

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, SEPTEMBER 22, 2025, AT 7:00 P.M.**

Mayor Fischer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith, Staudt, Thomas (*absent/excused*)

ALSO PRESENT: Victor Cardenas, City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 25-09-119 Moved by Casey, seconded by Smith; MOTION CARRIED: 6-0

To approve the agenda as presented.

Roll call vote on CM 25-09-119 **Yeas: Casey, Gurumurthy, Heintz, Smith, Staudt, and Fischer**
Nays: None
Absent: Thomas

PRESENTATIONS: None

PUBLIC HEARINGS: None

CITY MANAGER REPORT: None

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Gary Zack, 359 South Lake Dr., said he lives in the north end where there has been some ordinance enforcement going on. He said he had been written up for the fascia of his home, the board just below the top of the roof. He said he agrees it hasn't been stained in about 5 years, and he has not gotten to it recently, but he stained the whole front of the house last year, except the top piece because it takes a very big ladder. He said he got a notice saying he has to have it done in 30 days. He said that they have an all-wood house, not vinyl or fiber cement. He said he is a senior citizen, on a fixed income and prides himself on maintaining his own house. He said now he has this write up, and it feels a bit like nitpicking. He said the side of his house is in pretty good shape. He said an old wood house is kind of like a battleship or the mackinaw bridge. He said at any given time it is going to have some places where it needs a bit of paint. He said as a homeowner, he would like to prioritize the needs that he thinks are the most crucial period he said he had a rotted windowsill that the enforcement officers didn't see that he would like to fix. He said the fascia was not his biggest concern, but they gave him only 30 days to do it. He said the work he has done was not easy for a 72-year-old period he said what really bothers him is he has looked at the mess of an entrance to his neighborhood not for 30 days but 30 years plus. He said there are probably several ordinance violations there. He

said he's a little concerned that the long arm of the ordinance enforcement division is a little limited in its reach. He said he doesn't think that the source of blight in the neighborhood is his home. He referred to pavilion shores park and said if you look at the bottom of the columns, the stain is all worn off much more than it was on the top of his fascia. He said it needs to be redone. He said the city should be setting an example when they do this. He said he doesn't want to hear in 20 years that that building needs to be torn down because the beams have been rotted out. He said the island entrance to South Lake Dr. is also shabby looking. He said his house doesn't look bad compared to that. He said he has notified the City, and they can get in touch. He said there are a lot of things that need to be done on the north end, a lot of concerns such as truck traffic, speeding, passing, and aggressive driving. He said typically what they get are a lot of excuses instead of solutions for these things.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 25-09-120 Moved by Casey, seconded by Gurumurthy; MOTION CARRIED: 6-0

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 September 8, 2025 - Regular Meeting
- B. Approval of a Storm Drainage Facility Maintenance Easement Agreement for Avalon Pointe Office Center located on the south side of Eleven Mile Road west of Meadowbrook Road (parcel 50-22-23-229-024).
- C. Approval of a warranty deed to dedicate 35 feet of half-width right-of-way along the south side of Eleven Mile Road and acceptance of a sidewalk easement from Eleven Mile Avalon Association as part of Avalon Pointe Office Center (parcel 50- 22-23-229-024).
- D. Approval of a Sidewalk Easement for Goddard School on Cabot Drive located on the south side of Thirteen Mile Road west of Cabot Drive (parcel 50-22-12-200-050).
- E. Acceptance of a water main easement from the property owner of 22530 Napier Road (parcel 50-22-30-300-023) for construction of the Southwest Water Main Loop, in the amount of \$6,414.58.
- F. Enter Executive Session immediately following the regular meeting of September 22, 2025, in the Council Annex for the purpose of discussing union negotiations.
- G. Approval of claims and warrants – Warrant 1188

Roll call vote on CM 25-09-120

**Yeas: Gurumurthy, Heintz, Smith, Staudt,
 Fischer, Casey
Nays: None**

Absent: Thomas

MATTERS FOR COUNCIL ACTION:

1. **Consideration of approval of the final payment to Ajax Paving Industries, Inc. for the 2023 Capital Preventative Maintenance Program, in the amount of \$131,556.79, plus interest earned on retainage.**

CM 25-09-121 Moved by Smith, seconded by Casey: MOTION CARRIED: 6-0

Approval of the final payment to Ajax Paving Industries, Inc. for the 2023 Capital Preventative Maintenance Program, in the amount of \$131,556.79, plus interest earned on retainage.

Roll call vote on CM 25-09-121 **Yeas: Heintz, Smith, Staudt, Fischer, Casey, Gurumurthy**
Nays: None
Absent: Thomas

2. **Consideration of approval of resolution to authorize Budget Amendment #2026-1.**

City Manager Cardenas said these were all the capital items that were not completed in the prior fiscal year but finished in this fiscal year. He said these were any kind of rolling capital like the receiving of vehicles and other big-ticket items that needed to get done in the end of summer, beginning of fall.

CM 25-09-122 Moved by Casey, seconded by Gurmurthy: MOTION CARRIED 6-0

Approval of resolution to authorize Budget Amendment #2026-1.

Roll call vote on CM 25-09-122 **Yeas: Smith, Staudt, Fischer, Casey, Gurumurthy, Heintz**
Nays: None
Absent: Thomas

3. **Consideration of a Preliminary Site Plan request for Twelve Mile Townes with a PD2 option, a Special Land Use permit, Wetland Permit, and Storm Water Management plan.**

City Manager Cardenas said they are looking at 125 town homes, which is a reduction from the 174 previously approved for The Griffin. He said it is 16.37 acres northeast of 12 oaks mall. He said he believes all the units will have a 2-car-garage and building design will be similar to those constructed on Main Street, east of Novi Rd.

Matt Delapp, General Manager at Singh Development, said they are seeking approval for the Twelve Mile Town projects. He said the project is located on the south side of 12

Mile Road between Novi and Meadowbrook. He said they are proposing 125 town home units. He said the property is zoned regional commercial, RC, but they are using the PD2 overlay for this application. He said amenities within the community include sidewalks, including a sidewalk that connects down to the 12 Oaks Mall area, community sidewalks, and pocket parks with public seating and landscaping. He said the facades are materially similar to the town homes being constructed at Main Street. He said they are composed of high-quality building materials such as fiber, cement siding, manufactured stone, brick and metal roofs. He said they will all include a two-car garage, will start at three bedrooms, two and a half bathrooms with options to increase the square footage ranging from 2,000 to 2,500 sq ft. He said in addition to the Planning Commission's recommendation for approval, they have all of the core staff department's recommendations for approval as well. He thanked the Council for their time and consideration on the project.

Councilmember Gurumurthy said her understanding is that this was approved in 2022, and then it was extended through March 2025, and now there is a new plan. She asked what the reasoning was that nothing for the project was started based on the original plan. Mr. Delapp said the climate from 2020 onwards was very volatile. He said the market conditions changed substantially from the time the project was conceptualized to the time when they were able to actually start building it. He said mainly construction materials substantially increased as well as lending costs. He said they didn't believe it was economical for them to start that project and be able to get the rents that they thought were necessary in the area for a successful multi-family rental project. Member Gurumurthy said she does see that it's changed now. She said the best part of this plan is that the density has been reduced from 174 to 125. She asked if everything went well when they planned to start the project. Mr. Delapp said they would like to start development potentially as early as next year. He said it is a project they would like to get moving on quickly. He said obviously things have changed, so he can't guarantee that timeline. He said they do feel the market is right to start this project soon. Member Gurumurthy said she understands that the project didn't start because of inflation and the economy. She said one thing she noted was that the plan is all third-floor bedrooms, and that the Council always looks for first floor living. She asked if there was a plan to incorporate first-floor living. Mr. Delapp said not with those plans. He said they agree that it is a big need, particularly in the City of Novi. He said with that property, because it is zoned RC and they are using the PD2 option, which allows for standalone multifamily, it is difficult to comply with those standards and get a wide enough footprint to build single family master plans in an efficient manner. He said they didn't feel that it was right for that property, but they do agree and acknowledge that there is a need for that, and they are incorporating that into other products they have within the city. Member Gurumurthy said her request would be that they look into this plan and see if they can accommodate, because it is a location that people would look to essentially downsize at. She said she is sure it would reduce the density but absolutely look for at least a few units to have first floor living. She said she also saw that there is no woodland impact and very minimal wetland impact, and said that is a good sign. She said the one thing that stood out from the Planning Commission discussion very much was safety. She said to help her understand, every house has garages and then two vehicles can park on the

driveway, but there is no parking on the streets because of the fire lane. She said that means they have to go off street, where there are four to five parking spots on the north and south or east and west sides. She said when someone has an event, they are going to have more people come to their houses. She said she would request to look for more parking for the off-street areas that can be used in terms of anything the residents want to do. Mr. Delapp said they understand and acknowledge getting that feedback from the Planning Commission. He said they understand the concern completely and are trying to look at the ordinance and see how the site plan compares to that. He said the reason they didn't add any additional parking between now and then is they have more than exceeded the parking ordinance requirements. He said they are required to provide 2 1/2 spaces per unit, which is 313 spaces, and they have provided 510, so they are at 163% of the required parking. He said while they acknowledge the potential concern for people having large parties and that sort of thing, they don't know where the standard is that they are being held to. He said they felt that they had more than met the ordinance and could look to add a few spaces here and there he said they don't know if that would be sufficient, because they've already exceeded the ordinance by so much. He asked Member Gurumurthy how many more spaces they should be looking to add and if they'd be able to get potential deviations to fit those spaces closer to some of the buildings than they would be allowed to otherwise. Member Gurumurthy said that this is something she would recommend working with the City team as they are the experts. She said she would ask to work with the chain and see where and how they can possibly change or balance the parking spaces so that they have more in the off-street parking. Member Gurumurthy said she would like to see where they are planning to put the pocket parks in terms of the open spaces and asked if they have a layout. Mr. Delapp provided a layout and said the green highlighted areas are the pocket parks and the squares cut out are for seating areas. He said there is one on the western side of the street as well as another large one. Member Gurumurthy said the last comment she had was in regard to sidewalks. She said she said there was a sidewalk on the east side that goes to the mall, but not one of the west sides going to the mall and asked if there was a reason. Mr. Delapp said there is a crosswalk, so it would be redundant arguably to have sidewalks on both sides of the street. He said there is also no sidewalk once they get to the mall, so there is nothing to connect to. He said they thought that one would be sufficient if there was existing sidewalk around the mall drive. He said maybe it would have made sense to have it on two sides, but they felt that they met the intent of what staff wanted them to incorporate by including the one path with the crosswalk.

Member Smith said there was a lot about this that he likes. He said it is less dense, has minimal impact on wetlands, and zero impact to protected trees. He said there is a request for a conservation easement on the remaining wetlands, which he hopes can be worked out. He said one thing to think about isn't first floor living space, but a no stair living space. He said, if it is a possibility, to add elevators to some of the units so that people can get to their living area from the garage, that would be great. Mr. Delapp said he thinks that's a good solution to building accessible plans on a small footprint. Member Smith said he'd like to see some solar panels on the roof. He said Consumers Energy are working on pilot programs for shared in ground heat exchangers for heat pumps as well. He said he would like to see some really innovative ways to save energy

in the new buildings as they will be there for 30-50 years at the least. He said to plan for the future.

Mayor Pro Tem Casey asked City Attorney Schultz after going through the Planning Commission and coming to City Council for special land use, if this item will come back in front of the Council. She asked who has the final site plan approval. City Attorney Schultz said the Council would approve the special land use and the site plan at the meeting. He said the item has been to the Planning Commission, and the public hearing has been held. He said after this, any site plan will be administrative. He said this is the Council's opportunity to review the plan and give their determination. Mayor Pro Tem Casey said she compared this plan to The Griffin, and what struck her initially was a reference to a ZBA setback that she doesn't feel they heard about with The Griffin. She asked Lindsay Bell, Senior Planner, to give a bit of background as to why they are talking about this now versus before and what the real impact is to the development. Ms. Bell said The Griffin Plan was mostly apartment units, four to five story buildings and were set back further. She said that complied with the deed restriction and the ZBA condition imposed. She said when Waltonwood phase 2 was being added, that's when they went to seek that variance for a deficiency of 14 feet in the building setback. She said she wasn't sure why at that time, but the ZBA imposed a condition in granting the variance for the extra setback on the adjacent property. Mayor Pro Tem Casey said she doesn't think they've ever seen anything like this in front of the Council where the ZBA has put that type of requirement on a future development per se. She said she recognizes that it is the same landowner in the entire case, but it feels odd. She said she understands the expectation to be that the applicant would go back to the ZBA and hopefully the ZBA is willing to grant that variance. She said if not, the applicant has to make the changes to meet the variance and then they see it again. She asked if that was how this would work. Ms. Bell said that was her understanding. City Attorney Schultz said that would be the idea. He said either the applicant complies with the ZBA determination, whatever it is, or theoretically could always challenge it. Mayor Pro Tem Casey asked if the 40-foot setback for the closest buildings is for both sets of buildings, both the east and west side. Ms. Bell provided guidance via the projector and plan map referencing the 6 of 10 buildings affected. Mayor Pro Tem Casey asked what kind of screening is being Provided between Waltonwood and those specific units in particular. Ms. Bell said the Waltonwood side has an existing berm and some quite mature Evergreen trees. She said there is a whole line of them along there and that they would remain. She said she believes there to be three additional rows of pretty dense plantings as well between the sidewalk and their property line. Mayor Pro Tem Casey said in terms of building height comparisons Waltonwood is a 2-story, and now they are talking about a 3-story building behind them where there are senior resident apartments. She asked if the floors would be fairly parallel as far as second floor to 2nd floor or what the comparison is with the changes of the grade. Ms. Bell said it does go up on this building probably about 9 or 10 feet, so the new units are going to start at a level that is 9 to 10 feet higher than the ones at Waltonwood. She said they are going to have some downward angle views out of the newer buildings versus straight across. Mayor Pro Tem Casey said that the applicant has heard from a few other Councilmembers regarding first floor living. She said that it is an absolute need in this city and asks for understanding that maybe the designs are not appropriate, because

they're trying to put garages in and that bedrooms and kitchens will not be on the same level. She said this is really a gap in the city and hopefully they will continue to start to see more opportunities where developers are bringing in first floor living. She said it does not to be single housing. She said it is first floor living and then guest bedrooms and everything on a next level up. She said another thing she would like to echo is the feedback both from the Planning Commission and from colleagues that spoke regarding street parking. She asked Ms. Bell if she could discuss the width of the street that would enable street parking. Lindsey bell said with a 28-foot street, you could have one side with parking on it. She said she believes the central artery would be a 28-foot street, and it does not have the garages for the driveways that these streets have at a width of only 24 feet. She said you can't park on a 24-foot street even if they made it wider, they have all of the driveway openings which would prohibit it. Mayor Pro Tem Casey said she heard the applicants comment about providing more parking spaces than required by the ordinance. She said, however, that she thinks the feedback from the Planning Commission and from the Council is that it is great on a normal course of business, but if the residents have people over, they are expecting to have to shuttle them either to the few parking spaces that are in the property or shuttle them to the mall. She said that's where they have the ability to park. She asked the applicant if they would be open to considering striping the main thoroughfare to put on street parking on one side and enable more on-street parking. Mr. Delapp said they did look at some alternatives to add additional parking. He said they were concerned about widening roads, what it will do to existing locations of buildings, losing units, etcetera. He said they did find some places where they could get 10 additional guest parking spaces, but they would be required to be located a bit closer to the buildings than what the ordinance allows. He said he doesn't know if 10 is a number that the Council is comfortable with, but it is doubling the number of guest parking spaces they have now, and he can say for certain that that is something they are willing to do. He said that would require a deviation in the setback from the building to the parking lots. Mayor Pro Tem Casey asked if they were thinking they would put an additional parking lot. Mr. Delapp said the parking lot that they have would be expanded and then they would add another one. He said the ordinance requirement is 25 feet. He said there needs to be from the building to the parking lot and the closest one with this plane would be 17 feet. Mayor Pro Tem Casey asked if they looked at putting on street parking in the road with Bishop Bridge Rd. being 28 feet and not segregating parking onto a handful of smaller parking lots. Mr. Delapp said that is something they have not considered as of yet but considering that the road is 28 feet wide, they may talk about the feasibility. Jason Rickard, Land Development Specialist at Seiber Keast, said He thinks the big thing is that the main road coming in is 28 feet which Ms. Bell pointed out is acceptable. He said they would have to have parking on one side, and he would highly recommend that they do not stripe it because they have very tight spaces when they do it that way. He said it would really be more so that they don't want to encourage that kind of parking, plus it's the main entrance to the community so it would be a lot of traffic there. He said having people park along the main road there's obviously a part of the ordinances where they're not supposed to be putting parking on the main drive. He said they are supposed to be putting them in secondary drives. He said to get those parking spots that are safer, he believes what Mr. Delapp is saying is adding additional parking throughout the community with the deviation on the closest buildings would be the best solution for

safety and for additional parking. Mayor Pro Tem Casey asked Ms. Bell, and City Planner McBeth if they would be opening to entertaining that deviation to put in additional parking if it was 17 feet versus 25 feet to the building. Ms. Bell said they could look into the specific locations but have supported that deviation in other cases so she believes they would be open to it if it is the desire of the Council to have a greater number of parking spaces. Mayor Pro Tem Casey asked the applicant if there is a sub street going into Waltonwood, or if that is expected to be an actual road for people that can come and go from the Townes into Waltonwood. Mr. Delapp said no, they are not connected. Mayor Pro Tem Casey asked if the stop on the map that connects to Waltonwood is meant to be an emergency access road or an ingress and egress. Mr. Delapp said that is an ingress and egress. He said the existing entrance to Waltonwood is at that location. He said what they are doing is relocating it for this community and teeing off for Waltonwood to make it more private, so it does not act as an access road. Mayor Pro Tem Casey asked if they have an idea of what the market rate will be for these units. Mr. Delapp said Possibly starting in the low 5 hundreds maybe the high 4 hundreds depending on what construction costs are looking like at the time they are selling the units themselves. Mayor Pro Tem Casey asked if they expected that their average homeowner would be a young family. Mr. Delapp said yes, a younger demographic as townhomes are appealing to younger families. He said there are limitations in terms of growth so they could also attract young professionals as well as they are a bit more affordable than a larger single-family home. He said it's a great location being in the commercial district with access to the highway. He said he does believe it overall will be a younger demographic that is more attracted to these products. Mayor Pro Tem Casey said she would be interested to hear from the other council members about their position on the parking, because she would be open to putting a requirement in and possibly opening the door for conversation about a deviation to add additional parking spaces, because she believes it is a real concern in this area when it comes to the screening against Waltonwood. She said she believes they have sufficient depth but would also like to encourage looking at the height, because she questions how close they are in terms of the new units to the backside of Waltonwood. She said she's curious to understand how the sight lines go. She said looking into her trees would definitely not be a miss for her period she said she thinks generally the feedback the applicant heard about the environmental management they are doing is great in terms of the wetlands and The Woodlands. She said she thinks the idea they have change the density and reduce the density which is fantastic. She said she likes the idea that these are for sale and not for rent. She said that is a pretty big change from The Griffin as well because those were apartments and rentals. She said the two concerns that are laid out are the parking and the screening between this development and the Waltonwood development that are significant to her.

Member Heintz said he supports the conservation easement approach and hopes to hear what comes in terms of expressing an interest in sustainable options whether that be solar panels or anything alike. He said he definitely wants to encourage the applicant to try to do that throughout the development process. He said as far as tree selection he understands that they got about 51% of the native trees, but anytime they can do more of that natural and native approach supporting changing the area would be a great

look. He said in addition to the southern boundary that was discussed it caught his eye having close proximity to the Waltonwood development. He said he would like to stress his interest in making sure there is a sufficient buffer and boundary between the proposed development and the existing one. He said the old proposal and this one has less density. He said overall if they are able to have the proper height of trees and density of the trees hopefully, they can have the boundary to make sure everyone has a proper buffer. He said this stems from a variety of different conversations in the Council Chambers from people complaining about setbacks and things alike. He said they are looking forward for whatever production of noise may be generated. He said he is most interested in the thoughtful development piece rather than the parking.

Mayor Fischer said He's one of the few people at the table who didn't support The Griffin. He said he is excited to see some of the changes that were mentioned here, some of the lower density. He said he thinks the owner occupied makes a little bit more sense in this area. He said he is a little less concerned about some of the sightline issues that have been brought up. He said he believes that can be addressed through proper landscaping. He said something tells him that given Singh is developing the new property and already owns Waltonwood he thinks it would be very smart and incumbent upon them to make sure that their current residents and Waltonwood are very happy. He said he does heed the advice of parking. He said he has lived in a community very similar to this where when you have parties it causes a lot of consternation. He said he certainly understands the double-edged sword they have described in the fact that they all already have met the requirement, yet they are being told to add more. He said he liked the proposal that was given as far as trying to fit a few more spots through a sort of variance deviation he said given that he is not in favor of the on-street parking. He said he thinks that if that is a major thoroughfare that starts to become a safety concern if it is trying to be loaded with cars all the time. He said he could see that becoming a destination for people who actually lived there to park as well as in the nearby units thus basically rendering that spot useless for visitors. He said he likes the idea of adding a couple spots throughout but overall if there were to be a motion today to approve some of the recommendations for the parking specifically, he would be in favor.

Mayor Pro Tem Casey asked City Attorney Schultz if she were to add language to the motion that would direct the applicant to add additional parking spaces in specific areas in their lot, including working with staff on deviations, how she might do that. City Attorney Schultz said when she makes the first motion, add it as a new number 9.

CM 25-09-123 Moved by Casey, seconded by Gurumurthy: MOTION CARRIED 6-0

**Approval at the request of Singh Development LLC for JSP 25-03
Twelve Mile Townes, for Special Land Use permit based on and
subject to the following:**

- 1. The proposed use will not cause detrimental impact on existing thoroughfares (based on Traffic review);**

2. The proposed use will not cause a detrimental impact on the capabilities of public services and facilities *(based on Engineering review)*;
3. The proposed use is compatible with the natural features and characteristics of the land *(because there are no regulated woodlands on site, and minimal impacts to wetland areas are proposed)*;
4. The proposed use is compatible with adjacent uses of land *(because the proposed use is similar to the residential community to the south and complements other nearby uses)*;
5. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use *(as it fulfills the Master Plan objectives to provide a wide range of housing options and to provide residential developments that support healthy lifestyles)*;
6. The proposed use will promote the use of land in a socially and economically desirable manner *(as it fulfills one of the Master Plan objectives to ensure compatibility between residential and non-residential developments)*;
7. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located;
8. This motion and these findings are further subject to the City Council also approving the Preliminary Site Plan, and in the event a plan is not approved, the special land use granted herein shall be null and void.
9. Include additional parking spaces in lots scattered in the development, and work with City Staff to manage any deviations that come from that decision including the evaluation and determination of deviations with City Staff.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance, subject to Preliminary Site Plan approval as required by ordinance.

Roll call vote on CM 25-09-123

Yeas: Staudt, Fischer, Casey, Gurumurthy,
Heintz, Smith

Nays: None

Absent: Thomas

CM 25-09-124

Moved by Casey, seconded by Gurumurthy: MOTION CARRIED 6-0

Approval at the request of Singh Development LLC for JSP 25-03 Twelve Mile Townes for Preliminary Site Plan with a PD-2 Option, Wetland Permit and Stormwater Management Plan, based on and subject to the following:

1. Findings that the standards of Section 3.31.4 of the Zoning Ordinance are adequately addressed, as identified in the Planning Review Letter;
2. Findings that the standards of Section 3.31.7.B.viii.d of the Zoning Ordinance are adequately addressed, as identified in the Planning Review Letter.
3. City Council approval of the following ordinance deviations:
 - i. Deviation from Section 3.31.7.D for not meeting the minimum building setback requirements for front yard (Twelve Mile frontage). A minimum of 50 feet is required; 20 feet is provided. *The standard setbacks of the district are for a more suburban style of development, and the deviations would be consistent with a more urban development as they propose.*
 - ii. Deviation from Section 3.31.7.D for not meeting the minimum building setback requirements for the exterior side yard (Twelve Oaks Mall Road frontage). A minimum of 50 feet is required; 30 feet is provided. *The setbacks of the district are for a more suburban style of development, and the deviations would be consistent with a more urban development as they propose.*
 - iii. Deviation from Section 3.31.7.D for not meeting the minimum building setback requirements for the eastern side yard. A minimum of 35 feet is required, 20 feet is provided. *The setbacks of the district are for a more suburban style of development, and the deviations would be consistent with a more urban development as they propose.*
 - iv. Deviation from Section 3.6.2.H for not meeting the requirement for additional setback from a residential district to the south. A minimum of 111 feet is required for a building 37 feet in height, 40 feet is provided. *This deviation is supported as the uses are both multi-family residential and the additional protection afforded by the larger setback is not warranted. However, the ZBA granted conditional approval for a setback variance for the Waltonwood Phase 2 in 2003 that stated any building on the subject property would be a minimum of 150 feet from those buildings. The applicant will need to seek ZBA's amendment of the previous conditions of approval and amend the deed restriction that was placed on the property prior to Final Site Plan approval.*
 - v. Deviation from Section 3.8.2.H to allow a reduction in the minimum distance between buildings (20 feet proposed, at

- least 30 feet required), *as the layout seeks to optimize the space to maintain adequate open space and circulation.*
- vi. Deviation from Section 3.31.7.B.viii.b.xi for the lack of sidewalk on the west side of Twelve Oaks Mall Road south of the entrance, and on the south side of Bishop Drive as shown on the plan.
 - vii. Deviation from Sec. 5.10.1.B to allow perpendicular parking along a Major Drive. There are 4 spaces proposed on the west side of the project along Bishop Road, which is anticipated to have low traffic volume.
 - viii. Landscape deviation from Section 5.5.3.B.ii and iii for lack of 4.5-6 foot landscaped berm along eastern property line. *Supported by staff as alternative screening is provided with six-foot fencing.*
 - ix. Landscape deviation from Section 5.5.3.B.ii and iii for lack of berm or wall in the greenbelt of Twelve Mile Road for the western 616 feet, *to preserve the existing vegetation in the area that is not being developed.*
 - x. Landscape deviation from Section 5.5.3.B.ii and iii for deficiency in street trees on Twelve Oaks Drive north of the entry drives on the west side, *due to utility conflicts and lack of space between curb and sidewalk.*
 - xi. Landscape deviation from Section 5.5.3.B.ii and iii for deficiency in street trees on Twelve Mile Road for the western part of the site, *due to utility conflicts.*
 - xii. Façade deviations from Section 5.15 for an underage of brick on the rear facades of the high-visibility buildings (25% proposed, 30% required), and an underage of brick on all facades of the standard visibility buildings (23-28% proposed, 30% required), *as the deviation is minor in nature and not detrimental to the aesthetic quality. No vinyl siding is permitted.*
 - xiii. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

The City Council's approval of the deviations listed above includes the following findings:

- A. ***That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest;***
- B. ***That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;***
- C. ***That the proposed deviation would not be detrimental to the natural features and resources of the affected property and***

surrounding area, or would enhance or preserve such natural features and resources;

D. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic; and

E. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance, and with Chapters 11 and 12 of the Code of Ordinances, and all other applicable provisions of the Ordinance.

Roll call vote on CM 25-09-124

Yeas: Fischer, Casey, Gurumurthy, Heintz, Smith, Staudt

Nays: None

Absent: Thomas

4. Consideration of tentative approval of Mariella Estates, a 10-lot single family development, located north of Eight Mile Road, west of Garfield Road, to include a Zoning Map Amendment rezoning from Residential Acreage to R-1 with a Planned Rezoning Overlay. FIRST READING

City Manager Cardenas said the City Council initially saw this proposal back in May, and the Planning Commission then recommended this for a formal PRO plan approval back in August. He said this is a 10-lot proposal located on Eight Mile Rd. on 9.4 acres allowing developments in the R1 district.

Bill Anderson, Atwell Development Consultants, said as indicated they appeared before the Council in May and have made modifications to their proposal. He said they are proposing a small luxury residential community on Eight Mile Rd. He said all consultants, staff, and Planning Commission have seen the proposal and recommended approval. He said the subject property is about 9.4 acres surrounded by two existing communities. He said both of them of similar lot size at half an acre. He said those were done under an RUD proposal. He said their proposal is a PRO, but the lot sizes are consistent with the surrounding communities down Eight Mile. He said their proposed plan is 10 single family homes, half acre lots, just over 1 unit in acre effectively. He said from the planned highlights they have significant open space. He said they have about 28% open space and a perimeter buffer around the entire development. He said they have nice frontage set back off of Eight Mile. He said it's going to feel nice driving along eight mile and coming into the community and they are excited about it. He said again, large active open space 0.75 acres as you come into the development on the right. He said it is going to be a gated community, and they are proposing having a little mailbox kiosk and a bench at the north end of a little park for daily pickup and such. He said briefly on the public benefits this is one of the bigger discussions. He said they were initially going to make improvements to a crosswalk on Eight Mile with close proximity to their community

and possibly make some improvements to get across the street to Mayberry Park. He said after further discussions with staff and feedback from the Council, they have met with the Parks Department, and they have decided to make a monetary contribution to ITC Park. He said they added another 40 acres to ITC, so they have some design work that needs to be done and there is another list of improvements they would like to see such as resurfacing a basketball court and adding some walkways. He said another additional benefit they are proposing is a conservation easement over the existing wetland. He said they have an existing wetland in the southeast corner which is a nice natural feature. He said it is not regulated or anything, but they are looking to have a conservation easement over it. He said they have perimeter buffer landscape as well. He said as far as the conservation easement, it is not state regulated, but it is a nice sight feature, and they are proposing to preserve the wetland. He said they moved lot 1 physically out of the wetland so that the homeowner will not have access. He said they were going to put a boulder wall in signage right at the buffer, the 25-foot point, and put the conservation easement over both the wetland in the buffer so that the wetland will be preserved in perpetuity there as part of the development. He said this will be a luxury community and they are excited about it. He said he worked with the gentleman, and they did a nice development in Northville Township years ago off Seven Mile, Bella Vista, with beautiful homes there. He said he thinks they will be very pleased when this development gets to the City of Novi.

Mayor Pro Tem Casey asked if they had an idea about how large the footprint of the home will be and if they are talking 5,000 to 6,000 square feet. Mr. Anderson nodded, yes. Mayor Pro Tem Casey asked if they could discuss the screening between this development and the one to the north and what kind of trees they are talking about placing, and the depth with the trees. She said she is genuinely concerned about screening between developments as they go in. Mr. Anderson said they are proposing a 25-foot buffer in addition to the size of the lot. He said he thinks they have about 70 trees that they will be supplementing along the perimeter as well. He said it will be a lush perimeter development to development when they are done. Mayor Pro Tem Casey said that obviously benefits the future residents and everybody else as well. She said everyone loves their neighbor but doesn't necessarily want to see them all day. She said that it sounds fantastic. She said she was pleased with the decision to keep the wetlands, even if it is not regulated, but to keep it and to protect it with the conservation easement. She said she thinks that it really adds more to the development itself, and she is glad to see them move away from the crosswalk across Eight Mile. She said she expressed concerns last time about the speed of the road and having pedestrians trying to cross the road without any kind of productive pedestrian island or anything alike. She said she's pleased with what the developers have come back with period she said she believes this will be a nice ad to the community.

Member Heintz said It seems like the developers put a lot of thought and effort into the natural emphasis with more significant open space, the wetlands, the conservation easement and everything else proposed. He said it seems like it fits in nicely, especially with it being across from a State Park. He said he recognizes people's interests in living in a location like that. He said he appreciates the thoughtfulness gone into it.

Member Smith said he appreciates the open space they are keeping. He said he grew up in a neighborhood that had something similar, and it was a great place to go. He said the conservation easement was good. He said he would like to know how they are going above and beyond the basics for energy conservation. He said it is assumed that they are meeting the code for insulation, has double pane windows, but is there anything else they are doing to go above and beyond other than minimizing pavement. Mr. Anderson said he hasn't directed anything necessarily for the homes. He said he knows people vary on their desire for solar. He said it is a low-density development, which reduces heat and fraction. He said he doesn't have anything other than the green area. He said they are using best management practices on all the stormwater drains. He said as far as energy conservation, he doesn't have anything particular for the proposal. Member Smith asked if they could get fiber into the area. Mr. Anderson said yes. Member Smith asked if that will be built into the subdivision or into the development. Mr. Anderson said yes, into the subdivision.

Member Gurumurthy said the last time this was proposed it was not clear in terms of the wetlands. She said she appreciates what they have delineated and that the wetland is preserved. She said she also appreciates doing the buffer, and doing everything to make sure it is consistent with other developments.

Member Staudt said it is always great to see single family homes built in Novi. He said we don't quite see as many as we used to. He said he would assume, for the purposes of the folks that are west of the development, that these homes are going to start at least \$1.2 to \$1.5 million in probably go up. Mr. Anderson said that is a fair guess. Member Staudt said the only reason he says that is because he knows many of the homes to the west start in the 1.5 million range. He said he wants them to be comfortable to know it will not cause property values to go down. He said he doesn't believe that these custom-built homes will have any effect on their property values. He said thank you for bringing a nice development to Novi, and that he will be supporting it.

Mayor Fischer said It is not often that the Council doesn't feel like they are trying to jam 10 pounds of stuff into an 8-pound bag. He said he thinks the developers haven't asked for too much, and it was a very fair presentation and fair request. He said he looks forward to supporting this. He asked City Attorney Schultz, regarding the public benefit, were there other situations where cash has been a contribution that has been offered. He said he didn't think that was the spirit or intent of the ordinance in the PRO process. City Attorney Schultz said something may have been lost in the translation with the developer. He said the City is not asking for \$40,000. He said it will not be listed in the PRO agreement as one of the public benefits, because it is not related to the development and this is typically the connection that they need to make. He said he thinks it's great and he is happy that developer has offered \$40,000. He said that it is not a part of the motion to approve the development, and it isn't really a proper consideration under this set of circumstances here. Mayor Fischer said that between the open space, the conservation easement, and a lot of what they have done in the development itself he finds there to be them meeting the intent of some of the public benefit. He said the contribution related

to ITC Park, which is something they can work out with City staff directly. It is not something that the Council considers as part of this approval process. He said he believes the plan stands on its own. He said as he mentioned before it is a very nice development and he looks forward to seeing it come to fruition.

CM 25-09-125 Moved by Casey, seconded by Gurmurthy: MOTION CARRIED: 6-0

Tentative indication that Council may approve the request for Mariella Estates JZ24-43 with Zoning Map Amendment 18.750, to rezone from Residential Acreage to R-1 subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, FIRST READING, and direction to the City Attorney to prepare the PRO Agreement including items A through C:

A. All deviations from the ordinance requirements shall be identified and included in PRO Agreement, including:

- 1. A Zoning Ordinance deviation from Section 3.1.2.D to reduce the required lot width for lots 4 and 5 to 98 feet (120 feet required). The deviation is requested for the two pie-shaped lots near the corner of the road. These lots still provide adequate space for the intended housing product, are the two largest lots proposed, and exceed the R-1 minimum lot area requirements for over 10,000 square feet and 5,000 square feet respectively.**
- 2. Design and Construction Standards deviation (Code of Ordinances, Sec. 11-194.b.2) for proposed street with 90-foot centerline radius (230-foot radius standard). This does not provide a safety concern given the short distance of the road, the low travel speed, and the minimal traffic volumes expected with 10 homes.**

B. The following conditions shall be requirements of the PRO Agreement:

- 1. The use is limited to a maximum of 10 single family lots, with the lot layout as shown in the PRO Plan.**
- 2. The overall density shall not exceed 1.07 dwelling units per acre.**
- 3. The small wetland area in southeast corner of site shall be preserved. As the applicant indicates in their response letter, a conservation easement will be placed over the wetland and buffer prior to construction. Lot 1 shall include**

buffer delineation and signage to prevent encroachment/mowing/removal of vegetation.

- 4. A minimum 25-foot perimeter landscape buffer shall be maintained from the individual lots to the property boundary.**
- 5. The proposed open space (28%) as shown in the PRO Plan shall be preserved in an easement, as this represents an enhancement beyond what is typically required for an R-1 district.**

C. This motion is made because the proposed R-1 zoning district is a reasonable alternative to the density recommended in the Future Land Use Map, and fulfills the intent of the Master Plan for Land Use, and because of the site specific development features that will result in an overall benefit to the public that outweighs any detrimental impacts of the project:

- 1. The additional homes allowed under the new R-1 District designation will not detract from the project area and, given the anticipated quality of the custom homes, the development generally will be an enhancement to the project area.**
- 2. The amount of open space on the site and the landscaped buffers mirror what has been provided in recent adjacent developments and exceed what can be required in the R-1 District.**
- 3. The preservation of the wetland area is beneficial to the environment, providing aesthetic, habitat, and stormwater functions.**
- 4. The project as a whole is in the public interest.**

Roll call vote on CM 25-09-125

Yeas: Casey, Gorumurthy, Heintz, Smith, Staudt, Fischer

Nays: None

Absent: Thomas

- 5. Consideration of recommendation from the Finance and Administration Committee (FAC) to authorize Plante Moran Realpoint to begin negotiations with both firms who appeared before them at their September 15th meeting to provide design and related services for the Police and Fire Facilities building project.**

City Manager Cardenas said the motion summarizes what the Council did last week with respect to giving the okay for Plante Moran to proceed with the ultimate goal of bringing this back to Council on the October 6th meeting with a contract for consideration.

Mayor Fischer said, to elaborate on the process, the City staff and Realpoint went out and solicited about seven different RFP's. He said the staff went through and identified four that they brought in to interview with staff and Realpoint and were able to narrow that down to two firms. He said the Finance and Administration Committee was able to see a presentation and ask questions as well. He said the committee found both firms to be more than adequate to meet the needs of what they were looking for. He said the committee thought what would be best in order to make sure that they are being good stewards of taxpayer dollars is to have real point talk with both firms, and have them sharpen their pencils and come back with a proposal of firm one or two doing the whole thing or some kind of permutation of different buildings, which drives the most efficient architecture and engineering process. He said that was the proposal from the Finance Committee, and what they are looking for to authorize and do tonight.

CM 25-09-126 Moved by Staudt, seconded by Casey: MOTION CARRIED: 6-0

Approval of the recommendation from the Finance and Administration Committee that City Council authorize Plante Moran Realpoint to continue negotiations with both of the architecture/engineering firms interviewed (HED and DLZ) for the Public Safety Facilities building project to prepare a final form of an agreement, or agreements, for consideration by City Council at its October 6, 2025 meeting, with the understanding that at that meeting and depending on the result of the negotiations PMR may recommend either a single agreement with one of the two firms or may recommend splitting the project between the two firms.

Member Smith said DLZ's proposal had good information on their lead ability to do lead design. He said HED was a little bit lacking in that, and he doesn't know if that was an omission or if they really don't have the staff to handle it, but he would like to hopefully see that when they come next time.

Roll call vote on CM 25-09-126

**Yeas: Gurumurthy, Heintz, Smith, Staudt,
Fischer, Casey**

Nays: None

Absent: Thomas

CONSENT AGENDA REMOVALS: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

1. Finance & Administration Committee - Mayor Fischer

Mayor Fischer said the finance and administration committee update was provided with matter for action #5.

MAYOR AND COUNCIL ISSUES: None

COMMUNICATIONS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:03 P.M.

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Cortney Hanson, City Clerk

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Transcribed by Alyssa Craigie,
Administrative Assistant

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Justin Fischer, Mayor

Date approved: October 6, 2025