



CITY OF NOVI CITY COUNCIL FEBRUARY 27, 2023

SUBJECT: Adoption of a Resolution Authorizing Distribution of proposed City of Novi Master Plan amendments relating to Future Land Use Map designations for Public Park and Educational Facilities, to be sent to neighboring communities, Oakland County, railroads public utilities and other agencies, for a 42-day review and comment period.

SUBMITTING DEPARTMENT: Community Development – Planning Division

BACKGROUND INFORMATION:

At the November 14, 2022 City Council meeting, Council unanimously approved the Property Exchange Agreement by and Between the City of Novi and the Novi Community School District. A due diligence period was provided to address issues raised by the transfer of City park areas. One issue is the process for the City to follow in order to swap the park land under State Law with regard to the Master Plan's Future Land Use Map. It was determined that an amendment to the Future Land Use Map must occur to continue finalizing the exchange agreement.

The Master Plan Amendment process being followed is separate from the Master Plan Update that is currently underway. The Amendment follows a similar process to the Master Plan Update with regard to the reviews and actions by the Planning Commission and the City Council. The process provides opportunities for public hearing and comment, and distribution of the proposed map amendments to the required entities (nearby communities, regional planning bodies, utility companies, etc.) before the matter returns for final consideration approximately 45-60 days following the distribution of the proposed updates to the Future Land Use Map.

MASTER PLAN – PROPOSED AMENDMENTS

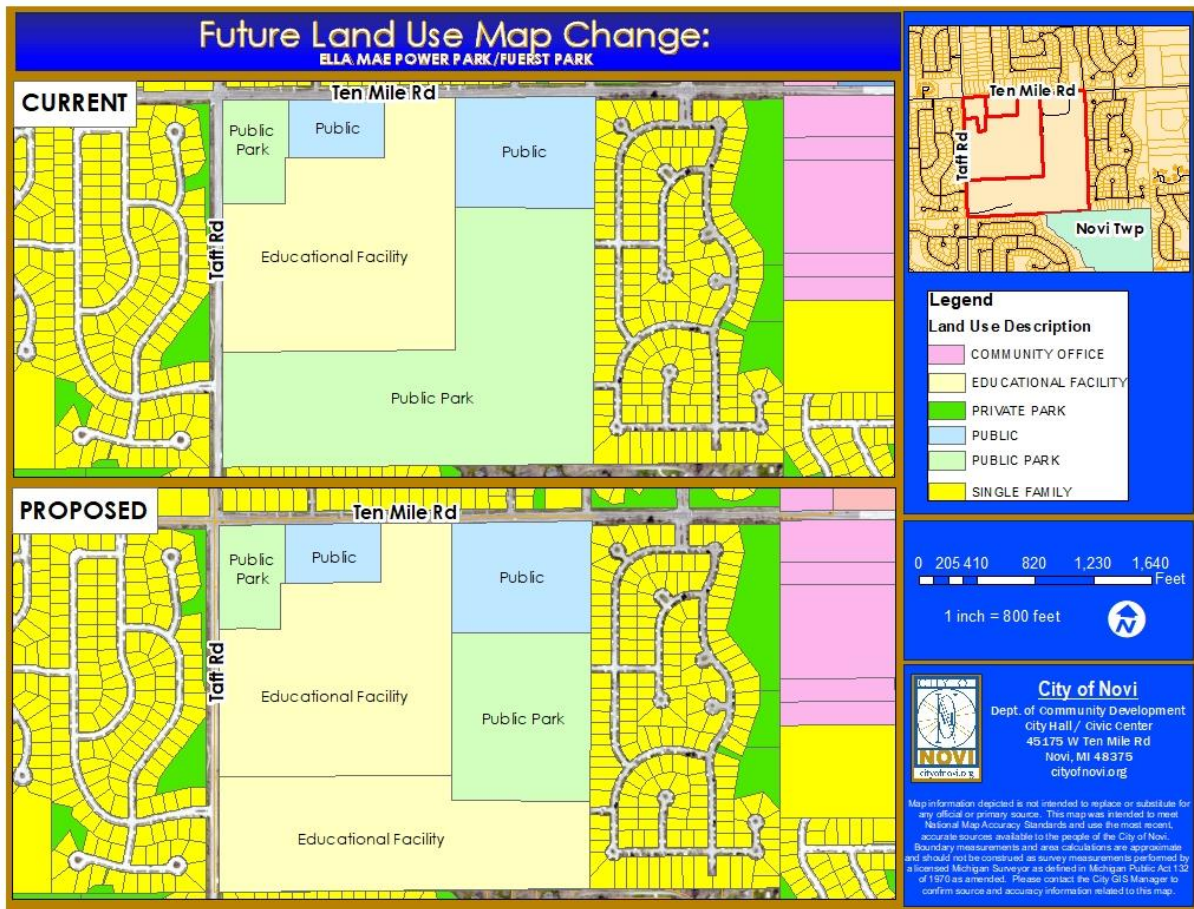
Staff prepared information for the Planning Commission to consider with regard to the Future Land Use Map, identifying the areas on the map that are recommended to be modified as shown in the Planning Commission Meeting Packet, and detailed below.

The City properties involved (being transferred to the School District) are:

- A portion of the City's Wildlife Woods Park adjacent Novi Middle School located near the northeast corner of Eleven Mile and Wixom Roads (about 23 acres), and

- An area at south end of the Civic Center/Ella Mae Power Park located south of Ten Mile Road and east of Taft Road, and is currently used for School athletic field purposes and open space consisting of woodlands and wetlands (about 46 acres).

The amendments propose to reclassify land being conveyed to the School District from “Public Park” as shown on the Future Land Use Map to “Educational Facility”, in addition to including a statement that this land is no longer required for park purposes by the City.

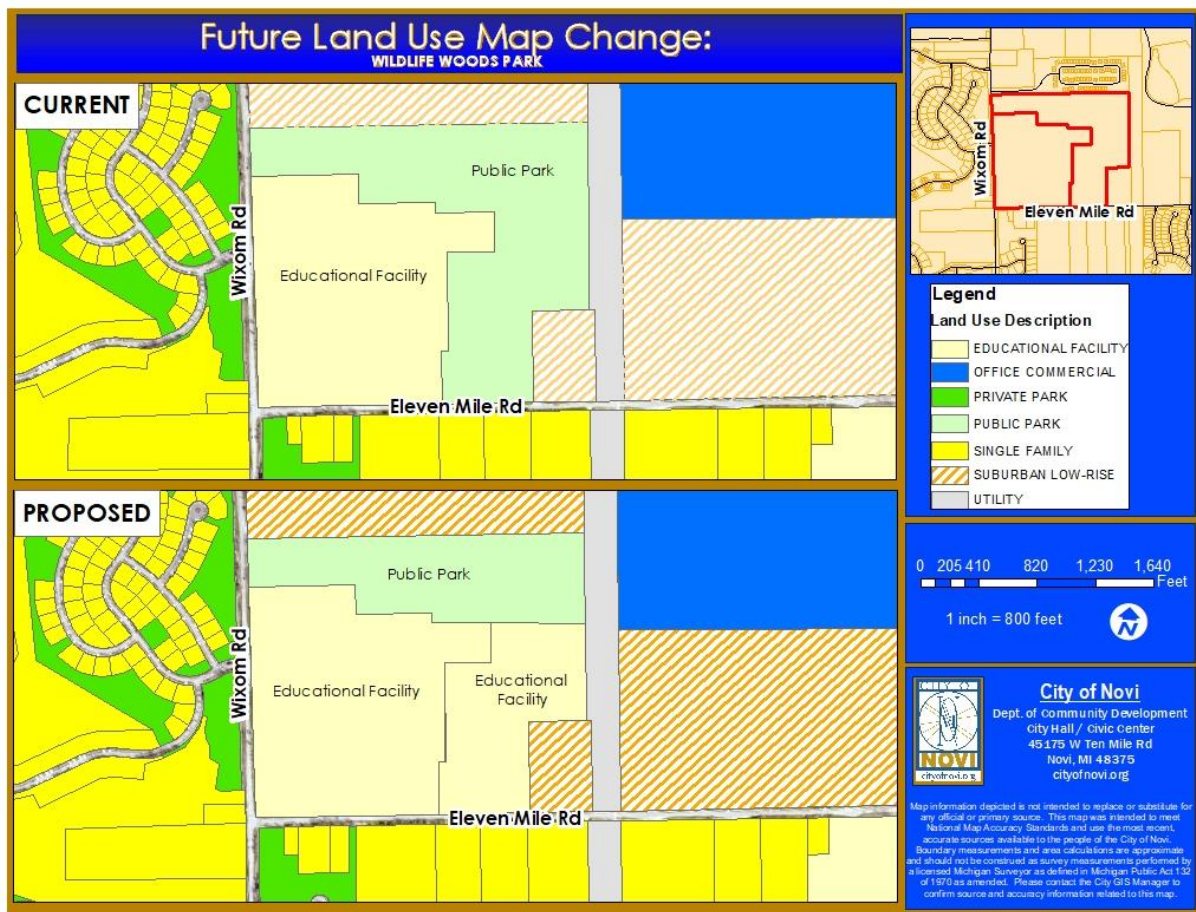


Future Land Use Map change at Ella Mae Power Park/Fuerst Park

The School properties involved (being transferred to the City) are:

- A small piece of land near Fuerst Park (roughly 1.77 acres) and
- Bosco Fields, at 11 Mile and Beck Roads (about 70 acres).

The amendment proposes to reclassify Bosco Fields from “Educational Facility” on the Future Land Use Map to “Public Park”



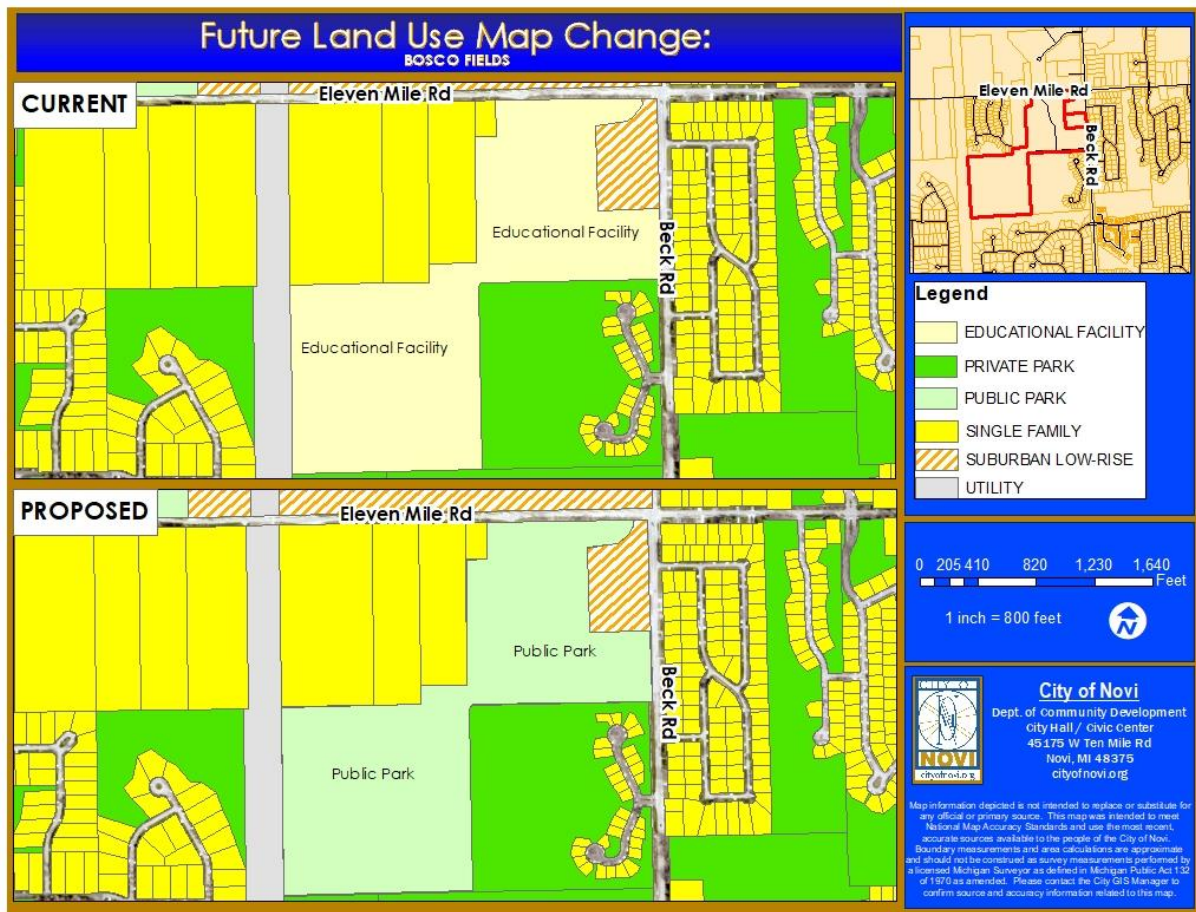
Future Land Use Map change at Wildlife Woods park

The second part to the amendment is a change to the Residential Density Map of the 2016 Master Plan. The 2016 version of this map did not attribute a residential density to the southeast corner of 10 Mile and Taft (area of the Civic Center, Novi High School, library, Ella Mae Power Park), because it is owned by the City. However, the 2016 Master Plan specifically stated that if conversion of park land were to occur, then residential uses would make sense at the density prescribed in the Residential Density Map. The proposed amendment to the Residential Density Map would show this area with a maximum density of 2.7 dwelling units per acre, which is consistent with the R-3, One Family Residential Zoning District and the surrounding residential uses to the west and south; more importantly, it's less dense than the underlying zoning of R-4, One Family Residential Zoning at this area, and the reference to the Residential Density Map in the 2016 Master Plan required a change to provide this area with a prescribed density.

MASTER PLAN DENSITY DISCUSSION (WHY ADDRESS DENSITY AT ALL IN THE AMENDMENT?)

Generally, the density shown on the Future Land Use Map is provided for all residentially zoned areas throughout the City. The numbers range from the least dense at 0.8 units/acre (consistent with the R-A, Residential Acreage district) to the

most dense at 20 – 30 units/acre (consistent with the TC Town Center District and the planned City West District.)



Future Land Use Map change at Bosco Fields

The planned maximum density is determined at the time of the Master Plan updates, and takes into consideration the current and planned uses for a site, and any special initiatives recommended in the Master Plan, such as a new Zoning District, or if there has been a significant change in character in a particular area since the previous update to the plan. Typically every residentially-zoned parcel will have a density assigned to it, unless it is City-owned. Since schools and churches are often located in residential zoning districts, the maximum density that is provided for these uses on the plan may never be achieved, since schools and churches are often remain as is for many years.

PLANNING COMMISSION PUBLIC HEARING

On February 8th, the Planning Commission held a public hearing on the opening of the Master Plan, and received public comment. The Planning Commission considered the proposed amendments and adopted a resolution opening the Master Plan review process and forwarding the proposed amendments to the City Council for distribution. During the public hearing, residents voiced their concerns over the change to the respective maps, questioned why Residential Density was a

part of the amendment, and asked what the School District planned to do with the properties. Novi Community Schools Superintendent Ben Mainka was at the meeting and explained that no plans were established for any of the properties in the near future, except for maintenance of the land as it is currently used. He mentioned the possibility of an additional ball field being put in along with the other athletic fields south of the High School. The remainder of the property being used by the cross-country teams would continue to be used in that manner, and clarified that the property would remain open to the residents to use the trails, similar to how the public is able to use the high school's tennis courts. Mr. Mainka emphasized that this exchange between the City and the School had been in the works for quite some time.

FURTHER COMMUNICATION FOLLOWING THE PUBLIC HEARING

Following the Planning Commission Public Hearing, the City Manager's office continued the conversation with nearby residents and shared the following regarding the proposed land swap between Novi Schools and the City of Novi.

For years, the City and Schools have been using large chunks of each others' property for particular uses (athletic fields, parkland, etc.) under either formal lease agreements or by informal consent. Both the City and Schools are now looking at ways to make better use of these public areas, and along with that comes an obligation to explore whether it makes more sense to exchange the properties so that the public "user" of the property is also the public "owner" of it, and to get rid of lessee/lessor relationship. Doing that turns out to require not only an exchange of deeds/title from one entity to the other, but a change to the City's master plan maps to reflect the change in the nature of the underlying ownership and use (from City to Schools and vice versa).

Part of the process of changing the master plan maps for those parcels that would go from City to the Schools is to recognize that they would no longer be City parkland. That means literally changing their designation on the maps from "public park" to "educational facility" – still a public use, just not City-owned. But along with that, under the language of the City's existing master plan, the City needed to add an underlying "density" number to the land no longer designated "public park." That doesn't mean it will not be an educational facility, or that it will ever actually be developed; it's just a designation like any other non-park property in the master plan. That density designation is no different than the underlying zoning designation of the property—right now, today—of R-4 single-family residential. That current zoning doesn't mean it's going to be developed for residential—every property in the City, even City-owned properties that are not at all going to be developed for any other use, have an underlying zoning designation. The master plan density designation is no different.

*Because the City would be transferring the Ella Mae Power Park property to the Schools, we have no reason to believe that it will have any use other than for school purposes—which is what the Schools have committed to. **But after***

hearing the concerns shared at a recent Planning Commission meeting about some future transfer to a private owner, the City and the Schools have discussed inserting language into the property exchange agreement that might lessen that concern by allowing for a right of "re-purchase" should the body acquiring property now decide in the future that they don't need it anymore. So, in the unlikely event that the Schools decided they didn't want the Ella Mae Power Park property, the City would have the right to get it back. We've also suggested to the Schools that the agreement say that it will adhere to the City's Woodlands Ordinance as it pertains to the wooded area on the south side of Ella Mae Power Park, and its my understanding that the Schools might be amenable to that.

Residents replied, the suggested changes really clarify the reasons for the swap and long- term plans for the Park. It's good to know the City and NPS listened to the residents' concerns. The response indicated that the information is being forwarded to board members of the Dunbarton Pines HOA for distribution to the residents.

City Council Action

Attached to this motion sheet is the Resolution to Authorize Distribution of Proposed City of Novi Master Plan amendments to the required entities and the amendment to the 2016 City of Novi Master Plan, including changes to the Future Land Use Map and Planned Residential Density Map.

The final clause of the Suggested Resolution provides that after the required review period and public hearing, final adoption of the amendments is up to the Planning Commission, and Council does **not** assert its right to approve or reject the amendments. Under the state Planning Enabling Act, the City Council may choose to assert its rights to approve or reject the amendments by stating as a part of the motion that it does assert its right to approve or reject the amendments.

RECOMMENDED ACTION:

Adoption of a Resolution Authorizing Distribution of proposed City of Novi Master Plan amendments relating to Future Land Use Map designations for Public Park and Educational Facilities, to be sent to neighboring communities, Oakland County, railroads public utilities and other agencies, for a 42-day review and comment period, in addition to permitting final adoption of the plan amendments to the Planning Commission following a second public hearing held after the 42-day review and comment period.