



## CITY of NOVI CITY COUNCIL

**Agenda Item 2**  
**August 24, 2015**

**SUBJECT:** Approval of the request of Beck South, LLC for JSP13-75 with Zoning Map Amendment 18.706 to rezone property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay, and to approve the corresponding concept plan and PRO Agreement between the City and the applicant. The property totals 41.31 acres and the applicant is proposing a 64-unit single-family residential development.

**SUBMITTING DEPARTMENT:** Community Development Department - Planning

**CITY MANAGER APPROVAL:** 

### **BACKGROUND INFORMATION:**

On July 27, 2015, the City Council tentatively approved the rezoning request of Beck South, LLC, to rezone property on the southwest corner of Beck Road and Ten Mile, from R-1 to R-3, with a Planned Rezoning Overlay. This motion was made following considerable prior discussion by the City Council, as well as the Planning Commission, at meetings over the course of several months. During this time the applicant modified the Concept Plan to try to accommodate the stated concerns.

The following modifications were made to the Concept Plan (submitted on July 20<sup>th</sup>), and reviewed by the City Council at the meeting of July 27<sup>th</sup>:

1. Modifications to the Tree Preservation Buffer – Increase of the general common area to 30 feet behind the lots along the west and south property lines. This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines. The attached letter provides additional detail and notes that the initial tree preservation area may still be impacted to accommodate appropriate drainage design, and will be determined at the time of Engineering Plan Review.
2. Ten Mile Road Access – The revised plan now shows a Ten Mile Road vehicular access point, instead of two access points on Beck Road. Cut-through traffic would be discouraged by the design of the roadway network to backtrack westerly from the Ten Mile Road connection.
3. Lot Count/Tree Preservation – The applicant indicates that additional tree preservation will be possible on the submitted plan in part due to the net reduction of two lots (from 66 to 64). Details on tree preservation will be provided during the final site plan approval, if the rezoning with PRO Concept Plan is approved.

The City's professional staff and consultant review letters for the plans submitted on July 20<sup>th</sup> are provided as a part of this packet. All reviews are recommending approval, subject to additional items to be addressed on the Preliminary Site Plan submittal, and pending final approval of the Concept Plan and PRO Agreement by the City Council. One item regarding

the upsizing of the coniferous woodland replacement trees (as noted in the Landscaping Review letter and the Woodland Review letter) is being addressed in the attached PRO Agreement:

*Approval of additional woodland credits for the planting of upsized woodlands replacement plantings as shown on the final approved landscape plan or as approved by the City's landscape architect.*

These oversized evergreen plantings are shown along the north and east property lines, and would also be considered acceptable within the 30 foot wide Tree Preservation/Planting Buffer along the south and west property lines, to supplement the existing trees and vegetation in these areas. The oversized plantings will provide an immediate improved buffer planting for the existing and proposed homes. Details of the exact location for the Woodland Replacement plantings will take place at the time of Site Plan Review, and will be field-located by the applicant and verified by the City's Landscape Architect and Woodland Consultant in order to provide additional landscaping and buffer trees, as needed.

The following deviations from the ordinance standards are included in the agreement:

- a. Reduction in the required 30 foot front yard building setback for Units 19-30 and 37-39 to 25 feet;
- b. Reduction in the required 30 foot aggregate of the two side yard setbacks for Units 19-30 and 37-39 to an aggregate of 25 feet;
- c. Waiver of the required berm between the project and the existing church in order to preserve existing mature vegetation;
- d. Administrative waiver to omit the required stub street connection at 1,300 foot intervals;
- e. Design and Construction Standards waiver for the lack of paved eyebrows;
- f. Waiver of the obligation to install the required pathway to the adjacent Andover Pointe No. 2 development with the condition that: (i) an easement is provided for such purpose; and (ii) the Developer escrows with the City the sum of \$25,000 to be used for the installation of such pathway, and
- g. Approval of additional woodland credits for the planting of upsized woodlands replacement plantings as shown on the final approved landscape plan or as approved by the City's landscape architect.

#### City Council action

At this evening's meeting the City Council is asked to consider Final approval of the rezoning with PRO Concept Plan and PRO Agreement. If the City Council grants approval, the applicant will need to submit a Preliminary Site Plan for consideration and approval by the Planning Commission.

#### **RECOMMENDED ACTION:**

Final approval of the request of Beck South, LLC for JSP13-75 with Zoning Map Amendment 18.706 to rezone property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay Concept Plan and to approve the corresponding concept plan and PRO Agreement between the City and the applicant, subject to the conditions listed in the staff and consultant review letters, for the following reasons, and subject to final review and approval as to form, including any required minor and non-substantive changes, by the City Manager and City Attorney's office:

- a) *The proposed development meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments;*
- b) *The proposed density of 1.65 units per acre matches the master planned density for the site;*
- c) *The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns"; and*
- d) *The consolidation of the several parcels affected into an integrated single-family land development project will result in an enhancement of the project area as compared to development of smaller land areas.*

	1	2	Y	N
<b>Mayor Gatt</b>				
<b>Mayor Pro Tem Staudt</b>				
<b>Council Member Casey</b>				
<b>Council Member Markham</b>				

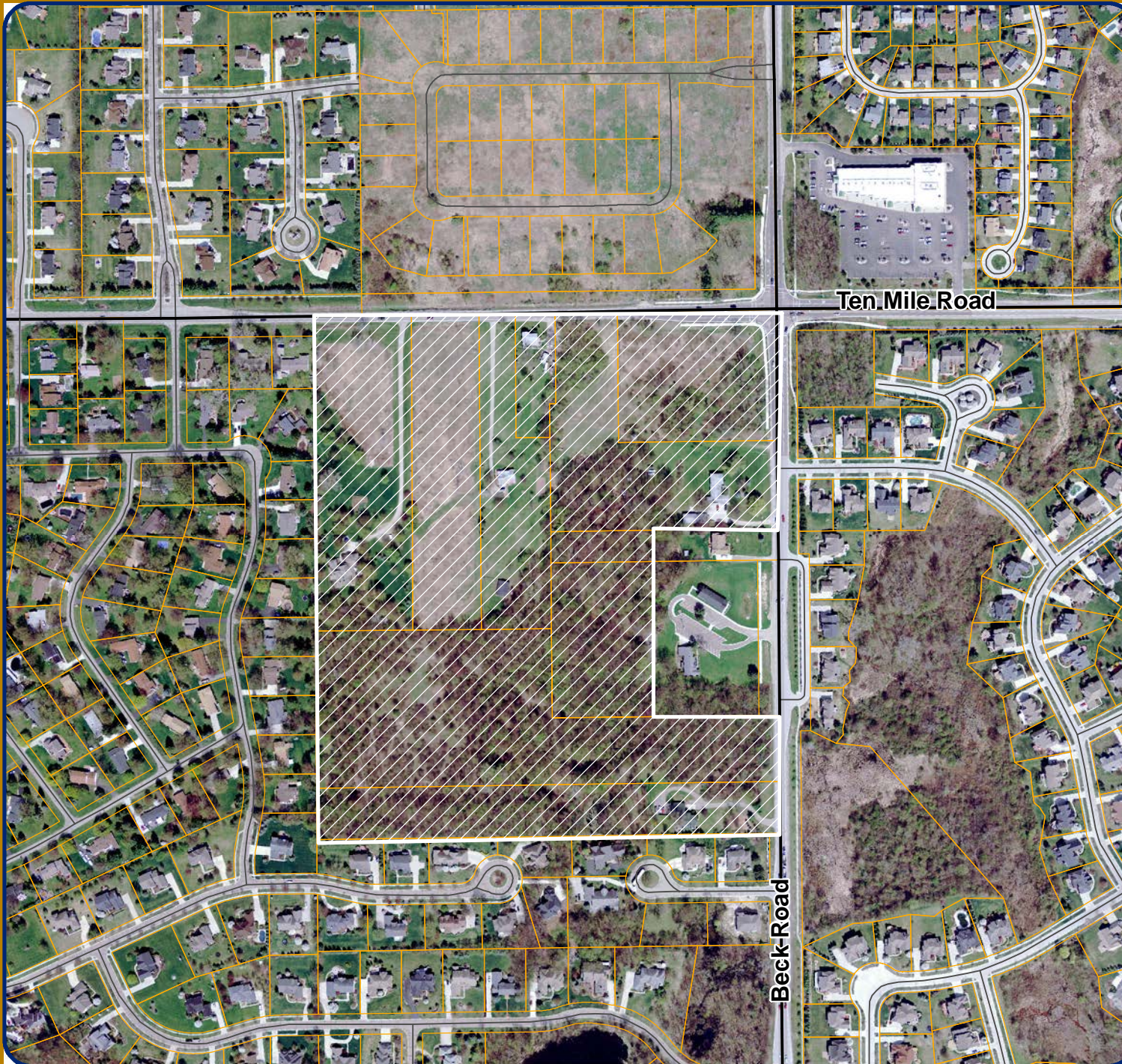
	1	2	Y	N
<b>Council Member Mutch</b>				
<b>Council Member Poupard</b>				
<b>Council Member Wrobel</b>				

Maps  
Location  
Zoning  
Future Land Use  
Natural Features

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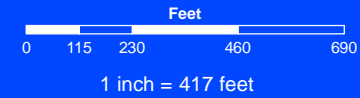
# Valencia South JSP13-75

Location



## Map Legend

 Subject Property



**City of Novi**  
Planning Division  
Community Development Dept.  
45175 W Ten Mile Rd  
Novi, MI 48375  
cityofnovi.org

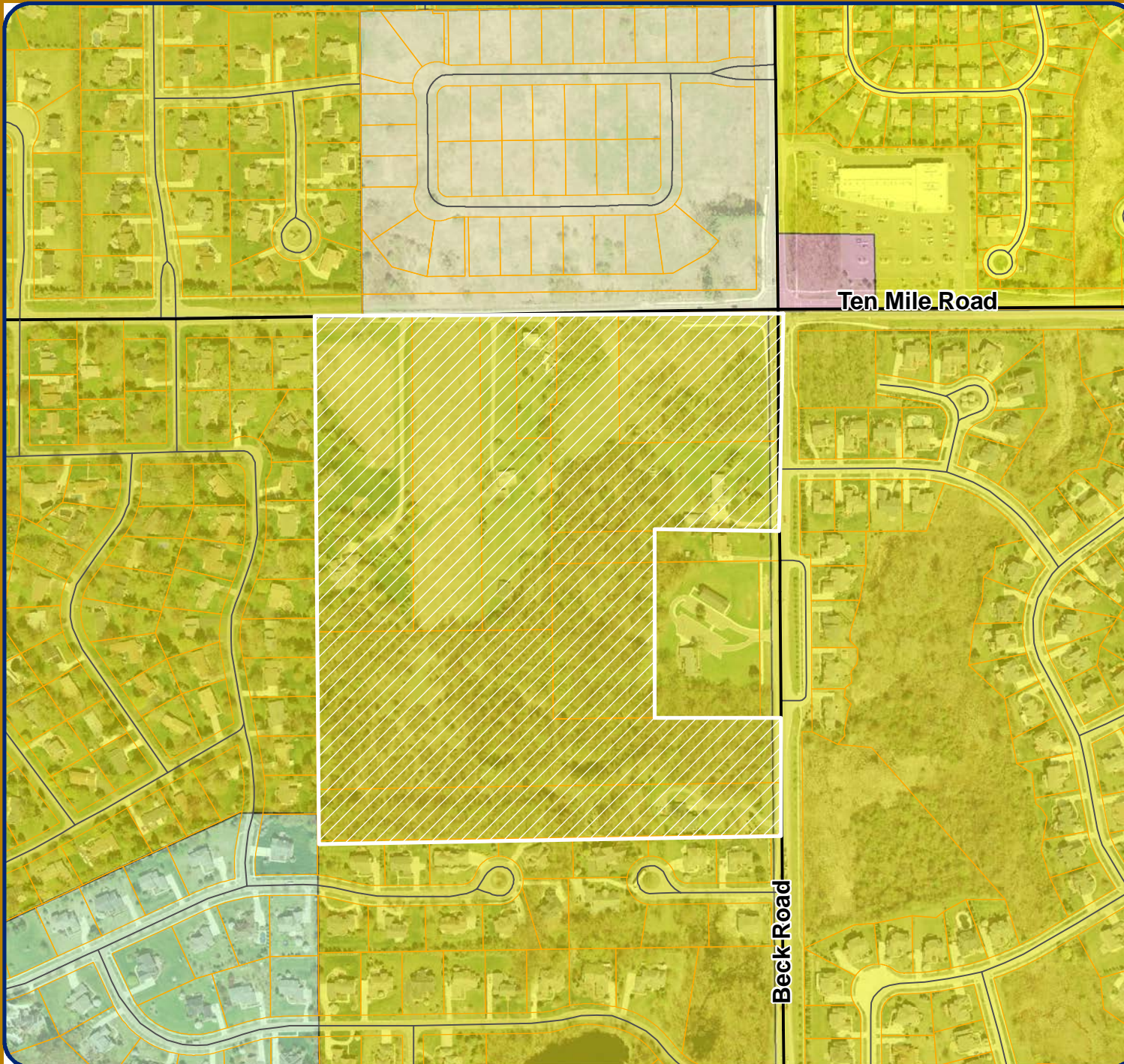
Map Author: Kristen Kapelanski  
Date: 02-05-15  
Project: JSP13-75 Valencia South  
Version #: 1.0

### MAP INTERPRETATION NOTICE

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# Valencia South JSP13-75

Zoning



### Map Legend

- Subject Property
- R-A: Residential Acreage
- R-1: One-Family Residential District
- R-3: One-Family Residential District
- R-4: One-Family Residential District
- B-1: Local Business District



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

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# Valencia South JSP13-75

Future Land Use



## Map Legend

-  Subject Property
-  Single Family
-  Local Commercial
-  Private Park



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# Valencia South JSP13-75

## Natural Features



**Map Legend**

- Subject Property
- Wetlands
- Woodlands



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**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, JULY 27, 2015 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 Casey, Markham, Mutch, Poupard, Wrobel

**ALSO PRESENT:** Peter Auger, City Manager  
Victor Cardenas, Assistant City Manager  
Thomas Schultz, City Attorney

**APPROVAL OF AGENDA:**

**CM 15-07-98 Moved by Wrobel, seconded by Poupard; CARRIED UNANIMOUSLY:**

**To approve the Agenda as presented.**

**Roll call vote on CM 15-07-98**                      **Yeas: Staudt, Casey, Markham, Mutch,  
Poupard, Wrobel, Gatt**  
**Nays: None**

**PUBLIC HEARING – None**

**PRESENTATIONS**

1. Proclamation in recognition of Amber Staudt and Ellen Czajka for Life Saving Action

Mayor Gatt presented the proclamation to Amber Staudt and Ellen Czajka. Ms. Staudt & Ms. Czajka thanked everyone for the recognition and wanted to remain humble. They felt they were in the right place at the right time when it occurred. They were thankful to be there. They were happy the child that was saved will make a full recovery.

**REPORTS:**

1. **MANAGER/STAFF:**

City Manager Auger reminded Council the consultant hired to do the Master Plan has an online-survey to be completed by the end of the week.

2. **ATTORNEY – None**

**AUDIENCE COMMENT:**

Janice Krupic, 48076 Andover Dr., said she was representing many of the residents from the surrounding subdivisions near the proposed development of Valencia South. They believe they have been consistent and reasonable with their requests. She spoke about the key issues that remain. They wish to have the proposed development moved away from the existing homes with a minimum of 50 foot conservation easement with a 35 foot setback. The last request of the City Council was to move the development closer to the corner. The most recent proposal from the builder was doing the opposite by moving the development away from the corner.

Bruce Flaherty, 48048 Andover Dr., said, from the beginning, the residents have asked for a reduction in abutting existing homes. He noted City Council and the Planning Commission have asked the developer to take multiple homes out of the plan. The latest proposal shows two less homes abutting the existing subdivisions and he felt it doesn't do much for their request.

Michelle Brower, 47992 Andover Dr., said one of the issues was preserving more of the woods with emphasis on the southern section that was considered of the highest quality. Many of the trees are now being saved in the current plan. They have continually suggested a large conservation easement to save more of the forest and provide more privacy. They have asked for 50 foot easement, but currently it is at 30 feet. City Council suggested that another 10 feet would save about 200 more trees. Her opinion is more needs to be done to approve this plan. If the plan is approved, she asked if the connection to their subdivision be done through the main entrances. She didn't want something similar to North Valencia Subdivision on her property.

Damon Pietraz, 48380 Burntwood Ct., said he has been a long time business owner in the City of Novi. He was in favor of a bond to protect the well and septic systems. He didn't think \$75,000 was enough. The cost of a couple wells will eat up the \$75,000 quickly. There will be only a few houses, but let the developer post it.

James McGuire, 48028 Andover Dr., said they think they've been reasonable. They knew something would be built there. He wanted them to keep to the Master Plan especially with the regulated woodlands. He didn't want 66 houses. There has been incremental change, but no real change. It seemed to him the homeowners and Council are on the same page but not with the builder. He felt the development had been moved more towards the existing houses and not away from them. There has been no reduction to the number of homes abutting the current subdivisions which is what the residents have wanted all along. The increase in trees being saved was minute.

Virginia Lauinger, 23973 Beck Road, stated she had lived there for 33 years and felt no one had ever entered her yard to see the trees. She felt they were mostly berry trees put there by the birds. She asked that they give this developer a chance. It will bring in tax dollars. That church wasn't built there; it was brought there. She felt old buildings were not saved in Novi. Ms. Lauinger and her neighbors donated money to bring the church there. It took a while but it was fixed. The homes planned to be built would be

good for children. She moved here because Farmington was overbuilt. Not one well was ever ruined by a subdivision being built near it. She wished people wouldn't bicker over small things.

Andrew Sarpolis, 31036 Beachwalk, Apt 1506, thanked Council for the Magna information that was added which was 70 pages of information. After carefully reviewing changes for Beck South, it showed that there was an easement on firmer ground with more of a guarantee of true preservation in the buffer zone. The traffic design added at 10 Mile Road was still a large concern and didn't think it could be solved without a more comprehensive plan for the 10 Mile Road corridor. He was concerned the drainage design could still affect the tree easement because of the short amount of time staff had to review the plan. A lower quality of trees being preserved than before, the traffic flow, and the green space were his concerns,

Colleen Crossey, 22279 Brockshire, spoke about tax abatements. She noted Council had granted six abatements over time and her concern overall was it interfered with a level playing field for smaller businesses. She noted there could be 164 jobs from smaller businesses too and she didn't believe that there were any specifications that the jobs they bring will be Novi people hired. There's no particular residency requirement that they live in Novi and pay Novi taxes.

Marti Anderson, 48360 Burntwood Court, thanked all of Council for all their time in reading through all the packet material. She felt there were many well issues in Island Lake.

~~CONSENT AGENDA REMOVALS AND APPROVALS:~~

~~CM 15-07-99            Moved by Wrobel, seconded by Poupard; CARRIED UNANIMOUSLY:~~

~~To approve the Consent Agenda as presented.~~

- ~~A.    Approve Minutes of:  
1. July 13, 2015 Regular meeting~~
- ~~B.    Approval of amendment to contract for City Manager and City Clerk.~~
- ~~C.    Approval of Resolution to close Grand River Avenue between Flint Street and 46100 Grand River Avenue (Suburban Collection Showplace) from 9:30 a.m. - 12 p.m. on Monday, September 7, 2015 for the Michigan State Fair Parade.~~
- ~~D.    Approval and authorization for City Manager to travel September 7 - 16, 2015 with representatives from the City of Southfield, Oakland County and Detroit Regional Chamber to promote the City of Novi to perspective Japanese companies for the not to exceed amount of \$6,500.~~

~~giving tax abatements. Strong infrastructure means good schools and good roads. It means public services and public spaces and raising enough revenue to support our communities that spend it wisely in ways that actually grow the economy and not leave us vulnerable to those tax credits year after year. Instead let's fix the roads and hire more teachers. That is how she would like the \$375 million in State tax dollars spent this year.~~

~~Member Mutch said he does not support this request and he has consistently done so. He researched the communities that we were in competition with for this project. He noted Troy with 10.5 mills and Auburn Hills with 10.5602 mills tax rate. Novi has a lower tax rate of 10.2 mills. This property is located within the Walled Lake District and the tax rate for commercial properties is the second lowest tax rate in the City of Novi. This property in this area already has a tax advantage compared to the cities competing with us. With that issue, it was hard to make a case that Novi was not competitive with those communities. We have done it because the City has grown and we have not depended on tax abatements as an economic strategy. He didn't see a reason to change it going forward. Magna is a multi-national, multi-billion dollar corporation and they have a significant investment in Southeast Michigan. They have a significant investment in Novi and are an important part of our Community. Corporations like Magna do not need tax abatements. It didn't make sense to him to support a tax abatement at this time.~~

~~Roll call vote on CM 15-07-100~~

~~Yeas: Markham, Poupard, Wrobel, Gatt,  
Staudt, Casey~~

~~Nays: Mutch~~

2. Consideration of the request of Beck South, LLC for JSP13-75 with Zoning Map Amendment 18.706 to rezone property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. The property totals 41.31 acres and the applicant is proposing a 66-unit single-family residential development.

City Manager Auger explained this PRO has requested changes of an entrance/exit onto 10 Mile and a 30 foot buffer between the residential areas in which trees will be added to help buffer the residential lots in the area. He added if the developer wanted to develop as R-1, then the houses will be 5 feet further than he is offering as a tree preservation area. The homes in the PRO will be 65 feet from the property line. The developer has lost two home sites with fewer trees expected to be removed. The developer was creative and made the 10 Mile entrance to travel west so it will not allow a direct cut through of traffic. It was learned from the developer's woodland consultant that the developer would be taking out fewer trees than the R-1 plan. The developer who develops the second half of the land would remove the trees depending on what kind of development. City staff is recommending this PRO.

Howard Fingerroot, developer, went through the changes to the R-3 PRO. They provided a 30 foot conservation easement along the south and west of the property. There will be 65 feet between the subdivisions. The R-1 standard requires a 35 foot rear setback. The request was for 50 feet, but now they are providing 65 feet from the existing homes to the back of their homes. A big issue was 10 Mile Road access. They were able to create a site plan that avoided cut through. The lot count was reduced to 64 lots. Under the PRO ordinance, they could have 1.65 and this is below the 1.65. They were able to preserve more trees. There will be 982 trees removed under the PRO, but with the R-1 plan they would be removing 1083 trees. It is on the 27 acres. This PRO plan cuts down fewer trees. The reason for the PRO plan is to come up with creative development. Under the new plan they have over 30% of the site that will be open space. It is why the City staff and consultants supported it because it is good planning. With the new plan, the west property lines have equal number of homes abutting each other. On the south property line, Andover Pointe has 7 homes that will be abutting 6 homes in the new development. He tried to incorporate all the comments from the last meeting. He thought they had a good plan.

Mayor Gatt determined the PRO planning in Novi was adopted in the early 2000's through City Attorney Schultz. Mayor Gatt said the reason was for a development like this. The Council determined at that time it would be best to have a say in what would develop. Left with just an R-1 option, more trees would be cut down than if we grant the PRO. The PRO is a device that the Council has at their disposal to resolve problems similar to this. In this case, the citizens are against this development and spoke against it and he didn't understand why. If the PRO is denied, then the developer would go forward and be able to build a subdivision without Council's intervention. There wouldn't be any monies put into escrow to fix any wells. He would be able to cut down any amount of trees on his property. There has been an outcry to target him and he has always voted the way he thought was best for the City of Novi. No petitions sent anonymously will affect his decision. He is in favor of the PRO.

Member Markham addressed Ms. Lauinger's comment. She felt badly that anyone thought she disparaged the church. She explained she knew a lot about the church and watched it being installed on the property with the Cub Scout den the day it was put there. She didn't mean to imply the church didn't belong there. She thought it was unique and a great feature for Novi. She agreed the purpose of the PRO is to facilitate mutual agreement between the City and the developer. She was disappointed that it was not much different than what they saw a month ago. The number of homes was reduced by two but some of the lots were larger than before and she thought he was going in the wrong direction. She believed a single 10 Mile Road entrance and another cul-de-sac would allow 55 to 60 homes on the property. Instead of a road going through the development exiting out Beck, she wanted him to consider a cul-de-sac south of the church rather than a road cutting through the most valuable part of the woodlands. She thought with several cul-de-sacs the developer could maximize the number of lots that back up directly to the natural woodlands with higher lot prices because it would be a premium. Many residents have told her they came here because of the way Novi keeps its green spaces. It seemed counterintuitive to cut

down trees from a quality woodland only to plant street trees and make a big contribution to the tree fund. She wanted to work with him to put enough of the right kind of houses in the development and to protect the woodlands. She thought it could be done and done well.

Member Casey asked City Attorney Schultz if he would refresh everyone's understanding of the process of a tentative approval of a PRO and what would come next in the process. City Attorney Schultz said the way the motion is set up is it will be a tentative indication that Council may approve. It is a two-step process at the Council Meeting. It is productive to let the developer know to bring back a PRO agreement and concept plan. It would go before Council for approval of the agreement and the concept plan. Then it goes back to Planning Commission for Site Plan approval. Member Casey noted she watched the meeting from June 22, 2015 and wanted to clarify the feedback she gave to Mr. Fingerroot. She identified 10 Mile Road as a concern, the buffer, and was still struggling with the conservation easement. Everyone was looking for a larger conservation easement. There were concerns raised about the conservation easement and potential for storm drain or utilities. She asked him to explain where he planned to put storm drains and utilities. Mr. Fingerroot spoke about the easement and the storm sewer and catch basins would run along the property line. If they were going to keep the conservation easement completely intact and not add trees, they would not put any storm sewer within the conservation easement. It is his intent not to put the storm sewer within the conservation easement. They discussed adding trees within the easement to provide visual shielding, but sometimes when trees are added, a catch basin may be added to make sure that there is proper storm runoff from the adjacent subdivision. If, for example, they have water running off their property onto the development's property, because it is an existing condition, he has to accept the runoff. If he plants a tree, perhaps it blocks it and would backup into the neighbor's property they couldn't do it. They would have to build a swale or catch basin and run it into catch basins on their property. The engineering department may tell us to add a catch basin only where trees are added to a section. Member Casey asked about how trees will be planted near the Echo Valley Subdivision. Mr. Fingerroot answered in Andelina Ridge Subdivision; they planted 18 feet tall evergreen trees staggered about 15 feet apart. Member Casey asked about how many trees will be removed near Andover Pointe. Mr. Fingerroot didn't have the specific number. The change allows a bigger buffer at the southwest corner of the property. Member Casey asked where the two lots were taken from. Mr. Fingerroot said the northeast corner was changed. Member Casey asked if there was a particular reason why he didn't shift to the northeast to try to add additional buffer for the residents to the south and west. Mr. Fingerroot said they are pinched in the south. If they pushed to the north, they would have had to push into a wooded area. There are one or two wetlands in there they were trying to avoid. When they do the initial plan, the goal was try to not to cut down trees because those who buy the houses want the trees. It costs money to cut down the trees and it costs to replace the trees. They try to avoid the wetlands and woodlands as much as possible. Member Casey asked what it would take for him to build a 50 foot conservation easement. Mr. Fingerroot said it is unusual to create a buffer from

residential to residential from his experience. He thought they did a good job allowing for a 65 foot setback.

Member Wrobel directed questions to Barb McBeth, Deputy Community Development Director about the 10 Mile Road entrance. He asked if it would create a traffic issue at rush hour east and west on 10 Mile Road. Ms. McBeth asked that the traffic engineer answer the question. Matt Klawon, Traffic Consultant, said the issues seen at that location compared to the original location will be similar. The benefit to the 10 Mile entrance in their opinion is that it is feasible turning out. Member Wrobel asked about how much back up they will get. Mr. Klawon said he would need to see a traffic model on it to get an answer. Member Wrobel noted if the property remained R-1 the developer would not have to come back to City Council and could proceed to build homes. He asked how far he could go clearing trees. Ms. McBeth said that if he built under the R-1 designation it would be approved by the Planning Commission and could remove as many woodland trees as they proposed, provided the Planning Commission saw that it was necessary to remove them. Member Wrobel said potentially the developer could go to the lot line. Ms. McBeth said it is unusual to have a buffer with trees between the property lines. After the subdivision is developed, a lot of times, the homeowners may remove trees and potentially remove all the trees in the back of their property. Member Wrobel asked if there was a 50 foot buffer in any of the subdivisions in Novi. Ms. McBeth stated she could not think of one. Member Wrobel felt he was elected to do what was best for the City of Novi as a whole. The Council members take the job very seriously. He takes the Master Plan very seriously and there are times that it needs to be changed. A planned developed that was very well thought out provides a benefit to the City and the residents. It takes care of another problem with the development at Beck and 10 Mile. It is zoned commercial. So by incorporating all the property into one piece and putting 64 homes in a development, it will eliminate unwanted commercial at the corner. It will be more of a park atmosphere which is a benefit to all the subdivisions around it. He wanted everyone to realize there are tradeoffs when there are requests like this. If the battle is won, they can lose a buffer and have unwanted commercial at the corner. He has to take into consideration all the possibilities.

Member Mutch commented that it was interesting listening to Council Members and staff on how the City's ordinances were viewed. We have a woodlands protection ordinance. The intent is to protect the woodlands. They are evaluated by the City consultants. The purpose is to ensure Novi maintains that character that everyone enjoys and is a hallmark of our City. It attracts new residents and helps keep people in Novi. We have many of the woodlands and wetlands today because of previous City Councils, Planning Commissions and staff upheld the woodlands protection ordinance and used it as a method to protect the woodlands. It is not supposed to be cast off when it is inconvenient and dismissed when a developer comes into Novi. It is supposed to protect woodlands first, then development. He was hearing that the woodland ordinance doesn't mean anything. He was hearing that a developer can cut down every tree on a piece of property. Something is seriously wrong with the ordinance, the process or enforcement. He said that is not the intent of the City's

ordinance. He feels it was not the way the City has operated over the last 20 years. He would not base his decisions on fears and speculation. He didn't think it was fair to the residents. The plan doesn't respect the natural resources on the property. He was surprised there were no changes to the southern half of the site. He noted some of the residents' concerns were not addressed. The northern half of the site changes did incorporate concerns from the last meeting and felt they were an improvement to the site. He was perplexed that the northeast corner of the site doesn't have the quality of natural resources as other areas of the site. The plan came back with added green space at the northeast corner. He said it wasn't protecting any of the natural resources in that area of the subdivision. Near the north-south cul-de-sac, the consultants specifically spelled out several lots had the highest quality of natural resources to be impacted. The lots were not removed in the new plan. He said the lots were made larger. The total number of lots should have been reduced to near 60. The new plan saved a few more trees, but overall there will be over 1,000 regulated trees removed. He cited the developer will have to pay into the tree fund. It reduced the tree removal by ½%. He doesn't think the plan worked for the site. He noted the R-1 density couldn't get 1.65 units per acre. He thought the PRO was not a vehicle for circumventing the City's ordinances. It is a vehicle to allow a tradeoff. In this case, he was building smaller lots with more lots than he would be able to build. It can't come at the expense of the natural resources on the site. The tradeoff isn't the developer gets the density and gets cuts down the trees. He said the site preservation is not 32. If some of the lots were removed, it would open up the natural areas in a way they could be integrated into the subdivision. He felt the open spaces were walled off from the residents and not integrated.

Mayor Pro Tem Staudt felt the majority makes the decision on Council. In this case, a law requires a super majority to pass and will allow the minority to make a decision on behalf of City Council. Based on what he has heard the minority is going to prevail. He didn't want the developer to have to come back based on some ambiguous statements. He saw those who didn't support resolutions and made suggestions, then expect the suggestions to be incorporated into plans, but didn't intend to vote on it anyways. He has been on Council for many years and heard a lot of the discussions that fell on deaf ears. There has been preservation when possible and other cases it was not possible. He asked for a 30 foot conservation easement that the developer incorporated. He didn't feel a larger easement would be a realistic goal. This builder has built a lot of homes in Novi and has worked closely with the City on a lot of other developments. Mayor Pro Tem Staudt noted he was not a developer, planner, or anything other than his own work. He has spent a lot of time talking to residents and understands emotion. He thinks what is presented reflects a compromise in the things Council have asked. The last meeting was the time to make suggestions. Presently, closure should be discussed. His responsibility as a Council Member is to serve the taxpayer and make sure there is fairness in all areas. We may save some woodlands for the short term, but someone will come back and build. He felt this was a decent and fair plan.



CM 15-07-101

Moved by Mutch, seconded by Markham; MOTION FAILED: 2-5

To deny the request of Beck South, LLC for JSP13-75 with Zoning Map Amendment 18.706 to rezone property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay Concept Plan for the following reasons:

- 1) The rezoning request with PRO requires numerous deviations from the Zoning Ordinance standards, including the following as indicated on the submitted PRO Concept Plan:
  - a. Reduction in the front yard setback from 30 feet to 25 feet, and reduction in the aggregate of the side yard setbacks from 30 feet to 25 feet,
  - b. Lack of the required berm along the church property line,
  - c. Missing pathway connections from the internal loop road to Ten Mile Road, and the missing pathway stub from the south loop road to the south property line,
  - d. Lack of stub street connections every 1300 feet along the perimeter of the site, and
  - e. Lack of paved eyebrows for the proposed internal road system.
  
- 2) The City Council finds that the proposed PRO rezoning would not be in the public interest, and the public benefits of the proposed PRO rezoning would not clearly outweigh the detriments of the proposed plan, as provided in Section 7.13.2.D.ii, for the following reasons:
  - a. Two of the eight listed benefits (sidewalk connections and sewer line connection) would be requirements of any residential subdivision development as permitted in the R-1 Zoning District,
  - b. Preservation of natural features as shown on the proposed Concept Plan would be encouraged and could be accomplished in whole or in part as part of a typical development review, and,
  - c. Although not required, the right of way dedication that is proposed as a part of the plan is typical of new developments.
  - d. The remaining listed benefits are not of a sufficiently substantial character to justify use of the overlay option and the increase in developed density.

- 3) The proposed developed density is greater than that which could practically be achieved under the R-1 District regulations when the required infrastructure and other improvements are considered, and as a result the development as proposed would have a greater impact upon the adjacent residential properties.

Mayor Gatt said he would not support the motion. The developer has brought back what Council had asked him to bring back. He will vote the way he feels is in the best interests of the City of Novi. An R-1 development in this location is not in the best interest for Novi.

Roll call vote on CM 15-07-101

Yeas: Mutch, Markham

Nays: Poupard, Wrobel, Gatt, Staudt, Casey

CM 15-07-102

Moved by Wrobel, seconded by Poupard; MOTION CARRIED: 5-2

To approve a tentative indication that the City Council may approve the request of Beck South, LLC for JSP13-75 with Zoning Map Amendment 18.706 to rezone property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay Concept Plan and direction to the City Attorney to prepare a proposed PRO Agreement with the following ordinance deviations:

- a) *Reduction in the required front yard building setback for Lots 19-30 and 37-39 (30 feet required, 25 feet provided);*
- b) *Reduction in the required aggregate of the two side yard setbacks for Lots 19-30 and 37-39 (30 feet required, 25 feet provided);*
- c) *Waiver of the required berm between the project property and the existing church in order to preserve existing mature vegetation;*
- d) *Administrative waiver to omit the required stub street connection at 1,300 foot intervals;*
- e) *Design and Construction Standards waiver for the lack of paved eyebrows;*
- f) *Design and Construction Standards variance for the installation of the required pathway to the adjacent Andover Pointe No. 2 development with the condition that an easement is provided.*

And subject to the following conditions:

- a) *Applicant shall provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering memo dated January 7, 2015;*
- b) *Applicant shall comply with the conditions listed in the staff and consultant review letters: and*
- c) *Acceptance of the applicant's offer to provide a \$75,000 cash bond to be held in escrow during the dewatering operations for the Valencia South sanitary sewer installation, for the benefit of any well-failure claims by the thirteen homes within 400 feet of the proposed dewatering limits, per the provided correspondence, and subject to a dewatering plan submitted by the applicant for review and approval, subject to ordinance standards,*
- d) *Acceptance of the applicant's offer to provide an additional 30 foot wide tree preservation and planting easement on the rear of the lots abutting the west and south property lines, per the attached correspondence.*

*This motion is made for the following reasons:*

- a) *The proposed development meets the intent of the Master Plan to provide single family residential uses on the property that is consistent with and comparable to surrounding developments;*
- b) *The proposed density of 1.65 units per acre matches the master planned density for the site;*
- c) *The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns"; and*
- d) *The consolidation of the several parcels affected into an integrated single-family land development project will result in an enhancement of the project area as compared to development of smaller land areas.*

Member Casey expressed she didn't believe the R-1 was best suited in the space. She wanted to make sure that a benefit of a PRO isn't to the City as a whole but also to the residents that abut to the development. She pleaded for the best buffer possible. She asked where there would be any potential connection from the development into Andover Pointe. Mr. Fingerroot spoke of staff recommendations. He proposed to give an escrow to the City and not build the connecting path near the backyard of the resident who spoke. Member Casey stated she has spent a lot of time speaking with residents and appreciated the time to share concerns and to listen to feedback. She struggles with putting in an R-1 and not retaining at least some measure of a buffer of both the south and west borders of the development. That is the best of what the PRO offers. With an R-1, there was no opportunity to make sure there was any buffer. This way, there is a measure of protection that can be granted through the PRO. The

language in the motion is that it is tentative. She mentioned staff will review it. She will continue to see what can be done to solidify the buffer and make it as impenetrable as possible. The benefit offered in the PRO serves the residents that about this development.

Member Mutch confirmed he cannot support the motion and felt it was a false choice. It is a choice between this plan and R-1. He didn't think there was basis for that. He didn't think Mr. Fingerroot would ever develop the property in an R-1 manner. The research showed that all his developments are consistent. He felt it was unfair to present this as the only alternative to residents. This plan was supportive of the market and the people would not want an R-1 home. He felt there were ways to make this plan better and thought it has been mischaracterized that the concerns were addressed. Specifically, it was requested to bring the number of lots to 60 and it didn't happen. The developer is tentatively receiving approval to do reduced lots adjacent to the homes in Echo Valley Subdivision and adjacent to Andover Pointe. He could have done the same for interior lots. It could have allowed a favorable reconfiguration. The northeast corner will have more green space that many won't enjoy. He thought it was an overbuilt site. Those supporting the motion could have brought those suggestions forward and given us a better plan.

Mayor Pro Tem Staudt stated this was a long process of 7-8 months talking with residents and reading the issues. It wasn't done overnight. He applauded Member Casey for taking a stance and was a difficult decision for her. He would like to see some changes. It has not been easy to move things forward. Unfortunately, Council determines who the winners and losers are. The winners he thought were the City of Novi taxpayers.

Mayor Gatt didn't think there were any losers. Each member is elected by the City to do what is best for the City. The decision took 8-9 months and many professionals looked at this. It is not perfect, but some wouldn't vote for it if it was. They are elected to make decisions and none of them were in the development field and yet some try to tell a developer what is best. Everything has been done to bring this matter to a conclusion. People against this are not losers. They will be a part of a multimillion dollar tax base increase because of this. The developer will build \$700,000 homes. The reduction of 2 lots means the developer lost \$1.4 million and that was a business decision he made. He is building a quality subdivision across the street. He has given more of a buffer at 50 feet than any subdivision. He believed this would be a quality subdivision that will preserve as many trees as possible and still move the City forward. He wanted people to know for 40 years, he has served this Community and has done so with doing the best he can.

**Roll call vote on CM 15-07-102**

**Yeas: Poupard, Wrobel, Gatt, Staudt, Casey**  
**Nays: Markham, Mutch**

**PLANNED REZONING OVERLAY (PRO) AGREEMENT**  
**BECK SOUTH LLC**

**THIS PLANNED REZONING OVERLAY (PRO) AGREEMENT** (“**AGREEMENT**”), is by and between Valencia South Land LLC, a Michigan limited liability company whose address is 1668 S. Telegraph Road, Bloomfield Hills, Michigan 48302 (referred to as “**Developer**”); and the City of Novi, 45175 West Ten Mile Road, Novi, MI 48375-3024 (“**City**”).

**RECITATIONS:**

- I. Developer is the developer of the vacant 41.31 gross acre property located on the southwest corner of Ten Mile Road and Beck Road, herein known as the “Land” described on **Exhibit A**, attached and incorporated herein.
- II. For purposes of improving and using the Land for a 64-unit residential site condominium development with smaller and narrower lots than is permitted in the R-1 Classification, Developer petitioned the City for an amendment of the Zoning Ordinance, as amended, so as to reclassify the Land from R-1, One-Family Residential, to R-3, One-Family Residential. The R-1 classification shall be referred to as the “**Existing Classification**” and R-3 shall be referred to as the “**Proposed Classification**.”
- III. 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.
- IV. The City has reviewed and, on the basis of the findings set forth on the Council record on July 27, 2015, approved the Developer’s proposed petition to amend the zoning district classification of the Land from the Existing Classification to the Proposed Classification under the terms of the Planned Rezoning Overlay (PRO) provisions of the City’s Zoning Ordinance, Section 7.13.2, and has reviewed the Developer’s proposed PRO Plan (including proposed home elevations) attached hereto and incorporated herein as **Exhibit B** (the “PRO Plan”), which is a conceptual or illustrative plan for the potential development of the Land under the Proposed Classification, and not an approval to construct the proposed improvements as shown; and has further reviewed the proposed PRO conditions offered or accepted by the Developer. **Exhibit B** includes the following pages:

1. Sheet 2 (Planned Rezoning Overlay (PRO) Plan)– Last revised 8/12/2015
  2. Sheet 3 (Storm Water Management Plan) – Last revised 8/12/2015
  3. Sheet L-1 (Landscape Plan) – Last revised 7/15/2015
  4. Sheet L-2 (Entry Plan) – Last revised 7/15/2015
  5. Sheet L-3 (Woodland Plan) – Last revised 7/15/2015
  6. Sheet L-4 (Woodland Plan) – Last revised 7/15/2015
  7. Conceptual Elevations – Torino, Springhaven, Santa Fe and Muirfield models
- V. In proposing the Proposed Classification to the City, Developer has expressed as a firm and unalterable intent that Developer will develop and use the Land in conformance with the following undertakings by 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”):
- A. Developer shall develop and use the Land solely for a 64-unit residential site condominium at a maximum density of 1.55 dwelling units per acre, in accordance with the PRO Plan. Developer shall forbear from developing and/or using the Land in any manner other than as authorized and/or limited by this Agreement.
  - B. Developer shall develop the Land in accordance with all applicable laws and regulations, and with all applicable ordinances, including all applicable setback requirements of the Zoning Ordinance with respect to the Proposed Classification, except as expressly authorized herein or as shown on the PRO Plan. The PRO Plan is acknowledged by both the City and Developer to be a conceptual plan for the purpose of depicting the general area contemplated for development. Some deviations from the provisions of the City’s ordinances, rules, or regulations that are depicted in the PRO Plan are approved by virtue of this Agreement; however, except as to such specific deviations enumerated herein, the Developer’s right to develop the 64-unit residential site condominium under the requirements of the Proposed Classification shall be subject to and in accordance with all applications, reviews, review letters, 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, dewatering plan approval, and engineering plan approval, except as expressly provided in this Agreement. The home elevations shall be substantially similar (as determined by the City) to that

submitted as part of the Developer's final approval request, as depicted in **Exhibit B**.

- C. In addition to any other ordinance requirements, Developer shall comply with all applicable ordinances for storm water and soil erosion requirements and measures throughout the site during the design and construction phases, and subsequent use, of the development contemplated in the Proposed Classification.
- D. The following PRO Conditions shall apply to the Land and/or be undertaken by Developer:
1. The Developer shall provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering review letter dated January 7, 2015;
  2. Developer shall comply with all conditions listed in the staff and consultant review letters which are identified on attached **Exhibit C**, as the same may be administratively modified by the City Planning and Engineering department.
  3. Prior to commencing any temporary dewatering activities within the Land for the installation of utilities, Developer shall: (i) submit to the City for approval a dewatering plan in accordance with the City's applicable ordinances; and (ii) place in escrow with the City under the terms and conditions of an Escrow Agreement to be prepared by the City, the sum of \$75,000.00 to secure the Developer's obligation to address any temporary or permanent damage which occurs to the existing water wells of any of the thirteen (13) homes that are located within 400 feet of the proposed dewatering limits. If no claims are made against the escrow by the foregoing homeowners within thirty (30) days following the completion of the Developer's dewatering activities, the escrowed funds shall be returned to the Developer.
  4. Developer shall provide a 30 foot wide tree preservation and planting easement between the west and south boundaries of the Land and the rear lot lines of the site condominium units located along the west and south property lines, as shown on the site plan and landscape plan which are part of the PRO Plan attached hereto (collectively the "Conservation Area"). The Conservation Area shall be restricted as follows:
    - i. The Conservation Area shall be left in its natural state. Except as set forth in subsection (ii) and (iii) below, Developer shall not remove any trees or vegetation in the

Conservation Area at any time. In addition, the master deed establishing the condominium project within the Land shall establish the Conservation Area as general common element and shall restrict home owners from cutting, pruning, or otherwise altering the trees and vegetation within the Conservation Area. Notwithstanding the foregoing, the Developer shall plant **additional** trees in the Conservation Area, to provide additional visual screening between the project and neighboring homes to the west and south, in locations as determined and as specifically approved by the City's landscape architect at the time of site plan approval on the final landscape plan. All trees meeting the City's standards for woodland replacements that are installed by the Developer within the Conservation Area will be credited towards the Developer's tree replacement obligations.

- ii. The master deed for the project will also prohibit the installation of any structures or improvements within the Conservation Area; provided, however, that the Developer may install catch basins within the Conservation Area where new trees are planted to collect storm water drainage from neighboring properties. The placement of such catch basins shall be approved by the City Engineer, who shall only approve such placement where and if necessary to prevent flooding or excess drainage on the land.
- iii. As part of the Developer's tree replacement obligations, during the development of the Land, the Developer will, at the City's request, replace dead or dying trees within the Conservation Area with new trees. Any such replacement trees installed by the Developer within the Conservation Area shall be credited towards the Developer's tree replacement obligations. Where the final approved landscape plan shows the planting of oversized trees, Developer shall be responsible to plant the trees as depicted, but shall receive woodland replacement credit for the oversizing in calculating the amount to be placed into the Tree Fund.

***NOW, THEREFORE, IT IS AGREED AS FOLLOWS:***

1. Upon the Proposed Classification becoming final following entry into this Agreement:



- a. The Undertakings and PRO Conditions shall be binding on Developer and the Land;
  - b. Developer shall act in conformance with the Undertakings; and
  - c. The Developer shall forbear from acting in a manner inconsistent with the Undertakings;
2. The following deviations from the standards of the zoning ordinance are hereby authorized pursuant to §7.13.2.D.1.(c).(2) of the City's zoning ordinance:
  - a. Reduction in the required 30 foot front yard building setback for Units 19-30 and 37-39 to 25 feet;
  - b. Reduction in the required 30 foot aggregate of the two side yard setbacks for Units 19-30 and 37-39 to an aggregate of 25 feet;
  - c. Waiver of the required berm between the project and the existing church in order to preserve existing mature vegetation;
  - d. Administrative waiver to omit the required stub street connection at 1,300 foot intervals;
  - e. Design and Construction Standards waiver for the lack of paved eyebrows;
  - f. Waiver of the obligation to install the required pathway to the adjacent Andover Pointe No. 2 development with the condition that: (i) an easement is provided for such purpose; and (ii) the Developer escrows with the City the sum of \$25,000 to be used for the installation of such pathway; and
  - g. Approval of additional woodland credits for the planting of upsized woodlands replacement plantings as shown on the final approved landscape plan or as approved by the City's landscape architect.
3. In the event Developer attempts to or proceeds with actions to complete improvement of the Land in any manner other than as 64-unit residential site condominium, as shown on **Exhibit B**, the City shall be authorized to revoke all outstanding building permits and certificates of occupancy issued for such building and use. In addition, a breach of this Agreement shall constitute a nuisance *per se* which shall be abated. Developer and the City therefore agree that, in the event of a breach of this Agreement by Developer, the City, in addition to any other relief to which it may be entitled at law or in equity, 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 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, Developer shall not be in the breach hereunder if 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 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.
4. Developer acknowledges and agrees that the City has not required the Undertakings. The Undertakings have been voluntarily offered by Developer in order to provide an enhanced use and value of the Land, to protect the public safety and welfare, and to induce the City to rezone the Land to the Proposed Classification so as to provide material advantages and development options for the Developer.
  5. All of the Undertakings represent actions, improvements, and/or forbearances that are directly beneficial to the Land and/or to the development of and/or marketing of a 64-unit residential site condominium project on the Land. The burden of the Undertakings on the Developer is roughly proportionate to the burdens being created by the development, and to the benefit which will accrue to the Land as a result of the requirements represented in the Undertakings.
  6. In addition to the provisions in Paragraph 3, above, in the event the Developer, or its respective successors, assigns, and/or transferees proceed with a proposal for, or other pursuit of, development of the Land in a manner which is in violation of the Undertakings, the City shall, following notice and a reasonable opportunity to cure, have the right and option to take action using the procedure prescribed by law for the amendment of the Master Plan and Zoning Ordinance applicable to the Land to amend the Master Plan and zoning classifications of the Land to a reasonable classification determined appropriate by the City, and neither the Developer nor its respective successors, assigns, and/or transferees, shall have any vested rights in the Proposed Classification and/or use of the Land as permitted under the Proposed Classification, and Developer shall be estopped from objecting to the rezoning and reclassification to such reasonable classifications based upon the argument that such action represents a "downzoning" or based upon any other argument relating to the approval of the Proposed Classification and use of the Land; provided, this provision shall not preclude Developer from otherwise challenging the reasonableness of such rezoning as applied to the Land. In the event the City rezones the Land to a use classification other than the Proposed Classification, this Agreement shall terminate and be null and void.
  7. By execution of this Agreement, Developer acknowledges that it has acted in consideration of the City approving the Proposed Classification on the Land, and Developer agrees to be bound by the provisions of this Agreement.
  8. After consulting with an attorney, the Developer understands and agrees that this Agreement is authorized by and consistent with all applicable state and federal laws

and Constitutions, that the terms of this Agreement are reasonable, that it shall be estopped from taking a contrary position in the future, and, that the City shall be entitled to injunctive relief to prohibit any actions by the Developer inconsistent with the terms of this Agreement.

9. This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees, and an affidavit providing notice of this Agreement may be recorded by either party with the office of the Oakland County Register of Deeds.
10. The Zoning Board of Appeals (ZBA) shall have no jurisdiction over the Land or the application of this Agreement until after site plan approval and construction of the development as approved therein. Upon completion of the development improvements, the ZBA may exercise jurisdiction over the Land in accordance with its authority under the Zoning Ordinance, in a manner not inconsistent with this Agreement.
11. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement shall be taken and construed as cumulative, that is, in addition to every other remedy provided by law.
12. This 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.
13. 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.
14. 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.
15. Developer hereby represents and warrants that it will become the owner in fee simple of the Land described in Exhibit A, and that this Agreement shall not become effective unless and until Developer becomes the owner of the Land.

16. The recitals 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.
17. 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 in any event expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.
18. 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 Concept Plan and this Agreement that 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 Documents and does not change or eliminate any development right authorized by the PRO documents. In the event of a conflict or inconsistency between two or more provisions of the PRO Concept Plan 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.
19. This Agreement may be signed in counterparts.

{Signatures begin on following page}

WITNESSES:

\_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Print Name:

STATE OF MICHIGAN     )  
  ) ss  
COUNTY OF OAKLAND    )

On this \_\_\_\_ day of \_\_\_\_\_, 2015, before me appeared Howard Fingeroot who states that he has signed this document of his own free will duly authorized on behalf of the Developer.

**DEVELOPER**

Valencia South Land, LLC

By: \_\_\_\_\_  
Howard Fingeroot  
Its: Manager

\_\_\_\_\_  
  , Notary Public  
  County  
Acting in                    County  
My commission expires:

**CITY OF NOVI**

\_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Print Name:

By: \_\_\_\_\_  
Robert J. Gatt, Mayor

By: \_\_\_\_\_  
Maryanne Cornelius, Clerk



EXHIBIT A

Real property located in the City of Novi, Oakland County, Michigan, more particularly described as follows:

Real property located in the City of Novi, Oakland County, Michigan, more particularly described as follows:

Parcel 1

Part of the Northeast 1/4 of Section 29, Town 1 North, Range 8 East, Michigan, more particularly described as follows: Commencing at the northeast corner of Section 29, Town 1 North, Range 8 East, Michigan; thence along the north line of said Section 29 and the centerline of 10 Mile Road, south 89 degrees 58 minutes 56 seconds west 1057.10 feet (recorded as west 1057.15 feet by Donald W. Ross and Associates, R.L.S. #19005 on a survey having Job #79-1002) to the point of beginning of the land to be described; thence continuing along said north section line and the centerline of 10 Mile Road, south 89 degrees 58 minutes 56 seconds west, 281.18 feet; thence along the east line of Echo Valley Estates, a subdivision as recorded in Liber 92 of Plats, Pages 11 and 12, Oakland County Records, south 00 degrees 23 minutes 29 seconds west 914.00 feet to a set 1/2 inch iron rod; thence south 89 degrees 52 minutes 53 seconds east, 281.57 feet to a found concrete monument; thence along a line previously surveyed and monumented by aforementioned Donald W. Ross and Associates, north 00 degrees 22 minutes 01 seconds east 914.67 feet (recorded as north 00 degrees 24 minutes 33 seconds east, 914.92 feet) to the point of beginning.

Assessed as: Town 1 North, Range 8 East, Section 29, part of the Northeast 1/4 beginning at point distant south 89 degrees 45 minutes 00 seconds west 1057.15 feet from the northeast section corner, thence south 89 degrees 45 minutes 00 seconds west 282 feet, thence south 00 degrees 08 minutes 10 seconds west 914 feet, thence south 89 degrees 15 minutes 32 seconds east 282 feet, thence north 00 degrees 08 minutes 10 seconds east 914 feet to beginning.

Parcel Identification No. 22-29-226-011



Parcel 2

**Part of the East 1/2 of the Northeast 1/4 of Section 29, Town 1 North, Range 8 East, beginning at point distant West 860.15 feet from the Northeast section corner; thence West 197.00 feet; thence South 00 degrees 24 minutes 33 seconds West 914.92 feet; thence South 89 degrees 48 minutes 46 seconds East 198.92 feet; thence North 00 degrees 17 minutes 19 seconds East 915.56 feet to beginning.**

**Parcel Identification No. 22-29-226-028**

Parcel 3

Part of the East 1/2 of Northeast 1/4 of Section 29, Town 1 North, Range 8 East, beginning at point distant West 755.15 feet from Northeast section corner; thence West 105.00 feet; thence South 00 degrees 17 minutes 19 seconds West 915.56 feet; thence South 89 degrees 48 minutes 46 seconds East 201.55 feet; thence North 00 degrees 17 minutes 18 seconds East 554.22 feet; thence West 97.31 feet; thence North 00 degrees 24 minutes 33 seconds East 362.00 feet to beginning.

Parcel Identification No. 22-29-226-029

Parcel 4

**Parcel 1:**

Part of the Northeast 1/4, Town 1 North, Range 8 East, Section 29; beginning at a point distant North 1120.15 feet from East 1/4 corner; thence South 89 degrees 41 minutes 50 seconds West 1341.82 feet; thence North 00 degrees 07 minutes 46 seconds East 153.80 feet; thence North 89 degrees 41 minutes 50 seconds East 1341.47 feet; thence South 153.80 feet to beginning, except South 4.56 feet, also except East 33 feet taken for Beck Road.

**Parcel 2:**

Part of the Northeast 1/4, Town 1 North, Range 8 East, Section 29; beginning at at point distant North 1273.95 feet from East 1/4 corner; thence South 89 degrees 41 minutes 50 seconds West 1341.47 feet; thence North 00 degrees 07 minutes 46 seconds East 456.79 feet; thence North 89 degrees 16 minutes 04 seconds East 681.88 feet; thence South 276.21 feet; thence North 89 degrees 43 minutes 32 seconds East 658.60 feet; thence South 185.36 feet to beginning except East 33 feet taken for Beck Road.

**Parcel Identification Nos.**

**22-29-226-021, as to Parcel 1**

**22-29-226-022, as to Parcel 2**

Parcel 5

**That part of the East 1/2 of the Northeast 1/4 of Section 29, Novi Township, Oakland County, Michigan, beginning at a point on the North line of Section 29 distant South 89 degrees 43 minutes West, 640.60 feet from the Northeast corner of Section 29; thence South 264.0 feet; thence South 89 degrees 43 minutes West 18.00 feet; thence South 98.00 feet; thence South 89 degrees 43 minutes West, 97.40 feet; thence North 0 degrees 08 minutes 10 seconds East, 362.00 feet; thence North 89 degrees 43 minutes East, 115.55 feet, along the section line to the point of beginning.**

**Parcel Identification No. 22-29-226-004**

PARCEL 6

PART OF THE NORTHEAST 1/4 OF SECTION 29, T1N-R8E, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE S00°10'28"W 1184.73 FEET ALONG THE CENTERLINE OF BECK ROAD AND THE EAST LINE OF SAID SECTION 29; THENCE S89°54'00"W 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°54'00"W 600.97 FEET; THENCE N00°17'28"E 269.83 FEET; THENCE N00°32'34"E 190.65 FEET; THENCE N89°59'34"E 254.32 FEET; THENCE S00°10'28"W 392.93 FEET; THENCE S66°03'48"E 36.82 FEET; THENCE N89°54'00"E 311.18 FEET; THENCE S00°10'28"W 52.13 FEET TO THE POINT OF BEGINNING, CONTAINING 3.18 ACRES OF LAND, MORE OR LESS.

Part of Parcel Identification No. 22-29-226-019

Parcel 7

PART OF THE NORTHEAST 1/4 OF SECTION 29, T1N-R8E, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE S00°10'28"W 635.33 FEET ALONG THE CENTERLINE OF BECK ROAD AND THE EAST LINE OF SAID SECTION 29; THENCE S89°59'34"W 404.88 FEET TO THE POINT OF BEGINNING; THENCE S00°10'28"W 90.00 FEET; THENCE S89°59'34"W 254.32 FEET' THENCE N00°32'24"E 90.00 FEET; THENCE N89°59'34"E 253.74 FEET TO THE POINT OF BEGINNING, CONTAINING 0.52 ACRES OF LAND, MORE OR LESS.

Parcel Identification No. (part of) 22-29-226-018

Parcel 8

Part of the Northeast 1/4 of Section 29, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as follows: Beginning at Northeast section corner; thence South 03 degrees 00 minutes 13 seconds East 378.89 feet; thence South 86 degrees 48 minutes 56 seconds West, 459.87 feet; thence North 03 degrees 00 minutes 13 seconds West, 378.89 feet; thence North 86 degrees 48 minutes 56 seconds East, 459.87 feet to the beginning, EXCEPT those parts of Ten Mile Road and Beck Road taken or deeded in Liber 9229, page 479, Liber 10400, page 785, Liber 10433, page 401 and Liber 39279, page 787, Oakland County Records.

Tax Item No. 22-29-226-030

Parcel 9

**Town 1 North, Range 8 East, Section 29, Part of Northeast 1/4 beginning at point distant South 03 degrees 00 minutes 13 seconds East 378.89 feet from the Northeast section corner, thence South 03 degrees 00 minutes 13 seconds East 255.86 feet, thence South 86 degrees 48 minutes 56 seconds West 658.60 feet, thence North 03 degrees 00 minutes 13 seconds West 370.75 feet, thence North 86 degrees 48 minutes 56 seconds East 18 feet, thence North 03 degrees 00 minutes 13 seconds West 264 feet, thence North 86 degrees 48 minutes 56 seconds East 180.73 feet, thence South 03 degrees 00 minutes 13 seconds East 378.89 feet, thence North 86 degrees 48 minutes 56 seconds East 459.87 feet to beginning.**

**Parcel Identification No. 22-29-226-031**

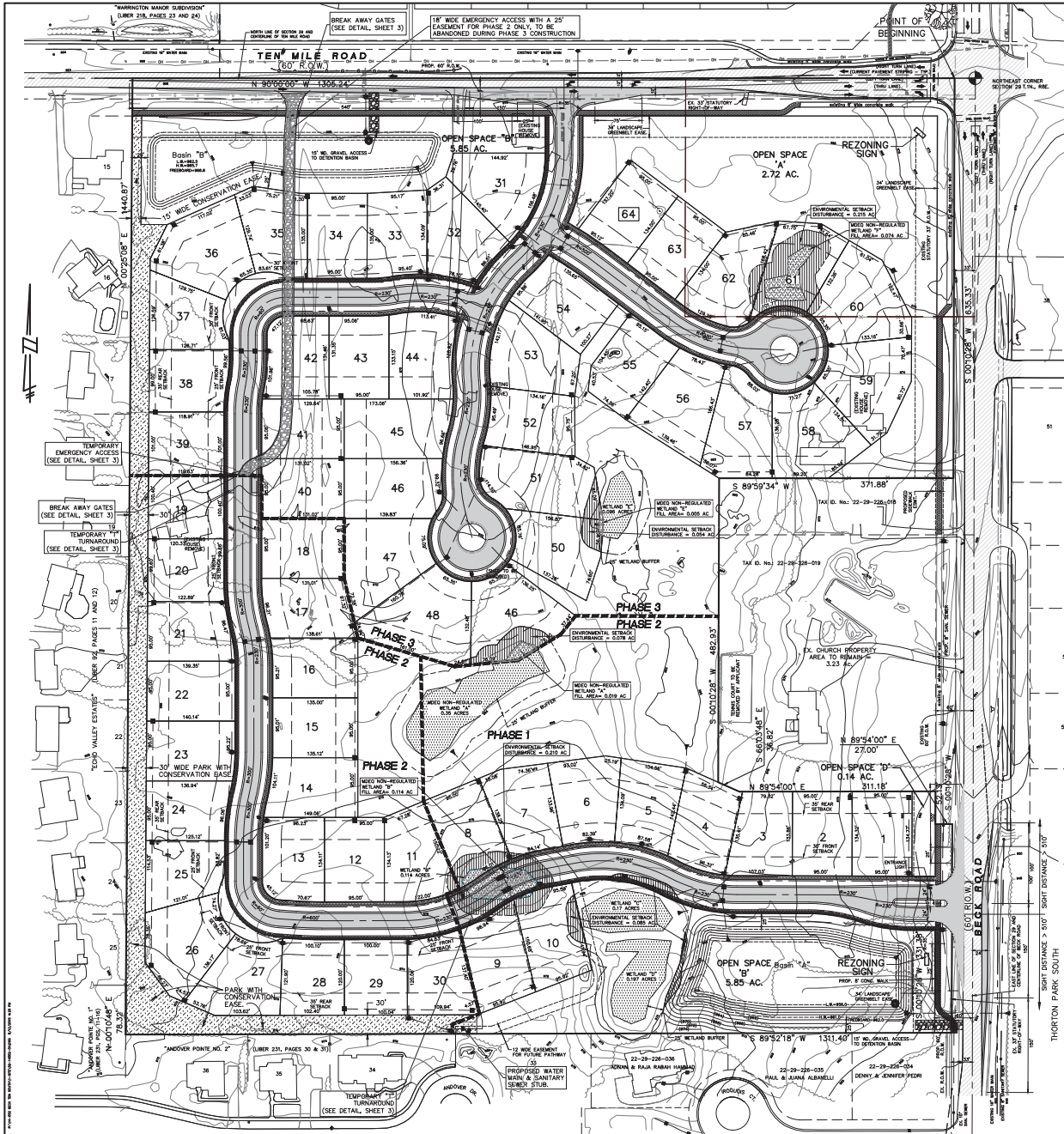


Parcels 1 through 9 are also described as:

Part of the Northeast  $\frac{1}{4}$  of Section 29, TIN-R&E, City of Novi, Oakland County, Michigan, described as: Commencing at the Northeast corner of said Section 29; thence N  $90^{\circ} 00' 00''$  W 33.00 feet along the centerline of 10 Mile Road and the North line of said Section 29 to the point of beginning; thence S  $00^{\circ} 10' 28''$  W 635.33 feet along the West line of Beck Road; thence S  $89^{\circ} 59' 34''$  W 371.88 feet; thence S  $00^{\circ} 10' 28''$  W 482.93 feet; thence S  $66^{\circ} 03' 48''$  E 36.82 feet; thence N  $89^{\circ} 54' 00''$  E 311.18 feet; thence S  $00^{\circ} 10' 28''$  W 52.13 feet along the West right-of-way line of Beck Road; thence N  $89^{\circ} 54' 00''$  E 27.00 feet; thence S  $00^{\circ} 10' 28''$  W 331.38 feet along the West right-of-way line of said Beck Road; thence S  $89^{\circ} 52' 18''$  W 1311.40 feet along the north line of "Andover Pointe No. 2", a subdivision as recorded in Liber 231 of Plats, Pages 30-31, Oakland County Records, and its easterly extension; thence N  $00^{\circ} 10' 48''$  E 78.27 feet along the East line of "Andover Pointe No. 1", a subdivision as recorded in Liber 231 of Plats, Pages 11-16, Oakland County Records to the Northeast corner of said "Andover Pointe No. 1"; thence N  $00^{\circ} 25' 08''$  E 1440.87 feet along the East line of "Echo Valley Estates", a subdivision as recorded in Liber 92 of Plats, Pages 11-12, Oakland County Records; thence S  $90^{\circ} 00' 00''$  E 1305.24 feet along the North line of Section 29 to the point of beginning, containing 41.31 acres of land, more or less.

EXHIBIT B

PRO PLAN



**UNIT TABLE - PHASE 1**

UNIT #	AREA (SF)	WIDTH (SF)
1	12,782	95.00'
2	12,739	95.00'
3	12,457	100.82'
4	13,410	95.68'
5	12,982	91.00'
6	13,429	90.00'
7	13,457	90.00'
8	13,599	95.79'
9	13,508	98.38'
10	14,150	95.17'

**UNIT TABLE - PHASE 2**

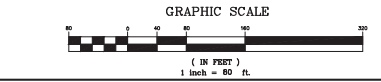
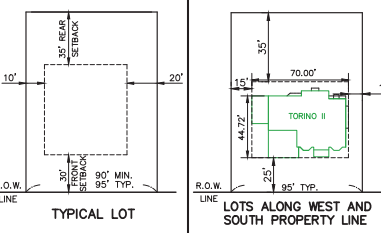
UNIT #	AREA (SF)	WIDTH (SF)
11	13,650	109.08'
12	12,730	95.00'
13	12,840	98.71'
14	13,374	95.98'
15	12,825	95.00'
16	12,877	95.00'
17	12,979	95.98'
18	12,447	95.00'
19	12,048	100.40'
20	12,045	99.61'
21	12,504	96.32'
22	13,280	95.00'
23	13,287	95.10'
24	12,267	94.41'
25	12,051	91.36'
26	15,780	90.00'
27	14,320	90.00'
28	12,076	98.80'
29	12,005	100.04'
30	12,538	90.00'

**UNIT TABLE - PHASE 3**

UNIT #	AREA (SF)	WIDTH (SF)
31	14,397	129.20'
32	14,026	95.58'
33	12,734	95.23'
34	12,825	95.00'
35	13,403	90.00'
36	13,178	90.00'
37	13,397	90.00'
38	12,210	99.37'
39	12,046	101.00'
40	12,447	95.00'
41	12,436	95.01'
42	12,943	98.63'
43	12,505	95.01'
44	13,983	104.71'
45	15,706	96.48'
46	14,574	96.80'
47	16,808	90.00'
48	19,304	90.00'
49	17,326	90.00'
50	14,560	90.00'
51	17,078	109.73'
52	13,990	95.00'
53	14,604	123.96'
54	13,857	99.18'
55	12,928	95.04'
56	16,210	90.00'
57	15,599	93.00'
58	16,652	90.00'
59	17,300	90.00'
60	17,402	90.00'
61	14,189	93.83'
62	15,416	113.33'
63	12,730	95.00'
64	12,792	95.05'

**NOTE:**  
LOT WIDTH IS THE STRAIGHT LINE DISTANCE BETWEEN THE SIDE LOT LINES, MEASURED AT THE TWO POINTS WHERE THE MIN. FRONT YARD SETBACK LINE INTERSECTS THE SIDE LOT LINES

AVERAGE UNIT AREA = 13,814  
AVERAGE UNIT WIDTH = 96.37



- NOTES:**
- WOODLANDS PLAN, TREE INVENTORY REMOVAL & REPLACEMENT PLAN WILL BE PROVIDED WITH PRELIMINARY SITE PLAN.
  - 25' WIDE VEGETATED BUFFER SHALL BE PROVIDED AROUND THE PERIMETER OF EACH STORM WATER BASIN.
  - EMERGENCY ACCESS GATES MUST BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT.

- PROPOSED IMPROVEMENTS**
- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING SANITARY SEWER ON THE WEST SIDE OF BECK ROAD.
  - MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO EXISTING 16" WATER MAINS LOCATED ON THE EAST SIDE OF BECK ROAD AND THE NORTH SIDE OF TEN MILE ROAD. ALL PROPOSED WATER MAIN SHALL BE 8" DUCTILE IRON CL. 54.
  - STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
  - 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL INTERIOR ROADWAYS. AN 8'-FOOT WIDE CONCRETE WALK SHALL BE CONSTRUCTED ALONG TEN MILE ROAD AND BECK ROAD. ALL SIDEWALK STUBS SHALL BE PROVIDED WITH RAMPS & DETECTABLE WARNING SURFACES.
  - ALL ROADWAYS TO BE PUBLIC.
  - A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.

**ZONING CHANGE PROPOSED FROM (R-1 DISTRICT) TO (R-3 WITH PRO DISTRICT)**  
FOR MORE INFORMATION CALL:  
NOVI COMMUNITY DEVELOPMENT DEPARTMENT  
248-347-0475

**REZONING SIGN DETAIL**

**WETLAND IMPACT**

MDEQ NON REGULATED WETLAND	AREA (AC.)	WETLAND IMPACT AREA (AC.)	25' WETLAND BUFFER DISTURBANCE (AC.)
A	0.350	0.019	0.078
B	0.114	0	0.210
C	0.170	0	0.066
D	0.197	0	0.019
E	0.096	0.005	0.054
F	0.074	0.074	0.215
<b>TOTAL:</b>	<b>1.001</b>	<b>0.212</b>	<b>0.642</b>

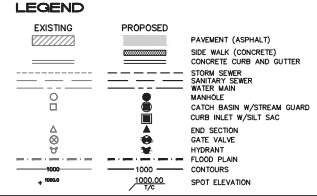
**SITE DATA**  
PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM  
CURRENT ZONING: "R-1"  
MAXIMUM DENSITY = 1.65 DU/NET ACRE  
AREA GROSS = 41,312 ACRES  
AREA NET = EXCLUDING STATUTORY R.O.W. ON TEN MILE ROAD (33') = 40,323 ACRES.  
MAXIMUM DENSITY = 1.65 DU/AC. X 40,323 ACRES = 66,513 UNITS  
PROPOSED NUMBER OF UNITS: 64 UNITS

**TOTAL OPEN SPACE (GROSS)**  
OPEN SPACE "A" = 118,502 SQ.FT. / 2.72 AC.  
OPEN SPACE "B" = 254,598 SQ.FT. / 5.85 AC.  
OPEN SPACE "C" = 191,510 SQ.FT. / 4.39 AC.  
OPEN SPACE "D" = 5,978 SQ.FT. / 0.14 AC.  
TOTAL OPEN SPACE = 570,586 SQ.FT. / 13.10 ACRES = 31.71% OF SITE

**PROPOSED DESIGN CRITERIA**  
(CONSISTENT "R-3 ZONING")  
MINIMUM LOT SIZE = 12,000 SQ.FT.  
MINIMUM LOT WIDTH = 90.00 FEET

**STANDARD LOTS**  
FRONT SETBACK = 30 FEET  
REAR SETBACK = 35 FEET  
SIDE YARD SETBACK = 10 FEET (MINIMUM)  
SIDE YARD SETBACK = 30 FEET (AGGREGATE)

**LOTS ALONG WEST AND SOUTH PROPERTY LINE**  
FRONT SETBACK = 25 FEET  
REAR SETBACK = 35 FEET  
SIDE YARD SETBACK = 10 FEET (MINIMUM)  
SIDE YARD SETBACK = 25 FEET (AGGREGATE)



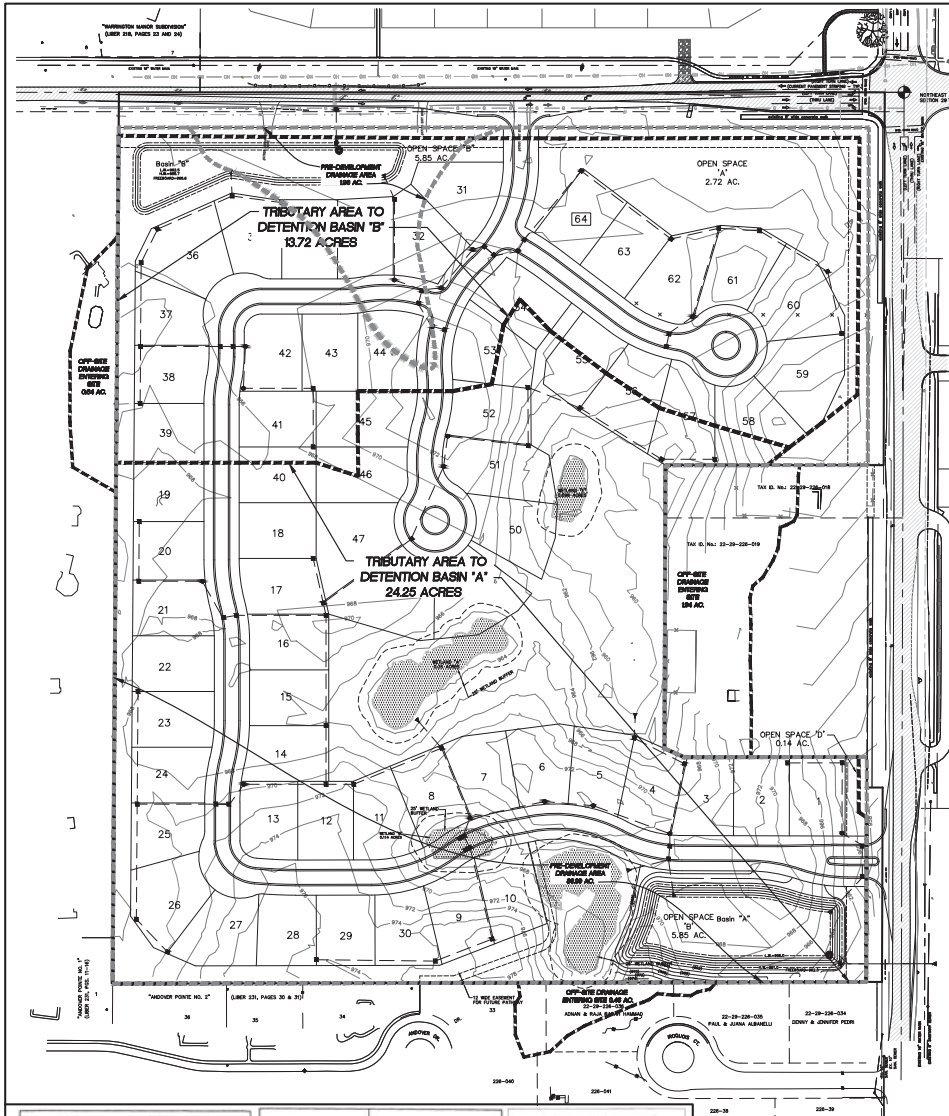
**VALENCIA ESTATES SOUTH**  
SECTION 28, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

**REVISIONS**

NO.	DATE	BY	DESCRIPTION
1	8-19-14	J.A.L.	PER CITY REVIEW
2	10-08-14	J.A.L.	DRIVING PRACTICES
3	12-10-14	J.A.L.	PER CITY REVIEW
4	02-06-15	J.A.L.	REVISE LAYOUT PER OWNER
5	08-12-15	J.A.L.	ADD UTILITIES

**PLANNED REZONING OVERLAY (PRO) PLAN**

**SEIBER, KEAST ENGINEERING, L.L.C.**  
CONSULTING ENGINEERS  
100 MANCINTRE • SUITE 10 • NORTHVILLE, MICHIGAN • 48167  
PHONE: 248.308.3331 FAX: 248.308.3335



**PEAK FLOW RUNOFF CALCULATIONS**

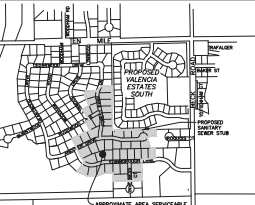
$I(100 \text{ year}) = 275(t + 25)$ ; where  $t = 20$  minutes

**Basin A**

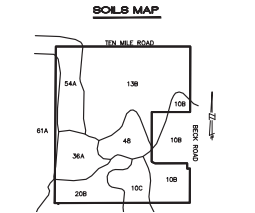
- $C$  (Basin)  $Q = CIA = .15 \times (275(10+25)) \times 36.99 \text{ ac} = 33.9 \text{ cfs}$
- $Q$  (Proposed) = 3.64 cfs

**Basin B**

- $C$  (Basin)  $Q = CIA = .15 \times (275(10+25)) \times 1.96 \text{ ac} = 1.80 \text{ cfs}$
- $Q$  (Proposed) = 2.06 cfs



**FUTURE SANITARY SEWER SERVICE AREA**  
SCALE = 1" = 1000'



**SOILS INVENTORY**

(PER "SOIL SURVEY OF OAKLAND COUNTY MICHIGAN", UNITED STATES DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE IN COOPERATION WITH MICHIGAN AGRICULTURAL EXPERIMENT STATION, ISSUED MARCH 1982)

- 10B MARLETTE SANDY LOAM, 15-6% SLOPES (HYDROLOGIC SOIL GROUP B)
- 10C MARLETTE SANDY LOAM, 6% TO 12% SLOPES (HYDROLOGIC SOIL GROUP B)
- 13B OSHKOSH-BOTER LOAMY SANDS, 0 TO 6% SLOPES (HYDROLOGIC SOIL GROUP B)
- 36A METAMORA SANDY LOAM, 0 TO 3% SLOPES (HYDROLOGIC SOIL GROUP B)
- 4B GLEDFORD SANDY LOAM (HYDROLOGIC SOIL GROUP D/B)
- 54A WATHERTON SANDY LOAM, 0 TO 3% SLOPES (HYDROLOGIC SOIL GROUP B)

Basin B Tributary Area = 13.72 Acres

Impervious Areas:	
Roofs =	0.87 AC.
Houses and Driveways =	1.13 AC.
	4.89 AC. at C = 0.95
Permeous Areas:	
Lawn Areas =	9.45 AC. at C = 0.38
Low Water =	0.22 AC. at C = 1.00
<b>C Avg. = 0.54</b>	

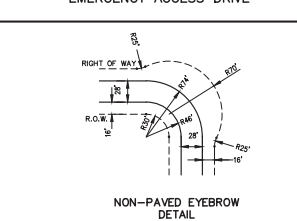
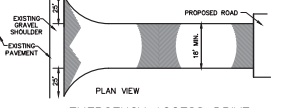
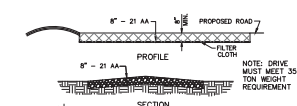
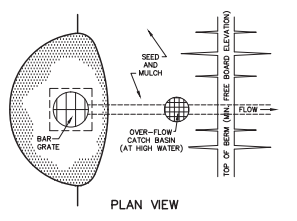
Basin A Tributary Area = 24.25 Acres

Impervious Areas:	
Sidewalks =	1.62 AC.
Roofs =	2.14 AC.
Houses and Driveways =	2.23 AC.
	5.99 AC. at C = 0.95
Permeous Areas:	
Lawn Areas =	9.12 AC. at C = 0.38
Park Areas (Group B) =	6.29 AC. at C = 0.25
Low Water =	0.62 AC. at C = 1.00
<b>C Avg. = 0.54</b>	

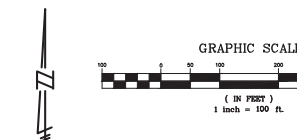
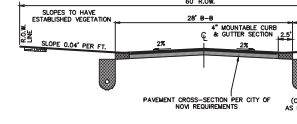
**MAINTENANCE SCHEDULE:**

- THE PROPERTY OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE DETENTION BASIN. MAINTENANCE SHOULD BE PERFORMED FOLLOWING ANY STORM AND SHOULD INCLUDE:
- CHECKING THE DEPTH OF SEDIMENT DEPOSIT TO ENSURE THE CAPACITY OF THE BASIN IS ADEQUATE FOR STORM WATER AND SEDIMENT DEPOSITION, AND FOR THE REMOVING OF SEDIMENT.
  - CHECKING THE BASIN FOR PIPING, SEEPAGE, OR OTHER MECHANICAL DAMAGE.
  - CHECKING FOR THE PRESENCE OF ANY SOIL CAKING, WHICH WOULD PREVENT PROPER DRAINAGE FROM THE BASIN.
  - CHECKING THE OUTFALL TO ENSURE DRAINAGE IS NOT CAUSING ANY ROSSIVE VELOCITIES AND TO ENSURE THE OUTFALL IS NOT CLOGGED.
  - ANY PROBLEM DISCOVERED DURING THE MAINTENANCE CHECKS SHOULD BE ADDRESSED IMMEDIATELY.
  - SEDIMENT REMOVED DURING CLEANING SHOULD BE PLACED AT AN UPLAND AREA AND STABILIZED SO THAT IT DOES NOT RE-ENTER THE DRAINAGE COURSE.

**DETENTION BASIN SEDIMENT FILTER DETAIL**



**ROAD CROSS SECTION**

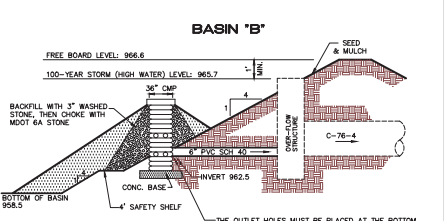


**STORM WATER DETENTION CALCULATIONS**

BASIN A		TOTAL DETENTION PROVIDED (100 YEAR)	
DETERMINED DETENTION REQUIRED (100-YEAR STORM)	ELEVATION	AREA (A)	VOLUME
$Q = 33.9 \text{ cfs}$ (18.18 AC)	961.0	4854	4262 C.F.
$C = 0.54$	961.0	3140	2708 C.F.
$T = 20$ (80 FT/1012.5 SQ FT)	959.0	3140	2708 C.F.
$V = 1/3 \text{ AC} \times C = 1885.95 \text{ C.F.}$	957.0	3487	3044 C.F.
<b>TOTAL DETENTION VOLUME REQUIRED = 14548 C.F.</b>	956.0	2744	2423 C.F.
		<b>TOTAL</b>	<b>17947 C.F.</b>

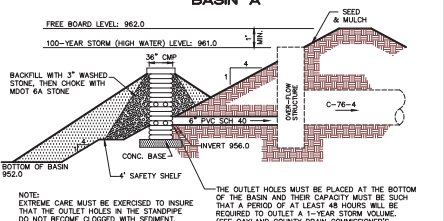
  

BASIN B		TOTAL DETENTION PROVIDED (100 YEAR)	
DETERMINED DETENTION REQUIRED (100-YEAR STORM)	ELEVATION	AREA (A)	VOLUME
$Q = 1.80 \text{ cfs}$ (18.18 AC)	961.0	3140	2708 C.F.
$C = 0.54$	961.0	3140	2708 C.F.
$T = 20$ (80 FT/1012.5 SQ FT)	959.0	3140	2708 C.F.
$V = 1/3 \text{ AC} \times C = 1885.95 \text{ C.F.}$	957.0	3487	3044 C.F.
<b>TOTAL DETENTION VOLUME REQUIRED = 83.91 C.F.</b>	956.0	2744	2423 C.F.
		<b>TOTAL</b>	<b>17947 C.F.</b>



NOTE: EXTREME CARE MUST BE EXERCISED TO INSURE THAT THE OUTFALL HOLES IN THE STANDPIPE DO NOT BECOME CLOGGED WITH SEDIMENT.

THE OUTFALL HOLES MUST BE PLACED AT THE BOTTOM OF THE BASIN AND THEIR CAPACITY MUST BE SUCH THAT A PERIOD OF AT LEAST 48 HOURS WILL BE REQUIRED TO OUTFALL A 1-YEAR STORM VOLUME. (SEE OAKLAND COUNTY DRAIN COMMISSIONER'S "SEDIMENT BASIN DESIGN CRITERIA" FOR NUMBER OF OUTFALL HOLES REQUIRED)



NOTE: EXTREME CARE MUST BE EXERCISED TO INSURE THAT THE OUTFALL HOLES IN THE STANDPIPE DO NOT BECOME CLOGGED WITH SEDIMENT.

THE OUTFALL HOLES MUST BE PLACED AT THE BOTTOM OF THE BASIN AND THEIR CAPACITY MUST BE SUCH THAT A PERIOD OF AT LEAST 48 HOURS WILL BE REQUIRED TO OUTFALL A 1-YEAR STORM VOLUME. (SEE OAKLAND COUNTY DRAIN COMMISSIONER'S "SEDIMENT BASIN DESIGN CRITERIA" FOR NUMBER OF OUTFALL HOLES REQUIRED)

**VALENCIA ESTATES SOUTH**  
SECTION 28, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

**REVISIONS**

NO.	ITEM	DATE
1	ISSUE PROJECT LIMITS	10-28-14
2	PER CITY REVIEW	12-13-14
3	REV. LAYOUT, UPDATE STORM SENSR	02-13-15

DATE: 04-30-14 PREPARED BY: TCM FOR NUMBER: 14-008  
CHECKED BY: P.E. DRAWING FILE: 03-14002-NVM.DWG

**STORM WATER MANAGEMENT PLAN**

**SEIBER, KEAST ENGINEERING, L.L.C.**  
CONSULTING ENGINEERS  
100 MANCINIENRE # SUITE 10 # NORTHERVILLE, MICHIGAN # 48167  
PHONE: 248.308.3333 EMAIL: INFO@SEIBERKEAST.COM

Seal:



Title:  
**Landscape Plan**

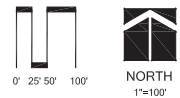
Project:  
**Valencia Estates South  
 Novi, Michigan**

Prepared for:  
 Pinnacle Homes  
 1668 South Telegraph, Suite 200  
 Bloomfield Hills, MI 48302

<b>Revision:</b>	<b>Issued:</b>
Substation	May 1, 2014
Revised	August 18, 2014
Revised	November 14, 2014
Revised	December 12, 2014
Revised	February 15, 2015
Revised	May 8, 2015
Revised	July 15, 2015

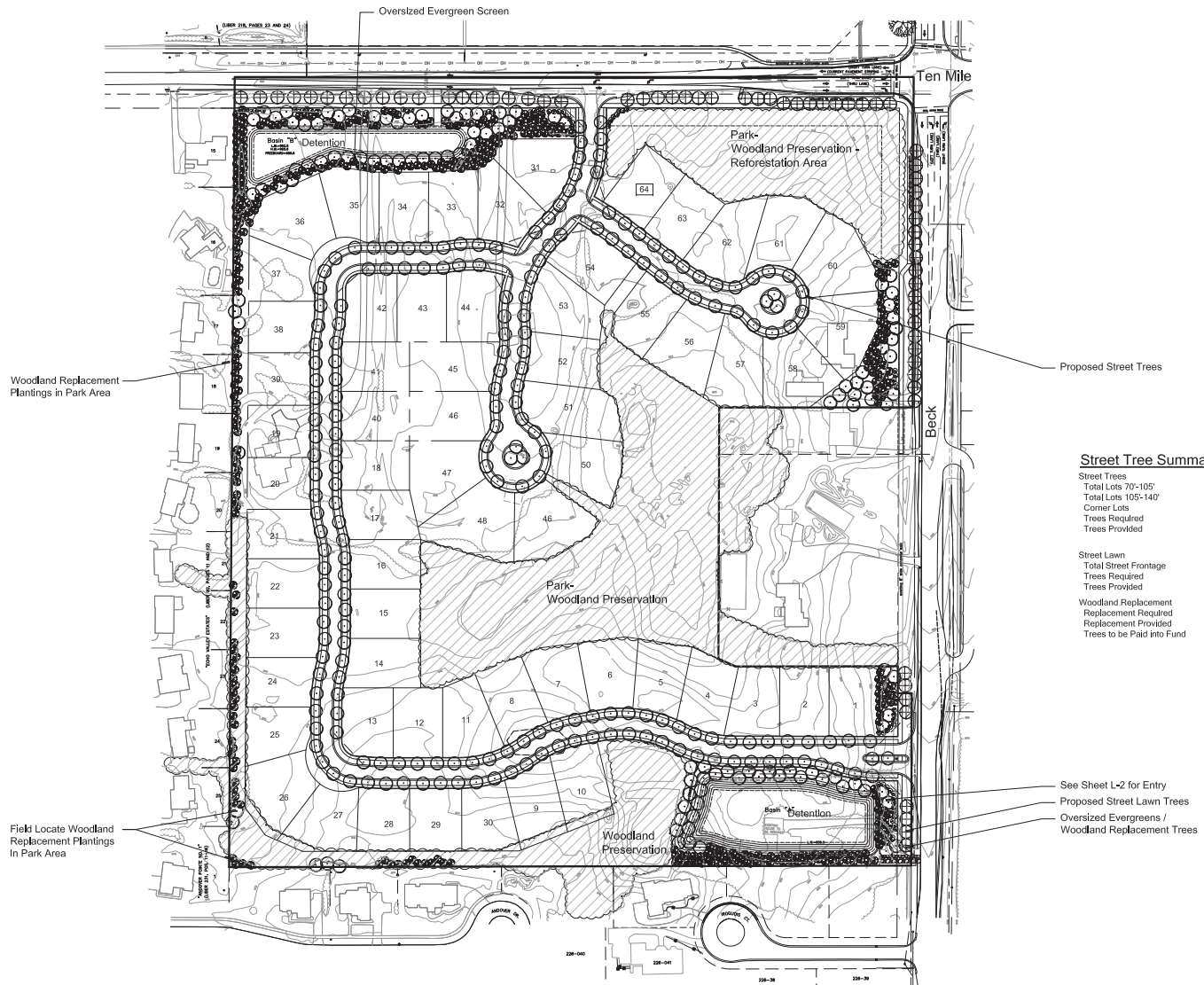
Job Number:  
 14-023

Drawn By: jca      Checked By: jca



Sheet No.

L-1



**Street Tree Summary**

Street Trees	
Total Lots 70'-105'	59 Lots
Total Lots 105'-140'	5 Lots
Corner Lots	5 Lots
Trees Required	143 Trees (59x5) x 2 Trees + (5 x 3)
Trees Provided	204 Trees (Extra 61 Trees to be Counted Towards Woodland Replacement)
Street Lawn	
Total Street Frontage	2,323 Lf.
Trees Required	66 Trees (2,323 / 35)
Trees Provided	66 Trees
Woodland Replacement	
Replacement Required	1,897 Trees
Replacement Provided	796 Trees
Trees to be Paid into Fund	1,101 Trees



Seal: \_\_\_\_\_

Title:  
**Landscape Plan**

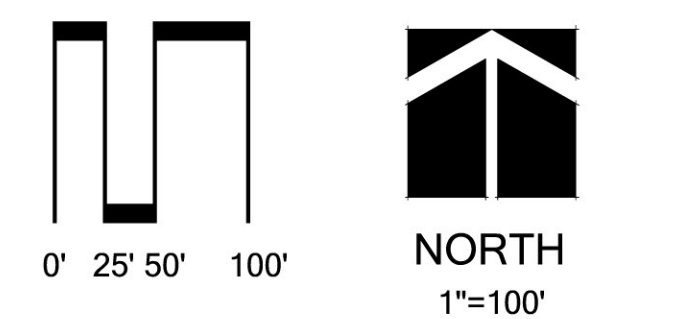
Project:  
**Valencia Estates South  
 Novi, Michigan**

Prepared for:  
 Pinnacle Homes  
 1668 South Telegraph, Suite 200  
 Bloomfield Hills, MI 48302

Revision:	Issued:
Submission	May 1, 2014
Revised	August 18, 2014
Revised	November 14, 2014
Revised	December 12, 2014
Revised	February 18, 2015
Revised	May 8, 2015
Revised	July 15, 2015

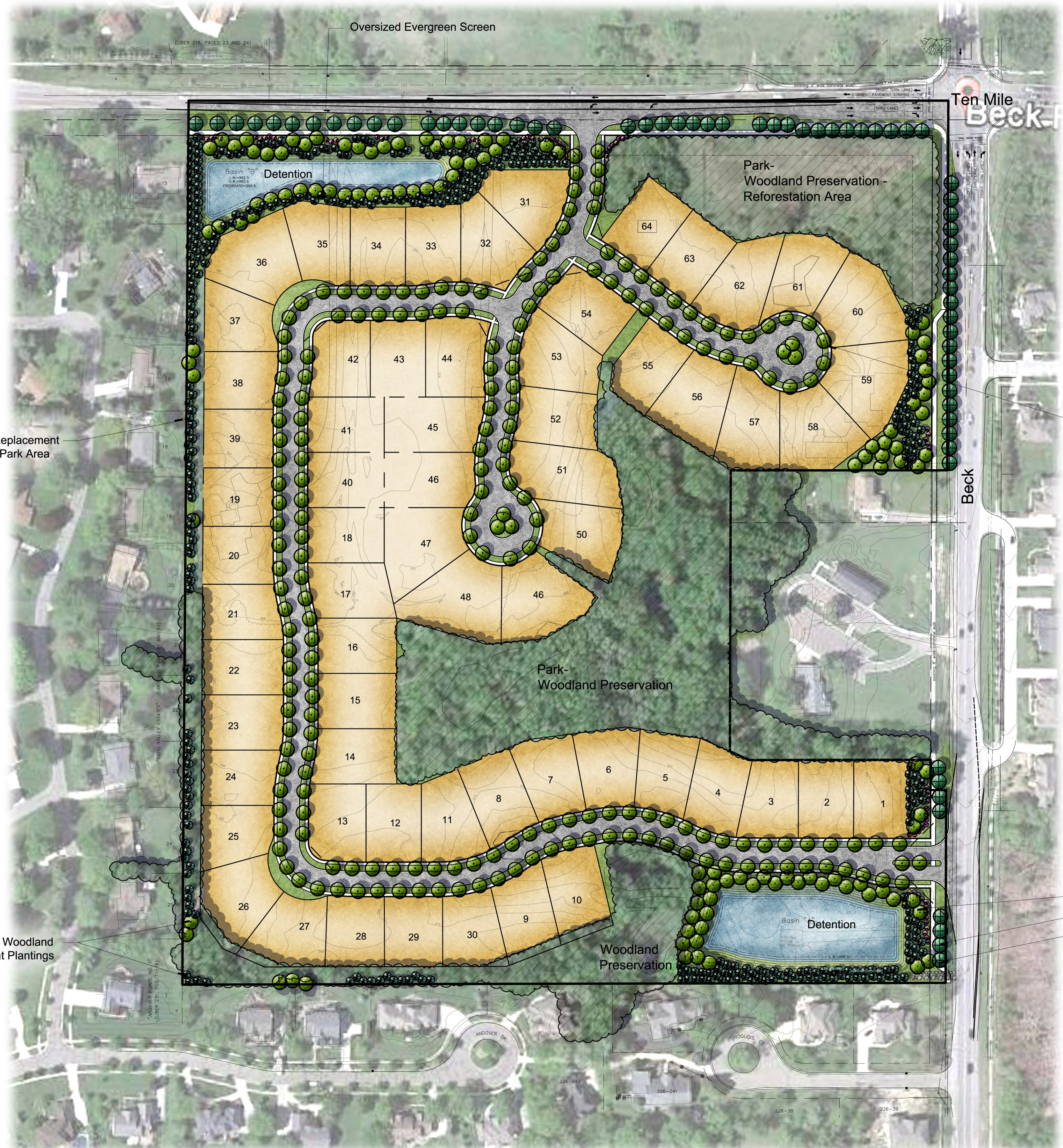
Job Number:  
 14-023

Drawn By: jca      Checked By: jca



Sheet No. \_\_\_\_\_

**L-1**



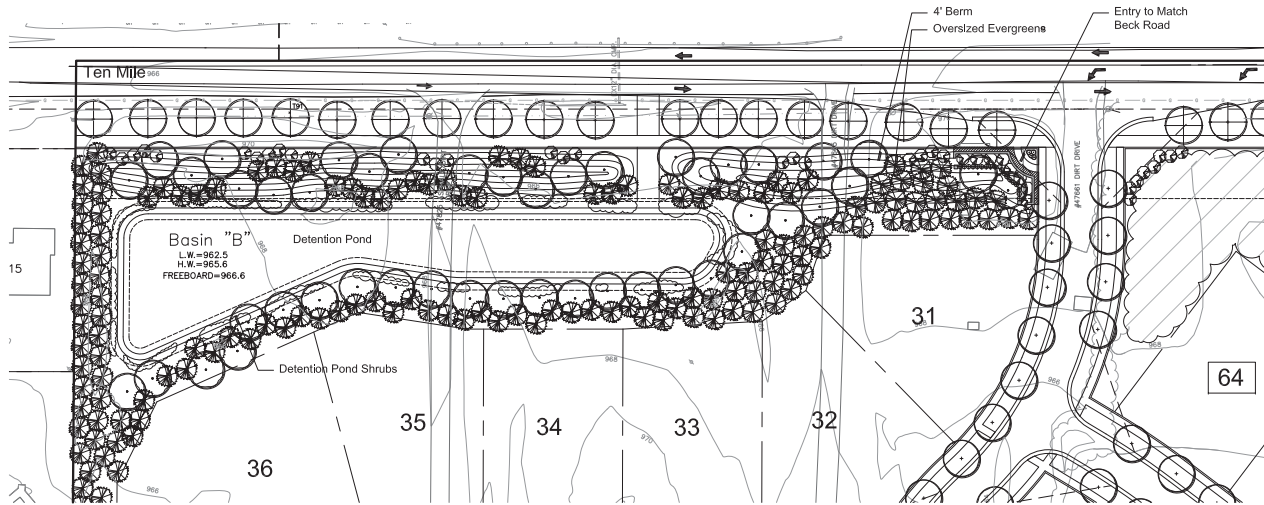
Woodland Replacement Plantings in Park Area

Field Locate Woodland Replacement Plantings in Park Area

Proposed Street Trees

See Sheet L-2 for Entry Proposed Street Lawn Trees  
 Oversized Evergreens / Woodland Replacement Trees





Ten Mile Greenbelt - Entry

**Landscape Summary**

Greenbelt Plantings	2,323 I.F.
Total Street Frontage	831 I.F.
Less Preservation Areas	1,492 I.F.
Net Frontage	43 Trees (1,492 / 35)
Canopy Trees Required	43 Trees
Canopy Trees Provided	75 Trees (1,492 / 20)
Sub-Canopy Trees Required	75 Trees
Sub-Canopy Trees Provided	
Detention Pond Plantings	1,913 I.F.
High-Water Elevation	1,340 I.F. (70%)
Required Planting	1,454 I.F. (76%)
Planting Provided	

Seal:

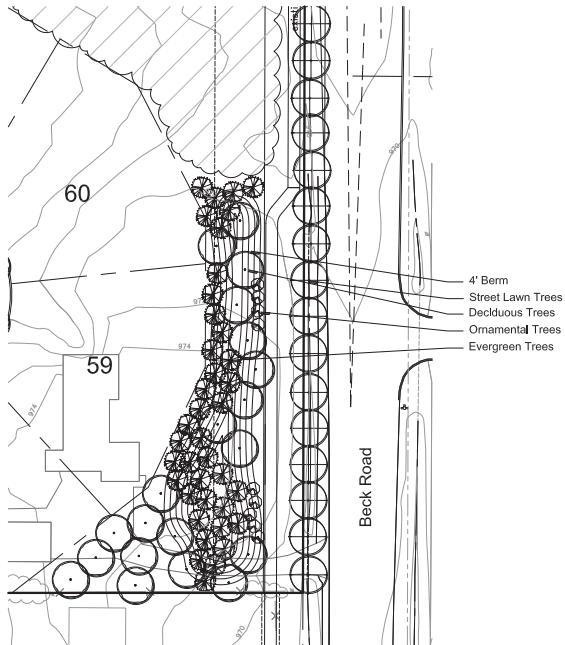


Title:  
**Entry Plan**

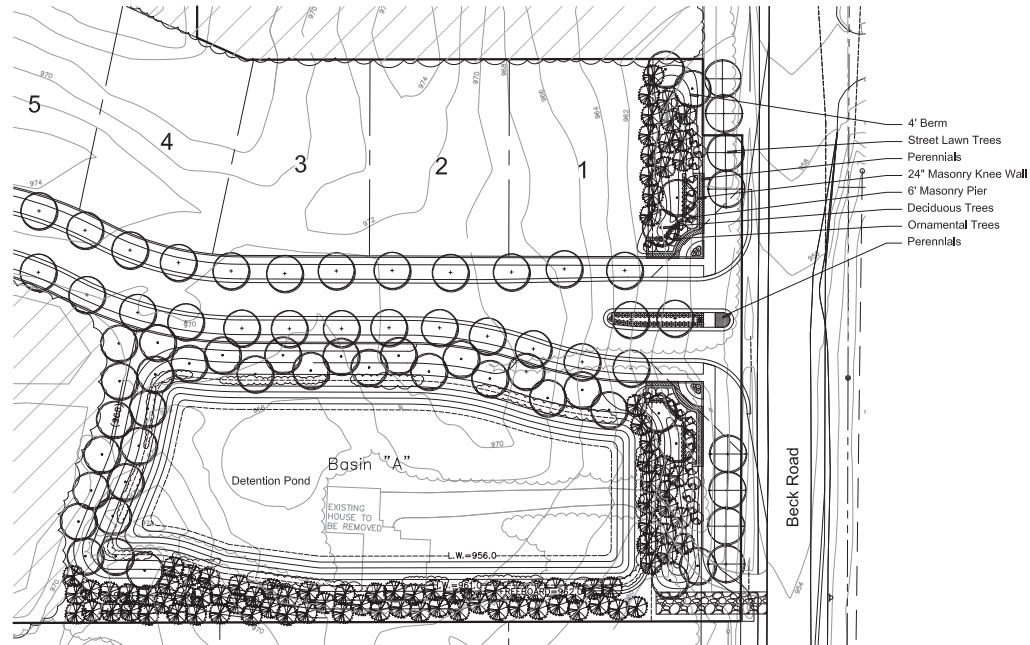
Project:  
**Valencia Estates South  
 Novi, Michigan**

Prepared for:  
 Pinnacle Homes  
 1668 South Telegraph, Suite 200  
 Bloomfield Hills, MI 48302

Revision:	Issued:
Substation	May 1, 2014
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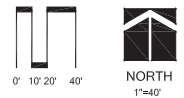
Beck Road Greenbelt



Beck Road Entry

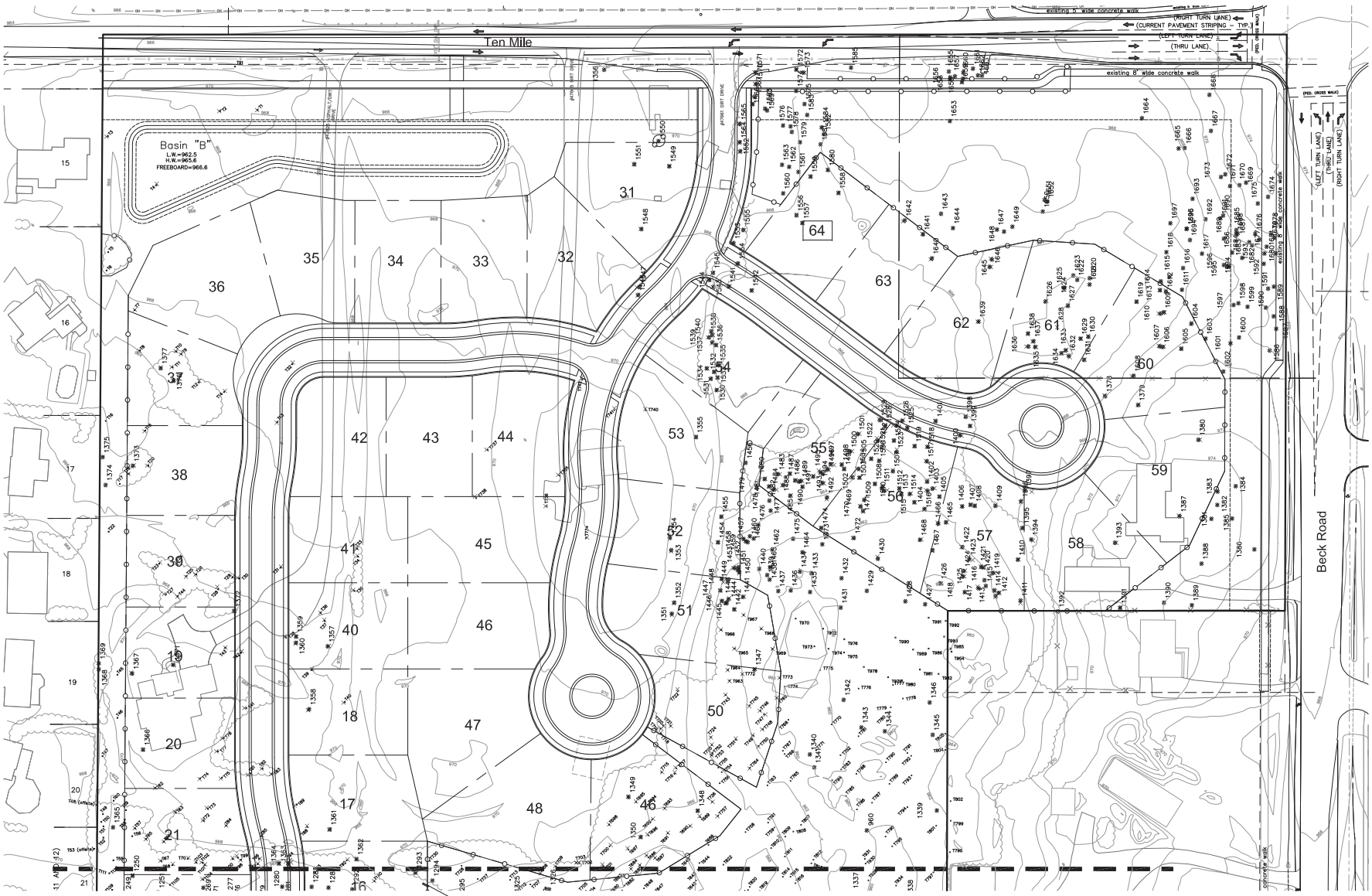
Job Number:  
 14-023

Drawn By: jca      Checked By: jca



Sheet No.





Matches Sheet L-4

Key  
 x Denotes Removed  
 Tree Survey Performed by Mike's Tree Surgeons

Seal:



Title:  
**Woodland Plan**

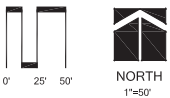
Project:  
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 Novi, Michigan**

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Revised	July 15, 2015

Job Number:  
 14-023

Drawn By: *jca*      Checked By: *jca*



Sheet No.









# PINNACLE HOMES



## *Lorino*

3,500 Square Feet



Valencia Estates

[www.PinnacleHomes.com](http://www.PinnacleHomes.com)

248.977.6144





# PINNACLE HOMES

A



## *Springhaven*

3,000 Square Feet

A



B



C



D



E



F



Valencia Estates

[www.PinnacleHomes.com](http://www.PinnacleHomes.com)

248.977.6144



10/14

A



*Santa Fe*

3,520 Square Feet

A



B



C





# PINNACLE HOMES



## *Muirfield*

3,200 Square Feet



Valencia Estates

[www.PinnacleHomes.com](http://www.PinnacleHomes.com)

248.977.6144



10/14

EXHIBIT C

STAFF AND CONSULTANT REPORTS

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.



## PLAN REVIEW CENTER REPORT

January 2, 2015

UPDATED January 29, 2015

UPDATED March 19, 2015

UPDATED August 11, 2015

### Planning Review

Valencia South

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**This review has been updated based on the applicant's revised concept plan dated 07-16-15. All updates are shown as bold and underlined.**

#### Petitioner

Beck South LLC

#### Review Type

Rezoning request from R-1, One-Family Residential to R-3, One-Family Residential with Planned Rezoning Overlay (PRO) – Revised Concept Plan

#### Property Characteristics

- § Site Location: Parcels surrounding the southwest corner of Beck Road and Ten Mile Road (Section 29)
- § Site Zoning: R-1, One-Family Residential
- § Adjoining Zoning: North(across Ten Mile Road): R-3 PRO; East, South and West: R-1
- § Current Site Use: Single-Family Homes and Vacant Land
- § Adjoining Uses: North: Valencia Estates; East: Single-Family Homes and Oakland Baptist Church; South: Andover Pointe No. 2 and Single-Family Homes; West: Echo Valley Estates
- § School District: Novi Community
- § Site Size: 41.312 gross acres, 40.323 net acres

#### Project Summary

The petitioner is proposing a Zoning Map amendment for eight parcels, and a portion of two additional parcels that total 41.312 acres located at the southwest corner of Beck Road and Ten Mile Road in (Section 29) from R-1 (One-Family Residential, 1.65 DU's per net acre) to R-3 (One-Family Residential, 2.7 DU's per net acre) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow development with smaller and narrower lots, but at the same density that is permitted within the current R-1 zoning. The applicant previously proposed a rezoning with PRO on a portion of this site but has since added additional acreage to the request and revised the concept plan accordingly.

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 proposed to be changed (in this case from R-1 to R-3) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. 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 of Novi. If the development has not begun within two years, the rezoning and PRO concept plan expires and the agreement becomes void.

The subject parcel is 41.312 gross acres on the southwest corner of Beck Road and Ten Mile Road (Section 29). It is currently zoned R-1, which would allow a maximum of 64 single-family lots based on

Valencia South JSP13-75

the density standards of the Zoning Ordinance and the net acreage of the site (40.323 acres, excludes the 0.989 acres in the Ten Mile Road right-of-way). The applicant is proposing to rezone the property to R-3, with smaller and narrower lots than are permitted in R-1; 66 total lots are proposed on the PRO concept plan. The PRO concept plan also shows two on-site detention ponds, preservation of significant open space including a 4.5 acre area of mature trees and increased open space along both the Ten Mile and Beck Road frontages. **The applicant has added a 30 foot wide open space buffer along the south and west property lines adjacent to the existing Andover Pointe and Echo Valley developments, as labeled "Park with Conservation Easement" on the plans. This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines.** Two boulevarded access points are proposed onto Beck Road. The applicant has also indicated a proposed phasing plan. Although no significant issues with the proposed phasing have been noted, the phasing plan would be reviewed and approved as part of the Preliminary Site Plan review.

The Planning Commission held the required public hearing on February 11, 2015 and made the following motion recommending approval of the proposed rezoning with PRO on February 25, 2015.

*In the matter of the request of Beck South LLC for Valencia South JSP13-75 with Zoning Map Amendment 18.706 motion to recommend approval to the City Council to rezone the subject property from R-1 (One-Family Residential) to R-3 (One-Family Residential) with a Planned Rezoning Overlay subject to environmental consultant review of the updated site layout prior to the matter proceeding to the City Council. The recommendation shall include the following ordinance deviations:*

- a. Reduction in the required front yard building setback for Lots 19-30 and 43-46 (30 ft. required, 25 ft. provided) to allow for an increased rear yard setback;
- b. Reduction in the required aggregate of the two side yard setbacks for Lots 19-30 and 43-46 (30 ft. required, 25 ft. provided) to allow for an increased rear yard setback;
- c. Waiver of the required berm between the project property and the existing church in order to preserve existing mature vegetation;
- d. Administrative waiver to omit the required stub street connection at 1,300 ft. intervals;
- e. Design and Construction Standards waiver for the lack of paved eyebrows;
- f. Design and Construction Standards variance for the installation of the required pathway to the adjacent Andover Pointe No. 2 development with the condition that an easement is provided.

*If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:*

- a. Applicant must provide an increased rear yard setback of 50 ft. for Lots 19-30 and 43-46 consistent with the provided sketch;
- b. Applicant must provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering memo dated January 7, 2015;
- c. Applicant complying with the conditions listed in the staff and consultant review letters; and
- d. The City Council should consider a bond requirement with regard to the well and septic issues brought forward by the residents.

*This motion is made because:*

- a. The proposed development meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments;



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- b. *The proposed density of 1.65 units per acre matches the master planned density for the site; and*
- c. *The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns."*

**City Council tentatively approved the PRO Concept plan on July 27, 2015 meeting with the following motion and directed the City Attorney to prepare a proposed PRO Agreement with the following ordinance deviations:**

- a) *Reduction in the required front yard building setback for Lots 19-30 and 37-39 (30 feet required, 25 feet provided);*
- b) *Reduction in the required aggregate of the two side yard setbacks for Lots 19-30 and 37-39 (30 feet required, 25 feet provided);*
- c) *Waiver of the required berm between the project property and the existing church in order to preserve existing mature vegetation;*
- d) *Administrative waiver to omit the required stub street connection at 1,300 foot intervals;*
- e) *Design and Construction Standards waiver for the lack of paved eyebrows;*
- f) *Design and Construction Standards variance for the installation of the required pathway to the adjacent Andover Pointe No. 2 development with the condition that an easement is provided.*

**And subject to the following conditions:**

- a) *Applicant shall provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering memo dated January 7, 2015;*
- b) *Applicant shall comply with the conditions listed in the staff and consultant review letters; and*
- c) *Acceptance of the applicant's offer to provide a \$75,000 cash bond to be held in escrow during the dewatering operations for the Valencia South sanitary sewer installation, for the benefit of any well-failure claims by the thirteen homes within 400 feet of the proposed dewatering limits, per the provided correspondence, and subject to a dewatering plan submitted by the applicant for review and approval, subject to ordinance standards,*
- d) *Acceptance of the applicant's offer to provide an additional 30 foot wide tree preservation and planting easement on the rear of the lots abutting the west and south property lines, per the attached correspondence.*

**Recommendation**

Planning staff continues to recommend **approval** of the proposed PRO and concept plan to rezone property on the parcels surrounding the southwest corner of Beck Road and Ten Mile Road to R-3 with a Planned Rezoning Overlay.

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- The property is designated for a maximum density of 1.65 units per acre in the City’s *Master Plan for Land Use 2010*. The development proposed in the PRO concept plan shows a density of 1.65 units per net acre and meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments, as noted in the listed objective of the Master Plan for the southwest quadrant of the City: “Maintain the existing low density residential development and natural features preservation patterns.”
- Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.

**Master Plan for Land Use**

The Future Land Use Map (adopted Aug. 25, 2010) of the City of Novi Master Plan for Land Use 2010 designates this property, surrounding properties, and the general area as “Single Family”. The lone exception in the vicinity is the small portion of the northeast corner of Beck and Ten Mile, which is master planned for “Local Commercial” and is occupied (with a consent judgment) by Briar Pointe Plaza.

The “Residential Density Map” (Figure 63, page 116) within the 2010 Master Plan includes specific residential density recommendations for all of the land planned for residential in the city, and the subject property is designated as 1.65 dwelling units per net acre. This planned density is consistent with the current R-1 zoning.

The City of Novi Master Plan for Land Use Review (adopted in 2008) included an extensive analysis of future land use within a geographic area deemed the “Southwest Quadrant”, which included the subject properties. This review and analysis, which included a significant level of public involvement, concluded that the Southwest Quadrant should continue to be composed of mostly low-density single-family residential uses. Substantial citizen input indicated that maintaining the low density residential character of the Southwest Quadrant is a high priority for residents.

A standard rezoning from R-1 to R-3 would be inconsistent with the Master Plan because of the density permitted within R-3 (2.7 dwelling units per net acre). The PRO concept plan calls for 66 single-family lots, where a maximum of 66 would be permitted under existing R-1 at 1.65 units/net acre (so long as those lots could meet the dimensional standards – lot area, width, etc. – required in R-1). With respect to density, the PRO concept plan is consistent with existing R-1 zoning, and is therefore consistent with the maximum density recommended in the Master Plan.

**Existing Zoning and Land Use**

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

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

	<b>Existing Zoning</b>	<b>Existing Land Use</b>	<b>Master Plan Land Use Designation</b>
<b>Subject Property</b>	R-1 (One-Family Residential)	Single-Family Homes & Vacant Land	Single Family (1.65 DU/ net acre)
<b>North</b>	R-3 PRO	Valencia Estates	Single Family (1.65 DU/net acre)
<b>East</b>	R-1	Single-Family Home & Oakland Baptist Church, Broadmoor Park across	Single Family (1.65 DU/net acre)

Valencia South JSP13-75

		Beck Rd.	
South	R-1	Andover Pointe No. 2 & Single-Family Homes	Single Family (1.65 DU/ net acre)
West	R-1	Echo Valley Estates	Single Family (1.65 DU/net acre)

**Compatibility with Surrounding Land Use**

The surrounding land uses are shown on the above chart. The compatibility of the proposed PRO concept plan with the zoning and uses on the adjacent properties should be considered when examining the rezoning request with the PRO option.

The property to the **north** of the subject property was recently rezoned from R-1, One-Family Residential zoning district to a similar R-3 PRO for Valencia Estates, which contains 38 homes on 21 acres for a density of 1.77 units per acre. The proposed lots sizes in Valencia South are comparable to those sizes in Valencia Estates. Changing the zoning of the subject property to R-3 and developing 51 single-family lots will add more traffic to the local roads within that subdivision and to the adjacent arterial roads (Beck and Ten Mile), but not more than can be expected in the current R-1 zoning, because of the maximum of **64** homes as proposed (reduced from 66 homes previously proposed).

Directly to the **east** of the subject property, are a handful of properties zoned R-1, One-Family Residential, one is vacant, one contains an existing church and two contain single-family homes. The properties across Beck Road include the Broadmoor Park neighborhood that contains 147 homes on roughly 117 acres for a gross density of roughly 1.26 units per acre. All of these properties would experience greater traffic volumes along Beck and Ten Mile Roads, but that would happen if the property is fully developed as currently zoned as well.

Directly to the **south** of the subject property, are properties zoned R-1, One-Family Residential that contain single-family homes, including Andover Pointe No.2, that contains 9 homes on roughly 5 acres for a gross density of roughly 1.83 units per acre. Lot sizes in Andover Pointe No. 2 range from 0.39 acres to 0.52 acres. There are also a few residentially-zoned vacant parcels of land. Similar to the other residential properties in the area, these properties would experience greater traffic volumes along Beck and Ten Mile Roads, but again, at roughly the same amount that would be expected if developed as currently zoned. **The applicant is proposing to increase the general common area to 30 feet behind the lots along the west and south property lines. This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines.**

The property to the **west** of the subject property is in the R-1, One-Family Residential zoning district and contains Echo Valley subdivision that contains 101 homes on roughly 52 acres for a gross density of roughly 1.94 units per acre. Lots are approximately 0.3 to 0.5 acres in Echo Valley, which is adjacent to this site. Echo Valley is an existing residential development that - similar to the other residential properties in the area - would experience greater traffic volumes along Beck and Ten Mile Roads as the result of new development. **The applicant is proposing to increase the general common area to 30 feet behind the lots along the west and south property lines. This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines.**

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**Comparison of Zoning Districts**

The following table provides a comparison of the existing (R-1) and proposed (RM-1) zoning classifications.

	<b>R-1 (Existing)</b>	<b>R-3 (Proposed)</b>
<b>Principal Permitted Uses</b>	1. One-Family detached dwellings (1.65 DU's/net acre) 2. Farms & greenhouses 3. Public parks & outdoor recreation facilities 4. Cemeteries 5. Home occupations 6. Accessory structures/ uses 7. Keeping of horses & ponies 8. Family Day Care Homes	Same as R-1, but one-family detached dwellings may be developed at 2.7 DU's/net acre
<b>Special Land Uses</b>	1. Churches 2. Schools, public, parochial & private 3. Utility buildings 4. Nursery schools, child care/adult day care/group day care 5. Private non-commercial recreation, institutional/commercial recreation, nonprofit swimming pool 6. Golf courses 7. Colleges 8. Private pools 9. Cemeteries 10. Railroad right-of-way 11. Mortuary establishments 12. Bed and breakfasts 13. Accessory structures/uses	Same as R-1
Min. Lot Size	21,780 sq. ft.	12,000 sq. ft.
Min Lot Width	120 ft.	90 ft.
Max. Building Height	2.5 stories or 35 ft.	Same as R-1
Min. Building Setbacks	Front: 30 ft. Sides: 10 ft. each/30 ft. total Rear: 35 ft.	Same as R-1

**Infrastructure Concerns**

An initial engineering review was done as part of the rezoning with PRO application to analyze the information that has been provided thus far (see attached letter from engineering). The engineering review does not anticipate any infrastructure concerns. However, there are several missing pathways that are required based on recently added ordinance and City Code provisions. These items must be addressed before the concept plan can move forward. A full scale engineering review would take place during the course of the Site Plan Review process for any development proposed on the subject property, regardless of the zoning.

The City's traffic consultant has reviewed the Rezoning Traffic Impact Study and notes a minimal impact on surrounding traffic as a result of the development. Because the amount of new homes to be constructed is to be capped at 66 homes, which is the same density as permitted in the current zoning, the maximum amount of traffic that could be generated by this project is potentially the same as could be expected to be generated on the subject property if developed under the existing R-1 zoning. There are some road design issues on the concept plan which would need to be addressed in future plan submittals. See the traffic review letter for additional information.

Valencia South JSP13-75

### Natural Features

There is a significant area of regulated woodlands on the site including trees that could be considered specimen trees. The applicant has proposed woodland impacts and will need to plant woodland replacement trees and contribute money to the tree fund to account for said impacts. The applicant has submitted the required tree survey and has agreed to provide woodland conservation easements for any areas containing woodland replacement trees and for those woodland areas being preserved as open space. The applicant is encouraged to modify lot boundaries to minimize impacts to quality/specimen trees. Please refer to the woodland review letter or additional information. **The applicant is proposing to increase the general common area to 30 feet behind the lots along the west and south property lines. This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines. With the revised plan, it appears that the total number of regulated trees to be removed has been reduced from 1025 trees to 982 trees. Additional detail can be found in the Woodland Review Letter.**

There are six on-site regulated wetlands and the concept plan proposes 0.208 acres of impact to the wetland through the filling of Wetlands B and F. An impact on the 25 foot natural features setback is anticipated as well. The applicant has agreed to provide wetland conservation easements for any wetland or 25 foot wetland buffer areas with designated open space areas. The applicant is encouraged to modify lot boundaries to minimize impacts to the wetlands and wetland buffer areas. Please refer to the wetland review letter for additional information. The applicant has noted that they have taken great care to avoid wetland impacts to the extent practical and are preserving the vast majority of the wetland areas on the property and has altered the site layout as part of previous review comments regarding wetland impacts. **Wetland impact area is increased from 0.208 acres to 0.212 acres and wetland buffer disturbance increased from 0.622 to 0.642 acres.** The Wetland Review letter recommends that at the time of Preliminary Site Plan submittal, further minor adjustments to the plans be made to reduce wetland and wetland buffer impacts.

### Development Potential

Development under the current R-1 zoning could result in the construction of as many as 66 single-family homes based on the density regulations of the district and the 40.323 net acres. It is not known whether the site could be developed with 66 lots that meet the dimensional requirements of the R-1 zoning district. Development under R-3 zoning without a PRO option could result in as many as 107 single-family homes, so long as the residential lots could meet the minimum lot area and width standards for the R-3 district. The principal permitted uses and special land uses allowed within R-1 and R-3 are the same; the only difference between the development potential of the two zoning districts is the single-family residential density permitted, minimum lot size, and minimum lot width. **The number of lots has been reduced to 64 from 66.**

This project involves the shifting in lot lines on two existing properties (Parcels #22-29-226-018 and -019). The Oakland Baptist Church exists on the southern parcel, which is a special land use in One-Family Residential Districts. As such there are a number of conditions that must be met including a minimum acreage and increased setbacks. The amended church parcel continues to meet all of the conditions required for churches.

### 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 (Article 34, Section 3402). Within the process, which is completely voluntary by the

Valencia South JSP13-75

applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the internal roads and lots, the location of the proposed detention ponds, location of the proposed open space and preserved natural features, and proposed landscaping throughout the development. Also included were conceptual renderings of housing styles and materials proposed for the development. (See the façade review letter dated for additional information on the provided renderings.) The applicant has provided an updated narrative describing the proposed public benefits and requested deviations (with justification) as part of their response letter dated January 14, 2015 **and a letter listing the revisions dated July 20, 2015:**

1. Maximum number of units shall be **64**.
2. Minimum unit width shall be 90 feet and minimum square footage of 12,000 square feet.
3. **Two access vehicular access points: one from Ten Mile Road and one from Beck Road. Cut-through traffic would be discouraged by the design of the roadway network to backtrack westerly from the Ten Mile Road connection.**
4. Increased greenbelt areas along Ten Mile and Beck Roads to enhance view sheds along these roads.
5. **Increase of the general common area to 30 feet behind the lots along the west and south property lines, as indicated on the plan as "Park with Conservation Easement". This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines to be supplemented with woodland replacement plantings where practical.**
6. Preservation of significant open space (**31.71%** or **13.10 acres**) including a 4.5 acre area of mature trees and an open space area along the entire length of Ten Road "culminating in an over 2 acre area on the corner of Ten Mile and Beck Roads.
7. Off-site sidewalk connections along Beck Road to connect sidewalks to be installed along frontage of proposed development to the existing sidewalk that exists on Beck Road, provided, however, to the extent that public right-of-way or an easement for sidewalk installation has not been obtained by the City, then the applicant shall instead contribute money to the City's sidewalk fund for future installation of the sidewalk by the City. This addition will allow full connectivity from the corner of Ten Mile and Beck Roads to the southern edge of the property along Beck Road.
8. Housing style upgrades consistent with the Valencia Estates approved elevations, as shown on the elevations enclosed with the PRO Application.
9. Housing size upgrade consistent with Valencia Estates (2,400 square feet minimum up to 3,500 square feet and larger).
10. Off-site sanitary sewer line extension along Beck Road beyond the northern property line of the subject property to the north property line of the church which will allow for future connections for properties to north.
11. Dedication of public right-of-way along Ten Mile and Beck Roads.
12. Assemblage of nine separately owned parcels in one planned development.

### **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

Valencia South JSP13-75

*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. The proposed PRO agreement would be considered by City Council 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 concept plan inasmuch 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. The applicant has submitted an updated narrative describing the requested deviations as part of their most recent response letter.

1. Building Setbacks: At a meeting held on May 20, 2014, the residents of Echo Valley requested an increased 50 foot rear yard setback be provided for those lots adjacent to their subdivision (Lots 19-30 and 43-46). The applicant has proposed a creative solution to accommodate that request that would include an altered building footprint necessitating ordinance deviations for a reduced front yard and side yard setback. **The proposed front yard setback would be reduced from the required 30 feet to 25 feet for lots 19-30, 38 and 39.** While the minimum 10 foot side yard setback would be maintained, **the aggregate of the side yard setbacks would be reduced from the required 30 feet to 25 feet for lots 19-30, 38 and 39.** Staff would support these deviations proposed by the applicant to accommodate the request of the existing neighboring subdivision.
2. Landscape Waivers: Because the site is adjacent to a church, **a berm is required along the church property line; however staff recommends (and the applicant has requested) a waiver of this requirement to preserve the existing mature vegetation.** See the landscape review letter for additional information.
3. Missing Pathways: Section 4.05.E of the Subdivision Ordinance (Appendix C of the City Code) requires **a pathway connection from the internal loop road to Ten Mile Road. The applicant has not provided the required connection and a variance would be required.** Staff would not support the required variance. Section 11-256.d of the Design and Construction Standards requires a **pathway stub to the south terminating north of the property line between lot 33 and 34 of Andover Pointe No. 2. The applicant has provided the required pathway easement but has not provided the required stub and a variance would be required.** Staff would support the required variance.
4. Stub Street Administrative Waiver: An **administrative waiver from the Engineering division is required to not provide a stub street at intervals not to exceed 1,300 feet** along the perimeter of the site. Note that the site does provide a stub street for future development east of the site, and the properties to the south and west are developed with existing single family homes. See the engineering review letter for additional information.
5. Design and Construction Standards (DCS) Waiver: **DCS waiver is required for the lack of paved eyebrows.** See the engineering review letter for additional information.

#### **Applicant Burden under PRO Ordinance**

The Planned Rezoning Overlay ordinance 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*

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*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.*

### **Public Benefit Under PRO Ordinance**

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 public benefits of the proposed PRO rezoning would clearly outweigh the detriments.

1. Increased open space along Ten Mile and Beck Roads to enhance view sheds along those roads.
2. Preservation of significant open space areas within the site, including a **30 foot wide open space (which combined the previously indicated 15 foot wide open space/Tree Preservation Buffer and with the 15 foot tree planting and preservation area)** along the western and southern property lines and a 4.5 acre area of mature trees, which would otherwise be disturbed if the property were developed using conventional zoning.
3. 31.71 % of the site is open space.
4. Off-site sidewalk connections along Beck Road to connect sidewalks to be installed along frontage of proposed development to the existing sidewalk that exists on Beck Road, provided, however, to the extent that public right-of-way or an easement for sidewalk installation has not been obtained by the City, then the applicant shall instead contribute money to the City's sidewalk fund for future installation of the sidewalk by the City. This addition will allow full connectivity from the corner of Ten Mile and Beck Roads to the southern edge of the property along Beck Road.
5. Housing style upgrades consistent with the Valencia Estates approved elevations, as shown on the elevations enclosed with the PRO Application.
6. Housing size upgrade consistent with Valencia Estates (2,400 square feet minimum up to 3,500 square feet and larger).
7. Off-site sanitary sewer line extension along Beck Road beyond the northern property line of the subject property to the north property line of the church which will allow for future connections for properties to north.
8. Dedication of public right-of-way along Ten Mile and Beck Roads.

These proposed benefits should be weighed against the proposal to determine if they clearly outweigh any detriments of the proposed rezoning. Of the eight benefits listed, two - the sidewalk connection and sewer line connection - would be requirements of any conceivable residential subdivision development of the subject property under existing R-1 zoning. Two others - housing style and housing size upgrade - would be considered enhancements over the minimum requirements of the ordinance. (See the façade letter.)

The remaining benefits - increased frontage open space, **31.71%** of open space, increased open



Valencia South JSP13-75

space bordering the existing residential developments and right-of-way dedication along Beck Road and Ten Mile Road – are enhancements that would benefit the public that would not be required as part of a residential development under the existing R-1 zoning. The applicant has indicated that approximately **68.29%** of the provided open space would be considered usable (not part of wetland areas, required greenbelts or detention basins). However, it should be noted that the preservation of environmental features is something that would be encouraged as part of a development review and, although not required, the right-of-way dedication is typical of developments.

**Submittal Requirements**

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- Rezoning signs have been indicated on the concept plan and have been erected along the property's frontage 15 days prior to the public hearing in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request.
- A rezoning traffic impact statement was submitted and reviewed by the City's Traffic Consultant.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0607 or skomaragiri@cityofnovi.org.

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Sri Komaragiri – Planner

Attachments: Planning Review Chart

**Planning Review Summary Chart**

**UPDATED 03-19-15**

Valencia South PRO JSP13-75

Concept Plan Review

Plan Date: 12-12-14

**Bolded items must be addressed by the applicant**

Item	Proposed	Meets Requirements?	Comments
<b>Master Plan</b> Single Family Residential at 1.65 dwelling units per acre	Single Family Residential at 1.65 dwelling units per acre	Yes	
<b>Zoning</b> R-1	R-3 with PRO		<b>City Council approval required after recommendation from Planning Commission</b>
<b>Use</b> Uses listed in Section 401 & 402	<b>64 Unit</b> Single Family Site Condominium	Yes	
<b>Existing Uses</b> (Art. 4 & Sec. 2400) All buildings & uses affected by this project must meet Ordinance requirements	Additional land is being taken from the Oakland Baptist Church & an existing home on Beck Rd, thereby shifting the lot line to the east	Yes	The remaining church parcel meets the requirements for church uses including minimum acreage & setbacks as the tennis court is proposed to be removed  <b>The church has a number of outstanding landscape items as part of the previous site plan that must be addressed before a lot split can be approved, contact Sarah Marchioni 248.347-0430 for more information</b>
<b>Access to Major Thoroughfares</b>	The revised plan now shows a Ten Mile Road vehicular access point, instead of	Yes	

Item	Proposed	Meets Requirements?	Comments
	two access points on Beck Road. Cut-through traffic would be discouraged by the design of the roadway network to backtrack westerly from the Ten Mile Road connection.		
<b>Min. Lot Size</b> (Sec. 2400) R-3: 12,000 sq. ft.	12,616 to 25,113 sq. ft.	Yes	
<b>Min. Lot Width</b> (Sec. 2400) R-3: 90 ft.	90 to 117.05 ft.	Yes	
<b>Min. Building Setbacks</b> (Sec. 2400) Front: 30 ft. Rear: 35 ft. Side (each): 10 ft. Side (total): 30 ft.	Front: 30 ft. Rear: 35 ft. Side (each): 10 ft. min Side (total): 30 ft.  For lots along west and south Property line identified as 19-30 and 38-39 Front: 25 ft. Rear: 35 ft. Side (each): 10 ft. min Side (total): 25 ft.  Plans indicate 30 ft. front setback for Lot 26.	Yes	The setback deviation was proposed to accommodate the 30 feet tree preservation buffer along west and south property lines. The deviation will be included in the PRO agreement.
<b>Min. Building Floor Area</b> (Sec. 2400) 1,000 sq. ft.	Information not provided	N/A	Individual buildings are reviewed as part of the building permit application
<b>Max. Building Height</b> (Sec. 2400) 2 ½ stories or 35 ft.	Information not provided	N/A	
<b>Lot Depth Abutting a Secondary Thoroughfare</b> (Sub. Ord. Sec. 4.02.A.5)	Rear lot lines do not abut a major or secondary	N/A	

Item	Proposed	Meets Requirements?	Comments
Lots abutting a major or secondary thoroughfare must have a depth of at least 140 ft.	thoroughfare		
<b>Depth to Width Ratio</b> (Sub. Ord. Sec. 4.02.A.6) Lots shall not exceed a 3:1 depth to width ratio	No lots greater than 3:1 depth	Yes	
<b>Non-Access Greenbelt Easements</b> (Sec. 2509.3.e.b) 40 ft. wide non-access greenbelt easements required adjacent to major thoroughfares	Min. 40 ft. greenbelts are proposed as parts of open space A, B, D & E	Yes	Easements to be provided at FSP
<b>Max. Block Length</b> (Sub. Ord. Sec. 4.01) Blocks cannot exceed 1,400 ft. unless the Planning Commission determines that conditions may justify a greater length	Longest block is less than 1,400 ft. long	Yes	
<b>Streets</b> (Sub. Ord. Sec. 4.04.A.1.b) Extend streets to boundary to provide access intervals not to exceed 1,300 ft.	No street connections provided	No	<b>Applicant is seeking an administrative variance from Engineering</b>  Property west & south of the site are already developed
<b>Wetland and Watercourses</b> (City Code Sec. 12-174(a)(4)) Lots cannot extend into a wetland or watercourse	Filling of 0.188 acres of wetlands, does not require mitigation	Yes	<b>Wetland Minor Use Permit required, see wetland review letter</b>  <b>Applicant has agreed to provide wetland conservation easements within open space areas</b>
<b>Woodlands</b> (City Code Chpt. 37) Replacement of removed trees	Woodland impacts proposed  The applicant indicates that additional tree preservation will be possible on the submitted plan in part due to the net reduction of two lots (from 66 to	Yes	<b>Woodland Permit required, see woodland review letter</b>  <b>Applicant has agreed to provide woodland conservation easements within open space areas</b>  Details on tree preservation will be provided during the site plan approval, if the rezoning with PRO

Item	Proposed	Meets Requirements?	Comments
	<p>64).</p> <p>Detail on the Woodland removals and replacements required are provided in the Woodland Review letter.</p>		<p>Concept Plan is approved.</p>
<p><b>Nat. Features Setback</b>            (Sec. 2400 (t))            25 ft. setback from wetlands</p>	<p>25 ft. from wetlands, impacts on 0.583 acres</p>	<p>Yes</p>	<p><b>Authorization to Encroach the 25 ft. Natural Features Setback required, see wetland review letter</b></p>
<p><b><u>Tree Preservation Buffer</u></b></p>	<p>The applicant is proposing to increase the general common area to 30 feet behind the lots along the west and south property lines. This was accomplished by combining the 15 foot wide open space/Tree Preservation Buffer, with the 15 foot tree planting and preservation area that had been shown previously on the back of the lots abutting the south and west property lines.</p>	<p>Yes</p>	<p>Notably, the initial tree preservation area may still be impacted to accommodate appropriate drainage design required by the city ordinances.</p> <p>This should be included in the PRO agreement.</p>
<p><b>Development in the Floodplain</b>            (Sub. Ord. Sec. 4.03)            Areas in a floodplain cannot be platted</p>	<p>Lots do not extend into floodplain</p>	<p>N/A</p>	

Item	Proposed	Meets Requirements?	Comments
<p><b>Sidewalks and Pathways</b>            (Sub. Ord. Sec. 4.05, Bicycle &amp; Pedestrian Master Plan &amp; Non-Motorized Plan)            8 ft. pathway required along Beck &amp; 10 Mile Roads             5 ft. sidewalk required on both sides of all internal streets</p>	<p>8 ft. pathways proposed along Beck &amp; 10 Mile Roads             5 ft. sidewalks proposed along internal streets</p>	<p>Yes</p>	
<p><b>Master Deed/ Covenants &amp; Restrictions</b></p>	<p>Documents not submitted</p>		<p>Applicant is required to submit this information for review with FSP</p>
<p><b>Exterior Lighting</b> (Section 2511)            Photometric plan required at FSP             A residential development entrance light must be provided at the entrances to the development off of Beck Rds.</p>	<p>None shown</p>		<p>If exterior lighting is proposed, applicant should provide photometric plan at FSP</p>
<p><b>Economic Impact</b>            Total cost of the proposed building &amp; site improvements             Home size &amp; expected sales price of new homes             Number of jobs created (during construction, and if known, after a building is occupied)</p>	<p>Total cost of building and site improvements - \$26,425,000             Housing size 2,400 to 3,500 sq. ft. with sales price of \$600,000             185 jobs created during construction with 0 jobs after construction</p>		
<p><b>Residential Entryway Signs</b> (Chpt. 28)            Signs are not regulated by the Planning Division or Planning Commission</p>	<p>None shown</p>		<p>If a residential entryway sign is proposed, contact Jeannie Niland at 248.347.0438 or <a href="mailto:jniland@cityofnovi.org">jniland@cityofnovi.org</a> for information</p>
<p><b>Additional Planned Rezoning Overlay Agreement Terms: Public Benefit</b> (Sec. 3402.D)            As part of a PRO, the applicant shall demonstrate an enhancement of area as compared to existing zoning that results in a public benefit</p>			

Item	Proposed	Meets Requirements?	Comments
<p><b>Off Site Pathways</b>                      Fill in off-site pathway gap along Beck Rd east of the project</p>			<p>Easements are not in place to permit the construction on private property (as required to be located 1 ft. from the future right-of-way) therefore funds would be provided for the city to install in the future if easements have not been obtained</p> <p>Staff's preference would be to have the applicant try to obtain the appropriate easements as part of the proposed project to help expedite the construction of the path and applicant has agreed to attempt to do so</p> <p>If easement is not obtained then the amount of fund donation should be specified to be reviewed &amp; approved by staff to cover the city's costs for construction &amp; easement acquisitions</p> <p>It should be noted that the City may use these funds to construct paths in accordance with the Annual Non-Motorized Prioritization, which may not result in paths being constructed in this location</p>
<p><b>Housing Size and Style</b>                      Housing size (2,400 to 3,500 sq. ft.) &amp; style upgrades consistent with Valencia Estates</p>			<p>The size &amp; quality of materials are considered an enhancement over Ordinance requirements</p>
<p><b>Sewer Improvements</b>                      Sewer line extension beyond the northern property line along Beck to provide service to the church &amp; for future connection for properties to the north</p>			
<p><b>Right-of-Way Dedication</b>                      Dedication of ROW along Ten Mile &amp; Beck</p>			<p>Although not required, the right-of-way dedication is typical of developments</p>
<p><b>Open Space</b>                      13.10 acres of open space, 31.71 % of the site including increased open space buffers along Beck &amp; 10 Mile, a 15 ft. buffer bordering existing residential developments &amp; preservation of a significant open space area of mature trees</p>			



# PLAN REVIEW CENTER REPORT

August 10, 2015

## Conceptual Site Plan-PRO

Valencia South

### Review Type

Conceptual/PRO Landscape Review

### Job #

JSP13-0075

### Property Characteristics

- Site Location: Southeast corner of 10 Mile Road and Beck Road
- Site Zoning: **R-1 – Residential Acreage – seeking R-3 with PRO**
- Site Size:
- Adjacent Zoning: **R-1 East, South and West, R-3 with PRO North**
- Plan Date: 7/15/2015

### Ordinance Considerations

This project was reviewed for general 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 must be addressed and incorporated as part of the Preliminary Site Plan submittal. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance.

### Recommendation:

This conceptual plan is **recommended for approval**. It appears that the concept can meet the code requirements for landscaping. Not all of the required woodland replacement trees are proposed to be planted on the site, but the applicant states that the difference will be contributed to the city tree fund.

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

1. **A full tree survey appears to have been done but the tree chart, showing tree identification and size, and trees removed, needs to be included on the Preliminary Site Plans.**
2. Calculations for the required woodland replacement trees have been provided and the locations of those trees clearly labeled.
3. **Please note that all trees used as woodland replacement trees must be species listed on the Woodland Replacement Chart in Section 37.**
4. **Please also note that evergreen trees only count as ½ of a canopy tree as a replacement, and no additional credits are allowed for larger replacement trees.**

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

1. Proposed landscaping and berms along both rights-of-way appear to conform to the ordinance. A berm 4' high with a 4' wide crest, 1 deciduous canopy or large evergreen tree is required for every 35' of frontage and 1 ornamental tree is required for every 20' of frontage.
2. **The proposal calls for no greenbelt vegetation proposed in natural areas. This may be acceptable, but a Planning Commission waiver request is required for this.**
3. **When selecting trees for the greenbelt plantings, please remember to use large evergreens species, defined as having a mature height of at least 30 feet and a mature**



width of at least 15 feet, for the evergreens shown.

4. **No additional credit is allowed for larger trees in the right-of-way greenbelt or street trees.**

Screening Between Valencia South and existing homes

1. A mix of evergreen and deciduous trees is proposed along the west and south property lines. These trees will be field located.
2. **When placing these trees, year-round opacity of 80-90% should be the goal wherever possible, and trees should be placed appropriate to the light available to ensure long-term survival.**

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

1. Street tree requirements appear to have been calculated correctly, and the trees placed correctly for the entire development.
2. **The applicant has proposed planting extra street trees with woodland replacement trees. This is acceptable, per the Landscape Design Manual and Section 37, but they must be called out as such and consist of species from the Woodland Replacement Chart.**
3. **While replacement trees are generally required to be only 2.5" caliper, if they are to be used as street trees, they must be 3" caliper to match other street trees.**

Transformer/Utility Box Screening (Zoning Sec 5.5.3.D.)

**When transformers/utility boxes are added to the plans, be sure to screen them per the city standard detail.**

Planting Notations and Details (LDM)

**Be sure to include City of Novi standard details and notes in Preliminary Site Plans.**

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

Storm basin landscaping is calculated correctly and appears to be located on plans correctly too with clouds along the basin boundary.

Irrigation (LDM 1.a.(1)(e) and 2.s)

Irrigation plan for landscaped areas is required for Final Site Plan.

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

**Proposed topography, when available, is required for entire landscape plan, not just detention basins and berms.**

Proposed trees to be saved (Sec 37 Woodland Protection 37-9, LDM 2.e.(1))

**Trees scheduled to be removed must be shown on both the plan and tree chart.**

Corner Clearance (Zoning Sec 5.9)

**The required corner clearance is provided at all intersections.**

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](mailto:rmeader@cityofnovi.org).



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Rick Meader – Landscape Architect

August 10, 2015

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

Re: Valencia Estates South (JSP13-0075)  
Wetland Review of the Revised Concept Plan (PSP15-0114)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Concept Plan for the proposed Valencia Estates South project prepared by Seiber, Keast Engineering, L.L.C. dated July 16, 2015 (Plan). The Plan was reviewed for conformance with the City of Novi Wetland and Watercourse Protection Ordinance and the natural features setback provisions in the Zoning Ordinance. ECT has reviewed previous iterations of this site plan. The most recent of which was dated February 18, 2015.

ECT currently recommends approval of the Concept/PRO Plan for Wetlands. ECT recommends that the Applicant address the items noted above in the Comments section of this letter in subsequent site plan submittals.

The proposed development is located on several parcels south of Ten Mile Road and west of Beck Road, Section 29. The current Plan proposes the construction of 64 single-family residential site condominiums, associated roads and utilities, and two storm water detention basins. The proposed project site contains several areas of City-Regulated Wetlands (see Figure 1).

**Onsite Wetland Evaluation**

ECT has previously visited the site for the purpose of a wetland boundary and woodland verification.

The *Planned Rezoning Overlay (PRO) Plan* (Sheet 2) indicates six (6) on-site wetland areas. These wetland areas were delineated by King & MacGregor Environmental, Inc.

The wetlands include:

- Wetland "A" – 0.350-acre;
  - Wetland "B" – 0.114-acre;
  - Wetland "C" – 0.170-acre;
  - Wetland "D" – 0.197-acre;
  - Wetland "E" – 0.096-acre;
  - Wetland "F" – 0.074-acre.
- Total Wetland – 1.001 acres**

The wetlands were clearly marked with pink survey tape flags at the time of our inspections. The wetlands found on-site (Wetlands A-F) consist of forested, vernal pool and scrub-shrub wetlands. Wetland D also contains a small open water pond. All wetland are forested wetlands consisting mainly of red maple (*Acer rubrum*), white ash (*Fraxinus americana*), and cottonwood (*Populus deltoides*) as well as silver maple (*Acer saccharinum*), red maple (*Acer rubrum*), cottonwood (*Populus deltoides*), box-elder (*Acer negundo*), buttonbush (*Cephalanthus*

*occidentalis*), and spicebush (*Lindera benzoin*). The wetland areas generally lacked herbaceous vegetation, with a few unidentifiable grass and sedge species present. Low chroma soils found within sparsely vegetated concave areas indicated that wetland hydrology is present.

All of the wetlands are of moderate to high quality and several impacts are proposed as part the site design. ECT has verified that the wetland boundaries appear to be accurately depicted on the Plan.

What follows is a summary of the wetland impacts associated with the proposed site design.

**Wetland Impact Review**

While the Plan includes proposed impacts to on-site wetlands and the associated 25-foot wetland setbacks, the Applicant has made an attempt to minimize proposed wetland disturbance. However, the proposed wetland impacts associated with the current Plan (0.212-acre) have increased slightly from the previous site plan submittal (0.208-acre). Previous iterations of the Plan avoided direct impacts to Wetland A for example. The current Plan includes the filling of a portion of Wetland A and the associated 25-foot setback for the construction of proposed lots (Lots 46 and 48). The filling of Wetland B continues to be proposed for the construction of lots and the proposed entrance drive from Beck Road. Wetlands C and D will not be directly impacted (i.e., no proposed wetland fill or excavation) by the proposed development. As is the case for Wetland A, the current Plan includes the filling of a portion of Wetland E and the associated 25-foot setback for the construction of proposed Lots 50 and 51. Wetland F (located in the northeast corner of the proposed property) and the associated 25-foot setback will be filled for the development of Lots 60, 61, and 62.

The following table summarizes the existing wetlands and the proposed wetland impacts as listed on the *Planned Rezoning Overlay (PRO) Plan* (Sheet 2):

*Table 1. Proposed Wetland Impacts*

<i>Wetland Area</i>	<i>Wetland Area (acres)</i>	<i>City Regulated?</i>	<i>MDEQ Regulated?</i>	<i>Current Impact Area (acre)</i>	<i>Previous Impact Area (acre)</i>	<i>Estimated Impact Volume (cubic yards)</i>
A	0.350	Yes City Regulated /Essential	No	0.019	0.012	Not Provided
B	0.114	Yes City Regulated /Essential	No	0.114	0.114	Not Provided
C	0.170	Yes City Regulated /Essential	No	None	None	Not Provided
D	0.197	Yes City Regulated /Essential	No	None	None	Not Provided
E	0.096	Yes City Regulated /Essential	No	0.005	0.008	Not Provided
F	0.074	Yes City Regulated /Essential	No	0.074	0.074	Not Provided
<b>TOTAL</b>	<b>1.001</b>	--	--	<b>0.212</b>	<b>0.208</b>	<b>Not Provided</b>

While the currently-proposed wetland impacts appear to be below the City of Novi 0.25-acre impact area threshold for compensatory wetland mitigation, the proposed overall wetland impact is 0.004-acre (~174 square feet) more than the impact included on the previously submitted plan.

In addition to wetland impacts, the Plan also specifies impacts to the 25-foot natural features setbacks. The following table summarizes the existing wetland setbacks and the proposed wetland setback impacts as listed on the *Planned Rezoning Overlay Plan*.

*Table 2. Proposed Wetland Buffer Impacts*

<i>Wetland Setback/Buffer Area</i>	<i>Overall Wetland Buffer Area (acres)</i>	<i>Current Impact Area (acre)</i>	<i>Previous Impact Area (acre)</i>
A	Not Provided	0.078	0.070
B	Not Provided	0.210	0.210
C & D	Not Provided	0.085	0.085
E	Not Provided	0.054	0.042
F	Not Provided	0.215	0.215
<b>TOTAL</b>	--	<b>0.642</b>	<b>0.622</b>

The proposed overall wetland buffer impact is 0.02-acre (~871 square feet) more than the impact included on the previously submitted plan.

**Permits & Regulatory Status**

All of the wetlands on the project site appear to be considered essential and regulated by the City of Novi and any impacts to wetlands or wetland buffers would require approval and authorization from the City of Novi. All of the wetlands appear to be considered essential by the City as they appear to meet one or more of the essentiality criteria set forth in the City's Wetland and Watercourse Protection Ordinance (i.e., storm water storage/flood control, wildlife habitat, etc.). This information has been noted in the *Proposed Wetland Impacts* table, above.

None of the wetlands appear to be regulated by the MDEQ as they do not appear to be within 500 feet of a watercourse/regulated drain. In addition, none of the wetlands are greater than 5 acres in size. The Applicant has provided documentation from MDEQ that contains follow-up information to a November 5, 2013 pre-application meeting for the project (letter dated January 22, 2014). The letter states that based on the information provided by the applicant, the MDEQ's Water Resources Division (WRD) has determined that a permit is not required under Part 303 of the NREPA (Natural Resources and Environmental Protection Act, 1994 PA 451, as amended).

The project as proposed will require a City of Novi *Wetland Non-Minor Use Permit* as well as an *Authorization to Encroach the 25-Foot Natural Features Setback*. This permit and authorization are required for the proposed impacts to wetlands and regulated wetland setbacks.

**Wetland Comments**

The following are repeat comments from our Wetland Review of the Revised Concept/Planned Rezoning Overlay Plan letter dated March 19, 2015. The current status of these comments is listed in ***bold italics***. ECT recommends that the Applicant address the items noted below in subsequent site Plan submittals:

1. ECT encourages the Applicant to minimize impacts to on-site wetlands and wetland setbacks to the greatest extent practicable. The Applicant should consider modification of the proposed lot boundaries and/or site design in order to preserve wetland and wetland buffer areas. ECT continues to encourage the Applicant to minimize impacts to wetlands (specifically Wetland B and Wetland F) and wetland setbacks. The City regulates wetland buffers/setbacks. Article 24, Schedule of Regulations, of the Zoning Ordinance states that:

*"There shall be maintained in all districts a wetland and watercourse setback, as provided herein, unless and to the extent, it is determined to be in the public interest not to maintain such a setback. The intent of this provision is to require a minimum setback from wetlands and watercourses".*

***This comment has been partially addressed. The applicant has previously stated that wetland impacts are necessary to allow the roadway to go through the property and to allow the significant open space area at the corner of Ten Mile and Beck Roads. Avoiding this wetland (Wetland B) would significantly impact unit relationships to the desired open space area. The applicant has also stated that they have considered multiple site layouts. The applicant did previously redesign the layout to ensure that Wetland A and Wetland E were not impacted, however the current Plan includes impacts to Wetlands A and E (as well as to Wetlands B and F).***

***It is however, still unclear why some areas of wetland and wetland buffer cannot be preserved in the site development plan (i.e., impacts to Wetland F and its 25-foot setback as well as areas of Wetlands A and E as well as their 25-foot wetland setbacks. The Applicant should specifically address what changes to the Plan have been made that now require additional wetland impacts from the previous site plan submittal. The applicant should consider modification of the proposed lot boundaries in order to decrease the overall proposed wetland impacts.***

2. The Applicant should demonstrate that alternative site layouts that would reduce the overall impacts to wetlands and wetland setbacks have been reviewed and considered.

***This comment still applies. As previously noted by the Applicant, the present layout is not the first layout that the Applicant has considered. The applicant did previously redesign the layout to ensure that Wetland A and Wetland E were not impacted. The current Plan however includes impacts to Wetlands A and E (as well as to Wetlands B and F).***

***It is however, still unclear why some areas of wetland and wetland buffer cannot be preserved in the site development plan (i.e., impacts to Wetland F and its 25-foot setback as well as areas of Wetlands A and E as well as their 25-foot wetland setbacks. The Applicant should address what specific changes to the Plan have been made that now require additional wetland impacts from***

*the previous site plan submittal. The applicant should consider modification of the proposed lot boundaries in order to decrease the overall proposed wetland impacts.*

3. The Applicant is encouraged to provide wetland conservation easements for any areas of remaining wetland or 25-foot wetland buffer. The Applicant has mentioned that they are willing to provide conservation easements in perpetuity over those wetland areas (and their related Natural Features Setback) on the property that are not located within unit boundaries and are located within open space areas. The Applicant should consider modification of the proposed lot boundaries and/or site design in order to preserve all wetland and wetland buffer areas.

*This comment still applies.*

4. The overall areas of the existing wetland buffers should be indicated on the Plan and on the *Wetland Impact* table. Previously, the Applicant stated that the Wetland Impact Table and the Conceptual PRO Plan had been revised to show the overall areas of the existing wetland buffers. The overall acreages of the existing wetland buffers still do not appear to be listed in the Table or on the Plan. The Plan indicates the acreage of proposed permanent disturbance to the wetland buffers but does not list the acreage of the existing wetland buffer areas themselves. The Plan should be reviewed and revised as necessary.

*This comment still applies. The applicant has not provided the overall areas of on-site wetland buffer on the Plan. This information is required and shall be provided prior to issuance of any City-issued wetland buffer impact authorizations.*

5. A plan to replace or mitigate for any permanent impacts to existing wetland buffers should be provided by the Applicant. In addition, the Plan should address how any temporary impacts to wetland buffers shall be restored, if applicable.

It should be noted that it is the Applicant's responsibility to confirm the need for a Permit from the MDEQ for any proposed wetland impact. Final determination as to the regulatory status of each of the on-site wetlands shall be made by MDEQ. The Applicant has previously provided a letter from the MDEQ dated January 22, 2014. This correspondence notes that the MDEQ's Water Resources Division (WRD) has determined that a permit is not required under part 303 of the NREPA (Natural Resources and Environmental Protection Act).

*This comment still applies. The current Plan proposes permanent impacts to approximately 0.64-acre of existing 25-foot wetland setback. The permanent impact to wetland buffers is up approximately 0.02-acre (871 square feet) from the previous site plan submittal. ECT continues to recommend that the applicant provide a plan to replace or mitigate for any permanent impacts to existing wetland buffers. In addition, the Plan should address how any temporary impacts to wetland buffers shall be restored, if applicable.*

### **Recommendation**

ECT currently recommends approval of the Concept/PRO Plan for Wetlands. ECT recommends that the Applicant address the items noted above in the Comments section of this letter in subsequent site plan submittals.

Valencia Estates South (JSP13-0075)  
Wetland Review of the Revised Concept Plan (PSP15-0114)  
August 10, 2015  
Page 6 of 7

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

Respectfully submitted,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**



Pete Hill, P.E.  
Senior Associate Engineer

cc: Sri Komaragiri, City of Novi Planner  
Rick Meader, City of Novi Landscape Architect  
Richelle Leskun, City of Novi Planning Assistant

Attachments: Figure 1



Figure 1. City of Novi Regulated Wetland & Woodland Map (approximate property boundary shown in red). Regulated Woodland areas are shown in green and regulated Wetland areas are shown in blue).



August 10, 2015

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

Re: Valencia Estates South (JSP13-0075)  
Woodland Review of the Revised Concept Plan (PSP15-0114)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Concept Plan for the proposed Valencia Estates South project prepared by Seiber, Keast Engineering, L.L.C. dated July 16, 2015 (Plan). The Plan was reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37. ECT has reviewed previous iterations of this site plan. The most recent of which was dated February 18, 2015.

ECT currently recommends approval of the Concept/PRO Plan for Woodlands. ECT recommends that the Applicant address the items noted in the Comments section of this letter in subsequent site plan submittals.

The purpose of the Woodlands Protection Ordinance is to:

- 1) *Provide for the protection, preservation, replacement, proper maintenance and use of trees and woodlands located in the city in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat. In this regard, it is the intent of this chapter to protect the integrity of woodland areas as a whole, in recognition that woodlands serve as part of an ecosystem, and to place priority on the preservation of woodlands, trees, similar woody vegetation, and related natural resources over development when there are no location alternatives;*
- 2) *Protect the woodlands, including trees and other forms of vegetation, of the city for their economic support of local property values when allowed to remain uncleared and/or unharvested and for their natural beauty, wilderness character of geological, ecological, or historical significance; and*
- 3) *Provide for the paramount public concern for these natural resources in the interest of health, safety and general welfare of the residents of the city.*

The proposed development is located on several parcels south of Ten Mile Road and west of Beck Road, Section 29. The current Plan proposes the construction of 64 single-family residential site condominiums, associated roads and utilities, and two storm water detention basins.

**Onsite Woodland Evaluation**

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on June 3, 2014. An existing tree survey has been completed for this Unit. The *Woodland Plan* (Sheets L-3 and L-4) contain existing tree survey information (tree locations and tag numbers) as well as a Woodland Summary of proposed tree removals and required replacements. A separate supplemental tree list has also been previously provided (prepared by Allen Design) that includes Tree ID #, Diameter (diameter-at-breast-height; d.b.h), Species, Health Condition, Crown Spread, Removal Status and Required Replacements.

The surveyed trees have been marked with white spray paint allowing ECT to compare the tree diameters reported on the *Tree List* to the existing tree diameters in the field. ECT found that the *Woodland Plan* and the *Tree List* appear to accurately depict the location, species composition and the size of the existing trees. ECT took a sample of diameter-at-breast-height (d.b.h.) measurements and found that the data provided on the Plan was consistent with the field measurements.

The entire site is approximately 41 acres with regulated woodland mapped across a significant portion of the property, generally located within the southern half (see Figure 1). A portion of the northern section of the site contains disturbed/cleared land associated with the parcels located along Ten Mile Road. The highest quality woodlands on site are found in the central and southern sections of the site. Some of these areas also contain regulated wetlands. It appears as if the proposed site development will involve a significant amount of impact to regulated woodlands and will include a significant number of tree removals.

On-site woodland within the project area consists of American elm (*Ulmus americana*), black cherry (*Prunus serotina*), black locust (*Robinia pseudoacacia*), black walnut (*Juglans nigra*), boxelder (*Acer negundo*), red maple (*Acer rubrum*), white ash (*Fraxinus americana*), cottonwood (*Populus deltoides*) and several other species.

A complete tree list has not been included on the current Plan. Based on previously-received *Tree List* information (including a separate spreadsheet from Allen Design) as well as our site assessment, the maximum size tree diameter on the site is a 51-inch d.b.h. weeping willow (*Salix babylonica*), Tree #1380. The site also contains a 46-inch d.b.h. white oak (Tree #754) and a 45-inch d.b.h. red maple (Tree #765). Tree #754 is proposed to be removed while Tree #765 will be preserved as part of the current site design. The site also contains a number of other large trees, many of which are red maples. The average tree diameter is approximately 14-inch d.b.h. In terms of habitat quality and diversity of tree species, the project site is of good quality. The majority of the woodland areas consist of relatively-mature growth trees of good health. This wooded area provides a good level of environmental benefit; however the subject property is surrounded by existing residential use. In terms of a scenic asset, wind block, noise buffer or other environmental asset, the woodland areas proposed for impact are considered to be of good quality.

After our woodland evaluation and review of the *Tree List* submitted by the applicant’s woodland consultant, there are a significant number (95) of trees on-site that meet the minimum caliper size for designation as a specimen tree. These trees include:

- American elm (3 trees measuring  $\geq 24''$ , the minimum caliper size for specimen trees);
- Black cherry (11 trees measuring  $\geq 24''$ , the minimum caliper size for specimen trees);
- Black locust (4 trees measuring  $\geq 24''$ , the minimum caliper size for specimen trees);
- Black walnut (3 trees measuring  $\geq 24''$ , the minimum caliper size for specimen trees);
- Red Maple (64 trees measuring  $\geq 24''$ , the minimum caliper size for specimen trees);
- White Oak (2 tree2 measuring  $\geq 24''$ , the minimum caliper size for specimen trees).

Of these 94 potential specimen trees, 58 of these trees will be saved and 36 are proposed for removal (38% of the total potential Specimen Trees). The Applicant should be aware of the City’s Specimen Tree Designation as outlined in Section 37-6.5 of the Woodland Ordinance. This section states that:

“A person may nominate a tree within the city for designation as a historic or specimen tree based upon documented historical or cultural associations. Such a nomination shall be made upon that form provided by the community development department. A person may nominate a tree within the city as a specimen tree based upon its size and good health. Any species may be nominated as a specimen tree for consideration by the planning commission. Typical tree species by caliper size that are eligible for nomination as specimen trees must meet the minimum size qualifications as shown below:

Specimen Trees Minimum Caliper Size

Common Name	Species	DBH
Arborvitae	<i>Thuja occidentalis</i>	16"
Ash	<i>Fraxinus spp.</i>	24"
American basswood	<i>Tilia Americana</i>	24"
American beech	<i>Fagus grandifolia</i>	24"
American elm	<i>Ulmus americana</i>	24"
Birch	<i>Betula spp.</i>	18"
Black alder	<i>Alnus glutinosa</i>	12"
Black tupelo	<i>Nyssa sylvatica</i>	12"
Black walnut	<i>Juglans nigra</i>	24"
White walnut	<i>Juglans cinerea</i>	20"
Buckeye	<i>Aesculus spp.</i>	18"
Cedar, red	<i>Juniperus spp.</i>	14"
Crabapple	<i>Malus spp.</i>	12"
Douglas fir	<i>Pseudotsuga menziesii</i>	18"
Eastern hemlock	<i>Tsuga Canadensis</i>	14"

Flowering dogwood	<i>Cornus florida</i>	10"
Ginkgo	<i>Ginkgo biloba</i>	24"
Hickory	<i>Carya spp.</i>	24"
Kentucky coffee tree	<i>Gymnocladus dioicus</i>	24"
Larch/tamarack	<i>Larix laricina (eastern)</i>	14"
Locust	<i>Gleditsia triacanthos/Robinia pseudoacacia</i>	24"
Sycamore	<i>Platanus spp.</i>	24"
Maple	<i>Acer spp. (except negundo)</i>	24"
Oak	<i>Quercus spp.</i>	24"
Pine	<i>Pinus spp.</i>	24"
Sassafras	<i>Sassafras albidum</i>	16"
Spruce	<i>Picea spp.</i>	24"
Tulip tree	<i>Liriodendron tulipifera</i>	24"
Wild cherry	<i>Prunus spp.</i>	24"

A nomination for designation of a historic or specimen tree shall be brought on for consideration by the planning commission. Where the nomination is not made by the owner of the property where the tree is located, the owner shall be notified in writing at least fifteen (15) days in advance of the time, date and place that the planning commission will consider the designation. The notice shall advise the owner that the designation of the tree as a historic or specimen tree will make it unlawful to remove, damage or destroy the tree absent the granting of a woodland use permit by the city. The notice shall further advise the owner that if he objects to the tree designation the planning commission shall refuse to so designate the tree.

Absent objection by the owner, the planning commission may designate a tree as an historic tree upon a finding that because of one (1) or more of the following unique characteristics the tree should be preserved as a historic tree: The tree is associated with a notable person or historic figure;

- The tree is associated with the history or development of the nation, the state or the City;
- The tree is associated with an eminent educator or education institution;
- The tree is associated with art, literature, law, music, science or cultural life;
- The tree is associated with early forestry or conservation;
- The tree is associated with American Indian history, legend or lore.

Absent objection by the owner, the planning commission may designate a tree as a specimen tree upon a finding that because of one (1) or more of the following unique characteristics the tree should be preserved as a specimen tree:

- The tree is the predominant tree within a distinct scenic or aesthetically-valued setting;
- The tree is of unusual age or size. Examples include those trees listed on the American Association Social Register of Big Trees, or by the Michigan Botanical Club as a Michigan Big Tree, or by nature of meeting the minimum size standards for the species as shown in the "Specimen Trees Minimum Caliper Size" chart, above;
- The tree has gained prominence due to unusual form or botanical characteristics.

Any tree designated by the planning commission as an historical or specimen tree shall be so depicted on an historic and specimen tree map to be maintained by the community development department. The removal of any designated specimen or historic tree will require prior approval by the planning commission. Replacement of the removed tree on an inch for inch basis may be required as part of the approval”.

#### **Proposed Woodland Impacts and Replacements**

As shown, there appear to be substantial impacts proposed to regulated woodlands associated with the site construction. It appears as if the proposed work (proposed lots and roads) will cover the majority of the site and will involve a considerable number of tree removals. It should be noted that the City of Novi replacement requirements pertain to regulated trees with d.b.h. greater than or equal to 8 inches and located within the areas designated as woodland on the City’s Regulated Woodland Map. The replacement requirements also pertain to any tree greater than or equal to 36-inches in diameter.

Based on input from residents of neighboring developments and discussions held at City Planning Commission meetings, the applicant has now provided a 30-foot (minimum) wide park/conservation easement along lots 26 through 30 on the south side of the proposed development (along Andover Drive) and along the entire western side of the proposed development (lots 19 through 26 and 36 through 39). The Applicant’s woodland consultant (Allen Design) has previously noted that the existing trees and understory will be preserved within this park/conservation easement area. The current Woodland Plan does not appear to include proposed tree removals within this area. However, the applicant’s engineer has previously stated that the initial tree preservation area may still be impacted to accommodate drainage design required by the City Ordinances. This will need to be clarified by the applicant on subsequent site plan submittals.

A *Woodland Summary* Table has been included on the *Woodland Plan* (Sheet L-4). The Applicant has noted the following:

- Total Trees: 1,570
- Regulated Trees Removed: 982 (reduced from 1,025 on previous plan)
- Regulated Trees Preserved: 537 (reduced from 545 on previous plan)
  
- Stems to be Removed 8” to 11”: 387 x 1 replacement (Requiring 387 Replacements)
- Stems to be Removed 11” to 20”: 353 x 2 replacements (Requiring 706 Replacements)

- Stems to be Removed 20" to 30": 63 x 3 replacements (Requiring 189 Replacements)
- Stems to be Removed 30"+: 19 x 4 replacements (Requiring 76 Replacements)
- Multi-Stemmed Trees: (Requires 542 Replacements)
  
- Total Replacement Trees Required: 1,900

The current Woodland Summary on Sheet L-4 appears to contain several mathematical errors. In addition, the Total Replacements Required is listed at 1,897 trees. The applicant should review these calculations and revise the Plan as necessary.

It should also be noted that the separate woodland spreadsheet provided to our office by the applicant's woodland consultant notes that a total of 1,933 Woodland Replacements are required. This discrepancy needs to be addressed by the applicant prior to Plan approval.

Since the last Concept Plan submittal, the applicant has clarified that 51 of the originally-surveyed trees have since been identified as dead, and therefore are considered non-regulated. These 51 trees have been removed from the total tree removal quantities. ECT will confirm the accuracy of this information at the time of Preliminary Site Plan submittal through a new on-site woodland inspection.

In addition, the *Landscape Plan* (Sheet L-1) notes that 796 Woodland Replacement Tree credits will be provided on-site and 1,101 tree credits will be paid into the City of Novi Tree Fund. The number of Woodland Replacement Trees to be provided on-site has increased by 176 Woodland Replacement Credits from the previous plan.

The Applicant's woodland consultant has noted that the existing trees and understory will be preserved within the 30-foot conservation easement to the greatest extent possible. The applicant has proposed on-site tree replacements through both the planting of 'oversized' evergreen trees near the Beck Road Right-of-Way and perhaps other locations. It should be noted that additional Woodland Replacement Credit is not given for planting larger ("upsized") trees. This practice only applies to the City's landscape planting requirements.

The Plan continues to note that Woodland Replacement Plantings will be field-located within the 30-foot conservation easement/park areas. The current Plan does not clearly quantify the proposed number, location and species of the trees that will satisfy the 796 on-site Woodland Replacement Tree credits. The Plan also does not clearly specify what types of 'oversized', and other Woodland Replacement trees are proposed. The applicant should review and revise the Plan in order to better indicate how the Woodland Replacement requirements will be met on-site.

**City of Novi Woodland Review Standards and Woodland Permit Requirements**

Based on Section 37-29 (*Application Review Standards*) of the City of Novi Woodland Ordinance, the following standards shall govern the grant or denial of an application for a use permit required by this article:

*No application shall be denied solely on the basis that some trees are growing on the property under consideration. However, the protection and conservation of irreplaceable natural resources from pollution, impairment, or destruction is of paramount concern. Therefore, the preservation of woodlands, trees, similar woody vegetation, and related natural resources shall have priority over development when there are location alternatives.*

In addition, *“The removal or relocation of trees shall be limited to those instances when necessary for the location of a structure or site improvements and when no feasible and prudent alternative location for the structure or improvements can be had without causing undue hardship”.*

There are a significant number of replacement trees required for the construction of the proposed development. The currently-proposed Valencia Estates South project consists of 64 single-family residences. The subject property is surrounded by existing residential use on the south and west sides, by Ten Mile Road to the north and Beck Road to the east. Some degree of impact to on-site woodlands is deemed unavoidable if these properties are to be developed for residential use; however, the current Plan appears to clear all proposed lots of existing trees. ECT suggests that the applicant consider preserving existing trees to the greatest extent possible even on individual proposed lots, outside of the proposed building envelope.

Proposed woodland impacts will require a Woodland Permit from the City of Novi that allows for the removal of trees eight (8)-inch diameter-at-breast-height (d.b.h.) or greater. Such trees shall be relocated or replaced by the permit grantee. All deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater. All coniferous replacement trees shall be 6-feet in height (minimum) and provide 1.5 trees-to-1 replacement credit replacement ratio (i.e., each coniferous tree planted provides for 0.67 credits).

#### **Woodland Comments**

The following are repeat comments from our Woodland Review of the Revised Concept Plan letter dated March 19, 2015. The current status of these comments is listed in ***bold italics***. ECT recommends that the Applicant address the items noted below in subsequent site Plan submittals:

1. ECT encourages the Applicant to minimize impacts to on-site Woodlands to the greatest extent practicable; especially those trees that may meet the minimum size qualifications to be considered a Specimen Tree (as described above). Although 30% of regulated on-site trees are proposed to be preserved, the applicant should demonstrate why additional trees cannot be preserved within the proposed lots in areas that fall outside of the proposed building envelopes, as well as in proposed open-space areas.

***This comment has been partially met. The current Plan proposes to preserve approximately 537 of the 1,519 total regulated on-site trees (i.e. 35% preservation); however it appears as though the current Plan appears to clear all proposed lots of existing trees. ECT suggests that the applicant consider preserving existing trees to the greatest***

***extent possible even on individual proposed lots, outside of the proposed building envelope. The applicant should demonstrate why additional trees cannot be preserved within the proposed lots in areas that fall outside of the proposed building envelopes, as well as in proposed open-space areas.***

2. The Applicant should demonstrate that alternative site layouts that would reduce the overall impacts to woodlands have been reviewed and considered. The Applicant should consider modification of the proposed lot boundaries in order to preserve existing woodland areas.

***This comment has been partially met. The current Plan does include the addition of a 30-foot wide park/conservation easement along lots 26 through 30 on the south side of the proposed development (along Andover Drive) and along the entire western side of the proposed development (lots 19 through 26 and 36 through 39). The Applicant's woodland consultant (Allen Design) has noted that the existing trees and understory will be preserved within this 30-foot conservation easement, to the greatest extent possible. As noted above (Item #1), the applicant should demonstrate why additional trees cannot be preserved within the proposed lots in areas that fall outside of the proposed building envelopes, as well as in proposed open-space areas.***

3. The Applicant is encouraged to provide preservation/conservation easements for any areas of remaining woodland.

***This item appears to have been met through the proposed open spaces noted on the Plan (totaling 13.10 acres). All proposed preservation/conservation easements shall be clearly indicated and labeled on the Plan. The applicant should confirm that the 30-foot wide park with conservation easement is included in the total open space calculation.***

4. The Applicant is encouraged to provide woodland conservation easements for any areas containing woodland replacement trees, if applicable.

***This comment still applies. All proposed preservation/conservation easements shall be clearly indicated and labeled on the Plan.***

5. A Woodland Permit from the City of Novi would be required for proposed impacts to any trees 8-inch d.b.h. or greater. Such trees shall be relocated or replaced by the permit grantee. All deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater. All coniferous replacement trees shall be 6-feet in height (minimum) and provide 1.5 trees-to-1 replacement credit replacement ratio (i.e., each coniferous tree planted provides for 0.67 credits).

***This comment still applies. The applicant has proposed on-site tree replacements through both the planting of 'oversized' evergreen trees near the Beck Road Right-of-Way and perhaps other locations. In addition, Woodland Replacement Plantings will be field-located***



***within the 30-foot conservation easement/park areas. The current Plan does not clearly quantify the proposed number, location and species of the trees that will satisfy the 796 on-site Woodland Replacement Tree credits that are being proposed.***

***The Applicant's woodland consultant has noted that the existing trees and understory will be preserved within the 30-foot conservation easement to the greatest extent possible. The applicant has proposed on-site tree replacements through both the planting of 'oversized' evergreen trees near the Beck Road Right-of-Way and perhaps other locations. It should be noted that additional Woodland Replacement Credit is not given for planting larger ("upsized) coniferous/pine trees. This practice only applies to the City's landscape planting requirements. The applicant should review and revise the Plan in order to better indicate how the Woodland Replacement requirements will be met on-site.***

6. A Woodland Replacement financial guarantee for the planting of replacement trees will be required, if applicable. This financial guarantee will be based on the number of on-site woodland replacement trees (credits) being provided at a per tree value of \$400.

Based on a successful inspection of the installed on-site Woodland Replacement trees, seventy-five percent (75%) of the original Woodland Financial Guarantee shall be returned to the Applicant. Twenty-five percent (25%) of the original Woodland Replacement financial guarantee will be kept for a period of 2-years after the successful inspection of the tree replacement installation as a *Woodland Maintenance and Guarantee Bond*.

***This comment still applies.***

7. The Applicant will be required to pay the City of Novi Tree Fund at a value of \$400/credit for any Woodland Replacement tree credits that cannot be placed on-site.

***This comment still applies.***

8. Replacement material should not be located 1) within 10' of built structures or the edges of utility easements and 2) over underground structures/utilities or within their associated easements. In addition, replacement tree spacing should follow the *Plant Material Spacing Relationship Chart for Landscape Purposes* found in the City of Novi *Landscape Design Manual*.

***This comment still applies.***

### **Recommendation**

ECT currently recommends approval of the Concept/PRO Plan for Woodlands. ECT recommends that the Applicant address the items noted above in the Comments section in subsequent site plan submittals.

Valencia Estates South (JSP13-0075)  
Woodland Review of the Revised Concept Plan (PSP15-0114)  
August 10, 2015  
Page 10 of 11

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

Respectfully submitted,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**



Pete Hill, P.E.  
Senior Associate Engineer

cc: Sri Komaragiri, City of Novi Planner  
Rick Meader, City of Novi Landscape Architect  
Richelle Leskun, City of Novi Planning Assistant

Attachments: Figure 1



**Figure 1.** City of Novi Regulated Wetland & Woodland Map (approximate property boundary shown in red). Regulated Woodland areas are shown in green and regulated Wetland areas are shown in blue).



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August 6, 2015

Barbara McBeth, AICP  
Deputy Director of Community Development  
City of Novi  
45175 W. 10 Mile Road  
Novi, MI 48375

**SUBJECT: Valencia Estates South  
Traffic Review for Revised Planned Rezoning Overlay (PRO) with Concept Plan  
JSP13-0075**

Dear Ms. McBeth,

The revised concept/PRO 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.

**1. General Comments**

- a. The applicant, Beck South, LLC, is proposing the development of a 41.31 acre, 64 unit single-family site condominium development in the southwest quadrant of Ten Mile Road and Beck Road. The development provides site access through one (1) roadway intersecting Beck Road and one (1) roadway intersection 10 Mile Road.
- b. Beck Road is within the City of Novi's jurisdiction and Ten Mile Road is within the Road Commission for Oakland County's (RCOC) jurisdiction.
- c. The proposed development borders Andover Pointe on the south and Echo Valley Estates on the west. Along the east border of the proposed development, exists Oakland Baptist Church.

**2. Potential Traffic Impacts –**

- a. The applicant has added access to the site along 10 Mile Road, approximately 600' west of the Beck Road signal, and removed one of the two previously proposed entrances off Beck Road.
  - i. The applicant has proposed right turn acceleration/deceleration lanes at the 10 Mile Road entrance. AECOM suggests that the City and RCOC consider the operational value that may be obtained by extending the eastbound right turn at the Beck Road intersection west to the proposed driveway that would serve to reduce queue lengths and improve overall traffic operations in the area. As previously stated, the 10 Mile Road approach is within RCOC's jurisdiction and they are responsible for the subsequent review, final approval and establishment of requirements for any access to 10 Mile Road from this site.
  - ii. The applicant has proposed a center left turn lane on 10 Mile Road at the entrance that would additionally reduce vehicle queue lengths for the westbound traffic on 10 Mile Road. Since 10 Mile Road is within RCOC's jurisdiction, approval and coordination on any improvements would be required.
  - iii. The applicant should consider providing the following additional traffic information for the City of Novi and RCOC consideration for future submittals, including but not limited to:

1. Eastbound 10 Mile Road vehicle queue lengths during peak periods
  2. Gap study along 10 Mile Road for left turns
3. **External Site Access and Operations** – Initial review of the plans generally show compliance with City standards; however, the following items at minimum require further detail in the Preliminary Site Plan submittal.
- a. Provide detailed (dimensioned) plans for the following:
    - i. Entrance island at Beck Road
    - ii. Left turn lane on 10 Mile Road
    - iii. Lane widths
    - iv. Temporary emergency access road and its intersection with 10 Mile Road
    - v. All sidewalk stubs
    - vi. Other details as necessary to convey design intent and the meeting of applicable City standards.
4. **Internal Site Access and Operations** – Initial review of the plans generally show compliance with City standards; however, the following items at minimum may require further detail in the Preliminary Site Plan submittal.
- a. Provide detailed (dimensioned) plans for the operation of the proposed temporary “T” turnaround and its interface with the proposed temporary emergency access road.
  - b. Provide proposed “no parking” restrictions within the site, specifically near tight radii where sight distances may be limited.
  - c. Provide detailed (dimensioned) plans for the two (2) proposed cul-de-sacs as well as other details as necessary to convey design intent and the meeting of applicable City standards.
  - d. **The two (2) eyebrow designs in the northwest quadrant and southwest quadrant of the site are not paved. The unpaved eyebrow design is considered a variance to the ordinance and is supported by the City Engineering Division.** The applicant should consider including detailed (dimensioned) plans for the proposed eyebrows for further review.
5. **Signing and Pavement Marking** –The revised conceptual PRO plan set did not include signing and pavement marking details. The applicant should consider including such details in the Preliminary Site Plan submittal.
6. **Bicycle and Pedestrian** – The proposed pathway and sidewalk widths are in compliance with the City of Novi Bicycle and Pedestrian Master Plan.

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

Sincerely,

**AECOM**

Paula K. Johnson, PE  
Reviewer, Senior Transportation Engineer

Matthew G. Klawon, PE  
Manager, Traffic Engineering and ITS Engineering Services



August 6, 2015

TO: Barbara McBeth- Deputy Director of Community Development  
Sri Komaragiri- Plan Review Center

RE: Valencia South - Concept  
**PSP#15-0114**

**CITY COUNCIL**

**Mayor**  
Bob Gatt

**Mayor Pro Tem**  
Dave Staudt

Gwen Markham

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**City Manager**  
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**Director of Public Safety  
Chief of Police**  
David E. Molloy

**Director of EMS/Fire Operations**  
Jeffery R. Johnson

**Assistant Chief of Police**  
Victor C.M. Lauria

**Assistant Chief of Police**  
Jerrod S. Hart

**Project Description:**

A proposed 66 unit single family development in the Northeast corner of Section #29

**Comments:**

1. In single family residential areas, hydrants shall be spaced a maximum of 500 feet apart. It is recommended that a hydrant be located at every intersection on the same corner with the street sign. This will help with locating the fire hydrants in winter when they are covered with snow. (*D.C.S. Sec. 11-68 (f)(1)b*)
2. A secondary access driveway shall be a minimum of twenty (20 feet in width and paved to provide all-weather access and shall be designed to support a vehicle of thirty-five (35) tons. Minimum easement width for secondary access driveways shall be twenty-five (25) feet. A permanent "break-away" gate shall be provided at the secondary access driveway's intersection with the public roadway in accordance with Figure VIII-K of the Design and Construction Standards. To discourage non-emergency vehicles, emergency access roads shall be designated by signage as for emergency access only, shall be separated from the other roadways by mountable curbs, and shall utilize entrance radii designed to permit emergency vehicles while discouraging non-emergency traffic. (*D.C.S. Sec 11-194 (a)(19)*)

**Recommendation: Recommended for Approval with the correction of items below**

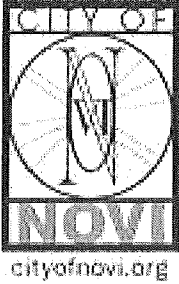
- 1) Provide fire hydrant location and water mains on plans.
- 2) Improve emergency roadway to 20' in width.

Sincerely,

Charlie Roberts – Inspector II - CFPE  
City of Novi – Fire Dept.  
cc: file

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

cityofnovi.org



## PLAN REVIEW CENTER REPORT

08/17/2015

### Engineering Review

Valencia South PRO

JSP13-0075

#### Applicant

CARNEY, ROSE BOW

#### Review Type

Revised PRO Concept Plan Review

#### Property Characteristics

- Site Location: S. of Ten Mile Road and W. of Beck Road
- Site Size: 41.31 Acres
- Plan Date: 07/16/2015

#### Project Summary

- Construction of a 64 unit single family subdivision on approximately 41 acres. Site access would be provided by proposed public roadways off of Ten Mile road and Beck Road.
- Water service would be provided by connecting to the existing 16-inch water main on the north side of Ten Mile road and the existing 16-inch water main on the east side of Beck Road.
- Sanitary sewer service would be provided by an extension from the existing 10-inch sanitary sewer along the west side of Beck Road.
- Storm water would be collected by two storm sewer collection systems. The northern 29.10 acres of the development is tributary to Detention Basin "A" which discharges under Ten Mile Road to the north with 9.12 acres tributary to Detention Basin "B" which discharges east to the Beck Road ditch line.

#### Recommendation

**Approval of the Preliminary Site Plan and the Preliminary Storm Water Management Plan is recommended.**

#### Comments:

The Preliminary Site Plan does meet the general requirements of Chapter 11 of the Code of Ordinances, the Storm Water Management Ordinance and/or the Engineering Design Manual. The following items must be addressed prior to resubmittal:

**Additional Comments** (to be addressed prior to the Final Site Plan submittal):

**General**

1. A full engineering review of the conceptual plan was not performed at this time due to the limited information provided for review. The Engineering Divisions reserves the right to provide additional comments as more detailed plans are provided for review.
2. Provide a pathway connection from the eastern cul-de-sac to Beck Rd. in the vicinity of units 58-60.
3. Provide traffic calming measures along the north/south roadway in the western end of the site.
4. Provide a stub street to the subdivision boundary at intervals not to exceed 1,300 feet along the subdivision perimeter or **request an administrative variance from Appendix C Section 4.04 (A)(1) of Novi City Code**. This request must be submitted under a separate cover. This variance will be supported by City staff due to the existing development surrounding this site.
5. Staff will support a request for a **Design and Construction Standards Variance from Section 11-194(a)(8) of the Novi City Code** from City Council for the lack of paved eyebrows.
6. A right-of-way permit will be required from the City of Novi and Oakland County.
7. Provide a minimum of two ties to established section or quarter section corners.
8. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.
9. Revise the plan set to reference at least one city established benchmark. An interactive map of the City's established survey benchmarks can be found under the 'Map Gallery' tab on [www.cityofnovi.org](http://www.cityofnovi.org).
10. Provide a construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
11. Provide a utility crossing table indicating that at least 18-inch vertical clearance will be provided, or that additional bedding measures will be utilized at points of conflict where adequate clearance cannot be maintained.
12. Provide a traffic control sign table listing the quantities of each sign type proposed for the development. Provide a note along with the table stating all traffic signage will comply with the current MMUTCD standards.
13. Near Unit 46, there is a phase 2 label that should be phase 1.
14. No utilities are shown on the plan. An overall utility must be provided.

**Water Main**

15. Provide a profile for all proposed water main 8-inch and larger.



16. Provide details on water main connection and impacts to Beck Road. A traffic control plan will be required for any lane closures.
17. The water main stub at the phase line shall terminate with a hydrant followed by a valve in well. If the hydrant is not a requirement of the development for another reason the hydrant can be labeled as temporary allowing it to be relocated in the future.
18. Provide a water main stub to the south between lots 33 and 34 Anderover Pointe No. 2 within a 20 foot wide easement terminating at the south property line for this site. Three (3) sealed sets of revised utility plans along with the MDEQ permit application (1/07 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

#### Sanitary Sewer

19. Review the proposed sanitary sewer depths to determine the ultimate service area for the sanitary sewer. Anderover Pointe No. 1 and No. 2 are not served by sanitary sewer and should be provided a stub if elevations would allow.
20. Provide a sanitary sewer basis of design for the development on the utility plan sheet. Include Anderover Pointe No. 1 and No. 2 in the basis of design calculations.
21. Note on the construction materials table that 6-inch sanitary leads shall be a minimum SDR 23.5, and mains shall be SDR 26.
22. Provide a note on the Utility Plan and sanitary profile stating the sanitary lead will be buried at least 5 feet deep where under the influence of pavement.
23. Provide a testing bulkhead immediately upstream of the sanitary connection point. Additionally, provide a temporary 1-foot deep sump in the first sanitary structure proposed upstream of the connection point, and provide a secondary watertight bulkhead in the downstream side of this structure.
24. A dewatering plan and a separate approval for dewatering will be required prior to construction.
25. Provide a 20 foot wide easement for the sanitary stub to the south.
26. Seven (7) sealed sets of revised utility plans along with the MDEQ permit application (11/07 rev.) for sanitary sewer construction and the Streamlined Sanitary Sewer Permit Certification Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets. Also, the MDEQ can be contacted for an expedited review by their office.

#### Storm Sewer

27. Provide a 0.1-foot drop in the downstream invert of all storm structures where a change in direction of 30 degrees or greater occurs.
28. Match the 0.80 diameter depth above invert for pipe size increases.

29. Provide a four-foot deep sump and an oil/gas separator in the last storm structure prior to discharge to the storm water basin.
30. Label the 10-year HGL on the storm sewer profiles, and ensure the HGL remains at least 1-foot below the rim of each structure.
31. Provide a schedule listing the casting type and other relevant information for each proposed storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures.

#### Storm Water Management Plan

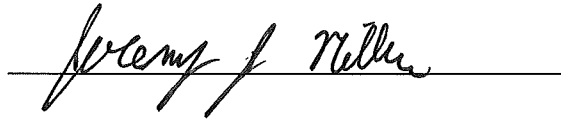
32. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
33. An adequate maintenance access route to the basin outlet structure and any other pretreatment structures shall be provided (15 feet wide, maximum slope of 1V:5H, and able to withstand the passage of heavy equipment). Verify the access route does not conflict with proposed landscaping.
34. Provide a 5-foot wide stone bridge allowing direct access to the standpipe from the bank of the basin during high-water conditions (i.e. stone 6-inches above high water elevation). Provide a detail and/or note as necessary.
35. Provide an access easement for maintenance over the storm water detention system and the pretreatment structure. Also, include an access easement to the detention area from the public road right-of-way.
36. Clarify construction phasing for detention basin 'B' and phase 2 temporary access.
37. Clarify what areas and phases are tributary to each detention basin.
38. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).
39. Provide a soil boring in the vicinity of the storm water basin to determine soil conditions and to establish the high water elevation of the groundwater table.
40. A 4-foot wide safety shelf is required one-foot below the permanent water surface elevation within the basin.

#### Paving & Grading

41. The right-of-way sidewalk shall continue through the drive approach. If like materials are used for each, the sidewalk shall be striped through the approach. The sidewalk shall be increased to 6/8-inches thick along the crossing or match the proposed cross-section if the approach is concrete. The thickness of the sidewalk shall be increased to 6/8 inches across the drive approach. Provide additional spot grades as necessary to verify the maximum 2-percent cross-slope is maintained along the walk.
42. Add a note to the plan stating that the emergency access gate is to be installed and closed prior to the issuance of the first TCO in the subdivision.

43. Provide top of curb/walk and pavement/gutter grades to indicate height of curbs.
44. Provide a paving cross-section for the proposed emergency access drive.
45. Provide a note on the plans that all sidewalks in commons areas shall be constructed prior to issuance of the first building permit, excluding model homes.

Please contact Jeremy Miller at (248) 735-5694 with any questions.

A handwritten signature in black ink, reading "Jeremy Miller", is written over a horizontal line.

cc: Brian Coburn, Engineering  
Sri Komaragiri, Community Development

**SEIBER, KEAST ENGINEERING, LLC**  
*CONSULTING ENGINEERS*

*Clif Seiber, P.E.*  
*Patrick G. Keast, P.E.*  
*Azad Awad*

100 MAINCENTRE, SUITE 10  
NORTHVILLE, MICHIGAN 48167  
(248) 308-3331

August 17, 2015

Ms. Sri Komaragiri, Planner  
City of Novi Planning and Community Development Department  
45175 West 10 Mile Road  
Novi, Michigan 48375

Re: **VALENCIA ESTATES SOUTH – PRO Response Letter – JSP 13-0075**  
Section 29, T 1 N, R 8 E, City of Novi

Dear Ms. Komaragiri:

Enclosed please find PRO Site Plan, Stormwater Management Plan, Landscape Plan and Woodland Plans and a color rendering of the site plan. Referring to the City of Novi Plan Review Center Report (latest update August 11, 2015), we offer the following response:

***PLAN REVIEW CENTER REPORT (updated 8-11-15)***

No objections except as follows:

*Item 3 (page 9) – Missing Pathways – the connection from the internal loop road to Ten Mile Road is now provided adjacent to the roadway connection to Ten Mile, therefore, variance would not be required.*

***LANDSCAPE REVIEW (Plan Review Center Report, 8-10-15)***

No objections except as follows:

*Item 4 (page 1) – Sec 37 Woodlands Protection... we object to the statement that “no additional credits are allowed for larger replacement trees.” This interpretation has not been noted in previous reviews and we request that it be waived and agree to provide replacement trees with credits given for upsizing as per chart found on page 11 of the Landscape Design Manual.*

We acknowledge all other comments in bold will be addressed and incorporated as part of the Preliminary Site Plan submittal.

***WETLAND REVIEW (ECT, 8-10-15)***

We acknowledge ECT’s recommendation for approval and agree that items noted in the comment section will be addressed in subsequent site plan submittals.

***WOODLANDS REVIEW (ECT, 8-10-15)***

No objections except as follows:

As noted in the Landscape Review response above, we object to the statement in Item 5 on pages 8 & 9 of 11 that disallows upsizing of coniferous replacement trees for additional credit. This is a new requirement and has not been noted as a requirement in previous reviews. Page 8, paragraph 5 of ECT’s previous Woodland Review, dated March 19, 2015, states the following:

**SEIBER, KEAST ENGINEERING, LLC**

Ms. Sri Komaragiri  
August 17, 2015  
Page 2 of 2

*“... The applicant’s woodland consultant has stated that the Plan is proposing a 1.5/1 Woodland Replacement Tree credit for the proposed ‘oversized’ evergreens. The City of Novi’s Landscape Design Manual requires evergreens to be between 10’ and 12’ in height in order to qualify for 1.5 trees replacement credits per replacement tree...”*

We agree to comply with this statement and request that the new interpretation disallowing the upsizing for additional credit be waived.

We acknowledge ECT’s recommendation for approval and agree that all other comments will be addressed in subsequent site plan submittals.

***ENGINEERING REVIEW (8-17-15)***

As indicated under General Comments, the following variances are requested with staff support:

4. An administrative variance will be requested from Appendix C Section 4.04 (A)(1) of Novi City Code.
5. DCS variance from Section 11-194(a)(8) of the Novi City Code for the lack of paved eyebrows.

We acknowledge all other comments to be addressed prior to Final Site Plan submittal.

***TRAFFIC REVIEW (URS, 8-06-15)***

We acknowledge recommendation for approval and agree to address comments with future submittals for Preliminary and Final Site Plan Approval.

***FIRE DEPARTMENT REVIEW (8-6-15)***

Fire hydrants and water mains are now shown on the PRO Site Plan. Fire hydrant locations can be adjusted after further detailed review by the Fire Department at the time of Preliminary and Final Site Plan review. We have no objection to constructing the emergency access roadway 20 feet wide. Additional details will be provided with the Preliminary and Final Site Plans.

Sincerely,

**SEIBER, KEAST ENGINEERING, LLC**



Patrick G. Keast, P.E.

encl.

cc: Howard Fingerroot, Pinnacle Homes