



## CITY OF NOVI CITY COUNCIL NOVEMBER 25, 2024

**SUBJECT:** Consideration of tentative approval of Sakura East JZ23-41 with Zoning Map Amendment 18.743, to rezone from Light Industrial to Town Center One with a Planned Rezoning Overlay (PRO).

**SUBMITTING DEPARTMENT:** Community Development, Planning

**KEY HIGHLIGHTS:**

- Rezoning 3.5 acres in transitional area near Novi Town Center.
- The applicant is proposing to develop a 45-unit multiple-family townhome development.
- Activating a long-vacant parcels in proximity to Sakura Novi development.
- Public benefit offered is design and construction of a pocket park/wetland overlook on the City parcel to the west.
- Council's initial consideration of the PRO was on February 5, 2024; the plans have since been modified to provide the wetland overlook on the adjacent City property.
- Planning Commission recommended approval of the PRO Plan on October 16, 2024.

**BACKGROUND INFORMATION:**

The petitioner is requesting a Zoning Map Amendment for approximately 3.5 acres of property on the south side of Eleven Mile Road, west of Meadowbrook Road (Section 23). The applicant is proposing to rezone property from Light Industrial (I-1) to Town Center One (TC-1) using the City's Planned Rezoning Overlay (PRO) option.

The Future Land Use Map identifies this vacant property and those to the west and south as Town Center Gateway. Land to the east and north of the subject property is indicated for Industrial Research Development Technology on the Future Land Use Map. The subject parcel and all parcels surrounding it are zoned Light Industrial (I-1), which reflects the historic development pattern of this area. North of the property is the City's Department of Public Works complex. To the east and northeast of the property are office buildings. The parcel to the south is owned by Verizon and has a large cell tower on it but is otherwise vacant. To the west is a large city-owned parcel with a wetland area.

The formal PRO Concept Plan proposes a 45-unit multiple-family townhome development, which was reduced from 52 on their original plan. The single entrance to the development would be from 11 Mile Road, with an emergency only access connection to the parcel on the east. Parking is provided in garages, on the garage aprons, and a few small bays of surface parking for guests.

The Town Center districts require development amenities to be provided, which have been added to the plans. There are three gathering spaces: one multi-purpose field, one open space area between the buildings, and one area with outdoor furniture, grill and a firepit on the west side. The plan exceeds the requirements for both general open space and usable open space by a significant amount. There are also no impacts to the existing wetland area.

Landscaping was previously a concern, but the applicant has addressed those issues, and the plan now meets the ordinance requirements for number of landscaping trees.

Based on City Council's suggestion during the initial review on February 5, 2024 (minutes attached), the applicant is proposing to design and construct a wetland overlook amenity on the City's wetland property as a public benefit. The concept drawing shows a crushed granite pathway from the 11 Mile Road public sidewalk to a wider area overlooking the pond with benches, accent boulders, a stone retaining wall with a guardrail, and landscaping on either the east or west side of the pond. The City's Parks and Recreation Director has expressed an interest in having the overlook in the area east of the wetland so that in the future this could be expanded to create a larger park area.

The applicant's consultant identified Site "A" on the west side of the pond as the preferred location for the overlook based on views to the open water and minimal impact to gain access to the proposed pond overlook. The applicant's concern that placing the amenity on the east side (Site "B"), it would be less visible and potentially less secure due to lack of visibility. Site "A" is also more readily accessible from the existing public sidewalk along 11 Mile Road. The suggested motion includes the amenity being provided on the **east** side of the pond (Site B), with an expectation that similar amenities would be provided on a revised plan for that area, as recommended by the City's Parks and Recreation Director.

Rezoning to the TC-1 category would permit the use proposed, however that zoning district is not in compliance with the current Master Plan designation as TC Gateway. The corresponding Gateway East district is intended as a transitional zoning into the Town Center area, allowing office, retail, financial, and restaurant uses as principle permitted. Residential uses are only permitted under the Special Development Option, which requires a minimum parcel size of 5 acres, and has requirements for buffers and screening between uses. The TC-1 District does correspond to the nearby original Sakura Novi development.

Staff had previously mentioned concerns with the proposed use's compatibility and buffering from the adjacent uses that will remain I-1 Light Industrial. Being adjacent to a residential development will require additional setbacks or other restrictions, which can be an added burden to surrounding non-residential landowners. Landowners would also be responsible for providing the 10 - 15-foot berm if they were to redevelop under Light Industrial standards. To provide additional screening, the applicant has revised their plan to increase the landscape screening along the eastern property line and added a fence and landscaping to the southern property line.

The Traffic Study notes that the number of residential units proposed would likely result in fewer vehicle trips compared to a Light Industrial development. Engineering notes there is capacity for the water and sewer demands for the proposed use, and stormwater detention is to be provided in underground systems. The buildings proposed have the same facades as were previously approved for Sakura Novi.

The request to rezone includes the condition to limit the use of the property to the use and number of units indicated on the site plan, which would provide restrictions, unless the agreement is amended. Additional conditions proposed include a limitation on building height and exceeding the open space requirement. The full list of proposed conditions and deviations requested is included in the suggested motion.

### **PLANNING COMMISSION**

The Planning Commission held a Public Hearing on the formal PRO Plan on October 16, 2024 and recommended approval to the City Council. Comments made at that time are reflected in the meeting minutes included in this packet.

### **CITY COUNCIL ACTION**

If the City Council is inclined to approve the rezoning request with PRO at this time, the City Council's motion would be to direct the City Attorney to prepare a PRO Agreement with specified PRO Conditions. Once completed, the PRO Agreement will return to Council for final approval.

**RECOMMENDED ACTION:** Tentative indication that Council may **approve** the request of Sakura Novi Residential, LLC, for Sakura East JZ23-41 with Zoning Map Amendment 18.743, to rezone from Light Industrial (I-1) to Town Center One (TC-1), subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, 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. Allowable Number of Rooms (4.82.2.B): Planning deviation from Section 4.82.2.B to allow an increase in the number of rooms permitted on the property up to 225 rooms, *because it is within the allowable increase of the TC-1 ordinance.*
  - 2. Sidewalks (Sec 3.27.1.I): Planning deviation from Section 3.27.1.I to permit the existing 6-foot sidewalk rather than the 12.5-foot-wide sidewalk required in the TC-1 District on a non-residential collector road, *as this is consistent with the existing sidewalk width along 11 Mile Road and is not considered a gathering space in this area.*
  - 3. Pedestrian Connectivity (Sec. 3.8.2.G): Planning deviation to allow a 5-foot sidewalk along the west side of the entrance driveway only instead of on both sides of the drive, *since it is a relatively small development and areas to the east do not have many walkable destinations, and fewer trees would be provided.*
  - 4. Landscape Screening (Sec. 5.5.3.B.ii and iii): Landscaping deviation from Section 5.5.3.B.ii and iii. for the lack of a berm between the site and adjacent industrial properties, *as the applicant has provided evergreen trees and arborvitaes for screening, as well as a fence along the southern property line.*
  - 5. Major Drive (Sec. 5.10): Planning deviation to allow a 24-foot driveway width entering the site, where the ordinance requires a major drive to be 28-feet back-to-back width, *as the site has a relatively low number of trips.*

6. Section 9 Waiver (Section 5.15): Façade deviation from Section 5.15 to permit the underage of brick (26% proposed, 30% required) on the front façade, and the overage of Cement Fiber Siding (58% proposed, 50% allowed) on the side facades of the Matsu building style, *as the deviation is minor and does not adversely impact the aesthetic quality of the building.*

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

1. The height of the buildings will be limited to 35 feet. *The ordinance permits up to 5 stories or 65 feet in TC-1, so limiting the height would be more restrictive.*
2. The use of the property is restricted to 45 attached residential units, with a total room count of 225 and a density of 14.3. *This would provide a restriction of the use of the property, as well as layout in conformity with the PRO Plan.*
3. The total open space of the site will exceed the 15% requirement, with no less than 48% provided, *which exceeds the ordinance requirements. The amenities*
4. The distance between buildings will be a minimum of 15 feet.
5. No more than 7 units would be in a single building, *which is more limiting than the ordinance allows.*
6. Screening between adjacent properties including fences and landscaping as shown in the PRO Plan.

**C.** This motion is made because the proposed Town Center One zoning district is a reasonable alternative to the Gateway East District recommended in the Future Land Use Map, and fulfills the intent of the Master Plan for Land Use, and because:

1. A reduction in traffic compared to development under the current zoning. The traffic study shows a difference of about 20 fewer trips compared to a general light industrial use, or up to 835 fewer trips compared to a medical office use.
2. The plan shows that the total open space areas to be provided will exceed the 15% Open Space requirement of the TC-1 district, with approximately 45% shown.
3. The project will exceed the 9,000 square foot Usable Open Space requirement, with about 17,200 square feet proposed.
4. Preservation of the on-site wetland. The wetland is very small in size (less than 0.1 acre) but does represent an ecological benefit.
5. A publicly accessible wetland overlook amenity to be provided on the City's parcel on the **east** side of the pond with similar amenities as shown on the plan for the west side of the pond, that shall be shown on a revised PRO Plan.
6. The detriments to the City from the multiple family development as proposed in this location are not substantial overall, so while the benefits to the public of this proposed use resulting from the conditions above are somewhat minor, they do tend to outweigh the detriments.