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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

March 14, 2024

**CONFIDENTIAL CORRESPONDENCE
ATTORNEY-CLIENT PRIVILEGE**

Mayor Fischer and City Council
City of Novi
45175 Ten Mile Road
Novi, MI 48375

RE: Proposed Culver's Restaurant and Related Vacation of Karevich Drive
(West Oaks Area, Novi Road between I-96 and 12 Mile)

Dear Mayor Fischer and Council Members:

This is a brief update on the proposed development of an area on the west side of Novi Road at the intersection with West Oaks Drive (between 12 Mile and I-96). Last September (2023), we informed City Council that a proposed development involving a Culver's was being proposed on this vacant property that is currently bisected by a portion of North Karevich Drive. The new proposed restaurant would be a permitted use under the Planned Development (PD) Option, which involves a discretionary land use approval that requires a public hearing and recommendation at the Planning Commission and an eventual decision by the City Council (including any deviations from ordinance standards).

The project, as proposed, would require vacating a portion of Karevich Drive, a public street that serves as access for some of the parcels in the West Oaks Shopping Center. In addition to approving the development project, the City Council would also have to agree to vacate Karevich Drive north of West Oaks Drive. While the whole of North Karevich Drive is proposed to be vacated as a public street, it will still remain as private access in front of the Value City building. See the attached map showing the road in its entirety. The portion of the roadway north of the Culver's development would remain to allow access to that business and Culver's.

Last September, no members of the City Council expressed concern about either the proposed Culver's development or the vacation of this area of North Karevich Drive. We did indicate in our prior correspondence to City Council that typically the vacation of a public roadway requires a determination by the City Council that such action is in the "best interests" of the City. In this case, the City Administration is in support of the proposed vacation in a large part because Culver's has agreed to take over responsibility for the part of North Karevich Drive that will remain in place but no longer be a *public* road—performing maintenance and snow and ice removal on a regular basis even though traffic on the road is limited to essentially retail customers for West Oaks. The City would be released from any obligation to conduct regular maintenance or snow and ice

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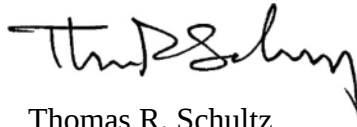
removal. There will also be a sidewalk constructed on the west side of Novi Road from West Oaks Drive to the access drive.

The purpose of this letter is just to give the City Council a “heads up” that the matter will before the Planning Commission at its March 20, 2024, meeting, at which point the Culver’s development plus the potential vacation of Karevich Drive will be discussed.

If you have any questions regarding the above, please don’t hesitate to call.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

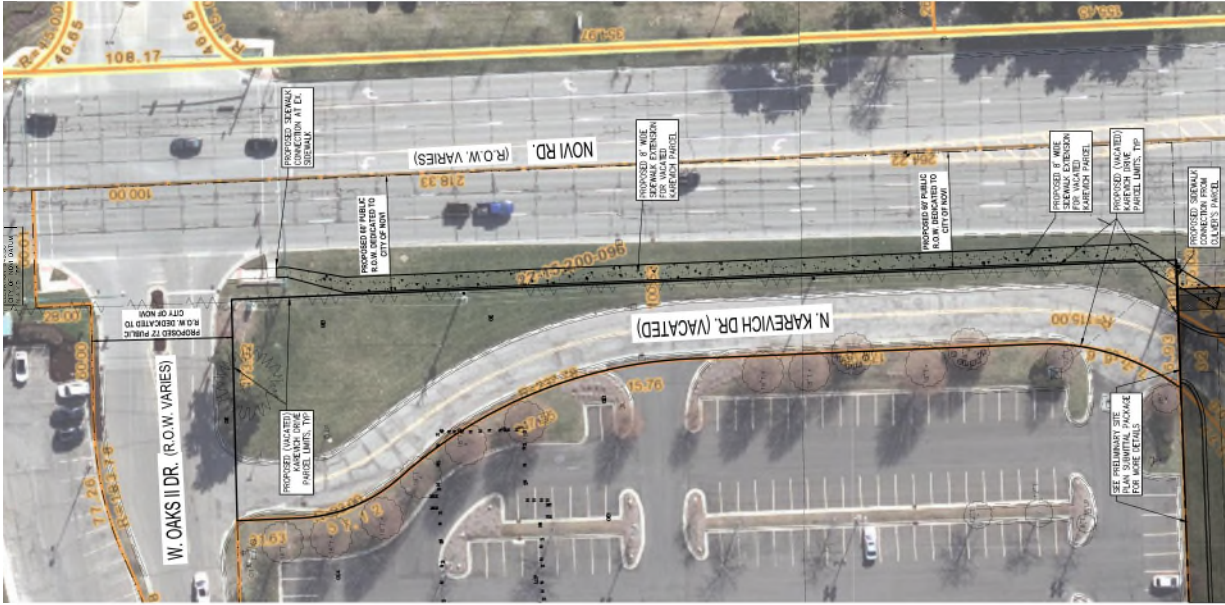
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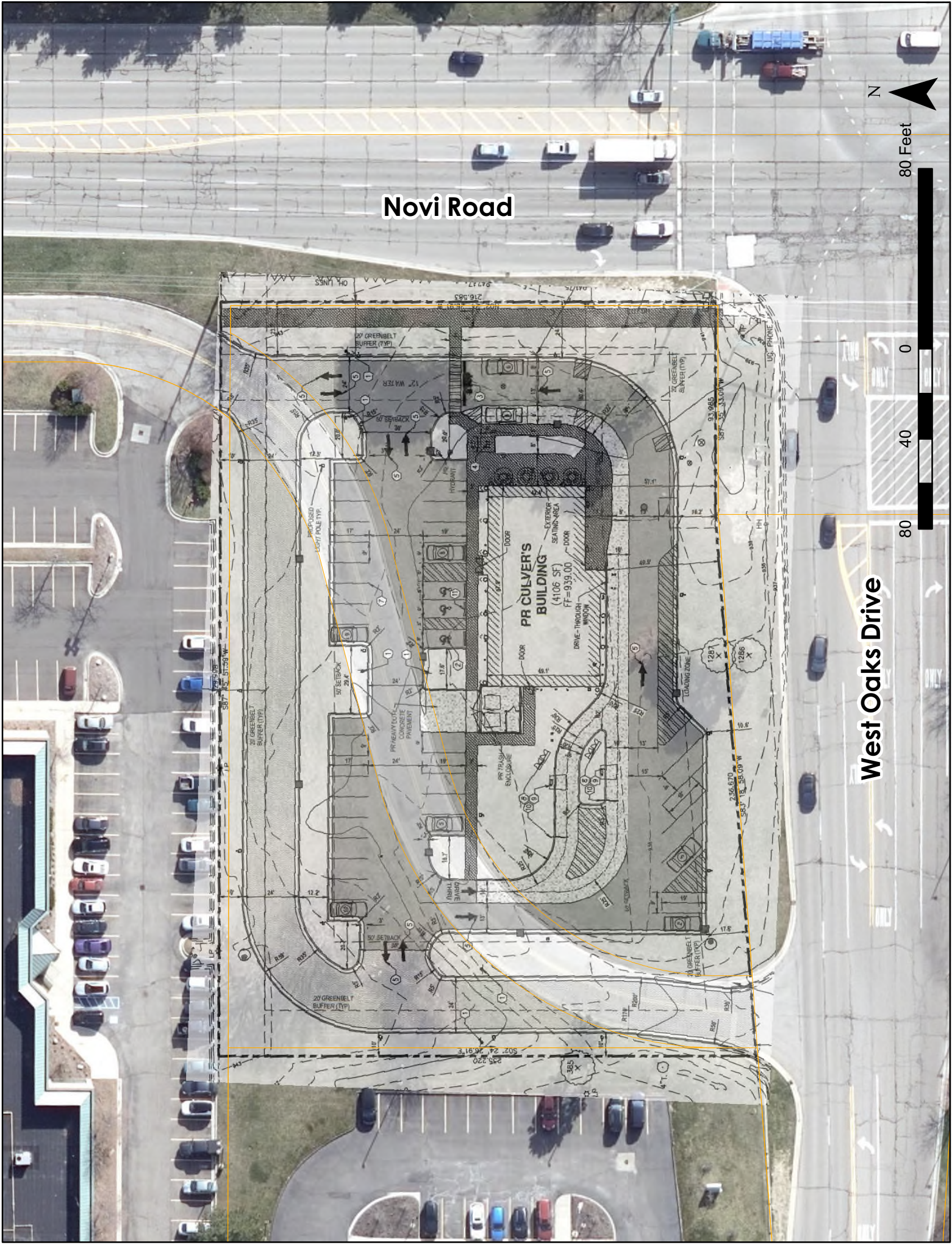
Thomas R. Schultz

TRS/jah

cc: Victor Cardenas, City Manager
Cortney Hanson, City Clerk
Charles Boulard, Community Development Director
Barb McBeth, City Planner

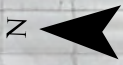
LEGEND





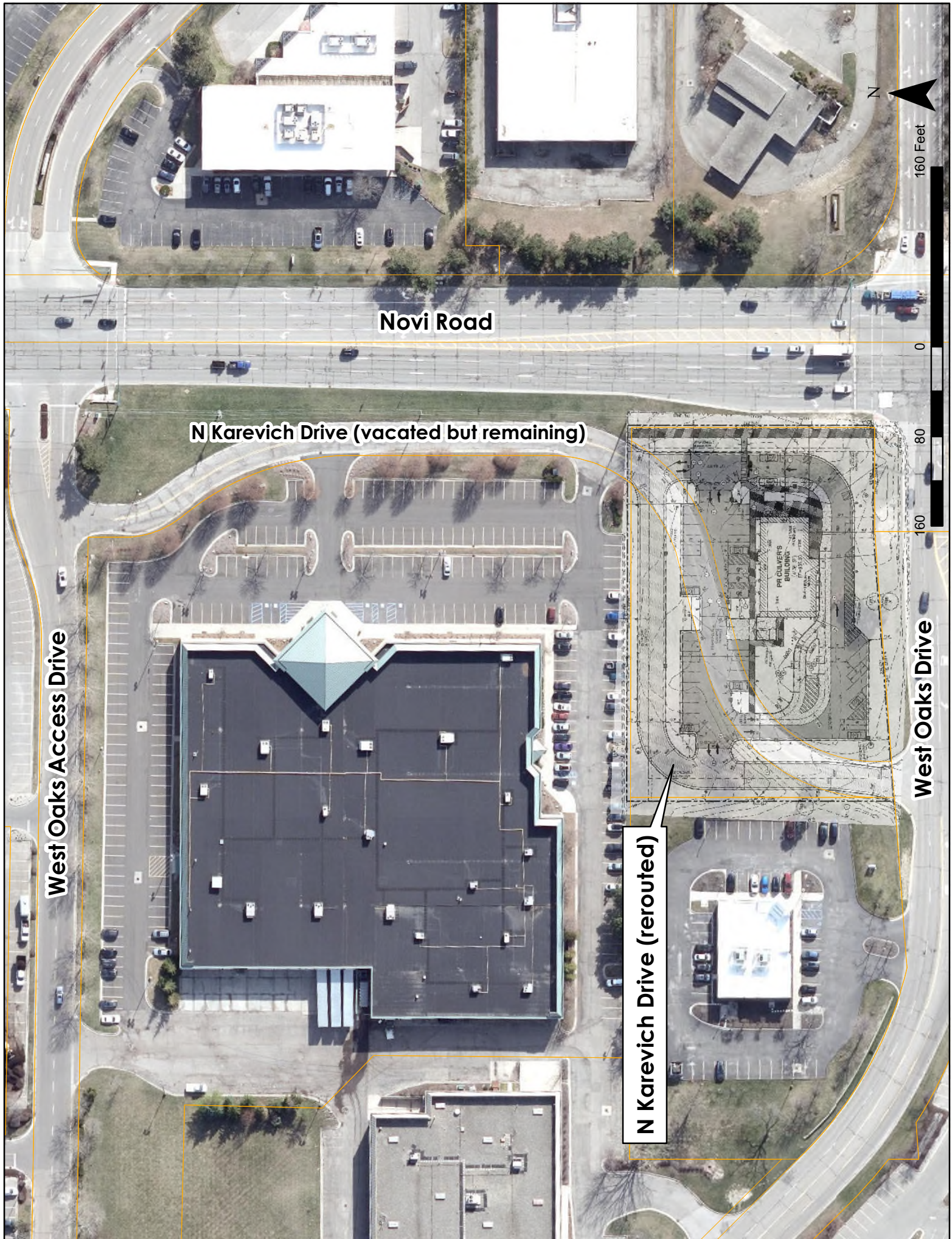
Novi Road

West Oaks Drive



80 Feet





Novi Road

N Karevich Drive (vacated but remaining)

West Oaks Access Drive

N Karevich Drive (rerouted)

West Oaks Drive

N

160 Feet

0

80

160