide coordinated development with consolidated access points. Minimum lot and frontage thresholds are established for the mixed-use development option to further this objective. Shared parking is strongly encouraged, and vehicular and pedestrian connections between sites is expected.

The district allows a wide range of principal uses. In conjunction with different height, area, and bulk standards, this should increase development and re-development opportunities that will look demonstratively different than existing uses.

Additionally, some of the objectives of the district are intended to be accomplished or facilitated by the establishment of an optional development approval process, the Mixed-Use Development Option (MDO). Under this optional form of development:

- Mixing of uses is permitted, either vertically or horizontally.
- Building heights are greater than most traditional commercial districts in the city.
- Floor area ratios and densities are increased to allow economies of scale.
- Required setbacks are reduced to encourage a development pattern that frames the primary street frontage.

Under the MDO concept, a wider variety of retail, commercial, office, and residential uses and open spaces are permitted, to further the creation of a dynamic mix of compatible uses. As a trade-off for this greater flexibility, regulations regarding streetscape and landscape design, provisions for parking facilities, architectural and façade design, multi-family residential dwelling units, and setback standards are incorporated into the district, resulting in a mix of some form-based standards and more conventional guidance. See the City West Design Guide for examples of the development vision and guidelines for projects in this district. The MDO, if successfully implemented, should:

- Encourage the use of land in accordance with its character and surroundings;
- **Conserve natural resources and natural features;**
- Encourage innovation and creativity in land use planning;
- Enhance pedestrian and cycling activity within the district and to surrounding destinations;
- Provide enhanced housing, cultural, and recreational opportunities for the people of the City; and

- Bring about a greater compatibility of design and use between and among neighboring properties.

B. Principal Permitted Uses –

- i. Offices, including professional, medical (including labs and clinics)
- ii. Municipal uses, such as post offices and similar governmental office buildings
- iii. Day care centers (4.12.2)
- iv. Financial institutions (4.81)
- v. Retail business or service establishments, including restaurants (4.27)
- vi. Business schools and colleges or private schools operated for profit (4.27)
- vii. Instructional Centers (4.62)
- viii. Outdoor theaters, plazas, parks, public gathering places, farmers markets and like public facilities
- ix. Art galleries, museums, and non-profit community centers
- x. Personal service establishments
- xi. Private recreational facilities, indoor or outdoor
- xii. Publicly owned and operated parks, pathways, and recreational facilities
- xiii. Transit station
- xiv. Brewpubs and Microbreweries (4.35)
- xv. Outdoor restaurants (4.84)
- xvi. Principal uses similar to those listed above, as determined by the Planning Commission
- xvii. Off-street parking lots and structures (not to include vehicle storage)
- xviii. Accessory structures and uses customarily incidental to the above permitted uses, except drive-through windows (4.19)

C. Mixed-Use Development Option Permitted Uses –

- i. Any of the Principal Permitted Uses above
- ii. Multiple-family residential
- iii. Live/work units
- iv. Hotels (4.28.1) – North of Grand River Only
- v. Business establishments which perform services on the premises
- vi. Health and fitness clubs, public or private
- vii. Dry Cleaning Establishments or Pick Up Stations (4.24)
- viii. Other uses similar to the above uses subject to conditions noted
- ix. Accessory structures and uses customarily incidental to the above permitted uses (4.19)

D. Special Land Uses

- i. Amusement and entertainment uses, including theaters, athletic and performing arts venues

- ii. Private clubs, organizations, cultural facilities, and lodge halls
- iii. Places of worship
- iv. Drive throughs, as an accessory to a permitted use (Sec. 5.3.11)

E. Development Standards

Lot size, Lot Coverage, Lot width:

See section 3.6.2.D

Open Space:

Minimum Gross Open Space: 15% (see Section 3.33.4.1.F)

Minimum Usable Open Space: 150 sq ft per dwelling unit

Building Setbacks

Minimum front yard setback: See Section 3.33.1.E

Minimum rear yard setback: See Section 3.33.1.E

Minimum side yard setback: See Section 3.33.1.E

Building Height

Minimum building height: ~~2 stories or~~ 20 feet

Maximum building height: ~~3~~ 2 stories

Parking Lot Setbacks

Front yard setback: Front yard parking is not permitted, unless it is on-street, except as otherwise provided. See Section 3.33.1.E

Rear yard setback: 10 feet; If adjacent to existing residential zoning district a minimum of 50 feet is required

Side yard setback: 10 feet; If adjacent to existing residential zoning district a minimum of 50 feet is required

3.6.2 Applicability of Notes to District Standards

- City West Districts: D, M,

Part III.

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, is amended to add a new Section 3.33, City West Required Conditions, as follows in its entirety:

3.33 City West District REQUIRED CONDITIONS

1. The following standards shall apply to all uses permitted in the district except as indicated otherwise in this ordinance, or where different or additional standards are either authorized or required for developments utilizing the Mixed-Use Development Option (MDO) in Section 3.34.

- A. Site Plans. Site plans shall be submitted for preliminary approval by the Planning Commission, in accordance with the provisions of this ordinance and other applicable ordinances in Section 6, unless the proposed plan qualifies for administrative review per Section 6.1.C.
- B. Nonconforming Uses and Buildings: A use or structure that is lawfully operating/existing as of the date this Section takes effect shall be considered a legal non-conforming use, so long as it remains otherwise lawful, subject to the following:
 - a. Such uses may be enlarged or increased by up to 10 percent of the existing total floor area, provided the resulting total floor area does not exceed the maximum floor area ratio of 0.275 as described below.
 - b. Any changes to the building or site at these locations that require site plan approval as described in Section 6.1 shall also require Planning Commission approval under the requirements of the Special Land Use permit approval provisions of that Section.
- C. Maximum floor area ratio (FAR): The maximum FAR (ratio of gross square feet of building area to gross land area of site, less prescribed right-of-way) shall be 0.275. Where an addition is proposed to an existing structure, the total resultant structure or combination of structures on-site shall be used in the calculations.
- D. Building and Parking Setbacks: Building and parking setback requirements, except as otherwise specified herein, shall be as noted in the table below, as measured from the future Right-of-Way line. These setback requirements may be reduced or increased by the approving body where strict adherence would serve no good purpose or where the overall intent of the district would be better served by allowing a lesser or greater setback, provided that:

- i. An increase or reduction of a setback will not impair the health, safety or general welfare of the city as related to the use of the premises or adjacent premise,
- ii. The increase or reduction of the setback along a common parcel line between two premises would result in a more desirable relationship between a proposed building and an existing building,
- iii. The increase or reduction of the setback would create a more desirable viewshed along the corridor, and
- iv. The adherence to the required setback would result in the establishment of non-usable land area that could create maintenance problems.

3.33.1.E. Setback Requirements for CW Districts

Arterials (Grand River, Beck)	Minimum (feet)	Maximum (feet)
Building - Front	20	65
Building - Exterior side ¹	20	65
Parking ⁴	20	None
Nonresidential collectors and local streets	Minimum (feet)	Maximum (feet)
Building – Front	10	20
Building - Exterior Side ¹	0	none
Parking (rear and side yard) ⁴	10	none
Private Drives, Aisles & Shared Access Drives	Minimum (feet)	Maximum (feet)
Building – Front	10	none
Building - Exterior Side ¹	10	none
Parking (rear and side yard) ⁴	10	none
I-96 Highway ROW	Minimum (feet)	Maximum (feet)
Building ¹	75	none
Parking ⁴	30	none
Adjacent to Single Family	Minimum (feet)	Maximum (feet)
Building – Non-residential use	100	none
Building - Residential use	2 feet per each foot of building height100	none
Parking (rear and side yard) ⁴	50 75 feet	none

Notes to Table

1. Rear and interior side yard building setbacks are not prescribed, except as noted or as necessary to meet landscaping or other requirements, or where the Planning Commission or City Council determines buildings or parking require additional distance for safety, protection of natural features, or to enhance compatibility.
2. Distance Between Buildings: Buildings with a front-to-front relationship shall have a minimum separation of forty (40) feet. Buildings with a front-to-rear or front-to-side relationship shall have a minimum separation of thirty (30) feet. All other buildings shall have a minimum separation of twenty (20) feet, or thirty (30) feet for buildings sixty (60) feet or more in height, unless otherwise provided for in these district regulations.
3. The front yard setback shall be increased at intersections where necessary to obtain the appropriate clear vision area. Clear vision area shall comply with standards set forth in Section 5.9, Corner Clearance, or any more restrictive standards adopted by the Road Commission for Oakland County (RCOC).
4. Parking Setbacks.
 - a. Front yard off-street parking is generally not permitted as it detracts from the intent to create a pedestrian-oriented district. If parking in the front yard is determined to be essential to the site layout and uses, it shall be limited to one bay of parking and observe a minimum of a 10-foot setback with greenbelt. Surface parking lots shall be screened from all major thoroughfares by: (1) a two and one-half (2.5) foot ornamental brick or stone wall with intermittent landscaped breaks; or (2) semi-transparent screening such as brick pilaster with metal decorative fence in order to maintain attractive streetscapes as approved by the City's Landscape Architect. Landscaping, 12 - 36 inches in height, along the street side of walls or fences shall be provided.
 - b. Side yard parking adjacent to a front yard shall be setback from the front façade of the building by a minimum of five (5) feet. See illustration in Section 3.11.6.A. Screening as described above is required.
 - c. Off-street parking areas may be located within the exterior side yard along arterial roads if the primary building is oriented to front on a non-residential collector or local street. If parking is located in a side yard, the minimum setback of at least twenty (20) feet is required from the right-of-way line of any major thoroughfare, presently existing or as planned by the Road Commission for Oakland County or the City of Novi Master Plan.
 - ~~d. Parking may front on shared private access road easements and similar private internal streets.~~
 - e. ~~Parking adjacent to a single family residential district shall have a minimum setback of 50 feet from that district.~~ Off-street parking areas adjacent to a single-family district shall be screened with a 5-foot wall or landscaped berm.

- F. Height. Buildings shall be a minimum of ~~two stories~~ 20 feet ~~for equivalent height~~ with quality architectural design and a maximum of ~~three~~ two stories, except as otherwise provided under the MDO. Uncovered roof seating areas for restaurant uses may be permitted by the Planning Commission upon a demonstration by the applicant that such seating would not jeopardize public safety and/or privacy of adjoining uses and would not result in any other adverse consequences to the surrounding area, and particularly to residential uses.
- G. Pedestrian Development Amenities. Proposed developments, through innovative planning, design, and architecture, shall create a significant pedestrian orientation in keeping with the intent and purpose of the district and shall take into consideration the City West Design Guide recommendations. ~~There shall be a system of pedestrian connections within and between all developments to enable pedestrians to safely and conveniently access nearby destinations. Benches, plazas, landscaping and other features to create attractive micro-destinations are required. Stubbed sidewalk connections to undeveloped adjacent parcels shall be provided at suitable locations.~~
- H. Sidewalks and Bicycle Facilities. Sidewalks with a minimum width of 6 feet are required abutting any street or internal road, and shall be placed at least 5 feet from the curb where street trees are required. Along major thoroughfares sidewalks shall be 8 to 10 feet wide as shown in the Active Mobility Plan. Sidewalks are also required between vehicular parking areas and building facades with pedestrian entrances. ~~There shall be a system of pedestrian connections within and between all developments and between all buildings within a single development to enable pedestrians to safely access buildings and adjacent developments.~~ Bicycle parking shall meet or exceed the standards set forth in Section 5.16, and bike paths shall be provided in accordance with the Active Mobility Plan.
- I. Open Space. A minimum of fifteen (15) percent of the gross site area of a commercial or mixed-use development shall be devoted to publicly accessible, permanently landscaped usable open spaces and pedestrian plaza areas (such as internal walkways, linear or pocket parks, plazas, or other space for gathering accessible to occupants and invitees). Small strips of landscaped area, landscaped end islands in parking lots, and similar areas that are less than ~~twenty~~ ~~(20)~~ feet wide shall not be counted toward the required open space on the site. ~~All landscaped open spaces and pedestrian plaza areas shall be maintained by the owners of the development it serves.~~

Up to 50 percent of the required open space may consist of areas that are regulated by City of Novi woodland and/or wetland ordinances if they are permanently protected by conservation easements. Wherever open spaces shall

be created or preserved, they shall be physically connected, when possible, to adjacent open space areas.

Usable open spaces required for multi-family development units may count toward the 15 percent requirement if the spaces are publicly accessible (e.g., not private patios, roof decks, balconies, [fitness rooms](#) and clubhouses) and part of an integrated development plan. ~~All landscaped open spaces and pedestrian plaza areas shall be maintained by the owners of the development it serves.~~ Usable open spaces must be clearly designed for active or passive recreational or leisure use and have a minimum dimension of ten feet in every direction. Open space intended to serve all the units of a project shall be accessible and convenient to all units. Private open space shall be accessible and convenient to the units intended to be served. Active recreational facilities for children in appropriate projects are encouraged, and shall be a minimum of 250 square feet.

- J. Facades. All sites in the City West districts are subject to Region 1 standards of Section 5.15. In addition, all exterior walls of any main or accessory building shall be composed of the same or complementary architectural building facade materials as others on the site. Exterior building facades shall be primarily of brick or stone, which may be augmented by materials complementary to brick or stone. When renovations, alterations, or additions are made to an existing building within the City West district, the exterior building facades of the entire building shall be brought into compliance with this subsection.

Architectural design and facade material are to be complementary to existing or proposed buildings within the site and the surrounding area. It is not intended that contrasts in architectural design and use of facade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing building designs and facade materials so as to create an adverse effect on the stability and value of the surrounding area.

- K. Parking, Loading, Landscaping, Lighting, etc. All sites must comply with Article 5, Site Standards, regarding all applicable requirements, including off-street parking, signs, landscaping, exterior lighting, and ~~obscuring screens/buffers/walls where abutting a single family district~~, as those standards relate to uses permitted in the City West district, except as otherwise stated. Notwithstanding the above, loading and unloading may be in a side or rear yard, and shall be located as to be inconspicuous and properly screened. The approving body may modify the size requirement for a loading area, an alternate location, or approve a shared loading area between buildings, when the applicant provides ample justification that the uses proposed will be adequately served.

In those areas where on-street parking is permitted, off-street parking requirements may be reduced by the number of on-street parking spaces adjacent to a use.

Parking requirements may be reduced when the approving body determines that given parking areas serve dual functions by providing parking capacity for separate uses which have peak parking demand periods which do not overlap. The applicant shall submit a Shared Parking Study based on requirements set forth in Section 5.2.7 to provide justification for the request. Applicant shall also provide information on cross-access and maintenance agreements.

In those instances when a parking structure, underground parking or municipal parking lot is constructed pursuant to a special assessment district, a parking exempt district shall be created for that area served by the improvement and assessed for its cost.

- L. Vehicular Access. Vehicular access to a development site shall be designed to provide safe and efficient distribution of traffic to and from the site and should form a logical street network connecting to adjacent parcels in the district where appropriate. Access design that results in an undue intensification of traffic congestion shall be prohibited. Multiple curb cuts onto major arterials is discouraged.
- M. Street and Roadway Rights-of-Way. Nonresidential collector and local streets within the City West district shall provide rights-of-way and road cross sections consistent with the City's Design and Construction Standards. Additional rights-of-way area shall be provided where boulevards, squares or traffic circles are created. The local street network shall be designed to accommodate motorized and non-motorized users.
- N. Storm Water Detention. The use of underground and shared storm water facilities meeting all relevant standards should be used to the extent feasible to achieve permitted densities while protecting existing natural resources.

Part IV.

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, is amended to add a new Section 3.34, Mixed Use Development Option for the City West District, as follows in its entirety:

3.34 Mixed Use Development Option (MDO) for the City West District

1. Intent and General Application. The MDO expands the number and kind of uses permitted in the district. In addition to permitting quality residential development and facilitating mixed-use developments, including multiple-family residential, office, and commercial uses, this optional form of development allows for increased building height—up to 110 ft—and increased floor area ratios (FAR), as well as the opportunity to deviate from height, area, and bulk standards provided the deviations benefit the development and are considered in context with the surrounding area.

The granting of a Mixed-Use Development Option application requires review and recommendation by the Planning Commission and approval of the City Council, under the process contemplated in MCL 125.3503. As part of the review and appeal process, and in light of the potential additional uses and flexible building standards, the development may be subject to certain conditions, and will have to demonstrate conformance with the Design Guide adopted by the City as part of this ordinance.

For purposes of this Section 3.34, the “City West North” area shall be that part of the district north of Grand River Avenue, and the “City West South” shall be that part of the District south of Grand River Avenue.

2. Uses permitted subject to approval of a Mixed-Use Development Option
 - A. For developments utilizing the Mixed-Use Development Option (MDO) the uses listed under Section 3.1.30.B, C, and D will be permitted, with a minimum combination of two distinct use classifications. Multiple-family residential dwellings, including senior, age-qualified, or independent housing, may be proposed as a stand-alone use.
 - B. MDO Projects with a single use may be considered for density reserved for mixed-use projects if there is a clearly designed relationship between complementary uses, including direct pedestrian connections and building entrances located within 300 feet measured along the pedestrian route.
3. Eligibility Criteria
 - A. MDO projects shall require the applicant to demonstrate that each particular use (or single use, as applicable), as well as the quantity and location of such use(s), would result in a reasonable and mutually supportive mix of uses on the site, and a compatibility of uses in harmony with the surrounding area and other nearby areas of the City, as intended in this Article.
 - B. Minimum acreage for a project is five (5) acres, unless varied by City Council approval with a demonstration by the applicant that the proposed development on less land meets the standards of Section 3.34, and subsections 3.33.1 and 3.33.3, and that the proposed development exemplifies the intent of this Article as stated in Section 3.1.30.A and the Design Guide.
 - C. Minimum public road frontage is three hundred (300) feet unless varied by City Council.
4. General Approval Standards
 - A. As part of the application and review for site plan approval, the applicant for the MDO must demonstrate the following:
 - i. The project will result in a recognizable and substantial benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved by a traditional development.
 - ii. Relative to a development otherwise permissible as a Principal Permitted Use under [Section 3.1.30.B](#), the proposed type and density of development shall not result in an unreasonable increase in the use of public services, facilities

and utilities, and shall not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants.

- iii. The layout of the site is designed to minimize the negative impact on existing natural features, including woodlands and wetland areas. Where buffers to adjacent uses are required, preserving existing natural features is a preferable strategy to replacement and mitigation if appropriate visual and audible screening can be achieved.
- iv. Based upon the proposed uses, layout and design of the overall project, the proposed building facade treatment, the proposed landscaping treatment and the proposed signage amenities, the MDO project will result in a material enhancement to the area of the City in which it is situated.
- v. The proposed development will not have a materially adverse impact upon the Master Plan for Land Use of the City and will be consistent with the intent and spirit of this Section.
- vi. Each proposed use in the development, as well as the size and location of such use, will result in and contribute to a reasonable and mutually supportive mix of uses on the site, and/or a compatibility of uses in harmony with the surrounding area and other nearby areas of the City.
- vii. The land area proposed for development represents a cohesive and logical consolidation of parcels to allow a coordinated project to be brought forward.
- viii. The proposed development will be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership and/or control, upon completion of one or more phases or upon 1) due notice to the City Clerk, 2) appropriate and customary approval by other City officials and 3) financial guarantees for completion of improvements.

5. Project Design Standards. The following project design standards shall apply to MDO projects:

- A. General Design Standards. The following design standards shall apply to all projects:
 - i. Permitted non-residential uses may be allowed in combination with other permitted non-residential or residential uses, based upon a layout and integrated plan approved as part of the site plan.
 - ii. The design standards for non-residential uses shall be based upon the regulations in this Ordinance applicable to the corresponding uses, provided that modified design standards may be approved by the City Council based upon a demonstration by the applicant of the following, and the findings of Section 3.34.7.A.i.d:
 - a. The proposed uses will complement and support the intent of the City West district, the convention center and other established uses within this area of the City.
 - b. The project has shown that design coordination and connection with adjacent property, developed or not, has been accomplished;

- c. An attractive street-level environment has been achieved that focuses on the pedestrian experience and provides public space amenities;
 - d. Vehicular safety provisions and controls have been applied particularly with regard to access to major thoroughfares; and
 - e. Aesthetic quality is improved in terms of design, exterior materials and landscaping, including internal compatibility within the development as well as its relationship to surrounding properties to accommodate future development.
 - f. **Preservation of natural features is achieved.**
- iii. There is underground installation of utilities, including electricity and telecommunications facilities, as found necessary or appropriate by the approving body.
 - iv. In order to provide efficient circulation and reduce driveways and curb cuts along Grand River Avenue, all development sites fronting Grand River Avenue shall be constructed to maximize traffic safety. Toward this end, to the extent feasible internal access drive networks shall be established and utilized as local streets. The shared access drives shall be privately owned and maintained, have a cross-section meeting the City's local street standards, and shall be governed by a cross-access agreement that provides for public access at all times and shall be recorded with the Oakland County Register of Deeds after review and approval by the City Attorney.

The shared access drive shall be a minimum of twenty-eight (28) feet wide (from back of curb) and shall be placed within a thirty-six-foot (36) (minimum) private easement. Parallel parking may be permitted along said shared access drive provided an access aisle of 26 feet is maintained. The local street network shall be designed to accommodate motorized and non-motorized users.

The City Council may waive the requirement for a shared access drive where it is not feasible to extend it to another property due to 1) environmental limitations, 2) incompatible adjacent development, 3) shallow lots, or 4) other unique site features.
 - v. The City Council shall resolve ambiguities in the interpretation of applicable regulations using the Zoning Ordinance, Master Plan, the Design Guide, and the intent of this Article and other City standards or policies as a guide.
- B. Bonus height. Buildings in an MDO project may exceed the height stated in the Development Standards, except those buildings located within 300 feet of a single-family district, subject to the following:
- i. Bonus height may be granted under the following circumstances:

- a. If underground or structured parking is provided, the maximum height of the building may be increased up to 2 additional floors (1 story per 125 spaces provided);
 - b. If dedicated Open Space or preservation of natural areas is provided in excess of 25 percent of the total site area, the maximum height of the building may be increased an additional story.
 - c. The provision and use of energy and water efficient design, water conservation, reuse and preservation of resources, and sustainable lifestyle solutions such as electric vehicle charging or integration of solar arrays. Applicants shall provide a narrative explaining how sustainability elements will be incorporated and quantify the impacts of those strategies. For qualifying for Gold or Platinum LEED (Leadership in Energy and Environmental Design) certification, or equivalent for green building strategies, the maximum height of the building may be increased an additional floor (up to 1 story).
 - d. Providing 15 percent or more residential units targeted for workforce housing as defined in Section 2 (1 story bonus).
- ii. Building height, including bonuses earned, shall not exceed one hundred fifteen (115) feet or 8 stories, whichever is less, in the City West North area or 7055 feet or 5 4 stories, whichever is less, in the City West South area.
 - iii. Buildings utilizing this subsection shall be designed to minimize their impact on surrounding existing uses and roadways, including, but not limited to, building design elements such as variation in building materials, mitigation of exterior and interior building lighting, and utilization of building relief strategies (including step-backs of higher stories).
 - iv. For all buildings utilizing bonus height strategies above, the City Council, following a recommendation by the Planning Commission, shall make a finding that the additional height will complement and be compatible with the vision for the district with respect to the size, height, area, and configuration of adjacent or surrounding parcels and structures and any other relevant characteristics and interest. The City Council shall determine whether the architectural design of the buildings provides adequate building relief to minimize the mass and height of the building and will not have a negative impact on the goal of creating a cohesive, walkable district.
6. Required Site Development Conditions for MDO projects
- A. The required conditions listed within Section 3.33 must be met except as otherwise permitted within this Section 3.34

- B. The following standards are required for residential-only buildings, either as a component in a mixed-use or a single-use development:
- i. All residential structures shall have a minimum of two (2) stories or equivalent height.
 - ii. The minimum distance between townhouse buildings shall be twenty (20) feet. No more than eight (8) attached townhouse units in a single building.
 - iii. The minimum distance between multifamily buildings shall be one-half (1/2) the height of the taller building.
 - iv. The length/depth of a building shall not exceed four (4) times the height of the building.
 - v. Private community swimming pools and similar private amenities shall not require additional parking spaces except for barrier free spaces.
 - vi. Off-street parking shall not be placed within ten (10) feet of any wall of a dwelling structure. Units that have garages may be permitted parking on garage aprons if parking space dimensions are met without encroaching on sidewalks.
 - vii. Landscaping for residential-only buildings (See Section 5.5 for definitions):
 - a. Multi-family Unit Trees: 1.5 trees per first floor unit
 - b. Multi-family Unit Shrubs: 2 shrubs per first floor unit
 - c. Interior Street Trees: 1 canopy tree per 50 linear feet (less driveway widths)
 - viii. Parking requirements:
 - a. Studio and 1-bedroom units: 1 space per unit
 - b. 2+ bedroom units: 2 spaces per unit
- C. The following additional site development conditions shall apply to all MDO projects:
- i. Commercial and office uses may occupy any number of total floors within a building used for residential uses. No commercial or office use shall be located on the same floor as residential use, unless it is considered a live work unit, and no floor may be used for commercial or office purposes which is located above a floor used for residential purposes.
 - ii. All trash receptacles and trash collection areas shall be screened from view and shall not be placed within ten (10) feet of any wall of a dwelling structure which contains openings involving living areas.
 - iii. HVAC units that are not placed on the roof of a structure must be located away from openings to dwellings, including windows, and must be screened from view.
 - iv. Buildings may be permitted to have parking on the ground level of the building. The parking inside the building must be aesthetically and effectively screened from view through architectural design, landscaping, or other means, from adjacent drives, walkways and buildings, and particularly from the street level view.
- D. The following densities/intensities shall be permitted based on mixed-use or single-use developments:

E. Landscape Standards at Major Thoroughfares

Table 3.34.6.D Development Density/Intensity – Based on Net Site Area

	Residential Only	Mixed-Use Developments	Mixed-Use Developments
A. Maximum Density ¹		Single Use Building	Multi-Use Building
City West North	20 du/ac	25 du/ac	30 du/ac
City West South	10 du/ac	15 du/ac	20 du/ac
B. Floor Area Ratio ¹			
City West North		2.0 FAR	2.5 FAR
City West South		1.0 FAR	1.5 FAR
C. Maximum Building Height ²			
City West North	65 feet	65 feet	65 feet
City West South	45 35 feet	55 45 feet	55 45 feet
D. Minimum Building Height ²			
City West North	35 feet	40 feet	40 feet
City West South	25 feet	25 feet	35 feet

Notes to Table

1. For all development, density/intensity shall be calculated for the net site area of the development.
2. All structures within ~~100~~ 200 feet of a one-family residential district shall be limited to 35 feet in height. Any structure more than ~~100~~ 200 feet but less than ~~two hundred (200)~~ 300 feet of a one-family residential district shall be limited to a maximum of ~~forty (40)~~ 45 feet or three stories. In all other locations building height may be exceeded with bonus height as described in subsection 3.34.5.B.
3. Buildings with a front-to-front relationship shall have a minimum separation of ~~forty (40)~~ 40 feet. Buildings with a front-to-rear or front-to-side relationship shall have a minimum separation of ~~thirty (30)~~ 30 feet. All other interior buildings shall have a minimum separation of ~~twenty (20)~~ 20 feet, or ~~thirty (30)~~ 30 feet for buildings ~~sixty (60)~~ 60 feet or more in height.
 - i. Greenbelt: A landscape planting buffer is required to improve the appearance from the right-of-way, including screening off-site parking and drive areas.
 - a. Greenbelt that is adjacent to on-site drive or parking shall be a minimum of 10-feet in width, with a brick wall 3 feet in height to provide screening, and small plantings on the street side. The wall should be placed 3 feet from the curb. Trees should be planted within 4-foot gaps between wall sections.
 - b. Greenbelt that is not adjacent to parking or drive shall be a minimum of 20 feet in width. No screening wall is required.
 - c. The following greenbelt landscaping is required: 1 canopy tree per 30 feet or 1.5 subcanopy trees per 30 feet (less drive width). Trees to be evenly spaced.

F. Landscape Requirements for Mixed-Use and Commercial Buildings are shown in Table 3.34.6.F below:

Table 3.34.6.F Landscaping Requirements for Mixed Use/Commercial Buildings	
Location	Minimum Requirement
i. Interior Drives	
Street trees	1 canopy tree per 75 feet ¹ on both sides, spaced not closer than 25 feet
Minimum greenspace/tree	200 sf or silva cells (or comparable alternative) with 1,000 ft ³
ii. Foundation Landscaping	
Sidewalk 12 ft or wider	15% of building frontage, 2-3 feet depth
Sidewalk less than 12 ft	None
iii. Open Space	
Paved gathering areas	5% landscaped, including movable planters
Outdoor dining areas	60% of periphery landscaped with permanent planting beds or movable planters
Primarily unpaved areas	1 canopy tree + 1 subcanopy tree + 10 shrubs per 5,000 sf of area
Landscaping feature	1 per 10,000 sf of open space in the development
iv. Parking	
Surface Lots	200 sf & 1 canopy tree per 10 spaces, 15 space contiguous limit
Parking Structures	35% of building frontage (trellis or planted walls can meet requirement)
Notes to Table	
1. Measured along linear foot of street/drive, less driveway widths. See Figure 5.5.3.B.ii 2. Buffers are not required between developments within the district, but may be desirable in some circumstances to enhance compatibility between different uses.	

5. Review and approval process for all MDO projects

A. Preliminary Application and Review

- i. Pre-Application Submittal. Before formal submittal of a MDO plan, the applicant shall apply for and attend a pre-application meeting with the Plan Review Center, and other appropriate officials deemed necessary by the City Planner. Prior to the meeting, the applicant shall provide to the Plan Review Center a conceptual site plan and brief narrative of how the development meets or

exceeds the standards of this ordinance and furthers the vision for the district. The Plan Review Center will provide initial comments on the plans.

ii. Preliminary MDO Application.

- a. An application to develop under the MDO shall be made to the Planning Commission for its review and recommendation to City Council. The application shall be filed concurrently with a fully documented Preliminary Site Plan. The Preliminary Site Plan shall be completed in accordance with the review requirements as set forth and regulated in the City's Site Plan and Development Manual and Section 6.1. The MDO plan shall include the information required in [subsection 3.34.7.C](#).
- b. In those instances where it is necessary to request rezoning in order to effectuate a MDO plan, an application to rezone shall be made to the Planning Commission for its review and recommendation to the City Council. The application for rezoning shall be completed in accordance with the City's Site Plan & Development Manual.
- c. The Planning Commission may proceed simultaneously with review and recommendation on applications for rezoning, MDO plan and Preliminary Site Plan approval, along with any associated permit reviews.

iii. Planning Commission Review. Upon receipt of an application for preliminary site plan, the application shall be reviewed by the Plan Review Center and referred to the Planning Commission for preliminary review. Following preliminary review, the Planning Commission shall set a public hearing date for review of the application. Notice of the public hearing shall be given and the hearing held as provided by the Zoning Enabling Act, at which a review shall be conducted. Following such review, the Planning Commission shall provide its report and recommendation to the City Council. In making its recommendation to the City Council, the Planning Commission shall consider:

- (1) Consistency with the Master Plan;
- (2) Innovative planning and design excellence;
- (3) Relationship to adjacent land uses, design form and layout;
- (4) Compliance with this Ordinance, including subsections 3.33 and 3.34;
- (5) Adherence to the City West Design Guide;
- (5) Benefits to the community such as publicly accessible parks and open areas, and public facilities.
- (6) Pedestrian and vehicular safety provisions.
- (7) Aesthetic beauty in terms of design, exterior materials, landscaping, and natural features, including internal compatibility within the development as well as its relationship to surrounding properties,
- (8) Provisions for the future users of the project.
- (9) [Impacts to existing natural features.](#)
- (10) The standards of Section 6.1.2.C for Special Land Uses.

iv. City Council Approval. The City Council shall review the Preliminary Site Plan with regard to the Planning Commission's recommendation and the review requirements and conditions set forth in Section 3.34.4.A. The City Council shall

determine whether the proposed plan meets the conditions as set forth in Section 3.33 and 3.34, and the standards of [Section 6.1.2.C](#).

- a. As part of its approval of the Preliminary Site Plan, the Council is authorized to impose conditions that are reasonably related to the purposes of this section and that will:
 - Insure public services and facilities affected by a proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity,
 - **Protect the natural environment and conserve natural resources and energy,**
 - Insuring compatibility with adjacent uses of land, and
 - Promote the use of land in a socially and economically desirable manner.

All conditions imposed shall be made a part of the record of the approved Mixed Use Development Option.

- b. Deviations From Density, Area, Bulk, Yard, and Dimensional Requirements.
As part of approval of a Preliminary Site Plan, the City Council shall be authorized to grant deviations from the strict terms of the zoning ordinance governing density, area, bulk, yard, and dimensional requirements applicable to the property; provided, however, that such authorization to grant deviations shall be conditioned upon the Council finding:
 1. That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest;
 2. That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;
 3. **That the proposed deviation would 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;**
 4. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic; and
 5. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.
- c. In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the Site Plan that will:
 1. Insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity,
 2. **Protect the natural environment and conserving natural resources and energy,**
 3. Insure compatibility with adjacent use of land, and

4. Promote the use of land in a socially and economically desirable manner.

All conditions imposed shall be made a part of the record of the approval of the Site Plan.

- B. Approved Preliminary Site Plan. Once the Preliminary Site Plan has been approved by City Council, no development shall take place therein nor use made of any part thereof except in accordance with the approved plan or in accordance with an approved amendment thereto. Once approval of the Preliminary Site Plan is granted, the applicant shall proceed with development of the Final Site Plan.
- C. Final Site Plan approval. A Final Site Plan shall be prepared and submitted by the applicant for approval. Review and approval shall be administrative unless the City Council requests that the Final Site Plan be submitted to it for review. The Final Site Plan shall:
 - i. Conform with the Preliminary Site Plan and meet the conditions as set forth in the Council's approval.
 - ii. Contain all the requirements as set forth in Section 6.1 of this Ordinance and the requirements as set forth in the City's Site Plan and Development Manual.
 - iii. The dedication of public rights-of-way or planned public open spaces, where proposed on the site plan or as may be otherwise required, shall have been made.
 - iv. In residential use areas, any proffered open space has been irrevocably committed to be retained as open space for park, recreation and related uses, and that all such lands meet the requirements of the City.
 - v. Where applicable, road easements or rights-of-way have been provided.
- D. Site Plan Revisions. Revisions to an approved Preliminary Site Plan or Final Site Plan shall require re-submittal of plan revisions to the City for review. Such revisions shall be resubmitted to the Planning Commission and City Council for review and approval, except those revisions permitted to be reviewed administratively under Section 6.1.1.C. Revisions requiring Planning Commission and City Council review shall include physical changes to the exterior building wall façade materials or layout alterations that will significantly change the appearance of a building or site, as determined by the City Planner. The Planning Commission and City Council, in making a review of a revised site plan, shall find that any such revisions forwarded to them for review and approval, meet all the minimum requirements of this Section, including general intent.
- E. Phasing: Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase, considered

together with other completed phases, shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the planned mixed use development and the residents and property in the surrounding area. Plans shall clearly illustrate what is to be included in each phase. The Council may require performance guarantees in accordance with Chapter 26.5 to ensure that permanent facades are constructed. In developments which include residential and non-residential uses, phasing shall be consistent with the following:

- i. At least thirty (30) percent of all proposed residential units and non-residential floor area shall be constructed no later than concurrent with the first phase of construction.
- ii. At least an additional thirty (30) percent of all proposed residential units and twenty (20) percent of non-residential floor area shall be constructed no later than concurrent with any second phase construction; and
- iii. The balance of all proposed residential units shall be constructed no later than concurrent with any third phase of construction. For purposes of implementing the residential/non-residential phasing requirements set forth above, the percentages shall be reasonable approximations, as determined in the discretion of the City Council, and such percentages may be substantially modified should the City Council determine in its discretion that the applicant has presented adequate and effective assurances that both residential and non-residential component(s) of the development shall be completed within a specified period.

8. Plan Information

A. MDO Preliminary site plans shall include the following:

- i. All requirements listed in the City's Preliminary Site Plan Checklist
- ii. Statement of intent of proposed use(s) of land and any phasing of the project, including anticipated completion dates.
- iii. Evidence of market need for the use(s) and economic feasibility of the project.
- iv. Qualifications of applicant/developer including information of past projects, size, location, type etc.
- v. A Contextual plan sheet with the general layout and all uses within 300 feet of the property lines to demonstrate the proposed project in context with the surroundings.
- vi. Existing and proposed right-of-way width of all adjoining and internal roads, and layout of all internal roads and drives.

- vii. A traffic study, prepared in accordance with the City's Site Plan and Development Manual requirements, shall be submitted, unless such requirement is waived by the Plan Review Center during pre-application conference.
- viii. Proposed acceleration, deceleration, and passing lanes.
- ix. All parking areas and number of spaces by size and any requests for shared parking reductions. The City may permit the use of a flexible shared parking formula if a Shared Parking Study is submitted and accepted by the City Council, after review and recommendation by the Planning Commission and City's traffic consultant.
- x. The size and location of areas to be preserved as open and recreational space and intended programming of those spaces.
- xi. Density calculations, number and types of units (if applicable), and floor area per habitable space for each use proposed.
- xii. Fair representation of each type of use, square footage or acreage allocated to each use, locations of each principal structure and use in the development, setbacks, typical layout and elevation for each type of use.
- xiii. Specification of each deviation from the applicable ordinance regulations which will be sought to be approved, and the safeguards, features and/or planning mechanisms proposed to achieve the objectives intended to be accomplished by the regulations from which a deviation is being sought.
- xiv. Community Impact Statement for all projects, including impact on City services, fiscal impact analysis addressing anticipated costs and revenues to City and school district, unless such requirement is waived by the Plan Review Center during pre-application conference.
- xv. If phasing is proposed, a plan showing what improvements will be constructed in each phase, with a description of the anticipated timing of construction.

B. Final site plans shall include the following:

- i. All requirements specified in the City's Final Site Plan Checklist and Application.
- ii. List all deviations from Ordinance standards granted by City Council and any conditions imposed.
- iii. If phasing is proposed, provide detailed plans that show what will be constructed/installed by the completion of each phase to verify that each phase, considered together with previous completed phases, shall be capable of meeting ordinance requirements on its own as

described in Section 3.34.7.E, including utilities, parking, end of pavement, landscaping, amenities, lighting, signage, any mechanisms designed to reduce noise, and visual screening features. Required Engineering and Landscape Cost estimates shall also be broken down by phases.

9. Performance Guarantees. The applicant shall comply with the requirements for performance guarantees contained in Chapter 26.5 of the Code of Ordinances, as amended.

Part V.

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, is amended to renumber Section 3.33, General Exceptions to Section 3.35.

Part VI.

That the City of Novi Zoning Ordinance, as amended, Article 4, "Use Standards," Section 4.12 "Group Day Care Homes, Day Care Centers, and Adult Day Care Centers" is amended to read as follows:

Section 4.12 Group Day Care Homes, Day Care Centers, and Adult Day Care Centers

1. [unchanged]
2. Day care centers and adult day care centers are a permitted use in the B-2, B-3, OST, TC, TC-1, CW districts and EXO Overlay district and a special land use in the OS-1, OSC, and PSLR districts, all subject to the following:
 - A. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1, CW, PSLR districts and EXO Overlay district:
 - i. Outdoor recreation areas shall be provided, consisting of at least one -hundred fifty (150) square feet for each person cared for, with a minimum total area of three-thousand five hundred (3,500) square feet. All such outdoor recreation areas shall be fenced with self-closing gates. The recreation area may extend into an exterior side yard up to twenty-five (25) percent of the distance between the building facade and the property line.
 - ii. The hours of operation shall be limited to the period between 6 a.m. and 7 p.m. for those facilities abutting residential zoning districts.
 - iii. Facilities shall be located either within a permitted office, or commercial structure, or in a freestanding building on a site coordinated with surrounding development (i.e., traffic flow, parking

access, drop off areas, architecture and relationship to other buildings).

- iv. Screening and landscaping of outdoor recreation areas, recreation area fences and parking lots shall comply with Section 5.5.
- v. Off-street parking shall comply with Section 5.2.12. and Section 5.3.

B. [unchanged]

3. [unchanged]

Part VII.

That the City of Novi Zoning Ordinance, as amended, Article 4, "Use Standards," Section 4.24 "Dry Cleaning Establishments or Pick Up Stations," is hereby amended to read as follows:

Section 4.24 Dry Cleaning Establishments or Pick Up Stations

In the B-1, B-2, B-3, CW and TC districts, dry cleaning establishments, or pick-up stations, dealing directly with the consumer are a permitted use. Central dry cleaning plants serving more than one retail outlet shall be prohibited.

Part VIII.

That the City of Novi Zoning Ordinance, as amended, Article 4, "Use Standards," Section 4.27, "Retail Business and Service Establishments," is hereby amended to read as follows:

4.27 Retail Business or Service Establishments

- 1. In the B-2, B-3, CW, TC and TC-1 districts, all retail business or service establishments are permitted as follows:
 - A. Any retail business whose principal activity is the sale of merchandise in an enclosed building.
 - B. Any service establishment of an office, showroom or workshop nature of a decorator, dressmaker, tailor, bridal shop, art gallery, interior designer or similar establishment that requires a retail adjunct.
 - C. Restaurants (sit down), banquet facilities or other places serving food or beverage, except those having the character of a drive-in or having a drive-through window.
 - D. Theaters, assembly halls, concert halls, museums or similar places of assembly when conducted completely within enclosed buildings.
 - E. Business schools and colleges or private schools operated for profit.
- 2. In the FS district, retail establishments to serve the needs of the highway travelers, including such facilities as, but not limited to, gift shops and restaurants, not including drive-ins are permitted uses.

Part IX.

That the City of Novi Zoning Ordinance, as amended, Article 4, “Use Standards,” Section 4.28 “Hotels, Motels, and Transient Lodging Facilities,” is hereby amended to read as follows:

Section 4.28 Hotels and Motels

1. In the B-2 and CW district, hotels and motels are a permitted use provided the site does not abut a residential district.
2. (Unchanged)
3. (Unchanged)
4. (Unchanged)
5. All hotels and motels in all districts, shall provide a minimum of 30 square feet of usable open space for each room subject to the following conditions:
 - A. Usable open space shall include an unobstructed portion of a site which has a minimum dimension of ten feet in any direction, is landscaped and developed for active and passive recreational use, and is conveniently located and accessible;
 - B. The usable open space may include amenities such as pavers, benches and other landscape design elements with pervious surface materials. All such areas shall be for the benefit of the hotel patrons;
 - C. For TC, TC-1, CW, and PD-2 districts, the usable open space required per this section can be counted towards the minimum usable open space requirements for respective district standards;
 - D. The usable open space shall not be counted toward any minimum landscaping or other open space requirements of the Zoning Ordinance and required parking setback area;
6. (Unchanged)

Part X.

That the City of Novi Zoning Ordinance, as amended, Article 4, “Use Standards,” Section 4.35 “Microbreweries and Brewpubs,” is hereby amended to read as follows:

Section 4.35 Microbreweries and Brewpubs

Microbreweries and brewpubs are permitted uses in the B-3 and CW districts and special land uses in the RC, TC, and TC-1 districts subject to the following conditions:

1. Microbreweries and brewpubs
 - A. In the B-3, CW, RC, TC and TC-1 districts:
 - i-iv. (Unchanged)
 - B. (unchanged)
2. (unchanged)
3. (unchanged)

Part XI.

That the City of Novi Zoning Ordinance, as amended, Article 4, “Use Standards,” Section 4.62 “Instructional Centers,” is hereby amended to read as follows:

Section 4.62 Instructional Centers

In the CW and NCC districts, instructional centers, such as schools for dance, music, language, arts, or general education are a permitted use subject to the following:

1. The center must comply with all applicable state laws and licensing requirements.
2. All business, servicing or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.

In the OS-1 district, instructional centers are permitted uses provided that such facilities do not exceed two-thousand (2,000) square feet in size. However, when such uses exceed two-thousand (2,000) square feet, they shall be treated as special land uses subject to approval by the Planning Commission in accordance with the additional requirements of Section 6.1.2.C for special land uses, and subject to the public hearing requirements set forth and regulated in Section 6.2 of this Ordinance. All instructional centers shall comply with the following conditions:

1. All business, servicing or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.
2. Multiple tenants with square footage less than 2,000 square feet shall be allowed in a single building.

Part XII.

That the City of Novi Zoning Ordinance, as amended, Article 4, “Use Standards,” Section 4.81 “Financial Institutions,” is hereby amended to read as follows:

Section 4.81 Financial Institutions

In the CW, TC and TC-1 districts, financial institutions are a permitted use, provided that such institutions shall not have drive-thru teller or ATM facilities as the principal use of the premises.

Part XIII.

That the City of Novi Zoning Ordinance, as amended, Article 2, Definitions, Section 2.2. Definitions, is hereby amended to include the following definitions:

Section 2.2 Definitions

Workforce Housing: A residential unit for sale or for rent with combined annual rental costs or combined annual mortgage loan debt service, property taxes, and required insurance that do not exceed thirty percent (30%) of the gross annual income of a household earning between sixty percent (60%) and one hundred and forty percent (140%) of the area median income, as defined annually by the United States Department of Housing and Urban Development.

Part XIV.

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, Section

3.1.15 EXO Exposition Overlay District, is hereby amended to read as follows:

Section 3.1.15 EXO Exposition Overlay District

A. Intent

The EXO, Exposition Overlay district is designed to accommodate the development of a planned exposition, convention, and conference facility, including exhibit halls; display floor area; meeting rooms; conference rooms; eating and lodging facilities; banquet, concession, and catering uses; museums; theaters; recreational facilities; space for school and civic affairs; warehousing accessory to principal uses; and off-street parking and loading/unloading space, all for the purpose of supporting the growing high-tech business base within the city and regional demand for an exposition facility.

The EXO Exposition Overlay district is intended to encourage the development of an exposition, conference, and convention facility that is located near the ~~City's Town Center (TC)~~ City West (CW) district as shown on the Master Plan for Land Use, has visual exposure to the I-96 freeway (whether directly or in combination with other property), is accessible from a major thoroughfare, and has adequate site area. Taking into consideration the need to limit the overall impact of the use, and the need to have sufficient population support for the use, in no event is it the intent to have the EXO Overlay District encompass more than 55 contiguous acres, or to have more than one EXO Overlay district until the population of the City exceeds 100,000. The EXO district is intended to be utilized exclusively in connection with the ~~OST Planned Office Service Technology district~~ CW City West district as the underlying zoning district. The EXO district is not intended to be adjacent to residential districts. To permit quality design and sound economic value for the City, any exposition, conference, and convention facility should have unified architectural and functional design and provide an overall master plan for all phases for the complete development. The district contemplates the existence of a principal exposition, conference, or convention facility as part of the development before, or at least coincidental with, permitted "secondary" overlay uses. It is not the intent of this district to authorize the establishment of a new area within the City for an independent commercial center or district. Rather, it is the intent of this district to recognize the special need and character of a planned exposition, convention, and conference facility, and to make provision for this special need and character in an appropriate location.

B. Principal Permitted Uses

[existing content all removed]

See the underlying zoning district CW City West for Principal Permitted uses, standards and regulations (Section 3.1.30)

C. Special Land Use (EXO overlay uses)

The following uses are permitted as part of an EXO Overlay subject to Section ~~3.33~~ 3.19, Section ~~3.34~~ 3.20, and Section 3.25: The supplemental conditions of Section 3.25 shall govern in the event of a conflict.

- i. Exposition, conference, and convention facilities

The following uses, when part of a development that includes a use described in subsection C above:

- ~~ii. Hotels and motels~~
- ~~iii. Museums~~
- ~~iv. Theaters~~
- ~~v. Places of worship~~
- ~~vi. Restaurants (sit down but not fast food sit down)~~
- vii. Indoor and outdoor recreational facilities
- viii. Retail sale of products or services
- ix. Onsite support retail uses
- x. Outside exhibits, fairs, entertainment and festivals
- xi. Surface parking lots

D. Development Standards

Lot Size

Minimum lot area: See section 3.25

Minimum lot width: Not specified

Lot Coverage

Maximum FAR: 0.5 FAR

Setbacks

Minimum front yard setback: 50 ft or height of building*

Minimum rear yard setback: 50 ft or height of building*

Minimum side yard setback: 50 ft or height of building*

Building Height

Maximum building height: 65 ft or 5 stories, whichever is less

Floor area

Minimum floor area: See Section 3.25

Parking setbacks

Minimum front yard setback: 20 ft

Minimum rear yard setback: 20 ft

Minimum side yard setback: 20 ft

Notes

For additions to the above requirements, refer to Section 3.6.2 Notes to District Standards: E, M, P, and Q

See Selected references below for applicability

*See section 3.25.2.F for further regulations

Selected references

3. Zoning Districts

~~-OST Retail Service Overlay~~

~~-OST District Regulations and Required Conditions~~

- CW City West

- MDO Mixed-Use Development Option

- EXO Overlay District Requirements

Subsections 4-7. [unchanged]

Part XV.

That the City of Novi Zoning Ordinance, as amended, Article 3, Zoning Districts, Section 3.25 EXO Exposition Overlay District required conditions, is hereby amended to read as follows:

Section 3.25 EXO Overlay district required conditions

1. EXO Overlay required conditions

A. [unchanged]

B. An EXO Overlay district shall satisfy all of the following in order to qualify for approval:

i.-iv. [unchanged]

v. The zoning classification of the entire EXO Overlay district shall be ~~OST,~~
Planned Office Service Technology CW, City West district.

vi. [unchanged]

2. Supplemental Required Conditions for Overlay Uses. In the event of construction of building(s) for overlay uses permitted under Section 3.1.15.C, the following supplemental required conditions shall apply:

A.-K. [unchanged]

L. Approval Process

i. Approval of an EXO Overlay district shall require the approval of a Zoning Ordinance amendment to amend the Zoning Map by the City Council, in the exercise of its legislative discretion, following a public hearing held by, and receipt of a recommendation from, the Planning Commission. An applicant seeking approval of an EXO Overlay district rezoning shall submit a rezoning petition to the City. If approved, the amendment shall place, or overlay, the EXO Overlay district over the underlying CW or OST district relative to the property which is the subject of the amendment.

ii.-iii. [unchanged]

PART XVI. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART XVII. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART XVIII. Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART XIX. Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE ____ DAY OF _____, 2023.

JUSTIN FISCHER, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent:

DRAFT

**ZONING ORDINANCE SECTION 5.5
EXCERPT OF LANDSCAPING STANDARDS**

minimize paved areas and other run-off areas, and to maximize the areas devoted to attractively designed and well-maintained landscapes.

2. Landscape Plan Required. A landscape plan shall be submitted for:

- any new commercial or residential development
- any addition to an existing building that is equal to or greater than a 25% percent increase in the overall square footage of the building or 400 square feet, whichever is less.
- Any increase to an existing parking lot of 10 spaces or more (or equivalent area), or 10% of the existing paved area, whichever is less.

With the exception of Section 5.5.3.F, Individual (Non-Subdivision/Non-Site Condominium) Single-Family Street Tree Requirements, an owner of a single-family home-site shall not be required to comply with the provisions of this section.

All landscape plans shall be prepared in accordance with the requirements of this Ordinance and the requirements of the City of Novi "Landscape Design Manual," as adopted by the City Council by resolution and which may similarly be amended by Council resolution from time to time.

General Landscape Notes:

- For all numerical calculations, round the required square feet or number of plants to the nearest whole number
- Trees are to be located at least 10 feet away from utility structures including catch basins and manholes, and should be at least 5 feet away from underground utility lines whenever possible.
- Plantings may be in formal or informal arrangements

3. Landscape Requirements.

A. Residential Adjacent to Non-Residential

- i. Intent. To make provision for a visual buffer strip in each zoning and use classification when a non-residential use abuts or is adjacent to any residential zoning district.
- ii. Requirements for Obscuring Landscaped Earth Berms and Walls. In all locations where non-residential uses abut or are adjacent to any residential district (RA, R-1, R-2, R-3, R-4, RT, RM-1, RM-2, MH and any TC district where developed for residential purposes), an obscuring landscaped earth berm and plantings, as described, shall be proposed, installed and maintained in connection with any development or use identified below. *See below.*

Use Abutting Residential	Required Berm or Wall Height
New Multi-family residential or Mobile Home adjacent to SF residential	6 ft. to 8 ft. high
Parking	4 ft. 6 in. to 6 ft. high
Special Land Use (churches, schools, nursery schools, day care centers, uses where special land use approval is required)	4 ft. 6 in. to 6 ft. high
Office Service/Tech, R&D	4 ft. 6 in. to 6 ft. high
Commercial	6 ft. to 8 ft. high
EXPO, EXO district	8 ft. to 10 ft. high
Conference	8 ft. to 10 ft. high
Freeway Service	8 ft. to 10 ft. high
Town Center (Non-residential use) ¹	6 ft. high wall
Industrial (I-1 and I-2 districts)	10-15 ft. ht. berm, 6 ft. crest width, 80% winter/90% summer opacity (See Section 3.14.5.C and E)
Auto Wash, Drive-In Restaurants, Service Stations, and Planned Commercial Centers and Regional Shopping Centers	10 ft. to 15 ft. high wall or landscaped berm with 6 foot wide crest
Hospital-Ambulance and Delivery Areas	6 ft. high
Utility Buildings, Stations, and/or Substations	6 ft. high

1: Applies when residential sections of TC or TC-1 abut non-residential uses within the same development or other adjacent TC or TC-1 developments' non-residential sections.

- iii. Exceptions. Obscuring landscaped berms and walls are not required to separate identically zoned uses or where uses are separated by a street, road, highway, freeway or railroad.
- iv. Placement. The berm or wall is required to be on the property seeking approval. The berm may be placed upon the adjacent residential property in order to provide continuity with an adjoining berm. In that case, a recorded permanent easement and a maintenance agreement in a form acceptable to the City Attorney will be required from the adjacent property owner.
- v. Berm Requirements. The obscuring berm requirements are as follows:

- a. The berm height shall be measured as follows:
- (1) The berm height, as specified in the Residential Adjacent to Non-Residential Berm Requirement Chart (Table 5.5.3.A.ii), shall be analyzed from the following locations, and the final measurement of the berm shall be made from that location which results in the maximum screening:
 - [i] The first floor elevations of the closest adjacent principal structures;
 - [ii] The first floor elevations of the uses requiring screening;
 - [iii] The elevations of the parking lots closest to the property line when only the parking area requires screening; or
 - [iv] The elevation of the nearest property line.

Where a range of height is stated for a use on the Chart, the basic berm height shall be deemed to be the lower measurement, with approving body of the City having the discretion to increase the height up to the higher measurement based upon an application of the following considerations on the non-residential property: intensity of use; noise generation customarily associated with the use; height and aesthetic appearance of buildings and structures; topography; distance of buildings, structures and activities from the common property line; and the extent of disharmony with the adjoining residential use as a result of other considerations.

- (2) The site plan shall include the first floor elevation of the nearest principal structures of the adjacent site's property lines.
- (3) Where the applicant demonstrates, and the Planning Commission finds, that practical difficulties would result from the strict application of berm height standards, as required herein, the Planning Commission may reduce the height of the berm, or eliminate the berm, and may approve an alternate plan which includes landscape treatment or a wall (subject to Section 5.5.3.A.vi below), or a combination of the two, provided that the approved alternate plan achieves adequate noise attenuation and obscuring screening. The Planning Commission may also reduce the height of the berm, or eliminate the berm, where it determines that an alternative design utilizing landscaping or other materials, including a wall subject to Section 5.5.3.A.vi below, provides adequate and effective noise attenuation and screening, or where such alternative design provides

a substantial aesthetic or site design benefit while still providing for noise attenuation and screening to the extent reasonably practicable. The intent of this section is not to encourage and allow elimination or reduction of berm height for the sake of convenience or cost savings, but rather to allow reasonable development while achieving design excellence not otherwise possible under these requirements.

- b. The berm shall be natural in appearance and have overlapping and undulating changes in elevation, both horizontally and vertically, without compromising the minimum height requirement and/or intent of the berm. Where a range of height is stated on the Chart for a use, and the approving body determines berm height based upon the criteria specified in subparagraph v.(a), above, the height of the undulations on the berm shall be determined by the approving body as part of site plan approval, taking into consideration the location of improvements and activities to be screened, and the criteria in sub-paragraph v.(a), above.
- c. The obscuring berm shall have no greater than a maximum slope of 33 percent. (3 feet of horizontal plane for each 1 foot of vertical height.) More gradual slopes are strongly encouraged.
- d. Plants shall be specified for any "no mow" areas.
- e. The crest of the obscuring berm shall have a nearly flat horizontal area of at least five (5) feet in width, unless otherwise specified in the previous Berm Requirement Chart.
- f. The required earth berm shall be located at the lot line, except where such location would interfere with underground utilities or drainage.
- g. Where an existing or proposed parking or vehicular use area abuts an existing berm or wall or other durable landscape barrier on an abutting property, said existing landscaping may be used to satisfy the landscape requirements of this part of Section 5.5, provided that it meets all applicable noise attenuation and obscuring screening standards of this Section, and provided that the existing berm, wall, or other durable landscape barrier is required to be maintained consistent with the terms of this section of the ordinance and consistent with the approved site plan. Where the existing berm, wall, or other durable landscape barrier is not otherwise required to be maintained in connection with the adjacent property, the applicant shall be responsible for such maintenance and shall obtain and record a permanent easement and maintenance agreement from the adjoining property owner in a form approved by the City Attorney, making provision for such maintenance.

- h. Where a property has already been lawfully developed for one of the uses listed in the Residential Adjacent to Non-Residential Berm Requirement Chart (Table 5.5.3.A.ii), adjacent residential property which subsequently develops shall provide and maintain the necessary berm.
 - i. See Landscape Design Manual for additional requirements.
 - vi. Wall Requirements.
 - a. Freestanding walls shall have all exterior sides constructed of face brick or stone with a suitable cap, and the interior constructed of masonry or reinforced concrete. The Planning Commission may consider materials of equal durability and aesthetic quality.
 - b. Walls shall be designed to resist the pressure of the retained material, including live, dead and environmental loads to which they may be subject. Foundations shall be designed to prevent movement due to frost action and a suitable drainage system shall be provided to assure stability. Walls that are 4 feet or greater in height shall be designed and sealed by a professional design or structural engineer. Walls shall not cause flooding or impound water at any time and are subject to Final Site Plan review. (See Design and Construction Standards, Chapter 11, Novi Code of Ordinances).
 - c. All other obscuring conditions of this subsection and the Landscape Design Manual must be met.
 - d. Timber, boulder, and interlocking concrete masonry unit (CMU) retaining walls are permitted as alternatives to poured-in-place retaining walls for the purpose of terracing, with the provision that they meet commonly accepted practices for construction and reinforcement as required.
 - vii. Waiver of Landscaped Berm or Wall for Preservation of Wooded Area.

The Planning Commission may waive the requirement for an earth berm or obscuring wall adjacent to a residential use district when the proposed development includes the retention of an existing regulated or non-regulated wooded area adjacent to the residential district, or when an existing regulated or non-regulated wooded area is preserved on the adjacent residential property. In either case, the owners of all such area(s), including the owners of the adjacent residential property, shall provide a permanent preservation easement, including requirements for perpetual maintenance and replacement of woodland features, in recordable form acceptable to the City Attorney for such wooded area, and provided all the following conditions are met:

- a. The retained wooded area will provide effective screening consistent with the opacity for visual screening requirements of this Ordinance and intent of this Section.
- b. The retained wooded area shall be of a depth and height equal to or greater than the screening requirement being waived.
- c. The failure to retain the wooded area will have a negative impact on the preservation of woodlands within the City of Novi.
- d. The retained wooded area has been inspected and evaluated by the City relative to the health and desirability of the existing plant material.
- e. The Planning Commission may require, during construction phases, as a condition to the waiver, additional and/or modified plantings and/or the erection of a temporary chain link fence within or adjacent to the preserved wooded area to meet the opacity requirements and/or other objectives of this Section, and, in the event all or part of the retained wooded area is removed, destroyed, diminished, or altered in any manner such that it no longer provides the screening required under this Section, the berm or wall shall be installed at the applicant's (or its successor's) expense or additional screening material may be required by the City to be installed and maintained at the applicant's (or its successor's) expense in order to achieve the screening objective under this Section.

B. Adjacent to Public Rights-of-Way

- i. Intent. The intent of the landscape planting buffer requirements along public rights-of-way is to improve the appearance of the rights-of-way including screening off-street parking and vehicular use areas of property abutting public rights-of-way.
- ii. Requirements. Landscape plantings shall be installed and maintained adjacent to existing or proposed public rights-of-way according to the standards set forth on the Right-of-Way Landscape Screening Requirements Chart (Table 5.5.3.B.ii.F), and as otherwise established in this ordinance, including the individual zoning district, and in the Landscape Design Manual.
 - 1. There shall be provided adjacent to the abutting right-of-way or private road a landscape area of sufficient width to accommodate a required berm as indicated in the Right-of-Way Landscape Screening Requirements Chart, except in those use districts or development options that require a greater greenbelt, or except as otherwise provided in the TC and TC-1 districts.

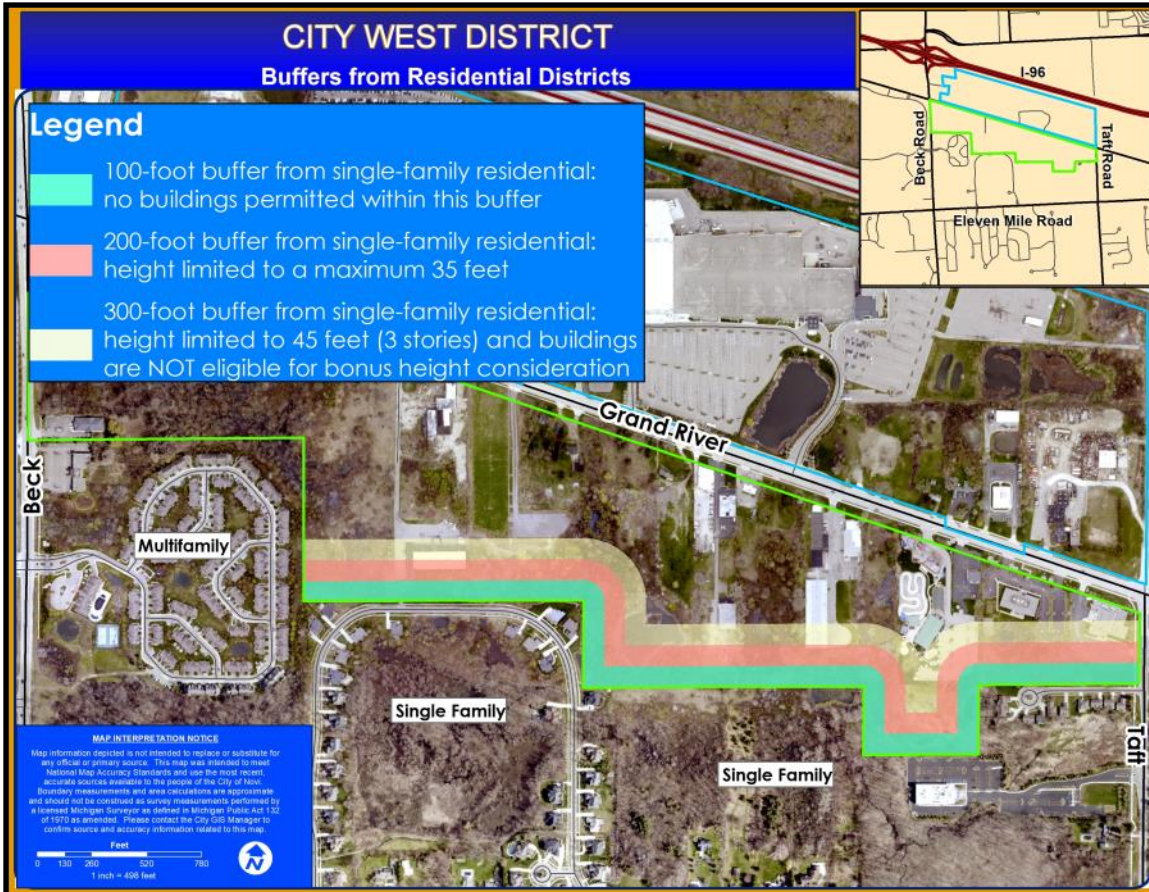
CITY WEST DESIGN GUIDE
EXCERPT PAGES TO REFLECT REVISIONS TO SETBACKS AND HEIGHT

D. Form Based Design/Inspiration Images

D.2 — Density Transition from Residential Districts

The City West District, while intended to be one of the most high-density districts in the City, shall provide a more moderate transition where it abuts Single-Family Residential Districts in City West South as portrayed in [Figure D10](#) below.

[Figure D10](#): map of buffers from residential districts and associated conditions in City West



[Figure D10](#): Main Street Village, pictured to the right, is an example of low-rise multi-family that could be built between 100 and 200 feet away from single family residential



D. Form Based Design/Inspiration Images

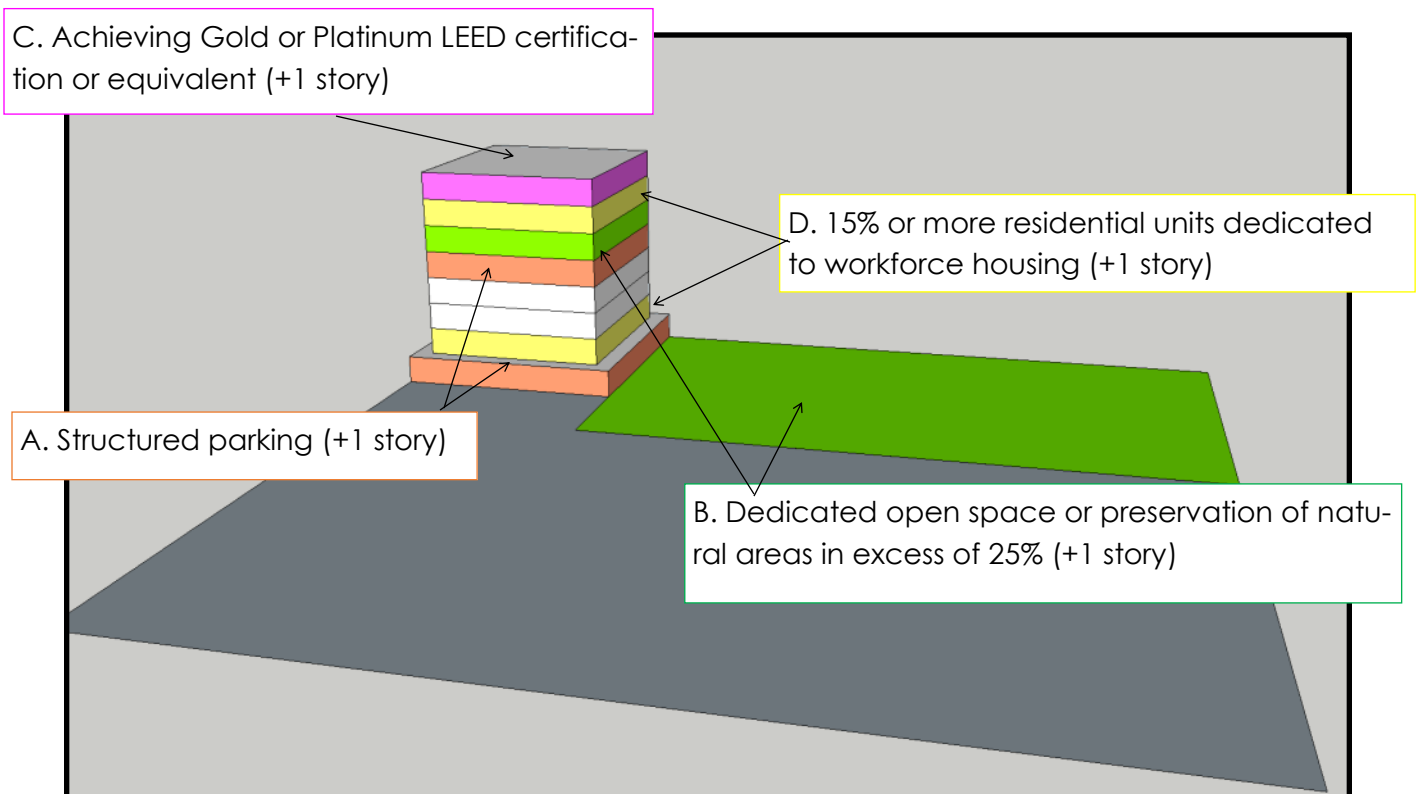
D.3 — Bonus Height

Within the City West District the minimum building height is 2 stories and the maximum building height is 3 stories. With the Mixed Use Development Option, the maximum height for the City West North area is 5 stories and the maximum height for the City West South area is 4 stories, but that **may be exceeded if bonus height conditions are met**.

Maximum building height in the north area may not exceed one-hundred fifteen (115) feet or 8 stories, whichever is less, and in the south area no building shall exceed 55 feet or 4 stories, whichever is less.

The following model in [Figure D11](#) shows examples of how to achieve greater building height through qualifying for the bonus height conditions as described in 3.34.5.B.

Figure D11: bonus height model



- A. Underground **or** structured parking (up to 2 additional floors—1 story per 125 spaces)
- B. Providing 25% of the total site area as open space; the image above shows the open space consolidated in one location but this does not have to be the case
- C. Applicants shall provide a narrative explaining how sustainability elements have been incorporated and quantify the impacts of those strategies
- D. As described in section 3.34.5.B; the illustration above shows a floor dedicated to workforce housing in yellow and then an additional floor in yellow depicting the bonus story granted for satisfying this condition

D. Form Based Design/Inspiration Images

D.3 — Bonus Height

Figure D12 below shows minimum and maximum heights allowed in City West.

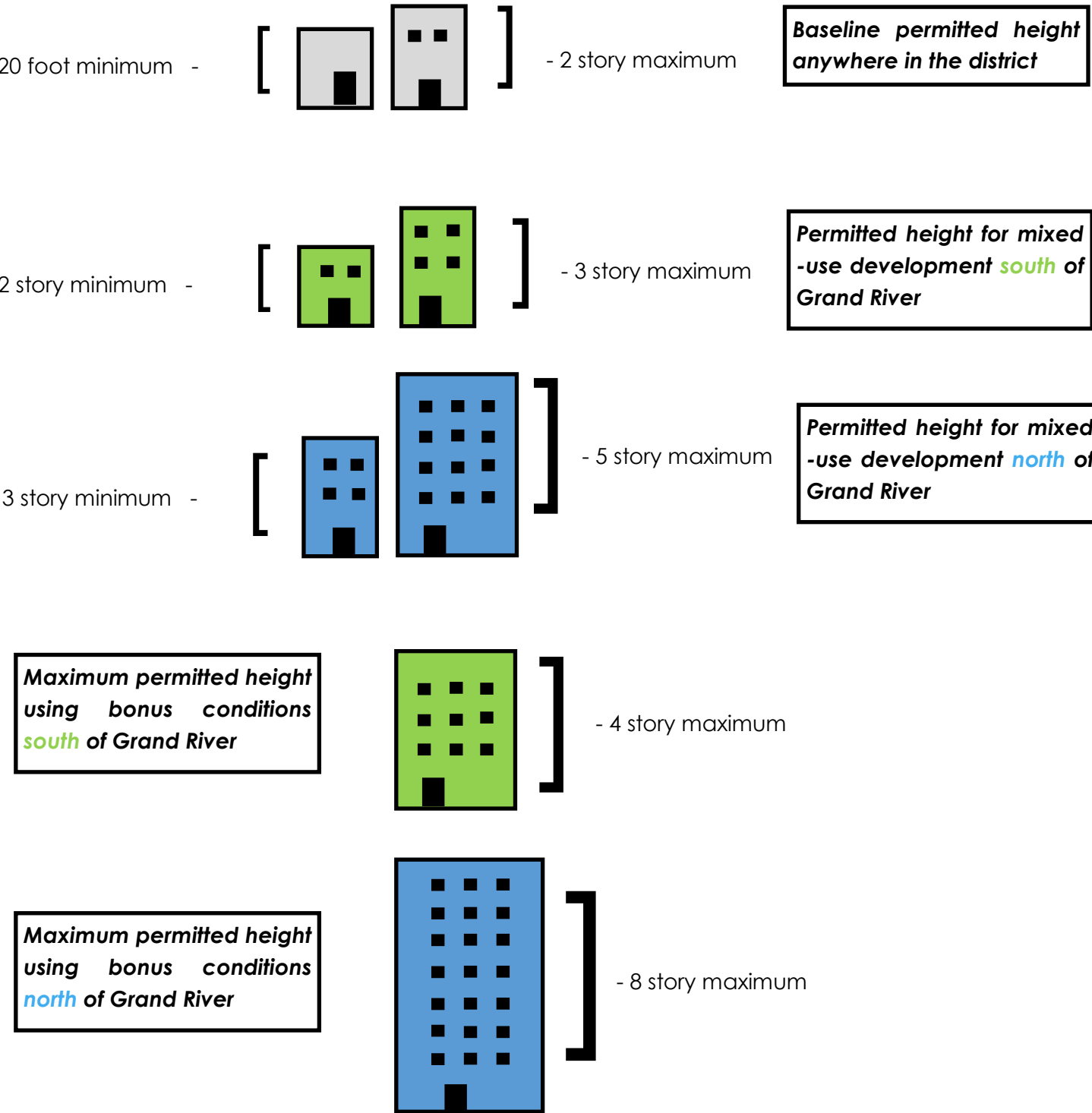


Figure D12: guide to allowable heights in City West

MEMORANDUM



TO: VICTOR CARDENAS, CITY MANAGER
JEFF MUCK, PRCS DIRECTOR
FROM: KIT KIESER, OAS MANAGER
SUBJECT: OAS TRANSPORTATION RIDER SUBSIDIES
DATE: APRIL 11, 2024

Mayor and Council –

To properly plan for a transition in a few months, we'll seek a decision on this matter at your next meeting (April 22nd). Please let us know if you need additional information.

- Victor

Novi Senior Transportation has begun preparations to transition operations from The City of Novi to People's Express (PEX).

The current fare structure for Novi Senior Transportation includes free rides for individuals 55+ or those under 55 with a limiting disability within the City limits and \$5 per one-way rides between the City limits and a 10-mile radius boundary. Fees within the City limits were waived by City Council in 2018. Novi currently averages 3 no call-no shows and 11 same-day cancellations per week.

Oakland County sets the pricing on fares for PEX. Individuals 55+, people with disabilities, low-income individuals, and veterans receive a discounted fare of \$2 per one-way ride. Out-of-boundary rides are an additional \$1.25 per mile. The fare for general public riders is \$4 per one-way ride with out-of-boundary rides costing an additional \$2.50 per mile.

The changes to transportation service will include additional hours per week and days per year.

	Days per year	Hours per week
Novi	290	46
PEX	356	94

Medical rides comprise a majority of our current rides at nearly 44%. Most medical rides occur on weekdays during regular business hours, with the exception of riders going to dialysis treatment on Saturdays. The next highest group is residents utilizing transportation to go to work. All other rides—shopping, exercise, City programs, etc.—are combined into "other" in the table below.

		Medical	Work	Other	Days Operated	Total Trips
FY 22-23	Q4	1,460	723	1,180	74	3,363
FY 23-24	Q1	1,609	633	1,447	77	3,689
FY 23-24	Q2	1,502	592	1,419	69	3,513

FY 23-24	Q3	1,509	465	1,318	70	3,292
Total		6,080	2,413	5,364	290	13,857
% of rides		43.88%	17.41%	38.71%		

Following are options for City Council's consideration on subsidizing resident fares with PEX. One-year cost projections are based on Novi operating hours and rider data from the previous calendar year, not including allowances for an increase in hours or days of operation with PEX or out-of-boundary rides:

1. **Eliminate all rider subsidies-** Riders are subject to pricing set by Oakland County. No use of City funds.
2. **Subsidize medical rides only:**

Medical rides	Fare	Est subsidy cost
6,080	\$2	\$12,160

3. **Subsidize individuals 55+ and people with disabilities:**

Total rides	Fare	Est subsidy cost
13,857	\$2	\$27,714

4. **Subsidize all rides –** would include all rides Novi currently provides (#3), plus fares for new riders incurred as a result of PEX's expanded services. Staff is unable to project an estimate due to the unknown number of new riders who will opt to use the service. PEX has indicated that an average of 90% of their current ridership is 55+ and/or have a disability in the other communities they service.

If City Council directs staff to pursue options #2, #3 or #4 as listed above, an agreement would be developed with PEX in which PEX would invoice Novi for the rides given. Staff is currently in discussion with PEX and the County on the possibility of our annual SMART funds being used to offset the cost of resident rides.

This matter will be brought forward for City Council discussion and action at the April 22 meeting.

