



ADELL CENTER PRO: FIRST AMENDMENT JZ18-24 with Rezoning 18.724

ADELL CENTER PRO FIRST AMENDMENT JZ 18-24 AND ZONING MAP AMENDMENT 18.724

Consideration at the request of Orville Properties, LLC for Planning Commission’s recommendation to the City Council to approve an amendment to the previously-approved Planned Rezoning Overlay (PRO) Plan and Agreement. The subject property is approximately 23 acres and is located on Expo Center Drive (now Adell Center Drive), north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development. The current amendment is requested as changes are proposed to the approved layout for Units 6 and 7, common landscape areas, building signage, and location of accessory units.

Required Action

Recommendation to the City Council for approval or denial or postponement of the proposed amendment to approved Planned Rezoning Overlay plan.

REVIEW	RESULT	DATE	COMMENTS
Planning	Recommends Postponement	02-20-19	<ul style="list-style-type: none"> • Deviations requested from the following standards: <ul style="list-style-type: none"> - Shortage of the required minimum parking for Unit 7 (196 spaces required, 166 spaces provided) - Parking setbacks (20 feet required, 13.5 provided for Unit?) - Location of dumpsters - Location of transformers - Location of loading space - Size of loading space - Sign ordinance - Lack of Lighting and photometric for overall development • Additional information requested prior to City Council consideration of the PRO request
Engineering	Approval recommended	02-14-19	<ul style="list-style-type: none"> • Additional items to be addressed with Preliminary Site Plan
Landscaping	Approval recommended	02-02-19	<ul style="list-style-type: none"> - Deviations requested for the lack of berm undulations in the berm proposed along the I-96 frontage • Additional items to be addressed with Preliminary Site Plan
Wetlands	Approval recommended		<ul style="list-style-type: none"> • No additional impacts proposed from the approved PRO plan
Woodlands	Not Applicable		<ul style="list-style-type: none"> • No additional impacts proposed from the approved PRO plan

Traffic	Approval recommended	02-21-19	<ul style="list-style-type: none"> • Additional items to be addressed with Preliminary Site Plan
Façade	Approval recommended with conditions	02-19-19	<ul style="list-style-type: none"> • Unit 7: Overage of Standing Seam Metal, contingent upon the percentage of Split Faced CMU on the north (I-96 Exposure) façade being reduced to below 10% by substituting Brick or Stone on the dumpster enclosure portion of the façade • Monument signs and landscape wall subject to Façade Ordinance
Fire	Approval recommended with Conditions	01-19-19	<ul style="list-style-type: none"> • Secondary access required for Unit 6 • Additional items to be addressed with Preliminary Site Plan

Motion sheet

Approval

In the matter of the request of Orville Properties, LLC, for the Adell Center JZ18-24 with Zoning Map Amendment 18.724, motion to **recommend approval** to the City Council for an amendment to previously approved Planned Rezoning Overlay (PRO) plan, based on following conditions:

1. This approval is subject to all conditions listed in the original PRO agreement dated October 26, 2018, unless otherwise amended with this approval;
2. The current amendment is required as changes are proposed to the approved layout for Unit 6 and 7, minor changes to common landscape areas, building signage and location of accessory units.
3. The recommendation includes the following ordinance deviations with this revision for consideration by the City Council:
 - a. Planning deviation from Section 5.12 for not meeting the minimum required parking Unit 7 (A minimum of 196 spaces are required, a total of 166 spaces are proposed);
 - b. Planning deviation from Section 4.19.2 to allow a dumpster enclosure within the interior side yard off the building for Unit 7;
 - c. Planning deviation from Section 5.4.1 to allow the loading area within the interior side yard for Unit 6 and 7;
 - d. Planning deviation from Section 5.4.2. to allow for a reduction in the size of the proposed Loading Area for Unit 7 (847 square feet minimum required, 786 square feet proposed);
 - e. Façade deviation from Section 5.15 to allow exceeding the maximum allowable percentages for standing seam metal for the building on Unit 7 (A maximum of 25% standing seam metal roof is allowed, 35% on East elevation and 29% on west elevation is proposed);
 - f. Landscape deviation from section. 5.5.3 for lack of undulations in the landscape berm with a 3' height along I-96 frontage.
 - g. Planning deviation from section 4.19.2. to allow transformers in interior side yard instead of the required rear yard for units 1,2,3, and 7 as requested by the applicant;

-OR-

Planning deviation to allow placement of transformers in alternate locations instead of required rear yard, provided proposed locations conform to other

code requirements and appropriate screening will be provided at the time of Preliminary site plan review (**Staff's recommendation**). This is applicable for Units 1, 2, 3, 6 and 7.

- h. Planning deviation from Section 3.1.25.D to allow reduction of minimum required exterior side parking setback of 20 feet for Unit 6 (A minimum of 20 feet is required, a minimum of 13 feet along the northeast property boundary indentation is proposed for approximately 50 feet as shown on the plans;
- i. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two wall signs and the window sign proposed for Unit 7 Texas Roadhouse as listed below (**Not recommended by staff** since the applicant has not demonstrated that the provisions sought to be deviated from would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest and would be consistent with the Master Plan and the surrounding area);
 - a. A variance of from code Section 28-7(a)(9) would be required for an oversized illuminated window sign 14.6 square feet over allowable size (3.5 square feet) for illuminated window sign
 - b. A variance from code Section 28-5(b)(1)b. would be required for front and rear building wall signs as noted below:
 - i. Front elevation sign is over sized by 171 square feet based on the distance of 120 feet from the centerline of the I-96 off-ramp. A maximum of 60 square feet is permitted;
 - ii. Rear elevation sign is over sized by 94.5 square feet based on 273 feet from the centerline of Adell Center Drive; A maximum of 136.5 square feet is permitted;

The following items shall be addressed in the PRO Concept Plan prior to City Council consideration of Planned Rezoning Concept Plan, and/or items listed above based on Planning Commission's determination:

1. The applicant shall provide a formal revised submittal to provide sufficient time for staff and consultants to review the revised layout for Unit 6 dated 03-07-19, as submitted with the response letter dated 03-07-2019. Additional comments may be warranted since Unit 6 has been reduced in size from the approved PRO Plan and detailed information was not provided in time for a complete review by staff);
2. The applicant shall provide necessary information to identify the necessary deviations from Chapter 28, Signs from City Code of Ordinances for Unit 2 –Planet Fitness prior to the City Council's consideration for tentative approval of PRO Concept plan;
3. The applicant shall provide an overall lighting and photometric plan for the entire development for staff to verify overall light levels. The plan shall include, but not limited to, the following:
 - a. Location of light fixtures within individual parking lots and along Adell Drive
 - b. Specification sheets
 - c. Height of the fixtures
 - d. Foot candle values along lot lines
 - e. Average to minimum ratio per each unit

4. The applicant shall provide revised building elevations for unit 7, Texas Roadhouse that address the following:
 - a. The applicant shall reduce the proposed Split Faced CMU on the north (I-96 Exposure) façade that are not to exceed 10% of the façade materials on that elevation by substituting brick or stone on the dumpster enclosure portion of the building façade, as noted in the façade review letter;
 - b. The applicant shall screen all roof top equipment from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance
5. In lieu of a continuous decorative brick wall along the Adell Drive Frontage, as noted in the approved PRO Agreement; the applicant shall provide a combination of decorative brick wall and decorative railing as shown in the revised plans This is proposed to create interesting aesthetic along Adell Drive and is supported by staff;
6. The applicant is encouraged to address the sign deviations required and provide information showing how 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 would be consistent with the Master Plan and the surrounding area;

If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:

1. Future use for Unit 6 shall be updated to "Restaurant" in order to be consistent with the approved PRO Agreement, since information has not been provided with this submittal to address any proposed change in use.
2. Unit 6 shall have only one primary access off of Adell Drive, which is currently shown as shared with Unit 7 on the plan.
3. Unit 6 is currently approved as a restaurant. Minimum parking requirement for Unit 6 is calculated based on gross leasable area since the end user is unknown. The applicant shall note that the number of seats for future restaurant shall be dependent on the available parking.

[Insert any additional conditions]

This motion is made because the proposed amendment is proposing changes that are consistent with the intent of the original PRO plan and Agreement with additional modification as noted

Postponement

In the matter of the request of Orville Properties, LLC, for the Adell Center JZ18-24 with Zoning Map Amendment 18.724, motion to recommend postponement to give staff and the applicant to address the following items:

1. The applicant shall submit a formal revised submittal to provide sufficient time for staff and consultants to review the revised layout for Unit 6 dated 03-07-19, as submitted with the response letter dated 03-07-2019. Additional comments may be warranted;
2. The applicant shall provide necessary information to identify the necessary deviations from Chapter 28, Signs from City Code of Ordinances for Unit 2 –Planet Fitness prior to the City Council's consideration for tentative approval of PRO Concept plan;

3. For Unit 7, Texas Roadhouse, the applicant shall reduce the proposed Split Faced CMU on the north (I-96 Exposure) façade that are not to exceed 10% of the façade materials on that elevation by substituting brick or stone on the dumpster enclosure portion of the building façade, as noted in the façade review letter;
4. The applicant shall provide an overall lighting and photometric plan for the entire development for staff to verify overall light levels. The plan shall include, but not limited to, the following:
 - a. Location of light fixtures within individual parking lots and along Adell Drive
 - b. Specification sheets
 - c. Height of the fixtures
 - d. Foot candle values along lot lines
 - e. Average to minimum ratio per each unit
5. The applicant has not established a basis for many of the proposed sign deviations , and it therefore cannot be determined that if the deviations were not granted, it would prohibit an enhancement of the development that would be in the public interest;

MAPS

Location

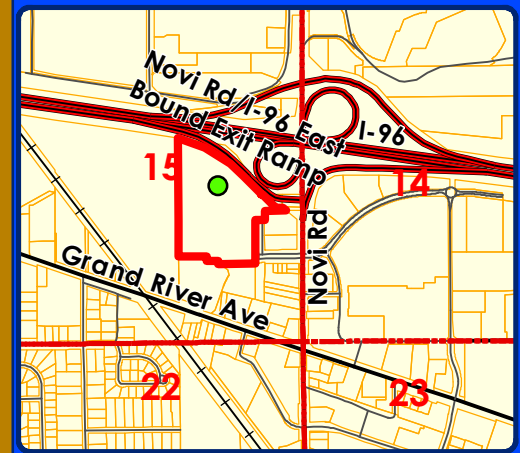
Zoning

Future Landuse

Natural Features

JZ 18-24 ADELL CENTER PRO

Location



LEGEND

 Sections



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Sri Komaragiri
Date: 07/06/18
Project: JZ 18-24 ADELL CENTER PRO
Version #: 1

0 85 170 340 510 Feet

1 inch = 381 feet

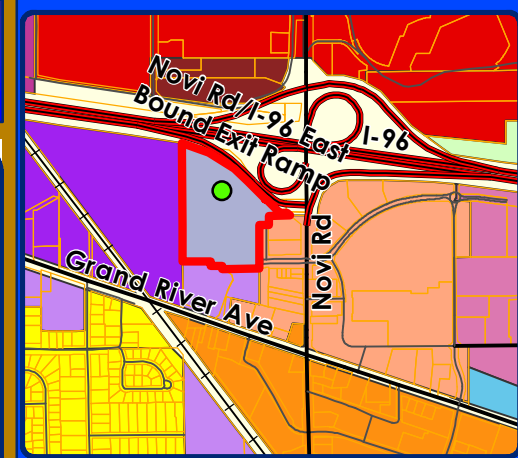
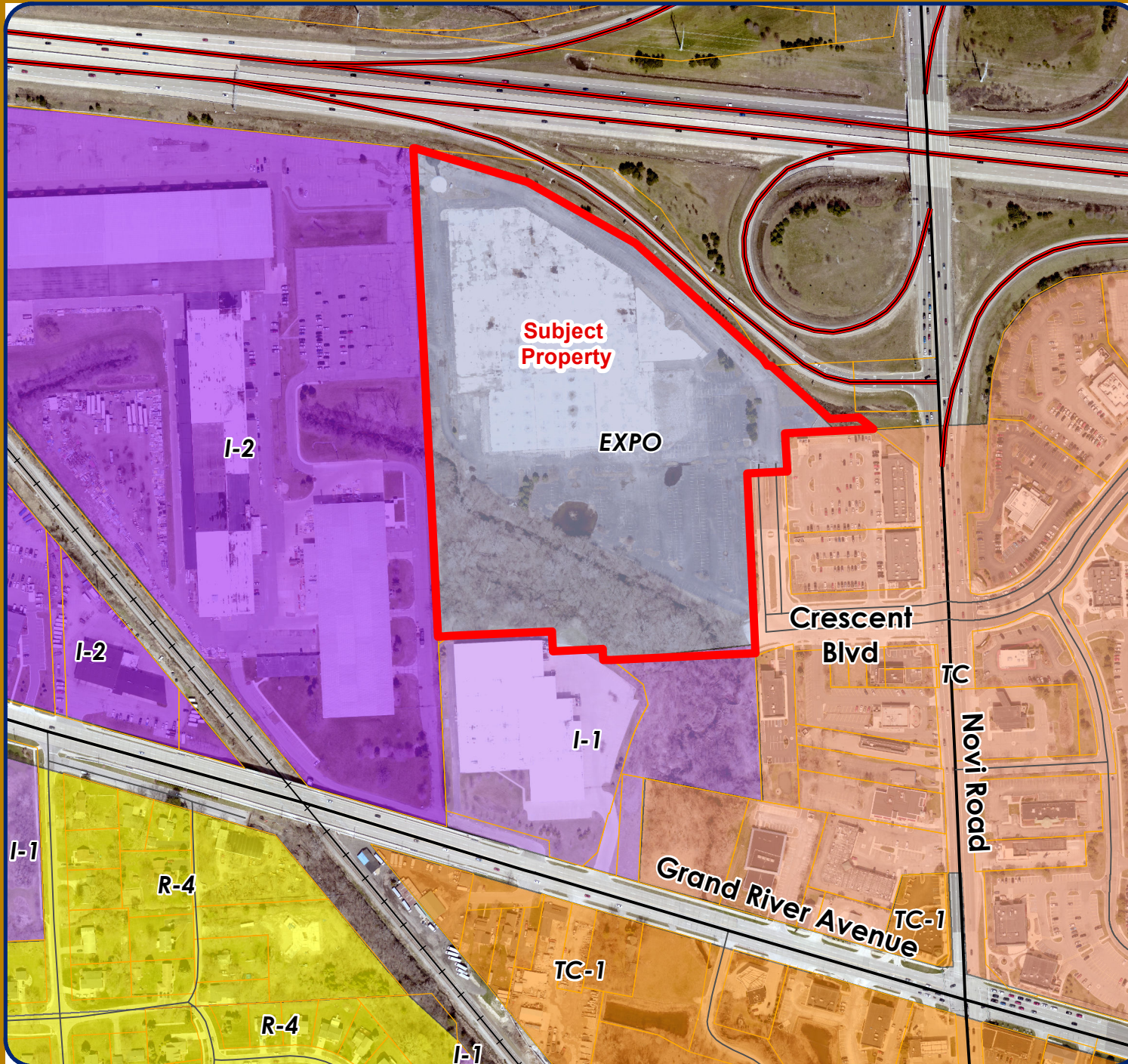


MAP INTERPRETATION NOTICE

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JZ 18-24 ADELL CENTER PRO

Zoning

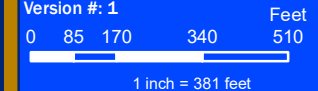


- LEGEND**
- R-A: Residential Acreage
 - R-4: One-Family Residential District
 - C: Conference District
 - EXPO: EXPO District
 - I-1: Light Industrial District
 - I-2: General Industrial District
 - OS-1: Office Service District
 - OSC: Office Service Commercial
 - OST: Office Service Technology
 - RC: Regional Center District
 - TC: Town Center District
 - TC-1: Town Center -1 District



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 Dept. of Community Development
 City Hall / Civic Center
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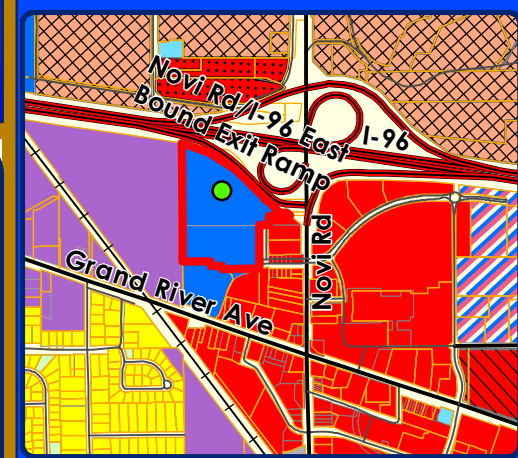
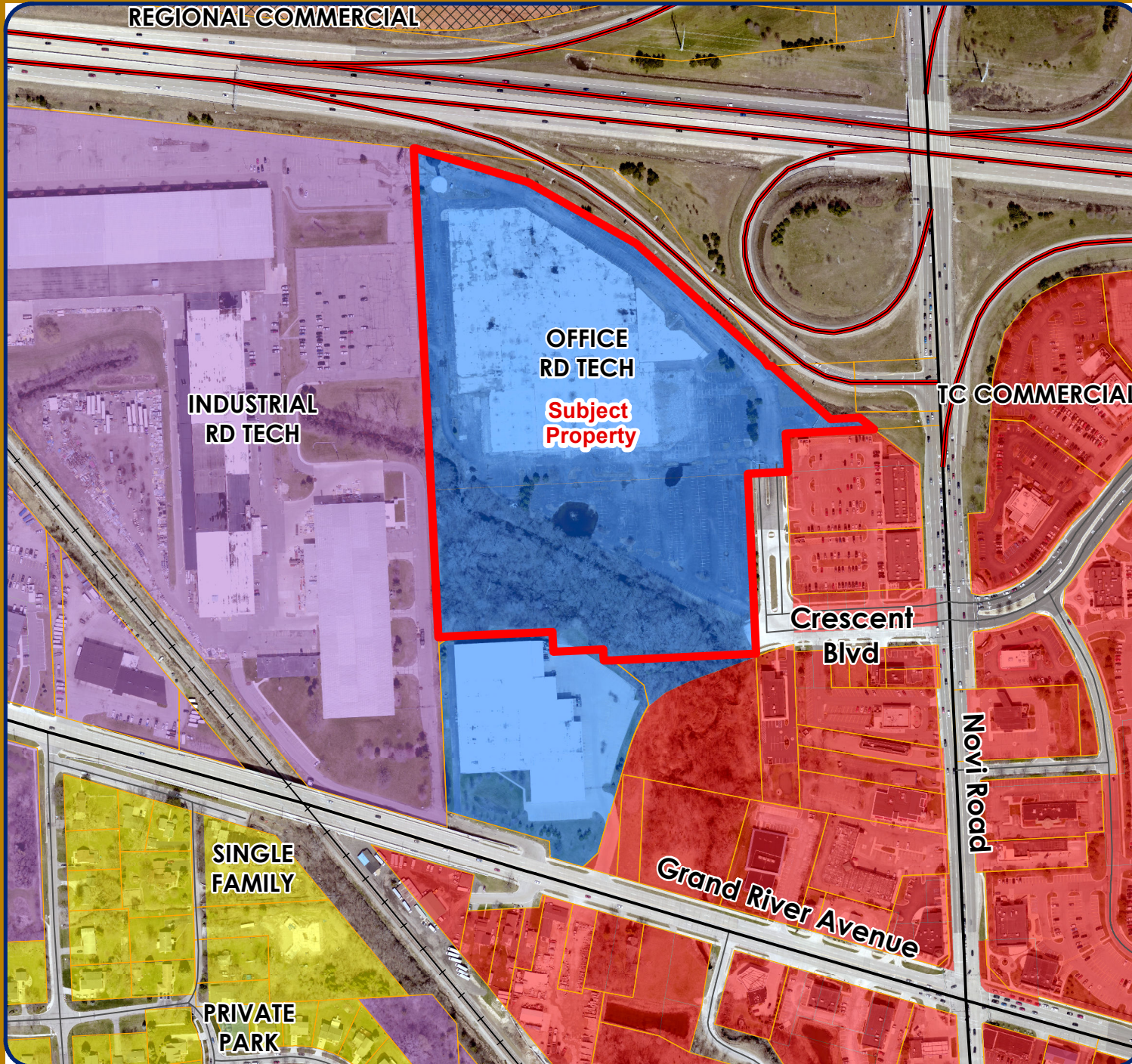


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JZ 18-24 ADELL CENTER PRO

Future Landuse



LEGEND

FUTURE LAND USE

- Single Family
- Office RD Tech
- Office Commercial
- Industrial RD Tech
- Regional Commercial
- TC Commercial
- TC Gateway
- PD2
- Public
- Private Park
- Cemetry

CITY OF


NOVI
 cityofnovi.org

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0 85 170 340 510 Feet

1 inch = 381 feet

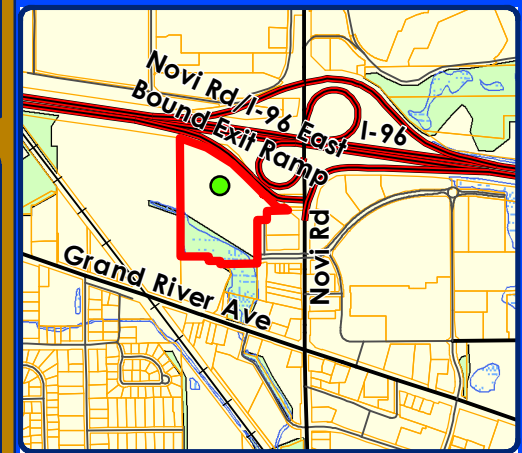
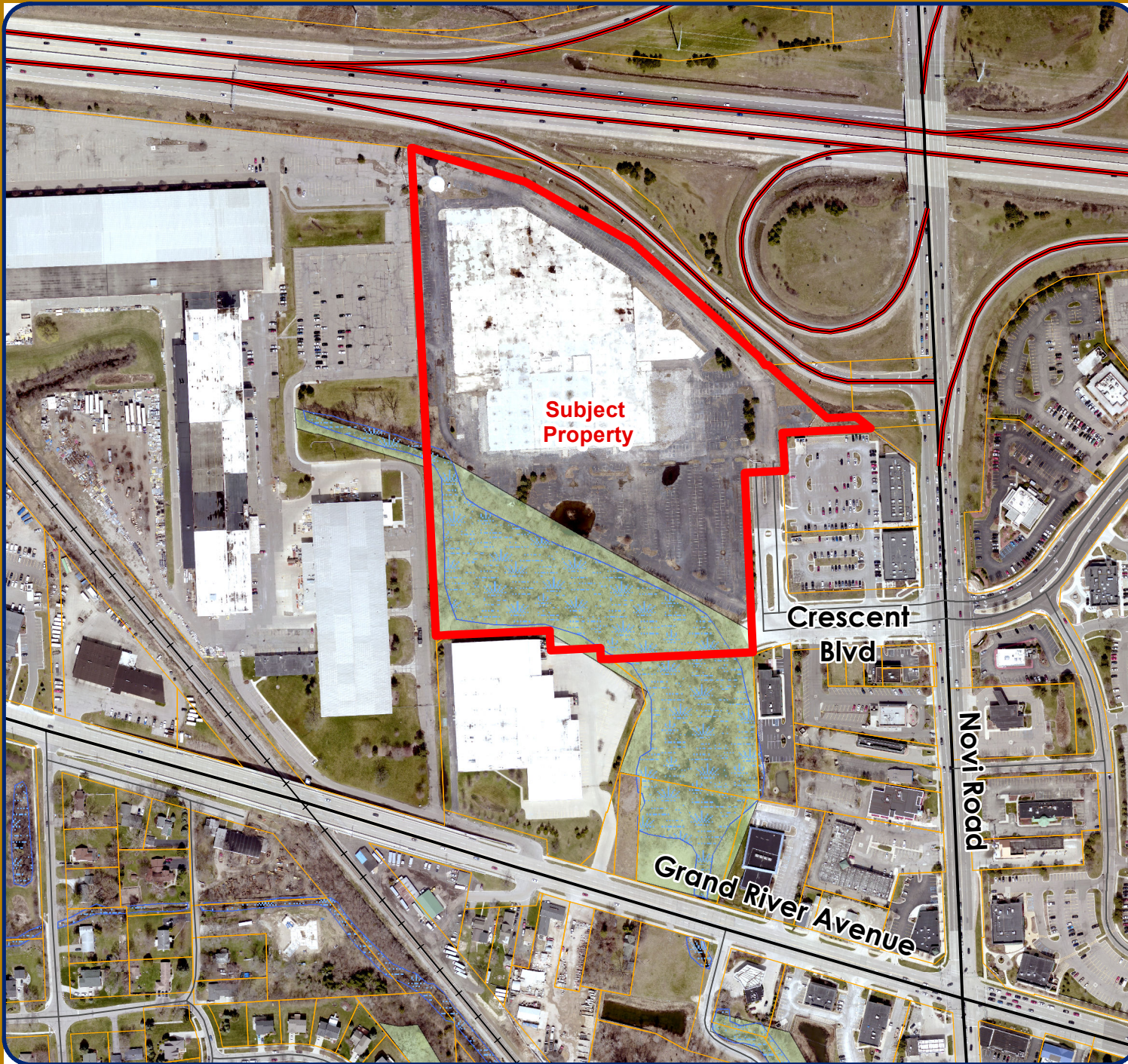


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JZ 18-24 ADELL CENTER PRO

Natural Features



LEGEND

-  WETLANDS
-  WOODLANDS



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PRO CONCEPT PLAN

As submitted

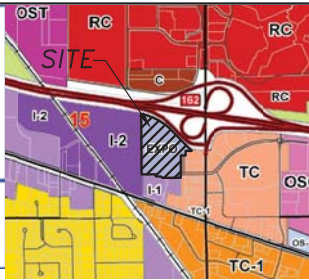
(Full size plans available at Community Development Department)

Zoning Districts

- R-1: Residential Single-Family
- R-2: Residential Single-Family
- R-3: Residential Single-Family
- R-4: Residential Single-Family
- RT: Residential Two-Family
- RM-1: Residential Medium-Density
- RM-2: Residential Medium-Density
- MH: Mobile Home
- B-1: Local Business
- B-2: Community Business
- B-3: General Business
- C: Conference
- EXD: Exposed
- GE: Gateway East
- FS: Freeway Service
- I-1: Light Industrial
- I-2: General Industrial
- KCC: Non-Center Commercial
- OS-1: Office Service
- OSC: Office Service Commercial
- OST: Office Service Technology
- EXD: OST District with EXD Overlay
- RC: Regional Center
- IP-1: Vehicular Parking
- TC: Town Center
- TC-1: Town Center-1

Zoning Overlays

- Exposition (EXD)
- Planned Reasoning (PRC)
- Planned Suburban Low-Rise (PSLR)



CURRENT LIST OF END USERS

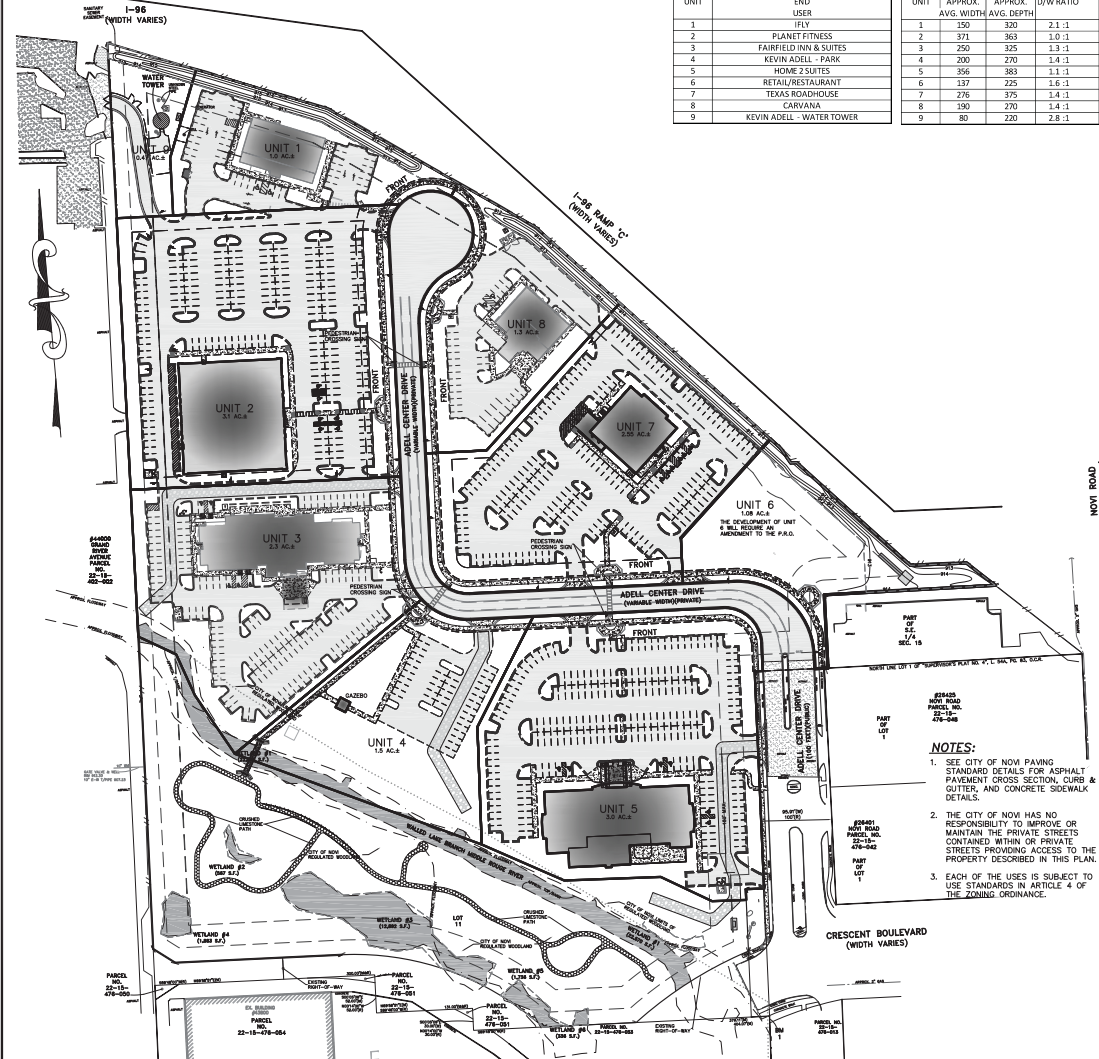
UNIT	END USER
1	FLY
2	PLANET FITNESS FAIRFIELD INN & SUITES
4	KEVIN ADELL - PARK
5	HOME 2 SUITES
6	RETAIL/RESTAURANT
7	TEXAS ROADHOUSE
8	CARVANA
9	KEVIN ADELL - WATER TOWER

UNIT WIDTH TO DEPTH RATIOS

UNIT	APPROX. AVG. WIDTH	APPROX. AVG. DEPTH	D/W RATIO
1	150	320	2.1:1
2	371	363	1.0:1
3	250	325	1.3:1
4	200	270	1.4:1
5	356	383	1.1:1
6	137	225	1.6:1
7	276	375	1.4:1
8	190	270	1.4:1
9	80	220	2.8:1

LOT COVERAGES

UNIT	APPROX. BLDG AREA	UNIT AREA	% LOT COVERAGE
1	6000	47731	13
2	20000	137034	15
3	14100	100007	14
4	0	67383	0
5	18500	132912	14
6	4000	45149	9
7	2163	111186	8
8	5800	56534	10
9	400	20246	2



UNIT 4 - GAZEBO NOTE:
 GAZEBO SIZE = 196 SF
 GAZEBO HEIGHT = 12 FEET

LEGAL DESCRIPTION (AS SURVEYED):
 PART OF THE SOUTHEAST 1/4 OF SECTION 15, T. 1N., R. 8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT BEING DISTANT S00°00'50"E 1217.37 FEET ALONG THE EAST LINE OF SAID SECTION 15, AND S89°29'16"W 174.05 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 15, THENCE ALONG THE SOUTHERLY LINE OF INTERSTATE 96 THE FOLLOWING (8) COURSES:
 (1) THENCE N49°21'55"W 49.41 FEET;
 (2) THENCE N89°42'38"W 76.56 FEET;
 (3) THENCE N45°13'48"W 209.02 FEET;
 (4) THENCE S89°26'34"W 8.15 FEET;
 (5) THENCE N31°29'37"W 24.21 FEET;
 (6) THENCE N45°13'48"W 449.77 FEET;
 (7) THENCE N57°40'28"W 326.71 FEET;
 (8) THENCE N70°39'38"W 313.38 FEET;
 THENCE S00°17'12"E 895.50 FEET TO THE NORTHWEST CORNER OF LOT 11 OF SUPERVISOR'S PLAT NO. 41, AS RECORDED IN LIBER 544 OF PLATS, PAGE 83, OAKLAND COUNTY RECORDS; THENCE ALONG THE WESTERLY LINE OF THE PROPERTY DESCRIBED IN THIS PLAN, THENCE S55°21'10"E 35.35 FEET; THENCE N89°08'08"E 227.22 FEET; THENCE 280.15 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 380.30 FEET, A DELTA ANGLE OF 39°11'42" AND A CHORD BEARING S70°29'56"E 255.11 FEET; THENCE 17.03 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 459.04 FEET, A DELTA ANGLE OF 02°07'31" AND A CHORD BEARING S49°46'23"E 17.03 FEET; THENCE S48°42'38"E 22.24 FEET; THENCE N69°04'41"E 126.43 FEET; THENCE 182.36 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 549.28 FEET, A DELTA ANGLE OF 14°01'22" AND A CHORD BEARING N60°14'29"E 181.53 FEET; THENCE N00°09'48"E 84.49 FEET; THENCE S89°42'45"E 25.00 FEET; THENCE N00°13'11"E 296.15 FEET; THENCE S89°53'30"E 100.00 FEET; THENCE N00°11'30"W 100.00 FEET; THENCE N89°29'16"E 233.28 FEET TO THE POINT OF BEGINNING, CONTAINS 21.81 ACRES, AND SUBJECT TO ANY RIGHTS OF WAY, RESTRICTIONS, AND EASEMENTS OF RECORD.

- NOTES:**
- SEE CITY OF NOVI PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
 - THE CITY OF NOVI HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE STREETS CONTAINED WITHIN OR PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS PLAN.
 - EACH OF THE USES IS SUBJECT TO USE STANDARDS IN ARTICLE 4 OF THE ZONING ORDINANCE.

GREENTECH ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 51147 Pontiac Trail, Westland, MI 48093
 Phone: (313) 688-0700 Fax: (313) 688-0701

811
 Know what's below
 Call before you dig.

CLIENT: **ADELL CENTER**
P.R.O. PLAN (OVERALL)
 43700 ADELL CENTER DRIVE - PARCEL NO. 22-15-476-056
 SECTION 15
 TOWNSHIP 15N RANGE 8E
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REVISED
 2019-1-14 REVISED
 2019-3-4 PER REVIEW

DATE: 1-3-2019
 DRAWN BY: RMS
 CHECKED BY: DJL/JMF

SCALE: H&V 1"=80 FT
 KB 1"=80 FT

2
 17-334
 PRO ADJUDICATED

PRO CONCEPT PLAN

As revised via e-mail dated 03-07-19

Zoning Districts

- R-1 Residential Single-Family
- R-2 One-Family Residential
- R-3 One-Family Residential
- R-4 One-Family Residential
- RT Two-Family Residential
- RM-1 Low-Density Multiple-Family
- RM-2 High-Density Multiple-Family
- MH Mobile Home
- B-1 Local Business
- B-2 Community Business
- B-3 General Business
- C Conference
- EXD-1 Expo
- OE Gateway East
- FS Freeway Service
- I-1 Light Industrial
- I-2 General Industrial
- KCC Non-Center Commercial
- OS-1 Office Service
- OSC Office Service Commercial
- OST Office Service Technology
- EXD-2 EXD District with EXD Overlay
- RC Regional Center
- TC-1 Town Center
- TC-2 Town Center

Zoning Overlays

- Exposition (EXO)
- Planned Residential (PRC)
- Planned Suburban Low-Rise (PSLR)

CURRENT LIST OF END USERS

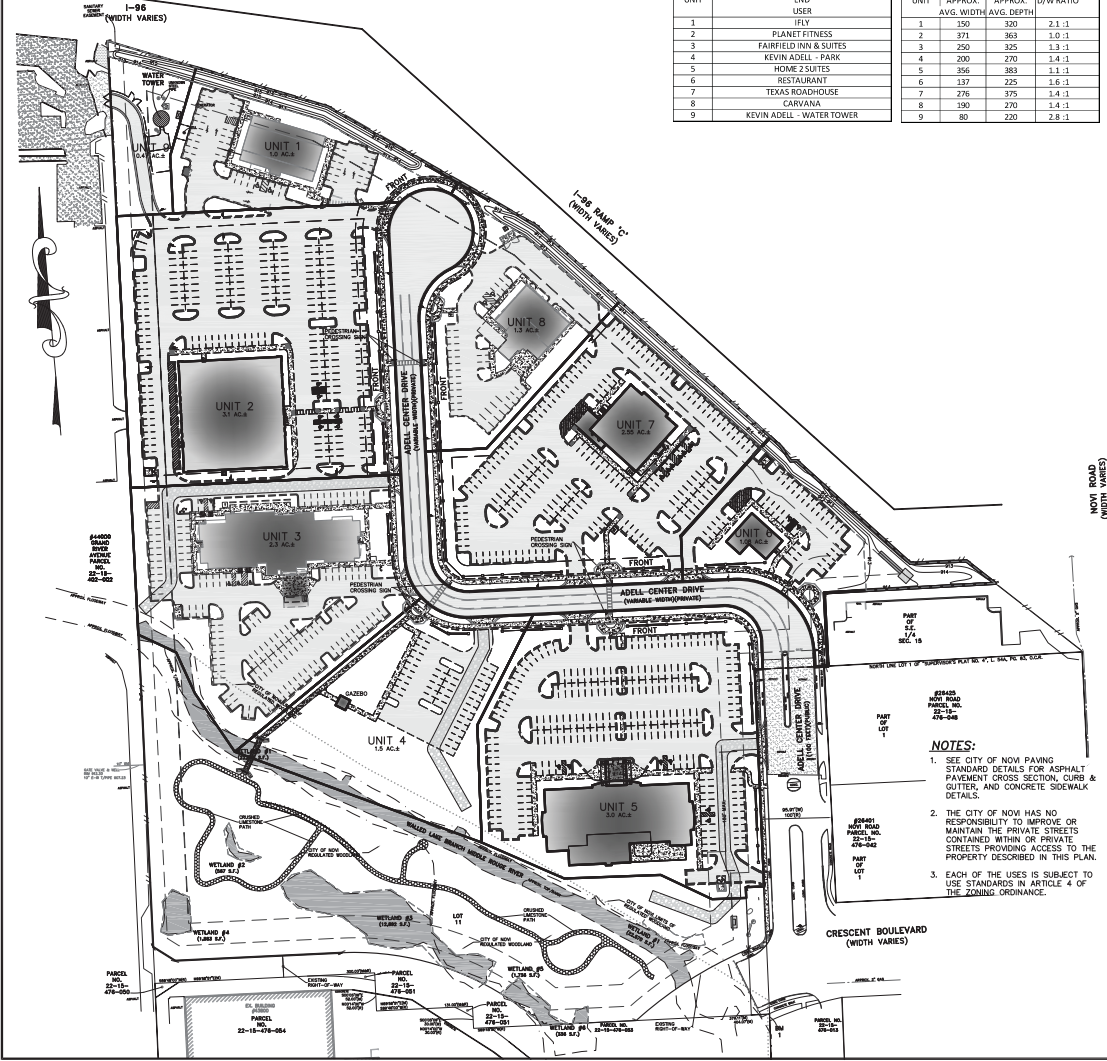
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 (7) THENCE N57°40'28"W 326.71 FEET;
 (8) THENCE N70°39'38"W 313.38 FEET;
 THENCE S00°17'12"E 895.50 FEET TO THE NORTHWEST CORNER OF LOT 11 OF "SUPERVISOR'S PLAT NO. 4", AS RECORDED IN LIBER 544 OF PLATS, PAGE 83, OAKLAND COUNTY RECORDS; THENCE ALONG THE WEST LINE OF SAID LOT 11, S00°01'17"W 341.53 FEET; THENCE S55°21'10"E 35.35 FEET; THENCE N89°58'08"E 227.22 FEET; THENCE 280.15 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 380.30 FEET, A DELTA ANGLE OF 39°11'42" AND A CHORD BEARING S70°25'56"E 255.11 FEET; THENCE 17.03 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 459.04 FEET, A DELTA ANGLE OF 02°07'31" AND A CHORD BEARING S49°46'23"E 17.03 FEET; THENCE S49°29'16"E 22.86 FEET; THENCE N89°56'41"E 126.43 FEET; THENCE 182.36 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 549.28 FEET, A DELTA ANGLE OF 19°01'22" AND A CHORD BEARING N60°14'29"E 181.53 FEET; THENCE N00°09'48"E 84.49 FEET; THENCE S89°52'46"E 25.00 FEET; THENCE N00°13'11"E 296.15 FEET; THENCE S89°53'30"E 100.00 FEET; THENCE N00°11'30"W 100.00 FEET; THENCE N89°29'16"E 233.28 FEET TO THE POINT OF BEGINNING, CONTAINS 21.81 ACRES, AND SUBJECT TO ANY RIGHTS OF WAY, RESTRICTIONS, AND EASEMENTS OF RECORD.

- NOTES:**
- SEE CITY OF NOVI PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
 - THE CITY OF NOVI HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE STREETS CONTAINED WITHIN OR PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS PLAN.
 - EACH OF THE USES IS SUBJECT TO USE STANDARDS IN ARTICLE 4 OF THE ZONING ORDINANCE.

GREENTECH ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS

51147 Pontiac Trail, Westland, MI 48093
 Phone: (313) 888-0700 Fax: (313) 888-0701

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CLIENT: ADELL CENTER

P.R.O. PLAN (OVERALL)

43700 ADELL CENTER DRIVE - PARCEL NO. 22-15-476-056
 SECTION: 15

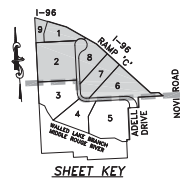
REVISED:
 2019-1-14 REVISED
 2019-3-6 PER REVIEW
 2019-3-7 PER DISCUSSION

DATE: 1-3-2019
 DRAWN BY: RMS
 CHECKED BY: DJL/JMF

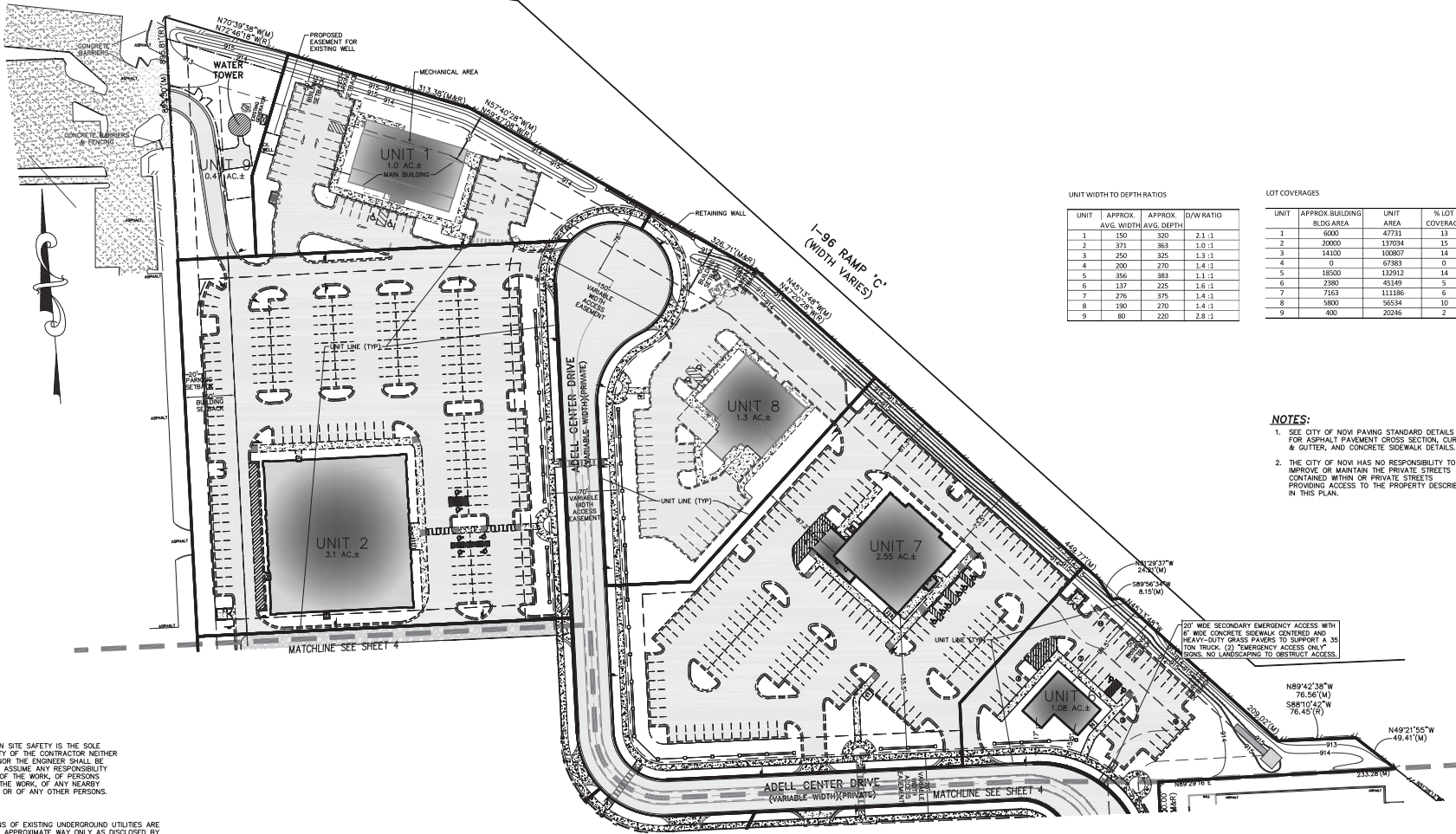
SCALE: HOR 1"=80 FT
 VER 1"=40 FT

2

17-334
 PRO ADJUDICATED



I-96
(WIDTH VARIES)



UNIT WIDTH TO DEPTH RATIOS

UNIT	APPROX. AVG. WIDTH	APPROX. AVG. DEPTH	D/W RATIO
1	150	320	2.1:1
2	371	364	1.0:1
3	250	325	1.3:1
4	200	270	1.4:1
5	356	383	1.1:1
6	137	225	1.6:1
7	276	375	1.4:1
8	190	270	1.4:1
9	80	220	2.8:1

LOT COVERAGES

UNIT	APPROX BUILDING AREA	UNIT AREA	% LOT COVERAGE
1	6000	47731	13
2	20000	137034	15
3	14100	100807	14
4	0	67883	0
5	18500	132912	14
6	2380	43393	5
7	7163	111186	6
8	5800	56534	10
9	400	20246	2

- NOTES:**
1. SEE CITY OF NOV PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
 2. THE CITY OF NOV HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE STREETS CONTAINED WITHIN OR PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS PLAN.

20' WIDE SECONDARY EMERGENCY ACCESS WITH 6" WIDE CONCRETE SIDEWALK CENTERED AND HEAVY-DUTY GRASS PAVERS TO SUPPORT A 35 TON TRUCK. (2) "EMERGENCY ACCESS ONLY" SIGN, NO LANDSCAPING TO OBSTRUCT ACCESS.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

NOTE:
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GREENTECH ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
51147 Pontiac Trail, Warsaw, MI 48393
Phone: (248) 868-0700 Fax: (248) 668-0701

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CLIENT: **ADELL CENTER**
P.R.O. PLAN (NORTH)
43700 ADELL CENTER DRIVE - PARCEL NO. 22-15-476-056
TOWNSHIP: 15 RANGE: BE
SECTION: 15 CITY OF NOV MICHIGAN

REVISED
2019-1-14 REVISED
2019-3-6 PER REVIEW
2019-3-7 PER DISCUSSION

DATE: 1-3-2019
DRAWN BY: RMS
CHECKED BY: DJL/JMF

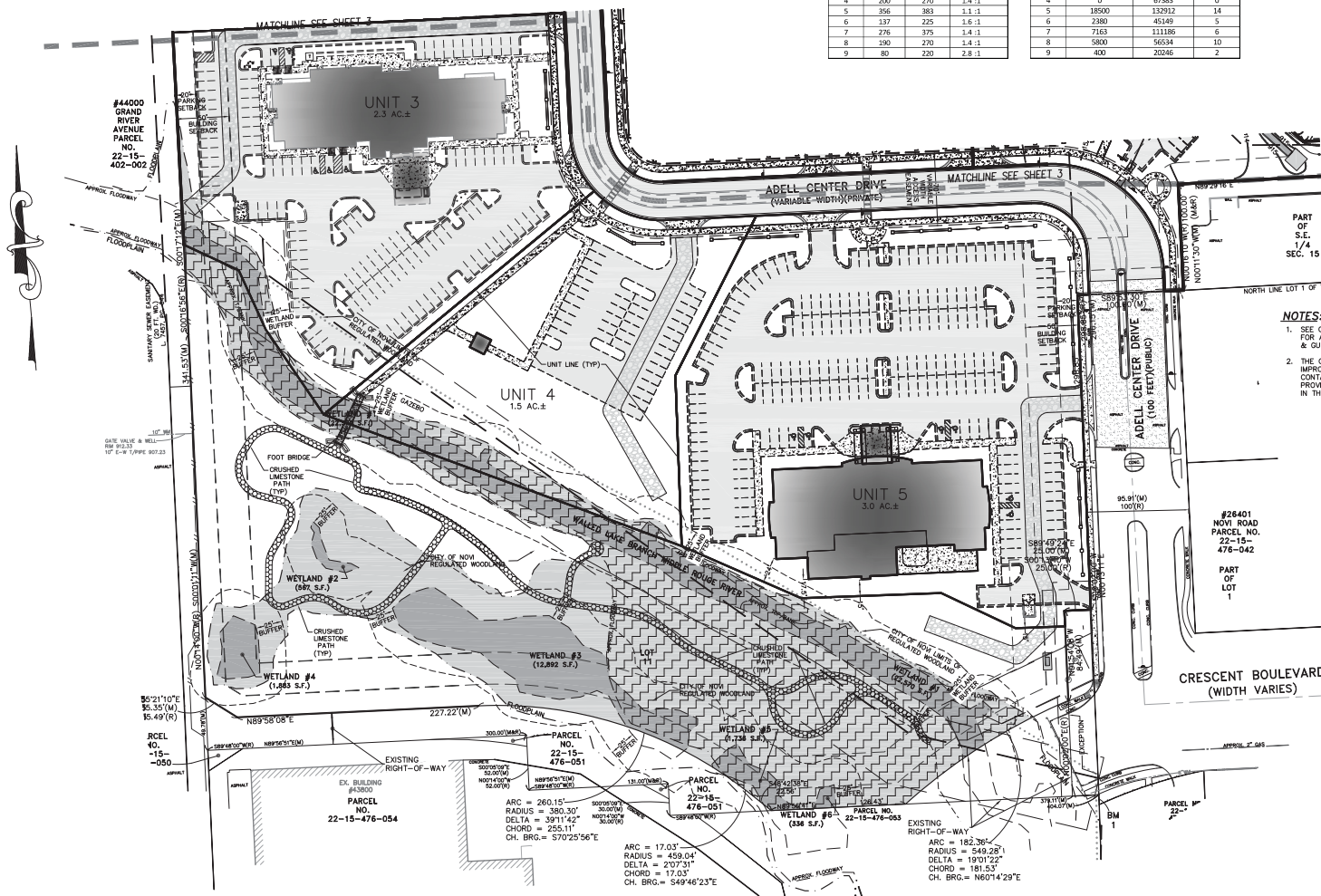
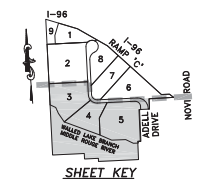
SCALE: HORIZ. 1"=50 FT. VERT. 1"=10 FT.
3
17-334
PRO. NO. 2019-001

UNIT WIDTH TO DEPTH RATIOS

UNIT	APPROX. AVG. WIDTH	APPROX. AVG. DEPTH	D/W RATIO
1	350	320	2.1:1
2	371	363	1.0:1
3	250	325	1.3:1
4	200	270	1.4:1
5	356	383	1.1:1
6	137	225	1.6:1
7	276	375	1.4:1
8	190	270	1.4:1
9	80	220	2.8:1

LOT COVERAGES

UNIT	APPROX. BLDG. AREA	UNIT AREA	% LOT COVERAGE
1	6000	47731	13
2	20000	137034	15
3	14000	100807	14
4	0	67983	0
5	18500	132912	14
6	2380	45149	5
7	7163	111186	6
8	5800	56534	10
9	400	20246	2



- NOTES:**
1. SEE CITY OF NOV PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
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51147 Potomac Trail, Warsaw, MI 48393
Phone: (248) 668-0700 Fax: (248) 668-0701



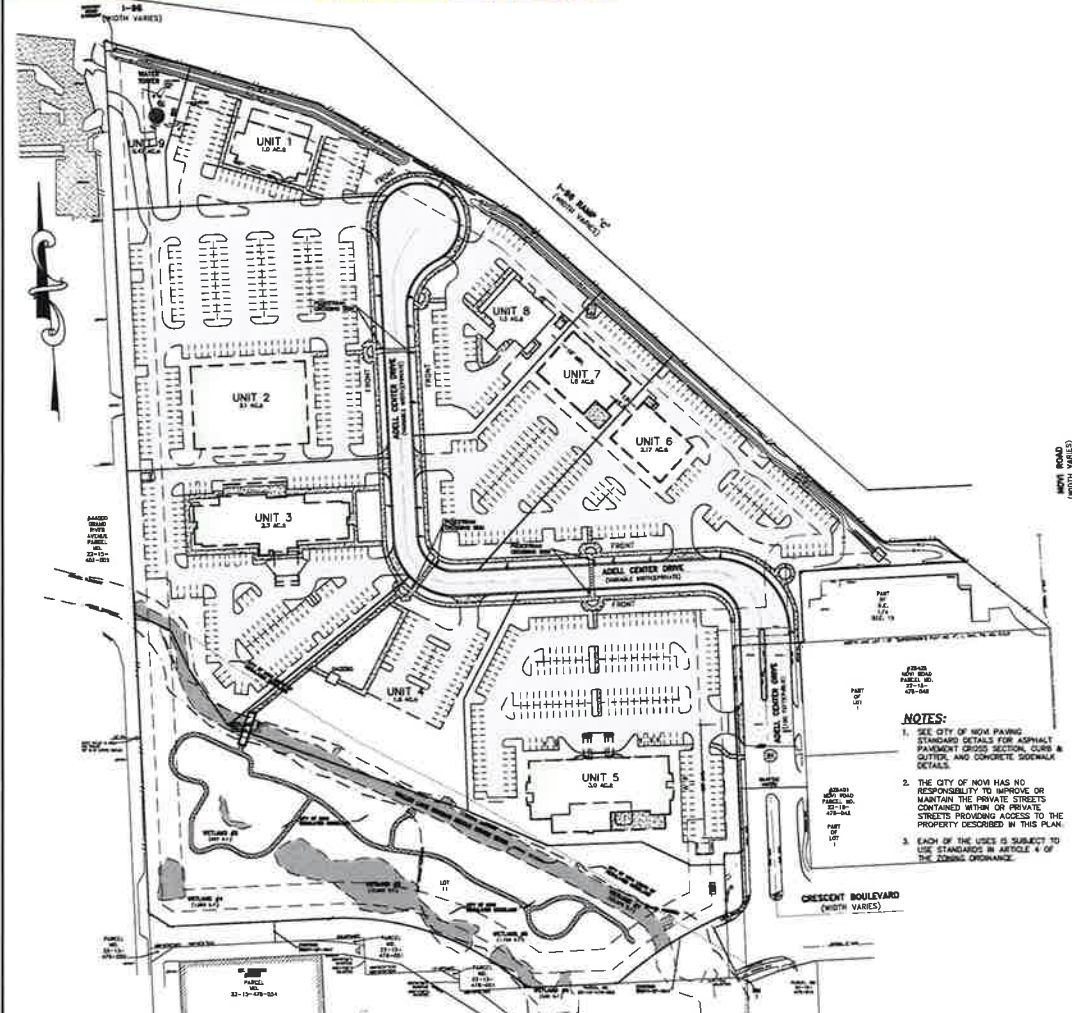
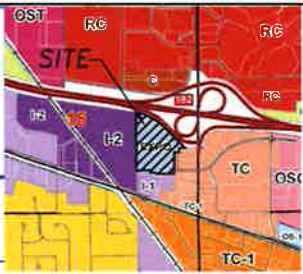
CLIENT: ADELL CENTER
P.R.O. PLAN (SOUTH)
43700 ADELL CENTER DRIVE - PARCEL NO. 22-15-476-056
SECTION: 15
TOWNSHIP: 15 N
RANGE: 06 E
CITY OF NOV
OAKLAND COUNTY MICHIGAN

REVISED
2019-1-14 REVISED
2019-3-6 PER REVIEW
2019-3-7 PER DISCUSSION

DATE: 1-3-2019
DRAWN BY: RMS
CHECKED BY: DJL/JMF
SCALE: HORIZ. 1"=50 FT
VERT. 1"=10 FT
4
PRO. NO. 17-334

ORIGINAL APPROVAL PRO PLAN

Zoning Districts	
R-A Residential Acute	GC Gateway East
R-1 One-Family Residential	FS Freeway Service
R-2 One-Family Residential	LI-1 Light Industrial
R-3 One-Family Residential	I-2 General Industrial
R-4 One-Family Residential	NCC Non-Center Commercial
RM-1 Multifamily Residential	OSC Office Service
RM-1 Low-Density Multiple-Family	OSC Office Service Commercial
RM-2 High-Density Multiple-Family	OST Office Service Technology
RMH Mobile Home	EXC EXC District with EXO Overlay
LI-1 Local Business	HC Regional Center
B-2 Community Business	P-1 Vehicular Parking
B-3 General Business	TC Town Center
HC Centerline	TC-1 Town Center-1
EXC Exps	



EXISTING USE OF LAND UNITS

UNIT	APPROX. AVE. WIDTH	APPROX. AVE. DEPTH	AREA	USE
1	150	325	48,750	ALUMINUM
2	175	363	63,525	LIQUOR STORE
3	250	325	81,250	RESTAURANT
4	200	290	58,000	LIQUOR STORE
5	200	285	57,000	LIQUOR STORE
6	200	300	60,000	LIQUOR STORE
7	150	450	67,500	LIQUOR STORE
8	150	270	40,500	LIQUOR STORE
9	80	220	17,600	LIQUOR STORE

UNIT WIDTH TO DEPTH RATIOS

UNIT	APPROX. AVE. WIDTH	APPROX. AVE. DEPTH	WIDTH/DEPTH RATIO
1	150	325	0.46
2	175	363	0.48
3	250	325	0.77
4	200	290	0.69
5	200	285	0.70
6	200	300	0.67
7	150	450	0.33
8	150	270	0.56
9	80	220	0.36

LOT COVERAGES

UNIT	APPROX. BLDG. AREA	UNIT AREA	% LOT COVERAGE
1	3000	48750	6.16
2	2000	63525	3.15
3	14000	81250	17.22
4	5000	58000	8.62
5	18000	57000	31.42
6	7000	60000	11.67
7	6000	67500	8.89
8	1500	40500	3.70
9	400	17600	2.27

UNIT 4 - GAZEBO NOTE:
GAZEBO SIZE = 106 SF
GAZEBO HEIGHT = 12 FEET

LEGAL DESCRIPTION (AS SURVEYED):
PART OF THE SOUTHEAST 1/4 OF SECTION 15, T. 1N., R. 6E., CITY OF NOV., OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:
BEGINNING AT A POINT BEING DISTANT S00°00'00"E 1217.37 FEET ALONG THE EAST LINE OF SAID SECTION 15, AND S89°01'14"W 174.05 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 15; THENCE ALONG THE SOUTHERLY LINE OF INTERSTATE 96 THE FOLLOWING (8) COURSES:
(1) THENCE S48°07'30"W 48.41 FEET;
(2) THENCE N62°43'38"W 76.56 FEET;
(3) THENCE N45°15'48"W 209.02 FEET;
(4) THENCE S88°58'24"W 8.15 FEET;
(5) THENCE N31°29'27"W 24.21 FEET;
(6) THENCE N48°17'24"W 445.77 FEET;
(7) THENCE N02°40'28"W 326.71 FEET;
(8) THENCE N70°38'38"W 313.38 FEET;
THENCE S00°17'11"E 895.50 FEET TO THE NORTHWEST CORNER OF LOT 31 OF "SUPERVISOR'S PLAT NO. 4", AS RECORDED IN URBN 544 OF PLATS, PAGE 33, OAKLAND COUNTY RECORDS; THENCE ALONG THE WEST LINE OF SAID LOT 31, S00°01'14"W 341.53 FEET; THENCE S35°21'10"E 30.38 FEET; THENCE N68°08'09"E 227.22 FEET; THENCE 280.15 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 380.30 FEET, A DELTA ANGLE OF 38°11'42" AND A CHORD BEARING S70°25'50"E 285.11 FEET; THENCE 17.03 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 459.04 FEET, A DELTA ANGLE OF 02°07'31" AND A CHORD BEARING S44°42'38"E 22.56 FEET; THENCE N68°08'09"E 182.36 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 549.28 FEET, A DELTA ANGLE OF 18°01'22" AND A CHORD BEARING N68°08'09"E 182.36 FEET; THENCE S08°48'24"E 25.00 FEET; THENCE N00°17'31"E 286.10 FEET; THENCE S88°53'36"E 100.00 FEET; THENCE N00°11'00"W 100.00 FEET; THENCE N48°08'14"E 233.28 FEET TO THE POINT OF BEGINNING, CONTAINS 21.81 ACRES, AND SUBJECT TO ANY RIGHTS OF WAY, RESTRICTIONS, AND EASEMENTS OF RECORD.

- NOTES:**
- SEE CITY OF NOV. PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
 - THE CITY OF NOV. HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE STREETS CONTAINED WITHIN OR PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS PLAN.
 - EACH OF THE USES IS SUBJECT TO USE STANDARDS IN ARTICLE 4 OF THE ZONING ORDINANCE.

GREENTECH ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
3147 Proline Trail, Farmington, MI 48335
Phone: (248) 662-0700 Fax: (248) 688-0701

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ADPELL CENTER
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43700 EXPO CENTER DRIVE - PARCEL NO. 22-15-476-045
SECTION 15
CITY OF NOV., OAKLAND COUNTY, MICHIGAN

REVISIONS

NO.	DATE	DESCRIPTION
2018-6-4	6-4-2018	PER REVIEW
2018-7-18	7-18-2018	PER REVIEW
2018-8-30	8-30-2018	PER CITY REVIEW
2018-10-24	10-24-2018	PER CITY REVIEW
2018-10-24	10-24-2018	PER CITY REVIEW

DATE: 6-30-2018
DRAWN BY: EMS
CHECKED BY: SJA/LAF
DATE: 6-30-2018
BY: [Signature]
SCALE: 1/8" = 1'-0"
SHEET NO. 17-324



GREENTECH
ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1700 N. 17th Street, Suite 100
Oakland, CA 94612
Phone: (415) 888-0910 Fax: (415) 888-0701



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CLIENT: ADELL CENTER
P.R.O. PLAN (NORTH)
43700 EXPO CENTER DRIVE - PARCEL NO. 22-15-476-045
SECTION 15
CITY OF OAKLAND
OAKLAND COUNTY
MICHIGAN

CLIENT: ADELL CENTER
P.R.O. PLAN (NORTH)
43700 EXPO CENTER DRIVE - PARCEL NO. 22-15-476-045
SECTION 15
CITY OF OAKLAND
OAKLAND COUNTY
MICHIGAN

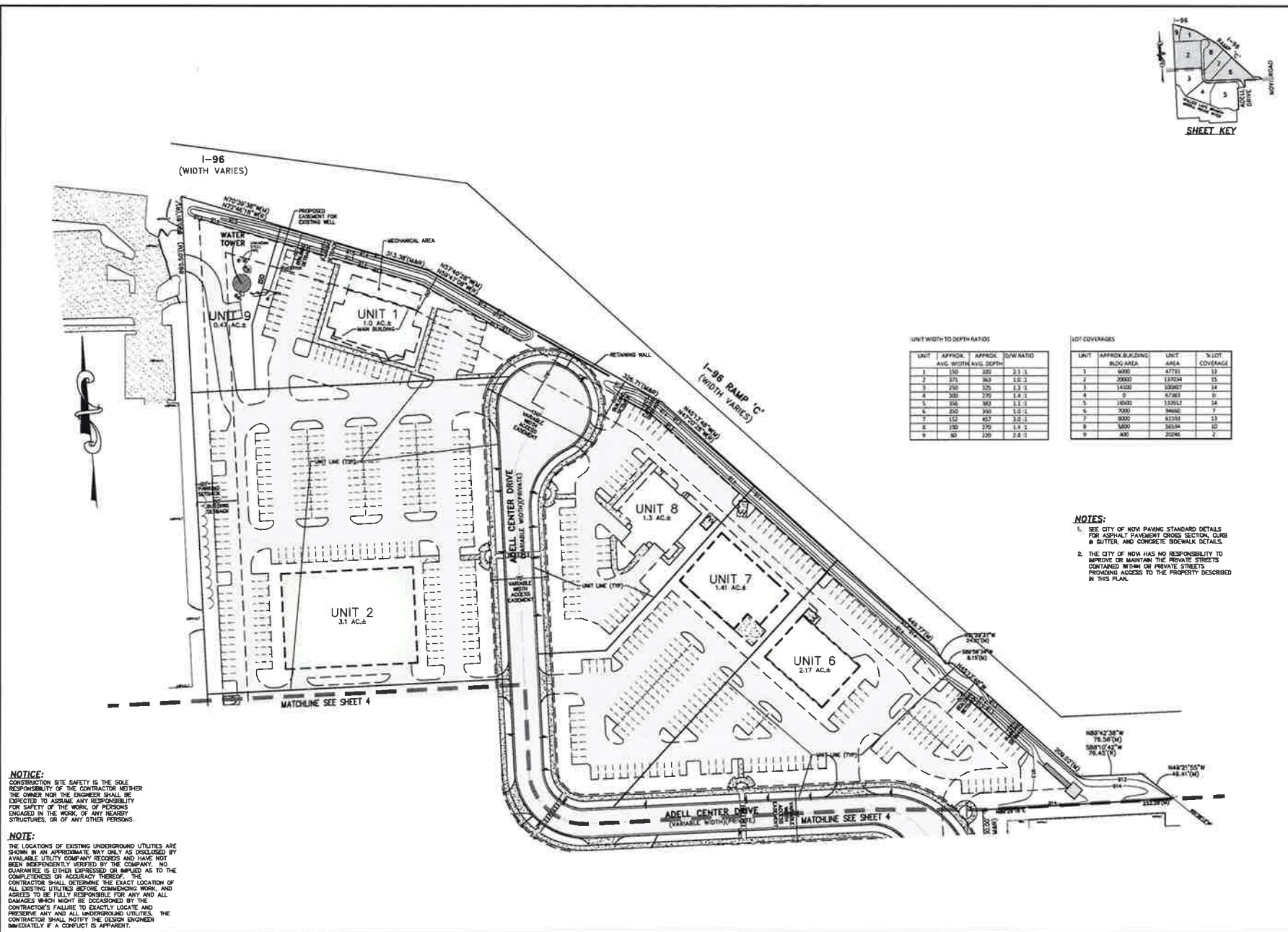
REVISIONS:
2018-06-04 PER REVIEW
2018-07-19 PER REVIEW
2018-08-30 PER CITY REVIEW
2018-09-27 PER CITY REVIEW
2018-10-24 REVISE PER CITY

DATE: 4-30-2018
DRAWN BY: RWS
CHECKED BY: GA/JAF

FISC: ---
CP: ---

SCALE: 1/4" = 30' FT
1/8" = 15' FT

3
17-334



UNIT WIDTH TO DEPTH RATIOS

UNIT	APPROX. AVG. WIDTH	APPROX. AVE. DEPTH	UNIT RATIO
1	150	200	3:3.3
2	371	363	1.0:1
3	290	225	1.3:1
4	300	220	1.4:1
5	256	303	1.1:1
6	240	240	1.0:1
7	112	437	3.9:1
8	190	220	1.2:1
9	80	200	2.5:1

LOT COVERAGES

UNIT	APPROX. BUILDING AREA	UNIT AREA	% LOT COVERAGE
1	1600	4773	33
2	20000	117004	17
3	14200	22007	64
4	47500	0	0
5	18000	130512	14
6	2000	86600	2
7	8000	61241	13
8	18000	16334	11
9	N/A	2004	2

- NOTES:**
- SEE CITY OF NOW PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
 - THE CITY OF NOW HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE STREETS CONTAINED WITHIN OR PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS PLAN.

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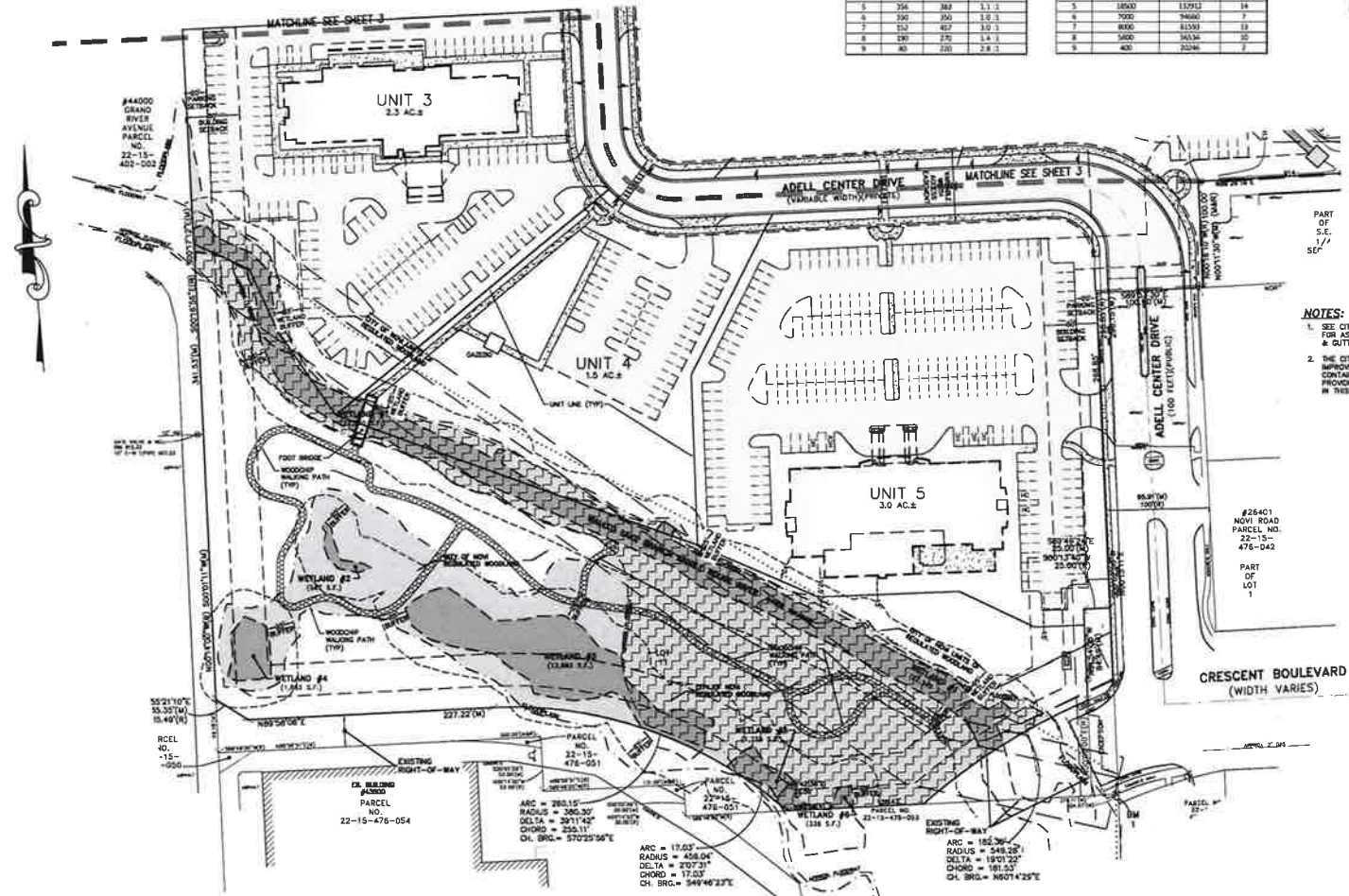
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UNIT WIDTH TO DEPTH RATIOS

UNIT	APPROX. AVG. WIDTH	APPROX. AVG. DEPTH	UNIT RATIO
1	125	335	2.1:1
2	175	365	2.0:1
3	250	325	1.3:1
4	290	275	1.1:1
5	355	385	1.1:1
6	390	350	1.0:1
7	320	485	1.5:1
8	290	275	1.1:1
9	80	220	2.8:1

LOT COVERAGE

UNIT	APPROX. BUILDING BLDG. AREA	UNIT AREA	% LOT COVERAGE
1	5000	4753	13
2	2000	13734	15
3	14500	20007	14
4	0	0	0
5	18000	13701	14
6	7000	2660	7
7	8000	11500	13
8	3000	10136	10
9	400	2204	7



NOTES:

- SEE CITY OF NOVI PAVING STANDARD DETAILS FOR ASPHALT PAVEMENT CROSS SECTION, CURB & GUTTER, AND CONCRETE SIDEWALK DETAILS.
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REGIONAL PROFESSIONAL ENGINEERING FIRM
GREENTECH
 ENGINEERING & LAND SURVEYORS
 CIVIL ENGINEERS & LAND SURVEYORS
 31112 Poplar Trail, Westland, MI 48090
 Phone: (248) 888-0700 Fax: (248) 888-0701

811
 Know what's below
 Call before you dig.

CLIENT: ADELL CENTER
P.R.O. PLAN (SOUTH)
 43700 EXPO CENTER DRIVE - PARCEL NO. 22-15-476-045
 SECTION 10
 CITY OF NOVI
 OAKLAND COUNTY, MICHIGAN

DATE: 6-30-2018
 DRAWN BY: RMS
 CHECKED BY: DLA/JMF
 FILE: 4
 SCALE: 1/8" = 1'-0" (1/4" = 1'-0")
 17-334

NOTICE:
 CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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APPROVED PRO AGREEMENT

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS

2018 OCT 29 PM 1:06

176132
LIBER 52308 PAGE 395
\$26.00 MISC RECORDING
\$4.00 REMONUMENTATION
10/29/2018 01:34:34 P.M. RECEIPT# 123051
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

PLANNED REZONING OVERLAY (PRO) AGREEMENT
ADELL CENTER

THIS AGREEMENT (the "**Agreement**"), dated October 26, 2018, is made and entered into by and between Orville Properties, LLC, a Delaware limited liability company whose address is 30733 W. Ten Mile, Southfield, MI 48075 (referred to as "**Developer**"), and the **CITY OF NOVI**, 45175 Ten Mile Road, Novi, MI 48375-3024 ("**City**").

RECITATIONS:

- A. Developer is the owner and developer of a vacant parcel of property located on the west side of Novi Road, south of the I-96 freeway, approximately 21.48-acres in area, hereinafter called the "Property" and described on **Exhibit A**, attached and incorporated herein.
- B. For purposes of improving and using the Property for a 9-unit commercial site condominium, with general common elements, that is not permitted under the City's Zoning Ordinance, as amended, in the EXPO (Exposition) District within the City, Developer petitioned the City for an amendment of the City's Zoning Ordinance so as to reclassify the Property from the EXPO District to the TC (Town Center) District. The EXPO classification shall be referred to in this Agreement as the "**Existing Classification**" and the TC classification shall be referred to as the "**Proposed Classification**."
- C. The Proposed Classification would provide the Developer with certain material development options not available under the Existing Classification and would be a distinct and material benefit and advantage to the Developer.
- D. The City has reviewed the Developer's proposed petition to amend the zoning district classification of the Property from the Existing Classification to the Proposed Classification under the terms of the Planned Rezoning Overlay (PRO) provisions of the City's Zoning Ordinance; has reviewed the Developer's proposed PRO Plan (including building façade, some elevations, and design) attached hereto and incorporated herein as **Exhibit B** (the "PRO Plan"), which is a conceptual or illustrative plan for the potential development of the Property under the Proposed Classification, and not an approval to construct the proposed improvements as shown; has further reviewed the proposed PRO Conditions offered or accepted by the Developer, and also the proposed deviations requested by the Developer from the strict terms of the City's land use ordinances and regulations, and has determined that the proposed Conditions constitute an overall

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public benefit that outweighs the deviations and that, if the deviations were not granted, enhancements to the development that are in the public interest would not be made, and that approving the deviations would be consistent with the City Master Plan and compatible with the surrounding area; and has determined to approve the rezoning subject to, and only in light of, the terms and conditions of this Agreement.

- E. The City desires to ensure that all of the Property that is depicted on the PRO Plan is developed and/or re-developed in accordance with, and used for the purposes permitted by, the approved PRO Plan, the related documents and undertakings of the Developer, and all applicable laws, ordinances, regulations, and standards. The Developer desires to proceed with obtaining the site plan and engineering approval and the issuance of permits required to re-develop the Property in accordance with the approved PRO Plan. Set forth herein are the terms and conditions of the agreement between the City and the Developer, which such agreement is to be recorded with the Register of Deeds for the County of Oakland following execution by the parties.
- F. In proposing the Proposed Classification to the City, the Developer has expressed as a firm and unalterable intent that the Developer and its successors and assigns will develop and use the Property in conformance with the following undertakings by the Developer, as well as the following forbearances by the Developer (each and every one of such undertakings and forbearances shall together be referred to as the "Undertakings"):
1. **Uses Permitted.** The Developer shall develop and use the Property solely for a commercial site condominium of 9 units, including general common elements, under the Proposed Classification (the "Development") as shown on the PRO Plan. The Development shall be a mix of uses that includes two hotels, a fitness center, an indoor recreational facility for simulated skydiving, an off-street parking lot, a "vending machine fulfillment center" for motor vehicle sales, two restaurant uses, a separate unit to house the existing water tower, an open area/parking lot with no building improvements, and an area of undeveloped wetlands with a trail system, subject to State of Michigan (MDEQ) approval.
 2. **Site Improvements.** The Developer has indicated its intention to undertake the necessary site improvements for the utilities (water, sewer, storm water) and the private road that will serve as access to the proposed units, but to sell and convey the individual units to others with the possible exception of Unit 9, which will house the existing water tower and Unit 4, which will be an open area/parking lot. The Developer and its successors and assigns shall forbear from developing and/or using the Property in any manner other than as authorized and/or limited by this Agreement.

The Developer shall develop the Property in accordance with all applicable laws, ordinances, and regulations, except as expressly authorized herein. The PRO Plan is acknowledged by both the City and the Developer to be a conceptual plan for the purpose of depicting the area contemplated for development. Some deviations from the provisions of the City's ordinances, rules, or regulations are depicted in the PRO Plan and are approved by virtue of this Agreement. Except

as to those specific deviations as enumerated herein, the Developer's right to develop the 9-unit commercial site condominium under the requirements of the Proposed Classification shall be subject to and in accordance with all applications, reviews, approvals, permits, and authorizations required under applicable laws, ordinances, and regulations, including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, façade approval, landscape approval, and engineering plan approval, except as expressly provided in this Agreement.

Because the Development is located on a prominent thoroughfare in the City, the City has an interest in ensuring that the architecture of the buildings is of high quality. The buildings shall be of good and workmanlike construction and constructed of quality materials. The facades and elevations will be as approved by the City at the time of preliminary or final site plan approval. The City retains, and the Developer expressly acknowledges that the City retains, full authority under the Zoning Ordinance to approve, deny, or require alterations to the façade and elevations of all buildings within the Project at the time of final site plan approval for any parcel within the Project, including the grant of waivers/deviations therefrom as further provided herein.

3. **Developer Responsibilities.** In addition to any other ordinance requirements, as the entity responsible to make the road and utilities improvements, the Developer shall comply with all applicable ordinances for (i) storm water and soil erosion requirements and measures throughout the site, including all individual units, during the design and construction phases, and subsequent use, of the Development contemplated in the Proposed Classification and shall be the sole responsible entity under such permit until the Development is complete (that is, even as improvements and buildings on individual units are constructed following conveyance by the Developer); (ii) final site plan for the roads and utilities to be approved by the City in accordance with the Zoning Ordinance and Code of Ordinances; and (iii) engineering construction plan review and approval by the City and/or its consultants for the roads and utilities, which plans have been or shall be submitted by the Developer in accordance with all applicable laws, ordinances, regulations and standards.

Development of the individual units with buildings, parking lots, and any other internal improvements, shall also be subject to all requirements for preliminary and final site plan review, engineering review, and all other required permitting, which may be submitted by individuals or entities other than the Developer.

4. **PRO Conditions.** The following PRO Conditions shall apply to the Property and/or be undertaken by Developer unless otherwise specified herein:
 - a. **Restoration/Enhancement of Wetlands.** The Developer shall restore and enhance the wetlands on the southerly portion of the site pursuant to a plan to be approved by the City at the time of final site plan approval, which such plan shall include the requirement to remove unwanted and invasive species and various dumped materials. The wetlands shall

remain undeveloped and in their natural state, subject to State of Michigan and City wetlands law and regulations, except that a trail system shall be established in locations set forth in the final site plan for the roads and utilities. No development shall be authorized in the wetlands area. Securing appropriate permits from the City and the State (MDEQ) shall be the responsibility of the Developer. The wetlands restoration and enhancement described herein shall be completed by the Developer within twelve (12) months of the date of this Agreement, provided that the City may, in its reasonable discretion, accept a performance guarantee in a form and manner to be approved by the Community Development Department and the City Attorney's office from the Developer to assure its completion by a different date.

- b. **Uses to be developed; Uses Prohibited at any Time.** Notwithstanding any notes on any plan, or any correspondence or other writing to the contrary, the Development shall be limited to 9 units of the size and location indicated on the PRO Plan, to be used as follows:

Unit No.	End Users	Use Category
Unit 1	I-Fly	Indoor Commercial Recreation Facilities
Unit 2	Planet Fitness	Indoor Commercial Recreation Facilities
Unit 3	Fairfield Inn & Suites	Hotel
Unit 4	Off-street parking/Open Space	Off-street Parking Lot <i>See Note about changes below</i>
Unit 5	Drury Inn & Suites	Hotel
Unit 6	Restaurant	End user to be determined
Unit 7	Restaurant	End user to be determined
Unit 8	Carvana	Unlisted Use approved by Council
Unit 9	Water Tower	Existing Structure

Units 6 and 7 may be developed for restaurant uses, provided that the buildings and improvements located thereon meet all requirements of the Zoning Ordinance, as amended, and the City Code, as amended, except as expressly provided in this Agreement (in particular, Section 2 below relating to permitted deviations). And notwithstanding anything else in this Agreement, the PRO Plan, the City of Novi Zoning Ordinance, currently or as amended, or the City Code, currently or as amended, no unit may at any time be used for any of the following:

- i. Gas Stations
- ii. Sexually-oriented businesses

- iii. Medical/Recreational Marijuana Uses of any kind
- iv. Hookah bar/lounges or similar uses
- v. Vape shops or similar uses
- vi. Convenience Stores
- vii. Fast-food restaurants
- viii. Fast food restaurants with a drive-through
- ix. Tattoo parlors/businesses

c. **Ring Road and Related Improvements.** The Developer shall not interfere with or object to the City's improvement and construction of the Ring Road and related improvements as proposed and designed by the City and shall cooperate with such improvement and construction with regard to coordination of on-site construction and related activities. If required by the City, the Developer shall revise or otherwise address the legal and/or property description of the Property to reflect the road rights-of-way for the Ring Road and related improvements in the PRO Plan, this PRO Agreement, and any other required documents.

d. **Modifications; Required Amendments.** Minor modifications to the approved PRO Plan can be approved administratively if the Zoning Ordinance would otherwise allow an administrative site plan review and approval, so long as the City Planner determines that the modifications (i) are minor, (ii) do not deviate from the general intent of the PRO Plan, and (iii) result in reduced impacts on the surrounding development and existing infrastructure. The Planning Commission shall also be permitted to authorize amendments to the PRO Plan in its review of the preliminary site plans for individual units, with regard to parking-related, landscaping-related, and façade-related requirements, provided it would otherwise have that authority under the Zoning Ordinance.

Notwithstanding the foregoing, however, the following will require amendment of this PRO Agreement:

- i. Any material changes to building and parking layout from the approved PRO Plan.
- ii. Any deviations from ordinance requirements that are not requested/approved at this time.
- iii. Any change of use of, or redevelopment of any improvements on, for any of the units other than as described in this Agreement and shown on the PRO Plan.
- iv. A reduction of established minimum parking count below the maximum 5 percent reduction described in this Agreement, absent a shared parking study acceptable to the Planning Commission.

e. **Unit 4 Open/Parking Area.** Unit 4 shall remain as permanent green space and park area, with parking improvements as shown on the PRO Plan, subject to final approval of the site improvements at the time of

preliminary site plan approval. Use of Unit 4 shall be subject to the following:

- i. The principal use of Unit 4 shall be and permanently remain open space and parking.
 - ii. The unit may be used for purposes that are accessory to other uses in other units within the Development. However, the unit is not intended to be a public gathering space or assembly area for the public generally.
 - iii. Any use occurring on the unit other than parking shall comply with all requirements and conditions of the City's Zoning Ordinance, as amended, and its Code of Ordinances, as amended.
 - iv. Uses of the unit that adversely affect pedestrian or vehicular traffic within or outside the Property, that cause congestion within or outside the Property, or that cause impacts that are detrimental to the public health, welfare, and safety as determined by the City shall be prohibited.
 - v. No use of the unit other than parking shall be made between dusk and 9:00 a.m.
 - vi. Outdoor gatherings, as defined in the City Code, shall be limited to no more than 6 per year, and the owner of the unit shall apply for all required permits for same and comply with all conditions of such permit.
 - vii. Any use of the unit shall comply with all ordinance requirements regarding noise, and all other ordinance performance standards set forth in the Code of Ordinances or the Zoning Ordinance.
- f. **Unit 9 Water Tower.** Due to its small size, use of Unit 9 shall be restricted to housing the existing water tower. The Developer shall provide in the Master Deed for access to the water tower and for its maintenance. Any signage on the tower shall comply with City ordinances or relief granted by the Zoning Board of Appeals.
- g. **Unit 6 and 7; Enhanced Pedestrian Features.** When either Unit 6 or Unit 7 is proposed for development, the Developer or its successor shall incorporate enhanced pedestrian flow elements with pedestrian crossings, to be approved by the City at the time of preliminary site plan review.
- h. **Signage.** Signage that has not been granted a deviation in this Agreement shall comply with Chapter 28, Signs, of the City's Code of Ordinances, subject to Zoning Boards of Appeals review and variance upon application at the time of individual site plan review. For consistency with the intent of the TC District regulations, no off-premises (billboard) signs shall be permitted on any portion of the Property.
- i. **Secondary Access.** The Developer shall obtain all necessary off-site easements for connecting secondary emergency access to the west before final site plan approval for roads and utilities.

- j. **Access at Unit 2.** Notwithstanding the temporary deviation granted below in Section 2, the Developer or its successors or assigns shall pave the temporary gravel secondary access shown at Unit 2 within 18 months of the date of this Agreement.
- k. **Road Cross Section.** The Developer shall provide a three-lane cross-section for the road improvements to further accommodate left-turning activities and provide a wider "buffer zone" for large vehicles entering/exiting the various facilities without entering into the opposing traffic through lane, no later than the time of final site plan approval for roads and utilities.
- l. **Decorative Brick Wall; Sidewalks; Street Trees.** The Developer shall be responsible to ensure the construction of the decorative brick wall on either side of the proposed "Adell Center Drive" as shown on the PRO Plan. The wall may be constructed in phases or sections as each individual unit is improved; however, the Developer shall be responsible to ensure that the entire wall is completed within two years of the date of this Agreement, even if all units have not yet been completed. All sidewalks and street trees shall also be completed no later than two (2) years from the date of this Agreement. Developer shall post performance guarantees in accordance with the provisions and conditions for performance guarantees as set forth City's Code of Ordinances to guarantee the installation of such improvements.
- m. **Unit 5 Secondary Access.** The Developer shall provide a secondary access point to the parking lot for Unit 5 at the time of preliminary site plan review for Unit 5.
- n. **Parking Bay Requirements.** All site plans for the individual units within the Development shall comply with the maximum 15 bay parking requirement.
- o. **Unit 5 Drive Aisle Requirements.** The drive aisle in the southeastern parking lot in Unit 5 shall be no longer than 150 feet, to conform to the fire code requirements.
- p. **Irrigation.** An irrigation plan, together with any necessary easements, for site-wide irrigation (including the use of the water tower on Unit 9) shall be submitted with the final site plan for demonstrates the applicant's intent will be required at the time of the approval of the Roads and Utilities plan.
- q. **Traffic Mitigation.** The applicant acknowledges that the City may propose and undertake certain mitigation measures as a result of the region-wide traffic impact study; however, by such acknowledgement the Developer does not waive any rights it may have to object to same.

- r. **Road and Utilities – Single Phase; timing.** The Developer shall install the road and utilities in a single phase, and such improvements shall be completed and improved no later than two (2) years from the date of this Agreement. The road and utilities shall be built in accordance with the following:

Road. The road depicted on the approved PRO Plan within or necessary to serve all or any part of the Development shall be completed and approved (except top coat) prior to issuance of building permits for the construction of any building or structure on any unit.

However, the Developer shall be entitled to post security in the form of cash or an irrevocable and automatically renewing letter of credit approved by the City and issued by an institution doing business in Oakland County, in an amount equal to 125% of the estimated cost of construction as specified in a bona fide contract for construction of all such improvements, approved by the City Engineer, together with an agreement with the City, approved by the City Attorney, authorizing the City to, at its option, install the road if the Developer has failed to do so within the time specified therein. In such case, building permits shall be issued subject to installation and maintenance of an adequate gravel subsurface base for all entranceways and internal drive areas to provide access for construction traffic, City personnel, and emergency and fire fighting equipment; and further, the aforementioned agreement for completion shall provide that the paving of the road referenced shall be completed and approved (including topcoat) before issuance of any certificate of occupancy within the Developer, and in any event within twelve (12) months after the issuance of the first building permit for any unit. In the event a structure is entirely eligible otherwise for issuance of a certificate of occupancy and the top coat of paving cannot be installed due to the onset of winter and the resulting closing of asphalt plants, the City may issue a temporary certificate of occupancy subject to the aforementioned financial guarantee remaining in place with a firm commitment by the Developer for completion on or before June 15 of the following year. Any purchase agreement or lease agreement for any building within the Development, or any portion thereof, shall provide that a final certificate of occupancy will not be issued until the paving of such improvements has been completed (including topcoat).

The road within the Development is private. Both the City and the Developer expressly disclaim any intention for such road to be public at any point in the future. The Developer agrees, on its behalf and on behalf of its successors and assigns, to maintain the road within the Development in good condition and repair and fit for travel in a manner consistent with the standards and requirements for public streets within the City of Novi. At a minimum, "good condition and repair and fit for travel" shall mean assuring the continued structural integrity of the

traveled portion of the roadway, repairing pot holes and cracks, assuring adequate drainage for the streets once constructed, undertaking the regular removal of snow, debris, and other obstacles, and undertaking any and all such other activities as are required to ensure that the condition and repair of the streets is comparable to the condition and repair of typical, well-maintained public streets within the City of Novi.

Water and Sewer. The Developer shall, at its sole expense, construct and install improvements and/or connections tying into the municipal water and sewage systems.

All water and sewer improvements shall be designed and constructed in accordance with the approved PRO Plan and all applicable City, State, and County standards, codes, regulations, ordinances, and laws. Such water and sanitary sewer facilities, including any on-site and off-site facilities, extensions, and easements to reach the area to be served, shall be provided by and at the sole expense of the Developer and shall be completed and approved before issuance of any building permits for any building in the Development. As-built plans shall also be completed by and at the sole expense of Developer and shall be submitted to and subject to approval by the City in accordance with City ordinance requirements, before issuance of any building permits for any building in the Development.

However, Developer shall be entitled to post security as provided by the Development Agreement in the form of cash or an irrevocable and automatically renewing letter of credit approved by the City and issued by an institution doing business in Oakland County, in an amount equal to 125% of both the cost of construction as specified in a bona fide contract for construction of such water and sanitary sewer system improvements to serve each such Development phase, which estimate has been approved by the City Engineer, and the cost of as-built plans for water and sanitary sewer system improvements as required under this Section, together with an agreement with the City, approved by the City Attorney, authorizing the City, at its option, to install the water system and/or sanitary sewer system and complete the as-built plans, if the Developer has failed to do so within the time specified in the Agreement. Notwithstanding the foregoing, and before any building permit may be issued, the Developer shall be obligated to provide water to the site (the Development) that is sufficient to provide for the public health, safety, and welfare of those working on the site and to ensure adequate water for fire protection as determined in the discretion of the City's Fire Marshal; any authority to begin construction of a building improvement under a building permit prior to installation and acceptance of water and sewer improvements shall be subject to this limitation and requirement. All fire hydrants must be installed and operational before any building construction is commenced.

In such case, the aforementioned agreement shall also provide that the water and sanitary system facilities and the as-built plans for such facilities shall be completed and approved for the Development prior to issuance of any certificate of occupancy, and in any event within twelve (12) months after issuance of the first building permit for any unit.

The Developer shall assume all risks associated with any non-availability of water and/or sanitary sewer service to serve the structures within the Development, including without limitation, uninhabitable buildings and fire protection risks, and shall release, indemnify, and hold harmless the City from and against any claims arising by reason of any such non-availability.

The Developer shall, immediately upon completion of installation and prior to the issuance of any certificates of occupancy therein, do the following: (1) convey and dedicate all interest in such water and sewer facilities to the City by providing and executing documents and title work in a form and manner acceptable to the City and in accordance with all applicable City ordinances and requirements; and (2) deposit funds with the City in an amount or amounts determined to be sufficient by the City's DPW Director, which shall be used by the City for purposes of paying all fees and costs incurred by the City in the course of preparing, reviewing, approving, and recording such conveyance and dedication documents, including without limitation, administrative fees and costs, attorney fees and costs, engineering fees and costs, and any associated title work. Upon final City acceptance of the dedication and conveyance documents, any amounts remaining after the City has paid all such costs and fees shall be refunded to the party that deposited the funds, unless the City receives a written direction from such party to pay such refund amount to a designated third party.

Storm Water. Storm water shall be released from the Development in a manner to be approved by the City as part of final engineering plan review for the Roads and Utilities Plan. In general, the storm water collection, pre-treatment, storage, and transportation facilities shall be included as part of the final engineering plan approved for the roads and utilities within the Development. The Development shall be constructed to achieve a storm water management system by which the Developer, and the successors of the Developer, and shall assure that the quality and quantity of storm water shall, be in accordance with all applicable ordinances, regulations, and laws.

Any storm water basins and facilities serving the Property shall be designed and constructed by the Developer, and subject to approvals and inspection by the City, in accordance with all applicable City, County of Oakland, and State of Michigan ordinances, codes, regulations, and laws, except as otherwise specifically noted herein. The drainage conveyance facilities, which shall constitute a part of the overall storm water

management system on the Property, shall conform with all applicable City, County of Oakland, and State of Michigan ordinances, codes, regulations, and laws.

- s. **Performance Guarantees.** In addition to any performance guarantees discussed above with regard to roads and utilities, the City shall require the Developer to provide reasonable performance and financial guarantees for the completion of improvements, including, without limitation, right-of-way improvements, water mains, sanitary sewers, storm drains, and landscaping and tree-planting activities. Such financial guarantees may include cash deposits or letters of credit as allowed by the current provisions of the City's Code of Ordinances as determined by the City, or surety bonds if permitted by the City in its discretion. The Developer acknowledges the need for such performance and financial guarantees given the prominent location of the Project and its impact upon the City. Deposit and administration of financial guarantees shall be subject to the requirements and conditions of Chapter 26.5 of the City of Novi Code and any other related rules or regulations.

- t. **Application fees; connection fees.** The Developer shall be responsible to pay all application and review fees required under the City's Zoning Ordinance and/or the City's Code of Ordinances. In addition, the Developer shall pay all required water and sewer connection and tap charges and fees, without reduction, as provided in the City Code. Such fees may be timely paid by others in connection with the development of individual unit owners.

- u. **Other City Authority.** Nothing in this Agreement shall prevent the City from exercising its regulatory and other authority with respect to the Property and the Development in a manner not inconsistent with the PRO Plan and this Agreement.

- v. **Creation of Condominium; Master Deed.** The Developer shall have the obligation and responsibility to legally organize a single condominium association for the Development. The Master Deed and Bylaws for the condominium shall prescribe the responsibilities of the condominium association; set forth the manner, method and timing of transferal of maintenance responsibilities for common areas and facilities to the association; provide a feasible method of funding maintenance activities, such as annual dues and/or assessments; and reserve rights to the City to enforce or undertake maintenance related to the common areas after notice and opportunity to cure is first provided to the association.

The Master Deed and Bylaws shall provide that common areas located on that portion of the Property described in **Exhibit B**, including the wetlands on the southerly portion of the property, shall remain vacant in perpetuity and shall be used and developed only as provided in the

approved PRO Plan, unless the PRO Plan and this Agreement are amended by the City.

The Developer shall be responsible for maintenance of open space areas and maintenance of drains until the Developer assigns and the association accepts such responsibilities to the condominium associations to be organized.

The restrictions and obligations set forth in the Master Deed and Bylaws shall be binding upon the owner(s) and the Property and shall run with the land described in this Agreement as the "Property." Each reference to "owner(s)" in this Section shall include the following: The Developer so long as the Developer maintains any ownership interest in any portion of the Property and the PRO has not been fully developed in accordance with the PRO Documents; and thereafter the condominium association established for the Development. The Master Deed and Bylaws shall include provisions obligating the owner(s) to maintain and preserve the road, landscaping, lighting, signage, greenbelts, open areas, pedestrian walkways and open area amenities, setbacks, storm drainage, detention and retention facilities and easements, woodlands, wetlands, and any other private common elements and improvements for or within the Development in good working order and appearance at all times and in accordance with the PRO Documents.

References to the requirements and regulations applicable to the Property under the PRO Plan, PRO Conditions, and this Agreement shall also be included within the master deed for the Development in a manner reviewed and approved by the City Attorney and Director of Community Development, including the City's enforcement rights as provided herein. The Master Deed and Bylaws shall be recorded at the Oakland County Records at all times as a condition of this PRO.

- w. **Staff and Consultant Review letters.** Developer shall comply with all conditions listed in the staff and consultant review letters not inconsistent with the terms of this Agreement.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **Developer Obligations.** Upon the Proposed Classification becoming final following entry into this Agreement:
 - a. The Property shall be developed only in accordance with the Undertakings, the PRO Plan, the PRO Conditions, the City of Novi Zoning Ordinance (as amended), the City of Novi Code of ordinances (as amended), and this Agreement (which together may be referred to as the PRO Documents);
 - b. The Developer shall act in conformance with the Undertakings;

- c. The Developer shall forbear from acting in a manner inconsistent with the Undertakings; and
- d. The Developer shall commence and complete all actions necessary to carry out all of the Undertakings and the PRO Conditions and shall at all times comply with this Agreement.

2. **Ordinance/Regulation Deviations.** The following deviations from the standards of the Zoning Ordinance are hereby authorized pursuant to §3402.D.1.c of the City's Zoning Ordinance.

- a. Planning deviation from section 3.1.26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, for the following units only as shown in the PRO Plan, provided they conform to the 2015 International Building Code standards for High-Rise (Type I or Type II) construction:
 - i. Unit 5 Drury Hotel (84'-5", 7 stories);
 - ii. Unit 8 Carvana (75'-10", 8 "tiers"); and
 - iii. Unit 1 I-fly (70 feet).
- b. Planning deviation from section 5.12 to allow lack of required frontage on a public road, for Units 1 through 8. Frontage for such units shall be on the private drive as shown in the PRO Plan, which shall be built to City standards.
- c. Planning deviation from section 5.12 to allow lack of required frontage on public road for Unit 9. Frontage shall be on a private access/secondary emergency access drive as shown in the PRO Plan.
- d. Planning deviation from the minimum requirements for exterior side yard building setback of 50 feet from I-96 Rights-of-way set forth in section 3.27.1.C, for Unit 1 only. A minimum setback of 32.5 ft. as shown in the PRO Plan shall be permitted.
- e. Traffic deviation from section 11-194(a)(7) of the Design and Constructions Standards Manual limiting the maximum allowable length of the proposed cul-de-sac street length to 800 feet, from the centerline intersection of Crescent Boulevard to the center of the bulb of the proposed Adell Center Drive cul-de-sac. A maximum of 1,540 feet as shown in the PRO Plan shall be permitted.
- f. Planning deviation from the minimum required front parking setback of 20 ft, from the proposed access easement as required in section 3.1.25.D. A minimum of 18 feet shall be permitted.
- g. Planning deviation from minimum required interior side parking setback of 20 ft. as required by section 3.1.25.D for the following units (because shared access is proposed between parking lots), with the following setbacks allowed as shown in the PRO Plan:

- i. Unit 1: minimum 14 ft. along West, 0 ft. along South
 - ii. Unit 2: minimum 15 ft. along South
 - iii. Unit 3: minimum 15 ft. along West and 5 ft. along South
 - iv. Unit 4: minimum 5 ft. along East
 - v. Unit 5: minimum 10 ft. along West
 - vi. Unit 6: minimum 0 ft. along West
 - vii. Unit 7: minimum 0 ft. along East and 10 ft. along West
 - viii. Unit 8: minimum 10 ft. along East
- h. Planning deviation from section 3.1.25.B& C to allow the water tower to remain on its own separate site (Unit 9), even though it is not either a principal permitted use or an accessory use, subject to the requirements of this Agreement.
- i. Planning deviation from requirement in section 4.19.2.F that dumpsters be located in a rear yard, to allow alternate location for dumpsters on Units 1, 5, 6, 7, and 8, such alternate locations to be determined at the time of preliminary site plan approval for such units, provided that the proposed location does not impact traffic circulation and appropriate screening is provided as determined by the City.
- j. Planning deviation from the requirement in section 4.03A of the Subdivision Ordinance precluding required rear yards from being located in a floodplain, to allow parts of the required rear yards for Units 3, 4 and 5 to be located within the floodplain, on the basis of the uses as shown in the PRO Plan.
- k. Planning deviation from the requirement in section 5.4.2 for a loading area, for Unit 9 only.
- l. Planning deviation from the requirement in section 5.4.2 that loading areas be in a required rear yard or interior side yard for double frontage lots, to allow alternate locations for the units listed below, with the alternate location to be determined at the time of preliminary site plan review and provided the alternate locations do not conflict with traffic circulation and appropriate screening is provided:
- i. Unit 1: exterior side yard
 - ii. Unit 2: interior side yard (no double frontage)
 - iii. Unit 3: interior side yard (no double frontage)
 - iv. Unit 4: interior side yard (no double frontage)
 - v. Unit 5: exterior side yard or front yard under canopy
 - vi. Unit 6: exterior side yard
 - vii. Unit 7: exterior side yard
 - viii. Unit 8: exterior side yard
- m. Planning deviation to allow the applicant to provide supporting data to justify proposed loading area square footages at the time of preliminary site plan

review, such amounts to be finally determined by the Planning Commission at such time.

- n. Planning deviation from the minimum parking requirements in section 5.12 (to be established by staff after reviewing the calculations provided for each unit) to allow for a reduction of up to 5% for each unit within the development, subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of each unit's respective site plan approval.
- o. Façade deviation to allow the following allowable percentages of materials set forth in section 5.15 of Zoning Ordinance, only for the buildings listed below, provided that such deviations shall be the maximum amount authorized, and the City may require a lesser deviation at the time of site plan approval if deemed appropriate:
 - i. Unit 1 I-fly (provided that no EIFS is proposed):
 - (1) The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's review and consideration for approval of Section 9 waiver at the time of preliminary site plan review;
 - ii. Unit 2 Planet Fitness
 - (1) The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's approval of Section 9 waiver at the time of preliminary site plan review;
 - iii. Unit 5 Drury Inn:
 - (1) Underage of Brick and Stone combined (50% minimum required, 46% on right, 46% on left and 36% on rear proposed);
 - (2) Overage of EIFS (25% maximum allowed, 43% on front facade, 47% on right, 47% on left facade and 58% on rear facade proposed);
 - iv. Unit 8 Carvana:
 - (1) Underage of brick (30% minimum required, 7% proposed on front facade)
 - (2) Underage of combined brick and stone (50% minimum required, 7% on front, 30% on right facade, 30% on left and 39% on rear facade proposed)
 - (3) Overage of display glass (25% maximum allowed, 80% on front facade, 63% on right facade, 63% on left facade and 57% on rear facade proposed).
- p. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two development signs for the Adell Center Development as listed below, provided that such deviations shall be the maximum amount authorized, and the

City may require a lesser deviation at the time of site plan approval if deemed appropriate:

- i. Entranceway Sign Area [Section 28-1 & 28-5(b)(2)a] to allow for an increased sign area of 60 square feet. A deviation of 20 square feet is permitted.
- ii. Entranceway Sign Height [Section 28-5(a)] to allow for a 15' high monument sign. A deviation of 9 feet is permitted.
- iii. Ground Sign Area [Section 28-1 & 28-5(b)(2)a] to allow for an increased sign area of 265 square feet. A deviation of 165 square feet is permitted.
- iv. Ground Sign Height [Section 28-5(a)] to allow for a 15' high monument sign. A deviation of 9 feet is permitted.
- v. To allow two ground signs on Unit 6. A maximum of one sign is permitted.
- vi. To allow for seven additional wall signs for Unit 8: Carvana. Nine are requested for the entire unit: eight signs on the tower and one canopy sign at the front entrance. Two wall signs are allowed.
- vii. To allow for a total of three wall signs for Unit 5: Drury. The three wall signs allowed with the following deviations:
 - a. North Elevation - a size deviation of 182.34 square feet (117.5 square feet allowed, 299.84 square feet proposed)
 - b. South Elevation - a size deviation of 182.34 square feet (117.5 square feet allowed, 299.84 square feet proposed)
 - c. East Elevation - a size deviation of 103.97 square feet (82.5 square feet allowed, 186.47 square feet provided)
- viii. To allow for four additional wall signs for Unit 1: iFly. Five are requested for the entire unit. One wall sign is allowed. The wall signs allowed with the following deviations:
 - a. Side Elevations: a size deviation of 88.75 square feet (65 square feet allowed, 153.75 square feet proposed) for two signs.
 - b. Front and Back Elevations: a size deviation of 244 square feet (65 square feet allowed, 309 square feet proposed) for two signs.
- q. Planning deviation from the requirement in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances that side lot lines be perpendicular or radial to the road, for the lines between Units 6 and 7, Units 4 and 5, and Units 1 and 2, only;
- r. Planning deviation from the required minimum of 15% of total site area to be designed as permanently landscaped open areas and pedestrian plazas in section 3.27.1.F(A), to allow the minimum required open space for each Unit to be part of the common element spread within the development boundaries as shown in the Open Space Plan, provided that the Developer restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements to be submitted and approved at the time of Wetland permit/preliminary site plan approval, and further that the Developer provides the pedestrian walkway through the open space as shown in the Open

Space Plan.

- s. Traffic deviation from section 7.13.1.D., to waive the requirement for a Traffic Impact Study, because the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City.
- t. Planning deviation from the maximum 1 foot-candle spillover in section 5.7.3.K., along the interior side property lines internal to the development, provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4:1.
- u. Planning deviation from the maximum 1 foot-candle spillover in section 5.7.3.K., along access easements adjacent to Adell Drive, to allow an increase of the average to minimum light level ratio above the maximum allowable 4:1 within the Adell Drive pavement areas, such amounts to be determined at the time of preliminary site plan review for the individual units;
- v. Engineering deviation from section 4.04, Article IV, Appendix C-Subdivision Ordinance of City Code of Ordinances requiring a stub street at intervals of 1,300 feet intervals along the property boundary.
- w. Engineering deviation from Section 11-194(a)19 of the Design and Construction Standards, to allow a gravel surface for the secondary emergency access road within the boundaries of Unit 2 until the site improvements for Unit 2 are constructed.

3. **General Provisions:**

- a. Except with respect to appeals from the applicable standards of the City's Sign Ordinance, the Zoning Board of Appeals (ZBA) shall have no jurisdiction over the Property or the application of this Agreement until after site plan approval and construction of the development as approved therein with regard to the roads and utilities. In no event shall the ZBA be permitted to vary any terms or conditions of this Agreement.
- b. Except as may be specifically modified by this Agreement, the City Code and all applicable regulations of the City shall apply to the Property. Any substantial violation of the City Code by Developer and/or any successor owners or occupants with respect to the Property shall be deemed a breach of this Agreement, as well as a violation of the City Code.
- c. A breach of this Agreement shall constitute a nuisance *per se*, which shall be abated. The Developer and the City therefore agree that, in the event of a breach of this Agreement by the Developer, the City, in addition to any other relief to which it may be entitled at law or in equity, or any other provisions of this Agreement, shall be entitled under this Agreement to relief in the form of specific performance and an order of the court requiring abatement of the nuisance *per se*. In the event of a breach of this Agreement, the City may notify

the Developer of the occurrence of the breach and issue a written notice requiring the breach be cured within thirty (30) days; provided, however, that if the breach, by its nature, cannot be cured within thirty (30) days, the Developer shall not be in the breach hereunder if the Developer commences the cure within the thirty (30) day period and diligently pursues the cure to completion. Failure to comply with such notice shall, in addition to any other relief to which the City may be entitled in equity or at law, render the Developer liable to the City in any suit for enforcement for actual costs incurred by the City including, but not limited to, attorneys' fees, expert witness fees and the like.

- d. This Agreement may not be amended except in writing signed by the parties and recorded in the same manner as this Agreement. In the event Developer desires to propose an amendment, an application shall be made to the City's Department of Community Development, which shall process the application in accordance with the procedures set forth in the Zoning Ordinance.
- e. Both parties understand and agree that if any part, term, or provision of this Agreement is held by a court of competent jurisdiction, and as a final enforceable judgment, to be illegal or in conflict with any law of the State of Michigan or the United States, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provisions held to be invalid.
- f. The Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. Any and all suits for any and every breach of this Agreement may be instituted and maintained in any court of competent jurisdiction in the County of Oakland, State of Michigan.
- g. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. A delay in enforcement of any provision of this Agreement shall not be construed as a waiver or estoppel of the City's right to eventually enforce, or take action to enforce, the terms of this Agreement. All remedies afforded in this Agreement shall be taken and construed as cumulative; that is, all remedies afforded in this Agreement are in addition to every other remedy provided by law.
- h. The signers of this Agreement warrant and represent that they have the authority to sign this Agreement on behalf of their respective principals and the authority to bind each party to this Agreement according to its terms. Further, each of the parties represents that the execution of this Agreement has been duly authorized and is binding on such parties.
- i. This Agreement shall run with the land described herein as the Property and bind the parties, their heirs, successors, and assigns. This Agreement shall be recorded in the Oakland County Register of Deeds by the City. The parties acknowledge that the Property is subject to changes in ownership and/or control at any time, but that heirs, successors, and assigns shall take their interest

subject to the terms of this Agreement, and all references to "Developer " in this Agreement shall also include all heirs, successors, and assigns of the Developer, and all future owners of any parcels created by the proposed land division.

- j. The Developer has negotiated with the City the terms of the PRO Plan, PRO Conditions, and this Agreement, and such documentation represents the product of the joint efforts and mutual agreements of the Developer and the City. The Developer fully accepts and agrees to the final terms, conditions, requirements and obligations of the PRO Documents, and the Developer shall not be permitted in the future to claim that the effect of the PRO Concept Plan and PRO Agreement results in an unreasonable limitation upon uses of all or a portion of the Property, or claim that enforcement of the PRO Plan and Agreement causes an inverse condemnation, other condemnation or taking of all or any portion of the Property. The Developer and the City agree that this Agreement and its terms, conditions, and requirements are lawful and consistent with the intent and provisions of local ordinances, state and federal law, and the Constitutions of the State of Michigan and the United States of America. The Developer has offered and agreed to proceed with the Undertakings and obligations as set forth in this Agreement in order to protect the public health, safety, and welfare and provide material advantages and development options for the Developer, all of which Undertakings and obligations the Developer and the City agree are necessary in order to ensure public health, safety, and welfare, to ensure compatibility with adjacent uses of land, to promote use of the Property in a socially, environmentally, and economically desirable manner, and to achieve other reasonable and legitimate objective of the City and the Developer, as authorized under applicable City ordinances and the Michigan Zoning Enabling Act, MCL 125.3101, *et seq.*, as amended.

The Developer fully accepts and agrees to the final terms, conditions, requirements, and obligations of this Agreement, and Developer shall not be permitted in the future to claim that the effect of this Agreement results in an unreasonable limitation upon use of all or any portion of the Property, or to claim that enforcement of this Agreement causes an inverse condemnation or taking of all or any portion of such property. It is further agreed and acknowledged that the terms, conditions, obligations, and requirements of this Agreement are clearly and substantially related to the burdens to be created by the development and use of the Property under the approved PRO Plan, and are, without exception, clearly and substantially related to the City's legitimate interests in protecting the public health, safety and general welfare.

- k. The Developer acknowledges that, at the time of the execution of this Agreement, the Developer has not yet obtained final site plan or engineering approvals for the Project, nor has the Developer received a land division to create any separate parcel from the Property as described herein. The Developer acknowledges that the Planning Commission and Engineering staff/consultants may impose additional conditions other than those contained in this Agreement during site plan and engineering reviews and approvals as authorized by law; provided, however, that such conditions shall not be inconsistent with the PRO

Plan and shall not change or eliminate any development right authorized thereby. Such conditions shall be incorporated into and made a part of this Agreement and shall be enforceable against the Developer.

- l. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between the Developer and the City.
- m. The Recitations contained in this Agreement and all exhibits attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part of this Agreement. Headings are descriptive only.
- n. This Agreement is intended as the complete integration of all understandings between the parties related to the subject matter herein. No prior contemporaneous addition, deletion, or other amendment shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent notation, renewal, addition, deletion or other amendment shall have any force or effect unless embodied in a written amendatory or other agreement executed by the parties required herein, other than additional conditions which may be attached to site plan approvals as stated above.
- o. The parties intend that this Agreement shall create no third-party beneficiary interest except for an assignment pursuant to this Agreement. The parties are not presently aware of any actions by them or any of their authorized representatives which would form the basis for interpretation construing a different intent and expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.
- p. Where there is a question with regard to applicable regulations for a particular aspect of the Development, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PRO Plan and this Agreement which apply, the City, in the reasonable exercise of its discretion, shall determine the regulations of the City's Zoning Ordinance, as that Ordinance may have been amended, or other City Ordinances that shall be applicable, provided that such determination is not inconsistent with the nature and intent of the PRO Plan and does not change or eliminate any development right authorized by the PRO Plan. In the event of a conflict or inconsistency between two or more provisions of the PRO Plan (including notes thereto) and/or this Agreement, or between such documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of the City, shall apply.
- q. Both parties acknowledge and agree that they have had the opportunity to have the PRO Plan, PRO Conditions, and this Agreement, reviewed by legal counsel.
- r. This Agreement may be signed in counterparts.

{Signatures begin on following page}

DEVELOPER

ORVILLE PROPERTIES, LLC, a Delaware limited liability company



By: _____
Its: Manager

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 16th day of October, 2018, before me appeared Kevin Adell, Manager of Orville Properties, LLC, a Delaware limited liability company, who states that he has signed this document of his own free will duly authorized on behalf of the Fee Developer.

JULIE KARNES
Notary Public, State of Michigan
County of Oakland
My Commission Expires 07-03-2019
Acting in the County of Oakland



Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires: 7/3/19

CITY OF NOVI

Robert J. Gatt

By: Robert J. Gatt
Its: Mayor

Cortney Hanson

By: Cortney Hanson
Its: Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 26th day of OCTOBER, 2018, before me appeared Robert J. Gatt and Cortney Hanson, who stated that they had signed this document of their own free will on behalf of the City of Novi in their respective official capacities, as stated above.

Marilyn S. Troutman

Notary Public
OAKLAND County, Michigan
Acting in OAKLAND County, Michigan
My Commission Expires: OCT. 13, 2024

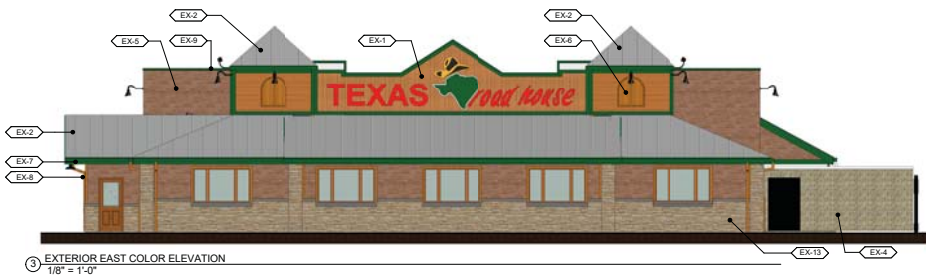
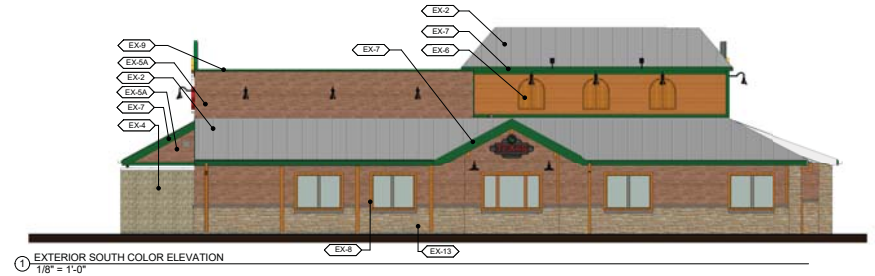
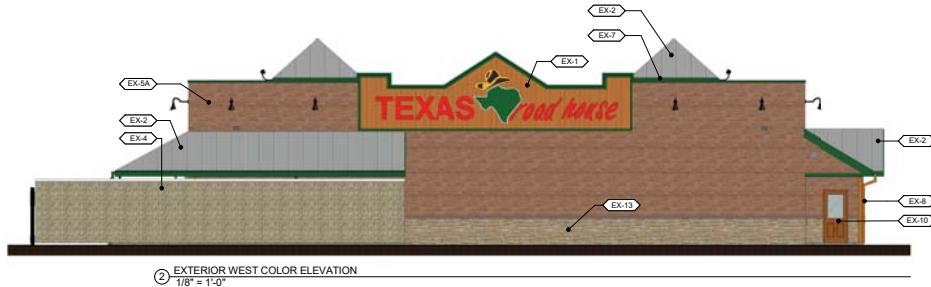
Drafted by:

Elizabeth Kudla Saarela
Johnson, Rosati, Schultz & Joppich
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-5627

MARILYN S. TROUTMAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Oct 13, 2024
ACTING IN COUNTY OF OAKLAND

When recorded return to:
Cortney Hanson, Clerk
City of Novi
45175 Ten Mile Road
Novi, MI 48375

BUILDING ELEVATIONS



FINISH SCHEDULE - EXTERIOR						
MARK	MFR	MODEL/SERIES	DESCRIPTION	COLOR	CONTACT	PHONE
EX-1	ALLURA	CEDAR 8" GROOVE	FIBER CEMENT VERTICAL SIDING	MAPLE STAINED - PRODUCT NOT PREFINISHED		
EX-2	METAL SALES	5V-CRMP	METAL ROOFING	GALVALUME		
EX-4	SHERWIN WILLIAMS	ACRYLIC OR ENAMEL GLOSS BASE (DTM)	8" SPLIT FACE CMU COLOR TO MATCH PRE-STAINED FIBER CEMENT	"LEATHER BOUND" SW6118 ROADSIDE		
EX-5	GENERAL SHALE BRICK CO	OVERSIDE	BRICK VENEER	PKYENX #143		800-277-2700
EX-5A	PALMETTO BRICK	QUEEN SIZE	THING BRICK VENEER (ALTERNATE)	LONDON BALLAST		
EX-6	HENRY POOR LUMBER	TWO COATS- TWP STAIN FORMULA	WESTERN RED CEDAR	AMTECO #1501 CEDARTONE	DOUG MILLER	800-255-7913
EX-7	ALLURA	TRIM	TRIM- PAINTED	GREEN - (R2 MAROON 1/32, W1 RAW LUMBER 16/32, W1 WHITE 22/32, B1 BLACK 44/32, V3 DEEP GOLD 2 OX 65/32, G2 NEW GREEN 4 OZ & 54/32) (DTM UD SEMI)		
EX-8	SHERWIN WILLIAMS	ACRYLIC OR ENAMEL GLOSS BASE (DTM)	DOWNSPOUT & LOUVERS	"LEATHER BOUND" SW6118 ROADSIDE		
EX-9	SHERWIN WILLIAMS	ENAMEL OIL OR ACRYLIC BASE- TWO FINISH COATS	GUTTERS/ COPING CAP	GREEN - (R2 MAROON 1/32, W1 RAW LUMBER 16/32, W1 WHITE 22/32, B1 BLACK 44/32, V3 DEEP GOLD 2 OX 65/32, G2 NEW GREEN 4 OZ & 54/32) (DTM UD SEMI)		
EX-10	COMMERCIAL HARDWARE INC.	707 CECO MADERA (CS-5)	DOORS	E603 PROVINCIAL FINISH	JOSH NOLES	270-441-7171
EX-11	ALLURA	TRIM	TRIM- STAINED	MAPLE STAINED		
EX-12	SHERWIN WILLIAMS	PRIMER WITH TWO ENAMEL FINISH COATS	METAL DOORS & FRAMES	GLOSS BLACK		
EX-13	LITCHURCH KIMBROUGH	CHOPPED	LIMESTONE	"ALAMO GOLD"		

FAÇADE BOARD



TEXAS ROADHOUSE EXTERIOR MATERIALS



EX-1



EX-2



EX-5



EX-4



EX-8

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

February 13, 2019

Planning Review

Adell Center PRO (First Amendment)
JZ 18-24 with Rezoning 18.724

PETITIONER

Orville Properties, LLC

REVIEW TYPE

First Amendment to PRO: Rezoning Request from EXPO (Expo) to TC (Town Center) with a Planned Rezoning Overlay (PRO)

PROPERTY CHARACTERISTICS

Section	15	
Site Location	Address: 43700 Expo Center Drive; Parcel Id: 50-22-15-476-045 north of Grand River Avenue and south of I-96 in Section 15	
Site School	Novi Community School District	
Current Site Zoning	TC with a PRO	
Adjoining Zoning	North	C: Conference (across I-96)
	East	TC: Town Center
	West	I-2: General Industrial
	South	I-1: Light Industrial
Current Site Use	Vacant;	
Adjoining Uses	North	Novi Oaks Hotels
	East	Retail/Restaurants
	West	Industrial Office
	South	Industrial Office
Site Size	Approximately 21.8 Acres (950,073 SF)	
Plan Date	01-03-19	

PROJECT SUMMARY

The applicant has received rezoning approval to develop the property as a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The development as approved a mix of two hotels, one fitness center, two restaurants, one indoor recreational facility, an off-street parking lot/permanent open space and an unlisted use similar to automobile sales facility. The existing water tower on site will remain on a separate unit.

The current amendment is required as changes are proposed primarily to the approved layout for one of the restaurants site (Unit 7). There are also minor changes to common landscape areas, building signage and location of accessory units.

The applicant is not proposing a phased construction; however, the applicant is proposing to build the roads and the utilities first. Individual users will build within the respective unit boundaries shown on the plan. The applicant submitted a narrative and a Community Impact Statement with the original submittal.

CHANGES WITH THE CURRENT SUBMITTAL

The subject property is part of a Planned Rezoning Overlay request for the Adell Center Development, which was approved by City Council at their October 22, 2018 meeting. **The following changes are proposed from the approved layout.**

- Lot lines are different from approved Concept plan.
- Lot acreage for Unit 7 is increased from 1.5 acres to 2.55 acres. Unit 6 is smaller.
- Changes to end users for Unit 5 and 6 are indicated.
- Shared parking with Unit 6 is no longer proposed.
- Parking lot configuration is revised according to larger lot size.
- Western entry drive from Adell Drive is relocated to south.
- Curb cuts along Adell Drive for Units 6, 7 and 5 are relocated.
- Building footprint is revised for Unit 7.
- Unit 6 is shown as a vacant lot. Original PRO plan indicated a restaurant and related parking.
- Changes to parking layout for Unit 5.

AMENDMENT TO THE PRO AGREEMENT:

Approved PRO agreement states that an amendment to PRO is required if the applicant proposes revisions as stated below in italics. Staff comments are provided in **bold**. The current site plan requires an amendment to the approved PRO Agreement for the following reasons:

- a. Any material changes to building and parking layout from approved PRO Plan. **Please refer to Changes with Current submittal on Page 2.***
- b. Any deviations from ordinance requirements that are not requested/approved at this time. **Please refer to list of deviations on Page 6.***
- c. A reduction of established minimum parking count below the maximum 5 percent reduction described in the Agreement, absent a shared parking fully acceptable to the Planning Commission. **With the current plan, 166 spaces are required on the basis of information provided so far, and 169 spaces are proposed. However, staff requires additional information about occupancy within the restaurant waiting areas and the total number of employees to determine whether additional parking is required.***

PROJECT REVIEW HISTORY

On May 14, 2018 a Pre-Application Meeting was held for the rezoning request.

The proposed rezoning category requested by the applicant was not supported by the Future Land Use Map. The applicant has requested to waive the requirement to attend Master Planning and Zoning Committee with a letter dated June 11, 2018

On July 11, 2018, the Planning Commission held a public hearing and postponed the recommendation to Council until a later time.

On August 22, 2018, the Planning Commission considered the revised Concept Plan and recommended approval to the City Council of the rezoning request with Concept Plan.

On September 24, 2018, the City Council tentatively approved the PRO Concept plan, and directed the City Attorney's Office to prepare a draft PRO Agreement.

On October 22, 2018, the City Council approved the PRO Concept Plan and the agreement.

On October 29, 2018, the PRO agreement was recorded. The agreement refers to certain improvements to be completed or certain items to be addressed with a certain time period from

the date of the agreement. The applicant should note that the date of the agreement is October 22, 2018.

PROJECT REVIEW HISTORY

As of the date of this review letter, below is the list of current status for each of the site plans reviews that are subject to the PRO agreement. Some of the changes to common areas should be reflected in corresponding site plans. The applicant should inform the individual users about the changes.

UNIT	JSP	Meeting dates	Next Step/Current Review
Roads and Utilities Site Plan	JSP 18-27	PC approved PSP on 1 09-12-18 CC approved PSP on 1 10-22-18	Final stamping sets under review
Unit 1: iFly	JSP 18-49	Pre-App Waived PC approved PSP on 10-24-18	Revised Final Site Plan
Unit 2: Planet Fitness	JSP 18-57	Pre-App 11-15-18 PC Approved 01-23-18	
Unit 3: Fairfield	JSP 18-66	Pre-App on 11-30-18	
Unit 4: Open Space	JSP 19-07	Pre-App on 02-15-18	
Unit 5: Hotel			
Unit 6:	JSP 19-02	Pre-App on 01-22-19	
Unit 7: Texas Road House	JSP 18-62	Pre-App on 11-28-18	Combined Preliminary and Final Site Plan reviewed. Waiting for resubmittal. Approval contingent on PRO Amendment
Unit 8: Carvana	JSP 18-47	Pre-App Waived PC approved PSP on 11-2-18	Revised Final site plan under review
Unit 9: Water Tower	JSP 19-03	Pre-App on 01-22-19	Preliminary Site Plan
1 st PRO Amendment	JZ 18-24	PC Public hearing scheduled for 03-13-19	Revised Concept Plan review

PRO OPTION

The PRO option creates a “floating district” with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is changed (in this case from EXPO to TC) and the applicant enters into a PRO agreement with the City, whereby the applicant submits a conceptual plan for development of the site. The City Council reviews the Concept Plan, and if the plan may be acceptable, it directs for preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void. In this case, the development has already commenced.

RECOMMENDATION

The Planning Commission will be provided with a motion for postponement, approval and denial in the Planning Commission packets to be shared prior to the meeting. The Commission should consider **postponing** the decision to a later date unless these issues in this and the other review letters are satisfactorily addressed by the applicant prior to the Planning Commission meeting. Postponement would allow the applicant more time to address the additional information/clarification as discussed in comments discussed in this review.

REVIEW COMMENTS

1. **AMENDMENTS TO PRO:** The applicant has requested the current amendment as changes are proposed primarily to the approved layout for one of the restaurants site (Unit 7), minor changes to common landscape areas and building signage. Based on on-going discussions with the applicant, staff understands that **the applicant also intends to make revisions to users for Unit 4 and 6 which would require another amendment. It is staff’s recommendation that the applicant should consider combining all possible amendments into one request for efficient review and process.** Staff has provided some additional comments based on the on-going reviews for this development for individual users (Refer to Page 3). **If the applicant requires additional time to finalize the details for the use of Units 4 and 6, staff recommends that the applicant address the following with the current submittal.**

2. **MINIMUM PARKING REQUIRED (SEC. 5.2.12):** Minimum parking required for a sit-down restaurant is calculated at the rate off 1 space for every 2 employees, 1 space for every 2 customers per maximum occupancy including waiting areas. **The applicant should provide a floor plan to identify maximum customers in the waiting area. Parking is required for total number of employees, not total employees per maximum shift. The applicant should provide maximum number of employees to determine minimum parking required. This would help us determine if a deviation for parking is required.**

3. **END USERS:** The table below lists the prospective users for each unit based on the information provided by the applicant on sheet 2. **The current revised submittal made revisions to uses for Unit 4, 5 and 6. Previously, Unit 4 referred to off-street parking lot, Unit 4 referred to Drury Inn and Unit 6 referred to a restaurant. The current plan refers to Unit 6 as to be determined. Identifying the right uses is important to assess Traffic impacts.** At the time of original application, the applicant has provided trip generation information for the development that will be incorporated into the region-wide traffic impact study. AECOM supported a variance for lack of a full traffic impact study as part of the plan review process such that the applicant understands that they may be requested to provide additional traffic-related data and information during the review at the City’s discretion. **The applicant should provide revised trip generation information as changes to users are proposed.**

Unit No.	End Users	Proposed Height	Proposed Use Category
Unit 1	I-Fly	70 ft.	Indoor Commercial Recreation Facilities
Unit 2	Planet Fitness	40 ft. to 50 ft. (2 stories)	Indoor Commercial Recreation Facilities
Unit 3	Fairfield Inn & Suites	63 ft. (5 stories)	Hotels
Unit 4	Kevin Adell Park	Not provided	Off-street Parking Lot
Unit 5	Home2Suites		Hotels
Unit 6	To be determined		

Unit 7	Restaurant	20 ft. -30ft. (1 story)	End user to be determined
Unit 8	Carvana	75'-10" (8 tiers)	Unlisted Use
Unit 9	Water Tower	120 ft. Existing tower	Existing Structure

4. **PARKING LOT LAYOUTS:** Parking layout for Unit 1 shown in the overall concept plan is different from Site plans for iFly. The concept plan should illustrate most current layout for all site plans, especially the ones that are approved by Planning Commission.
5. **UNIT 6:** Unit 6 is currently shown vacant with user to be determined. A PRO Concept plan should indicate the possible uses and a conceptual layout to determine impacts and conformance to ordinance requirements.
6. **DEVIATIONS:** Please refer to list of deviations identified on Page 6 through 8 and provide the information requested.
7. **ITEMS THAT CAN BE APPROVED BY PLANNING COMMISSION:** *As noted in the approved PRO agreement, the Planning Commission shall also be permitted to authorize amendments to the PRO Plan in its review of the preliminary site plans for individual units, with regard to parking-related, landscaping related, and façade related requirements, provided it would otherwise have that authority under the Zoning Ordinance. Some of the deviations noted in this review can be reviewed and approved by Planning Commission as part of Preliminary site plan approval for Unit 7. However, due to major changes to parking layout, the PRO Concept plan and PRO Agreement will be required to be amended and all requested deviations will be reviewed as part of amendment to the PRO plan.*
8. **OFF-SITE ACCESS TO THE ADJACENT SITE:** The parking layout for Unit 7 shows a shared access drive on the subject property with the property to the east (Unit 6). **The applicant should indicate the Liber and Page number of recorded easement on future submittals.**
9. **MASTER DEED:** A recorded Master Deed was provided for review as part of Adell Development Roads and Utilities Plan under separate cover. In response, staff has provided additional comments to be addressed in a revised submittal. The applicant should note that even though the Master Deed was recorded, it is not approved yet. **Any changes to off-site and on-site easements as shown on the current concept plan should be updated with the draft Master Deed which is currently under review.**
10. **PLAN REVIEW CHART:** Planning review chart provides additional comments and requests clarification for certain items. **Please address them in addition to the comments provided in this letter.**
11. **PLAN REVIEW AND CONSTRUCTION CO-ORDINATION:** As noted in the original reviews, staff continues to note that the proposed development is an ambitious project that requires a carefully laid out implementation plan. The applicant, who is also the current land owner, is proposing to build the roads and the utilities and divide the land into individual condominium units. Each future buyer will then be responsible for getting necessary site plan and other permit approvals, and be responsible for each unit's construction. There is no tentative timeline indicated for completion of all units. Until all units are completed, the impacts of construction traffic to the surrounding areas/businesses are hard to contemplate. Most of the units have started the review process as noted in Page 3.

MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT

The Planned Rezoning Overlay process involves a PRO Concept Plan and specific PRO Conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Section 7.13.2). Within the process, which is initiated by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval which must be reflected in the Concept Plan and or the PRO Agreement.

The PRO conditions must be in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. *Development and use of the property shall be subject to the more restrictive requirements shown or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement.* **The applicant should submit a list of conditions that they are seeking to include with the amended PRO Agreement. The applicant's narrative does not specifically list any such PRO Conditions at this time. The current submittal did not include a response letter or a revised narrative that would have addressed this issue.**

The development is subject to all conditions from the already approved PRO agreement

ORDINANCE DEVIATIONS

Section 7.13.2.D.i.c(2) permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by 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."* Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. A proposed PRO agreement would be considered by City Council only after tentative approval of the proposed concept plan and rezoning.

The Concept Plan submitted with an application for a rezoning with a PRO is not required to contain the same level of detail as a preliminary site plan. Staff has reviewed the applicant's Concept Plan in as much detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance, or may proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement. **The following are deviations from the Zoning Ordinance and other applicable ordinances shown on the Concept Plan as revised for the proposed amendment to PRO Agreement.**

The applicant has provided a list of deviations in the cover letter that is not complete or accurate. The applicant is asked to revise the list based on staff's comments provided in this letter and the other review letters. The applicant is asked to be specific about the deviations requested and provide a justification to explain how if each deviation "...were not granted, [it would] 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."

The following items does not conform with the either the zoning ordinance or the conditions of the proposed amendment to the PRO agreement. **The site plan should be revised accordingly or request the following deviations through the amended PRO Agreement**

1. **Façade:** Proposed building elevations do not conform to Façade Ordinance. A Section 9 Waiver is recommended for the overage of Standing Seam Metal, contingent upon the percentage of Split Faced CMU on the north façade being reduced to below 10% by **substituting Brick or Stone on the dumpster enclosure portion of the façade. The applicant has**

requested this deviation in the cover letter dated January 14, 2019. This deviation is supported by staff contingent on a sample board and minor revisions.

2. **Loading Area square footage:** Loading area does not meet the minimum required (847 square feet is required, 451 square feet proposed). **Indicate the largest truck that would access the site and how the conflict between loading operations and dumpster access can be avoided. The applicant has requested this deviation in the cover letter dated January 14, 2019. This is currently not supported by staff due to concerns raised in Traffic review letter.**
3. **Bicycle Parking:**
 - o When 4 or more bicycle parking spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations. **The applicant should revise the plan to conform.**
 - o Bike racks cannot be located no farther than 120 feet from the building entrance. **The applicant should revise the plan to conform****This is currently not supported by staff, as the revisions can be made to conform.**
4. **Loading Area Location:** Part of the loading area is proposed in the interior side yard. Loading area should be located in either rear yard (Town Center required condition) or the exterior side yard (PRO agreement). **Refer to Traffic review for additional comments regarding viability of loading space location. This is currently not supported by staff, due to insufficient information provided.**
5. **Driveway Spacing:** Proposed driveways within Unit 7 and additional curb cut for Unit 6 do not appear to meet the City's minimum driveway spacing. **The applicant should indicate driveway spacing dimensions on the plan in order to verify conformance. This is currently not supported by staff, due to insufficient information provided.**
6. **Interior Parking Lot Trees:** Staff has reviewed the landscape plan for Unit 7 under separate cover. The review letter noted a deviation for lack of 6 required parking lot interior parking lot trees (out of 20 required) in endcap islands. The landscape plan should be included in this submittal as well. The applicant should note that the changes to the layout plan to conform to these requirements may affect the number of parking spaces. So this should be addressed at this time. **This deviation is not supported by staff, as they can all be planted with expansion and/or alteration of the islands/bays/utilities.**
7. **Wall along Adell Drive:** Original PRO agreement refers to a decorative brick wall along Adell Drive. Site plans for Road & Utilities approval indicated a combination of decorative brick wall, wrought iron fence and a berm. **A combination of wall and fence without the berm is acceptable. If the applicant chooses to propose the combination, a request can be made to amend the agreement to include this update. Revise the landscape plans to remove berm along Adell Drive frontage. This deviation is supported by staff as noted.**
8. **Maximum spaces per each bay:** Unit 4 has a parking bay with more than 15 contiguous spaces shown on the overall concept plan. **This deviation is supported by staff.**
9. **I-96 Berm:** Lack of undulations on I-96 berm across entire frontage. This deviation is supported by staff as there is insufficient space in the greenbelt to add the vertical or horizontal undulations. **This deviation is supported by staff.**
10. **Deviations from landscape requirements for UNit Accessory Unit Location:** The applicant has not provided information about accessory units at the time of original PRO approval. Staff has reviewed site plans for individual site plans and noted accessory structures such as transformers do not meet the code requirement for location and would require a deviation. Staff

recommends that the applicant address this item at this time by providing necessary information. **This is currently not supported by staff, due to insufficient information provided.**

11. **Lighting and Photometric:** At the time of initial PRO approval, the applicant was not able to provide sufficient information to identify light levels across the units and Adell Drive frontage. Following two deviations were included to account for possible scenarios at that time with an assumption that information will be clarified at the time of individual site plan reviews.

- o Planning deviation from Section 5.7 .3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4: 1;
- o Planning deviation to allow exceeding the maximum spillover of 1 foot candle and approvable increase of the average to minimum light level ration from 4: 1 within the Adell Drive pavement areas as listed in Section 5.7 .3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units;

However, staff is unable to determine the light levels when information is being provided in parts. **Now that there is lighting information available for Unit 1, 2, 3, 6, 7, 8 and 9, staff recommends that the applicant provide an overall lighting and photometric plan for the entire development.** It should include at a minimum

- o Location of light fixtures within individual parking lots and along Adell Drive,
- o Specification sheets,
- o Height of the fixtures,
- o Foot candle values along lot lines and
- o Average to minimum ratio per each unit.

This deviation is currently not supported by staff, due to insufficient information provided.

Staff has discussed the need for an overall lighting and photometric plan at the time of Roads and Utilities electronic stamping set review. After talking with the applicant, due to additional time required for co-ordination, we decided to address these issues at the time of next amendment to the PRO plan.

12. **Sign Ordinance:** The applicant has requested three deviations from Sign Ordinance in their cover letter. Two of them refer to Unit 7(Texas Roadhouse) and one for Unit 2(Planet Fitness). However, we did not receive any additional information such as sign permit application, sign elevations etc. This information is required to be submitted for review and comment. It is unclear whether signage deviations (City Code) are appropriate as part of the PRO process (Zoning Ordinance). **The applicant has requested these three deviations in the cover letter dated January 14, 2019, without supporting documentation**

Some of the deviations listed above may or may not be required. The applicant is asked to provide clarification whether it is their intent to meet the Ordinance requirements at the time of Preliminary site plan submittal or whether any of those deviations are requested at this time. If any deviations are requested at this time, the applicant is asked to submit additional information for review.

Staff does not support deviations without reasonable justification provided.

APPLICANT'S BURDEN UNDER PRO ORDINANCE/ PUBLIC INTEREST/ BENEFITS TO PUBLIC UNDER PRO ORDINANCE

The Planned Rezoning Overlay ordinance (PRO) requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, 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 7.13.2.D.ii states the following:

1. (Sec. 7.13.2.D.ii.a) 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. *(Sec. 7.13.2.D.ii.b) 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.*

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and the benefits to public of the proposed PRO rezoning would clearly outweigh the detriments. **The applicant has not provided any additional information with the current request.**

SUMMARY OF OTHER REVIEWS

1. Engineering Review (dated 02-14-19): It meets the general requirements on Chapter 11, Storm water management ordinance or Engineering design manual. Engineering recommends approval.
2. Landscape Review (dated 02-20-19): Landscape review has identified deviations that may be required. Staff supports only a few. Refer to review letter for more comments. Landscape is currently **not recommending** approval due to reasons stated in review letter.
3. Wetland & Woodland Review: No changes to previously approved plans are proposed with the amendment. Wetlands and Woodlands did not review the current submittal.
4. Traffic Review (dated 02-21-19): Traffic requested additional information to verify conformance. Traffic is currently recommending approval.
5. Facade Review (dated 02-20-19): There appear to be significant deviations on the proposed elevations for Unit 7: Texas Roadhouse. Refer to façade review for additional information requested
6. Fire Review (dated 01-14-19): Fire recommends approval

NEXT STEP: PLANNING COMMISSION

It is staff's recommendation that the applicant should consider combining all possible amendments into one request for efficient review and process and recommends to provide additional information prior to scheduling the Planning Commission public hearing.

According to our standard review process, staff would require a revised concept plan submittal. Staff would make a recommendation after 15 business day review. A Planning Commission meeting would be scheduled after the issues are resolved. However, the PRO Concept Plan is scheduled to go before Planning Commission for a public hearing on March 13, 2019 based on applicant's request. This does not allow staff a reasonable time to review the revisions. Staff will continue working with the applicant in a timely manner. **Staff reserves the right to make additional comments as this review continues.**

The applicant should continue working with staff to resolve the issues prior to March 6. Please provide the following by 10 am on **March 06, 2019.**

1. Concept Plan submittal in PDF format. Staff has received this item with the initial submittal

2. A response letter addressing ALL the comments from ALL the review letters and primarily a **request for waivers as you see fit based on the reviews.**
3. A color rendering of the Site Plan, if any to be used for presentation purposes.
4. Façade boards as requested by Façade review letter.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or skomaragiri@cityofnovi.org



Sri Ravali Komaragiri – Planner



PLANNING REVIEW CHART: TC - Town Center District

Review Date: February 20, 2019
Review Type: Preliminary and Final Site Plan
Project Name: **18-24 ADELL PRO (First Amendment)**
Plan Date: January 3, 2019
Prepared by: Sri Ravali Komaragiri, Planner
E-mail: skomaragiri@cityofnovi.org **Phone:** 248.735.5607

- **Bold:** Items that need to be addressed by the applicant with next submittal
- **Bold and Underline:** Does not conform to the code. If not revised, a deviation would be required
- *Italics:* Notes to be noted

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan <i>(adopted July 26, 2017)</i>	Office Research Development Technology	Restaurants, recreational facilities, hotels, off-street parking and a unlisted use	Yes	<i>Outdoor seating is not proposed</i>
Town Center Area Study	This site is in close proximity to study area boundary for Town Center Area study adopted in 2014	TC with a PRO	Yes	
Zoning <i>(Effective Dec. 25, 2013)</i>	EXPO	TC: Town Center with a PRO	Yes	<i>The subject property is part of a Planned Rezoning Overlay request for Adell Center Development, which was approved by City Council at their October 22, 2018 meeting.</i> <u>An amendment to PRO agreement is required prior to approval of this plan due to items that does not conform the code or the agreement.</u>
Density <i>Future Land Use Map(adopted July 26, 2017)</i>	Not Applicable	Residential development not proposed	NA	
Phasing	Show proposed phasing lines on site plan. Describe scope of work for each phase. Each phase should be able to stand on its own with regards to utilities	Phasing is not proposed.	NA?	

Item	Required Code	Proposed	Meets Code	Comments
	and parking			
Proposed Uses				
<p>Uses Permitted (Sec 3.1.26.B & C) Sec. 3.1.25.B. - Principal Uses Permitted. Sec. 3.1.25.C. – Special Land Uses Permitted.</p> <p>Sec. 4.87 Unlisted Use Determinations: Where a proposed use of land or use of a building is not contemplated or specified by this Ordinance, or where the Planning Division has a question as to the appropriateness of a use that involves other features that were not contemplated or specified by this Ordinance, the Planning Division shall request a determination from the City Council, after review and recommendation from the Planning Commission, as to what district or districts, if any, in which the proposed use may be appropriate as a special land use. In acting upon the request, the City Council shall take into consideration the spirit, purpose and intent of the Ordinance and the Master Plan for Land Use.</p> <p>If the City Council determines that: 1. Such use does not appear to be expressly authorized in the zoning ordinance as a principal permitted use or a principal use permitted subject to special conditions, 2. Such use does not appear to have been contemplated by this Ordinance as a principal permitted use or a principal permitted use subject to special conditions, or 3. Such use involves features which do not appear to have been contemplated by the zoning ordinance as features of a principal permitted use or a principal permitted use subject to special conditions, the City Council shall specify what district or districts, if any, in which the proposed use may be appropriate as a special land use.</p> <p>Following such a determination, a party authorized to do so may file an application pursuant to Section 6.2 for approval of the use as a special land use in a district in which the City Council has determined the use may be appropriate as a special land use.</p>	<p>Unit 1: I-Fly Indoor Commercial Recreation Facilities</p>	Yes	Permitted Use	
	<p>Unit 2: Planet Fitness Indoor Commercial Recreation Facilities</p>	Yes	Permitted Use	
	<p>Unit 3: Fairfield Inn & Suites Hotels</p>	Yes	Permitted Use	
	<p>Unit 4: Off-street Parking Lot and Open Space Future building of up to 7,000 sq. ft.</p>	Yes	Use on Unit 4 is regulated by the conditions of the PRO agreement	
	<p>Unit 5: Hotels Home2Suites</p>	Yes	The end user changed from Drury Inn to Home2Suites	
	<p>Unit 6: To be determined</p>	No?	It was referred to as Restaurant in the PRO agreement. Use is now noted as 'To be determined'. Refer to Planning review letter for more comments.	
	<p>Unit 7: Texas Roadhouse Sit-down restaurant, no outdoor seating</p>	Yes	Permitted Use if a sit-down restaurant. More information is requested.	
	<p>Unit 8: Carvana Unlisted Use</p>	Yes	Council approved the unlisted use on October 224, 2018	
	<p>Unit 9: Water Tower</p>	Yes	Use on Unit 4 is regulated by the conditions of the PRO agreement	

Item	Required Code	Proposed	Meets Code	Comments
Height, bulk, density and area limitations				
Frontage on a Public Street (Sec. 5.12) (Sec. 6.3.2.A)	Frontage upon a public street is required	Frontage and access from the proposed private drive.	No	<i>This deviation is approved as part of the Adell Center PRO request</i>
Access To Major Thoroughfare (Sec. 5.13)	Access to major thoroughfare is required, unless the property directly across the street between the driveway and major thoroughfare is either multi-family or non-residential	Master site has access to Crescent Boulevard, individual parcels have access to internal private drive; No single family residential zoning in the vicinity	NA	<i>This deviation is approved as part of the Adell Center PRO request</i>
Open Space Area (Sec. 3.27.1.F)	15% (permanently landscaped open areas and pedestrian plazas).	Required open space is provided at a central location within Adell Center development. A small pocket park is proposed as agreed to allow for pedestrian crossing across Adell Center	Yes	Open space is subject to conditions listed in the PRO agreement
Maximum % of Lot Area Covered (By All Buildings) (Sec. 3.6.2 D)	No Maximum	Total site area: unknown Pervious Area: unknown Impervious Area: unknown Building foot print 8,127 SF	Yes?	Provide the missing information
Building Height (Sec.3.1.26.D)	5 stories or 65 ft, whichever is less Provisions for additional height only applies for TC-1, not TC district <u>Buildings in excess of 55' may need to conform to the 2015 International Building Code standards for High-Rise (Type I or Type II) construction.</u>	Unit 1:70 ft (l-fly)	No	<i>This deviation is approved as part of the Adell Center PRO request</i>
		Unit 2: 40 ft. to 50 ft. (2 stories)	Yes	<i>This deviation is approved as part of the Adell Center PRO request</i>
		Unit 3: 63 ft. (Fairfield)	No	<i>This deviation is approved as part of the Adell Center PRO request</i>
		Unit 4: Off-street parking/Open Space	NA	
		Unit 5: 84' -5; 7 stories	Yes?	<i>This deviation is approved as part of the Adell Center PRO request. However, the deviation was approved specifically for Drury Inn & Suites. Deviation will not</i>

Item	Required Code	Proposed	Meets Code	Comments
				apply to other users.
		Unit 6: Unknown	Yes	
		Unit 7: 20 ft. -30ft. (1 story)	Yes	
		Unit 8: 75' -10" and 8 tiers (Carvana)	No	<i>This deviation is approved as part of the Adell Center PRO request</i>
		Unit 9:120 ft. Existing tower (Non-conforming existing structure)	NA	
6.3 SITE CONDOMINIUMS				
<p>The applicant proposes to complete improvements for roads and utilities, Unit 1 and Unit 4, public trails along middle rouge river and develop a site condominium in one phase as indicated on the PRO concept plan. Each individual user is responsible for site plan review and approvals and construction of each unit at respective schedules. There is no tentative timeline indicated for completion of all the units.</p> <p><u>Please refer to Section 6.3 Site Condominiums and Section 6.1.E. for requirements for Roads and Utilities plan.</u></p>				
Lot Depth to Width Ratio	A depth-to-width ratio of 3 to 1 shall normally be considered a maximum.	All units meet the requirement	Yes	
Frontage on street Sec 4.02.B.1	Every lot shall front or abut on a street	All units front a private street except for Unit 9	No	<i>This deviation is approved as part of the Adell Center PRO request</i>
Side lot lines Sec 4.02.B.2	Side lot lines shall be at right angles or radial to the street lines, or as nearly as possible thereto	Units 1, and 9 do not meet the code	Yes	<i>This deviation is approved as part of the Adell Center PRO request</i> A deviation was approved for lot line for Unit 7. However, new lot lines conform to the code.
Floodplains in the lots Sec. 4.03.A	Lots cannot be created within floodplain that increase danger to health, life or property	Units 3, 4 and have flood plain in part of their rear yards	No	<i>This deviation is approved as part of the Adell Center PRO request</i>
Streets Sec. 4.04. A.1.b	Stub street required at every 1,300 feet along property boundary unless the extension is impractical	None proposed.	No?	<i>This deviation is approved as part of the Adell Center PRO request</i>
Secondary Access Sec. 4.04.A. 1.h	A secondary access is required	One is provided for entire development from Unit 9 to parking lot to the west.	No	<u>Refer to Engineering review for more details</u> Eastern curb cut located within Unit 6 can be

Item	Required Code	Proposed	Meets Code	Comments
				restricted to emergency access only. Refer to Traffic review for more comments.
PRO Concept Plan Submittal: Additional requirements				
Written Statement <i>(Site Development Manual)</i> <i>The statement should describe the items listed to the right</i>	Potential development under the proposed zoning and current zoning	The applicant has addressed this item in the narrative at the time of original submittal	Yes	
	Identified benefit(s) of the development	Public benefits are not proposed at this time.	No?	
	Conditions proposed for inclusion in the PRO Agreement (i.e., Zoning Ordinance deviations, limitation on total units, etc.)	List of deviations are included in the narrative	No?	List of deviations is not comprehensive. The applicant is asked to consider the additional conditions as suggested in the Planning review letter.
Sign Location Plan <i>(Page 23,SDM)</i>	Installed within 15 days prior to public hearing Located along all road frontages	One is not required at this time	No	No change to approved rezoning category is proposed at this time
Traffic Impact Study <i>(Site development manual)</i>	A Traffic Impact Study as required by the City of Novi Site Plan and Development Manual.	The site falls under the study boundaries for Comprehensive Traffic study which is ongoing	Yes?	Refer to Traffic review letter for more comments. Revised trip generation numbers are required
Community Impact Statement (CIS) <i>(Sec. 2.2)</i>	<ul style="list-style-type: none"> - Over 30 acres for permitted non-residential projects - Over 10 acres in size for a special land use - All residential projects with more than 150 units - A mixed-use development, staff shall determine 	It appears to be a mixed-use development, based on the number of different uses. A CIS is provided at the time of original submittal	Yes?	One is not required at this time
Building Setbacks (Sec 3.1.26 D) and (Sec. 3.27.1.C)				

Item	Required Code	Proposed	Meets Code	Comments
Front (South along Adell Drive)	50 feet minimum from all lot lines for exterior lot 15 feet minimum for front side, for interior lot lines 15 feet between separate buildings on same side	All units conform to the code	Yes	
Exterior Side Yard(along I-96)	Has frontage on I-96. A minimum of 50 ft. is required. Unit 1: 32.5 ft. minimum per PRO agreement	All units conform to the code; Information about Unit 6 is not provided at this time	Yes	Original PRO Concept plan provided a parking layout for Unit 6. It was eliminated from this plan.
Side Yard (east) Side yard (west)	50 feet exterior 15 feet interior Exterior: lot lines located abutting non-TC district lots. Interior: lot lines abutting TC district lots.	All units conform to the code	Yes	
Parking Setback (Sec 3.1.25.D)				
Front Parking Setback	18 ft. from access easement for private roads as per the Adell Center PRO Agreement	18 feet	Yes	Parking setback line should be from access easement, not the sidewalk.
Exterior Side Yard Parking Setback	20 ft. unless otherwise noted below	Appear to conform with the ordinance or the PRO agreement	Yes?	<i>This deviation is approved as part of the Adell Center PRO request</i>
East Side Yard Parking Setback	20 ft. unless otherwise noted below	Appear to conform with the ordinance or the PRO agreement	Yes?	Information about Unit 6 is not provided at this time. Unable to verify conformance
West Side Yard Parking Setback	10 ft. from side lot line unless otherwise noted below	Appear to conform with the ordinance or the PRO agreement	Yes?	
Planning deviation from minimum required interior side parking setback of 20 ft. as required by section 3.1.25.D for the following units (because shared access is proposed between parking lots), with the following setbacks allowed as shown in the PRO Plan:				

Item	Required Code	Proposed	Meets Code	Comments
i. Unit 1: minimum 14 ft. along West, 0 ft. along South ii. Unit 2: minimum 15 ft. along South iii. Unit 3: minimum 15 ft. along West and 5 ft. along South iv. Unit 4: minimum 5 ft. along East v. Unit 5: minimum 10 ft. along West vi. Unit 6: minimum 0 ft. along West vii. Unit 7: minimum 0 ft. along East and 10 ft. along West viii. Unit 8: minimum 10 ft. along East				
Note To District Standards (Sec 3.6.2)				
Exterior Side Yard Abutting a Street (Sec 3.6.2.C)	All exterior side yards abutting a street shall be provided with a setback equal to front yard.	Not applicable	NA	
Minimum lot area and width (Sec 3.6.2.D)	Except where otherwise provided in this ordinance, the minimum lot area and width, maximum percentage of lot coverage shall be determined by the requirements set forth.	Lot area and dimension are consistent with the Site Condominium and PRO for Adell Center	Yes	
Yard setbacks (Sec 3.6.2.H&L)	If site abuts a residential zone, buildings must be set back at least 3' for each 1' of building height, but in no case can be less than 20' setback	Does not abut residential zoning	NA	
Wetland/Watercourse Setback (Sec 3.6.2.M)	A setback of 25 ft. from wetlands and from high watermark course shall be maintained	No additional impacts to wetlands and woodlands are proposed	NA	
Parking setback screening (Sec 3.6.2.P)	Required parking setback area shall be landscaped per sec 5.5.3.	Landscape plan is included		Refer to Landscape review for more details.
Modification of parking setback requirements (Sec 3.6.2.Q)	The Planning Commission may modify parking setback requirements based on its determination according to Sec 3.6.2.Q.	Parking setbacks are regulated by PRO agreement	No	Refer to parking setback comments
TC District Required Conditions (Sec 3.27)				

Item	Required Code	Proposed	Meets Code	Comments
Site Plans (Sec. 3.27.1.A.)	Site area under 5 acres: Requires Planning Commission approval; Site area over 5 acres: Requires City Council approval upon Planning Commission recommendation	The subject parcel is less than 5 acres	Yes	<i>Site plan approval for individual lots less than require Planning Commission approval</i> <u>An amendment to PRO agreement is required prior to approval of this plan due to items that does not conform the code or the agreement.</u>
Parking Setbacks and Screening (3.27.1 D)	20 ft. from ROW (access easement for private roads)	A setback for 18 feet is being considered as part of the PRO request	Yes	
	Surface parking areas must be screened by either a 2.5 ft. brick wall, semitransparent screening or a landscaped berm from all public ROW (access easement for private roads)	A combination of brick wall and a semi-transparent screening is provided on both side of proposed Adell drive	Yes	Staff can support the deviation if the applicant choses to keep the combination
	For TC-1, No front yard or side yard parking on any non-residential collector.	Not applicable	NA	
Architecture/Pedestrian Orientation (3.27.1 E)	No building in the TC-1 district shall be in excess of one-hundred twenty-five (125) feet in width, unless pedestrian entranceways are provided at least every one-hundred twenty-five (125) feet of frontage.	Not applicable	NA	
Façade materials (Sec. 3.27.1 G)	All sides of the building and accessory buildings must have the same materials. Façade materials may deviate from brick or stone with PC approval.	Proposed elevations for Unit 7 do not conform to Façade Ordinance	No	Refer to façade review for more details. <u>An amendment to PRO agreement is required to include this deviation</u>
Parking, Loading, Signs, Landscaping, Lighting, Etc. (Sec. 3.27.1 H)	All loading shall be in rear yards.	A loading zone is provided, but does not meet the requirements	No	<u>Refer to Traffic review for more details. The proposed deviation is currently not supported.</u>

Item	Required Code	Proposed	Meets Code	Comments
	Off-street parking counts can be reduced by the number of on-street parking adjacent to a use	On-street parking is not proposed	NA	
	PC may allow parking requirement reduction when parking areas serve dual functions.	Proposed parking appears to be short of 17 spaces	No	<u>Up to 5 percent reduction is allowed per PRO agreement, subject to supporting documentation and Planning Commission approval</u>
	Special assessment district for structured park	Not proposed	NA	
Sidewalks required (Sec. 3.27.1 I)	For TC-1 only, Sidewalks required along non-residential collector to be 12.5 ft. wide.	Not Applicable	NA	
	Direct pedestrian access between all buildings and adjacent areas	A pedestrian connection from building to sidewalks along Adell Drive is provided	Yes	
Bicycle Paths (Sec. 3.27.1 J)	Bike paths required to connect to adjacent residential & non-residential areas.	Not required	NA	
Development amenities (Sec. 3.27.1 L)	All sites must incorporate amenities such as exterior lighting, outdoor furniture, and safety paths in accordance with Town Center Study Area.	Amenities are provided as part of the Site Condominium project for Adell Center	Yes	
Combination of use groups within a single structure (Sec. 3.27.1 M) (Sec.3.27.2.B)	- Additional regulations per Sec. 3.27.1.M and 3.27.2.B apply if combination of uses proposed in same building	Each building stands on its own with a single use	NA	
Street and Roadway Rights-Of-Way (Sec. 3.27.1 N)	Nonresidential collector and local streets shall provide ROWs consistent with DCS standards Roadway width: 36 feet ROW/Access Easement:	Roadway width: 36 feet Access Easement: 70 feet	Yes	?

Item	Required Code	Proposed	Meets Code	Comments
	70 feet			
Parking, Handicap Parking and Bike Requirements				
1. It appears that no changes to parking counts proposed to any unit other than Unit 7. 2. Unit 6 is shown as vacant lot. Refer to Planning review for more details. 3. This section refers to parking calculations for Unit 7 only.				
Required Parking Calculation (Sec. 5.2.12) (Sec. 4.82.2)	1 per 70 GLA or 1 per 2 employees + 1 per 2 customer max capacity including waiting areas	40 employees 291 seats 20+ 146 = 166 spaces required Total proposed = 169 spaces	No?	Information about waiting areas is not included. Provide a floor plan that indicates the waiting area. Parking for employees is calculated for total number of employees, not employees per maximum shift. Please provide the missing information to determine minimum parking required. <u>Up to 5 percent reduction is allowed per PRO agreement, subject to supporting documentation.</u>
Barrier Free Spaces <i>Barrier Free Code</i> <i>*No deviations since this is a Michigan Building Code requirement</i>	Six spaces are required for 151-200 regular spaces	Two van accessible and four car spaces are proposed	Yes?	
Minimum number of Bicycle Parking (Sec. 5.16.1)	5 % of required/provided car parking, minimum of 2 spaces	5% of 186+ = nine spaces Eight spaces are proposed	No?	<u>Minimum number of parking will be determined once the minimum parking is determined.</u>
Parking Lot Design Requirements (Sec. 5.3.2.)				
Parking Space Dimensions and Maneuvering Lanes (Sec. 5.3.2)	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two way drives - 9 ft. x 17 ft. parking spaces allowed as long as detail indicates a 4" curb at these locations - 60° 9 ft. x 18 ft.	All appear to be 9 ft. x 19 ft. - 9 ft. x 17 ft. parking spaces allowed as long as detail indicates a 4" curb at these locations	Yes	
Parking lot entrance offset	Parking lot entrances must be set back 25'	Subject property does not abut single-family	NA	

Item	Required Code	Proposed	Meets Code	Comments
(Sec. 5.3.6)	from any single-family residential district.	residential district.		
End Islands (Sec. 5.3.12)	<ul style="list-style-type: none"> - End Islands with landscaping and raised curbs are required at the end of all parking bays that about traffic circulation aisles. - The end islands shall generally be at least 8 ft. wide, have an outside radius of 15 ft., and be constructed 3 ft. shorter than the adjacent parking stall 	Requires additional dimensions	No?	Refer to Traffic Comments
Parking stall located adjacent to a parking lot entrance (public or private) (Sec. 5.3.13)	<ul style="list-style-type: none"> - Shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer 	Not applicable	NA	
Barrier Free Space Dimensions <i>Barrier Free Code</i>	<ul style="list-style-type: none"> - 8' wide with an 8' wide access aisle for van accessible spaces - 8' wide with a 5' wide access aisle for regular accessible spaces 	Two van accessible and four car spaces are proposed	Yes	
Barrier Free Signs <i>Barrier Free Code</i>	One sign for each accessible parking space.	Signs indicated	Yes	Refer to traffic review for more details
Bicycle Parking General requirements (Sec. 5.16)	<ul style="list-style-type: none"> - No farther than 120 ft. from the entrance being served - When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations - Spaces to be paved and the bike rack shall be inverted "U" design - Shall be accessible via 6 ft. paved sidewalk 	<p>Appears to be farther than 120 ft.</p> <p>All eight spaces provided at on location</p> <p>Dimension the width of the sidewalk to verify conformance</p> <p>Inverted U racks</p>	No	Please locates bike racks in two different locations and within 120 feet of the entrance or <u>An amendment to PRO agreement is required to include this deviation</u>

Item	Required Code	Proposed	Meets Code	Comments
Bicycle Parking Lot layout (Sec 5.16.6)	Parking space width: 6 ft. One tier width: 10 ft. Two tier width: 16 ft. Maneuvering lane width: 4 ft. Parking space depth: 2 ft. single, 2 ½ ft. double	Not indicated	No	Please provide the required layout
Loading Space (Sec. 5.4.2.)	Loading area required for all uses in Town Center	Unit 7: A loading zone is provided, but does not meet the requirements	No	Refer to Traffic review for more details.
Loading Space location (Sec. 5.4.2)	- rear yard only for TC districts - Exterior side yard per Adell PRO agreement	Unit 7: Partly located in interior side yard. Meets parking setbacks	Yes	Loading area in exterior side yard per Adell PRO agreement <u>An amendment to PRO agreement is required to allow loading area in the interior side yard</u>
Loading Space Area (Sec. 5.4.2) In the ratio of 10 sq. ft. per front foot of building.	For 84 feet, 840 square feet of loading area is required	Unit 7: 451 square feet is provided	No	<u>Per approved PRO agreement, reduction in loading area size can be approved by Planning Commission at the time of Preliminary site plan approval</u> <u>The proposed deviation is currently not supported.</u>
Loading Space Screening (Sec. 5.4.2 B)	Loading area must be screened from view from adjoining properties and from the street.	Landscape plan is not provided	Yes?	A landscape plan for Unit 7 should be included in this submittal

Item	Required Code	Proposed	Meets Code	Comments
Dumpster <i>Sec 4.19.2.F</i>	<ul style="list-style-type: none"> - Located in rear yard - Attached to the building or no closer than 10 ft. from building if not attached - Not located in parking setback - Rear lot abuts ROW, 50 ft. setback required. - Away from Barrier free Spaces 	Information not provided for all Units	No	<p>Dumpster locations are subject to conditions listed in the PRO agreement.</p> <p>It is expected that the dumpster locations would comply unless otherwise noted in the PRO agreement</p>
Dumpster Enclosure <i>Sec. 21-145. (c)</i> <i>Chapter 21 of City Code of Ordinances</i>	<ul style="list-style-type: none"> - Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery 			
Accessory Structures <i>Sec. 4.19</i>	<ul style="list-style-type: none"> - Accessory structures, except where otherwise permitted and regulated in this Ordinance, shall be located in the rear yard and shall meet the setback requirements of an accessory building. 	Not able to determine	Yes?	<p>Please indicate if and where accessory structures such as but not limited to transformer, flagpoles etc. are proposed.</p>
Lighting and Photometric Plan (Sec. 5.7)				
<p>These deviations is being considered as part of the Adell Center PRO plan</p> <ol style="list-style-type: none"> 1. Planning deviation from Section 5.7.3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept the maximum allowable 4:1; 2. Planning deviation to allow exceeding the maximum spillover of 1 foot candle and approvable increase of the average to minimum light level ration from 4:1 within the Adell Drive pavement areas as listed in Section 5.7.3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units; 				
Intent (Sec. 5.7.1)	Establish appropriate			Additional information

Item	Required Code	Proposed	Meets Code	Comments
	minimum levels, prevent unnecessary glare, reduce spill-over onto adjacent properties & reduce unnecessary transmission of light into the night sky			requested. Please refer to Plan review letter for more details. It appears that the light pole locations are not consistent across plans, grading and utility and landscape. Please verify.
Lighting Plan (Sec. 5.7.2 A.i)	Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures			
Building Lighting (Sec. 5.7.2.A.iii)	Relevant building elevation drawings showing all fixtures, the portions of the walls to be illuminated, illuminance levels of walls and the aiming points of any remote fixtures.			
Lighting Plan (Sec.5.7.2 A.ii)	Specifications for all proposed & existing lighting fixtures			
	Photometric data			
	Fixture height			
	Mounting & design			
	Glare control devices			
	Type & color rendition of lamps			
	Hours of operation			
	Photometric plan illustrating all light sources that impact the subject site, including spill-over information from neighboring properties			
Required Conditions (Sec. 5.7.3.A)	Light pole height not to exceed maximum height of zoning district (65 ft. for TC)			

Item	Required Code	Proposed	Meets Code	Comments
Required Conditions (Sec. 5.7.3.B&G)	<ul style="list-style-type: none"> - Electrical service to light fixtures shall be placed underground - Flashing light shall not be permitted - Only necessary lighting for security purposes & limited operations shall be permitted after a site's hours of operation 			
Security Lighting (Sec. 5.7.3.H) Lighting for security purposes shall be directed only onto the area to be secured.	<ul style="list-style-type: none"> - All fixtures shall be located, shielded, and aimed at the areas to be secured. - Fixtures mounted on the building and designed to illuminate the facade are preferred. 			
Required Conditions (Sec. 5.7.3.E)	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1			
Required Conditions (Sec. 5.7.3.F)	Use of true color rendering lamps such as metal halide is preferred over high & low pressure sodium lamps			
Min. Illumination (Sec. 5.7.3.K)	Parking areas: 0.2 min			
	Loading & unloading areas: 0.4 min			
	Walkways: 0.2 min			
	Building entrances, frequent use: 1.0 min			
	Building entrances, infrequent use: 0.2 min			
Max. Illumination adjacent to Non-Residential (Sec. 5.7.3.K)	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle			

Item	Required Code	Proposed	Meets Code	Comments
Cut off Angles (Sec. 5.7.3.L)	When adjacent to residential districts: - All cut off angles of fixtures must be 90° - maximum illumination at the property line shall not exceed 0.5 foot candle			
Building Code and Other Requirements				
Roof top equipment and wall mounted utility equipment Sec. 4.19.2.E.ii	All roof top equipment must be screened and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building	Information not provided	No	Refer to Façade review for more information requested
Building Code	Building exits must be connected to sidewalk system or parking lot.	Sidewalks shown on the plans	Yes	
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Insufficient information	No	Provide the most current sidwell numbers. ALTA survey refers to parent parcel
General layout and dimension of proposed physical improvements	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in square feet), location of proposed parking and parking layout, streets and drives, and indicate square footage of pavement area (indicate public or private).	Mostly provided. Additional information requested in this and other review letters	No	Provide additional information as requested in all reviews
Economic Impact	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied, if known)	Not provided	No?	Provide requested information

Item	Required Code	Proposed	Meets Code	Comments
Signage See link below <u>(Chapter 28, Code of Ordinances)</u>	- Signage if proposed requires a permit. - <u>Signage is not regulated by the Planning Commission or Planning Division.</u>	Additional deviations for Unit 2 and 7 are requested at this time	NA	Information not reviewed at this time. Refer to Planning review letter for more comments.
Property Address	The applicant should contact the Building Division for an address prior to applying for a building permit.	One is not required at this time.	No	<u>Submit address application after Final Site Plan approval.</u>
Project and Street Naming Committee	Some projects may need approval from the Street and Project Naming Committee.	Not applicable		
Future Easements	- A 60 feet ROW with additional 10 feet access easement or 70 feet access easement is required for proposed Adell drive	A 70 feet access easement is provided Cross access/parking easements are required	No?	<i>Any changes to off-site and on-site easements as shown on the approved Master Deed or the recorded easements shall be amended, as needed, and according to the current site layout, prior to final stamping set approval.</i>

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4, and 5 of the zoning ordinance for further details.
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.



PLAN REVIEW CENTER REPORT

March 6, 2019

SignPermit Review

TEXAS ROADHOUSE

Permit Number

APPLICANT: ALLIED SIGN

SITE LOCATION: City of Novi parcel # 50-22-15-478-012

1. TYPE OF SIGN: WALL SIGN

Code requirement: 28-5 - Permanent signs permitted according to district

Proposed: 2 wall signs – 1 facing each thoroughfare

Staff Comments: 2 wall signs are permitted at this location.

2. NUMBER OF SIGNS:

Code requirement: 28-5(d)(7) - 2 wall signs are permitted

Proposed: 2 wall signs

Staff Comments: 2 wall signs are permitted

3. SIGN LOCATION:

Code requirement: 28-5(d)(7) allowing 2 wall signs because the parcel is situated on two thoroughfares

Proposed: 1 wall sign facing the I96 expressway. 1 sign facing Adell Center Drive

Staff Comments:

4. SIGN AREA:

Code requirement: 1 sq. ft. of sign area is permitted for every 2 feet of setback from the centerline of the nearest adjacent thoroughfare.

Proposed: Front elevation sign size is 231 sq. ft.

Rear elevation sign size is 231 sq. ft.

Staff Comments: Front elevation sign is over sized by 171 sq. ft. feet based on 120 feet from centerline of I96 off ramp.

Rear elevation sign is over sized by 94.5 sq. ft. based on 273 feet front the centerline of Adell Center Drive

A variance from code section 28-5(b)(1)b. would be required for each oversized sign

5. OTHER:

Code requirement:

Proposed:

Staff Comments:

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or munderhill@cityofnovi.org.

Maureen Underhill, Code Compliance Officer



PLAN REVIEW CENTER REPORT

March 6, 2019

SignPermit Review

TEXAS ROADHOUSE

Permit Number

APPLICANT: ALLIED SIGN

SITE LOCATION: City of Novi parcel # 50-22-15-478-012

1. TYPE OF SIGN: **Window SIGN**

Code requirement: 28-7 (Signs) Allowed in All Districts (a) no permit required

Proposed: 1 illuminated window sign

Staff Comments: illuminated window signs are allowed

2. NUMBER OF SIGNS:

Code requirement:

Proposed:

Staff Comments:

3. SIGN LOCATION: inside window glass – LEFT elevation

Code requirement:

Proposed:

Staff Comments:

4. SIGN AREA:

Code requirement: 28-7(a)(9) – illuminated window signs can measure up to 3-1/2 sq. ft. in area

Proposed: 18.1 sq. ft. illuminated window sign

Staff Comments: **A variance of from code section 28-7(a)(9) would be required for an oversized illuminated window sign. 14.6 sq. ft. over allowable size for illuminated window sign**

5. OTHER:

Code requirement:

Proposed:

Staff Comments:

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or munderhill@cityofnovi.org.

Maureen Underhill, Code Compliance Officer

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

February 14, 2019

Engineering Review

Adell Center
JZ18-0024

Applicant

Orville Properties, LLC

Review Type

PRO revised Concept Plan

Property Characteristics

- Site Location: West of Novi Road, North of Crescent Drive
- Site Size: 22.48 acres
- Plan Date: 01/14/2019
- Design Engineer: Greentech Engineering, Inc.

Project Summary

- Construction of roads and utilities to serve multiple commercial developments on the site.
- Water service would be provided by two connections to the existing City water main south of the site at Crescent Boulevard, and west of the development for a looped system.
- Sanitary sewer service would be provided by the extension of the sanitary sewer from existing 15-inch sanitary sewer southwest of the site.
- Storm water would be collected by a single storm sewer collection system. The site is located within the drainage area for the C&O Regional detention basin. Restricted discharge via the Walled Lake Branch of the Middle Rouge is proposed with bankfull storage provided in a proposed underground detention system.

Recommendation

Approval of the PRO Concept and Storm Water Management Plan is recommended.

Comments:

The PRO Concept plan meets the general requirements of Chapter 11 of the Code of Ordinances, the Storm Water Management Ordinance and/or the Engineering Design Manual:

Additional Comments:

1. A right-of-way permit will be required from the City of Novi for work in the Crescent Boulevard and Expo Center Drive right-of-way.
2. Light pole locations are not consistent between sheets 10 and 12 in this plan set. Light pole locations should be shown consistently as in the approved roads and utilities site plan package.
3. A letter from either the applicant or the applicant's engineer must be submitted with the next submittal highlighting the changes made to the plans addressing each of the comments in this review.

Utilities

4. Revise storm sewer layout in the PRO Concept Plan to match approved storm sewer layout in the Roads and Utilities site plan package.
 - a. Show current, correct catch basin locations that are not in driveways.
 - b. Indicate storm water treatment unit at structure 26.

Paving & Grading & Floodplain

5. A City of Novi floodplain use permit is required for any proposed floodplain impact. An MDEQ floodplain use permit may also be required for discharge to the Middle Rouge. The applicant will need to confirm any required MDEQ permitting.
 - a. A City flood plain permit is required for the pedestrian bridge crossing the flood plain.
6. The secondary access road to the west is proposed with a temporary gravel surface within the limits of the Unit 2 lot. **A request for variance from Section 11-194(a)19 of the Design and Construction Standards can be requested for gravel surface for the secondary emergency access road.** This request may be supported for a short-term, temporary solution only. The developer may be responsible for paving of the access route depending on the timing of the build out of Unit 2.
7. Revise road cross section shown on sheet 10 to be consistent with details and cross section included in the Roads and Utilities site plan package.

Storm Water Management Plan

8. A Storm Drain Facility Maintenance Easement Agreement and access easement the outlet structures will be required for the underground detention units.

Off-Site Easements

9. Any required off-site easements must be executed prior to final approval of the plans. Drafts shall be submitted at the time of the Preliminary Site Plan submittal.

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

10. 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:

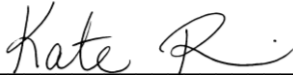
11. A letter from either the applicant or the applicant's engineer must be submitted with the Final Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.
12. An itemized construction cost estimate must be submitted 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).
13. Draft copies of any off-site utility easements, a recent title search, and legal escrow funds must be submitted to the Community Development Department for review and approved by the Engineering Division and the City Attorney prior to being executed.

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

14. 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. 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.
15. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.
16. Revisions to the master deed, as applicable.
17. Executed copies of reviewed and approved off-site easements, if applicable.

To the extent this review letter addresses items and requirements that require the approval of or a permit from an agency or entity other than the City, this review shall not be considered an indication or statement that such approvals or permits will be issued.

Please contact Kate Richardson at (248) 347-0586 with any questions.

A handwritten signature in cursive script that reads "Kate R." is positioned above a horizontal line.

Kate Richardson, EIT

cc: Sri Komaragiri, Community Development
Darcy Rechten, PE, Engineering
George Melistas, Engineering

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

February 20, 2019

PRO Concept Site Plan: First Amendment

Adell Center PRO

Review Type

First Amendment Rezoning Concept Plan Landscape Review

Job #

JZ18-0024

Property Characteristics:

- Site Location: Northwest of Novi Road/Crescent Drive.
- Site Zoning: Expo – Proposed rezoning to TC with PRO
- Adjacent Zoning: North: I-96, East: TC, South: TC/I-1, West: I-2
- Plan Date: January 24, 2019

Recommendation:

This revised concept plan, which covers the internal drive and I-96 frontage, is **not recommended for approval, due to issues with Unit 7 that were raised in the site plan for Texas Roadhouse, under separate cover. The deviations proposed with this plan related to Adell Drive and the I-96 frontage are supported by staff, but not the deviations that were revealed for Unit 7.**

As with the original PRO, no detailed unit plans are included with this PRO concept revision submittal. Therefore, it is assumed that all units' landscape plans will conform to the city ordinances. If any landscape deviations are requested, the applicant will need to request landscape waivers from the Planning Commission.

LANDSCAPE DEVIATIONS NOTED ON OVERALL PLAN:

1. Unit 4 has a parking bay with more than 15 contiguous spaces shown on the overall concept plan. *This deviation is not supported by staff.*
2. Lack of undulations on I-96 berm across entire frontage. *This deviation is supported by staff as there is insufficient space in the greenbelt to add the vertical or horizontal undulations*
3. Use of walls, fences and berms along Adell Drive instead of walls only. *This deviation is supported by staff.*
4. *The layout for Unit 7 on the PRO plan is conceptual in nature and includes no calculations or landscaping. The Texas Roadhouse (Unit 7) site plans submitted separately as part of its site plan approval process revealed a number of deviations in interior and parking lot perimeter landscaping that are driven by the unit's site and utility layout. Those deviations are avoidable and are not supported by staff*

Ordinance Considerations:

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below and on the accompanying Landscape Chart must be either granted deviations by City Council or be addressed and incorporated as part of the revised PRO concept plan. This review and the accompanying landscape chart are summaries and are not intended to substitute for any Ordinance.

Existing Soils (Preliminary Site Plan checklist #10, #17)

Provided

Existing and proposed overhead and underground utilities, including hydrants.(LDM 2.e.(4))

1. Provided.

2. Please add all proposed lighting fixtures to the landscape plans to help avoid conflicts.

Existing Trees (Sec 37 Woodland Protection, Preliminary Site Plan checklist #17 and LDM 2.3 (2))

1. A tree survey is provided.
2. It appears that all but two non-regulated trees, north of the stream, will be removed. Two trees within the regulated woodland are shown as being removed and will be replaced with nine trees.

Proposed topography. 2' contour minimum (LDM 2.e.(1))

1. Conceptual berms along Adell Drive are shown on the landscape plans.
2. A berm is also proposed along the I-96 frontage. **That berm should undulate in height, with a minimum height of 36"**. No berm is required for Unit 1, where the building fronts directly on the I-96 right-of-way or in front of the sign at the east end of the site.

Street Tree Requirements (Zoning Sec. 5.5.3.E.i.c and LDM 1.d.)

1. Street trees are not required along I-96, or in the TC district.
2. The area between the sidewalk and curb has been widened to 8 feet. Thank you.
3. 57 of the required greenbelt trees along Adell Drive are proposed as street trees. This is acceptable and appreciated.

Adjacent to Public Rights-of-Way – Berm (Wall) & Buffer (Zoning Sec. 5.5.3.B.ii and iii)

I-96.

1. The required 20 foot minimum greenbelt for areas adjacent to parking is provided along the entire I-96 frontage.
2. A 36" berm is proposed for all of the frontage except between the cul-de-sac and the I-96 right-of-way, where a wall is proposed
3. The required berm undulations aren't provided because there is insufficient room in the 20' required greenbelt for the undulations above the minimum height. *This deviation is supported by staff.*
4. **Please add a note stating that the cul-de-sac wall should be at least 36" high as measured from the cul-de-sac top of pavement to screen headlights from reaching I-96, and match the appearance of the existing walls at the corner of Crescent and Expo Center Drive.**

Adell Drive.

1. The PRO agreement stated that the entire Adell Drive frontage should have brick walls, not a mix of treatments.
2. A mix of berm, 2.5' tall brick wall and 2.5' brick pilasters and ornamental fencing, as requested in the Town Center Study, is provided along both sides of Adell Drive. **This arrangement of greenbelt treatments requires a landscape deviation.** *It would be supported by staff.*
3. The 18 foot greenbelt approved in the original PRO starts at the back edge of the sidewalk. The unit lines are drawn to the back of curb, not 1' behind the sidewalk as is typically the case.
4. 58 canopy trees are provided along Adell Drive. The remainder of the greenbelt landscaping requirements must be planted on the units' greenbelts.

Storm Basin Landscape (Zoning Sec 5.5.3.E.iv and LDM 1.d.(3))

As only underground storm water detention is proposed, no detention landscaping is required.

Plant List (LDM 2.h. and t.)

1. Plant lists for the I-96 and Adell Drive greenbelts, and the focus areas, are provided.
2. The species comply with the Landscape Design Manual.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5621 or rmeader@cityofnovi.org.

A handwritten signature in black ink, appearing to read "Rick Meader". The signature is written in a cursive, flowing style.

Rick Meader – Landscape Architect

LANDSCAPE REVIEW SUMMARY CHART – PRO Concept Plan

Review Date: January 23, 2019
Project Name: JZ18 – 0024: Adell Center PRO
Plan Date: January 14, 2019
Prepared by: Rick Meader, Landscape Architect E-mail: rmeader@cityofnovi.org;
 Phone: (248) 735-5621

NOTE: The comments below pertain to the overall development, including the I-96 frontage, the central drive (designated on the Plans as Adell Drive), the landscape focal areas and the open space only. Final reviews of each unit will be required when their landscape plans are provided (Designated on the Landscape Plan as Future Phases).

Items in **Bold** need to be addressed by the applicant, and/or the deviations need to be approved before the revised PRO plan can be approved.

DEVIATIONS FROM REQUIREMENTS NOTED:

- Unit 4 has a parking bay with more than 15 contiguous spaces shown on the overall concept plan. *This deviation is not supported by staff.*
- Lack of undulations on I-96 berm across entire frontage. *This deviation is supported by staff as there is insufficient space in the greenbelt to add the vertical or horizontal undulations*
- Use of walls, fences and berms along Adell Drive instead of walls only. This deviation is supported by staff.

LANDSCAPE INFORMATION NOT PROVIDED FOR ANY OF THE INDIVIDUAL UNITS IN THIS REVISED PRO CONCEPT PLAN:

- Parking lot landscaping calculations and plantings.
- Building foundation landscaping calculations and plantings.
- Loading zones and required screening for them.
- Utility box screening.

Since this information is not provided, and the applicant is requesting approval for revisions limited to unit property lines and Adell Drive entry locations, it is assumed that all individual units' landscaping will conform to the City Landscape Ordinance (Section 5.5) and the Landscape Design Manual. Any deviations from those ordinances will need to have landscape waivers granted by the Planning Commission in the review of those units' site plans.

Item	Required	Proposed	Meets Code	Comments
Landscape Plan Requirements (LDM (2))				
Landscape Plan (Zoning Sec 5.5.2, LDM 2.e.)	<ul style="list-style-type: none"> New commercial or residential developments Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less. 1"=20' minimum with proper North. Variations from this	Landscape plans: 1"=40' Focal areas: 1"=20'	Yes	

Item	Required	Proposed	Meets Code	Comments
	scale can be approved by LA <ul style="list-style-type: none"> ▪ Consistent with plans throughout set 			
Project Information <i>(LDM 2.d.)</i>	Name and Address	Yes	Yes	
Owner/Developer Contact Information <i>(LDM 2.a.)</i>	Name, address and telephone number of the owner and developer or association	Yes	Yes	
Landscape Architect contact information <i>(LDM 2.b.)</i>	Name, Address and telephone number of RLA	Yes	Yes	
Sealed by LA. <i>(LDM 2.g.)</i>	Requires original signature	Yes	Yes	<u>Need for Final Site Plans</u>
Miss Dig Note (800) 482-7171 <i>(LDM.3.a.(8))</i>	Show on all plan sheets	Yes	Yes	
Zoning <i>(LDM 2.f.)</i>	Include all adjacent zoning	<u>Parcel:</u> EXPO Rezone to TC w/PRO <u>North:</u> I-96 <u>East:</u> TC <u>South:</u> TC/I-1 <u>West:</u> I-2	Yes	
Survey information <i>(LDM 2.c.)</i>	<ul style="list-style-type: none"> ▪ Legal description or boundary line survey ▪ Existing topography 	Sheets 6-9	Yes	
Existing plant material Existing woodlands or wetlands <i>(LDM 2.e.(2))</i>	<ul style="list-style-type: none"> ▪ Show location type and size. Label to be saved or removed. ▪ Plan shall state if none exists. 	Sheets 17-18	Yes	See ECT review for detailed discussion of woodland replacement requirements.
Soil types <i>(LDM.2.r.)</i>	<ul style="list-style-type: none"> ▪ As determined by Soils survey of Oakland county ▪ Show types, boundaries 	Sheet 5	Yes	
Existing and proposed improvements <i>(LDM 2.e.(4))</i>	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Yes	Yes	
Existing and proposed utilities <i>(LDM 2.e.(4))</i>	<ul style="list-style-type: none"> • Overhead and underground utilities, including hydrants • Show all light posts on landscape plan 	<ul style="list-style-type: none"> • Proposed storm sewer, water and sanitary are provided. • Light fixtures along Adell Drive are shown on the 	Yes	

Item	Required	Proposed	Meets Code	Comments
		landscape plan.		
Proposed grading. 2' contour minimum (LDM 2.e.(1))	Provide proposed contours at 2' interval	<ul style="list-style-type: none"> Contours showing a 3' berm along parts of Adell Drive are provided. Contours showing a 3' berm along I-96 frontage are provided. No undulations in the I-96 berm are provided 	Yes	1. As the required greenbelt along I-96 is only 20 feet, there is insufficient room for both a minimum 3' height and undulations above that. 2. That deviation is supported by staff as the height is more important than the undulations, as the berm helps to screen headlights from I-96.
Snow deposit (LDM.2.q.)	Show snow deposit areas on plan	<ul style="list-style-type: none"> A note indicates that the snow will be deposited along the drive. A snow deposit area is also provided at the end of the cul-de-sac. 	Yes	
LANDSCAPING REQUIREMENTS				
Parking Area Landscape Requirements LDM 1.c. & Calculations (LDM 2.o.)				
General requirements (LDM 1.c)	<ul style="list-style-type: none"> Clear sight distance within parking islands No evergreen trees 	No landscaping shown yet	TBD	
Name, type and number of ground cover (LDM 1.c.(5))	As proposed on planting islands	Sod is indicated to cover the area between sidewalk and curb for Phase 1	Yes	
General (Zoning Sec 5.5.3.C.ii)				
Parking lot Islands (a, b. i)	<ul style="list-style-type: none"> A minimum of 200 SF to qualify A minimum of 200sf unpaved area per tree planted in an island 6" curbs Islands minimum width 10' BOC to BOC 	Conceptual parking lot islands are shown on overall plan, but individual lot plans were not provided to verify their sizes.		
Curbs and Parking stall reduction (c)	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7	Conceptual parking lot islands are shown on overall plan, but		

Item	Required	Proposed	Meets Code	Comments
	ft.	individual lot plans were not provided to verify their sizes.		
Contiguous space limit (i)	Maximum of 15 contiguous spaces	Unit 4 has one bay longer than 15 spaces long	No	1. The conceptual parking lot layout for Unit 4 would require a landscape waiver. 2. <i>That waiver request would not be supported by staff.</i>
Plantings around Fire Hydrant (d)	No plantings with matured height greater than 12' within 10 ft. of fire hydrants or utility structures, or 5' from underground utility lines.	Proper spacing is provided for most trees.	Yes	
Landscaped area (g)	Areas not dedicated to parking use or driveways exceeding 100 sq. ft. shall be landscaped	TBD on individual unit plans		
Clear Zones (LDM 2.3.(5))	25 ft corner clearance required. Refer to Zoning Section 5.5.9	Clear zones are provided for all entries to Adell Drive.		
Category 1: For OS-1, OS-2, OSC, OST, B-1, B-2, B-3, NCC, EXPO, FS, TC, TC-1, RC, Special Land Use or non-residential use in any R district (Zoning Sec 5.5.3.C.iii)				
A = Total square footage of vehicular use areas up to 50,000sf x 7.5%	<ul style="list-style-type: none"> • $A = x \text{ sf} * 7.5 \% = A \text{ sf}$ • $x * 7.5\% = A \text{ sf}$ 	TBD on individual unit plans		
B = Total square footage of additional paved vehicular use areas (not including A or B) over 50,000 SF) x 1 %	<ul style="list-style-type: none"> • $B = x \text{ sf} * 1\% = B \text{ sf}$ • $(xxx - 50000) * 1\% = B \text{ sf}$ 	TBD on individual unit plans		
Category 2: For: I-1 and I-2 (Zoning Sec 5.5.3.C.iii)				
A. = Total square footage of vehicular use area up to 50,000 sf x 5%	$A = x \text{ sf} * 5\% = A \text{ sf}$	NA		
B = Total square footage of additional paved vehicular use areas over 50,000 SF x 0.5%	$B = 0.5\% \times 0 \text{ sf} = B \text{ SF}$	NA		
All Categories				
C = A+B Total square footage of landscaped islands	$xxx + xxx = xx \text{ SF}$	TBD on individual unit plans		

Item	Required	Proposed	Meets Code	Comments
D = C/200 Number of canopy trees required	xx/200 = xx Trees	TBD on individual unit plans		
Perimeter Green space	1 Canopy tree per 35 lf	Deciduous canopy trees are shown on the I-96 berm and can be counted as parking lot perimeter trees for the units along that berm since they are within 15 feet of the parking lots along the berm.		
Parking land banked	NA	None		
Berms, Walls and ROW Planting Requirements				
Berms				
<ul style="list-style-type: none"> ▪ All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours ▪ Berm should be located on lot line except in conflict with utilities. ▪ Berms should be constructed with 6" of top soil. 				
Residential Adjacent to Non-residential (Sec 5.5.3.A) & (LDM 1.a)				
Berm requirements (Zoning Sec 5.5.A)	Site does not abut residential so no berm is required for this purpose.	None	Yes	
Planting requirements (LDM 1.a.)	LDM Novi Street Tree List	NA		
Adjacent to Public Rights-of-Way (Sec 5.5.B) and (LDM 1.b)				
Berm requirements (Zoning Sec 3.27.1.D and 5.5.3.B.(5), LDM 1.b)	<ul style="list-style-type: none"> ▪ Surface parking lots within the TC-1 district need to be screened from the right-of-way line by either: <ul style="list-style-type: none"> ○ a 2.5' ornamental brick wall OR ○ semi-transparent screening such as a brick pilaster with metal decorative fence, OR ○ a landscaped berm. ▪ In addition, the Landscape Design Manual 1.b (2)(c) requires that sites adjacent to freeways achieve substantial aesthetic 	<ul style="list-style-type: none"> ▪ A 36" berm with a mix of canopy and subcanopy trees is proposed along I-96. ▪ A 2.5' masonry wall and pier and fence to match the Crescent Boulevard fence/wall is proposed along most of Adell Boulevard. ▪ A berm is proposed for areas along Adell where a wall or fence is not proposed. Landscaping on 	No, per original PRO agreement	<ol style="list-style-type: none"> 1. The PRO agreement calls for just brick walls along Adell Drive. 2. Either request a deviation to provide a mix of walls, fences and berms as shown, or convert the berms and fences to brick walls on the plan. <i>This would be supported by staff.</i> 3. Please show the walls on the Site Plan as well as on the Landscape Plan.

Item	Required	Proposed	Meets Code	Comments
	enhancement and diminution of paving and parking views along these corridors.	the berms is shown as being installed by the individual unit owners. <ul style="list-style-type: none"> ▪ A wall is proposed north of the cul-de-sac to block headlights from Adell Drive which would shine on I-96. 		
Cross-Section of Berms (LDM 2.j)				
Slope, height and width	<ul style="list-style-type: none"> ▪ Label contour lines ▪ Maximum 33% ▪ Min. 3 feet flat horizontal area ▪ Minimum 3 feet high ▪ Constructed of loam with 6' top layer of topsoil. 	Detail for Adell Drive berms and I-96 berm is provided.	Yes/No	Please revise the cross section detail to show that the entire berm is to be built of loam, with a 6" deep top layer of topsoil.
Type of Ground Cover		NA		
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	A note indicates that there are no overhead utility lines on the site.		
Walls (LDM 2.k & Zoning Sec 5.5.3.vi)				
Material, height and type of construction footing	Freestanding walls should have brick or stone exterior with masonry or concrete interior	<ul style="list-style-type: none"> • A standard wall detail is provided on L-4. • Notes indicate that the walls are to match the existing walls at Crescent and Expo Center Drive. 	Yes	
Walls greater than 3 ½ ft. should be designed and sealed by an Engineer		No details provided	TBD	If walls taller than 3.5' are proposed, detailed construction drawings will need to be reviewed for building permits.
ROW Landscape Screening Requirements (Sec 5.5.3.B. ii) – USE TC Requirements				
Greenbelt width (2)(3) (5)	Adjacent to Pkg: 20 ft. Not adjacent to Pkg: 0 ft	<ul style="list-style-type: none"> ▪ 20 ft along I-96 border ▪ 18 ft from back of 	Yes	The PRO agreement provides for both of these greenbelt depths.

Item	Required	Proposed	Meets Code	Comments
		sidewalk along Adell Drive		
Min. berm crest width	3 ft along I-96		Yes	
Minimum berm ht (9)	3 ft along I-96	Berm is proposed along I-96 but it has no undulations.	No	As there is no room in the required 20' greenbelt to have a berm with 3' height, crest and undulations above 3', the consistently 3' tall berm is a landscape deviation that is supported by staff.
3' wall	(4)(7)	Sign walls		
Canopy deciduous or large evergreen trees Notes (1) (10)	<ul style="list-style-type: none"> ▪ Parking: 1 tree per 25 lf ▪ Not adj to Pkg: 1 per 30 ft <p><u>I-96:</u> Adj to pkg: 770 lf/25 = 31 trees Not adj to pkg: 682 lf/30 = 23 trees Total: 54 trees</p> <p><u>Adell Drive:</u> Adj to pkg: 1546 lf/25 = 62 trees Not adj to pkg: 702 lf/30 = 23 trees Total: 85 trees</p> <ul style="list-style-type: none"> • In the TC district, either the large tree or subcanopy tree requirement must be met but not both. 	<p><u>I-96:</u> 41 canopy trees</p> <p><u>Adell Dr:</u> 58 trees along street</p>	In total, both roads' trees exceed the requirements.	
Sub-canopy deciduous trees Notes (2)(10)	<p><u>I-96:</u> Adj to pkg: 770 lf/15 = 51 trees Not adj to pkg: 682 lf/20 = 34 trees Total: 85 trees</p> <p><u>Adell Drive:</u> Adj to pkg: 1546 lf/15 = 103 trees Not adj to pkg: 702 lf/20 = 35 trees Total: 138 trees</p>	<p><u>I-96:</u> 25 subcanopy trees</p> <p><u>Adell Dr:</u> 0 subcanopy trees</p>	See above	
Canopy deciduous trees in area between sidewalk and curb	In the TC district, street trees are not required.	58 greenbelt trees are located along Adell Drive as street	Yes	The street trees may be deducted from the total greenbelt landscaping

Item	Required	Proposed	Meets Code	Comments
<i>(Novi Street Tree List) (Zoning Sec 6.3 Site Condominiums, LDM2.)</i>		trees.		requirements for each unit as street trees are not required within the TC district.
Non-Residential Zoning Sec 5.5.3.E.iii & LDM 1.d (2)				
Refer to Planting in ROW, building foundation landscape, parking lot landscaping and LDM				
Screening of outdoor storage, loading/unloading <i>(Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)</i>		TBD on individual unit plans		
Transformers/Utility boxes <i>(LDM 1.e from 1 through 5)</i>	<ul style="list-style-type: none"> ▪ A minimum of 2ft. separation between box and the plants ▪ Ground cover below 4" is allowed up to pad. ▪ No plant materials within 8 ft. from the doors 	TBD on individual unit plans		
Building Foundation Landscape Requirements (Sec 5.5.3.D)				
Interior site landscaping SF	<ul style="list-style-type: none"> ▪ Equals to entire perimeter of the building x 8 with a minimum width of 4 ft. ▪ At least 75% of building should be landscaped – ideally all but paved points of entry will be landscaped. ▪ Patios are to be landscaped. 	TBD on individual unit plans		
<i>Zoning Sec 5.5.3.D.ii. All items from (b) to (e)</i>	If visible from public street a minimum of 60% of the exterior building perimeter facing Adell Drive and/or I-96 should be covered in green space.	TBD on individual unit plans		
Detention/Retention Basin Requirements (Sec. 5.5.3.E.iv)				
Planting requirements <i>(Sec. 5.5.3.E.iv)</i>	<ul style="list-style-type: none"> ▪ Clusters of large native shrubs shall cover 70-75% of the basin rim area ▪ 10" to 14" tall grass along sides of basin ▪ Refer to wetland for basin mix 	None – only underground detention is proposed.		
Phragmites Control	▪ Any and all	▪ Notes have been	Yes	

Item	Required	Proposed	Meets Code	Comments
(Sec 5.5.6.C)	<p>populations of Phragmites australis on site shall be included on tree survey.</p> <ul style="list-style-type: none"> ▪ Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site. 	<p>provided indicating areas of Phragmites.</p> <ul style="list-style-type: none"> ▪ A plan for the complete removal of Phragmites from the site is provided. 		
LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS				
Landscape Notes – Utilize City of Novi Standard Notes				
Installation date <i>(LDM 2.l. & Zoning Sec 5.5.5.B)</i>	Provide intended date	Between Mar 15 and Nov 15, 2019	Yes	
Maintenance & Statement of intent <i>(LDM 2.m & Zoning Sec 5.5.6)</i>	<ul style="list-style-type: none"> ▪ Include statement of intent to install and guarantee all materials for 2 years. ▪ Include a minimum one cultivation in June, July and August for the 2-year warranty period. 	Yes	Yes	
Plant source <i>(LDM 2.n & LDM 3.a.(2))</i>	Shall be northern nursery grown, No.1 grade.	Yes	Yes	
Irrigation plan <i>(LDM 2.s.)</i>	A fully automatic irrigation system or a method of providing sufficient water for plant establishment and survival is required on Final Site Plans.	An irrigation system plan utilizing the water tower as the source of water for the I-96 berm plantings, the Adell Drive street trees and the sitting/ focal areas is provided in the Roads & Utilities plans.	Yes	
Other information <i>(LDM 2.u)</i>	Required by Planning Commission	NA		<ol style="list-style-type: none"> 1. Sheet 4 shows the path in the open space as woodchips but Sheet 10 shows it as crushed limestone. 2. Please clarify the path material in the open space south of the stream – will it be woodchips or crushed limestone?
Establishment period	2 yr. Guarantee	Yes	Yes	

Item	Required	Proposed	Meets Code	Comments
<i>(Zoning Sec 5.5.6.B)</i>				
Approval of substitutions. <i>(Zoning Sec 5.5.5.E)</i>	City must approve any substitutions in writing prior to installation.	Yes	Yes	
Plant List (LDM 2.h.) – Include all cost estimates				
Quantities and sizes	Refer to LDM suggested plant list as well as requirements for planting diversity and prohibited species.	Provided		
Root type		Provided		
Botanical and common names		Provided		
Type and amount of lawn		Provided		
Cost estimate <i>(LDM 2.t)</i>	For all new plantings, mulch and sod as listed on the plan	Provided		
Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes	Yes	
Evergreen Tree		Yes	Yes	
Multi-stem Tree		Yes	Yes	
Shrub		Yes	Yes	
Perennial/ Ground Cover		Yes	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		Yes	Yes	
Tree protection fencing	Located at Critical Root Zone (1' outside of dripline)	No tree removals aside from invasives are proposed south of the stream. No protective tree fencing is shown.	No	Please show tree fencing line on Demolition Plans drawn outside of dripline of protected trees north of streams on Demolition/ Grading Plans.
Other Plant Material Requirements (LDM 3)				
General Conditions <i>(LDM 3.a)</i>	Plant materials shall not be planted within 4 ft. of property line	Yes	Yes	
Plant Materials & Existing Plant Material <i>(LDM 3.b)</i>	Clearly show trees to be removed and trees to be saved.	Sheets 10 and 11	Yes	
Landscape tree credit <i>(LDM3.b.(d))</i>	Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA. Refer to Landscape tree Credit Chart in LDM	Credit for 2 trees being preserved north of stream is being taken.		If ECT determines that the trees being saved are in fact within the regulated woodland, then the credits can't be taken. Please see their review.

Item	Required	Proposed	Meets Code	Comments
Plant Sizes for ROW, Woodland replacement and others (LDM 3.c)	2.5" canopy trees 6' evergreen trees			
Plant size credit (LDM3.c.(2))	NA	No		
Prohibited Plants (LDM 3.d)	No plants on City Invasive Species List	None are proposed on PRO plant lists.	Yes	
Recommended trees for planting under overhead utilities (LDM 3.e)	Label the distance from the overhead utilities	A note indicating that there are no overhead lines on the site has been provided.	Yes	
Collected or Transplanted trees (LDM 3.f)		No		
Nonliving Durable Material: Mulch (LDM 4)	<ul style="list-style-type: none"> ▪ Trees shall be mulched to 3" depth and shrubs, groundcovers to 2" depth ▪ Specify natural color, finely shredded hardwood bark mulch. Include in cost estimate. ▪ Refer to section for additional information 	In details		

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. For the landscape requirements, please see the Zoning Ordinance landscape section 5.5 and the Landscape Design Manual for the appropriate items under the applicable zoning classification.
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

TRAFFIC REVIEW



AECOM
27777 Franklin Road
Southfield
MI, 48034
USA
aecom.com

Project name:
JSP18-0027 – Adell Center Revised PRO
Concept Traffic Review

From:
AECOM

Date:
February 21, 2019

To:
Barbara McBeth, AICP
City of Novi
45175 10 Mile Road
Novi, Michigan 48375

CC:
Sri Komaragiri, Lindsay Bell, George Melistas, Darcy
Rechtiem, Hannah Smith, Kate Richardson

Memo

Subject: JSP18-0027 Adell Center Revised PRO Concept Traffic Review

The revised PRO concept site plan was reviewed to the level of detail provided and AECOM **recommends approval** for the applicant to move forward with the condition that the comments provided below are adequately addressed to the satisfaction of the City.

GENERAL COMMENTS

1. The applicant, Orville Properties, LLC, is proposing a multi-use development located on the west side of Novi Road, south of I-96, with one point of access to Crescent Blvd. The applicant is proposing nine (9) individual units within the project:
 - a. IFLY indoor skydiving
 - b. Planet Fitness
 - c. Fairfield hotel
 - d. Park
 - e. Home 2 Suites
 - f. To be determined
 - g. Texas Roadhouse
 - h. Carvana
 - i. Water Tower
2. Crescent Blvd is under the jurisdiction of the City of Novi.
3. The parcel is currently zoned EXPO, and the applicant is proposing to rezone to TC (Town Center District) with a Planned Rezoning Overlay (PRO).
4. Additional traffic review comments on the proposed Adell Center Drive and sidewalk were discussed in the “Roads and Utilities” submittal under a separate cover letter.
5. Summary of traffic-related waivers/variances:
 - a. At the time of the revised PRO concept site plan, the applicant is requesting the following traffic-related waivers or variances. Notes (*in italics*) following each proposed deviation include AECOM’s agreement or disagreement with the deviation.
 - i. Deviation 1. Planning Deviation for construction of a dumpster enclosure within the interior side yard, allowing it to be constructed away from the EB I-96 on-ramp for Unit 7. *AECOM would support this deviation provided that normal operations does not impede traffic.*
 - ii. Deviation 2. Planning Deviation for Parking, Loading, Signs, Landscaping, etc. to reduce the size of the loading area for Unit 7.

This deviation refers to section 3.27.1 of the City of Novi code of ordinances.

- iii. Deviation 3. Planning Deviation (Section 3.27.1) for Parking, Loading, Signs, Landscaping, etc. to reduce the size of the proposed loading areas for Unit 7 from 847' to 521'. Per the applicant, deliveries occur only outside of business hours for the restaurant. *AECOM would support the deviation to reduce the loading zone sizes for the proposed facility due to off-peak hour deliveries, provided that the applicant is able to show the placement of the loading zone in front of the trash receptacle will not cause conflicts between deliveries, trash collection, and the Carvana access easement.*

TRAFFIC IMPACTS

1. The applicant provided a trip generation analysis, prepared by Bergmann, which outlines the anticipated number of daily, AM peak and PM peak trips that each of the various land uses may be expected to generate. AECOM reviewed the trips generation estimates and accepts the calculations as provided.
2. The number of new trips expected to be generated by the entire development are shown in the following table. It should be noted that these values reflect the uses from the original submittal. **The applicant should provide revised trip generation information as changes to users are proposed.**

Trip Generation Summary				
	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
AM Peak-Hour Trips	188	102	100	Yes
PM Peak-Hour Trips	334	186	100	Yes
Daily (One-Directional) Trips	3,988	N/A	750	Yes

- a. The development trip generation estimates exceed the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour. The applicant has been granted a variance for the completion of a traffic impact study because the development will be included in the region-wide TIS that is underway by AECOM. Reference item 4.a.vi under General Comments for further potential conditions related to a traffic impact study and/or mitigation measures that may be required. The applicant should provide revised trip generation information as changes to users are proposed.
- b. Additionally, AECOM performed a preliminary analysis to assess roadway capacity impacts of the proposed Adell Center development. The initial results of that analysis indicate that the intersection of Novi Road and Crescent Boulevard is expected to be able to accommodate the additional traffic during the AM and PM peak periods. The intersection of Novi Road and Grand River operates under existing congested conditions and may worsen with the added traffic demand of the development, specifically the eastbound and southbound left turn movements.

EXTERNAL SITE ACCESS AND OPERATIONS

The following comments relate to the external interface between the proposed development and the surrounding roadway(s). It should be noted that each commercial driveway interface with Adell Center Drive is also considered an external access point for purposes of this review letter.

1. The applicant has proposed the site roadway to be a private street with a width of 36 feet B/B. and a 70 foot access easement.
2. The applicant has indicated a length of 1,540 feet for Adell Center Drive. Section 11-194(a)(7) indicates a maximum cul-de-sac street length of 800 feet for all developments except for R-A zoned properties. The applicant is seeking a City Council variance for exceeding the maximum street length.
 - a. Additionally, Section 11-194(a)(7) states a required outside pavement radius of 54 feet for the cul-de-sac. The developer is proposing back-of-curb radius of 58 feet.
3. The applicant has proposed a secondary point of access to the site at the water tower with a gate per the Fire Department.
4. The applicant has indicated a 25 MPH proposed speed along Adell Center Drive.
5. The applicant provided a clear vision area for all drive approaches to Adell Center Drive in accordance with Section 216(b). It should be noted that the **landscape plan sheet L-1 does not reflect the site plan modifications as part of the roads and utilities submittal, and should be updated accordingly.**
6. The applicant is encouraged to provide a joint drive approach system throughout the development. If each parcel within the development will be independently owned, the applicant may be required to execute ingress/egress easements, as applicable.
7. The applicant shall indicate same side driveway spacing for commercial driveways proposed along Adell Center Drive. Commercial drive approaches must be spaced according to the minimum requirements indicated in Section 11-216(d)(1)d for a speed limit of 25 MPH, thereby indicating a required driveway spacing of 105 feet. **As discussed in the preliminary/final site plan review letter previously submitted for Unit 7, the driveway spacing for Units 6 and 7 appears to be very close to the minimum requirement. The applicant should dimension the distance according to the ordinance and seek a deviation if necessary.**
8. The applicant should review the driveway placement with relation to the sharp horizontal curves along Adell Center Drive and consider alternative placement for purposes of creating safe and effective traffic operations throughout the development.
 - a. The driveway completely on the Unit 6 parcel could be of concern. The applicant should consider restricting the usage of this driveway to emergency operations only.
9. The applicant should review Section 216(d)(1)a-c to review driveway spacing and number of driveways provided per parcel. Should the proposed drive approach system not comply with the guidance in the ordinance, the applicant may be requested/required to provide justification and/or apply for deviations.
10. The driveway approach designs will be reviewed as part of each unit's individual site plan review.
11. Pedestrian connections are proposed between Units 2 and 8, Units 4 and 7, and Units 5 and 7.

INTERNAL SITE OPERATIONS

The following comments relate to the on-site design and traffic flow operations.

General Traffic Flow

1. Circulation plans shown on sheet 11 indicate that truck access at the proposed driveway locations may require trucks to cross the roadway centerline in order to adequately complete turns to/from driveways at select locations. The three-lane cross section that is recommended would allow a larger "buffer area" to accommodate the trucks' large turning radius without interfering with oncoming traffic.
2. The applicant has provided turning radii and aisle widths throughout the entire development to confirm that (a) passenger vehicle operations can be accommodated and (b) fire and emergency vehicle operations can be accommodated.
3. The applicant has proposed five (5) trash receptacle locations throughout the development.
 - a. The applicant has a deviation to show the location of receptacles on individual site plans and not on the PRO. The applicant should be aware that locations shown on the individual site plans are subject to the deviations approved on the PRO.
 - b. The applicant should review the locations of the trash receptacles and make note that they are positioned in locations that block parking spaces and may disrupt the flow of traffic during times of trash collections, which deviates from the Zoning Ordinance requirements listed in Section 5.4.4. If alternative locations that

reduce the impact to parking spaces or traffic flow are available, it is recommended that they be relocated. If alternative locations are not available, a deviation may be required.

Parking Facilities

1. The applicant should reference the Planning review letter for information on parking quantity requirements. It should be noted that parking calculations were not provided with the revised PRO concept submittal.
2. The applicant has not provided a shared parking study at the time of the revised PRO concept submittal; however, based on the results of deviation approvals and other City requirements regarding parking counts, landscape island requirements every 15 spaces, bicycle parking, loading zones, trash receptacles, a shared parking study may be beneficial, if the proposed sites are not expected to have overlapping parking needs throughout the day.
3. Bicycle parking throughout the development will be reviewed under submittal for each unit.

Sidewalk Requirements

1. The applicant is proposing sidewalk along both sides of Adell Center Drive.
2. The location of the sidewalk along Adell Center Drive is proposed to be located such that the outside edge is 15 feet from the back of curb, which meets City standards.
3. The applicant is proposing a sidewalk width of six (6) feet along Adell Center Drive which is in accordance with the City's Master Plan for Bicycle and Pedestrian Paths.
4. Sidewalk requirements were reviewed under the road and utilities submittal under a separate cover letter.

SIGNING AND STRIPING

1. All on-site signing and pavement markings shall be in compliance with the Michigan Manual on Uniform Traffic Control Devices (MMUTCD). The following is a discussion of the proposed signing and striping.
 - a. Signing and pavement markings were reviewed under the roads and utilities submittal under a separate cover letter. It should be noted that the signing shown on sheet 11 **does not reflect the site plan modifications as part of the roads and utilities submittal, and should be updated accordingly**

Should the City or applicant have questions regarding this review, they should contact AECOM for further clarification.

Sincerely,

AECOM



Josh A. Bocks, AICP, MBA
Senior Transportation Planner/Project Manager



Patricia Thompson, EIT
Traffic Engineer

FAÇADE REVIEW



February 20, 2019

Façade Review Status Summary:
Approved, Contingent Section 9 Waiver Recommended

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

Re: **FACADE ORDINANCE REVIEW Adell Center PRO, First Amendment**
JSP19-24
 Façade Region: 1, Zoning District: EXPO

Dear Ms. McBeth;

The following is the Façade Review for the above referenced project based on the drawings prepared by BDG Architects, submitted on 1/4/19. The percentages of materials proposed for each façade are as shown on the table below. The maximum and minimum percentages required by Ordinance Section 5.15 are shown in the right hand column. Materials that are in noncompliance with the Ordinance, if any, are identified in bold. The sample board as required by Section 5.15.3.D was not provided at the time of this review.

	East (Front)	South	North (I-96 ramp)	West	Ordinance Maximum (Minimum)
Brick	35%	30%	45%	44%	100% (30% Minimum)
Limestone	15%	20%	12%	18%	50%
Combined Brick and Stone	50%	50%	57%	62%	50% (Sec. 3.27.G)
Patterned Siding	9%	17%	11%	9%	25%
Standing Seam Metal Roof	35%	25%	10%	29%	25%
Split Faced CMU	6%	8%	22%	0%	10%

The proposed design has several deviations from the Façade Ordinance Section 5.15 as follows; the east and west facades has an overage of Standing Seam Metal, the north façade has an overage of Split Faced CMU. The south facade has less than 50% combined Brick and Stone and is therefore in non-compliance with the Town Center Ordinance Section 3.27.G, which required that “exterior building facades shall be primarily of brick and stone.”

In this case we believe that the Standing Seam Metal roof enhances the overall design, harmonizes well with the other façade materials and is consistent with the intent and purpose of the Ordinance. The overage of Split Faces CMU on the north (I-96 ramp exposure) can be readily corrected by using Brick and/or Stone in lieu of Split Faced CMU on the dumpster enclosure portion of the façade. The sample board provided indicates carefully coordinated colors that are consistent with Ordinance.

Recommendation – A Section 9 Waiver is recommended for the overage of Standing Seam Metal, contingent upon the percentage of Split Faced CMU on the north (I-96 Exposure) façade being reduced to below 10% by substituting Brick or Stone on the dumpster enclosure portion of the façade. Please note that the north elevation appear to me mislabeled as the west elevation on sheets A-1 and A-2.

Notes to the Applicant:

1. It should be noted that all roof top equipment must be concealed from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance.
2. It should be noted that all proposed signs are not regulated by the Façade Ordinance and must comply with the City’s Sign Ordinance.
4. Inspections – The Façade Ordinance requires inspection(s) for all projects. Materials displayed on the approved sample board (in this case the adjacent existing material) will be compared to materials to be installed. It is the applicant’s responsibility to request the inspection of each façade material at the appropriate time. Inspections may be requested using the Novi Building Department’s Online Inspection Portal with the following link. Please click on “Click here to Request an Inspection” under “Contractors”, then click “Façade”. <http://www.cityofnovi.org/Services/CommDev/OnlineInspectionPortal.asp>.

If you have any questions regarding this review, please do not hesitate to call.

Sincerely,
DRN & Architects PC



Douglas R. Necci, AIA

FIRE REVIEW



January 14, 2019

TO: Barbara McBeth- City Planner
Sri Ravali Komaragiri- Plan Review Center
Lindsay Bell-Plan Review Center
Hannah Smith-Planning Assistant

CITY COUNCIL

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Assistant Chief of Police

Scott R. Baetens

RE: **Adell Center** (Old Expo Property), **43700 Expo Center Drive**

JZ # 18-0024

JSP# 18-27

PSP# 18-0065

PSP# 18-0111

PSP# 19-0005

Project Description:

Large commercial entertainment development, multi-use, and multi-buildings. Demolishing existing open vacant parking lot and re-development with 8 new commercial buildings. Redevelopment of main access driveway into new complex.

Comments:

- 1. CORRECTED 1-14-19 KSP-Site plan shall provide more than one point of external access to the site. A boulevard entranceway shall not be considered as providing multiple points of access. Multiple access points shall be as remote from one another as is feasible. The requirement for secondary access may be satisfied by access through adjacent property where an easement for such access is provided. Secondary access drive MUST be added to the site plans for review. IFC 503.1.2. Access lane MUST be at least 20' wide.**
- 2. CORRECTED 1-14-19 KSP- MUST provide a secondary access point to the parking lot for Unit 5.**
- 3. The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet. (*Fire Prevention Ord.*)**
- 4. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire apparatus access drives to and from buildings through parking lots shall have a minimum fifty (50) feet outside turning radius and designed to support a minimum of thirty-five (35) tons. (D.C.S. Sec 11-239(b)(5)) - Plans show turning radii measured at 44', this will need to be re-designed for 50' outside and 30' inside turning. Unit 7, Unit 5, on plan 4, in parking lot in front of unit 4 and on the south side of Unit 3,**

Novi Public Safety Administration
45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

Secondary access road near water tower. MUST have 50' outside turning radius and 30' inside turning radius.

5. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire access road MUST not exceed 150' in length. If the access road is longer than 150' you MUST provide some type of turn around. By Unit 5 on the east side of building.
6. CORRECTED 1-14-19 KSP-The distribution system in all developments requiring more than eight hundred (800) feet of water main shall have a minimum of two (2) connections to a source of supply and shall be a looped system. (D.C.S. Sec. 11-68(a))
7. CORRECTED 1-14-19 KSP-For interior fire protection systems a separate fire protection line shall be provided in addition to a domestic service for each building. Individual shutoff valves for interior fire protection shall be by post indicator valve (P.I.V.) or by valve in well and shall be provided within a public water main easement. (D.C.S. Sec.11-68(a)(9))
8. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Hydrants shall be installed in a manner to be in compliance with the City of Novi "Design and Construction Standards", Chapter 11 of the Code of Ordinances. Hydrant spacing is 300' from fire hydrant to fire hydrant. Not as the crow flies. 11-68(F)(1)c. MUST put fire hydrant location on pg13 or put buildings with parking lot plans on the Utility plans for review.
9. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire hydrants location per the International Fire Code 2012 (IFC), you MUST have a fire hydrant within 600' from ALL portions of the exterior of the ground floor of the structure. (Not as the crow flies). IFC 507.5.1.
10. Hydrant outlets shall be eighteen (18) inches above final grade, measured from final grade to bottom of outlet. (D.C.S. Sec. 11-68 (f)(1)c.4)
11. No parking shall be allowed within fifteen (15) feet of a hydrant. (D.C.S. Sec. 11-68 (f)(1)c.4)
12. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Additional hydrants may be required, depending on the specific hazard or use, to protect the structure. (D.C.S. Sec. 11-68 (f)(1)c.6)
13. All hydrants shall have two 2-1/2 inch male outlets and one 4-1/2 inch male steamer connection. Threads shall be National Standard. (D.C.S. Sec. 11-68 (f)(2))

14. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19- Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the code official. (International Fire Code)
15. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19- Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other object for a minimum of 3 feet (914 mm). (International Fire Code)
16. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19- Proximity to hydrant: In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant. (Fire Prevention Ord. Sec. 15-17)
17. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19- Maximum Building heights will need to be addresses, as the Novi Fire Department has only 1 - 100' aerial apparatus, and is limited to approx.. 55' height Emergency Access. Proposed buildings in access of 55' may need to conform to the 2015 International Building Code standards for High-Rise (Type I or Type II) construction.

GENERAL:

To facilitate fire protection during site preparation and construction of buildings, the following are required:

18. Water mains and fire hydrants shall be installed prior to construction above the foundation. Note this on all plans.
19. The building address is to be posted facing the street throughout construction. The address is to be at least 3 inches high on a contrasting background. Note this on all plans.
20. Street names on suitable poles shall be established and installed prior to construction above the foundation. Note this on all plans.
21. Prior to construction above the foundation of non-residential buildings, an all-weather access road capable of supporting 35 tons shall be provided. Note this on all plans.
22. Free access (unobstructed) from the street to fire hydrants and to outside connections for standpipes, sprinklers or other fire suppression equipment, whether permanent or temporary, shall be provided and maintained at all times.

23. Fire prevention practice during construction shall be in accordance with the adopted Building Code and Fire Prevention Code
24. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-The installation of security gates across a fire apparatus access road shall be approved by the fire marshal. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200
25. CORRECTED 1-14-19 KSP-Correct the scale on plan A1.2 (1/16" = 1').
26. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19- **MUST** provide the height clearance dimensions on plans A-202. **MUST** have 14' of clearance.
27. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-On plan A-101, is there storage in the stairwell?

Recommendation:

APPROVAL

Sincerely,

A handwritten signature in black ink, appearing to read 'KSP', with a horizontal line extending to the right.

Kevin S. Pierce-Fire Marshal
City of Novi – Fire Dept.

cc: file

APPLICANTS RESPONSE LETTER

March 4, 2019

Ms. Sri Ravali Komaragiri
City Planner
City of Novi – Planning Department
47175 10 Mile Road
Novi, MI 48375

Subject: **Adell Center Rezoning, EXP, Exposition District to TC, Town Center District with a Planned Rezoning Overlay (PRO)**
43700 Expo Center Drive, Novi
Parcel ID: 22-15-476-045

Dear Ms. Komaragiri:

Please find the herein our response to review dated on February 20th, 2019 and our discussions last week. relating to the above referenced project:

Planning Review Comments:

1. There are no proposed improvements for Units 4 and 6 and any timeline associated therein, to delay the proposed amendment for potential changes that could occur months down the road would compromise the current projects. This amendment is submitted for moving lot lines, adjusting site layouts, and signage requests in order to accommodate the specific users. These adjustments have been made with a considerable amount of communication and coordination with The City of Novi. An additional amendment will be required for Unit 6, at that time when it is further developed.
2. A safety plan indicating the maximum occupancy for the Texas Road House. That maximum occupancy was used on the updated Texas Road House site plan parking calculation. Specifically, the max occupancy is 345, spaces required $345/2 = 172.5$, request 5% reduction to 164 spaces. The 5% reduction is suitable due to the pedestrian interconnectivity of the Adell Center and proximity to (2) large hotels and entertainment.
3. Trip generation previously submitted and approved included all the uses that are proposed in this amendment request. When it is determined what the use for Unit 6 will be, an additional PRO amendment will be required and an updated trip generation report provided at that time. The proposed changes for this PRO amendment will not exceed what was previously submitted.
4. The parking lot layout for Unit 1 has been updated as requested.
5. The use for Unit 6 will be restaurant or retail.
6. Attached is a letter specific to the requested conditions and additional deviations for the amendment that incorporates the recommendations of the review.
7. Noted.
8. The liber and page will be provided on future submittals.

9. There are no anticipated changes to onsite/offsite easements. The current site layout as shown was utilized in the creation of the drawings for Roads and Utilities and the Master Deed.
10. Additional responses to the comments in the Planning Review Chart are provided, see below.
11. Noted. See response to comment 1.

Major Conditions of Planned Rezoning Overlay Agreement:

- Attached is a letter specific to the requested conditions and additional deviations for the amendment that incorporates the recommendations of the review.

Ordinance Deviations:

1. The sample board has been provided and façade. We understand that the deviation is supported.
2. The loading zone area has been increased from 451 to 786 sf. A truck turning plan has been provided indicating that a 40' long box truck can easily maneuver into the area. In addition, the loading will occur during the periods that Texas Road House is closed to customers and will be coordinated with the removal of trash.
3. Bicycle parking has been split into two areas within 120' of the entrance, as indicated on the updated Texas Road House site plan.
4. Due to the nature of the property being fronted on I-96 as well as Adell Center Drive on two sides, the interior side yard (remaining side) is the location the loading zone area is located at for esthetic and operational purposes. A truck turning plan has been provided indicating that a 40' long box truck can easily maneuver into the area. In addition, the loading will occur during the periods that Texas Road House is closed and there is not any scheduled removal of trash.
5. A "Unit 6 & 7 Driveway Separation" exhibit has been provided for reference to clearly indicate that there is 115' of separation for drives in a 15 mph zone. We are not proposing an entrance at unit 6 (has been removed), but have still provided the exhibit for clarification.
6. Will comply with interior parking lot tree requirements. The island sizes have increased per the updated Texas Road House site plan.
7. See updated PRO Plan that indicates the wall and ornate fence combination as discussed and supported The City of Novi.
8. Unit 4 parking spaces adjusted to have a maximum of 15 spaces contiguously.
9. Noted.
10. Updated PRO Plan indicates the locations of the Transformers for Units 1, 2, 3, and 7. Planning deviation is being requested to allow the transformer to be constructed in the interior side yard away from the EB I-96 on-ramp and/or along adjacent interior shared access. This deviation request is for Units 1, 2, 3, and 7.
11. GreenTech will coordinate the individual units site lighting and along Adell Center Drive in order to provide a comprehensive lighting plan for the facility with the intention to reduce light trespass and pollution.
12. Sign application provided for Texas Road House with supporting documentation as requested.

Applicants Burden Under PRO Ordinance / Public Interest / Benefits to Public Under PRO Ordinance:

- The proposed amended changes are consistent with the previously approved Adell Center PRO agreement. The additional proposed amendments are a product of increased detail of the design that has developed during the project. The lot lines, site layouts, and signage have been updated to accommodate the specific users. The site is also fronted by 1-96 which adds an atypical set of circumstances for the intent of the ordinances.
- The proposed amendment is not changing the public benefits that were previously approved in the Adell Center PRO agreement.

Planning Review Chart: (addressing applicable comments in bold)

- Noted, amendment is needed for plan to conform to code.
 - Noted, use of Unit 4 is a condition of the PRO agreement.
 - The use for Unit 6 will be restaurant or retail. There will need to be an amendment in the future when planning for Unit 6 is further developed.
 - Noted, use of Unit 9 is a condition of the PRO agreement.
 - Noted, required open space is centralized south of Rouge River and in pocket parks as indicated on the open space plan and is a condition of the PRO agreement.
 - Lot coverage updated on the PRO Plan.
 - Building height for Home2 Suites is not known at this time, height will not exceed Drury hotel and will meet same conditions as required for Drury.
 - Noted, Unit 7 lot lines conform to code.
 - A “Unit 6 & 7 Driveway Separation” exhibit has been provided for reference to clearly indicate that there is 115’ of separation for drives in a 15 mph zone. We are not proposing an entrance at unit 6 (has been removed), but have still provided the exhibit for clarification.
 - Attached is a letter specific to the requested conditions and additional deviations for the amendment that incorporates the recommendations of the review.
 - **Not sure intent of comment “No change to approved rezoning category proposed at this time”**
 - Will refer to Traffic review letter for additional comment. Trip generation previously submitted and approved included all the uses that are proposed in this amendment request. When it is determined what the use for Unit 6 will be, an additional PRO amendment will be required and an updated trip generation report provided at that time. The proposed changes for this PRO amendment will not exceed what was previously submitted.
 - Noted, a Community Impact Statement is not required at this time.
 - An additional amendment will be required for Unit 6, at that time when it is further developed.
 - Parking setbacks are 18’ from access easement.
 - Will refer to Landscape review letter for additional comment.
 - Will refer to parking setback comments (see above).
 - Noted, amendment is needed for plan to conform to code.
 - Deviation has been requested for a combination decorative fence and wall.
 - Deviation has been requested for building façade.
 - The loading zone size and site layout adjusted for the loading zone at Texas Road House. A truck turning plan was provided as well for clarification.
12. 5% reduction is requested for Texas Road House due to proximity to hotels and entertainment. Adell Center has pedestrian interconnectivity and pocket parks located throughout. A safety plan indicating the maximum occupancy for the Texas Road House.

That maximum occupancy was used on the updated Texas Road House site plan parking calculation. Specifically, the max occupancy is 345, spaces required $345/2 = 172.5$, request 5% reduction to 164 spaces.

- Bicycle parking is based on 164 spaces, split into (2) areas within 120' of the entrance.
- End islands at Texas Road House adjusted per Traffic and Landscape comments. Updated Texas Road Site Plan provided.
- Will comply with barrier free sign requirements.
- Bicycle parking is based on 164 spaces, split into (2) areas within 120' of the entrance.
- The loading zone area has been increased from 451 to 786 sf. A truck turning plan has been provided indicating that a 40' long box truck can easily maneuver into the area. In addition, the loading will occur during the periods that Texas Road House is closed to customers and will be coordinated with the removal of trash.
- (2) deviations for the Texas Road House loading zone have been requested.
- An updated Texas Road House Landscape Plan has been provided.
- Due to the nature of the property being fronted on 1-96 as well as Adell Center Drive on two sides, the interior side yard (remaining side) is the location the dumpster is located for esthetic and operational purposes. A truck turning plan has been provided indicating that a garbage truck can easily maneuver into the area. In addition, trash removal will be coordinated with delivery times.
- Transformer locations for units 1, 2, 3, and 7 are shown on the PRO plan for clarification. A deviation is requested for the transformer location for these units.
- GreenTech will coordinate the individual units site lighting and along Adell Center Drive in order to provide a comprehensive lighting plan for the facility with the intention to reduce light trespass and pollution.
- Roof top equipment will be screened as required.
- Will provide current sidewall numbers on future submittals in the existing conditions. ALTA survey was provided at the onset of the project and is dated accordingly. An additional ALTA survey is not being performed.
- See attachments and response for additional information as requested and provided for clarification.

Engineering Review: (dated 1-14-2019)

Kate Richardson, EIT, City of Novi

Will comply with comments 1-17 as requested.

Landscaping Review (dated 1-20-2019)

Rick Meader, City of Novi

See letter from Jim Allen dated March 5, 2019 for Landscape Review comments responses.

Traffic Review (dated 2-21-2019)

Josh a. Bocks, AECOM

GENERAL COMMENTS

1. Noted.
2. Noted.

3. Noted.
4. Noted.
5. Noted.
 - a. Noted
 - i. Deviation has been requested for dumpster location
 - ii. Noted.
 - iii. The loading zone area has been increased from 451 to 786 sf. A truck turning plan has been provided indicating that a 40' long box truck can easily maneuver into the area. In addition, the loading will occur during the periods that Texas Road House is closed to customers and will be coordinated with the removal of trash.

TRAFFIC IMPACTS

1. Noted.
2. Trip generation previously submitted and approved included all the uses that are proposed in this amendment request. When it is determined what the use for Unit 6 will be, an additional PRO amendment will be required and an updated trip generation report provided at that time. The proposed changes for this PRO amendment will not exceed what was previously submitted.

EXTERNAL SITE ACCESS AND OPERATIONS

1. Noted.
2. Noted.
3. Noted.
4. Noted and adjusted to 15 mph at through bends as reviewed and approved for the Roads & Utilities plans.
5. Landscape plan has been updated as requested.
6. Noted.
7. A “Unit 6 & 7 Driveway Separation” exhibit has been provided for reference to clearly indicate that there is 115’ of separation for drives in a 15 mph zone. We are not proposing an entrance at unit 6 (has been removed), but have still provided the exhibit for clarification.
8. Noted.
9. A “Unit 6 & 7 Driveway Separation” exhibit has been provided for reference to clearly indicate that there is 115’ of separation for drives in a 15 mph zone. We are not proposing an entrance at unit 6 (has been removed), but have still provided the exhibit for clarification.
10. Noted.
11. Noted.

INTERNAL SITE OPERATIONS

1. Striping added to PRO Plan which indicates 3 lanes.
2. Noted.
3. Noted.
 - a. Noted.
 - b. Noted.

PARKING FACILITIES

1. Texas Road House Safety Plan for building occupancy and updated Texas Road House site plan provided for clarification on parking spaces required.

2. Noted.
3. Noted.

SIDEWALK REQUIREMENTS

1. Noted.
2. Noted.
3. Noted.
4. Noted.

SIGNING AND STRIPING

1. Noted. Will comply.

Façade Ordinance Review (dated 2-20-2019) Douglas R. Necci, AIA, DRN & Architects PC

- Dumpster enclosure façade adjusted as requested.
1. Noted.
 2. Noted.
 4. Noted.

Fire Department Review (dated 1-14-2019) Kevin s. Pierce, City of Novi

Will comply with comments 1-27 as requested.

On behalf of the applicant and based on the above description and attachments, we kindly request positive consideration by the City of Novi on this matter.

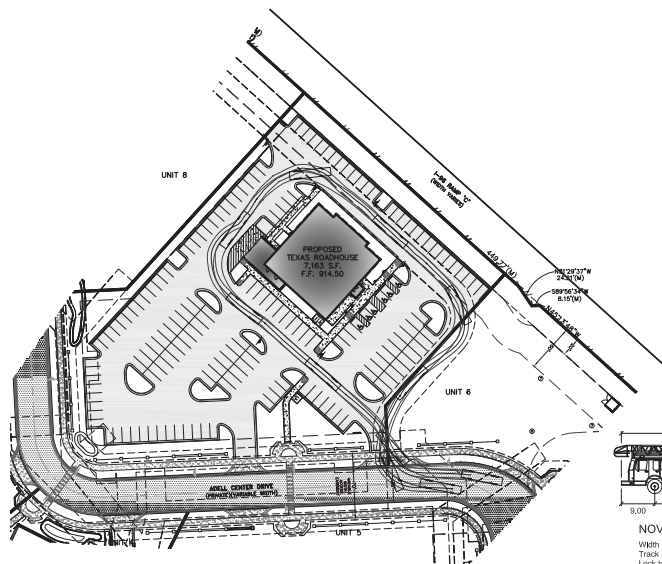
If you have any questions, please do not hesitate to contact me.

Sincerely,
GreenTech Engineering, Inc.

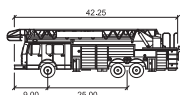


Jason Fleis, PE
Director of Engineering Services

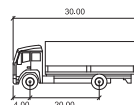
Attachments:
2019-03-04 Updated Deviations per Review (Letter)
PRO Plan (Overall)
Texas Road House Life Safety Plan
Texas Road House Site Plan
Texas Road House Landscape Plan
Texas Road House Circulation Plan
Units 6-7 Drive Exhibit



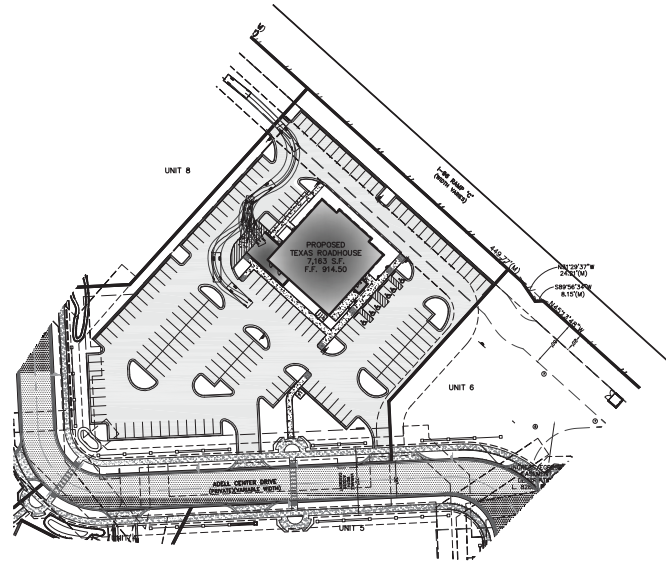
FIRE TRUCK TURNING DETAIL
SCALE: 1"=40'



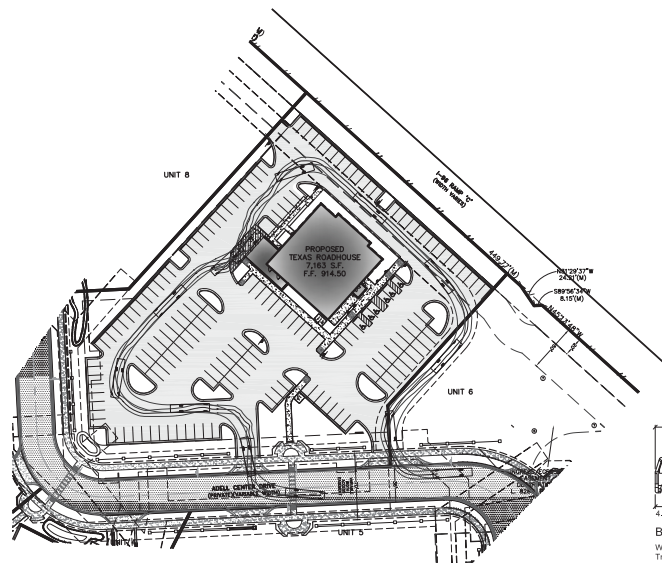
NOVI FIRE TRUCK feet
 Width : 8.20
 Track : 8.50
 Lock to Lock Time : 6.00
 Steering Angle : 36.10



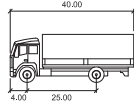
GARBAGE TRUCK 40 YD
 Width : 8.00
 Track : 8.00
 Lock to Lock Time : 6.00
 Steering Angle : 30.00



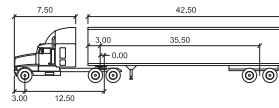
GARBAGE TRUCK TURNING DETAIL
SCALE: 1"=40'



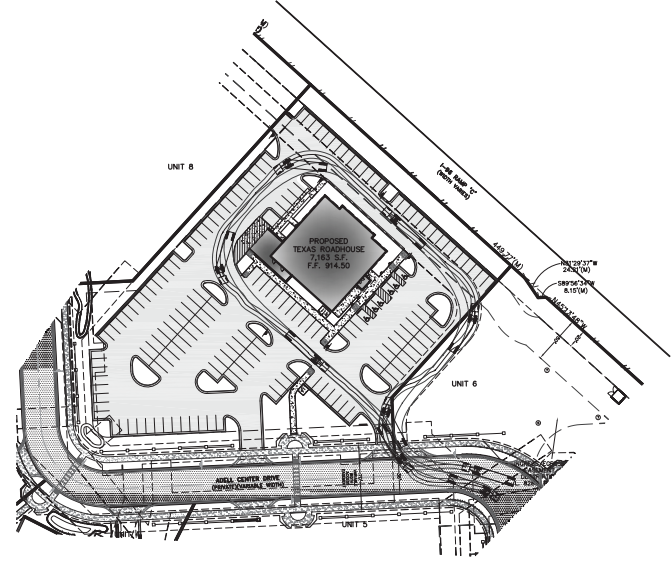
BOX TRUCK TURNING DETAIL
SCALE: 1"=40'



BOX TRUCK feet
 Width : 8.00
 Track : 8.00
 Lock to Lock Time : 6.00
 Steering Angle : 60.00



WB-50 feet
 Tractor Width : 8.00
 Tractor Track : 6.00
 Trailer Width : 8.00
 Trailer Track : 8.50
 Lock to Lock Time : 6.00
 Steering Angle : 17.70
 Articulating Angle : 70.00



SEMI-TRUCK (WB50) TURNING DETAIL
SCALE: 1"=40'

GENERAL NOTES:

1. PROVIDE KNOX BOX (MODEL 1265 SURFACE MOUNT OR MODEL 3274 RECESS MOUNT) ON BUILDING NEAR MAIN ENTRANCE AT A HEIGHT OF APPROXIMATELY 5'. COORDINATE LOCATION WITH FIRE DEPT.
2. PORTABLE FIRE EXTINGUISHERS MUST BE INSTALLED DURING CONSTRUCTION PER NATIONAL FIRE PREVENTION CODE NFPA 1. SEE EOI FOR LOCATION.
3. ADDRESS OF THE BUILDING IS TO BE PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET. SHOW ADDRESS NUMBERS BY MAIN ENTRANCE DOORS AS WELL AS ALL REAR DOORS. NUMERALS SHALL CONTRAST WITH BACKGROUND AND BE A MIN. 6" IN HEIGHT.
4. SEE FIXTURE SHEETS (FFE) FOR LOCATIONS AND DETAILS OF WALL MURALS, SUBSTRATE TO BE 1/2" GYPSUM BOARD.
5. EXTERIOR WALL SHEATING: 1/2" APA RATED PLYWOOD UNLESS NOTED OTHERWISE.
6. ROOF SHEATHING: 3/4" TAG APA PLYWOOD UNLESS NOTED OTHERWISE.
7. ALL ROOF AREAS WITH CONDITIONED SPACE BELOW TO HAVE MIN OF 4" RIGID INSULATION.
8. ALL EXTERIOR WOOD WALLS TO HAVE A MIN. OF R21 BATT INSULATION.

CODE INFORMATION

JURISDICTION: NOVJ MI
APPLICABLE CODES
 • 2015 MICHIGAN BUILDING CODE
 • 2015 MICHIGAN MECHANICAL CODE
 • 2015 MICHIGAN PLUMBING CODE
 • 2012 INTERNATIONAL FUEL GAS CODE
 • 2012 INTERNATIONAL FIRE CODE
 • 2011 NATIONAL ELECTRICAL CODE

PROJECT DATA

OCCUPANCY	IBC		IFC		PROVIDED
	GROUP A2 ASSEMBLY	A-2	ASSEMBLY A-2	A-2	
CONSTRUCTION TYPE	V-B SPRINKLERED	V-B SPRINKLERED	V1000 SPRINKLERED	V1000 SPRINKLERED	

FIRE RESISTANCE REQUIREMENTS

STRUCTURAL FRAMING	0 HOUR	0 HOUR	0 HOUR
EXTERIOR & INTERIOR BEARING WALLS	0 HOUR	0 HOUR	0 HOUR
EXTERIOR NON-BEARING WALLS	0 HOUR	0 HOUR	0 HOUR
INTERIOR NON-BEARING WALLS	0 HOUR	0 HOUR	0 HOUR
FLOOR CONSTRUCTION	0 HOUR	0 HOUR	0 HOUR
ROOF CONSTRUCTION	0 HOUR	0 HOUR	0 HOUR

OCCUPANCY LOAD

	IBC (TB) 1004.1.2/ SEC. 1004.4	IFC	AREA	TOTAL
DINING (SEE DETAIL 2/G10)	1 PER 24"	1 PER 24"	3707 S.F.	286 SEATS
WAITING-BENCHES	1 PER 18"	1 PER 18"	232 S.F.	24 PERSONS
WAITING-NON CONCENTRATED	1:15	1:15	183 S.F.	13 PERSONS
KITCHEN	1:100	1:200	2487 S.F.	25 PERSONS
TOTAL			7163 S.F.	348 PERSONS

ALLOWABLE BUILDING HEIGHTS & AREA

	IBC	IFC	PROVIDED
ALLOWABLE AREA	18,000 GSF*	-	7,163 GSF
ALLOWABLE HEIGHTS	60'-0"	-	-
ALLOWABLE STORIES	2 STORIES*	2 STORIES*	1 STORY
EXIT REQUIREMENTS	1066.3.1	13.2.4	13.2.4
MINIMUM REQUIRED	2 EXITS	2 EXITS	3 EXITS
INTERIOR FINISHES	803.11	10.2.2	10.2.2
EXIT ENCLOSURES, EXIT PASSAGEWAYS, & CORRIDORS	CLASS B	CLASS B	CLASS B
ROOMS AND ENCLOSED SPACES	CLASS C	CLASS C	CLASS C
FIRE PROTECTION SYSTEM	1016.2.1	1209.3.3	1016.2.1
SPRINKLER SYSTEM	NOT REQ'D	NOT REQ'D	PROVIDED
ARRANGEMENT OF MEANS OF EGRESS-SPRINKLERED	1/3 DIAG. DIM 39 FEET	1/3 DIAG. DIM 39 FEET	93 FEET

* INDICATES INCREASES IN ALLOWABLE AREA, ALLOWABLE HEIGHT, AND ALLOWABLE STORIES BASED ON 508.3 AUTOMATIC SPRINKLER SYSTEM INSTALLATION.

MEANS OF EGRESS

	IBC	IFC	PROVIDED
EXIT ACCESS TRAVEL DISTANCE (1028.7 & 1016.2)	250' MAX	250' SPRINK.	113'-0" MAX
COMMON PATH OF TRAVEL (1014.3 & 1028.8)	75' MAX	30' MAX	N/A
DEAD END CORRIDOR	-	-	N/A
CORRIDOR WIDTH (1020.2)	44" MIN	44" MIN	44"
EXIT WIDTH (1005.1)	345 OCC X 0.2 70' REQ'D (58" MIN)	345 OCC X 0.2 70' REQ'D (54" MIN)	44" MIN
DOOR WIDTH (1008)	345 OCC X 0.2 70' REQ'D (58" MIN)	345 OCC X 0.2 70' REQ'D (57" MIN)	36" MIN

PLUMBING FIXTURE COUNT

IPC TABLE 403.1	MALE/FEMALE REQUIREMENTS	MALE (PROVIDED)	FEMALE (PROVIDED)
OCCUPANCY LOAD/2	345/2 = 173 EA	-	-
WATER CLOSET (1-75)	173/75 = 2.31 = 3 REQUIRED EA	1 W.C.	3 W.C.
URINALS (20 SUBSTITUTION ALLOWED)	3 X, 667 = 2 = 2 ALLOWED	2 URINALS	N/A
LAVATORIES (1-200)	173/200 = 0.87 1 REQUIRED EA	3 LAVS.	3 LAVS.
UNISEX RESTROOMS	1 REQUIRED WHEN (6) W.C. ARE REQ'D	1 W.C. 1 LAV.	3 W.C.
TOTAL W.C. REQUIRED	7 W.C.	1 UNISEX W.C.	3 W.C.
DRINKING FOUNTAINS (1 PER 1,000)	0 REQUIRED	1 PROVIDED	-
SERVICE SINK (1 PER)	1 REQUIRED	1 PROVIDED	-
RESTROOMS (IPC 109.2.2 & 3)	1 REQUIRED IN EA	1 PROVIDED IN EA	-
ACCESSIBLE FIXTURES (W.C. & LAVS)	1 PROVIDED IN EA	-	-
ACCESSIBLE SEATING (IBC 1109.11)	5% OF SEATING WITH MIN. = 15 REQ.	-	-

TEXAS ROADHOUSE
I-96 & NOVJ ROAD
NOVJ, MICHIGAN

THIS DRAWING AND FOUNDATION INFORMATION ARE THE PROPERTY OF BDG ARCHITECTS AND SHALL BE KEPT CONFIDENTIAL. NO PORTION OF THIS DRAWING OR FOUNDATION INFORMATION SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BDG ARCHITECTS. THE USER OF THIS DRAWING AND FOUNDATION INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

ARCHITECT OF RECORD
Chris G. Kirschner, AIA, LEED AP
TN License # 105505

ISSUE	BY	DATE	DESCRIPTION

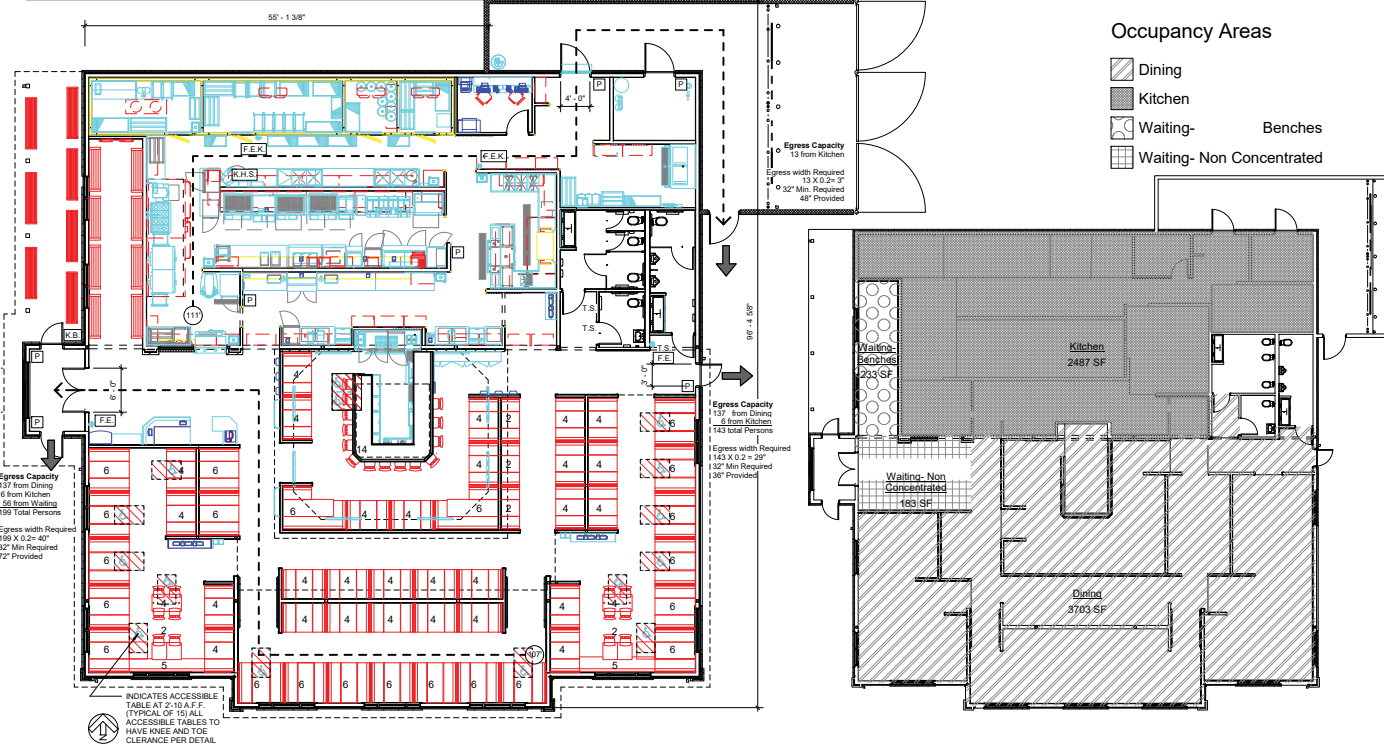
PROJECT INFORMATION BLOCK

JOB #	18804
DATE	01-21-2019
DRAWN BY	
CHECKED BY	TF

LIFE SAFETY PLAN

SHEET NUMBER

G-010

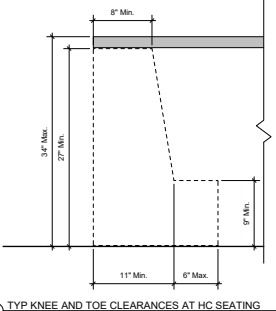


1 LIFE SAFETY PLAN
1/8" = 1'-0"

2 OCCUPANCY PLAN
3/32" = 1'-0"

DINING OCCUPANCY CALCULATIONS

	TOTAL
DINING AREA (TABLE SEATS)	12 SEATS
DINING AREA (BOOTH 1.24")	280 SEATS
DINING AREA (BAR FIXED)	14 SEATS
DINING AREA (TOTAL)	286 SEATS



3 TYP. KNEE AND TOE CLEARANCES AT HG SEATING
1 1/2" = 1'-0"

EMERGENCY EXIT

EXT SIGN

TOTAL TRAVEL DISTANCE

COMMON PATH OF TRAVEL

LIFE SAFETY DATA

OCCUPANCY GROUP	OCCUPANCY LOAD	TOTAL OCCUPANCY	NUMBER OF EXITS	MAX. TRAVEL DISTANCE
GROUP A-2 (ASSEMBLY)	348	348	3	250'

LEGEND:
 T.S. TACTILE SIGNAGE PER NFPA 1017.10.13, SEE SHEET A04.0 FOR MOUNTING INFORMATION
 F.E. FIRE EXTINGUISHER 10 LB. UL RATED 4A:BBC
 F.E.K. FIRE EXTINGUISHER KITCHEN RATED
 K.B. KNOX BOX, VERIFY LOCATION WITH LOCAL MUNICIPALITY TO INSURE COMPLIANCE
 P. FIRE PULL STATION
 K.H.S. KITCHEN HOOD SYSTEM - PRE-ENGINEERED FIRE SUPPRESSION SYSTEM

BENCHMARKS:
 CITY OF NOVI BM 1542
 3" ON NORTH RM OF SANITARY MANHOLE,
 25'± WEST OF BACK OF CURB NOVI ROAD
 & 45'± SOUTH OF DRIVE #26179 NOVI ROAD
 ELEVATION: 915.10 N.A.V.G.D.88

BM#1
 ARROW ON HYDRANT, SOUTH SIDE OF
 CRESCENT BOULEVARD, 24'± EAST OF
 SOUTHEAST PROPERTY CORNER
 ELEVATION: 915.58 (N.A.V.D.88 DATUM)

UNIT DEVELOPMENT NOTE:
 INDIVIDUAL UNIT DEVELOPMENT PLANS ARE A
 CONTINUATION OF THE WORK COMPLETED IN
 THE PREVIOUS SITE DEVELOPMENT PHASES.
 INDIVIDUAL UNIT SITES SHALL VERIFY EXTENT
 OF SOIL EROSION AND SEDIMENTATION
 CONTROL MEASURES, GRADING AND DRAINAGE,
 AND UTILITIES PRIOR TO THE START OF
 CONSTRUCTION.

COORDINATION NOTE:
 DEVELOPMENT FOR THE UNIT 7 CURB AND
 PAVING LIMITS IS COORDINATED WITH
 ADJACENT UNIT 6, UNIT 8, AND ADELL
 CENTER ROADS & UTILITIES.

***CONSTRUCTION MATERIALS:**

PHASE 1:		
4" CURB & GUTTER - 3500 PSI CONCRETE	784 LF	
6" CURB & GUTTER - 3500 PSI CONCRETE	1665 LF	
CONCRETE WALK - 3500 PSI CONCRETE	3390 SF	
ASPHALT PAVEMENT - 2" DEPTH HMA SE 1 (SURFACE)	58969 SF	
ASPHALT PAVEMENT - 2.5" DEPTH HMA 3C (LEVELING)	58969 SF	
8" 21AA AGGREGATE BASE	2935 TONS	

* CONTRACTOR TO EVALUATE AND DETERMINE QUANTITIES, ONLY USE ABOVE TABLE AS REFERENCE

SIGNAGE QUANTITIES

NO PARKING-FIRE LANE (LR7-22)	8 EACH
BARRIER FREE PARKING (R7-8)	5 EACH
VAN ACCESSIBLE PARKING (R7-8 MOD)	1 EACH

ALL SIGNAGE AND PAVEMENT MARKINGS SHALL COMPLY WITH
 CURRENT MUTCD STANDARDS AND SPECIFICATIONS

LEGEND

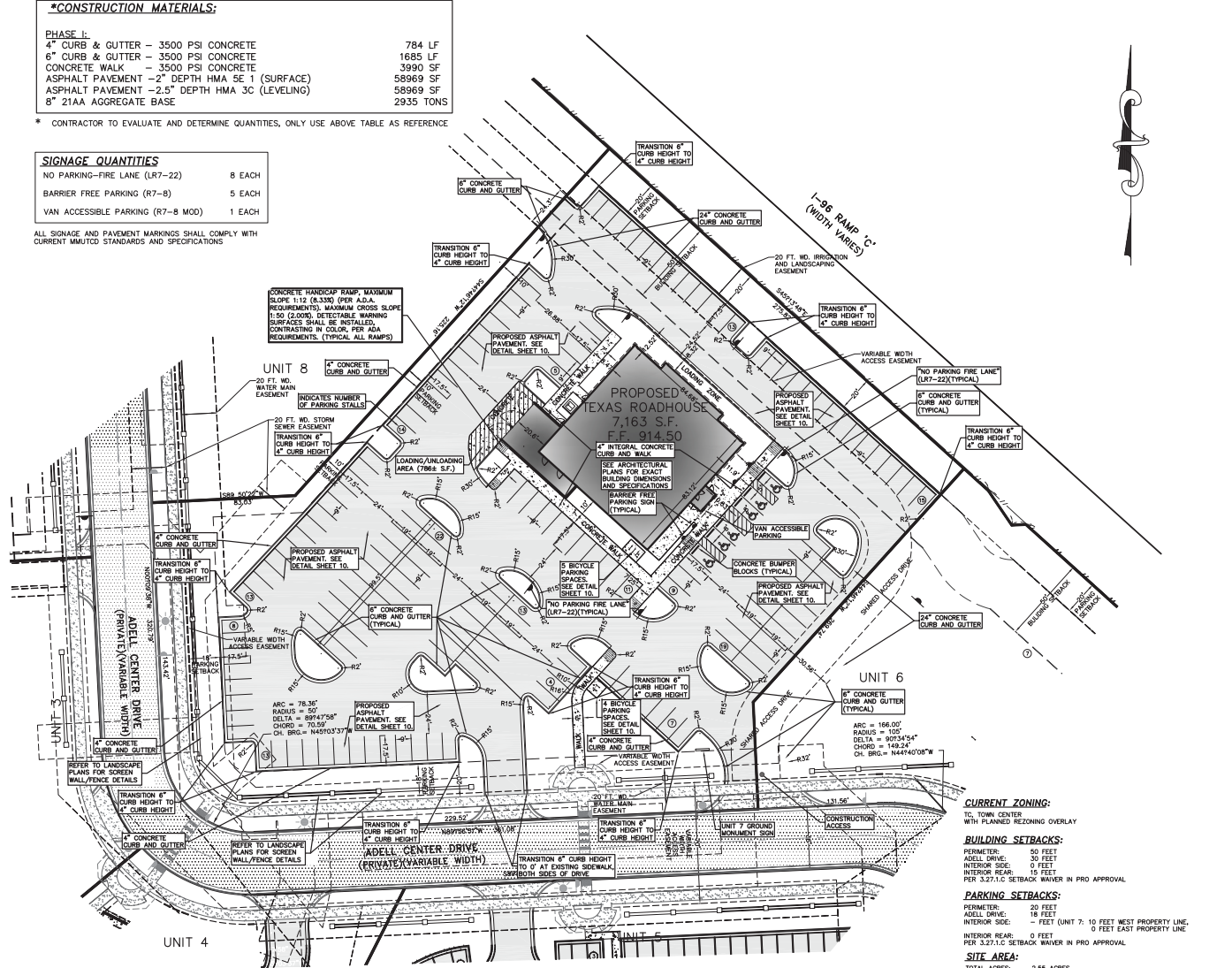
FIB FOUND IRON BAR	----- SANITARY SEWER
FCI FOUND CAPPED IRON	----- STORM SEWER
EX. UTILITY POLE	----- WATER MAIN
EX. LIQUOROLE	----- GAS MAIN
EX. GATE VALVE	----- OVERHEAD LINES
EX. CATCH BASIN	----- FENCE LINE
EX. AIR CONDITIONER	----- RIGHT OF WAY
EX. FEEDLINE	----- ZONING LIMITS
EX. HYDRANT	----- PROPERTY BOUNDARY
EX. SIGN	----- RETAINING WALL
EX. CLEANGUT	----- TREE LINE
EX. WATER SHUT-OFF	----- CONTOUR 1 FT. INCR.
EX. SANITARY MANHOLE	----- CONTOUR 5 FT. INCR.
EX. CATCH BASIN	----- CURB & GUTTER
EX. STORM END SECTION	----- SPILLOUT CURB & GUTTER
EX. STORM MANHOLE	----- WETLAND BUFFER
EX. ELECTRIC METER	----- WETLAND BOUNDARY
EX. OVERHEAD LINES	----- FLOODWAY
EX. FENCE	----- EASEMENT
EX. TREE (TAG NO.)	----- PROPOSED CONCRETE PAVEMENT
EX. BOULDER	----- PROPOSED ASPHALT PAVEMENT
EX. BOLLARD	----- PROPOSED ASPHALT PAVEMENT
EX. POST	----- PROPOSED ASPHALT PAVEMENT
EX. ELECTRIC TRANSFORMER	----- PROPOSED ASPHALT PAVEMENT
SOL BORING	----- PROPOSED ASPHALT PAVEMENT

- GENERAL NOTES:**
 THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.
1. ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, FACE OF SIDEWALK, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
 2. REFER TO CITY OF NOVI PAVING STANDARD DETAILS FOR ADDITIONAL DETAILS.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF NOVI CURRENT STANDARDS AND SPECIFICATIONS.
 4. THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.
 5. ALL ON SIGHT SIGNAGE AND PAVEMENT MARKINGS SHALL BE IN COMPLIANCE WITH MUTCD. PARKING STALL STRIPING SHALL BE 4" WIDE (SINGLE) AND WHITE. PAINTED ISLANDS ARE 3" SHORTER THAN PARKING STALLS.
 6. ANY WORK WITHIN THE STREET OR HIGHWAY RIGHT-OF-WAYS SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE AGENCIES HAVING JURISDICTION AND SHALL NOT BEGIN UNTIL ALL NECESSARY PERMITS HAVE BEEN ISSUED FOR THE WORK.
 7. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ADJUST THE TOP OF ALL EXISTING AND PROPOSED STRUCTURES (MANHOLES, CATCH BASINS, INLETS, GATE WELLS ETC.) WITHIN GRADED AND /OR PAVED AREAS TO FINAL GRADE SHOWN ON THE PLANS. ALL SUCH ADJUSTMENTS SHALL BE INCIDENTAL TO THE JOB AND WILL NOT BE PAID FOR SEPARATELY.

LEGAL DESCRIPTION (AS SURVEYED):
 PART OF THE SOUTHEAST 1/4 OF SECTION 15, T. 1N., R. 1E.,
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:
 UNIT 7 OF ADELL CENTER PUD

NOTE:
 THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE
 SHOWN IN AN APPROXIMATE WAY ONLY AS DISCLOSED BY
 AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT
 BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO
 GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE
 COMPLETENESS OR ACCURACY THEREOF. THE
 CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF
 ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND
 AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL
 DAMAGES WHICH MIGHT BE OCCASIONED BY THE
 CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND
 PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE
 CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER
 IMMEDIATELY IF A CONFLICT IS APPARENT.

NOTE:
 CONSTRUCTION SITE SAFETY IS THE SOLE
 RESPONSIBILITY OF THE CONTRACTOR NEITHER
 THE OWNER NOR THE ENGINEER SHALL BE
 EXPECTED TO ASSUME ANY RESPONSIBILITY
 FOR SAFETY OF THE WORK, OF PERSONS
 ENGAGED IN THE WORK, OF ANY NEARBY
 STRUCTURES, OR OF ANY OTHER PERSONS.



CURRENT ZONING:
 TC, TOWN CENTER
 WITH PLANNED REZONING ORLAY

BUILDING SETBACKS:
 PERMETER: 50 FEET
 ADELL DRIVE: 30 FEET
 INTERIOR SIDE: 0 FEET
 INTERIOR REAR: 15 FEET
 PER 3.27.1.C SETBACK WAIVER IN PRO APPROVAL

PARKING SETBACKS:
 PERMETER: 20 FEET
 ADELL DRIVE: 18 FEET
 INTERIOR SIDE: - FEET (UNIT 7: 10 FEET WEST PROPERTY LINE, 10 FEET EAST PROPERTY LINE)
 INTERIOR REAR: 0 FEET
 PER 3.27.1.C SETBACK WAIVER IN PRO APPROVAL

SITE AREA:
 TOTAL ACRES: 2.55 ACRES

PARKING DATA:
 PROPOSED PARKING: ONE (1) SPACE FOR EACH 2 PEOPLE FOR MAX OCCUPANCY
 REQUIRED: 348 TOTAL OCCUPANCY FOR THE BUILDING
 REQUIRED PARKING = 348/2 = 172.5 SPACES
 5% REDUCTION FOR PARKING = 172.5 x 0.95 = 163.9 = 164 SPACES

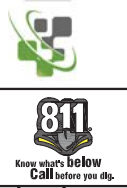
BICYCLE PARKING DATA:
 PROPOSED PARKING: 5% OF REQUIRED PARKING SPACES
 REQUIRED: 164 SPACES x 0.05 = 8.2 = 9 SPACES REQUIRED
 TOTAL PARKING PROVIDED: 9 SPACES

LOADING ZONE DATA:
 PROPOSED LOADING: LENGTH OF BUILDING FRONTAGE X 10
 REQUIRED: 84.7 X 10 = 847 SF REQUIRED
 LOADING AREA PROVIDED: 786 SF

RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL
 UTILITIES
 HIGHWAY
 CONSTRUCTION

GREENTECH ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS

51147 M. Pontiac Trail, Warren, MI 48093
 888-970-0700 Fax: (248) 665-0701



TEXAS ROADHOUSE
SITE PLAN
 UNIT 7 ADELL CENTER DRIVE - PARCEL NO. 22-15-478-007
 TOWNSHIP 15 N., RANGE 1E
 SECTION 15
 CITY OF NOVI, MICHIGAN

CLIENT: _____

REVISED: _____

2019-03-04 PER PRO REVIEW

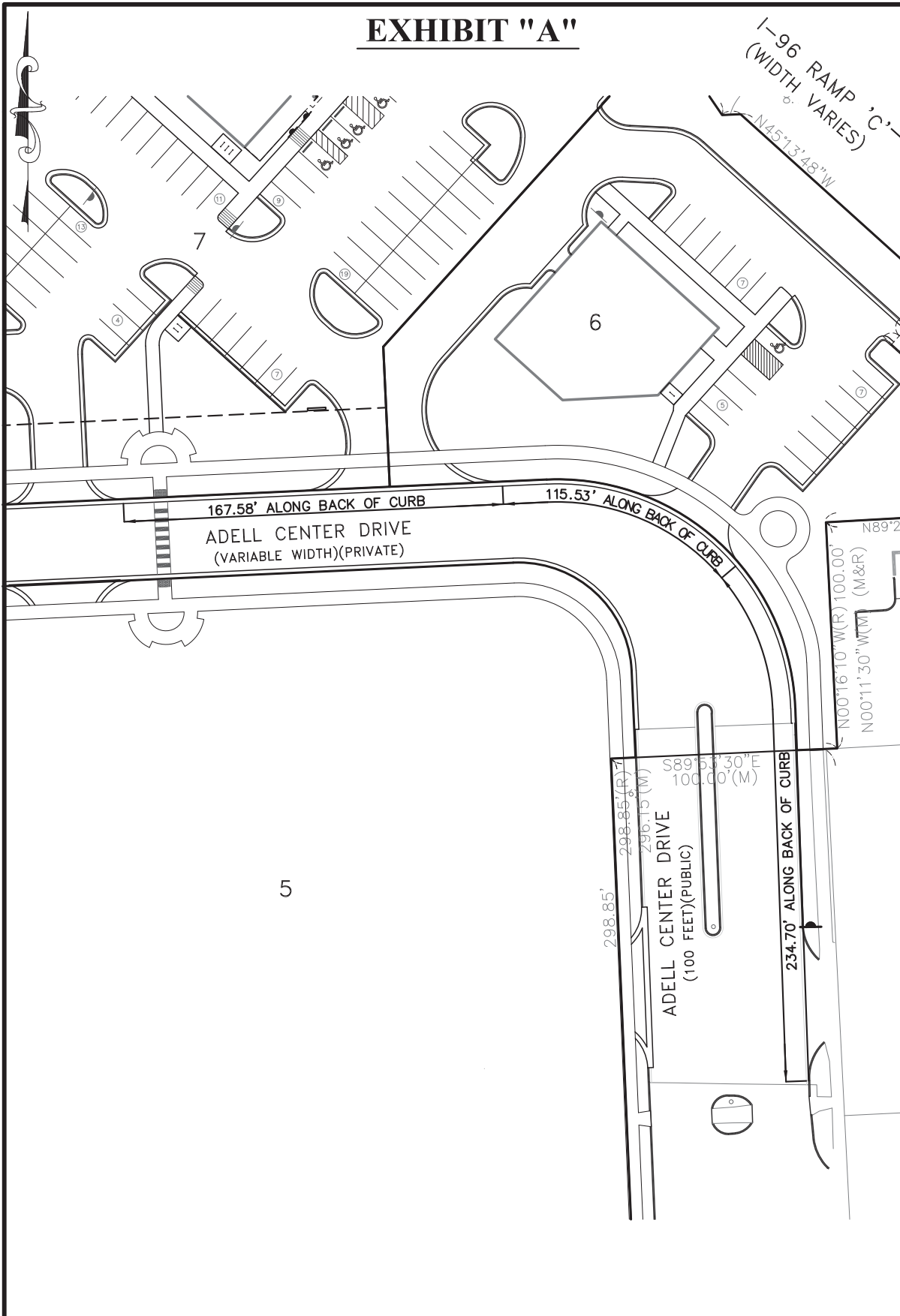
DATE: 1-3-2019
 DRAWN BY: RMS/JMW
 CHECKED BY: DJL/AMF

FBK: --
 CH#: _____
 SCALE: HORIZ. 1"=30 FT. VERT. 1"=10 FT.

4

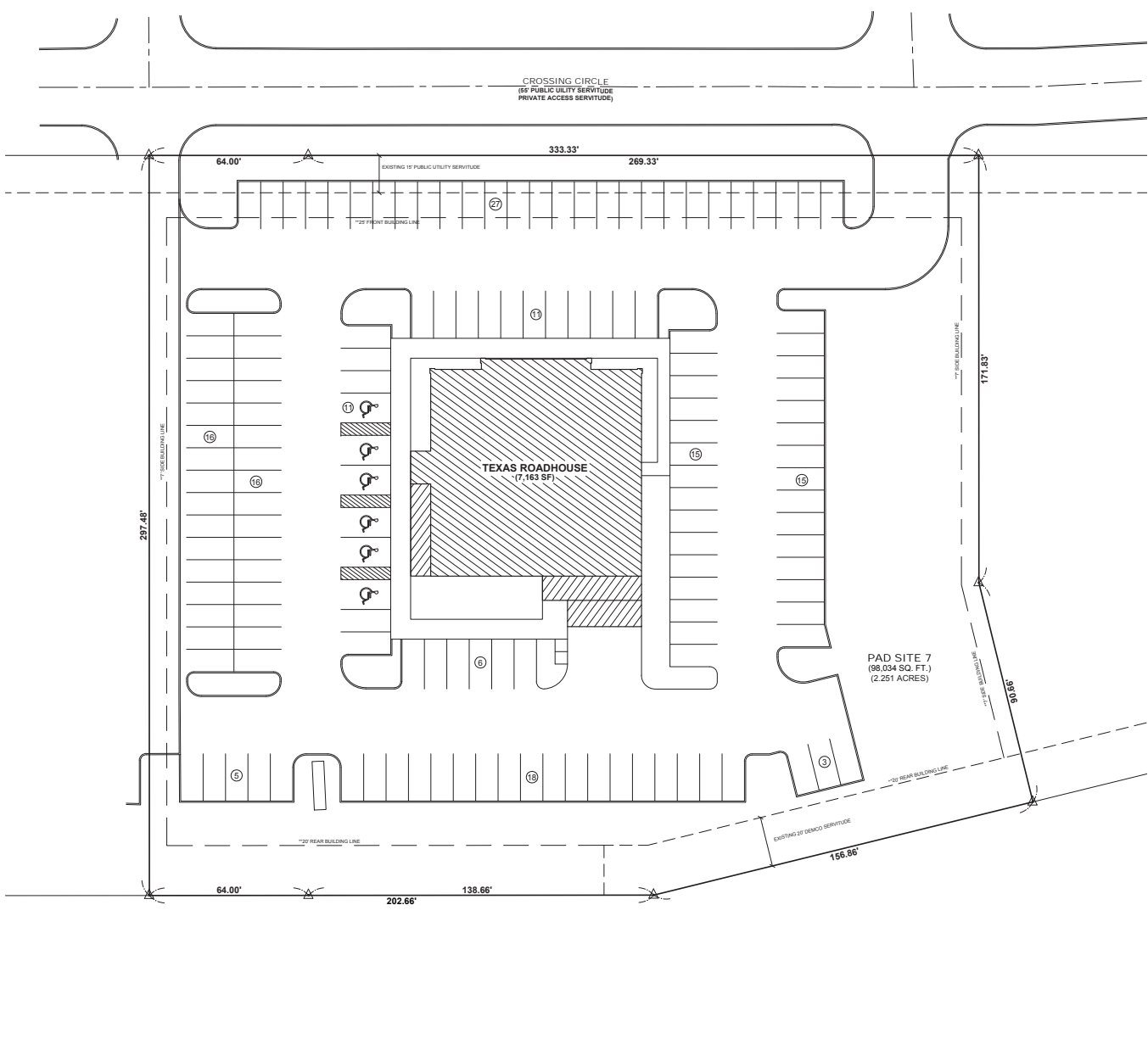
UNIT 7 TEXAS ROADHOUSE

EXHIBIT "A"

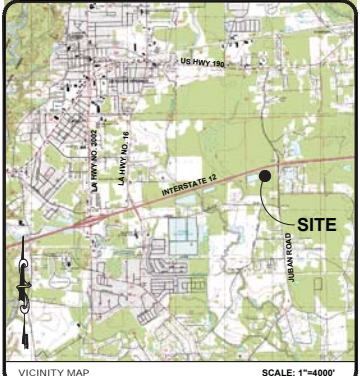


51147 W. Pontiac Trail
 Wixom, MI 48393
 Phone: (248) 668-0700
 Fax: (248) 668-0701

CLIENT: ORVILLE PROPERTIES, LLC.		DATE: 3-1-2019
UNITS 6 & 7 DRIVEWAY SEPERATION		DRAWN BY: RMS
ADELL CENTER		CHECKED BY: DJL
SECTION: 15	TOWNSHIP: 1N	RANGE: 8E
CITY OF NOVI		SCALE: HOR 1" = 50 FT. VER 1" = 50 FT.
OAKLAND COUNTY		
MICHIGAN		
		SE1
		JOB# 17-334



INTERSTATE 12



VICINITY MAP SCALE: 1"=4000'

REFERENCE MAP:
 1.) EXHIBIT SHOWING PAD SITE 7, BEING A PORTION OF TRACT G-1-D, JUBAN CROSSING LOCATED IN SECTION 4, TOWNSHIP 7 SOUTH, RANGE 3 EAST, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA BY FERRIS ENGINEERING & SURVEYING, LLC DATED JUNE 15, 2018.

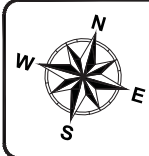
REFERENCE BEARING (*):
 BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM (NAD 83/86). DISTANCES ARE BASED ON U.S. SURVEY FEET.

ZONING:
 LIVINGSTON PARISH HAS NO PARISH WIDE ZONING:
 BUILDING LINES:
 FRONT 25'
 SIDE 7'
 REAR 20'
 ZONING REQUIREMENTS AND BUILDING SETBACK REQUIREMENTS ARE BEING FURNISHED AS REFERENCE ONLY AND SHOULD BE CONFIRMED WITH LOCAL GOVERNING AUTHORITY PRIOR TO ANY CONSTRUCTION.

BUILDING LINES:
 BUILDING LINES GIVEN BY REFERENCE MAPS ARE SHOWN. BUILDING LINES NOT SHOWN OR GIVEN BY REFERENCE MAPS ARE SHOWN AS REQUIRED BY CURRENT SUBDIVISION & ZONING ORDINANCES AND ARE DENOTED WITH (*).
 BUILDING SETBACK REQUIREMENTS ARE BEING FURNISHED AS REFERENCE ONLY AND SHOULD BE CONFIRMED WITH LOCAL GOVERNING AUTHORITY PRIOR TO ANY TRANSFER, DESIGN OR CONSTRUCTION.

PURPOSE OF PLOT PLAN:
 TO SHOW THE PROPOSED BUILDING AND PARKING LIMITS ON PAD SITE 7 OF JUBAN CROSSING BEING A PORTION OF TRACT G-1-D, LOCATED IN SECTION 4, TOWNSHIP 7 SOUTH, RANGE 3 EAST, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, STATE OF LOUISIANA. THIS IS NOT A BOUNDARY SURVEY.

PLOT PLAN
 OF
TEXAS ROADHOUSE
 LOCATED ON
PAD SITE 7, JUBAN CROSSING
 (BEING A PORTION OF TRACT G-1-D)
 LOCATED IN
 SECTION 4, TOWNSHIP 7 SOUTH, RANGE 3 EAST,
 GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, STATE OF LOUISIANA
 FOR
BDG ARCHITECTS
 400 NORTH ASHLEY DRIVE, SUITE 600
 TAMPA, FLORIDA 33602



0 20 40 Feet
 SCALE: 1" = 20'

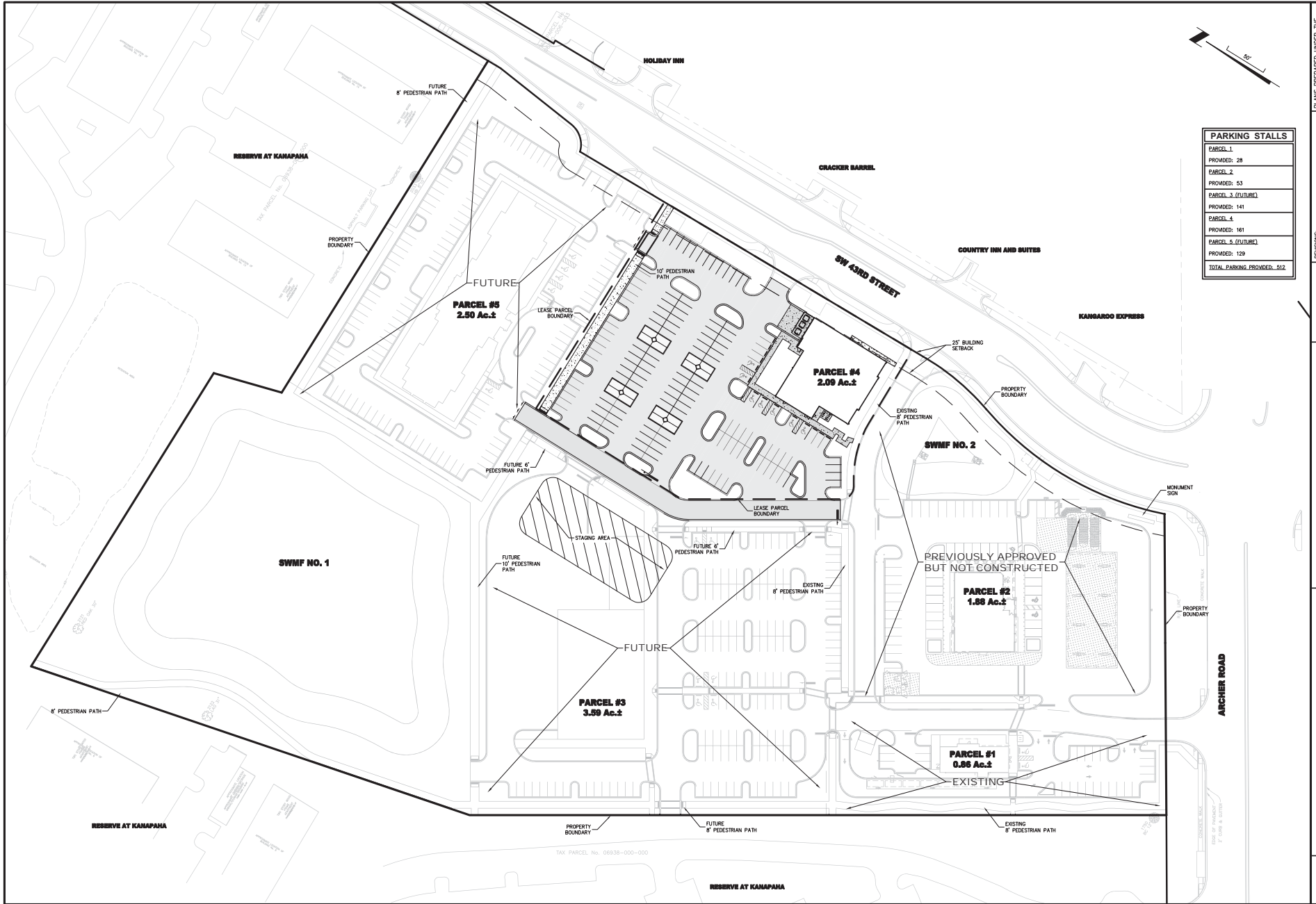
THIS PLAN MAY NOT BE USED IN ANY OTHER WAY OR FORM WITHOUT THE EXPRESS WRITTEN PERMISSION OF PATIN ENGINEERS & SURVEYORS, INC. USE FOR ANY OTHER PURPOSE SHALL BE AT USER'S SOLE RISK WITHOUT ANY LIABILITY TO PATIN ENGINEERS & SURVEYORS, INC. ANY USE OR REVISIONS MADE TO THIS DRAWING WITHOUT THE WRITTEN AUTHORIZATION OF PATIN ENGINEERS & SURVEYORS, INC. WILL VOID THIS PLAN.



PESI
 PATIN ENGINEERS & SURVEYORS
 INCORPORATED

1111 HOSPITAL ROAD,
 SUITE D
 NEW ROADS, LA 70760
 OFFICE: (225) 387-2167
 FAX: (225) 388-9006

DRAWING BY: P. ARMAND PESI JOB NO: 18-067 DATE: JULY 17, 2018



PARKING STALLS	
PARCEL 1	PROVIDED: 28
PARCEL 2	PROVIDED: 53
PARCEL 3 (FUTURE)	PROVIDED: 141
PARCEL 4	PROVIDED: 161
PARCEL 5 (FUTURE)	PROVIDED: 129
TOTAL PARKING PROVIDED: 512	

REVISIONS: 2019.02.18 - REV. PER ALACHUA COUNTY COMMENTS

PLANS PREPARED UNDER THE DIRECTION OF:

DATE: JUN. 2019

DESIGNED BY: AMH

DRAWN BY: CHD

LOT NO. 17-33-02

ETM
VISION • EXPERIENCE • RESULTS

14770 State Avenue Road
Orlando, FL 32826
TEL: (407) 442-8800
FAX: (407) 446-8800
C.A. 00022584 LC-000016

MASTER SITE PLAN

PARCEL 4 - COMMONS AT CELEBRATION POINTE FOR THE COMMONS GUYS 2, LLC

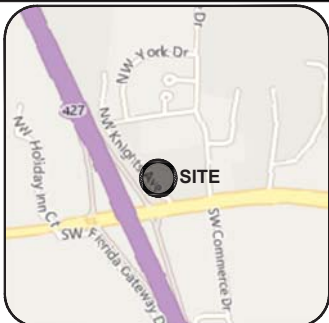
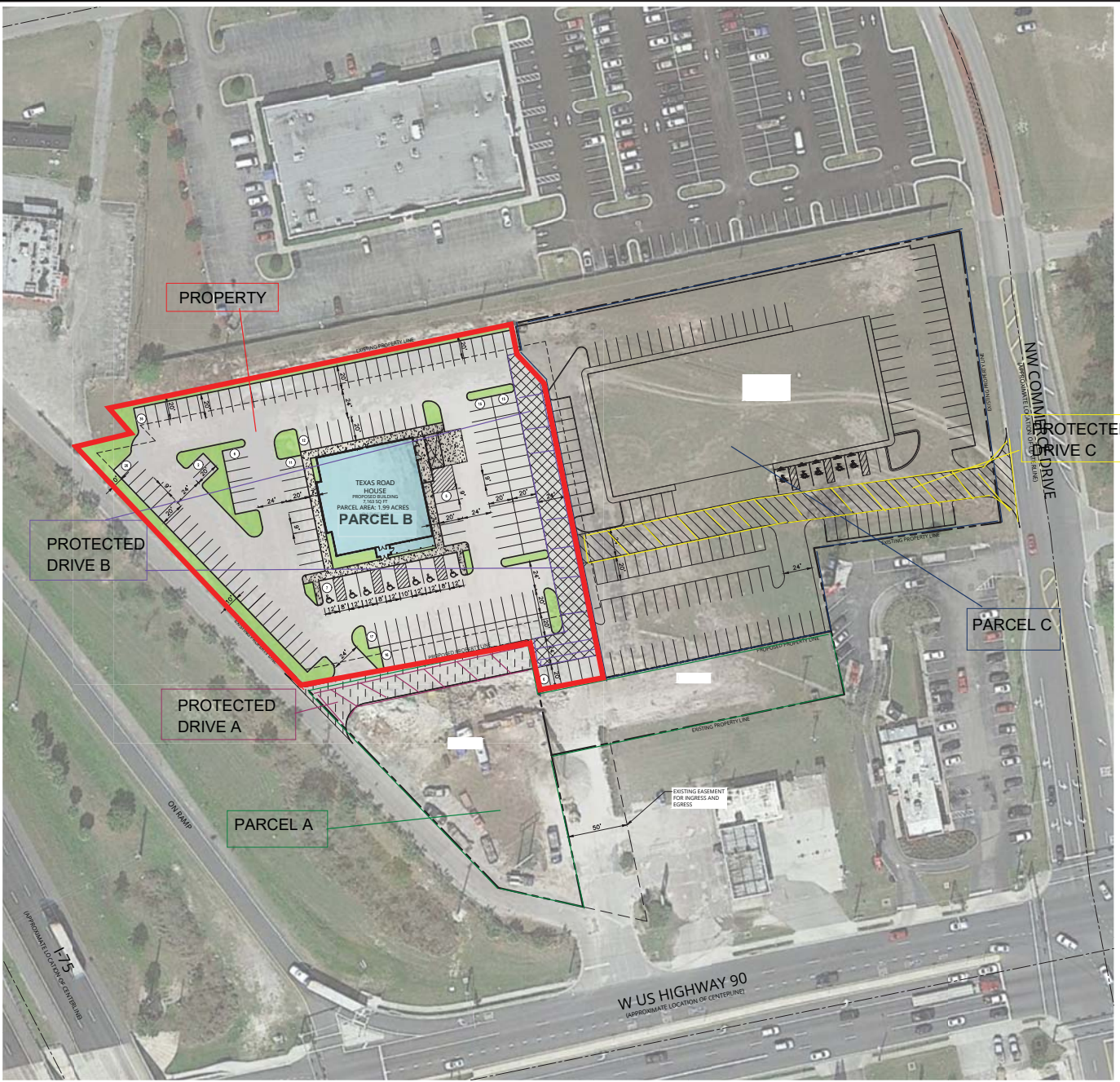
DRAWING NUMBER

3

C.004

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PLOTTED: February 18, 2019 - 9:02 AM BY: Cory Daugherty



LOCATION MAP
NOT TO SCALE

LEGEND

- EXISTING BOUNDARY LINE
- EXISTING EASEMENT LINE
- PROPOSED BOUNDARY LINE
- GREEN SPACE
- ASPHALT CONCRETE PAVEMENT
- CONCRETE SIDEWALK
- 4" WIDE PAINT STRIPES
- STRIPING @ 36" O.C.
- BUILDING SETBACK LINE
- FRONT LANDSCAPE SETBACK LINE
- BLUE PAINT ADA COMPLIANT BARRIER FREE PARKING LOGO
- PROPOSED STALL COUNT
- ACCESS EASEMENT OFF-SITE BY TEXAS ROAD HOUSE
- ACCESS EASEMENT ON SITE BY TEXAS ROAD HOUSE
- ACCESS EASEMENT OFF-SITE BY MARRIOTT COURTYARD

LOT DATA

SOI LOT	ACRES
MARRIOTT COURTYARD, PARCEL A	89.812 89
PARCEL C	13.527 84
TRUCKS	26.362 09
TEXAS ROAD HOUSE, PARCEL B	86.035 41
TOTAL	236.738 00

SITE DATA

- SITE ZONING: CH - COMMERCIAL, HIGHWAY INTERCHANGE
- MINIMUM LOT AREA: NONE
- LOT WIDTH SHALL BE ADEQUATE TO ACCOMMODATE ALL REQUIRED PARKING AREAS, YARDS AND VEHICLE CIRCULATION
- PERMITTED USE: RESTAURANT
- MINIMUM SETBACKS:
 - FRONT: BUILDINGS 30 FEET, PARKING 10 FEET
 - SIDE YARD: BUILDINGS 10 FEET
 - REAR YARD: BUILDINGS 10 FEET
- MAXIMUM STRUCTURE HEIGHT: PER FLORIDA BUILDING CODE, CHAPTER 5
- MINIMUM PARKING REQUIRED: 1 SPACE PER 3 SEATS IN PUBLIC ROOM
- PARKING: 12 X 30 FEET LOADING BERTH VERTICAL CLEARANCE: 14 FEET
- OFF STREET LOADING: NO LESS THAN A 10 FOOT WIDE STRIP TO BE PROVIDED FROM THE RIGHT-OF-WAY TO SIDEWALK TO THE BUILDING LINE OR PERIMETER OF THE PARKING AREA
- LANDSCAPE PERMETER: 25 FEET
- PARKING LOT: DRIVE AISLES 20 FEET, PARKING SPACE WIDTH 12 FEET (ADA), PARKING SPACE LENGTH 20 FEET

PARKING DATA

PARKING PROVIDED:	167 SPACES
BASED ON 151,200 TOTAL SPACES	
TOTAL ADA PARKING REQUIRED:	6 SPACES
TOTAL PROVIDED:	7 SPACES
TOTAL PARKING PROVIDED:	174 SPACES

REFERENCE NOTES

1. INFORMATION FOR SITE NOTES PROVIDED FROM COLUMBIA COUNTY, FLORIDA.
 2. AERIAL IMAGES PROVIDED FROM GOOGLE EARTH 2018.
 3. ROAD CENTERLINE AND ROW LOCATIONS ARE APPROXIMATE BASED ON AERIAL IMAGERY.
 4. ZONING INFORMATION TAKEN FROM COLUMBIA COUNTY, FLORIDA.
 5. THIS IS A CONCEPTUAL PLAN TO BE USED BY THE CLIENT FOR PRELIMINARY PLANNING PURPOSES ONLY. NO DETAILED SITE PLANNING OR CONSTRUCTION DIMENSIONS HAVE BEEN PERFORMED BY SME. FURTHER DESIGN AND RESEARCH IS REQUIRED IN ORDER TO COMPLETE THE NECESSARY DETAIL REQUIRED FOR ENTITLEMENTS, APPROVALS AND PERMITTING.
 6. NO LANDSCAPING, OPEN SPACE OR LIGHTING HAS BEEN SHOWN ON THIS PLAN, REQUIRED BY ORDINANCE.
- CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME RESPONSIBILITY FOR THE SAFETY OF THE WORK, OR PERSONS ENGAGED IN THE WORK, OF NEARBY STRUCTURES.



Orientation:

Scale:
GRAPHIC SCALE: 1" = 40'

Project: **TEXAS ROAD HOUSE**

Project Location: **LAKE CITY, COLUMBIA COUNTY FLORIDA**

Sheet Name: **CONCEPT SITE PLAN LAYOUT**

Engineer's Seal

Revisions

REV	ISSUED FOR	DATE	BY

Date: **12-03-2018**

SME Project No.: **078930.00**

Project Manager: **KMA**

Designer: **SRP**

CADD: **SRP**

Checked By: **KMA**

Sheet No.: **1**

DATE: 12-03-2018 10:20:17 AM - ISSUED: FILE LOCATION: \\sme-hq\proj\078930.00\078930.00\078930.00\078930.00-Concept\Parking

DATE: 12-03-2018 10:20:17 AM - ISSUED: FILE LOCATION: \\sme-hq\proj\078930.00\078930.00\078930.00\078930.00-Concept\Parking

DRAFT

SITE PLAN KEY

- S1 PROPOSED CONCRETE SIDEWALK (SEE DETAILS).
- S2 PROPOSED BLACK COLORED CONCRETE SIDEWALK (SEE DETAILS).
- S3 PROPOSED HEAVY DUTY BLACK COLORED CONCRETE PAVEMENT AT DUMPSTER PAD LOCATION (SEE DETAILS).
- S4 PROPOSED CONCRETE CURB TRANSITION FROM 6" REVEAL TO FLUSH CONDITION BY LANDLORD
- S5 PROPOSED CONCRETE ADA RAMP WITH DETECTABLE WARNINGS PER ADA AND LOCAL REQUIREMENTS. BY LANDLORD
- S6 PROPOSED HANDICAP SIGNAGE PER LOCAL CODE (TYPICAL OF 6).
- S7 PROPOSED CONCRETE PATIO (SEE ARCH PLANS).
- S8 PROPOSED DUMPSTER ENCLOSURE (SEE ARCH PLANS).
- S9 PAVEMENT MARKINGS BY LANDLORD
- S10 PEDESTRIAN CROSSWALK BY LANDLORD
- S11 LIMIT OF TEXAS ROADHOUSE SITE WORK.
- S12 PROPOSED LANDSCAPE AREA (SEE LANDSCAPE PLAN).
- S13 PROPOSED CURB SAWCUT. NOT APPLICABLE
- S14 PROPOSED CONCRETE FILLED STEEL PIPE BOLLARD, TYPICAL OF 5 (SEE ARCH PLANS).
- S15 EXISTING CURB TO REMAIN.
- S16 EXISTING HANDICAP PARKING.

SITE NOTES

- A. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- B. UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON ALL CURBING ADJACENT TO CONCRETE PAVING SHALL BE INTEGRAL CURBING. CURB AND GUTTER NEXT TO ASPHALT SHALL BE TYPE "F" MODIFIED CURB AND GUTTER.
- C. DEMOLITION OF EXISTING PAVEMENT AND UTILITIES IS A PART OF THIS CONSTRUCTION PACKAGE. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS AND STEPS TO INSURE THAT ALL ADJOINING PROPERTIES ARE PROTECTED FROM DAMAGE AND TO INSURE THAT ALL ADJOINING PROPERTIES RETAIN ALL UTILITY SERVICES DURING THE DURATION OF THE CONSTRUCTION.
- D. IF DEMOLITION OR CONSTRUCTION ON SITE WILL INTERFERE WITH THE ADJACENT PROPERTY OWNERS TRAFFIC FLOW, THE CONTRACTOR SHALL COORDINATE WITH THE ADJACENT PROPERTY OWNER TO MINIMIZE THE IMPACT ON TRAFFIC FLOW. TEMPORARY RE-ROUTING OF TRAFFIC IS TO BE ACCOMPLISHED BY USING DOT APPROVED TRAFFIC BARRICADES, BARRIERS, AND/OR CONES. TEMPORARY SIGNAGE AND FLAGMEN MAY BE ALSO NECESSARY.
- E. CONTRACTOR TO PROTECT ALL EXISTING LANDSCAPE NOTED TO BE SAVED.
- F. ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTHLY AND FOUR INCHES OF TOPSOIL APPLIED. TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL, APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEED/SODDED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

SITE NOTES CONTINUED

- G. THE LOCATION OF THE CONSTRUCTION FENCE ON THE DRAWINGS IS FOR GRAPHICAL REPRESENTATION ONLY. THE CONTRACTOR IS TO ENSURE THAT THE CONSTRUCTION FENCE ENCOMPASSES THE ENTIRE WORK AREA. ALL DIMENSIONS, UNLESS OTHERWISE NOTED, ARE TO FACE OF CURB, OUTSIDE FACE OF BUILDING (BLOCK), OR CENTERLINE OF PARKING BAY. REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF ALL ENTRY/EXIT PORCHES AND PRECISE BUILDING DIMENSIONS.
- J. THE GARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLANS AND SPECIFICATIONS.
- K. THE GENERAL CONTRACTOR IS TO COORDINATE WITH THE APPROPRIATE UTILITY COMPANIES PRIOR TO CONSTRUCTION, ADJUSTMENT, OR RELOCATION OF EXISTING UTILITIES AS DESIGNATED ON THE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING DAMAGE TO ANY EXISTING ITEM DURING CONSTRUCTION SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURB, ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS. THE CONTRACTOR IS RESPONSIBLE TO DOCUMENT ALL EXISTING DAMAGE AND NOTIFY CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION START.

WETLANDS AND CONSERVATION AREA NOTE:

THERE ARE NO WETLANDS OR CONSERVATION AREAS ON THIS DEVELOPMENT PROPERTY.

FLOOD CERTIFICATION:

BASED ON AN INSPECTION OF FEMA FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NO. 120150040F DATED 5/5/2003, THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE X.

NOTE: ALL GRADING AND TOPOGRAPHIC INFORMATION IS BASED ON NVD 29 (CONVERSION NAVD 83: 1.12' NGVD 1929)

NOTE: FOR DEVELOPMENT OF THE OUTPARCEL OUTSIDE OF THE BUILDING SIDEWALKS, REFER TO DEVELOPMENT PLANS STARTING CONSULTING SERVICES INC. AND COMMERCIAL SITE SOLUTIONS INC. ALL WORK OUTSIDE OF THE TRIP PARCEL AREA IS TO BE PERMITTED AND CONSTRUCTED BY LANDLORD.

SITE DATA (TEXAS ROADHOUSE INSIDE THE CURB)

PARCEL I.D.: 1002-00-1090 (PORTION OF PARCEL)

SITE ADDRESS:
1610 TAMAMI TRAIL
NORTH PORT, FLORIDA 34287

FEMA FIRM MAP # NO. 120279001B DATED 9/2/81, THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE B

INSIDE THE CURB LOT SIZE (TEXAS ROADHOUSE): 13,681 SF OR 0.31 AC

PROPOSED PAVEMENT AREA: 3,396 SF OR 0.08 AC
PROPOSED IMPERVIOUS AREA: 10,315 SF OR 0.23 AC
TOTAL RESTAURANT SITE IMPERVIOUS: 62,570 SF OT 67%

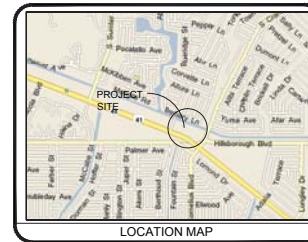
ZONING: PCD

PROPOSED USE OF PROPERTY: RESTAURANT (7,163 SF)

BUILDING SETBACKS: SEE PROJECT DATA

LANDSCAPE REQUIREMENTS FOR BUILDING ONLY:

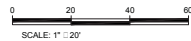
SHRUB REQUIREMENTS: 10 SHRUBS PER 2,000 SQ. FT. OF THAT PORTION OF THE SITE NOT UTILIZED FOR STRUCTURES.
AREA NOT UTILIZED FOR STRUCTURE: 6,518 SF
SHRUB REQUIRED IS 8" X 10" 33' TOTAL SHRUBS REQUIRED
TOTAL PROVIDED ON "INSIDE THE CURB" SITE: 80 SHRUBS
PARKING REQUIRED: SEE PROJECT DATA



LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	18" CONCRETE CURB & GUTTER
---	---	NUMBER OF PARKING SPACES PER ROW
---	---	SIGN
---	---	BLACK COLORED CONCRETE SIDEWALK
---	---	BLACK COLORED HEAVY DUTY CONCRETE

Issued:	D:te:
A ISSUED FOR PERMITS	---
B	---
C	---
D	---
Re:ed:	D:te:
1	---
2	---
3	---
4	---
5	---
6	---



Site: K. St...rd, P.E.

FL N: 50565 SEAL



21764 Site Road 54

L.T.E. FL 33549

(813) 865-2032



400 NORTH ASHLEY DRIVE, SUITE 600

TAMPA, FL 33602

PH: 315-505-1016

CONTACT: GREGG HOLDSWORTH, AIA

C:\N:\e:

TEXAS ROADHOUSE

1610 TAMAMI TRAIL
NORTH PORT, FL 34287
SARASOTA COUNTY

Print Name & License:

SITE PLAN

Dr:ed:

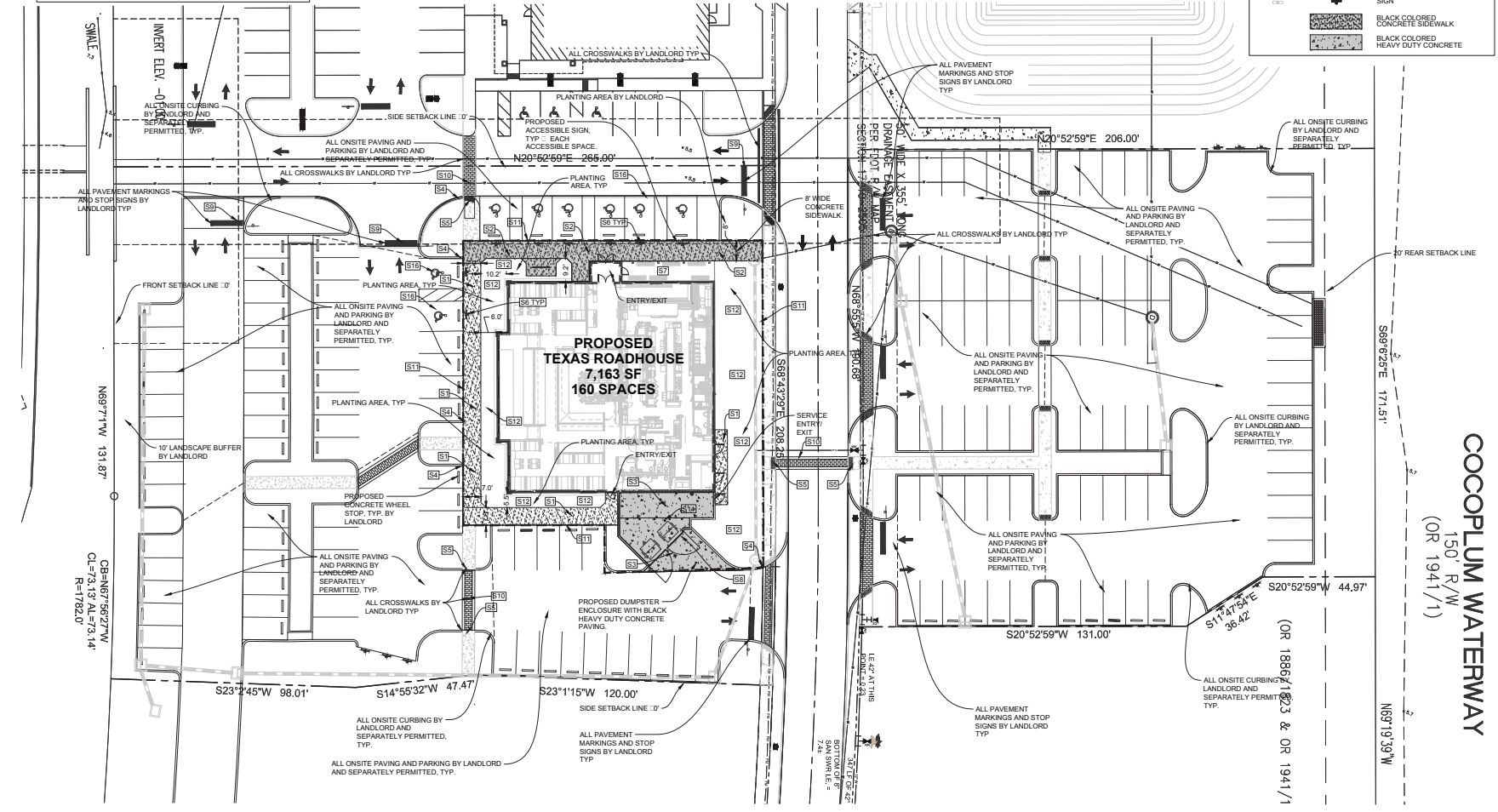
D:te: 1/10/18

Re:ed: XXX

Dr:ed: ---

C:ed: SKS

C-3.0



APPLICANT'S LETTER REQUESTING DEVIATIONS

March 8, 2019

Ms. Sri Ravali Komaragiri
 City of Novi – Planning Department
 45175 Ten Mile Road
 Novi, MI 48375

Subject: **Proposed Amendment to Planned Rezoning Overlay (PRO)**
 43700 Expo Center Drive, Novi
 Parcel ID: 22-15-476-056

Dear Ms. Komaragiri:

Please find the herein our revised list of conditions and requested additional deviations. These revisions are based on the review date of February 20th, 2019 and our discussions last week. These requested deviations are in addition to those deviations previously requested as part of the originally approved Adell Center development. The following deviations from the City of Novi zoning ordinances are requested as part of the amendment to the Adell Center PRO development.

Conditions

1. The development is subject to all conditions from the already approved or as amended for the Adell Center PRO agreement.
2. The current discussions for appearance along the drive and as previously discussed prior to the original PRO agreement included a combination of brick wall and ornamental fence without berm. This condition would align the PRO agreement with the esthetic that was originally developed for the Adell Center.

Additional Deviations

1. Planning Deviation (Sec 4.19.2) to allow for construction of a dumpster enclosure within the interior side yard off the building. This deviation is being requested to allow the dumpster enclosure to be constructed in the interior side yard away from the EB I-96 on-ramp. This deviation request is for Unit 7.
2. Planning Deviation (Sec 5.4.1) for Parking, Loading, Signs, Landscaping, etc. to locate the loading area within the interior side yard. This deviation is being requested to allow the loading area to be constructed away from the EB I-96 on-ramp. This deviation request is for Unit 6 and 7.

This deviation refers to section 3.27.1 of the City of Novi code of ordinances.

3. Planning Deviation (Sec 5.4.2) for Parking, Loading, Signs, Landscaping, etc. to allow for a reduction in the size of the proposed Loading Area as follows:

Unit	Building Front Foot	Required Loading Area (sf)	Requested Loading Area (sf)	Deviation Requested (sf)
7	84.7'	847	786	61 sf

Per the applicant, the only time that delivery vehicles visit are during non-open times of the day which are generally in the morning before the restaurant opens for business. Deliveries will also be scheduled as not to conflict with garbage removal periods of time.

4. Façade deviation to allow the following allowable percentages listed in section 5.15 of Zoning Ordinance for the building on Unit 7 as listed below

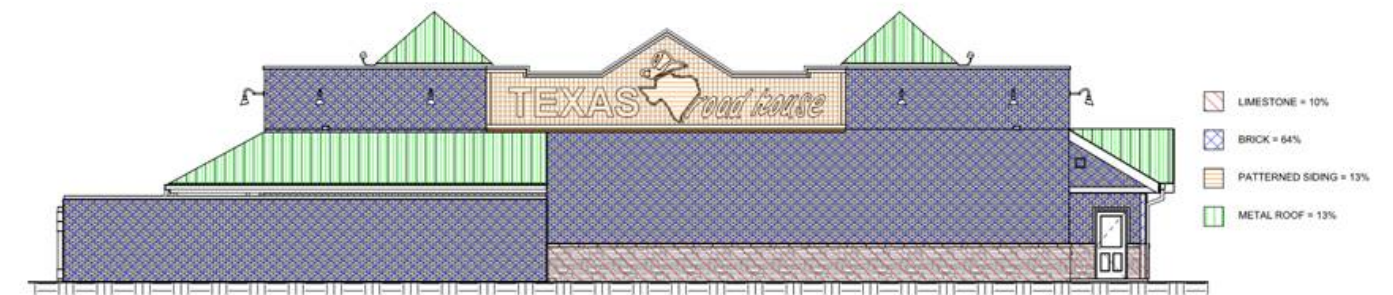
- a. A maximum of 25% standing seam metal roof id allowed, 35% on East elevation and 29% on west elevation proposed;



③ EAST ELEVATION
1/8" = 1'-0"



④ NORTH ELEVATION
1/8" = 1'-0"



① WEST ELEVATION
1/8" = 1'-0"



5. Landscape deviation (Sec. 5.5.3) requiring undulations in the landscape berm with a 3' height. This deviation is being requested due to the insufficient space in the greenbelt to add the vertical and horizontal undulations.
6. Planning Deviation (Sec 4.19.2) is being requested to allow the transformer to be constructed in the interior side yard away from the EB I-96 on-ramp and/or along adjacent interior shared access. This deviation request is for Unit 1, 2, 3, 6, and 7.
7. Planning deviation from section 3.1.25.D to allow reduction of minimum required exterior side parking setback of 20 ft. for the following unit is proposed;
 - a. Unit 6: 13 ft. along Northeast (50' at property boundary indentation)
8. Planning deviation from standards of Sec. 5.12 a 30 space reduction in minimum required parking (calculations provided) for unit 7 within the development.

Total number of Employees (**E**): 40

Total number of customers allowed under Maximum Capacity:

- Dining: 286
- Waiting Benches: 25
- Waiting outside benches: 28
- Waiting Non-Concentrated: 13

Total: Occupancy (**O**)= 286+25+28+13= 352

Total Minimum Parking required: $(E+O)/2 = (40+352)/2= 196$

Total Parking Proposed: **166**

Total Deviation requested: **30**

These deviations are requested to allow the proposed developer an attempt to maintain their national brand look for the building. This deviation refers to section 9 of the City of Novi code of ordinances.

9. City Council Deviation from the existing sign ordinance 17-188 to allow for a second building wall mounted sign on the proposed building. This deviation is requested so that the applicant can install a building sign along the Adell Center road side of the building and a second sign along the I-96 side of the building. This deviation request is for Unit 2 (Planet Fitness).
10. City Council Deviation from the existing sign ordinance 17-188 to allow for increased sign building area as outlined on the attached sign application. This deviation refers to section 3.27.1 of the City of Novi code of ordinances. This deviation request is for Unit 7 (Texas Road House).

On behalf of the applicant and based on the above description and attachments, we kindly request positive consideration by the City of Novi on this matter.

If you have any questions, please do not hesitate to contact me.

Sincerely,
GreenTech Engineering, Inc.

A handwritten signature in black ink that reads "Jason Fleis". The signature is written in a cursive style with a large, sweeping initial "J".

Jason Fleis, PE
Director of Engineering Services

CITY COUNCIL MEETING MINUTES EXCEPRT

September 24, 2018

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, SEPTEMBER 24, 2018 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

Mayor Gatt called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Breen, Casey, Markham, Wrobel (absent, excused)

ALSO PRESENT: Alan Weber, Economic Development Director
Thomas Schultz, City Attorney

APPROVAL OF AGENDA:

CM 18-09-137 Moved by Casey, seconded by Markham; MOTION CARRIED: 6-0

Roll call vote on CM 18-09-137 **Yeas: Staudt, Breen, Casey, Markham, Mutch, Gatt**
Nays: None
Absent: Wrobel

INTERVIEWS FOR PLANNING COMMISSION

1. Domenic Policicchio - Absent
2. Willie White

Willie White said she submitted the application because it would be a way for her to become involved in the inner workings of the City government. Member Breen didn't have any questions at that time. She thanked her for stepping up. She said she hoped no matter the outcome that we could find a place for her to volunteer. Member Casey said she believed Council spoke with Ms. White a few months ago. She wondered if she has seen anything in Novi in the last couple of months that makes her more interested. Ms. White said her interest has not diminished. She noticed that the City is growing and has potential to grow even more. She stated she would like to be part of that growth as a resident and also on the government side of it. Mayor Pro Tem Staudt noted that the Planning Commission is one of the more difficult Boards and Commissions to get on. He asked what other things she was interested in. He wondered what her primary focus in Novi would be. Ms. White replied that housing would be her focus. She would be interested in either the Planning Commission or something to do with housing. She does have experience in housing. She owned a non-profit in Detroit. She noted that she is very interested in the building of houses, specifically low income housing, and mentioned the Manchester project. She stated the starting rent is \$1,400 and she questioned how that was considered low income. She said the median income is rising, but seniors have steady income. She wondered what provisions are being made for seniors and low income. Member Mutch followed up on her experience with housing in Detroit. He said there are different needs in Novi, but many of the same challenges, especially low income. He asked from her experience what the key needs were for

On August 24th, the surveyor stakes went in and the path is about 20 feet from properties. A number of residents have contacted the Mayor and City Manager and had discussions with PRCS. Basically nothing has happened as far as the location of the trail. They felt totally ignored and blocked from having any say. He didn't know where the decision was made on where the trail would be. There is no record of voting or discussion on the exact location of the trail. He felt as far as the information provided to them was incorrect.

CONSENT AGENDA REMOVALS AND APPROVALS:

- A. Approve Minutes of:
 - 1. September 17, 2018 – Regular meeting
- B. Approval of the Traffic Camera License and Use Agreement, for viewing real time intersection traffic conditions, between Oakland County and the City of Novi.
- C. Approval of the purchase of one (1) Verity Central Unit in the amount of \$88,155.00 from Hart InterCivic, Inc. through the State of Michigan contract.
- D. Approval to purchase an unmarked vehicle from Galeana's Van Dyke Dodge/Ram for the Novi Police Department in the amount of \$25,823.50 through the Oakland County Cooperative purchasing contract.
- E. Adoption of Oakland County Hazard Mitigation Plan.
- F. Approval of Claims and Accounts – Warrant No. 1020

CM 18-09-138 Moved by Mutch, seconded by Markham; MOTION CARRIED: 6-0

To approve the Agenda as presented.

Roll call vote on CM 18-09-138

**Yeas: Breen, Casey, Markham, Mutch, Gatt,
 Staudt
Nays: None
Absent: Wrobel**

MATTERS FOR COUNCIL ACTION

- 1. Consideration of the request of Orville Properties, LLC for Tentative Approval of Zoning Map Amendment 18.724 for a Planned Rezoning Overlay (PRO) Concept Plan associated with a rezoning from Expo (EXPO) to TC (Town Center). If the City Council determines that it may approve the rezoning with PRO, the City Council shall specify tentative conditions and direct the City Attorney to work with the applicant in the development of a proposed PRO Agreement. Upon completion of the PRO Agreement, the City Council shall make a final determination to approve, approve with conditions, or deny the rezoning with PRO. The subject

property is approximately 21.48 acres and is located at 43700 Expo Center Drive, north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The PRO Concept plan includes a request for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance.

Kevin Adell said he was the owner of the property on Novi Road and I-96 where the water tower is that has the Adell name on it. A picture is worth 1,000 words, so he showed a video presentation showing what the development would like in 30 days and then at final completion a year from now if given the opportunity. They would take concrete out and foundation October 1st. Second, they would start road and utilities in winter. In the spring construction would start. He explained they are tenants. Each person buys into it at \$1 million to \$3 million per acre. They are putting a \$20 million building on each property. They have skin in the game. It will not be like 12 Oaks Mall. This will spark redevelopment along Grand River. He said there are no guarantees in business. He owns the Word Network. He can tell you this will spark redevelopment along Grand River. He humbly asked Council that they approve this project.

Member Casey asked the City Attorney how the development will proceed since this was not a typical PRO. She asked if they will see the sale of individual units, clear lot delineation, then the maintenance of roads, common elements, and pedestrian crosswalk will be part of a condominium association. She wanted confirmation that the units will maintain their lots and all of the other amenities will be maintained by a condominium association. City Attorney Schultz replied yes, that is what we expect as part of PRO agreement. If it reached the next phase, they would outline that process in the agreement. Typically a site condo works that way. Member Casey asked if any of the unit owners wish to sell, that sale needs to be for a purpose that meets existing approved per the Town Center district. Mr. Schultz said any sale has to be in accordance with the PRO agreement. He did mention one issue would be dealing with subsequent users. They will have to wait and see what the proponent proposes. Member Casey had a question for the traffic consultant. Member Casey understood that the City was undertaking a traffic study on Grand River as a whole and was looking for an update. The traffic consultant said they have looked at Grand River from Meadowbrook to Novi Road. They also looked from Novi Road from Ten Mile to 12 Oak Mall and Novi Road. They submitted a draft study to the City for review. The general findings of the study are regarding the existing conditions and projected out to 2028 with some assumptions built in. Examples such as the Ring Road which was built into the CIP they assumed would be built by 2028. So that is what their analysis took into consideration. Under existing conditions there are issues at Novi Road and Grand River in terms of meeting the level of service deemed acceptable. Adding traffic to that in the year 2028 was showing progressively worse at certain locations. They proposed some mitigations. It is in the City's hand and they are reviewing. Member Casey said she works for General Motors and because Carvana is a proposed use, she wanted to state that she does not receive any benefits since Carvana is likely to sell used General Motors vehicles. She can be objective. She thought this was an interesting opportunity to have this development brought to them. Some of the questions she had were about

unique special buildings, like Carvana and iFly. She said they are very unique facilities and specifically built for this. She was curious what it would look like 30 years down the road. Generally speaking, she was comfortable with this project. She would like to see, since this is tentative approval, more info on traffic study. She said understanding that a significant development was going in, they need to understand traffic and mitigation opportunities. Going forward she didn't see any specifics about signage deviation. She wanted to see that for the monument signs. Those are her outstanding questions. Mr. Adell mentioned that this would bring in \$3.4 million in tax revenue and right now it brings in zero. With all of these users that will bring \$3.4 million plus personal property. They figure about \$4 million additional tax revenue.

Member Mutch said he had a chance to review the packet and at this step in process with PRO he has three key issues that he was focused on. He said he would like to have more information to give him a level of comfort to move forward. First off would be the traffic issue. He drives through that intersection every day. He commutes to Waterford. The longest part of his commute is getting off M-5 and onto I-96 at Novi Road and taking Novi Road south past this site to Grand River. This is always the most congested part of his drive. He knows news articles and mailings have gone out, and the residents complain about traffic, traffic, traffic. That's a key issue. One concern is the traffic review provides some information about trip generation. This will generate 4,000 trips per day, plus peak hour, on top of what's going on already. He felt this was something that they need to have a conversation about. When he looks at this development and location there is only one access point off of Novi Road. All traffic goes through that intersection. Right now it gets hardly any traffic, but if this development is successful it will generate traffic and have significant impact on corridor. He understands the City is doing a traffic study. Before we get to final approval, he wants to see that study. For any development at that location, he needs to know how traffic will be addressed. That location is seven lanes wide. Grand River is five lanes wide and there is no room to put any more lanes. He said related to that is the site plan proposing a single entrance with a long cul-de-sac design. He felt that was longer than what was permitted by ordinance. He has a concern about what would happen if Police and Fire need to respond and that primary access is blocked off or inaccessible. The ordinance requires a secondary access point so emergency response folks can get into developments; especially developments of this size with hotels. From what information was provided, that aspect of the plan hasn't been nailed down in terms of secondary access and having it secured in place. He said before he would give final approval that would have to be addressed. His final piece is that they still have questions regarding which uses are going to be in place. He said he knew that Mr. Adell has lined up several companies such as Carvana, iFly, Fairfield, Planet Fitness and Texas Roadhouse. Mr. Adell said they have purchase agreements with 10% escrow. Mr. Adell said he is also talking to HopCat about a proposed restaurant there. Member Mutch wants to see more detail from a planning and traffic perspective what the impact will be. He was looking to staff to provide additional information from those applicants providing detail of what they have proposed. He understood that Mr. Adell will be selling these properties and the City will deal with each applicant. Mr. Adell said Sears, Denny's, and Toys R Us are going out of business, so there is less traffic. He sat on I-96 due to many reasons such as road construction, union problems, freeways that aren't built,

etc. His father bought the property 51 years for \$150,000 before the growth. Growth is positive, more development, and open for business. This is the gateway to Novi. This is what you see. He is offering the opportunity to have these Fortune 500 companies. This will spark redevelopment. He didn't create the traffic problems. These are executed purchase agreements. They are committing to spending real money. He doesn't know what more he needs to show. Member Mutch appreciated that. He isn't holding him responsible for traffic. Every development generates traffic. He wants to understand what the City needs to do, taking into account all developments that they are reaching gridlock and chocked from traffic. It's congested and the number one complaint. When people heard about this proposal, the complaint was regarding traffic. Mr. Adell said that wasn't true. Member Mutch said he listed his concerns. At this point in the process, there are no specifics in the plan that would prevent him from moving forward, but those need to be addressed before final approval.

Member Markham thought that using the TC zoning as the underlying zoning is a good idea. That's the right choice of all of the zoning districts and it makes sense with the right kinds of uses. She thought that was a move in the right direction. She echoed previous comments on the traffic situation. It is their job as Council to represent the residents. Novi residents, she included, and anyone else who drives through the Novi Road, I-96, Grand River intersection knows that it is a problem. Even though she felt this is the right kind of development, she saw serious issues on how we will move people through. We need to see the plan that the City has and how it incorporates with his proposal to avoid worsening traffic. She said they were all good uses, but if we don't do something different with how we move people through there, it won't work. A discussion needs to take place and they need more detail on how we will handle that. She asked if where the road terminates was big enough for the car haulers to turnaround. Our traffic consultant replied yes, it meets the standards. Member Markham said she would like more information about signage and why the deviations are required. She typically thinks it's hard to find businesses. She felt that our sign ordinance is restrictive. She is not against signage deviations as long as they make sense. Dan LeClair from Green Tech Engineering said they are asking for several signage deviations for the development as well as for some of the users. This property does not lie right on Novi Road so they have to get people in and out smoothly and efficiently. He explained they are asking for two deviations with respect to monument signs, one out near the intersection of the eastbound off ramp at Novi Road and one at Crescent Boulevard where it goes into the current Expo Center Drive, just for monument signage to identify the center. Member Markham wondered if they will say the Adell Center, they aren't welcome signs, they really identify development. Mr. Adell said regarding traffic, these are destination places, like iFly. Member Markham understood that, but stated that they need to look at things comprehensively when a big development comes forward. Council needs to ask questions. She also agreed certain locations have a lot of traffic, but they talk about that also because it is a problem for the residents and the subject needs to be discussed. Member Markham questioned City staff about the process. She stated that our development manual requires concept approval from Council and then it goes to site plan approval at the Planning Commission. This proposal has already gone through site plan approval at the Planning Commission before they saw it. She wondered how that worked and wondered if they wanted to change something,

would they be able to. City Attorney Schultz stated that at the beginning of conversations with applicant one of the questions raised to the City Manager and Community Development was if it was possible and permissible to do the site plan concurrent with PRO concept plan. He said they researched the issue and wrote a letter to them saying there is no prohibition or absolute limitation on doing that. The developer had to understand they were doing it at their own risk. Essentially it said it was a gamble for the developer. From Council's perspective that was their choice and their risk to go to the Planning Commission before they had the concept approval. Mr. Schultz stated if the concept changes between now and whenever they would actually do something with their site plan approval then that's Council's ability to do so. Mr. Adell stated he was not changing it. Mr. Schultz said this was not a back and forth with the developer unless there was a direct question. Member Markham wondered if Mr. Adell had given any thought to public transit as something that might service the development. Mr. Adell said Uber and Lyft were available. He said he contacted the different malls about having trolleys taking people back and forth. Member Markham said she was thinking a little more broadly. The facilities would have employees and patrons. She asked if he had given any thought to accommodating some type of transit like a bus stop. Mr. Adell said he knew something was proposed with SMART, but he didn't know if anything had been approved. He considered that the City's obligation, same as infrastructure. Mr. Adell said he has the property and is trying to find the best use for the property.

Member Breen said she didn't have any questions for the developer or staff at that time. She also wanted to echo the same concerns. She said traffic was a big concern. She lives on north end and her only option is to go south and it was terrible. It's not looking any better. She would like to see what can be done to alleviate those concerns. She would like to review the pending traffic study. She thought a lot of things are different with this plan and it sounded fun. She worried about the viability of Carvana and adding more hotels. She didn't know what the capacity would be. There are concerns from the Fire Marshal though it appears those will be addressed. There is nothing finalized for secondary access. She felt those things need to be address before final approval.

Mayor Pro Tem Staudt said there have been a lot of proposals over the years for the property including a flea market. One of the beauties of this particular plan is that it is a pretty finite program of development. He thought that was a huge benefit to this community. Everybody has an opinion on traffic. He works a block away from that area and he drives it on a regular basis. He agreed that traffic is horrible during rush hour. During the day there isn't a significant traffic problem in Novi. This is something we have to, as a community, figure out how to fix. This isn't a one development issue; Twelve Oaks Mall, Fountain Walk and Walmart aren't going anywhere. He said he does not hold a developer responsible to fix the traffic problem, which is strictly Council's responsibility to figure out. Our success has bred more traffic. He didn't think the applicant should be penalized because he chose to take a slightly difference process for the development process. He said he has attended a couple of the meetings and the Planning Commission did a tremendous job of holding this applicant accountable for the many variances required to pull off something like this. He understood there are

concerns for following the process. This was a City decision; we could have said no and held it up. We allowed it to happen because of a commitment that was made by our City Manager to this applicant. He thought that Mr. Adell has a tremendous passion for this property. This is a small part of his financial empire. He wants to see that it is successful. He hopes they can move this forward.

CM 18-09-139 Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

Tentative approval at the request of Orville Properties, LLC for a Zoning Map Amendment 18.724 for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan (PRO) associated with a zoning map amendment, to rezone from Expo (EXPO) to TC (Town Center), based on the following findings, City Council deviations, and conditions, with the direction that the City Attorney's Office shall prepare the required Planned Rezoning Overlay Agreement and work with the applicant to return to the City Council for Final Consideration pursuant to the PRO Ordinance:

The agreement shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:

- 1. Planning deviation from section 3.1.26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, for the following, provided they conform to the 2015 International Building Code standards for High- Rise (Type I or Type II) construction:
 - a. Unit 5 Drury Hotel (84'-5", 7 stories proposed),**
 - b. Unit 8 Carvana (75'-10", 8 tiers proposed), and**
 - c. Unit 1 I-fly (70 feet)****
- 2. Planning deviation from section 5.12 to allow lack of required frontage on public road for Units 1 through 8. Frontage is proposed via a proposed private drive, built to City standards;**
- 3. Planning deviation to allow lack of required frontage on public road as listed in section 5.12 for Unit 9. Frontage is proposed on a private access/secondary emergency access drive;**
- 4. Planning deviation from section 3.27.1.C to allow for not meeting the minimum requirements for exterior side yard building setback of 50 feet from 1-96 Rights-of- way for Unit 1. A minimum setback of 32.5 ft. is requested;**

5. **Traffic deviation from section 11-I 94(a)(7) of Design and Constructions Standards Manual to allow exceeding the maximum allowable length of the proposed cul-de-sac street length of 800 feet, from the centerline intersection of Crescent Boulevard to the center of the bulb of the Adell Center Drive cul-de-sac. A maximum of 1,540 feet is proposed;**
6. **Planning deviation from section 3.1.25.D to allow reduction of minimum required front parking setback of 20 ft., from the proposed access easement. A maximum of 18 feet is requested;**
7. **Planning deviation from section 3.1.25.D to allow reduction of minimum required interior side parking setback of 20 ft. for the following units as shared access is proposed between parking lots;**
 - a. **Unit 1: 14 ft. along West, 0 ft. along South**
 - b. **Unit 2: 15 ft. along South**
 - c. **Unit 3: 15 ft. along West and 5 ft. along South**
 - d. **Unit 4: 5 ft. along East**
 - e. **Unit 5: 10 ft. along West**
 - f. **Unit 6: 0 ft. along West**
 - g. **Unit 7: 0 ft. along East and 10 ft. along West**
 - h. **Unit 8: 10 ft. along East**
8. **Planning deviation from section 3.1.25.B& C to allow the water tower to remain on its own separate site (Unit 9). This is not a principal permitted use of a site. It is also not considered an accessory use, since its proposed use is not detailed; provided that the creation of a new, separate legal parcel of limited size for the purpose of housing the tower on its own shall be addressed in the PRO Agreement including, but not limited to, the prohibition of future uses in the event the tower is removed and requirements relating to maintenance obligations;**
9. **Planning deviation from section 4.19.2.F to allow alternate location for dumpsters, instead of required rear yard for units 1, 5, 6, 7 and 8, provided the proposed location does not impact traffic circulation and appropriate screening is provided at the time of preliminary site plan. The applicant requests dumpsters to be allowed in exterior/interior side yards;**
10. **Planning deviation to allow partial rear yards for Units 3, 4 and 5 to be located within the floodplain, as listed in section 4.03A of Subdivision Ordinance, provided there is**

no danger to health, life or property are proposed. There appears to be no impacts proposed for Units 3 and 5. A pedestrian bridge is proposed on Unit 4;

- 11. Planning deviation to allow lack of required loading areas, as listed in section 5.4.2.,for unit 9 as requested by the applicant;**
- 12. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review**
 - a. Unit 1: exterior side yard**
 - b. Unit 3: interior side yard (no double frontage)**
 - c. Unit 4: interior side yard (no double frontage)**
 - d. Unit 5: exterior side yard or front yard under canopy**
- 13. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review:**
 - a. Unit 2: interior side yard (no double frontage)**
 - b. Unit 6: exterior side yard**
 - c. Unit 7: exterior side yard**
 - d. Unit 8: exterior side yard**
- 14. The applicant shall provide supporting data to justify the proposed loading area square footages, to be reviewed and approved by Planning Commission at the time of Preliminary site plan approval;**
- 15. Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking(to be established by staff after reviewing the calculations provided) for each unit within the development subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of respective site plan approval;**
- 16. Façade deviation to allow the following allowable percentages listed in section 5.15 of Zoning Ordinance for the buildings listed below:**
 - a. Unit 1 I-fly (based on the assumption that no EIFS is being proposed):**

- i. The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's review and consideration for approval of Section 9 waiver at the time of Site Plan approval;**
- b. Unit 2 Planet Fitness**
 - i. The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's approval of Section 9 waiver at the time of Site Plan approval;**
- c. Unit 5 Drury Inn:**
 - i. Underage of Brick and Stone combined (50% minimum required, 46% on right, 46% on left and 36% on rear proposed);**
 - ii. Overage of EIFS (25% maximum allowed, 43% on front facade, 47% on right, 47% on left facade and 58% on rear facade proposed)**
- d. Unit 8 Carvana:**
 - iii. Underage of brick (30% minimum required, 7% proposed on front façade)**
 - iv. Underage of combined brick and stone (50% minimum required, 7% on front, 30% on right façade, 30% on left and 39% on rear façade proposed)**
 - v. Overage of display glass (25% maximum allowed, 80% on front façade, 63% on right façade, 63% on left façade and 57% on rear façade proposed).**

17. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two development signs proposed for Adell Center as listed below:

- a. **Entranceway Sign Area (Section 28-1 & 28-5(b) (2)a) to allow for an increased sign area of 60 square feet. A deviation of 20 square feet is requested.**
 - b. **Entranceway Sign Height (Section 28-5(a) to allow for a 15' high monument sign. A deviation of 9 feet is requested.**
 - c. **Ground Sign Area (Section 28-1 & 28-5(b) (2)a) to allow for an increased sign area of 265 square feet. A deviation of 165 square feet is requested.**
 - d. **Ground Sign Height (Section 28-5(a) to allow for a 15' high monument sign. A deviation of 9 feet is requested.**
 - e. **To allow two ground signs on Unit 6. A maximum of one sign is allowed.**
18. **Planning deviation to allow Side Lot lines between Units 6 and 7, 4 and 5, 1 and 2 for not being perpendicular or radial to the road, as listed in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances;**
19. **Planning deviation to allow proposing the minimum required Open Space for each Unit as Common element spread within the development boundaries as shown in the Open Space Plan, provided the applicant restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements is submitted and approved at the time of Wetland permit/preliminary site plan approval, and provides the pedestrian walkway through the open space as proposed. (A minimum of 15% of total site area designed as permanently landscaped open areas and pedestrian plazas is required per section 3.27. I .F.);**
20. **Traffic deviation from section 7.13.1.D.to waive the requirement for required Traffic Impact Study as the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City;**
21. **Planning deviation from Section 5.7.3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4:1 ;**
22. **Planning deviation to allow exceeding the maximum spillover of 1 foot candle and approvable increase of the average to minimum light level ration from 4:1 within the**

Adell Drive pavement areas as listed in Section 5.7.3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units;

23. Engineering deviation from section 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet interval along the property boundary to provide connection to the adjacent property boundary;

24. Engineering deviation from Section I I-1 94(a) 19 of the Design and Construction Standards for allowing gravel surface for the secondary emergency access road within Unit 2 lot boundaries until construction of Unit 2 site improvements or until an agreed upon timeline provided in the PRO agreement;

The following revisions shall be made to the PRO Concept plan prior to City Council final approval of the PRO Concept Plan

- 1. A note shall be added to on Sheet 2, PRO Concept Plan, that each of the uses is subject to Use Standards in Article 4 of Zoning Ordinance;**
- 2. The following notes shall be removed from the PRO Concept Plan**
 - a. A note on sheet 02 that refers to "The Users are as of 08-29-18 and will be updated as new users are determined".**
 - b. A note on sheet 03 and 04 that refers to "Internal lot lines within the Adell Center Development are subject to move".**
 - c. Building and Parking setbacks provided in a small inset on Sheet 2 as they conflict with the suggested deviations at August 22nd Planning Commission meeting;**
- 3. The applicant shall remove the parking reference summary from sheet 02 as the Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking will address the counts at the time of respective site plan approval as indicated earlier in this motion sheet;**
- 4. The applicant shall add a note on PRO Concept Plan under Allowable uses that each of the uses is subject to Use Standards in Article 4 of Zoning Ordinance;**

- 5. The applicant shall provide a list of restricted uses on the PRO Concept plan, to be included in the agreement to ensure a quality development. Some of the staff recommended uses are as follows:**
- j. Gas Stations**
 - k. Sexually-oriented businesses**
 - l. Medical/Recreational Marijuana Uses**
 - m. Hookah bar/lounges or similar uses**
 - n. Vape shops or similar uses**
 - o. Convenience Stores**
 - p. Fast-food restaurants**
 - q. Fast food restaurants with a drive-through**
 - r. Tattoo parlors**

The items outlined by the Planning Commission should be addressed in the drafting of the PRO agreement prior to final approval by City Council:

- 1. The applicant shall conform to the maximum 15 bay parking requirement at the time of Site plan approval for individual units;**
- 2. The applicant shall revise and include the accurate legal description of the subject parcel and the road rights-of-way for the Ring Road in the PRO Concept plan and PRO Agreement;**
- 3. The applicant shall provide a secondary access point to the parking lot for Unit 5 at the time of Preliminary Site Plan review**
- 4. The applicant shall submit additional information as to be reviewed at this time;**
- 5. The applicant shall revise the length of the drive aisle in the southeastern parking lot in Unit 5 to be no longer than 150 feet to conform to the fire code requirement at the time of site plan review for Unit 5**
- 6. The creation of a new, separate legal parcel of limited size for the purpose of housing the water tower on its own is a required deviation that will need to be addressed in the PRO Agreement. No other use than the existing tower shall be permitted, maintenance of this Unit must be addressed in the PRO agreement;**

- 7. A irrigation plan and any necessary easements that demonstrates the applicant's intent will be required at the time of the approval of the Roads and Utilities plan;**
- 8. The applicant shall indicate the proposed decorative brick wall on Sheet 2, PRO Concept Plan;**
- 9. The applicant shall develop the road with a three-lane cross-section to further accommodate left-turning activities and provide a wider "buffer zone" for large vehicles entering/exiting the various facilities without entering into the opposing traffic through lane, at the time of Preliminary Site Plan approval;**
- 10. The applicant shall confirm understanding that they may be subject to certain off-site and/or on-site mitigation measures as a result of the region-wide traffic impact study. Any mitigation measures that are determined as part of the region-wide traffic impact study shall consider existing congestion and network deficiencies absent this project, as well as the proportion of existing versus future traffic, in evaluation and determination of responsibility of such measures;**
- 11. The applicant shall provide an approvable wetland/woodland restoration plan for the southerly portion of the site at the time of Wetland permit/Preliminary Site Plan approval for Roads and Utilities;**
- 12. The applicant shall stake the trail proposed on the south part of the site prior to construction to allow for the City of Novi's staff and consultants to approve the alignment prior to the applicant's construction of the trail;**
- 13. The timeline for paving the temporary gravel secondary access in the event Unit 2 is not**

completed within a certain period of time shall be addressed in the PRO agreement;

- 14. The applicant shall obtain all necessary off-site easements for connecting secondary emergency access to the west prior to Final Site Plan approval for Roads and Utilities;**
- 15. The applicant shall note that the following would possibly require an amendment to the PRO agreement, unless otherwise agreed upon:**
 - a. Any major changes to building and parking layout from the approved PRO plan**
 - b. Any deviations from ordinance requirements that are not requested/approved at this time**
 - c. Any change of use for any of the units that are not listed as part of the allowable uses**
 - d. Reduction of established minimum parking count, below the offered maximum of five percent reduction. A shared parking study may be required at that time**
 - e. Any future redevelopment for any of the units, other than what is shown on the Concept Plan**
- 16. Unit 4 remains green space and park area along with parking and the applicant shall work with staff on the layout and design at the time of Preliminary Site Plan approval for Unit 4;**
- 17. The applicant should incorporate enhanced pedestrian flow and shared parking elements for Units 6 & 7 with pedestrian crossings at the time of Preliminary Site Plan review of the individual unit which will be reviewed first;**
- 18. Deviations from the Chapter 28, Signs, from City Code of Ordinances that are not identified as part of the current review are subject to Zoning Boards of Appeals approval at the time of individual site plan review;**
- 19. Other items as the City Attorney's office and staff determine need to be addressed during the drafting**

of the agreement, in light of the complexity of the above;

This motion is made because the proposed Town Center zoning district is a reasonable alternative to the Master Plan for Land Use, because the development will improve a property that is blighted, and because the likelihood of alternative development is unknown and the potential for less favorable development exists.

Mayor Gatt stated that he wasn't going to comment, but he felt compelled after listening to his colleagues. He wondered what the Detroit City Council said when Joe Louis or Comerica were being built. He believed that traffic is a sign of vibrancy. Novi is a vibrant city and we need to celebrate it. Those of us in the City know ways around Novi Road and Grand River because we live here. Yes, traffic is a problem in Novi. He would rather have a traffic problem than a blight problem. He didn't want to turn down development because it will bring traffic. That's what we want. We want people to come to Novi. According to Money Magazine Novi is the number one City in the State of Michigan and it's because we are vibrant and growing. He echoed what Mayor Pro Tem Staudt said about the traffic and said this is the City's problem and he couldn't agree more. We have to figure it out. Someone was the Mayor when Twelve Oaks was being proposed and traffic was a big deal. We built the property anyway and look at where we are. He didn't think we should hold up a multi-million dollar project because of traffic. He mentioned Member Markham mentioned transit, and he agreed with her, transit will resolve itself. He said our City Manager is looking into SMART. If SMART doesn't work, they are committed to doing something. He is sure there would be a stop in front of this project when it becomes a reality. He thought it was a good deal. He didn't agree with the tactics that have been used in the past several months. This is America and we can all do what we want to do and move forward that way. He said he was in favor. This is something that will bring acclaim to the City. He said he was the only one who can say he had met Mr. Adell's father when he was an officer and he would be very proud of what's happening there. We have to look out for the residents and we have to do it in a professional, smart, educated manner. He applauded his colleagues for their dialogue. Everyone is thinking. He is in favor 100 percent. He thought we should move forward. He said nothing that has been proposed bothers him. The City has a burden now to make traffic better. He isn't an engineer or planner, but knows we have them on staff that can do that. It isn't Mr. Adell's problem.

Member Mutch had a few questions for City Attorney Schultz regarding the motion we are approving that is on page 15. He said the language included is confusing. He assumed the businesses listed such as; hookah bar, tattoo, and the others listed are uses that we would not want to see allowed under the PRO, is that the intent? Mr. Schultz replied yes, that was their intent. Member Mutch asked if that will be drafted more clearly in the final PRO. Mr. Schultz said yes, the idea is that those uses are not

permitted in the district. The document gets recorded and this property will not have those listed uses. They will be limited to TC uses, but also whatever happens in the future, unless there is an amendment to the agreement, those uses will not be permitted. Member Mutch noted on that same page that the very last point talks about the secondary access point. It references Unit 5, which appears to be the first unit in development. He was not sure how that functions as secondary access point. City Planner McBeth said yes, Unit 5 is the first unit coming into site. The intent actually was that the secondary access could be at that location or potentially at the very northwest corner of the development that goes into adjacent property. To make the secondary access at Unit 5 something else would have to be done to connect that unit to the other units through driveway connections. Member Mutch wasn't clear how that becomes a secondary access point if the primary access point is right there. Ms. McBeth stated that it hasn't been resolved. Initially they thought that the secondary access would be at the northwest corner of the development. Member Mutch said that was in the motion and he wanted to know the intent. He wanted to hear from the Fire Department about the usefulness of that. His primary concern that he raised previously can be addressed between now and a future date when they vote on PRO agreement. He will support the motion to move forward because there is enough information to start the process of drafting the PRO. He put his concerns on the record. He tried to make it clear. He doesn't expect the applicant to solve traffic problems on Novi Road. We as a City have to get a handle on traffic in that area. Every development has an impact, whatever the use is. We have to be cognizant of that, and how we as a City are going to manage that. We may be 23rd best City in the country, and number one in Michigan. The Number one concern of our residents is quality of life which is negatively impacted by traffic. He believed it was Councils' job to mitigate that as much as we can. He is looking for City administration to provide more information before we take a final vote so that they can have clarity on how that will be addressed.

Mayor Pro Tem Staudt didn't think there is any doubt that we will have some level of transit in the City. He thought that was really important when developing the PRO that we take that into consideration. Whether its internal buses, trolleys, whatever it may be someday, we are going to have something. It's important as they are thinking about it, roads aren't wide, and we need good spots to drop people. We will have something.

City Attorney Schultz wanted to make a clarification on a comment that was made earlier that we might see some activity out there shortly. Just to clarify that this is a two-step process. This is a tentative approval. This will come before Council at a meeting in the future. The applicant may have some approvals under separate review and approval to do some demolition, maybe move some dirt. If you see anything it is not because of the motion that evening, it is other stuff.

Roll call vote on CM 18-09-139

**Yeas: Casey, Markham, Mutch, Gatt, Staudt,
Breen
Nays: None
Absent: Wrobel**

Mr. Adell presented a shovel to Council for the development that represents \$3.4 million in additional tax revenue, plus another \$500,000 personal property.

2. Consideration of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District.

CM 18-09-140 Moved by Staudt, seconded by Gatt; MOTION CARRIED: 6-0

Tentative approval of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance, for the use of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District, subject to final approval of the Planned Rezoning Overlay (PRO) rezoning of the property on which the development is to be located, and subject to the recommended conditions as noted in staff's memo. This motion is made for the following reasons:

- a. Carvana is not expressly authorized or contemplated in the City of Novi Zoning Ordinance as a principal permitted use or a principal permitted use subject to special conditions;**
- b. The proposed use is an appropriate use in the TC District but only in the location and as part of the development proposed at 43700 Expo Center Drive, and not in other locations in the TC District, and therefore this determination is subject to and contingent upon the City Council's final approval of the proposed PRO rezoning for the property as a whole;**
- c. A trip generation report or any additional information as required by the City's Traffic Consultant, will be submitted at the time of Special Land Use Consideration.**

Arwa Lulu, Project Manager for Carvana on this project. Carvana is an online car company. The customer has two options to fulfill their order, pickup or delivery. She said what they are proposing is a pickup option which is the Vending Machine Fulfillment Center. The customer goes through the transaction process online, finishes the paper work and they decide what they want to do. If they are near a Vending Machine Fulfillment Center they can pick that option at the end of their transaction. They schedule the customer to go to the Vending Machine for pickup within 24-48 hours. It takes approximately 15 minutes to pick up vehicle. They only sell used vehicles. The City has been great to work with. They are excited.

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:50 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: October 8, 2018