



cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item 1
February 8, 2010

SUBJECT: Discussion of "Landings" property located at Thirteen Mile Road and Old Novi Road:

- a) Approval of initial park development components to include in a Michigan Natural Resources Trust Fund (MNRTF) development grant application; and
- b) Approval to adopt a Resolution to set a public hearing to consider vacating roadways in Chapman Walled Lake Subdivision, Pratt Subdivision, and Walled Lake Road Shores Subdivision, and to vacate certain other unplatted roads, all in the area of the City-owned property in the "Landings" area near Old Novi Road and Thirteen Mile Road in the City of Novi.

SUBMITTING DEPARTMENT:

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

a) On December 7, 2009 staff and a consultant team presented the findings from the land use study of the City owned property located at 13 Mile Road and Old Novi Road, commonly referred to as the "Landings". The presentation included the attached concept plan and development cost to utilize the property as a public park. City Council indicated that the intended use of the property is to be a public park and directed staff to work with the Planning Commission to have the property zoned to correspond with its use as a park. In addition, Council directed staff to identify initial park development components for consideration to include in a Michigan Natural Resource Trust Fund (MNRTF) grant application to be submitted by the April 1, 2010 grant deadline.

Staff received and reviewed quotations from consultants to prepare the grant application and McKenna Associates was selected.

At the December 7, 2009 Council meeting, there appeared to be City Council consensus to initially develop the park infrastructure, the promenade walkway, a small fishing pier, and install some landscaping. The attached budget sheet indicates these items for a total design/engineering/con-struction cost of \$609,329, based upon a maximum grant award of \$500,000. This initial development could be funded with a maximum grant award \$500,000 and a maximum City match of \$125,000.

Staff recommends the grant application be based upon these initial development items. Following City Council approval of these items, McKenna Associates and staff will prepare the grant application and identify the source of the City matching funds. Prior to grant submittal, City Council will conduct a public hearing on the grant and approve a resolution authorizing the submittal of the grant application.

b) The City Council recently discussed its plans to improve the so-called "Landing" property assemblage near Thirteen Mile and Old Novi Roads for public park purposes. As indicated in the materials produced by the staff and consultants, there are various streets located within the assemblage. Some of the streets are platted; others are not. None of the streets, however, is currently improved, and none are used or needed for access to any home or to Walled Lake. The assemblage currently is primarily grassy open-space in the nature of a park.

The City Council has asked City Staff and the City Attorney's office to prepare materials to allow City Council to formally consider vacation of the streets. Attached is a proposed resolution setting a public hearing on the issue. If, after the public hearing, the City decides to proceed with the vacation an additional resolution (or resolutions) will be required.

Note that a determination to proceed will also involve circuit court litigation. The Land Division Act, Public Act No. 288 of 1967, as set forth in MCL 560.101, *et seq.*, provides for the vacation of public roads and alleys within platted subdivisions. MCL 560.255a provides that a municipality may revise, alter, and/or vacate land used for a public way and/or vehicular travel so long as that land is not within 25 meters of a lake or the general course of a stream. Some of the streets are within 25 meters of Walled Lake. Under the Act, a circuit court order is also therefore required.

Section 7.6 of the City Charter provides that the issue of right-of-way vacation must be set for a public hearing. Notice of the public hearing must be provided one week in advance in the City's usual manner. The attached Resolution contains a requirement for notice to be mailed directly to owners of parcels adjacent to the two roads and to those within 300 feet of the roads. This is common practice for a vacation issue.

If City Council determines to proceed with the vacation after the public hearing, we will draft the additional a resolution(s) to accomplish the vacations for consideration at a separate City Council meeting.

RECOMMENDED ACTION:

- a) Approval of initial park development components to include in a Michigan Natural Resources Trust Fund (MNRTF) development grant application; and
- b) Adopt Resolution to set a public hearing to consider vacating roadways in Chapman Walled Lake Subdivision, Pratt Subdivision, and Walled Lake Road Shores Subdivision, and to vacate certain other unplatted roads, all in the area of the City-owned property in the "Landings" area near Old Novi Road and Thirteen Mile Road in the City of Novi.

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

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

Phase 1 - The Landings Park

<u>Quantity</u>	<u>Item</u>	<u>Unit Cost</u>	<u>Total Cost</u>
45,000 sf	Clear area at center front edge	0.5	22,500
3,500 cy	Strip and stockpile top soil	4	14,000
Allowance	Site grading		40,000
Allowance	Utilities		15,000
900 lf	Waterfront sea wall (gabions)	50	45,000
18000 sf	Promenade walkway	8	144,000
Allowance	Fishing pier (smaller of two)		10,000
Allowance	Landscaping		15,000
58 ea	Trees on arc	500	29,000
6250 sf	Sidewalks (Tree-lined arc sidewalk)	5	31,250
Allowance	Site electrical conduit and partial		30,000
Allowance	Historical icon		15,000
Allowance	Park sign		5,000
			415,750
		15% contingency	62,363
		Total Construct	\$478,113
	General Cond., Contractor overhead, profit (15%)		71,717
	DEQ permitting and other permits		10,000
	Soil borings		2,500
	Site Survey		10,000
	Engineering and design costs		47,000
	Subtotal		141,217
	GRAND TOTAL		\$619,329



Landings Property Land Use Study | *Concept Plan*

Budget Projection
Public Park Concept Plan Phase 1 — Project Cost

Quantity	Item Description	Unit Cost	Total Cost
45,000 sf	Clear area at center front edge	\$ 0.50	\$ 22,500.00
3,500 cy	Strip and stockpile top soil	\$ 4.00	\$ 14,000.00
5 ea	Tree removal	\$ 1,000.00	\$ 5,000.00
Allowance	Site grading		\$ 40,000.00
Allowance	Utilities		\$ 30,000.00
900 lf	Waterfront sea wall (gabions)	\$ 50.00	\$ 45,000.00
22,500 sf	Promenade walkway (pavers)	\$ 8.00	\$ 180,000.00
Allowance	Fishing pier		\$ 75,000.00
20,000 sf	Sidewalks	\$ 5.00	\$ 100,000.00
24,000 sf	Grass paver parking lot	\$ 8.00	\$ 192,000.00
2 ea	Curb cut drives	\$ 30,000.00	\$ 60,000.00
Allowance	Park pavilion		\$ 80,000.00
Allowance	Landscaping		\$ 100,000.00
Allowance	Irrigation system (11 acre parcel)		\$ 125,000.00
10 ea	Giant umbrellas	\$ 2,000.00	\$ 20,000.00
Allowance	Historical icon		\$ 15,000.00
Allowance	Site electrical including lighting		\$ 50,000.00
Allowance	Restroom building		\$ 180,000.00
	Subtotal		\$ 1,333,500.00
	<i>15% Contingency</i>		\$ 200,025.00
	Total Construction Cost		\$ 1,533,525.00
	General conditions, contractor overhead and profit (15%)	\$	230,028.75
	DEQ permitting and other permits	\$	15,000.00
	Soil borings	\$	5,000.00
	Surveying	\$	10,000.00
	Engineering and design costs	\$	90,000.00
	Total Project Cost		\$ 1,883,553.75

Budget Projection
Public Park Concept Plan Phase 1 — Yearly Cost

Yearly maintenance of the park grounds (13 acres) would consist of bi-weekly lawn mowing, fertilizing (2 times/year), spring and fall cleanup, bi-weekly debris clean up, yearly tree pruning (as required), and irrigation

Yearly Cost **\$ 33,000.00**

Phase 1 - The Landings Park

<u>Quantity</u>	<u>Item</u>	<u>Unit Cost</u>	<u>Total Cost</u>
45,000 sf	Clear area at center front edge	0.5	22,500
3,500 cy	Strip and stockpile top soil	4	14,000
5 ea	Tree removal	1000	5,000
Allowance	Site grading		40,000
Allowance	Utilities		15,000
900 lf	Waterfront sea wall (gabions)	50	45,000
18000 sf	Promenade walkway	8	144,000
Allowance	Fishing pier (smaller of two)		10,000
Allowance	Landscaping		15,000
58 ea	Trees on arc	500	29,000
6250 sf	Sidewalks (Tree-lined arc sidewalk)	5	31,250
Allowance	Site electrical conduit and partial		30,000
Allowance	Historical Icon		15,000
			415,750
		15% contingency	62,363
		Total Construct	\$478,113
	General Cond., Contractor overhead, profit (15%)		71,717
	DEQ permitting and other permits		10,000
	Soil borings		2,500
	Engineering and design costs		47,000
	Subtotal		131,217
	GRAND TOTAL		\$609,329

MEMORANDUM



TO: CLAY PEARSON, CITY MANAGER
FROM: RANDY AULER, CPRP, DIRECTOR PARKS, RECREATION & CULTURAL SERVICES
SUBJECT: FOLLOW UP TO PRESENTATION OF THE LAND USE ANALYSIS FOR PUBLIC PROPERTY LOCATED AT 13 MILE ROAD AND OLD NOVI ROAD – CURRENTLY REFERRED TO AS THE “LANDINGS” PROPERTY
DATE: DECEMBER 18, 2009

*12/21/09
To: Mayor & City Council Meeting
Progress Report.
CWA*

On December 7, 2009, staff and a consultant team presented the findings from the land use analysis of the “Landings” property to City Council. Staff had three takeaways from the meeting based upon City Council comments and direction. They are:

- Work with the Planning Commission to have the property zoned to correspond with intended use of the property as public park and open space. ✓
- Determine initial park development components for consideration to submit a grant application by the April 1, 2010 grant submittal deadline. ✓
- Vacate the roadways currently platted on the property but are not constructed. ✓

The purpose of this memorandum is to provide an update on those items.

Zoning

On December 16, 2009 the Master Plan and Zoning Committee reaffirmed the “Public Park and Open Space” land use designation for the Landings property, and agreed to include all city-owned parcels and intervening right of ways in that area. Staff will include this with the Master Plan amendments currently under consideration for adoption in the final plan.

The committee discussed a city-initiated rezoning from B-3, General Business to R-4, Single Family Residential for the city-owned property only, and made a number of findings supporting that rezoning. The rezoning item will be placed on the January 27, 2010 Planning Commission meeting for a public hearing and recommendation to City Council. In addition, rezoning signs will be installed on the property by January 12, 2010.) *

Initial park development components for grant application submittal

There are two potential grants that should be considered. The Land and Water Conservation Fund (LWCF) requires a 50% match and has a maximum grant amount of \$75,000. Submittal deadline for this grant is March 1, 2010. The Michigan Natural Resources Trust Fund (MNRTF) grant requires a 25% match and has a maximum amount of \$500,000. Submittal deadline for this grant is April 1, 2010. The grant awards for both of these programs is announced in December, 2010. There appeared to be City Council consensus to install infrastructure for the park, and to create the promenade walkway, small fishing pier, and landscaping. The attached sheet reflects these items for a total cost of \$609,000. This initial development could be funded with a minimum City match of \$125,000 and a successful MNRTF grant application.)

The FY 09/10 budget includes \$50,000 for the Landings property. Staff are requesting quotations from consultants to further refine the initial development components and preparation of the grant applications. At the January 25, 2010 City Council meeting, staff will present a *

recommendation to contract with a consultant for the preparation of the grant application, and for approval to prepare and submit the grant application.

Vacation of platted roadways

The property has roadways that are platted but were never constructed. The vacation of the platted roadways should occur to “clean up” the legal documents for the property; however, this process may be costly and time consuming. Attached is a memo from Tom Schultz detailing this issue.

Phase 1 - The Landings Park

<u>Quantity</u>	<u>Item</u>	<u>Unit Cost</u>	<u>Total Cost</u>
45,000 sf	Clear area at center front edge	0.5	22,500
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Allowance	Historical Icon		15,000
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	DEQ permitting and other permits		10,000
	Soil borings		2,500
	Engineering and design costs		47,000
	Subtotal		131,217
	GRAND TOTAL		\$609,329

12/16/2009

GMA/BA

CITY OF NOVI

OAKLAND COUNTY, MICHIGAN

**RESOLUTION TO SET A PUBLIC HEARING TO CONSIDER
VACATING ROADWAYS IN CHAPMAN WALLED LAKE
SUBDIVISION, PRATT SUBDIVISION, AND WALLED LAKE
ROAD SHORES SUBDIVISION, AND TO VACATE CERTAIN OTHER UNPLATTED
ROADS ALL IN THE AREA OF THE CITY-OWNED PROPERTY
IN THE "LANDINGS" AREA NEAR OLD NOVI ROAD AND
SOUTH LAKE DRIVE AND EAST LAKE DRIVE IN THE CITY OF NOVI**

At a meeting of the City Council of the City of Novi, Oakland County, Michigan, held on the 8th day of February, 2010, at the City Hall, 45175 West Ten Mile Road, Novi, Michigan 48375.

The following resolution was offered by _____ and supported by _____.

WHEREAS, the City Council has determined to undertake efforts to develop certain property that it owns in the area of Old Novi Road and Thirteen Mile Road (near South Lake Drive and East Lake Drive) as park land; and

WHEREAS, there are certain platted roads shown on the subdivision plats to the Chapman Walled Lake, Pratt, and Walled Lake Shores Subdivisions, shown in the affected areas, as well as two unplatted roadways all described as follows: and

[see attached Exhibit A sketch and description]

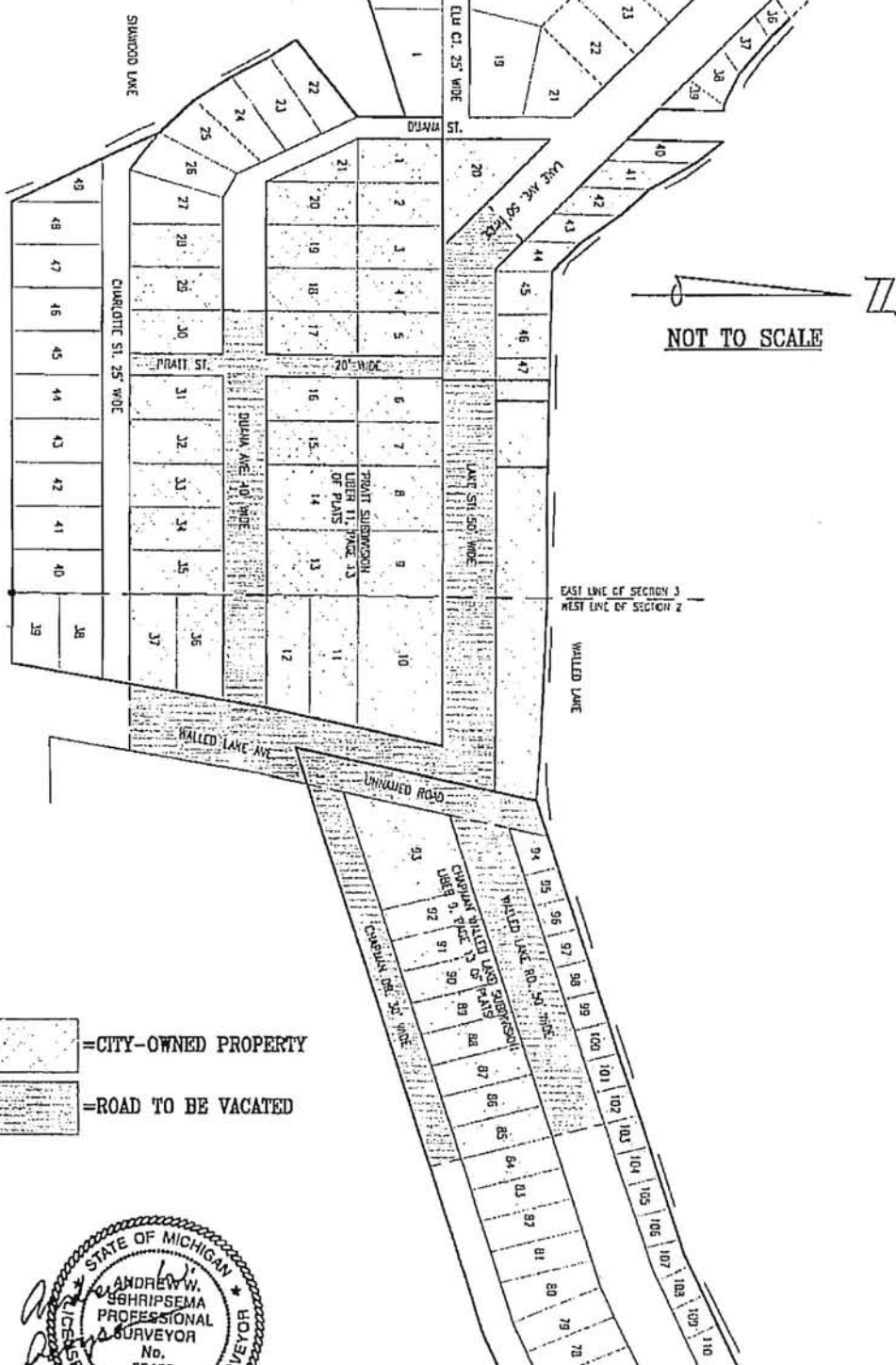
WHEREAS, the roads are (1) not improved or developed as roads; (2) not used by residents of the subdivisions at issue or in the area for access to homes or properties; and (3) are not used or needed for access to Walled Lake; and

WHEREAS, the City Council has determined to proceed to further consideration of the vacation of such roads in accordance with the requirements of the applicable statutory, charter, and ordinance provisions, and pursuant to the terms of the attached proposed resolution;

EXHIBIT "A"

OVERALL ROAD VACATION PLAN

WALLED LAKE SHORES
LIBER 28, PAGE 20 OF PLATS



- = CITY-OWNED PROPERTY
- = ROAD TO BE VACATED



CITY OF NOVI ROAD VACATIONS
PART OF CHAPMAN WALLED LAKE SUBDIVISION, PRATT SUBDIVISION & WALLED LAKE SHORES SUBDIVISION
ROAD VACATION SKETCH



H	V	EA
SHEET		
1		
OF 3		

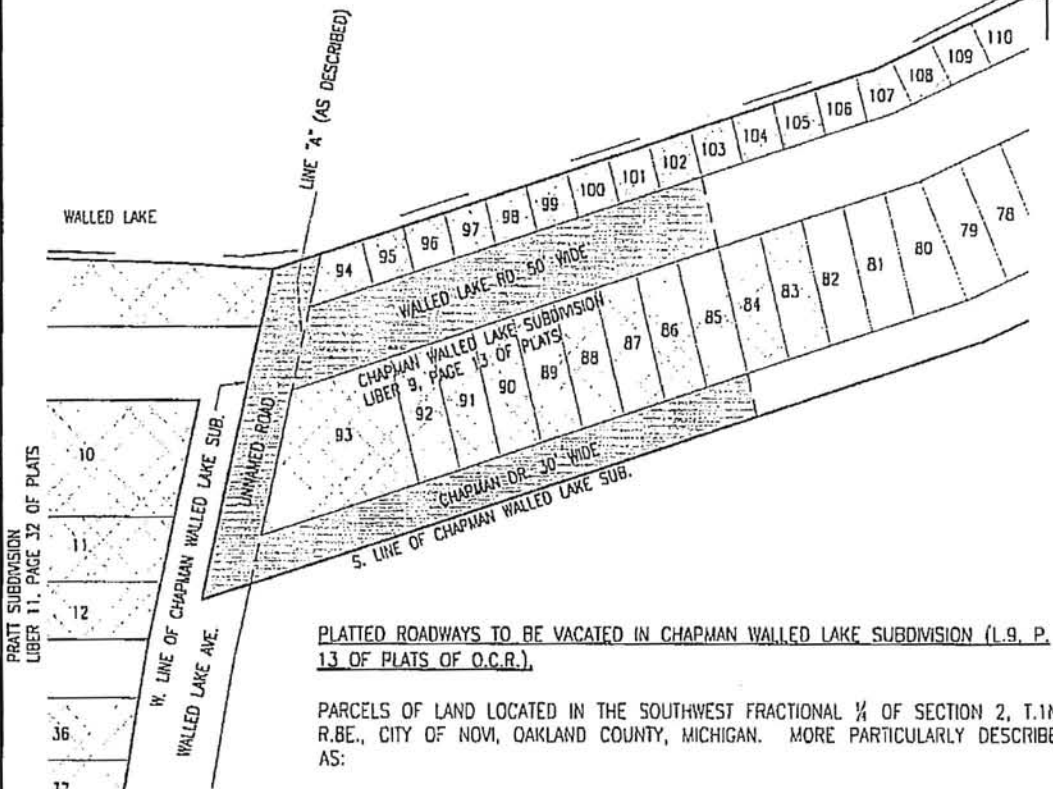


EXHIBIT "A" AND ALL OTHERS AND OTHER MATERIALS ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT BY THE CITY OF NOVI AND THE STATE OF MICHIGAN. THE CITY OF NOVI AND THE STATE OF MICHIGAN SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THIS EXHIBIT OR ANY OTHER MATERIALS PROVIDED BY THE CITY OF NOVI OR THE STATE OF MICHIGAN.

EXHIBIT "A"

CHAPMAN WALLED LAKE SUBDIVISION ROAD VACATION

-  = CITY-OWNED PROPERTY
-  = ROAD TO BE VACATED



PLATTED ROADWAYS TO BE VACATED IN CHAPMAN WALLED LAKE SUBDIVISION (L.9, P. 13 OF PLATS OF O.C.R.).

PARCELS OF LAND LOCATED IN THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 2, T.1N., R.9E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS:

THAT PORTION OF WALLED LAKE ROAD (50' WIDE) BOUNDED ON THE NORTH BY LOTS 94-102 AND BOUNDED ON THE SOUTH BY LOTS 85-93, AS PLATTED IN CHAPMAN WALLED LAKE SUBDIVISION, RECORDED IN LIBER 9, PAGE 13 OF PLATS, OAKLAND COUNTY RECORDS.

ALSO, THAT PORTION OF CHAPMAN DRIVE (30' WIDE) BOUNDED ON THE NORTH BY LOTS 85-93, AS PLATTED IN CHAPMAN WALLED LAKE SUBDIVISION, RECORDED IN LIBER 9, PAGE 13 OF PLATS, OAKLAND COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS THAT PORTION OF CHAPMAN DRIVE LYING SOUTHWESTERLY OF THE EXTENSION OF THE NORTHEASTERLY LINE OF LOT 85, AS PLATTED IN SAID CHAPMAN WALLED LAKE SUBDIVISION.

ALSO, ALL OF THE ROAD UNNAMED IN THE PLAT AND LYING ALONG THE WEST LINE OF THE PLAT (COMMONLY KNOWN AS WALLED LAKE AVENUE) LYING WEST OF A LINE DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF LOT 94, AS PLATTED IN CHAPMAN WALLED LAKE SUBDIVISION, RECORDED IN LIBER 9, PAGE 13 OF PLATS, OAKLAND COUNTY RECORDS; THENCE PROCEEDING TO THE SOUTHWEST CORNER OF SAID LOT 94; THENCE PROCEEDING TO THE NORTHWEST CORNER OF LOT 93, AS PLATTED IN SAID CHAPMAN WALLED LAKE SUBDIVISION; THENCE PROCEEDING TO THE SOUTHWEST CORNER OF SAID LOT 93; THENCE PROCEEDING ALONG THE WEST LINE OF SAID LOT 93 TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID CHAPMAN WALLED LAKE SUBDIVISION, AS PLATTED, SAID POINT ALSO BEING THE POINT OF ENDING OF LINE HEREIN DESCRIBED (SEE LINE "A").

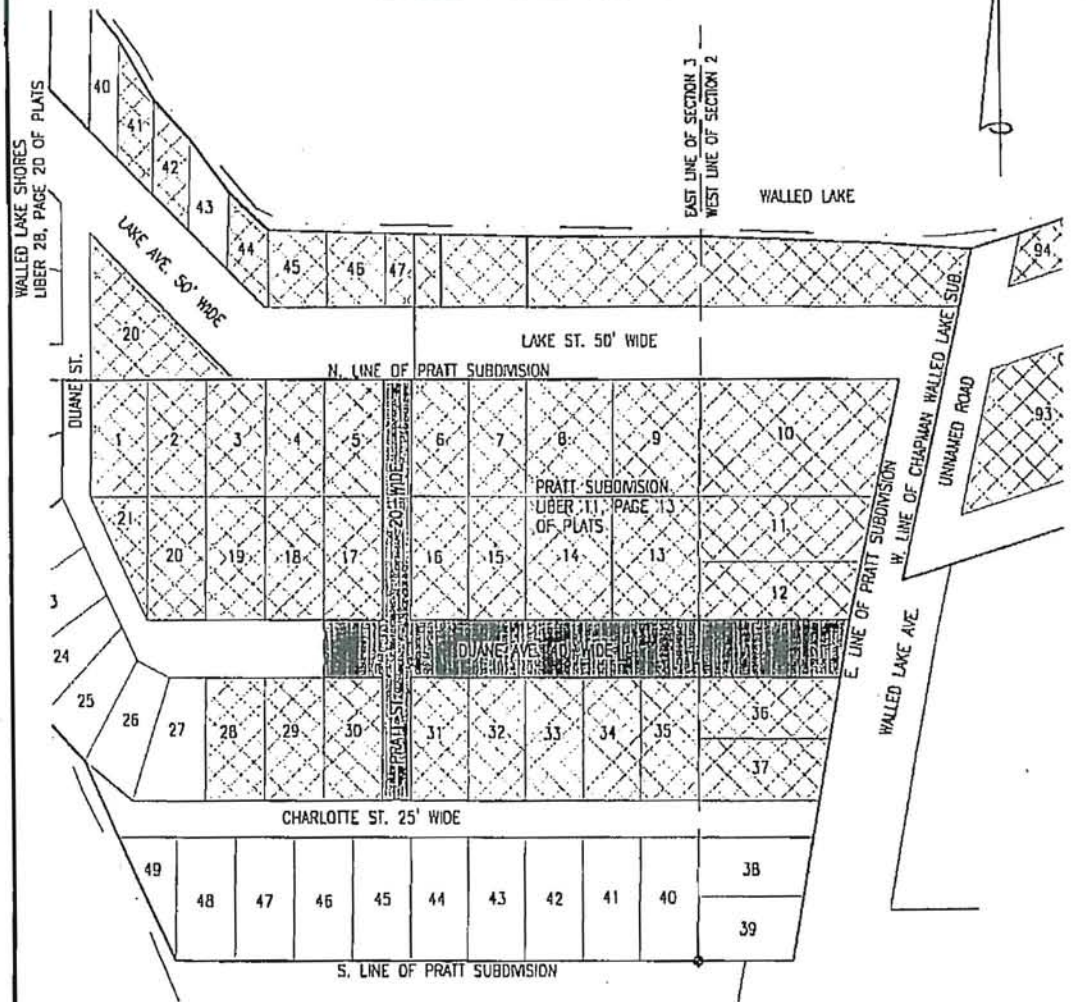


CITY OF NOVI ROAD VACATIONS PART OF CHAPMAN WALLED LAKE SUBDIVISION ROAD VACATION SKETCH		SCALE SHEET 2 OF 5
CITY OF NOVI	0163-08-0231	
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		

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EXHIBIT "A"

PRATT SUBDIVISION ROAD VACATION





PLATTED ROADWAYS TO BE VACATED IN PRATT SUBDIVISION (L.11., P.32 OF PLATS OF O.C.R.)

PARCELS OF LAND LOCATED IN THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 3 AND THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 2, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS:

THAT PORTION OF DUANE AVENUE (40' WIDE) BOUNDED ON THE NORTH BY LOTS 12-17 & BOUNDED ON THE SOUTH BY LOTS 30-36 AS PLATTED IN PRATT SUBDIVISION, RECORDED IN LIBER 11, PAGE 32 OF PLATS, OAKLAND COUNTY RECORDS.

ALSO, ALL OF PRATT STREET (20' WIDE) AS PLATTED IN PRATT SUBDIVISION, RECORDED IN LIBER 11, PAGE 32 OF PLATS, OAKLAND COUNTY RECORDS.

-  = CITY-OWNED PROPERTY
-  = ROAD TO BE VACATED

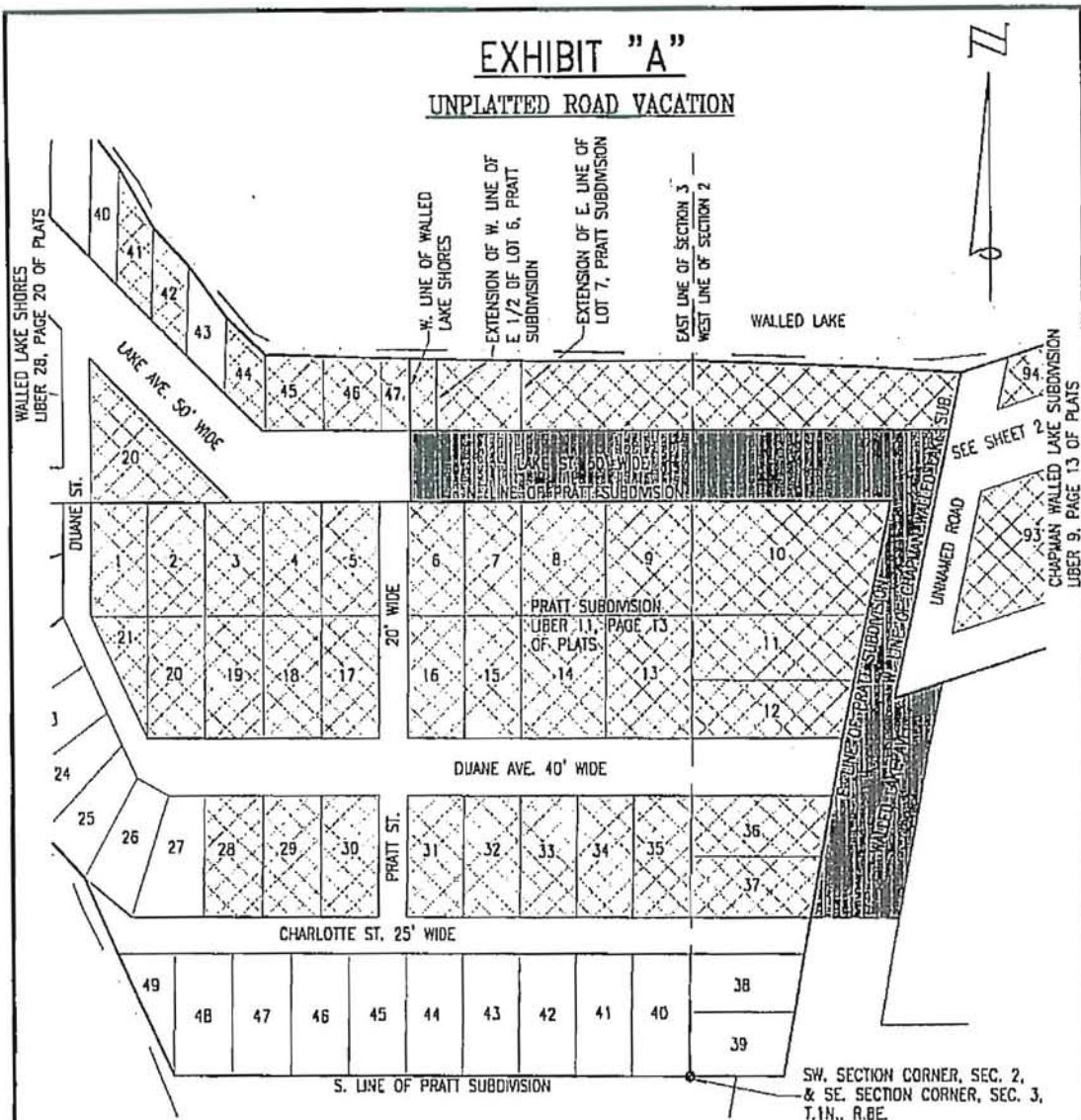


CITY OF NOVI ROAD VACATIONS PART OF PRATT SUBDIVISION ROAD VACATION SKETCH		SCALE 1" = 100'	SHEET 3 OF 3
CITY OF NOVI 34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		OHM	

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EXHIBIT "A"

UNPLATTED ROAD VACATION



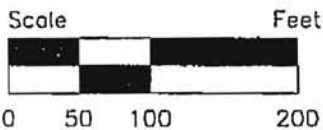
ROAD RIGHT OF WAY TO BE VACATED, LOCATED ON UNPLATTED PARCELS DESCRIBED AS:



A PARCEL OF LAND LOCATED IN THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 2, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS:

THAT PORTION OF WALLED LAKE AVENUE IN SAID SOUTHWEST FRACTIONAL 1/4 OF SECTION 2, LYING NORTH OF THE EXTENSION OF THE SOUTH LINE OF LOT 37, AS PLATTED IN PRATT SUBDIVISION, RECORDED IN LIBER 11, PAGE 32 OF PLATS, OAKLAND COUNTY RECORDS.

ALSO A PARCEL OF LAND LOCATED IN THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 3, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY MICHIGAN. MORE PARTICULARLY DESCRIBED AS:

THAT PORTION OF LAKE STREET LYING BETWEEN THE EXTENSION OF THE WEST LINE OF THE EAST 1/2 OF LOT 6, AS PLATTED IN PRATT SUBDIVISION, RECORDED IN LIBER 11, PAGE 32 OF PLATS, OAKLAND COUNTY RECORDS AND THE WEST LINE OF CHAPMAN WALLED LAKE SUBDIVISION, AS RECORDED IN LIBER 9, PAGE 13 OF PLATS, OAKLAND COUNTY RECORDS.



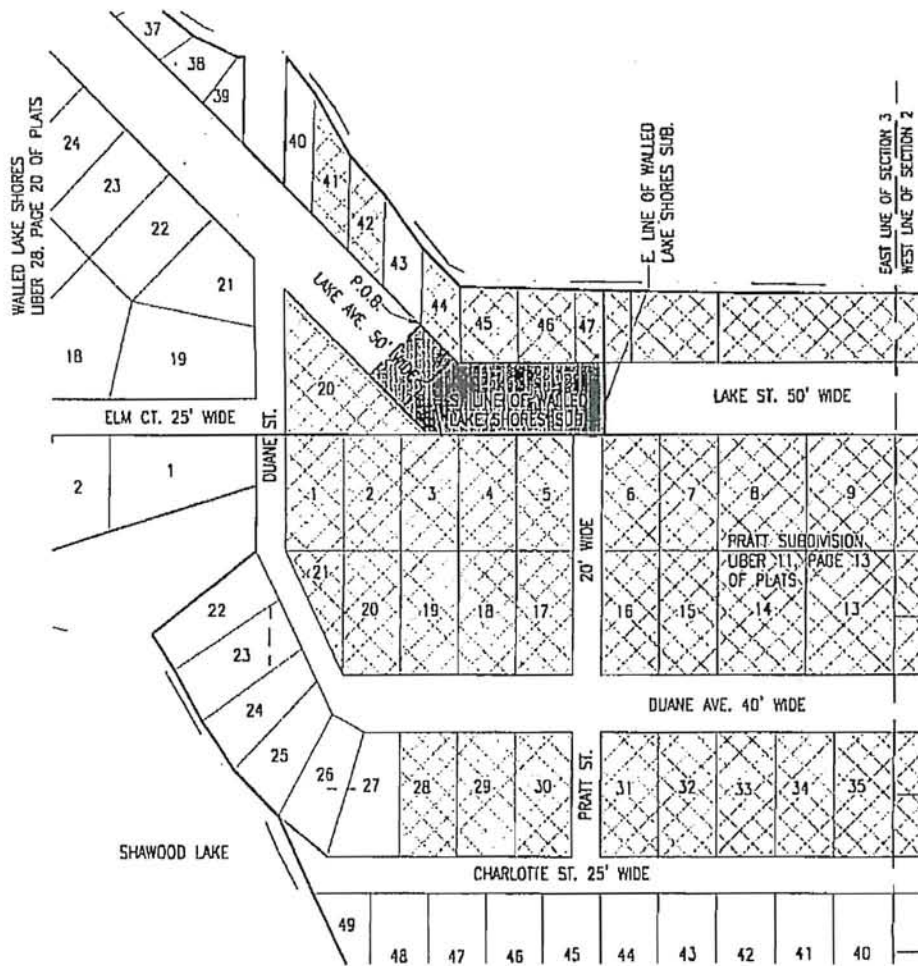
 = CITY-OWNED PROPERTY
 = ROAD TO BE VACATED



CITY OF NOVI ROAD VACATIONS PART OF UNPLATTED LAND IN SECTIONS 2 & 3, T.1N., R.8E. CITY OF NOVI, OAKLAND CO., MICHIGAN ROAD VACATION SKETCH		SCALE SHEET 4 OF 5
CITY OF NOVI 34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		OHM

EXHIBIT "A"

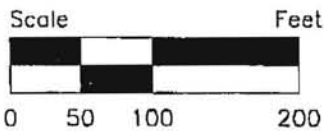
WALLED LAKE SHORES SUBDIVISION ROAD VACATION





PLATTED ROADWAYS TO BE VACATED IN WALLED LAKE SHORES SUBDIVISION (L.28., P.20 OF PLATS OF O.C.R.)

A PARCEL OF LAND LOCATED IN THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 3, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS:

THAT PORTION OF LAKE AVENUE (50' WIDE) BOUNDED ON THE NORTH BY LOTS 44-47 AS PLATTED IN WALLED LAKE SHORES SUBDIVISION, RECORDED IN LIBER 28, PAGE 20 OF PLATS, OAKLAND COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 44 (P.O.B.), THENCE SOUTHWESTERLY ALONG A LINE LYING PERPENDICULAR TO THE CENTERLINE OF SAID LAKE AVENUE TO A POINT ON THE SOUTHERLY LINE OF LAKE AVENUE; THENCE PROCEEDING SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF LAKE AVENUE TO THE SOUTHEAST CORNER OF SAID LOT 20, AS PLATTED IN SAID WALLED LAKE SHORES SUBDIVISION; THENCE CONTINUING EASTERLY ALONG THE SAID SOUTHERLY LINE TO THE SOUTHEAST CORNER OF WALLED LAKE SHORES SUBDIVISION; THENCE PROCEEDING NORTHERLY ALONG THE EAST LINE OF WALLED LAKE SHORES SUBDIVISION TO THE SOUTHEAST CORNER OF SAID LOT 47; THENCE PROCEEDING WESTERLY ALONG THE SOUTH LINE OF SAID LOTS 44-47, SAID LINE ALSO BEING THE NORTHERLY LINE OF LAKE AVENUE, TO THE POINT OF BEGINNING (P.O.B.).



 = CITY-OWNED PROPERTY
 = ROAD TO BE VACATED



CITY OF NOVI ROAD VACATIONS
 PART OF WALLED LAKE SHORES SUBDIVISION
 ROAD VACATION SKETCH

DATE: 11/14/2021
 SHEET: 5
 OF 3

CITY OF NOVI

0163-09-0231

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