



COVINGTON ESTATES JSP15-02

Covington Estates JSP15-02

Consideration at the request of Biltmore Land, LLC for recommendation to City Council for approval of a Residential Unit Development (RUD) Plan – Alternate. The subject property is located in Section 31, north of Eight Mile and West of Garfield in the RA - Residential Acreage District. The applicant is proposing an RUD on a 48.83 acre parcel to construct 38 single-family residential units. The applicant is proposing a temporary relocation of the emergency access drive along the north property line from Garfield Road as an alternate to the current proposed emergency access drive location from the neighboring property to the east in the event easements are not acquired, as discussed at the March 9, 2016 public hearing.

Required Action

Recommend approval/denial of the Residential Unit Development (RUD) Plan – Alternate Plan to the City Council.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	4-14-2016	<ul style="list-style-type: none"> • Requires variance for DCS deviation. • Items to be addressed on the Preliminary Site Plan submittal.
Engineering	Approval recommended	4-12-2016	Items to be addressed on the Preliminary Site Plan submittal.
Landscaping	Approval recommended	4-1-2016	Items to be addressed on the Preliminary Site Plan submittal.
Fire	Approval recommended	4-13-2016	Items to be addressed on the Preliminary Site Plan submittal.

Motion sheet

Approval – RUD

In the matter of Covington Estates, JSP15-02, motion to **recommend approval** of the Residential Unit Development (RUD) Plan - Alternate subject to and based on the following findings:

- a. The site is appropriate for the proposed use;
- b. The development will not have detrimental effects on adjacent properties and the community;
- c. The applicant has clearly demonstrated a need for the proposed use;
- d. Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings;
- e. The applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;
- f. Relative to other feasible uses of the site:
 1. All applicable provisions of Section 3.29.8.B of the Zoning Ordinance, other applicable requirements of the Zoning Ordinance, including those applicable to special land uses, and all applicable ordinances, codes, regulations and laws have been met;
 2. Adequate areas have been set aside for all walkways, playgrounds, parks, recreation areas, parking areas and other open spaces and areas to be used by residents of the development and the Planning Commission is satisfied that the applicant will make provisions that assure that;
 3. Traffic circulation features within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
 4. The proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;
 5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;
 6. The RUD will provide for the preservation and creation of open space and result in minimal impacts to provided open space and natural features;
 7. The RUD will be compatible with adjacent and neighboring, existing and master planned land uses;
 8. The desirability of conventional residential development within the City is outweighed by benefits occurring from the preservation and creation of open space and the establishment of park facilities that will result from the RUD;
 9. There will not be an increase in the total number of dwelling units over that which would occur with a conventional residential development;
 10. The proposed reductions in lot sizes are the minimum necessary to preserve and create open space, to provide for park sites, and to ensure compatibility with adjacent and neighboring land uses;
 11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost and will add to the City tax base;
 12. The Planning Commission is satisfied that the applicant will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;
 13. The Planning Commission is satisfied that the applicant will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and

14. Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.
- g. City Council modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 feet as the requested modification will result in preserving and creating open space and recreational area as noted in Section 3.29.8.B.x of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;
 - h. City Council reduction of permitted building setbacks consistent with the proposed reduction in lot size and width;
 - i. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;
 - j. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency accesses; and
 - k. (additional comments here if any)

(This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

-OR-

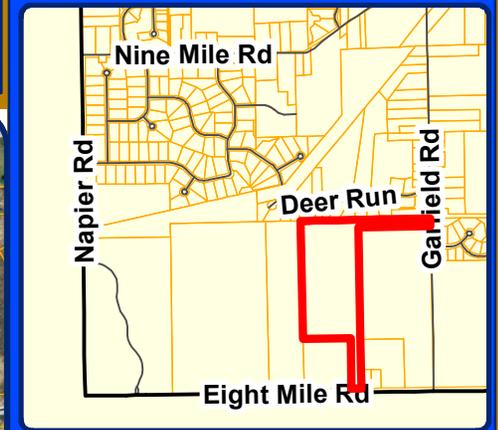
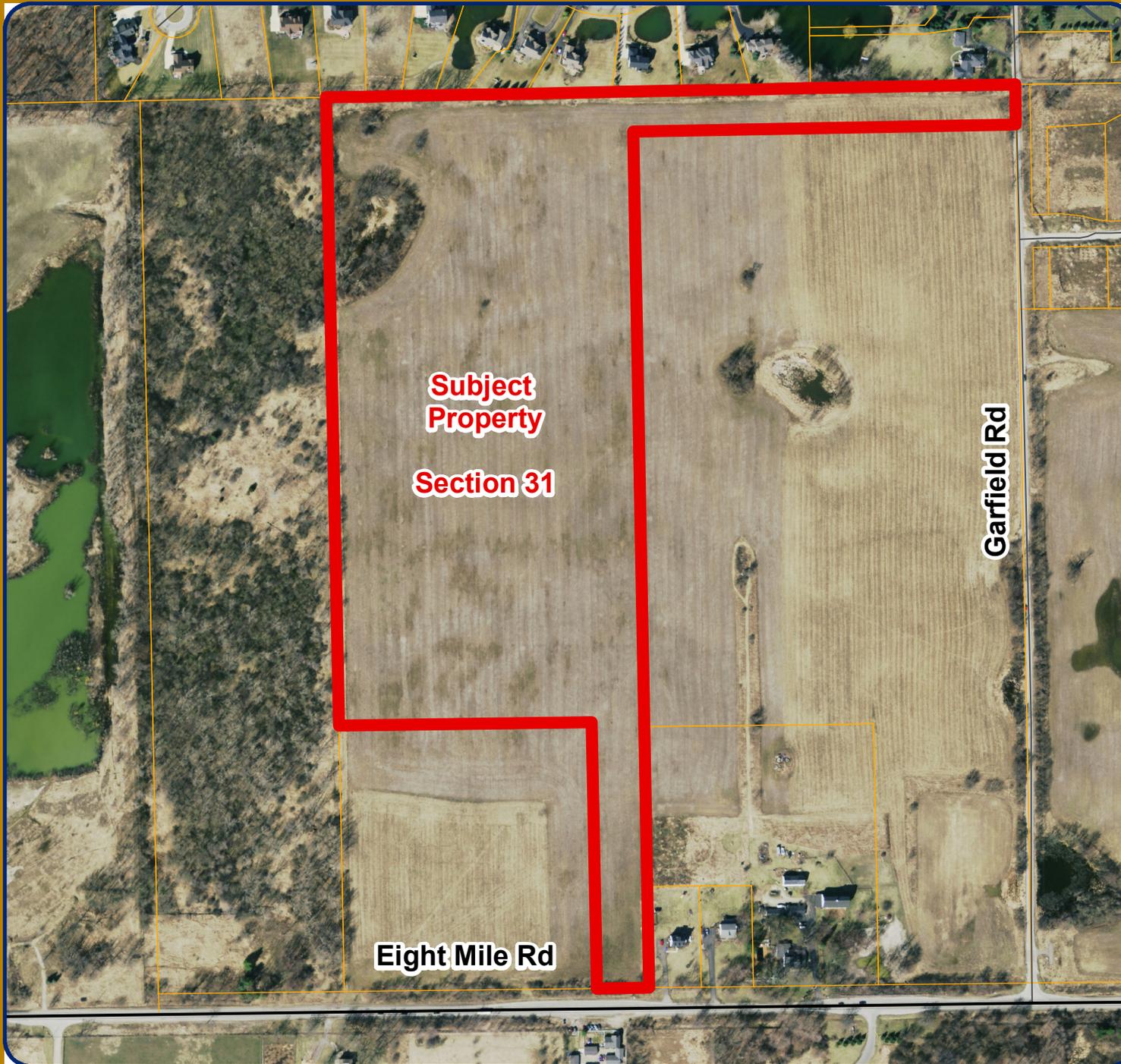
Denial - RUD

In the matter of Covington Estates, JSP15-02, motion to **recommend denial** of the Residential Unit Development (RUD) Plan - Alternate... *(because the proposed RUD would not satisfy the findings and conditions noted in Sections 3.29 of the Zoning Ordinance.)*

Maps
Location
Zoning
Future Land Use
Natural Features

JSP 15-02 Covington Estates

Location



City of Novi

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

Map Author: Sri Komaragiri
Date: 08/06/15
Project: JSP15-02 Covington Estates
Version #: 1



1 inch = 417 feet

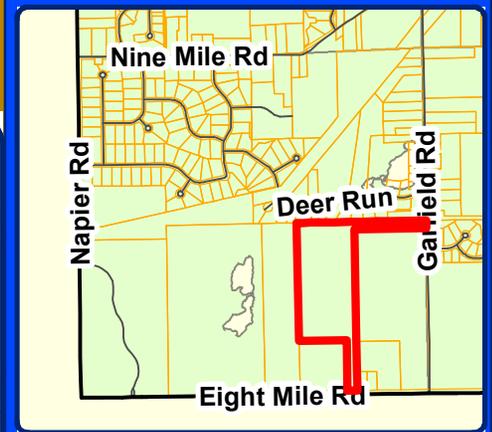
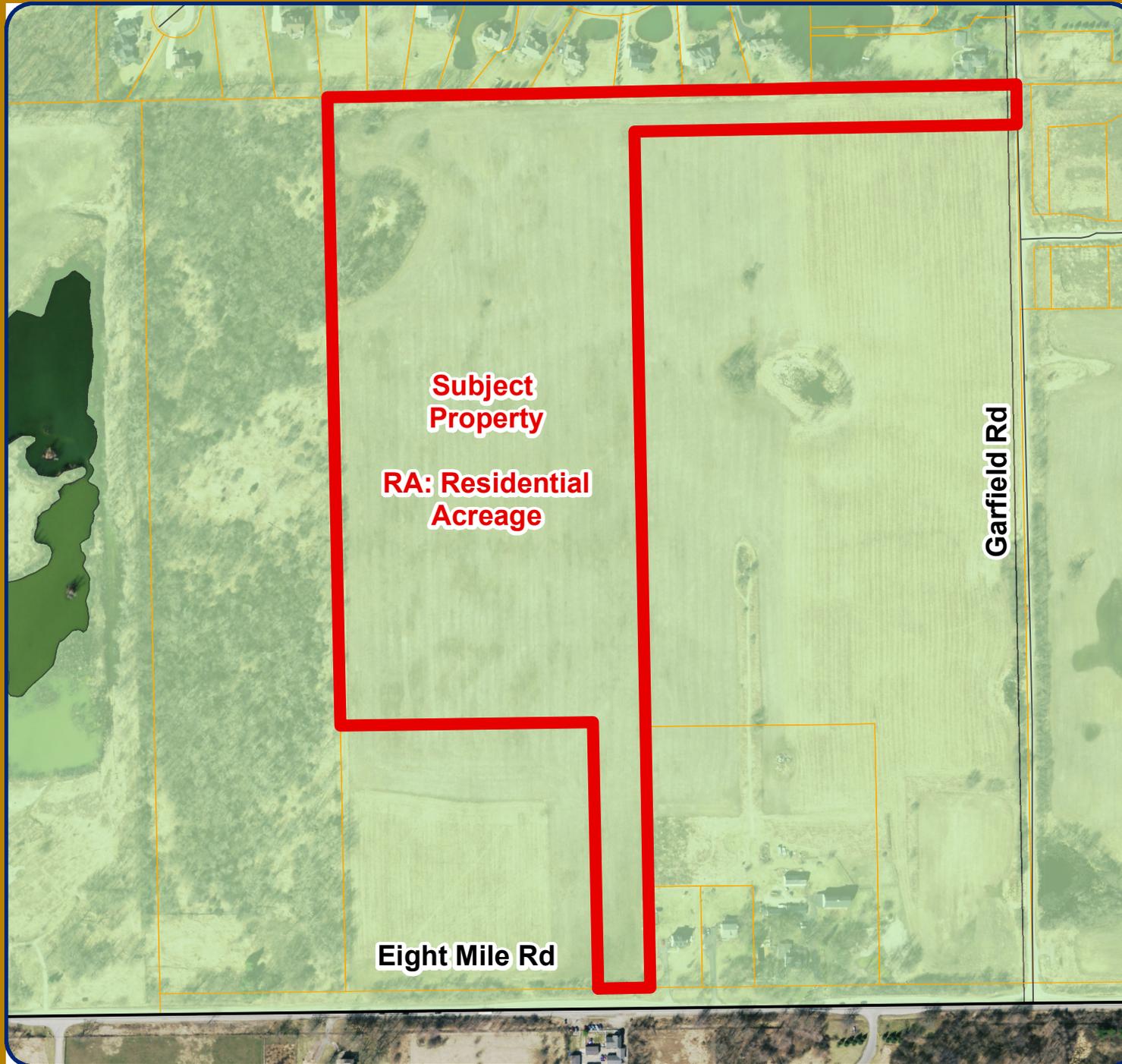


MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

JSP 15-02 Covington Estates

Zoning



Legend

 R-A: Residential Acreage



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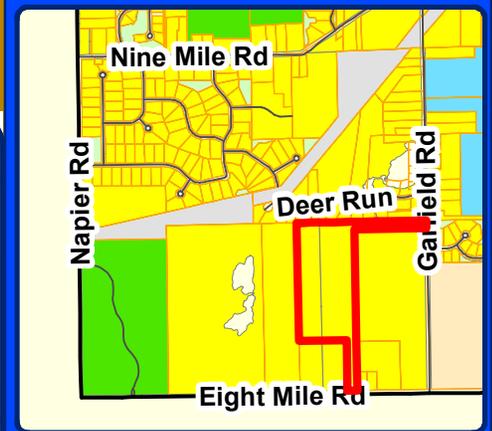
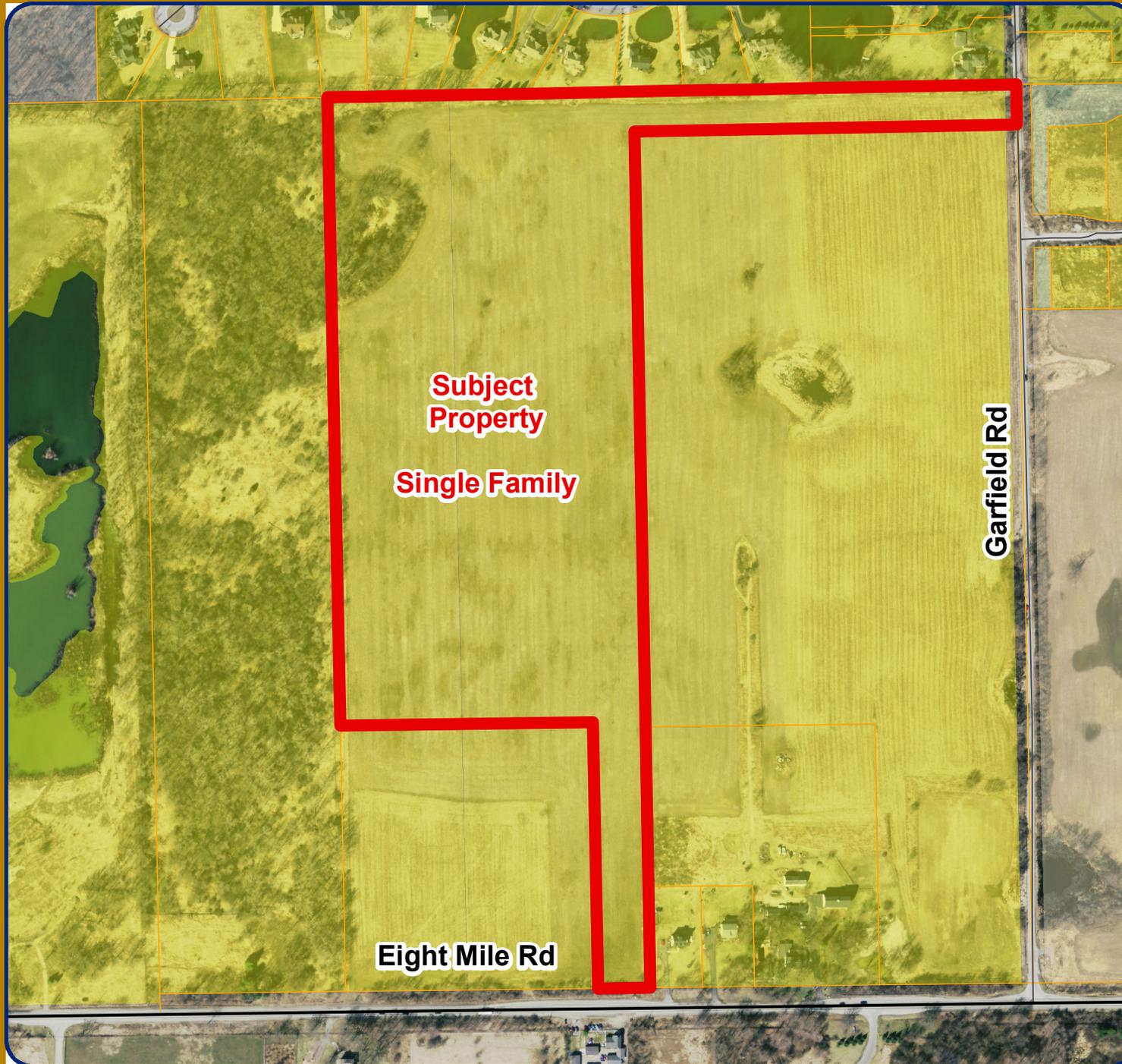


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JSP 15-02 Covington Estates

Future Landuse



Legend

-  SINGLE FAMILY
-  EDUCATIONAL FACILITY
-  PUBLIC
-  PUBLIC PARK
-  PRIVATE PARK
-  UTILITY



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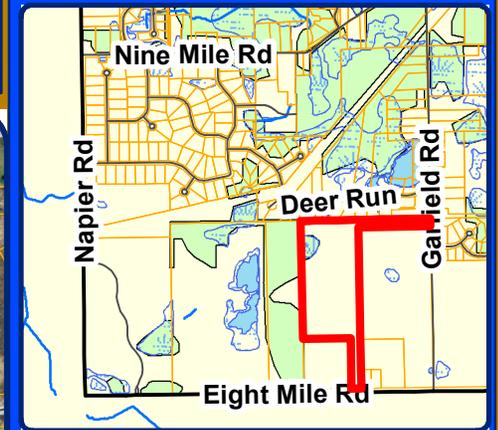
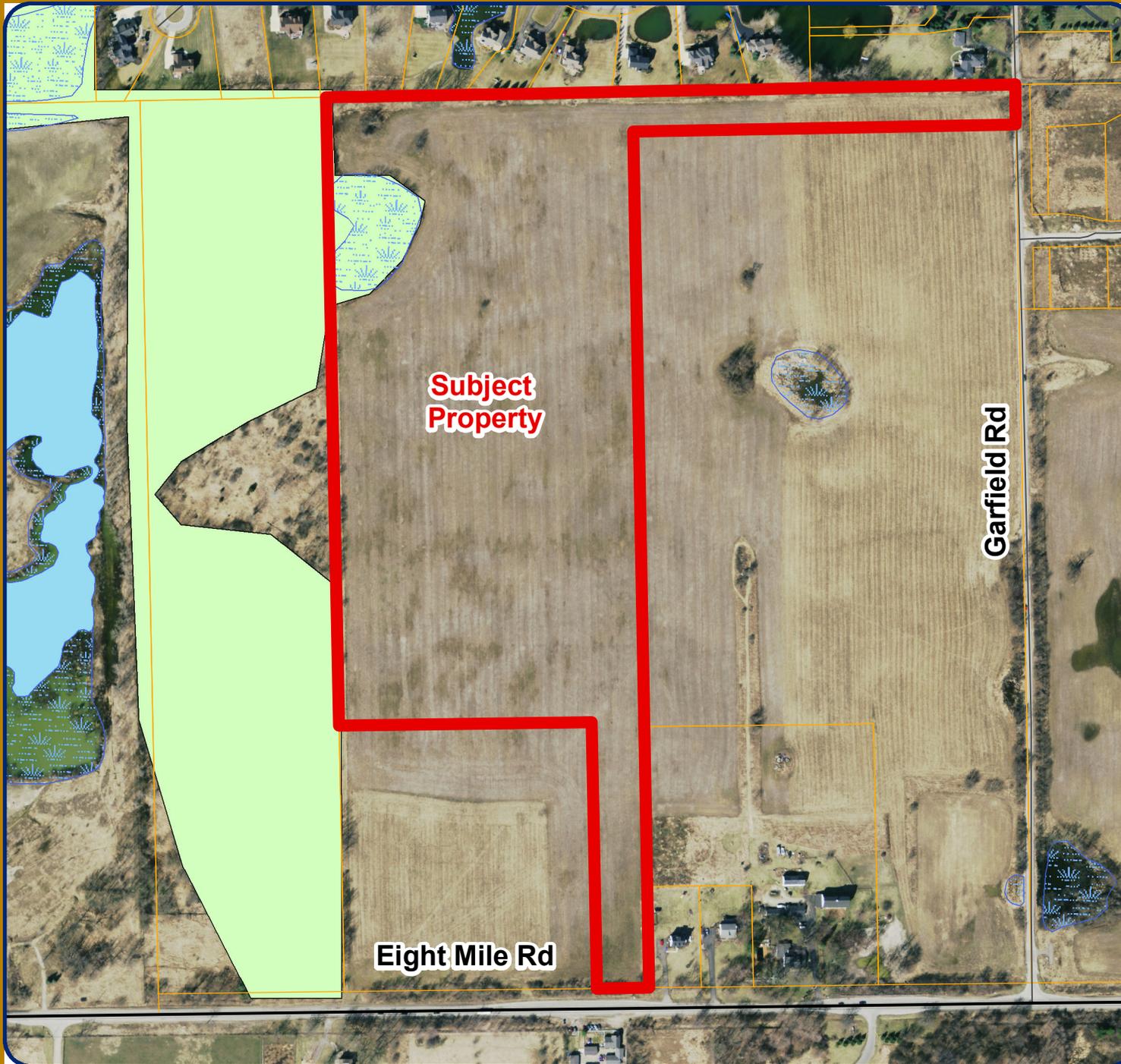


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JSP 15-02 Covington Estates

Natural Features



Legend

-  Wetlands
-  Woodlands



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CONCEPT PLAN

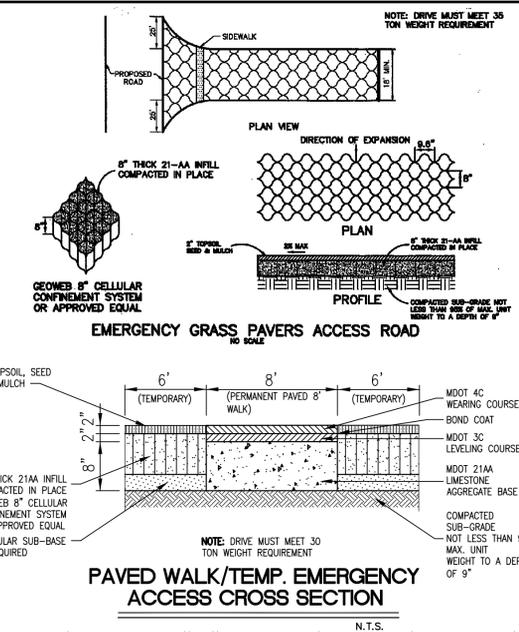
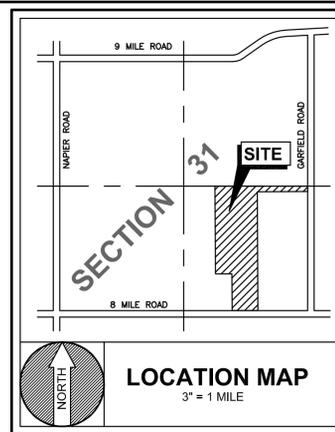
(Full plan set available for viewing at the Community Development Department)

COVINGTON ESTATES
PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWN 1 NORTH, RANGE 8 EAST,
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN
RESIDENTIAL UNIT DEVELOPMENT

PROPERTY DESCRIPTION
A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 31, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE N89°55'04"W 1100.00 FEET ALONG THE SOUTH LINE OF SECTION 31; THENCE N00°15'46"W 60.00 FEET TO THE POINT OF BEGINNING; THENCE EXTENDING N89°55'04"W 534.92 FEET ALONG THE NORTH RIGHT OF WAY LINE OF EIGHT MILE ROAD (60'-1/2 WIDTH); THENCE N00°22'42"W 764.60 FEET; THENCE N89°55'04"W 341.83 FEET; THENCE N00°22'42"W 1805.49 FEET TO THE EAST-WEST 1/4 LINE OF SECTION 31; THENCE N89°43'21"E 1981.92 FEET ALONG THE EAST-WEST 1/4 LINE OF SECTION 31 TO THE EAST 1/4 CORNER OF SECTION 31; THENCE S00°15'46"E 115.00 FEET (RECORDED) 115.19 FEET (MEASURED) ALONG THE EAST LINE OF SECTION 31; THENCE S89°43'21"W 1099.98 FEET; THENCE S00°15'46"E 2460.40 FEET TO THE POINT OF BEGINNING. CONTAINING 48.847 ACRES OF LAND.

SUBJECT TO THE RIGHTS OF THE PUBLIC IN EIGHT MILE ROAD AND GARFIELD ROAD.
ALSO SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY RECORDED OR OTHERWISE.

SOUTHEAST 1/4 CORNER, SECTION 31, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MI



EMERGENCY GRASS PAVERS ACCESS ROAD
NO SCALE

PAVED WALK/TEMP. EMERGENCY ACCESS CROSS SECTION
N.T.S.

2" TOPSOIL, SEED AND MULCH

MOOT 4C WEARING COURSE
BOND COAT
MOOT 3C LEVELING COURSE
MOOT 21AA LIMESTONE AGGREGATE BASE
COMPACTED SUB-GRADE NOT LESS THAN 95% MAX. UNIT WEIGHT TO A DEPTH OF 9"

NOTE: DRIVE MUST MEET 30 TON WEIGHT REQUIREMENT

N.T.S.

PROPOSED "BALLANTYNE" DEVELOPMENT

NOTE:
VARIANCE REQUIRED FOR EXCESSIVE LENGTH FROM 8 MILE ROAD TO EMERGENCY ACCESS (SUBMITTED UNDER SEPARATE COVER) DUE TO CONSISTENCY WITH EMERGENCY ACCESS IN PROPOSED "BALLANTYNE" DEVELOPMENT

NOTE:
ALTERNATE CONCEPT RUD PLAN TO BE IMPLEMENTED SHOULD COVINGTON ESTATES PRECEDE BALLANTYNE IN CONSTRUCTION.

UNIT SUMMARY

UNIT NO.	UNIT SF	UNIT WIDTH
1	22800.00	120.00
2	24475.63	135.70
3	22063.13	122.00
4	21960.00	122.00
5	23071.28	120.00
6	23278.43	120.00
7	23266.85	120.00
8	21766.28	120.00
9	24501.02	150.91
10	24520.06	151.80
11	22435.15	131.43
12	23332.55	120.13
13	23214.01	130.66
14	22802.13	120.03
15	24089.81	120.02
16	25573.27	120.00
17	33690.82	120.00
18	34758.70	120.00
19	22171.98	120.00
20	24063.16	120.58
21	24004.13	137.89
22	24884.85	140.00/194.62
23	28822.58	120.00
24	35018.76	120.00
25	24697.73	121.79
26	30698.89	132.50/193.33
27	26425.17	161.29/130.69
28	28301.21	120.00
29	40743.40	120.00
30	36339.56	120.00
31	26507.52	120.00
32	31113.04	142.76/227.66
33	27891.10	158.06
34	28481.42	145.24
35	25023.46	120.00
36	24599.99	120.01
37	23502.35	120.12
38	22800.00	120.00

RESIDENTIAL UNIT DEVELOPMENT OPTION
EX. ZONING: R-A
TOTAL NUMBER OF UNITS: 38
PR. MINIMUM UNIT SIZE: 21,780 FT² (0.50 ACRES)
(CONSISTENT WITH R-1)
PR. MINIMUM UNIT WIDTH: 120 FT
(CONSISTENT WITH R-1)

AVERAGE DENSITY CALCULATION:
SITE AREA: 48.85 AC.
AREA OF RIGHT OF WAY: 0.0 AC.
REGULATED WETLAND AREA (BY PART 301/303 OF NREPA, OR CHAPTER 12, ARTICLE 5 OF NOVI CODE OF ORDINANCES): 0.0 AC.
NET SITE AREA: 48.85 AC.
NUMBER OF UNITS: 38
DENSITY: 38 UNITS/48.85 ACRES = 0.78 UNITS/ACRE

REQUIRED REPLACEMENT TREES:
8" < 11" = 1 REPLACEMENT TREE
> 11" < 20" = 2 REPLACEMENT TREES
> 20" < 29" = 3 REPLACEMENT TREES
> 30" = 4 REPLACEMENT TREES

TREES TO BE REMOVED:

TAG NO.	SIZE	TYPE	WOODLAND REPLACEMENT REQ.
#2737	8"	Black cherry	1
#2744	32"	Black walnut	4
#2745	17"	Black walnut	2
			7 REPL. TREES

SOUTH 1/4 CORNER, SECTION 31, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MI

NOTE:
NO IMPACT TO WETLAND "A" OR 25 FOOT WETLAND SETBACK IS PROPOSED.

NOTE:
THE PERMANENT PRESERVATION OF THE WOODLAND AND WETLAND (NATURAL FEATURES), AS WELL AS THE MAINTENANCE AND PRESERVATION OF THE REMAINING OPEN SPACE WILL BE ADDRESSED IN THE MASTER DEED AND BYLAWS OF THE DEVELOPMENT. THE MAINTENANCE OF THE OPEN SPACES WILL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION, AND WILL BE OUTLINED IN THE MASTER DEED AND BYLAWS.

PR. 6" ALUMINUM PROJECT-IRON-LOOK FENCE
PR. 20' WIDE EMERGENCY ACCESS ROAD AND 8' WALK. SEE SECTION THIS SHEET
ACTIVE RECREATION AREA FOR HOMEOWNER ASSOCIATION DETERMINED RECREATIONAL ACTIVITIES.
PROPOSED FINE GRADE STONE TRAIL (ACTIVE RECREATION)
PROPOSED FINE GRADE STONE TRAIL (ACTIVE RECREATION)
STORMWATER OVERFLOW ROUTE (WITH 2-100 YEAR STORM).
FUTURE GATE TO BE INSTALLED (BY OTHERS)
PROPOSED RETENTION POND
PROPOSED RETENTION POND
PROPOSED RETENTION POND
PROPOSED BATHWAY CONNECTION WITH GATE.
TOTAL 2642.96'
660.94'
CENTER CORNER, SECTION 31, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MI
73.10

CALL MRS. G.S. 72 HOURS (WORKING DAYS) BEFORE PER REVIEW COMMENTS 4-25-2016 3:51:2016 PER PLANNING COM. 3/20/2016

REVISIONS

COVINGTON ESTATES
PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
4379 SCHOENERS STERLING HEIGHTS, MI 48313
PHONE (586) 739-9007 FAX (586) 739-6994
WWW.FAZALKHAN.COM

ALTERNATE CONCEPT RUD PLAN

PROJECT NO. FIELD BOOK 14-031 XXXX
DATE 12-19-2014
DRAWN BY O.P.
CHECKED BY C.T.

CLIENT BILTMORE LAND LLC
SCALE 1" = 100'

SHEET NO. 3A

PREVIOUS PLANNING COMMISSION MEETING MINUTES
March 9, 2016 (Draft)

1 correspondence and it is related to the
2 public hearings.

3 CHAIRPERSON PEHRSON: Very good.
4 Any committee reports, community development?

5 MS. MCBETH: Good evening.
6 Nothing to report this evening.

7 CHAIRPERSON PEHRSON: Brings us
8 to our first public hearing then.

9 Item No. 1 is Covington
10 Estate, JSP 15-02. It's a public hearing at
11 the Request of Biltmore Land, LLC for
12 recommendation to City Council for approval
13 of a residential unit development RUD plan
14 alternate.

15 The subject property is
16 located in Section 31, north of Eight Mile
17 and West Garfield in the RA residential
18 acreage district.

19 The applicant is proposing a
20 residential unit development RUD on 48.83
21 acre parcel to construct 38 single family
22 residential units.

23 The applicant is proposing
24 possible relocation of the emergency access
25 drive along the north property line from

1 Garfield to an alternate, to the current
2 proposed emergency personal access drive
3 location to the neighboring property to the
4 east in the event easements are not acquired.

5 Now it's your turn.

6 MS. MELLEM: So the parcels in
7 question are located west of Garfield Road
8 and north of Eight Mile Road in Section 31 in
9 the City of Novi. The property totals 48.83
10 acres. The current zoning is RA residential
11 acreage. The zonings to the north, east and
12 west are also RA and to the south is
13 Northville Township and Maybury State Park.

14 The future land use map
15 indicates single family residential for the
16 subject property and the surrounding
17 properties. There are a few regulated
18 wetlands and woodlands on the property.

19 The applicant has proposed a
20 38 unit single family residential unit
21 development on 48.85 acres. The purpose of
22 the RUD option is to permit an optional means
23 of development, flexibility in the RA through
24 our four residential districts, which allows
25 the mix of various residential dwelling units

1 and to permit permanent preservation of
2 valuable open land, gradual natural resources
3 and rural community character that would be
4 lost under conventional development.

5 The current plan is proposing
6 a variety of lot sizes, with four lots
7 conforming to the underlying zoning district
8 RA requirements, and the rest of the lots
9 conforming to the R1 requirements.

10 The proposed density is 0.8
11 units, which is consistent with the RA zoning
12 of the site. The current plan proposes to
13 preserve the natural features of the site and
14 provides active recreation for the residents
15 with 42 percent of the site intended for open
16 space.

17 A paved pathway connection is
18 proposed from the trail to Garfield Road, and
19 provides opportunities for active or passive
20 recreation along the sides in the future.

21 The applicant is also
22 proposing a gated community.

23 So this submittal is to
24 provide an alternate RUD plan, in the event
25 that the Ballantyne development, which is to

1 the east of the property, is not constructed
2 prior to commencing construction of this
3 site.

4 The plans have been prepared
5 to illustrate an alternate plan which
6 includes an additional 20-foot wide asphalt
7 emergency access drive, along the northern
8 property line, to the -- from the proposed
9 Covington Drive cul-de-sac connecting to
10 Garfield Road, which both sides will be gated
11 and a water main connection to Garfield Road
12 in the same area. Minor modifications to
13 units 18 through 20 are proposed and shifted
14 to accommodate the width of the proposed
15 emergency access road and sidewalk.

16 If approved, the applicant
17 would have a means to construct Covington
18 Estates regardless of the timing of
19 Ballantyne.

20 So the original site plan was
21 approved by the Planning Commission on
22 August 15, 2015 and was approved by City
23 Council on September 14, 2015.

24 The plan is in general
25 conformance with the code except for a few

1 deviations identified in the review letters.

2 Planning is recommending
3 approval of the current plan provided the
4 City Council approves the modification to the
5 lot sizes and building setback reductions,
6 which was like the previous plan.

7 Engineering is recommending
8 approval of the revised RUD plan with
9 additional comments to be addressed with the
10 next submittal. Engineering identified two
11 DCS variances that would be required. One to
12 be able to exceed the maximum distance of
13 1,500 feet between Eight Mile and both
14 emergency accesses. Two, to not provide a
15 sub-straight to the subdivision boundary at
16 intervals not to exceed 1,300 feet along the
17 subdivision perimeter.

18 Landscaping, fire recommend
19 approval of the revised RUD plan with
20 additional comments to be addressed next
21 submittal.

22 Traffic, wetlands and
23 woodlands did not see this review since there
24 was no changes to those parts of the plan.

25 So the Planning Commission is

1 asked tonight to hold a public hearing and to
2 make a recommendation to City Council to
3 approve the RUD alternate for the Covington
4 Estate site.

5 The applicant representatives
6 are here tonight to answer any questions you
7 may have.

8 As always, I am happy to
9 answer questions that you have of me. Thank
10 you.

11 CHAIRPERSON PEHRSON: Thank you,
12 Kirsten.

13 Does the applicant wish to
14 address the Planning Commission at this time?

15 MS. THURBER: Good evening. I'm
16 Carol Thurber with Fazal Kahn and Associates.
17 We are the engineers for Biltmore Land, LLC.

18 I really have nothing to add
19 only one minor item. It was mentioned at the
20 very beginning that four units were going to
21 conform to the original RA requirements, and
22 at the City Council meeting, we were asked to
23 make all of the units the same, rather than
24 to have four units conforming to the original
25 RA. So we did make that change, that

1 request.

2 CHAIRPERSON PEHRSON: Thank you.
3 Appreciate it.

4 MS. THURBER: And it provided
5 more open space.

6 CHAIRPERSON PEHRSON: If you want
7 to have a seat.

8 If there is anyone in the
9 audience right now that wishes to address the
10 Planning Commission on this particular
11 matter, please step forward.

12 As you do, please come to the
13 podium, if you could also please speak
14 loudly, and give us your name and address so
15 our court reporter, Ms. Jennifer, can make
16 sure you're on the record. Thank you.

17 MR. COROTNI: Hello. My name is
18 James Corotni. I live at 49531 Deer Run, on
19 the north boundary of the proposed change and
20 would like to highlight concerns that I have
21 on this change for whoever is making the
22 decisions.

23 I have read through all the
24 material and there is a number of comments
25 about not having a detrimental affect on

1 adjacent property and findings, having a
2 demonstrated need for proposed use,
3 maintaining the naturalness of the site and
4 blend of the use, within the site and its
5 surroundings.

6 Applicant has provided a
7 clear, explicit and substantial and
8 ascertainable benefits to the city as a
9 result, and consistent with the surrounding
10 areas, not injurious to the natural features
11 and resources of the property and surrounding
12 area.

13 So, if you will bear with me
14 for a moment, I just want to give a couple of
15 comments and thoughts.

16 I do have an overarching
17 concern that we are talking putting a road in
18 that impacts us Deer Run residents and
19 particularly those that live adjacent to
20 this. I'm not sure I fully understand why
21 that's the only option and why something that
22 is a permanent change in a road that impacts
23 us heavily, of course, we live there.

24 You know, there aren't other
25 options that are being laid out. I don't

1 fully comprehend all the other situations
2 that have gone into it, the agreements,
3 disagreements, things that are going on,
4 schedule-wise between Ballantyne and
5 Covington. But that is a concern of mine,
6 that there are not options that I can look at
7 and understand and see.

8 There is somewhat of an
9 increase and safety concern for our children.
10 Of course, we should keep them in the yard
11 and all of that stuff, but a concern that we
12 wouldn't have otherwise.

13 Two primary concerns, being at
14 a lower elevation, approximately 10 feet down
15 from where that berm is, and where the walk
16 path is again, the proposed road. Privacy,
17 number one, and that particular elevation
18 down, we lose the opportunity that I would be
19 asking for landscaping, of course, that would
20 help with that, what have you, a road going
21 there, alongside the walk path, is going to
22 mean there is less opportunity for
23 landscaping, building up a berm or thinking
24 that also is going to help with that. Also
25 noise levels, also reduced, same reasons.

1 Of course, I'm concerned about
2 my property value, and selling price.
3 Anybody that's there is going to see a road
4 there, is going to be less likely to want to
5 purchase my house at a price that I will be
6 looking for, and I have no idea if this is a
7 concern to anybody else, but we do have a
8 significant white tail deer herd in the area
9 that constantly is moving across both the
10 full width of Ballantyne, Covington and
11 generally quite often in that north boundary,
12 and they are going to be less likely to be
13 able to do that, or for us to be able to
14 enjoy them, if there is a road there in
15 addition to a walk path.

16 So those are some of the
17 concerns I have as a resident living right
18 along that boundary. Thank you.

19 CHAIRPERSON PEHRSON: Thank you.
20 Anyone else? Just for the audience, there is
21 a three minute time limit, so if you would be
22 brief, I would appreciate it.

23 MR. STEVENS: For the record, my
24 name is Gary Stevens, 49551 Deer Run. I am a
25 newcomer to the area. My wife and I just

1 moved here in July.

2 With some experience in land
3 planning, I obviously took note to this what
4 I would term a flag lot, which runs directly
5 behind my property, and relied upon the
6 planning department -- the Planning
7 Commission's other guidance that this flag
8 lot was to be used for a pervious surface,
9 nature trail, and not for a paved roadway.

10 When I looked into where this
11 emergency access was originally planned and
12 approved by the Commission, it demonstrated
13 to be sound land planning and that you were
14 combining two residential subdivisions and
15 using emergency access that would be shared
16 through both of these developments.

17 I see no reason to change that
18 plan other than to sue the developers either
19 timing to market, which should not be my
20 concern, or otherwise the developer did not
21 acquire these private property rights to
22 traverse Ballantyne via easement.

23 I don't see any overriding
24 reason why my property rights should be
25 impinged with a permanent paved pathway. I'd

1 also like to point out that there is a
2 clearly marked 16-inch high pressure gas line
3 within this strip, that may make this entire
4 hearing technically unfeasible since no one
5 seems to know really about that easement and
6 its potential impact on the ability to
7 relocate to this area.

8 I have other comments that I
9 submitted in writing for the record.

10 CHAIRPERSON PEHRSON: Thank you,
11 sir. Anyone else?

12 (No audible responses.)

13 No one else wishes to address
14 the Planning Commission, I think we have some
15 correspondence? Possible?

16 MR. GRECO: Yes, we do. We have
17 a letter dated March 9 from Jason and Polly
18 Kenison, voicing concerns regarding the
19 alternate plans proposed for the Covington
20 Estates development. They are residents of
21 Deer Run, and the backyard directly abuts
22 where Covington is proposing an emergency
23 access road. They do not agree with the road
24 being placed there. They object because also
25 there is no landscaping being proposed along

1 the border of our yards, and the development,
2 and even without the emergency access road,
3 they will have people walking and riding
4 bikes along the top ridge of their yard.
5 This is concerning because they have small
6 children.

7 Just for the record, I'm
8 summarizing the correspondence.

9 Next is a letter dated
10 March 9, 2016, by Mr. Stevens, which in
11 addition to his public comments, he has
12 submitted, which he objects to the placement
13 of the road, he opposed the proposed change,
14 and reviewed the plans, characterizes it as a
15 flag lot connection. Was previously
16 satisfied with the review by the Planning
17 Commission. And understands that this change
18 has been made because there's been more
19 wishes to commence construction on Covington
20 earlier than Ballantyne, the neighboring
21 development. Believes that the earlier
22 placement was adequate.

23 The proposed relocation flies
24 in the face of Planning, the only reason
25 being given for the change is to expedite the

1 developer's time to market.

2 Also points out as he pointed
3 out during his public comments about this
4 16-inch high pressure gas line, clearly
5 marked throughout the area. Has concerns
6 with that and generally objects to the
7 repositions of the road.

8 Next, we have a letter from
9 Tyler Wells dated February 27. Objecting,
10 general tenor of the letter, to this change,
11 which may adversely affect the residents in
12 the neighborhood.

13 Again, objects to the
14 placement of the road and believes that the
15 alternative road now being proposed may
16 adversely affect property value.

17 Her understanding was that the
18 green belt is an easement for utility and gas
19 lines which she never imagined would be
20 developed in any way, and believes that this
21 change that she objects to is a material
22 change from the original plan. That
23 concludes.

24 CHAIRPERSON PEHRSON: Very good.
25 We will close the public hearing on this

1 particular matter and turn it over to the
2 Planning Commission for their consideration.
3 Would you like to start?

4 Member Zuchlewski.

5 MR. ZUCHLEWSKI: Yes, my first
6 question is for Carol Thurber.

7 Carol, a couple of instances,
8 I've heard a delay in market time to project
9 time to market.

10 What type of time frame are we
11 talking about here? Is there any ideas, at
12 three months, six months, a year type of time
13 to market we are talking about?

14 What's the value of that
15 statement? Can you tell me?

16 MS. THURBER: There really -- the
17 statement was indicating that there was a
18 delay in our time frame because of this, and
19 the statement really for us is that the
20 Ballantyne development is uncertain. We
21 don't know when it would be developed. And
22 so it was requested to find an alternate
23 emergency access, in the event that we cannot
24 make the access through to Ballantyne as
25 originally planned.

1 MR. ZUCHLEWSKI: Barb, can you
2 help me out with kind of what's going on with
3 the other project?

4 MS. MCBETH: Yes, from what I
5 understand, and what Ms. Thurber said is that
6 timing is uncertain with Ballantyne. We have
7 talked with the applicant for that project as
8 well, and they're not exactly certain as to
9 when that development will commence. So the
10 proposed alternate that's being proposed is
11 that another location for the emergency
12 access that would lead out to Garfield Road,
13 provide two means of access in case of an
14 emergency.

15 This could be considered
16 something that, you know, could be temporary
17 in nature, wouldn't necessarily have to be a
18 permanent access point as soon as the
19 Ballantyne project develops, and then the
20 connection is made through. It's possible
21 that the other connection along the north
22 property line could be abandoned.

23 And we have had brief
24 discussions about that, to see if that may be
25 feasible, and the Planning Commission thought

1 that was a positive recommendation, you could
2 make that recommendation to council.

3 MR. ZUCHLEWSKI: So the road
4 could be paved gravel, would that work?

5 MS. MCBETH: It would need to be
6 able to support a fire truck, so it's got
7 have a certain capacity. It could either be
8 grass pavers potentially, or maybe even use
9 the nature of the bike path that's proposed,
10 although the north side, that had been
11 proposed, too. With an extension on either
12 side of that with the pavers, or some other
13 that would be able to support a fire truck,
14 could be a solution, we haven't talked
15 completely with the applicant about those,
16 but perhaps something like that could be
17 done.

18 MR. ZUCHLEWSKI: Barb, the other
19 question I have, would be for you.

20 There is this discussion about
21 this large gas main. Is it true that nobody
22 knows where it is, there is no records of an
23 easement?

24 MS. MCBETH: Ms. Thurber knows
25 about that, she has that on the drawings as

1 well.

2 MS. THURBER: It is shown on the
3 drawings, picked up from the gas markers that
4 we encountered in the field when we were
5 doing our survey. So it is shown in its
6 accurate location.

7 MR. ZUCHLEWSKI: What is the
8 depth of that?

9 MS. THURBER: We don't know the
10 depth. When we get further into design, we
11 will coordinate that with the utility
12 company.

13 MR. ZUCHLEWSKI: What is it, just
14 a contact with Michcon to find out where that
15 is?

16 MS. THURBER: Yes, it's Consumers
17 actually.

18 MR. ZUCHLEWSKI: Consumers, okay.

19 Would there be -- on the
20 developer's part, if we were going to put in
21 a temporary road, crushed gravel or whatever
22 that support fire trucks, what would the
23 likelihood be that we could get a line of
24 shrubs that go along the north side of that
25 easement or that -- you know, what would the

1 chance of that be, is there a likelihood that
2 we could --

3 MS. THURBER: I think there would
4 be a likelihood for that and that we could
5 work that with landscape, find something that
6 would be more screening.

7 MR. ZUCHLEWSKI: Those are the
8 only two questions that I have.

9 CHAIRPERSON PEHRSON: Thank you,
10 sir. Anyone else? Member Baratta?

11 MR. BARATTA: Carol, just a
12 couple other questions, as long as we have
13 you up there.

14 What is the distance between
15 this proposed road and the edge of the
16 property? Do you know that offhand?

17 MS. THURBER: The proposed road
18 as it's shown right now is on the southern
19 edge of the -- call it the strip, which is
20 100 feet wide. So there is -- you're
21 actually closer from the walk to the property
22 line, but there is still about 55 feet to
23 60 feet at least.

24 MR. ZUCHLEWSKI: 55 to 60. And
25 do you know what the elevation of that road

1 is?

2 MS. THURBER: We have not done
3 any grading yet on the road. We would have
4 to coordinate that with the Ballantyne
5 grading, too, when we get to that point.

6 MR. BARATTA: What else did I
7 have here.

8 And do you anticipate any
9 issues with the -- maybe this is before you
10 get your engineering done, what concerns me
11 is this gas line. And you're going -- you
12 want to put a temporary there. I understand
13 that's for emergency vehicles and it's not
14 going to be used frequently, et cetera,
15 et cetera, hopefully.

16 But that gas line being there,
17 you're going to have to have a certain
18 elevation of road if you're going to have a
19 certain elevation of the gas line.

20 Do you think that that's
21 posing a problem, that would prevent you from
22 putting that road?

23 MS. THURBER: It does not. The
24 gas line is closer to the north property
25 line.

1 MR. BARATTA: Where was your road
2 before, was it the one right in the middle
3 there?

4 MS. THURBER: It's actually still
5 shown there.

6 MR. BARATTA: Between 13 and 12,
7 is that where it is?

8 MS. THURBER: Yes.

9 MR. BARATTA: Why would we not be
10 able to construct that temporary road? Could
11 we not get an easement from the Ballantyne
12 project to let you do that?

13 MS. THURBER: We would have to
14 get an easement all the way through the
15 Ballantyne project.

16 MR. BARATTA: Would they allow
17 that or have you approached that?

18 MS. THURBER: We had approached
19 them initially about that. It's because they
20 are uncertain of their time frame.

21 MR. BARATTA: That would prevent
22 them from giving you that easement?

23 MS. THURBER: I believe so.

24 MR. BARATTA: Thank you very
25 much.

1 CHAIRPERSON PEHRSON: Thank you,
2 Member Baratta.

3 Member Giacometti?

4 MR. GIACOPETTI: Are there
5 representatives here from Ballantyne?

6 CHAIRPERSON PEHRSON: No.

7 MR. GIACOPETTI: Oh, there is.
8 Were you available for comment.

9 MR. GREWAL: Avi Grewal from
10 Singh Development.

11 MR. GIACOPETTI: Maybe this is a
12 question for both. If you could summarize
13 just the nature of your discussions between
14 each other to date.

15 To me, the most logical
16 solutions seems like a temporary easement
17 through the property, so that it -- so this
18 development can proceed, if it's on a
19 schedule that's quicker than the Singh
20 development. Can you answer that --

21 MR. GREWAL: We are happy to open
22 up that discussion. That's fine with us.

23 MR. GIACOPETTI: You're okay with
24 that?

25 MR. GREWAL: Opening the

1 discussion, I think we would have to know
2 more specifics about it, with us and
3 Biltmore.

4 MR. GIACOPETTI: I'm sorry,
5 through the chair, Barb, what is Ballantyne,
6 if you can refresh my memory, that's an RUD
7 also, or --

8 MS. MCBETH: Yes, that is an RUD
9 as well.

10 MR. GIACOPETTI: And when does
11 that agreement expire?

12 MR. GREWAL: That agreement
13 expires next year, 2017.

14 MS. MCBETH: It's got another --
15 it's been recorded, I believe, with the
16 county, so it's got sometime left on it.

17 MR. GIACOPETTI: Approximately a
18 year?

19 MS. MCBETH: I'm sorry, I don't
20 have that answer right now.

21 MR. GREWAL: I recall sometime
22 next year, sometime in 2017. I don't know
23 the exact date or month, but --

24 MR. GIACOPETTI: There is nothing
25 we can do to reopen that until it expires,

1 correct?

2 MS. MCBETH: Correct.

3 MR. GIACOPETTI: Those are all my
4 questions.

5 MR. BARATTA: I have follow-up.
6 So obviously the parties were looking to
7 develop two housing developments.

8 There is an easement here for
9 emergency easement, obviously. Would there
10 be an objection on your part, you see -- your
11 part you see what they want to do to go back
12 and see if we can put that easement into
13 Ballantyne? Because it seems to be a waste
14 in my mind. To build a new access easement
15 at a different size of the property, when
16 inevitably you're going to construct
17 something. And it makes absolutely sense to
18 have connectivity.

19 Why would we not -- and I
20 don't want to disturb -- what you're
21 proposing, but if there were a temporary
22 easement here for this emergency, it seems
23 like it would be a benefit to your group and
24 the applicant's group. Why would we not
25 consider that today?

1 MR. GREWAL: This is the first
2 I'm hearing of it, to be honest with you, so
3 before reading the packet last night, that's
4 the first time I have heard of this option of
5 putting emergency access at the north end of
6 my property, so I haven't had -- I have to
7 have some discussion with my internal group
8 on what we want to do. But I see what your
9 point is.

10 MR. BARATTA: You are inevitably
11 going to need something from this group, and
12 we all have to play nice together, so --

13 MR. GREWAL: Quite honestly, we
14 put that emergency access connection early on
15 in our original proposal, we offered that up
16 originally, it wasn't something that was
17 required by us, I don't think. So knowing
18 that there would be the another group to the
19 west of us that would need that access, so --

20 MR. BARATTA: Thank you very
21 much.

22 CHAIRPERSON PEHRSON: Member
23 Greco?

24 MR. GRECO: Yes, which all of
25 this discussion leads me to the -- have there

1 been discussions or there have not been
2 discussions?

3 MR. GREWAL: No. Like I said,
4 this is the first time I am hearing about it.

5 MR. GRECO: But somebody had
6 discussions with the applicant and you're
7 just hearing about it now or there have not
8 been discussions?

9 MR. GREWAL: To my knowledge,
10 there has not been any discussions.

11 MR. GRECO: Fair enough. I
12 thought it was represented that there were
13 some discussions and could not be obtained?

14 MR. BARATTA: That's what I
15 understood initially.

16 MR. GRECO: I'd like to speak
17 with the applicant, Ms. Thurber.

18 Have there been discussions?

19 MS. THURBER: I was under the
20 impression that my client had already
21 contacted Singh about that.

22 MR. GRECO: I guess, my initial
23 comments both -- well, primarily to the
24 Planning Commission, you know the access or
25 the new access road, it doesn't bother me

1 that much because it's not really a road with
2 traffic. It's an access road for emergency,
3 I guess, on the south side of a path there.

4 With that being said, it
5 sounds like through our inquiry and
6 discussion here that perhaps there is an
7 alternative that would satisfy the residents
8 that hasn't been fully explored.

9 So I mean, that would be my
10 comment, I mean, it seems like this is a
11 solution as Member Baratta correctly points
12 out it's going to be necessary for both lots.
13 This access road on the north may not be not
14 only necessary, but optimal and it should be
15 something that should be explored between the
16 parties.

17 MR. BARATTA: I would agree.

18 MR. GRECO: To get this done.

19 CHAIRPERSON PEHRSON: If I might,
20 Barb, relative to the access on any given
21 parcel, given that that road is going into
22 Ballantyne, that is not developed at this
23 point in time, we don't require the access to
24 be functional, just be available so that we
25 can in future times have that availability of

1 an emergency access, is that correct?

2 MS. MCBETH: Yes, in the past we
3 have wanted these emergency access connection
4 points to match up, adjacent pieces of
5 property. In other cases we have said, it
6 may be sometime before there is a connection
7 made and we would like to see another
8 location for a temporary emergency access,
9 that's what happening in this case.

10 We are not sure of the timing,
11 so we are looking for a temporary other
12 location or a permanent alternate location.

13 CHAIRPERSON PEHRSON: So for the
14 sake of this particular development, if that
15 roadway were made along the strip to serve as
16 that emergency access until the point in time
17 in which the Ballantyne property is
18 developed, in which case that other access
19 could be utilized in the original access
20 could then be removed, replanted whatever, is
21 within the discretion of the Planning
22 Commission to make a recommendation at this
23 point in the time?

24 MS. MCBETH: Yes, I think that's
25 correct.

1 CHAIRPERSON PEHRSON: So my
2 recommendation is I can't bet on the future,
3 so I'm not going to bet on Ballantyne being
4 here next year, or the year after, so I would
5 suggest that we include the emergency access
6 to the strip, knowing full well that it will,
7 can be removed and would be removed in due
8 time as soon as the development further,
9 Ballantyne whatever it might be called, is
10 there and that begins the emergency access.

11 MR. ZUCHLEWSKI: So the emergency
12 access would in go as it's indicated?

13 CHAIRPERSON PEHRSON: As a
14 temporary.

15 MR. ZUCHLEWSKI: As a temporary
16 and then the bike or running path, would that
17 be removed also or that will remain?

18 CHAIRPERSON PEHRSON: That would
19 remain.

20 MR. ZUCHLEWSKI: That would
21 remain, okay.

22 Then the potential is when
23 Ballantyne does their work, they would be
24 able to tie into that same road -- that's the
25 temporary?

1 CHAIRPERSON PEHRSON: Yes.

2 MR. ZUCHLEWSKI: Maybe we can
3 landscape that up real nice.

4 MR. BARATTA: Mr. Chairperson, I
5 look at a willingness or I'm hearing a
6 willingness from the parties to talk.

7 I would recommend, I propose a
8 motion to table this for 30 days so the
9 parties can at least discuss it and see if
10 they could put a temporary easement across
11 the property as planned. I think we need to
12 exhaust that issue first.

13 CHAIRPERSON PEHRSON: I don't
14 want to put this petitioner in harm's way if
15 they had got development timing for 30 days
16 for that fact.

17 Ms. Thurber, do you have -- is
18 this a green light project, are you ready to
19 start moving earth?

20 MS. THURBER: We are ready to do
21 cement for our preliminary site planning and
22 engineering, yes.

23 MR. GIACOPETTI: If you are
24 making a motion, I will second it, because I
25 agree with you. I think it's wasteful.

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CHAIRPERSON PEHRSON: There is a motion on the table then to table for 30 days, motion by Member Baratta seconded by Member Giacometti.

Any other comments?

(No audible responses.)

CHAIRPERSON PEHRSON: Barb, will you call the roll.

MS. MCBETH: Member Baratta?

MR. BARATTA: Yes.

MS. MCBETH: Member Giacometti?

MR. GIACOPETTI: Yes.

MS. MCBETH: Member Greco?

MR. GRECO: Yes.

MS. MCBETH: Chair Pehrson?

CHAIRPERSON PEHRSON: No.

MS. MCBETH: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MCBETH: Member Anthony?

MR. ANTHONY: No.

MS. MCBETH: Motion passes four to two.

CHAIRPERSON PEHRSON: Okay. Next on the agenda is the Dixon Meadows JSP 14-46 with rezoning 18.709.

PLANNING REVIEW



Plan Review Center Report

April 14, 2016

Planning Review

Covington Estates RUD

JSP 15-02

Petitioner

Biltmore Land, LLC

Review Type

RUD 2nd Revised Concept Plan - Alternate

Property Characteristics

- Site Location: West of Garfield Road and North of Eight Mile Road (Section 31)
- Site Zoning: RA, Residential Acreage
- Adjoining Zoning: North, East and West: RA; South (Northville Township) Maybury State Park
- Current Site Use: Vacant
- Adjoining Uses: East and West: Vacant; South: Maybury State Park; North: Single-Family Residential
- School District: Northville Community School District
- Site Size: 48.83 acres
- Plan Date: 2-3-2016

Project Summary

The applicant is proposing a Residential Unit Development (RUD) on a 48.83 acre parcel north of Eight Mile and West of Garfield in order to construct 38 single-family residential units. Four of the total units are consistent with the underlying zoning (RA) requirements. The rest are consistent with R-1 requirements. The ordinance states that an RUD shall include detached one-family dwelling units, as proposed. While a variety of housing types is expected in an RUD, the overall density generally shall not exceed the density permitted in the underlying zoning district. The proposed density is 0.8 units per acre consistent with the RA, Residential Acreage zoning of the site. The remainder of the site 20.67(42%) is intended to be open space. The applicant is proposing a gated community.

This submittal is to provide an alternate RUD plan in the event that the Ballantyne development is not constructed prior to commencing construction of this development. The plans have been prepared to illustrate the proposed text in the RUD agreement regarding an alternate plan that provides an additional 20 foot wide emergency access drive along the north property line from the proposed Covington Drive cul-de-sac connecting to Garfield Road (gated at both ends), and a water main connection to Garfield Road in the same area. Minor modifications to units 18 through 20 are proposed and shifted to accommodate the width of the proposed emergency access road and sidewalk. If approved, the applicant would have a means to construct Covington Estates regardless of the timing of Ballantyne.

This revised submittal comes after a request from the Planning Commission to approach the owner of the Ballantyne property (Singh Group) and explore the option of a temporary easement for emergency access. Singh Group denied the request for the temporary easement. Therefore, the applicant is proposing an 8-foot path with 6-foot wide gravel shoulders. The path has been moved away from the homes to the North, roughly 80 feet south of the northern boundary of Covington Estates. In addition, the applicant is proposing to plant

170, 6-foot arbor vitae along the North boundary of the proposed site to provide screening. The temporary emergency access will terminate on completion of the development of the Ballantyne property, when the emergency access between lots 12 and 13 in Covington Estates becomes active and permanent.

Planning Commission Findings

The rezoning and development appeared for public hearing with the Planning Commission on August 12, 2015. The Planning Commission voted to recommend approval to City Council with the following motion:

In the matter of Covington Estates, JSP15-02, motion to recommend approval of the Residential Unit Development (RUD) Plan subject to and based on the following findings:

- a. The site is appropriate for the proposed use;*
- b. The development will not have detrimental effects on adjacent properties and the community;*
- c. The applicant has clearly demonstrated a need for the proposed use;*
- d. Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings;*
- e. The applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;*
- f. Relative to other feasible uses of the site:*
 - 1. All applicable provisions of Section 3.29.8.B of the Zoning Ordinance, other applicable requirements of the Zoning Ordinance, including those applicable to special land uses, and all applicable ordinances, codes, regulations and laws have been met;*
 - 2. Adequate areas have been set aside for all walkways, playgrounds, parks, recreation areas, parking areas and other open spaces and areas to be used by residents of the development and the Planning Commission is satisfied that the applicant will make provisions that assure that;*
 - 3. Traffic circulation features within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;*
 - 4. The proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;*
 - 5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;*
 - 6. The RUD will provide for the preservation and creation of open space and result in minimal impacts to provided open space and natural features;*
 - 7. The RUD will be compatible with adjacent and neighboring existing and planned land uses;*
 - 8. The desirability of conventional residential development within the City is outweighed by benefits occurring from the preservation and creation of open space and the establishment of park facilities that will result from the RUD;*
 - 9. There will not be an increase in the total number of dwelling units over that which would occur with a conventional residential development;*
 - 10. The proposed reductions in lot sizes are the minimum necessary to preserve and create open space, to provide for park sites, and to ensure compatibility with adjacent and neighboring land uses;*
 - 11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost and will add to the City tax base;*

12. *The Planning Commission is satisfied that the applicant will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;*
 13. *The Planning Commission is satisfied that the applicant will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and*
 14. *Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.*
- g. *City Council modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 feet as the requested modification will result in preserving and creating open space and recreational area as noted in Section 3.29.8.B.x of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;*
 - h. *City Council reduction of permitted building setbacks consistent with the proposed reduction in lot size and width;*
 - i. *City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;*
 - j. *City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access;*

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

The RUD Plan – Alternate appeared for public hearing on March 9, 2016. The Planning Commission voted to postpone action with the following motion:

In the matter of Covington Estates, JSP 15-02, motion to postpone action on the Residential Unit Development (RUD) Plan – Alternate to allow the applicant and adjacent property owner time to explore the option of an easement for emergency access instead. Motion carried 4-2.

City Council Findings

The RUD concept plan appeared before City Council on September 14, 2015. The City Council voted to approve with the following motion:

To grant preliminary approval of the Residential Unit Development Plan for the Covington. This preliminary approval is subject to and conditioned on Council's final approval of the RUD Agreement to be provided and approved at a future meeting. This motion is based on the following findings, lot size modifications, building setback reductions and conditions:

Determinations (Zoning Ordinance Section 3.29 .8.A):

- a. *The site is zoned for and appropriate for the proposed single family residential use;*
- b. *Council is satisfied that with the proposed pathway and sidewalk network and added open space, the development will not have detrimental effects on adjacent properties and the community;*
- c. *Council is satisfied with the applicant's commitment and desire to proceed with construction of 38 new homes as demonstrating a need for the proposed use;*
- d. *Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings through the preservation of 19 acres (or 39 %) of the proposed development area as open space;*
- e. *Council is satisfied that the applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;*

- f. Factors evaluated (Zoning Ordinance Section 3.29.8.8):
1. Subject to the lot size modifications and building setbacks reductions, all applicable provisions of the Zoning Ordinance, including those in Section 3.29.8.8 and for special land uses, and other ordinances, codes, regulations and laws have been or will be met;
 2. Council is satisfied with the adequacy of the areas that have been set aside in the proposed RUD development area for walkways, parks, recreation areas, and other open spaces and areas for use by residents of the development;
 3. Council is satisfied that the traffic circulation, sidewalk and crosswalk features and improvements for within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
 4. Based on and subject to the recommendations in the traffic consultant's review letter, Council is satisfied that the proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;
 5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;
 6. The RUD will provide for the preservation and creation of approximately 39% of the site as open space and result in minimal impacts to provided open space and the most significant natural features;
 7. The RUD will be compatible with adjacent and neighboring land uses for the reasons already stated;
 8. The desirability of conventional residential development on this site in strict conformity with the otherwise applicable minimum lot sizes and widths being modified by this motion is outweighed by benefits occurring from the preservation and creation of the open space that will result from the RUD;
 9. Any detrimental impact from the RUD resulting from an increase in total dwelling units over that which would occur with conventional residential development is outweighed by benefits occurring from the preservation and creation of open space that will result from the RUD;
 10. Council is satisfied that the proposed reductions in lot sizes are the minimum necessary to preserve and create open space and to ensure compatibility with adjacent and neighboring land uses;
 11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost;
 12. Council is satisfied that the applicant has made or will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;
 13. Council is satisfied that the applicant has made or will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and
 14. Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.
- g. Modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 feet is hereby approved, based on and limited to the lot configuration shown on the concept plan as last revised, as the requested modification will result in the preservation of open space for those purposes noted in Section 3.29.3.B of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;

- h. Reduction of permitted building setbacks is approved as it is consistent with the proposed reduction in lot size and width;
- i. City Council variance from Appendix C Section 4.04(A) (1) of Novi. City Code for not providing a stub street to the subdivision boundary along subdivision perimeter is granted;
- j. City Council variance from Section 11-194(a)(7) of the No vi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access is granted; and
- k. This approval is subject to all plans and activities related to it being in compliance with all applicable provisions of the Zoning Ordinance, including Articles 3, 4 and 5, and all applicable City Zoning Ordinance approvals, decisions, conditions and permits.

The applicant will be allowed to reduce the lots to make them consistent throughout the site. The applicant will provide the pedestrian pathway connection to the western property line that will be determined by staff. The applicant will incorporate all the determinations.

Recommendation

Staff **recommends approval of the RUD 2nd Revised Concept Plan - Alternate** to allow for the development of the subject property. The RUD 2nd Revised Concept Plan – Alternate will need to be approved for a deviation from the Design and Construction Standards by the City Council.

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3.0 (Zoning Districts), Article 4.0 (Use Standards), Article 5.0 (Site Standards) and any other applicable provisions of the Zoning Ordinance. Please see the attached charts for information pertaining to ordinance requirements. Items in **bold** below must be addressed by the applicant and/or Planning Commission/City Council.

1. **RUD Intent:** As an optional form of development, the RUD allows development flexibility of various types of residential dwelling units (one-family, attached one-family cluster). It is also the intent of the RUD option to permit permanent preservation of valuable open land, fragile natural resources and rural community character that would be lost under conventional development. This is accomplished by permitting flexible lot sizes in accordance with open land preservation credits when the residential developments are located in a substantial open land setting, and through the consideration of relaxation of area, bulk, yard, dimensional and other zoning ordinance standards in order to accomplish specific planning objectives.

This flexibility is intended to reduce the visual intensity of development; provide privacy; protect natural resources from intrusion, pollution, or impairment; protect locally important animal and plant habitats; preserve lands of unique scenic, historic, or geologic value; provide private neighborhood recreation; and protect the public health, safety and welfare. Such flexibility will also provide for:

- The use of land in accordance with its character and adaptability;
- The construction and maintenance of streets, utilities and public services in a more economical and efficient manner;
- The compatible design and use of neighboring properties; and
- The reduction of development sprawl, so as to preserve open space as undeveloped land.

Applicant provided a written statement explaining in detail the full intent of the application as explained in section 3.29.7.F

2. **Lot Size and Area:** One-family detached dwellings are subject to the minimum lot area

and size requirements of the underlying district. RA zoning requires 43,560 sq. ft. lots that are a minimum of 150 ft. wide. The applicant has proposed a minimum size of 21,766 sq. ft. and a minimum width of 120 ft. *The City Council tentatively approved the proposed modifications to minimum required lot size and width requirements, as such modification results in the preservation of open space for those purposes set forth in Section 3.29.B of the Zoning Ordinance, and the RUD concept plan provides a genuine variety of lot sizes.* The plans indicate that a total of 20.67 acres of open space will be maintained in this development (mostly in the perimeter buffering and detention basin area), which is about 42 percent of the area of the site. The applicant has provided a summary of lot sizes throughout the entire development. There are a variety of lot sizes throughout the proposed development. Lots range from approximately 21,766 sq. ft. to 40,743 sq. ft., allowing for some variation in lot size. About five lots at the end of cul-de-sac are larger than the rest of the development to maintain a minimum lot width of 120 feet and to avoid creating odd shaped lots.

3. **Building Setback:** One-family detached dwellings in an RUD are subject to the building setback regulations of the underlying zoning district, in this case the RA District. The RA District setbacks are listed in the attached planning review chart. The applicant has proposed reduced building setbacks consistent with the proposed lot size. *This setback reduction was tentatively approved by the City Council as the reduction in lot size and area noted above are approved.*
4. **Streets (Subdivision Ordinance: Sec. 4.04):** Extend streets to boundary to provide access intervals not to exceed 1,300 ft. unless one of the following exists: practical difficulties because of topographic conditions or natural features or would create undesirable traffic patterns. *A Design & Construction Standards variance will need to be approved by City Council. The deviation should be part of the RUD agreement.*
5. **Sidewalks:** The applicant has proposed 8' sidewalks along Eight Mile Road and Garfield Road. **Refer to Engineering comments concerning pathways within the site.**
6. **Special Land Use:** The Planning Commission shall also consider the standards for Special Land Use approval as a part of its review of the proposed RUD, per Section 6.2.
7. **Master Deed and By-laws:** The Master Deed and By-laws must be submitted for review with the Final Site Plan submittal.
8. **Lighting:** The City Council recently passed a text amendment requiring an entrance light at all residential developments. **The applicant has proposed an entrance light on Eight Mile Road. Contact Jeremy Miller (248.735.5694) in the Engineering Division to begin the process of working with the City and DTE on the installation of the entrance light.**
9. **Signage:** Exterior Signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland (248.347.0438) for information regarding sign permits.
10. **Temporary Emergency Access: Provide the following notes on Sheet 3A: Alternate Concept RUD Plan stating:**
 - **"The temporary emergency access will terminate on completion of the development of the property to the east, when the emergency access between lots 12 and 13 in Covington Estates will become active and permanent."**
 - **"The emergency access drive shall be mowed and kept clear of snow and ice as necessitated by the weather conditions."**

Site Addressing

The applicant should contact the Building Division for an address prior to applying for a building permit. Building permit applications cannot be processed without a correct address. The address application can be found on the Internet at www.cityofnovi.org under the

forms page of the Community Development Department. Please contact Jeannie Niland [248.347.0438] in the Community Development Department with any specific questions regarding addressing of sites.

Summary of Other Reviews

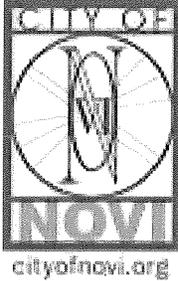
1. Engineering Review: Engineering **recommends approval** with a revision to the cross-section shown on the plans.
2. Landscape Review: Landscape **recommends approval**. Some additions and alterations are required for Preliminary Site Plan approval.
3. Fire Review: Fire **recommends approval** with comments.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0484 or kmellem@cityofnovi.org.



Kirsten Mellem – Planner

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

04/12/2016

Engineering Review

COVINGTON ESTATES

Applicant

FIRST BAPTIST CHURCH

Review Type

RUD Revised Conceptual Plan

Property Characteristics

- Site Location: N. of 8 Mile Rd. and W. of Garfield Rd.
- Site Size: 48.847 acres
- Plan Date: 02/27/15

Project Summary

- Construction of an approximately 38 lot residential development. Site access would be provided by a Private roadway from 8 Mile Rd.
- Water service would be provided by an extension from the proposed Ballantyne water main along the north side of 8 Mile Rd. and looping to the Ballantyne water main, along with 8 additional hydrants.
- Sanitary sewer service would be provided extension from the proposed Ballantyne sanitary sewer along the north side of 8 Mile Rd.
- Storm water would be collected by a single storm sewer collection system and detained in an on-site retention pond.
- Revised plan includes alternatives if Ballantyne does not develop to provide a water main loop to and emergency access to Garfield Rd.

Recommendation

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

Comments:

The Revised Concept Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual with the following items to be addressed at the time of Preliminary Site Plan submittal (further engineering detail will be required at the time of the Preliminary site plan submittal):

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

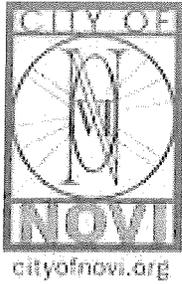
General

1. The applicant's letter needs to be revised to refer to the emergency access cross-section shown on the plans of grass pavers and asphalt, not gravel.
2. See Engineering review letter dated 02/29/2016 for additional comments.

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



cc: Adam Wayne, Engineering
Brian Coburn, Engineering
Kirsten Mellem, Community Development
Sabrina Lilla, Water & Sewer



PLAN REVIEW CENTER REPORT

02/29/2016

Engineering Review

COVINGTON ESTATES

JSP15-0002

Applicant

FIRST BAPTIST CHURCH

Review Type

Revised RUD Conceptual Plan

Property Characteristics

- Site Location: N. of 8 Mile Rd. and W. of Garfield Rd.
- Site Size: 48.847 acres
- Plan Date: 02/03/16

Project Summary

- Construction of an approximately 38 lot residential development. Site access would be provided by a Private roadway from 8 Mile Rd.
- Water service would be provided by an extension from the proposed Ballantyne water main along the north side of 8 Mile Rd. and looping to the Ballantyne water main, along with 8 additional hydrants. An alternate connection plan would loop the water main to the water main on the west side of Garfield Rd. if a connection through Ballantyne is not possible.
- Sanitary sewer service would be provided extension from the proposed Ballantyne sanitary sewer along the north side of 8 Mile Rd.
- Storm water would be collected by a single storm sewer collection system and detained in an on-site retention pond.

Recommendation

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

Comments:

The Revised Concept Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual with the following items to be addressed at the time of Final Site Plan submittal (further engineering detail will be required at the time of the final site plan submittal):

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

1. Provide the distance from 8 Mile to the emergency access. ***If this distance exceeds 1500 feet a variance from Section 11-194 (a) (7) of the Novi City Code will be required.*** This request must be submitted under a separate cover.
2. 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.
3. Provide a construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
4. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review.
5. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal. They can be found on the City website (www.cityofnovi.org/DesignManual).

Water Main

6. Provide a profile for all proposed water main 8-inch and larger.
7. The water main stub to the west 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.
8. 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

9. Because Wayne County has expressed capacity concerns, a temporary moratorium has been placed on approval of sanitary sewer permits from the City. We are working with the County to resolve this as quickly as possible. Until then all sanitary sewer permit applications will be on hold.
10. 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.

11. 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

12. 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.
13. Match the 0.80 diameter depth above invert for pipe size increases.
14. Storm manholes with differences in invert elevations exceeding two feet shall contain a 2-foot deep plunge pool.
15. Provide a four-foot deep sump and an oil/gas separator in the last storm structure prior to discharge to the storm water basin.
16. Label all inlet storm structures on the profiles. Inlets are only permitted in paved areas and when followed by a catch basin within 50 feet.
17. 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.
18. 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.

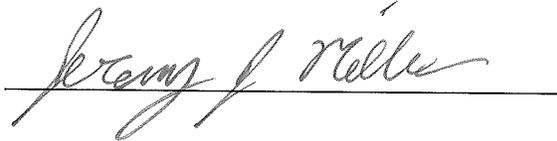
Storm Water Management Plan

19. 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.
20. 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.
21. Provide an access easement for maintenance over the storm water retention system and any pretreatment structure. Also, include an access easement to the detention area from the public road right-of-way.
22. Provide supporting calculations for the runoff coefficient determination.
23. A runoff coefficient of 0.35 shall be used for all turf grass lawns (mowed lawns).
24. A 4-foot wide safety shelf is required one-foot below the permanent water surface elevation within the basin.
25. Provide a minimum 25 foot wide vegetated buffer around the perimeter of the basin.

Paving & Grading

26. Provide a stub street to the subdivision boundary at intervals not to exceed 1,300 feet along the subdivision perimeter or **provide a variance application from Appendix C Section 4.04 (A) (1) of Novi City Code**. This request must be submitted under a separate cover.
27. Provide pedestrian connections outside of gates at the emergency access drives.
28. Provide top of curb/walk and pavement/gutter grades to indicate height of curb.
29. Provide the standard Type 'M' approach at the 8 Mile Rd. intersection.
30. 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.
31. Provide permanent hard surface pathways in place of the proposed woodchip pathways.

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



cc: Adam Wayne, Engineering
Brian Coburn, Engineering
Kirsten Mellem Community Development
Becky Arold, Water & Sewer

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

April 1, 2016

Revised RUD Conceptual Plan - Landscaping

Covington Estates Residential Unit Development

Review Type

Conceptual Site Plan Landscape Review for revised RUD

Property Characteristics

- Site Location: East side of Dixon Road, north of 12 Mile Road
- Site Zoning: RA
- Adjacent Zoning: RA
- Plan Date: 3/31/2016

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below 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.

Summary

The revised conceptual plan is **recommended for approval**. It is mostly compliant with city landscape ordinances. While some additions and plan alterations are required for Preliminary Site Plan approval there are no significant problems with the layout that would prevent the proposed layout from achieving approval.

The plan has been revised to move the pathway down to the southern edge of the "arm", providing 85' of distance between the north property line and the path. The applicant has also proposed adding 170, 6' arborvitae along the northern edge of the property to screen the path and temporary emergency access lane. The latter was added at the request of the Planning Commission.

Based on a site visit, and aerial photos, as the applicant has indicated, the finished floor elevation of most of the homes to the north is below the level of the path so neither the path or emergency access way would be seen from the main floor of those houses. Still, people or vehicles using the passageway could be seen. It seems that a solid screening hedge is not necessary along the entire frontage, as there is a section in the middle with a lake and no homes. In place of an arborvitae hedge, which would be unnatural in appearance and would likely be heavily eaten by deer, I would recommend scattered, strategically placed groups of larger evergreen trees such as White spruce, Norway Spruce and White Pine to be placed within the open space along the 500' or of frontage to break up the view between the homes and the pathway to provide sufficient screening. This is just a recommendation, not a requirement to change from the plantings proposed.

No issues from the previous review were addressed in the revised plan submitted so they remain as needing to be addressed.

EXISTING ELEMENTS

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

Need to indicate whether utilities are overhead.

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

1. Shown.
2. The trees to be removed have been shown clearly on Sheet 2.

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

1. **Revise the City of Novi Tree Protection Detail to show the fencing located at the Critical Root Zone (1 foot outside of dripline).**
2. **Tree fencing placed at 1' outside of the dripline needs to be shown on the removal and grading plans.**

LANDSCAPING REQUIREMENTS

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

1. **Proposed berm needs to be a minimum of 4' tall and vary vertically and horizontally. Please add contour labels to grading shown and revise the berms if necessary.**
2. **Please provide calculations for all canopy/large evergreen trees and subcanopy trees required.**
3. **Please clearly label which plantings are intended to meet which requirement (greenbelt vs. street trees).**
4. Berm cross section detail has been provided.

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

1. **Street tree calculations for interior street trees are incorrect. Please refer to the table on page 3 of the Landscape Design Manual for the correct number of trees and place the correct number of trees on the plan.**
2. **15 Deciduous canopy street trees are required for Eight Mile Road (1 tree per 35 feet of frontage). They should be located between the right of way line and the road. If any of those trees are not allowed per the Road Commission for Oakland County, a waiver can be sought for those trees, and will be supported by staff.**
3. **Relocate trees at street corners so they are no closer than 35' from the intersection of the street curb line intersection.**

Parking Lot Landscape (Zoning Sec. 5.5.3.C.)

Not applicable

Woodland Replacement Trees (Chapter 37 – Woodlands Protection Sec 37-8.)

Indicate which proposed trees are woodland tree replacements with unique labeling.

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

1. **Please add the ponds' high water lines to the plan and locate shrubs closer to the line.**
2. **No shrubs are proposed for the east side of the eastern pond. Please distribute shrubs around basin to cover 70-75% of the perimeter at the high water line.**
3. Seeding has been indicated for the ponds, and the seed mix details have been provided.

Transformer/Utility Box and Fire Hydrant Plantings (LDM 1.3 from 1-5, Zoning Sec 5.5.3.C.ii.d)

No utility boxes or hydrants are shown. When utility boxes are added, please add the required screening landscaping.

Trees near overhead utilities (LDM 3.e)

Label/dimension the distance from overhead utilities near proposed trees. If no overhead utility lines exist, please indicate that with a note on the landscape plan.

Landscape Tree Credit (LDM 3.b.(d))

Not provided and not required, but applicant may want to see if they can benefit from provision.

OTHER REQUIREMENTS

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

1. Acceptable.
2. Cornus rubra should be Cornus florida f. Rubra.
3. **Please replace Acer platanoides with a different species from the Novi Street Tree list that isn't as invasive.** Possible substitutions are Celtis occidentalis, Liriodendron tulipifera, Quercus rubra, Gleditsia triacanthos, Valley Forge Elm, Ostrya virginiana, or Zelkova serrata.

Planting Notations and Details (LDM)

1. Most landscape notes meet City of Novi requirements.
2. **Please add the note stating that there should be a minimum of 1 cultivation in planted areas in June, July and August for the 2-year warranty period.**
3. **Please add "in writing" to General Note #7.**
4. **Please add note on the plan near the property lines stating that plant materials should not be planted within 4 feet of property line.**
5. **Specify color of mulch as "natural" in planting details.**

Cost estimates for Proposed Landscaping (LDM 2.t.)

1. Provided.
2. Please change unit values for mulch to \$35.00/cubic yard.
3. Mulch quantity should include required mulch for tree and shrub plantings and any other area where mulch will be the ground cover.

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))

Please label berm contours to verify height of berms.

Snow Deposit (LDM.2.q.)

Please note that snow cannot be piled in areas of emergency access routes.

Corner Clearance (Zoning Sec 5.9)

Provided.

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



Rick Meader – Landscape Architect

FIRE REVIEW



April 13, 2016

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

CITY COUNCIL

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Bob Gatt

Mayor Pro Tem
Dave Staudt

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Erick W. Zinser

Assistant Chief of Police
Jerrod S. Hart

RE: Covington Estates

PSP#16-0032 (Formally PSP#15-0001)

Project Description: Residential unit development of 38 Homes on 48.85 acres.

Comments:

1. Emergency access must follow standards below.
2. Main entrance gate- Will provide further details concerning entrance gates, which follow city ordinances below.
3. Water mains and fire hydrants shall be installed prior to construction above the foundation.
4. Prior to construction above the foundation of all multi-residential buildings and single family dwellings, all roads are to be paved.
5. Prior to construction above the foundation of non-residential buildings, an all-weather access road capable of supporting 35 tons shall be provided.

Recommendation:

1. A secondary access driveway shall be a minimum of eighteen (20 feet in width and paved to provide all-weather access and shall be designed to support a vehicle of thirty-five (35) tons. **Listed on plans as "Grass Pavers"**. 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

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

cityofnovi.org

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))

2. Entrances to public and private roadways shall not have locked gates, cables or barricades that would impede fire apparatus response. (Fire Prevention Ord.)

Sincerely,

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

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

cc: file

RUD Narrative

Covington Estates
SE ¼ Section 31
Parcel Nos. 22-31-400-011
Project Narrative / Written Statements

Proposed Covington Estates is located north of 8 Mile Road, west of Garfield Road, and is a proposed 38 unit single family Residential Unit Development (RUD) on 48.85 acres. The proposed RUD is consistent with recent and proposed development in the area. The full intent of the developer is to provide a quality upscale development while still preserving the natural features of the site and providing active recreation for the residents.

The 38 units are each a minimum of 0.5 acre in size, with a minimum width of 120 feet, consistent with the requirements. The proposed density is 0.78 units per acre, also consistent with Section 2402 (Residential Unit Developments). The remainder of the site acreage is intended to be open space. The proposed homes are intended to be high-end construction, with a minimum size of 3,200 square feet, and the expected home cost is between \$800,000 and \$1,100,000. The resultant population will consist of a conventional family population, with an anticipated total of 152 people.

A proposed 6,573-foot (1.25 miles) walking trail with features is intended within the open space to provide active recreation for the residents. The trail is to remain unpaved and be constructed of natural materials, consisting of compacted fine grade stone to remain quiet and unobtrusive for the residents. Many of the premier trails of Oakland County are constructed of these materials including the Polly Ann Trail, the Paint Creek Trail, and the Clinton River Trail. Other items that will encourage the active recreation on the trail include benches, bird houses, and quarter-mile marker signage. In addition, the property contains a 115 foot wide by 1,100 foot deep park area (2.90 acre) which extends to Garfield Road along the north property line. This open park area is intended for both active and passive recreation. A paved pathway connection is provided through this park to Garfield Road, which will encourage further active pedestrian and bicycle recreation and a larger pathway loop. The future homeowner's association may wish to consider additional activity-specific areas along the path including badminton or volleyball courts, bocce ball or horseshoe courts, residential garden plots, or a picnic area. Instead of providing amenities that may not be desired by the residents and as a result not properly maintained, it is best that the homeowner's association determine those amenities.

In the event that the adjacent development (Ballantyne) is not constructed, an emergency access from the north end of proposed Covington Drive is provided to the east to Garfield Road. This access will be a 20 foot wide emergency access road. In addition the water main is indicated to loop to the existing water main in Garfield Road.

The site is naturally undulating, with grades ranging from elevation 958 to elevation 976. The site is mostly clear, with a small non-regulated wetland, and a small woodland that is contiguous to a woodland on the parcel to the west near the northwest corner of the site.

The wetland and woodland area is to be preserved. The predominant existing onsite soils consist of fox sandy loam.

The developer has analyzed market and development trends in the vicinity, and has determined that the proposed lot sizes and amenities are desired by future residents.

The proposed schedule of development is to complete site planning and engineering in 2016, with construction to begin in late 2016. Home construction would begin in 2017.

The benefit of the proposed RUD over a conventional site plan conforming to the R-A designation is that open space can be provided both for the preservation of the natural features on site, and for the recreation and enjoyment of the residents.

The permanent preservation of the woodland and wetland (natural features), as well as the maintenance and preservation of the remaining open space will be addressed in the Master Deed and Bylaws of the development. The maintenance of the open spaces will be the responsibility of the Homeowner's Association, and will be outlined in the Master Deed and Bylaws.

APPLICANT RESPONSE LETTER

FAZAL KHAN & ASSOCIATES, INC.

Civil Engineers & Land Surveyors

Fazlullah M. Khan, P.E., MSCE
Donald H. King, P.S.
Carol P. Thurber, P.E., CFM
Shannon L. Filarecki, P.E.
Thomas R. DeHondt, P.E.

April 20, 2016

City of Novi
Community Development
Attn: Kirsten Mellam
45175 West 10 Mile Road
Novi, MI 48375

RE: Proposed Covington Estates RUD
SE ¼ Section 31, 8 Mile Road west of Garfield Road
FKA Job No. 14-031

Dear Ms. Mellam:

We received your email dated April 14, 2016, regarding the revised Concept RUD to be heard before the Planning Commission on April 27, 2016. As requested in your email of April 18, this letter addresses the comments from staff in their correspondence on April 14. We have the following comments:

Planning comments:

1. The developer will begin coordination with Mr. Miller in the Engineering Division to begin the process of working with the City and DTE on the installation of the proposed entrance light.
2. The following notes will be provided on Sheet 3A: Alternate Concept RUD Plan:
 - a. "The temporary emergency access will terminate on completing of the development of the property to the east, when the emergency access between units 12 and 13 in Covington Estates will become active and permanent".
 - b. "The emergency access drive shall be mowed and kept clear of snow and ice as necessitated by the weather conditions".

Engineering comments:

General:

1. The developer's letter has been revised to refer to the emergency access cross-section shown on the plans of grass pavers and asphalt. A copy is enclosed.
2. A request for a variance from Section 11-194(a) of the Novi City Code is enclosed. The proposed emergency access is indicated to line up exactly with the emergency access drive for the adjacent site (Ballantyne). Placing an emergency access point at another location would result in the emergency access ending at the rear of a unit within the proposed Ballantyne development.

3. A traffic control sign table listing the quantities of each sign type proposed for the development and a note along with the table stating all traffic signage will comply with the current MMUTCD standards will be provided prior to Final Site Plan submittal.
4. A construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed will be provided prior to Final Site Plan submittal.
5. A note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review will be provided prior to Final Site Plan submittal.
6. The City standard detail sheets will be provided with the Stamping Set submittal.

Water Main:

7. A profile for all proposed water main 8" and larger will be provided prior to Final Site Plan submittal.
8. The water main stub to the west will terminate with a hydrant followed by a valve in well will be indicated prior to Final Site Plan submittal.
9. Three sealed sets of revised utility plans along with the MDEQ permit application for water main construction and the Streamlined Water Main Permit Checklist will be provided prior to Final Site Plan submittal.

Sanitary Sewer:

10. We understand that the City is working with the County to resolve the sanitary sewer moratorium on sanitary sewer permits.
11. A testing bulkhead immediately upstream of the sanitary connection point, with a temporary 1-foot deep sump in the first sanitary structure proposed upstream of the connection point and a secondary watertight bulkhead in the upstream side of this structure will be indicated prior to Final Site Plan submittal.
12. Seven sealed sets of revised utility plans along with the MDEQ permit application for sanitary sewer construction and the Streamlined Sanitary Sewer Permit Checklist will be provided prior to Final Site Plan submittal.

Storm Sewer:

13. A 0.1 foot drop in the downstream invert of all storm structures where a change in direction of 30 degrees or greater occurs will be indicated prior to Final Site Plan submittal.
14. The match of 0.80 diameter depth above the invert for pipe size increases will be indicated prior to Final Site Plan submittal.
15. Storm manholes with differences in inverts elevations exceeding two feet will contain a 2-foot deep plunge pool and will be indicated prior to Final Site Plan submittal.
16. A four-foot deep sump and an oil/gas separator in the last storm structure prior to discharge to the storm water basin will be indicated prior to Final Site Plan submittal.
17. A label for all inlet storm structures on the profiles will be indicated prior to Final Site Plan submittal. We understand that inlets are only permitted in paved areas and when followed by a catch basin within 50 feet.

18. A label for the 10-year HGL on the storm profiles will be indicated prior to Final Site Plan submittal. It will be ensured that the HGL will remain at least 1-foot below the rim of each structure.
19. A schedule listing the casting type and other relevant information for each proposed storm structure on the utility plan will be indicated prior to Final Site Plan submittal. Round castings will be provided on all catch basins except curb inlet structures.

Storm Water Management Plan

20. The Storm Water Management Plan will be designed in accordance with the Storm water Ordinance and Chapter 5 of the new Engineering Design Manual.
21. An adequate maintenance access route to the basin outlet structure and any other pretreatment structures will be provided (15 feet wide, maximum slope of 1V:5H, and able to withstand the passage of heavy equipment) will be indicated prior to Final Site Plan submittal. It will be verified that the access route does not conflict with proposed landscaping.
22. An access easement for maintenance over the storm water retention system and any pretreatment structures will be provided prior to Final Site Plan submittal. Additionally, an access easement to the retention area from the public road right of way will be indicated prior to Final Site Plan submittal.
23. Supporting calculations for the runoff coefficient determination will be indicated prior to Final Site Plan submittal.
24. A runoff coefficient of 0.35 will be used for all turf grass lawns.
25. There is no proposed permanent water surface elevation provided in the retention basin in response to the previous reviews, so the required 4-foot wide safety shelf one foot below the permanent water surface elevation within the basin cannot be provided.
26. The required 25 foot wide vegetated buffer around the perimeter of the retention basins will be indicated prior to Final Site Plan submittal.

Paving and Grading

27. A variance for the stub street to the subdivision boundary at intervals not to exceed 1,300 feet along the subdivision perimeter will be sought. A variance application obtained from Appendix C Section 4.04(A) (1) of the Novi City Code will be submitted under separate cover.
28. Top of curb/walk and pavement/gutter grades to indicate the height of curb will be provided prior to Final Site Plan submittal.
29. The standard Type "M" approach at the 8 Mile Road intersection will be indicated prior to Final Site Plan submittal.
30. A note stating that the emergency access gate is to be installed and closed prior to the issuance of the first TCO in the development will be indicated prior to Final Site Plan submittal.
31. No wood chip pathways are indicated in the development with the RUD plan submittal. As indicated in previous submittals and the Narrative, the non-paved pathways are to consist of compacted fine grade stone.

Landscape Comments:

A preliminary landscape plan is provided for conceptual purposes. The remaining landscape plan comments will be addressed with Preliminary Site Plan submittal as follows:

1. The City of Novi Tree Protection Detail indicated on Sheet L-3 will be revised to show the fencing located at the Critical Root Zone (1 foot outside the dripline).
2. The tree fencing for trees to be preserved will be shown on the removal and grading plans.
3. The proposed berm adjacent to 8 Mile Road will be a minimum of 4' tall. The berm will vary vertically and horizontally. Contour labels will be added to the Grading Plan and the Landscape Plan.
4. Calculations will be provided for all canopy / large evergreen trees and subcanopy trees.
5. It will be identified which plantings are intended to meet which requirements (buffer vs. street trees).
6. A berm cross section detail showing representative height, width and planting will be provided.
7. Street tree calculations will be revised to include the frontage of each side for corner lots.
8. 15 Street trees will be indicated for Eight Mile Road.
9. Trees at street corners will be relocated so that they are no closer than 35 feet from the intersection of the street curb line intersection.
10. It will be indicated which proposed trees are woodland tree replacements, with unique labeling.
11. The high water line for the retention basins will be added and the clusters of shrubs will be located closer to that line.
12. Shrubs will be distributed around the proposed retention basin so that 70-75% of the perimeter is covered.
13. Hydrants and utility boxes (once determined) will be indicated on the landscape plan with required screening landscaping.
14. The dimension of the distance from overhead utilities near the proposed trees will be indicated. It is more likely that there will be no overhead lines, which will be indicated by note on the landscape plan.
15. The Acer Platanoides will be replaced with a difference species from the Novi Street Tree list that isn't as invasive.
16. A note will be added stating that there should be a minimum of 1 cultivation in plated areas in June m July and August for the 2-year warranty period.
17. General note #7 will have "in writing" added.
18. A note is added on the plan near the property lines stating that plant materials should not be planted within 4 feet of the property line.
19. The mulch color will be specified as "natural" in the planting details.
20. The berm contours will be labeled to verify the height of the berms.
21. It is noted that snow cannot be piled in areas of emergency access routes.

Fire Department:

1. The emergency access will follow the standards listed in D.C.S Sec 11-194 (a)(19). It is indicated on the plans that the cross section must be designed to support a vehicle of thirty-five (35) tons. The minimum temporary easement width will be twenty-five (25) feet. A permanent "break-away" gate is indicated at the intersection of the driveway and Garfield Road, and appropriate signage designating the emergency access road for emergency access only is indicated. The drive is separated from the other roadway by a mountable curb.
2. The entrance to the public and private roadways will not have locked gates, cables or barricades that would impede fire apparatus response.

We believe that we have addressed all of the necessary comments pertaining to the RUD from the correspondence dated February 29, 2016 and April 14, 2016.

Sincerely,

FAZAL KHAN & ASSOCIATES, INC.



Carol P. Thurber, PE, CFM

Enclosure(s): Developer's Letter

Cc: David Stollman, Biltmore Land, LLC

G:\2014\14-031\Documents\lt-10 revised RUD 2nd pc submittal.docx

BILTMORE LAND LLC

89 Lake Shore Road
Grosse Pointe Farms, Michigan 48236
248.563.5800 Phone
248.499.1066 Fax

April 19, 2016

Via Email

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

Re: Covington Estates Residential Unit Development (RUD) Plan – Alternate

Dear Ms. McBeth:

At the March 9 Planning Commission Public Hearing the Planning Commission asked us to reach out to the owners of the adjacent property, approved as the Ballantyne RUD. Specifically, the Planning Commission asked us to approach the owner of the Ballantyne property and explore the option of an easement for emergency access over the Ballantyne property instead of the emergency access route shown on the Alternate RUD Plan. We reached out to the Singh Group, which controls the Ballantyne property, and requested the temporary easement for emergency access. However, the Singh Group denied our request for this temporary easement.

As a result, we revised the Alternate RUD Plan based on your direction and the comments of the Planning Commission at the March 9 public hearing. The specific changes we have made to the Alternate RUD Plan are as follows:

- The paved temporary emergency access road has been removed.
- The paved path amenity for residents of Covington Estates has been moved away from the homes to the North and is further South than the path originally shown on the Council-approved RUD plan.
- The path now follows a straight line, and along each side of the 8 foot path we have proposed turf pavers to provide secondary access in conformance with City Code requirements.
- There is an approximately ten foot grade change from the North boundary of Covington Estates to the yards of the homes to the North. The grade change itself means that the temporary, secondary emergency access is largely hidden from view.
- The site plan for Covington Estates will include, and we will plant, 170 six foot arbor vitae along the North boundary of Covington Estates where there is no existing tree line.
- These changes provide additional buffering, in addition to the significant grade change, to the owners of the homes along the north boundary of the 115' strip.
- The proposed emergency access shall meet the requirements of Novi's Design and Construction Standards (Sec. 11-194(a)(19)) and is designed to support an emergency vehicle of thirty-five (35) tons, shall be designated by landscaping and signage clearly indicating its

BILTMORE LAND LLC

Re: Covington Estates

April 19, 2016

Page 2 of 2

function as a secondary access drive, and shall be mowed and kept clear of snow and ice as necessitated by the weather conditions.

- The temporary emergency access will terminate on completion of the development of the Ballantyne property, when the emergency access between units 12 and 13 in Covington Estates will become active and permanent.
- We moved the asphalt path (with grass and block pavers on each side) as far away as possible from the single family homes to the North. The asphalt path is now located approximately 80 feet from the northern boundary of Covington Estates.

We would appreciate your placing the Covington Estates Alternate RUD Plan on the agenda for the next Planning Commission meeting.

Should you have any questions or comments or need additional information regarding the attached, revised site plan, please let me know.

Very truly yours,

BILTMORE LAND LLC

A handwritten signature in blue ink, appearing to read "D. J. Stollman".

David J. Stollman, President

CORRESPONDENCE

From: [McBeth, Barb](#)
To: [Mellem, Kirsten](#); [Miller, Jeremy](#); [Meader, Rick](#)
Subject: FW: Covington access issue
Date: Thursday, March 31, 2016 8:35:01 AM

FYI.

Barbara McBeth | Deputy Director Community Development

City of Novi | 45175 W. Ten Mile Road | Novi, MI 48375 USA

t: 248.347.0587 c: 248.343.1237 f: 248.735.5633

cityofnovi.org | InvestNovi.org

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From: Gary Stevens [mailto:gstevens@rgpt.com]
Sent: Wednesday, March 30, 2016 12:15 PM
To: Carol Thurber
Cc: David Stollman; stevensga@gmail.com; McBeth, Barb
Subject: RE: Covington access issue

Carol, thank you for reaching out. Please feel free to forward this communique to any concerned parties. Barb, please record this communique into the record and distribute as you deem appropriate.

The plans I reviewed prior to purchasing my home, the approved plans, depicted nothing more than a pervious "nature trail" located in the "arm" that runs behind my property. The possibility of occasional walkers in this area is what I relied upon in terms of the City's approval of Ballantyne and Covington's plans. There was never any pavement planned for this area whatsoever. It was reliance on the City's planning and a zero vehicle plan for the "arm" that was one of the factors that led me to purchase my home last summer.

I think we have a mutual first choice and that is to obtain a temporary variance to waive this proposed emergency access until Ballantyne gets constructed, so that the access can go where it was planned and the pervious Nature Trail can be constructed as approved. Since both Singh and Biltmore have approved land plans, both of which use this approved access point, we (my neighbors and I) shouldn't be permanently inconvenienced and aggrieved because Singh no longer wishes to respect the land plan they brought forward and for which approvals were obtained. This variance makes the most sense from a planning p.o.v. and a cost perspective as well. Has the obtainment of this temporary variance been explored?

As a second choice, I think the grass pavers make sense if all of the following were included in the approval:

- That the pavers are designed or grooved in a way to minimize bike, skateboard, or other activities that normally use smooth pavement, like street hockey.
- That the border between the "arm" and abutting properties is landscaped with arborvitae

or similar to provide an opaque, vegetative buffer along properties that currently have no planted borders. These few properties, of which I am one, are truly the ones most affected by this proposed change in planning.

- When the approved access point (which connect directly to Chianti) is opened, the grass pavers can grow feral and would no longer pose a potential nuisance.

This is potentially a long term solution, otherwise a temporary variance would make the most sense. I feel this is fair given my reliance on the land plan that showed this access about 800 feet directly south. The plans I reviewed were agreed to by both developers and the City.

Thanks again for the courtesy of reaching out. Should you have any questions, please don't hesitate to contact me.

Gary Stevens
216-408-4755

From: Carol Thurber [<mailto:carol@fazalkhan.com>]
Sent: Wednesday, March 30, 2016 11:10 AM
To: Gary Stevens
Cc: David Stollman
Subject: RE: Covington access issue

Gary:

The emergency access drive is located along the southern property line of the "arm" that extends along the northernmost end of the Covington Site, approximately 85 feet from the north property line. After many conversations with the City, they will allow the 8 foot wide asphalt walking path, with 6 feet of grass pavers on each side of the asphalt path as the emergency access.

Below is a link to the GEOWEB system of grass pavers that will be used. This is consistent with the grass pavers that were designed for the Ballantyne development.

http://www.prestogeo.com/load_support

Thank you,

Carol P. Thurber, PE, CFM
Fazal Khan & Associates, Inc.
Cell: (586) 360-9046
Fax: (586) 739-8007

From: Gary Stevens [<mailto:gstevens@rgpt.com>]
Sent: Monday, March 28, 2016 9:54 AM
To: Carol Thurber <carol@fazalkhan.com>
Subject: Covington access issue

Hi, Carole. We met briefly at Novi City Hall in connection with the above. My residence abuts the subject property.

Has the emergency drive been repositioned to its' previously approved location via easement with Singh?

Gary Stevens
Director of Leasing
Ramco-Gershenson Properties Trust
Farmington Hills, MI
Direct 248-592-6442
Mobile 216-408-4755