



## CITY of NOVI CITY COUNCIL

August 8, 2022

**SUBJECT:** Consideration of tentative approval of the request of Granger Construction, LLC, for Michigan CAT Catherine Drive Access Parcel, JZ21-22, with Zoning Map Amendment 18.734, to rezone property from Light Industrial (I-1) to General Industrial (I-2), subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan. The property is located east of Novi Road and north of Catherine Industrial Drive in Section 23, and totals approximately 5.29 acres. The applicant is proposing to use the site for outdoor storage of construction equipment related to Michigan CAT's shore and pump operation.

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

**CITY MANAGER APPROVAL:**

**BACKGROUND INFORMATION:**

The petitioner is requesting a Zoning Map amendment for approximately 5.29 acres of property located east of Novi Road and north of Catherine Industrial Drive, from Light Industrial (I-1) to General Industrial (I-2), using the City's Planned Rezoning Overlay (PRO) option. The applicant is proposing to use the site for outdoor storage of construction equipment related to Michigan CAT's shore and pump operation.

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from I-1 to I-2) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi.

The applicant is proposing to develop the property as outdoor storage for construction equipment related to Michigan CAT's shore and pump operations. The equipment will be a maximum of ten feet tall and will be stored year-round. The trucks carrying this equipment are projected to increase traffic to the site by ten trucks per day from December to March and by twenty trucks per day from April to November. The site will continue to be accessed off Novi Road and will have a gate off Catherine Industrial Drive for emergency access only. The outdoor storage area is proposed to be leveled with asphalt millings and will be screened to meet the City's landscape standards at a minimum. The site will also be fenced along the south and west property lines by an eight foot tall opaque fence, with plantings up to ten feet tall, for security and storage purposes.

The Planning Commission held a Public Hearing on July 13, 2022 to consider the development and made a favorable recommendation to City Council. At the meeting, the Planning Commission felt the development would not generate a significant increase in noise and would be a compatible expansion of a current industrial use. Prior to the Planning Commission Public Hearing, this item went before the Master Plan and Zoning Committee, Planning Commission, and City Council for eligibility consideration under the new PRO Ordinance. At

the Master Plan and Zoning Committee meeting on August 25, 2021, it was suggested that a historical marker be provided to commemorate Michigan CAT's history within the City of Novi. The applicant has since revised the plans to include a Motor City Historical Marker near the flagpole located off Novi Road. At the Planning Commission Meeting on November 17, 2021, screening and the economic benefit of the site was discussed.

The City Council considered the request at the January 10, 2022 meeting, and had some specific questions about the equipment planned to be stored in the new area, and the possibility that the equipment would change over the years and become unsightly to the passersby and neighbors. New text is proposed to be added as follows to address the concerns raised (new language in italics):

The use of the site shall be limited to the outdoor storage of shoring and pump operation equipment as described in the developer's narrative, *or equipment of a similar height, but in all cases, equipment being stored shall be limited to a maximum of ten (10) feet in height. This restriction shall include trucks and cranes, the booms of which shall be stored in a horizontal position.*

### **Master Plan for Land Use**

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property as Industrial Research Development Technology. Adjacent land to the north, south, and west is identified as Industrial Research Development Technology, and adjacent land to the east is identified as Heavy Industrial.

The proposal would follow objectives listed in the Master Plan for Land Use including the following:

1. Objective: Protect and maintain the City's woodlands, wetlands, natural water features, and open space. *The development is proposing to preserve and maintain the drainageway to the east of the property, which helps protect the Walled Lake Branch of the Middle Rouge River Basin.*
2. Objective: Retain and support the growth of existing businesses and attract new businesses to the City of Novi. *Michigan CAT has had a campus in Novi since 1965 and the proposal to increase the usage of the site and move the shoring and pump operation to the Novi site supports the growth and retainment of this business. A historical Motor City marker commemorating Michigan CAT's history in Novi is also proposed next to the existing flagpole by the applicant.*
3. Objective: Ensure compatibility between residential and non-residential developments. Advocacy Action Item: Promote light industrial development, which provides economic value to the community, that properly safeguards neighboring homeowners. *The development proposes to increase the industrial footprint in this portion of the City while limiting the use of the site to outdoor storage of shoring and pump operation equipment. In addition, the site will be well screened to the neighboring uses.*

### **Ordinance Deviations Requested**

Section 7.13.2.D.i.c(2) permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by City Council that "each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas." Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. The proposed PRO agreement will be considered by City Council after tentative approval of the

proposed concept plan and rezoning.

The concept plan submitted with an application for a rezoning with a PRO is not required to contain the same level of detail as a preliminary site plan. Staff has reviewed the Concept Plan provided in as much detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant has chosen to proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement. The deviations from the Zoning Ordinance and other applicable ordinances requested by the applicant and supplemented by staff and consultant recommendations are listed in the proposed Recommended Action below.

### **Public Benefit under PRO Ordinance**

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and the public benefits of the proposed PRO rezoning would clearly outweigh the detriments. The list of benefits as stated by the applicant are:

- a. Developer offers a 20 foot wide access aisle easement across the length of the proposed site as shown on the concept plan to allow for proper emergency access to the Michigan CAT site. This area shall be kept clear of equipment and signage shall be provided near the existing gate located on the site.
- b. Developer offers to install a Motor City Historical Marker commemorating Michigan CAT's history within the City of Novi as shown on the concept plan, and shall be reviewed in detail with the Preliminary Site Plan Review for consistency with other historical marker signage and verbiage.
- c. Developer offers to install a pedestrian plaza with a bench and six foot clear path access from the Novi Road sidewalk as shown on the concept plan.
- d. Developer offers to install a decorative breakaway emergency access gate near Catherine Industrial Drive as shown on the concept plan.

The proposed benefits should be weighed against the proposal to determine if they clearly outweigh any detriments of the proposed rezoning.

### **PRO Conditions**

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the site. The proposed terms and conditions are listed in the proposed Recommended Action below.

### **City Council Action**

If the City Council is inclined to approve the rezoning request with PRO at this time, the City Council's motion would be to direct the City Attorney to prepare a PRO Agreement to be brought back before the City Council for approval with specified PRO Conditions. Tentative approval does not guarantee final approval of either the PRO Plan or a PRO Agreement.

### **RECOMMENDED ACTION:**

#### **Please note three parts to this motion.**

Tentative indication that Council may **approve** the request of Granger Construction, LLC, for Michigan CAT Catherine Drive Access Parcel, JZ21-22, with Zoning Map Amendment 18.734, to rezone property from Light Industrial (I-1) to General Industrial (I-2), subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan to be updated to reflect the applicant's proposed changes as reviewed by the Planning Commission on July 13, 2022, based on the following findings, City Council deviations and considerations, with the

direction that the applicant work with the City Attorney's Office to prepare the required PRO Agreement, and return to the City Council for Final Approval:

**Part A:**

The PRO Agreement shall contain the following Ordinance deviations, for which the City Council makes the finding, for the reasons stated, that each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with surrounding areas:

1. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for asphalt millings as a parking lot material in lieu of pavement, *which is justified because the proposed millings are an extension of the existing storage yard and are a material that is preferable for storage yards;*
2. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for a lack of curbs, *which is justified due to the site having adequate sheet drainage during rainfall events that will be adequately filtered by a vegetative swale located on the north side of the storage area;*
3. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for the lack of parking lot striping, *which is justified due to the lot being used exclusively for storage of construction equipment;*
4. Landscape Deviation from Section 5.5.3.B.ii of the Zoning Ordinance for the use of an evergreen shrub wall in lieu of required canopy greenbelt trees and berm, *which is justified because the proposed shrub wall provides more adequate screening of the construction equipment;*
5. Landscape Deviation from Section 4 of the Landscape Design Manual for the lack of meeting the required tree diversity standards, *which is justified due to the heavy use of evergreens to provide the necessary screening for the project and the lack of suitable evergreen species available for use in Michigan.*

**Part B:** *The following conditions shall be requirements of the Planned Rezoning Overlay Agreement:*

1. *Acceptance of applicant's offer of public benefits as proposed:*
  - a. Developer offers a 20 foot wide access aisle easement across the length of the proposed site as shown on the concept plan to allow for proper emergency access to the Michigan CAT site. This area shall be kept clear of equipment and signage shall be provided near the existing gate located on the site.
  - b. Developer offers to install a Motor City Historical Marker commemorating Michigan CAT's history within the City of Novi as shown on the concept plan, and shall be reviewed in detail with the Preliminary Site Plan Review for consistency with other historical marker signage and verbiage.
  - c. Developer offers to install a pedestrian plaza with a bench and six foot clear path access from the Novi Road sidewalk as shown on the concept plan.
  - d. Developer offers to install a decorative breakaway emergency access gate near Catherine Industrial Drive as shown on the concept plan.
2. Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations, including all applicable setback requirements of the Zoning Ordinance under



the Proposed Classification, except as expressly authorized herein, and all storm water and soil erosion requirements and measures throughout the site during the design and construction phases of the Development, and during the subsequent use of the Land as contemplated in this Agreement:

*The use of the site shall be limited to the outdoor storage of shoring and pump operation equipment as described in the developer's narrative, or equipment of a similar height, but in all cases, equipment being stored shall be limited to a maximum of ten (10) feet in height. This restriction shall include trucks and cranes, the booms of which shall be stored in a horizontal position.*

3. Woodland tree removals during the project shall be approximately 74 trees, which shall require 47 woodland replacement credits. Any woodland replacement credits planted on-site shall be permanently protected via conservation easement or landscape easement. Any credits not planted on site will require a payment of \$400 per credit into the Novi Tree Fund.
4. Any additional regulated woodland tree removals shall meet the requirements of the City of Novi Woodland Protection Ordinance, and may be granted administratively up to 10 trees with proper justification. If additional regulated trees proposed for removal exceeds 10, Planning Commission approval must be granted.
5. The existing drainageway on the east side of the site shall be preserved and shall be reviewed as part of the Preliminary Site Plan.
6. The site shall be properly screened as indicated in the concept plan and shall be reviewed as part of the Preliminary Site Plan.
7. Tentative completion date for the project shall be calendar year 2023.

**Part C:** *This motion is made because:*

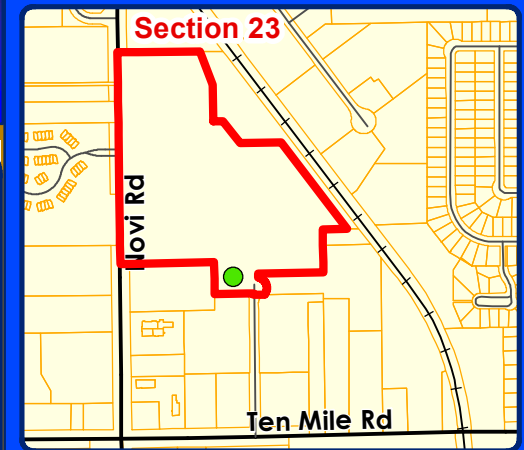
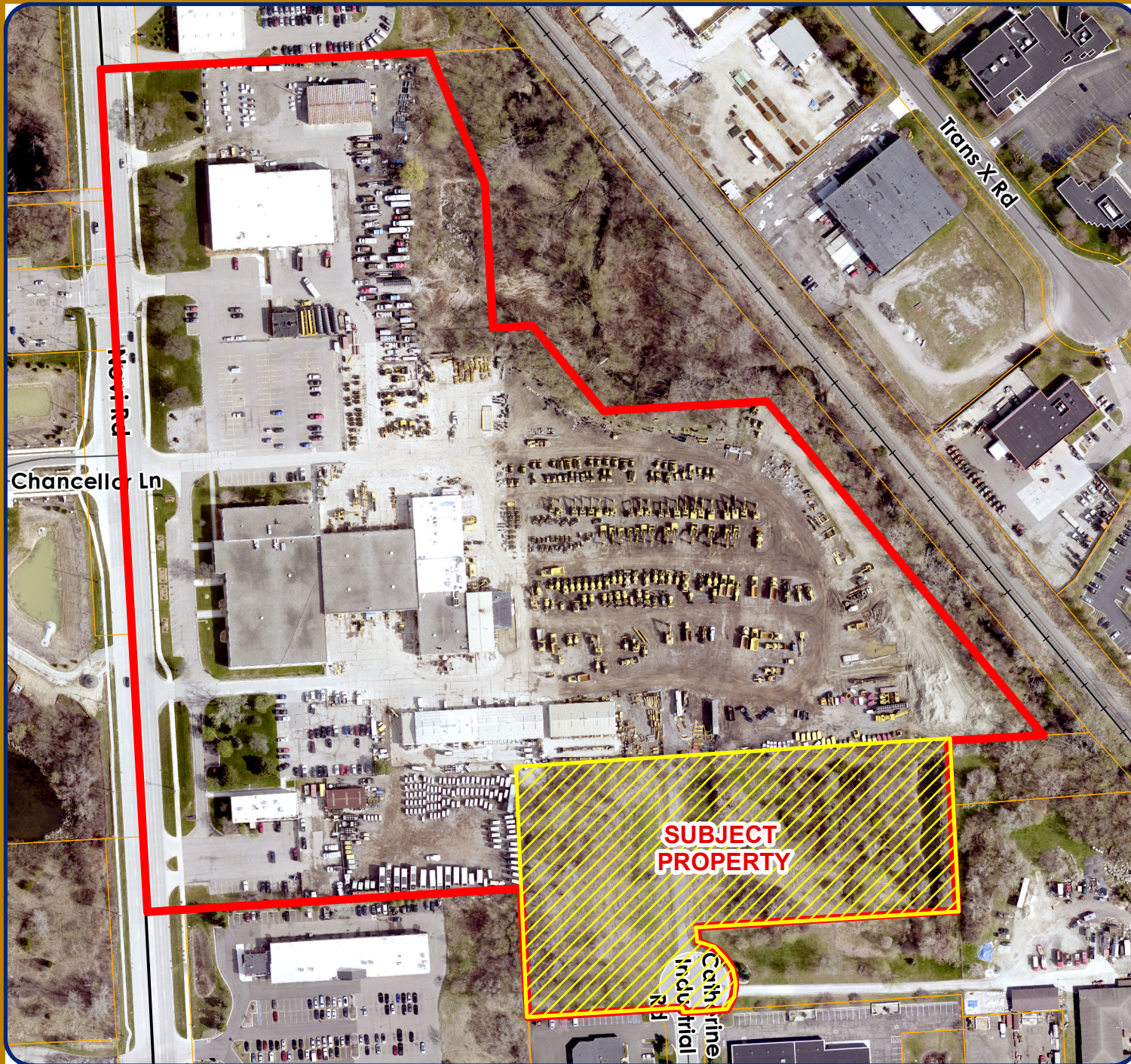
1. The proposed outdoor storage development would be compatible with the intent of the 2016 Master Plan for the Heavy Industrial use.
2. Growing an important Novi business (Michigan CAT) would complement the goals and objectives of the 2016 Master Plan.
3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features *as the drainageway to the east of the property (Walled Lake Branch of the Middle Rouge River Basin) will be preserved.*
4. The proposed project will ensure compatibility between residential and non-residential developments *because the project proposes to increase the footprint of an industrial business while limiting the use of the site to outdoor storage of shoring and pump operation equipment with proper screening.*

**MAPS**  
**Location**  
**Zoning**  
**Future Land Use**  
**Natural Features**

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# JZ21-22 MICHIGAN CAT PRO LOCATION




**LEGEND**

 Subject Property

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

Map Author: Christian Carroll  
Date: 7/6/22  
Project: JZ21-22 MICHIGAN CAT PRO  
Version #: 1

0 50 100 200 300 Feet  
1 inch = 232 feet

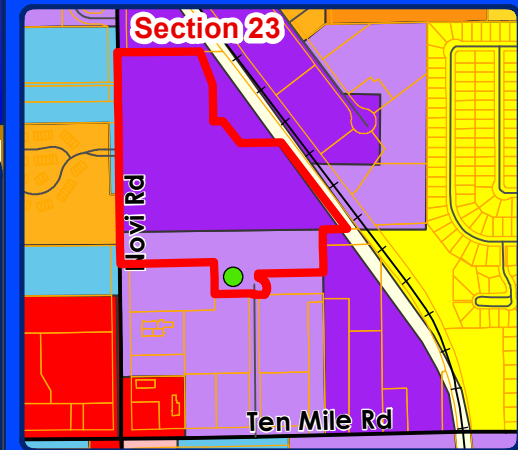
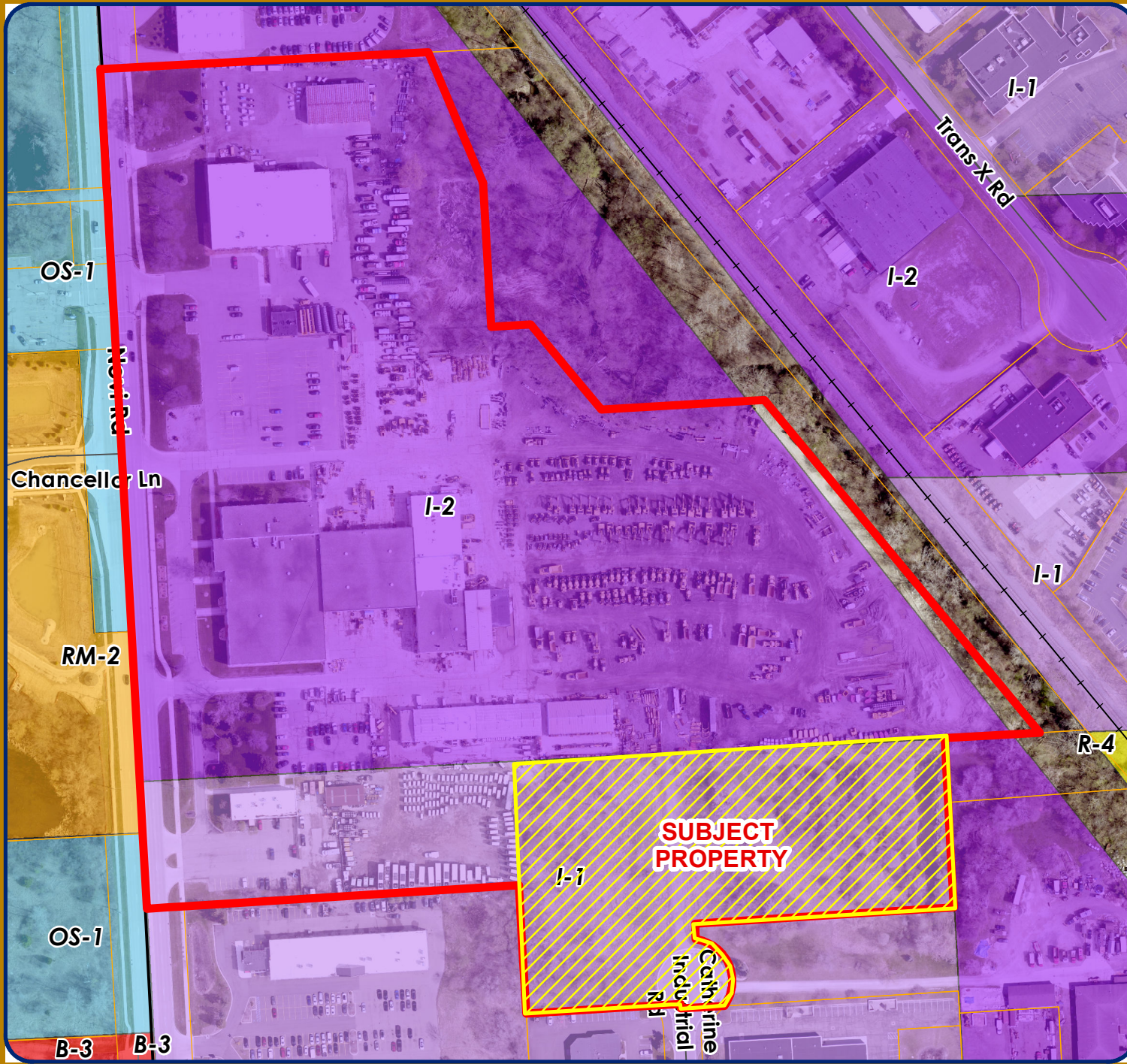


**MAP INTERPRETATION NOTICE**

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.



# JZ21-22 MICHIGAN CAT PRO ZONING



**LEGEND**

- R-4: One-Family Residential District
- RM-1: Low-Density Multiple Family
- RM-2: High-Density Multiple Family
- B-1: Local Business District
- B-3: General Business District
- I-1: Light Industrial District
- I-2: General Industrial District
- OS-1: Office Service District
- TC-1: Town Center -1 District
- Subject Property

**City of Novi**  
 Dept. of Community Development  
 City Hall / Civic Center  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

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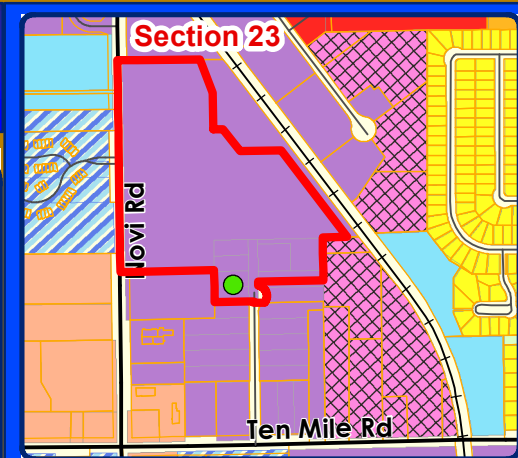
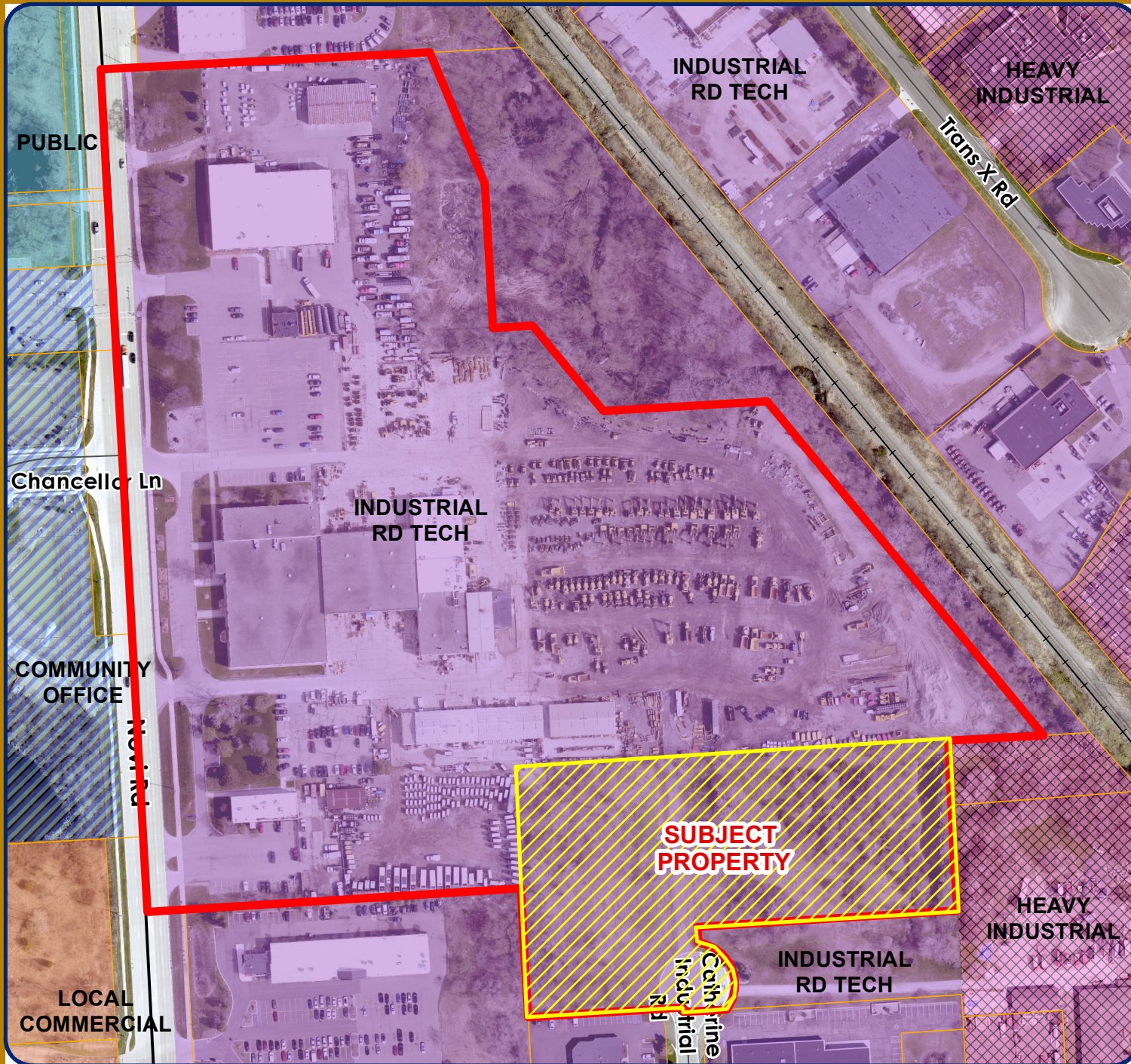
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# JZ21-22 MICHIGAN CAT PRO

## FUTURE LAND USE



**LEGEND**

- Single Family
- Multiple Family
- Community Office
- Industrial Research Development Technology
- Heavy Industrial
- Local Commercial
- TC Commercial
- Public
- Private Park
- Subject Property

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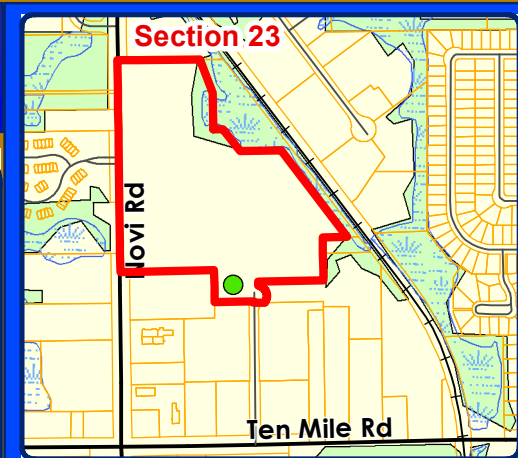
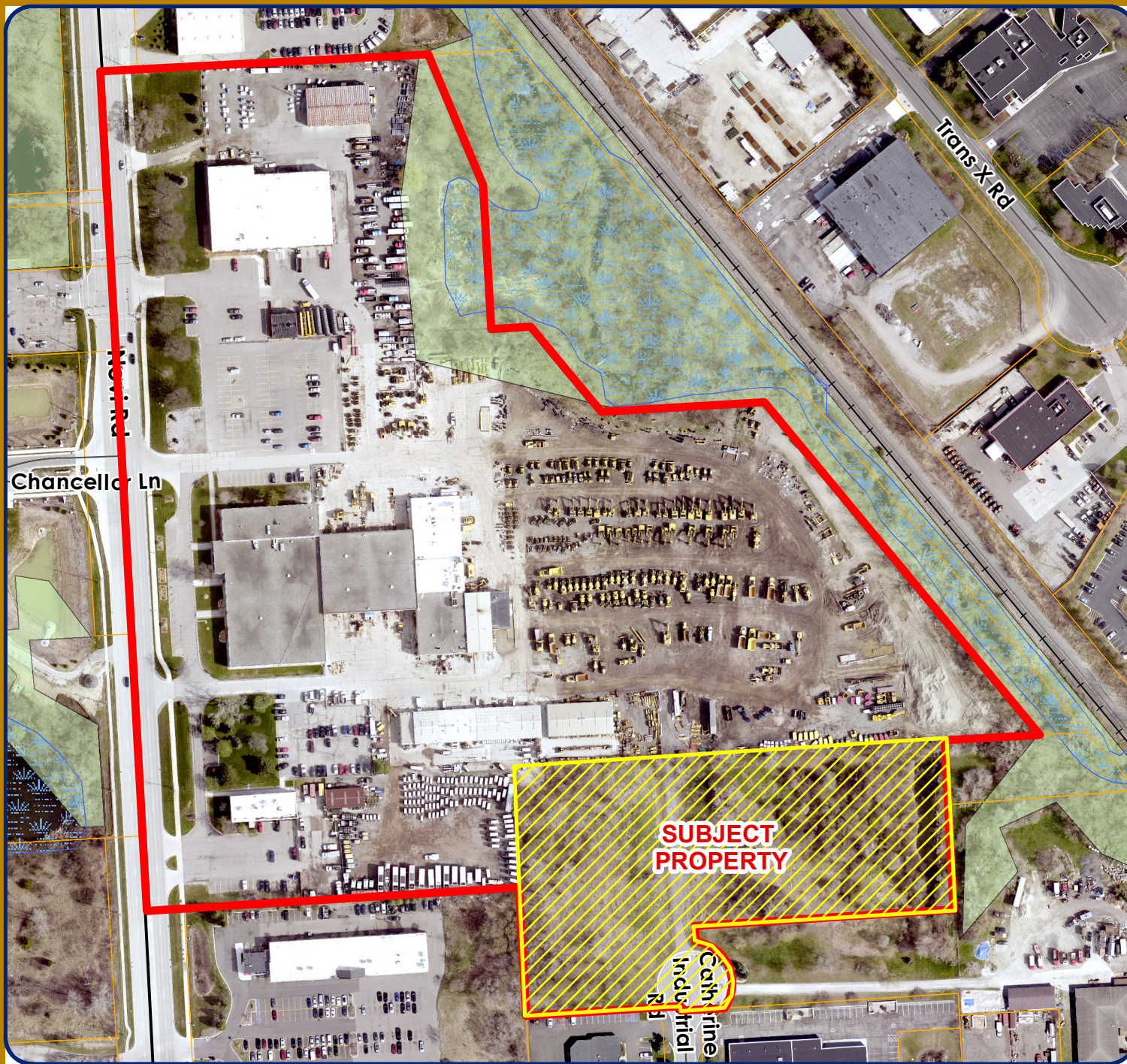
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# JZ21-22 MICHIGAN CAT PRO

## NATURAL FEATURES



**LEGEND**


-  WETLANDS
-  WOODLANDS
-  Subject Property

**City of Novi**  
 Dept. of Community Development  
 City Hall / Civic Center  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

Map Author: Christian Carroll  
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**PRO CONCEPT PLAN**  
**MARCH 15, 2022**

# DEVELOPMENT PLANS FOR PROPOSED MICHIGAN CAT NOVI PUMP & SHORING MAINTENANCE 24800 NOVI ROAD NOVI, MICHIGAN 48375

**PROJECT CONTACTS**

**CIVIL ENGINEER**

BERGMANN ASSOCIATES  
7050 W SAGINAW HWY  
LANSING, MI 48917  
PAUL FURTAW, P.E.  
(517) 272-9835

**DEVELOPER**

GRANGER CONSTRUCTION COMPANY  
6267 AURELIUS RD  
LANSING, MI 48911  
DAN GERMAN  
(517) 393-1382

**UTILITY AND JURISDICTIONAL CONTACTS**

**PLANNING AND ZONING**

CITY OF NOVI  
45175 TEN MILE RD  
NOVI, MI 48375  
CHRISTIAN CARROLL  
(248) 735-5607

**OWNER**

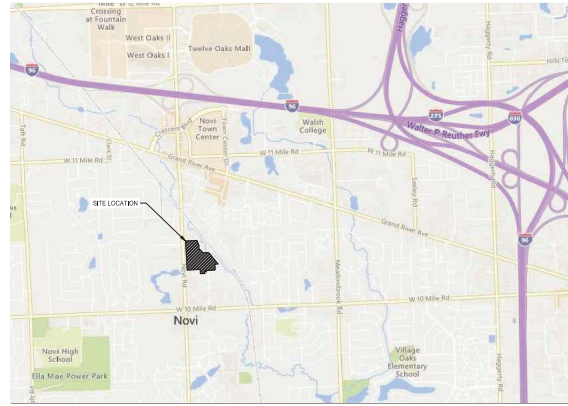
MICHIGAN CAT  
24800 NOVI RD  
NOVI, MI 48375  
RICH POTOSNAK  
(888) 642-4228

**LANDSCAPE ARCHITECT**

DEAK PLANNING & DESIGN  
143 CADYCENTRE #79  
NORTHVILLE, MI 48167  
STEPHEN DEAK  
(866) 355-4204

**ENGINEERING**

CITY OF NOVI  
45175 TEN MILE RD  
NOVI, MI 48375  
VICTOR BORON  
(248) 735-5695



**SITE LOCATION MAP**  
NOT TO SCALE



Sheet List Table	
Sheet Number	Sheet Title
■ C000	COVER
■ C100	OVERALL SITE PLAN
■ C101	SITE PLAN
■ C110	GRADING & UTILITY PLAN
■ LP-1	SITE LANDSCAPE PLAN
■ LP-2	LANDSCAPE DETAILS
■ LP-3	FRONTAGE DETAIL
■ LP-4	FRONTAGE DETAIL
■ WP-1	WOODLAND IMPACT PLAN
■ TL-1	TREE INVENTORY

**DRAWING KEY**

- INCLUDED IN PLAN SET
- NOT INCLUDED IN PLAN SET

**LEGAL DESCRIPTION:**

PART OF THE SW 1/4 OF SECTION 23, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W 1/4 CORNER OF SECTION 23; THENCE S03°10'28"E 165.44 FEET ALONG THE WEST LINE OF SAID SECTION 23, BEING APPROXIMATE CENTER LINE OF NOVI ROAD (120' WIDE RIGHT-OF-WAY), TO THE POINT OF BEGINNING; THENCE N87°01'31"E 527.86 FEET; THENCE S22°42'42"E 228.37 FEET; THENCE S03°19'53"E 231.34 FEET; THENCE N86°40'27"E 63.20 FEET; THENCE S39°46'18"E 177.77 FEET; THENCE N86°40'27"E 283.12 FEET; S39°38'42"E 693.34 FEET ALONG AND IN PART OF THE "TEN NOVI INDUSTRIAL PARK SUBDIVISION", (L.178 OF PLATS, PAGE 22, OAKLAND COUNTY RECORDS); THENCE S86°24'42"W 849.70 FEET ALONG AND IN PART OF SAID "TEN NOVI INDUSTRIAL PARK SUBDIVISION"; THENCE S03°10'48"E 193.60 FEET; THENCE S86°24'42"W 599.62 FEET, TO THE WEST LINE OF ; THENCE N03°10'28"W 1351.89 FEET, ALONG THE WEST LINE OF SAID SECTION 23, TO THE POINT OF BEGINNING.

ALSO, PART OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, TEN-NOVI INDUSTRIAL PARK LOTS 6 TO 9 INCLUSIVE, ALSO VACATED ROAD ADJACENT TO SAME, ALSO PART OF LOTS 15 AND 16, ALSO ALL OF LOT 17, ALSO OUTLOT A, ALL DESCRIBED AS:

BEGINNING AT A POINT DISTANT NORTH 89 DEGREES 34 MINUTES 50 SECONDS EAST 400.00 FEET AND NORTH 00 DEGREES 02 MINUTES 50 SECONDS WEST 812.00 FEET AND NORTH 89 DEGREES 32 MINUTES 20 SECONDS EAST 199.65 FEET AND NORTH 00 DEGREES 03 MINUTES 10 SECONDS WEST 100.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 23 AND PROCEEDING THENCE NORTH 00 DEGREES 03 MINUTES 10 SECONDS WEST 400.00 FEET FROM: THENCE 89 DEGREES 32 MINUTES 20 SECONDS EAST 696.65 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 50 SECONDS WEST 272.38 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 20 SECONDS WEST 417.00 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 50 SECONDS WEST 25.42 FEET; THENCE ALONG A CURVE TO THE RIGHT, RADIUS 68.00 FEET (REC. AS 68.60 FEET), CENTRAL ANGLE 117 DEGREES 35 MINUTES 04 SECONDS (REC. AS 117 DEGREES 34 MINUTES 51 SECONDS), AN ARC LENGTH OF 139.55 FEET, WHOSE CHORD BEARS SOUTH 20 DEGREES 03 MINUTES 00 SECONDS EAST 116.32 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 20 SECONDS WEST 69.97 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 50 SECONDS EAST 7.38 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 20 SECONDS WEST 248.95 FEET TO THE POINT OF BEGINNING, CONTAINING 5.29 ACRES OF LAND AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AS THEY MAY AFFECT SAID LAND.



7050 West Saginaw Hwy.  
Suite 200  
Lansing, MI 48917

www.bergmannep.com



## MICHIGAN CAT NOVI PUMP & SHORING MAINTENANCE

24800 NOVI ROAD  
NOVI, MI 48375

Date Revised	Description
08/17/2021	CITY OF NOVI RESUBMITTAL
09/16/2021	CITY OF NOVI RESUBMITTAL
02/26/2022	CITY OF NOVI RESUBMITTAL
03/15/2022	CITY OF NOVI RESUBMITTAL



**NOT FOR  
CONSTRUCTION  
100% SUBMISSION**

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Project Manager T. REIDER	Discipline Lead P. FURTAW, PE
Designer J. SMITH	Reviewer P. FURTAW, PE
Date Issued AUG 17, 2021	Project Number 015181.00

Sheet Name

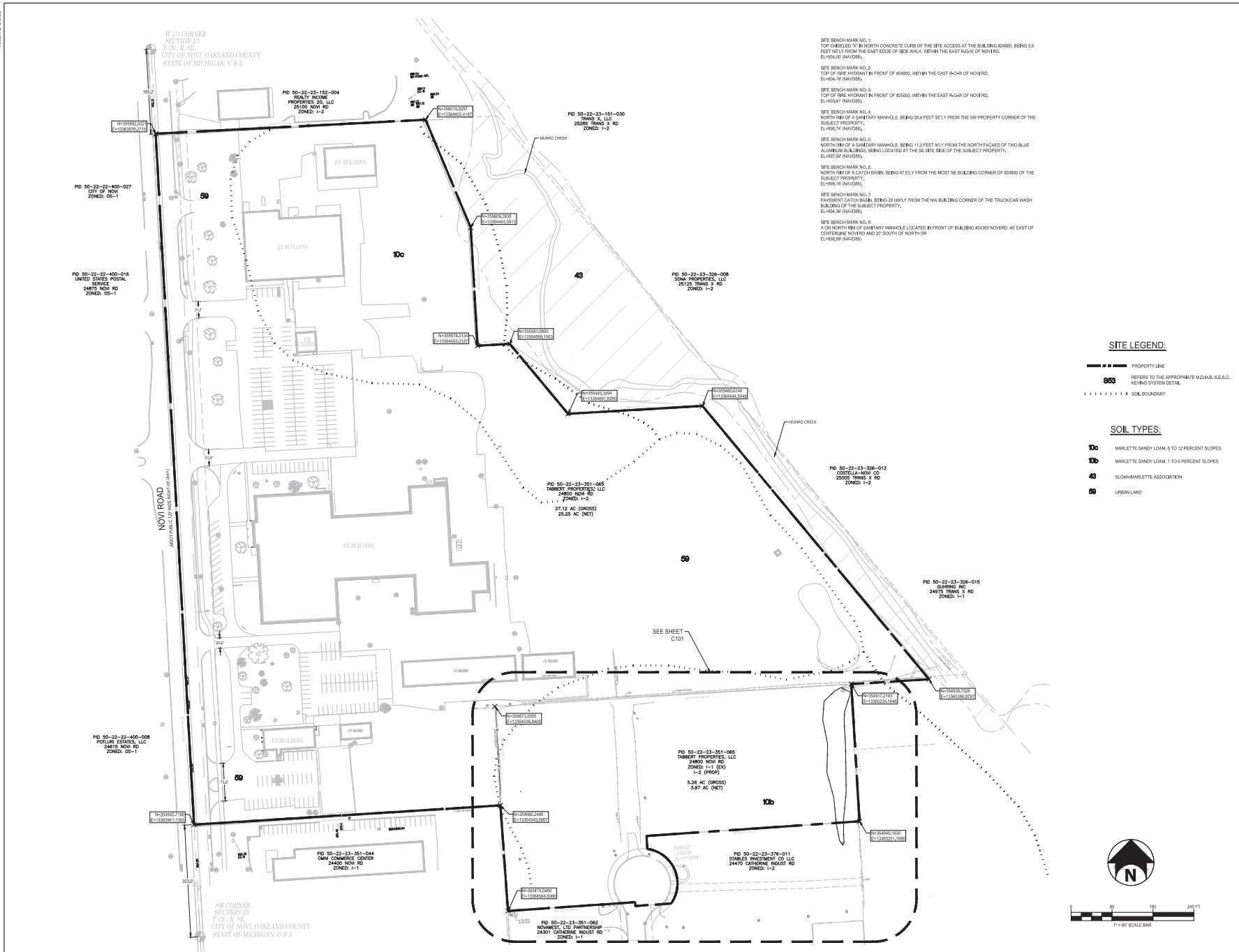
**COVER**

Drawing Number

**C000**



ARCH D 24/6/6



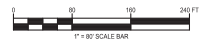
- SITE BENCHMARK NO. 1  
TOP CORNER OF CONCRETE CURB OF THE SITE ACCESS AT THE BUILDING #24800, BEING 3.0 FEET WEST FROM THE EAST EDGE OF SIDE WALK AT THE EAST FACE OF NO.10'S.  
E L=94.07 (NAVSARS)
- SITE BENCHMARK NO. 2  
TOP OF THE HYDRANT IN FRONT OF #24800, WITHIN THE EAST SWAY OF NO.10'S.  
E L=94.79 (NAVSARS)
- SITE BENCHMARK NO. 3  
TOP OF THE HYDRANT IN FRONT OF #25000, WITHIN THE EAST SWAY OF NO.10'S.  
E L=94.47 (NAVSARS)
- SITE BENCHMARK NO. 4  
NORTH IRM OF A SANITARY MANHOLE, BEING 28.4 FEET SELV FROM THE SW PROPERTY CORNER OF THE SUBJECT PROPERTY.  
E L=94.74 (NAVSARS)
- SITE BENCHMARK NO. 5  
NORTH IRM OF A SANITARY MANHOLE, BEING 11.0 FEET NLY FROM THE NORTH FACIES OF TWO BLUE ALUMINUM BUILDINGS, BEING LOCATED AT THE SE SITE SIDE OF THE SUBJECT PROPERTY.  
E L=95.09 (NAVSARS)
- SITE BENCHMARK NO. 6  
NORTH IRM OF A CATCH BASIN, BEING 47 ELY FROM THE MOST NE BUILDING CORNER OF #24800 OF THE SUBJECT PROPERTY.  
E L=94.16 (NAVSARS)
- SITE BENCHMARK NO. 7  
PAVEMENT CATCH BASIN, BEING 28 NMLY FROM THE NW BUILDING CORNER OF THE TRUCKCAR WASH BUILDING OF THE SUBJECT PROPERTY.  
E L=94.59 (NAVSARS)
- SITE BENCHMARK NO. 8  
X ON NORTH IRM OF SANITARY MANHOLE LOCATED IN FRONT OF BUILDING #24300 NO.10'S, 47' EAST OF CENTERLINE NO.10'S ROAD 20' SOUTH OF NORTH OR.  
E L=94.69 (NAVSARS)

**SITE LEGEND:**

- PROPERTY LINE
- 888 REFERS TO THE APPROPRIATE M.D.M.B. S.E.S.C. KEYING SYSTEM DETAIL
- ..... SOIL BOUNDARY

**SOIL TYPES:**

- 10c MARLETTE SANDY LOAM, 6 TO 12 PERCENT SLOPES
- 10b MARLETTE SANDY LOAM, 1 TO 6 PERCENT SLOPES
- 43 SCLAN-MARLETTE ASSOCIATION
- 09 URBAN LAND





**BERGMANN**  
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7050 West Saginaw Hwy.  
Suite 200  
Lansing, MI 48917  
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ADVANCE THE ART OF BUILDING

**MICHIGAN CAT  
NOVI  
PUMP & SHORING  
MAINTENANCE**

24800 NOVI ROAD  
NOVI, MI 48375

Date Revised	Description
08/17/2021	CITY OF NOVI RESUBMITTAL
09/16/2021	CITY OF NOVI RESUBMITTAL
02/28/2022	CITY OF NOVI RESUBMITTAL
03/15/2022	CITY OF NOVI RESUBMITTAL



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Project Manager	Discipline Lead
T. REIDER	P. FURTAY, PE
Designer	Reviewer
J. SMITH	P. FURTAY, PE
Date Issued	Project Number
AUG 17, 2021	015181.00

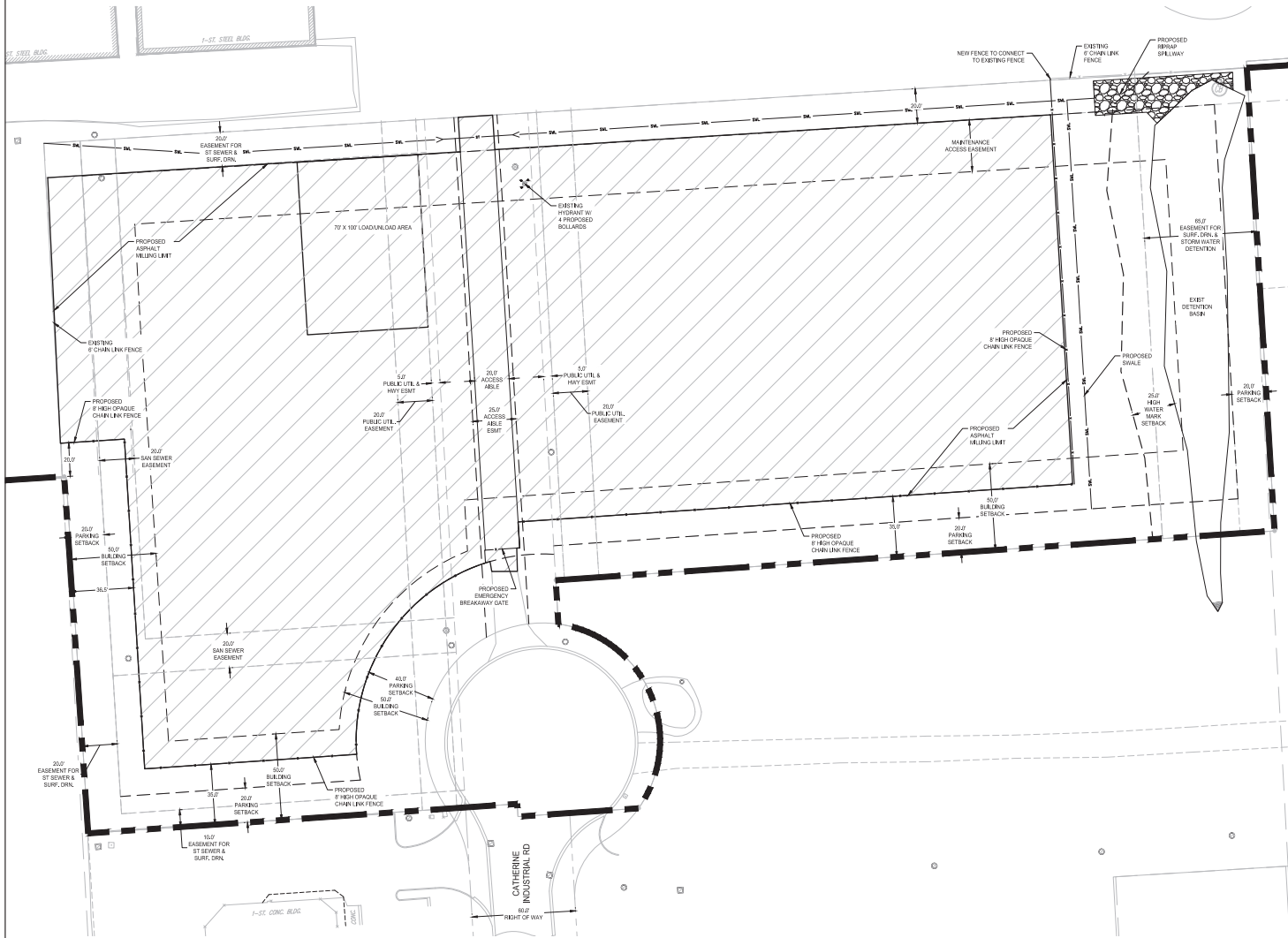
Sheet Name

**OVERALL SITE PLAN**

Drawing Number

**C100**

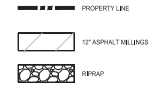
ARCH D 2436



**GENERAL NOTES:**

1. THE UNDERGROUND UTILITIES AND UTILITIES SHOWN ON THESE PLANS HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORD MAPS. THEY ARE NOT GUARANTEED TO THE ACCURACY OF THEIR LOCATION AND/OR COMPLETENESS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND EXTENT OF ALL UNDERGROUND UTILITIES AND UTILITIES PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES IN THEIR VICINITY.
2. ALL ROADS AND PRIVATE DRIVES SHALL BE KEPT CLEAN OF MUD, DEBRIS, ETC. AT ALL TIMES.
3. THE CONTRACTOR SHALL CONSULT THE CONSTRUCTION MANAGER BEFORE DEVIATING FROM THESE PLANS.
4. IN ALL TRENCH EXCAVATIONS, CONTRACTOR MUST LAY THE TRENCH SIDE SLOPES BACK TO A SAFE SLOPE. USE A TRENCH SHIELD OR PROVIDE SHEETING AND BRACING.
5. ALL EXISTING SURFACE APURTENANCES (E.G. WATER VALVES, CATCH BASIN FRAMES) AND GRATES, MANHOLE COVERS WITHIN THE PROJECT LIMITS SHALL BE ADJUSTED TO FINISHED GRADE.
6. AREAS DISTURBED OR DAMAGED AS PART OF THE PROJECT'S CONSTRUCTION THAT ARE OUTSIDE OF THE PRIMARY WORK AREA SHALL BE RESTORED, AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.
7. THE CONTRACTOR SHALL CALL "888-0827" AT LEAST 3 WORKING DAYS (EXCLUDING WEEKENDS AND HOLIDAYS) PRIOR TO CONSTRUCTION.
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE CODES, ORDINANCES, DESIGN STANDARDS AND STANDARD SPECIFICATIONS OF THE CITY OF NOVI WHICH HAVE THE RESPONSIBILITY OF REVIEWING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF ALL ITEMS INCLUDED IN THESE PLANS.
9. UNLESS SPECIFICALLY STATED, THE CONTRACTOR SHALL APPLY FOR AND OBTAIN ALL NECESSARY PERMITS AS REQUIRED FOR CONSTRUCTION OF THE PROJECT PRIOR TO THE BEGINNING OF WORK FROM THE PREVIOUSLY MENTIONED AGENCIES.
10. THE CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
11. WHEN ANY EXISTING UTILITY REQUIRES ADJUSTMENT OR RELOCATION, THE CONTRACTOR SHALL NOTIFY THE PROPER UTILITY COMPANY AND COORDINATE THE WORK ACCORDINGLY. THERE SHALL BE NO CLAIM MADE BY THE CONTRACTOR FOR ANY COSTS CAUSED BY DELAYS IN CONSTRUCTION DUE TO THE ADJUSTMENT OR RELOCATION OF UTILITIES.
12. THE CONTRACTOR IS TO VERIFY THAT THE PLANS AND SPECIFICATIONS THAT HIS/HER BUILDING FROM ARE THE VERY LATEST PLANS AND SPECIFICATIONS THAT HAVE BEEN APPROVED BY ALL APPLICABLE PERMITTING AGENCIES AND THE OWNER. ALL ITEMS CONSTRUCTED BY THE CONTRACTOR PRIOR TO RECEIVING THE FINAL APPROVAL AND PERMITS HAVING TO BE ADJUSTED OR RE-DONE, SHALL BE DONE AT THE CONTRACTOR'S EXPENSE.
13. SHOULD THE CONTRACTOR ENCOUNTER CONFLICT BETWEEN THESE PLANS AND SPECIFICATIONS, OTHERS AMONG THEMSELVES OR WITH THE REQUIREMENTS OF ANY AND ALL CITY, STATE AND FEDERAL AGENCIES, HIS/HER SHALL SEEK CLARIFICATION IN WRITING FROM THE CONSTRUCTION MANAGER BEFORE COMMENCEMENT OF CONSTRUCTION. FAILURE TO DO SO SHALL BE AT THE SOLE EXPENSE OF THE CONTRACTOR.
14. THE CONTRACTOR SHALL FURNISH AND/OR FORWARD INDICATING ALL CHANGES AND DEVIATIONS FROM APPROVED DRAWINGS.
15. ALL SIGNS AND TRAFFIC CONTROL MEASURES DURING CONSTRUCTION AND MAINTENANCE ACTIVITIES SHALL BE CONSTRUCTED AND INSTALLED PER THE LATEST EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
16. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL CONFORM TO THE STANDARDS OF THE CITY OF NOVI.

**SITE LEGEND:**



**SITE DATA:**

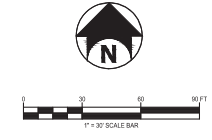
<b>ZONING:</b>	<b>SITE -</b>	K1 LIGHT INDUSTRIAL (EXPT)
	<b>SITE -</b>	K2 GENERAL INDUSTRIAL (PROP)
	<b>NORTH -</b>	P0 GENERAL INDUSTRIAL
	<b>EAST -</b>	K0 GENERAL INDUSTRIAL
	<b>WEST -</b>	P1 LIGHT INDUSTRIAL
	<b>SOUTH -</b>	P1 LIGHT INDUSTRIAL & K2 GENERAL INDUSTRIAL
<b>LAND USE:</b>	<b>SITE -</b>	VACANT (EXIST)
	<b>SITE -</b>	EQUIPMENT STORAGE (PROP)
<b>LOT AREA:</b>		4.38 ACRES (GROSS), 3.06 ACRES (NET)
<b>PARKING SETBACKS:</b>	<b>FRONT -</b>	40 FEET
	<b>REAR -</b>	20 FEET

**SITE NOTES:**

1. NO BUILDINGS ARE PROPOSED TO BE CONSTRUCTED ON THE ACCESSORY USE PARCEL.
2. DESIRED TRAFFIC FLOW WILL BOTH INGRESS AND EGRESS THROUGH THE NON-ROAD ENTRANCE. CONTINUOUS INDUSTRIAL DRIVES WILL BE USED AS EMERGENCY ACCESS ONLY.
3. NO SANITARY SEWER AND NO WATER MAIN LINES ARE PROPOSED TO BE INSTALLED.
4. SIGN FOR RECORDING NOTIFICATION SHALL BE PLACED 15 DAYS PRIOR TO PUBLIC HEARING.
5. HEIGHT OF TALLEST EQUIPMENT STORED = 10'
6. NO SITE LIGHTING IS PROPOSED.

**SETBACKS I-2 PER ZONING ORDINANCE:**

<b>BUILDING SETBACKS:</b>	<b>PARKING SETBACKS:</b>
<b>FRONT -</b> 100 FT	<b>FRONT -</b> 40 FT
<b>REAR -</b> 50 FT	<b>REAR -</b> 20 FT
<b>SIDE -</b> 50 FT	<b>SIDE -</b> 20 FT





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Project Manager	Discipline Lead
T. REIDER	P. FURMAN, PE
Designer	Reviewer
J. SMITH	P. FURMAN, PE
Date Issued	Project Number
AUG 17, 2021	01518100

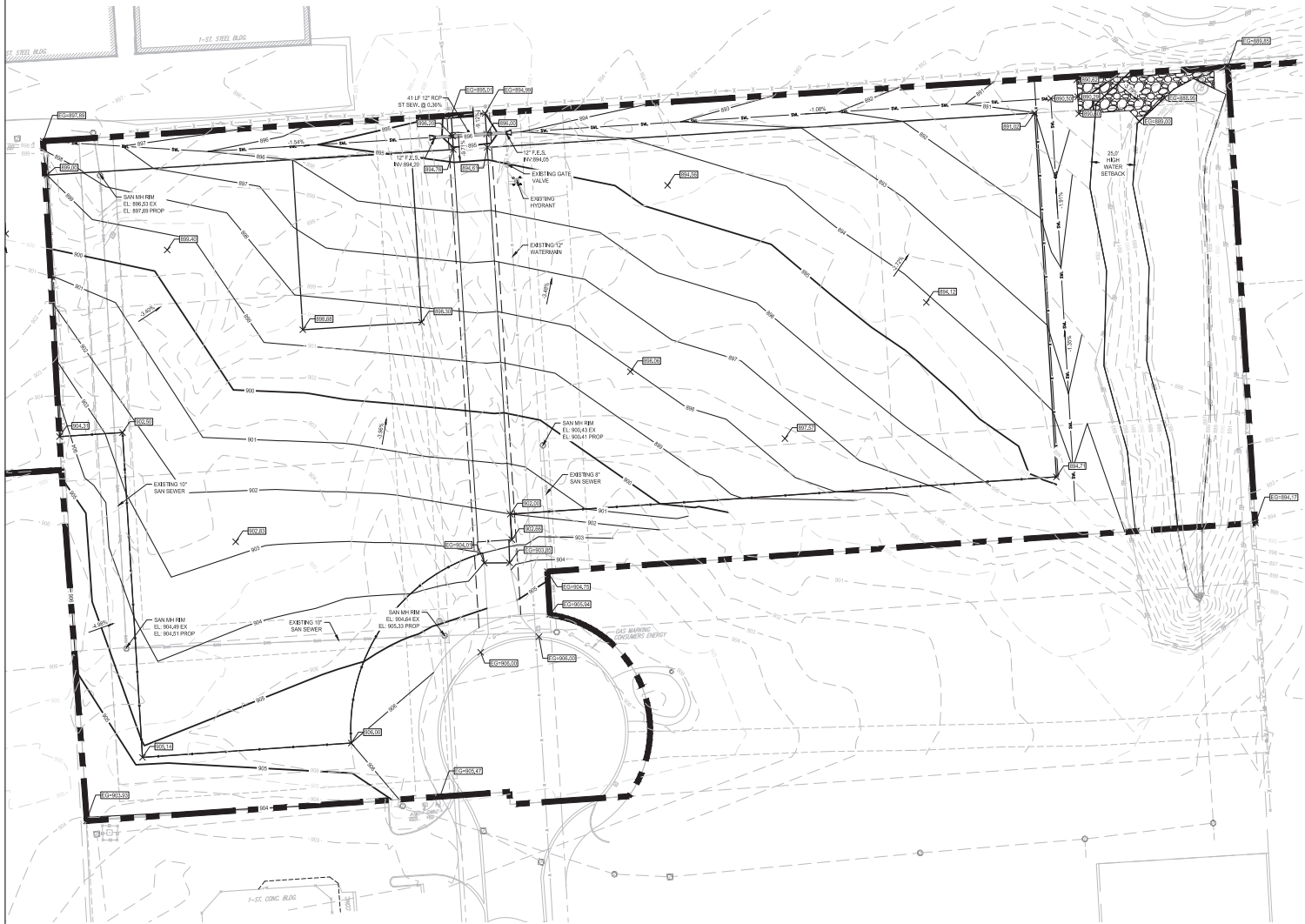
Sheet Name

**SITE PLAN**

Drawing Number

**C101**

ARCH D 24.6K



**GRADING NOTES**

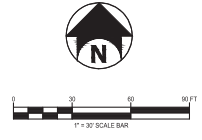
1. REFER TO EROSION AND SEDIMENT CONTROL PLAN FOR REQUIRED EROSION AND SEDIMENT CONTROL MEASURES.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REMOVAL OF TEMPORARY SEDIMENT CONTROL MEASURES. EROSION CONTROL MEASURES SHALL NOT BE REMOVED BEFORE VEGETATION HAS OCCURRED COMPLETELY.
3. ALL SILT FENCE TO BE REPLACED WHENEVER THEY BECOME CLOGGED OR INOPERABLE AND SHALL BE REPAIRED AT A MINIMUM OF EVERY 3 MONTHS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORATION OF TOPSOIL TO ALL DISTURBED AREAS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN EROSION CONTROL MEASURES AT ALL TIMES.
5. SILT FENCE, JUTE MESH AND/OR EROSION CONTROL BLANKETS WILL BE USED ON STEEP SLOPES AND WHEREVER NECESSARY TO CONTROL EROSION AND BELIEVED TO BE THE MOST EFFECTIVE DRAINAGE SYSTEMS AS ORDERED BY THE ENGINEER OR SPECIFIED ON PLANS.
6. THE CONTRACTOR SHALL DESIGNATE A MEMBER OF HIS/HER FIRM TO BE RESPONSIBLE TO MONITOR EROSION CONTROL, EROSION CONTROL STRUCTURES, TREE PROTECTION AND PRESERVATION THROUGHOUT CONSTRUCTION.
7. ALL DISTURBED AREAS SHALL BE PROTECTED FROM EROSION EITHER BY MULCH OR TEMPORARY SEEDING WITHIN 2 WEEKS OF DISTURBANCE.
8. ALL SITE GRADING MUST BE PERFORMED TO INSURE POSITIVE DRAINAGE ACROSS THE ENTIRE SITE, THROUGHOUT THE PERIOD OF CONSTRUCTION AND AFTER PROJECT COMPLETION.
9. ALL SEDIMENTATION AND SOIL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED PRIOR TO THE COMMENCEMENT OF SITE GRADING AND MUST CONFORM TO PART 91 OF ACT 401 OF THE PUBLIC ACTS OF 1964 AS AMENDED. ALL APPLICABLE PERMITS SHALL BE OBTAINED BEFORE IMPLEMENTING THESE MEASURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SEDIMENTATION AND SOIL EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION.
10. IN GENERAL, BATTERING AND PAWMENT CONSTRUCTION SHOULD BE PERFORMED IN ACCORDANCE WITH THE LATEST 2017 ANNOU SPECIFICATIONS FOR CONSTRUCTION UNLESS OTHERWISE NOTED.
11. REMOVE ANY EXISTING TOPSOIL, ORGANIC SOILS, UNDESIRABLE FILL VEGETATION, TREES OR OTHER DELETERIOUS MATERIALS TO EXPOSE THE SUBGRADE. SOIL, TREE ROOTS SHOULD BE COMPLETELY REMOVED.
12. ESCURATIVE TO THE DEPTH OF THE FINAL SUBGRADE ELEVATION TO ALLOW FOR GRADE CHANGES AND THE PLACEMENT OF THE RECOMMENDED PAWMENT SYSTEM.
13. ON SITE FILL MATERIAL CAN BE USED IF THE SPECIFIED CONSTRUCTION REQUIREMENTS CAN BE ACHIEVED. IF ON SITE MATERIAL IS USED, IT SHOULD BE CLEAN AND FREE OF FROZEN SOIL, ORGANICS, OR OTHER DELETERIOUS MATERIALS.
14. THE FINAL SUBGRADE SHOULD BE THOROUGHLY PROOFROLLED USING A LOOSE TAPERED ROLLER UNDER THE SUPERVISION OF GEOTECHNICAL/PAWMENT ENGINEER, LOOSE OR VELOCING AREAS THAT CANNOT BE MECHANICALLY STABILIZED SHOULD BE REMOVED AND REPLACED WITH ENGINEERED FILL OR AS DICTATED BY FIELD CONDITIONS.
15. IF DEWATERING IS ANTICIPATED OR ENCOUNTERED DURING CONSTRUCTION, A DRAINAGE PLAN MUST BE SUBMITTED TO THE ENGINEER DIVISION FOR REVIEW.

**GRADING LEGEND:**

- 10' — PROPOSED MAJOR CONTOUR
- 2' — PROPOSED MINOR CONTOUR
- X 7.73 — PROPOSED SPOT ELEVATION
- X 67.73 — EXISTING ELEVATION
- X HP-7.73 — PROPOSED HIGH POINT ELEVATION
- X TG-7.73 — PROPOSED TOP OF GRATE ELEVATION
- 2.2% — PROPOSED SLOPE
- 7.2% — EXISTING CONTOUR

**UTILITY LEGEND:**

- ⊗ — HYDRANT
- ⊙ — VALVE/CURB BOX
- — WATER MAIN
- — SANITARY SEWER
- — SANITARY SEWER MANHOLE



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Project Manager T. REDER	Discipline Lead P. FURTAY, PE
Designer J. SMITH	Reviewer P. FURTAY, PE
Date Issued AUG 17, 2021	Project Number 01518A.00

Sheet Name

**GRADING & UTILITY PLAN**

Drawing Number

**C110**



SITE PLAN APPROVAL	05/06/21
R/SD PER CMNTS	05/21/21
R/SD PER CMNTS	08/18/21
R/SD PER CMNTS	03/30/22

- NOTE KEY:**
- 1 PROPOSED FENCE - SEE CIVIL DRAWINGS
  - 2 PROPOSED GATE - SEE CIVIL DRAWINGS
  - 3 EXISTING DRIVE TO REMAIN
  - 4 EXISTING FENCE TO REMAIN
  - 5 PROPOSED STORAGE AREA SURFACE - SEE CIVIL DRAWINGS
  - 6 EXISTING VEGETATION TO REMAIN
  - 7 NEW SEEDED LAWN
  - 8 SHOVEL CUT BED EDGE - TYP
  - 9 CONTINUOUS MULCH BED
  - 10 EXISTING STORM WATER BASIN - SEE CIVIL DRAWING

**GENERAL PLANTING REQ.:**

- 1 THE WORK SHALL CONSIST OF PROVIDING ALL NECESSARY MATERIAL, LABOR, EQUIPMENT, TOOLS, AND SUPERVISION REQUIRED FOR THE COMPLETION AS SHOWN ON THE DRAWING.
- 2 ALL PLANT MATERIALS SHALL CONFORM TO THE TYPE STATED ON THE PLANT LIST. SIZES SHALL BE THE MINIMUM STATED ON THE PLANT LIST OR LARGER. ALL MEASUREMENTS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE N.A.S. STANDARDS FOR GRADE NO. 1 NURSERY STOCK AND NORTHERN NURSERY GROWN.
- 3 ALL TREE LOCATIONS SHALL BE STATED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT.
- 4 ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER. TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED. ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
- 5 ALL MULTI-STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE OR TWO LEADERS WITH THIN BRANCHES SHALL NOT BE ACCEPTED.
- 6 ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
- 7 THE CONTRACTOR IS RESPONSIBLE FOR PLANTING THE MATERIALS AT THE CORRECT GRADES AND SPACING. THE PLANTS SHALL BE ORIENTED AS TO GIVE THE BEST APPEARANCE.
- 8 WHEN THE PLANT HAS BEEN PROPERLY SET, THE PIT SHALL BE FILLED WITH A TOPSOIL AND WATER SHALL BE APPLIED GRADUALLY FILLING, PATTING AND SETTLING WITH WATER.
- 9 ALL PLANT MATERIALS SHALL BE PRUNED AND INJURIES REPAIRED THE AMOUNT OF PRUNING SHALL BE LIMITED TO THE REMOVAL OF DEAD OR INJURED TWIGS AND TO COMPENSATE FOR THE LOSS OF ROOTS FROM TRANSPORTING. CUTS SHOULD BE FLUSH LEAVING GRADUALLY FILLING, PATTING AND SETTLING WITH WATER.
- 10 THE CONTRACTOR AGREES TO GUARANTEE ALL PLANT MATERIALS FOR THE PERIOD OF TWO (2) YEARS. ALL PLANT MATERIALS SHALL HAVE A MINIMUM OF ONE GROWING SEASON TO BE GUARANTEED FOR THE FULL YEAR WARRANTY. AT THAT TIME THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT FOR A FINAL INSPECTION PLANT MATERIAL WITH 2% DIE BACK AS DETERMINED BY THE OWNER'S REPRESENTATIVE SHALL BE RE-PLACED. THIS RE-PLACEMENT SHALL INCLUDE THE SUBSTITUTION OF OTHER PLANTS, LABOR AND MATERIALS. THESE NEW PLANTS SHALL ALSO BE GUARANTEED FOR THE PERIOD OF ONE YEAR.
- 11 TOPSOIL SHALL BE FRAGILE, FERTILE TOPSOIL OF CLAY LOAM CHARACTER CONTAINING AT LEAST 5% BUT NOT MORE THAN 20% BY WEIGHT OF ORGANIC MATTER WITH A PH RANGE FROM 6.5 TO 7.5. SOIL SHALL BE FREE FROM CLAY LUMPS, CORNERS SAND, PLANT ROOTS, STICKS AND OTHER FOREIGN MATERIALS.
- 12 NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES. HAND GRAZE ALL LAWN AREAS WITHIN DRIP LINE OF EXISTING TREES.
- 13 IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AHEAD FROM ALL BUILDINGS, WALKS AND PAVED AREAS.
- 14 ALL PLANTING BEDS SHALL RECEIVE 4" SHREDDED BARK MULCH SEE SPECIFICATION.
- 15 SOO SEED LAWN AREAS: ALL LAWN AREAS BETWEEN CURBS AND BUILDINGS OR BETWEEN BUILDINGS, DRIP SOIL TO 4" DEEP BEFORE TOPSOIL PLACEMENT.
- 16 SOO SHALL BE TWO YEAR OLD "BAMBOOCHERALEPH" KENTUCKY BLUE GRASS GROWN IN A SOO NURSERY ON LOAM SOIL.

**PLANT MIX**

**ALL PLANTING PERENNIAL BEDS TO RECEIVE:**

- 1-6 CU FT. CITY OF COMPOST
- 1-40 LBS/600 DRAINAGE
- 1-1 LB/300 STEERING 15-15-15 MULTI PURPOSE FERTILIZER

**PER 148 SQ FT BED AREA:**  
HAND TILL INTO SOIL TO A DEPTH OF 12" MINIMUM

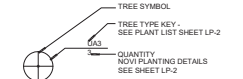
**MULCH**  
MULCH TO BE DOUBLE SHREDDED HARDWOOD BARK MULCH

NO GROUND WOOD PALLETTE MULCH PERMITTED

**TOPSOIL**

CONTRACTOR TO TILL OR DRIP SUBGRADE TO 4" DEPTH AND INSTALL 4" COMPACTED DEPTH TOPSOIL IN ALL LAWN AREAS - TOPSOIL SHALL BE PROVIDED BY CONTRACTOR

**PLANT KEY**

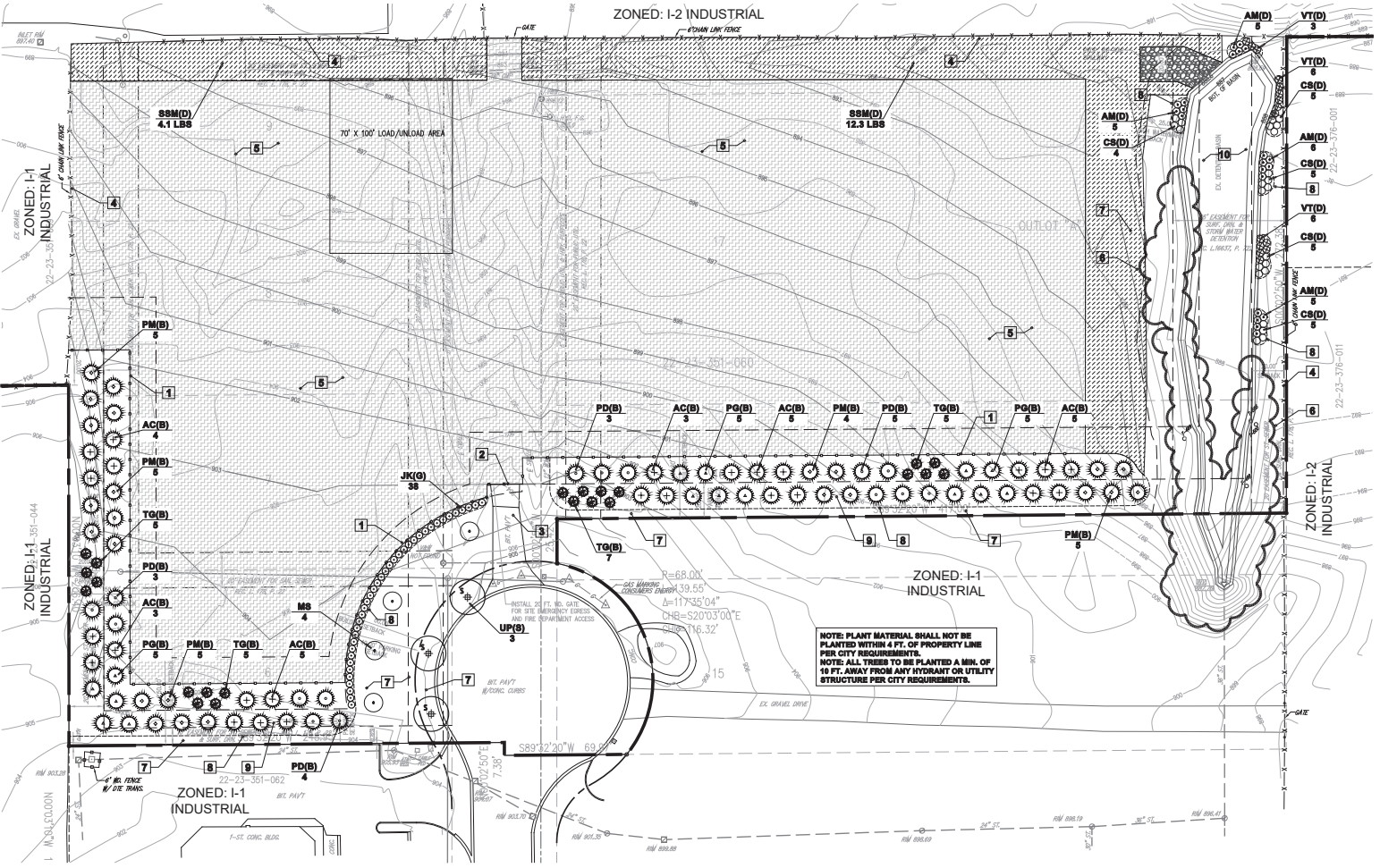


**IRRIGATION**

ALL LANDSCAPE AREAS WILL BE IRRIGATED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM



NOT TO BE USED AS CONSTRUCTION DRAWING



**NOTE: PLANT MATERIAL SHALL NOT BE PLANTED WITHIN 4 FT. OF PROPERTY LINE PER CITY REQUIREMENTS.**  
**NOTE: ALL TREES TO BE PLANTED A MIN. OF 16 FT. AWAY FROM ANY HYDRANT OR UTILITY STRUCTURE PER CITY REQUIREMENTS.**

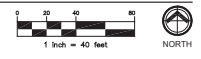
**SITE PLANTING PLAN**

SCALE: 1" = 40'

**LANDSCAPE DATA**

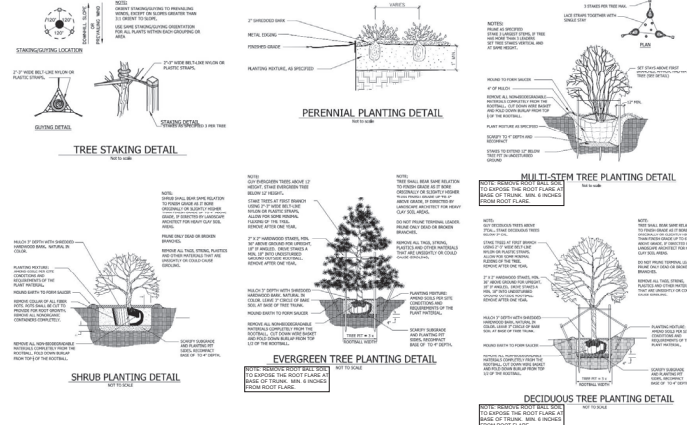
R.O.W. Greenbelt	150 in. ft.	Street Trees	150 in. ft.
Catherine Dr. Frontage (150 in. ft. - 19 in. R.) Canopy Evergreen Trees Req. (1 Tree/60 in. R.) Canopy Evergreen Trees Prov. Sub-Canopy Trees Req. (1 Tree/40 in. R.) Sub-Canopy Trees Prov. Provided: Continuous tall evergreen hedge to screen storage area	3 Trees None 4 Trees	Twelve Mile Road Frontage (150 in. ft. less 19 in. R.) (1 Tree/45 in. R.) Trees Required Total Trees Provided:	3 Trees 3 Trees

- NOTES:**
- 1 NO OVERHEAD UTILITIES EXIST OR ARE PROPOSED ON SITE.
  - 2 SEE CIVIL DRAWINGS FOR SOIL MAP AND TYPES PRESENT ON SITE.
  - 3 NO PHRAGMITES OBSERVED ON SITE.
  - 4 NO JAPANESE KNOTWEED OBSERVED ON SITE.





# NOVI PLANTING DETAILS



## SWALE MIX

**Swale Seed Mix**

Botanical Name	Common Name	Quantity/acre
<b>Permanent Grasses/Sedges</b>		
<i>Andropogon gerardii</i>	Big Bluestem	12.00
<i>Carex cornosa</i>	Bristly Sedge	2.00
<i>Carex caryota</i>	Crested Owl Sedge	1.00
<i>Carex lurida</i>	Bottlebrush Sedge	2.50
<i>Carex lasa</i>	Prairie Sedge Mix	2.00
<i>Carex ripens</i>	Brown Fox Sedge	4.00
<i>Elymus virginicus</i>	Virginia Wild Rye	8.00
<i>Glyceria striata</i>	Fowl Manna Grass	1.00
<i>Panicum virgatum</i>	Switch Grass	2.00
<i>Setaria verticillata</i>	Wood Grass	0.50
<i>Sporobolus airoides</i>	Dark Green Rush	2.00
<i>Stipa sp.</i>	Wool Grass	0.50
<i>Spartina pectinata</i>	Prairie Cord Grass	3.00
<b>Total</b>		<b>40.00</b>
<b>Temporary Cover:</b>		
<i>Avena sativa</i>	Common Oat	360.00
<i>Lolium multiflorum</i>	Annual Ryegrass	100.00
<b>Total</b>		<b>460.00</b>
<b>Forbs:</b>		
<i>Ailanthus sp.</i>	Water Plantain (Various)	1.00
<i>Achillea millefolium</i>	Oswegyo Milkweed	2.00
<i>Aster novae-angliae</i>	New England Aster	0.50
<i>Cirsium striatum</i>	Tall Coreopsis	1.00
<i>Equisetum maculatum</i>	Spoiled Joe-Pye Weed	0.25
<i>Impatiens virginica</i>	Blue Flag	4.00
<i>Liatris scariosa</i>	Marys Blazing Star	1.00
<i>Loasella cardinale</i>	Cardinal Flower	0.25
<i>Loasella spicata</i>	Great Blue Lobelia	0.50
<i>Scilla maritima</i>	Common Water Hellebore	0.25
<i>Solidago canadensis</i>	Common Anemone	0.25
<i>Solidago nemoralis</i>	Prairie Dock	1.00
<i>Verbena hastata</i>	Blue Veraneth	1.50
<i>Zizia aurea</i>	Golden Alexanders	0.75
<b>Total</b>		<b>14.75</b>

## EROSION CONTROL BLANKET

**Material and Performance Specification Sheet**

**5150 Erosion Control Blanket**

Manufacturer: **EMULSION**

Product Description: Erosion control blanket for temporary soil stabilization and erosion control. It is made of a non-woven fabric of polypropylene fibers, which are coated with a layer of polyurethane. The blanket is designed to be installed on bare soil and to provide a protective layer that prevents erosion and promotes the growth of vegetation.

Specifications:

- Material: Polypropylene fibers coated with polyurethane.
- Weight: 1.5 lbs./sq. yd.
- Color: Green.
- Length: 100 ft.
- Width: 48 in.
- Installation: Unroll and secure with stakes.
- Maintenance: No maintenance required.

## NATIVE SEEDING MAINTENANCE

During the first growing season, native areas should be mowed a maximum of three times to height of about 4" when the growth reaches 10"-12". Selective herbicide applications or hand pulling may be needed to control unwanted weed populations. If a mower cannot get tall enough, a string trimmer may be used.

During the second growing season, mowing should be reduced to a maximum of two times to height of about 8" when the growth reaches 10"-12". Selective herbicide applications or hand pulling may be needed to control unwanted weed populations.

By the second growing season it should be apparent if some areas need reseeding. Reseed or amend as needed to provide for full coverage.

Long term management to reduce unwanted plantings, including hand pulling and selective herbicide applications. If burning is not allowed or feasible, the planting may be needed to a short height and the clipping removed in the early spring before ground nesting birds begin nesting.

## SEED MIX NOTES

- The seed rates shall be applied at the specified rate for each mix.
  - Mix to be installed to meet specific requirements.
  - The planting mix for the top layer shall be 70% sharp sand and 30% compost.
- Manufacturer: JFlora, Inc. 12000 Greenway Blvd. Independence, MO 64054 (816) 221-2122

## NOVI SPECIFICATIONS

- Whenever in this Ordinance landscape plantings are required or permitted, they shall be planted in accordance with the approved final stamped landscape plan.
- All plant materials shall be installed between April 15th and November 15th. All installed landscapes including plant materials, mulch, staking, irrigation, and sodding, must be installed and inspected by the City prior to issuance of a Temporary Certificate of Occupancy. At that time, a financial guarantee of 1.2 times the cost of any deficiencies will be held until inspection reports for Final Certificate of Occupancy. In order to receive a Final Certificate of Occupancy, the deficiencies must be addressed within 30 days during the April 15th to November 15th planting season. If the deficiencies are not addressed in the time period outlined above, the City will cash in the amount being held for the outstanding items and remedy those items.
- A City representative will perform landscape inspections following a request from the developer or owner. The inspection time period is from April 15th to November 15th. If an inspection is requested between November 16 and April 14, a financial guarantee is to be provided based on 1.2 times the percent incomplete for a Temporary Certificate of Occupancy as outlined above. Beginning April 15th, the Applicant then has 30 days to complete items or the City will cash in the amount being held and finish the job.
- The establishment period for the plant material guarantee will occur beginning at the Final Certificate of Occupancy inspection approved to 2 years from that date. All plantings shall be properly staked as to be in a healthy, growing condition at the commencement of the establishment period. At the end of the establishment period, any plantings, which are 20% dead or greater, shall be replaced.
- Notes of installation/owner change:**
  - The owner or developer must notify the City of the installation schedule. The City may request any material which is inferior or in general poor condition.
  - Minor changes regarding plant materials per the approved and stamped landscape plan may be allowed upon written notification to, and written sign-off by, the City Landscape Architect of species, size, change, and location.
  - Minor changes due to installation problems and lack of plant availability may be approved in writing by the City Landscape Architect when there is no reduction in the quality of plant material, no significant change in size or location of plant material, the new plant material is compatible with the area and in the same general type (deciduous/evergreen), exhibiting same design characteristics (mature height, crown), as the material being replaced. If these criteria are not fulfilled or changes are significant from approved plan, the landscape plan shall be revised and resubmitted for plan approval.
- Establishment:**
  - Maintenance of required plantings by the owner shall be carried out so as to preserve a healthy, neat and orderly appearance. New trees and shrubs shall be properly maintained and as a condition of Final Site Plan approval, the property owner shall enter into and record with the office of the Clerk/Clerk County Register of Deeds a Landscape Maintenance Agreement, or include such provisions as part of subdivision restrictions or condominium master deed, each of which shall be approved by the City Attorney. Such instrument shall identify the person or entity responsible for the care and maintenance of the plants, and shall provide the procedure, authority and finance for City care of trees/shrubs by the responsible entity. Such instrument shall also include provisions for all unmet and dead material shall be replaced within 90 (90) days of the next appropriate planting period, whichever occurs first, at landscape areas shall be provided with sufficient water for establishment and long-term survival. Tree stakes, guy wires and tree wrap are to be removed after one winter season. Plantings shall be guaranteed for 100 (100) growing seasons after date of the acceptance of the installation. If grass or weeds exceed the height specified in Chapter 21 of the Novi Codes of Ordinances, or if shrubs are allowed to obstruct vision across any portion of the island and the responsible party is unwilling to height trim the shrubs, the City will remove them and shall assess the cost of such abatement measures in the manner proposed by the developer and approved by the City.
  - Responsibility and Certificate of Occupancy. The owner of the property subject to the requirements of this Section shall be responsible for maintaining the landscape per landscaping the approved final landscape plan as specified in this Section. Where the property is occupied by a person other than the owner, the occupant shall also be responsible for maintenance. All landscaping work required pursuant to this Section shall be installed at the expense of the responsible party. Sections 3005-B and 9 shall be maintained on an ongoing basis by the occupant and/or landowner.

\* These requirements supersede all other plantings requirements or specifications.

**SEED CONVERSION:**

8.7 = LBS / (LBS. PER AC. - LB. 37.7) x 45,000 / 0

**EXAMPLE:**

68.0 LBS. / 37.7 x 45,000 / 0 = 7,823 8.7.

## PLANT LIST - Greenbelt

QUAN.	KEY	COMMON BOTANICAL NAME	SIZE	SPEC.	UNIT	TOTAL
30	JK	Keller Juniper <i>J. Keldor</i>	6' H.	BAB	\$ 60.00	\$ 1,800.00
6		SHREDDED HARD BARK MULCH (C.Y.)			\$ 36.00	\$ 176.00
					<b>TOTAL:</b>	<b>\$ 2,076.00</b>

## PLANT LIST - Buffer

QUAN.	KEY	COMMON BOTANICAL NAME	SIZE	SPEC.	UNIT	TOTAL
25	AC(B)	Concolor Fir <i>Abies concolor</i>	6'-10" H.	BAB	\$ 375.00	\$ 9,375.00
15	PD(B)	Black Hills Spruce <i>Picea g. densata</i>	6'-10" H.	BAB	\$ 375.00	\$ 5,625.00
15	PG(B)	White Spruce <i>Picea princeps</i>	6'-10" H.	BAB	\$ 375.00	\$ 5,625.00
24	PM(B)	Douglas Fir <i>Pseudotsuga menziesii</i>	6'-10" H.	BAB	\$ 375.00	\$ 9,000.00
22	TO(B)	Green Giant Arborvitae <i>Thuja standishii x plantae</i>	6' H.	BAB	\$ 250.00	\$ 5,500.00
10		SHREDDED HARD BARK MULCH (C.Y.)			\$ 36.00	\$ 630.00
					<b>TOTAL:</b>	<b>\$ 35,785.00</b>

## PLANT LIST - Detention Basin & Swale

QUAN.	KEY	COMMON BOTANICAL NAME	SIZE	SPEC.	UNIT	TOTAL
21	AM	Miquole Beauty Chokeberry <i>Aronia m. Miquole Beauty</i>	36" H.	Cont.	\$ 50.00	\$ 1,050.00
24	CS	Red Oler Dogwood <i>Cornus sericea</i>	36" H.	Cont.	\$ 50.00	\$ 1,200.00
15	VT	Bulley Connect Viburnum <i>Viburnum trilobum Bulley Connect</i>	36" H.	Cont.	\$ 50.00	\$ 750.00
16.4	BSM	Swale Seed Mix	32.2 lbs./sq. ft.	LBS.	\$ 300.00	\$ 4,920.00
8		SHREDDED HARD BARK MULCH (C.Y.)			\$ 36.00	\$ 280.00
					<b>TOTAL:</b>	<b>\$ 8,200.00</b>

## PLANT LIST - Street Trees

QUAN.	KEY	COMMON BOTANICAL NAME	SIZE	SPEC.	UNIT	TOTAL
3	UP	Pritchard Elm <i>Ulmus americana Pritchard</i>	3" Cal.	BAB	\$ 400.00	\$ 1,200.00
4	MS	Super Yume Crabapple <i>Malus SugarYume</i>	2" Cal.	BAB	\$ 250.00	\$ 1,000.00
1.5		SHREDDED HARD BARK MULCH (C.Y.)			\$ 36.00	\$ 62.00
					<b>TOTAL:</b>	<b>\$ 2,200.00</b>
1,200		SEDED LAWN (S.Y.)			\$ 3.00	\$ 3,760.00

- NOTE:
- CONTRACTOR TO VERIFY ALL PLANT QUANTITIES ON PLANS.
  - ANY PLANT SUBSTITUTIONS MUST BE APPROVED BY THE CITY IN WRITING PRIOR TO INSTALLATION.
  - PLANT SPECIES SELECTIONS PROVIDED TO MEET CITY REQUIREMENTS.
  - DO NOT USE DWARF SPECIES OR CORNUS SERICEA.



NOT TO BE USED AS CONSTRUCTION DRAWING

**deak**

PLANNING + DESIGN

143 cadcentre #79  
northville, mi 48167

deakplanningdesign.com

**MICHIGAN CAT STORAGE**  
24800 Novi Road, Novi, Michigan

STEPHEN J. ARCHITECT  
No. 1245

project sponsor:  
MacAllister Machinery Co., Inc.  
6300 Southeastern Ave.  
Indianapolis, IN 46203  
317.545.2151

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revisions:

SITE PLAN APPROVAL	05/06/21
RUSD PER CMNTS	05/21/21
RUSD PER CMNTS	08/18/21
RUSD PER CMNTS	03/30/22

sheet title:  
**LANDSCAPE DETAILS**

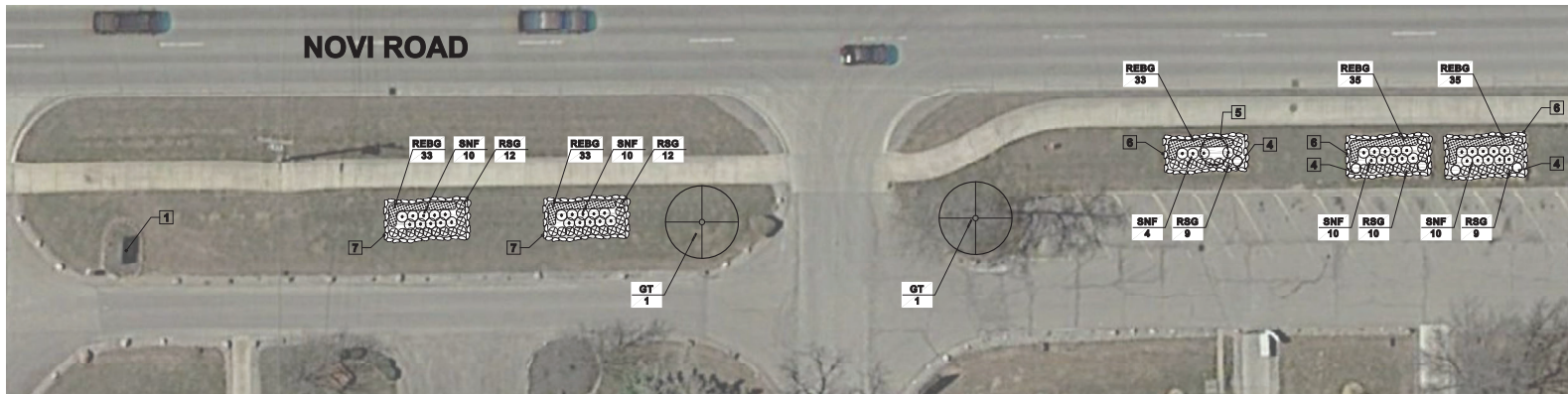
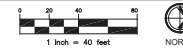
project no.  
162109

sheet no.  
LP-2



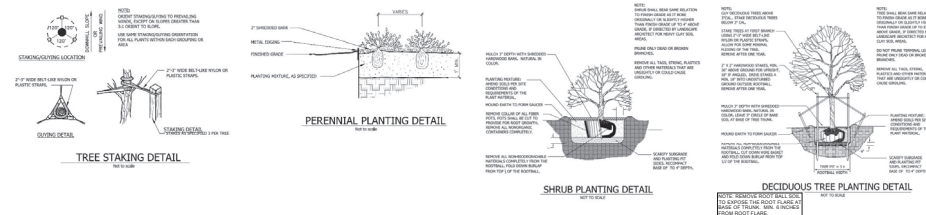
**FRONTAGE KEY MAP**

SCALE: 1" = 40'



**1 LP3 PLANTING PLAN DETAIL**  
SCALE 1/16" = 1'-0"

**NOVI PLANTING DETAILS**



**NOTE KEY:**

- 1 EXISTING SIGN
- 2 EXISTING FLAG POLE
- 3 EXISTING TREE TO REMAIN
- 4 EXISTING CURB, GRASS TO REMAIN
- 5 EXISTING CURB, TREE TO REMAIN
- 6 EXISTING BOLLARDS TO REMAIN
- 7 PROPOSED BOLLARDS TO MATCH EXISTING
- 8 SHOVEL CUT BED EDGE
- 9 PROPOSED MOTOR CITY MARKER SIGN
- 10 EXISTING BRICK PAVERS TO REMAIN
- 11 BENCH - 16"SHARPOUGH 4" BACKED BENCH - STRAPPED SURFACE ADJACENT TREE MANUFACTURER
- 12 COLOR - BUTTERFLY, W/ OWNER APPROVAL
- LANDSCAPE FORMS 800-593-5246
- WWW.LANDSCAPEFORMS.COM

**GENERAL PLANTING REQ.:**

- 1 THE NOTE SHALL CONSIST OF PROFESSIONAL NECESSARY MATERIAL, LABOR, EQUIPMENT, TOOLS, AND SUPERVISION REQUIRED FOR THE COMPLETION AS SHOWN ON THE DRAWING.
- 2 ALL PLANT MATERIALS SHALL CONFORM TO THE TYPE STATED ON THE PLANT LIST. SPECIES SHALL BE THE MINIMUM STATED ON THE PLANT LIST OR LARGER. ALL MEASUREMENTS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE "NURSERY STANDARDS FOR GRADE NO. 1 NURSERY STOCK" AND NORTHERN NURSERY GREEN.
- 3 ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
- 4 ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER, TREES WITH FORKED OR IRREGULAR TRUNKS **WILL NOT BE ACCEPTED**. ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
- 5 ALL MULTI-STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE STEM TREES OR THOSE WITH THIN OR SPINDLY CROWNS SHALL **NOT BE ACCEPTED**.
- 6 ALL BUSHY TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SPREAD FOR THE LAST FIVE GROWING SEASONS.
- 7 THE CONTRACTOR IS RESPONSIBLE FOR PLANTING THE MATERIALS AT THE CORRECT GRADES AND SPACING. THE PLANTS SHALL BE ORIENTED AS TO GIVE THE BEST APPEARANCE.
- 8 WHEN THE PLANT HAS BEEN PROPERLY SET, THE PIT SHALL BE BACKFILLED WITH A TOPSOIL AND NATIVE SOIL MIXTURE, GRADUALLY FILLING, PATTING AND SETTLING WITH WATER.
- 9 ALL PLANT MATERIALS SHALL BE PRUNED AND INJURED REPAIRED. THE AMOUNT OF PRUNING SHALL BE LIMITED TO THE REMOVAL OF DEAD OR DAMAGED TWIGS AND TO COMPENSATE FOR THE LOSS OF ROOTS FROM TRANSPORTING. CUTS SHOULD BE FLUSH, LEAVING NO TILT.
- 10 THE CONTRACTOR AGREES TO GUARANTEE ALL PLANT MATERIALS FOR THE PERIOD OF TWO (2) YEARS. ALL PLANT MATERIALS SHALL HAVE A MINIMUM OF ONE (1) YEAR'S GROWING HISTORY. **THE CLIENT, LANDSCAPE ARCHITECT, AT THAT TIME THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT FOR A FINAL INSPECTION. PLANT MATERIAL WITH 2% DIE BACK, AS DETERMINED BY THE OWNER'S REPRESENTATIVE SHALL BE REPLACED.** THESE GUARANTEES INCLUDE THE PERIOD OF 2 YEAR PLANTING LABOR AND MATERIALS. THESE NEW PLANTS SHALL ALSO BE GUARANTEED FOR THE PERIOD OF ONE YEAR.
- 11 TOPSOIL SHALL BE FRABLE, FERTILE, TOPSOIL OF CLAY LOAM CHARACTER CONTAINING AT LEAST 5% BUT NOT MORE THAN 20% BY WEIGHT OF ORGANIC MATTER WITH A PH RANGE FROM 6.5 TO 7.5. SOIL SHALL BE FREE FROM CLAY LUMPS, COARSE SAND, PLANT ROOTS, STONES AND OTHER FOREIGN MATERIALS.
- 12 NO MACHINERY IS TO BE USED WITHIN THE DRAIN LINE OF EXISTING TREES. HAND GRADE ALL LAWN AREAS WITHIN DRIP LINE OF EXISTING TREES.
- 13 IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS, WALKS AND PAVED AREAS. SEE SPECIFICATION.
- 14 ALL PLANTING BEDS SHALL RECEIVE 4" SHREDDED BARK MULCH SEE SPECIFICATION.
- 15 SOO BEED LAWN AREAS - ALL LAWN AREAS BETWEEN CURBS AND BUILDINGS OR BETWEEN BUILDINGS, DISK SOIL TO 4" DEEP BEFORE TOPSOIL PLACEMENT.
- 16 SOO SHALL BE TWO YEAR OLD "BARONOVARDELPHI" KENTUCKY BLUE GRASS GROWN IN A SOO NURSERY ON LOAM SOIL.

**PLANT MIX**

- ALL PLANTING/ PERENNIAL BEDS TO RECEIVE:
  - 1 - 4 CUFT CITY OF COMPOST
  - 1 - 40 LB BAG ORGANIC
  - 1 - 1 LB MACROMEN 12-12-12 MULTI PURPOSE FERTILIZER

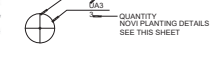
**MULCH**

- PER 100 SQ FT BED AREA HAND TILL INTO SOIL TO A DEPTH OF 12" MINIMUM
- MULCH TO BE DOUBLE SHREDDED HARDWOOD BARK MULCH**
- NO GROUND WOOD PALETTE MULCH PERMITTED

**TOPSOIL**

- CONTRACTOR TO TILL OR DISK SUBGRADE TO 4" DEPTH AND INSTALL 4" COMPACTED DEPTH TOPSOIL IN ALL LAWN AREAS - TOPSOIL SHALL BE PROVIDED BY CONTRACTOR

**PLANT KEY**



**811**

Know what's below Call before you dig

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project sponsor:  
MacAllister Machinery Co., Inc.  
6300 Southeastern Ave.  
Indianapolis, IN 46203  
317.545.2151

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revisions:

SITE PLAN APPROVAL	05/06/21
RVS/D PER CMNTS	05/21/21
RVS/D PER CMNTS	08/18/21
RVS/D PER CMNTS	09/16/21
RVS/D PER CMNTS	09/30/22

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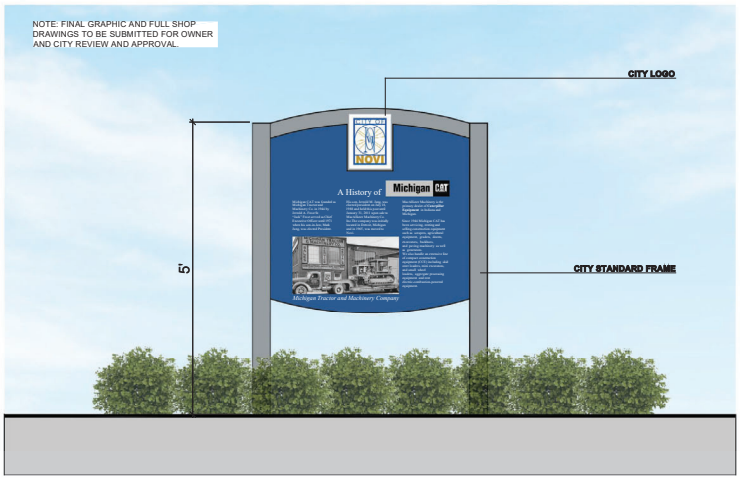
project no.  
**162109**

sheet no.  
**LP-3**





**2**  
 LP3  
**PLANTING PLAN DETAIL**  
 SCALE 1/16" = 1'-0"



**1**  
**HISTORY SIGN CONCEPT**  
 SCALE 1" = 1'-0"

**PLANT LIST - Novi Road Frontage**

QUAN.	KEY	COMMON/BOTANICAL NAME	SIZE	SPEC.	UNIT	TOTAL
2	QT	Skyline Thornless Honeylocust <i>Gleditsia x Skyline</i>	3" cal.	B&B	\$ 400.00	\$ 800.00
88	SNF	Neon Flash Spirea <i>Spiraea x Neon Flash</i>	3 Gal.	Cont.	\$ 60.00	\$ 5,280.00
84	RSG	Rod Switch Grass <i>Panicum sp. Rod Switch</i>	2 Gal.	Cont.	\$ 10.00	\$ 870.00
25	PAV	Early Blooming Bil. Flowered Pin.Osses <i>Panicum s. 'Viddecano'</i>	2 Gal.	Cont.	\$ 10.00	\$ 1,320.00
88	HHR	Happy Returns Daylily <i>Haystack x Happy Returns</i>	1 Gal. 3 Pan min.	Cont.	\$ 15.00	\$ 3,000.00
208	REBO	Early Bird Gold Orange Coneflower <i>Rudbeckia x Early Bird Gold</i>	1 Gal.	Cont.	\$ 10.00	\$ 138.00
9		SHREDDED HARD BARK MULCH (C.Y.)			\$ 35.00	\$ 315.00
					<b>TOTAL:</b>	<b>\$ 8,883.00</b>

NOTE:  
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 2. ANY PLANT SUBSTITUTIONS MUST BE APPROVED BY THE CITY IN WRITING PRIOR TO INSTALLATION.  
 3. PLANT SPECIES SELECTIONS PROVIDED TO MEET CITY REQUIREMENTS.  
 4. DO NOT USE DWARF SPECIES OF CORNUS SERICEA.

**BENCH**



LANDSCAPE FORMS - SCARBOROUGH BENCH

- NOTE KEY:**
- 1 EXISTING SIGN
  - 2 EXISTING FLAG POLE
  - 3 EXISTING TREE TO REMAIN
  - 4 EXISTING ORN. GRASS TO REMAIN
  - 5 EXISTING ORN. TREE TO REMAIN
  - 6 EXISTING BOLLARD TO REMAIN
  - 7 PROPOSED BOLLARDS TO MATCH EXISTING
  - 8 SHOVEL CUT BED EDGE
  - 9 PROPOSED MOTOR CITY MARKER SIGN
  - 10 EXISTING BRICK PAVERS TO REMAIN
  - 11 BENCH - "SCARBOROUGH 48" BACKED BENCH - STRAPPED SURFACE MOUNT TREE MANUFACTURER
  - 12 EXISTING HOLDERS TO REMAIN
  - 13 PROPOSED HOLDERS TO MATCH EXISTING
  - 14 SHOVEL CUT BED EDGE
  - 15 PROPOSED MOTOR CITY MARKER SIGN
  - 16 EXISTING BRICK PAVERS TO REMAIN
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  - 18 COLOR - BUTTERFLY W/ OWNER APPROVAL
  - 19 LANDSCAPE FORMS 800-89-2846
  - 20 WWW.LANDSCAPEFORMS.COM

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- 6 ALL BUSHES/SHRUB TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SPREAD FOR THE LAST FIVE GROWING SEASONS.
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- 14 ALL PLANTING BEDS SHALL RECEIVE 4" SHREDDED BARK MULCH SEE SPECIFICATION.
- 15 800 SEED LAWN AREAS: ALL LAWN AREAS BETWEEN CURBS AND BUILDINGS OR BETWEEN BUILDINGS, DISK SOIL TO 4" DEEP BEFORE TOPSOIL PLACEMENT.
- 16 800 SHALL BE TWO YEAR OLD "BARON-ORANGE/DELPHI" KENTUCKY BLUE GRASS GROWN IN A 500 NURSERY ON LOAM SOIL.

**PLANT MIX**

- ALL PLANTING/PERENNIAL BEDS TO RECEIVE:**
- 1 - 4 CU FT. QTY. OF COMPOST
  - 1 - 40 LB BAG ORGANIC
  - 1 - 1 LB BAG DREPMAT 1-1-1-13 MULTI PURPOSE FERTILIZER

**PER 100 SQ FT BED AREA**  
 HAND TILL INTO SOIL TO A DEPTH OF 12" MINIMUM

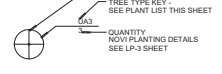
**MULCH**

- 1 ALL SOIL TO BE DOUBLE SHREDDED HARDWOOD BARK MULCH
- 2 NO GROUND WOOD PALLETTE MULCH PERMITTED

**TOPSOIL**

CONTRACTOR TO TILL ON DISK SUBGRADE TO 4" DEPTH AND INSTALL 4" COMPACTED DEEP TOPSOIL IN ALL LAWN AREAS - TOPSOIL SHALL BE PROVIDED BY CONTRACTOR

**PLANT KEY**



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 MacAllister Machinery Co., Inc.  
 6300 Southeastern Ave.  
 Indianapolis, IN 46203  
 317.545.2151

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revisions:

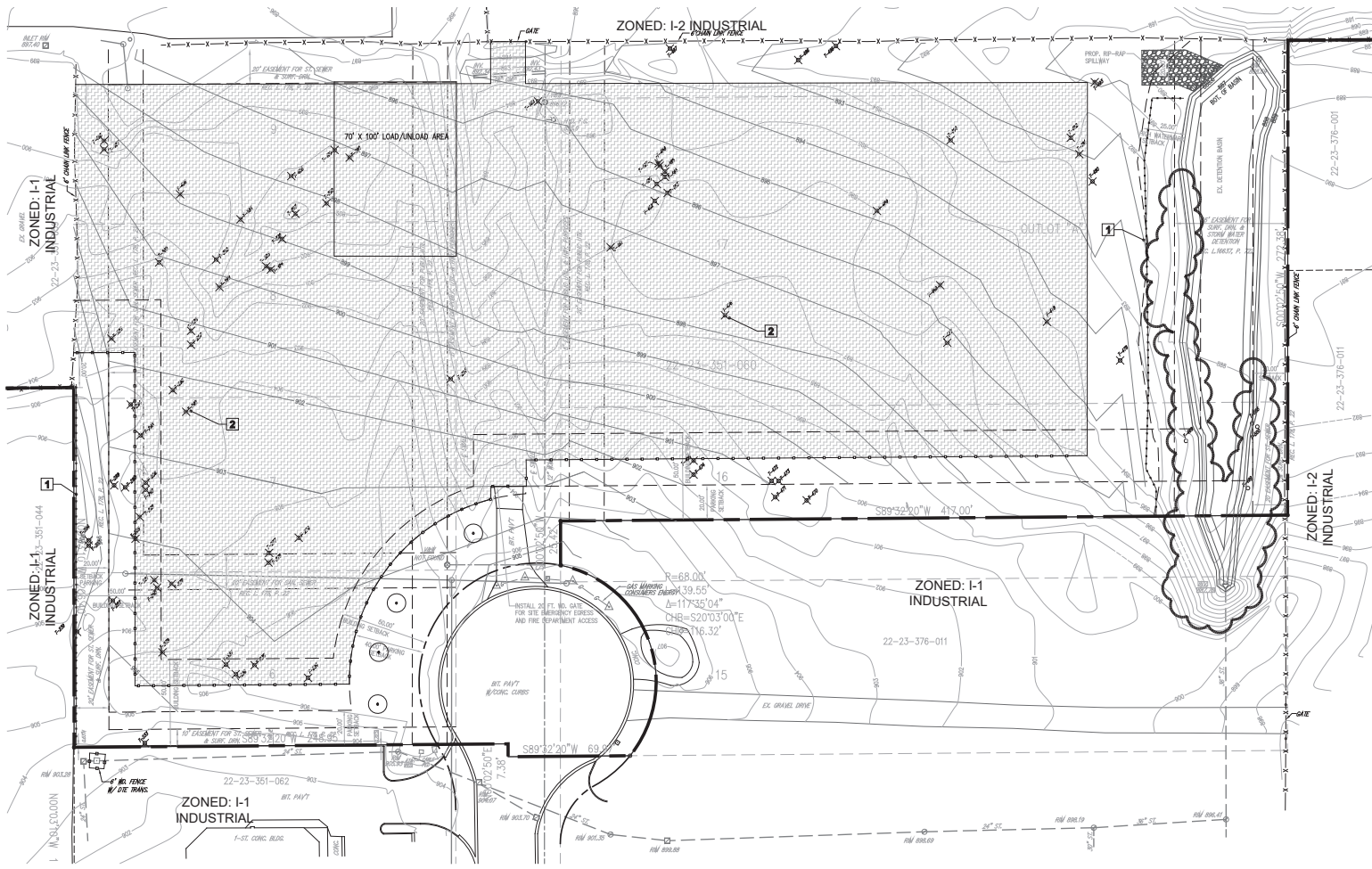
SITE PLAN APPROVAL	05/06/21
RVSD PER CMNTS	05/21/21
RVSD PER CMNTS	08/18/21
RVSD PER CMNTS	09/16/21
RVSD PER CMNTS	09/30/22

sheet title:  
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 DETAIL**

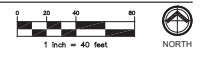
project no.  
**162109**

sheet no.  
**LP-4**

**NOT TO BE USED AS CONSTRUCTION DRAWING**



**WOODLAND IMPACT PLAN**  
SCALE: 1" = 40'



**NOTE KEY:**

- 1 TREE PROTECTION FENCING - SEE CIVIL DRAWINGS
- 2 TREE REMOVED TRIP - SEE INVENTORY LIST SHEET TL-1 FOR REPLACEMENT CREDITS PER TREE

**WOODLAND DATA**

Total Trees Surveyed:	78 Trees
Total Trees Preserved:	4 Trees

**WOODLAND IMPACT**

Trees Removed:	
Dead Trees Removed:	2 Trees
Very Poor Cond. Trees Removed:	6 Trees
Trees Req. Replc. Removed:	44 Trees
Multi Stem Trees Req. Replc. Removed:	22 Trees

**WOODLAND REPLACEMENT**

Replacement Trees:

Trees 8" - 10" DBH: 4 Trees x 1 Credit =	4 Credits
Trees 11" - 18" DBH: 27 Trees x 2 Credit =	54 Credits
Trees 20" - 29" DBH: 8 Trees x 3 Credit =	27 Credits
Trees 30" or Greater: 4 Trees x 4 Credit =	16 Credits

Trees Multi Stem Req. Credits: 94 Credits

**TOTAL CREDITS REQUIRED: 186 Credits**

**PROP. REPLC. CREDITS:** (Paid to City Tree Fund)



NOT TO BE USED AS CONSTRUCTION DRAWING



Tag No.	DBH (in.)	Common Name	Botanical Name	Condition	Remove	Multi Stem Rteplac. Credits	Replacement Credits
233	18,16	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
234	18,13,10	Honeylocust	<i>Gleditsia triacanthos</i>	Good	R	5	
235	16,8	Cottonwood	<i>Populus deltoides</i>	Good	R	3	
236	16,12,16	Siberian Elm	<i>Ulmus pumila</i>	Good	R	6	
237	15,16	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
238	14,8	Cottonwood	<i>Populus deltoides</i>	Good	R	3	
239	14,17	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
240	14,14	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
241	13,11	Honeylocust	<i>Gleditsia triacanthos</i>	Good	R	4	
242	12,9	Boxelder	<i>Acer negundo</i>	Good	R	3	
243	12,19,15,15	Boxelder	<i>Acer negundo</i>	Good	R	8	
244	12,14	Boxelder	<i>Acer negundo</i>	Good	R	4	
245	12,14	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
246	10,9	Boxelder	<i>Acer negundo</i>	Poor	R	0	
247	10,8	Boxelder	<i>Acer negundo</i>	Good	R	2	
248	10,8	Boxelder	<i>Acer negundo</i>	Good	R	2	
249	10,17	Boxelder	<i>Acer negundo</i>	Good	R	3	
250	10,10	Cottonwood	<i>Populus deltoides</i>	Good	R	2	
251	40	Cottonwood	<i>Populus deltoides</i>	Good	R		4
252	38	Cottonwood	<i>Populus deltoides</i>	Good	R		4
253	36	Cottonwood	<i>Populus deltoides</i>	Fair	R		4
254	33	Cottonwood	<i>Populus deltoides</i>	Good	R		4
255	28	Honeylocust	<i>Gleditsia triacanthos</i>	Good	R		3
256	24	Cottonwood	<i>Populus deltoides</i>	Good	R		3
257	24	Cottonwood	<i>Populus deltoides</i>	Good	R		3
258	22	Cottonwood	<i>Populus deltoides</i>	Dead	R		0
259	22	Cottonwood	<i>Populus deltoides</i>	Good	R		3
260	22	Cottonwood	<i>Populus deltoides</i>	Good	R		3
276	21	Cottonwood	<i>Populus deltoides</i>	Good	R		3
292	20,14	Cottonwood	<i>Populus deltoides</i>	Good	R	5	
465	21	Cottonwood	<i>Populus deltoides</i>	Good	R		3
466	20	Cottonwood	<i>Populus deltoides</i>	Good	R		3
467	20	Siberian Elm	<i>Ulmus pumila</i>	Good	R		3
468	19	Cottonwood	<i>Populus deltoides</i>	Good	R		2
469	18	Cottonwood	<i>Populus deltoides</i>	Dead	R		2
470	18	Cottonwood	<i>Populus deltoides</i>	Good	R		2
471	18	Cottonwood	<i>Populus deltoides</i>	Good	R		2
472	18	Boxelder	<i>Acer negundo</i>	Good	R		2
473	18	Siberian Elm	<i>Ulmus pumila</i>	Good			
474	18	Cottonwood	<i>Populus deltoides</i>	Poor	R		0
475	15	Cottonwood	<i>Populus deltoides</i>	Good	R		2
476	15	Cottonwood	<i>Populus deltoides</i>	Good	R		2
477	15	Cottonwood	<i>Populus deltoides</i>	Good	R		2
478	15	Cottonwood	<i>Populus deltoides</i>	Good	R		2
479	15	Boxelder	<i>Acer negundo</i>	Good	R		2
480	15	Cottonwood	<i>Populus deltoides</i>	Good	R		2
481	15	Siberian Elm	<i>Ulmus pumila</i>	Good	R		2
482	14	Cottonwood	<i>Populus deltoides</i>	Fair	R		2
483	14	Cottonwood	<i>Populus deltoides</i>	Good	R		2
484	14	Cottonwood	<i>Populus deltoides</i>	Good	R		2
485	14	Cottonwood	<i>Populus deltoides</i>	Good	R		2
486	14	Siberian Elm	<i>Ulmus pumila</i>	Good			
487	14	Cottonwood	<i>Populus deltoides</i>	Poor	R		0
488	13	Cottonwood	<i>Populus deltoides</i>	Good	R		2
489	13	Cottonwood	<i>Populus deltoides</i>	Good	R		2
490	13	Siberian Elm	<i>Ulmus pumila</i>	Good	R		2
585	12	Siberian Elm	<i>Ulmus pumila</i>	Good			
586	12	Siberian Elm	<i>Ulmus pumila</i>	Poor			
587	12	Boxelder	<i>Acer negundo</i>	Good	R		2
588	12	Boxelder	<i>Acer negundo</i>	Good	R		2
589	12	Cottonwood	<i>Populus deltoides</i>	Good	R		2
590	12	Boxelder	<i>Acer negundo</i>	Good	R		2
591	12	Siberian Elm	<i>Ulmus pumila</i>	Good	R		2
592	12	Cottonwood	<i>Populus deltoides</i>	Good	R		2
593	11	Boxelder	<i>Acer negundo</i>	Good	R		2
594	11	Cottonwood	<i>Populus deltoides</i>	Good	R		2
595	11	Cottonwood	<i>Populus deltoides</i>	Good	R		2
596	11	Cottonwood	<i>Populus deltoides</i>	Poor	R		0
597	10	Boxelder	<i>Acer negundo</i>	Good	R		1
598	10	Boxelder	<i>Acer negundo</i>	Good	R		1
599	9	Cottonwood	<i>Populus deltoides</i>	Good	R		1
600	8	Cottonwood	<i>Populus deltoides</i>	Fair	R		1
601	8	Cottonwood	<i>Populus deltoides</i>	Poor	R		0
602	8,23	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
603	8,10	Cottonwood	<i>Populus deltoides</i>	Poor	R	0	
604	21,24	Boxelder	<i>Acer negundo</i>	Good	R	6	
605	21,10	Cottonwood	<i>Populus deltoides</i>	Good	R	4	
606	20,20,17,12	Cottonwood	<i>Populus deltoides</i>	Good	R	10	

seal:



project sponsor:

MacAllister Machinery Co., Inc.  
6300 Southeastern Ave.  
Indianapolis, IN 46203  
317.545.2151

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revisions:

revision	description	date
SITE PLAN APPROVAL		05/06/21
RVSJ PER CMNTS		05/21/21
RVSJ PER CMNTS		08/18/21
RVSJ PER CMNTS		03/30/22

sheet title:

TREE INVENTORY

project no.

162109

sheet no.

TL-1



NOT TO BE USED AS CONSTRUCTION DRAWING

## PLANNING REVIEW

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## PLAN REVIEW CENTER REPORT

May 23, 2022

### Planning Review

MI CAT Catherine Drive Access Parcel  
JZ21-22 with Rezoning 18.734

#### PETITIONER

Michigan CAT

#### REVIEW TYPE

Rezoning Request from I-1 (Light Industrial) to I-2 (General Industrial) with Planned Rezoning Overlay (PRO)

#### PROPERTY CHARACTERISTICS

<b>Section</b>	23	
<b>Site Location</b>	24800 Novi Rd; East of Novi Road, North of Catherine Industrial Road (Parcel 22-23-351-065)	
<b>Site School District</b>	Novi Community School District	
<b>Site Zoning</b>	I-1 Light Industrial District & I-2 General Industrial District	
<b>Adjoining Zoning</b>	North	I-2 General Industrial District
	East	I-1 Light Industrial, I-2 General Industrial District
	West	I-1 Light Industrial, OS-1 Office Service, RM-2 (w/PRO) High Density Multi Family with Planned Rezoning Overlay
	South	I-1 Light Industrial District
<b>Current Site Use</b>	Michigan CAT Campus	
<b>Adjoining Uses</b>	North	Enterprise Rent-A-Car, Gerber Collision & Glass
	East	Railroad Track, Industrial uses off Trans X Road
	West	US Post Office, Emerson Park, Classic Collision Repair
	South	Industrial/Office Uses off of Catherine Industrial Drive
<b>Site Size</b>	32.39 Acres	
<b>Plan Date</b>	March 15, 2022	

#### PROJECT SUMMARY

The petitioner is requesting a Zoning Map amendment for a 5.29 acre portion of a 32.39 acre property located on the east side of Novi Road and north of Catherine Industrial Drive (Section 23) from I-1 (Light Industrial) to I-2 (General Industrial). The applicant states that the rezoning request is necessary to develop the vacant site as an outdoor storage area, which is only permitted in the I-2 Zoning District as a principle permitted use.

This item went before the Master Planning & Zoning Committee on August 25, 2021 and received some preliminary feedback. After this meeting, the applicant proposed some additional public benefits including a historical marker, Novi Road landscaping, and a decorative breakaway gate. Then, this item went before the Planning Commission for eligibility on November 17, 2021. The Planning Commission determined that the project was eligible and forwarded their recommendation to City Council. On January 10, 2022, the City Council determined that the proposed project was eligible for Formal PRO submittal.

The proposed site will be used as outdoor storage for construction equipment related to Michigan CAT's shore and pump operations. The equipment will be a maximum of ten feet tall in height and will be stored year-round. The trucks carrying this equipment are projected to increase traffic to the site by ten trucks per day from December to March and by twenty trucks per day from April to November.

The site will continue to be accessed off Novi Road and will have a gate off Catherine Industrial Drive for emergency access only. The outdoor storage area is proposed to be leveled with asphalt millings and will be screened to meet the City's landscape standards at a minimum. The site will also be fenced along the south and west property lines by an eight foot tall opaque fence, with plantings up to ten feet tall, for security and storage purposes. The applicant anticipates that construction on this site will take 28 days.

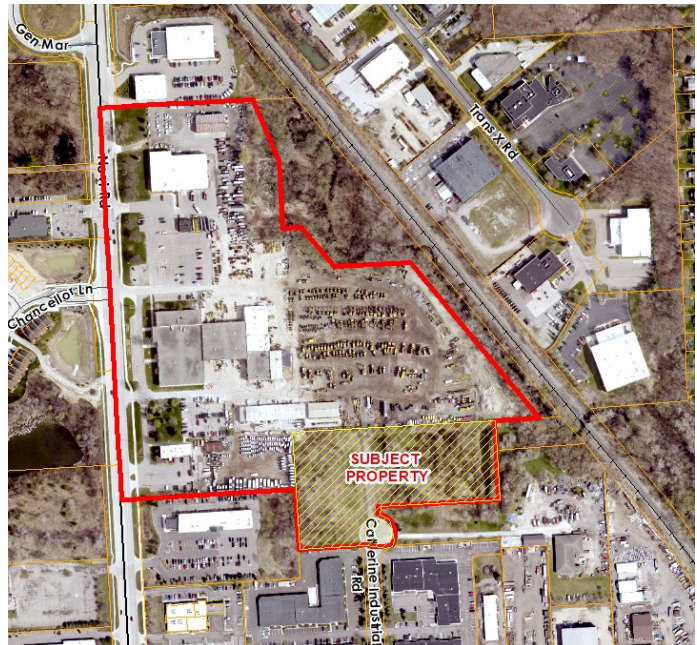
### PRO Option

Consistent with Section 503 of the Michigan Zoning Enabling Act (MZEA), the PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from I-1 to I-2) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires, and the agreement becomes void. In this case the property would then revert to I-1 zoning.

### MASTER PLAN FOR LAND USE

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property as Industrial Research Development Technology. As the Master Plan states, "this land use is designated for a variety of office, research and development, light industrial and warehousing uses. These uses may range from a single use site to a large mixed use complex. The area may also include facilities for office, research, development and manufacturing support services, higher education and indoor recreation." The I-1 Light Industrial District generally falls within areas planned for Industrial Research Development Technology and the I-2 General Industrial District generally falls within Heavy Industrial.

The properties to the north are identified in the Master Plan as Industrial Research Development Technology, the properties to the east are identified as Industrial Research Development Technology and Heavy Industrial, the properties to the west are master planned for Public, Community Office, and Local Commercial, and the properties to the south are identified as Industrial Research Development Technology.



Current Image of Subject Property

The proposal would follow objectives listed in the Master Plan for Land Use including the following:

1. Objective: Protect and maintain the City’s woodlands, wetlands, natural water features, and open space.

**Staff Comment:** The applicant is proposing to preserve the drainageway to the east of the property, which helps protect the Walled Lake Branch of the Middle Rouge River Basin.

2. Objective: Retain and support the growth of existing businesses and attract new businesses to the City of Novi.

**Staff Comment:** Michigan CAT has had a campus in Novi since 1965 and the proposal to increase the usage of the site and move the shoring and pump operation to the Novi site supports the growth and retainment of this business. A historical Motor City marker commemorating Michigan CAT’s history in Novi is also proposed by the applicant, which is proposed next to the existing flagpole.

3. Objective: Ensure compatibility between residential and non-residential developments.
  - a. Advocacy Action Item: Promote light industrial development, which provides economic value to the community, that properly safeguards neighboring homeowners.

**Staff Comment:** This development proposes to increase the industrial footprint in this portion of the city while limiting the use of the site to outdoor storage of shoring and pump operation equipment. In addition, the site will be well screened to the neighboring uses.

**EXISTING ZONING AND LAND USE**

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

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

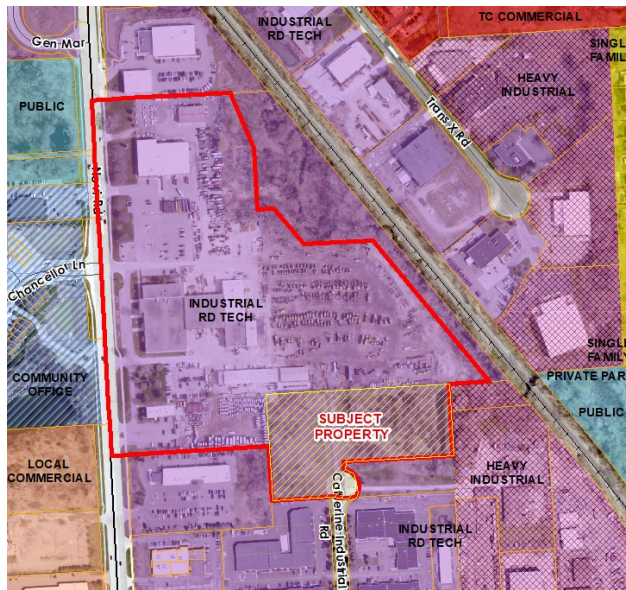
	<b>Existing Zoning</b>	<b>Existing Land Use</b>	<b>Master Plan Land Use Designation</b>
<b>Subject Property (Project Area)</b>	I-1 Light Industrial District	Vacant	Industrial research development and technology (Uses consistent with I-1 Light Industrial District)
<b>Northern Parcels</b>	I-2 General Industrial District	Michigan CAT Campus	Industrial research development and technology (Uses consistent with I-1 Light Industrial District)
<b>Southern Parcels</b>	I-1 Light Industrial District	Industrial/Office uses off of Catherine Industrial Drive	Industrial research development and technology (Uses consistent with I-1 Light Industrial District)
<b>Eastern Parcels</b>	I-1 Light Industrial District, I-2 General Industrial District	Railroad Track, Industrial use off Catherine Industrial Drive	Industrial research development and technology (Uses consistent with I-1 Light Industrial District) and Heavy Industrial (uses consistent with I-2 General Industrial District)
<b>Western Parcels</b>	I-1 Light Industrial District	Michigan CAT Campus (South	Industrial research development and technology



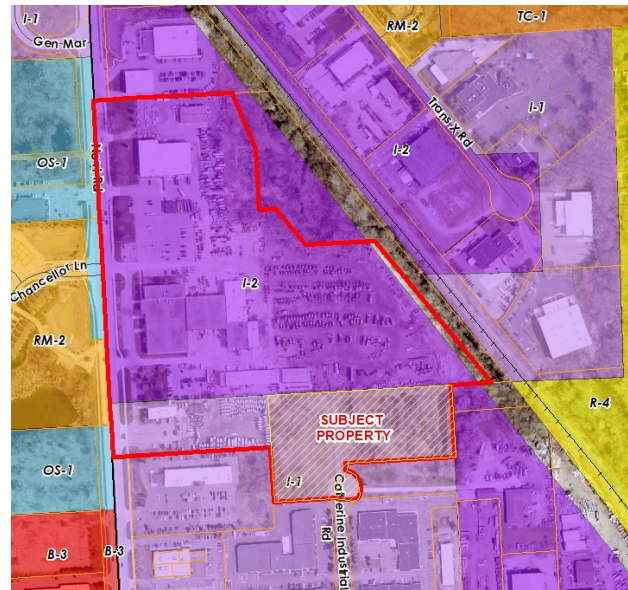
		Building) & Classic Collision Auto Repair Center	(Uses consistent with I-1 Light Industrial District)
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**COMPATIBILITY WITH SURROUNDING LAND USE**

The surrounding land uses are shown in the above chart. The compatibility of the proposed rezoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request. In particular, the Planning Commission should review the plan carefully to ensure that negative impacts (such as noise and lighting) are minimized and mitigated to protect the residential properties to the west and light industrial businesses to the south.



**Future Land Use**



**Zoning**

**DEVELOPMENT POTENTIAL**

The portion of this parcel proposed to be rezoned is currently vacant. Development under either the current I-1 zoning or the proposed I-2 zoning could result in the construction of fairly similar uses, but the outdoor storage of equipment is only permitted in the I-2 district. Uses permitted in the I-1 zoning district that are not allowed in the I-2 district includes outdoor space for parking of licensed rental motor vehicles. Uses permitted in the I-2 district that are not allowed in the I-1 district include heating & electric power generating plants, outdoor storage yards, commercial sale of new & used heavy trucks & heavy off-road construction equipment, additional production and manufacturing uses, indoor tennis courts, roller skating rinks, and ice-skating rinks, auto engine & body repair shops, lumber & planing mills, motor freight terminals & trucking facilities, and ready-mix or transit mix concrete operations. Through the PRO process, the applicant and the city would agree to restrict the I-2 use allowed to the outdoor storage of shoring and pump operation equipment related to construction. Any other uses typically permitted in the I-2 district would not be permitted within the terms of the PRO Agreement.

**COMPARISON OF ZONING DISTRICTS**

The following table provides a comparison of the current and proposed zoning development standards. The applicant is requesting a change of districts from the existing I-1 Light Industrial to I-2 General Industrial. The types of uses allowed in these districts have some overlap, although they also

differ in important ways. The proposed I-2 district allows a maximum building height of up to 60 feet compared to the 40 feet allowed in the I-1 district. The building setbacks in the I-2 district are much wider than the I-1 standards. Parking setbacks are slightly wider in the I-2 district. However, the terms of the PRO Agreement may be more restrictive than what could otherwise be allowed under I-2 zoning. For instance, the applicant is not proposing any structures and is restricting the use allowed to outdoor storage of construction equipment.

	<b>I-1 (Existing)</b>	<b>I-2 (Proposed)</b>
<b>Principal Permitted Uses &amp; Special Land Uses</b>	<p><b>Principle Permitted Uses</b></p> <ol style="list-style-type: none"> <li>1. Professional office buildings, offices and office sales and service activities</li> <li>2. Accessory buildings, structures and uses customarily incident to the above permitted uses</li> <li>3. Public owned and operated parks, parkways and outdoor recreational facilities</li> <li>4. Public or private health and fitness facilities and clubs</li> <li>5. Medical offices, including laboratories and clinics</li> </ol> <p>The following uses are subject to Section 4.45:</p> <ol style="list-style-type: none"> <li>6. Research and development, technical training and design of pilot or experimental products</li> <li>7. Data processing and computer centers</li> <li>8. Warehousing and wholesale establishments</li> <li>9. Manufacturing</li> <li>10. Industrial office sales, service and industrial office related uses</li> <li>11. Trade or industrial schools</li> <li>12. Laboratories experimental, film or testing</li> <li>13. Greenhouses</li> <li>14. Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, other than outside storage and service yards</li> <li>15. Public or private indoor recreation facilities</li> <li>16. Private outdoor recreation facilities</li> <li>17. Pet boarding facilities</li> <li>18. Veterinary hospitals or clinics</li> <li>19. Motion picture, television, radio and photographic production facilities</li> <li>20. Other uses of a similar and no more objectionable character to</li> </ol>	<p><b>Principle Permitted Uses</b></p> <ol style="list-style-type: none"> <li>1. Heating and electric power generating plants</li> <li>2. Outdoor storage yards</li> <li>3. Commercial sale of new and used heavy trucks and heavy off-road construction equipment</li> <li>4. Any of the following production or manufacturing uses subject to Section 4.57:                         <ol style="list-style-type: none"> <li>a. Junkyards</li> <li>b. Incineration of garbage or refuse</li> <li>c. Blast furnace, steel furnace, blooming or rolling mill</li> <li>d. Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of paris</li> <li>e. Petroleum or other inflammable liquids, production, refining, or storage</li> <li>f. Smelting of copper, iron or zinc ore</li> </ol> </li> <li>5. Indoor tennis courts, roller skating rinks, and ice-skating rinks</li> <li>6. Auto engine and body repair shops</li> <li>7. Lumber and planing mills</li> <li>8. Motor freight terminals and trucking facilities</li> <li>9. Ready-mix or transit mix concrete operations</li> <li>10. Other similar uses</li> <li>11. Accessory buildings, structures and uses customarily incident to any of the above permitted uses</li> </ol> <p>The following uses are subject to the I-1 Required conditions (Section 3.14) and Development Standards (Section 3.1.18.D), provided there shall be no necessity for a public hearing and approval as a special land use:</p> <ol style="list-style-type: none"> <li>12. Professional office buildings, offices and office sales and service activities</li> <li>13. Publicly owned and operated</li> </ol>

	<p>the above uses</p> <p>21. Accessory buildings, structures and uses customarily incident to any of the above permitted uses</p> <p><b>Special Land Uses</b></p> <p>The following uses shall be permitted where the proposed site does not abut a residentially zoned district:</p> <ol style="list-style-type: none"> <li>1. Metal plating, buffing, polishing and molded rubber products</li> <li>2. Uses which serve the limited needs of an industrial district (subject to Section 4.43), as follows:             <ol style="list-style-type: none"> <li>a. Financial institutions, unions, union halls, and industrial trade schools or industrial clinics</li> <li>b. Industrial tool and equipment sales, service, storage, and distribution</li> <li>c. Eating and drinking establishments and motels</li> </ol> </li> <li>3. Automobile service establishment</li> <li>4. Self-storage facilities</li> <li>5. Retail sales activities</li> <li>6. Central dry cleaning plants or laundries</li> <li>7. Railroad transfer, classification and storage yards</li> <li>8. Tool, die, gauge and machine shops</li> <li>9. Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies</li> <li>10. Municipal uses</li> <li>11. Motion picture, television, radio and photographic production facilities</li> <li>12. Outdoor space for parking of licensed rental motor vehicles</li> <li>13. Accessory buildings, structures and uses customarily incident to any of the above permitted uses</li> </ol>	<p>parks, parkways and outdoor recreational facilities</p> <ol style="list-style-type: none"> <li>14. Public or private health and fitness facilities and clubs</li> <li>15. Medical offices, including laboratories and clinics</li> <li>16. Research and development, technical training and design of pilot or experimental products</li> <li>17. Data processing and computer centers</li> <li>18. Warehousing and wholesale establishments</li> <li>19. Manufacturing</li> <li>20. Industrial office sales, service and industrial office related uses</li> <li>21. Laboratories experimental, film or testing</li> <li>22. Greenhouses</li> <li>23. Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, other than outside storage and service yards</li> <li>24. Public or private indoor recreation facilities</li> <li>25. Private outdoor recreation facilities</li> <li>26. Pet boarding facilities</li> <li>27. Veterinary hospitals or clinics</li> <li>28. Motion picture, television, radio and photographic production facilities</li> <li>29. Other uses of a similar and no more objectionable character to the above uses</li> <li>30. Metal plating, buffing, polishing and molded rubber products</li> <li>31. Uses which serve the limited needs of an industrial district (subject to Section 4.43), as follows:             <ol style="list-style-type: none"> <li>a. Banks, savings and loans associations, credit unions, union halls, and industrial trade schools or industrial clinics</li> <li>b. Industrial tool and equipment sales, service, storage and distribution</li> <li>c. Eating and drinking establishments and motels</li> </ol> </li> <li>32. Automobile service establishment</li> <li>33. Self-storage facilities</li> <li>34. Retail sales activities</li> <li>35. Central dry cleaning plants or laundries</li> <li>36. Railroad transfer, classification and storage yards</li> </ol>
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		37. Tool, die, gauge and machine shops 38. Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies 39. Municipal uses
<b>Minimum Lot Size</b>	See Section 3.6.2.D	See Section 3.6.2.D
<b>Minimum Lot Width</b>	See Section 3.6.2.D	See Section 3.6.2.D
<b>Building Height</b>	40 feet	60 feet
<b>Building Setbacks</b>	Front Yard: 40 feet Rear Yard: 20 feet Side Yard: 20 feet	Front Yard: 100 feet Rear Yard: 50 feet Side Yard: 50 feet
<b>Parking Setbacks</b>	Front Yard: Not permitted unless it complies with Section 3.6.2.E Rear Yard: 10 feet Side Yard: 10 feet	Front Yard: Not permitted unless it complies with Section 3.6.2.E Rear Yard: 20 feet Side Yard: 20 feet

**INFRASTRUCTURE**

**Engineering**

The Staff Engineer has reviewed the rezoning request and indicated that **the proposed improvements will be required to conform to the City's Storm Water Management Ordinance, including applicable storm water detention and conformance of the existing basin outlet structure.** Design and Construction Standard Waivers of Section 11-239 of the Code of Ordinances will be required for millings as a parking lot material, lack of curbs, and lack of parking lot striping. See the Engineering Review Letter for more information.

**Fire**

The City Fire Marshal has reviewed the site plan and has provided comments in regard to secondary access to be addressed with the next submittal.

**NATURAL FEATURES**

Based on the tree survey conducted and the Landscape Review, **47 woodland replacement credits are required for a total of 74 tree removals.** A Woodland Use Permit will be required as part of the Preliminary Site Plan approval.

**REVIEW CONCERNS**

Staff has concerns or needs additional clarification on the following items:

1. Sign Location, Plan (Page 23, SDM): The provide location of the rezoning sign is acceptable and the sign was installed by 11/2/21.
2. Screening of Outdoor Storage (Sec. 3.15.1.B): A note on the site plan indicates that the maximum height of the equipment that is proposed to be stored is 10 feet. The proposed screening fence is currently only 8 feet tall, but the proposed plantings screen up to 10 feet, which is acceptable.
3. Decorative Breakaway Gate: Information regarding the decorative breakaway gate has been provided on a separate sheet. **However, a detail and elevation view of the**

**breakaway gate should be included on the site plan. Please provide this in the next submittal.**

4. Economic Impact Information: Total estimated cost of construction has not been provided. **Please provide estimated cost of construction for the Planning Commission's consideration. The response letter states that it is under a separate cover, but it has not been found.**
5. Historical Marker & Bench: The applicant has shown a Motor City Historical Marker and bench near the existing flagpole. Landscaping has also been proposed. However, the plaza cannot be accessed from the sidewalk off Novi Road. **Please provide six foot clear path (i.e., brick pavers) access to the plaza from the Novi Road sidewalk.**
6. Asphalt Millings (DCS): Asphalt millings are proposed in lieu of pavement. **The following DCS Variances will be necessary and may be included as part of the PRO Agreement:**
  - a. **Millings as a parking lot material, as pavement is required for parking lots.**
  - b. **Lack of curbs, as curb is required for parking lots.**
  - c. **Lack of parking lot striping, as striping is required for parking lots.**
7. Emergency Access (DCS Sec 11-194 (a) (19)): Emergency Access is proposed from Catherine Industrial Drive. Per the Fire Review, a secondary access drive shall be a minimum of 20 feet in width and paved to provide all-weather access and shall be designed to support a vehicle of 35 tons. The minimum easement width for secondary access shall be 25 feet. A permeant "break-away" gate shall be provided at the driveway's intersection with the public roadway and shall be designated by signage as for emergency access only. The access drive shall be separated from other roadways by mountable curbs and shall utilize entrance radii designed to permit emergency vehicles while discouraging non-emergency traffic. In addition, documentation for the emergency access gate shall be provided. **Please address the comment above and refer to the Fire Review for additional detail.**

## **MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT**

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The Planned Rezoning Overlay process involves a PRO concept plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Section 7.13.2). Within the process, which is completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the driveways, parking, building, stormwater detention, and a general layout of landscaping throughout the development. The applicant has provided a narrative describing the proposed public benefits. At this time, staff can identify some conditions to be included in the agreement if the current design moves forward:

1. Use Limitation: The use of the proposed site shall be limited to the outdoor storage of construction equipment related to shoring and pump operations.
2. Access Aisle Easement: A 20 foot access aisle easement is proposed across the length of the site from the emergency access gate off Catherine Industrial Drive to an existing gate on Michigan CAT's property. **This area shall be kept clear of equipment and signage shall be provided near the existing gate.**
3. Historical Marker & Plaza: A Motor City Historical Marker and pedestrian plaza is proposed near the existing flagpole along Novi Road. **This plaza shall have six foot clear**

**path access (i.e., brick pavers) from the sidewalk along Novi Road. In addition, a clearer detail of the wording and sign shall be provided.**

The PRO conditions must be in material respects, stricter or limiting than the regulations that would apply to the land under the proposed new zoning district. *Development and use of the property shall be subject to the more restrictive requirements shown or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement. The applicant should submit a list of any additional conditions that they are seeking to include within the PRO agreement.*

**Staff Comment:** Additional conditions will be determined as the rezoning request moves forward. Staff suggests that the applicant provide additional conditions that may be included in the agreement.

### **ORDINANCE DEVIATIONS**

Section 7.13.2.D.i.c(2) permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by City Council that *"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."* Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. The proposed PRO agreement would be considered by City Council after tentative approval of the proposed concept plan and rezoning.

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

The applicant has submitted a narrative describing the deviations present in the proposed plans. The deviations identified are as follows:

1. Asphalt Millings (DCS Variance): *An asphalt millings surface with proper drainage to the existing draining way to the east will be installed after grading. Asphalt millings are an efficient recycled material that perform well for outdoor storage that will have traffic from large equipment needed to move the stored items. Our understanding is that the use of millings may not be identified as a surface material in the City's ordinances. Thus, we are proposing that a condition of the PRO agreement allow for this as a variance.*

**Staff Comment:** Staff supports the deviation for asphalt millings surface as the applicant is proposing to use the area for storage purposes only and it will help minimize the impact on the existing site during construction pending recommendation by the Fire Department and City's Traffic Consultant. In total, three DCS Variances would be necessary (material, lack of curbing, lack of striping).

2. ROW Landscape Screening (Sec. 5.5.3.B.ii): Canopy and Subcanopy greenbelt trees are required along Catherine Industrial Drive but are not proposed. Instead, an evergreen shrub "wall" has been provided by the applicant, which is **supported by staff because the "wall"**

**provides better screening along Catherine Industrial Drive.**

3. Tree Diversity (LDM, Section 4): The proposing landscaping of the site does not meet the Tree Diversity requirements of the Landscape Design Manual. **However, staff supports this deviation because the primary importance for the landscaping is the screening of the storage yard and there are limited evergreen options available, especially those native to Michigan.**

#### **APPLICANT BURDEN UNDER PRO ORDINANCE**

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The Planned Rezoning Overlay ordinance requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 7.13.2.D.ii states the following:

1. *(Sec. 7.13.2.D.ii.a) Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. *(Sec. 7.13.2.D.ii.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay; provided, in determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*

#### **IDENTIFYING BENEFITS TO PUBLIC RESULTING FROM THE REZONING AND THE PROPOSED DEVIATIONS**

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Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and that the benefits to the public of the proposed PRO rezoning would clearly outweigh the detriments. The following benefits are suggested by the applicant (as listed in their narrative) as resulting from the development proposal:

1. Use Limitation: The applicant has indicated that the use of the site will be limited to the storage of construction equipment related to shoring and pump operations.  
**Staff Comment: The use limitation of the site is a public benefit because it keeps the site from being developed under a more intense industrial use that may be listed under the permitted uses of the I-2 Zoning District.**
2. Landscaping along Novi Road: The applicant is proposing to provide additional landscape plantings along the Novi Road Right-Of-Way.  
**Staff Comment: The provision of providing additional landscaping along Novi Road is a public benefit because it provides additional landscaping to the area that is not required.**
3. Decorative Breakaway Gate: The applicant is proposing to provide a breakaway gate that is made of decorative material.

**Staff Comment: While an emergency breakaway gate is required by Fire Code, the decorative material provided is not required, which makes it a public benefit to the surrounding area.**

4. Historical Marker: The applicant is proposing to provide a Motor City historical marker commemorating the history of the site within the City of Novi.

**Staff Comment: Providing a historical marker is a public benefit because it commemorates the site's importance within the City of Novi.**

5. Drainageway Preservation: The applicant has indicated that the existing drainageway on the east side of the property will be preserved.

**Staff Comment: As the ordinance requires the preservation of an existing drainageway or proper mitigation, staff cannot support this as a benefit of the development.**

6. Fencing: The applicant is proposing to install an 8 foot tall opaque fence along the south and west perimeter of the site to restrict public view and provide security.

**Staff Comment: As the ordinance requires a screening fence along the south and west property lines, staff cannot support this as a benefit of the development.**

7. Landscape Buffer: The applicant is proposing to plant a landscape buffer along the south and west perimeter of the subject property.

**Staff Comment: As the ordinance requires landscape screening along the south and west property lines, staff cannot support this as a benefit of the development.**

8. Emergency Access: The applicant is proposing to maintain the existing emergency access to the site.

**Staff Comment: Emergency Access to the site is a requirement of the Fire Code. Therefore, staff cannot support this as a benefit of the development.**

#### **SUMMARY OF OTHER REVIEWS:**

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**All reviewers recommend approval of the PRO Concept Plan.**

- a. Landscape Review (dated 5-13-22): Landscape review has identified two deviations that may be required. Staff supports these deviations. Refer to review letter for more comments.
- b. Engineering Review (dated 5-20-22): Engineering recommends approval of the Concept Site Plan and Concept Stormwater Management Plan at this time. See detailed comments in the review letter for more information.
- c. Fire Review (dated 5-13-22): Fire recommends approval with conditions to be addressed with the next submittal.

#### **RECOMMENDATION**

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Approval of the **PRO Concept Plan is recommended** at this time by staff. Following the initial Planning Commission public hearing, if the request is determined to have sufficient information, it will go before the City Council. City Council will make the final determination on the PRO Concept Plan and PRO Agreement. If approved, the applicant will still need to seek the required approvals from Planning Commission for the Preliminary Site Plan and Stormwater Management Plan at the time of site plan review.

#### **NEXT STEP: PLANNING COMMISSION PUBLIC HEARING**

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Once all outstanding review comments have been addressed, the PRO Concept Plan will be scheduled for a public hearing before the Planning Commission. This item will tentatively be scheduled for a Public Hearing before the **Planning Commission on June 22, 2022, at 7pm in the Novi Civic Center**. Please confirm attendance by **May 25, 2022**, and provide the following by **June 15, 2022**:

1. Digital PDF of the Site Plan (8.5" x 11") **NO CHANGES MADE**

2. Response Letter addressing ALL comments in ALL review letters

If approved, the applicant will still need to seek the required approvals from Planning Commission for the Preliminary Site Plan and Stormwater Management Plan at the time of site plan review. If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or [ccarroll@cityofnovi.org](mailto:ccarroll@cityofnovi.org).

A handwritten signature in blue ink that reads "Christian Carroll". The signature is written in a cursive, flowing style.

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Christian Carroll, Planner



## PLANNING REVIEW CHART: I-2 General Industrial District

**Review Date:** May 23, 2022  
**Review Type:** Formal PRO Concept Plan  
**Project Name:** MI CAT Catherine Drive Access PRO  
**Location:** 24800 Novi Road; 22-23-351-065  
**Plan Date:** March 15, 2022  
**Prepared by:** Christian Carroll, Planner  
**Contact:** E-mail: [ccarroll@cityofnovi.org](mailto:ccarroll@cityofnovi.org) Phone: 248.735.5607

Items in **Bold** need to be addressed by the applicant with next submittal. Underlined items require Planning Commission approval. *Italicized* items are to be noted.

Item	Required Code	Proposed	Meets Code	Comments
<b>Zoning and Use Requirements</b>				
<b>Master Plan</b> <i>(Adopted July 26, 2017)</i>	Industrial Research Development Technology	I-2 General Industrial	<b>No</b>	<i>I-2 is a heavy industrial district; however, it would make the entire property I-2.</i>
<b>Area Study</b>	The site does not fall under any special category	NA		
<b>Zoning</b> <i>(Effective Jan. 8, 2015)</i>	I-1 – Light Industrial	I-2 General Industrial		<u>PRO requested</u>
<b>Uses Permitted</b> <i>(Sec 3.1.19.B)</i>	Sec 3.1.12.B Principal Uses Permitted	Outdoor storage for construction equipment related to shore and pump operations	Yes	<u>PRO Rezoning requested to allow uses</u>
<b>Rezoning Document Requirements (SPDM link: <a href="#">Site Plan &amp; Development Manual</a>)</b>				
<b>Written Statement</b> <i>(Site Development Manual)</i>  <i>The statement should describe the following</i>	<ul style="list-style-type: none"> <li>• Potential development under the proposed zoning and current zoning</li> <li>• Identified benefits of the development</li> <li>• Conditions proposed for inclusion in PRO Agreement (uses, any deviations, hours of operations, size of building, etc.)</li> </ul>	List of proposed I-2 use, and brief narrative of project provided; additional conditions and deviations included	Yes	<b>More information as requested may be necessary.</b>
<b>Survey</b>	Four copies of the engineering survey of the property to be rezoned	Included	Yes	

Item	Required Code	Proposed	Meets Code	Comments
<b>Sign Location Plan</b> (Page 23, SDM)	Per requirements listed in Site Plan Manual, Page 23  Installed within 15 days prior to public hearing. Located along all road frontages.	Provided	Yes	<b>Signs was installed by 11/2/21.</b>
<b>Rezoning Traffic Impact Study</b> (SDM)	A Rezoning Traffic Impact Study as required by the City of Novi Site Plan and Development Manual. Refer to Chapter 5	Not required	Yes	<i>Meets the conditions as listed in Chapter 5 of the Site Plan &amp; Development Manual.</i>
<b>Community Impact Statement</b> (Sec. 2.2)	<ul style="list-style-type: none"> <li>- Over 30 acres for permitted non-residential projects</li> <li>- Over 10 acres in size for a special land use</li> <li>- All residential projects with more than 150 units</li> <li>- A mixed-use development, staff shall determine</li> </ul>		NA	
<b>Noise Impact Statement</b>	Provide a noise impact statement subject to standards of Section 5.14.10.B	Noise Impact Statement not required	NA	
<b>Height, bulk, density and area limitations (Sec 3.1.12)</b>				
<b>Frontage on a Public Street</b> (Sec. 5.12)	Frontage on a Public Street is required	Frontage on Novi Road, Catherine Drive	Yes	
<b>Minimum Zoning Lot Size</b> for each Unit in Ac (Sec 3.6.2.D)	Except where otherwise provided in this Ordinance, the minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space		NA	
<b>Minimum Zoning Lot Size</b> for each Unit: Width in Feet			NA	
<b>Open Space Area</b>	----	---	---	---
<b>Maximum % of Lot Area Covered</b> (By All Buildings)	(Sec 3.6.2.D)	No buildings proposed in project area	Yes	
<b>Building Height</b> (Sec. 3.1.19.D)	60 ft	NA	Yes	
<b>Building Setbacks (Sec 3.1.19.D)</b>				



Item	Required Code	Proposed	Meets Code	Comments
Front (west)	100 ft	NA	NA	
Interior Side (north)	50 ft	NA	NA	
Interior Side (south)	50 ft	NA	NA	
Rear (east)	50 ft	NA	NA	
<b>Parking Setback (Sec 3.1.19.D) &amp; Refer to applicable notes in Sec 3.6.2</b>				
Front (west)	20 ft (Sec. 3.6.2.E)	~600 ft	Yes	
Interior Side (north)	20 ft	~550 ft	Yes	
Interior Side (south)	20 ft	35 ft	Yes	
Rear (east)	20 ft	115 ft	Yes	
<b>Outdoor Storage Yards (Sec. 4.55)</b>				
<b>Screening (Sec 4.55)</b>	-totally obscured by a masonry wall, landscaped earth berm, chain link fence with heavy screen plantings, or combinations thereof -the height, location, and extent of which shall be in accordance to the requirements of Section 5.5 -whenever outdoor storage is the principal use of the parcel, no outdoor storage shall extend into the required front yard setback of the district and no wall, fence or other screening devices shall extend into the require front yard setback	- Complies, chain link fence & screen plantings  - Complies  - Accessory to the principal use of the entire site	Yes  Yes  NA	
<b>Note To District Standards (Sec 3.6.2)</b>				
<b>Exterior Side Yard Abutting a Street (Sec 3.6.2.C)</b>	All exterior side yards abutting a street shall be provided with a setback equal to front yard.	No side yards directly abut a street.	NA	
<b>Off-Street Parking in Front Yard (Sec 3.6.2.E)</b>	Off-street parking is allowed in front yard if - the site is a minimum 2 acre site, - does not extend into the minimum required front yard setback of the district,	No parking is proposed in front yard.	NA	

Item	Required Code	Proposed	Meets Code	Comments
	- cannot occupy more than 50% of the area between min. front yard setback & bldg. setback, - must be screened by brick wall or landscaped berm lighting compatible with surrounding neighborhood			
<b>Off-Street Parking in Side and Rear Yards abutting residential (Sec 3.6.2.F)</b>	Shall not occupy more than fifty (50) percent of the area of the side or rear yard abutting a residential district;	Side and rear yards do not abut residential.	NA	
<b>Wetland/Watercourse Setback (Sec 3.6.2.M)</b>	Off-street parking shall be setback no less than one-hundred (100) feet from the residential district.	No wetlands present	Yes	
<b>Setback from Residential District (Sec 3.6.2.H)</b>	I-1 and I-2 districts, five (5) feet of horizontal setback for each foot of building height, or one-hundred (100) feet, whichever is greater.	The property does not abut residential.	NA	
<b>Wetland/Watercourse Setback (Sec 3.6.2.M)</b>	A setback of 25ft from wetlands and from high watermark course shall be maintained	No wetland.	NA	
<b>Additional Height (Sec 3.6.2.O)</b>	Additional height(s) for selected building(s) is allowed based on conditions listed in Sec 3.6.2.O	No building proposed	NA	
<b>Parking setback screening (Sec 3.6.2.P)</b>	Required parking setback area shall be landscaped per Section 5.5.3.	Complies	Yes	See Landscape Review.
<b>Parking, Loading, and Dumpster Requirements</b>				
<b>Number of Parking Spaces Industrial Establishments (Sec.5.2.12.E)</b>	1 for each 700 square feet of usable floor area or 5 + 1 for each 1.5 employees in the largest working shift, whichever is greater.	No parking spaces indicated and no increase in usable floor area.	Yes	
<b>Parking Space Dimensions and Maneuvering Lanes (Sec. 5.3.2)</b>	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb		NA	Existing

Item	Required Code	Proposed	Meets Code	Comments
	at these locations and along landscaping			
<b>Parking stall located adjacent to a parking lot entrance</b> (public or private) (Sec. 5.3.13)	- shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer		NA	<i>Existing</i>
<b>End Islands</b> (Sec. 5.3.12)	<ul style="list-style-type: none"> <li>- End Islands with landscaping and raised curbs are required at the end of all parking bays that abut traffic circulation aisles.</li> <li>- The end islands shall generally be at least 8 feet wide, have an outside radius of 15 feet, and be constructed 3' shorter than the adjacent parking stall as illustrated in the Zoning Ordinance</li> </ul>		NA	
<b>Barrier Free Spaces</b> <i>Barrier Free Code</i>	To be determined if additional building area is proposed.		NA	
<b>Barrier Free Space Dimensions</b> <i>Barrier Free Code</i>	<ul style="list-style-type: none"> <li>- 8' wide with an 8' wide access aisle for van accessible spaces</li> <li>- 8' wide with a 5' wide access aisle for regular accessible spaces</li> </ul>		NA	
<b>Barrier Free Signs</b> <i>Barrier Free Code</i>	One sign for each accessible parking space.		NA	
<b>Minimum number of Bicycle Parking</b> (Sec. 5.16.1)	None required		NA	
<b>Bicycle Parking General requirements</b> (Sec. 5.16)	<ul style="list-style-type: none"> <li>- No farther than 120 ft. from the entrance being served</li> <li>- When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations</li> <li>- Spaces to be paved and the bike rack shall be inverted "U" design</li> <li>- Shall be accessible via 6 ft. paved sidewalk</li> </ul>		NA	

Item	Required Code	Proposed	Meets Code	Comments
<b>Bicycle Parking Lot layout</b> (Sec 5.16.6)	Parking space width: 6 ft. One tier width: 10 ft. Two tier width: 16 ft. Maneuvering lane width: 4 ft. Parking space depth: 2 ft. single, 2 ½ ft. double		NA	
<b>Loading Spaces</b> (Sec. 5.4.3)	- Loading area in the rear yard - Loading area in interior side yard if it is adjacent to I, EXPO or EXO district	70' x 100' loading area proposed (7,000 sf)	Yes	
<b>Accessory Structures</b>				
<b>Dumpster</b> (Sec 4.19.2.F)	- Located in rear yard or interior side yard in case of double frontage - Attached to the building or - No closer than 10 ft. from building if not attached - Not located in parking setback - If no setback, then it cannot be any closer than 10 ft, from property line. - Away from Barrier free Spaces	No dumpster proposed.	NA	
<b>Dumpster Enclosure</b> (Sec. 21-145. (c))	- Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery		NA	
<b>Roof top equipment and wall mounted utility equipment</b> (Sec. 4.19.2.E.ii)	All roof top equipment must be screened and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building		NA	
<b>Roof top appurtenances screening</b>	Roof top appurtenances shall be screened in accordance with applicable facade		NA	

Item	Required Code	Proposed	Meets Code	Comments
	regulations, and shall not be visible from any street, road or adjacent property.			
<b>Transformer/Generator</b>	Provide location of any proposed transformers/generators etc.	Not shown		
<b>I-2 District Required Conditions (Sec. 3.15)</b>				
<b>Building Setback Reductions (Sec. 3.15.1.A)</b>	On sites located within planned industrial park > 40 acres, and is enclosed/screened, building setbacks may be reduced: Front: 50 feet Side: 30 feet Rear: 30 feet	Part of Industrial Park.	NA	<i>Industrial Park is not 40+ acres</i>
<b>Landscape Screening Adjacent to I-2 District (Sec. 3.15.1.B)</b>	Screening required between individual sites may be modified adjacent to other I-2 land: 3' landscape berm 5' high masonry or poured concrete with brick texture 5' high decorative fence of treated lumber, cedar or redwood		NA	<i>I-2 zoning to north and east</i>
<b>Screening of Outdoor Storage (Sec. 3.15.2.A)</b>	Outdoor storage of any equipment or material shall not extend to a greater height than the on-site obscuring screen (if within 40-acre+ industrial park, screening may be satisfied by perimeter screening of entire park)	Equipment height indicated to not be taller than proposed fencing.	Yes	<i>Proposed fence is 8 feet tall, and the height of the tallest equipment is 10 feet. Adequate screening is provided with proposed plantings.</i>
<b>Loading Zone Screening (Sec. 3.15.2.B)</b>	When any loading/unloading area shall be visible from any residential or commercial district, or road or street, it shall be effectively screened from view	Loading area proposed, fully screened from the roadway	Yes	
<b>Permitted Uses Adjacent to Residential (Sec. 3.15.2.C.)</b>	Where adjacent to residential district, berm height 10 feet minimum		NA	Not adjacent to Residential
<b>Sidewalks and Pathways</b>				

Item	Required Code	Proposed	Meets Code	Comments
<b>ARTICLE XI. OFF-ROAD NON-MOTORIZED FACILITIES</b> (Sec. 11-256. Requirement. (c) & Sub. Ord. Sec. 4.05)	<ul style="list-style-type: none"> <li>- New streets, sidewalks required on both sides.</li> <li>- Arterials and collectors: 6 feet or 8 feet wide as designated by the "Bicycle and Pedestrian Plan,"</li> <li>- industrial service streets: no sidewalk</li> <li>- local streets and private roadways: five (5) feet</li> </ul>	None, no sidewalk required	Yes	
<b>Pedestrian Connectivity</b>	<ul style="list-style-type: none"> <li>- Whether the traffic circulation features within the site and parking areas are designed to assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets</li> <li>- Building exits must be connected to sidewalk system or parking lot.</li> </ul>	Sidewalks will not be provided	Yes	<i>Industrial site and use.</i>
<b>Other Requirements</b>				
<b>Exterior lighting</b> (Sec. 5.7)	Photometric plan and exterior lighting details needed at time of Final Site Plan submittal	A lighting plan is not provided		<i>No exterior lighting is proposed for this project.</i>
<b>Design and Construction Standards Manual</b>	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Provided		
<b>General layout and dimension of proposed physical improvements</b>	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in square feet), location of proposed parking and parking layout, streets and drives, and indicate square footage of pavement area (indicate public or private).	Provided	Yes	
<b>Economic Impact Information</b>	<ul style="list-style-type: none"> <li>- Total cost of the proposed building &amp; site improvements</li> <li>- Number of anticipated</li> </ul>	<ul style="list-style-type: none"> <li>-Cost of improvements not provided</li> <li>- 28 temporary</li> </ul>	<b>No</b>	<b>Provide total estimated cost of construction.</b>

Item	Required Code	Proposed	Meets Code	Comments
	jobs created (during construction & after building is occupied, if known).	construction jobs, net loss of 1 employee		
<b>Development and Street Names</b>	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval	Name approval for project not required at this time	NA	<u>Contact Madeleine Kopko at 248-347-0475 to schedule a meeting with the Committee</u>
<b>Development/ Business Sign</b>	Signage if proposed requires a permit. Can be considered during site plan review process or independently.	None shown	NA	<u>For sign permit information contact Maureen Underhill 248-735-5602.</u>
<b>Lighting and Photometric Plan (Sec. 5.7)</b>				
<b>Intent (Sec. 5.7.1)</b>	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky	Not provided		<i>No exterior lighting is proposed for this project.</i>
<p><b>NOTES:</b></p> <ol style="list-style-type: none"> <li>1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.</li> <li>2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4, and 5 of the zoning ordinance for further details.</li> <li>3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Division with future submittals.</li> </ol>				



**ENGINEERING REVIEW**

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# PLAN REVIEW CENTER REPORT

May 20, 2022

## Engineering Review

MI CAT Catherine Dr Formal PRO  
Concept JZ21-0022

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### Applicant

Michigan CAT

### Review Type

Formal PRO Concept Plan

### Property Characteristics

- Site Location: North end of Catherine Industrial Road (north side of Ten Mile Road between Novi Road and Meadowbrook Road)
- Site Size: 5.3 acres accessory use parcel, as part of a 32.4 acre parcel
- Plan Date: 03/15/2022
- Design Engineer: Bergmann Associates; plan formerly submitted by Warner, Cantrell & Padmos, Inc.

### Project Summary

- Rezoning of an approximately 5.3 acre parcel from I-1 to I-2 zoning, plus proposed use of approximately 3.7 acres as outdoor heavy equipment and materials storage.
- No permanent buildings or designated parking are proposed.
- No changes to water service are proposed.
- No changes to sanitary service are proposed.
- Other than directing surface runoff to the existing basin on the east end of the parcel, no changes to storm water collection are proposed, currently. **However, the proposed improvements will be required to conform to the City's Storm Water Management Ordinance, including applicable storm water detention.**

### Recommendation

**The Concept Site Plan and Concept Storm Water Management Plan can be recommended. Comments can be addressed during the detailed design review.**

## Comments:

### General

1. The right-of-way dedication for the Catherine Industrial Road cul-de-sac does not appear to be shown on any sheet. Show linework and label.
2. Label/call out the proposed bollards around the existing hydrant on sheet C110 (already noted on sheet C101).
3. The proposed plantings along Novi Road do not appear to conflict with existing City water main, sanitary sewer, or storm sewer.

### Storm Water Management Plan

**Per applicant's response letter, the comments in this section will be addressed later in the review process.**

4. The Storm Water Management Plan (SWMP) for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the Engineering Design Manual.
5. **The 100-year detention volume from the improved area will be considered detained in the existing, off-site, City-owned "C&O regional basin" downstream of the site, just north of Ten Mile Road. Detention tapping fees will be required.**
6. **Should the site ever be paved, the required detention volume will need to be recalculated.**
7. Provide supporting calculations for the runoff coefficient determination. A runoff coefficient of 0.35 shall be used for all turf grass lawns (mowed lawns). **Per the Engineering Design Manual, a "C" factor for pervious pavement may be allowed for the asphalt millings if supporting data can be provided.**
8. **Several items regarding the existing basin outlet structure and its outlet to the Rouge River will need to be addressed on the plans:**
  - a. **The existing basin outlet structure appears to be clogged/sedimented and must be cleaned.**
  - b. **The presumed piped outlet to the east/northeast from this structure must be exposed and cleaned.**
  - c. **Show the existing grading from the outlet structure to the Rouge River on the plans (this was previously shown on the topographic survey from Warner Cantrell).**
  - d. **Stabilize the abovementioned overland route, especially the heavily eroded gully along the drainage route. Due to a proposed City project to restore the banks of the river in this area, coordination will be required between the two projects.**
  - e. **The proposed riprap spillway appears to satisfy the maintenance access route requirements. However, the five chokeberries and three viburnums proposed around the outlet structure must be relocated away from the structure (and outside the riprap area).**

9. As part of the Storm Drainage Facility Maintenance Easement Agreement, provide an access easement for maintenance over the existing basin. Also, include an access easement to the basin area from the public road right-of-way.

### **Paving & Grading**

**Per applicant's response letter, the comments in this section will be addressed later in the review process.**

10. **Design and Construction waivers of Section 11-239 of the City Code of Ordinances will be required for:**
  - a. **Millings as a parking lot material, as pavement is required for parking lots.**
  - b. **Lack of curbs, as curb is required for parking lots.**
  - c. **Lack of parking lot striping, as striping is required for parking lots.**

**The Engineering Division would support the above waivers, pending recommendation by the Fire Department and City's traffic consultant as well.**

11. 12 inches depth of millings noted on plan. However, add a detail showing the cross section, including soil preparation/compaction, gradation of millings, and any other applicable information.
12. The sanitary structure adjusts are noted, but clarify whether the hydrant and gate wells will be adjusted as well.
13. Provide a construction materials table on the paving plan listing the quantity and material type for the millings cross section being proposed.
14. The proposed emergency access gate is noted.

### **Soil Erosion and Sediment Control**

15. A SESC permit is required. During the site plan review process, please submit a SESC permit application under separate cover. The application can be found on the City's website at <http://cityofnovi.org/Reference/Forms-and-Permits.aspx>.

### **With each plan submittal, the following must be submitted:**

16. A letter from either the applicant or the applicant's engineer must be submitted highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved. **Additionally, a statement must be provided stating that all changes to the plan have been discussed in the applicant's response letter.**

### **At the time of Final Site Plan, the following must be submitted:**

17. An itemized construction cost estimate must be submitted to the Community Development Department for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any

demolition work. **The estimate must be itemized** for on-site paving (square yardage), grading, and the storm water management system.

**The following must be submitted with the Stamping Set:**

*(Please note that all documents must be submitted together as a package with the Stamping Set submittal with a legal review transmittal form that can be found on the City's website. Partial submittals will not be accepted.)*

18. A draft copy of the Storm Drainage Facility Maintenance Easement Agreement (SDFMEA), as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department. Once the agreement is approved by the City's Legal Counsel, this agreement will then be sent to City Council for approval/acceptance. The SDFMEA will then be recorded at the office of the Oakland County Register of Deeds. This document is available on our website.
19. A draft copy of the warranty deed for the additional proposed right-of-way for the Catherine Industrial Road cul-de-sac must be submitted for review and acceptance by the City.
  - a. If the cul-de-sac is dedicated, the existing easement for the cul-de-sac will need to be vacated.

**The following must be addressed prior to construction:**

20. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430). **Be advised that scheduling the pre-construction meeting can take 2-4 weeks.**
21. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting (no application required). No fee is required for this permit.
22. Material certifications must be submitted to Spalding DeDecker for review prior to the construction of any onsite utilities. Contact Ted Meadows at 248-844-5400 for more information.
23. Construction inspection fees in an amount to be determined must be paid to the Community Development Department.
24. Legal escrow fees in an amount to be determined must be deposited with the Community Development Department. **All unused escrow will be returned to the payee at the end of the project.** This amount includes engineering legal fees only. There may be additional legal fees for planning legal documents.
25. If applicable, a storm water performance guarantee in an amount to be determined (equal to 120% of the cost required to complete the storm water management facilities) as specified in the Storm Water Management Ordinance must be posted at the Community Development Department.

26. **If off-site detention is proposed, storm water detention tap fees in an amount to be determined for the proposed discharge to an off-site regional detention basin must be paid to the Community Development Department.**
27. If applicable, a street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Community Development Department. Signs must be installed in accordance with MMUTCD standards.
28. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department, Building Division (248-347-0430) for forms and information. The financial guarantee and inspection fees will be determined during the SESC review.

**The following must be addressed prior to issuance of a Temporary Certificate of Occupancy (TCO) approval for the development:**

29. The amount of the incomplete site work performance guarantee for any outstanding site improvement items (limited to top course of pavement and other minor items), is calculated at 1.2 times the amount required to complete the site improvements (as specified in the Performance Guarantee Ordinance).
30. All easements and agreements referenced above must be executed, notarized, and approved by the City Attorney and Engineering Division.
31. The City's consultant Engineer Spalding DeDecker will prepare the record drawings for this development. The record drawings will be prepared in accordance with Article XII, Design and Construction Standards, Chapter 11 of the Novi Code of Ordinances.
32. Submit an up-to-date Title Policy (dated within 90 days of City Council consideration of acceptance) for the purpose of verifying that the parties signing the Easement and Bill of Sale documents have the legal authority to do so. Please be sure that all parties of interest shown on the title policy (including mortgage holders) either sign the easement documents themselves or provide a Subordination Agreement. Please be aware that the title policy may indicate that additional documentation is necessary to complete the acceptance process.
33. Provide a warranty deed for the additional proposed road right-of-way for the Catherine Industrial Road cul-de-sac for acceptance by the City.

**Prior to preparing stamping sets**, the Applicant is advised to provide any revised sheets directly to the Engineering Division for an informal review and approval.

To the extent this review letter addresses items and requirements that require the approval of or a permit from an agency or entity other than the City, this review shall

**Engineering Review of Formal PRO Concept Plan**

MI CAT Catherine Drive  
JZ21-0022

05/20/2022

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not be considered an indication or statement that such approvals or permits will be issued.

Please contact Victor Boron at (248) 735-5695 with any questions.

A handwritten signature in black ink that reads "Victor F. Boron". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Victor Boron  
Project Engineer

cc: Christian Carroll, Community Development  
Ben Croy, PE; Engineering  
Humna Anjum, Engineering



## LANDSCAPE & WOODLAND REVIEW

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# PLAN REVIEW CENTER REPORT

May 11, 2022

## MI CAT Catherine Drive Parcel

### Formal PRO Concept Site Plan - Landscaping

#### Review Type

Formal PRO Concept Landscape Review

#### Job #

JZ21-0022

#### Property Characteristics

- Site Location: North end of Catherine Drive
- Site Acreage: 5.29 acres
- Site Zoning: I-1 – Proposed: I-2
- Adjacent Zoning: North, East: I-2, South, West: I-1
- Plan Date: 3/30/2022

#### 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 revised Final Site Plan submittal. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review and the accompanying Landscape Chart are summaries and are not intended to substitute for any Ordinance.

#### Recommendation

This project is **recommended for approval for PRO Concept**. The remaining items discussed below and on the accompanying Landscape Chart can be addressed on Preliminary and Final Site plans.

#### **LANDSCAPE DEVIATIONS REQUIRED FOR THIS PROJECT:**

- Use of evergreen shrub "wall" in place of required canopy greenbelt trees and berm to provide better screening of equipment – *Supported by staff*
- Tree diversity does not meet the standard of Landscape Design Manual Section 4 – *Supported by staff*

#### Ordinance Considerations

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

1. A survey and chart are provided.
2. Only 47 woodland replacement credits are required (see the discussion on the accompanying landscape chart). A donation to the tree fund will be made for all of them.
3. **Please plant woodland replacement trees on the site to the greatest extent possible.**
4. Please add a tree protection fence detail to the Civil Plans.

##### Adjacent to Residential - Buffer (Zoning Sec. 5.5.3.B.ii and iii)

The project is not adjacent to residential property.

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

1. The project proposes a line of densely planted junipers to provide continuous screening

from the road instead of the required berm and canopy trees. **This is a landscape deviation.**

2. *The proposed configuration is supported by staff as the required trees wouldn't provide as much screening as the proposed landscaping would.*
3. **The proposed landscape additions along Novi Road are appreciated. Please consider adding large shrubs or subcanopy trees to help soften the view of the heavy equipment from Novi Road more. This is a request, not a requirement.**
4. **Please add an accessible path to the flagpole/sign "plaza" from the public sidewalk and an opening through the plantings so people can get close to the sign to read it if necessary.**
5. Add a note stating that the existing tree at the south entrance will be removed.

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

No parking landscaping is required as the parcel will be used for equipment storage, not parking.

Building foundation Landscaping (Zoning Sec 5.5.3.D)

No foundation landscaping is required as there are no buildings on the parcel.

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

1. **8 of 16 species (50%) used are native to Michigan.**
2. **A landscape deviation is required for the lack of compliance with the Landscape Design Manual.** *The deviation is supported by staff due to the heavy use of evergreens to provide the necessary screening for the project and lack of suitable evergreen species available for use in Michigan.*

Planting Notations and Details (LDM)

**Provided**

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

1. The combination of existing vegetation and proposed landscaping around the pond satisfies the requirements of the ordinance.
2. If the pond is enlarged, the new edges must also be landscaped to meet the ordinance.
3. **It is recommended to use a species other than *Viburnum trilobum* as it is particularly prone to predation by the *Viburnum* leaf beetle. Ninebark, elderberry or hazelnut would all be viable alternatives.**

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

Please provide an irrigation system plan that conforms to city and state standards with Final Site Plans.

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



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Rick Meader – Landscape Architect

## LANDSCAPE REVIEW SUMMARY CHART – Formal PRO Concept Plan

**Review Date:** May 11, 2022  
**Project Name:** JZ21-0022: MI CAT Catherine Drive Access Parcel  
**Plan Date:** March 30, 2022  
**Prepared by:** Rick Meader, Landscape Architect E-mail: [rmeader@cityofnovi.org](mailto:rmeader@cityofnovi.org);  
 Phone: (248) 735-5621

Items in **Bold** need to be addressed by the applicant before approval of the Preliminary Site Plan.  
Underlined items need to be addressed for Final Site Plan.

### LANDSCAPE DEVIATIONS REQUIRED FOR THIS PROJECT:

- Use of evergreen shrub "wall" in place of required canopy and subcanopy greenbelt trees to provide better screening of equipment – *Supported by staff*
- Tree diversity does not meet the standard of Landscape Design Manual Section 4 – *Supported by staff*

Item	Required	Proposed	Meets Code	Comments
<b>Landscape Plan Requirements (LDM (2))</b>				
<b>Landscape Plan</b> <i>(Zoning Sec 5.5.2, LDM 2.e.)</i>	<ul style="list-style-type: none"> <li>• New commercial or residential developments</li> <li>• Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less.</li> <li>• 1"=20' minimum with proper North. Variations from this scale can be approved by LA</li> <li>• Consistent with plans throughout set</li> </ul>	Scale 1"=40'	Yes	
<b>Project Information</b> <i>(LDM 2.d.)</i>	Name and Address	Yes	Yes	
<b>Owner/Developer Contact Information</b> <i>(LDM 2.a.)</i>	Name, address and telephone number of the owner and developer or association	Yes	Yes	
<b>Landscape Architect contact information</b> <i>(LDM 2.b.)</i>	Name, Address and telephone number of RLA/PLA/LLA who created the plan	Yes	Yes	
<b>Sealed by LA.</b> <i>(LDM 2.g.)</i>	Requires original signature	Yes	Yes	<u>Original signature will be required on stamping sets</u>
<b>Miss Dig Note</b> <i>(800) 482-7171 (LDM.3.a.(8))</i>	Show on all plan sheets	Yes	Yes	
<b>Zoning</b> <i>(LDM 2.f.)</i>	Include all adjacent zoning	<u>Parcel:</u> I-1 <u>Proposed:</u> I-2	Yes	



Item	Required	Proposed	Meets Code	Comments
<b>Survey information</b> <i>(LDM 2.c.)</i>	<ul style="list-style-type: none"> <li>• Legal description or boundary line survey</li> <li>• Existing topography</li> </ul>	<p><u>North, East: I-2</u>  <u>South, West: I-1</u></p> <ul style="list-style-type: none"> <li>• Description on Sheet 1</li> <li>• The existing topography and trees are shown as part of plans with impacts.</li> </ul>	No	
<b>Existing plant material</b> <b>Existing woodlands or wetlands</b> <i>(LDM 2.e.(2))</i>	<ul style="list-style-type: none"> <li>• Show location type and size. Label to be saved or removed.</li> <li>• Plan shall state if none exists.</li> </ul>	<ul style="list-style-type: none"> <li>• Woodland impact plan shows all trees 8" dbh or larger, tree chart and impacts</li> <li>• The calculations indicate that 195 replacement credits are required.</li> <li>• A note indicates that a deposit to the tree fund will be made for 95 credits.</li> </ul>	Yes	<p>1. Based on a site visit I made, most of the trees showing as being removed are not in a regulated woodland. Thus, they do not need to have woodland replacements per our ordinance, which only requires that trees 8" dbh or larger within a regulated woodland, or 36" dbh or larger outside of a woodland be replaced. For that reason, and the fact that there aren't any regulated woodlands on the site except for around the pond where no trees are being disturbed, only these trees need replacements: 234, 236, 243, 251, 252, 253, 604 and 606, based on their size. This adds up to only <b>47 required credits.</b></p> <p><b>2. Feel free to modify your chart and deposit to the tree fund donation accordingly.</b></p> <p><b>3. You're encouraged to plant replacement trees on site where possible.</b></p>
<b>Soil types</b> <i>(LDM.2.r.)</i>	<ul style="list-style-type: none"> <li>• As determined by Soils survey of Oakland</li> </ul>	Yes, on Sheet C100	Yes	

Item	Required	Proposed	Meets Code	Comments
	County <ul style="list-style-type: none"> <li>Show types, boundaries</li> </ul>			
<b>Existing and proposed improvements</b> <i>(LDM 2.e.(4))</i>	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Yes	Yes	
<b>Existing and proposed utilities</b> <i>(LDM 2.e.(4))</i>	Overhead and underground utilities, including hydrants	Yes	Yes	
<b>Proposed grading. 2' contour minimum</b> <i>(LDM 2.e.(1))</i>	Provide proposed contours at 2' interval	Yes	Yes	
<b>Snow deposit</b> <i>(LDM.2.q.)</i>	Show snow deposit areas on plan	NA – no landscaping is inside of fenced area		
<b>LANDSCAPING REQUIREMENTS</b>				
<b>Parking Area Landscape Requirements LDM 1.c. &amp; Calculations (LDM 2.o.)</b>				
<b>General requirements</b> <i>(LDM 1.c)</i>	<ul style="list-style-type: none"> <li>Clear sight distance within parking islands</li> <li>No evergreen trees</li> </ul>	NA		
<b>Name, type and number of ground cover</b> <i>(LDM 1.c.(5))</i>	As proposed on planting islands	NA – no parking islands		
<b>General (Zoning Sec 5.5.3.C.ii)</b>				
<b>Parking lot Islands</b> <i>(a, b. i)</i>	<ul style="list-style-type: none"> <li>A minimum of 200 SF to qualify</li> <li>A minimum of 200sf unpaved area per tree planted in an island</li> <li>6" curbs</li> <li>Islands minimum width 10' BOC to BOC</li> </ul>	NA		
<b>Curbs and Parking stall reduction</b> <i>(c)</i>	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7 ft.	NA		
<b>Contiguous space limit</b> <i>(i)</i>	Maximum of 15 contiguous spaces	NA		
<b>Plantings around Fire Hydrant</b> <i>(d)</i>	<ul style="list-style-type: none"> <li>No plantings with matured height greater than 12' within 10 ft. of fire hydrants</li> <li>Plant trees at least 5 ft from underground utility lines</li> </ul>	NA – no hydrants are shown in landscaped areas		

Item	Required	Proposed	Meets Code	Comments
	<ul style="list-style-type: none"> <li>Plantings near hydrants or FDCs should be no taller than 12"</li> </ul>			
<b>Landscaped area (g)</b>	Areas not dedicated to parking use or driveways exceeding 100 sq. ft. shall be landscaped	NA		
<b>Clear Zones (LDM 2.3.(5))</b>	<ul style="list-style-type: none"> <li>25 ft corner clearance required.</li> <li>Refer to Zoning Section 5.5.9</li> <li>Road Commission for Oakland County zone for RCOC jurisdiction roads</li> </ul>	<ul style="list-style-type: none"> <li>NA – Catherine Drive will only be used for emergency access, and has clear vision at the end of the cul-de-sac</li> <li>The proposed landscaping enhancements along Novi Road are outside of the clear vision zone.</li> </ul>	Yes	
<b>Category 1: For OS-1, OS-2, OSC, OST, B-1, B-2, B-3, NCC, EXPO, FS, TC, TC-1, RC, Special Land Use or non-residential use in any R district (Zoning Sec 5.5.3.C.iii)</b>				
A = Total square footage of vehicular use areas up to 50,000sf x 7.5%	<ul style="list-style-type: none"> <li><math>A = x \text{ sf} * 7.5\% = A \text{ sf}</math></li> <li><math>50,000 * 7.5\% = 3750 \text{ sf}</math></li> </ul>	NA		
B = Total square footage of additional paved vehicular use areas (not including A or B) over 50,000 SF) x 1 %	<ul style="list-style-type: none"> <li><math>B = x \text{ sf} * 1\% = B \text{ sf}</math></li> <li><math>(xxx - 50000) * 1\% = xx \text{ sf}</math></li> </ul>	NA		
<b>Category 2: For: I-1 and I-2 (Zoning Sec 5.5.3.C.iii)</b>				
A. = Total square footage of vehicular use area up to 50,000 sf x 5%	$A = x \text{ sf} * 6\% = A \text{ sf}$	NA – only use for site will be equipment and material storage		
B = Total square footage of additional paved vehicular use areas over 50,000 SF x 0.5%	$B = 0.5\% \times 0 \text{ sf} = B \text{ SF}$	NA		
<b>All Categories</b>				
C = A+B Total square footage of landscaped islands	<ul style="list-style-type: none"> <li><math>C = A + B</math></li> <li><math>C = xxx + xxx = xx \text{ SF}</math></li> </ul>	NA		
D = C/200 Number of canopy trees required	<ul style="list-style-type: none"> <li><math>D = C/200 \text{ trees}</math></li> <li><math>xx/200 = xx \text{ Trees}</math></li> </ul>	0 trees	Yes	

Item	Required	Proposed	Meets Code	Comments
<b>Perimeter Green space</b>	<ul style="list-style-type: none"> <li>• 1 Canopy tree per 35 lf</li> <li>• xx /35 = xx trees</li> </ul>	0 trees	Yes	
<b>Accessway perimeter</b>	<ul style="list-style-type: none"> <li>• 1 canopy tree per 35 lf on each side of road, less widths of access drives.</li> <li>• (xx lf)/35 = xx trees</li> </ul>	NA		
<b>Parking land banked</b>	<ul style="list-style-type: none"> <li>• NA</li> </ul>	None		
<b>Berms, Walls and ROW Planting Requirements</b>				
<b>Berms</b>				
<ul style="list-style-type: none"> <li>• All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours</li> <li>• Berm should be located on lot line except in conflict with utilities.</li> <li>• Berms should be constructed with 6" of topsoil.</li> </ul>				
<b>Residential Adjacent to Non-residential (Sec 5.5.3.A) &amp; (LDM 1.a)</b>				
<b>Berm requirements (Zoning Sec 5.5.A)</b>	NA – not adjacent to residential	None	Yes	
<b>Planting requirements (LDM 1.a.)</b>	LDM Novi Street Tree List	NA		
<b>Adjacent to Public Rights-of-Way (Sec 5.5.B) and (LDM 1.b)</b>				
<b>Berm requirements (Zoning Sec 5.5.3.A.(5))</b>	An undulating berm a minimum of 3 feet high with a 3 foot wide crest is required	<ul style="list-style-type: none"> <li>• 0 trees</li> <li>• Line of junipers provided for screening along the Catherine Drive cul-de-sac</li> </ul>	No	<ol style="list-style-type: none"> <li>1. A landscape deviation is required for this substitution.</li> <li>2. It is supported by staff as the proposed landscaping will provide better screening than the ordinance requirements would provide.</li> </ol>
<b>Cross-Section of Berms (LDM 2.j)</b>				
Slope, height and width	<ul style="list-style-type: none"> <li>• Label contour lines</li> <li>• Maximum 33%</li> <li>• Min. 3 feet flat horizontal area</li> <li>• Minimum 3 feet high</li> <li>• Constructed of loam with 6' top layer of topsoil.</li> </ul>	No berm is proposed		
Type of Ground Cover		NA		
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	NA		
<b>Walls (LDM 2.k &amp; Zoning Sec 5.5.3.vi)</b>				
<b>Material, height and</b>	Freestanding walls	No wall is proposed		



Item	Required	Proposed	Meets Code	Comments
<b>type of construction footing</b>	should have brick or stone exterior with masonry or concrete interior			
<b>Walls greater than 3 ½ ft. should be designed and sealed by an Engineer</b>				
<b>ROW Landscape Screening Requirements (Sec 5.5.3.B. ii)</b>				
<b>Greenbelt width (2)(3) (5)</b>	Parking: 20 ft. No Pkg: 25 ft	40 ft	Yes	
Min. berm crest width	None	No	No	
Minimum berm height (9)	None	No	No	
3' wall	(4)(7)	No		
<b>Canopy deciduous or large evergreen trees</b> Notes (1) (10)	<ul style="list-style-type: none"> <li>No Pkg: 1 per 60 ft</li> <li>139/60 = 2 trees</li> </ul>	<ul style="list-style-type: none"> <li>0 trees</li> <li>Line of 38 junipers provided for screening</li> </ul>	No	<ol style="list-style-type: none"> <li>A landscape deviation is required for this substitution.</li> <li>It is supported by staff to provide better screening from Catherine Drive.</li> </ol>
<b>Sub-canopy deciduous trees</b> Notes (2)(10)	<ul style="list-style-type: none"> <li>No Pkg: 1 per y ft</li> <li>139/40 = 4 trees</li> </ul>	4 flowering crabapples are proposed in front of the line of junipers	Yes	
<b>Canopy deciduous trees in area between sidewalk and curb</b> (Novi Street Tree List)	<ul style="list-style-type: none"> <li>Parking &amp; No Parking: 1 tree per 45 lf</li> <li>139/45 = 3 trees</li> </ul>	3 elm trees	Yes	
<b>Non-Residential Zoning Sec 5.5.3.E.iii &amp; LDM 1.d (2)</b>				
Refer to Planting in ROW, building foundation landscape, parking lot landscaping and LDM				
<b>Interior Street to Industrial subdivision</b> (LDM 1.d.(2))	<ul style="list-style-type: none"> <li>1 canopy deciduous or 1 large evergreen per 35 l.f. along ROW</li> <li>No evergreen trees closer than 20 ft.</li> <li>3 sub canopy trees per 40 l.f. of total linear frontage</li> <li>Plant massing for 25% of ROW</li> </ul>	Landscaping is satisfactory	Yes	See the landscape discussion above.
<b>Screening of outdoor storage, loading/unloading</b> (Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)		Double rows of large evergreens are proposed along all property borders except for greenbelt which is discussed above	Yes	
<b>Transformers/Utility</b>	<ul style="list-style-type: none"> <li>A minimum of 2ft.</li> </ul>	No	No	<b>If any transformers are</b>

Item	Required	Proposed	Meets Code	Comments
<b>boxes</b> (LDM 1.e from 1 through 5)	separation between box and the plants <ul style="list-style-type: none"> <li>• Ground cover below 4" is allowed up to pad.</li> <li>• No plant materials within 8 ft. from the doors</li> </ul>			<b>located outside of the storage area, please screen them with shrubs per the standard detail.</b>
<b>Building Foundation Landscape Requirements (Sec 5.5.3.D)</b>				
<b>Interior site landscaping SF</b>	<ul style="list-style-type: none"> <li>• Equals to entire perimeter of the building x 8 with a minimum width of 4 ft.</li> <li>• A: x lf x 8ft = x SF</li> </ul>	NA		
Zoning Sec 5.5.3.D.ii. All items from (b) to (e)	If visible from public street a minimum of 60% of the exterior building perimeter should be covered in green space	NA		
<b>Detention/Retention Basin Requirements (Sec. 5.5.3.E.iv)</b>				
<b>Planting requirements</b> (Sec. 5.5.3.E.iv)	<ul style="list-style-type: none"> <li>• Clusters of large native shrubs shall cover 70-75% of the basin rim area at 10 lf from permanent water level</li> <li>• 10" to 14" tall grass along sides of basin</li> <li>• Refer to wetland for basin mix</li> <li>• Deciduous canopy tree 1/35 of east, south and west sides of pond at 10 feet from permanent water level</li> </ul>	<ul style="list-style-type: none"> <li>• It appears that at least 70% of the basin rims will be landscaped with large native shrubs or existing vegetation</li> <li>• Existing trees around the pond will meet the tree requirement</li> </ul>	Yes	<b>If the pond needs to be enlarged, add sufficient landscaping along the new edge to meet the requirement.</b>
<b>Phragmites and Japanese Knotweed Control</b> (Sec 5.5.6.C)	<ul style="list-style-type: none"> <li>• Any and all populations of Phragmites australis and/or Japanese Knotweed on site shall be included on tree survey.</li> <li>• Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site.</li> </ul>	A note indicates that no Phragmites or Knotweed was found on the site.	Yes	
<b>LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS</b>				
<b>Landscape Notes – Utilize City of Novi Standard Notes</b>				
<b>Installation date</b> (LDM 2.I. & Zoning)	Provide intended date	Between Apr 15 and Nov 15.	Yes	

Item	Required	Proposed	Meets Code	Comments
Sec 5.5.5.B)				
<b>Maintenance &amp; Statement of intent</b> (LDM 2.m & Zoning Sec 5.5.6)	<ul style="list-style-type: none"> <li>• Include statement of intent to install and guarantee all materials for 2 years.</li> <li>• Include a minimum one cultivation in June, July and August for the 2-year warranty period.</li> </ul>	Yes	Yes	
<b>Plant source</b> (LDM 2.n & LDM 3.a.(2))	Shall be northern nursery grown, No.1 grade.	Yes	Yes	
<b>Irrigation plan</b> (LDM 2.s.)	<ul style="list-style-type: none"> <li>• A fully automatic irrigation system or a method of providing sufficient water for plant establishment and survival is required on Final Site Plans.</li> <li>• If irrigation won't be used, note how trees will get sufficient water for establishment and long-term survival</li> </ul>	A note indicates that an automatic irrigation system will be used	Yes	<ol style="list-style-type: none"> <li>1. <u>Please add irrigation plan or information as to how plants will be watered sufficiently for establishment and long- term survival.</u></li> <li>2. <u>If xeriscaping is used, please provide information about plantings included.</u></li> </ol>
<b>Other information</b> (LDM 2.u)	Required by Planning Commission	NA		
<b>Establishment period</b> (Zoning Sec 5.5.6.B)	<b>2 yr. Guarantee</b>	Yes	Yes	
<b>Approval of substitutions.</b> (Zoning Sec 5.5.5.E)	City must approve any substitutions in writing prior to installation.	Yes	Yes	
<b>Plant List (LDM 4) – Include all cost estimates</b>				
Quantities and sizes	Refer to LDM suggested plant list	Yes	Yes	
Root type		Yes	Yes	
Botanical and common names		<ul style="list-style-type: none"> <li>• 8 of 16 species (50%) used are native to Michigan</li> <li>• Tree diversity does not meet the standard of LDM 4</li> <li>• Picea glauca composes 33% of the trees</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>	<ol style="list-style-type: none"> <li>1. <b>A landscape deviation is required for the lack of tree diversity.</b></li> <li>2. <i>It is supported by staff because the primary importance for the landscaping in this case is screening of the storage yard, and there are limited evergreen options available, especially those native to</i></li> </ol>

Item	Required	Proposed	Meets Code	Comments
				<i>Michigan. What the applicant is proposing is acceptable.</i>
Type and amount of lawn		Included in the plant list		
Cost estimate (LDM 2.f)	For all new plantings, mulch and sod as listed on the plan	Provided	Yes	<u>Please change the standard cost for the ornamental trees to \$375.</u>
<b>Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details</b>				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes	Yes	
Evergreen Tree		Yes	Yes	
Shrub		Yes	Yes	
Perennial/ Ground Cover		Yes	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		Yes	Yes	
Tree protection fencing	Located at Critical Root Zone (1' outside of dripline)	Indicated with a note on the landscape plan.	Yes	<u>Please add the attached tree protection fence detail to the Grading or Demolition plan in the civil plans</u>
<b>Other Plant Material Requirements (LDM 3)</b>				
<b>General Conditions</b> (LDM 3.a)	Plant materials shall not be planted within 4 ft. of property line	Yes	Yes	
<b>Plant Materials &amp; Existing Plant Material</b> (LDM 3.b)	Clearly show trees to be removed and trees to be saved.	Yes	Yes	<u>Please add a note to the Novi Road landscaping plan Sheet LP-3 that the existing tree on the north side of the south entrance will be removed. No replacements are required for that tree.</u>
<b>Landscape tree credit</b> (LDM3.b.(d))	<ul style="list-style-type: none"> <li>Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA.</li> <li>Refer to Landscape tree Credit Chart in LDM</li> </ul>	No		
<b>Plant Sizes for ROW,</b>	<ul style="list-style-type: none"> <li>Size determined by</li> </ul>	Yes	Yes	

Item	Required	Proposed	Meets Code	Comments
<b>Woodland replacement and others</b> (LDM 11)	use detailed in LDM Table 11.b.(2)a.i <ul style="list-style-type: none"> <li>Indicate on plant list</li> </ul>			
<b>Plant size credit</b> (LDM 3.c.(2))	NA	No		
<b>Prohibited Plants</b> (LDM 3.d)	No plants on City Invasive Species List	None used		
<b>Recommended trees for planting under overhead utilities</b> (LDM 3.e)	Label the distance from the overhead utilities			
<b>Collected or Transplanted trees</b> (LDM 3.f)		None		
<b>Nonliving Durable Material: Mulch</b> (LDM 4)	<ul style="list-style-type: none"> <li>Trees shall be mulched to 3" depth and shrubs, groundcovers to 2" depth</li> <li>Specify natural color, finely shredded hardwood bark mulch. Include in cost estimate.</li> <li>Refer to section for additional information</li> </ul>	Yes	Yes	

**NOTES:**

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



## FIRE REVIEW

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May 13, 2022

TO: Barbara McBeth - City Planner  
Lindsay Bell - Plan Review Center  
Christian Carroll - Plan Review Center  
Madeleine Daniels – Plan Review Center  
Ben Peacock – Planning Assistant

RE: MI CAT Catherine Dr. Access PRO

**CITY COUNCIL**

**Mayor**  
Bob Gatt

**Mayor Pro Tem**  
Dave Staudt

Laura Marie Casey

Hugh Crawford

Justin Fischer

Brian Smith

Ericka Thomas

**City Manager**  
Peter E. Auger

**Director of Public Safety  
Chief of Police**  
Erick W. Zinser

**Fire Chief**  
Jeffery R. Johnson

**Assistant Chief of Police**  
Scott R. Baetens

**Assistant Fire Chief**  
John B. Martin

**PSP# 22-0046**

PSP# 21-0100

PSP# 21-0050

**Project Description:**

Add secondary access to MI CAT property off Catherine Industrial Dr.

**Comments:**

- When the property has limited frontage along external arterials, or topographic conditions on the external arterials reduce sight line distances so that a secondary access point cannot be established which will provide safe ingress and egress, the City shall require access roads for emergency vehicles, where feasible. A secondary access driveway shall be a minimum of twenty (20 feet in width and paved to provide all-weather access and shall be designed to support a vehicle of thirty-five (35) tons. Minimum easement width for secondary access driveways shall be twenty-five (25) feet. A permanent "break-away" gate shall be provided at the secondary access driveway's intersection with the public roadway in accordance with Figure VIII-K of the Design and Construction Standards. To discourage non-emergency vehicles, emergency access roads shall be designated by signage as for emergency access only, shall be separated from the other roadways by mountable curbs, and shall utilize entrance radii designed to permit emergency vehicles while discouraging non-emergency traffic. **(D.C.S. Sec 11-194 (a)(19))**
- **MUST** provide documentation on the gate for the secondary access drive.

**Recommendation:**

Approved with Conditions

Sincerely,

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

cc: file

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

cityofnovi.org

**EXCERPT FROM JULY 13, 2022  
PLANNING COMMISSION MEETING MINUTES (DRAFT)**

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City Planner McBeth gave a brief summary of the last Master Plan Steering Committee, held on June 29 at Lakeshore Park. The topics discussed were demographics, housing, and natural features and resiliency. An update was also provided on the Master Plan Survey that is currently out and will be open until the end of July. Individuals that live, own land, and/or work in the City are encouraged to take the survey. Staff has reached out to share the survey with 86 homeowners' association residents, 13 apartment and condominium communities, 3 retirement communities, several restaurants and stores, the Chamber of Commerce, and several locations listed on the City's webpage and Facebook page. This is all thanks to Rick Meader who worked diligently on contacting them. The next meeting is scheduled for August 3, and it will be held at the Novi Public Library.

## **CONSENT AGENDA - REMOVALS AND APPROVALS**

### **1. JSP20-12 BECK NORTH UNIT 59**

Approval of the request of Dembs Development, Inc. for the first one-year extension of the Preliminary Site Plan approval. The subject property is located south of Cartier Drive and west of Hudson Drive, in the Light Industrial (I-1) Zoning District. The applicant is proposing to construct a 31,617 square foot speculative building for use as an office and warehouse space. Approval of the Preliminary Site Plan was granted in August of 2020.

Motion made by Member Lynch and seconded by Member Avdoulos.

## **ROLL CALL VOTE TO APPROVE THE FIRST ONE-YEAR EXTENSION OF THE PRELIMINARY SITE PLAN FOR JSP20-12 BECK NORTH UNIT 59 MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to approve the first one-year extension of the Preliminary Site Plan for JSP20-12 Beck North Unit 59. Motion carried 7-0.**

## **PUBLIC HEARINGS**

### **1. MICHIGAN CAT CATHERINE DRIVE ACCESS PARCEL JZ21-22 WITH REZONING 18.734**

Public hearing at the request of Michigan CAT for Planning Commission's recommendation to City Council for a Zoning Map amendment from Light Industrial (I-1) to General Industrial (I-2) with a Planned Rezoning Overlay. The subject site is approximately 5.29 acres of a 32.39-acre property and is located on the east side of Novi Road and north of Catherine Industrial Drive (Section 23). The applicant is proposing to use the site for outdoor storage for construction equipment related to Michigan CAT's shore and pump operations.

Planner Carroll said this is a 5.29-acre site, which is part of the 32.39-acre MI CAT site, is located east of Novi Road and north of Catherine Industrial Drive. It is currently zoned I-1 General Industrial, and the applicant is proposing to rezone to I-2 General Industrial as part of a Planned Rezoning Overlay. The surrounding area is mostly zoned I-1. The nearest residential zoning is Emerson Park across Novi Road, which is zoned RM-2 with a PRO Agreement. The Future Land Use map indicates Industrial Research Development and Technology, which corresponds to the I-1 Zoning District for the property. The surrounding Future Land Use generally consists of Heavy Industrial to the east and northeast, which is more consistent with I-2 areas, and Industrial Research Development Technology to the north and south. The surrounding existing uses in the area consist of mostly industrial uses including an auto repair shop and the Michigan CAT Campus. The site does not contain any portion of regulated wetlands, but it does contain a portion of regulated woodlands which are noted in the packet.

Planner Carroll went on to say this item has gone through several revisions and was reviewed for eligibility by the Planning Commission on November 17, 2021 and City Council on January 10, 2022. Since the last review, the applicant has provided additional detail regarding some public

benefits being offered, including a proposed pedestrian plaza and historical marker on Novi Road. These amenities would be located near the existing flagpole. The applicant is proposing to use the site for the outdoor storage of construction equipment related to Michigan CAT's shore and pump operations. The site will be heavily screened by an 8-foot opaque chain link fence and landscaping along the west and south property lines, which will screen the equipment up to a minimum height of 11 feet; the equipment itself is proposed to be 10 feet tall. The site will not be paved with asphalt or concrete, but rather it will have asphalt millings as the surface material; this is noted in the packet, and it will require three deviations from the Design and Construction Standards. The site's stormwater will continue to drain to the rear of the property, and it will be accessed only from the current MI CAT site. The existing basin outlet structure and its outlet to the Rouge River need to be cleaned out and stabilized to meet ordinance requirements. The project engineer, Victor Boron, could speak on this matter more if there are questions.

Planner Carroll continued to say concerning the limiting conditions of the proposed PRO, the permitted use of the site would be limited to the outdoor storage of construction equipment related to shoring and pump operations, a 20-foot access aisle easement shall be provided across the length of the site for emergency access purposes, a six-foot clear path to the proposed pedestrian plaza shall be provided, and any additional items identified prior to finalizing the PRO Agreement. Other conditions of the approval would include the replacement of 74 woodland trees with 47 replacement credits, the preservation and maintenance of the existing drainageway, and a tentative completion date of 2023. In terms of proposed public benefits of the PRO, the applicant is proposing additional landscaping along Novi Road, a decorative breakaway gate on Catherine Industrial Access Drive, a historical marker with a pedestrian plaza commemorating the history of the site within the City of Novi, and any additional proposed benefits that the applicant offers throughout the process. There are 5 current deviations identified: 3 of these are related to the proposed asphalt millings, 1 is related to tree diversity requirements, and 1 is related to junipers in lieu of canopy/subcanopy trees. All these deviations are supported by staff.

Planner Carroll concluded by saying the Planning Commission is asked tonight to hold the public hearing and make a recommendation to City Council for approval or denial of the rezoning request. Representing the project tonight is Dan German with Granger Construction and others. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Steve Deak, Landscape Architect for the project, said Rich Potosnak could not be here tonight. I am here with Dan German of Granger. We're here to answer any questions you have. We've worked diligently with staff over the last year to get the project to this point, and we believe staff has done an excellent job of guiding us through the process.

Chair Pehrson invited members of the audience who wished to participate in the public hearing to approach the podium. Seeing that nobody wished to speak, Chair Pehrson turned it over to Member Lynch for written correspondence.

Member Lynch said we received one piece of correspondence from Susan Hein, 42144 Ridge Road West in Meadowbrook Glens. She is concerned about the noise and constant beeping. She is also concerned that the expansion of the use on this site will make the noise worse.

Chair Pehrson closed the public hearing and turned it over the Planning Commission for consideration.

Member Lynch said Meadowbrook Glens seems to be quite a distance away from the site. It looks like staff has agreed to the deviations. I think it makes sense since the surrounding area is



industrial, and the site itself will basically serve as storage.

Member Becker said the deviations seem to be unique enough that we are well reasoned in permitting them.

Member Dismondy said I think it is consistent with the adjacent uses, and it seems to be a minor accommodation to allow them to expand their business.

Member Verma asked is the storage area where the construction equipment will be stacked going to be a paved parking lot, or will it be gravel?

Mr. Deak said as staff mentioned, it will be composed of asphalt millings.

Member Verma asked this will only be one story?

Mr. Deak said yes, there are height restrictions included. That is why the screening matches the height. It would be included in the PRO that MI CAT will not be allowed to store equipment such as cranes or anything over the 10-foot maximum.

Member Roney said, related to the correspondence we received concerning the noise, I don't see how that would be a significant issue given how far away Meadowbrook Glens is from the subject property. I also consider these deviations to be improvements to the site, so I am in favor of this.

Member Avdoulos said I do not believe this request would add to any more noise. This is an operation that has existed for quite some time.

Motion made by Member Avdoulos and seconded by Member Lynch.

**In the matter of Michigan CAT Catherine Drive Access Parcel, with Zoning Map Amendment 18.734 motion to recommend approval to City Council to rezone the subject property from Light Industrial (I-1) to General Industrial (I-2) with a Planned Rezoning Overlay Concept Plan.**

**A. The recommendation includes the following ordinance deviations for consideration by the City Council:**

- 1. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for asphalt millings as a parking lot material in lieu of pavement, which is justified because the proposed millings are an extension of the existing storage yard and are a material that is preferable for storage yards;**
- 2. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for a lack of curbs, which is justified due to the site having adequate sheet drainage during rainfall events that will be adequately filtered by a vegetative swale located on the north side of the storage area;**
- 3. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for the lack of parking lot striping, which is justified due to the lot being used exclusively for storage of construction equipment;**
- 4. Landscape Deviation from Section 5.5.3.B.ii of the Zoning Ordinance for the use of an evergreen shrub wall in lieu of required canopy greenbelt trees and berm, which is justified because the proposed shrub wall provides more adequate screening of the construction equipment;**
- 5. Landscape Deviation from Section 4 of the Landscape Design Manual for the lack of meeting the required tree diversity standards, which is justified due to the heavy use of evergreens to provide the necessary screening for the project and the lack of suitable evergreen species available for use in Michigan.**

- B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:**
- 1. Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations, including all applicable setback requirements of the Zoning Ordinance under the Proposed Classification, except as expressly authorized herein, and all storm water and soil erosion requirements and measures throughout the site during the design and construction phases of the Development, and during the subsequent use of the Land as contemplated in this Agreement.**
  - 2. The use of the site shall be limited to the outdoor storage of shoring and pump operation equipment as described in the developer's narrative.**
  - 3. Developer offers a 20-foot-wide access aisle easement across the length of the proposed site as shown on the concept plan to allow for proper emergency access to the Michigan CAT site. This area shall be kept clear of equipment and signage shall be provided near the existing gate located on the site.**
  - 4. Woodland tree removals during the project shall be approximately 74 trees, which shall require 47 woodland replacement credits. Any woodland replacement credits planted on-site shall be permanently protected via conservation easement or landscape easement. Any credits not planted on site will require a payment of \$400 per credit into the Novi Tree Fund.**
  - 5. Any additional regulated woodland tree removals shall meet the requirements of the City of Novi Woodland Protection Ordinance and may be granted administratively up to 10 trees with proper justification. If additional regulated trees proposed for removal exceeds 10, Planning Commission approval must be granted.**
  - 6. The existing drainageway on the east side of the site shall be preserved and shall be reviewed as part of the Preliminary Site Plan.**
  - 7. The site shall be properly screened as indicated in the concept plan and shall be reviewed as part of the Preliminary Site Plan.**
  - 8. Developer offers to install a Motor City Historical Marker commemorating Michigan CAT's history within the City of Novi as shown on the concept plan and shall be reviewed in detail with the Preliminary Site Plan Review for consistency with other historical marker signage and verbiage.**
  - 9. Developer offers to install a pedestrian plaza with a bench and six-foot clear path access from the Novi Road sidewalk as shown on the concept plan.**
  - 10. Developer offers to install a decorative breakaway emergency access gate near Catherine Industrial Drive as shown on the concept plan.**
  - 11. Tentative completion date for the project shall be calendar year 2023.**
- C. This motion is made because the proposed General Industrial (I-2) zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use, and because:**
- 1. The proposed outdoor storage development would be in line with the intent of the 2016 Master Plan for the Heavy Industrial use.**
  - 2. Growing an important Novi business (Michigan CAT) would complement the goals and objectives of the 2016 Master Plan.**
  - 3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features as the drainageway to the east of the property (Walled Lake Branch of the Middle Rouge River Basin) will be preserved.**
  - 4. The proposed project will ensure compatibility between residential and non-residential developments because the project proposes to increase the footprint of an industrial business while limiting the use of the site to outdoor storage of shoring and pump operation equipment with proper screening.**

**ROLL CALL VOTE TO RECOMMEND TO CITY COUNCIL THE APPROVAL OF THE PLANNED REZONING**

**OVERLAY REQUESTED FOR JZ21-22 MI CAT CATHERINE DRIVE ACCESS PARCEL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to recommend to City Council the PRO requested for JZ21-22 MI CAT Catherine Drive Access Parcel. Motion carried 7-0.**

**2. JSP21-27 SHELTER BAY ANIMAL HOSPITAL**

Public Hearing at the request of Other Work, LLC, for approval of the Special Land Use and Preliminary Site Plan. The subject property is approximately 3.15 acres and is located south of Twelve Mile Road and west of Haggerty Road in the B-3, General Business, Zoning District. A use agreement was recently amended to allow this site to be considered for use as a veterinary clinic, veterinary hospital, and catering kitchen. The applicant is proposing to renovate the interior of a former Ruby Tuesday restaurant and some minor exterior site renovations including parking lot restriping, the addition of end islands, and the designation of an outdoor area for animals.

Planner Carroll said 3.15-acre site is located south of Twelve Mile Road and west of Haggerty Road. It was formerly used as a Ruby Tuesday restaurant. The site is located near a BP Gas Station to the east and a Holiday Inn to the west. It is zoned B-3 General Business and is subject to a Use Agreement that was recently approved to be amended by City Council on May 23, 2022. Nearby properties are zoned B-3, B-2, and OST. The Future Land Use for the site indicates Community Commercial, which is consistent with the B-2 and B-3 Zoning District Standards. The recently approved Amendment to the Use Agreement allows the proposed uses – a catering kitchen and animal hospital – to be allowable uses for this specific site. The subject site does not contain any regulated woodlands or wetlands.

Planner Carroll went on to say as indicated on the site plan, the applicant is proposing to renovate a former Ruby Tuesday restaurant for a veterinary hospital/clinic and ghost/catering kitchen. Minor improvements are proposed to the exterior including extensive interior renovations, parking lot restriping, the addition of parking end islands, and the designation of an outdoor area for animals. Most of the work will be contained to inside of the building. As part of this request, the Planning Commission is asked to determine whether a catering/ghost kitchen is compatible with the B-3 (General Business) Zoning District as a Special Land Use. Staff feels the use is generally consistent with a carry-out restaurant, which is a Special Land Use in the B-3 District. The applicant has indicated that this catering facility would only be for larger meals and delivery – there would not be any customers ordering or picking up food on the site. Both a veterinary hospital and catering kitchen would be considered special land uses and relative to other feasible uses of the site, staff feels the proposed uses:

- will not have a detrimental impact on existing throughfares in terms of volume and safety
- will not have a detrimental impact on public services or facilities
- are compatible with natural features of the City
- are compatible with the adjacent uses of land
- are consistent with the goals of the Master Plan
- are in harmony with the design regulations of the zoning district

In addition, there is 22-foot-wide access aisle along the north side of the building, which is a bit smaller than the typical size, so there is a condition in the motion that states that shall not be reduced below 22 feet as it provides important emergency vehicle access to the site. All other outstanding issues have been asked to be addressed on the Final Site Plan if this were to be approved by the Planning Commission.

Planner Carroll concluded by saying the Planning Commission is asked tonight to hold the public hearing and approve or deny the Special Land Use and Preliminary Site Plan for Shelter Bay Animal Hospital. Laura Walker, the applicant's architect, is here representing the project tonight.

**EXCERPT FROM JANUARY 10, 2022  
CITY COUNCIL MEETING MINUTES**

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and one in particular. He didn't know about the rest of the Council, but he had received numerous emails from residents opposing a daycare center. He asked what the mood of the public was regarding this project. Planner McBeth said that they had a public hearing for this at the Planning Commission and did not get anybody to come out for that public hearing. They did get one response from a neighbor who was in support of the request. Mayor Gatt asked, to the City's knowledge, if the residents in the Maples were not opposed to this project. Planner McBeth said that is correct. Mayor Gatt said that's really interesting that residents are fine with that. He asked if we polled the residents or just held the public hearing. Planner McBeth said that there was just the public hearing. She said they do get a number of residents asking questions about the daycare and a few of them came into the office and staff talked to them about it. They said they didn't have any issue with the redevelopment of the tennis courts.

**Roll call vote on CM 22-01-006**

**Yeas: Thomas, Gatt, Staudt, Casey, Crawford,  
Fischer, Smith,**

**Nays: None**

- 5. Initial review of Planned Rezoning Overlay (PRO) eligibility of the request of Michigan CAT, for Michigan CAT Catherine Drive Access Parcel, JZ21-22, to rezone from I-1, Light Industrial to I-2, General Industrial on land located on the north side of Catherine Industrial Drive, east of Novi Road in Section 23. The applicant is proposing to utilize the Planned Rezoning Overlay option to rezone and use the site for outdoor storage of construction equipment related to shore and pump operations on approximately 5.29 acres of land. Under the new PRO Ordinance, this initial review by City Council is an opportunity to review and comment on the eligibility of the proposal.**

Rich Potosnak, Director of Facilities and Real Estate for Michigan CAT and MacAllister Machinery, the Caterpillar dealership for both Indiana and Michigan spoke. He commented that the Novi branch has been the headquarter branch for the Michigan CAT operation for a number of years. There were two parcels of land, one of which has been utilized for many years and other which has been non utilized, has been vacant. This project proposes to use that land for outdoor storage, which allows them to increase their operation there with a shoring and pump operation which will increase revenues and the tax base in terms of additional staff that would be brought to this location to facilitate that operation. In addition to that project, they propose to improve the streetscape along Novi Road. This parcel that they are talking about using for outdoor storage is kind of hidden off to the back, but their main campus is on Novi Road. He said they worked with the Planning staff and have put together some plans to improve the streetscape along Novi Road. He said he was a little bit surprised, but the Planning staff also said that they would like CAT to put a historical marker since they have been part of the community for a number of years. CAT has an existing flagpole along Novi Road so they are going to create that as kind of a flag plaza with a historical marker there.



Mayor Gatt opened to Council for discussion, reminding that there is no motion on this, just a discussion to get the feeling on what the Councilmembers believe.

Member Fischer confirmed again that this was just initial comments. It goes back to Planning and Council would have another shot. Mr. Schultz said yes. Member Fischer said he had a question as far as the equipment, the pumping shore. He asked if he was correct that most of that is about eight feet tall. Mr. Potosnak said yes, give or take. Member Fischer said that his only concern in making changes like this is that eventually things may shift, things may change. He said the only comments he would have as far as this whole proposal related for staff and for the City Attorney, is that if there's any way we can put some conditions around the height of equipment. Maybe not holding it to eight feet, maybe give them some leeway. He doesn't want to see cranes that are 30, 40, 50 feet eventually housed there. He knows that is not the intent now, but someday down the road, things may change. He wanted to make sure that the City protects itself in that respect.

Mayor Gatt echoed what Member Fischer said. His only concern when he read this was visibility from the road for neighbors, passersby, everybody. He doesn't want an eyesore anywhere in the City. He said he was anxious to see what comes back to Council and what Planning Commission does. He didn't have any problem with the concept. He just wanted to make sure that the residents and neighbors in that area are certainly protected from sights that they don't want to see. Mr. Potosnak agreed. He addresses this issue in many locations throughout Michigan and Indiana.

- 6. Approval to award a contract for professional services to Beckett & Raeder (BRI), as recommended by the Consultant Review Committee, for review of the Master Plan for Land Use (including review and update of the Thoroughfare Plan) in an amount not to exceed \$206,445, and to amend the budget, subject to final review and approval as to form, including any minor changes required, by the City Manager and City Attorney's office.**

Mayor Pro Tem Staudt said the Consult Review Committee reviewed this and unanimously supported it.

**CM 22-01-007            Moved by Staudt, seconded by Crawford; CARRIED UNANIMOUSLY**

**Approval to award a contract for professional services to Beckett & Raeder (BRI), as recommended by the Consultant Review Committee, for review of the Master Plan for Land Use (including review and update of the Thoroughfare Plan) in an amount not to exceed \$206,445, and to amend the budget, subject to final review and approval as to form, including any minor changes required, by the City Manager and City Attorney's office.**

**Roll call vote on CM 22-01-007**

**Yeas: Gatt, Staudt, Casey, Crawford, Fischer, Smith, Thomas**

**EXCERPT FROM NOVEMBER 17, 2021  
PLANNING COMMISSION MEETING MINUTES**

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**1. NOVI CORPORATE CAMPUS PARCEL 1, JSP18-43**

Approval of the request of Dembs Development, LLC, for the second one-year extension of the Preliminary Site Plan approval. The subject property is located north of Twelve Mile Road, east of West Park Drive in the I-1 Light Industrial zoning district. The applicant is proposing a 93,320 square foot industrial spec building on the 6.6 acre parcel. Planning Commission approved the Preliminary Site Plan in November of 2018.

Moved by Member Verma and seconded by Member Roney.

**ROLL CALL VOTE TO APPROVE THE ONE-YEAR PRELIMINARY SITE PLAN EXTENSION FOR JSP18-43 NOVI CORPORATE CAMPUS PARCEL 1 MADE BY MEMBER VERMA AND SECONDED BY MEMBER RONEY.**

**Motion to approve the second one-year extension of the Preliminary Site Plan approval for JSP18-43 Novi Corporate Campus Parcel 1. Motion carried 5-0.**

**PUBLIC HEARINGS**

**1. MICHIGAN CAT CATHERINE DRIVE ACCESS PARCEL JZ21-22 WITH REZONING 18.734**

Public hearing at the request of Michigan CAT for initial submittal and eligibility discussion for a Zoning Map amendment from Light Industrial (I-1) to General Industrial (I-2) with a Planned Rezoning Overlay. The subject site is approximately 5.29 acres of a 32.39 acre property and is located on the east side of Novi Road and north of Catherine Industrial Drive (Section 23). The applicant is proposing to use the site for outdoor storage for construction equipment related to Michigan CAT's shore and pump operations.

Planner Carroll said this is a 5.29-acre portion of the entire MI CAT site. It was recently combined within the last year to make this possible. It is currently zoned I-1 General Industrial, and the applicant is proposing to rezone to I-2 Heavy Industrial as part of the PRO. The surrounding area is zoned I-1 with the nearest residential zoning being Emerson Park across Novi Road, which is RM-2 with a PRO Agreement. The Future Land Use map indicates Industrial Research Development Technology which corresponds to the I-1 Zoning District for the property. The surrounding Future Land Use consists of Heavy Industrial to the east and northeast, which is consistent with I-2. The surrounding existing uses in the area consist of mostly industrial uses including an auto repair shop and the Michigan CAT Campus. The subject property does not contain any regulated wetlands or woodlands. In terms of natural features, there are some that abut the property, but the site itself does not contain any regulated wetlands or woodlands.

Planner Carroll continued by saying to preface before I get into the site details, this item went before the Master Planning and Zoning Committee on August 25, 2021. The applicant then revised the plan based on comments received from that meeting. Some changes include the addition of landscaping along Novi Road, the addition of a decorative breakaway gate, and the addition of a historical marker commemorating MI CAT's history within the City of Novi. The applicant is proposing to use the site for the outdoor storage of construction equipment related to Michigan CAT's shore and pump operations. The site will be heavily screened by an 8-foot opaque chain link fence and landscaping along the west and south property lines. The site will not be paved with asphalt or concrete, but rather it will have asphalt millings as the surface material. The site's stormwater will continue to drain to the

rear of the property and will be accessed only from Novi Road, so access from Catherine Industrial Drive will be for emergency purposes only.

Planner Carroll followed up by saying as for the limiting conditions of the proposed PRO, the permitted use of the site would be limited to the outdoor storage of construction equipment related to shoring and pump operations and a 20-foot access aisle easement is provided across the length of the site. No permanent structures shall be constructed on the site, no signage shall be permitted on this portion of the site, and any additional items identified throughout the process. In terms of the proposed public benefits of the PRO, the applicant is proposing additional landscaping along Novi Road, a decorative breakaway gate on Catherine Industrial Access Drive, a historical marker commemorating the history of the site within the City of Novi in a to be determined location, and any additional proposed benefits that the applicant offers throughout the process. The applicant is currently seeking 5 deviations. Three of them are in relation to the proposed asphalt millings, one is in relation to tree diversity requirements, and one is in relation to the use of junipers in lieu of canopy or subcanopy trees. They are all supported by staff.

Planner Carroll concluded by saying in the provided packet, there is a section of 12 items pulled from the new PRO ordinance that give examples of the changes brought about by the new ordinance; it is titled Types of More Strict or Limiting PRO Conditions. Staff has provided references and notes regarding the eligibility of the project in relation to these examples. The Planning Commission is asked tonight to offer comments on whether the conditions and benefits of the proposed project meet the PRO standards as identified in the provided packet. There is no motion necessary. Representing the project tonight are Rich Potosnak, Paul Furtaw, and Steve Deak. Staff is available to answer any questions.

Chair Pehrson asked the applicant if they wanted to approach the Commission. They did not have anything further to add. Chair Pehrson then opened the public hearing and invited any members of the audience who wished to participate in the public hearing to approach the Commission. Seeing that nobody wished to speak, Chair Pehrson closed the public hearing and turned it over to the Planning Commission for consideration.

Member Verma asked if there was a screening fence anywhere in the area.

Planner Carroll displayed the location on the map on the screen and said it is behind the landscaping.

Member Verma asked is this along Novi Road?

Planner Carroll said no, there is nothing being proposed along Novi Road other than the addition of landscaping.

Member Verma asked which area is in front of the fence?

Planner Carroll said the southern portion of the property is the area in question, where the project is being proposed. The screening fence is proposed to go down to the pond area.

Member Becker had several questions for the applicant and requested they approach the podium.

Member Becker said in your letter dated August 13, you said that the associated items on

the site would be limited in height so that the height of these items would not exceed the height of the fence that will be constructed as part of the proposed development. Just so I am clear, the fence you are referring to is the fence indicated on the south and west side?

Applicant Rich Potosnak replied yes.

Member Becker said then I read that it will be chain-link but opaque?

Mr. Potosnak said it will have a fabric mesh on it, and then we will have the dense landscaping in front of the fence.

Member Becker asked so, therefore, no piece of equipment or material will be stored over 8 feet high in any configuration when it is not in use?

Mr. Potosnak said sort of. The one thing you should understand is, elevation-wise, from the cul-de-sac on Catherine Industrial Drive going north, the site elevation goes down. Depending on where you are, the stack of pallets could be 10 feet tall, but the elevation was established based on the perimeter.

Member Becker said perfect. You have also indicated that average daily traffic generated by just the shoring and pump operations during the peak season would be about 20 trucks per day. Any truck going in is probably going to come out, so does 20 trucks per day mean 20 trucks in and 20 trucks out?

Mr. Potosnak said it would be 10 trucks in and 10 trucks out.

Member Becker asked these would be mostly full-length flatbed trucks, or stake trucks, or something else?

Mr. Potosnak said it would be a combination of different trucks.

Member Becker asked would you anticipate that inbound trucks would use the northern most entrance by the traffic light that also regulates the post office, or would they use the entrance that is further south?

Mr. Potosnak said I think that would depend on which direction the truck is coming from. If the truck is coming from the north, it will probably use the northern entrance.

Member Becker clarified by asking whether either entrance could be used?

Mr. Potosnak said yes.

Member Becker said the reason for my questions was I was thinking about very long trucks in the left turn only lane on southbound Novi Road stacking up. While they may be spread out, I was happy to hear that it would not be 40 trucks passages per day; it's 20. You've addressed all my concerns.

Member Dismondy said I had one question about zoning that I had answered earlier, so I am all set.

Member Roney had no further comments.



Chair Pehrson asked if a motion was needed.

City Planner McBeth said no motion is needed, but on the second page of the motion sheet, the chart begins. It addresses the ordinance standards and has some of staff's comments as to whether the applicant's request meets those standards. Our thought was for the Commission to not make a motion, but rather to provide some input or say whether the Commission agrees with the parameters of the project. For example, the first item on the chart gives examples that are more strict or limiting. The applicant is also proposing a historical marker feature that could potentially demonstrate the partnership between MI CAT and the City of Novi over the years. That could be something considered a benefit.

Member Becker said I think if you look at what could go on that lot with it being zoned I-1 versus Michigan CAT obtaining the rest of the space for storage, that could be considered a benefit and is more strict or limiting than we would typically expect. I'm not sure how many people go down Catherine Industrial Drive, but it is going to look a lot nicer once they install the screening and landscaping they've proposed. I think they've done an outstanding job of concealing what could be an ugly sight.

Member Dismondy said I also think a benefit would be that you are increasing your business and your presence in Novi as a result. You're also being flexible with a piece of land that you already own.

Applicant Potosnak said we already own it, and, quite frankly, we don't utilize enough of it.

Member Dismondy said in my opinion, it isn't a big request.

Chair Pehrson said from my standpoint, I find the comments from staff on pages 2 and 3 of the packet to be accurate, and I would like to see this move forward to City Council as well.

Since no motion was necessary, Chair Pehrson closed the discussion on this item.

**2. NOVI MEDICAL BUILDING (AKA MAPLES OF NOVI TENNIS COURTS) JSP21-33**

Public Hearing at the request of AJSS Property, LLC for a request to amend the Planned Unit Development (PUD) Agreement & Area Plan for the Maples of Novi. The subject property contains 0.42 acres and is located in Section 2, east of Novi Road and south of Fourteen Mile Road. The applicant is proposing to remove the existing tennis courts on the site and construct a 2,558 square foot medical office.

Planner Carroll said this is a 0.42-acre site is located south of Fourteen Mile Road and east of Novi Road. It was formerly used as a tennis court, but it has not been used as a tennis court for some time now. The site is located near a bank and a shopping center to the north, an assisted living facility and single-family residential to the west, the golf course maintenance building to the south, and single-family residential to the east. It is zoned RA, and it is part of the Planned Unit Development for the Maples of Novi, which is similar to the surrounding area. Across the street is property zoned RM-1, Low Density Multi-Family, and R-4, Single-Family Residential. The Future Land Use for the site indicates Local Commercial, which is consistent with the B-1 Zoning District Standards and the uses to the north of the property. The subject site does not contain any regulated woodlands or wetlands.

Planner Carroll continued saying as indicated on the site plan, the applicant is proposing

**APPLICANT RESPONSE LETTER**

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June 15, 2022

Mr. Dan German  
Granger  
6267 North Aurelius Road  
Lansing, MI 48911-4230

RE: MI CAT Catherine Access Parcel – JZ21-22  
Response to Plan Review Comments from Planning and Engineering

Dear Dan,

We have received the Plan Review comments for the MI CAT Catherine Access Parcel dated May 23, 2022. Responses to comments are provided below:

**PLANNING REVIEW MEMO DATED MAY 23, 2022:**

- **REVIEW CONCERNS:**
  3. Decorative Breakaway Gate: A detail and elevation view of the breakaway gate will be included as part of the Site Plans.
  4. Economic Impact Information: Information describing the estimated cost of construction for the project is included herein.
  5. Historical Marker & Bench: A six foot clear patch access to the plaza from Novi Road sidewalk will be included as part of the Site Plans.
  6. Asphalt Millings (DCS): The applicant acknowledges variances to allow for the use of millings and to allow for the omission of curb and gutter and parking lot striping will be required, and hereby restates the request that these items be considered as part of the PRO.
  7. Emergency Access Drive: The Applicant acknowledges the items requested concerning the emergency access drive and agrees to provide these items; however, please note that the drive will be paved with milling materials, similar to the rest of the lot. This paved-milling surface will be able to support 35 tons. Additional details will be included as part of the Site Plans.
  
- **MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT**
  2. Access Aisle Easement: The Applicant acknowledges that the access aisle shall be kept clear of equipment and that appropriate signage will be provided.
  3. Historical Marker & Plaza: A six foot clear patch access to the plaza from Novi Road sidewalk will be included as part of the Site Plans.

**ENGINEERING REVIEW MEMO DATED MAY 20, 2022:**

As noted in the memo, the Applicant affirms that additional information will be provided as part of detailed design review. In the meantime, please note the following:

- **Storm Water Management Plan**
  5. The Applicant acknowledges that detention tapping fees will be required.
  6. The Applicant acknowledges that detention volumes will need to be recalculated in the event that the site is ever paved.
  7. The Applicant acknowledges that supporting documentation must be provided to justify a “C” factor used for calculating runoff from the millings surface.
  8. The Applicant acknowledges that items related to the existing basin outlet must be addressed on the final plans, including the following:
    - a. The existing outlet structure must be cleaned.
    - b. The outlet pipe must be exposed and cleaned.
    - c. Existing grading from the outlet structure to the Rouge River must be included on the Grading Plan(s).
    - d. The area between the outlet structure and the Rouge River must be stabilized.
    - e. Proposed vegetation shown to be located immediately around the outlet structure are to be moved outside of the riprap area.
- **Paving and Grading:**
  10. The Applicant acknowledges that Design and Construction Waivers are required and further hereby requests that consideration of these waivers be included as part of the requested PRO.
- **Additional Information Required:**
  - Additional items listed (include comments 31 through 48) are required to be submitted as part of Final Plan Review, as part of the Stamping Set, or in advance of construction. Additional information related to these comments will be provided at the appropriate time.

**LANDSCAPING REVIEW MEMO DATED MAY 11, 2022:**

- **Ordinance Considerations**
  3. The Applicant agrees to consider the request to plant woodland replacement trees to the greatest extent possible.
- **Adjacent to Public Rights-of-Way**
  3. The Applicant agrees to consider the request to plant additional shrubs or subcanopy trees to help soften the view of the heavy equipment.
  4. A six foot clear patch access to the plaza from Novi Road sidewalk will be include as part of the Site Plans.
- **Storm Basin Landscape**
  3. The Applicant agrees to review the plantings around the basin in consideration of the suggested alternate plant species. Additional information will be provided as part of the Site Plans.



Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Furtaw'. The signature is fluid and cursive, with the first name 'Paul' being more prominent than the last name 'Furtaw'.

Paul Furtaw, PE

**BERGMANN**

Enclosures





March 30, 2022

Mr. Christian Carroll, Planner  
**City of Novi Planning Department**  
45175 W. Ten Mile Road  
Novi, Michigan 48375

Re: **JZ21-22 MI CAT Catherine Access Parcel – Landscape**

Dear Mr. Carroll:

We have received your January 13th email following the City Council PRO Concept Plan for the MI CAT Catherine Access Parcel PRO acceptance. Our responses to your email comments are listed below:

**LANDSCAPE ITEMS:**

1. The plaza area is shown on sheet LP-4. The plaza includes the existing pavers, flag pole, proposed historical sign, bench and new plantings.
2. Final historical sign graphics and shop drawings will be submitted to the city for review and acceptance prior to installation.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "S Deak".

Steve Deak, RLA, LEED AP  
**Deak Planning + Design, LLC**

**ZONING ORDINANCE AMENDMENT 18.297:  
NEW PLANNED REZONING OVERLAY ORDINANCE**

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STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 18.297

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 14-271, THE CITY OF NOVI ZONING ORDINANCE, AS AMENDED, AT ARTICLE 2, DEFINITIONS, IN ORDER TO REVISE THE DEFINITION OF PLANNED REZONING OVERLAY (PRO) CONDITIONS, AND AT ARTICLE 7.0, "ADMINISTRATION, APPEALS, AND ENFORCEMENT," SECTION 7.13, AMENDMENTS TO ORDINANCE, SUBSECTION 2, PLANNED REZONING OVERLAY (PRO), IN ORDER TO COMPREHENSIVELY REVISE THE REQUIREMENTS OF THE ORDINANCE WITH RESPECT TO INTENT, ELIGIBILITY, APPROVAL, PROCEDURE, EFFECT OF APPROVAL, AMENDMENT, EXPIRATION AND EXTENSION, AND EFFECTIVE DATE.

**THE CITY OF NOVI ORDAINS:**

**Part I.**

That the City of Novi Zoning Ordinance, as amended, Article 2, Definitions, the definition of Planned Rezoning Overlay (PRO) Conditions, is hereby amended to include the following definition:

*Planned Rezoning Overlay (PRO) Conditions:* The conditions approved by the City Council as part of an approval under Section 7.13, including review and recommendation by the Planning Commission, which together with the PRO Agreement and PRO Plan shall constitute regulations for and in connection with the development and use of property approved with a PRO in conjunction with a zoning amendment.

**Part II.**

That the City of Novi Zoning Ordinance, as amended, Article 7, Administration, Appeals, and Enforcement, Section 7-13, Amendments to Ordinance, Subsection 2, Planned Rezoning Overlay, is hereby amended to read as follows in its entirety:

**2. Planned Rezoning Overlay (PRO)**

**A. Optional form of development subject to City Council approval; intent**

The Planning Commission and City Council have recognized that, in certain instances, it would be an advantage to both the City and to property owners seeking rezoning if a detailed plan of the proposed improvements, along with conditions and limitations that can be relied upon by the City, could be proposed as part of a petition for rezoning. Therefore, it is the intent of this Section to provide an election to property

owners in connection with the submission of petitions seeking the amendment of this Ordinance to request approval of a rezoning with a Planned Rezoning Overlay (PRO) that would establish a site-specific use authorization under Section 503 of the Michigan Zoning Enabling Act (MZEA), Act 110 of 2006, being MCL 125.3503, so as to accomplish, among other things, the objectives of the zoning ordinance through a land development project review process based upon the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

The development authorized under this Section shall be considered an optional means of development only upon terms acceptable to the City. The provision of this option imposes no obligation on the City to encourage or foster its use. The decision whether to approve the use of this option shall be at the sole discretion of the City Council. This PRO option shall not be considered to be a conditional rezoning under Section 405 of the MZEA.

Through the review process and the use of an agreement recorded at the Oakland County Register of Deeds, this option permits flexibility in the regulation of land development in a way that provides benefits to both the City and the property owner, through a negotiated development agreement approved by the City, while ensuring that the land use or activity authorized will be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use and that the land use or activity is consistent with the public health, safety, and welfare of the City.

**B. Election by applicant; eligibility**

- i. A person owning or controlling land shall have the option of making an election under this Section 7.13.2 in connection with a submission of a petition seeking a rezoning. Such election may be made at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning. The election shall be made by filing an application provided by the City conforming with this section for approval of a PRO that would establish a site-specific use authorization if the petition for rezoning is granted. Such election shall be to seek a rezoning with PRO pursuant to Section 503 of the MZEA, MCL 125.3503, as amended, which would represent a legislative amendment of this Ordinance under that statutory provision.
- ii. In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the

proposed improvements that (1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C below; and (2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.

- iii. The applicant for a PRO shall follow the procedures and provide the information required for a PRO application as set forth in the City's Site Plan and Development Manual, as amended.

**C. Approval of rezoning with PRO**

i. *Submission of application required.* Pursuant to Section 503 of the MZEA, MCL 125.3503, as amended, the City Council, following a public hearing held by the Planning Commission and its recommendation hereunder, may approve a petition for a rezoning with a PRO.

a. *Components of the PRO.* As an integral part of the PRO, the following shall be required:

(1) The PRO Plan as initially submitted shall be a conceptual plan showing the general layout and dimensions of the proposed physical improvements to the site that shall be shown in sufficient detail and allow the verification of any proposed ordinance deviations and any conditions being offered, including the following:

- a. The location of existing and proposed buildings;
- b. Proposed uses within the buildings and on all affected property;
- c. Proposed curb cuts, parking, streets, and drives;
- d. Preliminary landscape plan;
- e. Preliminary engineering plan and stormwater facilities;
- f. Site survey and legal description; and
- g. All items as shown or required on the rezoning application form.

- h. Locations of all lakes, streams, rivers, ponds, and drainage ways, and any existing regulated woodlands on-site, and any proposed impacts to those features.

The PRO Plan may also include:

- a. Building floor plans and building elevations;
- b. The total number of buildings and dwelling units by type (e.g., one-bedroom, two-bedroom, and the square footage of the same) if multiple family zoning or use is proposed;
- c. A plan showing the required open space calculations;
- d. Phasing plan, if proposed;
- e. Location and size of proposed site signage; and
- f. Other items as may be determined by the City.

The final approved PRO Plan shall include such detail as shall be required by the City Council in accordance with this Section, following recommendation by the Planning Commission. The approved PRO Plan shall not replace the requirement for preliminary and final site plan review and approval, or subdivision or condominium approval, as the case may be, which shall be required as set forth below. However, at the City's sole option, the applicant may be permitted to combine the PRO Plan approval and preliminary site plan approval processes into one application, in which case the PRO application and PRO Plan shall provide all the information required for site plan approval under this Ordinance, the City Code, and the City's Site Plan Development Manual.

- (2) PRO Conditions. These conditions to the PRO approval are an integral part of the development approval process as described herein and shall be required by the City Council following recommendation by the Planning Commission. The PRO Conditions shall not authorize uses of land not permitted in the district proposed by the rezoning, and shall not permit uses or development expressly or implicitly prohibited in the PRO Agreement.



- (3) PRO Agreement. This document shall be prepared by the City Attorney, reviewed and commented upon by or on behalf of the applicant, and approved by the City Council. It shall incorporate the PRO Plan and set forth the PRO Conditions and any additional conditions imposed pursuant to MCL 125.3504, as amended, together with any other terms mutually agreed upon by the parties (including the minimum provisions specified in the definition of PRO Agreement, above).
  - (4) PRO Deviations. As part of its review and approval of the PRO, the City Council may authorize deviations from height, area, and bulk standards (but not use or density standards) of this Ordinance. The City Council may also, to the extent permitted, authorize as part of its approval deviations from other regulations (e.g., design and construction standards, sign regulations, and the like). These deviations shall be reduced to writing and shown on the PRO Plan and also listed in the PRO Agreement.
  - (5) Narrative. The PRO application shall include a written narrative explaining the development project and any proposed PRO Conditions and requested PRO Deviations. All such Conditions and Deviations shall be described in as much detail as is possible at the time of application. The narrative shall identify in text the intended land uses, the site-specific limitations and restrictions proposed, and the benefits to the public that are required to be provided as the basis for the PRO as set forth in the Standards for Approval in subsection (ii) below.
- b. *Manner of designation on zoning map.* If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "PRO, Planned Rezoning Overlay." The Zoning Map shall specify the new zoning district including a reference to "PRO"; e.g., the district classification for the property might be "RM-1, Low Density, Low-Rise Multiple Family with PRO, Planned Rezoning Overlay," with a Zoning Map Designation of "RM-1/PRO." Development and use of the property so classified and approved shall be restricted to the permission granted in the PRO Plan and PRO Agreement, subject to the PRO Conditions, and no other development or use shall be permitted.

c. *Compliance with underlying district regulations; PRO Deviations.* The use of the property in question shall, subject to sub-paragraphs (1) and (2), below, be in total conformity with all regulations governing development and use within the zoning district to which the property has been rezoned, including, without limitation, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:

- (1) *Restrictions/limitations not required by ordinance.* Development and use of the property shall propose and be subject to, following City Council review and approval, requirements shown, depicted, or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement, that are more restrictive, in ways that are material and identifiable and capable of being shown or described and as required in this Ordinance. Such PRO Plan, PRO Conditions, and PRO Agreement shall overlay and supersede all inconsistent regulations otherwise applicable under this Ordinance.
- (2) *PRO Deviations.* As part of the grant of final approval of a PRO, the City Council shall be authorized to grant deviations from the strict terms of this Ordinance governing dimensional requirements on the property.

Deviations granted hereunder shall be justified by documentation provided by the applicant in a form sufficient to allow recommendation by the Planning Commission and acceptable to the City Council. This documentation may include, at the City's discretion, additional traffic or infrastructure studies, environmental studies, market assessments, or the like beyond those required by ordinance or the Site Plan Manual.

The City may, at its discretion, consider the following in determining whether to grant each such deviation:

- a. The PRO Plan, with the deviation, demonstrates an innovative, unified, planned approach to developing the site that has resulted in a proposal for a higher quality development than the City could otherwise require, and that the

Ordinance standard, if the deviation were not granted, would likely prohibit an enhancement of the development that would be in the public interest or would significantly impair the use or operation of the overall development.

- b. The applicant has proposed measures that will eliminate, minimize, or mitigate any negative impacts of the deviation, and that the deviation will not be detrimental to the public health, safety, or welfare of the occupants of the development, the surrounding neighborhood, or the City as a whole.
- c. The PRO Plan, with the deviation, meets the standards for approval under this Section, including the provision of restrictions or limitations on the use or development not otherwise required by the Ordinance.

ii. *Standards for approval.* The City Council shall apply the following standards in evaluating and acting upon the PRO and shall make the specific findings required hereunder. While the City Council shall have the full discretion afforded it by law to determine whether to grant the application under this option, the applicant shall have the burden of demonstrating that the following requirements and standards are met by the PRO Plan, Conditions, and PRO Agreement:

- a. The PRO accomplishes the integration of the proposed land development project with the characteristics of the project area in such a manner that results in an enhancement of the project area as compared to the existing zoning that would be unlikely to be achieved, or would not be assured, in the absence of the use of a PRO.
- b. Sufficient conditions have been included on and in the PRO Plan and the PRO Agreement such that the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site-specific land use proposed by the applicant, it would be in the public interest to grant the rezoning with PRO. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by

the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

The PRO Conditions shall not authorize uses or development not permitted in the district proposed by the zoning (and shall not permit uses or development expressly or implicitly prohibited in the PRO Agreement), and may include some or all of the following, in addition to conditions that may be imposed by the City under MCL 125.3504:

- (1) Establishment of development features such as the location, size, height, area, or mass of buildings, structures, or other improvements in a manner that cannot be required under the Ordinance or the City's Code of Ordinances, to be shown on the PRO Plan.
- (2) Specification of the maximum density or intensity of development and/or use, as shown on the PRO Plan and expressed in terms fashioned for the particular development and/or use (for example, and in no respect by way of limitation, units per acre, maximum usable floor area, hours of operation, and the like).
- (3) Provision for setbacks, landscaping, and other buffers in a manner that exceeds what the Ordinance of the Code of Ordinances can require.
- (4) Exceptional site and building design, architecture, and other features beyond the minimum requirements of the Ordinance or the Code of Ordinances.
- (5) Preservation of natural resources and/or features, such as woodlands and wetlands, in a manner that cannot be accomplished through the Ordinance or the Code of Ordinances and that exceeds what is otherwise required. If such areas are to be affected by the proposed development, provisions designed to minimize or mitigate such impact.
- (6) Limitations on the land uses otherwise allowed under the proposed zoning district, including, but not limited to, specification of uses that are permitted and those that are not permitted.
- (7) Provision of a public improvement or improvements that would not otherwise be required under the

ordinance or Code of Ordinances to further the public health, safety, and welfare, protect existing or planned uses, or alleviate or lessen an existing or potential problem relating to public facilities. These can include, but are not limited to, road and infrastructure improvements; relocation of overhead utilities; or other public facilities or improvements.

- (8) Improvements or other measures to improve traffic congestion or vehicular movement with regard to existing conditions or conditions anticipated to result from the development.
- (9) Improvements to site drainage (storm water) or drainage in the area of the development not otherwise required by the Code of Ordinances.
- (10) Limitations on signage.
- (11) Creation or preservation of public or private parkland or open space.
- (12) Other representation, limitations, improvements, or provisions approved by the City Council.

The restrictions, limitations, promises, undertakings, and conditions that are set forth in the PRO Plan, PRO Conditions, and PRO Agreement will run with the land and be enforceable in perpetuity unless amended by mutual agreement of the City and the applicant. There shall, where required by the City, be a written understanding for the permanent maintenance of any improvements or beneficial provisions made a condition of approval hereunder, including a method for paying for the cost of same, including the construction or maintenance of same by the applicant, or by or on behalf of the City in the event the applicant fails to timely perform after notice.

- c. Compliance with all of the General Standards for the approval of uses subject to special conditions are met, as enumerated in Section 6.1.2.C.

**D. Procedure for Application, Review and Approval**

The City Council is the decision-making body for purposes of this optional form of development as a legislative action. The Planning Commission's recommendation is not binding on the City Council.

- i. *Application.* At the time of making application for amendment of this ordinance seeking a rezoning of property, or at a later time during the process of City consideration of such rezoning, a person owning or controlling land may submit an application for approval of a PRO to apply in conjunction with the rezoning. The application shall include the information described in Section C above, including a statement regarding eligibility for PRO approval under Subsection 2.B.ii.
- ii. *Initial staff review and report.* Upon submission of a complete application, the Community Development Department shall undertake a review of the application (with the assistance consultants, if desired by staff) and prepare an initial report regarding the application for review by the Planning Commission and City Council, including such information and comment as the Department deems appropriate.
- iii. *Initial submission to Planning Commission and City Council for eligibility reviews.* Before the application is submitted to the Planning Commission for formal action, it shall be submitted to the Planning Commission for an initial review of eligibility of the application under Subsection 2.B.ii above. The submission shall be informational only, although the Planning Commission members shall have the opportunity to review and make comments upon the eligibility of the proposal. The Planning Commission's review and comments shall not constitute a recommendation and shall not be binding upon the applicant or the City. This initial meeting of the Planning Commission shall also be noticed as a public hearing before the on a proposed legislative amendment of the Zoning Ordinance pursuant to Section 503 of the MZEA.

Within 45 days after the submission to the Planning Commission, the application shall be forwarded to the City Council, which shall have a similar opportunity to review and comment upon the eligibility of the proposal. The City Council's review and comments shall not constitute a recommendation and shall not be binding on the applicant or the City. The initial reviews of both the Planning Commission and the City Council are intended to provide only an initial indication to the applicant as to whether an applicant should proceed to a formal submission of the PRO application.

The applicant may make changes, additions, or deletions to its application as a result of the Planning Commission's and/or the City Council's comments as to eligibility before making its formal submission.

- iv. *Formal submission of application; Planning Commission action.* Following the initial review process described above, and before



submission to the Planning Commission for action, the Plan Review Center shall undertake a full staff review of the application. The proposed rezoning with PRO shall be noticed for public hearing before the Planning Commission as a proposed legislative amendment of the Zoning Ordinance pursuant to Section 503 of the MZEA, MCL 125.3503, as amended. The Planning Commission may hold a preliminary meeting to discuss the application before setting it for public hearing. Following the public hearing, and further deliberations as deemed appropriate by the Planning Commission, the Planning Commission shall make a recommendation to the City Council on the proposed rezoning with PRO. The recommendation may be to deny, to approve, or to approve with conditions.

- v. *City Council action on PRO application.* Upon receipt of the recommendation of the Planning Commission, the City Council shall commence deliberations on the proposed rezoning with PRO. If the City Council determines that it may approve the rezoning with PRO, the City Council shall specify tentative conditions under Section 504 of the MZEA, MCL 125.3504, as amended, and direct the City Attorney to work with the applicant in the development of a proposed PRO Agreement. Upon completion of the PRO Agreement, the City Council shall make a final determination to approve, approve with conditions, or deny the rezoning with PRO.

- E. **Effect of Approval.** Approval of the PRO Plan and PRO Agreement confirms only the rezoning of the property, subject to any conditions imposed as reflected in the PRO Plan and after recordation as set forth in Paragraph H below. Approval of the usual preliminary site plan and final site plan as set forth in Section 6.1 shall be required before any improvements to the property may be undertaken. As described in Section C above, the applicant may, with the City's approval, pursue PRO Plan approval and preliminary site plan approval commensurately. However, once an area has been included within a PRO Plan that has been recorded, no development may take place in such area nor may any use thereof be made except in accordance with such PRO Plan and PRO Agreement or in accordance with a Council-approved amendment thereto, unless the plan expires as provided herein.

The Zoning Board of Appeals shall have authority with respect to matters within the PRO Plan and PRO Agreement except as may be provided in the PRO Agreement.

- F. **Amendment of PRO Agreement.** Amendment of an approved and recorded PRO Agreement shall be proposed, reviewed, and approved in the same manner as a new rezoning with PRO. Notwithstanding the foregoing, minor modifications to the approved PRO Plan can be approved administratively if the Zoning Ordinance would otherwise allow

an administrative site plan review and approval, so long as the City Planner determines that the modifications (i) are minor, (ii) do not deviate from the general intent of the PRO Plan, and (iii) result in reduced impacts on the surrounding development and existing infrastructure. The City Planner may also defer the question to the Planning Commission. The Planning Commission shall also be permitted to authorize minor amendments to the PRO Plan in its review of the preliminary site plans with regard to parking-related, landscaping-related, and façade-related requirements, provided that it would otherwise have that authority under the Zoning Ordinance and such amendments would not be inconsistent with the PRO Conditions or the PRO Agreement. The Planning Commission may also defer the question to the City Council.

- G. **Recordation of PRO Agreement.** A rezoning with PRO shall become effective following publication in the manner provided by law and City Charter, and, after recordation of the PRO Agreement, whichever is later.
- H. **Fee.** The applicant for a rezoning with PRO shall pay as a fee the City's costs and expenses incurred by the City in the review of and preparation of documents for a rezoning with PRO. An escrow shall be established in an amount specified by City Council Resolution, and additional reasonable amounts shall be contributed as required in order to complete the process of review and approval. Any unexpended amounts from such escrow shall be returned to the applicant.
- I. **Expiration; extension.** Unless otherwise agreed to by City and the applicant as documented in the PRO Agreement, the rezoning with PRO shall expire following a period of two (2) years from the effective date of the PRO Agreement unless *bona fide* development of the property, pursuant to the approved building and other required permits issued by the City, commences within such two-year period and proceeds diligently and in good faith as required by the ordinance to completion, subject to the following.
  - i. In the event *bona fide* development has not commenced within two (2) years from the effective date of the rezoning, the rezoning and PRO shall be void and of no effect, unless otherwise provided in the PRO Agreement, which may provide that the terms and conditions of the PRO shall not expire and shall run with the land and be in the nature of a deed restriction. No approved PRO Plan shall expire after development commences, except with the approval of the Council and of all parties in interest in the land.
  - ii. If development and/or actions are undertaken on or with respect to the property in violation of the PRO Agreement, such development and/or actions shall constitute a nuisance *per se*. In such case, the City may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the

property into compliance with the PRO Agreement, the City may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates, in addition to or in lieu of such other lawful action to achieve compliance.

- iii. For good cause, the City Council may grant an extension of the rezoning with PRO for a period of up to two (2) years, and may grant at the conclusion of such extension additional subsequent extensions for similar periods of time. In determining whether good cause exists for an extension, the City Council shall consider the following factors:
  - a. The applicant has demonstrated that required utility services have been delayed;
  - b. The applicant has demonstrated that technical reviews of the final site plan (e.g., related to engineering approvals or approvals by other agencies) have raised unforeseen development delays;
  - c. The applicant has demonstrated that unforeseen economic events or conditions have caused delays;
  - d. The approved PRO Plan to be extended is in compliance with all current site plan criteria and current ordinances, laws, codes, and regulations;
  - e. There is no pending zoning ordinance amendment that would otherwise substantially change the requirements of final site plan approval for the approved PRO Plan.
- iv. If the rezoning with PRO becomes void in the manner provided herein:
  - a. The City will initiate a new rezoning of the property to a reasonable district classification in accordance with the procedure provided by law for rezonings in cities. Until such time as a new zoning district classification of the property has become effective, no development shall be undertaken or permits for development issued.
  - b. The applicant may also seek a new rezoning of the property.

J. **Effective date.** The effective date of this ordinance amendment is September 14, 2021. PROs that have been approved by City Council prior to that effective date are not to be considered non-conforming. The PRO Plans and PRO Agreements shall be and remain valid and effective. Any amendments to such PRO Plans and PRO Agreements, however, shall be subject to the requirements of this amended ordinance. The expiration and extension provisions shall apply to such PRO Plans.

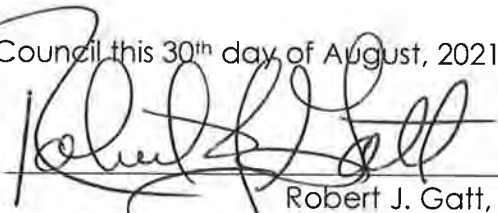
**PART III. Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.


**PART IV. Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART V. Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**PART VI. Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

Made, Passed and Adopted by the Novi City Council this 30<sup>th</sup> day of August, 2021.

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

  
\_\_\_\_\_  
Cortney Hanson, City Clerk

**Certificate of Adoption**

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 30th day of August, 2021.

  
\_\_\_\_\_  
Cortney Hanson, City Clerk

Adopted: 08/30/2021  
Published: 09/09/2021  
Effective: 09/16/2021

**Certificate of Clerk**

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 31<sup>st</sup> day of August, 2021.

- |    |                |                     |
|----|----------------|---------------------|
| 1. | Novi City Hall | 45175 Ten Mile Road |
| 2. | Novi Library   | 45255 Ten Mile Road |

I do further certify that on the 9<sup>th</sup> day of September, 2021 said Ordinance Amendment 18.297 was published in brief in the Novi News, a newspaper published and circulated in said City.

  
Cortney Hanson, City Clerk