



CITY of NOVI CITY COUNCIL

www.cityofnovi.org

**Agenda Item 3
March 5, 2007**

SUBJECT: Consideration of approval of consent judgment in Eldridge, et al v City of Novi, relating to the zoning of approximately 9.7-acre parcel which is a part of 50-22-11-300-006 located on the north side of Twelve Mile Road east of Novi Road, currently zoned OS-1 and RA.

SUBMITTING DEPARTMENT: City Manager 

CITY MANAGER APPROVAL:

EXPENDITURE REQUIRED	N/A
AMOUNT BUDGETED	N/A
APPROPRIATION REQUIRED	N/A
LINE ITEM NUMBER	N/A

BACKGROUND INFORMATION:

This case involves a roughly 9.7-acre parcel of property on the north side of 12 Mile just east of the Oakland Hills Memorial Cemetery and adjacent to the Americana Foundation property. The front roughly one-third of the parcel is zoned for OS-1 office use, consistent with the master plan for future land use. The balance of the property is zoned RA, residential acreage, and is master planned for quasi-public use.

In January, 2005, the City Council denied an application for rezoning of the entire property to RM-1, low-density, low-rise multiple-family residential, with a Planned Rezoning Overlay (PRO) for 64 residential units. The applicant then sought a use variance for the same development from the Zoning Board of Appeals, which denied the request in May, 2005. The property owner filed a lawsuit in the Oakland County Circuit Court challenging the rezoning denial. The City has been discussing with the property owner a consent judgment allowing on the entire parcel (including the area now zoned RA) the uses permitted in the OS-1, OS-2, and OS-C (except hotels, motels, and hospitals) districts, with an increased height limitation of 46 feet/3 stories, a slightly smaller parking lot setback, and a funeral home/mortuary use as a use permitted as of right rather than a special land use.

The attached consent judgment sets forth such a resolution.

RECOMMENDED ACTION: Consideration of approval of consent judgment in Eldridge, et al v City of Novi, relating to the zoning of approximately 9.7-acre parcel which is a part of 50-22-11-300-006 located on the north side of Twelve Mile Road east of Novi Road, currently zoned OS-1 and RA.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Gatt				
Council Member Margolis				

	1	2	Y	N
Council Member Mutch				
Council Member Nagy				
Council Member Paul				



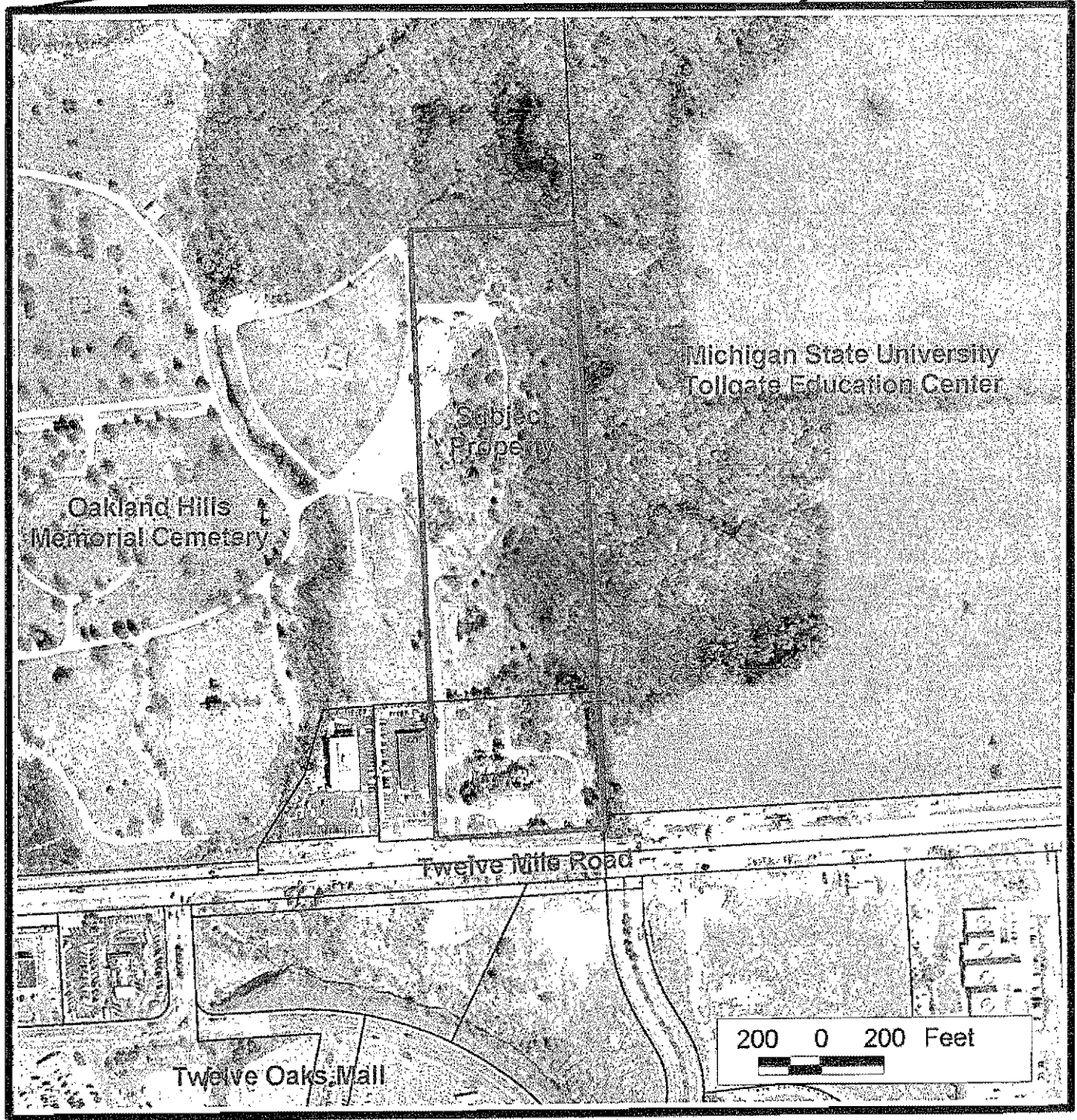
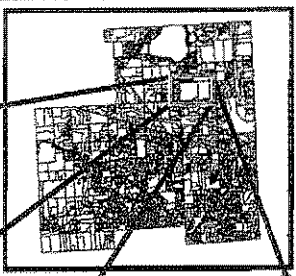
Ivanhoe Huntley Air Photo Map

City of Novi, Michigan

Legend

- Subject Property
- Parcels
- Roads

Locator
Map



Geographic System Description -
Projection Michigan State Plane
Zone South Zone (8461)
Horizontal Datum NAD 83
Units International Feet
Scale 3,280.84 per meter
GDS 1000

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45175 West Ten Mile Road
Novi, Michigan 48375
(248) 967-0350

Created by
Tom Galambos
Planner
Plan Review Center

Date Created
November 7, 2008
Project File Name:
Ivanhoe_Air
Layout Name:
Ivanhoe_Huntley_Air_Photo

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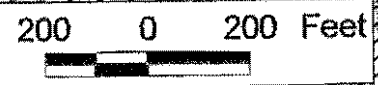
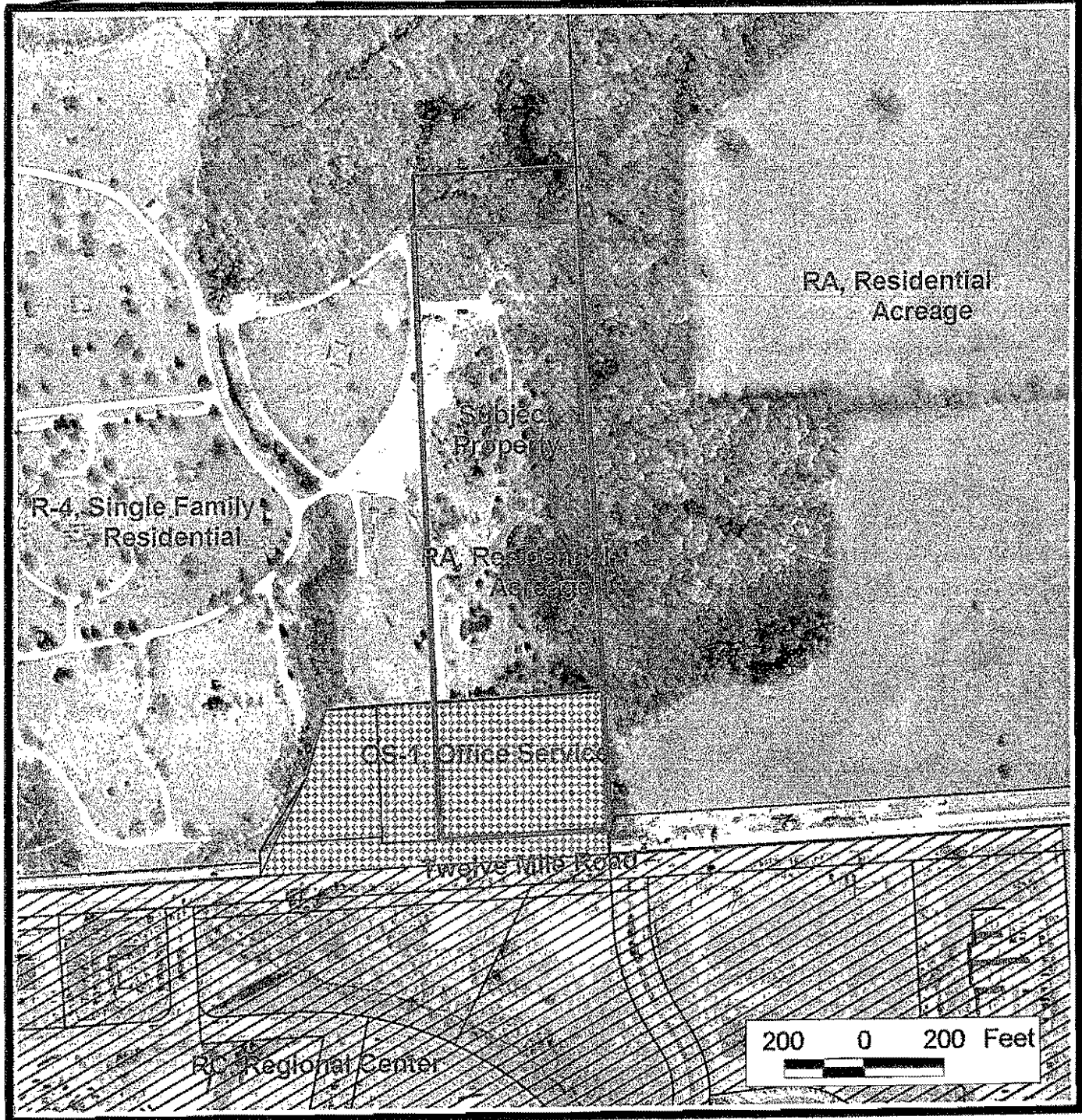
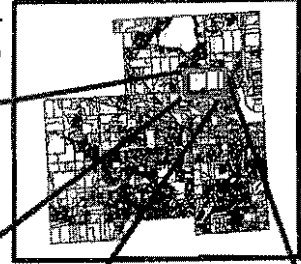
Ivanhoe Huntley Current Zoning

City of Novi, Michigan

Legend

- RA, Residential Acreage
- R-4, Single Family Residential
- OS-1, Office Service
- RC, Regional Center
- Subject Property
- Parcels

Locator
Map



Coordinate System Description -
 Projection Michigan State Plane
 Zone South Zone (8181)
 Horizontal Datum NAD 83
 Vertical Datum International Feet
 Spheroid GRS 1987

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 (248) 341-0164

Created by:
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Date Created:
 November 7, 2002
 Project Name:
 Ivanhoe Huntley
 Location:
 Ivanhoe Huntley Current Zoning

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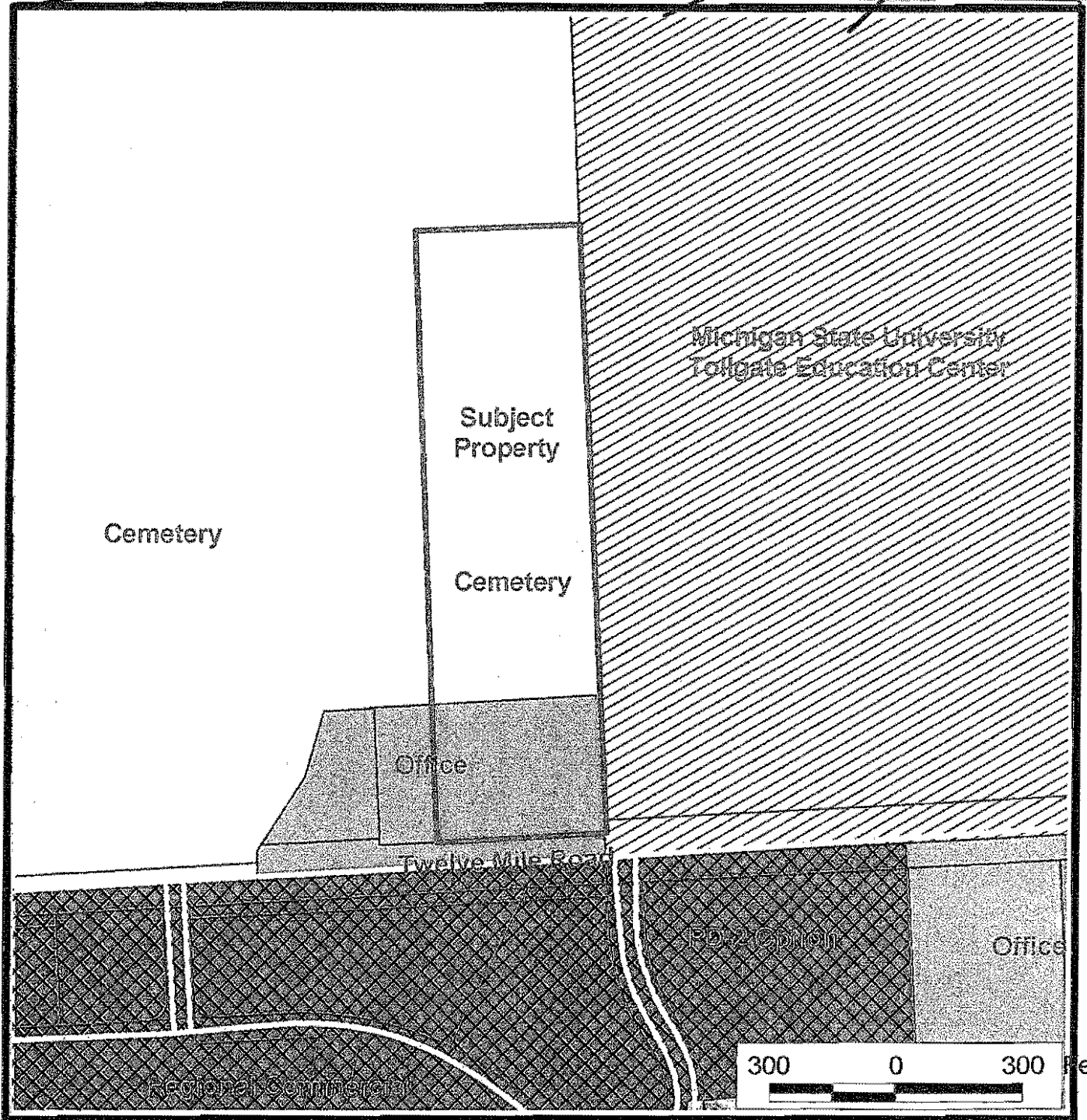
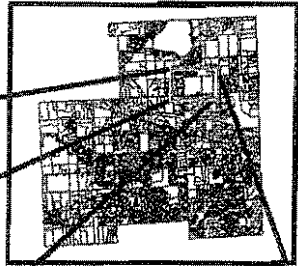


Ivanhoe Huntley Land Use Map

City of Novi, Michigan

Legend			
	CEMETERY		Subject Property
	MSU TOLLGATE CENTER		Parcels
	OFFICE		
	REGIONAL COMMERCIAL		

Locator Map



Coordinate System Description -
 Projection Michigan State Plane
 Zone East Zone (8301)
 Year 1983
 Horizontal Datum International Foot
 Map Units 3.28084 per meter
 Spheroid GRS 1980

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 43775 West Ten Mile Road
 Novi, Michigan 48242
 (248) 247-8494

Created by
 Tom Schmitt
 Planner
 Plan Review Center

Date Created
 November 7, 2009
 Project Filename:
 Ivanhoe.apr
 Layout Name:
 Ivanhoe_Huntley_Land_Use

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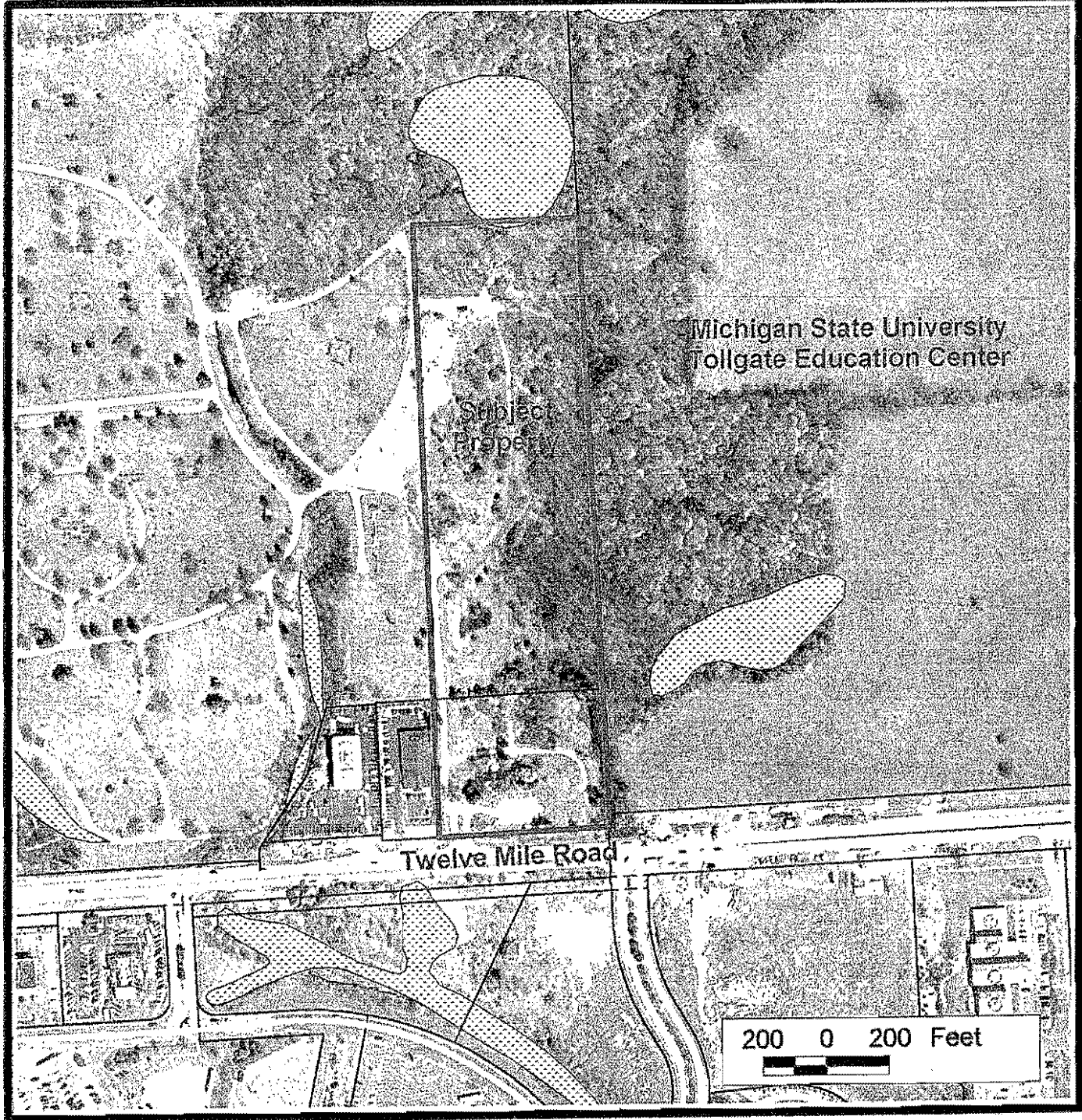
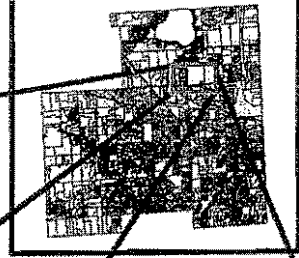
Ivanhoe Huntley Wetlands Map

City of Novi, Michigan

Legend

- Regulated Wetlands
- Subject Property
- Parcels
- Roads

Locator Map



Coordinate System Definitions -
 Projection: Michigan State Plane
 Zone: South Zone (8401)
 Horizontal Datum: NAD 1983
 Map Units: International Feet
 Spheroid: 3,280.84 feet/meter
 0.92 1030

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 (248) 947-9454

Created by:
 Tim Richards
 Planner
 Plan Review Center

Date Created:
 November 7, 2009
 Project File Name:
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 Layout Name:
 Ivanhoe Huntley Wetlands Map

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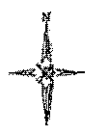
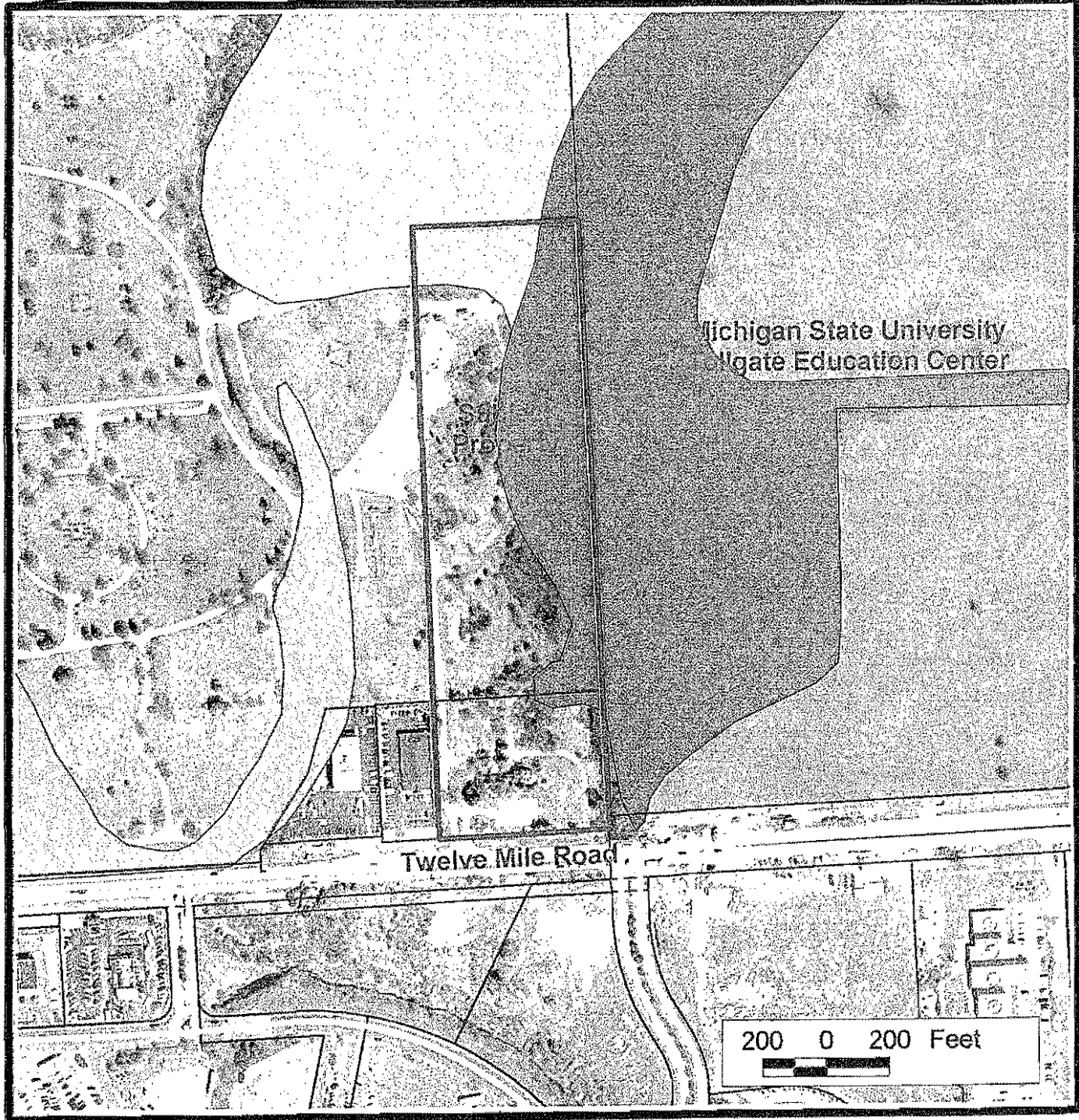
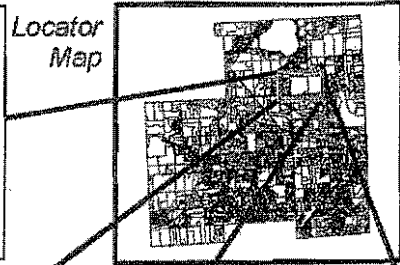


Ivanhoe Huntley Woodlands Map

City of Novi, Michigan

Legend

	Dense Woodlands		Subject Property
	Medium Woodlands		Parcels
	Light Woodlands		Roads



Coordinate System Description
 Projection: US West Scale Plane
 Zone: South Zone (8401)
 Horizontal Datum: NAD 1983
 Units: Feet
 Spheroid: GRS 1980

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 45774 Vivaldi, Novi, MI 48375
 (248) 947-0404

Created by:
 Tom Schmitt
 Planner
 Park Review Center

Data Created:
 November 7, 2005
 Project File Name:
 Ivanhoe Huntley
 Layout Name:
 Ivanhoe Huntley Woodlands

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