



CITY of NOVI CITY COUNCIL

Agenda Item 3
February 4, 2008

SUBJECT: Consideration of Zoning Map Amendment 18.673 with Planned Rezoning Overlay (PRO) SP 07-59 from the applicant, the Basilian Fathers of Milford, Michigan, to rezone property located north of Eleven Mile Road, west of Taft Road from R-1, One-Family Residential to RM-1, Low Density, Low-Rise Multiple Family Residential and consideration of the PRO Concept Plan. The subject property is 4.15 acres.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Bau's*

CITY MANAGER APPROVAL: *PUA for CDP*

BACKGROUND INFORMATION: The petitioner is requesting consideration of a Planned Rezoning Overlay (PRO), in conjunction with rezoning request 18.673. The PRO acts as a zoning map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. As a part of the PRO, the underlying zoning is changed, in this case to RM-1 and the applicant enters into a PRO Agreement with the City, whereby the City and applicant agree to any deviations to the applicable ordinances and tentative approval of a conceptual plan for development for the site. After final approval of the PRO plan and agreement, the applicant will submit for Preliminary and Final Site Plan under the typical review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two years, the PRO concept plan expires and the agreement becomes void.

The parcel in question is vacant land located on the north side of Eleven Mile Road and west of Taft Road in Section 16 of the City of Novi. The property totals 4.15 acres. The current zoning of the property is R-1, One-Family Residential District and the applicant is seeking a rezoning with PRO to the RM-1, Low Density, Low-Rise Multiple Family Residential District. The applicant originally proposed RT (Two-Family Residential District) zoning for the subject property based on discussions with the Community Development Department. However, upon further consideration of the proposed use of the property, the Community Development Department recommends that the proposed use best fits in the RM-1 District. The applicant has indicated a rezoning to RM-1 with a PRO would be agreeable.

A PRO concept plan was submitted for review to the Community Development Department and review letters were issued on December 19, 2007. The applicant then appeared before the Master Plan and Zoning Committee on January 9, 2008. At this meeting, the applicant presented a revised concept plan that had not been reviewed by the Community Development Department. After examining the revised concept plan, the Community Development Department is comfortable that all previous review letters are still applicable and minor changes to the Planning review letter have been included in the attached memo addressing the revised concept plan.

The applicant's revised concept plan shows a proposed structure that is two stories tall on the western side of the building and one story tall on the eastern side of the building. This structure would contain 14 living units with common areas for the kitchen, parlor, dining area, chapel, offices and a community room. The building itself is surround by associated landscaping and parking on the northern, eastern and western sides. The applicant has included a carport to cover the proposed parking on the western side of the proposed building and a dumpster near the eastern side of the site. Twenty-two parking spaces are provided on site and a detention pond has been

included on the far eastern side of the property adjacent to Taft Road. The proposed location of the detention pond could result in the loss of additional regulated trees.

As part of the PRO, the applicant is required to offer a public benefit that would demonstrate more than just the usual benefits that would be associated with standard rezoning and development of the property. The offered public benefit was recently updated based on further research and investigation by the applicant. In summary, the developer has proposed to extend the public sidewalk to the northwest corner of Eleven Mile Road and Taft Road and has indicated the additional right-of-way on Eleven Mile Road and Taft Road needed for future use by the City would be donated as a public benefit. For additional items listed as public benefits and for the PRO conditions, please see the attached response letter provided by the applicant as well as the memo from the Planning Division describing the revised concept plan.

This matter was brought before the Planning Commission for a public hearing and their recommendation on January 23, 2008. At that time, the Planning Commission made a positive recommendation to rezone to the subject property to the RM-1 District for the Basilian Fathers Residence PRO in conjunction with Rezoning 18.673. The Planning Commission also suggested the applicant consider placing a conservation easement over any remaining woodlands on site and limiting the future uses of the property.

If tentative approval is granted by the City Council, the proposed Rezoning with PRO agreement will come back before the City Council at a subsequent meeting for final approval of the draft agreement and the zoning, reflecting the decision of the Council at the February 4th, 2008 meeting.

RECOMMENDED ACTION: Approval of Zoning Map Amendment 18.673 with Planned Rezoning Overlay (PRO) SP07-59 from the applicant, the Basilian Fathers of Milford, Michigan, to rezone property located north of Eleven Mile Road, west of Taft Road from R-1, One-Family Residential District to RM-1, Low Density, Low-Rise Multiple Family Residential District and consideration of the PRO Concept Plan, subject to the conditions listed in the staff and consultant review letters for the reasons stated in the Planning Review Letter.

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

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

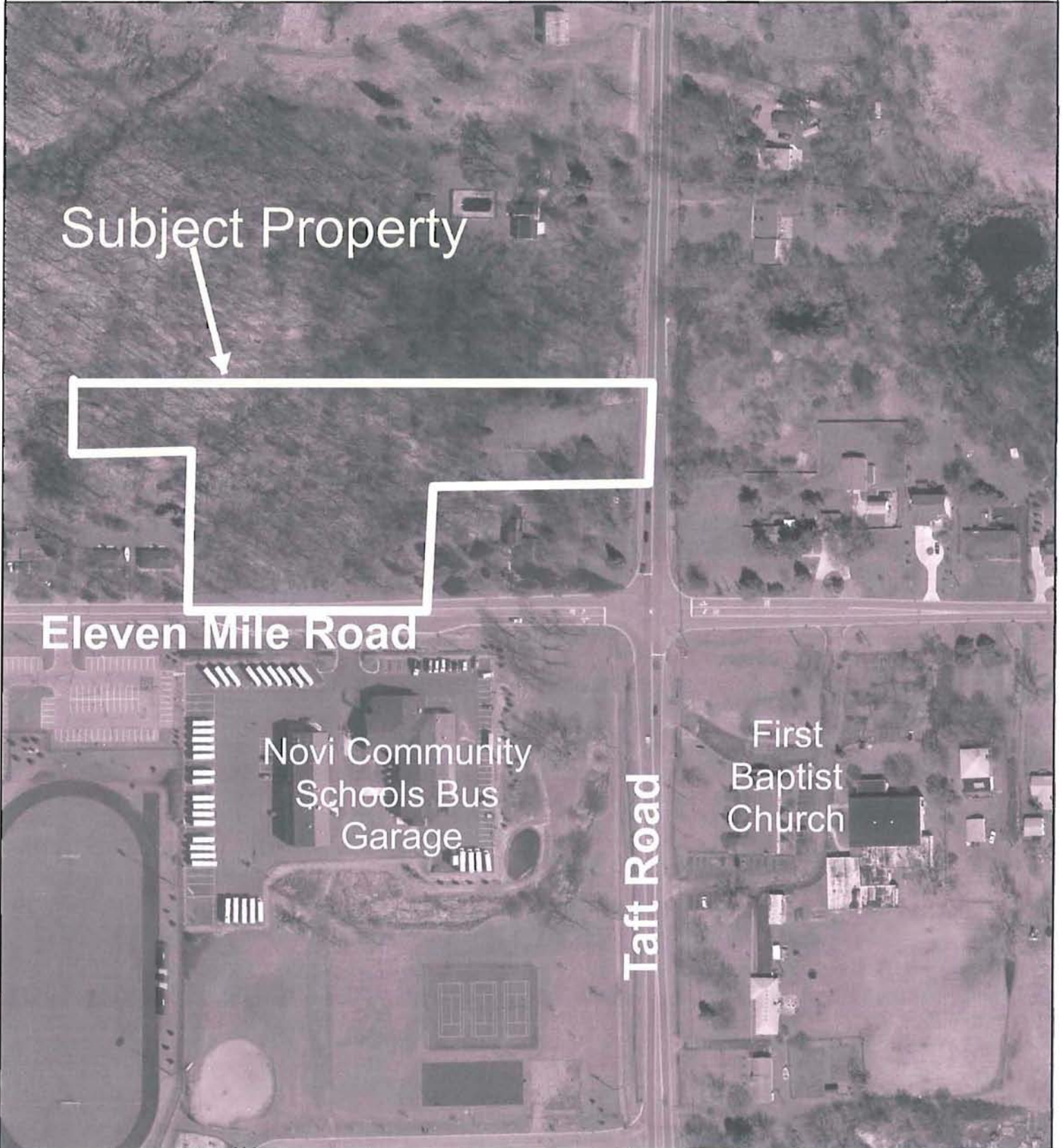
MAPS

**LOCATION
ZONING
FUTURE LAND USE
NATURAL FEATURES**

Basilian Fathers Residence SP#07-59 and Rezoning 18.673

Location

MAP CREATED: DECEMBER 6, 2007



Subject Property

Eleven Mile Road

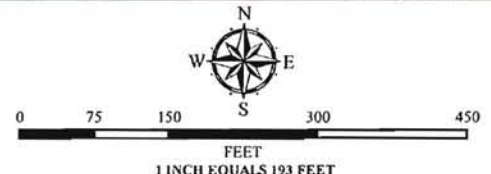
Novi Community
Schools Bus
Garage

Taft Road

First
Baptist
Church



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NOVI CITY HALL/CIVIC CENTER
45175 W. TEN MILE ROAD
NOVI, MI 48375-3024
(248) 347-3279
WWW.CI.NOVI.MI.US
MAP AUTHOR: KRISTEN KAPELANSKI



MAP INTERPRETATION NOTICE
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Basilian Fathers Residence SP#07-59 and Rezoning 18.673

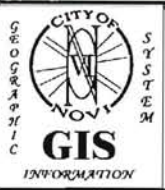
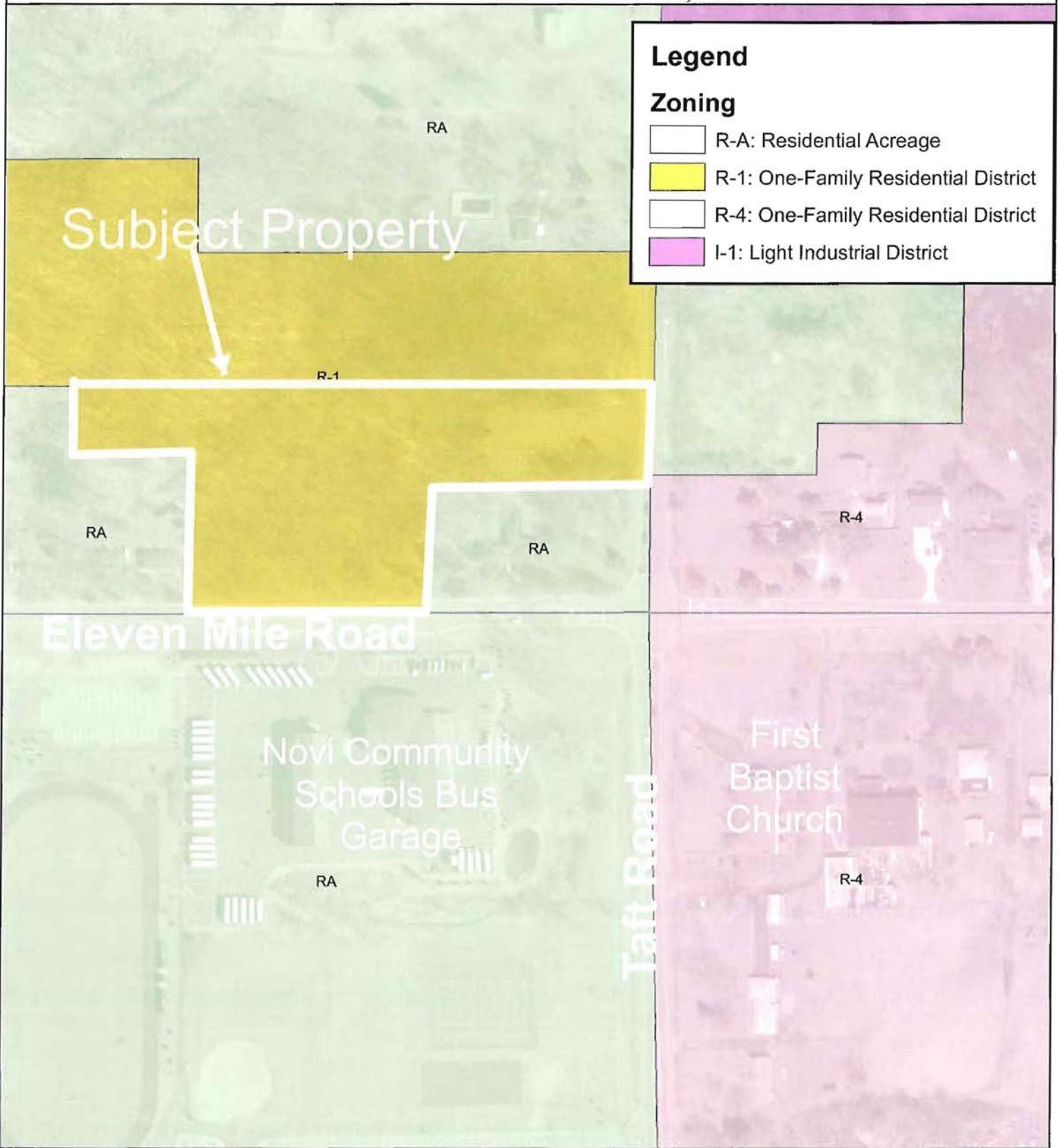
Zoning

MAP CREATED: DECEMBER 6, 2007

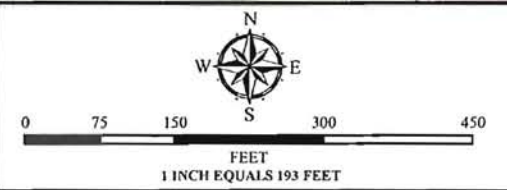
Legend

Zoning

-  R-A: Residential Acreage
-  R-1: One-Family Residential District
-  R-4: One-Family Residential District
-  I-1: Light Industrial District



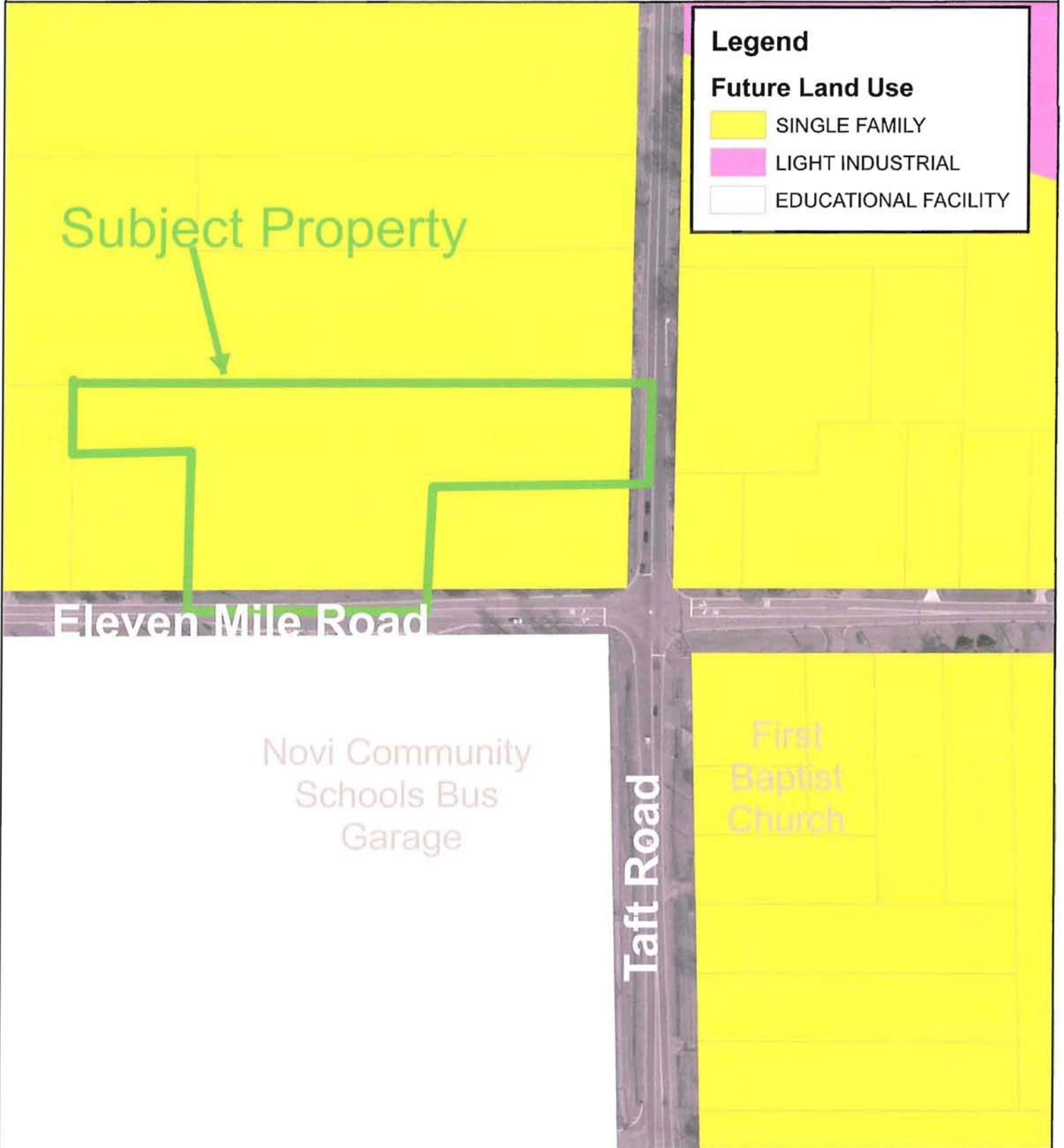
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Basilian Fathers Residence SP#07-59 and Rezoning 18.673

Future Land Use
MAP CREATED: DECEMBER 6, 2007



Legend

Future Land Use

-  SINGLE FAMILY
-  LIGHT INDUSTRIAL
-  EDUCATIONAL FACILITY

Subject Property

Eleven Mile Road

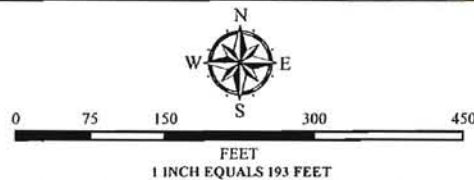
Novi Community
Schools Bus
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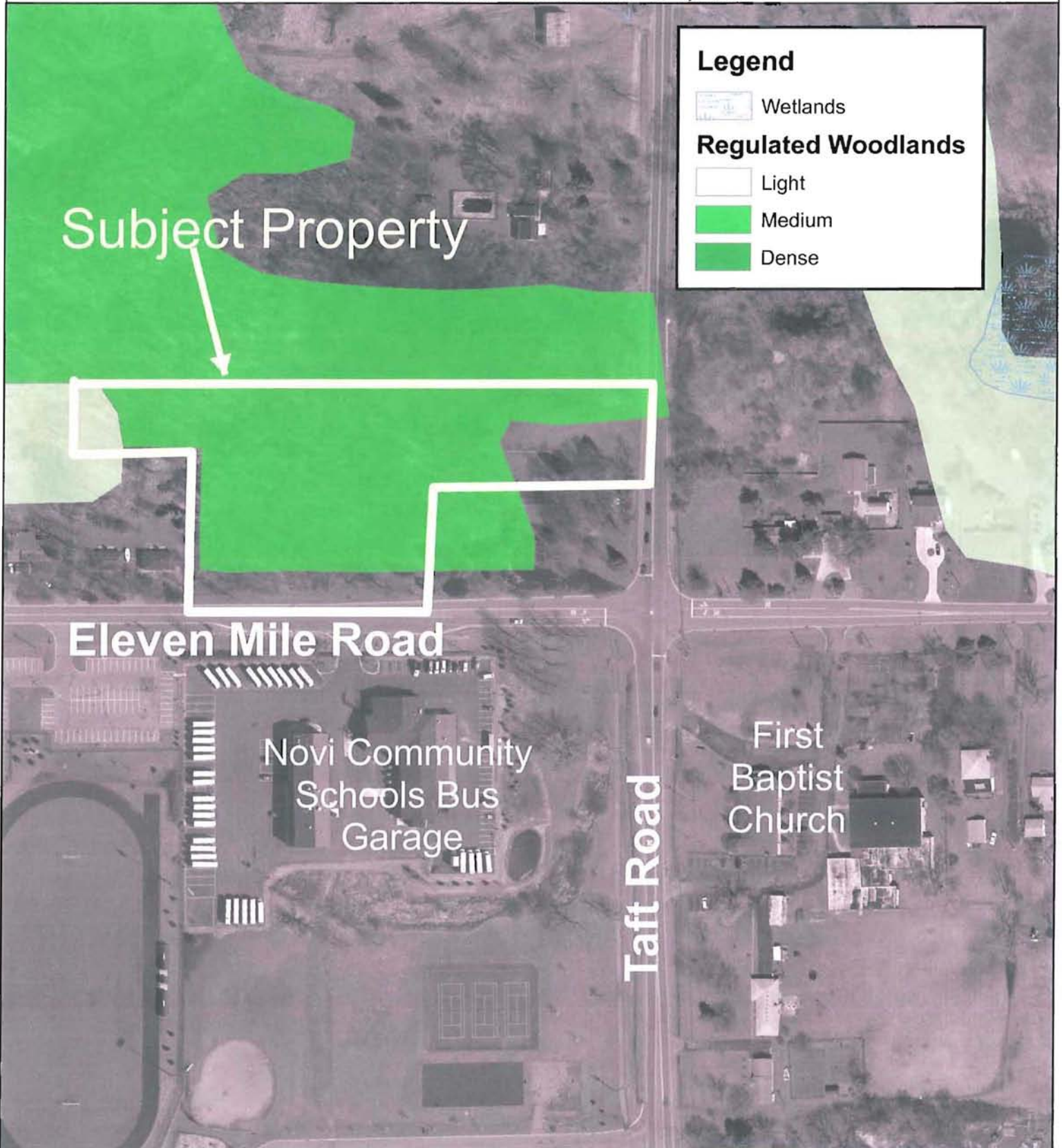


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Basilian Fathers Residence SP#07-59 and Rezoning 18.673

Natural Features

MAP CREATED: DECEMBER 6, 2007

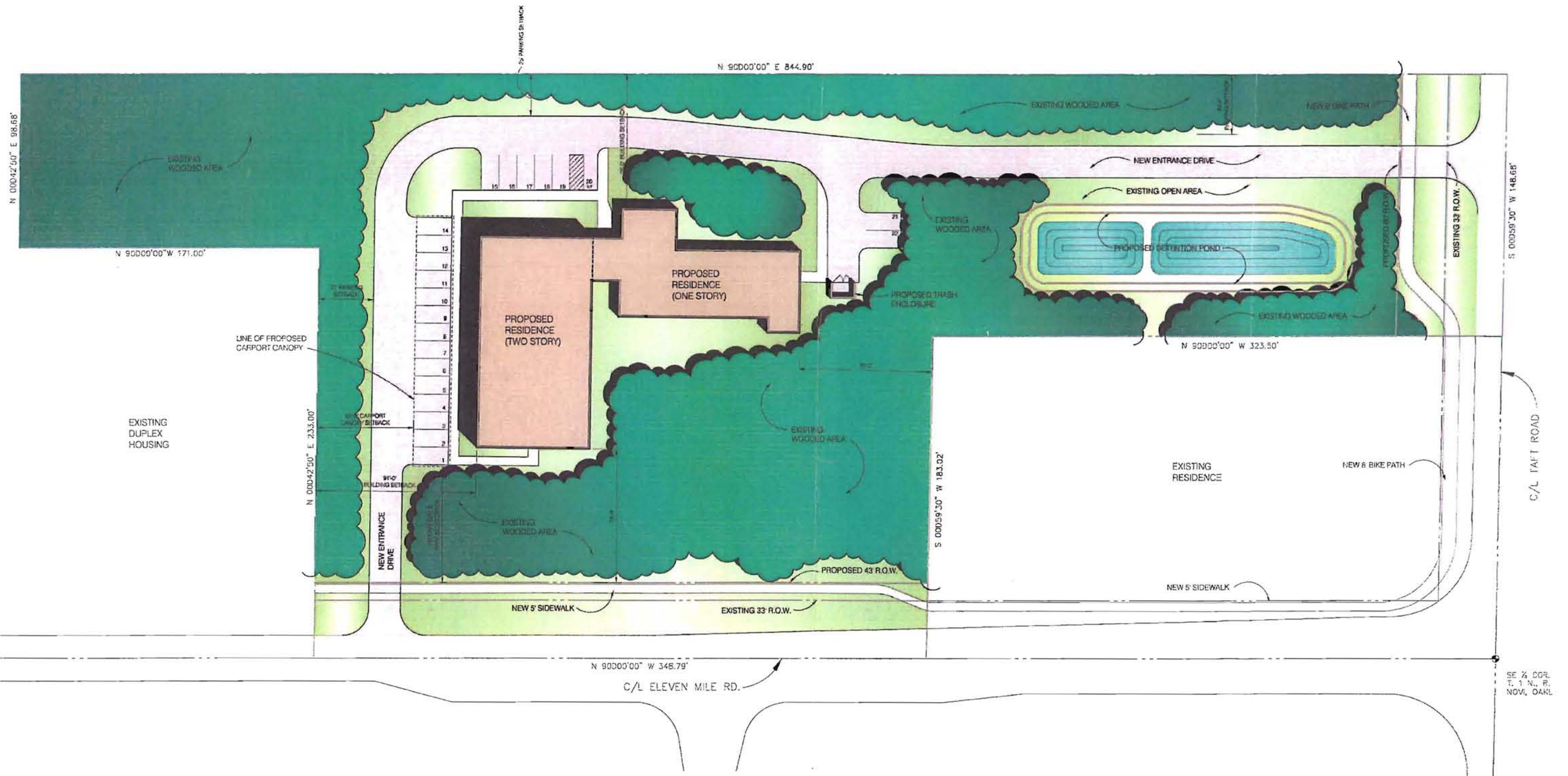


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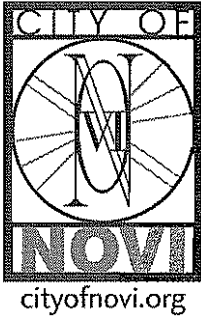


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REDUCED CONCEPT PLAN



**DRAFT PLANNING COMMISSION MINUTES
EXCERPT JANUARY 23, 2008
(DISCUSSION OF PROPOSED REZONING)**



PLANNING COMMISSION

CITY OF NOVI
 Regular Meeting
 Zoning Map Amendment 18.673 and PRO SP07-59
 Basilian Fathers Excerpt
Wednesday, January 23, 2008 | 7 PM
 Council Chambers | Novi Civic Center | 45175 W. Ten Mile

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

ROLL CALL

Present: Members, John Avdoulos (7:07 PM), Brian Burke, Victor Cassis, David Greco, Andrew Gutman, Michael Lynch, Michael Meyer, Mark Pehrson

Absent: Wayne Wrobel (Excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Karen Reinowski, Planner; Kristen Kapelanski, Planner; Ben Croy, Civil Engineer; Lindon Ivezaj, Civil Engineer; Dr. John Freeland, Environmental Consultant; Kristin Kolb, City Attorney

PUBLIC HEARINGS

1. BASILIAN FATHERS RESIDENCE PRO, SITE PLAN NUMBER 07-59

The Public Hearing was opened on the request of Basilian Fathers of Milford, Michigan, for a recommendation to City Council for consideration of a Planned Rezoning Overlay in conjunction with rezoning request 18.673. The subject property is located in Section 16, at the northwest corner of Taft Road and Eleven Mile, from R-1, One-Family Residential, to R-T, Two-Family Residential or RM-1, Low-Density, Low-Rise Multiple-Family Residential District. The subject property is approximately 4.15 acres and the Applicant has indicated that the rezoning is being proposed to facilitate the construction of a 14-unit residence for Basilian priests.

Planner Kristen Kapelanski described the project for the Planning Commission. To the north of the subject property are vacant land and an existing single-family house. The Community Development Department has also been working with a religious group who is planning to construct a temple, a cultural center and a priests' residence on a parcel further to the north. To the west are existing duplex homes. To the south are the Novi Community Schools' bus garage, Parkview Elementary and Novi Meadows. The First Baptist Church is located just southeast of the subject property. To the east is an existing single-family house, followed by Taft Road and then additional homes and vacant land on the eastern side of Taft Road.

The subject property is currently zoned R-1, One-Family Residential and the proposed zoning is R-T, Two-Family Residential or RM-1, Low-Density, Low-Rise Multiple Family Residential. The site is bordered by R-1 to the north, R-A to the south and west and R-A and R-4 to the east. The Future Land Use Map designates single family uses for the subject property and the properties to the north, east and west. The property to the south is designated as an Educational Facility.

Regulated woodlands cover the majority of the site, as indicated by the natural features map.

The Applicant requested to rezone the property to R-T based on the initial recommendations of the Community Development Department. However, upon closer examination, it is the recommendation of the Plan Review Center that the Applicant seek RM-1, because the use better fits this district. Approval of the proposed rezoning to RM-1 is recommended incorporating the additional public benefits indicated in the Applicant's response letter. Although this rezoning would be contrary to the Master Plan, the proposed residence would be compatible with the existing uses in the area and can be designed to incorporate the residential characteristics of the nearby homes and the institutional characteristics of the nearby church and schools. The Applicant is requesting a waiver of the Traffic Impact Study requirement. The City's Traffic Consultant supports this waiver and the Planning Commission is asked to act on this request this evening. The Engineering Review indicated no major issues with the utility demand associated with the rezoning.

After receiving comments from the Master Plan and Zoning Committee on January 9th, the Applicant made some

minor modifications to the proposed Concept Plan. The most recent concept plan was provided to the Planning Commission and a memo was provided that described the changes to the plan. This memo indicated that a housing development of approximately six houses could yield about 24 people residents based on the average of 2.4 people per household. After review, it was determined that using the average of 2.4 people per household, only 14 people could be housed on the subject property.

The Planning Commission should refer to the Revised Concept Plan memo for an accurate description of the proposed Ordinance deviations to be included in the PRO Agreement. The Landscape Review indicated that the Applicant should adhere to applicable Ordinances and additional information will be provided at the time of Preliminary Site Plan review. The Engineering Review noted items to address at the time of Preliminary Site Plan submittal. A detention basin has been added to the revised Concept Plan. The Woodland Review and Traffic Review of the Concept Plan indicated there will be items to address at the time of the Preliminary Site Plan submittal. A City of Novi Woodland Permit will be required. Lastly, the Fire Marshall did not note any concerns regarding the proposed Concept Plan.

There are a number of major conditions in the proposed PRO Agreement. These are outlined in the Applicant's response letter, the Planning Review and the revised Concept Plan memo. Major conditions include extending the sidewalks along Taft Road and Eleven Mile to the corner and the dedication of additional right-of-way on Taft Road and Eleven Mile for the City's future right-of-way use. Staff had also asked the Applicant to consider limiting the future uses of the property. If the Applicant is agreeable to this suggestion, language could be worked out when the PRO Agreement is drafted. Any deviations from the Zoning Ordinance would also be included in the PRO Agreement.

John Argenta from CDPA Architects addressed the Planning Commission on behalf of the Applicant. He stated that the Basilian Fathers teach at Catholic Central, and now they wish to end their long commute from Livonia. The facility will house fourteen priests in a congregate fashion, in effect as a large family. The two-story section will house the fourteen apartments. The one-story section will house a community room, dining room, kitchen, and a chapel. Parking will be available for 22 cars, with 14 under a carport canopy. The character of the building will be purely residential.

Mr. Argenta stated that the Ordinance does not provide for a religious house or monastery. The Building Code does name monasteries or convents as a separate category. The first request was for RM-1, then it was then changed to R-T because that district allows congregate elderly care. He has since been asked to return to the RM-1 request.

Revisions made to the plan have been outlined. The density is 3.7 and RM-1 allows from 5.4 to 10.9 density. The buildings will not be higher than 35 feet. The setbacks are all at least 75 feet pursuant to the RM-1 standards. The carports are 55 feet from the west property line and 66 feet from the south property line. They are seeking a variance for the carport. These will be open carports with a simple post and roof. It will yield small sight lines. The parking setbacks exceed the required twenty-foot setback required by Ordinance. Fourteen spaces are required, 22 are provided. Barrier-free spaces have also been provided. Sidewalks were added along Taft Road and Eleven Mile. The future right-of-ways have been shown.

Mr. Argenta said that as part of the PRO, the sidewalk will be extended along Taft Road and Eleven Mile to the intersection. They will deed the right-of-way (ten feet on Eleven Mile and 27 feet on Taft Road) over to the City. Mr. Argenta said that he has reviewed a 2005 tree survey of the property. It indicated there were 217 regulated trees. The current plan calls for the removal of 55 trees; of those 25 are dead. Of the other thirty trees, ten were classified as fair-to-poor condition. The other twenty were classified as good. There are ten additional trees that will need to be removed for the sidewalks.

Mr. Argenta said the detention area has been planned in an open area, as was the entrance. As many trees will be saved as possible. The residents wished to have a private residence. The major entry will be from Taft Road. The Fire Marshal asked for a secondary exit onto Eleven Mile which can be gated pursuant to the Fire Marshal's requirements.

Chair Cassis opened the floor for public comment:

- Nancy Lanham, corner resident: Happy to have the Basilian Fathers move next door. She planned on maintaining her residence.

There was no correspondence. Chair Cassis closed the Public Hearing.

Member Lynch supported the project as an appropriate use of the land. There is no issue with density as each unit will house only one person. The plan calls for a minor impact on the trees. The remaining trees will shield the building from view.

Member Burke confirmed the design of the entry ways. He supported the project.

Member Pehrson confirmed with Ms. Kapelanski that there is no issue with a Traffic Study Waiver. She asked that the Planning Commission add this stipulation to the motion.

Member Pehrson asked Dr. John Freeland, the City's Environmental Consultant, to comment on the trees. Dr. Freeland thought that Mr. Argenta reasonably characterized the site. The Applicant will provide an updated woodland survey to ensure that no additional trees are now regulation-sized or dead. The exact number of impacted trees will be determined later, and the Applicant will either replace the trees or pay into the tree fund.

Member Pehrson asked about the PRO Agreement and the benefit of the sidewalks and right-of-way deeding. Deputy Director of Community Development Barbara McBeth said the City likes to have a list of all the public benefits associated with the PRO request. The City has spoken with the Applicant regarding the woodlands and whether the Applicant would place a conservation easement over the remaining trees. The City has asked whether the Applicant will limit the future uses of the property should the site change hands. The details need to be worked out. She encouraged Member Pehrson to ask the Applicant to comment; the City must be careful in not requesting items specifically.

Mr. Argenta said that they would review the future limitations of the land, but he felt limiting it to a religious use only was a bit tight. He would look at the limitations of a conservation easement.

Member Pehrson confirmed that there are three Ordinance deviations: The two carport setbacks and the front yard parking setback. He also confirmed that the architecture would be residential in nature.

Moved by Member Pehrson, seconded by Member Gutman:

In the matter of Zoning Map Amendment 18.673 and Planned Rezoning Overlay SP07-59 for the Basilian Fathers Residence, motion to recommend approval to the City Council to rezone the subject property from R-1 (One-Family Residential) to RM-1 (Low Density, Low-Rise Multiple Family Residential) with a Planned Rezoning Overlay, with the following considerations: 1) The Applicant considering an enhancement of the proposed public benefit as indicated by the Applicant's response letter and their intent being on the record today with offers to deed the future right-of-way, construction of sidewalks as indicated on the concept plan, a possible conservation easement over the remaining woodlands, and a possible limitation of future uses; 2) The City Council considering the Ordinance deviations associated with the proposed concept plan concerning the parking and carport setbacks as detailed in the Staff and Consultant review letters; and 3) Compliance with all the conditions listed in the Staff and Consultant review letters, for the reasons that it is in compliance with Article 34, Section 3402 of the Zoning Ordinance, it would be compatible with the existing and anticipated uses in the area, and it does provide benefits to the City.

DISCUSSION

Member Avdoulos thought the City and the Master Plan and Zoning Committee did a good job of discussing the possibilities of rezoning to R-T or RM-1. In this case, because of the size of the property and its intended use, the RM-1 designation is appropriate. This will be a nice project that will blend in with the neighboring sites. The building will be tucked in and will work well on the wooded site. He thought that Taft Road was the better choice for the main entry. He asked whether the Applicant wished to comment about the possibility of underneath parking.

Mr. Argenta said he looked at a topographic survey that indicated a slope, and he thought it might be possible to put parking underneath, but the building would ultimately go too high; there isn't the room to accommodate that design feature. He has also since determined that the land is rather level.

Previously Chair Cassis was concerned about the corner lot. The City does not want to see that property turn into a greater density. Mr. Argenta responded that that corner property owner also owns the subject property. The Basilian Fathers have the right of first refusal. Chair Cassis thought it was important that the character of Single Family Residential be maintained along Taft Road. Mr. Argenta said he thought the Basilian Fathers' intent is to take the corner if it becomes available, to further isolate the subject property.

Mr. Argenta told Chair Cassis that they would consider a conservation easement if they can come to terms with the language. Mr. Argenta confirmed that the building will have a residential appearance.

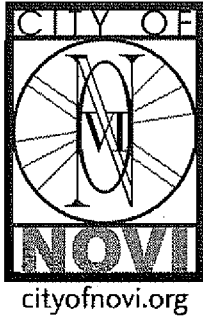
Chair Cassis asked about the carports. The setback on the front yard is one parking space. That space is covered. It was designed as such so that a nice turning radius could be provided at the top of the site. All of the carports will be hidden by the trees. Chair Cassis supported the project.

Ms. Kapelanski asked whether Member Pehrson wished to add a Planning Commission Waiver of the Traffic Study; Member Pehrson and Member Gutman agreed to do so.

ROLL CALL VOTE ON BASILIAN FATHERS ZONING MAP AMENDMENT 18.673 AND PRO SP07-59 POSITIVE RECOMMENDATION MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER GUTMAN:

In the matter of Zoning Map Amendment 18.673 and Planned Rezoning Overlay SP07-59 for the Basilian Fathers Residence, motion to recommend approval to the City Council to rezone the subject property from R-1 (One-Family Residential to RM-1 (Low Density, Low-Rise Multiple Family Residential) with a Planned Rezoning Overlay, with the following considerations: 1) The Applicant considering an enhancement of the proposed public benefit as indicated by the Applicant's response letter and their intent being on the record today with offers to deed the future right-of-way, construction of sidewalks as indicated on the concept plan, a possible conservation easement over the remaining woodlands, and a possible limitation of future uses; 2) The City Council considering the Ordinance deviations associated with the proposed concept plan concerning the parking and carport setbacks as detailed in the Staff and Consultant review letters; 3) A Planning Commission Waiver of the Traffic Study requirement; and 4) Compliance with all the conditions listed in the Staff and Consultant review letters, for the reasons that it is in compliance with Article 34, Section 3402 of the Zoning Ordinance, it would be compatible with the existing and anticipated uses in the area, and it does provide benefits to the City. *Motion carried 8-0.*

**PLANNING MEMO REVIEW
OF REVISED CONCEPT PLAN**



MEMORANDUM

TO: Members of the Planning Commission

THRU: Barbara McBeth, *AICP*, Deputy Director of Community Development

FROM: Kristen Kapelanski, Planner

DATE: January 17, 2008

SUBJECT: **Basilian Fathers Residence – Revised Concept Plan**

The petitioner is requesting consideration of a Planned Rezoning Overlay (PRO), in conjunction with rezoning request 18.673 to facilitate the construction of the Basilian Fathers Residence at the northwest corner of Taft Road and Eleven Mile Road. A concept plan to be attached to the proposed PRO was submitted for review to the Community Development Department and review letters were issued on December 19, 2007. The applicant then appeared before the Master Plan and Zoning Committee on January 9, 2008. At this meeting, the applicant presented a revised concept plan that had not been reviewed by the Community Development Department. This memo serves as an update to the review of the proposed revised concept plan, as presented at the Master Plan and Zoning Committee and addresses the changes that have taken place since the original submittal and review letter.

The applicant's revised concept plan shows a multi-story structure that is two stories tall on the western side of the building and one story tall on the eastern side of the building. The building itself is surrounded by associated landscaping and parking on the northern, eastern and western sides. The applicant has also added a carport to cover the proposed parking on the western side of the site and has added a dumpster near the eastern side of the site. The parking has also been increased from twenty spaces to twenty-two spaces as part of the revised concept plan and a detention pond has been included on the far eastern side of the property adjacent to Taft Road. The proposed location of the detention pond could result in the loss of additional regulated trees. Lastly, the applicant has included a five foot sidewalk along Eleven Mile Road and an eight foot pathway along Taft Road.

The Members of the Planning Commission should refer to the applicant's response letter which addresses the issues raised in the original Planning review letter (dated December 18, 2007), this memo and the additional staff and consultant review letters.

Ordinance Deviations

Under Section 3402.D.1.c, deviations from the strict application of the Zoning Ordinance may be permitted by the City Council in the PRO agreement. These deviations must be accompanied by a finding by the City Council that "each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas." For each such deviation, City Council should make the above finding if they choose to include the items in the PRO agreement. The following are areas where the current concept plan does not appear to meet ordinance requirements. These have been revised from the original Planning review letter (dated December 18, 2007) to address the changes incorporated in the revised concept plan.

Setbacks

The chart below outlines the applicant’s proposed setbacks and the required setbacks under the RT and RM-1 district standards.

	Front Yard	Rear Yard	Side Yards
Building Setback			
Applicant Proposal	76 feet (from future right-of-way)	76 feet	91 feet (east) 76 feet (west)
RT Zoning	75 feet	75 feet	75 feet
RM-1 Zoning	75 feet	75 feet	75 feet
Parking Setback			
Applicant Proposal	66 feet	35 feet	300+ feet (east) 20 feet (west)
RT Zoning	75 feet	20 feet	75 feet (exterior) 20 feet (interior)
RM-1 Zoning	75 feet	20 feet	75 feet (exterior) 20 feet (interior)
Accessory Structure Setback - Dumpster			
Applicant Proposal	100+ feet	100+ feet	44 feet (interior)
RT Zoning	75 feet	20 feet	20 feet (interior)
RM-1 Zoning	75 feet	20 feet	20 feet (interior)
Accessory Structure Setback - Carport			
Applicant Proposal	66 feet	81 feet	55 feet (interior)
RT Zoning	75 feet	75 feet	75 feet
RM-1 Zoning	75 feet	75 feet	75 feet

Building Setbacks

- Front Yard: The applicant is proposing 76 feet of setback from the future right-of-way for the front yard of the building. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Rear Yard: The applicant is proposing a setback of 76 feet for the rear yard of the building. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.

- Side Yard (east): The applicant is proposing 91 feet of setback in the eastern side yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Side Yard (west): The applicant is proposing 76 feet of setback in the western side yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.

Parking Setbacks

- Front Yard: The applicant is proposing 66 feet of setback. This appears to be deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Rear Yard: The applicant is proposing 35 feet of setback for the rear yard parking. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Side Yards: The applicant is proposing 20 feet of setback for the interior side yard and 300+ feet of setback for the exterior side yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.

Accessory Structure Setbacks - Dumpster

- Front Yard: The applicant is proposing 100+ feet of setback. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Rear Yard: The applicant is proposing 100+ feet of setback for the rear yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Side Yards: The applicant is proposing 44 feet of setback for the interior side yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- The proposed dumpster is setback appropriately from the building.

Accessory Structure Setbacks - Carport

- Front Yard: The applicant is proposing 66 feet of setback for the rear yard. This appears to be deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Rear Yard: The applicant is proposing 81 feet of setback. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Side Yards: The applicant is proposing 55 feet of setback for the interior side yard. This appears to be deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- The proposed carport is setback appropriately from the building.

Items for Further Review and Discussion

There are a variety of other items inherent in the review of any proposed development. At the time of Preliminary Site Plan review, further detail will be provided, allowing for a more detailed review of the proposed development. After this detailed review, additional variances may be uncovered, based on the actual product being proposed. This would require amendments to be made to the PRO Agreement, should the PRO be approved. These have been revised from the original Planning review letter (dated December 18, 2007) to address the changes incorporated in the revised concept plan.

Basilian Fathers Residence – Revised Concept Plan

Barrier Free Spaces

The Barrier Free Code indicates that one barrier free van accessible space should be provided for any parking area having one to twenty-five spaces. The applicant has included one van accessible barrier free space on the revised concept plan.

Sidewalks

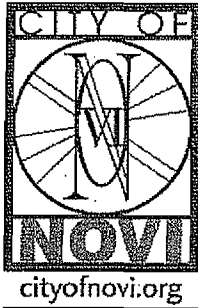
A five foot sidewalk is required along the Eleven Mile Road frontage and an eight foot sidewalk is required along the Taft Road frontage. The applicant has included the required sidewalks along Eleven Mile Road and Taft Road.

Development Potential

Development of the project area under the existing and proposed zoning districts is discussed on page 9 of the Plan Review letter. Additional discussion took place at the Master Plan and Zoning Committee meeting regarding the potential number of people that the site could accommodate under the zoning and proposed use of the site as described by the applicant. According to the 2000 Census, single family homes in Novi average 2.4 people per household. Taking that figure into account, under the current Master Plan density for the property at 1.65 units per acre, approximately 14 people could be housed in six houses.

The applicant is proposing 14 units within the proposed residence. While the applicant is not currently offering to limit the number of residents or the future use of the property, the Planning Commission may wish to take this information into consideration.

**PLANNING REVIEW
FOR REZONING 18.673 AND PLANNED
REZONING OVERLAY**



PLAN REVIEW CENTER REPORT

December 18, 2007

Planning Review

Basilian Fathers Residence Planned Rezoning Overlay
Rezoning 18.673 SP #07-59

Petitioner

Basilian Fathers of Milford, Michigan (Rev. James O'Neill, CSB)

Review Type

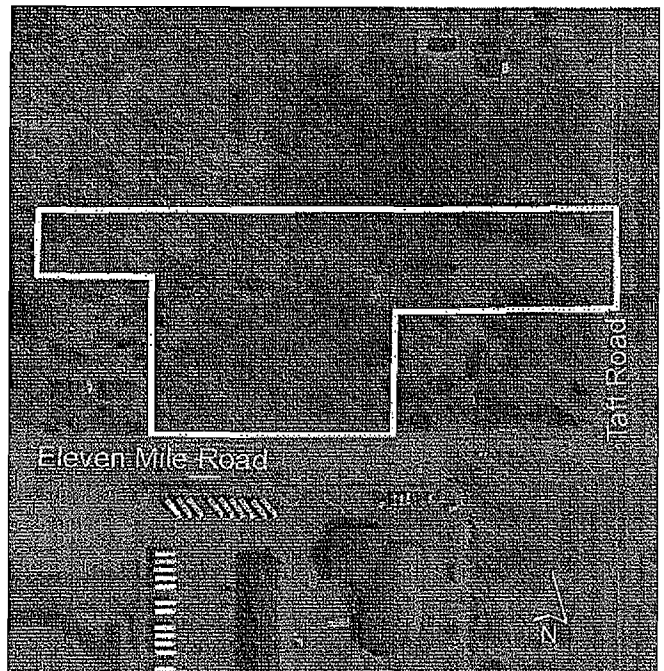
Planned Rezoning Overlay, in conjunction with rezoning request 18.673

Property Characteristics

- Site Location: Northwest corner of Taft Road and Eleven Mile Road
- Site Zoning: R-1, One-Family Residential
- Adjoining Zoning: North: R-1; East, West and South: RA, Residential Acreage
- Site Use(s): Vacant
- Adjoining Uses: North: vacant, existing house; East: existing house, Taft Road, vacant (across Taft Road); West: existing houses (duplexes); South: Parkview Elementary School, Novi Meadows School, bus garage
- Proposed Use: Residence for 14 Basilian Fathers
- Site Size: 4.15 acres
- Plan Date: 11/05/07

Project Summary

The petitioner is requesting consideration of a Planned Rezoning Overlay, in conjunction with rezoning request 18.673. The PRO acts as a zoning map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. PRO requests require a 15-day public hearing notice for the Planning Commission, which offers a recommendation to the City Council, who can grant the final approval of the PRO. As a part of the PRO, the underlying zoning is changed, in this case to RT as requested by the applicant, and the applicant enters into a PRO Agreement with the City, whereby the City and applicant agree to any deviations to the applicable ordinances and tentative approval of a conceptual plan for development for the site. After final approval of the PRO plan and agreement, the applicant will submit for Preliminary and Final Site Plan under the typical review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the



City of Novi. If the development has not begun within two years, the PRO concept plan expires and the agreement becomes void.

The parcel in question is located on the west side of Taft Road and the north side of Eleven Mile Road in Section 16 of the City of Novi. The property totals 4.15 acres and is currently vacant. The current zoning of the property is R-1, Single-Family Residential. The applicant has indicated that the rezoning is being proposed to facilitate the construction of a residence for 14 Basilian priests on the site in the future. The proposed residence would be approximately 18,000 square feet and contain 14 living units with common areas for the kitchen, parlor, dining area, chapel, offices, community room and two miscellaneous rooms. Currently, the site is zoned R-1, which allows 1.65 units to the acre and would not permit the density requested by the applicant, which is approximately 3.37 units to the acre.

Recommendation

As described in the comparison of zoning districts, it is the opinion of the Planning Division that this use most closely resembles the uses identified in the RM-1 District, as opposed to the RT District. If the applicant offers an enhancement to the public benefit, the Planning Division could **recommend approval of the proposed PRO with a rezoning to RM-1** for the following reasons:

- The RM-1 District would best encompass the proposed use, as indicated by the comparison of zoning districts.
- The proposed Basilian Fathers Residence would be compatible with the existing uses in the area and can be designed to incorporate both the residential elements of the nearby single family homes and the institutional elements of the nearby church and schools.
- The proposed concept plan preserves a significant portion of the mature woodlands existing on the site.
- The proposed rezoning would not have any significant impact on the water and sewer facilities in the area.

The Planning Division feels that enhancement to the public benefit is necessary for the following reasons:

- The conditions listed as "public benefits" are **mostly** improvements that would typically be associated with any proposed development. A meeting with Staff to discuss the public benefit could be arranged if the applicant so chooses. Possible additions to the proposed public benefit could include a conservation easement over the preserved woodlands on site, a sidewalk connection elsewhere in the City or a contribution to the general fund earmarked for sidewalk construction. If the applicant would like to provide a sidewalk connection, possible locations would be along the south side of Fourteen Mile Road between Novi Road and Beechwalk Apartments, on the west side of Clark between Eleven Mile Road and Grand River Avenue, or a connection from the intersection of Eleven Mile Road and Taft Road to Grand River Avenue, either along Taft Road or Eleven Mile Road. The applicant would also be welcome to examine the Pathway and Sidewalk Prioritization Analysis and Process Report and propose to provide any of the connections identified in the report.
- The limitation of the proposed uses may not enhance the project beyond what would be achieved in the absence of a PRO.

Planning Commission Options

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

1. Recommend rezoning of the parcel to RT, Two-Family Residential and recommend approval of the Planned Rezoning Overlay, (*APPLICANT REQUEST*)
2. Recommend rezoning of the parcel to RM-1, Low Density, Low-Rise Multiple-Family Residential and recommend approval of the Planned Rezoning Overlay with enhancement of the public benefit, (**STAFF RECOMMENDATION**)
3. Deny the request, with the zoning of the property remaining R-1, One-Family Residential.
4. Recommend rezoning of the parcels to any other classification that the Planning Commission determines is appropriate and recommend approval of the PRO. **NOTE:** This option would require the Planning Commission to hold and send notice for another public hearing with the intention of recommending rezoning to the appropriate designation. At this time, Staff has not reviewed any other alternatives.

Master Plan for Land Use

The Master Plan for Land Use currently designates this property for single family zoning. The RT Zoning District is considered a single family district, as indicated by the Master Plan for Land Use. The Master Plan's Residential Density Patterns map indicates a density of 1.65 units per acre for the project area, which is consistent with the existing R-1 zoning on the site. A rezoning of the property to RT zoning would be consistent with the recommended future land use identified by the Master Plan, but would not be consistent with the recommended density of the property. A rezoning to RM-1 would not be consistent with the recommended future land use as identified by the Master Plan.

The Master Plan for Land Use also has a specific goal statement (Chapter 5) that is relevant to the discussion at hand.

- *Create aesthetically pleasing developments, especially in residential areas...* The area of 11 Mile Road and Taft Road is zoned for residential development, although a number of uses currently exist there that are not single-family homes, such as the nearby schools and existing church. The proposed Basilian Fathers Residence would fit in well with the existing uses and be designed to incorporate both the residential elements of the nearby single family homes and the institutional elements of the nearby church and schools.

Existing Zoning and Land Use

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

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

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Site	R-1, One-Family Residential	Vacant land	Single Family (Density 1.65 units/acre)
Northern Parcels	R-1, One-Family Residential	Existing single family homes, vacant land	Single Family (Density 1.65 units/acre)
Eastern Parcels	RA, Residential Acreage	Existing single family homes, Taft Road, vacant land	Single Family (Density 1.65)

		(across Taft Road)	units/acre)
Southern Parcels	RA, Residential Acreage	Parkview Elementary School, Novi Meadows School, bus garage	Educational Facility
Western Parcels	RA, Residential Acreage	Existing duplexes	Single Family (Density 1.65 units/acre)

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested RT zoning with the zoning and uses on the adjacent properties should be considered when examining the proposed rezoning with PRO.

The properties to the **north** are zoned R-1, One-Family Residential and contain existing single family homes and vacant land. The proposed Basilian Fathers Residence would have little impact on the existing homes to the north. The addition of 14 residents to the area would have a negligible impact on the traffic and noise in the area. Since the design of the residence would be residential in character with some institutional features, such as the chapel, it would blend in with the existing homes and the nearby existing church. Although a formal site plan submittal has not taken place yet, a religions temple, cultural center and priest residence has been proposed for a parcel north of the subject property on the west side of Taft Road. The Basilian Fathers Residence would also complement this proposed development.

The properties to the **east** of the subject property, an existing single family home, Taft Road and vacant land (across Taft Road) are zoned RA, Residential Acreage. The proposed RT rezoning with PRO would not negatively impact the properties to the east. The existing single family home adjacent to the subject property would experience the most impacts; however, these would be minimal. As stated in the preceding paragraph, noise and traffic impacts would be insignificant and the proposed development would blend in well with the existing homes and the institutional uses already present in the area.

The properties to the **south** of the subject property are Parkview Elementary School, Novi Meadows School and a Novi Schools bus garage. The impacts that would result from the proposed Basilian Fathers Residence would not affect the school as traffic and noise impacts would be negligible. Additionally, the proposed development would act as a buffer between the existing homes to the north and the existing schools and bus garage on the south side of Taft Road.

The properties to the **west** of the subject property are zoned RA, Residential Acreage and contain existing duplex houses. The existing duplexes were most likely present before the current zoning classification of the property, as duplexes are not permitted in the RA District. As stated in the preceding paragraphs, noise and traffic impacts would be minimal and the proposed development would blend in well with the existing homes and the institutional uses already present in the area.

The proposed Basilian Fathers Residence in the area of Taft Road and Eleven Mile Road would mesh well with the existing single family homes in the area and the nearby existing and proposed institutional uses and act as a buffer between the existing homes and the school facilities.

Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classifications. One alternative has been provided at this time, the RM-1, Low Density, Low-Rise Multiple-Family Residential district. The RM-1 district would be the district where the proposed use would best fit. Although the proposed use is not listed in any district within the Zoning Ordinance, it would be most similar to a congregate elderly living facility, which is permitted in the RM-1 district, but not in the RT district. The Zoning Ordinance defines congregate elderly living units as consisting of "dwelling units containing kitchen, sanitary, sleeping and living spaces in addition to common service areas, including, but not limited to, central dining room(s), recreational room(s) and central lounge." Although the proposed use does not include separate kitchen spaces, it does otherwise seem to conform to the above definition. At earlier examinations of the concept plan and pre-application, it was previously the opinion of the Planning Division that this use fit best in the RT District and was most similar to shared elderly housing, which is permitted in the RT District. Therefore, the applicant applied for a rezoning to RT. However, upon closer examination, it has been determined that shared elderly housing is more single-family in nature than the proposed use, which more closely fits the definition of congregate care (a multiple-family) use as described above. The R-4, One-Family District would be in compliance with the Master Plan, but would not allow the density proposed by the applicant.

	R-1 Zoning (Existing)	RT Zoning (Proposed)	RM-1 Zoning (Alternative)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. One-family detached dwellings. 2. Farms and greenhouses subject to the standards in Section 301. 3. Publicly owned and operated parks, parkways and outdoor recreational facilities. 4. Cemeteries which lawfully occupied land at the time of the adoption of this ordinance. 5. Home occupations, as set forth in Section 201 of this ordinance. 6. Accessory buildings and uses customarily incidental to any of the above uses. 	<ol style="list-style-type: none"> 1. All uses permitted and as regulated in the One-Family Residential districts. 2. Two-family dwellings (site built). 3. Shared elderly housing as defined by Section 201 and subject to the requirements in this section. 4. Accessory buildings and uses customarily incidental to any of the above permitted uses 	<ol style="list-style-type: none"> 1. All uses permitted and as regulated in the RT Two-Family Residential District. 2. Multiple-family dwellings 3. Independent and congregate elderly living facilities as defined by section 201 and subject to the requirements of this section. 4. Accessory buildings and uses customarily incidental to any of the above permitted uses.

	R-1 Zoning (Existing)	RT Zoning (Proposed)	RM-1 Zoning (Alternative)
	7. The keeping of horses and ponies subject to the requirements of Section 401.7 of this Ordinance. 8. Family day care homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence.		
Special Land Uses	1. Churches and other facilities normally incidental thereto subject to the conditions of Section 402.1 of this Ordinance. 2. Public, parochial and private elementary, intermediate or secondary schools offering courses in general education, not operated for profit, and not including dormitories. 3. Utility and public service buildings and uses (without storage yards) subject to the conditions of Section 402.3 of this ordinance. 4. Group Day Care Homes, Day Care Centers and Adult Day Care Centers subject to the requirements of Section 402.4 of	There are no Special Land Uses in the RT district.	1. Convalescent homes, assisted living facilities, hospice care facilities and child care centers subject to certain conditions. 2. Accessory buildings and uses customarily incident to any of the above permitted uses.

R-1 Zoning (Existing)	RT Zoning (Proposed)	RM-1 Zoning (Alternative)
<p>this Ordinance.</p> <p>5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rink and indoor tennis courts, subject to the conditions of Section 402.5 of this Ordinance.</p> <p>6. Golf courses subject to the conditions of Section 402.6 of this Ordinance.</p> <p>7. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, subject to the conditions in Section 402.7 of this Ordinance.</p> <p>8. Private pools</p> <p>9. Cemeteries subject to the requirements of Section 402.9 of this Ordinance.</p> <p>10. Railroad right-of-way, but not including terminal freight facilities, transfer and</p>		

	R-1 Zoning (Existing)	RT Zoning (Proposed)	RM-1 Zoning (Alternative)
	storage tracks. 11. Mortuary establishments subject to the conditions of Section 402.12 of this Ordinance. 12. Bed and breakfasts subject to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses.		
Maximum Density (Dwelling Units/Net Site Area)	1.65 (Dwelling Units/Net Site Area)	4.8 (Dwelling Units/Net Site Area)	5.4 – 10.9 (Dwelling Units/Net Site Area)
Building Height	2.5 stories or 35 feet	2.5 stories or 35 feet	2 stories or 35 feet
Building Setbacks (School Development)	Front: 75 feet Sides: 75 feet Rear: 75 feet	Front: 75 feet Sides: 75 feet Rear: 75 feet	Front: 75 feet Sides: 75 feet Rear: 75 feet

Infrastructure Concerns

The proposed development would not have any significant impacts on the water and sewer facilities in the area. See the Engineering review letters for specific discussion of water and sewer capacities in the area serving the subject property. Since the proposed rezoning would rezone the property to a residential category two or more higher than the current level, a Traffic Impact Study was required. Since the proposed project will add a minimal amount of traffic to the proposed streets, the applicant is requesting a waiver from the Planning Commission of the Traffic Impact Study. Please see the attached review letter from the City's traffic consultant for additional information. Any specific and necessary improvements to the roadway will be reviewed at the time of Preliminary Site Plan submittal.

Natural Features

Regulated woodlands cover a large portion of the site. The proposed plan does save a significant portion of these woodlands and the applicant has tried to integrate the development into the area while preserving as many of the existing trees as possible. The location of any woodlands and wetlands will need to be field verified by the applicant with the submittal of any site plan for the parcel. Impacts to these natural features will be reviewed and discussed in detail during the site plan submittal for any project on the property. Please see the attached woodland and wetland review letters for additional information.

Development Potential

Development of the project area under the current R-1 zoning could result in a housing development of approximately 6 houses, depending on the specific plans of a developer and the size of the proposed houses. However, the development of six single family homes on the site would result in a significant loss of woodlands.

The development of a two-family housing project under the proposed RT zoning could result in a 19 unit duplex-type development. However, the Planned Rezoning Overlay, if approved, would hold the applicant to the proposed plan, meaning a duplex development would not be permitted per the conditions of the Planned Rezoning Overlay and approved concept plan.

The development of a multiple family housing project under the proposed RM-1 zoning could result in a maximum of a 45 unit multiple-family complex. However, the Planned Rezoning Overlay, if approved, would hold the applicant to the proposed plan, meaning a multiple-family type development would not be permitted per the conditions of the Planned Rezoning Overlay and approved concept plan.

Major Conditions of Planned Rezoning Overlay Agreement

The Planned Rezoning Overlay process involves a PRO plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Article 34). Within the process, which is completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant's conceptual plan and narrative have been reviewed and the following are items specifically mentioned by the applicant as conditions they are willing to attach to the approval of the PRO.

1. Limitation of uses and site layout (inferred by staff).
2. Extension of sidewalks from the property lines at 11 Mile Road and Taft Road to the intersection of 11 Mile Road and Taft Road.

Staff recommends the applicant consider including a provision in the PRO Agreement limiting the present use of the property to that of a "religious residence." This use has been described and implied by the applicant but the applicant has not indicated that this limitation would be part of the PRO Agreement. Staff also recommends the applicant consider including a provision in the PRO Agreement to **limit future uses** of the property that would occupy the site if the religious residence has for whatever reason chosen to relocate or otherwise vacate the property. Possible future uses that could occupy the building with minimal alterations include independent elderly living facilities and congregate elderly living facilities, as well as assisted living facilities, convalescent homes and hospice care facilities.

Ordinance Deviations

Under Section 3402.D.1.c, deviations from the strict application of the Zoning Ordinance may be permitted by the City Council in the PRO agreement. These deviations must be accompanied by a finding by the City Council that *"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."* For each such deviation, City Council should make the above finding if they choose to include the items in the PRO agreement. The

following are areas where the current concept plan does not appear to meet ordinance requirements.

Setbacks

The chart below outlines the applicant's proposed setbacks and the required setbacks under the RT and RM-1 district standards.

	Front Yard	Rear Yard	Side Yards
Building Setback			
Applicant Proposal	70 feet	90 feet	25 feet (east) 78 feet (west)
RT Zoning	75 feet	75 feet	75 feet
RM-1 Zoning	75 feet	75 feet	75 feet
Parking Setback			
Applicant Proposal	98 feet	35 feet	345 feet (east) 20 feet (west)
RT Zoning	75 feet	20 feet	75 feet (exterior) 20 feet (interior)
RM-1 Zoning	75 feet	20 feet	75 feet (exterior) 20 feet (interior)

Building Setbacks

- Front Yard: The applicant is proposing 70 feet of setback for the front yard of the building. This appears to be deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Rear Yard: The applicant is proposing a setback of 90 feet for the rear yard of the building. This appears to be deficient. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Side Yard (east): The applicant is proposing 25 feet of setback in the eastern side yard. This appears to be deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Side Yard (west): The applicant is proposing 78 feet of setback in the western side yard. The Community Development Department find no need for deviation in this situation as this meets the requirements of the ordinance.

Parking Setbacks

- Front Yard: The applicant is proposing 98 feet of setback. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Rear Yard: The applicant is proposing 35 feet of setback for the rear yard parking. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Side Yards: The applicant is proposing a 20+ feet of setback for the interior side yard and 75+ feet of setback for the exterior side yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.

Items for Further Review and Discussion

There are a variety of other items inherent in the review of any proposed development. At the time of Preliminary Site Plan review, further detail will be provided, allowing for a more detailed review of the proposed development. After this detailed review, additional variances may be uncovered, based on the actual product being proposed. This would require amendments to be made to the PRO Agreement, should the PRO be approved. **The applicant should address these items at this time, in order to avoid delays later in the project.**

Building Height

The permitted building height in the RT District is 35 feet or 2.5 stories. The permitted building height in the RM-1 District is 35 feet or 2 stories. At this time, elevations indicating the height of the proposed buildings have not been provided. **The applicant should indicate the height of the proposed building.**

Barrier Free Spaces

The Barrier Free Code indicates that one barrier free van accessible space should be provided for any parking area having one to twenty-five spaces. Twenty spaces are shown for the proposed residence. However, none of these spaces are barrier free. One barrier free van accessible space should be provided. **The applicant should indicate where this space will be provided on the response letter and a barrier free sign should be included on the plan.** The applicant may want to consider marking the 21' area on the north side of the building, just east of the center island as a van accessible space.

Sidewalks

A five foot sidewalk is required along the Eleven Mile Road frontage and an eight foot sidewalk is required along the Taft Road frontage. The applicant has indicated that a sidewalk will be provided along Eleven Mile Road but has not indicated the size. No sidewalk is shown along Taft Road. **The applicant should show both required sidewalks on the plan and indicate the size of each sidewalk.**

Public Benefit Under PRO Ordinance

At this time, the applicant has identified several items of public benefit. These items should be weighed against the proposal to determine if the proposed PRO benefits **clearly outweigh** the detriments of the proposal. The benefits proposed include:

- Preservation of natural resources, woodlands and natural features. (Preservation of regulated natural features or mitigation of those areas that are removed would be required with any development of the site.)
- Limitation of site uses to only be used for a priests' residence.
- Construction of and continuation of the sanitary sewer and water lines along Eleven Mile Road.
- Construction of the sidewalk along Eleven Mile Road to the corner of Taft Road.
- Construction of the sidewalk along Taft Road to the corner of 11 Mile Road.
- Basilian Fathers provide for the continued education of the area's young men at Novi Detroit Catholic Central High School.
- City of Novi the opportunity to utilize the spiritual and counseling services of the Basilian Order.

Applicant Burden under PRO Ordinance

The Planned Rezoning Overlay ordinance requires the applicant to make certain showings under the PRO ordinance that requirements and standards are met. The applicant should be prepared

to discuss these items, especially in part a, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 3402.D.2 states the following:

- a. *Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
- b. *Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay; provided, in determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*


Report by Planner Kristen Kapelanski
248.347.0586 or kkapelanski@cityofnovi.org

Planning Review Summary Chart

Basilian Fathers Residence

Possible Rezoning with PRO to RT (*Includes RM-1 Standards*)

Site Plan #07-59 with Rezoning 18.673

December 18, 2007

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan				
Future Land Use Map	Single-Family Residential	Single-Family Residential	Yes	
Residential Density Map	1.65 units/acre	3.37 units/acre	No	Proposed density is not in compliance with the Master Plan.
Zoning	R-1	RT (<i>RM-1 Recommended</i>)	No	Applicant is proposing a rezoning to RT. Staff is recommending a rezoning to RM-1.
Permitted Uses (Article 5 and Article 6)	All uses permitted in the One-Family residential districts, two-family dwellings, shared elderly housing and accessory buildings <i>All uses permitted in RT district, multiple-family dwellings, independent and congregate care elderly living facilities, convalescent homes, assisted living facilities, hospice care facilities, child care centers and accessory buildings</i>	Basilian Fathers Residence with 14 units and common living areas.	No	Applicant is proposing a rezoning to RT. Staff is recommending a rezoning to RM-1.
Building Height (Sec. 2400)	RT = 2.5 stories, 35' RM-1 = 2 stories, 35'	Elevations not provided.	Yes/No?	Applicant should indicate height of all proposed buildings.
Density (Section 2400)	RT = 4.8 units per acre <i>RM-1 = 5.4 to 10.9 units per acre</i>	3.37 units per acre	Yes	
Building Setbacks (Sec. 2400)				
Front (South)	75 feet or the height of the main building, whichever is greater	70 feet	No	Applicant should increase the building setbacks

Item	Required	Proposed	Meets Requirements?	Comments
Exterior Side (East)		25 feet	No	
Interior Side (West)		78 feet	Yes	
Rear (North)		90 feet	Yes	
Maximum percent of lot area covered <u>Sec. 2400</u>	25% of lot area can be covered by all buildings (for both RT and RM-1)	<15%	Yes	Applicant should indicate the square footage of the proposed building.
Maximum Density (dwelling units/net site area) <u>Sec. 2400</u>	(R-1 = 1.65) RT = 4.8 RM-1 = 5.4 to 10.9	3.37	Yes	<u>Meets requirements for the RT and RM-1 district, but not the existing zoning requirements.</u>
Public Utilities	All public utilities must be available		Yes	
Parking Setbacks <u>Section 2400</u>				
Front (South)	75 feet (for RT and RM-1)	98 feet	Yes	Applicant should label all setbacks.
Exterior Side (East)	75 feet (for RT and RM-1)	345 feet	Yes	
Interior Side (West)	20 feet (for RT and RM-1)	20 feet	Yes	
Rear (North)	20 feet (for RT and RM-1)	35 feet	Yes	
Number of Parking Spaces <u>Sec. 2505</u>	1 parking space for each unit 14 units proposed = 14 parking spaces required	20 spaces proposed	Yes	
Parking Space Dimensions <u>Sec. 2506</u>	90-degree spaces should be 9 feet wide by 19 feet deep with a 24-foot wide aisle; when adj. to landscaping, spaces can be 17 feet deep, with a 2 foot overhang into the landscaped area	Spaces appear to be sized appropriately throughout the site	Yes?	This item will need to be verified at the time of Preliminary Site Plan submittal. <u>In locations where spaces are not 19 feet deep, a four inch curb should be indicated.</u>

Item	Required	Proposed	Meets Requirements?	Comments
Barrier Free Spaces (Barrier Free Code)	1 van accessible barrier free space required	No barrier free spaces shown.	No	One van accessible barrier free space should be provided. Applicant may want to consider marking the 21' area on the north side of the building, just east of the center island as a van accessible space.
Barrier Free Space Dimensions (Barrier Free Code)	8 feet wide with a 5 foot wide access aisle for standard b.f. 8 feet wide with an 8 foot wide access aisle for van accessible	No barrier free spaces shown.	No	8 foot wide van accessible barrier free space required with an adjacent 8 foot wide access aisle.
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space	No signs shown.	No	One sign should be shown for each barrier free space at the time of Preliminary Site Plan Submittal.
Accessory Structures (Sec. 25.03)				Accessory Structures such as flagpoles and dumpsters will require review and approval from the Community Development Department.
Lighting (Section 25.11)	Photometric plan required at the time of Preliminary Site Plan due to site being adjacent to residentially zoned property		N/A	<u>Photometric plan should be submitted with Preliminary Site Plan submittal.</u>
Sidewalks (City Code Sec. 11-276 (b))	A 5' wide sidewalk shall be constructed along 11 Mile Road as required by the City of Novi's Pedestrian and Bicycle Master Plan. A 8' wide sidewalk shall be constructed along the property frontage on Taft Road as required by the City of Novi's Pedestrian and Bicycle Master Plan.	Sidewalk proposed along 11 Mile Road. Size of proposed sidewalk not indicated. No sidewalk proposed along Taft Road.	No	A 5 foot sidewalk should be provided along 11 Mile Road and shown on the concept plan. A 8 foot sidewalk should be provided along Taft Road frontage and shown on the concept plan.

**ENGINEERING REVIEW
FOR REZONING 18.673**

MEMORANDUM



cityofnovi.org

TO: BARB MCBETH, PLANNING DIRECTOR
FROM: BRIAN COBURN, P.E.; CIVIL ENGINEER *BC*
SUBJECT: ENGINEERING REVIEW OF REZONING REQUEST 18.673
DATE: DECEMBER 12, 2007

The Engineering Department has reviewed the Planned Rezoning Overlay (PRO) proposed for Basilian Fathers Residence. The request consists of approximately 4.15 acres located north of 11 Mile Road and west of Taft Road in Section 16. The applicant is requesting a PRO to construct a residence for 14 priests along with a chapel and common areas.

Utility Demands

Because this is a PRO request, the analysis will be based on the concept plan that has been provided and not the proposed zoning. The existing zoning of the parcel is R-1 which matches the master planned density of 1.65 units per acre and would typically yield approximately 7 residential equivalent units (REUs). An REU equates to the utility demand from one single family home. If the parcels were to receive a traditional rezoning to RT, it would result in approximately 20 REUs. Based on the concept plan provided with the application, we estimate a demand of approximately 2.8 REU to 8.4 REU would result from the proposed development.

Water System

Water service is currently available from the existing water main located along Eleven Mile Road in front of the Novi Schools' Bus Garage. The water main should be extended along the Eleven Mile Road and Taft Road frontages to provide for future extension to improve the reliability of the system. The City's water model indicates that the development of the PRO concept plan would not have a negative impact on the overall system.

Sanitary Sewer

The project is located within the Lannys Sanitary Sewer District. We are currently undertaking a project to increase the capacity of the Lannys district with the addition of a diversion chamber,

pumping station and bypass forcemain along the Beck Road and I-96 corridors. The design of the Lannys bypass project was based on the Master Plan for Land Use that was adopted in 2004.

While there is a sanitary sewer located on the south side of Eleven Mile Road, this site is in a different sewer district and is unable to discharge to the Eleven Mile sewer. A sanitary sewer must be constructed along the Taft Road frontage and extended north along Taft connecting to the sanitary sewer that crosses Taft Road just south of Andes Hills Condominium. Based on the concept plan provided, there would be minimal, if any, impact on the capacity of the sanitary sewer system.

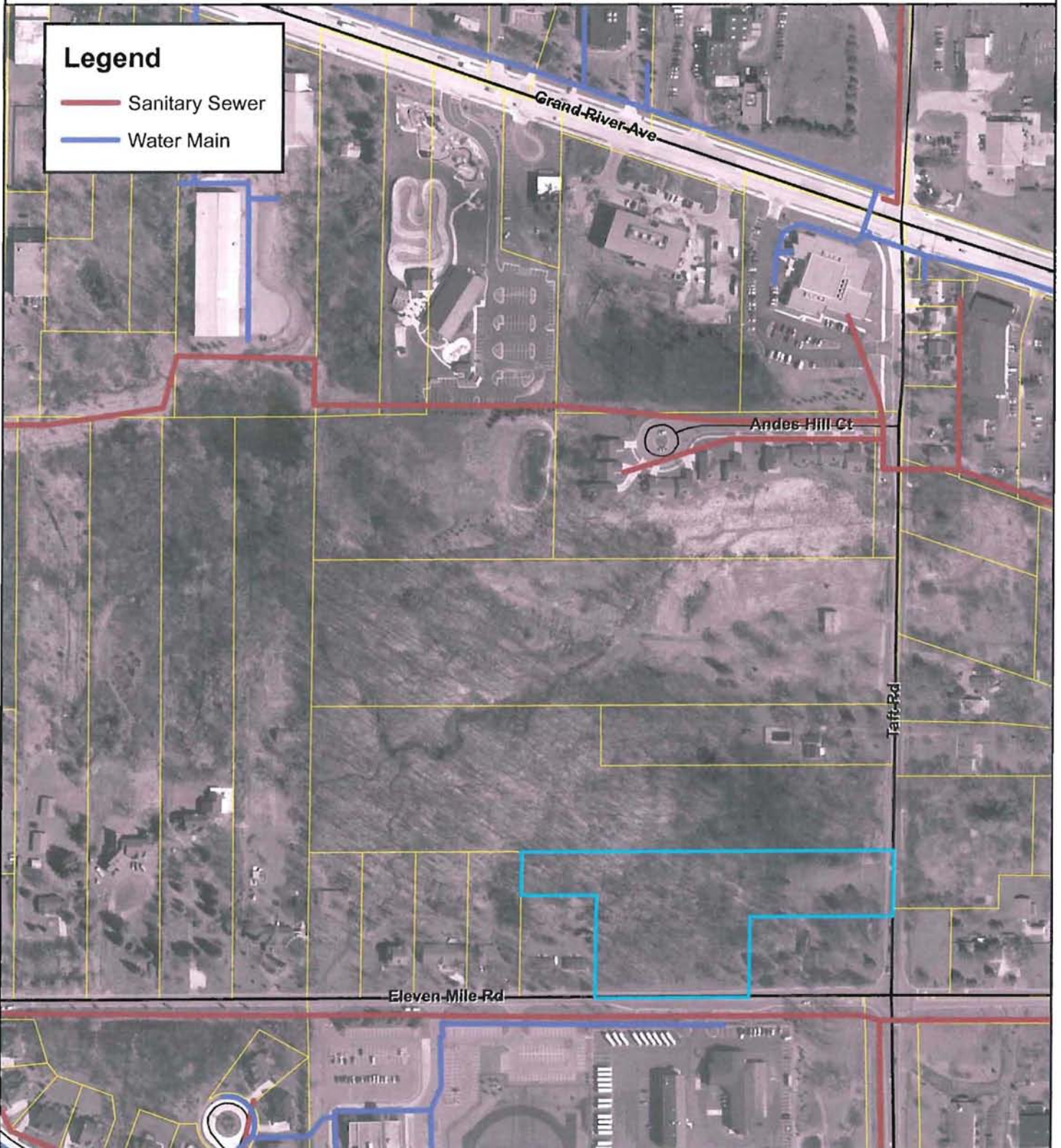
Summary

The concept plan included in the PRO application does not have a marked impact on the public utilities when compared to the existing zoning and master planned uses.

c: Kristen Kapelanski, Planner
Ben Croy, P.E.; Civil Engineer

Utility Location Map

Rezoning Request 18.673



Legend

- Sanitary Sewer
- Water Main

G
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P
H
I
C

CITY OF NOVI
 MAP CREATED BY: Brian Coburn, P.E. (12/12/07)
 ENGINEERING DEPARTMENT
 NOVI CITY HALL
 45175 W. TEN MILE ROAD
 NOVI, MI 48375-3024
 (248) 347-0454
 cityofnovi.org



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.

**ENGINEERING REVIEW
FOR PLANNED REZONING OVERLAY**



PLAN REVIEW CENTER REPORT

December 7, 2007

Engineering Review

Basilian Residence and Conceptual/PRO
SP #07-59

Petitioner

Basilian Fathers of Milford, Michigan

Review Type

Concept / PRO

Property Characteristics

- Site Location: Northwest of Eleven Mile and Taft Roads.
- Site Size: 4.15 acres
- Date Received: November 14, 2007

Project Summary

- Construction of a 14-unit Basilian Fathers residence and miscellaneous buildings and parking. Site access would be provided by an approach on Eleven Mile and an approach on Taft Road.
- Water service would most likely be provided by connecting to the main along Eleven Mile, however no utility information was provided with this submittal. An extension of the water main along the Taft Road frontage will be required.
- Sanitary sewer service would be provided by a connection to the sewer north of this site at Taft Road, however no utility information was provided with this submittal.
- Bankfull storm water storage and storm water pretreatment will be required for this site, however no storm water information was provided with this submittal.

Comments:

A full engineering review was not performed due to the limited information provided in this submittal. Further engineering design information will be required to provide a more detailed review.

General

1. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
2. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal.

3. All driveways within 200-feet of the property shall be shown on the plans.
4. A secondary access stub shall be provided to the undeveloped property to the north near the western limits of the proposed development.
5. The master planned 43-foot half right-of-way for Eleven Mile Road shall be shown on the plan.
6. The master planned 60-foot half right-of-way for Taft Road shall be shown on the plan.

Water Main

7. Future plan submittals shall show the anticipated connection and routing of the proposed water main.
8. A 12-inch water main will be required along the Taft Road frontage of this development. This water main, and any main extended further to the north, shall be connected to the development's water system and shall be installed on the east side of Taft Road.
9. A water main stub shall be provided to the undeveloped property to the north near the western limits of the proposed development.

Sanitary Sewer

10. Future plan submittals shall show the anticipated connection and routing of the proposed sanitary sewer.
11. The sanitary shall be discharged into the Lannys Road Sanitary District. No connection may be made to the existing sewer south of 11 Mile Road.

Storm Water Management Plan

12. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
13. The SWMP must detail the storm water system design, calculations, details, and maintenance as stated in the ordinance. The SWMP must address the discharge of storm water off-site, and evidence of its adequacy must be provided. This should be done by comparing pre- and post-development discharge rates and volumes. The area being used for this off-site discharge should be delineated and the ultimate location of discharge shown.
14. If use of the Grand River District Regional Detention Basin is proposed, on site detention is still required for the bankfull flood volume. Aboveground storm water pretreatment will also be required. Currently, no storm water facilities are shown on the plan.
15. Access to each storm water treatment and detention facility shall be provided for maintenance access in accordance with Section 11-123 (c)(8) of the Design and Construction Standards.

Paving & Grading

16. An 8-foot wide bike path will be required along the Taft Road frontage, and a 5-foot wide sidewalk will be required along the Eleven Mile frontage.
17. Existing topography and 2-foot contours extending at least 100 feet past the site boundary shall be provided on the plan, and any off-site drainage entering this site shall be identified.

Off-Site Easements

18. All off-site easements required for the utility extensions must be executed prior to final approval of the plans. Drafts shall be submitted at the time of the Preliminary Site Plan submittal.

The following must be provided at the time of Preliminary Site Plan submittal:

19. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.

The following must be submitted at the time of Final Site Plan submittal:

20. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. **The cost estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

The following must be submitted at the time of Stamping Set submittal:

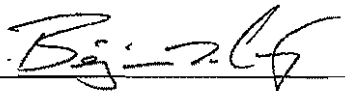
21. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
22. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.
23. A draft copy of the 20-foot wide easement for the sanitary sewer to be constructed on the site must be submitted to the Community Development Department.
24. A 20-foot wide easement where storm sewer or surface drainage crosses lot boundaries must be shown on the Exhibit B drawings of the Master Deed.
25. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

The following must be addressed prior to construction:

26. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
27. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.

28. A permit for work within the right-of-way of Eleven Mile and Taft Road must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
29. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.
30. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.
31. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
32. Unrestricted discharge into a regional detention basin is planned for this site. Therefore, a storm water tap fee will be required prior to the pre-construction meeting. An exact figure will be determined at the time of Final Site Plan approval.
33. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
34. An incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted prior to TCO, at which time it may be reduced based on percentage of construction completed.
35. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.

Please contact Benjamin Croy, PE at (248) 735-5635 with any questions or concerns.



cc: Rob Hayes, City Engineer
Kristen Kapalanski, Community Development Department
Tina Glenn, Water & Sewer Dept.

**TRAFFIC REVIEW
FOR REZONING 18.673 AND
WAIVER OF TRAFFIC STUDY**

November 27, 2007

Ms. Barbara E. McBeth
Deputy Director Community Development
45175 West Ten Mile Road
Novi, MI 48375-3024



Re: New Basilian Fathers Residence – Planned Rezoning Overlay Concept Plan – 2nd Review
SP No. 07-59
OHM Job No. 163-07-0392

As requested, we have reviewed the planned rezoning overlay concept plan submitted for the proposed New Basilian Fathers Residence development. The plans were prepared by CDPA Architects, Inc. and are dated November 05, 2007. At this time, we offer the following comments:

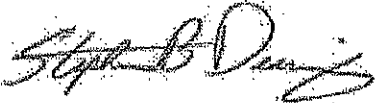
1. Location Map: Location map denoting the location of the proposed development should be provided on the site plan.
2. Sidewalk: Sidewalk should be provided on the frontage of the proposed development along both 11 Mile and Taft Roads. A walking path should also be provided to the proposed building from these sidewalks.
3. Master Plan Right-of-Way: The master plan Right-of-Way (ROW) width on 11 Mile Road and on Taft Road should be shown on the plan. We believe both are planned for 60' each side of the section line, for a total of 120' width. It would be beneficial if the developer would be willing to donate the additional 27' ROW from their frontage to the City of Novi at this time.
4. ADA Compliant Ramps:
 - ADA compliant ramps must be provided in areas where sidewalk crosses or adjoins parking lot or roadway.
 - A detectable warning device should be provided in areas where sidewalk crosses or adjoins the parking lot or roadway, and should be clearly labeled on the plans.
 - The type of sidewalk ramp should be clearly noted on the plans.
 - ADA compliant ramps must be provided at each accessible parking stall. We recommend that Type P Parallel Sidewalk Ramps (as described in the MDOT Standard Details for Sidewalk Ramps) be used along the bank of handicap parking stalls.
 - A copy of the most recent MDOT Standard Plans for Sidewalk Ramps (R-28-F) should be included in the plan set.
5. Access Driveway Geometry: The information regarding the entrance and exit radii as well as the driveway throat width should be provided on the site plan for the entrance driveway for the proposed development.
6. Parking Stalls: Width of the parking stalls should be 9'. Width of the parking stalls adjacent to the turnaround areas should be 9' from the face of the curb. Such should be clearly labeled on the plan. The length of the parking stalls must be 19'.
7. Sidewalk: The width of the sidewalk to the east, west, and north of the proposed building should be clearly noted on the plans. The minimum width of the sidewalk should be 7' in

areas where parked vehicles may overhang the sidewalk.

8. Barrier Free Parking: The site plan should clearly denote the barrier free parking spaces. Each barrier free parking stall should be provided with the standard R7-8 sign (RESERVED PARKING), as described in the Michigan Manual of Uniform Traffic Control Devices (MMUTCD). An additional sign R7-8a (VAN ACCESSIBLE) should be provided at van accessible stalls.
9. Parking Calculations: The parking calculations indicating the number of parking spaces required along with the number of barrier free parking spaces required by the proposed development should be provided on the plans.
10. Loading Area and Dumpster: The location of loading area and dumpster should be clearly noted on the plans.
11. Sign Quantity Table: A traffic sign quantity table should be shown the plans. The table should include a brief description, sign code, dimensions, and quantity for each sign.

If you have any concerns or questions, please feel free to contact us at 734-522-6711.

Sincerely,
Orchard, Hiltz & McCliment, Inc.



Stephen B. Dearing, P.E., PTOE.
Manager of Traffic Engineering



Anita S. Katkar, P.E.
Traffic Project Engineer

**LANDSCAPING REVIEW
FOR PLANNED REZONING OVERLAY**



PLAN REVIEW CENTER REPORT

December 19, 2007

PRO Landscape Review

Basilian Fathers Residence Planned Rezoning Overlay
Rezoning 18.673 SP #07-59

Petitioner

Basilian Fathers - Rev. James O'Neill, CSB

Current Project Zoning

R-1 One-Family Residential District

Projected Project Zoning

RM-1 Two-Family Residential

Recommendation

At this time no full Landscape Plan has been submitted. Staff has been in contact with the Applicant's Landscape Consultant and landscape requirements for the development have been discussed. Once a full Landscape Plan is submitted, a full Landscape Review will be forthcoming. At this time, Staff has no reservations in regard to the PRO plan.

Ordinance Considerations

Residential Adjacent to Non-Residential (Sec. 2509.3.a)

1. Technically this project will be considered as a residential abutting residential property. The property is adjacent to single family residentially zones and uses on all sides. There appears to be significant existing vegetation on much of the site. With proper preservation, this vegetation may provide a good buffer to the adjacent single family residences. The Applicant may wish to propose conservation easements through wooded portions of the site as an additional incentive for Planning Commission considerations. A minimum 20' parking setback is required for any Multiple Family Residence and this has been maintained throughout the site.

Adjacent to Rights-of-Way (Sec. 2509.3.b)

1. A 20' wide greenbelt with a 3' high berm and 2' crest will be required adjacent to parking areas. A 34' greenbelt with a 4' high berm and 4' crest will be required adjacent to areas without parking. The berms are intended to be fully landscaped. The Applicant may wish to seek a Planning Commission waiver for the berm installation in select locations provided it can be shown that the existing vegetation is healthy and provides for a good buffer from the roadways.
2. Twenty-five foot clear vision triangles should be shown on the plan for both entries.

3. One Canopy or Large Evergreen Tree is required per 35 LF of road frontage. The trees are to be placed within the greenbelt.
4. One Sub-canopy Tree is required per 20 LF of road frontage adjacent to parking and one tree per 25' when parking is not adjacent. The trees are to be placed within the greenbelt.
5. Canopy Street Trees are required in area between the sidewalk and roadways at one per 35 linear feet adjacent to parking and one per 45' when parking is not adjacent. The Applicant has not shown any proposed sidewalks at this time. Please refer to the Planning Review for further comments.

Parking Area Landscape Requirements (Sec. 2509.3.c)

1. Please provide the required Parking Area Landscape Area and Canopy Tree calculations and plantings.

Building Perimeter Landscaping (Sec. 2509.3.d)

1. Please provide the required Building Perimeter Landscape calculations and plantings. A minimum 4' landscape bed is required surrounding the building foundation. A total of 8' multiplied by the building foundation dimension is required as landscape area.

Storm Basin Landscape Requirements

1. No Storm Basin modifications are proposed at this time.

Plant List (LDM)

1. Please provide the required Plant List as required by the Ordinance and Landscape Design Manual.

Plan Notes & Details (Sec. 2509. 4. 5. 6. & 7.)

1. Please provide the required plan notes and planting details as required by the Ordinance and Landscape Design Manual.

General Requirements

1. Please provide an Irrigation Plan and Cost Estimate.
2. Plans must be signed and sealed by a Registered Landscape Architect.
3. Please refer to Woodland and Wetland Reviews for further information.

Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance. The appropriate section of the applicable ordinance is indicated in parenthesis. For the landscape requirements, see the Zoning Ordinance landscape section on 2509, Landscape Design Manual and the appropriate items in the applicable zoning classification.



**WOODLAND REVIEW FOR
PLANNED REZONING OVERLAY**



Environmental Consulting & Technology, Inc.

2200 Commonwealth Blvd.
Suite 300
Ann Arbor, MI 48105
(734) 769-3004
FAX (734) 769-3164

MEMORANDUM

TO: Novi Plan Review Center

FROM: Peter F. Hill, P.E. P.H.
Associate Engineer

DATE: December 12, 2007

RE: New Basilian Fathers Residence (SP#07-59)
Conceptual/P.R.O. Comments for Woodlands
(Rezoning 18.673)

We have completed the Conceptual/P.R.O. review for Woodlands for the proposed New Basilian Fathers Residence project including the plans submitted by CDPA Architects, Inc. dated November 5, 2007. The proposed development is located at 45488 Eleven Mile Road, West of Taft Road in Section 16.

Based on our review of Novi aerial photos, Novi GIS, and the City of Novi Official Woodlands Map (attached), it appears that this site does contain Regulated Woodlands (light and medium density coverage).

As shown, there appear to be substantial impacts proposed to regulated woodlands associated with the proposed site improvements. It appears as if the proposed work (proposed buildings, proposed parking areas and access drive from Taft Road) will likely involve substantial impacts to the Regulated Woodlands located on this parcel. The plan does not currently indicate and label regulated Woodland Boundaries. In addition, the proposed Conceptual/P.R.O. Plan does not appear to be significantly different from the Pre-Application Plan that was previously reviewed by our office.

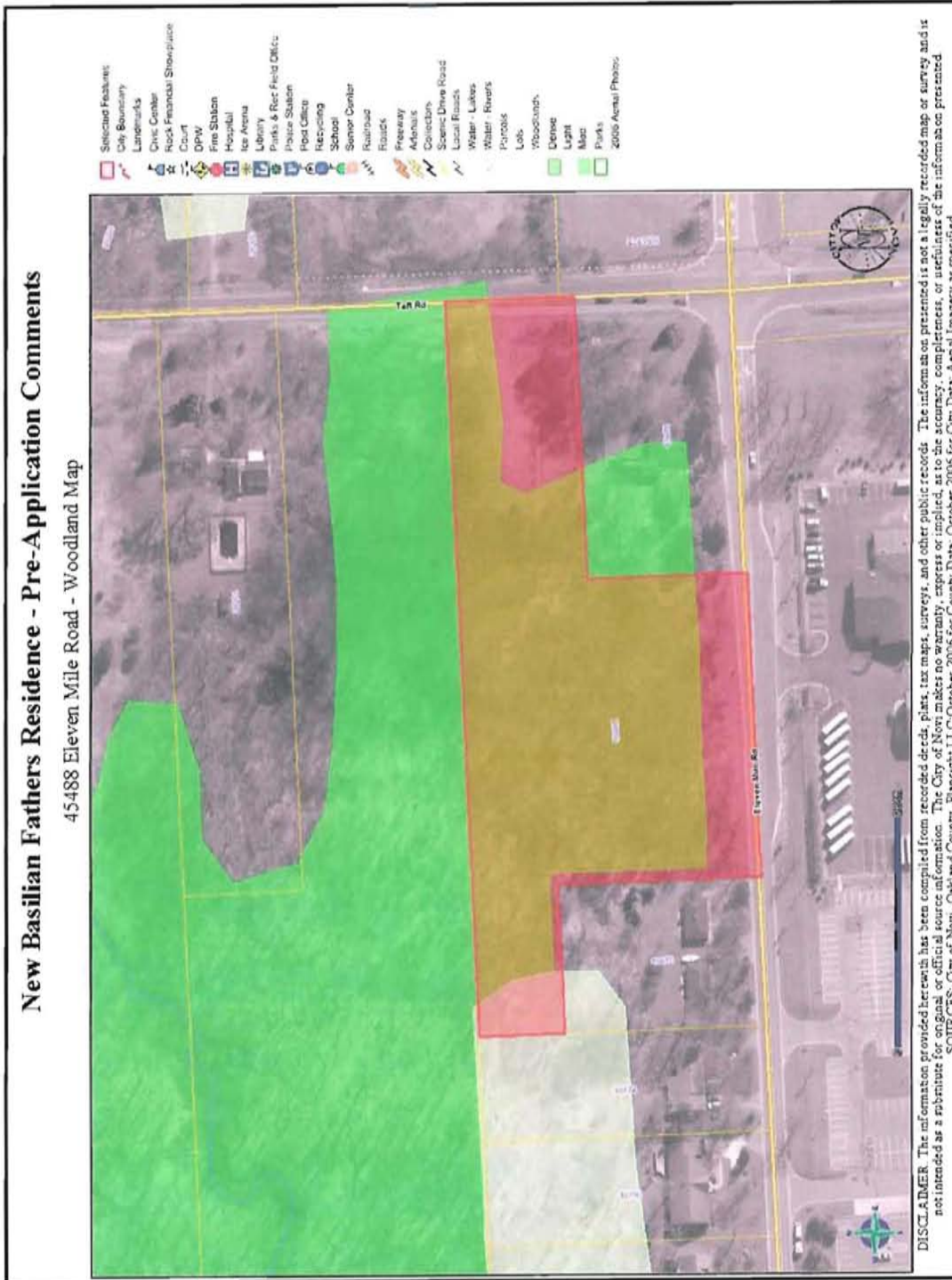
Proposed impacts to any trees within these Regulated Woodland areas will require a Woodland Permit from the City of Novi that allows for the removal of trees eight (8)-inch diameter-at-breast-height (d.b.h.) or greater. Such trees shall be relocated or replaced by the permit grantee. All replacement trees shall be two and one-half (2 ½) inches caliper or greater.

An existing tree survey has not yet been submitted. ECT recommends that we conduct a woodland field verification at the time of Preliminary Site Plan submittal in order to verify existing regulated tree locations and confirm any proposed tree replacement quantities. A tree inventory and Woodland Plan shall be provided in the Preliminary Site Plan.

Furthermore, it is recommended that the Applicant minimize impacts to existing trees to the greatest extent practicable.

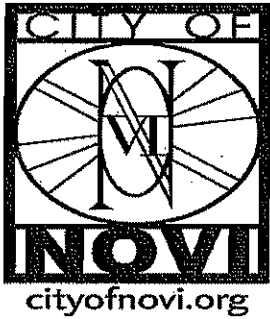
A checklist is attached to help the applicant prepare for the woodland application process.

Thank you for the opportunity to review these plans and if you have any questions, please feel free to contact me.



City of Novi Pre-Application Woodland Checklist		
General: All areas of proposed woodland impact and proposed tree removals need to be clearly shown on the plan and quantified.		
Yes	No	Where the proposed activity is located on a site with no trees with a d.b.h. of eight (8) inches or greater, has the applicant indicated this in his/her application, and submitted a "no tree" affidavit?
Yes	No	Does site plan include a topographical survey?
Yes	No	Does the site plan include the locations, size and species or all existing trees based upon actual field survey?
Yes	No	For all woodlands in which development is proposed, does the proposed Woodlands Plan contain a key identifying, by location, all trees eight (8) inches diameter-at-breast-height (d.b.h.) and greater, by size, common and genus name (i.e., Maple/Acer) and condition?
Yes	No	For all trees proposed to remain, has a topographic elevation at the base of the trunk been indicated?
Yes	No	Are existing general soil conditions shown on the site plan/woodland plan?
Yes	No	Has a statement been included showing how trees not proposed for removal are to be protected during land clearing, construction, and on a permanent basis, including the proposed use of protective barriers?
Yes	No	Have the locations and dimensions of all setbacks, easements and existing and proposed public and private utilities been indicated on the plan?
Yes	No	Does the plan include statements as to the proposed grade changes and proposed drainage pattern changes for the lot or parcel, including information as to changes in water levels within protected woodlands?
Yes	No	Does the plan include the number of trees to be cut which have a d.b.h. of eight (8) inches or more, plus a plan and cost estimate for their replacement? Final costs for replacement shall be determined by the city forester, or his designee, upon acceptance of the final engineering plans by the City.
Yes	No	Does the plan include information as to how all trees to be retained shall be identified at the site, whether by painting with water base paint, flagging, etc. prior to field inspection?

**FIRE REVIEW
FOR PLANNED REZONING OVERLAY**



Novi Fire Department

42975 Grand River Avenue
Novi, MI 48375

248.349.2162

fax 248.349.1724

December 5, 2007

TO: Barbara McBeth, Deputy Director
Community Development, City of Novi

RE: Basilian Fathers Residence, SP07-59, Rezoning and Conceptual/P.R.O.
Fire Department Review

Dear Ms. McBeth,

The above plan has been reviewed and it is **Recommended for Approval.**

Sincerely,

Michael W. Evans
Fire Marshal

cc: file

**APPLICANT REQUEST
FOR WAIVER OF
TRAFFIC IMPACT STUDY**

Request for a waiver of the requirements for a traffic impact study

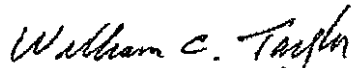
We are requesting that the requirement for a traffic impact study for the proposed residential development on the northwest corner of Eleven Mile Road and Taft Road in the city of Novi be waived. The proposal is to construct a residence for 14 priests who will be teaching at Catholic Central High School.

The basis for the request is that the existing level of service on the adjacent streets is not expected to be significantly impacted by the proposed project. This residential project would generate approximately 14 trips that would exit this site onto Eleven Mile Road or Taft Road in the A.M. peak hour, and even fewer trips entering the site in the P.M. peak hour, since the school session ends before this peak hour.

The Traffic Impact Study Guidelines published by the City of Novi presents some examples of the land use thresholds that, if met or exceeded, warrant a traffic impact study. For residential land use these numbers (as shown in Table 1 of that document) are 100 peak hour trips or 750 daily trips. These numbers far exceed the number of trips to be generated by this proposed project.

This site currently has an access drive on 11 Mile Road, and the proposal is to add a second access drive on Taft Road, approximately 170 feet north of the intersection with Eleven Mile Road. While this is relatively close to the intersection, it is a residential driveway, not a commercial access drive, and the volume of traffic is very low.

It is my professional opinion that approval of this request will not have an impact on the level of service on either Eleven Mile Road or Taft Road. It is also my professional opinion that the addition of an access drive to Taft Road will not result in a safety issue, since the traffic volume is low.



William C. Taylor, Ph.D., P.E.

**APPLICANT'S
RESPONSE LETTER**

January 16, 2008

Stacy E. Peterson, AIA
John P. Argenta, AIA
Najim N. Saymuah, AIA

City of Novi
45175 W. Ten Mile Road
Novi, Michigan 48375-3024

Attention: Ms. Kristen Kapelanski
Planner
Planning Department

Re: Basilian Fathers Residence Planned
Re-Zoning Overlay (PRO)
Re-Zoning 18.673 SP #07-59
Basilian Fathers of Milford, Michigan
Architect's Project No. 07-140

Dear Ms. Kapelanski:

We have received your Planning Review letters for the above project and met with the Master Plan and Zoning Committee on January 9, 2008 to review the Planned Zoning Overlay and Conceptual Site Plan.

As you requested, the following is a response letter to comments in the review letters. We are also submitting thirteen (13) full-size copies and one(1) 8.5" x 11" version of the revised Conceptual Site Plan dated "Rev. 1-16-08" which incorporates information requested by your review and comments by the Master Plan and Zoning Committee.

PRO public benefits are included in the attached letter from Thomas Ryan, P.C.

A. PLAN REVIEW CENTER REPORT: PLANNING REVIEW

1. Master Plan

- a. Residential Density Map: Proposed density is 3.37 units per acre. Recommended RM-1 density is 5.4 to 10.9 units per acre.
- b. Zoning: RT zoning was originally recommended by staff. New recommendation by staff is RM-1 zoning. RM-1 zoning is acceptable.
- c. Permitted Uses: The zoning ordinance does not address a "religious residence" or "monastery" as the Michigan Building Code does. The proposed use most closely resembles the "congregate elderly living units" described and permitted in the RM-1 zoning recommended by staff.
- d. Building Height: Maximum height of buildings will not exceed the allowable height of 35 feet to the midpoint of sloped roof, and two stories.
- e. Density: Proposed density of 3.37 units per acre is less than the 5.4 units allowed in the recommended RM-1 zoning.

2. Building Setbacks

- a. Revised Conceptual Site Plan dated "Rev. 1-16-08" indicates that the north, south, east and west building setbacks are at least 75 feet and conform to RM-1 building setback requirements.
 1. The carport canopy over the 14 covered parking spaces is 55 feet from the west property line and 66 feet from the south property line. We request that this ordinance deviation be included in the PRO Agreement.
- b. Maximum Percent of Lot Area Covered: Less than 15%. Design of building has not been finalized but is approximately 18,000 sq. ft.

3. Parking Setbacks

- a. Parking Setbacks: Parking setbacks are at least 20 feet as required by RM-1 zoning and are shown on the Conceptual Site Plan dated "Rev. 1-16-08".
- b. Number of Parking Spaces: 14 parking spaces are required. 22 parking spaces are provided.
- c. Uncovered parking stalls are shown as 9 feet wide by 19 feet long with a 24 foot wide aisle. Covered parking stalls are shown as 10 feet wide by 20 feet long on Conceptual Site Plan dated "Rev. 1-16-08".
- d. Barrier Free Spaces: A van accessible barrier free parking space 16 feet wide by 19 feet deep has been shown on Conceptual Site Plan dated "Rev. 1-16-08".
- e. Barrier Free Sign: Barrier Free signs will be shown on Preliminary Site Plan submittal.
- f. Accessory Structures: The carport canopy over the 14 covered parking spaces is 55 feet from the west property line and 66 feet from the south property line. We request that this ordinance deviation be included in the PRO Agreement.

Other accessory structures, if any, will be shown on the Preliminary Site Plan submittal.

- g. Lighting: Photometric Plan of lighting will be included on Preliminary Site Plan submittal.
- h. Sidewalks: An 8 foot wide bike path along Taft Road frontage and a 5 foot wide sidewalk along Eleven Mile Road have been shown on Conceptual Site Plan dated "Rev. 1-16-08". As a PRO public benefit, the sidewalk and bike path have been extended to the intersection of Eleven Mile Road and Taft Road.

B. ENGINEERING REVIEW: BRIAN COBURN, PE

1. Utility systems and design will be addressed on the Preliminary Site Plan submittal to conform to Novi requirements.

C. PLAN REVIEW CENTER REPORT - ENGINEERING REVIEW

1. Preliminary location of a storm water detention basin has been shown on Conceptual Site Plan dated "Rev. 1-16-08".
2. Storm and sanitary sewer and water service will be addressed on Preliminary Site Plan submittal to conform to Novi requirements.
3. 8 foot wide bike path along Taft Road frontage and a 5 foot wide sidewalk along Eleven Mile Road have been shown on Conceptual Site Plan dated "Rev. 1-16-08". As a PRO public benefit, the sidewalk and bike path have been extended to the intersection of Eleven Mile Road and Taft Road.

D. OHM ENGINEERING REVIEW LETTER

1. Location map has been added to Conceptual Site Plan dated "Rev. 1-16-08".
2. 5 foot sidewalk has been shown along Eleven Mile Road and an 8 foot bicycle path has been shown along Taft Road and have been shown on the Conceptual site Plan dated "Rev. 1-16-08". As a PRO public benefit, the sidewalk and bicycle path have been extended to the intersection of Eleven Mile Road and Taft Road.
3. Master planned 43 foot half right-of-way for Eleven Mile Road and 60 foot half right-of-way have been shown on Conceptual Site Plan dated "Rev. 1-16-08. The difference between the master planned right-of-way and the existing right-of-way will be deeded to Novi as a PRO public benefit.
4. Uncovered parking stalls shall be 9 feet wide by 19 feet long as shown. Covered parking stalls shall be 10 feet wide by 20 feet long.
5. Barrier free parking stall has been shown on Conceptual Site Plan dated "Rev. 1-16-08".
6. ADA ramps, driveway geometry, parking calculations, dumpster location and traffic signs will be addressed on Preliminary Site Plan submittal.

E. LANDSCAPE REVIEW

1. Landscaping will be addressed at the time of Preliminary Site Plan submittal and will conform to Novi Standards.
2. We will request a waiver in the PRO Agreement for the landscaped berm installation along Eleven Mile Road and Taft Roads since the existing vegetation is healthy and intense and provides a good buffer from the roadways.

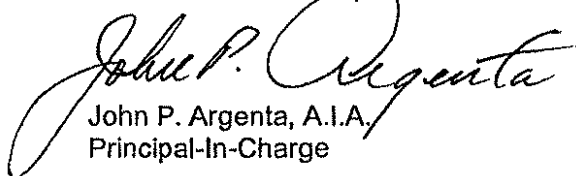
F. WOODLAND REVIEW

1. Tree survey and proposed impact to any regulated woodlands trees will be addressed at the time of Preliminary Site Plan submittal. As indicated on the Conceptual Site Plan, we will attempt to minimize impacts to existing trees to the greatest extent practicable.

If you have any questions or require further information, please call me.

Sincerely,

CDPA ARCHITECTS, INC.



John P. Argenta, A.I.A.
Principal-In-Charge

JPA/lm

pc: File

LAW OFFICES
THOMAS J. RYAN, P.C.

January 16, 2008

THOMAS J. RYAN

2055 ORCHARD LAKE ROAD
SYLVAN LAKE, MICHIGAN 48320
TELEPHONE (248) 334-9938
FAX (248) 558-8508

Ms. Barbara McBeth
Deputy Director, Community Development
City of Novi
45175 West Ten Mile Road
Novi, Michigan 48375

RE: New Basilian Fathers Residence
Reason for Requesting Rezoning and PRO

Dear Ms. McBeth:

Pursuant to City of Novi Zoning Ordinance requirements, Section 3402, it is respectfully requested that the City and the Applicant will benefit if a Site Plan, along with the conditions and limitations that can be relied upon by the City, are proposed as a part of this Petition for Rezoning. The Applicant has simultaneously filed an Application for Change of Zoning with the City of Novi. The Applicant is seeking a site specific use as authorized by MCL 125.3501, et. seq., so as to accomplish, among other things, the objectives of the Zoning Ordinance through a land development project review process based upon the site planning criteria to achieve integration of the proposed land development project with the characteristic of the project area. Currently, the property in question is north and west of Eleven Mile and Taft Roads within the City of Novi. The property owners, David and Karen Kurtz are fully supportive of this rezoning effort, as indicated by their acknowledgement and signatures supporting the effort.

The purpose of the rezoning is to allow the Basilian Fathers of Michigan to rezone the property from single family use, as acknowledged by the Master Plan, to RM-1 Zoning with PRO conditions. This rezoning would accomplish the utilization of the property for a residence living area for 14 living units for the Basilian Fathers, who operate Novi Detroit Catholic Central High School with common dining, community rooms and a chapel provided for them.

As part of the PRO conditions, the Applicant is agreeing to location, size, and height of buildings, structures and improvements, as well as set backs, landscaping, buffers, design and architectural attractiveness. The Applicant is committed to the preservation of the woodlands and other open space. The Applicant is further preserving the natural resources and features to benefit the property and City as a whole.

The Applicant will commit to the additional following requirements. The Applicant will construct and continue the sanitary sewer and the sidewalk on Eleven Mile Road and Taft Road, as well as the water system to allow the City to complete a loop of its system. The applicant will dedicate an additional right of way on Taft Road and Eleven Mile Road for purposes of the City of Novi's future right of way usage. On Eleven Mile Road, the Applicant will dedicate an additional ten (10) feet to preserve the future forty-three (43) foot one-half right of way on Eleven Mile Road. On Taft Road, the Applicant will further dedicate twenty-seven (27) feet to preserve the one-half right of way of sixty (60) feet on Taft Road.

Applicant respectfully requests the approval of the RM-1 zoning with the PRO overlay

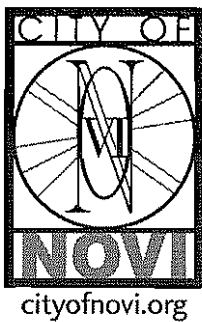
Respectfully submitted,

THOMAS J. RYAN, P.C.

Thomas J. Ryan

TJR/ro

**MASTER PLAN AND ZONING COMMITTEE
MINUTES - EXCERPT JANUARY 9, 2008
(DISCUSSION OF PROPOSED REZONING)**



MASTER PLAN AND ZONING COMMITTEE

CITY OF NOVI PLANNING COMMISSION

Regular Meeting

Wednesday, January 9, 2008 | 7 PM

Novi Police Department | 45125 W. Ten Mile

(248) 347-0475

ROLL CALL

Present: Members Victor Cassis, Michael Lynch, Michael Meyer, Wayne Wrobel

Absent: John Avdoulos (excused)

Staff Support: Barbara McBeth, Deputy Director of Community Development; Mark Spencer, Planner

APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Wrobel:

VOICE VOTE ON AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER WROBEL:

Motion to approve the Agenda of January 9, 2008. Motion carried 4-0.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

MATTERS FOR DISCUSSION

1. Basilian Fathers, Rezoning 18.673, SP07-59 PRO

Review of the request to rezone 4.15 acre parcel on the northwest corner of Eleven Mile and Taft Road, Section 16, from R-1 to R-T with a Planned Rezoning Overlay.

Planner Mark Spencer discussed the abbreviated Planning Review. The plan includes an 18,000 square-foot residence with 14 living units, a chapel, offices, community room and two miscellaneous rooms. The current zoning allows 1.7 units per acre. The request is for approximately 3.37 units per acre. This is a use not specifically called out in the Ordinance. It is not a single-family use, and it is not senior housing. It is a group-type home facility. It is residential and can be done with a PRO with siteplan-specific measures.

The plan is deficient in certain areas. The plan submitted to begin this process is only a concept plan which, by definition, is limited in its detail. The side- and front-yard setbacks must be 75 feet. The plan's front yard and exterior side yard are deficient by five feet and 25 feet, respectively, and when actually measured against the proposed road widths in the Thoroughfare Plan, the deficiencies will be about ten feet greater. The Project Manager, Planner Kristen Kapelanski, noted that the parking lot setbacks are met. The Master Plan density calls for 1.65 density; the density requested is slightly more than the R-4 density of 3.3.

Deputy Director of Community Development Barbara McBeth stated that Staff also considered whether RM-1 should be considered (low density Multiple Family Residential). RM-1 would allow a building of two stories (up to 35 feet), and the setbacks are fairly consistent with the R-T, but the use is more of a Multiple Family Residential style.

Barrier free parking spaces should be added to the plan. A lighting plan must be submitted with the Preliminary Site Plan. Sidewalks and dimensions are missing from the plan. The Applicant provided a Community Benefit statement in a cover letter, and all the variances he will need to ask for must also be listed. There are regulated woodlands onsite. The Applicant will save some of the woodlands but he has not offered to place them in a conservation easement. It does not appear that there are wetlands on the site.

The benefits identified by the Applicant include preservation of natural resources, limitation of site uses for a priests' residence, construction and continuation of the sanitary sewer line along Eleven Mile, Eleven Mile and Taft Road sidewalks, the provision of continuing education of Catholic Central's young men, and community use of spiritual and counseling services of the Basilian Order.

The surroundings of the site include the school and bus garage to the south, duplexes to the west, a vacant parcel to the east, a church caddy-corner, a house to the north and a temple is being proposed two properties to the north. There are also several single family homes in the area. There are some interesting land uses in the area that aren't strictly residential.

John Argenta from CDP Architects addressed the Committee. The priests are currently living in Livonia, near the old Catholic Central. They wish to live closer to where they work. There will be mostly active teaching priests, though it may also house some retired priests. They are basically one-bedroom apartments with a living room, kitchenette, bedroom and a bathroom in about 700 square feet. There would be a congregate community room, dining room, kitchen area and chapel. There is no chef on the weekends. The building code has a category for monasteries and convents, though it is not listed in the City's Zoning Ordinance. The City first told him that an Unlisted Use Determination would be required. RM-1 does allow for congregate and communal buildings. The original application was turned in with an RM-1 request, and Staff asked them to consider R-T. So when the rezoning application was filed, it was for R-T. They do not have a problem with asking for RM-1, and he prepared a revised site plan.

Mr. Argenta said that the new design is two-story and this reduces the footprint considerably. It will be designed within the 35-foot height maximum. If the parking was placed underneath the building might get too tall, but they will look at the possibility in order to save more trees.

There will be eight feet of dense woodland in the front of the building, and dense woodlands throughout the site. The building will not be readily seen. The new design allows for two eighty-foot and two ninety-foot setbacks. The density is 3.86.

Ms. McBeth said the Master Plan recommends Single Family Residential. It recommends 1.65 density. The request does not meet either stipulation. The R-T is a Single Family Residential district. The use is more Multiple Family Residential in nature. RM-1 is more appropriate, use-wise.

Chair Cassis thought that the R-T, if the plan revision reduces the need for setbacks should be considered so that the request continues to fall within the Single Family Residential category on the Master Plan. The priests have the first right of refusal for the house next door.

A previous R-1 request was presented by developer Mike Fellows, though it was never followed through. The plans for that request were shared with this Applicant, so this Applicant was able to better understand the wetlands and woodlands in this area.

Member Lynch noted that the true density of the site is limited to single men and no families. Technically, the impact to the infrastructure is far less than the density suggests. He liked the two-story design for the site. More trees can be saved and the view will be blocked. The footprint will be on a lower grade.

Ms. McBeth explained that R-T allows Single Family Residential – two attached units and shared elderly housing (maximum of four unrelated people). The City Attorney states that this PRO proposal can be a *deviation* from the Ordinance but not a true use variance. The RM-1 more accurately allows for the use.

Member Wrobel confirmed that the Basilian Fathers want the adjacent home and they would use the land for a buffer zone. Mr. Argenta noted that the Fire Marshal requested another drive. Member Wrobel asked whether the Applicant would consider a conservation easement. Mr. Argenta thought that was something that could be looked at in light of all the trees that will be saved.

Member Wrobel thought the parking seemed deficient. Mr. Argenta said he could add a few more spaces. A kitchen entrance might be added to the plan.

The water system should be looped, and the issue will be looked at on the Preliminary Site Plan submittal. The engineer thought the water should be extended along both streets, and the sewer should come from Andes in the north. That is a different sewer district than the sewer near the school. The water is also available by the school. Member Wrobel suggested that the right-of-way be dedicated.

Member Wrobel thought underneath parking would save trees and he had no problem with the suggestion.

Member Meyer thought the Applicant was trying to accommodate the setbacks. He cited the Woodward and Sixteen Mile priests' residence that is very buffered by natural features. The underneath parking could indeed save trees. He understood that RM-1 is the better choice, and he thought that perhaps the City could, in the future, address the language in the Ordinance regarding what residential zones are acceptable for this type of use. Mr. Argenta commented that this is now an issue in other communities too, and may have been brought to light now that the Building Code includes monasteries and convents in their schedules.

Mr. Argenta thought most of the deficiencies listed will be addressed at the time of Preliminary Site Plan submittal, and he didn't see a problem with any of the issues.

Member Lynch thought the underneath parking could be aesthetically pleasing and would save trees. He just didn't want the building height to be too high. Mr. Argenta thought that the building height might have to go to 38 feet with underneath parking. He noted that R-T allows for 2.5 stories. He would further review the possibilities.

Mr. Spencer wondered whether the Planning Commission might wish to see elevations for a two-story with underground parking concept. The plan hasn't been truly reviewed yet. This process would go smoother if these things were reviewed at the concept level. Mr. Lynch would support a small height variance in order to accommodate this design. Mr. Spencer noted it would also increase the west-side buffer.

The design will be a pitched roof with shingles, and very residential in nature. The chapel would be similar, one story and it would be very traditional. It would fit into the same lines as the other building.

Chair Cassis would prefer to keep the request within a housing category. He would accept RM-1 because of the attorney's comments. The PRO provides a cover to keep surrounding properties from seeking higher density. He confirmed that the Applicant would work with the Staff regarding a conservation easement. He said that the underneath parking would be acceptable. He didn't think that the height variance should be more than a couple of feet. Taft Road should not take on a commercial feel.

Member Lynch reiterated the Applicant should consider a right-of-way dedication.

Member Meyer also noted that the homeowner closest to the property is the owner of the subject property, so they are fully aware of the concept.

The project will go before the Planning Commission on January 23, 2008. Ms. McBeth said that the Staff and Applicant will continue discussions regarding the limitation of future uses on the property, since there could be a change say, forty years down the road. She said the nearby temple proposal will include a cultural center and the architecture will be interesting.

Mr. Spencer asked the Master Plan and Zoning Committee if they had any specific recommendations they would like to make. Will the Applicant agree to the R-T height designation? The Applicant said they would know more about their design in the following week. Member Meyer recommended that the height of the existing trees be respected in their design efforts, and that the Committee has somewhat agreed that a three or four foot variance might be acceptable if more trees are saved.

Does the Committee want to have the Applicant agree to certain building materials? The Applicant was reminded to look at the Façade Ordinance.

Mr. Spencer encouraged the Applicant to list all the necessary variances in their PRO in order to better facilitate the approval process.

Mr. Spencer said that because of the nature of the use, the Applicant might wish to consider offering a limitation on the number of residents. Then, the Planning Commission can use that to justify the rezoning of the site to RM-1. As stated earlier, the actual residential population emulates Single Family Residential.

Mr. Spencer noted that the Engineering Review reminds the Applicant that a Stormwater Management Plan must accompany the design of the site, and if a conservation easement is going to be offered it should be in the PRO document.

The Applicant stated that some of the property is just heavily brushed and if it was cleared a bit there would be room for the woodland replacements.

MEETING SCHEDULE

The Committee will meet January 24, 2008. The Committee will need to meet regarding the Master Plan review prior to the first Planning Commission meeting in February as well.

Member Meyer asked about the Ordinance language, and Ms. McBeth responded that it could be looked at for inclusion of these kinds of uses – monasteries, convents, group homes, communes, etc. Mr. Spencer said that the population of these uses could be incorporated into the language.

ADJOURN

Moved by Member Lynch:

Motion to adjourn.

The meeting adjourned at or about 7:30 PM.

Transcribed by Jane L. Schimpf, January 22, 2008

Date Approved: