

**LEGACY PARC
ZONING MAP AMENDMENT 18.683, 18.684,
18.685 AND 18.686 WITH PLANNED REZONING
OVERLAY SITE PLAN 08-30 AND
PROPOSED RESIDENTIAL UNIT
DEVELOPMENT WITH MODIFIED
DEVELOPMENT AGREEMENT
SITE PLAN 08-31**

LEGACY PARC, SITE PLAN NUMBERS 08-30 & 08-31

Public Hearing for Planning Commission's recommendation to City Council for consideration of rezonings 18.683, 18.684, 18.685 and 18.686 in conjunction with a Planned Rezoning Overlay (PRO) and Residential Unit Development (RUD) from R-1, One-Family Residential and RA, Residential Acreage to RM-1, Low Density, Low-Rise Multiple-Family Residential and B-2, Community Business. The subject properties are located in Section 30, on the south side of Ten Mile Road between Napier Road and Wixom Road and the applicant has indicated the rezoning is being proposed to facilitate the construction of an active adult community and senior housing facility.

Required Action

Recommend to City Council approval or denial of rezoning request from R-1 (One-Family Residential) and RA (Residential Acreage) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) with a Planned Rezoning Overlay and B-2 (Community Business) with a Planned Rezoning Overlay

Recommend to City Council approval or denial of Residential Unit Development with a modified Development Agreement

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval not recommended	09/02/08	<ul style="list-style-type: none"> - Proposed zoning districts contrary to the recommendations of the Master Plan, which recommends single-family uses. (See pages 3-4 of the Planning Review Letter for more information.) - Proposed RUD plan found to contain a number of ordinance deviations and applicant has not demonstrated how each deviation will meet the ordinance standards of Section 2404.6. - Proposed PRO concept plan contains a number of ordinance

			<p>deviations and applicant has not demonstrated how each deviation will be an enhancement to the development that is in the public interest.</p> <ul style="list-style-type: none"> - Existing R-1 zoning is consistent with the existing zoning throughout the southwest quadrant of the City. - Items to be addressed at the time of Preliminary Site Plan submittal.
Landscaping	Comments provided	08/21/08	<p>Applicant should work within the requirements of the Landscape Ordinance at the time of Preliminary Site Plan submittal.</p>
Wetlands	Approval not recommended	09/02/08	<ul style="list-style-type: none"> - Plan does not show all wetland areas on the property, does not characterize wetland community type and does not quantify natural features setback impacts. - Plan does not propose mitigation, which is likely required. - Applicant should eliminate impacts to high-quality forested wetlands. - Concerns regarding the quantity and quality of water that would leave the proposed site and enter Island Lake. - Items to be addressed at the time of Preliminary Site Plan submittal.
Woodlands	Approval not recommended	09/02/08	<ul style="list-style-type: none"> - Applicant should reconsider layout so that no impacts are proposed to MNFI's Priority One Area. - Applicant should scale back proposed development to minimize impact to regulated wetlands and woodlands. - Applicant should enhance regulated woodland and Priority One Area by locating woodland replacement trees along the south and east. - Applicant should further minimize additional wetland fill with the use of boardwalk. - Applicant should place the

			<p>natural features of the site into a conservation easement.</p> <ul style="list-style-type: none"> - Items to be addressed at the time of Preliminary Site Plan submittal.
Traffic	Approval not recommended	08/28/08	<ul style="list-style-type: none"> - Traffic Study should be revised to address methodology concerns noted in the review letter. - Multiple waivers of Design and Construction standards required. - Multiple concerns regarding the proposed conceptual layout of the road system. See review letter for additional information. - Items to be addressed at the time of Preliminary Site Plan submittal.
Engineering	Comments provided	09/04/08 09/05/08	<ul style="list-style-type: none"> - Connection to Provincial Glades development as proposed would require a City Council variance. - If road modifications along Ten Mile are required by RCOC, it may not be relevant to consider them as public benefits. - The water main connection to the south would be required as part of any development of this area. - City Council variance required for substandard eyebrows in three locations. - City Council variance required for the senior housing boulevard entrance. - Concept plan would have a noticeable impact on the public utilities when compared to the previously approved RUD plan. - Items to be addressed at the time of Preliminary Site Plan submittal.
Façade	Comments provided	09/02/08 12/26/08	<ul style="list-style-type: none"> - Items to be addressed at the time of Preliminary Site Plan submittal.
Fire	Approval recommended	09/02/08	<ul style="list-style-type: none"> - All residential units should be equipped with a residential fire sprinkler system. - Items to be addressed at the time of Preliminary Site Plan submittal.

Motion sheet

Rezoning with PRO

Approval

In the matter of Zoning Map Amendment 18.683, 18.684, 18.685 and 18.686 and Planned Rezoning Overlay SP08-30 for Legacy Parc, motion to **recommend approval** to the City Council to rezone the subject property from R-1 (One-Family Residential) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) and B-2 (Community Business) with a Planned Rezoning Overlay, *with the following considerations...*

- a. Compliance with all the conditions listed in the staff and consultant review letters,
- b. *(Insert specific considerations here)*

For the following reasons ... (because it is otherwise in compliance with Article 34, Section 3402 of the Zoning Ordinance.)

Denial

In the matter of Zoning Map Amendment 18.683, 18.684, 18.685 and 18.686 and Planned Rezoning Overlay SP08-30 for Legacy Parc, motion to **recommend denial** to the City Council to rezone the subject property from R-1 (One-Family Residential) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) and B-2 (Community Business) with a Planned Rezoning Overlay, *for the following reasons...(because*

- a. *The proposed plan would be contrary to the land use recommendations and the goals and objectives of the Master Plan for Land Use as indicated on Page 3 of the Planning Review Letter dated September 2, 2008;*
- b. *The applicant has not clearly demonstrated how each deviation will be an enhancement to the development per Section 3402 of the Zoning Ordinance;*
- c. *The proposed application materials, particularly the traffic study, have been found to be lacking in information or have inconsistencies which hinder the complete review of this application;*
- d. *The applicant has requested a substantial number of waivers of the Design and Construction Standards as noted in the August 28, 2008 Traffic Review Letter;*
- e. *The proposed development would have a noticeable impact on the public utilities when compared to the previously approved RUD plan;*
- f. *When considering the project as a whole, including both the RUD and the PRO, the proposed public benefit of the parkland donation is not proportional to the impacts of the development;*
- g. *The existing R-1 and RA zoning are consistent with the existing zoning in this area and the single family zoning throughout the southwest quadrant of the City.)*

RUD with amended Development Agreement

Approval

In the matter of SP08-31, proposed RUD with amended Development Agreement for Legacy Parc, motion to **recommend approval** to the City Council, *with the following considerations...*

- a. Compliance with all the conditions listed in the staff and consultant review letters,
- b. *(Insert specific considerations here)*

For the following reasons ... (because it is otherwise in compliance with Article 24, Section 2404 of the Zoning Ordinance.)

Denial

In the matter of SP08-31, proposed RUD with amended Development Agreement for Legacy Parc, motion to **recommend denial** to the City Council, *for the following reasons...(because*

- a. *The proposed plan would be contrary to the land use recommendations and the goals and objectives of the Master Plan for Land Use as indicated on Page 3 of the Planning Review Letter dated September 2, 2008;*
- b. *The proposed application materials, particularly the traffic study, have been found to be lacking in information or have inconsistencies which hinder the complete review of this application;*
- c. *The applicant has requested a substantial number of waivers of the Design and Construction Standards as noted in the August 28, 2008 Traffic Review Letter;*
- d. *The proposed development would have a noticeable impact on the public utilities when compared to the previously approved RUD plan;*
- e. *When considering the project as a whole, including both the RUD and the PRO, the proposed public benefit of the parkland donation is not proportional to the impacts of the development;*
- f. *The applicant has not clearly demonstrated how the requested ordinance deviations will meet the ordinance standards of Section 2404.6;*
- g. *The existing R-1 and RA zoning are consistent with the existing zoning in this area and the single family zoning throughout the southwest quadrant of the City.)*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

September 2, 2008

Planning Review

Legacy Parc

Planned Rezoning Overlay and Residential Unit Development
SP# 08-30 and SP # 08-31/Rezoning 18.683, Rezoning 18.684,
Rezoning 18.685 and Rezoning 18.686

Petitioner

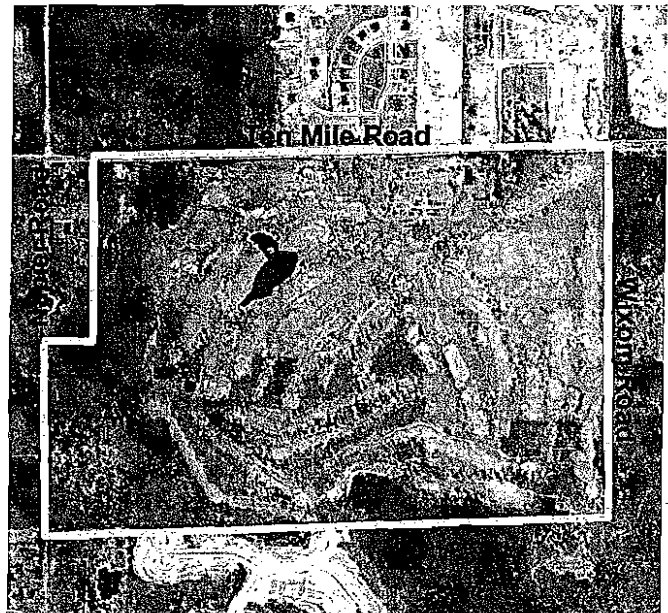
Singh Development LLC

Review Type

Proposed Rezoning from R-1, One-Family Residential to RM-1, Low Density, Low-Rise Multiple-Family Residential with a Planned Rezoning Overlay and B-2, Community Business with a Planned Rezoning Overlay; Proposed Residential Unit Development with a Modified Development Agreement

Property Characteristics

- Site Location: South side of Ten Mile Road between Napier Road and Wixom Road
- Site Zoning: R-1, One-Family Residential and RA, Residential Acreage
- Adjoining Zoning: North, East and South: RA, Residential Acreage; West: RA (City of Novi), (Lyon Township – across Napier Road): R-1
- Site Use(s): Links of Novi Golf Course, Vacant (approved for residential uses through existing RUD)
- Adjoining Uses: North: Vacant, Single-Family Residential, Oak Pointe Church; West: Single-Family Residential, Vacant (City of Novi), Vacant (Lyon Township); South: Vacant, Parkland, Single-Family Residential; East: Fire Station 4, Vacant
- Proposed Use: "Active Adult Community" including Single-Family Residential, Attached Residential, Senior Housing, Daycare and Commercial
- Site Size: 329.5 acres
- Plan Date: 05-29-08



Project Summary

The petitioner is requesting comment on a proposed rezoning with a Planned Rezoning Overlay and a proposed revised Residential Unit Development with a modification of an existing Development Agreement. The PRO acts as a zoning map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. As a part of the PRO, the underlying zoning is changed, in this case to RM-1 and B-2 as requested by the applicant, and the

applicant enters into a PRO Agreement with the City, whereby the City and applicant agree to any deviations to the applicable ordinances and tentative approval of a conceptual plan for development for the site. The RUD does not change the underlying zoning of the property, but puts a concept plan in place for the development of the property that can include deviations to applicable ordinances. An RUD was previously approved for the subject property and the applicant is seeking modification of that RUD and the corresponding Development Agreement. PRO and RUD requests require a 15-day public hearing notice for the Planning Commission, which offers a recommendation to the City Council, who can grant the final approval of the PRO. After final approval of the PRO plan and agreement and the RUD plan and modified Development Agreement, the applicant will submit for Preliminary and Final Site Plan under the typical review procedures. The PRO and RUD run with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two years, the rezoning and PRO concept plan expires and the agreement becomes void.

The parcels in question are located on the south side of Ten Mile Road, between Wixom Road and Napier Road in Section 30 of the City of Novi. The property totals 329.5 acres. The current zoning of the majority of the property is R-1, One-Family Residential with a small portion zoned RA, Residential Acreage and the applicant is proposing the rezoning of portions of eight parcels to RM-1 and B-2 with a majority of the subject property to remain zoned R-1. The applicant has indicated that the rezoning is being proposed to facilitate the construction of an "Active Adult Community" described by the applicant as follows:

"The design goal of an Active Adult Community is to master plan a modern urban neighborhood that is located in a suburban or rural area; A community that is walkable, secure, and complete with quick access to daily conveniences and necessities, connected by pedestrian walkways and trails. The community should provide not only a full range of recreational programs and amenities, but a small shopping center, dining, entertainment, services and all the elements that would allow the development to support the normal, daily lifestyle of an individual and be completely freestanding."

As part of this concept, the applicant is proposing a 320 unit detached single-family residential development (the RUD portion of the development) along with a 220 unit attached residential development, a 154 unit senior housing complex to include congregate care and assisted living facilities, an 8,600 sq. ft. daycare center and a 105,820 sq. ft. retail development to include a bank, a restaurant and retail shops. Please see the attached diagram, provided by the applicant showing the various rezonings, PROs and the adjacent proposed RUD. Currently, the subject property is zoned R-1. While this district does permit the proposed single-family residential development with an RUD and the proposed day care, it does not permit the proposed attached residential, the senior center or the retail development.

As a part of the application materials, the applicant has indicated that an approximately 2.5 acre portion of city-owned land is proposed to be included as part of the retail development on the south side of Ten Mile Road near the Wixom Road traffic light. The applicant has acknowledged and agreed that, at the date of the application, the city has not agreed to transfer this property to Singh Development. The applicant has further acknowledged, that by processing the application, the city is not asking or authorizing Singh to act on the city's behalf in any manner, and that the city shall not be considered an applicant or proponent of the rezoning application or amendments to the previous approvals.

Recommendation

Staff **does not recommend approval** of the proposed Residential Unit Development with modified Development Agreement and the proposed Zoning Map Amendment and Planned Rezoning Overlay, which would rezone the property from R-1, One-Family Residential to RM-1, Low Density, Low-Rise, Multiple-Family Residential and B-2, Community Business. Approval is not recommended for the following reasons.

- The proposed rezoning to RM-1, Low Density, Low-Rise Multiple Family Residential would be contrary to the recommendation of the Master Plan for Land Use, which recommends Single-Family uses for the property.
- The proposed rezoning to RM-1, Low Density, Low-Rise Multiple Family Residential would be contrary to an Objective of the Master Plan, to: *Maintain the existing low density residential development and natural features preservation patterns*, as well as the Implementation Strategy, to: *Continue to rezone properties in the Southwest Quadrant to zoning districts that limit uses to low density residential uses that match the densities depicted in the Master Plan's Residential Density Patterns Map, parks, open space, educational facilities and public uses*, since an increase in overall density is proposed.
- The proposed rezoning to RM-1, Low Density, Low-Rise Multiple Family Residential would allow an increase in the density over the previous approval which allowed 439 units to a proposed total of 694 units, amounting to a 63% increase in density, which is inconsistent with the recommended density of the Master Plan for Land Use (___ units/acre proposed, 0.8 units/ acre recommended).
- The proposed rezoning to B-2, Community Business would be contrary to the Master for Land Use, which recommends Single-Family uses of the property.
- The proposed rezoning would be contrary to a goal of the Master Plan, which states: *Continue to protect the character of the southwest quadrant of the City as this area is home to the majority of vacant land in Novi*, since the proposed conceptual plan would change the character from primarily low-density single family developments to higher density single and multiple family developments and non-residential uses.
- The proposed rezoning would be contrary to an objective of the Master Plan, which states: *Maintain the existing low density residential development and natural features preservation patterns*, since the proposed conceptual plan proposes higher density residential development than recommended by the Master Plan.
- The proposed rezoning would be contrary to an Implementation Strategy of the Master Plan, which states: *Encourage future development within the southwest quadrant that preserves the view of natural features and open space from major roadways*, since the non-residential and multiple family developments proposed along Ten Mile Road do not allow views of the natural features and open spaces.
- The proposed RUD Plan is found to contain a number of ordinance deviations, as noted in this letter, including deviations from ordinance standards for building setbacks, recreational facility setbacks, lot area and width, clubhouse parking, parking space dimensions, and design and construction standards. The applicant has not clearly demonstrated how each deviation will meet the ordinance standards of Section 2404.6.
- The proposed PRO Concept Plan is found to contain a number of ordinance deviations, as noted in this letter, including deviations from ordinance standards for:
 - Proposed Attached Housing - distance between buildings.
 - Proposed Daycare building - building height and adjacency issues.
 - Proposed Senior Housing Facility - length of building.
 - Proposed Retail Center - building height, building setbacks and parking setbacks.

The applicant has not clearly demonstrated how each deviation will be an enhancement to the development that is in the public interest, and whether the deviations are consistent with the Master Plan and consistent with the surrounding areas, as provided in Ordinance Section 3402.D.1.c.

- The proposed application materials have been found to be lacking in information or have inconsistencies that hinder the complete review of the application, as noted in this, and the accompanying review letters.
- The existing R-1 zoning is consistent with the existing zoning in the area and the single family zoning throughout the southwest quadrant of the City.

Master Plan for Land Use

The Master Plan for Land Use currently designates the majority of the subject property for single-family residential use, with the eastern border designated for public parkland. A rezoning of the property to an RM-1 and/or B-2 zoning would be inconsistent with the recommended actions of the Master Plan. The Master Plan recommends single-family and public park uses not only for this parcel, but also for the immediate surrounding parcels. In addition, the recommended density for the subject properties per the Master Plan residential density map recommends a density of 0.8 dwelling units per acre, which is consistent with the RA, Residential Acreage District. Presently, the subject property is zoned R-1, Single-Family Residential. This was done as part of the previously approved RUD and Development Agreement formerly known as Quail Hollow.

The recently completed Master Plan for Land Use Amendments (2008) also has a specific goal and related objective (Chapter 5) that is relevant to the discussion at hand.

Goal: Continue to protect the character of the southwest quadrant of the City as this area is home to the majority of vacant land in Novi.

Objective: Maintain the existing low density residential development and natural features preservation patterns.

The recent Master Plan for Land Use update included a study of the southwest quadrant of the City. The conclusions of the study based on analysis of the land use patterns and retail needs of the City as well as substantial public input indicated that the southwest quadrant should be preserved for low-density residential developments. The proposed Legacy Parc would not be consistent with the recommendations of the Master Plan for Land Use.

Existing Zoning and Land Use

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

**Land Use and Zoning
For Subject Property and Adjacent Properties**

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Site	R-1, One-Family Residential, RA, Residential Acreage	Links of Novi Golf Course, Vacant	Single-Family Residential, Public Park
North Parcels	RA, Residential Acreage	Single-Family Residential, Oak Pointe Church, Vacant	Single-Family Residential
Eastern	RA, Residential Acreage	Fire Station 4, Vacant	Public, Single-

Parcels			Family Residential, Public Park
Southern Parcels	RA, Residential Acreage	Single-Family Residential, Parkland, Vacant	Single-Family Residential, Public Park
Western Parcels	RA, Residential Acreage (City of Novi), R-1 (Lyon Township)	City of Novi – Existing Single- Family Residential, Vacant Lyon Township - Vacant	Rural Residential (1 acre lots)

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the proposed development with the zoning and uses on the adjacent properties should be considered when examining the proposed rezoning with PRO and proposed RUD with modified Development Agreement.

Directly to the north of the subject property is existing single-family residential, vacant land and Oak Pointe Church. The properties to the **north** are zoned RA (Residential Acreage). Additional traffic and noise would be the most noticeable impact to the existing single-family development. The proposed development would add a considerable amount of new residents to the area, as well as increased traffic from the proposed senior center, day care and retail uses. For additional information regarding traffic concerns, please see the Traffic Study submitted by the applicant and the attached review letters from the City’s Traffic Consultant. Some residents may benefit from the installation of the retail center and day care center as these facilities would be open for their use as well as the use of the Legacy Parc residents. Oak Pointe Church will also have to contend with increased traffic although this will most likely affect the church to a lesser extent as parishioners use the facility on mostly designated days.

The properties to the **east** of the subject property are Fire Station 4 and vacant land. The proposed rezoning with PRO and RUD would minimally affect the majority of the property as most is vacant land and master planned for parkland. Fire Station 4 would have to contend with increased traffic in the area. For additional information regarding traffic concerns, please see the Traffic Study submitted by the applicant and the attached review letters from the City’s Traffic Consultant.

The properties to the **south** of the subject property are single-family residential and parkland with some vacant land. The parkland and vacant land will be minimally impacted. The proposed development could bring additional noise to the area that could carry over to the parkland, although this is unlikely. The existing single-family residential will be impacted but less so than the development to the north of the subject property. Residents to the south may experience increased traffic in the area as well as noise but residents of the proposed development and users of the proposed retail facilities, etc. will be entering off of 10 Mile Road.

The properties to the **west** of the subject property comprise a small number of existing single-family homes and vacant land in the City of Novi and in Lyon Township (across Napier Road). The properties to the **north** are zoned RA (Residential Acreage) in the City of Novi and R-1 in Lyon Township. Additional traffic and noise would be the most noticeable impact to the existing single-family homes. The proposed development would add a considerable amount of new residents to the area, as well as increased traffic from the proposed senior center, day care and retail uses. For additional information regarding traffic concerns, please see the Traffic Study submitted by the

applicant and the attached review letters from the City's Traffic Consultant. Some residents may benefit from the installation of the retail center and day care center as these facilities would be open for their use as well as the use of the Legacy Parc residents.

The development of Legacy Parc would add traffic and noise to the area. A Traffic Impact Study has been submitted by the applicant. However, this study does not adequately quantify the proposed impacts or address all the traffic concerns on the surrounding road network. For additional information, please see the Traffic Impact Study review letter prepared by the City's traffic consultant. The proposed development would add a large amount of new residents and users of the proposed retail uses to the area which would significantly alter the character of the existing neighborhood and the surrounding areas, which are all zoned or master planned for low-density residential developments.

City-owned Property

Presently, the City of Novi owns an approximately 2.5 acre piece of property on the northeast corner of the property to be rezoned to B-2 as part of the proposed commercial center. This property is currently vacant and zoned RA, Residential Acreage and master planned for single-family uses with a density of 0.8 units per acre. If the proposed development were approved, the applicant would need to obtain this piece of property from the City. The Planning Commission and City Council should consider as part of their review of the proposed plan whether the City is willing to relinquish this piece of property to be incorporated into the proposed development. It is important to note that presently Wixom Road, just north of the City-owned property, does not continue south of Ten Mile Road, which contributes to the generally residential character of the area. The City-owned property is in a strategic location as a commercial center at the terminus of Wixom Road could bring additional traffic down Wixom Road and alter the existing residential character.

Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classifications for each proposed rezoning and corresponding use. Four separate uses are proposed in conjunction with the proposed PRO and each one has been addressed separately in this section.

Attached Housing Units

One alternative has been provided at this time to accommodate the proposed attached housing units, the RT, Two-Family Residential district. The RT district would be the only other logical district that would be permit the density shown on the concept plan and permit the duplexes. The RM-1 district requested by the applicant would permit the uses and density indicated on the concept plan. However, the density permitted in the RM-1 district is far above what the applicant is suggesting. Although the RT district would accommodate the proposed use and density, it would still not be in compliance with the density recommendations of the Master Plan for Land Use. For purposes of comparison, the existing zoning of the site is listed as R-1. In actuality, some portions of the site are zoned RA, however, none of the proposed attached housing is on a parcel presently zoned RA.

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)	RT Zoning (Alternative)
Principal Permitted Uses	<ol style="list-style-type: none"> One-family dwellings. Farms and greenhouses subject to the standards in 	<ol style="list-style-type: none"> All uses permitted and as regulated in the RT Two-Family Residential 	<ol style="list-style-type: none"> All uses permitted and as regulated in the One-Family Residential districts. Two-family dwellings (site

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)	RT Zoning (Alternative)
	<p>Section 301.</p> <p>3. Publicly owned and operated parks, parkways and outdoor recreational facilities.</p> <p>4. Cemeteries which lawfully occupied land at the time of the adoption of this ordinance.</p> <p>5. Home occupations, as set forth in Section 201 of this ordinance.</p> <p>6. Accessory buildings and uses customarily incidental to any of the above uses.</p> <p>7. The keeping of horses and ponies (subject to specific conditions).</p> <p>8. Family day care homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence.</p>	<p>district.</p> <p>2. Multiple-family dwellings.</p> <p>3. Independent and congregate elderly living facilities as defined by Section 201 and subject to the requirements of this section.</p> <p>4. Accessory buildings and uses customarily incidental to any of the above permitted uses.</p>	<p>built).</p> <p>3. Shared elderly housing as defined by Section 201 and subject to the requirements in this section.</p> <p>4. Accessory buildings and uses customarily incidental to any of the above permitted uses.</p>
Special Land Uses	<p>1. Churches and other facilities normally incidental thereto (subject to certain conditions).</p> <p>2. Public, parochial and private elementary, intermediate or secondary schools</p>	<p>1. Convalescent homes, assisted living facilities, hospice care facilities and child care centers (subject to specific conditions).</p> <p>2. Accessory building and uses</p>	<p>There are no Special Land Uses in the RT district.</p>

R-1 Zoning (Existing)	RM-1 Zoning (Proposed)	RT Zoning (Alternative)
<p>offering courses in general education, not operated for profit, and not including dormitories (subject to certain conditions).</p> <p>3. Utility and public service buildings and uses without storage yards (subject to certain conditions).</p> <p>4. Group daycare homes, daycare centers and adult daycare centers (subject to certain conditions).</p> <p>5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to certain conditions).</p> <p>6. Golf courses, consisting of at least nine holes and not including driving ranges, "pitch and putt," miniature or "par 3" courses, which may or may not be operating for profit (subject to certain conditions).</p>	<p>customarily incident to any of the above permitted uses.</p>	

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)	RT Zoning (Alternative)
	<p>7. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit (subject to certain conditions).</p> <p>8. Private pools permitted as an accessory use within the rear yard or a nonrequired interior side yard.</p> <p>9. Cemeteries (subject to certain conditions).</p> <p>10. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks.</p> <p>11. Mortuary establishments (subject to certain conditions).</p> <p>12. Bed and breakfasts subject to the standards of Section 2522.</p> <p>13. Accessory buildings and uses customarily incident to any of the above permitted uses.</p>		
<p>Maximum Density (Dwelling Units/Net Site Area)</p>	<p>1.65 (Dwelling Units/Net Site Area)</p>	<p>1 bedroom = 10.9 dwelling units/gross acre</p> <p>2 bedroom = 7.3</p>	<p>4.8 (Dwelling Units/Net Site Area)</p>

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)	RT Zoning (Alternative)
		dwelling units/gross acre 3 bedroom = 5.4 dwelling units/gross acre	
Building Height	2.5 stories or 35 feet	2 stories or 35 feet	2.5 stories or 35 feet
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Front: 50 feet Sides: 75 feet Rear: 75 feet	Front: 30 feet Sides: 10 feet Rear: 35 feet

Daycare Center

Two alternatives have been provided at this time to accommodate the proposed daycare center. The R-2 through R-4, One-Family Residential district would permit the daycare center, however it would still not be in compliance with the density recommendations of the Master Plan for Land Use. The existing zoning, R-1 would also permit this use. For purposes of comparison, the existing zoning of the site is listed as R-1. In actuality, some portions of the site are zoned RA. This current zoning is listed as existing and as an alternative because the applicant could propose this use as part of the amended RUD and keep the existing zoning.

	R-1 Zoning (Existing and Alternative 2)	RM-1 Zoning (Proposed)	R-2 through R-4 Zoning (Alternative 1)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. One-family dwellings. 2. Farms and greenhouses subject to the standards in Section 301. 3. Publicly owned and operated parks, parkways and outdoor recreational facilities. 4. Cemeteries which lawfully occupied land at the time of the adoption of this ordinance. 5. Home occupations, as set forth in Section 201 of this ordinance. 6. Accessory 	<ol style="list-style-type: none"> 1. All uses permitted and as regulated in the RT Two-Family Residential district. 2. Multiple-family dwellings. 3. Independent and congregate elderly living facilities as defined by Section 201 and subject to the requirements of this section. 4. Accessory buildings and uses customarily incident to any of the above permitted uses. 	<ol style="list-style-type: none"> 1. One-family dwellings. 2. Farms and greenhouses subject to the standards in Section 301. 3. Publicly owned and operated parks, parkways and outdoor recreational facilities. 4. Cemeteries which lawfully occupied land at the time of the adoption of this ordinance. 5. Home occupations, as set forth in Section 201 of this ordinance. 6. Accessory buildings and uses customarily incidental to any of the above uses. 7. The keeping of

	R-1 Zoning (Existing and Alternative 2)	RM-1 Zoning (Proposed)	R-2 through R-4 Zoning (Alternative 1)
	<p>buildings and uses customarily incidental to any of the above uses.</p> <p>7. The keeping of horses and ponies (subject to specific conditions).</p> <p>8. Family day care homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence.</p>		<p>horses and ponies (subject to specific conditions).</p> <p>5. Family day care homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence.</p>
Special Land Uses	<p>1. Churches and other facilities normally incidental thereto (subject to certain conditions).</p> <p>2. Public, parochial and private elementary, intermediate or secondary schools offering courses in general education, not operated for profit, and not including dormitories (subject to certain conditions).</p> <p>3. Utility and public service buildings and uses without storage yards (subject to certain conditions).</p> <p>4. Group daycare homes, daycare centers and</p>	<p>1. Convalescent homes, assisted living facilities, hospice care facilities and child care centers (subject to specific conditions).</p> <p>2. Accessory building and uses customarily incidental to any of the above permitted uses.</p>	<p>1. Churches and other facilities normally incidental thereto (subject to certain conditions).</p> <p>2. Public, parochial and private elementary, intermediate or secondary schools offering courses in general education, not operated for profit, and not including dormitories (subject to certain conditions).</p> <p>3. Utility and public service buildings and uses without storage yards (subject to certain conditions).</p> <p>4. Group daycare homes, daycare centers and adult daycare centers (subject to certain conditions).</p> <p>5. Private</p>

R-1 Zoning (Existing and Alternative 2)	RM-1 Zoning (Proposed)	R-2 through R-4 Zoning (Alternative 1)
	<p>adult daycare centers (subject to certain conditions).</p> <p>5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to certain conditions).</p> <p>6. Golf courses, consisting of at least nine holes and not including driving ranges, "pitch and putt," miniature or "par 3" courses, which may or may not be operating for profit (subject to certain conditions).</p> <p>7. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit (subject to certain conditions).</p> <p>8. Private pools permitted as an</p>	<p>noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to certain conditions).</p> <p>6. Golf courses, consisting of at least nine holes and not including driving ranges, "pitch and putt," miniature or "par 3" courses, which may or may not be operating for profit (subject to certain conditions).</p> <p>7. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit (subject to certain conditions).</p> <p>8. Private pools permitted as an accessory use within the rear yard or a nonrequired interior side yard.</p> <p>9. Cemeteries (subject to certain conditions).</p> <p>10. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks.</p>

	R-1 Zoning (Existing and Alternative 2)	RM-1 Zoning (Proposed)	R-2 through R-4 Zoning (Alternative 1)
	accessory use within the rear yard or a nonrequired interior side yard. 9. Cemeteries (subject to certain conditions). 10. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks. 11. Mortuary establishments (subject to certain conditions). 12. Bed and breakfasts subject to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses.		11. Mortuary establishments (subject to certain conditions). 12. Bed and breakfasts subject to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses.
Maximum Density (Dwelling Units/Net Site Area)	1.65 (Dwelling Units/Net Site Area)	1 bedroom = 10.9 dwelling units/gross acre 2 bedroom = 7.3 dwelling units/gross acre 3 bedroom = 5.4 dwelling units/gross acre	2.0 – 3.3 (Dwelling Units/Net Site Area)
Building Height	2.5 stories or 35 feet	2 stories or 35 feet	2.5 stories or 35 feet
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Front: 30 feet Sides: 10 feet Rear: 35 feet	Front: 30 feet Sides: 15-10 feet Rear: 35 feet

Senior Housing Complex

No alternatives have been provided to accommodate the proposed senior housing complex. All alternative districts that permit both congregate care and assisted living facilities are either more dense than the proposed RM-1 district or commercial districts, both of which would move the proposed zoning even further away from the recommendations of the Master Plan. For purposes of comparison, the existing zoning of the site is listed as R-1. In actuality, some portions of the site are zoned RA.

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. One-family dwellings. 2. Farms and greenhouses subject to the standards in Section 301. 3. Publicly owned and operated parks, parkways and outdoor recreational facilities. 4. Cemeteries which lawfully occupied land at the time of the adoption of this ordinance. 5. Home occupations, as set forth in Section 201 of this ordinance. 6. Accessory buildings and uses customarily incidental to any of the above uses. 7. The keeping of horses and ponies (subject to specific conditions). 8. Family day care homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the 	<ol style="list-style-type: none"> 1. All uses permitted and as regulated in the RT Two-Family Residential district. 2. Multiple-family dwellings. 3. Independent and congregate elderly living facilities as defined by Section 201 and subject to the requirements of this section. 4. Accessory buildings and uses customarily incidental to any of the above permitted uses.

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)
	dwelling as a residence.	
Special Land Uses	<ol style="list-style-type: none"> 1. Churches and other facilities normally incidental thereto (subject to certain conditions). 2. Public, parochial and private elementary, intermediate or secondary schools offering courses in general education, not operated for profit, and not including dormitories (subject to certain conditions). 3. Utility and public service buildings and uses without storage yards (subject to certain conditions). 4. Group daycare homes, daycare centers and adult daycare centers (subject to certain conditions). 5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to certain conditions). 	<ol style="list-style-type: none"> 3. Convalescent homes, assisted living facilities, hospice care facilities and child care centers (subject to specific conditions). 4. Accessory building and uses customarily incident to any of the above permitted uses.

R-1 Zoning (Existing)	RM-1 Zoning (Proposed)
<p>6. Golf courses, consisting of at least nine holes and not including driving ranges, "pitch and putt," miniature or "par 3" courses, which may or may not be operating for profit (subject to certain conditions).</p> <p>7. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit (subject to certain conditions).</p> <p>8. Private pools permitted as an accessory use within the rear yard or a nonrequired interior side yard.</p> <p>9. Cemeteries (subject to certain conditions).</p> <p>10. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks.</p> <p>11. Mortuary establishments (subject to certain conditions).</p> <p>12. Bed and breakfasts subject</p>	

	R-1 Zoning (Existing)	RM-1 Zoning (Proposed)
	to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses.	
Maximum Density (Dwelling Units/Net Site Area)	1.65 (Dwelling Units/Net Site Area)	1 bedroom = 10.9 dwelling units/gross acre 2 bedroom = 7.3 dwelling units/gross acre 3 bedroom = 5.4 dwelling units/gross acre
Building Height	2.5 stories or 35 feet	2 stories or 35 feet
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Front: 50 feet Sides: 75 feet Rear: 75 feet

Retail Center

One alternative has been provided at this time to accommodate the proposed retail center, NCC, Non-Center Commercial district. The NCC district would be the only other logical district that would permit the uses indicated by the applicant. However, although the NCC district would accommodate the proposed uses, it would still not be in compliance with the land use recommendations of the Master Plan for Land Use. For purposes of comparison, the existing zoning of the site is listed as R-1. In actuality, some portions of the site are zoned RA.

	R-1 Zoning (Existing)	B-2 Zoning (Proposed)	NCC Zoning (Alternative)
Principal Permitted Uses	1. One-family dwellings. 2. Farms and greenhouses subject to the standards in Section 301. 3. Publicly owned and operated parks, parkways and outdoor recreational facilities.	1. Any retail business or service establishment permitted in the B-1, Local Business District, subject to the regulations applicable in the following sections of this	1. Retail business uses: Generally recognized retail business which supply commodities on the premises, such as, but not limited to: a. Bakeries, products of which are sold only at retail on

R-1 Zoning (Existing)	B-2 Zoning (Proposed)	NCC Zoning (Alternative)
<p>4. Cemeteries which lawfully occupied land at the time of the adoption of this ordinance.</p> <p>5. Home occupations, as set forth in Section 201 of this ordinance.</p> <p>6. Accessory buildings and uses customarily incidental to any of the above uses.</p> <p>7. The keeping of horses and ponies (subject to specific conditions).</p> <p>8. Family day care homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence.</p>	<p>Article.</p> <p>2. All retail business or service establishments uses as follows:</p> <p>a. Any retail business whose principal activity is the sale of merchandise in an enclosed building.</p> <p>b. Any service establishment of an office, showroom or workshop nature of a decorator, dressmaker, tailor, bridal shop, art gallery, interior designer or similar establishment that requires a retail adjunct.</p> <p>c. Restaurants (sit down), banquet facilities or other places serving food or beverage, except those having the character of a drive-in or having a drive-through window.</p> <p>d. Theaters,</p>	<p>premises.</p> <p>b. Book stores, news stands.</p> <p>c. Drug stores, including pharmacy, tobacco, reading matter and vanity goods.</p> <p>d. Dry cleaning/laundry outlets dealing directly with consumers.</p> <p>e. Food stores, including delicatessens and specialty food stores.</p> <p>f. Ice cream, confectionary establishments.</p> <p>g. Jewelry stores.</p> <p>h. Liquor, wine, beverage stores.</p> <p>i. Studios: Photography, art, music, dancing.</p> <p>j. Sporting goods stores.</p> <p>2. Retail Business Service Uses: Personal service establishments which perform services on the premises, such as, but not limited to:</p> <p>a. Barber shops</p> <p>b. Beauty shops</p> <p>c. Copy center</p> <p>d. Florist shops</p> <p>e. Locksmiths</p> <p>f. Home furnishings</p> <p>g. Photo finishing services</p> <p>h. Stationers</p>

R-1 Zoning (Existing)	B-2 Zoning (Proposed)	NCC Zoning (Alternative)
	<p>assembly halls, concert halls, museums or similar places of assembly when conducted completely within enclosed buildings.</p> <p>e. Business schools and colleges or private schools operated for profit.</p> <p>3. Daycare centers and adult daycare centers provided that all of the conditions contained within subsection 1102.4 are met.</p> <p>4. Private clubs, fraternal organizations and lodge halls.</p> <p>5. Hotels and motels, provided the site does not abut a residential district.</p> <p>6. Office buildings or any of the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting, sales and medical offices, including</p>	<p>i. Shoe repair shops</p> <p>j. Watch and clock repair establishments</p> <p>k. Tailors</p> <p>l. Video rental stores</p> <p>m. Upholstery establishments</p> <p>3. Office Uses:</p> <p>a. Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting and sales.</p> <p>b. Medical offices, including laboratories and clinics.</p> <p>c. Financial institutions, stock brokerages.</p> <p>4. Restaurants:</p> <p>a. Sit-down restaurants having a minimum capacity of fifty (50) persons; and a maximum size of 10,000 sq. ft., provided, however, there shall not be permitted any of the following types of restaurants: drive-in, fast food carry out, fast food sit</p>

	R-1 Zoning (Existing)	B-2 Zoning (Proposed)	NCC Zoning (Alternative)
		laboratories and clinics. 7. Other uses similar to the above uses. 8. Accessory structures and uses customarily incident to the above permitted uses.	down or fast food drive-through. 5. Private clubs, fraternal organizations and lodge halls. 6. Publicly owned and operated parks, parkways and outside recreational facilities. 7. Instructional centers, such as schools for dance, music, language, arts, or general education (subject to certain conditions). 8. Other uses similar to the above uses. 9. Accessory structures and uses customarily incident to the above permitted uses.
Special Land Uses	1. Churches and other facilities normally incidental thereto (subject to certain conditions). 2. Public, parochial and private elementary, intermediate or secondary schools offering courses in general education, not operated for profit, and not including dormitories (subject to certain conditions). 3. Utility and public service buildings and uses without storage yards (subject to certain	1. Gasoline service station (subject to certain conditions).	1. All Principal Uses permitted in the RM-1 District (subject to special conditions). 2. Daycare centers and adult daycare centers (subject to special conditions). 3. Places of worship, subject to the standards at Section 402.1. 4. Museums. 5. Public utility buildings and uses without storage yards.

	R-1 Zoning (Existing)	B-2 Zoning (Proposed)	NCC Zoning (Alternative)
	<p>conditions).</p> <p>4. Group daycare homes, daycare centers and adult daycare centers (subject to certain conditions).</p> <p>5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to certain conditions).</p> <p>6. Golf courses, consisting of at least nine holes and not including driving ranges, "pitch and putt," miniature or "par 3" courses, which may or may not be operating for profit (subject to certain conditions).</p> <p>7. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit (subject to certain conditions).</p>		

	R-1 Zoning (Existing)	B-2 Zoning (Proposed)	NCC Zoning (Alternative)
	8. Private pools permitted as an accessory use within the rear yard or a nonrequired interior side yard. 9. Cemeteries (subject to certain conditions). 10. Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks. 11. Mortuary establishments (subject to certain conditions). 12. Bed and breakfasts subject to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses.		
Maximum Density (Dwelling Units/Net Site Area)	1.65 (Dwelling Units/Net Site Area)	N/A	N/A
Minimum Lot Size	N/A	2 acres	2 acres
Building Height	2.5 stories or 35 feet	2 stories or 30 feet	2 stories or 25 feet
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Front: 40 feet Sides: 30 feet Rear: 30 feet	Front: 40 feet Sides: 20 feet Rear: 20 feet

Infrastructure Concerns

An initial engineering review was done to analyze the information that has been provided thus far. The City's engineering staff noted that the concept plan proposed would have a noticeable impact on the public utilities when compared to the originally approved RUD plan. In addition, a general listing and implementation schedule of the necessary improvements for the water and sanitary sewer

system should be included in the PRO agreement. Additional information can be found in the attached review letters. A full scale engineering review will take place during the course of the Site Plan Review process.

A Traffic Impact Study was required for this rezoning with PRO request. Ultimately, the Traffic Impact Study provided by the applicant identified various mitigation strategies to accommodate the additional traffic that would be created as a result of the proposed development. The City's traffic consultant also reviewed the Traffic Impact Study, concept plan and rezoning request. The traffic consultant noted that the Traffic Impact Study appears to be lacking and noted a number of concerns with the data evaluation, projected impacts and mitigation strategies. Additional information can be found in the attached traffic review letters.

The City's Fire Marshall also did an initial review of the proposed plan. He noted that the applicant should provide residential sprinkler systems in all 541 attached and detached residential units. For additional information, please see the Fire Department's review letter.

Natural Features

There are substantial regulated woodlands and wetlands on the site, generally of a very high quality. A large portion of the site is part of a Priority One Area, as identified by the Michigan Natural Features Inventory. Priority One Areas are identified as having the most need for conservation based upon a variety of factors. These are described in the woodland review letter. The proposed plan significantly impacts the existing woodland and forested wetlands. Impacts could be minimized with a redesign of the site that is more sensitive to the high-quality natural areas found throughout the site. In addition, there is some question as to what the total amount of impact would be to both woodlands and wetlands. The applicant has only provided basic information and generally quantified the impacts. Impacts could increase when more detailed surveys are completed. Please see the attached woodland and wetland review letters for additional information.

Development Potential

As previously mentioned there is presently a Development Agreement and approved RUD plan existing for the subject property. The existing RUD proposes a 439 unit single-family residential development on approximately the same amount acreage as the proposed Legacy Parc plan encompasses. The proposed plan proposes 320 detached dwelling units and 220 attached units for a total of 540 dwelling units in addition to the 154 units proposed in the senior center. Including the senior center, this totals 694 dwelling units, 255 more dwelling units than previously proposed. The previous plan did not include a daycare, senior housing facility or any retail components or attached housing. It did include a clubhouse and athletic facilities.

Prior to the approval of this RUD Plan, the subject property was zoned RA, Residential Acreage. However, the RUD plan and Development Agreement effectively "rezoned" the property to R-1. If the Development Agreement and approved RUD Plan were withdrawn and the property reverted back to the RA zoning, it is fair to assume (based on the size of the parcel and density calculations) that an approximately 270 unit housing development could occupy the site.

The development of a multiple family housing project under the proposed RM-1 zoning could result in a multi-story housing facility. However, the Planned Rezoning Overlay and RUD, if approved, would hold the applicant to the proposed plan, meaning a multi-family development would not be permitted per the conditions of the Planned Rezoning Overlay and RUD and approved concept plan.

Major Conditions of Planned Rezoning Overlay Agreement

The Planned Rezoning Overlay process involves a PRO plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Article 34). Within the process, which is completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant's conceptual plan has been reviewed and the following are items shown on the plan by the applicant and interpreted by the Plan Review Center as conditions they are willing to attach to the PRO.

- Donation of 76 acres of land to the City of Novi as dedicated park area.
- Construction of a trailhead and asphalt pathway approximately 1.5 miles in length through the dedicated park area and existing city park land to the south.

Ordinance Deviations – RUD

Under Section 2404.6, deviations from the strict application of the Zoning Ordinance may be permitted by the City Council as part of the approval of an RUD plan. These deviations must be accompanied by a finding by the City Council that:

"(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 greater 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. In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the RUD plan, in accordance with Section 2404.10; 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."

For each such deviation, City Council should make the above finding if they choose to permit the ordinance deviations as part of the RUD plan. The following are areas where the current RUD plan does not appear to meet ordinance requirements. The modified Development Agreement will be considered by City Council after the tentative approval of the RUD plan.

Building Setbacks

Section 2400 of the Zoning Ordinance lists the required building setbacks for each district. Under the standards of the ordinance, the minimum building setback in the R-1 district is 30 feet for the front yard, 15 feet for the interior side yard (with the aggregate of both side yard setbacks equal to at least 40 feet) and 50 feet for the rear yard. The proposed single-family residential development includes houses setback at a minimum of 25 feet for the front yard, 5 feet for the interior side yard (aggregate 10 feet) and 30 feet for the rear yard. The applicant has indicated as part of their submission this is a deviation they would like included as part of the RUD plan.

The Community Development Department finds that the City Council should act on this ordinance deviation in their consideration of the RUD plan and modified Development Agreement.

Recreational Facility Setbacks

Section 402 of the Zoning Ordinance states that private noncommercial recreational areas must have a setback of 80 feet in all yards and that there cannot be any recreational facilities permitted in these minimum yards. Presently, the tennis courts have a setback of 20 feet in the rear yard and 20 feet in the western side yard. The bocce ball courts are setback 52 feet in the western side yard and 75 feet in the rear yard. **The Community Development Department finds that the City Council should act on this ordinance deviation in their consideration of the RUD plan and modified Development Agreement or the applicant should adjust the site layout to accommodate the required setbacks.**

Lot Area and Width

Section 2400 of the Zoning Ordinance states, the minimum lot area and width may be reduced from the R-1 requirements, but not below the R-3 district requirements of 12,000 square feet of area and a width of 90 feet. Most lots in the proposed single-family residential development are less than 12,000 square feet and less than 90 feet in width. See the Planning Review Chart (RUD) for additional information. The applicant has indicated as part of their submission this is a deviation they would like included as part of the RUD plan. **The Community Development Department finds that the City Council should act on this ordinance deviation in their consideration of the RUD plan and modified Development Agreement.** Council should consider whether the variety of lots sizes meets the intent of the RUD ordinance.

Clubhouse Parking

Section 402 of the Zoning Ordinance requires that parking be provided to accommodate ½ the member families of any proposed recreational facility in a residential neighborhood. All units are counted towards the member family count for a total of 540 member families. Therefore, 270 parking spaces are required. The City Council may modify this requirement based on ordinance standards, the applicant's justification for a reduced parking requirement and where it is specifically determined that the users will originate from the immediately adjacent areas, and will, therefore, be pedestrian. The applicant is asked to provide additional information justifying the reduced parking count. **The Community Development Department finds that the City Council should act on this ordinance deviation in their consideration of the RUD plan and modified Development Agreement or the applicant should adjust the site layout to accommodate the additional parking spaces.**

Parking Space Dimensions

Section 2506 of the Zoning Ordinance requires all parking spaces to be at least 9 feet wide and a minimum of 17 feet deep (with a 2 foot overhang) with a 24 foot wide access aisle. The clubhouse parking includes 25 spaces labeled as golf cart parking that do not meet the depth or access aisle width requirements of the ordinance. **The Community Development Department finds that the City Council should act on this ordinance deviation in their consideration of the RUD plan and modified Development Agreement or the applicant should adjust the site layout to accommodate the required parking space depth and access aisle width.**

Design and Construction Standards Waivers

There are three separate issues regarding the road design that would necessitate design and construction standards waivers, including:

1. Horizontal curves with a centerline radius of less than 230 feet on roads which appear to be continuous in multiple locations (Sec. 11.194.b.2);
2. Easements less than 16 feet around "eyebrow" curves (Sec. 11.194.a.8 and Figure VIII-G); and

3. Median within the senior housing boulevard driveway in excess of 24 feet (Figure IX.3)
The Community Development Department finds that the City Council should act on these ordinance deviations in their consideration of the RUD plan and modified Development Agreement or the applicant should adjust the site layout to accommodate design requirements. Please see the traffic review letter for additional information.

Ordinance Deviations – Planned Rezoning Overlay

Under Section 3402.D.1.c, deviations from the strict application of the Zoning Ordinance may be permitted by the City Council in the PRO agreement. These deviations must be accompanied by a finding by the City Council that *"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."* For each such deviation, City Council should make the above finding if they choose to include the items in the PRO agreement. The following are areas where the current concept plan does not appear to meet ordinance requirements. The applicant should include a list of ordinance deviations as part of the proposed PRO agreement. The proposed PRO agreement will be considered by City Council after tentative preliminary approval of the proposed concept plan and rezonings.

Attached Housing

Minimum Distance between Buildings

Section 2400 of the Zoning Ordinance lists a formula for computing the required minimum distance between buildings in the RM-1 district. Using this formula, the minimum required distance between buildings in the proposed attached housing development is 32 feet. The applicant has proposed a minimum distance of 12 feet, which is deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should adjust the site layout to accommodate the required distance between buildings.**

Daycare Center

Building Height

Section 2400 of the Zoning Ordinance lists the maximum height for each district. Under the standards of the ordinance, the maximum building height permitted in the RM-1 district is 35 feet. The proposed daycare at its highest point will be approximately 42 feet in height. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should modify the plans to conform to the ordinance.**

Adjacent Zoning

Section 402.4.c of the Zoning Ordinance notes that daycare centers exceeding 50 children must only abut land zoned NCC, EXPO, OS-1, OS-2, OSC, TC, TC-1, RC, FS, I-1, P-1, C and OST. The proposed daycare is and would be surrounded by residential zoning on all sides. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**

Senior Housing Facility

Length of Building

Section 2400 of the Zoning Ordinance indicates buildings in the RM-1 district cannot exceed a horizontal length of 180 feet. This standard length can be increased by the Planning Commission if certain conditions are met, but in no case can the length exceed 360 feet. The proposed length of the Senior Housing Facility is 630 feet. The applicant has indicated as part of their submission this is a deviation they would like included in the PRO Agreement. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**

Retail Center

Building Height

Section 2400 of the Zoning Ordinance lists the maximum height for each district. Under the standards of the ordinance, the maximum building height permitted in the B-2 district is 30 feet. The proposed retail center will be approximately 35 feet in height. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should modify the plans to conform to the ordinance.**

Building Setbacks

Section 2400 of the Zoning Ordinance lists the required building setbacks for each district. Under the standards of the ordinance, the minimum building setback for all front yards and exterior side yards in the B-2 district is 40 feet. The retail development is setback approximately 30 feet in the southern exterior side yard, which is deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should modify the plans to conform to the ordinance.**

Parking Setbacks

Section 2400 of the Zoning Ordinance lists the required parking setbacks for each district. Under the standards of the ordinance, the minimum building setback for all front yards and exterior side yards in the B-2 district is 20 feet. The retail development is setback approximately 15 feet in the western exterior side yard, which is deficient. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should modify the plans to conform to the ordinance.**

Items for Further Review and Discussion

There are a variety of other items inherent in the review of any proposed development. At the time of Preliminary Site Plan, further detail will be provided, allowing for a more detailed review of the proposed development. After this detailed review, added concerns with the site layout may be identified and additional variances may be uncovered, based on the actual product being proposed. This would require amendments to be made to the PRO Agreement and/or Development Agreement and RUD plan, should the PRO and RUD be approved. ***The applicant should address these items at this time, in order to avoid delays later in the project.***

Density Calculations

Per the Zoning Ordinance, density shall be based upon gross site acreage, excluding identified wetlands or watercourses which are regulated by Parts 301 and 303 of the Natural Resources and Environmental Protection Act or Chapter 12, Article V of the Novi Code of Ordinances, but not excluding quality wetlands less than two acres regulated by such laws. The plan quantifies regulated wetlands in the proposed RUD that are not part of the dedicated City park but does not

quantify those wetlands that are part of the City park. **The applicant should provide calculations of all regulated wetland area, greater than two acres within the proposed RUD and including those areas in the proposed City park. Density will be recalculated once this information is provided.** The allowed density could be substantially altered as a result

Lighting

A photometric plan for all parts of the development is required at the time of Preliminary Site Plan submittal due to the site being adjacent to a residentially zoned property.

Noise Impact Statement

Noise Impact Statements are required for the daycare center and senior center at the time of Preliminary Site Plan submittal. The applicant should refer to Section 2519.10 of the Zoning Ordinance to be sure all pertinent information is included in the Noise Impact Statement.

Daycare Center – Hours of Operation

Section 402.4.c of the Zoning Ordinance notes that daycare centers exceeding 50 children shall be limited to hours of operation between 6AM and 7PM. **The applicant should include a note on the proposed plan with the next submittal indicating the proposed hours of operation of the daycare center.**

Parking Space Dimensions

There are a number of instances throughout the development where 17 foot parking spaces are proposed. This is permitted with a 2 foot overhang into the landscape buffer; however curbs must be 4 inches high in order to allow this overhang. **Throughout the plan set a note should be included indicating 4 inch curbs will be provided wherever 17 foot parking spaces are proposed.**

Dumpster Screening

A single dumpster/trash compactor screening detail has been included in the plan set. It appears this is for all proposed dumpsters; however this is not indicated on the plan sheets. In addition, the height of all dumpsters and the trash compactor should be shown. **The applicant should adjust the dumpster screening detail to include what dumpsters this screening will be used for and ensure that all appropriate information is included. Please refer to the Planning Review Charts for what information should be noted.**

Barrier Free Signs – Retail Center

One barrier free sign is required for each barrier free space. Signs appear to be missing at two barrier free spots at the proposed restaurant and at the barrier free spots at the proposed drug store. **The applicant should review the retail center plan and add barrier free signs so that there is one sign for each barrier free space.**

Loading Space – Bank

Loading zones are required for all proposed developments in the B-2 District. Section 2507 states that an exception can be made for banks and other financial institutions given the sensitive nature of their deliveries. The applicant should provide documentation at the time of Preliminary Site Plan submittal to indicate the sensitive nature of the bank deliveries.

Drive-thru Lane Delineated

Per Section 2506 of the Zoning Ordinance drive-thru lanes shall be striped, marked or otherwise delineated. Drive-thru lanes are proposed for the bank and drug store as part of the retail center. **The applicant should clearly show the drive-thru circulation route of the proposed drug store with pavement markings such as arrows or signage at the time of the next plan submittal. The applicant should clearly delineate the drive-thru lane and clearly show the drive-thru circulation route of the proposed bank with pavement markings such as arrows or signage at the time of the next plan submittal.**

Laurel Drive Access

It appears that the required access to Laurel Drive is proposed to be gated. In the interest of creating cross-access between communities and traffic considerations, **the applicant should consider removing this gate to allow through access between the existing and proposed development.**

Phasing Plan

Given the size of the proposed development, the applicant has indicated that this will be a phased development. The applicant should provide the detailed phasing plan at the time of Preliminary Site Plan submittal. **The applicant should provide an "order of construction" prior to the Planning Commission meeting.** This should serve as a preliminary phasing plan. Each major component (i.e., retail, senior housing, attached housing, etc.) should be included.

Parallel Plan

The applicant should provide a parallel plan for the attached housing showing theoretical lot lines so that setbacks can be verified prior to Planning Commission consideration.

Elevations

The applicant has submitted limited elevations for each development component. Additional elevations for each proposed façade will be required at the time of Preliminary Site Plan submittal. The lack of a complete elevation package may lead to additional concerns during the site plan review process.

Development Agreement

It has been noted that the applicant has provided a revised Development Agreement incorporating the proposed changes to the RUD plan. **The applicant should provide a strike-through version of the original Development Agreement incorporating the changes prior to consideration by the Planning Commission.**

Master Deed(s)

The applicant should be advised that all proposed condo documents will need to be submitted to the City for review prior to recordation.

Lot splits/combinations

The applicant should be advised that required lot combinations and splits must be in place prior to Stamping Set submittal.

Consideration of the proposed RUD and modified Development Agreement

Section 2404.18 of the Zoning Ordinance states that major changes to an existing RUD plan must be taken through the review process and reviewed by staff and the appropriate bodies as if it were an entirely new proposal. As such, the proposed amendments to the existing RUD plan and

Development Agreement are being re-considered as, effectively, a new development. Section 2404.8.A of the Zoning Ordinance that in making its recommendation to City Council the Planning Commission shall determine the following:

- a. The appropriateness of the site for the proposed use;*
- b. The effects of the proposed use upon adjacent properties and the community;*
- c. The demonstrable need for the proposed use;*
- d. The care taken to maintain the naturalness of the site and to blend the use within the site and its surroundings; and*
- e. The existence of clear, explicit, substantial and ascertainable benefits to the City from the RUD.*

The Planning Commission's determination should include an evaluation of all of the factors listed in Section 2404.8.B of the Zoning Ordinance.

The City Council shall consider the factors noted above and contained in Section 2404.8 of the Zoning Ordinance and the Planning Commission's recommendation. As part of its approval of the RUD plan, the Council is authorized to impose conditions that are reasonably related to the purposes of Section 2404 of the Zoning Ordinance and that will:

- a. Insure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity;*
- b. Protect the natural environment and conserve natural resources and energy;*
- c. Insure compatibility with adjacent use of land; and*
- d. Promote the use of land in a socially and economically desirable manner.*

Applicant Burden under PRO Ordinance

The Planned Rezoning Overlay ordinance requires the applicant to make certain showings under the PRO ordinance that requirements and standards are met. The applicant should be prepared to discuss these items, especially in part a, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 3402.D.2 states the following:

- 1. Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
- 2. Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay; provided, in determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*

Public Benefit Under PRO Ordinance

At this time, the applicant has identified several items of public benefit. These are called out in Chapter 5 of the Descriptive Narrative submitted by the applicant. These items should be weighed against the proposal to determine if the proposed PRO benefits **clearly outweigh** the detriments of the proposal. The benefits proposed include:

- Donation of 76 acres of land to the City of Novi as dedicated park area.
- Construction of a trailhead and asphalt pathway approximately 1.5 miles in length through the dedicated park area and existing city park land to the south.
- Funding by Singh of the proposed traffic mitigation items outlined in Chapter 4 of the Descriptive Narrative. (Developers are required, to an extent to mitigate their impacts on the proposed roads. In addition, it has recently come to the attention of staff that the Road Commission for Oakland County will be installing some the mitigation items proposed as part of regular system expansion and maintenance.)
- Funding by Singh of sewage pump station upgrades to be made at the Wixom Road and 9 Mile Road locations. (Developers are required to accommodate for the extra stress put on the sewage system as part of their development.)
- Improvements to the water pump booster station on Wixom Road, north of Ten Mile Road. (Developers are required to accommodate for the extra stress put on the water system as part of their development.)
- In kind restitution for the acquisition of approximately 2.52 acres of unused city-owned property next to the fire station at 10 Mile Road and Wixom Road and immediately adjacent to the Singh-owned property. (This is a benefit that would typically be associated with any development in which an applicant was proposing to acquire city-owned property.)
- Internal roads of the proposed Active Adult Community will be private, thereby decreasing the burden on City services.
- Acquisition of two out-parcels along Ten Mile Road, comprising a total of 1.8 acres. (Parcel combination is a benefit that is likely to typically be a part of any large development.)

For additional information on the proposed public benefits, please see Chapter 5 of the Descriptive Narrative provided by the applicant.

• **Submittal Requirements**

- The applicant has provided a survey, legal description and aerial photograph of the property in accordance with submittal requirements.
- The rezoning sign should be erected on the property, in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request. This sign should be erected no later than 15 days prior to the scheduled public hearing.
- A traffic impact study has been submitted.
- A community impact statement has been submitted.
- A written statement explaining the full intent of the applicant and providing supporting documentation has been submitted.


Report by Planner Kristen Kapelanski (248) 347-0586

Planning Review Summary Chart

Legacy Parc – RUD Review

SP 08-31

Plan Dated: May 29, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Single Family Residential	Single Family Residential	Yes	
Zoning	R-1	R-1 (w/ RUD)	Yes	
Permitted Uses	See section Article 4 of the Zoning Ordinance	Single Family Homes, Clubhouse and associated private recreation areas	Yes	Private parks and recreation areas are a principal permitted use in conjunction with an RUD.
Building Height (Sec. 2400)	2.5 stories and 35 feet	29 feet	Yes	
Building Setbacks – Clubhouse (Sec. 402)				
Front (north)	80 feet	252 feet	Yes	
Interior Side (east)	80 feet	83 feet	Yes	
Interior Side (west)	80 feet	100 feet	Yes	
Rear (south)	80 feet	210 feet	Yes	
Setbacks – Recreational Facilities (Tennis Court) (Sec. 402)				
Front (north)	80 feet	336 feet	Yes	
Interior Side (east)	80 feet	336 feet	Yes	
Interior Side (west)	80 feet	11 feet	No	Applicant should adjust the site to meet applicable setback standards of this ordinance deviation will need to be included in the development agreement.
Rear (south)	80 feet	20 feet	No	
Setbacks – Recreational Facilities (Bocce Ball) (Sec. 402)				
Front (north)	80 feet	565 feet	Yes	
Interior Side (east)	80 feet	85 feet	Yes	
Interior Side (west)	80 feet	52 feet	No	Applicant should adjust the site to meet applicable setback standards of this ordinance deviation will need to be included in the development agreement.
Rear (south)	80 feet	75 feet	No	
Building Setbacks – Single Family Housing (Sec. 2400)				
Front	30 feet	Minimum 25 feet	No	Some lots do not

Legacy Parc RUD – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Interior Side	15 feet (Aggregate of both side yard setbacks should be at least 40 feet.)	Minimum 5 feet (Aggregate of 10 feet)		<u>meet setback standards for any single-family residential district.</u>
Rear	50 feet	Minimum 30 feet		Applicant should adjust the site to meet applicable setback standards of this ordinance deviation will need to be included in the development agreement.
Lot Area and Width (Section 2400)	<p>Minimum lot area and width may be reduced from R-1 requirements, but not below the R-3 district requirements of 12,000 square feet of area and a width of 90 feet.</p> <p>Section 2404.1.A(2) states that the Planning Commission and Council shall review the mixture of residential dwelling types to determine whether the proportions of dwelling unit types meet the purpose and intent of the section. A significant portion of the dwelling units (usually 10%) are to be conventional one-family dwelling units, constructed on platted lots or site condo building sites with area and width conforming to the underlying zoning district (R-1).</p>	<p><u>Lot width:</u> 0 lots meet R-A lot width requirement (150 ft) 0 lots meet R-1 lot width requirement (120 ft) 2 lots (0.6%) meet R-2 lot width req't (110 ft) 9 lots (2.8%) meet R-3 lot width req't (90 ft) 10 lots (3.1%) meet R-4 lot width req't (80 ft) Remaining lots do not meet any single-family lot width</p> <p><u>Lot area:</u> 0 lots meet R-1 min area of 21,780 sq ft 0 lots meet R-2 min area of 18,000 sq ft 11 lots (3.4%) meet R-3 min area 12,000 sq ft</p>	No	<p>Lots range in size from 6,513 square feet to 13,330 square feet</p> <p>Applicant should adjust the site to incorporate 10% of lots that meet the R-1 district standards for minimum lot size and minimum lot width or this deviation will need to be included in the development agreement.</p> <p>Applicant should adjust the site layout so that all lots meet the minimum R-3 standards or this deviation will need to be included in the development agreement.</p> <p>Council should consider whether there is a genuine variety of lot sizes to meet the intent of the RUD ordinance.</p>

Legacy Parc RUD – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
		35 lots (10.9%) meet R-4 min area 10,000 sq ft Remaining lots do not meet any single-family lot area req't		
Minimum floor area per unit (Sec. 2400)	1,000 square feet	>1,000 square feet	Yes	
Maximum Density (dwelling units/net site area) (Sec. 2400)	1.65	1.3	Yes?	Please see RUD Density comments in the attached review letter and later in this chart.
Public Utilities	All public utilities must be available		Yes?	See Engineering letter for additional details regarding public utilities.
Parking Setbacks –Clubhouse (Sec. 2400)				
Front (north)	25 feet	25 feet	Yes	
Interior Side (east)	25 feet	25 feet	Yes	
Interior Side (west)	25 feet	30 feet	Yes	
Rear (south)	25 feet	290 feet	Yes	
Number of Parking Spaces - Housing (Sec. 2505)	2 parking spaces for each dwelling	2 parking spaces for each dwelling unit	Yes	
Number of Parking Spaces – Clubhouse (Sec. 2505)	Clubhouse: Accommodate ½ of individual families or members 540 residences x 0.5 = 270 spaces required The Planning Commission, in this case City Council may modify the parking requirements where it is specifically determined that the users will originate from the immediately adjacent areas, and will, therefore, be pedestrian.	175 spaces provided (25 identified as golf cart parking)	No	Applicant should clarify why the proposed pool deck and pool occupancies have not been included in the total occupancy count and to provide additional information to justify the reduced parking count. The City Council may consider modifying the parking requirements, based on the

Legacy Parc RUD – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
				ordinance standards, and the applicant's representations regarding the building's use.
Parking Space Dimensions (Sec. 2506)	90-degree spaces should be 9 feet wide by 19 feet deep with a 24-foot wide aisle; when adj. to landscaping, spaces can be 17 feet deep, with a 2 foot overhang into the landscaped area (4" curbs indicated)	Mostly 9 ft. x 17 ft. spaces shown throughout site. 25 golf cart spaces are proposed and counted towards the parking space requirement. These spaces are all 9 feet deep with a 20-foot wide access aisle.	No	Applicant should adjust the golf cart spaces to be the required parking space depth or this deviation will need to be included in the Development Agreement. Spaces near the ends of parking aisles appear to be too narrow. Applicant should dimension and verify these widths. Applicant should indicate 4" curbs wherever 17' spaces are proposed.
Barrier Free Spaces (Barrier Free Code)	5 barrier free spaces required (1 van accessible)	8 barrier free spaces shown (4 van accessible)	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8 feet wide with a 5 foot wide access aisle for standard b.f. 8 feet wide with an 8 foot wide access aisle for van accessible	Spaces sized appropriately.	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space	Barrier free signs shown.	Yes	

Legacy Parc RUD – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Lighting (Section 2511)	Photometric plan required at the time of Preliminary Site Plan due to site being adjacent to residentially zoned property		N/A	Photometric plan should be submitted with Preliminary Site Plan submittal.
Sidewalks (City Code Sec. 11-276 (b))	An 8' wide sidewalk shall be constructed along Napier Road and a 5' wide sidewalk shall be constructed along 10 Mile Road as required by the City of Novi's Pedestrian and Bicycle Master Plan.	Sidewalks proposed along Napier Road and 10 Mile Road	Yes	
Residential Sidewalks (Sec. 2400)	5' sidewalk required along all residential streets	5' sidewalk proposed along residential streets	Yes	
Major and Minor Drives (Sec. 2514)	All uses and developments shall include a public road network or private drive network.	Private road network proposed.	Yes	
	There shall be a private "major" drive.	Drive shown on Ten Mile Road.	Yes	
	Where on-street parking is proposed it shall be limited to one side of a minor drive and the drive shall be a minimum of 28 feet wide.	28 feet	Yes	
RUD Requirements				
Parcel Size (Sec. 2404)	At least 80 contiguous acres.	80 acres +	Yes	Applicant should be aware that parcel combinations are needed for this project.
Recreation Areas (Section 2404.7.B(6))	Open space created as a part of the development plan may also include "the creation of active and passive recreational areas, such as parks, golf courses, soccer fields, ball fields, bike paths, walkways and nature trails."	Plans show several passive parks and a proposed trail.	Yes	

Legacy Parc RUD – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Perimeter Buffering (Sec. 2404)	Where the RUD abuts a one-family district, development of the land up to 330 feet shall be restricted to detached, one-family, non-clustered dwelling units.	Detached one-family, non-clustered dwelling units proposed.	Yes	
	All clustered housing dwelling units shall be at least 75 feet from any peripheral property line.	No clustered housing proposed.	Yes	
Survey (Sec. 2404)	Survey showing all lot lines shall be included.	Survey showing entire area with existing lot lines.	Yes	
Aerial photograph (Sec. 2404)	Aerial photograph required with submittal.	Provided	Yes	
RUD Plan detail (Sec. 2404)	RUD plan should indicate functional use areas, dwelling unit types, proposed population densities, traffic circulation plan, and open spaces to be used by the public.	RUD plan provided.	Yes	
Written Statement (Sec. 2404)	Written statement required explaining the full intent of the applicant and providing supporting documentation, including intended scheduling of the development.	Written statement provided.	Yes	
Phasing	If phasing is proposed, a plan shall be submitted for review indicating each phase.	None provided.	No	Applicant should provide a phasing plan at the time of Preliminary Site Plan submittal.

Legacy Parc RUD – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
RUD Density Requirements	Density shall be based upon gross site acreage, excluding identified wetlands or watercourses which are regulated by Parts 301 and 303 of the Natural Resources and Environmental Protection Act or Chapter 12 , Article V of the Novi Code of Ordinances, but not excluding quality wetlands less than two acres regulated by such laws.	Applicant has quantified regulated wetlands in the proposed RUD that are not part of the dedicated City park but has not quantified those wetlands that are part of the City park.	No	Applicant should provide calculations of all regulated wetland area, greater than two acres within the proposed RUD and including those areas in the proposed City park. Density will be recalculated once this information is provided. The allowed density could be substantially altered as a result.
Open Space	Additional density credits of 0.8 dwelling units per acre can be permitted.	Open space plan provided calculating open space for the entire development.	No	Applicant should provide open space calculations for the RUD portion of the development only, including the proposed City park and the single-family housing.

Planning Review Summary Chart

Legacy Parc – Proposed RM-1 PRO (Attached Housing) Review

SP 08-30

Plan Dated: May 29, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Single Family Residential	No change	N/A	The proposed RM-1 zoning would not be in conformance with the Master Plan for Land Use.
Zoning	RA, R-1	RM-1	N/A	
Permitted Uses	See section Article 6 of the Zoning Ordinance	Two-family housing.	Yes	Attached housing is a Principal Permitted Use in the RM-1 District.
Building Height (Sec. 2400)	35 feet	21 feet	Yes	
Building Setbacks (Sec. 2400)				
Front (North)	30 feet	Minimum 31'	Yes	
Interior Side (East)	10 feet	Minimum 40'	Yes	
Interior Side (west)	10 feet	Minimum 40'	Yes	
Rear (South)	35 feet	Minimum 50'	Yes	
Minimum distance between buildings (Sec. 2400)	$60' + 60' + \frac{2(18' + 18')}{6} = 32$ feet	Minimum 12'	No	Applicant should adjust the site to meet applicable setback standards or indicate this is a deviation to be included in the PRO agreement.
Minimum floor area per unit (Sec. 2400)	750 square feet	>1,000 square feet	Yes	Applicant should provide elevations and floor plans to scale of all models with Preliminary Site Plan submittal.
Maximum Density (dwelling units/net site area) (Sec. 2400)	5.4 – 10.9	4.0	Yes	
Public Utilities	All public utilities must be available		Yes?	See Engineering letter for additional details regarding public utilities.
Number of Parking Spaces (Sec. 2505)	2 parking spaces for each dwelling	2 parking spaces for each dwelling unit	Yes	
Accessory Structures (Sec. 2400)				Accessory Structures such as flagpoles and

Legacy Parc RM-1 PRO (Attached Housing) – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
2503.2)				dumpsters will require review and approval from the Community Development Department.
Lighting (Section 2511)	Photometric plan required at the time of Preliminary Site Plan due to site being adjacent to residentially zoned property		N/A	Photometric plan should be submitted with Preliminary Site Plan submittal.
Residential Sidewalks (Section 2400)	5' sidewalk required along all residential streets	5' sidewalk proposed along residential streets	Yes	
Major and Minor Drives (Section 2514)	All uses and developments shall include a public road network or private drive network.	Private road network proposed.	Yes	
	There shall be a private "major" drive.	Drive shown on the far western portion of the property on 10 Mile Road.	Yes	
	Where on-street parking is proposed it shall be limited to one side of a minor drive and the drive shall be a minimum of 28 feet wide.	Approx. 28 feet	Yes	

Planning Review Summary Chart

Legacy Parc – Proposed RM-1 PRO (Daycare Center) Review

SP 08-30

Plan Dated: May 29, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Single Family Residential	No change	N/A	The proposed RM-1 zoning would not be in conformance with the Master Plan for Land Use.
Zoning	RA, R-1	RM-1	N/A	
Permitted Uses	See Article 6 of the Zoning Ordinance	Daycare Center	Yes	A daycare center is a special land use in the RM-1 District.
Building Height (Sec. 2400)	35 feet	42' to top of roof	No	Applicant should adjust the height of the proposed daycare or indicate this is a deviation they would like included in the PRO agreement.
Special Land Use Requirements				
Outside Recreation Area (Sec. 402.4.c)	150 sq. ft. of outside recreation area per child	18,000 sq. ft. play area	Yes	
	120 children x 150 sq. ft. = 18,000 sq. ft.			
	Total minimum area of not less than 2,800 sq. ft.		Yes	
	Recreation area must be securely fenced and screened.	4' decorative fence indicates	Yes	
Noise (Sec. 402.4.c and Sec. 2519.10)	Noise Impact Statement required.	No noise impact statement submitted.	No	Applicant will be required to provide a Noise Impact Statement subject to the requirements of Section 2519.10 at the time of Preliminary Site Plan submittal.
Adjacent Zoning (Sec. 402.4.c)	Daycare Centers exceeding 50 children must abut land zoned only NCC, EXPO, OS-1, OS-2, OSC, TC, TC-1, RC, FS, I-1, P-1, C and OST	Proposed daycare abuts residentially zoned property.	No	This ordinance deviation will need to be included in the PRO agreement.

Legacy Parc RM-1 PRO (Daycare Center) – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Hours of Operation (Sec. 402.4.c)	Daycare Centers exceeding 50 children shall be limited to hours of operation between 6AM and 7PM	No hours of operation indicated.	Yes?	Applicant should be advised that the hours of operation will be limited to those stated and a note indicating that shall be included on the plan.
Building Setbacks (Sec. 2400)				
Front (North)	75 feet or the height of the main building, whichever is greater	75 feet	Yes	
Interior Side (East)		150 feet	Yes	
Interior Side (West)		80 feet	Yes	
Rear (South)		120 feet	Yes	
	No more than 30% of setback shall be used for parking, maneuvering lanes, loading and dumpster.		Yes	
	Horizontal length of buildings shall not exceed 180 ft. This can be modified by the Planning Commission if: (1) The building includes common areas with a minimum capacity of 50 persons for recreation, dining or social activities; (2) The building is setback and additional 1 ft. for every 3 ft. of building length in excess of 180 ft. In no case can the building length exceed 360 ft.	Horizontal building length approximately 110 feet.	Yes	
Public Utilities	All public utilities must be available		Yes?	See Engineering letter for additional details regarding

Legacy Parc RM-1 PRO (Daycare Center) – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
				public utilities.
Parking Setbacks – Section 2400				
Front (North)	20 feet	48 feet	Yes	
Interior Side (East)	20 feet	20 feet	Yes	
Interior Side (West)	20 feet	210 feet	Yes	
Rear (South)	20 feet	38 feet	Yes	
	Off-street parking and related drives shall not be located closer than 25 ft. from any wall openings to living areas or closer than 8 ft. to any wall that does not contain openings.		Yes	
Number of Parking Spaces (Sec. 2505)	1 parking space for each 350 sq. ft. of usable floor area plus one for each employee 7,000 sq. ft./350 = 20 spaces + 17 employee spaces = 37 spaces required	37 spaces	Yes	Parking calculations will need to be verified for the proposed daycare once a floor plan is provided.
Parking Space Dimensions (Sec. 2506)	90-degree spaces should be 9 feet wide by 19 feet deep with a 24-foot wide aisle; when adj. to landscaping, spaces can be 17 feet deep, with a 2 foot overhang into the landscaped area (4" curbs indicated)	Spaces sized appropriately	Yes	Applicant should indicate 4" curb wherever 17' spaces are proposed.
Barrier Free Spaces (Barrier Free Code)	2 barrier free spaces required (1 van accessible)	2 barrier free van accessible spaces provided	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8 feet wide with a 5 foot wide access aisle for standard b.f. 8 feet wide with an 8 foot wide access aisle for van accessible	Spaces sized appropriately	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space	Barrier free signs shown.	Yes	
Loading Spaces (Sec. 2507)	All loading shall be in the rear yard or interior	Loading zone indicated in the	Yes	

Legacy Parc RM-1 PRO (Daycare Center) – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
	side yard if double fronted lot.	rear yard.		
Loading Space Screening (Sec. 2302A.1)	View of loading and waiting areas must be shielded from rights of way and adjacent properties.	6' masonry wall proposed.	Yes	
Accessory Structure Setback- Dumpster (Sec. 2503)	Accessory structures should be setback a minimum of 10 feet from any building unless structurally attached to the building and setback the same as parking from all property lines; in addition, the structure must be in the rear or interior side yard.	Dumpster indicated setback appropriately from all property lines.	Yes	
Dumpster (Chap. 21, Sec. 21-145)	Screening of not less than 5 feet on 3 sides of dumpster required, interior bumpers or posts must also be shown. Enclosure to match building materials and be at least one foot taller than height of refuse bin.	No dumpster screening details provided.	No	Applicant should provide screening details for all proposed dumpsters. Applicant should indicate height of all proposed dumpsters and proposed trash compactor.
Lighting (Section 2511)	Photometric plan required at the time of Preliminary Site Plan due to site being adjacent to residentially zoned property		N/A	Photometric plan should be submitted with Preliminary Site Plan submittal.
Sidewalks (City Code Sec. 11-276 (b))	A 5' wide sidewalk shall be constructed along 10 Mile Road required by the City of Novi's Pedestrian and Bicycle Master Plan.	5' sidewalk proposed along 10 Mile Road.	Yes	
Exterior Signs	Exterior Signage is not regulated by the Planning Department or Planning Commission.			Please contact Alan Amolsch (248.347.0436) in the neighborhood services department.

Planning Review Summary Chart

Legacy Parc – Proposed RM-1 PRO (Senior Center) Review

SP 08-30

Plan Dated: May 29, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Single Family Residential	No change	N/A	The proposed RM-1 zoning would not be in conformance with the Master Plan for Land Use.
Zoning	RA, R-1	RM-1	N/A	
Permitted Uses	See Article 6 of the Zoning Ordinance	Senior Center	Yes	A congregate elderly facility is a permitted use in the RM-1 District. An assisted living facility is a Special Land Use in the RM-1 District.
Building Height (Sec. 2400)	35 feet	30 feet	Yes	
Special Land Use Requirements				
Total Area (Sec. 602.1.a)	1,500 sq. ft. of total land area per bed 53 assisted living and memory care beds = 79,500 sq. ft.	14.3 acres	Yes	
Noise (Sec. 402.4.b and Sec. 2519.10)	Noise Impact Statement most likely required.	No noise impact statement submitted.	No	Applicant will be required to provide a Noise Impact Statement subject to the requirements of Section 2519.10 at the time of Preliminary Site Plan submittal.
Building Setbacks (Sec. 2400)				
Front (North)	75 feet or the height of the main building, whichever is greater	110 feet	Yes	
Interior Side (East)		80 feet	Yes	
Interior Side (West)		395 feet	Yes	
Rear (South)		116 feet	Yes	
	No more than 30% of setback shall be used for parking, maneuvering lanes, loading and dumpster.		Yes	
	Horizontal length of	Horizontal building	No	Applicant should

Item	Required	Proposed	Meets Requirements?	Comments
	buildings shall not exceed 180 ft. This can be modified by the Planning Commission, however in no case can the building length exceed 360 ft.	length = 630 feet		adjust the building so that the length is less than 360 feet or this deviation will need to be included in the PRO agreement.
Public Utilities	All public utilities must be available		Yes?	See Engineering letter for additional details.
Parking Setbacks – Section 2400				
Front (North)	20 feet	38 feet	Yes	
Interior Side (East)	20 feet	20 feet	Yes	
Interior Side (West)	20 feet	330 feet	Yes	
Rear (South)	20 feet	47 feet	Yes	
	Off-street parking and related drives shall not be located closer than 25 ft. from any wall openings to living areas or closer than 8 ft. to any wall that does not contain openings.		Yes	
Number of Parking Spaces (Sec. 2505)	Congregate Elderly: 3 parking spaces for each 4 units and 1 for each employee 108 units/4 units = 27 x 3 = 81 spaces + 18 employee spaces = 99 spaces Assisted Living: 1 parking space for each 4 beds and 1 for each employee 53 beds/4 = 13 spaces + 27 employee spaces = 40 spaces 99 spaces + 40 spaces = 139 spaces required	140 spaces provided	Yes	
Parking Space Dimensions (Sec. 2506)	90-degree spaces should be 9 feet wide by 19 feet deep with a 24-foot wide aisle; when	Spaces sized appropriately	Yes	Applicant should indicate 4" curbs wherever 17' spaces are

Item	Required	Proposed	Meets Requirements?	Comments
	adj. to landscaping, spaces can be 17 feet deep, with a 2 foot overhang into the landscaped area			proposed.
Barrier Free Spaces (Barrier Free Code)	5 barrier free spaces required (1 van accessible)	10 barrier free spaces provided (6 van accessible)	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8 feet wide with a 5 foot wide access aisle for standard b.f. 8 feet wide with an 8 foot wide access aisle for van accessible	Spaces sized appropriately	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space	One barrier free sign shown for each spaces	Yes	
Loading Spaces (Sec. 2507)	All loading shall be in the rear yard or interior side yard if double fronted lot.	Loading space provided in the rear yard.	Yes	
Loading Space Screening (Sec. 2302A.1)	View of loading and waiting areas must be shielded from rights of way and adjacent properties.	Loading zone screened by proposed building and landscape berm.	Yes	
Accessory Structure Setback-Dumpster (Sec. 2503)	Accessory structures should be setback a minimum of 10 feet from any building unless structurally attached to the building and setback the same as parking from all property lines; in addition, the structure must be in the rear or interior side yard.	Two dumpsters shown in the rear yard and setback appropriately.	Yes	
Dumpster (Chap. 21, Sec. 21-145)	Screening of not less than 5 feet on 3 sides of dumpster required, interior bumpers or posts must also be shown. Enclosure to match building materials and be at least one foot taller than height of refuse bin.	No dumpster screening details provided.	No	Applicant should provide screening details for all proposed dumpsters. Applicant should indicate height of all proposed dumpsters and proposed trash compactor.

Item	Required	Proposed	Meets Requirements?	Comments
Lighting (Section 2511)	Photometric plan required at the time of Preliminary Site Plan due to site being adjacent to residentially zoned property		N/A	<u>Photometric plan should be submitted with Preliminary Site Plan submittal.</u>
Sidewalks (City Code Sec. 11-276 (b))	A 5' wide sidewalk shall be constructed along 10 Mile Road required by the City of Novi's Pedestrian and Bicycle Master Plan.	A 5' sidewalk shown on 10 Mile Road.	Yes	
Exterior Signs	Exterior Signage is not regulated by the Planning Department or Planning Commission.			<u>Please contact Alan Amolsch (248.347.0436) in the neighborhood services department.</u>

Planning Review Summary Chart

Legacy Parc – Proposed B-2 PRO Review

SP 08-30

Plan Dated: May 29, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Single Family Residential	No change	N/A	The proposed B-2 zoning would not be in conformance with the Master Plan for Land Use.
Zoning	RA, R-1	B-2	N/A	
Use	Retail businesses or service establishments permitted.	Market, bank, restaurant, retail center, drug store	Yes	Only sit-down restaurants permitted.
Building Height (Sec. 2400)	Maximum 30 feet	Max height of 34' 6" to midpoint of roof	No	Applicant should adjust the height of the proposed retail center and associated uses to be less than 30' or this deviation will need to be included in the PRO agreement.
Minimum lot size (Sec. 2400)	2 acres	18.54 acres	Yes	
Building Setbacks (Section 2400)				
Front (north)	40 feet	70 feet	Yes	
Exterior Side (west)	40 feet	149 feet	Yes	
Exterior Side (east)	40 feet	90 feet	Yes	
Exterior Side (south)	40 feet	30 feet	No	Applicant will need to adjust the site layout to meet the required setback or this deviation will need to be included in the PRO agreement.
Parking Setbacks (Section 2400)				
Front (north)	20 feet	20 feet	Yes	
Exterior Side (west)	20 feet	15 feet	No	Applicant will need to adjust the site layout to meet the required setback or this deviation will need to be included in the PRO agreement.

Legacy Parc B-2 PRO – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Exterior Side (east)	20 feet	20 feet	Yes	
Exterior Side (south)	20 feet	24 feet	Yes	
Number of Parking Spaces (Sec. 2505)	<p>Market: 1 parking space for every 200 sq. ft. = 50,000 sq. ft. /200 = 250 spaces required</p> <p>Bank: 1 parking space for each 150 sq. ft. = 4,000 sq. ft. /150 = 26 spaces required</p> <p>Sit-down Restaurant: 1 parking space for each 70 sq. ft. or 1 space for each two employees plus 1 space for each 2 customers allowed under maximum capacity = 6,000 sq. ft./70 = 86 spaces required</p> <p>Shopping Center: 1 space for each 250 sq. ft. = 31,000 /250 = 124 spaces required</p> <p>Drug store: 1 parking space for each 200 sq. ft. = 14,820 sq. ft./200 = 74 spaces required</p>	<p>Market: 250 spaces provided</p> <p>Bank: 27 spaces provided</p> <p>Restaurant: 86 spaces provided</p> <p>Shopping Center: 155 spaces provided</p> <p>Drug store: 75 spaces provided</p>	Yes	Parking calculations will need to be verified for the proposed restaurant once a floor plan is provided.
Parking Space Dimensions (Sec. 2506)	90-degree spaces should be 9 feet wide by 19 feet deep with a 24-foot wide aisle; when adj. to landscaping, spaces can be 17 feet deep, with a 2 foot overhang into the landscaped area	Spaces sized appropriately	Yes	Applicant should indicate a 4" curb wherever 17' spaces are proposed

Legacy Parc B-2 PRO – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Barrier Free Spaces (Barrier Free Code)	<p>Market: 7 barrier free spaces required (2 van accessible)</p> <p>Bank: 2 barrier free spaces required (1 van accessible)</p> <p>Sit-down Restaurant: 4 barrier free spaces required (1 van accessible)</p> <p>Shopping Center: 5 barrier free spaces required (1 van accessible)</p> <p>Drug store: 3 barrier free spaces required (1 van accessible)</p>	<p>Market: 8 barrier free spaces provided (4 van accessible)</p> <p>Bank: 2 van accessible barrier free spaces provided</p> <p>Sit-down Restaurant: 4 barrier free spaces provided (2 van accessible)</p> <p>Shopping Center: 6 barrier free spaces provided (4 van accessible)</p> <p>Drug store: 4 barrier free spaces provided (2 van accessible)</p>	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8' wide with a 5' wide access aisle (8' wide access aisle for van accessible)	Spaces sized appropriately	Yes	Applicant should indicate a 4" curb wherever 17' spaces are proposed
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space.	Signs shown in some locations.	No	Applicant should show one barrier free sign for each space. Signs appear to be missing at two barrier free spots at the proposed restaurant and at the barrier free spots at the drug store.
Loading Spaces (Sec. 2507)	<p>10 square feet per front foot of building</p> <p>All loading shall be in the rear yard or interior side yard if double fronted lot.</p>	All loading proposed in the rear yard and sized at appropriate amounts.	Yes	Bank uses must provide documentation to indicate sensitive nature of their deliveries at the time of Preliminary Site Plan review.
Loading Space Screening (Sec. 2302A.1)	View of loading and waiting areas must be shielded from rights of way and adjacent properties.	Loading zones screened appropriately.	Yes	

Legacy Parc B-2 PRO – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Drive-thru Standards – Drug Store				
Stacking Spaces for Drive-thru (Sec. 2506)	The drive-thru shall store 3 vehicles, including the vehicles at the pick-up window.	Drive-thru can accommodate more than 3 vehicles as demonstrated by plan.	Yes	
Drive-thru Lane Delineated (Sec. 2506)	Drive-thru lanes shall be striped, marked, or otherwise delineated.	Some pavement markings indicated.	No	Applicant should clearly show the drive-thru circulation route with pavement markings such as arrows or signage.
Bypass Lane for Drive-through (Sec. 2506)	Drive-through facilities shall provide 1 bypass lane. Such bypass lane shall be a minimum of 18' in width, unless otherwise determined by the Fire Marshal.	Bypass lane of approximately 18' provided.	Yes	
Width and Centerline Radius of Drive-through Lanes (Sec. 2506)	Drive-through lanes shall have a minimum 9' width and centerline radius of 25'.	9' drive-thru lane shown with a centerline radius of 25'.	Yes	
Drive-through Lanes Separation (Sec. 2506)	Drive-through lanes shall be separate from the circulation routes and lanes necessary for ingress to, and egress from, the property.	Drive-thru separated by a proposed island.	Yes	
Drive-thru Standards – Bank				
Stacking Spaces for Drive-thru (Sec. 2506)	The drive-thru shall store 3 vehicles, including the vehicles at the pick-up window.	Stacking space provided for 3 vehicles in each lane.	Yes	
Drive-thru Lane Delineated (Sec. 2506)	Drive-thru lanes shall be striped, marked, or otherwise delineated.	No pavement markings indicated.	No	Applicant should include pavement markings to clearly delineate the drive-thru lane and the drive-thru circulation route.

Legacy Parc B-2 PRO – Planning Review Chart

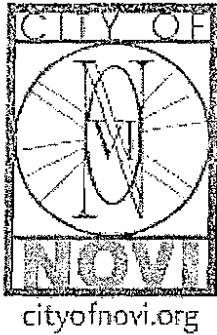
Item	Required	Proposed	Meets Requirements?	Comments
Bypass Lane for Drive-through (Sec. 2506)	Drive-through facilities shall provide 1 bypass lane. Such bypass lane shall be a minimum of 18' in width, unless otherwise determined by the Fire Marshal.	Bypass lane of approximately 18' provided.	Yes	
Width and Centerline Radius of Drive-through Lanes (Sec. 2506)	Drive-through lanes shall have a minimum 9' width and centerline radius of 25'.	9' drive-thru lane shown with a centerline radius of 25'.	Yes	
Drive-through Lanes Separation (Sec. 2506)	Drive-through lanes shall be separate from the circulation routes and lanes necessary for ingress to, and egress from, the property.	Drive-thru separated by a proposed island.	Yes	
Accessory Structure Setback-Dumpster (Sec. 2503)	Accessory structures should be setback a minimum of 10 feet from any building unless structurally attached to the building and setback the same as parking from all property lines; in addition, the structure must be in the rear or interior side yard.	Dumpsters located in the rear yard and setback appropriately from all property lines.	Yes	
Dumpster (Chap. 21, Sec. 21-145)	Screening of not less than 5 feet on 3 sides of dumpster required, interior bumpers or posts must also be shown. Enclosure to match building materials and be at least one foot taller than height of refuse bin.	Screening details provided for the proposed trash compactor.	No	Applicant should provide screening details for all proposed dumpsters. Applicant should indicate height of all proposed dumpsters and proposed trash compactor.

Legacy Parc B-2 PRO – Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Exterior Signs	Exterior Signage is not regulated by the Planning Department or Planning Commission.			Please contact Alan Amolsch (248.347.0436) in the neighborhood services department.
Exterior Lighting (Sec. 2511)	Photometric plan and exterior lighting details needed at final site plan.		N/A	Photometric plan should be submitted with Preliminary Site Plan submittal.
Sidewalks (City Code Sec. 11-276(b))	A 5' wide sidewalk shall be constructed along 10 Mile Road as required by the City's Pedestrian and Bicycle Master Plan. Building exits must be connected to sidewalk system or parking lot.	5' sidewalk proposed along 10 Mile Road. All building exits connected to the parking lot.	Yes	

Prepared by Kristen Kapelanski, (248) 347-0586 or kkapelanski@cityofnovi.org

LANDSCAPING REVIEW



PLAN REVIEW CENTER REPORT

August 21, 2008

PRO & RUD Landscape Review

Legacy Parc SP#'s 08-30 & 08-31

Review Type

Pre-Application Landscape Review

Property Characteristics

- Site Location: Napier / Ten Mile
- Site Zoning: PRO (proposed)
- Site Use(s): Mixed Use
- Plan Date: May 29, 2008

The plans as submitted are for the purpose of consideration for the PRO and RUD requests. As such, no landscape plans have been submitted at this time. The following is an overview of landscape requirements that the Applicant must consider for subsequent submittals. The Applicant should be aware of and plan toward the landscape requirements that must be met as the project proceeds through the preliminary and final site plan approval process.

Ordinance Considerations

Residential Adjacent to Non-Residential (Sec. 2509.3.a.)

1. A visual buffer strip with berms and vegetation is required in each zoning and use classification when a non-residential use abuts or is adjacent to any residential use or zone including special land uses. Please refer to the Ordinance for specific requirements between uses.

Adjacent to Public Rights-of-Way – Berm (Wall) & Buffer (Sec. 2509.3.b.)

1. Landscape berms will be required along the Napier and Ten Mile Road frontages. Refer to the Ordinance for required plantings and provide all calculations.
2. Twenty five foot clear vision areas will be required at all intersections and points of access.
3. Please provide cross sections for any proposed berm/wall areas on the Landscape Plan.
4. Proposed contours must be shown on the Landscape Plan.

Street Tree Requirements (Sec. 2509.3.b. & e.)

1. Street Trees will be required along all existing and proposed roadways and access drives.
2. Residential lots or condominium areas abutting major thoroughfares must include a raised berm and screen plantings. These must be contained in a non-access greenbelt easement, labeled as such on the plans, and having a minimum width of 40'.
3. Boulevards and cul-de-sacs must be landscaped and irrigated.

Parking Landscape (Sec. 2509.3.c.)

1. Please provide Parking Lot Landscape Area calculations and plantings on the plans.
-

2. Clearly depict those areas intended to qualify as Parking Lot Landscape Area for all parking lots. Label all square footages. Interior parking islands must be a minimum of 300 SF and 10' width. Larger islands are encouraged.
3. Canopy Parking Lot Trees will be required per the Ordinance.
4. All landscape areas shall consist of a mix of plant materials such as canopy deciduous trees, subcanopy trees, shrubs, groundcovers, ornamental grasses and perennials.
5. Please depict areas for snow storage on the plans.
6. Please note that all loading areas will require adequate screening.

Parking Lot Perimeter Canopy Trees (Sec. 2509.3.c.(3))

1. Perimeter Parking Lot Canopy Trees will be required per 35 LF surrounding parking and access areas.

Building Foundation Landscape (Sec. 2509.3.d.)

1. Please provide Building Foundation Area calculations and landscape. A total square footage equal to 8 x the length of the building foundation will be required for all buildings other than single family homes. The Applicant is encouraged to provide additional greenspace adjacent to buildings wherever possible.
2. A 4' wide landscape bed will be required adjacent to all sides of all multi-family or commercial buildings with the exception of access areas.
3. A minimum of 60% of front building facades must contain foundation plantings.
4. Three (3) canopy deciduous or large evergreen trees are required for each ground floor dwelling unit for multi-family and attached units.

Plant List (LDM)

1. Please provide a Plant List per the requirements of the Ordinance and the Landscape Design Manual. Include all required Planting Notations.
2. Please provide cost estimates per City standards for all proposed plantings, seed/ sod, mulch and irrigation. Separate costs for woodland replacement trees.

Planting Details (LDM)

1. Please provide a Planting Details per the requirements of the Ordinance and the Landscape Design Manual.

Landscape Notes (LDM)

1. Please provide a Landscape Notations per the requirements of the Ordinance and the Landscape Design Manual.

Storm Basins (LDM)

1. Storm basins must be seeded with appropriate basin seed mix and a 25' buffer must be maintained.
2. A total of 70% to 75% of the basin rims area must be landscaped with native shrubs.

Irrigation (Sec. 2509 3.f.(6)(b))

1. An Irrigation Plan and Cost Estimate will be required.

Woodlands and Wetlands

1. Please refer to the Woodland and Wetland reviews for further comments.
-

Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance. For the landscape requirements, see the Zoning Ordinance landscape section on 2509, Landscape Design Manual and the appropriate items in the applicable zoning classification. Also see the Woodland and Wetland review comments.
Reviewed by: David R. Beschke, RLA

WETLANDS REVIEW



Environmental Consulting & Technology, Inc.

2200 Commonwealth Blvd
Suite 300
Ann Arbor, MI 48105
(734) 769-3004 phone
(734) 769-3164 fax

September 2, 2008

Ms. Barbara McBeth
Deputy Director of Community Development
City of Novi
45175 West Ten Mile Road
Novi, MI 48375

Re: Legacy Parc - Wetland Review of the PRO & RUD Plan (SP#08-30 & 08-31)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the proposed Legacy Parc project PRO and RUD plan (Plan) prepared by Atwell-Hicks dated May 29, 2008. The Plan and supporting documentation were reviewed for conformance with the City of Novi Wetland Protection Ordinance.

The 329.51-acre site is located in Section 30 in the southeast corner of the intersection of Ten Mile and Napier Roads. The Plan proposes the construction of an active adult community including a village commons, attached residential product, senior housing building, and child care center under a PRO and 320 detached residential lots under a RUD. Our wetland review attempts to characterize the existing wetland resources within the context of the proposed project impacts.

Novi Wetland Map

The Novi Wetland Map (Figure 1) shows extensive areas of wetland within the proposed project site. The wetlands mapped on the Plan appear to be roughly accurate, however, some water features within the golf course, shown on Figure 1, but not shown on the Plan may be regulated as well.

Onsite Wetland Evaluation

ECT completed an onsite wetland evaluation on Tuesday, August 26, 2008. ECT observed high quality forested wetlands (Southern Hardwood Swamp) dominated by swamp white oak, (*Quercus bicolor*) burr oak (*Q. macrocarpa*), silver, red, and black maples (*Acer saccharum*, *A. rubrum*, *A. nigrum*, respectively) and boxelder (*A. negundo*). Understories in these wetlands were dominated by a variety of ferns, forbs, and shrubs. Overall the understories were open due to tall, thick tree canopy (see ECT Woodland Review of 9/02/08).

Plan Review

The Plan's *Environmental Plan* (Sheet 16) identifies 66.83 acres of regulated wetland and 1.54 acres of non-regulated wetland. It is not clear from the Plan which wetlands are proposed to be unregulated. Final regulatory status would require further review and determination by the MDEQ, which reserves its right to regulate wetlands.

The *Environmental Plan* (Sheet 16) also does not quantify impacts to forested wetlands and their associated 25-foot natural features setback areas. The estimate of 1.50 acres of wetland impact proposed seems too low, given the very close proximity of developed lots to the wetland lines presented, the extent of commercial development in the northeast corner of the site, the daycare center impact on the north-central side of the site, wetland fill from the proposed Singh Trail through forested wetland (*Trail System Plan* Sheet 6), and subsequent changes in grade and drainage patterns. Since 1) grade changes can negatively impact root systems and change runoff drainage patterns and, thus, tree survivorship and 2) forested wetlands are highly sensitive to alterations in hydrology during the growing season, the Plan's estimate of impacts to regulated woodland, especially forested wetland, is lacking, as it does not fully consider how changes in drainage from grading, addition of impervious surfaces, and outletting of stormwater basins will impact the regulated woodland. Although not included in the *Environmental Plan* (Sheet 16), the amount of impact to natural features setbacks alone will likely be substantial.

The Plan calls for 1.50-acres of wetland impact, but does not propose mitigation. Typically, wetland impacts are mitigated at a ratio of 1.5 to 1 for emergent and scrub shrub wetlands, and 2:1 for forested wetland. The type of wetland, as well as regulatory status for all proposed wetland impacts need to be addressed in order to calculate wetland mitigation requirements prior to the City making a determination as to the appropriateness of issuing a wetland permit. A mitigation site, if needed, is not identified on the Plan.

Recommendation

ECT does not recommend approval of the Legacy Parc proposed PRO and RUD Plan for the following reasons:

1. The Plan does not show all wetland areas on the property. ECT recommends all wetland areas be re-flagged and wetland flag numbers be shown on subsequent plans.
2. The plan does not characterize the individual wetland impacts with regard to wetland community type, which is necessary to assign wetland mitigation requirements.
3. The Plan does not show or quantify impacts to the 25-foot natural features setback. The Plan needs to show these areas and the associated proposed impacts.
4. The Plan does not propose wetland mitigation, although it proposes 1.50-acre of wetland impact. ECT believes the need for mitigation is likely.
5. The Plan appears to encroach into some high-quality forested wetland areas in the eastern, southern, and west sides of the parcel. These areas also contain high-quality forested upland natural features setbacks. ECT recommends these areas be avoided entirely.
6. Given the stormwater plan to discharge site water to the Lyon-Novu Drain, ECT understands that this drainage would flow to Island Lake. ECT is concerned about the potential impacts to Island Lake during construction, and due to long term effects of collecting drainage from a densely urbanized area as is proposed in this Legacy Parc Plan. ECT is concerned with both the quantity and quality of water that would leave the proposed Legacy Parc site and enter Island Lake. The current Plan does not, in ECT's opinion, contain enough information regarding the existing versus proposed stormwater quantity and quality as those parameters relate to downstream watercourses, especially Island Lake. ECT recommends the applicant revise their plans to include (1) water budgets for existing and proposed development conditions including the Legacy Parc property, the Novi-Lyon Drain, and Island Lake; (2) in consideration of the proposed development's potential impact to Island Lake, a specific description of best management practices that would minimize stormwater runoff and water pollution from paved surfaces, fertilizers, and pesticides, an other potential sources associated with the proposed development.

If you have any questions regarding the contents of this letter, please contact us.

Respectfully,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



John A. Freeland, Ph.D., PWS
Environmental Scientist

cc: Angela Pawlowski
Kristen Kapelanski

Enclosures

Figure 1. Novi wetland map with wetlands shown in purple and watercourses shown in blue.



WOODLANDS REVIEW



Environmental Consulting & Technology, Inc.

September 2, 2008

Ms. Barbara McBeth
Deputy Director of Community Development
City of Novi
45175 West Ten Mile Road
Novi, MI 48375

Re: Legacy Parc
Woodland Review of the PRO & RUD Plan (SP#08-30 & 08-31)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the proposed Legacy Parc project PRO and RUD plan (Plan) prepared by Atwell-Hicks dated May 29, 2008. The Plan and supporting documentation were reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37.

The 329.51-acre site is located in Section 30 in the southeast corner of the intersection of Ten Mile and Napier Roads. The Plan proposes the construction of an active adult community including a village commons, attached residential product, senior housing building, and child care center under a PRO and 320 detached residential lots under a RUD. Considering the site at a landscape scale, the dense, medium, and low density regulated woodlands composing the majority of the lower half and eastern third of the site are contiguous with medium to dense regulated woodland that stretches east, west, and south of the site all the way to Nine Mile Road. This unfragmented swath of regulated woodland also includes a large expanse of forested wetland that extends into the southeast and south-central side of the site and is associated with the Novi Lyon Drain. Forested wetland also occurs within the regulated woodland in the northwest corner of the site. South of the site is zoned as "parkland," and the eastern portion of the site is zoned as "future parkland." A golf course occupies much of the north and central portions of the site.

In their Potential Conservation/Natural Areas Report (July 2002, updated April 2004) for Oakland County, Michigan Natural Features Inventory (MNFI) identified this swath of contiguous regulated woodlands as one of only two Priority One Areas in the City of Novi (See attached map from the 2002 report). Priority One Areas are designated as having the most need for conservation based upon total size, core area size, stream corridor, landscape connectivity, restorability of surrounding lands, vegetation quality, parcel fragmentation, and element occurrences (rare species) criteria. According to this report and the associated map, approximately the eastern quarter of the proposed project site has been designated as part of this Priority One Area for conservation, as well as the finger of regulated woodland that stretches north and west to the west-central side of the site (See attached aerial photos).

Onsite Woodland Evaluation

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on Tuesday, August 26, 2008. ECT observed high quality oak/hickory and oak/maple woodlands on the property. Per MNFI's natural community classification, both the site's uplands (Dry-Mesic Southern Forest) and wetlands (Southern Hardwood Swamp) have a state rank status of S3.

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meaning they are "vulnerable in the state due to a restricted range, relatively few occurrences (often 80 or fewer), recent and widespread declines, or other factors making [them] vulnerable to extirpation." The site contains a caliber of oak woodlands very rare in southeastern Michigan. Woody plant diversity was quite high, with multiple species of oaks (*Q. bicolor*, *Q. alba*, *Q. macrocarpa*, and *Q. rubra*), maples (*Acer rubrum*, *A. saccharum*, *A. nigrum*, *A. negundo*, and *A. saccharinum*), hickories (*Carya ovata* and *C. cordiformis*), and various other canopy and subcanopy trees and shrubs (*Fagus grandifolia*, *Prunus serotina*, *Tilia americana*, *Fraxinus americana*, *Fraxinus pennsylvanica*, *Ulmus americana*, *Viburnum lentago*, *Prunus virginiana*, *Carpinus caroliniana*, *Ostrya virginiana*, *Amelanchier arborea*, *Zanthoxylum americanum*, *Cephalanthus occidentalis*, and *Hamamelis virginiana*). The woodland groundcover was intact with a diversity of native species, as well.

The diversified age structure of the woodland is also noteworthy, ranging from seedlings and understory saplings to mature overstory trees with 30-inch d.b.h. or more. The woodland understory contained relatively few invasive species. There were significant amounts of native tree advanced regeneration, including oaks. Advanced regeneration is composed of understory trees positioned to move into the overstory. This transition occurs as mature trees die or blow over, opening gaps in the canopy. Even the oaks are positioned to be recruited back into the overstory—something that is very rare in southeastern Michigan. Also unique is the intactness of the mosaic of upland and wetland forest on the site. This upland/lowland connectivity provides for excellent ecological functioning and diverse wildlife habitat. This is especially true of the western, southern, and eastern sides of the site where upland forest integrates with expansive forested wetlands (See attached photographs).

Plan Review

The Plan does not include a typical tree survey with proposed impacts to individual trees, nor does it graphically quantify impacts to regulated woodland. Instead, it presents woodland preservation and impact in terms of acreage. The *Environmental Plan* (Sheet 16) states that the site includes 161.58 acres of woodland, 144.75 acres of which are regulated per the City of Novi Woodland Map. Per this *Environmental Plan* (Sheet 16), approximately 49 acres of regulated woodland impact are proposed (approximately 34% of the total regulated woodland onsite). Per the woodland preservation summary provided on page 3 of Chapter 1 of the *Legacy Parc Descriptive Narrative*, 95.57 acres of regulated woodland are to be preserved (~66%), representing an additional 7.52 acres of preserved regulated woodland compared to the previously submitted Quail Hollow Site Plan (88.05 acres).

However, the Plan does not quantify the extent of impacts to regulated woodland within MNFI's Priority One Area for conservation. Significant impacts to this quality woodland, rated by MNFI as being the top priority for conservation, are shown graphically on the *Environmental Plan* (Sheet 16) but not quantified. These impacts to the Priority One Area include numerous lots along Brown Jug Circle North and South, lots along Burnley Drive/Normrita Drive/Nucastle Drive, Stormwater Basin D, cul-de-sac lots along Tullymore Court, Stormwater Basin C, lots along Killamey Drive, Stormwater Basin B, and commercial development in the northeast corner of the site.

The *Environmental Plan* (Sheet 16) also does not quantify impacts to forested wetlands and their associated natural features setbacks. The estimate of 1.50 acres of wetland impact proposed seems too low, given the very close proximity of developed lots to the wetland lines presented, the extent of commercial development in the northeast corner of the site, the daycare center impact on the north-central side of the site, wetland fill from the proposed Singh Trail through forested wetland (*Trail System Plan* Sheet 6), and subsequent changes in grade and drainage patterns. Since 1) grade changes can

negatively impact root systems and change runoff drainage patterns and, thus, tree survivorship and 2) forested wetlands are highly sensitive to alterations in hydrology during the growing season, the Plan's estimate of impacts to regulated woodland, especially forested wetland, is lacking, as it does not fully consider how changes in drainage from grading, addition of impervious surfaces, and outletting of stormwater basins will impact the regulated woodland. Although not included in the *Environmental Plan* (Sheet 16), the amount of impact to natural features setbacks alone will likely be a large number.

Site Plan Compliance with Ordinance Chapter 37 Standards

It is ECT's opinion that the proposed Plan does not adequately respond to the significant natural features of the site. Per Section 37-29 of the City of Novi Woodland Ordinance:

"...the protection and conservation of irreplaceable natural resources from pollution, impairment, or destruction is of paramount concern. Therefore, the preservation of woodlands, trees, similar woody vegetation, and related natural resources shall have priority over development when there are no location alternatives. The integrity of woodland areas shall be maintained irrespective of whether such woodlands cross property lines."

Although ECT applauds the Applicant's conservation of additional woodland compared to the previously submitted plans, the majority of the "additional woodland area saved" ends up being highly fragmented rather than contiguous with the regulated woodlands and Priority One Area. Therefore, we do not believe that the proposed development fully meets the letter of the Woodland Ordinance nor the spirit in which it was written. Whereas trees are viewed as a renewable resource, and the Woodland Ordinance provides a mechanism for their replacement, the ecological value of the site's high quality, intact woodlands as forested ecosystems is *not* immediately replaceable. This is evidenced by the site's inclusion in one of only two Priority One Areas designated in the City of Novi as having the greatest need for conservation by MNFI. ECT suggests that the Applicant explore alternative locations within the City of Novi that are more conducive to housing development and would yield fewer impacts to natural resources in addition to considering a revised layout. Indeed, the site itself offers a relatively clear, contiguous area in the golf course that, if effectively utilized, offers a place for housing development within a previously impacted area, while minimizing impacts to the surrounding regulated woodlands and other natural features.

Recommendation

ECT does not recommend approval of the Legacy Parc proposed PRO and RUD Plan. ECT strongly recommends that the Applicant be encouraged to reconsider the layout of the proposed development to further minimize impacts to the high quality regulated woodlands and forested wetlands of the site. Specifically, ECT suggests that 1) no impacts are proposed to MNFI's Priority One Area for conservation, 2) proposed development is scaled back to minimize impact to regulated wetlands and woodlands (especially those directly adjacent to the Priority One Area, including placement of development in the natural features setback and stormwater basins in regulated woodland, and to concentrate future impacts within areas already heavily impacted by the golf course 3) the Applicant considers enhancing the regulated woodland and Priority One Area by locating woodland replacement trees such that they fill in open areas along the south and east sides of the property to buffer and expand core forest habitat, 4) the Applicant further minimizes forested wetland fill with the use of additional boardwalk through all wetland areas crossed by the proposed Singh Trail, and 5) the Applicant places the natural features of the site including remaining regulated woodland, Priority One Area, natural features setbacks, and open space in a conservation easement to protect them in the

future. ECT also recommends that the Plan include a phasing system that would prevent clearing of regulated woodland on the individual lots until construction activity is planned and financed for a given unit. A table summarizing regulated tree impact for each lot should be provided in the Plan.

Although lot number would likely be reduced, ECT strongly suggests that a layout revision promoting clustered housing that remains within the cleared portion of the site as much as possible is the most appropriate development strategy for the site. Application for variances should be considered as a means of further reducing lot size and setbacks required by the City to protect natural site features. Such a revised layout would minimize 1) the length of woodland edge created, 2) the reduction of core interior woodland habitat, 3) the loss of upland/lowland connectivity, and 4) the decrease in overall acreage and integrity of one of the last expanses of high quality, contiguous woodland in the City of Novi.

If you have any questions regarding the contents of this letter, please contact us.

Respectfully,

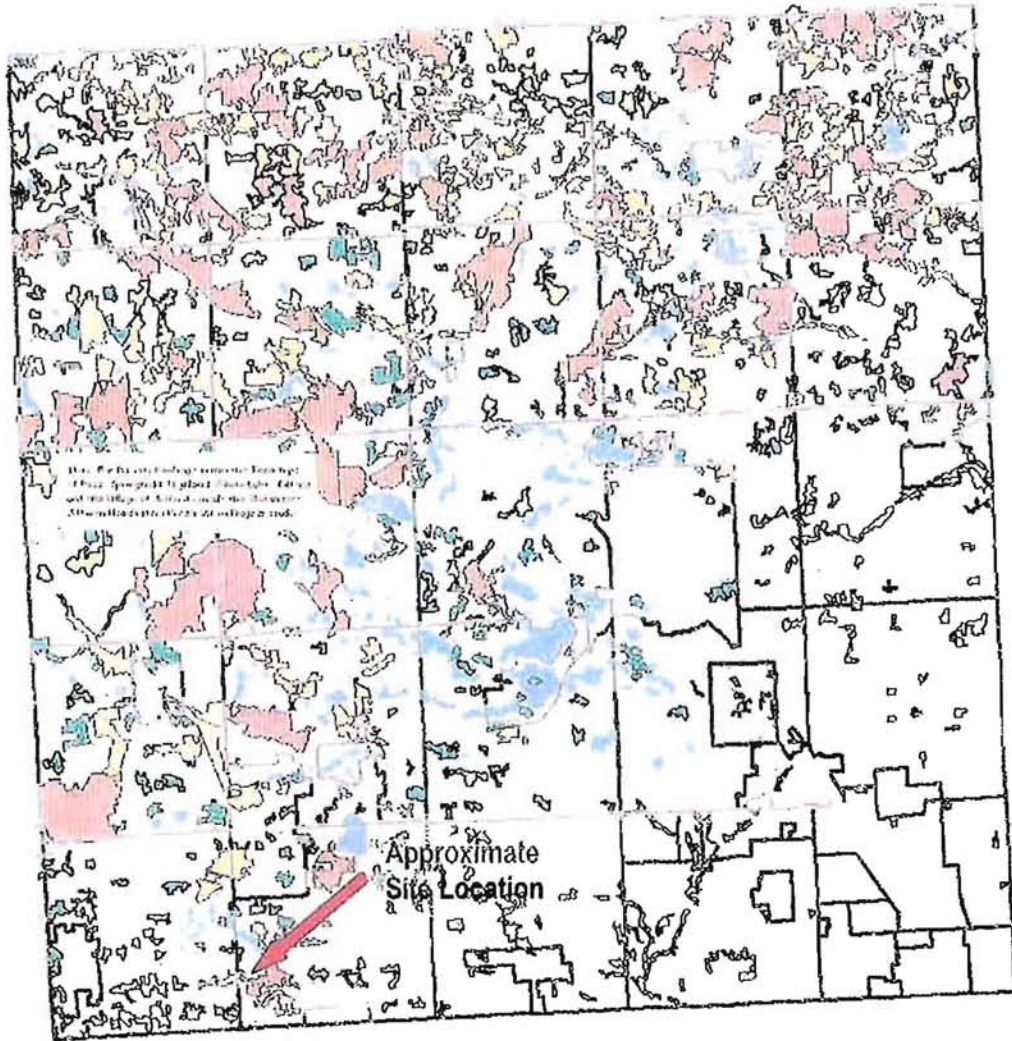
ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Martha Holzheuer, Certified Arborist
Landscape Ecologist

cc: Angela Pawlowski
Kristen Kapelanski

Enclosures



OAKLAND COUNTY MICHIGAN
 L. Brooks Patterson, County Executive

Oakland County

Oakland County Natural Areas

Planning & Economic Development Services

County Executive's Office
 200 E. 19th Street, Room 200
 Lansing, MI 48906-1012
 TEL: 517-487-1012 FAX: 517-487-1012
 WWW: www.oaklandcountymi.gov

Legend

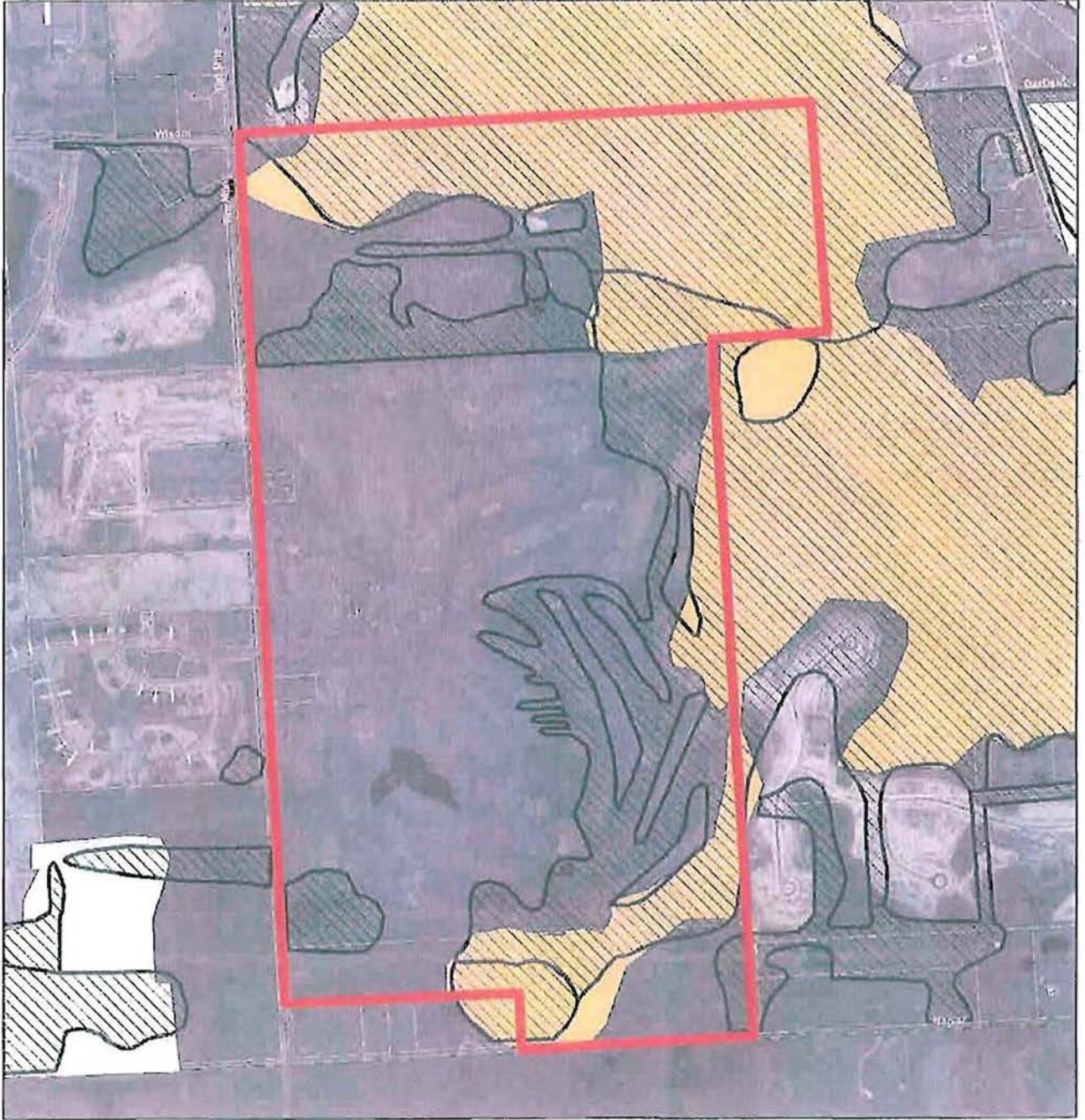
Natural Areas Ranking

- Priority One
- Priority Two
- Priority Three





lakes, rivers & streams

March, 2002





City of Novi Natural Areas

-  Novi Woodland
 -  Priority One
 -  Priority Two
 -  Priority Three
- Natural Areas 2004**



City of Novi, Michigan



Above: Swamp white oak advanced regeneration

Below: Northern red oak advanced regeneration





Above: Mature northern red and swamp white oaks in overstory

Below: Mature white and bur oaks in overstory





Above: Great example of age structure and species diversity; white oak, bitternut hickory, and intact groundcover

Below: Great example of age structure and species diversity; white oak, bur oak, and prickly-ash





Above: High quality forested wetland pocket with diverse groundcover

Below: High quality forested wetland pocket with diverse groundcover





Above: Buttonbush scrub-shrub/forested wetland pocket

Below: Ant hill indicative of oak savanna ecosystem



TRAFFIC REVIEW

August 28, 2008

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



BIRCHLER ARROYO
ASSOCIATES, INC.

SUBJECT: Legacy Parc, Review of Traffic Impact Study Dated June 2008

Dear Ms. McBeth:

At your request, we have reviewed the above and offer the following recommendation and supporting comments. Items to be resolved are highlighted in **bold font**.

Recommendation

We can not recommend approval of the June 2008 traffic study. Key issues and concerns are discussed below. It may be appropriate for us to meet with the applicant's traffic consultant to further review these issues and discuss the best way of addressing them in a revised study.

Key Issues

1. Study Area – Oak Pointe Church, directly across Ten Mile Road from the subject property, is only partially built; however, the Legacy Parc (LP) traffic study does not account for church traffic yet to materialize (as did the predecessor 2004 study for the proposed Links of Novi). The east church driveway is only 329 ft west of proposed LP Driveway B, and the west church driveway aligns with proposed LP Driveway A. **Current and future church traffic needs to be explicitly included, both at the church drives and as through traffic elsewhere.**
2. Current Traffic Volumes – The study is strongly affected by the assumed current volumes. Study Fig. 3-1 shows peak-hour volumes said to result from manual counts made at Ten Mile and Wixom Roads on January 23, 2007 (no tabulated data are provided). In Tables 1a and 1b below, we compare those 2007 counts with previous manual counts made in July 2003 and November 1999. **Based on the tabled comparisons, it appears that the January 2007 counts may be unrepresentative (as well as a year out-of-date), perhaps due to road work in neighboring Lyon Township. Given the ongoing reconstruction of the Wixom/I-96 interchange, alternative data sources should be pursued to check the realism of the "current" through and turning volumes assumed at Ten Mile and Wixom. For instance, it may be possible to retrieve pre-interchange-reconstruction (but recent) counts made by the SCATS signal controller at that intersection.**

3. Future Background Volumes – **Not only should future trip generation by Oak Pointe Church be added, but also, some consideration should be given to potential traffic pattern changes resulting from the improved Wixom/I-96 interchange** (e.g., the ratio of left turns to through vehicles on eastbound Ten Mile at Wixom may change, influencing intersection operation).
4. Trip Generation of Proposed Development – **We believe that the traffic study significantly underestimates the trip generation potential of the site's residential components.** Table 2 below compares the traffic study's trip generation forecasts to alternative forecasts we have prepared. First, as can be seen within the first block of the table, the study applied average trip rates rather than the regression equations recommended by ITE's *Trip Generation Manual*. Second, we believe that it is inappropriate to apply the trip rates for "Senior Adult Housing – Attached" to LP's 220 duplex housing units. The trip frequency of duplex residents is unlikely to approximate only 40% of the trip frequency of non-duplex residents, as application of the ITE average rates for these two land uses assumes. Finally, we believe that 20% of the housing units should be assumed to be conventional single-family homes, since the traffic study states that LP "will allow for up to 20% of residents to be under the age of 55." As can be seen in Table 1, the more conservative assumptions above would result in peak-hour trip totals roughly twice as large as the study assumes.
5. Rezoning Trip Generation Comparison – **Given the requested rezoning, the traffic study must fulfill the requirements for a Type 3 Rezoning Traffic Impact Study.** Per Section 1 of the City's *Site Plan and Development Manual*, "the trip generation section [of such a study] shall compare trip generation of the typical uses permitted under the requested zoning district with those in the existing zoning district." We would be satisfied with a comparison of the proposed project's trip generation (revised per comment 4, above) to the trip generation potential of the subject property if it were to develop according to its existing R-1 zoning.
6. Trip Distribution – While the trip percentages coming from and going to the various road directions appear reasonable, **we question the assumed relative usage of the various site driveways** (see study Table 5-4). Of greatest concern are the following three assumptions: (a) All detached housing residents desiring to go west are assumed to use the Main Driveway (opposite Terra Del Mar), while it would appear that those living in Pod E would likely use Driveway B instead; (b) All attached housing residents desiring to go west are also assumed to use the Main Driveway, while it would appear that those living in the easterly of the two pods would likely use Driveway B instead; and (c) a significant (30%) share of the attached housing residents desiring to go east is assumed to "back-track" to exit via the Main Driveway, which seems unlikely unless (perhaps) that driveway is signalized and B is not.
7. Potential Cut-Through Traffic – **We are concerned that signal-related delays at Ten Mile and Terra Del Mar / Main LP Driveway will encourage residents of the active adult housing units to cut through the congregate care facility on their way to and from the west.** This concern should be addressed by both the applicant and the applicant's traffic consultant.
8. Traffic Assignments and Auxiliary Lane Warrants – The site plan under review routinely shows a 25-ft long deceleration lane at each site driveway, which happens to be the City's

standard "right-turn" lane. However, Fig. IX.11 of the City's Design and Construction Standards shows a permissible lane length range of 0-150 ft. **The applicant's traffic consultant should recommend a specific deceleration lane length at each site driveway, commensurate with the forecasted entering right-turn volume, speed limit, likelihood of entering large trucks, and professional judgment.**

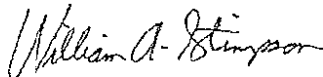
9. Design of Ten Mile / Terra Del Mar / Main LP Driveway – **For the long-term preservation of roadway capacity, this intersection should be redesigned to eliminate the need for split-phasing the east-west movements due to the interlocking entering left turns.** We would be glad to meet with the applicant's engineer and traffic consultant to discuss this issue.
10. Design of Mitigation at Ten Mile and Napier -- The study assumes that in signaling this intersection, left-turn lanes will be added only on Ten Mile Road. **We would strongly recommend, and we would expect the Road Commission to require, the provision of separate left-only and through-right lanes on both Napier approaches as well.**
11. Intersection Capacity Analysis Software – **Throughout the report, reference is made to using Highway Capacity Software (HCS). This is long obsolete and should be corrected, as all capacity analyses were actually done using Synchro HCM software.**
12. Queuing Predictions – To assist in the review of both the proposed road improvements and the proposed internal site plan, **the report should present the Synchro lane-specific queuing predictions for the following critical approaches: (a) eastbound Ten Mile approach to Wixom; (b) northbound fire station driveway ("Wixom Road extension") approach to Ten Mile; (c) northbound Driveway B approach to signal at Ten Mile; and (d) northbound Main LP Driveway approach to signal at Ten Mile.**

Once we are satisfied that the above issues have been satisfactorily addressed, it is possible that we will want to acquire and review the consultant's Synchro files for the build-out condition.

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E., PTOE
Director of Traffic Engineering

Attachments: Tables 1a and 1b (one page) and Table 2 (a second page)

Table 1a. Traffic Volume History at Ten Mile and Wixom - AM Peak Hour

Date	Ten Mile Rd EB			Ten Mile Rd WB			Ten Mile Thru	Wixom Rd NB			Wixom Rd SB			Wixom Thru	Total Entering
	Left	Thru	Right	Left	Thru	Right		Left	Thru	Right	Left	Thru	Right		
1 Nov 99	281	677	0	0	139	133	816	0	0	0	178	0	36	0	1444
2 Jul 03	296	661	2	1	268	151	929	0	1	1	130	1	81	2	1593
3 Jan 07	363	605	0	0	114	309	719	0	1	0	143	0	66	1	1601
Ratio 2:1	1.05	0.98	-	-	1.93	1.14	1.14	-	-	-	0.73	-	2.25	-	1.10
Ratio 3:1	1.29	0.89	-	-	0.82	2.32	0.88	-	-	-	0.80	-	1.83	-	1.11

Table 1b. Traffic Volume History at Ten Mile and Wixom - PM Peak Hour

Date	Ten Mile Rd EB			Ten Mile Rd WB			Ten Mile Thru	Wixom Rd NB			Wixom Rd SB			Wixom Thru	Total Entering
	Left	Thru	Right	Left	Thru	Right		Left	Thru	Right	Left	Thru	Right		
1 Nov 99	133	337	0	0	636	135	973	0	0	0	160	0	128	0	1529
2 Jul 03	175	390	0	1	729	206	1119	0	2	0	256	2	221	4	1982
3 Jan 07	95	220	0	3	532	189	752	1	0	2	268	0	287	0	1597
Ratio 2:1	1.32	1.16	-	-	1.15	1.53	1.15	-	-	-	1.60	-	1.73	-	1.30
Ratio 3:1	0.71	0.65	-	-	0.84	1.40	0.77	-	-	-	1.68	-	2.24	-	1.04

Nov 99 = Counts by Reid, Cool & Michalski, Inc. reported in their Mar 01 TIS for Oak Pointe Church.

Jul 03 = Counts by Traffic Data Collection, Inc. for Parsons Brinckerhoff Michigan, Inc., reported in PBM's study appendices for both Links of Novi (Feb 04) and Legacy Parc (Jun 08).

Jan 07 = "Existing" (2007) volumes diagrammed by PBM in Figure 3-1 of their Legacy Parc TIS.

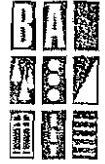
Table 2. Alternative Trip Generation Forecasts for Senior Adult Housing Components

Land Use	ITE Code	Size (d.u.)	Weekday Trips	AM Peak-Hour Trips			PM Peak-Hour Trips		
				In	Out	Total	In	Out	Total
Applicant's Traffic Impact Study									
Senior Housing-Detached	251	321	1,459 ¹	24	40	64	51	32	83
<i>Per ITE-Recommended Regression Equations¹</i>				29	47	76	70	44	114
Senior Housing-Attached	252	220	766 ¹	8	10	18	15	9	24
BA-Adjusted Totals		541	2,225	37	57	94	85	53	138
Using Senior Housing-Detached Rates for All Units (including duplexes)¹									
Senior Housing-Detached	251	541	2,274	45	74	119	101	65	166
As Above, Except Using Single-Family Detached Housing Rates for 20% of All Units¹									
Senior Housing-Detached	251	433	1,882	38	61	99	86	55	141
Single-Family Detached	210	108	1,116	21	64	85	72	43	115
Totals		541	2,998	59	125	184	158	98	256

¹ Forecast(s) by Birchler Arroyo (BA) Associates, Inc.

August 28, 2008

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



BIRCHLER ARROYO
ASSOCIATES, INC.

**SUBJECT: Legacy Parc Conceptual / PRO (SP#08-30), RUD (SP#08-31), and 4
Rezoning (ZCM#08-42-18.683, 43-18.684, 44-18.685, and 45-18.686)
Traffic Review**

Dear Ms. McBeth:

At your request, we have reviewed the above and offer the following recommendation and supporting comments. Items to be resolved are highlighted in **bold** font. Given the scale of the proposed development, we are submitting separate review letters; the following letter is a traffic review of the conceptual plan, and the corresponding letter will review the traffic impact study.

Recommendation

We can not recommend approval of the conceptual plan for the Planned Rezoning Overlay (PRO) and the Residential Unit Development, due to the number of outstanding issues noted in the comments below, the need for multiple waivers of the City's Design and Construction Standards, and the concerns we have with the methodology of the traffic impact study.

Multiple design features will require waivers from the City Council of the City's Design and Construction Standards (DCS). The roads within the residential component of Legacy Parc are proposed to be private roads, meaning the standards within Article VIII of the DCS would apply. Necessary waivers include (but are not necessarily limited to):

- Horizontal curves with a centerline radius of less than 230 feet on roads which appear to be continuous in multiple locations (Sec. 11-194.b.2)
- Easements less than 16 feet around "eyebrow" curves (Sec. 11-194.a.8 and Figure VIII-G)
- Median within the senior housing boulevard driveway in excess of 24 feet (Figure IX.3)

In addition to consideration of the necessary waivers, the City must consider that the conceptual plan includes extensive use of "eyebrows" where the centerline radii of horizontal curves are less than 230 feet. Based on Section 11.194.a.8, eyebrows are to be accepted "for use in areas where property boundary or environmental restrictions limit the ability to provide a continuous 230 feet of centerline road radius." The City Council, upon a recommendation of the Planning Commission, must determine whether the eyebrows meet this criterion.

Project Description

What is the applicant proposing?

1. The applicant, Singh Development, L.L.C., proposes to develop the existing Links of Novi golf course with a mixed-use development marketed as an Active Adult Community. Subject site is on the south side of 10 Mile Road between Napier Road and Wixom Road. Proposed land uses include the following: 320 detached single family lots, 220 attached (duplex) units, a 154-unit senior housing facility, a recreation center, a child daycare center, a drive-through bank, a drive-through pharmacy, a boutique market, a sit-down restaurant, and 31,000 square feet of general retail in two buildings. The development would dedicate 73 acres of parkland to the City, and would preserve an additional 86 acres as open space. Total gross acreage for the entire site is 329.5 acres.
2. Development proposes five new driveways on the south side of 10 Mile Road. Three would be divided boulevard designs, one would be undivided, and the most easterly driveway would be restricted to right-in/right-out movements by a raised median. The main driveway for Links of Novi would be replaced, and one existing residential driveway would be permanently closed. Two additional points of access are proposed on the west side of the Wixom Road extension south of 10 Mile, both of which would align with the existing driveways for the fire station on the opposite side of the extension.

Traffic Study

Was a study submitted and is it acceptable?

3. A traffic impact study conducted by Parson Brinckerhoff Michigan (dated June 2008) was submitted with the preliminary site plan. Given the scale of the proposed development, we have drafted a separate letter in review of the traffic impact study. The traffic review of the site plan and the review of the applicant's traffic impact study should be considered concurrently, as many of the same concerns apply to both submittals. **It is worth noting in this letter that our recommendation is for the applicant's traffic consultant to revise the traffic impact study after meeting with Birchler Arroyo to discuss the methodology.** One of our biggest concerns is that the traffic counts collected and/or forecasted on 10 Mile Road are not representative, which will ultimately affect the study's recommendations for mitigating improvements at the proposed site driveways.

Trip Generation

How much traffic would the proposed development generate?

4. The traffic impact study assumes the following for a trip generation forecast:
 - Detached Senior Adult Housing – 321 units
 - Attached Senior Adult Housing – 220 units
 - Congregate Care – 108 units
 - Assisted Living – 46 units
 - Child Day Care – 17 employees
 - Drive-Through Bank – 4000 square feet

- Boutique Market – 50,000 square feet
- General Retail – 31,000 square feet
- Sit-Down Restaurant – 6,000 square feet
- Drive-Through Drug Store – 14,820 square feet

The traffic impact study estimates that the proposed development will generate 531 new AM peak-hour trips and just over 1, 200 PM peak-hour trips. The study does not provide an estimate for total new daily (24-hour) trips. **Our corresponding review letter of the traffic impact study outlines our concerns with the methodology of the trip generation forecast.**

Vehicular Access Locations

Do the proposed driveway locations meet City spacing standards?

5. The applicant is proposing a total of five new driveways on the south side of 10 Mile Road, although one of them will essentially replace the existing driveway for Links of Novi golf course. Three of the five will be divided boulevard-style drives, and the eastern-most driveway will be limited to right-in/right-out movements by a raised median (“pork chop”). Two additional access points are proposed on the west side of the Wixom Road extension, both of which would align with the existing fire station drives on the east side of the extension.
6. The proposed driveways meet same side driveway spacing standards per the City’s Design and Construction standards (Sec. 11-216.d.1.d) relative to the 50 MPH speed limit along this portion of 10 Mile Road. All 5 driveways are spaced well in excess of 275 feet from one another as well as from Napier Road and the Wixom Road extension, respectively.
7. Similar to the above, the proposed driveways meet opposite-side spacing standards relative to existing commercial driveways on the north side of 10 Mile (DCS Sec. 11-216.d.1.e and Figure IX.12). The proposed Driveway A is less than 200 feet west of an existing residential driveway, but spacing standards are only intended to be relative to commercial driveways and roads.
8. **We are concerned with the proposed location of Quail Hollow Boulevard relative to the main boulevard driveway for Oak Pointe Church. Ideally, we would like to see the two driveways aligned with a traffic signal; a traffic signal is currently proposed at the proposed three-way intersection of 10 Mile Road and Quail Hollow Blvd.** We recognize this would be challenging given the layout of the proposed site, particularly the proposed location of the boutique market. **Given the volume of exiting traffic generated by the church following services and other events, we are concerned that the eastbound queues at the proposed new signal at Quail Hollow could back up to the point that they would impede exiting traffic turning left from the main church driveway.**

Vehicular Access Improvements

Will there be any improvements to the public road(s) at the proposed driveway(s)?

9. The traffic study recommends, and the site plan shows, the following improvements to 10 Mile Road at the proposed site access points:
- A new traffic signal at the intersection of 10 Mile Road and Del Mar Drive/Legacy Parc Boulevard
 - A new traffic signal at the intersection of 10 Mile Road and Quail Hollow Boulevard (aka "Driveway B")
 - Installation of left-turn phases (green arrows) at the intersection of 10 Mile Road and Wixom to accommodate traffic from eastbound 10 Mile turning left onto northbound Wixom or from westbound 10 Mile turning left onto southbound Wixom Road extension.
 - Extension of the existing center left-turn lane on 10 Mile Road at Wixom to a point west of the site's most westerly driveway
 - Right-turn deceleration lanes at each of the proposed site driveways.

The study also assumes a number of background improvements, including signalization of the 10 Mile/Napier Road intersection with left-turn lanes on the 10 Mile Road approaches.

10. The site plan includes a note on Sheet 8 stating that a center left-turn lane will be constructed at each of the proposed site driveways. The plans show a continuous center left-turn lane on 10 Mile across the bulk of the site's frontage, terminating with a taper west of the senior housing (most westerly) driveway. **The note on Sheet 8 suggests a series of center left-turn pockets at each of the site driveways, which we do not believe is the applicant's intent nor is what is shown on the plan. This note should be reworded or eliminated for clarity. Assuming a continuous extension of the existing center left-turn lane from Wixom to west of the senior housing driveway, the lane should be cross-hatched as it approaches the proposed right-in/right-out driveway ("Driveway D") to further discourage westbound 10 Mile traffic from turning left into that driveway.**
11. Given the scale of the proposed project, the ongoing development along 10 Mile Road west of Napier (Lyon Township), and the potential for a shift in traffic patterns with the reconstruction of the I-96/Wixom Road interchange, the need for further improvements to this stretch of 10 Mile Road cannot be determined until the traffic study is revised. The applicant is proposing significant improvements to 10 Mile Road (two new signals and a center left-turn lane among others).

Driveway Design and Control

Are the driveways acceptably designed and signed?

12. The proposed Legacy Park Boulevard will effectively create a four-approach intersection with Del Mar Drive and 10 Mile Road. Del Mar is a divided boulevard, and Legacy Park Drive is proposed to be one as well. The applicant's traffic study recommends signalizing the intersection so long as it meets RCOC warrants. **Our concern is that the intersection**

is oriented such that split-phasing of the signal will be required for the east-west movements along 10 Mile Road due to interlocking left turns. The interlock is due to the offset created by the opposing boulevards. We feel this intersection should be designed to avoid the need for split-phasing in order to improve the future capacity of 10 Mile Road. We would be willing to meet with the applicant's engineer to develop an intersection design that would allow opposing left-turns on 10 Mile Road to move simultaneously.

13. **The proposed boulevard driveway serving the senior housing facility does not meet the City's design standard for a divided commercial driveway; the median width is proposed to be 40 feet (back-to-back-of-curb), where the Design and Construction standards permit up to 24 feet (DCS Figure IX.3).** This driveway has been designed as such due to the operation of the proposed drop-off at the building entrance. If the operation were to be considered two one-way driveways as opposed to a divided two-way driveway, the one-way driveways would not meet design standards in that they are proposed to be 24 feet wide where the standards require a maximum width of 20 feet for one-way drives (DCS Figure IX.2). **If the City chooses to grant a waiver, we would recommend the inbound lane be reduced to 20 feet and the outbound lane remain 24 feet to allow for two outbound lanes. This waiver should only be granted with an understanding that an opposing commercial boulevard could never be approved on the north side of 10 Mile Road, on the vacant property at the northeast corner of 10 Mile and Napier.** The alternative is to modify the boulevard design to meet City standards.
14. **Each of the proposed driveways show a right-turn deceleration lane of 25 feet, which is the City's DCS standard (Figure IX.11). However, the Design and Construction guidelines allow for the lanes to be as long as 150 feet. We would suspect that, given the amount of variation in traffic forecast in the applicant's traffic study at each of the proposed driveways, the lengths of the individual turn lanes would vary. The proposed driveways with higher volumes of inbound right turns forecasted should have appropriately longer deceleration tapers. The lengths should also account for the speed limit on 10 Mile Road (50 mph).**
15. **The proposed center left-turn lane on 10 Mile Road at the senior housing divided driveway should be designed such that the lane does not begin to drop until a point 35 feet west of the west side of the proposed island, per City's Design and Construction standards (DCS Figure IX.7). Plans should clearly label the dimensions of the left-turn lane and taper. Taper must be 300 feet, based on the 50-mph speed limit on 10 Mile.**
16. **Proposed extension of the center left-turn lane along 10 Mile is shown as 11 feet wide. Applicant should justify proposing less than the desirable 12-foot lane width.**
17. **The northern-most opening in the proposed island dividing Quail Hollow Boulevard (Driveway B) should be eliminated, based on its close proximity to 10 Mile Road. We are concerned with the potential for rear-end collisions between vehicles turning into the site and immediately stopping to make a left-turn into the proposed bank, and those turning in behind them at high rates of speed. A continuous island as**

recommended would require a City Council waiver from the Design and Construction standards, which limit the length of an island in a commercial driveway to 100 feet.

18. All driveway and intersection radii should be clearly dimensioned on the preliminary site plan.

Pedestrian Access

Are pedestrians safely and reasonably accommodated?

19. **Site plan shows a 5-foot concrete sidewalk along the entire 10 Mile frontage of the property. City's Bicycle and Pedestrian Master Plan calls for an 8-foot pathway on the south side of 10 Mile Road.**
20. 5-foot sidewalks are proposed on both sides of all the interior roads throughout the entire site. There is system of 10-foot pathways leading to and from the parking lot of the proposed clubhouse, identified on the plans as a golf cart pathway. This golf cart pathway is connected to the sidewalk system and not to the street, so **as best we can tell, the intent is for the 5-foot sidewalks throughout the site to be shared by pedestrians and golf carts, which presents some safety concerns. There does not appear to be any ramps or curb-cuts provided to allow golf carts driving on the private interior streets to access the 10-foot golf cart pathway around the proximity of the clubhouse.**
21. **No pedestrian crosswalk and/or ramps are provided across Legacy Parc Blvd on the north side of Greyhawk Circle.**
22. **We recommend a 5-foot flare in the pavement of the proposed emergency connection to Laurel Drive to the south such that pedestrians have an unobstructed connection between the two residential developments.**
23. Final site plan should show location, design, and dimensions of all pedestrian ramps.
24. **We recommend pedestrian signals and striped crosswalks at the proposed signal at 10 Mile and Del Mar/Legacy Parc Blvd.**

Circulation

Can vehicles safely and conveniently maneuver through the site?

25. **We are concerned with the possibility of traffic to and from the west side of the proposed development (Pods B and C and to a lesser degree Pods A and D) using the senior housing parking lot as a cut-through to and from 10 Mile Road. Particularly, we foresee outbound site traffic to westbound 10 Mile cutting through the connection between the senior housing and Greyhawk Circle and exiting via the senior housing driveway, rather than "backtracking" to Legacy Parc Blvd. Some traffic-calming measures may be appropriate at that connection to deter cut-through traffic;**

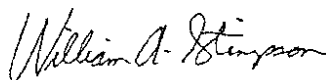
alternatively, the connection could be gated and restricted to emergency access only.

26. **We recommend removing the island between the proposed restaurant pad and the western side of the “service shops”; we are concerned with the number of conflict points it creates given that two-way traffic is permitted on both sides of the island.** The space gained by removing the island and shifting the service shops toward the west could potentially improve the circulation of the pharmacy’s drive-through operation (see Comment 28 below).
27. **In at least three instances, the proposed eyebrows (required at interior curves in the road of less than 230-foot radius) do not meet the City’s Design and Construction standards by not providing sufficient ROW (see Sheet 2, “Eyebrow Details”).** There are a number of examples of interior curves of less than 230 feet radius where an eyebrow is not proposed. **The street design as proposed will require a waiver of City’s Design and Construction Standards by the City Council.**
28. **We have concerns with the drive-through operation of the proposed pharmacy, particularly the potential for conflicts where traffic exiting the drive-through enters the maneuvering lanes south of the building. To mitigate this, we recommend extending the island on the west side of the drive-through further south and bulbing the southern end to force exiting drive-through traffic to turn left and circulate counter-clockwise around the pharmacy building. We further recommend the maneuvering aisle south of the pharmacy be designated one-way, eastbound, with angled parking and signed appropriately.**
29. A truck circulation plan should be submitted for review as part of the preliminary site plan submittal. Particularly, a circulation plan for the commercial properties along 10 Mile Road should be submitted which includes the traffic circle at the intersection of Quail Hollow Blvd. And Greyhawk Circle.
30. Final site plan should include a detailed signing and striping plan, including the location and dimensions of all STOP signs, No Parking signs, traffic control signs, wayfinding signs, pavement markings, etc. We note the height of the barrier-free parking signs shown on Sheet 19 are dimensioned at 8 feet, where MMUTCD requires 8’4”.

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E., PTOE
Director of Traffic Engineering



David R. Campbell
Senior Associate

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

September 4, 2008

Engineering Review

Legacy Parc

SP# 08-30(PRO), 08-31(RUD)

Petitioner

Singh Development LLC

Review Type

Concept/PRO, RUD

Property Characteristics

- Site Location: South side of Ten Mile between Wixom and Napier.
- Site Size: 329.5 acres
- Plan Date: May 29, 2008

Project Summary

- Construction of a multi-use development consisting of single-family, multi-family, senior housing, daycare and various commercial uses.
- Site access would be provided through use of five access points along the Ten Mile frontage and a connection to the existing Fire Station to the east. The easternmost new Ten Mile access point would be restricted to right-in/right-out. A gated, secondary access connection is proposed to the residential development to the south. All roads within the development are proposed to be Private.
- Modifications are proposed to Ten Mile including a center turn lane along the majority of the development's frontage, and the potential for one or two traffic signals if warrants are met.
- Water main would be extended across the north side of the development's Ten Mile frontage where water main doesn't exist or hasn't been approved as part of another development (Island Lake Phase 5C – site plan due to expire July 2009). A 12-inch main would be installed between Ten Mile and the existing 12-inch stub at the north end of the development to the south, along with 8-inch main throughout the rest of the site.
- Sanitary sewer service would be provided from two districts (Nine Mile and Lannys). Improvements/upgrades are proposed to the City's sanitary sewer system to increase capacity to accommodate this development. Further study will be required to determine the extent of the modifications necessary.
- Storm water would be collected and routed to one of seven storm water basins designed for the 100-year storm. Each basin would discharge at controlled rates to the surrounding wetland system.

Comments:

This review was based on the site plan submitted, which is considered preliminary information provided for a conceptual review. Therefore, we have provided some general comments below to assist in the preparation of a preliminary site plan. Once the plan's concept has been approved through staff reviews and City Council acceptance, a more thorough engineering review will be conducted on subsequent and more detailed plan submittals to determine conformance with the Design and Construction Standards and all other applicable ordinances. Any variances from City standards not specifically approved by City Council will be addressed during the site plan review process.

General

1. Even though the five drive approaches proposed (4 of them new) meet driveway spacing standards, the incorporation of a marginal access road or other design to reduce the number of access points on Ten Mile should be provided to ensure adequate traffic access management will be maintained.
2. Per Section 4.04 of the Subdivision Ordinance, access to the Provincial Glades development south of this property shall be provided. This access shall be provided as a standard street designed to public road standards connecting to Laurel Drive to the south. The connection as proposed would require a **City Council Variance** from the above reference section.
3. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.

Community Benefit

Based on the material provided, it is difficult to differentiate between the engineering related improvements that are required for this development and those that benefit the community as a whole. It should be noted that some of the items listed may not be required if the area was developed under current zoning restrictions.

4. Any road modifications required by RCOC to accommodate this development, such as additional lanes and tapers, may be a requirement due to the large number of vehicle trips generated by this development. Furthermore, if the modifications are required by RCOC it may not be relevant to consider them benefits for the proposed PRO.
5. It may not be appropriate to consider additional traffic signals along Ten Mile as a community benefit for the proposed PRO. The Terra Del Mar signal would likely be required if the property is developed under the current zoning conditions. The other signal that is proposed to serve the commercial development would likely not be required under the current zoning. This signal was not shown on the previously approved RUD and may actually be detrimental to the flow of traffic on Ten Mile Road.
6. The upgrades described for the Ten Mile/Wixom Road signal is currently proposed for construction in 2009, funded by the City (50%) and RCOC (50%). Whether or not this upgrade will be funded by this development should be considered when determining if the improvement is a relevant benefit for the proposed PRO.

7. The water main connection to the development to the south would be a requirement of any development of this area, and therefore may not be considered as a benefit for the proposed PRO.
8. While replacing the existing sanitary and water pumps provides some minor benefit to the City by providing new equipment, the necessity to replace the pumps is caused by the higher demands needed for this development.

Water Main/Sanitary Sewer:

9. A considerable amount of effort has been spent discussing the utilities and the improvements that would be required to accommodate this development. While we are in agreement with Atwell Hicks on the required improvements needed to mitigate the increased density, the improvements must be addressed in more detail in the revised RUD/PRO agreement. A general listing of the improvements should be included in the agreement along with a schedule for the implementation. The engineer should provide calculations to support his determination of when specific improvements will become necessary and develop a utility phasing plan. Additionally, the RUD/PRO agreement should discuss the method in which the improvements will be made whether it is through a developer payment to the City or installed by the developer.
10. Following the proposed improvements and completion of this development, the downstream sewers will be operating near capacity. The downstream sewers should not be an issue if the remaining vacant parcels tributary to the Nine Mile sewer and Wixom Road Pump Station are developed based on current master planned density and use. However if these vacant parcels are permitted to develop under a higher sewer use than 0.8 REU/acre, sewer pipe capacity may become an issue.
11. The applicant has provided an adequate amount of information to demonstrate feasibility of adding the development flows to the sanitary sewer system following construction of their capacity improvements, with one exception. The applicant is proposing an additional 262 REUs to the sanitary sewer system which would result in an increased peak flow of approximately 0.5 cfs (or 2.7% of the current peak flow). This is notable because the City is currently seeking opportunities to resolve the limit on its contractual sanitary sewer capacity at its outlet to Wayne County. Additional contractual capacity will be needed to serve the increased density proposed by this development.

Storm Water Management Plan

12. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
13. The plan proposes to enclose a portion of the Novi-Lyon drain. According to City records the drain is under OCDC jurisdiction to a point approximately 200-feet south of Ten Mile. This must be verified with OCDC, and any work done within the drain easement will require OCDC, City of Novi and MDEQ approval, as appropriate.

Paving & Grading

14. An 8-foot wide bike path is required on the south side of Ten Mile along the frontage of this phase of development. A 5-foot wide path currently shown.
-

15. There are three locations where substandard eyebrows are proposed. A **City Council Variance** from Section 11-194(a)(8) of the Design and Construction Standards would be required to permit the reduced right-of-way proposed.
16. The Senior Housing boulevard entrance proposed does not meet the City's standard for boulevard design. Refer to the traffic engineering review for further detail. A **City Council Variance** would be required from Section 11-216(c) of the Design and Construction Standards to permit the alternate design as proposed.

Flood Plain

17. A floodplain permit will be required. Application for a City floodplain permit shall be submitted as soon as possible to begin the review process. The City's floodplain consultant will review the submittal and provide initial comments regarding the review process.

The following must be provided at the time of Preliminary Site Plan resubmittal:

18. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.

The following must be submitted at the time of Final Site Plan submittal:

19. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. **The cost estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

The following must be submitted at the time of Stamping Set submittal:

20. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
21. Draft copies of any relevant easements for private ingress/egress, drainage, water main or sanitary sewer must be submitted to the Community Development Department.
22. A 20-foot wide easement where storm sewer or surface drainage crosses lot boundaries must be shown on the Exhibit B drawings of the Master Deed.
23. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

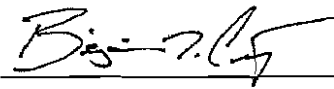
The following must be addressed prior to construction:

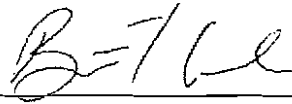
24. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
25. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.
26. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
27. A permit for work within the right-of-way of Ten Mile must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
28. A permit for work within the right-of-way of Ten Mile must be obtained from the Road Commission for Oakland County. Please contact the RCOC (248-858-4835) directly with any questions. The applicant must forward a copy of this permit to the City. Provide a note on the plans indicating all work within the right-of-way will be constructed in accordance with the Road Commission for Oakland County standards.
29. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.
30. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.
31. A permit for work in the Novi-Lyon Drain must be obtained from the Oakland County Drain Commissioner's office.
32. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
33. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
34. For the residential phases, an incomplete site work performance guarantee, equal to 1.5 times the amount required to complete the site improvements (excluding the storm water detention facilities) as specified in the Performance Guarantee Ordinance, must be posted at the Treasurer's Office.
35. For the multi-family and commercial phases, an incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted

prior to TCO, at which time it may be reduced based on percentage of construction completed.

36. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.
37. Permits for the construction of each retaining wall must be obtained from the Community Development Department (248-347-0415).

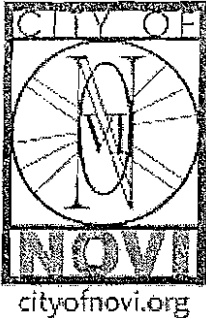
Please contact Ben Croy, PE at (248) 735-5635 or Brian Coburn, PE at (248) 735-5632 with any questions.





cc: Rob Hayes, City Engineer
Kristen Kapelanski, Community Development Department
Tina Glenn, Water & Sewer Dept.

MEMORANDUM



TO: ROB HAYES, PE; CITY ENGINEER
BARB MCBETH, AICP; DEPUTY DIR. COMM. DEV.

FROM: BEN CROY, P.E.; CIVIL ENGINEER
BRIAN COBURN, P.E.; CIVIL ENGINEER

SUBJECT: REVIEW OF PRO IMPACT ON PUBLIC UTILITIES
LEGACY PARC

DATE: - SEPTEMBER 5, 2008

The Engineering Division has reviewed the Planned Rezoning Overlay (PRO) proposed for Legacy Parc. The request consists of approximately 327 acres located south of 10 Mile Road and west of Wixom Road in Section 30. The applicant is requesting a PRO to construct 320 single-family units along with a club house which includes meeting rooms, a pool and a fitness center; 220 duplex units; senior housing (154 units); an 8,600 SF daycare center; and commercial development consisting of a market, restaurant, bank, drug store and service shops.

Utility Demands

Because this is a PRO request, the analysis will be based on the concept plan that has been provided and not the proposed zoning. A residential equivalent unit (REU) equates to the utility demand from one single family home. The previously approved RUD for this property would yield 439 REUs. Based on the concept plan provided with the application, we estimate the proposed development would yield approximately 701 REUs, an increase of 262 REUs over the previously approved concept plan.

Water System

Water service is currently available from two different pressure districts corresponding to the existing water main on Ten Mile and the residential development to the south. There will need to be a pressure study to determine the location of a pressure reducing valve to isolate the Intermediate Pressure District from the Island Lake Pressure District, which operates using a booster pump. The City's water model indicates that the development of the PRO concept plan would potentially decrease pressures by approximately 2 pounds per square inches (psi). However, the developer has proposed proper looping as required by the ordinance and upgrades to the booster station as part of the RUD to accommodate their development, which will offset the impacts when implemented.

Sanitary Sewer

The project is located within the Lannys Sanitary Sewer District, but is proposed to discharge sanitary sewer flows to both the Lannys and Nine Mile Districts. Flows discharged in either direction will impact one or more pump stations (Drakes Bay, Wixom Road, Lannys and Park Place). We can estimate that, based on the information provided, the PRO concept plan could result in an increased peak sanitary sewer discharge of 0.50 cubic feet per second (cfs) over the anticipated flows assuming a R-1 and RA use only. The developer has proposed a number of

system upgrades to accommodate the increased sanitary sewer flow, including lift station pump upgrades and forcemain replacement to increase capacity by upsizing the pipe. However, if the PRO request is approved by the City Council, we would require the applicant to provide additional sanitary sewer design information to determine when the upgrades should occur.

Summary

The concept plan included in the PRO application would have a noticeable impact on the public utilities when compared to the previously approved RUD. The concept plan yields a 60% increase in the number of REUs to be served with utilities on the site, and would cause a 2.7% increase in the peak sanitary discharge from the City.

The increase in the peak discharge is notable because the City is currently seeking opportunities to resolve the limit on its contractual sanitary sewer capacity at its outlet to Wayne County. Additional contractual capacity (estimated to be 0.5 cfs based on the concept plan) will be needed to serve the increased density proposed by this PRO.

FAÇADE REVIEW

METCO SERVICES, INC.

ENGINEERS, ARCHITECTS, & SURVEYORS

23917 Cass St. · Farmington · Michigan · 48335 · (248) 478-3423 · Fax (248) 478-5656

September 2, 2008

City of Novi Planning Department
45175 W. 10 Mile Rd.
Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Deputy Director Community Development

Re: **FACADE ORDINANCE – Conceptual Phase Review**
Legacy Parc SP08-30 PRO, SP08-31 RUD, ZCM08-43-18.684, ZCM08-08-44-18.685,
ZCM08-45-18.686

Façade Region: 1 (10 Mile Rd.)

Zoning District: Existing: R-1 & RA.

Proposed: R-1, RM-1 & B-2 (review is based on proposed zoning).

Building Types: Clubhouse (12,000 S.F.), Senior Apartments (154 units), Day Care (8,600 S.F.),
Commercial (5 buildings, 105,000 S.F.), Detached Residences (320 units),
Attached Duplex Residences (220 units).

Dear Ms. McBeth:

The following is the Façade Review for PRO/RUD Application. Rendered elevations, prepared by Dominick Tringali Architects, were provided for all proposed building types listed above. The drawings provided are conceptual in nature and do not include detailed information pertaining to the percentages of proposed materials. Therefore a detailed review for compliance with the Façade Ordinance's Schedule of Materials was not performed at this time. It is anticipated that such a detailed review will be performed later in the approval process. We hasten to point out that Mr. Mike Kame, in response to our phone inquire, indicated that although actual materials are not identified it is his intent to use predominantly brick, stone, and other materials that are in substantial compliance with the Façade Chart.

The Façade Ordinance, Section 2520, will apply to all components of the development, except the Single-Family Detached residences (320 units). These will be subject to Novi's Similar / Dissimilar Ordinance, Section 303. Although the Similar/Dissimilar review is typically performed at the time of building permit application, we have included comments on the Single-Family Detached Dwellings herein with respect to the overall quality of design and consistency with the design concept of the overall development.

Clubhouse – The Clubhouse is located within R-1 Zoning and is therefore considered to be within Façade Region 1. The building is approximately 12,000 S.F. and includes indoor and outdoor swimming pools, fitness center, multi-purpose room, sports bar, library, crafts room, and various other support facilities. The design features steeply sleeping flared roofs with period style cornices, vaulted eyebrow windows and decorative cresting along central ridgeline. The outdoor pool is accessed through a formally landscaped courtyard defined on three sides by a covered archway-enclosed porch. The design employs numerous elegantly designed bay windows with extensive glazing. A variety of window configurations are used many with half circle and oval transoms. All windows feature decorative (stone) surrounds and divided lites. It appears that the percentage of roof may necessitate a Section 9 waiver in the event asphalt shingles were to be used. The waiver could be avoided if slate (or simulated slate) shingles were to be used in lieu of asphalt shingles. The Ordinance requires that the façades be 30 percent minimum brick in Façade Region 1 (the applicant has indicated the facades will in fact be virtually all brick).

Senior Housing - The Senior Housing building is located in RM-1 Zoning district and is within 500 feet of a major thoroughfare and therefore falls in Façade Region 1. Drawings reviewed included conceptual front elevation and roof plan. Floor plan and other elevation views were not provided. The building consists of a single story central “commons” section, flanked on the west by a 3-story resident room wing, and on the east by a 2-story resident room wing. The building appears to take advantage of natural topography making the westerly 3-story wing only slightly higher than the 2-story wing. The design is substantially consistent with the aforementioned Clubhouse and all of the comments from above are repeated here by reference.

Day Care Center – The Day Care Center is located in RM-1 Zoning district and is within 500 feet of a major thoroughfare therefore falls within Façade Region 1. While the facades exhibit somewhat less ornamental quality and attention to detail than the aforementioned buildings, the building appears to be 100% brick and as such would meet the requirement for 30% minimum brick in Façade Region 1. As with the other buildings described above a Section 9 Waiver may be required for the percentage of asphalt shingles. In this case we would suggest adding additional dormer windows on the front (10-Mile Rd.) façade to help mitigate the large area of asphalt shingles and justify said section 9 waiver. .

Commercial – The commercial component of the project consists of five (5) separate buildings; a Boutique Market (50,000S.F), a Bank (4,000 S.F.), a Restaurant (6,000S.F.), Service Shops (31,000 S.F.), and a Drug Store (15,000 S.F.), listed in order from west to east along 10-Mile Road. The commercial component is located within 500 feet of a major thoroughfare and as such would fall within in Façade Region 1. The architectural design concept is in distinct contrast to the typical “strip retail” which commonly employs a repetitive, single story façade. In this case the design is reminiscent of a traditional “main street”, using a combination of 1 and 2-story facades, ranging from 20’ to 39’ in height. Nicely designed “tower” elements with large bracketed cornices and roof finials are employed at key locations to define entrances and act as “bookends” to the commercial portion of the project. The overall high profile of this commercial section will serve to screen the attached residential (duplex) residences located to the south from view from 10-Mile Rd. We would ask the applicant too clarify whether the 2-story facades (upper level windows) are functional or artificial.

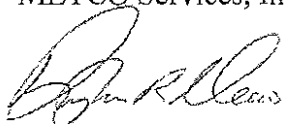
Single Family Residential – As stated above this component is not subject to the Façade Ordinance. Our comments are therefore offered for reference only. Approximately ten (10) alternate “models” are presented for single-family residences. These exemplify unique designs in a wide variety of styles. As such compliance with the City’s Similar/Dissimilar Ordinance, which prohibits like models from being located in close proximity, can readily be achieved. Moreover, all of the designs exhibit extensive architectural features such as eyebrow windows, return cornices, large crown molded and cornices, cornice brackets, upper balconies, covered front porches, window boxes, ornamental shutters, stylized garage doors, divided-lite windows, standing seam roof elements, tapered roof lines, columns with base and capitals, pediment style dormer windows, slanted and arched brick lintels, and other elements.

Attached Residential – One model is presented for the Attached Residential component of the project. Although this design appears generally consistent with the overall design concept of the project we would recommend that several variations be developed to achieve a variation in appearance and avoid repetitive design (perhaps with consistency in colors and materials as a unifying element) in future submittals.

Recommendations:

1. Taken as a whole, the drawings while being conceptual in nature portray an exceptional level of design sensitivity and attention to detail. We believe the architectural character portrayed in these drawings, if carried through into the final construction drawings, will not only create a strong sense of community within the project, but will become the significant identifying element of the project itself within the larger community of Novi. We believe that conceptual drawings provided indicate an intent to achieve a level of notable architectural quality and we believe the strong positive affect derived from this product should be given due consideration within the context of overall impact of the project may have on the City of Novi.
2. While it is anticipated that refinements and further development of the designs will occur, the drawings reviewed for this application are deemed to communicate the intended level of design quality for the entire project. It should be noted that future submittals will be compared to these drawings for consistency with respect to the extent, range and quantity of architectural detailing, number of ornamental features, extent of façade and roof articulation, and overall quality of design. For example, the full diversity and quantity of ornamental-features illustrated on the single family models will be expected to be carried through to the models submitted for construction. In as much as the rendered façade elevations are the primary illustrator of design intent, the elevations shall take precedent where inconsistencies between the elevations and floor plans may exist.
3. A detailed review of the proposed percentages of specific materials for each building for compliance with the Façade Chart will be performed at a later date after materials have been identified by the applicant. The applicant is encouraged to develop the design and select materials so as to reduce or eliminate the need for Section 9 Waivers. Likewise, dumpster enclosures, roof appurtenances, retaining walls and any other ancillary structures will be reviewed at that time.

Sincerely,
METCO Services, Inc.



Douglas R. Necci AIA



Phone: (248) 880-6523
E-Mail: dnecci@drnarchitects.com
Web: drnarchitects.com

DRN & ASSOCIATES, ARCHITECTS, PC

50850 Applebrooke Dr., Northville, MI 48167



December 26, 2008

City of Novi Planning Department
45175 W. 10 Mile Rd.
Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Deputy Director Community Development

Re: **FACADE ORDINANCE – Preliminary Site Plan – Review No. 2**
Legacy Parc SP08-30 PRO, SP08-31 RUD, ZCM08-43-18.684, ZCM08-08-44-18.685,
ZCM08-45-18.686

Facade Region: 1 (10 Mile Rd.)

Zoning District: Existing: R-1 & RA.

Proposed: R-1, RM-1 & B-2 (review is based on proposed zoning).

Building Types: Clubhouse (12,000 S.F.), Senior Apartments (154 units), Day Care (8,600 S.F.),
Commercial (5 buildings, 105,000 S.F.), Detached Residences (320 units),
Attached Duplex Residences (220 units).

Dear Ms. McBeth:

The following is our Facade Review for PRO/RUD Application. A detailed review for compliance with the Façade Ordinance's Schedule of Materials was not performed during our initial review because specific material call-outs were not provided on the drawings at that time. This review is based on verbal clarifications by the applicant as to the proposed materials. It will be necessary for the applicant to resubmit the drawings with all materials clearly noted along with a material sample board showing type, color and texture of all materials. Also several side and rear facades were not included at the time of this review. These have been noted as not included (**INC**). This information must also be provided by the applicant at which time a final determination as to compliance with the Façade Ordinance will be made.

The Façade Ordinance, Section 2520, will apply to all components of the development, except the Single-Family Detached residences (320 units). These will be subject to Novi's Similar / Dissimilar Ordinance, Section 303. Although the Similar/Dissimilar review is typically performed at the time of building permit application, we have included comments on the Single-Family Detached Dwellings herein with respect to the overall quality of design and consistency with the design concept of the overall development.

Clubhouse

Sheet 23	FRONT FAÇADE	REAR FAÇADE	LEFT FAÇADE	RIGHT FAÇADE	ORDINANCE MAXIMUM
BRICK	39%	32%	32%	35%	100%(30%)
TRIM	5%	7%	6%	10%	15%
LIMESTONE	11%	5%	8%	8%	50%
ASPHALT SHINGLES	45%X	56%X	54%X	47%X	25%

Clubhouse – The Clubhouse is located within R-1 Zoning and is therefore considered to be within Façade Region 1. The building is approximately 12,000 S.F. and includes indoor and outdoor swimming pools, fitness center, multi-purpose room, sports bar, library, crafts room, and various other support facilities. The design features steeply sleeping flared roofs with period style cornices, vaulted eyebrow windows and decorative cresting along central ridgeline. The outdoor pool is accessed through a formally landscaped courtyard defined on three sides by a covered archway-enclosed porch. The design employs numerous elegantly designed bay windows with extensive glazing. A variety of window configurations are used many with half circle and oval transoms. All windows feature decorative (stone) surrounds and divided lites. As shown above the percentage of asphalt shingles exceeds the maximum percentage allowed by the Ordinance. A Section 9 waiver will be required for this item. It should be noted that the waiver could be avoided if slate (or simulated slat) shingles were to be used in lieu of asphalt singles.

Senior Housing

Sheet 25	FRONT FAÇADE	REAR FAÇADES	RIGHT FAÇADE	LEFT FAÇADE	ORDINANCE MAXIMUM
BRICK	48%	INC	INC	INC	100%(30%)
TRIM	11%	INC	INC	INC	15%
LIMESTONE	13%	INC	INC	INC	50%
ASPHALT SHINGLES	28%X	INC	INC	INC	25%

Senior Housing - The Senior Housing building is located in RM-1 Zoning district and is within 500 feet of a major thoroughfare and therefore falls in Façade Region 1. Drawings reviewed included conceptual front elevation and roof plan. Floor plan and other elevation views were not provided. The building consists of a single story central “commons” section, flanked on the west by a 3-story resident room wing, and on the east by a 2-story resident room wing. The building appears to take advantage of natural topography making the westerly 3-story wing only slightly higher than the 2-story wing. As shown above the percentage of asphalt shingles exceeds the maximum percentage allowed by the Ordinance. A Section 9 waiver will be required for this item. It should be noted that the waiver could be avoided if slate (or simulated slat) shingles were to be used in lieu of asphalt singles.

Day Care Center (3,500 S.F.)

Sheet 24	FRONT FACADE	REAR FAÇADE	LEFT FACADE	RIGHT FACADES	ORDINANCE MAXIMUM
BRICK	20% X	19% X	39% X	39%	100%(30%)
CEMENTITIOUS SIDING	4%	4%	1%	1%	50% (Note 11)
ALUMINUM TRIM	15%	14%	8%	8%	15%
EIFS	6%	0%	4%	4%	25%
ASPHALT SHINGLES	55% X	63% X	48% X	48% X	25%

Day Care Center – The Day Care Center is located in RM-1 Zoning district and is within 500 feet of a major thoroughfare therefore falls within Façade Region 1. While the facades exhibit somewhat less ornamental quality and attention to detail than the aforementioned buildings, the building appears to be 100% brick and as such would meet the requirement for 30% minimum brick in Façade Region 1. As shown above the percentage of asphalt shingles exceeds the maximum percentage allowed by the Ordinance on all facades, and the percentage of brick is below the minimum amount required by the Ordinance on the front and rear facades. A Section 9 waiver will be required for this item. It should be noted that the waiver could be avoided if slate (or simulated slat) shingles were to be used in lieu of asphalt shingles. In this case we would suggest adding additional dormer windows on the front (10-Mile Rd.) façade to help mitigate the large area of asphalt shingles and justify said section 9 waiver.

Service Shops Bldg. A & B (2 @ 31,000 S.F.)

Sheet 26	FRONT FACADE	REAR FACADE	RIGHT SIDE FACADE	LEFT SIDE FACADE	ORDINANCE MAXIMUM
BRICK	77%	INC	INC	INC	100%(30%)
EIFS	13%	INC	INC	INC	25%
STANDING SEAM METAL	10%	INC	INC	INC	25%

Boutique Market (50,000 S.F.)

Sheet 26	FRONT FACADE	REAR FAÇADE	LEFT FACADE	RIGHT FACADES	ORDINANCE MAXIMUM
BRICK	71%	INC	INC	INC	100%(30%)
EIFS	4%	INC	INC	INC	25%
FABRIC AWNING	2%	INC	INC	INC	15%
SRANDING SEAM METAL	9%	INC	INC	INC	25%

Restaurant (6,000 S.F.)

Sheet 26	FRONT FACADE	REAR FAÇADE	LEFT FACADE	RIGHT FACADES	ORDINANCE MAXIMUM
BRICK	85%	INC	INC	INC	100%(30%)
EIFS	12%	INC	INC	INC	25%
FABRIC AWNING	0%	INC	INC	INC	15%
METAL TRIM	2%	INC	INC	INC	25%

Drug Store (15,000 S.F.)

Sheet 26	FRONT FACADE	REAR FAÇADE	LEFT FACADE	RIGHT FACADES	ORDINANCE MAXIMUM
BRICK	78%	INC	INC	INC	100%(30%)
EIFS	10%	INC	INC	INC	25%
FABRIC AWNING	0%	INC	INC	INC	15%
METAL TRIM	12%	INC	INC	INC	25%

Bank (4,000 S.F.)

Drawing Sheet 26	FRONT FACADE	REAR FACADE	RIGHT SIDE FACADE	LEFT SIDE FACADE	ORDINANCE MAXIMUM
BRICK	72%	INC	INC	INC	100%(30%)
EIFS	18%	INC	INC	INC	25%
STANDING SEAM METAL	10%	INC	INC	INC	25%

Commercial – The commercial component of the project consists of five (5) separate buildings; a Boutique Market (50,000S.F), a Bank (4,000 S.F.), a Restaurant (6,000S.F.), Service Shops (31,000 S.F.), and a Drug Store (15,000 S.F.), listed in order from west to east along 10-Mile Road. The commercial component is located within 500 feet of a major thoroughfare and as such would fall within in Façade Region 1. The architectural design concept is in distinct contrast to the typical “strip retail” which commonly employs a repetitive, single story façade. In this case the design is reminiscent of a traditional “main street”, using a combination of 1 and 2-story facades, ranging from 20’ to 39’ in height. Nicely designed “tower” elements with large bracketed cornices and roof finials are employed at key locations to define entrances and act as “bookends” to the commercial portion of the project. The overall high profile of this commercial section will serve to screen the attached residential (duplex) residences located to the south from view from 10-Mile Rd. As shown above the front facades are in full compliance with the Façade Chart. The side and rear facades were not provided at the time of this review and as such are noted **INC**. It is anticipated these facades will be submitted at a later date at which time they will be reviewed for compliance with the Façade Ordinance. We would recommend that the applicant should clarify whether the 2-story facades (upper level windows) are functional or artificial.

Attached Residential

Sheet 26	FRONT FACADE	REAR FACADE	LEFT FACADE	RIGHT FACADES	ORDINANCE MAXIMUM
BRICK	40%	INC	INC	INC	100% (30%)
WOOD TRIM	6%	INC	INC	INC	15%
WOOD SIDING	4%	INC	INC	INC	50% (Note 11)
ASPHALT SHINGLES	50%X	INC	INC	INC	25%

Attached Residential – As shown above the front façade is in non-compliance with the Façade Ordinance due to excessive percentage of asphalt shingles. A section 9 Waiver will be required for this item. The design is well executed and is consistent with the overall design concept of the project. We would however recommend that several alternate elevations be developed to achieve a variation in appearance and avoid repetitive design (perhaps with consistency in colors and materials as a unifying element) in future submittals.

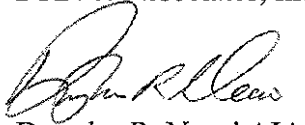
Single Family Residential – As stated above this component is not subject to the Façade Ordinance. Our comments are therefore offered for reference only. Approximately ten (10) alternate “models” are presented for single-family residences. These exemplify unique designs in a wide variety of styles. As such compliance with the City’s Similar/Dissimilar Ordinance, which prohibits like models from being located in close proximity, can readily be achieved. Moreover, all of the designs exhibit extensive architectural features such as eyebrow windows, return cornices, large crown molded and cornices, cornice brackets, upper balconies, covered front porches, window boxes, ornamental shutters, stylized garage doors, divided-lite windows, standing seam roof elements, tapered roof lines, columns with base and capitals, pediment style dormer windows, slanted and arched brick lintels, and other elements.

Recommendations:

1. Taken as a whole, the drawings while being incomplete portray an exceptional level of design sensitivity and attention to detail. We believe the architectural character portrayed in these drawings will not only create a strong sense of community within the project, but will become the significant identifying element of the project itself within the larger community of Novi. We believe that drawings provided indicate an intent to achieve a level of notable architectural quality and we believe the strong positive affect derived from this product should be given due consideration within the context of overall impact of the project may have on the City of Novi.
2. It is understood that further development of the drawings will occur. Missing rear and side elevations must be submitted. All elevations must be noted as to all façade materials and a sample board(s) illustrating these materials must also be provided.
3. It should be noted that future submittals will be compared to these drawings for consistency with respect to the extent, range and quantity of architectural detailing, number of ornamental features, extent of façade and roof articulation, and overall quality of design. For example, the full diversity and quantity of ornamental features illustrated on the single family models will be expected to be carried through to the models submitted for construction. In as much as the rendered façade elevations are the primary illustrator of design intent, the elevations shall take precedent where inconsistencies between the elevations and floor plans may exist.

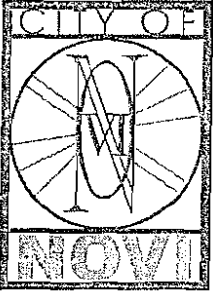
3. A follow-up review will be performed after the additional information referenced in the first paragraph of this letter is provided. At that time ant additional drawings for the dumpster enclosures, roof appurtenances, retaining walls and any other ancillary structures will also be reviewed.
4. With respect to the required Section 9 Waivers we would anticipate making a positive recommendation after the aforementioned information is submitted.

Sincerely,
DRN & Associates, Inc.



Douglas R. Necci AIA

FIRE REVIEW



248.349-2162
248.349-1724 fax
cityofnovi.org

September 2, 2008

TO: Barbara McBeth, Deputy Director of Community Development, City of Novi

RE: Legacy Parc, South side of Ten Mile Rd. west of Wixom Rd.

SP#: 08-30 – PRO
08-31 – RUD & ZCM

CITY COUNCIL

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Fire Chief
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Project Description:

A multiple use project of retail, child day care center, senior housing center and 541 lots of attached and detached adult housing units.

Comments:

This is a unique project within the City of Novi unlike any other and it requires intensive considerations. The primary concerns from a fire protection services perspective are: the number of housing units proposed (541), limited points of access into the separate neighborhoods, the minimal separation between the residential units (12'), and the target market of older adults (min. age 55) to live in the community.

Any one of the items listed above would make fire protection a concern when evaluating such a plan. However, all of these items combined into one project make fire protection a great concern and it requires additional considerations to be examined.

Considering this project is a Planned Rezoning Overlay and the City of Novi is within its right to ask for features that are above and beyond what is required by ordinance, I am requesting that all 541 attached and detached residential units be equipped with a NFPA 13D residential sprinkler system. According to the U.S. Fire Administration, older adults are 2.5 times more likely to die in fires than the overall population. Also, as Americans age, their fire risk increases. The only way to combat these statistics is to install a sprinkler system that will keep a fire small and provide valuable time necessary for escape.

Recommendation:

This RUD/PRO concept is recommended with the condition that all residential units be equipped with a residential fire sprinkler system.

Sincerely,

Michael W. Evans
Fire Marshal