



**CITY OF NOVI CITY COUNCIL  
OCTOBER 10, 2022**

**SUBJECT:** Consideration of the request of Cambridge of Novi, LLC for a Second Amendment to the previously-approved Planned Rezoning Overlay (PRO) Agreement, JSP 17-52 and JSP 21-12, Terra, associated with Zoning Map Amendment 18.718. The applicant received approval for a 41-unit single-family ranch development on approximately 30.14 acres on the north side of Nine Mile Road, east of Napier Road. The current amendment is requested to make changes to sidewalks in the Phase 2 portion of the project.

**SUBMITTING DEPARTMENT:** COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING

**BACKGROUND INFORMATION:**

The subject property is part of a Planned Rezoning Overlay request for the Terra development, which was approved by City Council at their September 24, 2018 meeting. The plan proposed a 41-unit single-family ranch style development, which is currently under construction. The subject property is approximately 30.14-acres and is located east of Napier Road and on the north side of Nine Mile Road (Section 29, 30). The community is gated. The current amendment is requested by the applicant to allow a deviation for the absence of a portion of sidewalk on the south side of Villa Court and to amend a condition of the agreement that requires the developer to build a sidewalk connection from the east side of the development to the ITC Trail. A request to pay into the woodland Tree Fund was also included in the submittal; however, the applicant has worked with Staff to find alternative locations to plant the woodland credits on site.

The current plan revision is not proposing any changes to the unit layout, storm water management, and wetland impacts. The plan is subject to the previous approvals. **The applicant is requesting just the deviations/updates listed below with this amendment. More detailed comments are provided in the staff review letters.**

1. **Sidewalk on Villa Court:** During construction of the culvert for the Garfield Drain, the decision was made by on-site engineers to shift the culvert to the north a few feet to avoid eroding soils over time. This change created a narrower space between the road and the culvert to place the sidewalk as shown on the original plan. Staff was

made aware of the change and encouraged the applicant to work with their engineers to redesign the placement of the sidewalk by moving it closer to the road or by building a retaining wall. The current plan shows the sidewalk ending on the south side of Villa Court about 110 feet east of the intersection with Villa Drive, with ramps provided to enable pedestrians to cross the street to connect to the north side sidewalk. No crosswalk markings are proposed. The applicant requests a deviation to allow for the absence of this portion of the sidewalk on the south side of Villa Court. The Planning Commission recommended approval of this deviation as requested by the applicant. If this deviation is approved by the City Council, staff will work with the applicant to identify a crosswalk and/or markings to make this crossing as safe as possible.

2. **Sidewalk Connection to the ITC Trail:** The PRO Agreement states on Page 4, Item 6: "The applicant will work with staff to identify a proper location to connect to ITC Trail, beyond the subject property line." The 5-foot wide asphalt sidewalk is shown on the PRO Plan in Exhibit B of the Agreement, and in the Phase 2 site plan. The applicant states the residents of the development would like to eliminate the sidewalk connection in order to continue the berm to provide additional screening of the ITC transmission towers, as well as to limit pedestrian traffic into the community. They have provided letters from several current and future residents that echo support for eliminating the connection. They also point out that the sidewalk at the main entrance provides a connection to the ITC Trail. Staff and the Planning Commission recommend that the previously approved condition of the PRO Agreement be retained in the interest of enhancing non-motorized connectivity throughout the community and preserving the benefits offered. **This request is therefore not included in the suggested motion, below.**
3. **Woodland Trees:** When the Phase 2 site plan was approved the applicant had shown 51 woodland replacement trees to be planted beside and behind units 27-36. The applicant would instead like to pay into the Tree Fund rather than planting the replacements on the site. The applicant states the proposed trees were going to be too close to the homes. Staff has worked with the applicant to identify alternative locations on the property to plant the trees. **Therefore, this portion of the request has been resolved and the PRO Agreement does not require amendment for this item.**

### **PRO Plan**

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 RA to R-1) and the applicant enters into a PRO agreement with the City, whereby the applicant submits a conceptual plan for development of the site. The City Council reviews the Concept Plan, and if the plan may be acceptable, it directs for preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners,



successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi and property owner.

### **Planning Commission Action**

On September 14, 2022, the Planning Commission considered the revised PRO Concept Plan for the requested Second Amendment to the PRO Agreement, and recommended approval to the City Council to allow a deviation for the absence of sidewalk along a section of Villa Court, and denial of the requests to eliminate the connection to the ITC Trail and to pay into the Tree Fund for the 51 replacement trees. **A copy of Planning Commission's Action Summary and draft meeting minutes are included in the packet.**

### **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 would be considered by City Council after tentative approval of the proposed revised concept plan. **The Ordinance deviations that have been identified are included in the suggested motion.**

### **Benefits to the Public 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 benefits to public of the proposed PRO rezoning would clearly outweigh the detriments. **As stated in the applicant's response letter, they are now offering to provide a bronze plaque dedicating the ITC Comfort Station they are constructing to former City Council member Wayne Wrobel to honor his memory and as a new benefit.** This was offered following the Planning Commission's public hearing on this matter, and has not been reviewed by the Department of Parks, Recreation and Cultural Services. If the City Council would like to accept this offer, the applicant should work with the Director to identify the specifics of the request.

### **PRO Conditions**

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 site layout. **Recommended conditions to be included in the PRO Agreement are provided in the suggested motion.**

### **City Council Action**

If the City Council is inclined to approve the request for the amendment at this time, the City Council's motion would be to indicate its *tentative* approval and direct the City Attorney to prepare a Second Amendment to the 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:**

Tentative approval of the request of Cambridge of Novi, LLC for a Second Amendment to the previously-approved Planned Rezoning Overlay (PRO) Plan and Agreement, JSP 17-52 and JSP 21-12 Terra, based on the following findings, deviations, and conditions, with the direction that the City Attorney's Office shall prepare the required Second Agreement and work with the applicant to return to the City Council for Final Consideration pursuant to the PRO Ordinance:

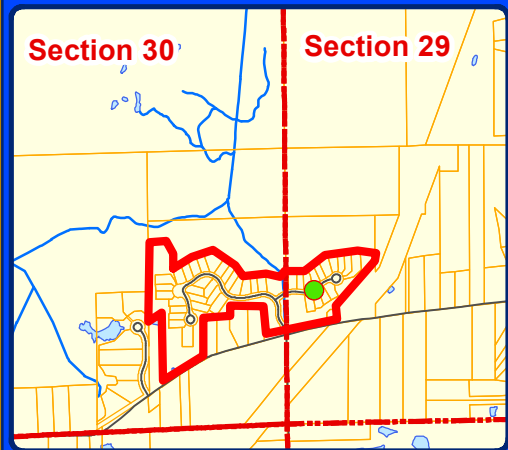
1. This approval is subject to all conditions listed in the original PRO agreement recorded April 9, 2019, unless otherwise amended with the First Amendment and this approval.
2. The PRO Agreement will be amended to include the following ordinance deviation:
  - a. Deviation from Subdivision Ordinance (Section 4.05) and the Design & Construction Standards (Section 11-256(b)) to allow for the absence of sidewalk along a portion of the south side of Villa Court as shown in the revised Plan dated June 14, 2022, as recommended by the Planning Commission.
3. The applicant will work with City staff to locate woodland replacement trees in alternative locations on the site whenever possible and ensure their protection within a conservation easement. Payment into the Tree Fund in accordance with the terms of the Woodland Ordinance shall be made only when on-site planting is not possible, as determined by the City Planner.

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features

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# JSP21-12 TERRA 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: Lindsay Bell  
Date: 9/9/22  
Project: TERRA  
Version #: 1

0 75 150 300 450 Feet  
1 inch = 346 feet

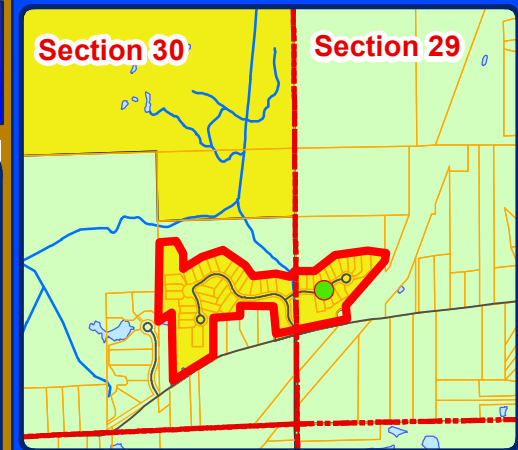
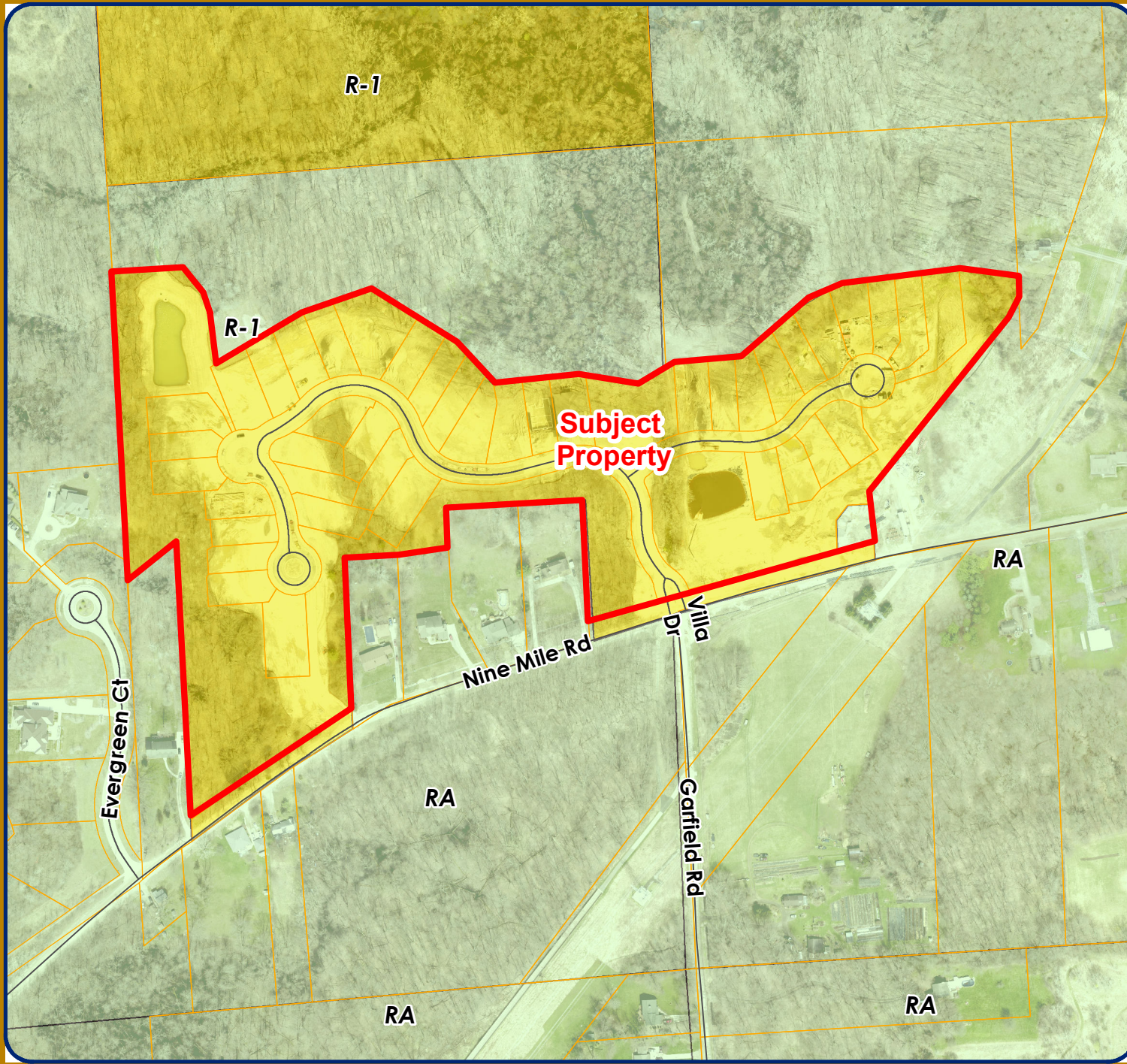


**MAP INTERPRETATION NOTICE**

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.



# JSP21-12 TERRA ZONING




**LEGEND**

- R-A: Residential Acreage
- R-1: One-Family Residential 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)

Map Author: Lindsay Bell  
Date: 9/9/22  
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Version #: 1

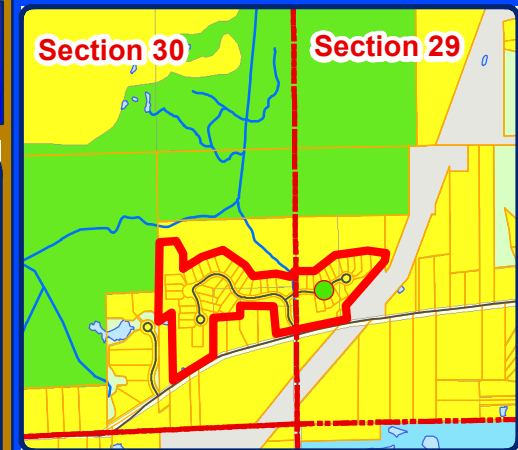
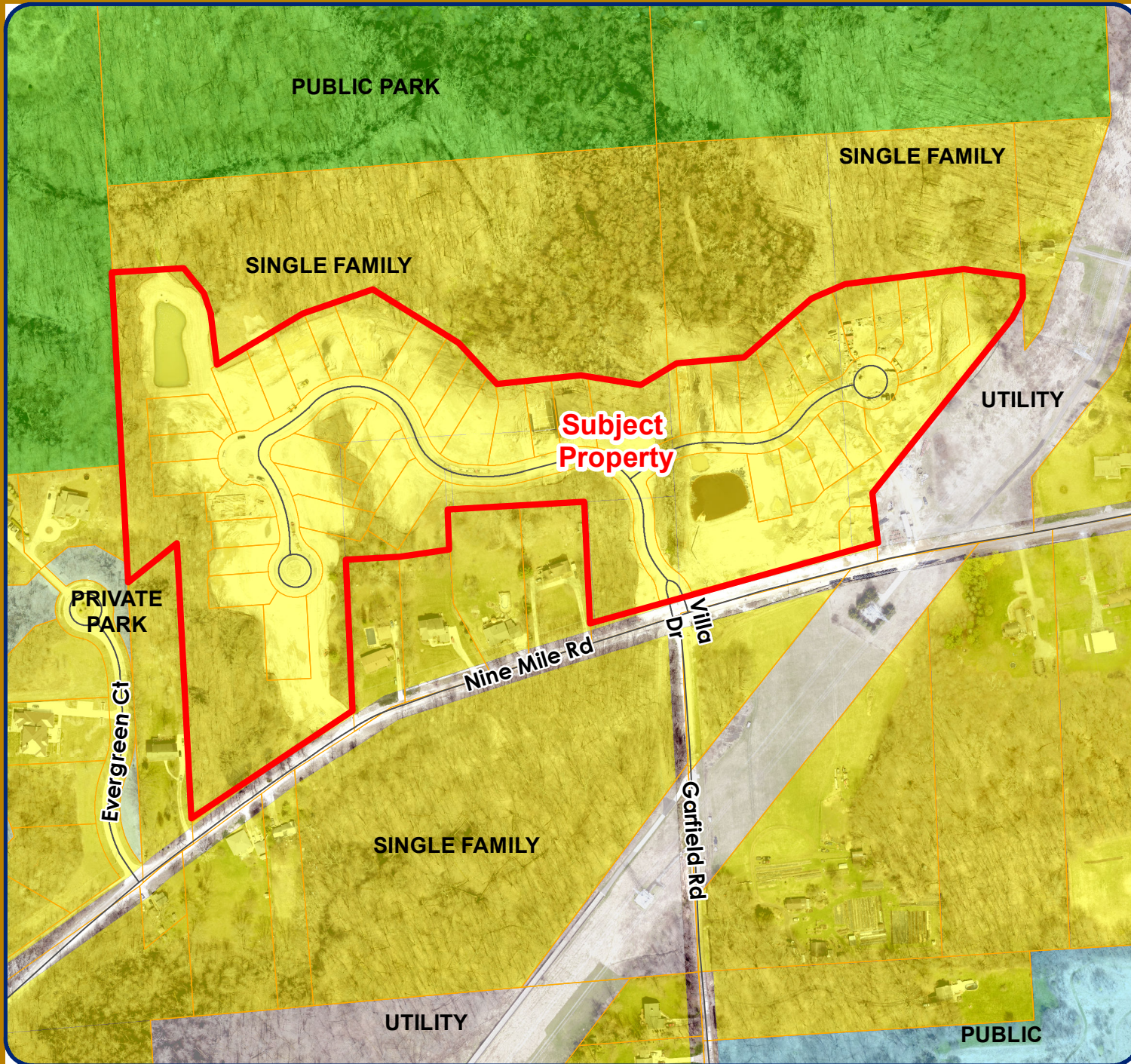
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# JSP21-12 TERRA FUTURE LAND USE




### LEGEND

- Single Family
- Public
- Public Park
- Private Park
- Utility
- Subject Property




**City of Novi**  
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1 inch = 346 feet

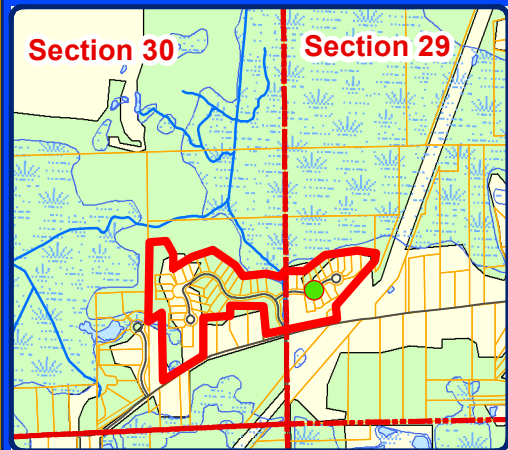
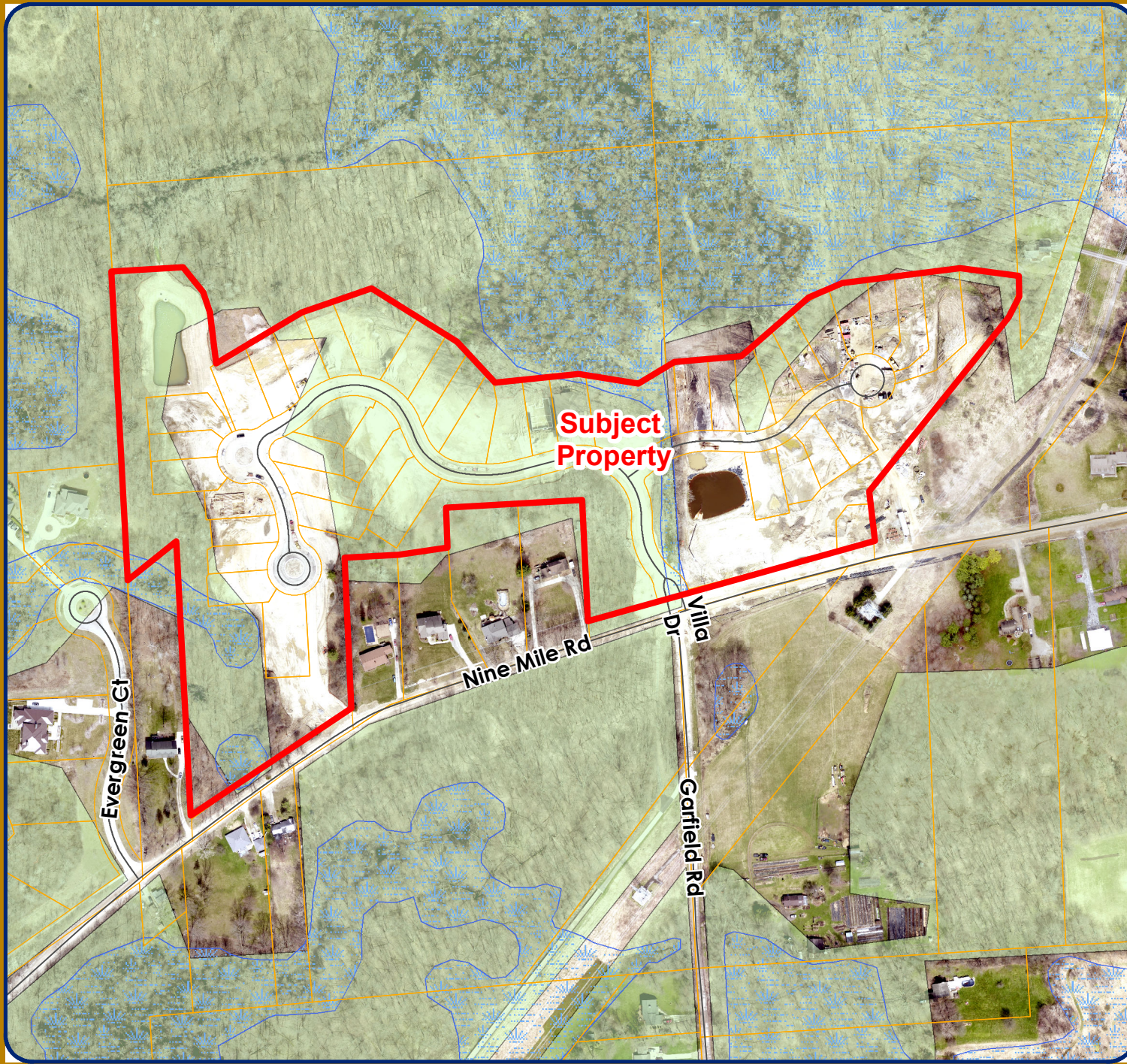


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# JSP21-12 TERRA NATURAL FEATURES



**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

Map Author: Lindsay Bell  
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Version #: 1

0 75 150 300 450 Feet  
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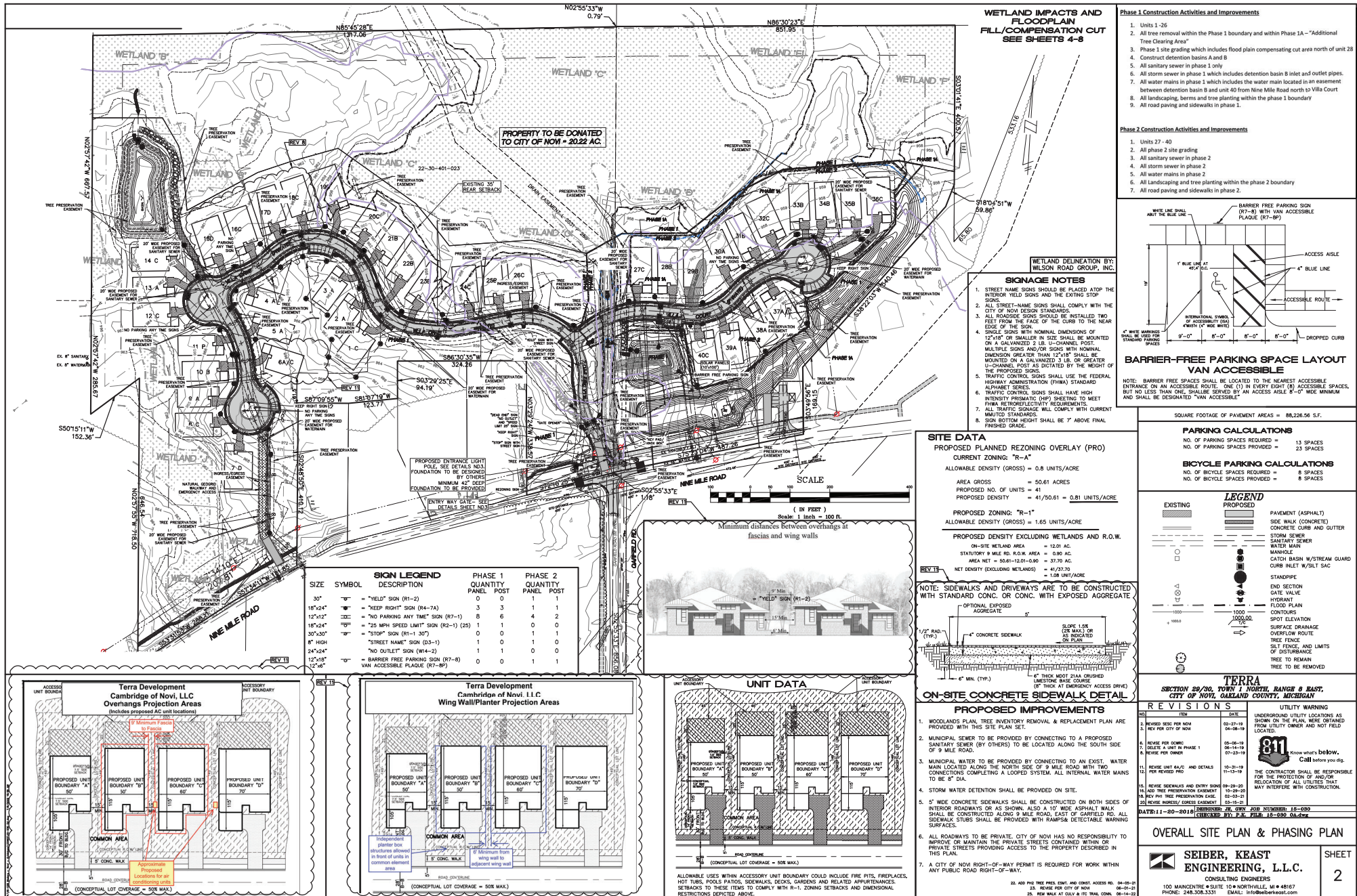
**REVISED PRO CONCEPT PLAN**  
**June 14, 2022**

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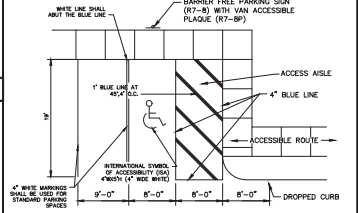
**WETLAND IMPACTS AND FLOODPLAIN FILL/COMPENSATION CUT SEE SHEETS 4-8**

- Phase 1 Construction Activities and Improvements**
- Units 1-26
  - All tree removal within the Phase 1 boundary and within Phase 1A - "Additional Tree Clearing Area"
  - Phase 1 site grading which includes flood plain compensating cut area north of unit 28
  - Construct detention basins A and B
  - All sanitary sewer in phase 1 only
  - All storm sewer in phase 1 which includes detention basin B inlet and outlet pipes.
  - All water mains in phase 1 which includes the water main located in an easement between detention basin B and unit 40 from Nine Mile Road north to Villa Court
  - All landscaping, berms and tree planting within the phase 1 boundary
  - All road paving and sidewalks in phase 1.

- Phase 2 Construction Activities and Improvements**
- Units 27-40
  - All phase 2 site grading
  - All sanitary sewer in phase 2
  - All storm sewer in phase 2
  - All water mains in phase 2
  - All landscaping and tree planting within the phase 2 boundary
  - All road paving and sidewalks in phase 2.

**SIGNAGE NOTES**

- STREET NAME SIGNS SHOULD BE PLACED ATOP THE INTERIOR YIELD SIGNS AND THE EXISTING STOP SIGNS.
- ALL STREET-NAME SIGNS SHALL COMPLY WITH THE CITY OF NOVI DESIGN STANDARDS.
- ALL ROADSIDE SIGNS SHOULD BE INSTALLED TWO FEET FROM THE FACE OF THE CURB TO THE NEAR EDGE OF THE SIGN.
- SINGLE SIGNS WITH NOMINAL DIMENSIONS OF 12"x18" OR SMALLER IN SIZE SHALL BE MOUNTED ON A GALVANIZED 2 LB. CHANNEL POST. MULTIPLE SIGNS AND/OR SIGNS WITH NOMINAL DIMENSION GREATER THAN 12"x18" SHALL BE MOUNTED ON A GALVANIZED 3 LB. OR GREATER LB-CHANNEL POST AS DICTATED BY THE WEIGHT OF THE PROPOSED SIGNS.
- TRAFFIC CONTROL SIGNS SHALL USE THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) STANDARD ALPHABET SERIES.
- TRAFFIC CONTROL SIGNS SHALL HAVE HIGH INTENSITY PRISMATIC (HIP) SHEETING TO MEET FHWA RETROREFLECTIVITY REQUIREMENTS.
- ALL TRAFFIC SIGNS WILL COMPLY WITH CURRENT MUTCD STANDARDS.
- SIGN BOTTOM HEIGHT SHALL BE 7' ABOVE FINAL FINISHED GRADE.



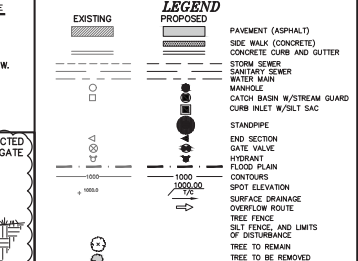
**BARRIER-FREE PARKING SPACE LAYOUT VAN ACCESSIBLE**

NOTE: BARRIER FREE SPACES SHALL BE LOCATED TO THE NEAREST ACCESSIBLE ENTRANCE ON AN ACCESSIBLE ROUTE. ONE (1) IN EVERY EIGHT (8) ACCESSIBLE SPACES, BUT NO LESS THAN ONE, SHALL BE SERVED BY AN ACCESS AISLE 8'-0" WIDE MINIMUM AND SHALL BE DESIGNATED "VAN ACCESSIBLE".

SQUARE FOOTAGE OF PAVEMENT AREAS = 88,226.56 SF.

**PARKING CALCULATIONS**  
NO. OF PARKING SPACES REQUIRED = 13 SPACES  
NO. OF PARKING SPACES PROVIDED = 23 SPACES

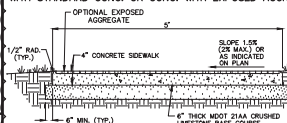
**BOYCLE PARKING CALCULATIONS**  
NO. OF BOYCLE SPACES REQUIRED = 8 SPACES  
NO. OF BOYCLE SPACES PROVIDED = 8 SPACES



**SITE DATA**

PROPOSED PLANNED REZONING OVERLAY (PRO)  
CURRENT ZONING: "R-A"  
ALLOWABLE DENSITY (GROSS) = 0.8 UNITS/ACRE  
AREA GROSS = 50.61 ACRES  
PROPOSED NO. OF UNITS = 41  
PROPOSED DENSITY = 41/50.61 = 0.81 UNITS/ACRE  
PROPOSED ZONING: "R-1"  
ALLOWABLE DENSITY (GROSS) = 1.65 UNITS/ACRE  
PROPOSED DENSITY EXCLUDING WETLANDS AND R.O.W.  
ON-SITE WETLAND AREA = 12.01 AC.  
STATIONARY 9 MILE R.O.W. AREA = 0.90 AC.  
AREA NET = 50.61 - 12.01 - 0.90 = 37.70 AC.  
NET DENSITY (EXCLUDING WETLANDS) = 41/37.70 = 1.08 UNITS/ACRE

NOTE: SIDEWALKS AND DRIVEWAYS ARE TO BE CONSTRUCTED WITH STANDARD CONC. OR CONC. WITH EXPOSED AGGREGATE

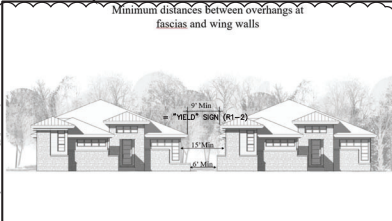


**ON-SITE CONCRETE SIDEWALK DETAIL**

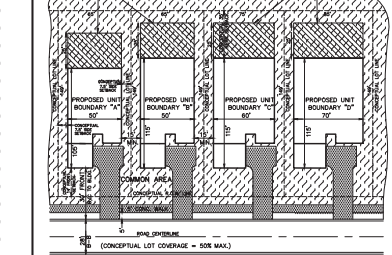
**PROPOSED IMPROVEMENTS**

- WOODLANDS PLAN, TREE INVENTORY REMOVAL & REPLACEMENT PLAN ARE PROVIDED WITH THIS SITE PLAN SET.
- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO A PROPOSED SANITARY SEWER (BY OTHERS) TO BE LOCATED ALONG THE SOUTH SIDE OF 9 MILE ROAD.
- MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO AN EXIST. WATER MAIN LOCATED ALONG THE NORTH SIDE OF 9 MILE ROAD WITH TWO CONNECTIONS COMPLETING A LOOPED SYSTEM. ALL INTERNAL WATER MAINS TO BE 8" DIA.
- STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
- 8" WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF INTERIOR ROADWAYS OR AS SHOWN, ALSO A 10' WIDE ASPHALT WALK SHALL BE CONSTRUCTED ALONG 9 MILE ROAD, EAST OF CARPFIELD RD. ALL SIDEWALK STUBS SHALL BE PROVIDED WITH RAMPS OR DETECTABLE WARNING SURFACES.
- ALL ROADWAYS TO BE PRIVATE. CITY OF NOVI HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE STREETS CONTAINED WITHIN OR PRIVATE STREETS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS PLAN.
- A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.

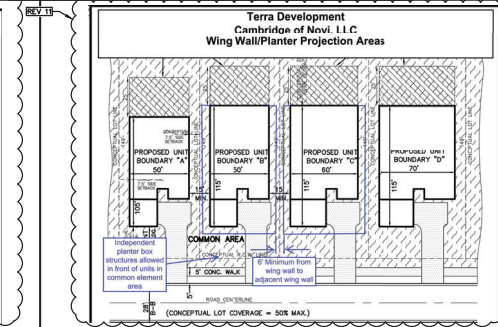
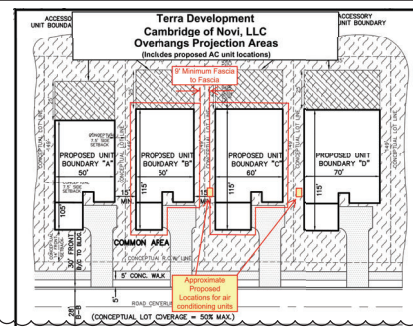
| SIZE    | SYMBOL | SIGN DESCRIPTION                      | PHASE 1  |      | PHASE 2  |      |
|---------|--------|---------------------------------------|----------|------|----------|------|
|         |        |                                       | QUANTITY | POST | QUANTITY | POST |
| 30"     | Y      | "YIELD" SIGN (R1-2)                   | 0        | 0    | 1        | 1    |
| 18"x24" | K      | "KEEP RIGHT" SIGN (R4-7A)             | 3        | 3    | 1        | 1    |
| 12"x12" | T      | "NO PARKING ANY TIME" SIGN (R7-1)     | 8        | 6    | 4        | 2    |
| 18"x24" | S      | "25 MPH SPEED LIMIT" SIGN (R2-1) (25) | 1        | 1    | 0        | 0    |
| 30"x30" | S      | "STOP" SIGN (R1-1 30")                | 0        | 1    | 1        | 1    |
| 8" HIGH | N      | "STREET NAME" SIGN (D3-1)             | 1        | 0    | 1        | 0    |
| 24"x24" | O      | "NO OUTLET" SIGN (W4-2)               | 1        | 1    | 0        | 0    |
| 12"x18" | P      | "BARRIER FREE PARKING SIGN (R7-B)     | 0        | 0    | 1        | 1    |
| 12"x40" | P      | "VAN ACCESSIBLE PLAQUE (R7-BP)"       | 0        | 0    | 1        | 1    |



**UNIT DATA**



ALLOWABLE USES WITHIN ACCESSORY UNIT BOUNDARY COULD INCLUDE FIRE PITS, PREFABRICATED HOT TUBS, POOLS, PATIOS, SIDEWALKS, DECKS, GARDENS AND RELATED APPURTENANCES. SETBACKS TO THESE ITEMS TO COMPLY WITH R-1 ZONING SETBACKS AND DIMENSIONAL RESTRICTIONS DEPICTED ABOVE.



**TERRA**  
SECTION 20/30, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

| NO. | REVISIONS            | DATE     | UTILITY WARNING  |
|-----|----------------------|----------|--|
| 01  | ISSUED               | 04-08-19 | UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THIS PLAN ARE OBTAINED FROM UTILITY OWNER AND NOT FIELD LOCATED. |
| 02  | REVISED CONC PER NOV | 02-21-19 |  |
| 03  | REV PER CITY OF NOVI | 04-08-19 |  |
| 04  | REV PER OWNER        | 07-23-19 |  |
| 05  | REV PER OWNER        | 05-08-19 |  |
| 06  | REV PER OWNER        | 05-08-19 |  |
| 07  | REV PER OWNER        | 05-08-19 |  |
| 08  | REV PER OWNER        | 05-08-19 |  |
| 09  | REV PER OWNER        | 05-08-19 |  |
| 10  | REV PER OWNER        | 05-08-19 |  |
| 11  | REV PER OWNER        | 05-08-19 |  |
| 12  | REV PER OWNER        | 05-08-19 |  |
| 13  | REV PER OWNER        | 05-08-19 |  |
| 14  | REV PER OWNER        | 05-08-19 |  |
| 15  | REV PER OWNER        | 05-08-19 |  |
| 16  | REV PER OWNER        | 05-08-19 |  |
| 17  | REV PER OWNER        | 05-08-19 |  |
| 18  | REV PER OWNER        | 05-08-19 |  |
| 19  | REV PER OWNER        | 05-08-19 |  |
| 20  | REV PER OWNER        | 05-08-19 |  |
| 21  | REV PER OWNER        | 05-08-19 |  |
| 22  | REV PER OWNER        | 05-08-19 |  |
| 23  | REV PER OWNER        | 05-08-19 |  |
| 24  | REV PER OWNER        | 05-08-19 |  |
| 25  | REV PER OWNER        | 05-08-19 |  |
| 26  | REV PER OWNER        | 05-08-19 |  |
| 27  | REV PER OWNER        | 05-08-19 |  |
| 28  | REV PER OWNER        | 05-08-19 |  |
| 29  | REV PER OWNER        | 05-08-19 |  |
| 30  | REV PER OWNER        | 05-08-19 |  |

**OVERALL SITE PLAN & PHASING PLAN**

**SEIBER, KEAST ENGINEERING, L.L.C.**  
CONSULTING ENGINEERS  
100 MANICENTRE • SUITE 10 • NORTHVILLE, MI • 48167  
PHONE: 248.308.3331 EMAIL: info@seiberkeast.com

**SHEET 2**



22-30-401-014  
CITY OF NOW  
ZONED R-4

22-30-401-002  
LESTER FARM SUBDIVISION  
ZONED R-4

22-30-401-003  
LESTER FARM SUBDIVISION  
ZONED R-4

22-30-401-004  
RONALD W. & BEVERLY VALENTI  
ZONED R-4

PROPERTY TO BE DONATED  
TO CITY OF NOW = 20.22 AC.

PROPOSED ADDITIONAL SILT FENCE FOR  
PHASE 2, SEE I.L.C.

LIMITS OF DISTURBANCE AISLINES

LEGEND  
PHASE 2 LIMITS OF  
DISTURBANCE

LEGEND  
EXISTING  
PROPOSED  
PAVEMENT (ASPHALT)  
SIDE WALK (CONCRETE)  
CONCRETE CURB AND GUTTER  
STORM SEWER  
SANITARY SEWER  
WATER MAIN  
MANHOLE  
CATCH BASIN W/STREAM GUARD  
CURB INLET W/SILT SAC  
STANDPIPE  
END SECTION  
GATE VALVE  
HYDRANT  
FLOOD PLAIN  
CONTOURS  
SPOT ELEVATION  
SURFACE DRAINAGE  
OVERFLOW ROUTE  
SILT FENCE AND LIMITS  
OF DISTURBANCE  
TREE TO REMAIN  
TREE TO BE REMOVED

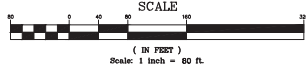
TERRA  
SECTION 20/30, TOWN 1 NORTH, RANGE 8 EAST,  
CITY OF NOW, OAKLAND COUNTY, MICHIGAN

| NO. | REVISIONS                       | DATE     | UTILITY WARNING   |
|-----|---------------------------------|----------|---|
| 1.  | REVISED PER CITY OF NOW         | 02-27-19 | UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THIS PLAN WERE OBTAINED FROM UTILITY OWNER AND NOT FIELD LOCATED. |
| 2.  | REVISED PER CITY OF NOW         | 04-08-19 |   |
| 3.  | REVISED PER CITY OF NOW         | 04-08-19 |   |
| 4.  | DELETE A UNIT IN PHASE 1        | 06-14-19 |   |
| 5.  | REVISE PER OWNER                | 07-23-19 |   |
| 6.  | PER REVISED PRO                 | 11-13-19 |   |
| 7.  | ADD TREE PRESERVATION EASEMENT  | 12-29-20 |   |
| 8.  | REV PH TREE PRESERVATION EASE.  | 02-03-21 |   |
| 9.  | REVISE IMPROV/ EROSION EASEMENT | 03-10-21 |   |

DATE: 11-30-2019  
CHECKED BY: P.R. FILLI  
DATE: 12-03-2019  
CHECKED BY: P.R. FILLI

S.E.S.C. PLAN PHASE 2  
SEIBER, KEAST  
ENGINEERING, L.L.C.  
CONSULTING ENGINEERS  
100 MAINCENTRE SUITE 108 NORTHVILLE, MI 48867  
PHONE: 248.308.3331 EMAIL: info@seiberkeast.com

SHEET  
3B



22. ADD PH TREE PRES. EASEM. AND CONST. ACCESS RD. 04-09-21  
23. REVISE PER CITY OF NOW 06-07-21  
24. REV WALK AT CURB & TIE TO TRAIL CORN. 06-14-21

CONSTRUCTION ACCESS ROAD,  
SEE DETAIL SHEET N02

CONSTRUCTION ACCESS ROAD,  
SEE DETAIL SHEET N02

POTENTIAL STOCK PILE AREA  
A RING OF SILT FENCE WILL BE  
INSTALLED SURROUNDING ANY  
STOCKPILE MATERIAL.

SILT FENCE IN PLACE  
FOR PHASE 1, TYP.

SILT FENCE IN PLACE  
FOR PHASE 1, TYP.

CONSTRUCTION ACCESS ROAD,  
SEE DETAIL SHEET N02

CONSTRUCTION ACCESS ROAD,  
SEE DETAIL SHEET N02

CONSTRUCTION ACCESS ROAD,  
SEE DETAIL SHEET N02

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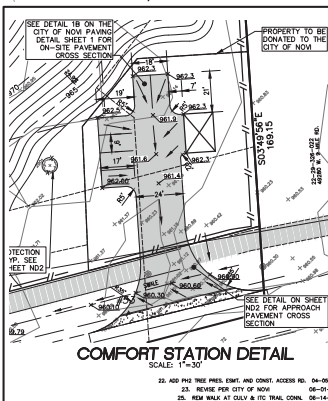
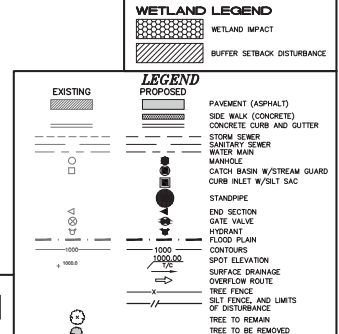
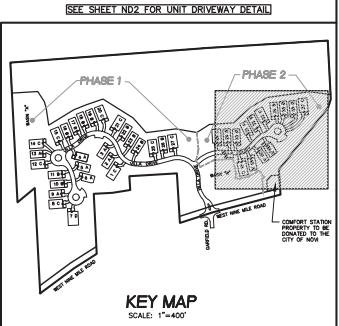
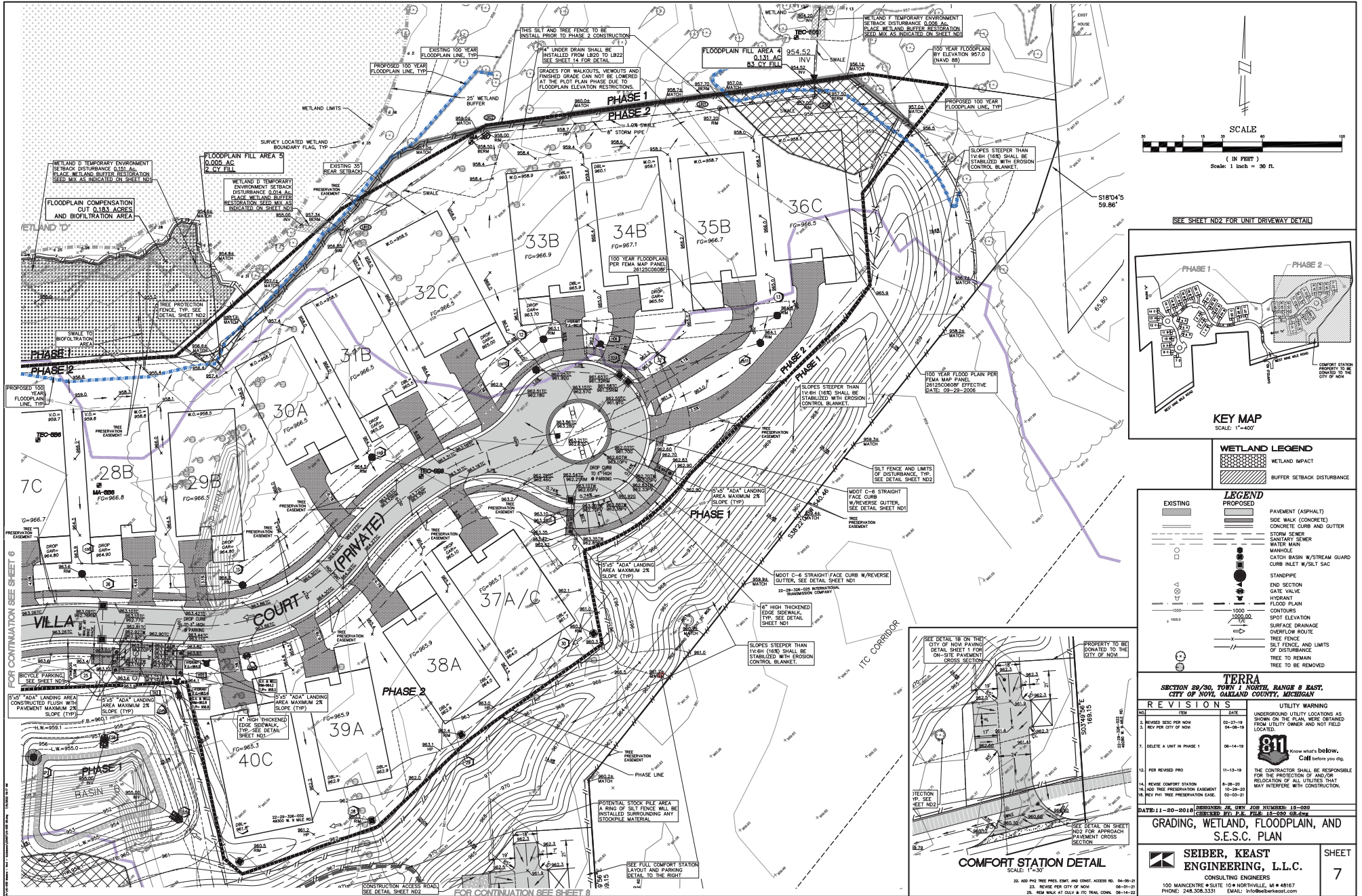
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SEE DETAIL SHEET N02

CONSTRUCTION ACCESS ROAD,  
SEE DETAIL SHEET N02









| TERRA   |                 |          |    |  |
|---|-----------------|----------|----|--|
| SECTION 20/30, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN |                 |          |    |  |
| NO.   | REVISIONS       | DATE     | BY | DESCRIPTION  |
| 12.   | REVISED PER PRO | 02-27-19 | JR | UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THE PROTECTION OF AND/OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION. |
| 13.   | REVISED PER PRO | 08-14-19 | JR | UTILITY WARNING  |
| 14.   | REVISED PER PRO | 08-14-19 | JR | REVISIONS  |
| 15.   | REVISED PER PRO | 08-14-19 | JR | REVISIONS  |
| 16.   | REVISED PER PRO | 08-14-19 | JR | REVISIONS  |
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| 99.   | REVISED PER PRO | 08-14-19 | JR | REVISIONS  |
| 100.  | REVISED PER PRO | 08-14-19 | JR | REVISIONS  |

DATE: 11-30-2018  
 GRADING, WETLAND, FLOODPLAIN, AND S.E.S.C. PLAN  
 SEIBER, KEAST ENGINEERING, L.L.C.  
 CONSULTING ENGINEERS  
 100 MAIN CENTRE SUITE 100 NORTHVILLE, MI 48167  
 PHONE: 248.308.3331 EMAIL: info@seiberkeast.com





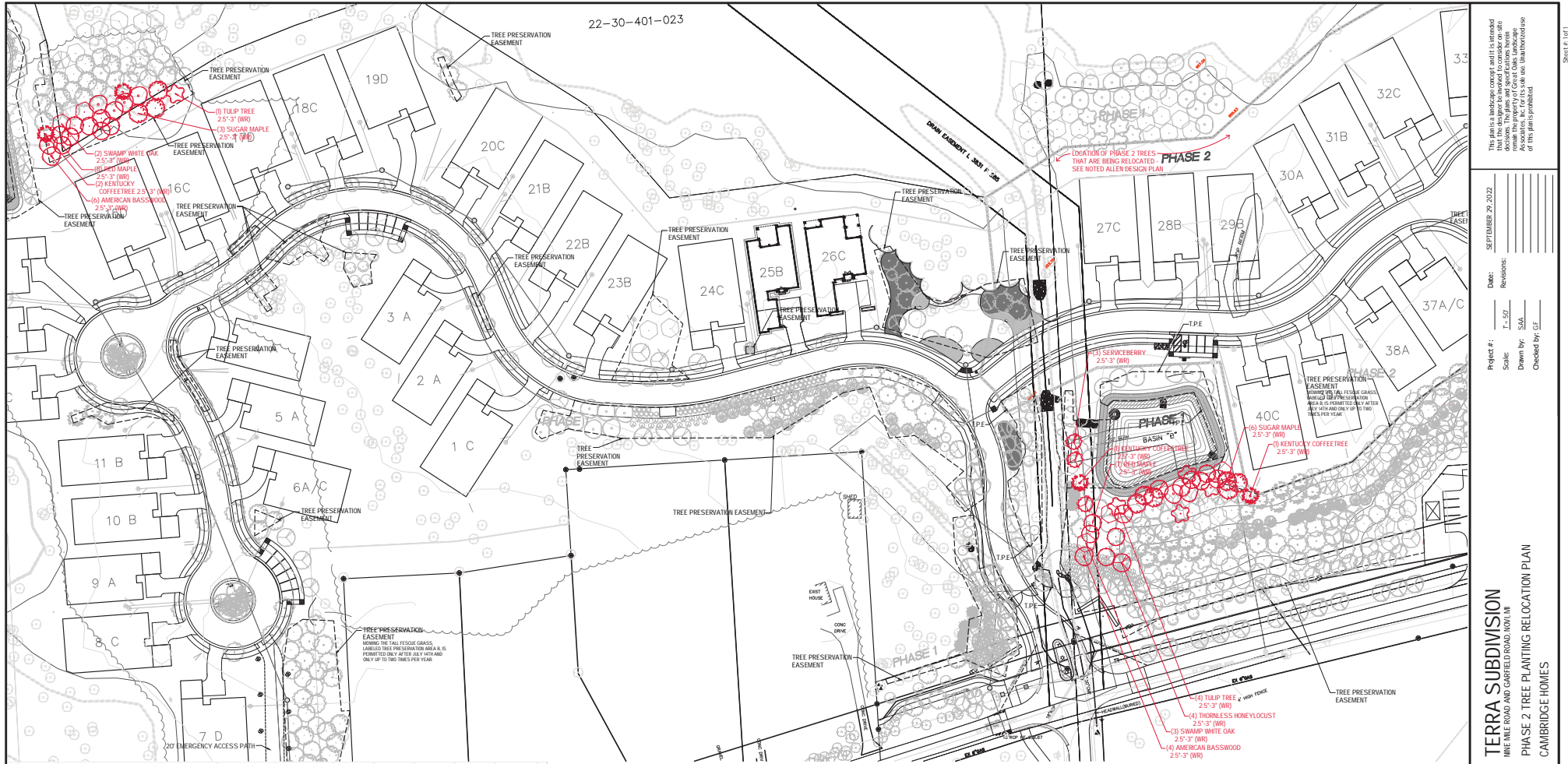


**WOODLAND TREE RELOCATION PLAN**

**SEPTEMBER 29, 2022**

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| QUANTITY  | BOTANICAL NAME  | COMMON NAME           | SIZE    | TYPE  | SPACING  | PRICE    | TOTAL      |             |
|---|---|-----------------------|---------|-------|----------|----------|------------|-------------|
| <b>PHASE 2 - PROPOSED RELOCATED TREES (BASIN B)</b>                 |   |                       |         |       |          |          |            |             |
| 7   | <i>Acer rubrum</i>                                    | Red Maple             | 2.5'-3" | B & B | as shown | \$400.00 | \$2,800.00 |             |
| 6   | <i>Acer saccharum</i>                                 | Sugar Maple           | 2.5'-3" | B & B | as shown | \$400.00 | \$2,400.00 |             |
| 3   | <i>Amelanchier laevis</i>                             | Shadblow              | 2.5'-3" | B & B | as shown | \$250.00 | \$750.00   |             |
| 4   | <i>Gleditsia triacanthos var. inermis</i>             | Thornless Honeylocust | 2.5'-3" | B & B | as shown | \$400.00 | \$1,600.00 |             |
| 2   | <i>Gymnocladus dioica</i>                             | Kentucky Coffeetree   | 2.5'-3" | B & B | as shown | \$400.00 | \$800.00   |             |
| 4   | <i>Liriodendron tulipifera</i>                        | Tulip Tree            | 2.5'-3" | B & B | as shown | \$400.00 | \$1,600.00 |             |
| 3   | <i>Quercus bicolor</i>                                | Swamp White Oak       | 2.5'-3" | B & B | as shown | \$400.00 | \$1,200.00 |             |
| 4   | <i>Tilia americana</i>                                | Basswood              | 2.5'-3" | B & B | as shown | \$400.00 | \$1,600.00 |             |
| 33  | phase 2 canopy trees shown at Basin B                 |                       |         |       |          |          | TOTAL      | \$12,750.00 |
| <b>PHASE 2 - PROPOSED RELOCATED TREES (NORTHWEST FORESTED AREA)</b> |   |                       |         |       |          |          |            |             |
| 8   | <i>Acer rubrum</i>                                    | Red Maple             | 2.5'-3" | B & B | as shown | \$400.00 | \$3,200.00 |             |
| 3   | <i>Acer saccharum</i>                                 | Sugar Maple           | 2.5'-3" | B & B | as shown | \$400.00 | \$1,200.00 |             |
| 2   | <i>Gymnocladus dioica</i>                             | Kentucky Coffeetree   | 2.5'-3" | B & B | as shown | \$400.00 | \$800.00   |             |
| 1   | <i>Liriodendron tulipifera</i>                        | Tulip Tree            | 2.5'-3" | B & B | as shown | \$400.00 | \$400.00   |             |
| 2   | <i>Quercus bicolor</i>                                | Swamp White Oak       | 2.5'-3" | B & B | as shown | \$400.00 | \$800.00   |             |
| 6   | <i>Tilia americana</i>                                | Basswood              | 2.5'-3" | B & B | as shown | \$400.00 | \$2,400.00 |             |
| 22  | phase 2 canopy trees shown at Northwest Forested Area |                       |         |       |          |          | TOTAL      | \$8,800.00  |

The plan is a landscape concept and is intended that the designer be allowed to consider on-site tree preservation and relocation. The plan is not a final plan and is subject to change. The plan is not a final plan and is subject to change. The plan is not a final plan and is subject to change.

Project #1: SEPTEMBER 29, 2022  
 Scale: 1"=50'  
 Drawn by: SAA  
 Checked by: GT

TERRA SUBDIVISION  
 MILE ROAD AND GARFIELD ROAD, NOKOLM  
 PHASE 2 TREE PLANTING RELOCATION PLAN  
 CAMBRIDGE HOMES

PROJECT: TERRA SUBDIVISION  
 SUBJECT: PHASE 2 TREE PLANTING RELOCATION PLAN  
 CLIENT: CAMBRIDGE HOMES



Know what's below.  
 Call before you dig.







## PLANNING REVIEW

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# PLAN REVIEW CENTER REPORT

July 27, 2022

## Planning Review

### TERRA Phase 2

JSP17-52 and JSP 21-12

#### PETITIONER

Cambridge Homes, Inc

#### REVIEW TYPE

2<sup>nd</sup> Amendment to the PRO Plan & Agreement (JSP17-52) and 2<sup>nd</sup> Revised Final Site Plan (JSP21-12)

#### PROPERTY CHARACTERISTICS

|                         |   |   |
|-------------------------|---|---|
| <b>Section</b>          | 29 and 30   |   |
| <b>Site Location</b>    | West side of Beck Road, east of Napier Road and north of Nine Mile Road |   |
| <b>School District</b>  | Northville Community School District                                    |   |
| <b>Existing Zoning</b>  | R-1, One-Family Residential with a PRO                                  |   |
| <b>Adjoining</b>        | North   | R-1 One-Family Residential with a RUD agreement |
|                         | East  | RA, Residential Acreage                         |
|                         | West  | RA, Residential Acreage                         |
|                         | South   | RA, Residential Acreage                         |
| <b>Current Site Use</b> | Single family homes – under construction                                |   |
| <b>Adjoining Uses</b>   | North   | Links of Novi/vacant;                           |
|                         | East  | Single Family Residences                        |
|                         | West  | Single Family Residences                        |
|                         | South   | Single Family Residential/Vacant                |
| <b>Site Size</b>        | 30.12 Acres   |   |
| <b>Plan Date</b>        | June 14, 2022   |   |

#### PROJECT SUMMARY

The subject property is 30.12-acre property on the east side of Napier Road and north side of Nine Mile Road (Section 29, 30). In 2018, the applicant received approval from City Council to construct a 41-unit single-family housing development (for sale) under the terms of a Planned Rezoning Overlay Agreement and Plan. It is a gated community for active adults. The residents have an option to install pools, outdoor hot tubs, fire pits, fireplaces, pizza ovens and grills in the rear yards, as regulated by the Master Deed. Both Phase 1 and 2 are currently under construction.

The current submittal is a request by the applicant to modify the PRO Agreement in three areas: 1) Eliminate the sidewalk connection from the eastern (Phase 2) portion of the site to the ITC Trail, 2) Remove a segment of sidewalk from the south side of Villa Court where it crosses the Garfield Drain, and 3) Pay into the tree fund instead of planting 51 tree credits to the north of Units 27-36.

#### RECOMMENDATION

Approval of the revised Final Site Plan and 2<sup>nd</sup> amendment of the PRO Agreement is **not recommended for the reasons detailed on pages 3-6**. This property is subject to the conditions of the PRO agreement approved by the City Council on September 24, 2018, and as amended on October 28, 2019.

## PRO OPTION

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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 RA Residential Acreage to R-1 One-Family Residential) 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 received 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. Individual plot plans are reviewed for conformance with PRO Agreement when submitted.

## PROJECT REVIEW HISTORY

---

On August 23, 2017, the plan was presented before Master Planning and Zoning Committee for input. The plan received favorable comments from the Committee. The Committee directed the applicant to work with staff on issues such as density.

On September 13, 2017, Planning Commission held a public hearing and postponed the recommendation to Council at a later time.

On November 8, 2017, Planning Commission held another public hearing and recommended denial to the City Council based on the fact that the proposed request is not consistent with the recommendations of 2016 Master Plan for Land Use.

Following the Planning Commission's recommendation for denial at their November 8, 2017 meeting, the applicant met with the Committee on January 10, 2018 and received favorable comments, except for woodland deviations requested.

On March 14, 2018, Planning Commission held the third public hearing and recommended the applicant to move forward to the City Council with three conditions in addition to the suggested motion by the staff.

On May 21, 2018, the City Council considered the proposed development for tentative approval of proposed zoning amendment and postponed their decision.

On July 23, 2018, City Council reconsidered the proposed zoning amendment and tentatively approved the concept plan and directed the staff and the applicant to work on the PRO agreement.

On September 24, 2018, City Council approved the PRO Concept plan and the PRO agreement.

On December 12, 2018, Planning Commission approved the Preliminary Site Plan, Phasing Plan, Wetlands Permit, Woodlands Permit, and Storm Water Management approval.

On October 28, 2019, City Council approved the 1<sup>st</sup> Amendment of the PRO Agreement, to allow greater flexibility for construction of individual homes, to allow alternate pavement material for sidewalks and driveways, and other minor changes.

The Final Stamping Set for Phase 1 was approved administratively on August 22, 2019, with various subsequent minor revisions since that time that have been reviewed and approved administratively.

The Woodland Permit for Phase 1A was approved by the Planning Commission on March 10, 2021 as the previous approval had expired.

The Final Stamping Set for Phase 2 (JSP21-12) was approved administratively on June 10, 2021.



## ORDINANCE REQUIREMENTS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), 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:

1. Sidewalk Connection to ITC Corridor: The PRO Agreement states on Page 4, Item 6: "The applicant will work with staff to identify a proper location to connect to ITC trail, beyond the subject property line." The 5-foot wide asphalt sidewalk is shown on the PRO Plan in Exhibit B of the Agreement, and in the Phase 2 site plan. The applicant states the residents of the development would like to eliminate the sidewalk connection in order to continue the berm to provide additional screening of the ITC transmission towers, as well as to limit pedestrian traffic into the community. They have provided letters from several current and future residents that echo support for eliminating the connection. They also point out that the sidewalk at the main entrance provides a connection to the ITC Trail.



Figure 1: PRO Agreement, Exhibit B, Sheet 4, Liber 52674 Page 562

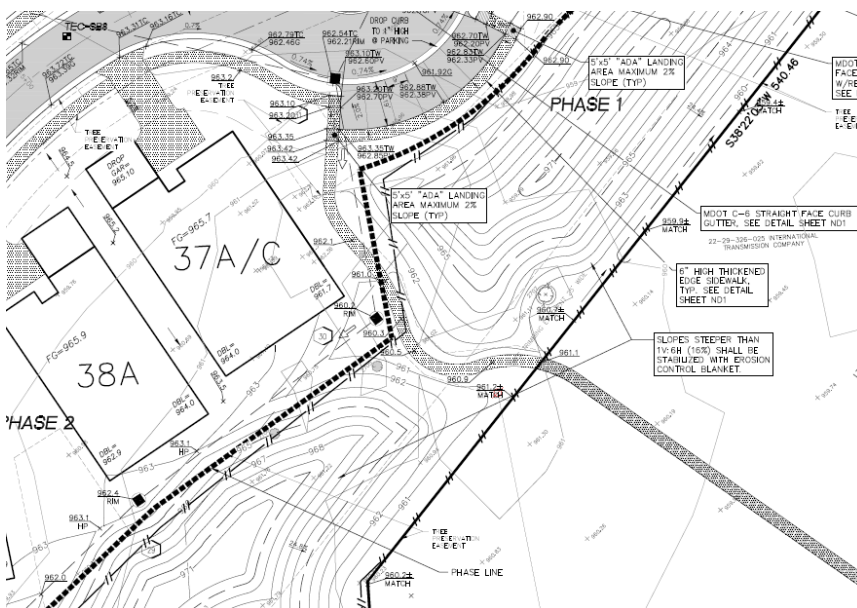


Figure 2: Phase 2 Final Site Plan, 2/3/2021

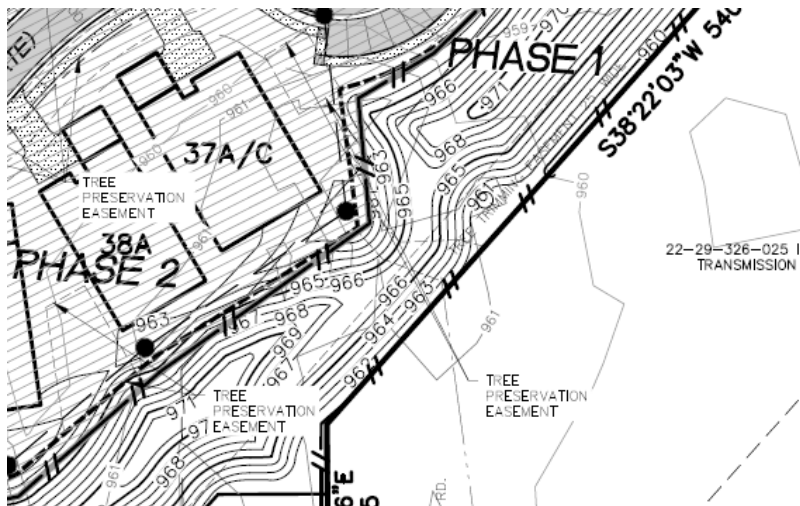


Figure 3: New grading proposed in berm area with removal of sidewalk, June 2022

While the connection to the ITC Trail is not a requirement of the Zoning Ordinance, its inclusion in the original PRO Plan and Agreement appeared to be presented as an amenity to the community. However, it was not specifically mentioned as a “public benefit” per say or stated as a requirement. Staff prefers the segment be provided in the interest of enhancing non-motorized connectivity throughout the community.

2. Sidewalk on Villa Court: The Subdivision Ordinance (Section 4.05) and the Design & Construction Standards (Section 11-256(b)) both state that sidewalks shall be provided on both sides of proposed drives. The applicant received a deviation in the original PRO Agreement to not provide a sidewalk on the east side of the main entrance drive (Villa Drive) due to the presence of wetlands, with a payment to the sidewalk fund required in lieu of building it. The applicant now requests a deviation to remove a portion of the sidewalk on the south side of Villa Court. During construction of the culvert for the Garfield Drain, the decision was made by on-site engineers to shift it to the north a few feet to avoid eroding soils over time. This change created a narrower space between the road and the slope to the culvert to place the sidewalk as shown on the original plan. Staff was made aware of the change and encouraged the applicant to work with their engineers to try to fit the sidewalk by moving it closer to the road or by building a retaining wall. The current plan shows the sidewalk ending on the south side of Villa Court about 110 feet east of the intersection with Villa Drive, with ramps provided to enable pedestrians to cross the street to connect to the north side sidewalk. No crosswalk markings are proposed. **Staff recommends the applicant adhere to the Code to provide the required sidewalk. Based on the plan it still appears feasible to fit it between the road and the culvert.**

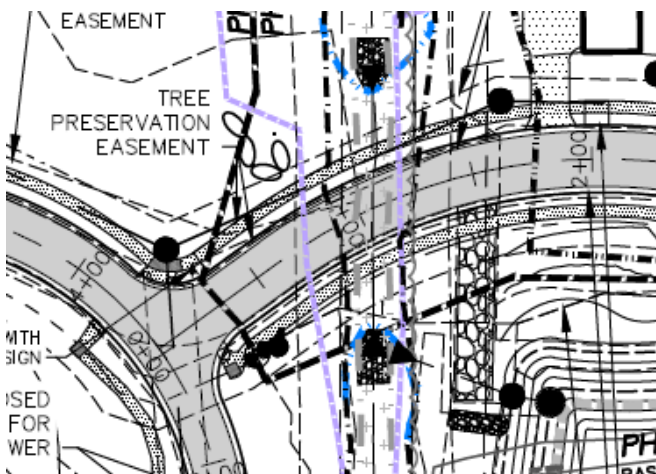


Figure 4: Original sidewalk plan, June 2021



Revised sidewalk plan, June 2022



3. **Woodland Trees:** When the Phase 2 site plan was approved the applicant had shown 51 woodland replacement trees to be planted beside and behind units 27-36. The applicant would instead like to pay into the Tree Fund rather than planting the replacements on the site. The applicant states the proposed trees were going to be too close to the homes. **While the Woodland Ordinance permits applicants the option to pay into the Tree Fund, the Woodland Permit from the Planning Commission was approved with the understanding that the credits would be planted on-site. It also appears there would be additional locations on the property where woodland trees could be planted, as noted in the Landscape Review.**

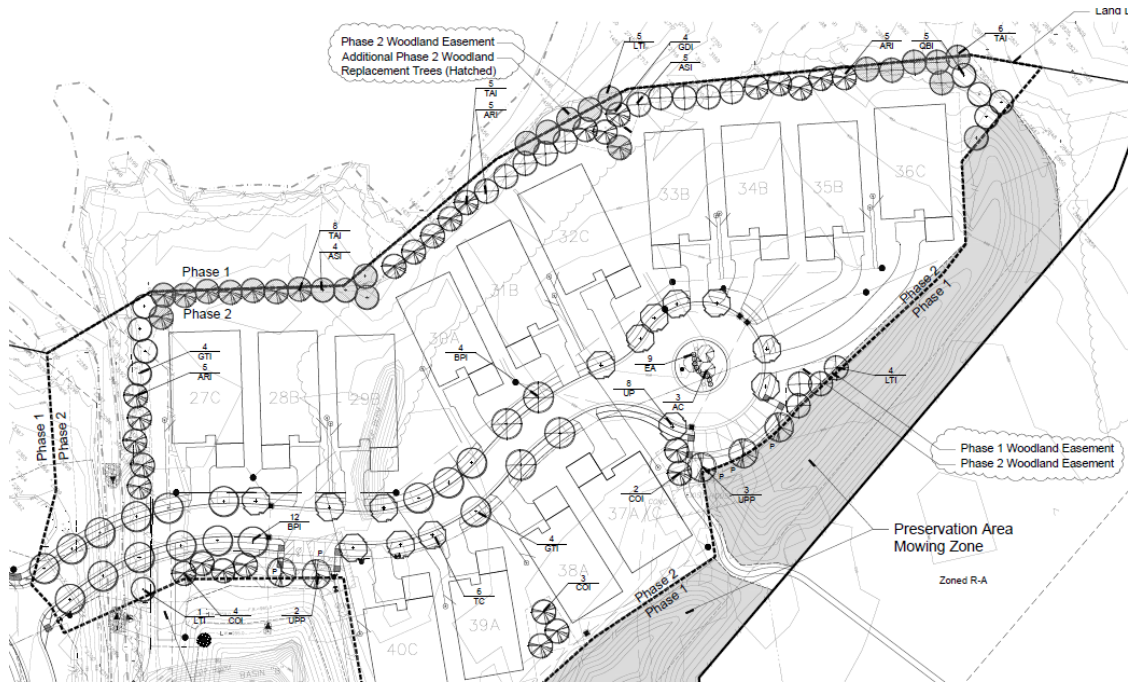


Figure 5: Phase 2 Landscape Plan, June 1, 2021

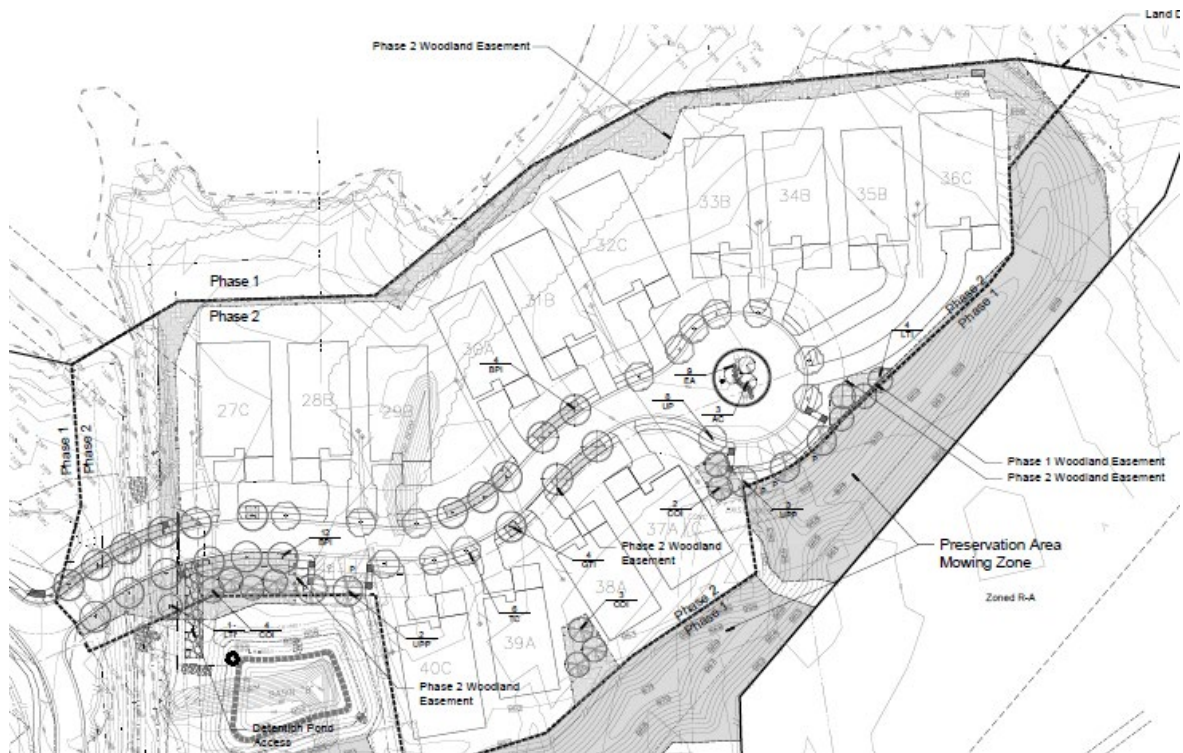


Figure 6: Phase 2 Landscape Plan, June 2022



4. Master Deed Amendment: If approved, the proposed changes may require amendments to the Master Deed. **The amendment to the Master Deed shall be submitted to the City for review and approval prior to recording the amendment.** A revised Stamping Set may not be approved prior to the recording of the Master Deed Amendment.

#### **OTHER REVIEWS**

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- a. Engineering Review: **Engineering does not recommend approval of the deviation required for the missing sidewalk segment on Villa Court.**
- b. Landscape Review: **Landscaping does not recommend approval to allow the applicant to pay into the tree fund as it appears there are other locations on-site to plant them on site.**

#### **NEXT STEP: PLANNING COMMISSION**

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**Reviewers are not recommending approval of the requested changes and deviations.** However, based on the applicant's request to amend the PRO Concept Plan, it is scheduled to go before Planning Commission for public hearing on August 24, 2022. Please provide the following by noon on **August 18, 2022**. **Staff reserves the right to make additional comments as this review continues.**

1. Concept Plan submittal in PDF format. Staff has received this item
2. A response letter if you would like to provide one based on the reviews. **Otherwise we will use the letter received when you submitted the request.**
3. A color rendering of the Site Plan, if any to be used for presentation purposes (Optional).

#### **CITY COUNCIL**

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After the Planning Commission makes a recommendation we will schedule the request to go before City Council for consideration. If they give tentative approval, the City Attorney will be asked to draft the 2<sup>nd</sup> Amendment to the PRO Agreement, which will be shared with the applicant for review and approval. Once the Agreement is satisfactory to both parties it will return to City Council for Final Approval. If the PRO Agreement is amended, the revised site plan and woodland permit will need to be approved by the Planning Commission.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0484 or [lbell@cityofnovi.org](mailto:lbell@cityofnovi.org).



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Lindsay Bell, AICP – Senior Planner

## ORDINANCE DEVIATIONS

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The following deviations from the standards of the zoning ordinance are authorized by the PRO Agreement, pursuant to §7.13.D.i.c (2) of the City's Zoning Ordinance:

- a. Planning Deviation from Sec. 3.1.2 of Zoning Ordinance for reduction of the minimum lot size, setbacks, minimum lot frontage and minimum site acreage as shown on the proposed concept plan provided:
  - i. The proposed unit boundary shown on the concept plan (sheet 02) is to be considered the maximum allowable footprint. Any accessory uses such as hot tubs, patios, etc. will be provided within the footprint shown on the plan.
  - ii. A minimum of 15 feet shall be maintained between two buildings.
  - iii. A minimum of 30 feet is provided between the front façade and the back of the curb.
  - iv. Rear setbacks will be as shown on the Concept plan, based on the proposed boundary line of land to be donated to City.
- b. Façade deviation from Sec 3.7, similar dissimilar ordinance, to replace internal calculation of square footage to a 2200 square foot minimum requirement for this development;
- c. Landscape deviation from Sec. 5.5.3.B.ii and iii of Zoning Ordinance for lack of berms along the westerly Nine Mile Road frontage and portions of the easterly frontage, due to existing natural features;
- d. Engineering deviation from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet intervals along the property boundary to provide connection to the adjacent property boundary, due to conflict with existing wetlands;
- e. Engineering deviation from Chapter 7(c)(1) of Engineering Design manual for reducing the distance between the sidewalk and back of the curb: 15 feet required, 10 feet proposed;
- f. Engineering deviation for absence of sidewalk along a portion of Villa Drive, with payment into the City's sidewalk fund for the cost of the sidewalk not constructed;
- g. Engineering deviation for absence of curb and gutter for parking lot and driveway for the proposed comfort station from Sec. 11-239(b)(1),(2)of Novi City Code;
- h. Traffic deviation for not conforming to minimum required standards as indicated in Figure IX.5 of the City's Code of Ordinances for residential driveway, provided the applicant works with staff to minimize the number of driveways that deviate from the standard at the time of Preliminary Site Plan;
- i. Traffic deviation from Figure VIII-A in the City Code of Ordinances, for not providing the minimum width for local residential road for Villa D' Este Boulevard, the stretch from the entrance gates to the first intersection (28 feet required, 24 feet provided).
- j. Traffic deviation from Section 7.4.2.c (1) of Engineering Design Manual for not meeting the maximum distance between sidewalk and Right of way line along Nine Mile. A maximum of 1 foot is required for a small portion where it conflicts with existing wetland area;
- k. Deviation to allow alternate locations for street tree plantings to avoid conflict with the utility layout along the internal roads, as detailed in this review letter;
- l. Deviation for the location of accessory structures in an alternate location within the common area, as approved by the Planning Commission in accordance with the Preliminary Site Plan in

order to allow the use of free standing solar panels as shown on the Revised Concept Plan to provide power to the access gate and outside lighting.

- m. A traffic deviation for not meeting the minimum required horizontal curve radii for the proposed streets; and
- n. A landscape deviation for absence of minimum required street trees and green belt trees in areas where there is a conflict with existing natural features;
- o. Engineering deviation from Section 7.4.2(d) of the Engineering Design Manual to allow exposed aggregate as an alternate material for sidewalk pavement in lieu of concrete for the entire development.
- p. Planning deviation from Section 3.32.8 to allow for additional encroachment for roof overhangs into the required side yards (a maximum of fifteen (15) inches is allowed per current side yard setbacks, a minimum of nine (9) feet between the roof overhangs at fascia is proposed). This approval shall be subject to the building (and the buildings within the development) being designed in the prairie architectural style with a maximum slope of 5:12 and subject to approval by the City's façade consultant at the time of building permit review.

## PRO CONDITIONS

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In its development of the Land under the PRO Plan, the following PRO Conditions shall apply to the Land and/or be undertaken by the Developer:

- 1. Owner/Developer shall provide the following Public Improvements in connection with the development of the Land:
  - a. Developer shall donate fee title, in the form of a Warranty Deed, to approximately 20.22 acres of land, as shown in the Concept Plan (the "Park Land"), to Novi for existing park system within 30-days of the execution of this Agreement. The donation is for the purpose of expanding City parkland in the area of the Development. The Park Land will connect two additional parcels of City parkland. The City shall be permitted to make minor improvements in the area to propose a trail or accessory uses for a trail, and shall be permitted to combine the Park Land with adjacent City park land into a single unified parcel.
  - b. Developer shall construct an approximate .18 acre comfort station area for the ITC Trailhead in accordance with the drawings, attached and incorporated as Exhibit D (the "Comfort Station Improvements"). The Comfort Station shall include, but shall not be limited to parking spaces, a bike repair station and a picnic shelter, as set forth in Exhibit D. The ITC Comfort Station shall be completed within 6 months from the substantial completion date of the ITC trail along the subject property's frontage.
  - b. Developer shall contribute to the construction of a portion of the ITC Trail along the north side of Nine Mile Road, in the amount of \$43,834.22 in order to provide for use by and in connection with the Development, as shown in the plans attached and incorporate as Exhibit E. The pathway shall comply with City design and construction standards, with minor modifications to be approved administratively, i.e. to modify the alignment for preservation of existing landscaping trees. Dedication of the Right of Way shall be completed on or before November 10, 2018.
  - c. In the event that the Michigan Department of Environmental Quality or any governmental agency requires Developer to provide a compensating cut for the purpose of creating additional floodplain for the Development, the City shall permit the Developer to create the compensating cut, at Developer's own expense, not to exceed 8,000 square feet in size, in a location mutually agreeable to the Developer and the City, including but not limited to locations within the Park Land described, generally, as N/W of the N/W detention basin and the

wetland, or, alternatively, an area behind units 12-14. In the event that the compensating cut requires additional tree removal, Developer shall be subject to the applicable woodland replacement standards as set forth in the City's Woodland Ordinance.

2. The development shall be limited to a density of 1.08 dwelling units per acre with a maximum of 41 units as indicated on the PRO concept plan.
3. The proposed unit boundary, as shown on the approved final Concept Plan (sheet 02), ("Unit Boundary"), shall be considered the maximum allowable footprint. Any accessory uses including but not limited to, fire pits, fire places, hot tubs, pools, patios, sidewalks, landscaping walls, landscaping fences, decks and gardens may be included within the Unit Boundary as shown on the approved final site plan or within the rear yard area ("Accessory Unit Boundary"), which is the area beginning at the rear Unit Boundary and is within the side lines of the Unit Boundary, and extending twenty-five (25) to the rear, as shown on the approved final Concept Plan. Sidewalks and small gardens with no permanent structures may be proposed within the side yards subject to limitations set forth in the Master Deed.

No more than two (2) regulated woodland trees may be removed from the Accessory Unit Boundary to accommodate the construction or installation of any pool, or other accessory use. Removal of trees shall be subject to mitigation measures listed in all applicable ordinances. Additionally, no accessory uses shall be constructed within the regulated Wetland or Wetland Buffers shown in the approved Concept Plan. All accessory uses shall be constructed in accordance will applicable ordinances, laws and regulations.

Limitations on the construction of accessory uses, as set forth herein, shall be included within the Master Deed for the Development and shall be delineated on the Exhibit B, Condominium Subdivision Plan.

4. A minimum of 15 feet shall be maintained between two buildings.
5. A minimum of 30 feet shall be provided between the front façade of each home as measured from the back of the curb.
6. The applicant will work with staff to identify a proper location to connect to ITC trail, beyond the subject property line.
7. Except to the extent that limited clearing is authorized in accordance with an approved Preliminary Site Plan, and all applicable ordinances and regulations, including, but not limited to Section 6.1.4.F of the Zoning Ordinance, within the City's reasonable discretion, and a Hold Harmless Agreement acceptable to the City's Attorney is provided, Construction of the Development shall not be permitted to begin prior to completion of the City's Nine Mile sanitary sewer extension project, or alternately, subject to and in accordance with a plan for completion of alternate sanitary sewage disposal facilities, by Developer, at its own expense, which plan shall be reviewed and approved by the City's Engineering Division in accordance with the standards and procedures set forth by City ordinance.
8. Grading requirements for development shall be superseded based on the character of Nine Mile Road.
9. Retention ponds shall be completely screened for safety on all four sides and above the typical standards, as determined at the time of Preliminary Site Plan.
10. The City shall confirm that the proposed trailhead agreement will not negate already existing agreements.

11. The portion of asphalt paving on Nine Mile Road shall be constructed in a manner to reduce or eliminate issues of the interface between gravel and asphalt, to be reviewed and approved by City Engineer at the time of Preliminary Site Plan review.
12. The applicant shall conform to Woodland Ordinance requirements at the time of Preliminary Site Plan and Woodland permit review.
13. Minor modifications to the approved Planned Rezoning Overlay Concept Plan (PRO) can be approved administratively, upon determination by the City Planner, that the modifications are minor, do not deviate from the general intent of the approved PRO Concept plan and result in reduced impacts on the surrounding development and existing infrastructure.
14. Developer shall comply with all conditions listed in the staff and consultant review letters.
15. For Unit 7 through 36, covered decks shall be allowed to extend up to fifteen (15) feet into the "Accessory Unit Boundary" from the rear façade. "Accessory Unit Boundary" refers to the area beginning at the rear unit boundary and is within the sidelines of the unit boundary, and extending twenty-five (25) feet to the rear, as shown on the approved Final Concept Plan made part of the original PRO Agreement.
16. No more than three (3) regulated woodland trees may be removed from the accessory unit boundary to accommodate the construction or installation of a pool or other accessory use. A minimum of fifteen (15) feet shall be maintained between two buildings, with the exception of rough overhangs and wind walls as noted below:
  - a. A minimum of nine (9) feet shall be maintained between the roof overhangs between two buildings at the fascia, as shown in the "overhang projection areas" exhibit on the Revised Concept Plan dated July 25, 2019, attached hereto as Exhibit B, subject to and provided that the house has been designed in the Prairie architectural style, and further subject to approval by the City's façade consultant at the time of building permit review;
  - b. A maximum of 4.5 feet of on-ground projection shall be allowed as shown on the "wind wall/planter projection area" exhibit on the Revised Concept Plan dated July 25, 2019, attached as Exhibit B, subject to approval by the City's façade consultant at the time of building permit review.
17. The elevations of the homes within the development shall comply with the ordinance requirements and conditions of the original PRO Agreement, subject to any and all limitations set forth in the Master Deed as determined at the time of individual building permit review. More specifically, given the Developer's representations to the City and the deviations granted herein and in the PRO Agreement, the homes within the development shall be designed and built in the Prairie architectural style with a maximum slope of 5:12, subject only to minor deviation as approved by the City's façade consultant at the time of building permit review.
18. The compensating cut periods in the approved PRO Agreement shall be updated to be consistent with MDEGLE permit approval dated April 9, 2019.

## ENGINEERING REVIEW

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# PLAN REVIEW CENTER REPORT

07/26/2022

## Engineering Review

Terra Phase 2

JSP21-0012

### Applicant

Cambridge of Novi, LLC

### Review Type

Revised Final Site Plan

### Property Characteristics

- Site Location: North side of Nine Mile Road at the intersection of Garfield Road
- Site Size: 8.61 acres
- Plan Date: 06/14/2022 (per cover sheet title block)
- Design Engineer: Seiber Keast Engineering

### Project Summary

- Phase 2 of the development consists of the construction of 14 detached senior ranch condo units and associated parking. Site access would be provide by one entrance at the intersection of Nine Mile Road and Garfield Road.
- Water service will be provided by an 8-inch extension from the existing 8-inch stub at the intersection of Villa Drive and Villa Court.
- Sanitary sewer service will be provided by an 8-inch extension from the existing 8-inch stub at the intersection of Villa Drive and Villa Court.
- Storm water will be collected by a single storm sewer collection system and detained on-site in one of two proposed detention basins.

### Recommendation

**Approval of the Revised Final Site Plan is NOT recommended until the following items are addressed.**

### Comments:

The Revised Final Site Plan does **NOT** meet the general requirements of Chapter 11 of the Code of Ordinances, the Storm Water Management Ordinance and/or the Engineering Design Manual. The following must be addressed prior to resubmittal:

**Paving & Grading**

1. Per conversations between the developer and the City, remove the short boulder retaining wall just north of Villa Court and straddling the phase line.
2. Grading revisions appear acceptable where the sidewalk connection from the cul-de-sac to the ITC trail has been eliminated.
3. **Engineering does not support eliminating the sidewalk on the south side of Villa Court where it crosses the Garfield Drain. Per the City of Novi Code of Ordinances, Section 11-256 (b) and (c), non-motorized facilities shall be placed across both sides of all streets and roadways (public or private). Variances are only permitted if no other pathways exist within three hundred feet.**

**Flood Plain**

4. The 100-year floodplain traverses the property but does not appear to be affected by the revisions proposed in this set.

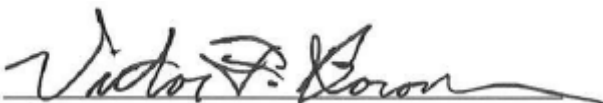
**The following must be submitted with the Revised Final Site Plan:**

5. A letter from either the applicant or the applicant's engineer must be submitted with the Stamping Set 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.**

**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 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.



Victor Boron  
Project Engineer

cc: Lindsay Bell, Community Development  
Ben Croy, PE, Engineering  
Humna Anjum, Engineering



**LANDSCAPE REVIEW – UPDATED TO REFLECT  
WOODLAND TREE RELOCATIONS  
OCTOBER 4, 2022**

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**PLAN REVIEW CENTER REPORT**  
October 4, 2022  
**Second Revised Final Site Plan - Landscaping**  
Terra – Phase 2

**Review Type**

Second Revised Final Site Plan -Phase 2 Landscape Review

**Job #**

JSP21-0012

**Property Characteristics:**

- Site Location: North side of 9 Mile Road, near Garfield
- Site Zoning: R-A – Proposed R-1 with PRO
- Adjacent Zoning: North: R-A and R-1, East: R-A and ITC Corridor, South: R-A, West, R-A
- Plan Date: September 29, 2022

**Recommendation:**

This site plan is **recommended for approval**. The plans have been revised from the set last reviewed by the Planning Commission which showed 51 Phase II woodland replacement trees not being planted on the site.

**Review Comments**

1. The revised plan shows all 51 trees which were behind and to the side of the Phase II units backing up to the open space being planted elsewhere on the site (some in Phase I and some in Phase II).
2. While the spacing of some of the trees may be too tight, there is sufficient room elsewhere on the site, in existing landscape easements to protect the trees, to move a few if the spacing requires.
3. For this reason I can now support the revised plan. If Council permits the developer to not install the connector path to the ITC trail, the applicant is encouraged to plant some of the 51 trees in the area of the berm where the path would have been.

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

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# PLAN REVIEW CENTER REPORT

July 12, 2022

## Second Revised Final Site Plan - Landscaping

Terra – Phase 2

### Review Type

Second Revised Final Site Plan -Phase 2 Landscape Review

### Job #

JSP21-0012

### Property Characteristics:

- Site Location: North side of 9 Mile Road, near Garfield
- Site Zoning: R-A – Proposed R-1 with PRO
- Adjacent Zoning: North: R-A and R-1, East: R-A and ITC Corridor, South: R-A, West, R-A
- Plan Date: July 1, 2022

### Recommendation:

This site plan is **not recommended for approval**. The plans themselves are complete, but the proposal is not consistent with the PRO agreement, or with the promise to plant the maximum number of trees possible on the site.

### Review Comments

1. It is ecologically desirable to restore as much of the removed woodlands species to the site as possible. As the current plans show, there is room for some of those trees elsewhere in Phase II. That allows more spacing between the trees within the conservation easement along the northwest property line and along the stream west of Unit #27C so the “crowding” of those trees on the buildings isn't so significant. **Please work to include more (ideally all) of the Phase II replacements originally shown on the plans in the existing easement or other areas on the site instead of making a deposit to the tree fund.**
2. **In addition, if the pathway is allowed to be removed, additional trees could be planted on the berm.**
3. **Please use fewer birches and more oaks as replacements, particularly white, bur or swamp white oak, as there weren't any birches on the site to begin with and many are already being used in Phase I.**

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

**APPLICANT NARRATIVE**

**AND**

**LETTERS OF SUPPORT**

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June 22, 2022

Ms. Barbara McBeth  
City of Novi Planning  
45175 Ten Mile Road  
Novi, Michigan 48375

**Regarding: PRO Site Plan Revision Terra JSP 21-12**

Dear Ms. McBeth,

We are requesting a PRO site plan revision to Terra Phase 2 for the three items listed below:

1. In Terra Phase 2 our residents would like us to eliminate the sidewalk that connects the cul-de-sac with the ITC Trail. The residents would like the berm elevation raised to better block the view of the transmission towers and the power lines. The residents would also prefer to minimize pedestrian traffic into their community. We still will be connected to the ITC Trail at the entrance to Terra.
2. We are requesting to shorten the side walk on the south side of Villa Court where it crosses the Garfield Drain. We are asking for this revision because there is not enough room to install the sidewalk per the plan. When the culvert for the road was being installed it was determined in the field to shift the culvert to the north a few feet because of the dewatering operation related to the 9 Mile sewer project. Because the culvert was moved, there is no room for the sidewalk. As you will see on the site plan there is no benefit for this portion of sidewalk. There is no sidewalk connecting to this walk on the east side of Villa Drive out to our entrance.
3. We are requesting to pay into the woodland replacement tree fund for 51 trees in Phase 2 instead of doing plantings behind lots 27 thru 36. It has been determined that these proposed trees are too close to these homes. In addition, these homes back up to a significant woodland.

Thank you for your consideration.

Sincerely,

CAMBRIDGE OF NOVI, L.L.C.

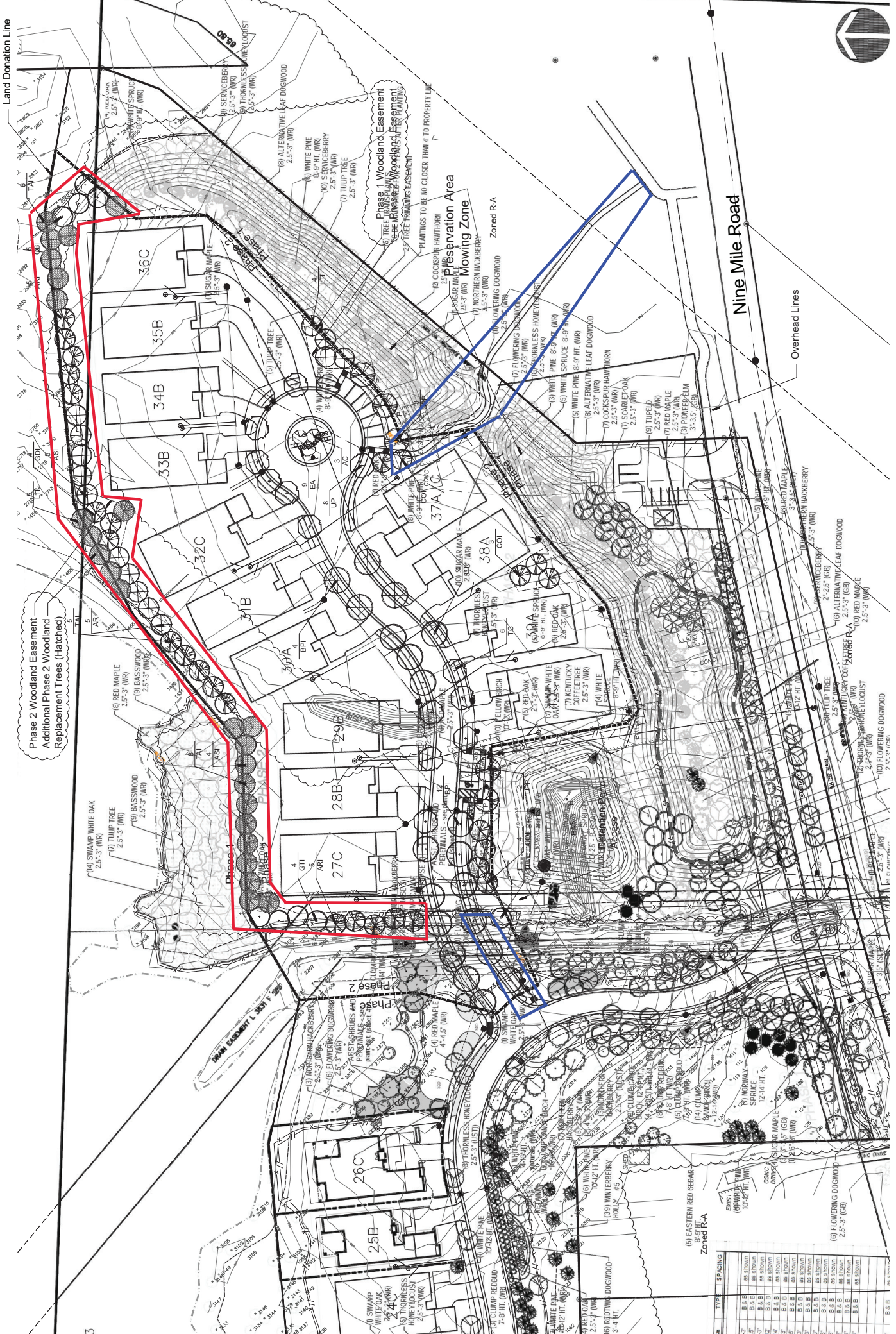
A handwritten signature in black ink, appearing to read "Mark F. Guidobono", is written over the printed name.

Mark F. Guidobono





Land Donation Line



Phase 2 Woodland Easement  
Additional Phase 2 Woodland  
Replacement Trees (Hatched)

Phase 1 Woodland Easement  
Replacement Trees (Blue Outline)

Preservation Area  
Mowing Zone

Nine Mile Road

Overhead Lines

| NO. | TYPE            | SPACING     |
|-----|-----------------|-------------|
| 1   | SWAMP WHITE OAK | 8'-0" (WR)  |
| 2   | RED MAPLE       | 25'-3" (WR) |
| 3   | TULIP TREE      | 25'-3" (WR) |
| 4   | BASSWOOD        | 25'-3" (WR) |
| 5   | SWAMP WHITE OAK | 8'-0" (WR)  |
| 6   | RED MAPLE       | 25'-3" (WR) |
| 7   | TULIP TREE      | 25'-3" (WR) |
| 8   | BASSWOOD        | 25'-3" (WR) |
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| 10  | RED MAPLE       | 25'-3" (WR) |
| 11  | TULIP TREE      | 25'-3" (WR) |
| 12  | BASSWOOD        | 25'-3" (WR) |
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| 99  | TULIP TREE      | 25'-3" (WR) |
| 100 | BASSWOOD        | 25'-3" (WR) |

June 25, 2022

To: Bob Gatt, Mayor  
Mark Pehrson, Planning Commission Chairperson  
From: Kevin and Denise Ball  
49622 Villa Court  
Novi, Mi

**Re: Request by Cambridge of Novi, LLC, to eliminate the pedestrian sidewalk connecting Phase II of Terra subdivision to the ITC Trail**

We are both recent retirees building our forever home in the Terra subdivision. We are very excited and eagerly await moving into our new home within the next few months.

Much of our time is spent with our two grandkids, Aria who is 4 years of age and Cairo who is 7. Having a place where our grandkids can play without excessive traffic or activity is very meaningful to us. That's one reason the gated community in Terra and the associated lack of heavy car/foot traffic was very appealing to us.

We feel that the pedestrian sidewalk would sharply increase the amount of foot and bike traffic through our subdivision thereby affecting the peace and tranquility we seek for ourselves and our grandkids.

Therefore, we support the request by Cambridge to eliminate the pedestrian sidewalk connection referenced above.

Yours respectfully,

Kevin and Denise

---





**DR. ANN AND DR. DAVID RICHARDS**  
49460 VILLA DRIVE  
NOVI, MI 48374-1908



TELEPHONE: (248) 766-4853

TELEPHONE: (734) 604-6418

E-MAIL: [email@AnnRichards.net](mailto:email@AnnRichards.net)

E-MAIL: [email@DaveRichards.net](mailto:email@DaveRichards.net)

June 23, 2022

City of Novi  
Mayor, Bob Gatt  
Planning Commission Chairperson, Mark Pehrson

As the homeowners of Lot 23 in Phase I of the Terra Subdivision, and having been made aware of the proposed elimination of the pedestrian connection sidewalk from Phase II of Terra to the ITC Trail, we concur with and support the request of Cambridge of Novi, LLC to do so.

Terra already has a sidewalk connecting our subdivision to the 'Trail' at our entrance. Thus, it is our opinion that a second connection, from the cul-de-sac (in Phase II) to the ITC Trail, is really not necessary. Furthermore, having an additional sidewalk connection there in the Phase II section would likely encourage walkers, joggers and cyclists to enter and tour our neighborhood on a much more constant basis.

Finally, having the landscape berm raised higher at the location of (and in lieu of) the proposed sidewalk connection there would likely help to shield the transmission towers and power lines from such prominent view within our neighborhood.

Thank you for your consideration,

Ann C. Richards

David L. Richards

# Terra ITC trail connection



John Bebes <John.Bebes@plantemoran.com>

Today, 10:37 AM

Sheldon Rott ✓

↩ Reply ▼

Inbox

Flag for follow up. Start by Saturday, June 25, 2022. Due by Saturday, June 25, 2022.



Action Items



Sheldon –

I would appreciate if you would please forward the following email to the Mayor and Chairperson of the Planning Commission for the City of Novi.

Thanks for the assistance.

To: Mr. Bob Gatt, Mayor and Mr. Mark Pehrson, Planning Commission Chairperson

Gentlemen –

My wife and I are excited with our upcoming move into our new residence in Terra and becoming a part of the City of Novi community.

We support the request of Cambridge of Novi, LLC to eliminate the pedestrian connection sidewalk from Phase II of Terra to the ITC Trail. Our reasons for the support are as follows:

1. Raising the berm at the proposed sidewalk would help reduce the impact of the transmission towers and power lines above.
2. The sidewalk may encourage additional non-resident walkers and bike riders to tour our community on a consistent basis and reduce the level of desired privacy of our neighborhood. Additionally, these individuals already have the ability to enter Terra via the main entrance.
3. Terra already has a sidewalk connecting us to the ITC Trail at our main entrance. A second connection does not seem necessary.

Thank you for your consideration –

John and Marina Bebes, 49465 Villa Drive, Novi, MI 48375

---

This email, including any attachments, may contain confidential information and is intended solely for use by the

## ITC path connector to Terra subdivision



DIANE DENNY <ddenny1234@comcast.net>

Yesterday, 8:18 AM

Sheldon Rott; Andy Denny <dennyal@comcast.net> ▾

↩ Reply ▾

Inbox

Flag for follow up. Start by Friday, June 24, 2022. Due by Friday, June 24, 2022.

To Whom It May Concern

We feel the walkway in front of the subdivision serves as an adequate pathway to access the ITC pathway and a second connector is not required

The proposed second path going thru the berm is redundant and takes away from the beauty of the subdivision

The berm also serves as a barrier to hide the eyesore of the power lines

---

Andy and Diane Denny  
49484 Villa Drive  
Novi MI 48374



Mayor, Bob Gatt

Planning Commission Chairperson, Mark Pehrson

I (we) support the request of Cambridge of Novi, LLC to eliminate the pedestrian connection sidewalk from Phase II of Terra to the ITC Trail. Our reasons for the request are stated below:

1. Raising the berm at the proposed sidewalk would help reduce the impact of the transmission towers and power lines above.
2. The sidewalk would encourage walkers and bike riders to tour our community on a constant basis.
3. Terra already has a sidewalk connecting us to the Trail at our entrance. A second connection is not necessary.

Thank you for your consideration,

NAME (s): Carleen Lunsford

TERRA ADDRESS: 49472 Villa Drive

6/22/2022

Mayor Bob Gatt

Planning Commission Chairperson, Mark Pehrson

We are in favor of eliminating the access point from the ITC Trail to Phase 2 of the Terra Development. We believe that allowing for this access to remain will result in excessive bike and walker traffic that will negatively impact our neighborhood. Since we have lived in Terra for over one year, we have a good understanding of the traffic flow.

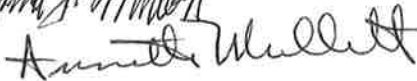
The existing access point through the main gate is sufficient to accommodate any Terra residents or other nonresidents who need to enter or exit the subdivision. We believe that this approach will allow for maximum enjoyment of the area for all parties involved.

We appreciate your flexibility and attention to this matter.

David Mullett



Annette Mullett



49438 Villa Drive

## HIB - Sidewalks



Jean Lewis <jean@hibassociates.com>

Today, 12:21 PM

Sheldon Rott ✓

↩ Reply ▼

Inbox



Action Items



Hi Sheldon,

This email is verification that we (Howard and Jean Bleiwas) support the request of Cambridge of Novi, LLC to eliminate the pedestrian connection sidewalk from Phase II of Terra to the ITC Trail. Since we have moved into the sub (April 2022) we have seen an increase in traffic from walkers and individuals on bicycles. One of the main reasons we chose a gated community was to avoid unnecessary traffic (auto and pedestrian traffic) within the subdivision.

We request that you please pass our email along to the Novi Planning Commission for their consideration.

Thank you for your assistance with this matter.  
Warmest Regards,

Howard and Jean Bleiwas  
49599 Villa Drive (Lot 6)  
Novi, MI 48374

**Howard I. Bleiwas and Associates, CPA, PLLC**



**39500 High Pointe Blvd., Suite 145  
Novi, MI 48375  
Ph: 248-380-1811 Fax: 248-380-1816  
[www.hibassociates.com](http://www.hibassociates.com)**



IRS Circular 230 Disclosure: Any U.S. federal tax advice contained in this communication (including any attachments) was neither written nor intended by the sender to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another person any tax related matter.



The name and "signature block" of Howard Bleiwas and Associates and/or its staff in this electronic communication shall not be construed as the signature of the office or of any individual, unless that intention is clearly stated in the text of the communication.

This email contains information from Howard Bleiwas and Associates, which is confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(ies) to which the email is addressed. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this email in error, please notify us by telephone immediately at (248) 380-1811, return the email to the sender, and delete the email from your system (including from your trash).

To Mayor Bob Gatt and Planning Commission Chairperson Mark Pehrson,

I am writing you asking that the sidewalk directly connecting Phase 2 to the ITC trail in Terra be eliminated. As residents of Terra, we already have access to the ITC trail at the front entrance. This is a gated community and I feel that it is not appropriate to have open access for others not living there to access so openly.

Thank you for your consideration,

Amber DesJardin

A handwritten signature in black ink, appearing to read "Amber DesJardin". The signature is fluid and cursive, with the first name "Amber" written in a smaller, more compact script than the last name "DesJardin".

49362 Villa Court, Novi MI 48374

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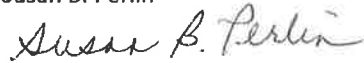
Mayor, Bob Gatt  
Planning Commission Chairperson, Mark Peirson

We support the request of Cambridge of Novi, LLC to eliminate the pedestrian connection sidewalk from Phase II of Terra to the ITC Trail. Our reasons for the request are stated below:

1. Raising the berm at the proposed sidewalk would help reduce the impact of the transmission towers and power lines above.
2. The sidewalk would encourage walkers and bike riders to tour our community on a constant basis.
3. Terra already has a sidewalk connecting us to the Trail at our entrance. A second connection is not necessary.

Thank you for your consideration.

Susan B. Perlin



Lawrence E. Perlin



49575 Villa Drive



June 24, 2022

Mayor, Bob Gatt  
Planning Commission Chairperson, Mark Pehrson

We strongly support Cambridge of Novi, LLC's request to eliminate the pedestrian connection sidewalk from Terra Community's Phase II to the ITC trail.

We have made a significant investment in the City of Novi and in the new Terra community. Key points that drove our decision to purchase and build a custom home in Terra were the added security and safety of the small community size, the dead-end roads, and the gated entrance. These important features greatly reduce car, foot, and bicycle traffic.

The extra pedestrian connection sidewalk in Phase II is also misleading to ITC trail users, potentially leading them into the Terra community instead of continuing on the ITC trail.

At the gated entrance, there is a sidewalk connecting Terra to the ITC trail, so Terra Community homeowners can easily access the ITC Trail in both directions. The second connection in Phase II is redundant and not necessary.

We are also in agreement with raising the berm to help block the transmission towers and powerlines from view.

Thank you for your consideration in eliminating the pedestrian sidewalk from Phase II of Terra to the ITC trail.

Sincerely,



Thomas Busard



Diane Busard

Terra Community address:  
Lot 19  
49506 Villa Drive

**ORIGINAL PRO AGREEMENT**

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RECEIVED  
OAKLAND COUNTY  
REGISTER OF DEEDS

2019 MAR 22 AM 10:23

39787  
LIBER 52674 PAGE 562  
\$26.00 MISC RECORDING  
CITY OF NOVI REZONEMENTATION  
03/28/2019 01:58:55 P.M. RECEIPT# 29975  
PAID RECORDED - OAKLAND COUNTY  
2019 APR 19 A 11:36  
LISA BROWN, CLERK/REGISTER OF DEEDS

**PLANNED REZONING OVERLAY (PRO) AGREEMENT**  
**TERRA**

**AGREEMENT**, by and among **CAMBRIDGE OF NOVI, LLC**, a Michigan limited liability company whose address is 47765 Bellagio Dr., Northville, MI 48167 (referred to as "**Developer**"); and the **CITY OF NOVI**, 45175 Ten Mile Road, Novi, MI 48375-3024 ("**City**").

**RECITATIONS:**

- I. Developer is the owner and developer of the vacant 50.61 acre property located on the east side of Napier Road and north side of Nine Mile Road, herein known as the "Land" described on **Exhibit A**, attached and incorporated herein.
- II. For purposes of improving and using the Land for a 41-unit residential subdivision at a maximum net density of 1.08 dwelling units per acre, to allow for development with smaller and narrower lots, and a slightly higher density than is permitted in the R-A Classification, Developer petitioned the City for an amendment of the Zoning Ordinance, as amended, so as to reclassify the Land from RA (Residential Acreage) to R-1 (One-Family Residential). The R-A classification shall be referred to as the "**Existing classification**" and R-1 shall be referred to as the "**Proposed Classification**."
- III. The Proposed Classification would provide the Developer with certain material development options not available under the Existing Classification, and would be a distinct and material benefit and advantage to the Developer.
- IV. The City has reviewed and approved the Developer's proposed petition to amend the zoning district classification of the Land from the Existing Classification to the Proposed Classification under the terms of the Planned Rezoning Overlay (PRO) provisions of the City's Zoning Ordinance; has reviewed the Developer's proposed PRO Plan (including building façade, elevations, and design) attached hereto and incorporated herein as **Exhibit B** (the "PRO Plan"), which is a conceptual or illustrative plan for the potential development of the Land under the Proposed Classification, and not an approval to construct the proposed improvements as shown; and has further reviewed the proposed PRO conditions offered or accepted by the Developer and has determined that, the proposed conditions constitute an overall public benefit that outweighs the deviations, and that if the deviations were not granted, the denial would prohibit an enhancement of the development that would be in the public interest, and that approving the deviations would be consistent with the City Master Plan and compatible with the surrounding area

32P

OK-AB

V. In proposing the Proposed Classification to the City, Developer has expressed as a firm and unalterable intent that Developer will develop and use the Land in conformance with the following undertakings by Developer, as well as the following forbearances by the Developer (each and every one of such undertakings and forbearances shall together be referred to as the "Undertakings"):

- A. Developer shall develop and use the Land solely for a residential subdivision not to exceed 41 units, at a maximum density of 1.08 dwelling units per acre, to the extent permitted under the Proposed Classification (the "Development"). Units may be combined thereby reducing the overall units permitted to less than 41-units provided that the homes proposed within the combined units are still in scale with the remaining homes and meet with the requirements of applicable City ordinances and the PRO Plan. The Development shall be constructed in two (2) phases in accordance with the Phasing Lines as contained on Exhibit B. Developer shall forbear from developing and/or using the Land in any manner other than as authorized and/or limited by this Agreement.

Developer shall develop the Land in accordance with all applicable laws and regulations, and with all applicable ordinances, including all applicable setback requirements of the Zoning Ordinance as relates to the Proposed Classification, except as expressly authorized herein. The PRO Plan is acknowledged by both the City and Developer to be a conceptual plan for the purpose of depicting the general area contemplated for development. Some deviations from the provisions of the City's ordinances, rules, or regulations are depicted in the PRO Plan are approved by virtue of this Agreement; however, except as to such specific deviations enumerated herein, the Developer's right to develop the 41-unit residential subdivision under the requirements of the Proposed Classification shall be subject to and in accordance with all applications, reviews, approvals, permits, and authorizations required under applicable laws, ordinances, and regulations, including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, façade approval, landscape approval, and engineering plan approval, except as expressly provided in this Agreement. Architectural standards shall be as set forth by the Developer in the Master Deed and Bylaws for the Development, and shall be subject to and in accordance with all applicable laws and ordinances; provided, however, that the architectural elevation and facades of the buildings as shown on the plans shall be the minimum standard; any deviations shall result in an equivalent or better products, as determined by the City's façade consultant.

- B. In addition to any other ordinance requirements, Developer shall comply with all applicable ordinances for storm water and soil erosion requirements and measures throughout the site during the design and construction phases, and subsequent use, of the development contemplated in the Proposed Classification.



C. The following PRO Conditions shall apply to the Land and/or be undertaken by Developer:

1. Owner/Developer shall provide the following Public Improvements in connection with the development of the Land:

- a. Developer shall donate fee title, in the form of a Warranty Deed, to approximately 20.22 acres of land, as shown in the Concept Plan (the "Park Land"), to Novi for existing park system on or before March 20, 2019. The donation is for the purpose of expanding City parkland in the area of the Development. The Park Land will connect two additional parcels of City parkland. The City shall be permitted to make minor improvements in the area to propose a trail or accessory uses for a trail, and shall be permitted to combine the Park Land with adjacent City park land into a single unified parcel.
- b. Developer shall construct an approximate .18 acre comfort station area for the ITC Trailhead in accordance with the drawings, attached and incorporated as Exhibit C (the "Comfort Station Improvements"). The Comfort Station shall include, but shall not be limited to parking spaces, a bike repair station and a picnic shelter, as set forth in Exhibit C. The Comfort Station will be constructed with Phase 1 of the Development, and shall be completed no later than six-months from the substantial completion of the ITC Trail adjacent to the subject property. . The Comfort Station shall be conveyed to the City for public ownership, operation, use and maintenance upon completion of the Comfort Station Improvements within 60 days of the completion and inspection of the improvements for consistency with the approved site plan.
- c. Developer shall contribute to the construction of a portion of the ITC Trail along the north side of Nine Mile Road, in the amount of \$43,834.22, in order to provide for use by and in connection with the Development, as shown in the plans attached and incorporate as Exhibit D. The pathway shall comply with City design and construction standards, with minor modifications to be approved administratively, i.e. to modify the alignment for preservation of existing landscaping trees. Dedication of the Nine Mile Road Right of Way along the entire length of the subject property shall be completed on or before March 20, 2019.
- d. In the event that the Michigan Department of Environmental Quality or any governmental agency requires Developer to provide a compensating cut for the purpose of creating additional floodplain for the Development, the City shall permit the Developer to create the compensating cut, at Developer's own expense, not to exceed 8,000 square feet in size, in a location mutually agreeable to the Developer and the City, including but not limited to locations within the Park Land described, generally, as N/W of the N/W detention basin and the

wetland, or, alternatively, an area behind units 12-14. In the event that the compensating cut requires additional tree removal, Developer shall be subject to the applicable woodland replacement standards as set forth the City's Woodland Ordinance.

2. The development shall be limited to a density of 1.08 dwelling units per acre with a maximum of 41 units as indicated on the PRO concept plan.
3. The proposed unit boundary, as shown on the approved final Concept Plan (sheet 02), ("Unit Boundary"), shall be considered the maximum allowable footprint. Any accessory uses including but not limited to, fire pits, fire places, hot tubs, pools, patios, sidewalks, landscaping walls, landscaping fences, decks and gardens may be included within the Unit Boundary as shown on the approved final site plan or within the rear yard area ("Accessory Unit Boundary"), which is the area beginning at the rear Unit Boundary and is within the side lines of the Unit Boundary, and extending twenty-five (25) to the rear, as shown on the approved final Concept Plan. Sidewalks and small gardens with no permanent structures may be proposed within the side yards subject to limitations set forth in the Master Deed.

No more than two (2) regulated woodland trees may be removed from the Accessory Unit Boundary to accommodate the construction or installation of any pool, or other accessory use. Removal of trees shall be subject to mitigation measures listed in all applicable ordinances. Additionally, no accessory uses shall be constructed within the regulated Wetland or Wetland Buffers shown in the approved Concept Plan. All accessory uses shall be constructed in accordance will applicable ordinances, laws and regulations.

Limitations on the construction of accessory uses, as set forth herein, shall be included within the Master Deed for the Development and shall be delineated on the Exhibit B, Condominium Subdivision Plan.

4. A minimum of 15 feet shall be maintained between two buildings.
5. A minimum of 30 feet shall be provided between the front façade of each home as measured from the back of the curb.
6. The applicant will work with staff to identify a proper location to connect to ITC trail, beyond the subject property line.
7. Except to the extent that limited clearing is authorized in accordance with an approved Preliminary Site Plan, and all applicable ordinances and regulations, including, but not limited to Section 6.1.4.F of the Zoning Ordinance, within the City's reasonable discretion, and a Hold Harmless Agreement acceptable to the City's Attorney is provided, Construction of

the Development shall not be permitted to begin prior to completion of the City's Nine Mile sanitary sewer extension project, , or alternately, subject to and in accordance with a plan for completion of alternate sanitary sewage disposal facilities, by Developer, at its own expense, which plan shall be reviewed and approved by the City's Engineering Division in accordance with the standards and procedures set forth by City ordinance.

8. Grading requirements for development shall be superseded based on the character of Nine Mile Road.
9. Retention pond shall be completely screened for safety on all four sides and above the typical standards, as determined at the time of Preliminary Site Plan.
10. The City shall confirm that the proposed trailhead agreement will not negate already existing agreements.
11. The portion of asphalt paving on Nine Mile Road shall be constructed in a manner to reduce or eliminate issues of the interface between gravel and asphalt, to be reviewed and approved by City Engineer at the time of Preliminary Site Plan review.
12. The applicant shall conform to Woodland Ordinance requirements at the time of Preliminary Site Plan and Woodland permit review.
13. Minor modifications to the approved Planned Rezoning Overlay Concept Plan (PRO) can be approved administratively, upon determination by the City Planner, that the modifications are minor, do not deviate from the general intent of the approved PRO Concept plan and result in reduced impacts on the surrounding development and existing infrastructure.
14. Developer shall comply with all conditions listed in the staff and consultant review letters.

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

1. Upon the Proposed Classification becoming final following entry into this Agreement:
  - a. The Undertakings shall be carried out by Developer on and for the Land;
  - b. Developer shall act in conformance with the Undertakings;
  - c. The Developer shall forbear from acting in a manner inconsistent with the Undertakings; and
  - d. The Developer shall commence and complete all actions necessary to carry out all of the PRO Conditions.

2. The following deviations from the standards of the zoning ordinance are hereby authorized pursuant to §3402.D.1.c of the City's zoning ordinance.
  - a. Planning Deviation from Sec. 3.1.2 of Zoning Ordinance for reduction of the minimum lot size, setbacks, minimum lot frontage and minimum site acreage as shown on the proposed concept plan provided that:
    - i. The proposed unit boundary shown on the concept plan (sheet 02) shall be considered the maximum allowable footprint. Any accessory uses shall be completed in accordance with paragraph V, 1, A, 3.
    - ii. A minimum of 15 feet shall be maintained between two buildings.
    - iii. A minimum of 30 feet shall be provided between the front façade and the back of the curb.
    - iv. Rear setbacks shall be as shown on the Concept Plan, based on the proposed boundary line of land to be donated to the City.
  - b. Façade deviation from Sec 3.7, similar dissimilar ordinance, to replace internal calculation of square footage to a 2200 square foot minimum requirement for this development;
  - c. Landscape deviation from Sec. 5.5.3.B.ii and iii of Zoning Ordinance for lack of berms along the westerly Nine Mile Road frontage and portions of the easterly frontage, due to existing natural features;
  - d. Engineering deviation from Sec. 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet intervals along the property boundary to provide connection to the adjacent property boundary, due to conflict with existing wetlands;
  - e. Engineering deviation from Chapter 7.4.2.c(1) of Engineering Design manual for reducing the distance between the outside edge of the sidewalk and back of the curb: 15 feet required, 10 feet proposed;
  - f. Engineering deviation for absence of sidewalk along a portion of Villa Drive;
  - g. Engineering deviation for absence of curb and gutter for parking lot and driveway for the proposed comfort station from Sec. 11-239(b)(1),(2)of Novi City Code;
  - h. Traffic deviation for not conforming to minimum required standards as indicated in Figure IX.5 of the City's Code of Ordinances for residential driveway, provided the applicant works with staff to minimize the number of driveways that deviate from the standard at the time of Preliminary Site Plan;
  - i. Traffic deviation from Figure VIII-A in the City Code of Ordinances, for not providing the minimum width for local residential road for Villa Drive , the stretch from the entrance gates to the first intersection (28 feet required, 24 feet provided).



- j. Traffic deviation from Section 7.4.2.c (1) of Engineering Design Manual for not meeting the maximum distance between sidewalk and Right of Way line along Nine Mile. A maximum of 1 foot is required for a small portion where it conflicts with existing wetland area;
  - k. Deviation to allow alternate locations for street tree plantings to avoid conflict with the utility layout along the internal roads;
  - l. Deviation for the location of accessory structures in an alternate location within the common area, as approved by the Planning Commission in accordance with the Preliminary Site Plan in order to allow the use of free standing solar panels as shown on the Revised Concept Plan to provide power to the access gate and outside lighting.
  - m. A traffic deviation for not meeting the minimum required horizontal curve radii for the proposed streets; and
  - n. A landscape deviation for absence of minimum required street trees and green belt trees in areas where there is a conflict with existing natural features;
3. In the event Developer attempts to or proceeds with actions to complete improvement of the Land in any manner other than as 41-unit residential subdivision, as shown on **Exhibit B**, the City shall be authorized to revoke all outstanding building permits and certificates of occupancy issued for such building and use.
4. Developer acknowledges and agrees that the City has not required the Undertakings. The Undertakings have been voluntarily offered by Developer in order to provide an enhanced use and value of the Land, to protect the public safety and welfare, and to induce the City to rezone the Land to the Proposed Classification so as to provide material advantages and development options for the Developer.
5. All of the Undertakings represent actions, improvements, and/or forbearances that are directly beneficial to the Land and/or to the development of and/or marketing of a 41-unit residential subdivision on the Land. The burden of the Undertakings on the Developer is roughly proportionate to the burdens being created by the development, and to the benefit which will accrue to the Land as a result of the requirements represented in the Undertakings.
6. In addition to the provisions in Paragraph 2, above, in the event the Developer, or its respective successors, assigns, and/or transferees proceed with a proposal for, or other pursuit of, development of the Land in a manner which is in material violation of the Undertakings, the City shall, following notice and a reasonable opportunity to cure, have the right and option to take action using the procedure prescribed by law for the amendment of the Master Plan and Zoning Ordinance applicable to the Land to amend the Master Plan and zoning classifications of the Land to a reasonable classification determined appropriate by the City, and neither the Developer nor its respective successors, assigns, and/or transferees, shall have any vested rights in the Proposed Classification and/or use of the Land as permitted under the Proposed Classification, and Developer shall be estopped from

objecting to the rezoning and reclassification to such reasonable classifications based upon the argument that such action represents a “downzoning” or based upon any other argument relating to the approval of the Proposed Classification and use of the Land; provided, this provision shall not preclude Developer from otherwise challenging the reasonableness of such rezoning as applied to the Land.

7. By execution of this Agreement, Developer acknowledges that it has acted in consideration of the City approving the Proposed Classification on the Land, and Developer agrees to be bound by the provisions of this Agreement.
8. After consulting with an attorney, the Developer understands and agrees that this Agreement is authorized by and consistent with all applicable state and federal laws and Constitutions, that the terms of this Agreement are reasonable, that it shall be estopped from taking a contrary position in the future, and, that the City shall be entitled to injunctive relief to prohibit any actions by the Developer inconsistent with the terms of this Agreement.
9. This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees, and an affidavit providing notice of this Agreement may be recorded by either party with the office of the Oakland County Register of Deeds.
10. Except with respect to appeals from the applicable standards of the City’s Sign Ordinance, the Zoning Board of Appeals (ZBA) shall have no jurisdiction over the Property or the application of this Agreement until after site plan approval and construction of the development as approved therein.
11. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement shall be taken and construed as cumulative, that is, in addition to every other remedy provided by law.
12. This Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. Any and all suits for any and every breach of this Agreement may be instituted and maintained in any court of competent jurisdiction in the County of Oakland, State of Michigan.
13. This Agreement may be signed in counterparts.

{Signatures begin on following page}

DEVELOPER

CAMBRIDGE OF NOVI, LLC, a Michigan limited liability company

By:   
Mark F. Guidobono Its: Member  
Rick Corrent, project manager


STATE OF MICHIGAN )

) ss

COUNTY OF OAKLAND )

On this 1 day of March, ~~2018~~ <sup>2019</sup>, before me appeared ~~Mark F. Guidobono,~~ <sup>Rick Corrent</sup> ~~Member of Cambridge of Novi, LLC~~ who states that he has signed this document of his own free will duly authorized on behalf of the Fee Developer.

KATHERINE OPPERMANN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Sep 5, 2024  
ACTING IN COUNTY OF Oakland

  
Katherine Oppermann, Notary Public  
Oakland County  
Acting in \_\_\_\_\_ County  
My commission expires: Sept 5, 2024

CITY OF NOVI

By:

Robert J. Gatt  
Robert J. Gatt, Mayor

By:

Cortney Hanson  
Cortney Hanson, Clerk

STATE OF MICHIGAN )

) ss

COUNTY OF OAKLAND )

On this 4<sup>th</sup> day of MARCH, ~~2018~~ <sup>2019</sup>, before me appeared Mayor Robert J. Gatt and Cortney Hanson, who stated that they had signed this document of their own free will on behalf of the City of Novi in their respective official capacities, as stated above.

X Clerk

Marilyn S. Troutman  
\_\_\_\_\_  
, Notary Public

County

Acting in \_\_\_\_\_ County

My commission expires:

Drafted by:

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

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

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



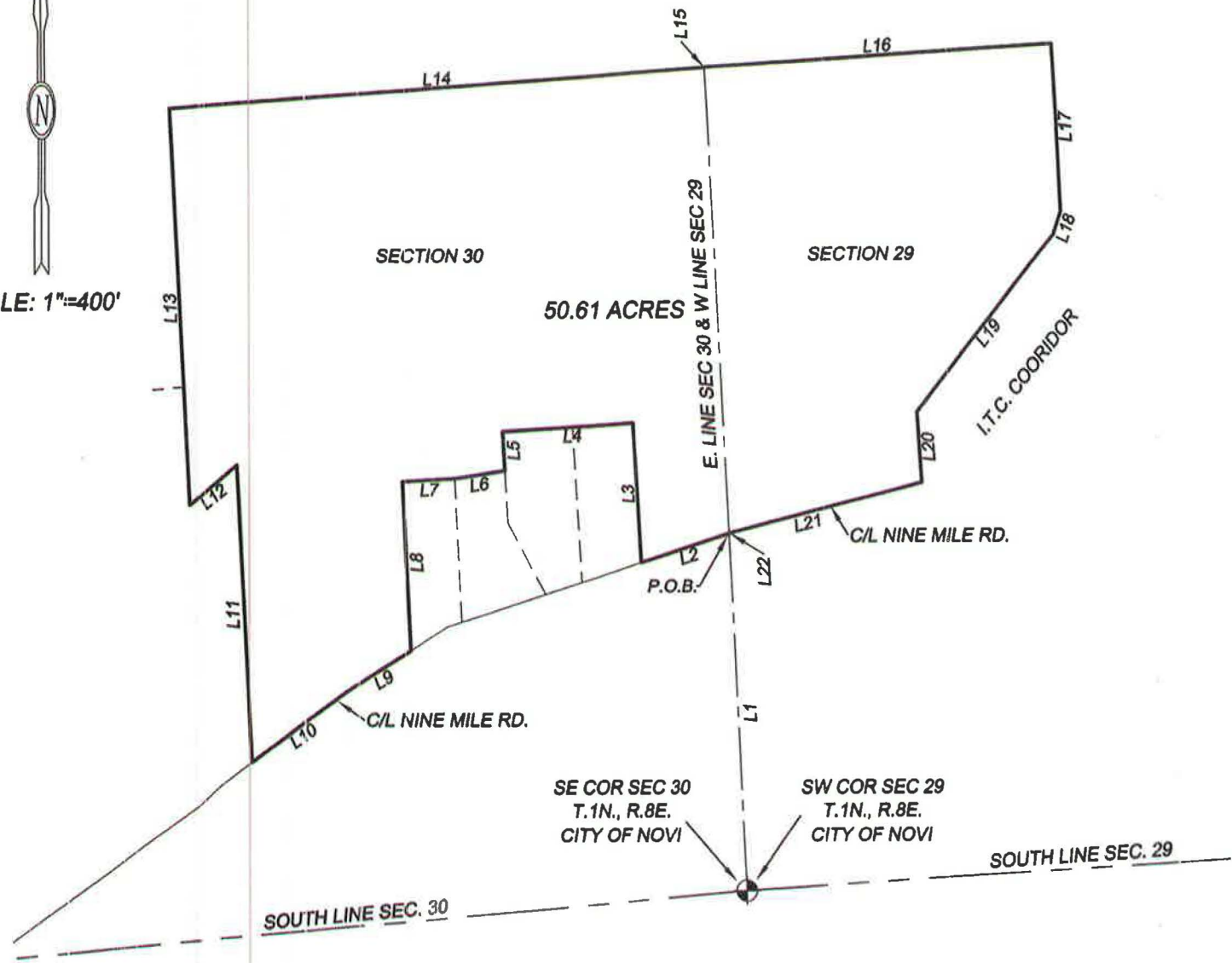
**Exhibit A**

Land

# EXHIBIT "A"



SCALE: 1"=400'



| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 856.10 | N02°55'33"W |
| L2   | 225.47 | S72°10'25"W |
| L3   | 338.57 | N03°29'24"W |
| L4   | 324.26 | S86°30'35"W |
| L5   | 94.19  | S03°29'25"E |
| L6   | 123.77 | S81°07'19"W |
| L7   | 126.82 | S87°09'55"W |
| L8   | 410.12 | S02°48'50"E |
| L9   | 181.85 | S57°34'11"W |
| L10  | 288.11 | S53°31'53"W |
| L11  | 718.50 | N02°57'55"W |
| L12  | 152.36 | S50°15'11"W |

| LINE | LENGTH  | BEARING     |
|------|---------|-------------|
| L13  | 953.24  | N02°57'42"W |
| L14  | 1317.06 | N85°45'28"E |
| L15  | 0.79    | N02°55'33"W |
| L16  | 851.95  | N86°30'23"E |
| L17  | 400.57  | S03°01'41"E |
| L18  | 59.92   | S18°05'04"W |
| L19  | 540.46  | S38°22'03"W |
| L20  | 169.15  | S03°49'56"E |
| L21  | 487.26  | S75°23'04"W |
| L22  | 1.18    | S02°55'33"E |



*Joseph C. Kapelczak*

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Scale:  
1"=400'  
Date:  
2/27/19  
Job No.:  
10522  
Sht. No.:  
1 OF 2

## TERRA

PART OF THE SE 1/4 SEC 30 &  
PART OF THE SW 1/4 SEC 29  
T.1N., R.8E., CITY OF NOVI, OAKLAND CO., MI.

## EXHIBIT "A" TO THE PRO AGREEMENT



8615 RICHARDSON ROAD  
COMMERCE TWP., MI. 48390  
PHONE: 248-363-2550  
FAX: 248-363-1646

# EXHIBIT "A"

## DESCRIPTION

PART OF THE SOUTHEAST 1/4 OF SECTION 30 AND PART OF THE SOUTHWEST 1/4 OF SECTION 29, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE C/L OF NINE MILE ROAD AND THE WEST LINE OF SECTION 30, ALSO BEING THE EAST LINE OF SECTION 29, SAID INTERSECTION BEING N 02°55'33" W, 856.10 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE S 72°10'25" W ALONG THE C/L OF NINE MILE ROAD, 225.47 FEET; THENCE N 03°29'24" W, 338.57 FEET; THENCE S 86°30'35" W, 324.26 FEET; THENCE S 03°29'25" E, 94.19 FEET; THENCE S 81°07'19" W, 123.77 FEET; THENCE S 87°09'55" W, 126.82 FEET; THENCE S 02°48'50" E, 410.12 FEET TO THE C/L OF NINE MILE ROAD; THENCE S 57°34'11" W ALONG THE C/L OF NINE MILE ROAD 181.85 FEET; THENCE S 53°31'53" W ALONG THE C/L OF NINE MILE ROAD, 288.11 FEET; THENCE N 02°57'55" W, 718.50 FEET; THENCE S 50°15'11" W, 152.36 FEET; THENCE N 02°57'42" W, 953.24 FEET; THENCE N 85°45'28" E, 1317.06 FEET TO THE WEST LINE OF SECTION 30, ALSO BEING THE EAST LINE OF SECTION 29; THENCE N 02°55'33" W ALONG SAID SECTION LINE 0.79 FEET; THENCE N 86°30'23" E, 851.95 FEET; THENCE S 03°01'41" E, 400.57 FEET; THENCE S 18°05'04" W, 59.92 FEET; THENCE S 38°22'03" W, 540.46 FEET; THENCE S 03°49'56" E, 169.15 FEET TO THE C/L OF NINE MILE ROAD; THENCE S 75°23'04" W ALONG THE C/L OF NINE MILE ROAD, 487.26 FEET TO THE WEST LINE OF SECTION 30, ALSO BEING THE EAST LINE OF SECTION 29, THENCE S 02°55'33" E ALONG SAID SECTION LINE 1.18 FEET TO THE POINT OF BEGINNING. CONTAINING 50.61 ACRES AND SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

22-30-401-025  
- 026 } SE 1/4 Sec. 30.

22-29-326-039  
- 040  
- 041 } SW 1/4 Sec. 29



*Joseph C. Kapelczak*

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Scale:

1"=400'

Date:

2/27/19

Job No.:

10522

Pl. No.:

20P2

TERRA

PART OF THE SE 1/4 SEC 30 &  
PART OF THE SW 1/4 SEC: 29  
T.1N.,R.8E., CITY OF NOVI, OAKLAND CO., MI.

EXHIBIT "A" TO THE  
PRO AGREEMENT



8615 RICHARDSON ROAD  
COMMERCE TWP., MI. 48390  
PHONE: 248-363-2550  
FAX: 248-363-1646

**Exhibit B**

**PRO Plan**

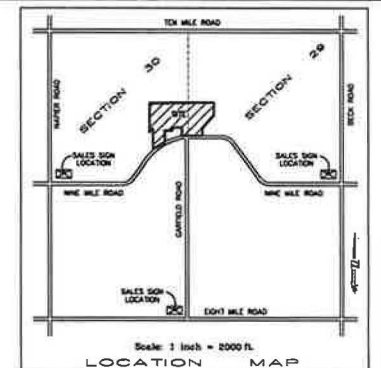


PLANNED REZONING OVERLAY (PRO) PLAN

**VILLA D'ESTE**

SECTION 29/30, TOWN 1 NORTH, RANGE 8 EAST,  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

PREPARED FOR:  
**CAMBRIDGE COMPANIES**  
47765 BELLAGIO DR.  
NORTHVILLE, MICHIGAN 48167  
PHONE: 248.248.3800



**LEGAL DESCRIPTION**  
PART OF THE UNDIVIDED 1/4 OF SECTION 30 AND THE SOUTHWEST 1/4 OF SECTION 29, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT A POINT LOCATED 167.75 FEET WEST AND 100 FEET NORTH OF THE INTERSECTION OF THE EAST LINE OF SECTION 30 AND THE SOUTH LINE OF SECTION 29 AND CONTINUING AS FOLLOWS: THE APPARENT CENTER LINE OF 8 MILE ROAD 400 FEET WEST AND ALONG SAID CENTER LINE NORTHERLY 88.35 FEET AND ALONG SAID CENTER LINE N63°30'11.50" E 35.50 FEET FROM THE SOUTH-WEST CORNER OF SECTION 30 THENCE N63°30'11.50" E 125.00 FEET THENCE S63°30'11.50" E 125.00 FEET TO THE EAST LINE OF EVERGREEN ESTATES CONDOMINIUM PLAN NO. 188 AS RECORDED IN LIVER TRUST INSTRUMENT THROUGH THE OAKLAND COUNTY REGISTER. THENCE CONTINUING ALONG THE EAST LINE OF EVERGREEN ESTATES N63°30'11.50" E 225.00 FEET TO THE NORTHEAST CORNER OF EVERGREEN ESTATES. THENCE N63°30'11.50" E 65.00 FEET THENCE N63°30'11.50" E 111.00 FEET TO THE EAST LINE OF SECTION 30 ALSO BEING THE WEST LINE OF SECTION 29 THENCE ALONG SAID LINE S82°33'07.00" W 74.50 FEET THENCE N63°30'11.50" E TO THE WEST LINE OF THE INTERNATIONAL TRANSMISSION COMPANY CONDUIT. THENCE ALONG THE WESTERN SIDE OF THE INTERNATIONAL TRANSMISSION COMPANY CONDUIT FOR THE FOLLOWING COURSE: S01°14'45" W 60.00 FEET AND S 81°54'50" W 90.00 FEET AND S02°23'30" W 363.00 FEET AND S02°43'00" W 105.00 FEET TO THE NORTH CENTER LINE OF 8 MILE ROAD. THENCE N63°30'11.50" E 18.00 FEET TO THE NORTH CENTER LINE OF 8 MILE ROAD. THENCE ALONG SAID CENTER LINE S 71°23'50" W 487.00 FEET TO THE WEST LINE OF SECTION 29. THENCE ALONG THE WEST LINE OF SECTION 29 TO THE WEST LINE OF SECTION 30. THENCE S01°14'45" W 18.00 FEET TO THE WEST LINE OF SECTION 30. THENCE S01°14'45" W 18.00 FEET TO THE WEST LINE OF SECTION 29. THENCE ALONG THE WEST LINE OF SECTION 29 TO THE WEST LINE OF SECTION 30. THENCE S01°14'45" W 18.00 FEET TO THE WEST LINE OF SECTION 29. THENCE ALONG SAID CENTER LINE S01°14'45" W 18.00 FEET TO THE POINT OF BEGINNING CONTAINING 50.00 ACRES AND SUBJECT TO THE RIGHTS OF THE PUBLIC ON 8 MILE ROAD.

**SITE BENCHMARKS**  
CITY OF NOVI BM #3041  
962.14  
NORTH FLANGE BOLT ON FIRE HYDRANT LOCATED 160 FEET SOUTHWEST OF INTERSECTION OF EVERGREEN ESTATES AND 8 MILE ROAD.  
CITY OF NOVI BM #3042  
963.43  
SANITARY MANHOLE LOCATED IN FRONT ON WEST SIDE OF #48750 8 MILE ROAD.  
CITY OF NOVI BM #3043  
FOUND CUT BOX ON THE WEST END OF A CONCRETE HEADWALL OVER A NORTH TO SOUTH FLOWING DRAIN AT THE INTERSECTIONS OF 8 MILE AND GARFIELD.

WOODLAND PLANS PREPARED BY: ALLEN DESIGN, LLC LANDSCAPE ARCHITECTURE 557 CARPENTER NORTHVILLE, MICHIGAN 48167 PHONE: 248.467.4668

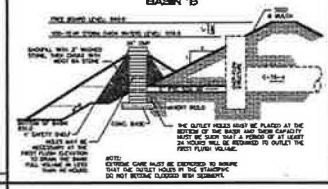
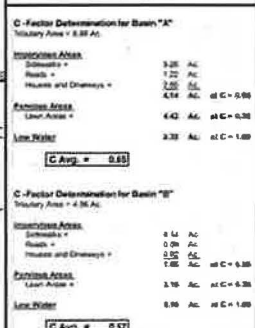
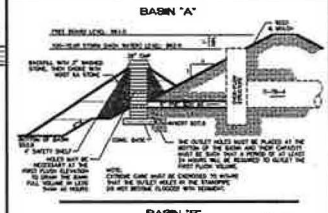
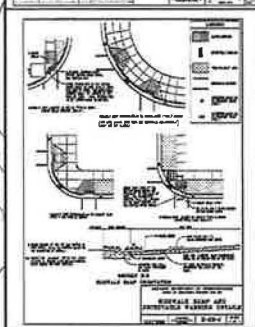
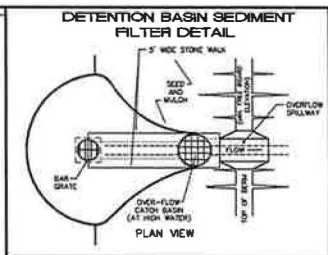
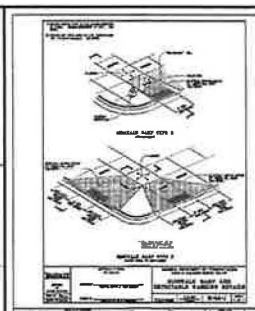
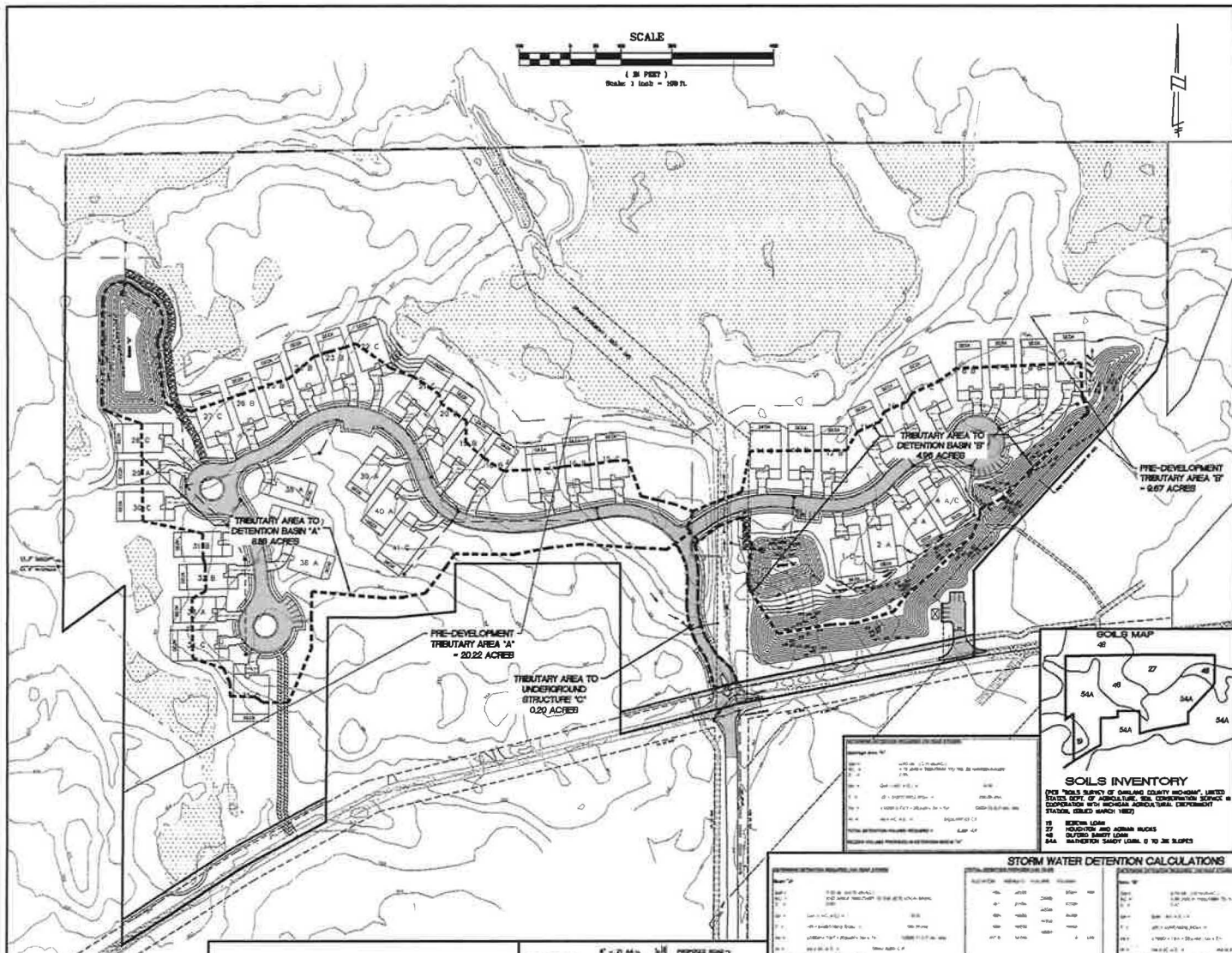
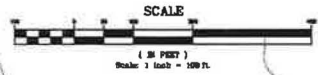
TOPOGRAPHIC & BOUNDARY SURVEY BY: JCK GROUP, INC. 8615 RICHARDSON ROAD, COMMERCE TWP., MICHIGAN 48390 PHONE: 248.363.2550

WETLAND FLAGGING PREPARED BY: WILSON ROAD GROUP, INC. 323 JEFFERSON LAPEER, MICHIGAN 48445 PHONE: 810.664.6300

LANDSCAPE PLANS PREPARED BY: DEAK PLANNING + DESIGN 143 CADYCENTRE #78, NORTHVILLE, MICHIGAN 48167 PHONE: 866.355.4204

| ENGINEER'S SEAL  | REVISIONS         |
|--|-------------------|
|  | 1. Submit to City |
|  | 2. Submit to City |
|  | 3. Submit to City |
|  | 4. Submit to City |
| PREPARED BY: A.A.<br>CHECKED BY: P.M.<br>DATE: 08/08/2014<br>DRAWING FILE: 13-000-14                       |                   |
| <b>COVER SHEET</b>   |                   |
|  | SHEET             |
| CONSTRUCTION ENGINEERS<br>100 MANCINI DRIVE, NORTHVILLE, MI 48167<br>PHONE: 248.308.3331 FAX: 248.308.3331 |                   |





**SOILS INVENTORY**  
 FOR "TOWN OF VILLA D'ESTE, SECTION 29/30, TOWN 1 NORTH, RANGE 9 EAST CITY OF NOVI, OAKLAND COUNTY, MICHIGAN" IN COOPERATION WITH MICHAEL BAKER CORP. (MBC) AND THE CITY OF NOVI (NOVI) (MAY 2010)

|                      |                          |         |             |
|----------------------|--------------------------|---------|-------------|
| 15                   | SEASON LOW               | 0.00 AC | at C = 0.20 |
| 16                   | MODERATE AND HIGH WATERS | 0.00 AC | at C = 0.20 |
| 17                   | DUROID SANDY LOAM        | 0.00 AC | at C = 0.20 |
| 18                   | MODERATE SANDY LOAM      | 0.00 AC | at C = 0.20 |
| <b>C Avg. = 0.27</b> |                          |         |             |

**C-Factor Determination for Basin 'A'**  
 Tributary Area = 8.88 Ac.

|                       |         |             |  |
|-----------------------|---------|-------------|--|
| Impervious Area       | 0.00 AC | at C = 0.20 |  |
| Roofs                 | 1.22 AC | at C = 0.20 |  |
| Driveways and Garages | 4.58 AC | at C = 0.20 |  |
| Lawns                 | 2.60 AC | at C = 0.20 |  |
| <b>C Avg. = 0.20</b>  |         |             |  |

**C-Factor Determination for Basin 'B'**  
 Tributary Area = 4.36 Ac.

|                       |         |             |  |
|-----------------------|---------|-------------|--|
| Impervious Area       | 0.00 AC | at C = 0.20 |  |
| Roofs                 | 0.29 AC | at C = 0.20 |  |
| Driveways and Garages | 2.52 AC | at C = 0.20 |  |
| Lawns                 | 1.55 AC | at C = 0.20 |  |
| <b>C Avg. = 0.27</b>  |         |             |  |

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

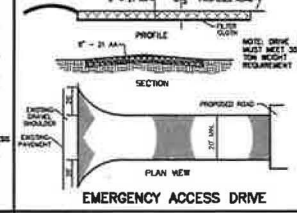
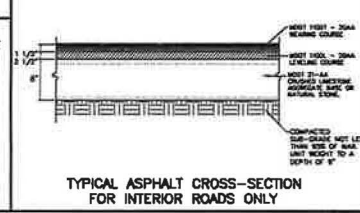
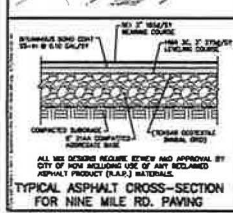
**PEAK FLOW RUNOFF CALCULATIONS**  
 PEAK FLOW RUNOFF CALCULATIONS

1.500 cfs = 2790 cfs imperv + 20 imperv

Q<sub>100</sub> = 2790 cfs  
 Q<sub>5</sub> = 1500 cfs  
 Q<sub>2</sub> = 1000 cfs

**STORM WATER DETENTION CALCULATIONS**

| Basin # | Area (Ac) | Volume (cu ft) | Retention Time (min) |
|---------|-----------|----------------|----------------------|
| Basin A | 8.88      | 1,000,000      | 15                   |
| Basin B | 4.36      | 500,000        | 15                   |



**VILLA D'ESTE**  
 SECTION 29/30, TOWN 1 NORTH, RANGE 9 EAST  
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

**REVISIONS**

| NO. | DATE   | DESCRIPTION       | BY |
|-----|--------|-------------------|----|
| 1   | 8-2-17 | ISSUE FOR PERMITS | JK |
| 2   | 8-2-17 | ISSUE FOR PERMITS | JK |
| 3   | 8-2-17 | ISSUE FOR PERMITS | JK |
| 4   | 8-2-17 | ISSUE FOR PERMITS | JK |
| 5   | 8-2-17 | ISSUE FOR PERMITS | JK |
| 6   | 8-2-17 | ISSUE FOR PERMITS | JK |

**STORM WATER MANAGEMENT PLAN**

**SEIBER, KEAST ENGINEERING, L.L.C.**  
 CONSULTING ENGINEERS  
 100 MANCINI DRIVE • SUITE 10 • BENTONVILLE, AR • 72715  
 PH: 479.268.3333 FAX: 479.268.3333

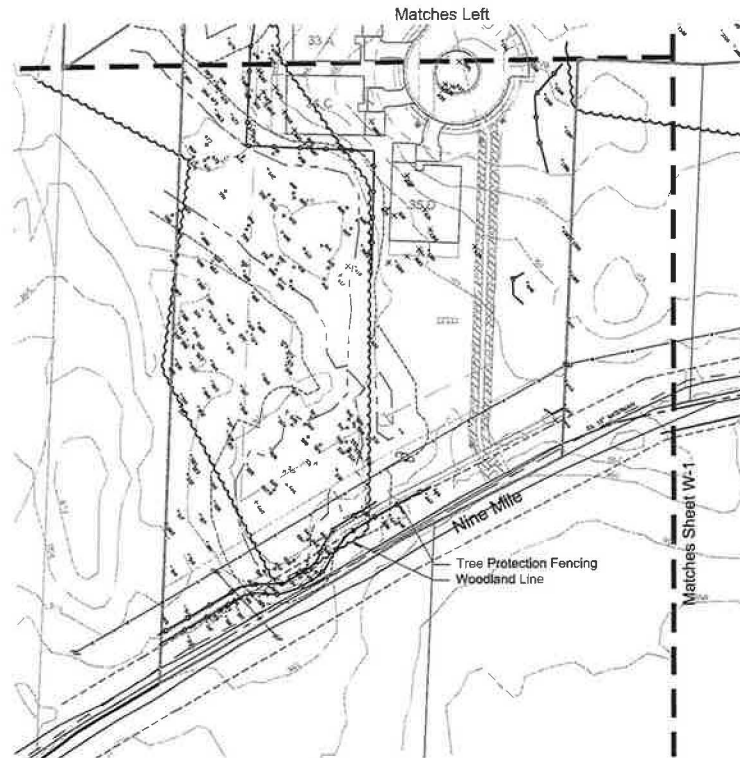
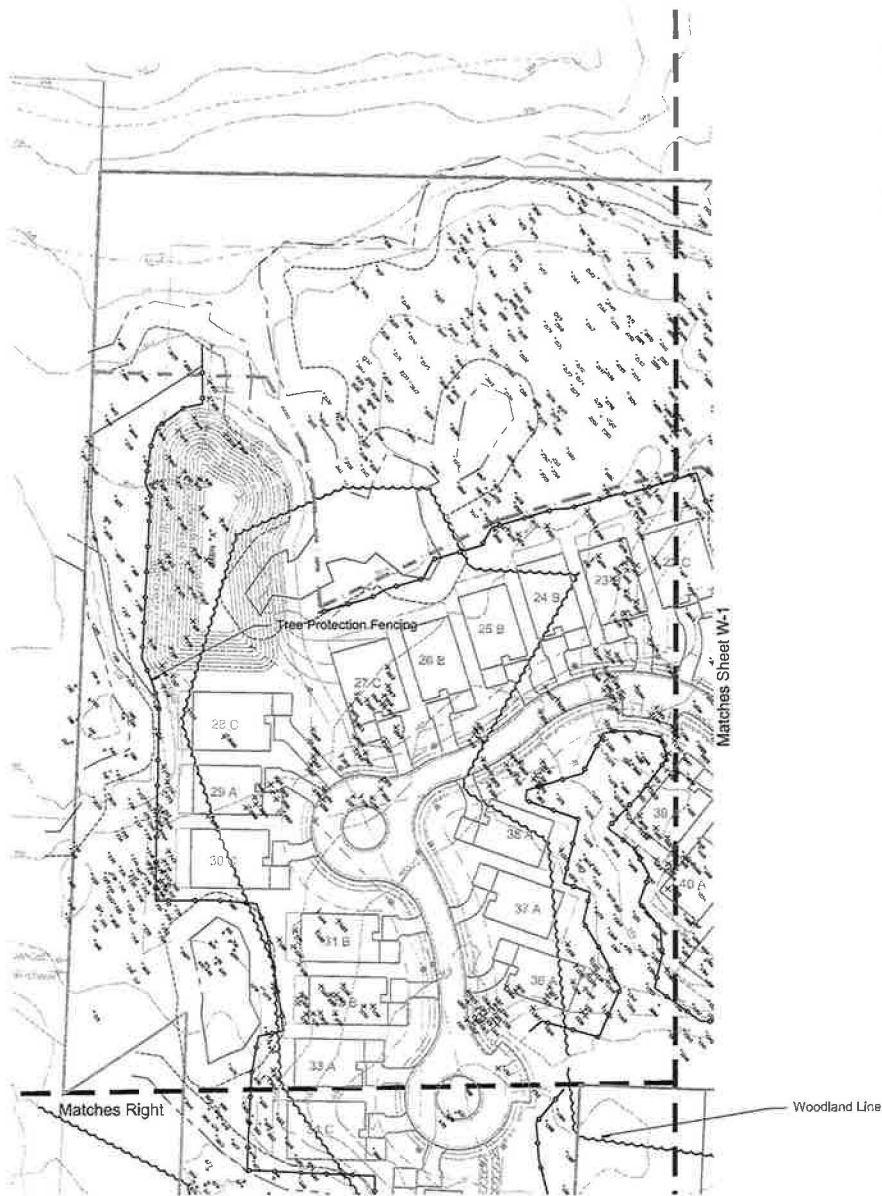
**SHEET 3**











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



Title: \_\_\_\_\_  
**Woodland Plan**

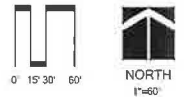
Project: \_\_\_\_\_  
**Villa D'Este  
 Novi, MI**

Prepared for: \_\_\_\_\_  
 Cambridge Homes  
 47765 Bellagio  
 Northville, Michigan 48167

| Revision: | Issued:         |
|-----------|-----------------|
| Submittal | April 11, 2018  |
| Revised   | June 7, 2017    |
| Revised   | August 13, 2018 |
| Revised   | August 14, 2018 |
| Revised   | August 22, 2018 |

Job Number: \_\_\_\_\_  
 16-008

Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_  
 jca jca



Key \_\_\_\_\_  
 / Denotes Removed  
 See Sheets W-3 Through W-5 for Woodland List



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

**W-2**



Tree List

| Tree # | Species   | DBH | Height | Condition | Notes |
|--------|-----------|-----|--------|-----------|-------|
| 1      | Red Oak   | 12" | 25'    | Good      |       |
| 2      | White Oak | 10" | 20'    | Good      |       |
| 3      | Red Oak   | 14" | 30'    | Good      |       |
| 4      | White Oak | 11" | 22'    | Good      |       |
| 5      | Red Oak   | 13" | 28'    | Good      |       |
| 6      | White Oak | 9"  | 18'    | Good      |       |
| 7      | Red Oak   | 15" | 32'    | Good      |       |
| 8      | White Oak | 12" | 26'    | Good      |       |
| 9      | Red Oak   | 10" | 20'    | Good      |       |
| 10     | White Oak | 11" | 22'    | Good      |       |
| 11     | Red Oak   | 13" | 28'    | Good      |       |
| 12     | White Oak | 9"  | 18'    | Good      |       |
| 13     | Red Oak   | 15" | 32'    | Good      |       |
| 14     | White Oak | 12" | 26'    | Good      |       |
| 15     | Red Oak   | 10" | 20'    | Good      |       |
| 16     | White Oak | 11" | 22'    | Good      |       |
| 17     | Red Oak   | 13" | 28'    | Good      |       |
| 18     | White Oak | 9"  | 18'    | Good      |       |
| 19     | Red Oak   | 15" | 32'    | Good      |       |
| 20     | White Oak | 12" | 26'    | Good      |       |
| 21     | Red Oak   | 10" | 20'    | Good      |       |
| 22     | White Oak | 11" | 22'    | Good      |       |
| 23     | Red Oak   | 13" | 28'    | Good      |       |
| 24     | White Oak | 9"  | 18'    | Good      |       |
| 25     | Red Oak   | 15" | 32'    | Good      |       |
| 26     | White Oak | 12" | 26'    | Good      |       |
| 27     | Red Oak   | 10" | 20'    | Good      |       |
| 28     | White Oak | 11" | 22'    | Good      |       |
| 29     | Red Oak   | 13" | 28'    | Good      |       |
| 30     | White Oak | 9"  | 18'    | Good      |       |
| 31     | Red Oak   | 15" | 32'    | Good      |       |
| 32     | White Oak | 12" | 26'    | Good      |       |
| 33     | Red Oak   | 10" | 20'    | Good      |       |
| 34     | White Oak | 11" | 22'    | Good      |       |
| 35     | Red Oak   | 13" | 28'    | Good      |       |
| 36     | White Oak | 9"  | 18'    | Good      |       |
| 37     | Red Oak   | 15" | 32'    | Good      |       |
| 38     | White Oak | 12" | 26'    | Good      |       |
| 39     | Red Oak   | 10" | 20'    | Good      |       |
| 40     | White Oak | 11" | 22'    | Good      |       |
| 41     | Red Oak   | 13" | 28'    | Good      |       |
| 42     | White Oak | 9"  | 18'    | Good      |       |
| 43     | Red Oak   | 15" | 32'    | Good      |       |
| 44     | White Oak | 12" | 26'    | Good      |       |
| 45     | Red Oak   | 10" | 20'    | Good      |       |
| 46     | White Oak | 11" | 22'    | Good      |       |
| 47     | Red Oak   | 13" | 28'    | Good      |       |
| 48     | White Oak | 9"  | 18'    | Good      |       |
| 49     | Red Oak   | 15" | 32'    | Good      |       |
| 50     | White Oak | 12" | 26'    | Good      |       |

**Allen Design**  
537 CARRISER + NORTHVILLE, MI 48167  
248.467.4688 • Fax 248.349.0559  
http://www.allendesign.com

**Allen Design**  
WOODLAND LIST  
Title: Woodland List  
Project: Villa D'Este  
Novi, MI  
Prepared for: Castellan Homes  
Northville, Michigan 48167

Revision: \_\_\_\_\_ Issued: \_\_\_\_\_  
 Submittal: \_\_\_\_\_  
 Revised: \_\_\_\_\_  
 Revised: \_\_\_\_\_

Job Number: \_\_\_\_\_  
 Drawn By: \_\_\_\_\_  
 Checked By: \_\_\_\_\_

Sheet No. **W-4**

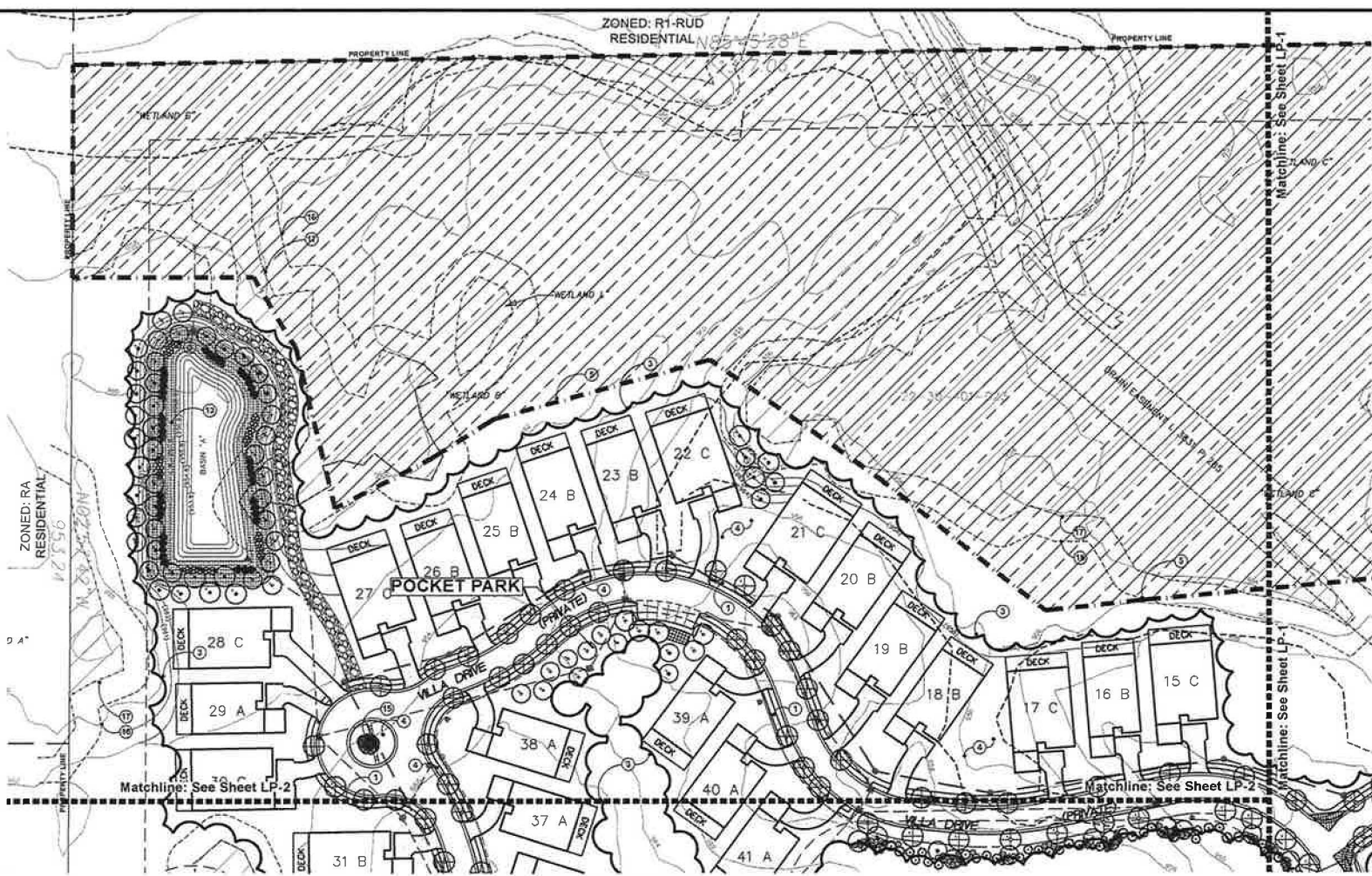
Notes:  
 1. Tree to be saved.  
 2. Tree to be removed by a professional arborist.  
 3. Tree to be removed by a professional arborist.  
 4. Tree to be removed by a professional arborist.











**CONCEPTUAL SITE PLANTING PLAN**

SCALE 1" = 50'

- NOTE KEY:**
- 1. NEW CONCRETE WALKS, SEE CIVIL DRAWING
  - 2. CLEAR VISION TRIANGLE
  - 3. PROPOSED LIMITS OF WOODLAND PRESERVATION
  - 4. PROPOSED LIMITS OF LAND DONATION TO CITY - SEE CIVIL DRAWING
  - 5. SHOW REPORT AREA
  - 6. NO ITEM
  - 7. NO ITEM
  - 8. NO ITEM
  - 9. PROPOSED GATE ESTIMATE
  - 10. FINISH
  - 11. DETENTION BASIN SEE SEE FOR SIZE SLURRY
  - 12. CONTINUOUS GRADE BED
  - 13. SPUR & FRENCH WALL PLANTING TYP
  - 14. 20 FT. NETLAND SETBACK
  - 15. NETLAND LIMITS
  - 16. NO ITEM
  - 17. SEE WOODLAND AREA BY SHADING AND WALKS STABLES SIGN

- GENERAL PLANTING REQ.:**
1. THE OWNER SHALL OBTAIN ALL NECESSARY MATERIALS, LABOR, EQUIPMENT, TOOLS, AND SUPERVISION NECESSARY TO COMPLETE THE WORK SHOWN ON THE DRAWING.
  2. ALL PLANT MATERIALS SHALL CONFORM TO THE TREE LISTED ON THE PLANT LIST. TREES SHALL BE THE COMMONEST SPECIES ON THE PLANT LIST OR LARGER. ALL MEASUREMENTS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE U.S.A. STANDARDS FOR NURSERY STOCK.
  3. ALL TREE LOCATIONS SHALL BE STAMPED BY LANDSCAPE CONTRACTOR AND BE 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 FORMED BY BRANCHES AT THE BASE SHALL NOT BE ACCEPTED. ALL SHADE TREE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROUNES.
  5. ALL LEADY-TIM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SEED TREE OR THOSE WITH TEN OR MORE BRANCHES SHALL BE ACCEPTED.
  6. ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE BRANCHES. BRANCHES TO BE TRIMMED AND SHAPED FOR THE LAST FIVE GROWING SEASONS.
  7. THE CONTRACTOR IS RESPONSIBLE FOR PLANTING THE MATERIALS IN THE CORRECT QUANTITY AND SPACING. THE PLANTER SHALL BE OBTAINED AT THE CONTRACTOR'S EXPENSE.
  8. WHEN THE PLANT HAS BEEN PLANTED, THE SITE SHALL BE MULCHED WITH A TOPSOIL AND NATURAL SOIL CULTURE. MULCHING, WATERING AND SETTING SHALL BE PERFORMED. THESE NEW PLANTS SHALL ALSO BE GUARANTEED FOR THE PERIOD OF ONE YEAR.
  9. THE CONTRACTOR AGREES TO GUARANTEE ALL PLANT MATERIALS FOR THE PERIOD OF ONE YEAR. IF THE CONTRACTOR'S REPRESENTATIVE RECEIVES THE RIGHT FOR A FINAL INSPECTION OF PLANT MATERIALS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING THE MATERIALS IF THE CONTRACTOR'S REPRESENTATIVE RECEIVES THE RIGHT FOR A FINAL INSPECTION OF PLANT MATERIALS. THESE NEW PLANTS SHALL ALSO BE GUARANTEED FOR THE PERIOD OF ONE YEAR.
  10. TOPSOIL SHALL BE PREPARED: FERTILE TOPSOIL OF CLAY LOAM CHARACTER CONTAINING AT LEAST 10% BUT NOT MORE THAN 20% BY WEIGHT OF ORGANIC MATTER WITH A PH RANGE FROM 5.5 TO 7.0. TOPSOIL SHALL BE FRESH FROM A QUALIFIED SOURCE. TOPSOIL SHALL BE HAND GRADDED ALL LAWN AREAS WITHIN ONE YEAR OF SETTING TREES. HAND GRADDED ALL LAWN AREAS WITHIN ONE YEAR OF SETTING TREES.
  11. IF NECESSARY THAT FERTILE TOPSOIL IS PROVIDED AS A FERTILE TOPSOIL. MULCH SHALL BE PROVIDED AS FERTILE TOPSOIL.
  12. ALL LAWN AREAS SHALL RECEIVE 4" DEEPDED BARN MULCH. SET SPECIFICATIONS.
  13. SOFTED LAWN AREAS ALL LAWN AREAS BETWEEN CURBS AND WALKWAYS OR BETWEEN WALKWAYS AND CURBS SHALL BE FRESH TOPSOIL PLACEMENT.
  14. THIS SHALL BE TWO YEAR OLD MANURE/COMPOST/PERFECTED BLUE SPREAD GRASS IN A 500 LB BERTON ON LAWN 600.

- PLANT MIX**
- ALL PLANTING PERENNIAL BEDS TO RECEIVE:
- 1. 1/4 CFT. BLUE GRASS/PEAT
  - 2. 1/4 CFT. BLUE GRASS/PEAT
  - 3. 1/4 CFT. BLUE GRASS/PEAT
  - 4. 1/4 CFT. BLUE GRASS/PEAT
  - 5. 1/4 CFT. BLUE GRASS/PEAT
  - 6. 1/4 CFT. BLUE GRASS/PEAT
  - 7. 1/4 CFT. BLUE GRASS/PEAT
  - 8. 1/4 CFT. BLUE GRASS/PEAT
  - 9. 1/4 CFT. BLUE GRASS/PEAT
  - 10. 1/4 CFT. BLUE GRASS/PEAT
  - 11. 1/4 CFT. BLUE GRASS/PEAT
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  - 22. 1/4 CFT. BLUE GRASS/PEAT
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  - 24. 1/4 CFT. BLUE GRASS/PEAT
  - 25. 1/4 CFT. BLUE GRASS/PEAT
  - 26. 1/4 CFT. BLUE GRASS/PEAT
  - 27. 1/4 CFT. BLUE GRASS/PEAT
  - 28. 1/4 CFT. BLUE GRASS/PEAT
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  - 31. 1/4 CFT. BLUE GRASS/PEAT
  - 32. 1/4 CFT. BLUE GRASS/PEAT
  - 33. 1/4 CFT. BLUE GRASS/PEAT
  - 34. 1/4 CFT. BLUE GRASS/PEAT
  - 35. 1/4 CFT. BLUE GRASS/PEAT
  - 36. 1/4 CFT. BLUE GRASS/PEAT
  - 37. 1/4 CFT. BLUE GRASS/PEAT
  - 38. 1/4 CFT. BLUE GRASS/PEAT
  - 39. 1/4 CFT. BLUE GRASS/PEAT
  - 40. 1/4 CFT. BLUE GRASS/PEAT
  - 41. 1/4 CFT. BLUE GRASS/PEAT
- MULCH**
- MULCH TO BE DOUBLE SHREDED HARDWOOD BARK MULCH
- NO CROUND WOOD PALETTE MULCH PERMITTED
- TOPSOIL**
- CONTRACTOR TO FILL ON SOIL SURFACE TO 4" DEPTH AND INSTALL 4" COMPACTED DEPTH TOPSOIL IN ALL LAWN AREAS - TOPSOIL SHALL BE PROVIDED BY CONTRACTOR

- PLANT KEY**
- 1. TREE SYMBOL
  - 2. TREE TYPE KEY - SEE PLANT LIST SHEET LP-2
  - 3. QUANTITY
  - 4. PLANTING DETAILS - SEE SHEET LP-4
- IRRIGATION**
- ALL LANDSCAPE AREAS WILL BE IRRIGATED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM
- NOT TO BE USED AS CONSTRUCTION DRAWING

- PLANTING KEY**
- 1. STREET TREES
  - 2. GREENBELT TREES
  - 3. INTERIOR ROAD TREES
  - 4. DETENTION BASIN TREES
  - 5. WOODLAND REPLACEMENT TREES



**deak**  
 PLANNING + DESIGN  
 143 cadycentre #79  
 northville, mi 48167  
 (734) 866-355-4204  
 (734) 240-436-3352  
 deakplanningdesign.com

VILLA D'ESTE  
 PROPOSED DETACHED CONDOMINIUMS - NOVI, MI



PROJECT ARCHITECT  
 Cambridge Homes, Inc.  
 47705 Bellagio Drive  
 Northville, MI 48167  
 248.348.3600

Revisions:

| REV | APP | DATE     |
|-----|-----|----------|
| 01  | PLG | 08/27/17 |
| 02  | PLG | 10/24/17 |
| 03  | PLG | 01/23/18 |
| 04  | PLG | 04/11/18 |

SHEET TITLE:  
**CONCEPTUAL LANDSCAPE PLAN**

PROJECT NO.  
 121713

SHEET NO.  
**LP-3**







**PROJECT SPONSOR**  
 Cambridge Homes, Inc.  
 47765 Bolaglo Drive  
 Northville, MI 48167  
 248.348.3800

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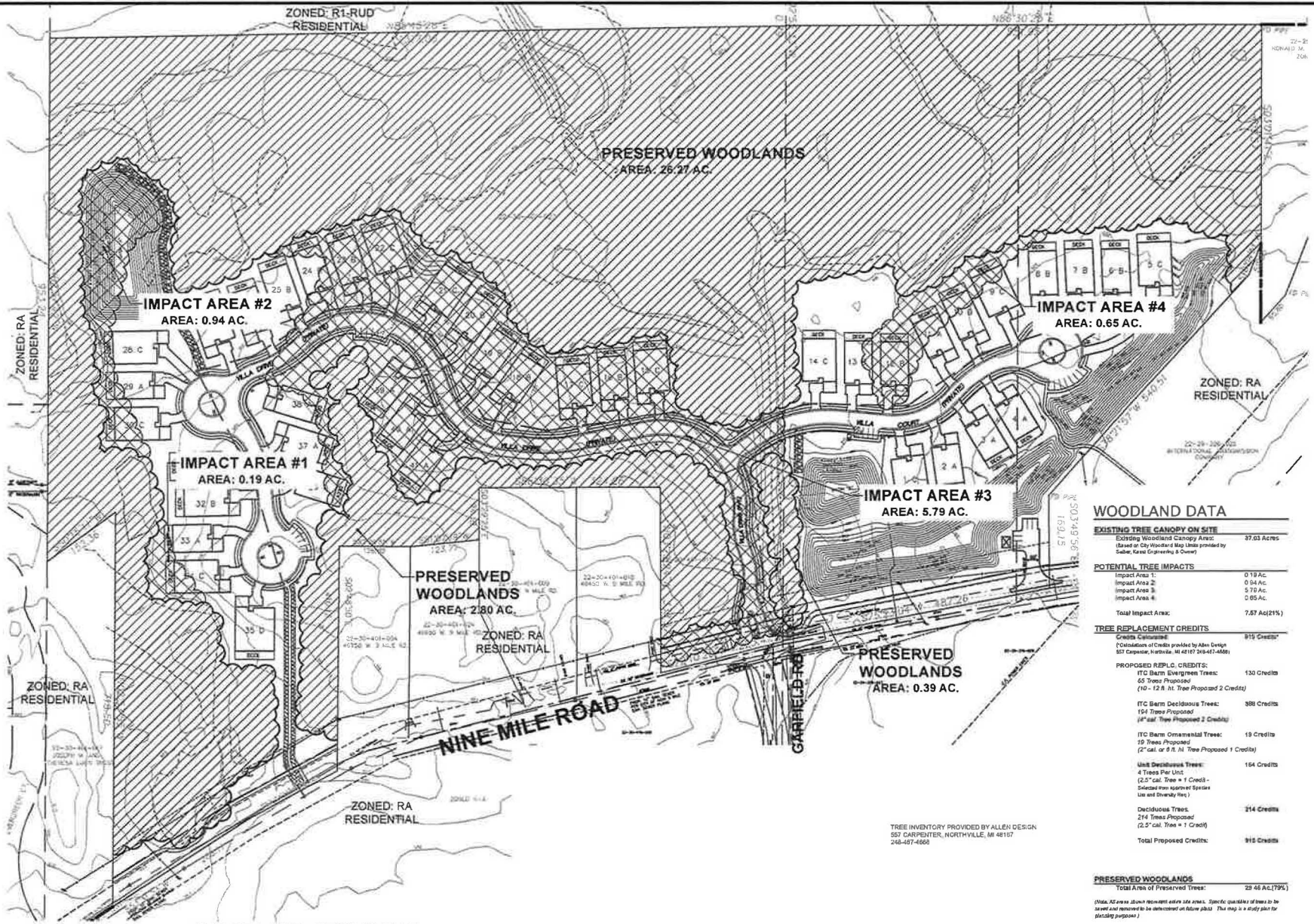
**PROVISIONS:**

|                   |          |
|-------------------|----------|
| PROJ APP REV      | 04/17/17 |
| PROJ PER OWNER    | 10/01/17 |
| REVISED PER OWNER | 10/02/17 |
| REVISED PER OWNER | 01/23/18 |
| REVISED PER OWNER | 04/11/17 |
| REVISED PER OWNER | 05/08/17 |

**SHEET TITLE:**  
**WOODLAND STUDY PLAN**

**PROJECT NO.:**  
 121713

**SHEET NO.:**  
 WP-1



**WOODLAND STUDY MAP**  
 SCALE 1" = 80'

TREE INVENTORY PROVIDED BY ALLEN DESIGN  
 555 CARPENTER, NORTHVILLE, MI 48167  
 248-467-4668

**WOODLAND DATA**

**EXISTING TREE CANOPY ON SITE**  
 Existing Woodland Canopy Area: 37.03 Acres  
 Based on City Woodland Map Lines provided by Sauer, Kazal Engineering & Survey

**POTENTIAL TREE IMPACTS**

|                           |                      |
|---------------------------|----------------------|
| Impact Area 1:            | 0.19 AC              |
| Impact Area 2:            | 0.94 AC              |
| Impact Area 3:            | 5.79 AC              |
| Impact Area 4:            | 0.65 AC              |
| <b>Total Impact Area:</b> | <b>7.57 AC (21%)</b> |

**TREE REPLACEMENT CREDITS**  
 Credits Calculated: 915 Credits  
 \*Calculations of Credits provided by Adam Deak  
 555 Carpenter, Northville, MI 48167 248-467-4668

**PROPOSED REPLC. CREDITS:**

|                                |   |
|--------------------------------|---|
| ITC Barm Evergreen Trees:      | 130 Credits   |
| 65 Trees Proposed              | (10 - 12.8 in. Tree Proposed 2 Credits)   |
| ITC Barm Deciduous Trees:      | 388 Credits   |
| 154 Trees Proposed             | (8" cal. Tree Proposed 2 Credits)   |
| ITC Barm Ornamental Trees:     | 19 Credits  |
| 19 Trees Proposed              | (2.2" cal. or 8" H. Tree Proposed 1 Credit)   |
| Unit Deciduous Trees:          | 164 Credits   |
| 4 Trees Per Unit               | (2.2" cal. Tree = 1 Credit - Selection from approved Species List and Diversity Req.) |
| Deciduous Trees:               | 314 Credits   |
| 214 Trees Proposed             | (2.2" cal. Tree = 1 Credit)   |
| <b>Total Proposed Credits:</b> | <b>915 Credits</b>  |

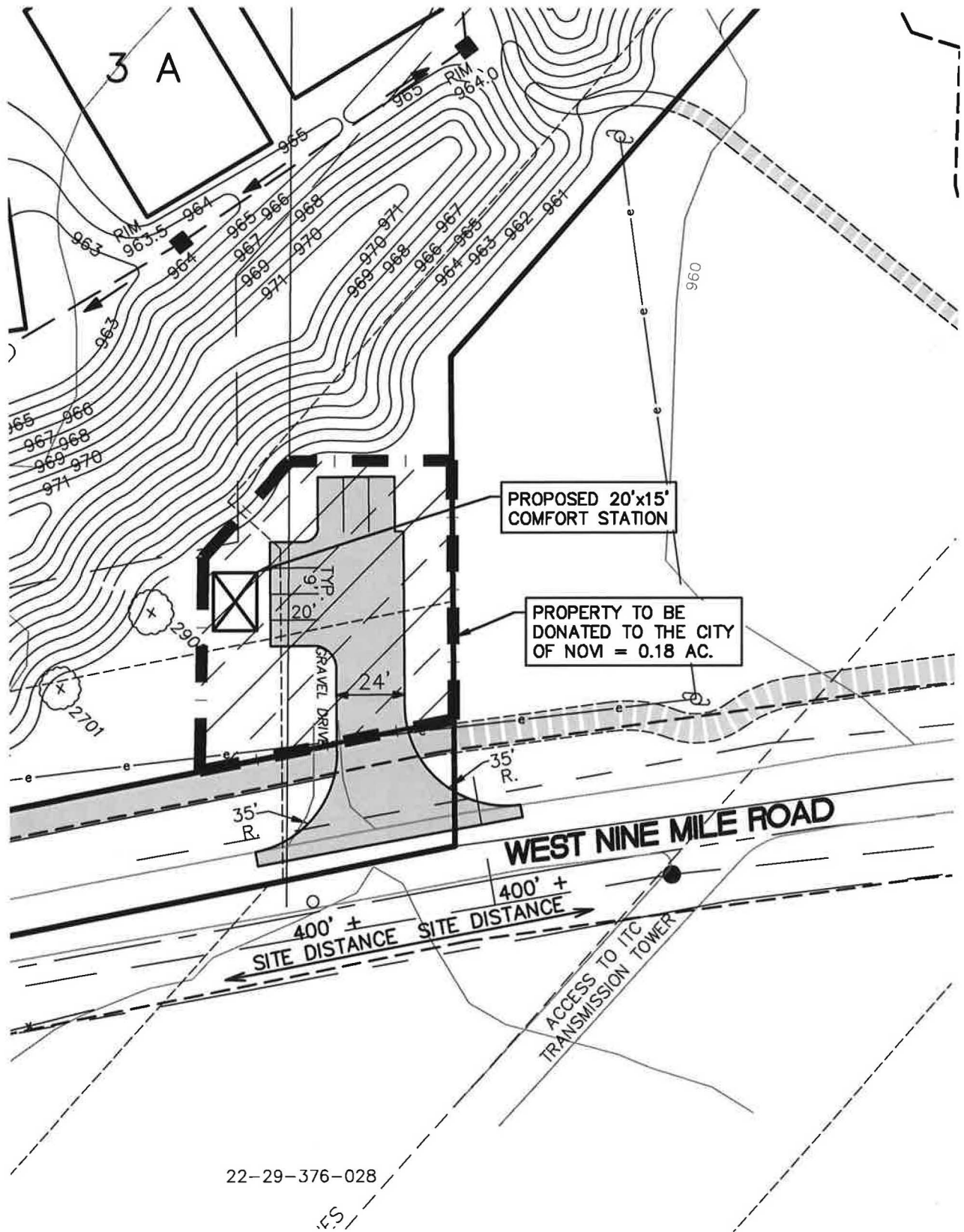
**PRESERVED WOODLANDS**  
 Total Area of Preserved Trees: 29.46 AC (79%)

(These AC are shown throughout entire site plans. Specific quantities of trees to be saved and removed to be determined on future plans. This map is a study plan for planning purposes.)

## **Exhibit C**

### **Comfort Station Improvements**

EXHIBIT D  
C



22-29-376-028

EXHIBIT D



**SEIBER KEAST  
ENGINEERING, L.L.C.**  
CONSULTING ENGINEERS  
100 MAINCENTRE • SUITE 10 • NORTHVILLE, MICHIGAN • 48167  
248.308.3331

| REVISIONS |      |      |
|-----------|------|------|
| NO.       | ITEM | DATE |
|           |      |      |
|           |      |      |
|           |      |      |
|           |      |      |
|           |      |      |

**TERRA**  
SEC. 29/30, T.1N., R.8E., CITY OF NOVI,  
OAKLAND COUNTY, MICHIGAN

SCALE: 1" = 50'  
JOB NO.: 15-030  
DATE: 03-01-19  
CHECKED BY: J.E.

SHEET  
**1**  
OF  
**1**



**Exhibit D**

ITC Trail along the north side of Nine Mile Road

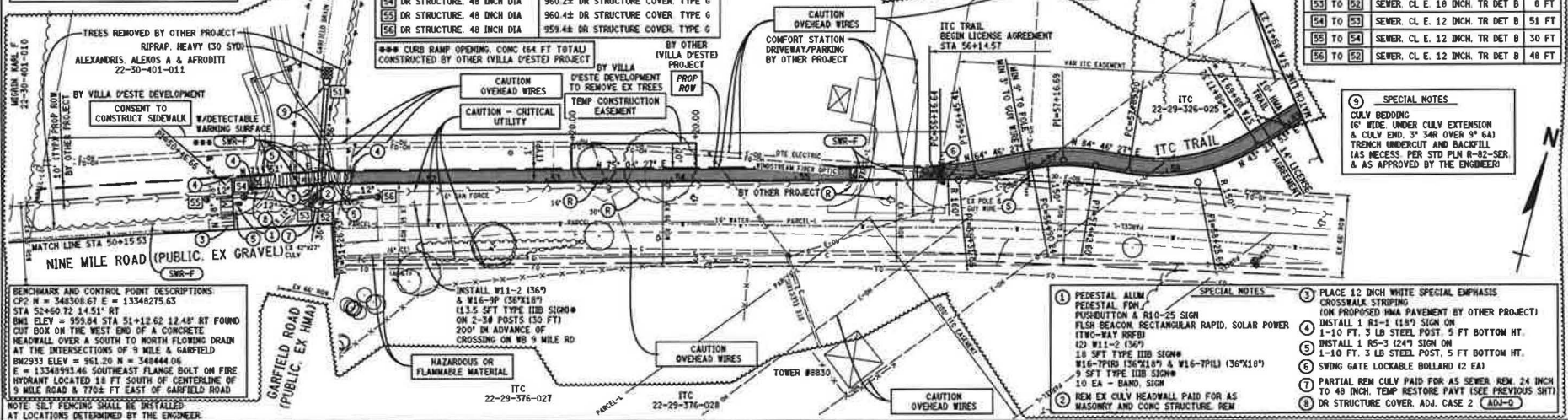
NOTE: CLEAR BRUSH, DEBRIS AND DOWNED TREE MATERIAL AS DESCRIBED IN THE PATHWAY GRADING SPEC AND AS DIRECTED BY THE ENGINEER. REMOVE TREES OR BRANCHES AS NEEDED TO MAINTAIN A MINIMUM OF 2' CLEAR ON BOTH SIDES OF TRAIL.

• SIGN COLOR SHALL BE FLUORESCENT YELLOW AND SHEETING MATERIAL SHALL BE ASTM TYPE IX

| DRAINAGE STRUCTURES ** |                              | RM ELEV TO BE COORDINATED **<br>W/OTHER (VILLA D'ESTE) PROJECT |                           |
|------------------------|------------------------------|--|---------------------------|
| 51                     | CULV END SECT. CONC. 36 INCH | 960.3±   | DR STRUCTURE COVER TYPE B |
| 52                     | DR STRUCTURE 84 INCH DIA     | 960.4±   | DR STRUCTURE COVER TYPE B |
| 53                     | DR STRUCTURE 60 INCH DIA     | 960.2±   | DR STRUCTURE COVER TYPE C |
| 54                     | DR STRUCTURE 48 INCH DIA     | 960.4±   | DR STRUCTURE COVER TYPE C |
| 55                     | DR STRUCTURE 48 INCH DIA     | 959.4±   | DR STRUCTURE COVER TYPE C |
| 56                     | DR STRUCTURE 48 INCH DIA     | 959.4±   | DR STRUCTURE COVER TYPE C |

NOTE: CLEAR ROADSIDE TREES AND BRUSH SO THAT THE TWO-WAY RECTANGULAR RAPID FLASHING BEACONS AND TRAIL USERS ADJACENT TO THE ROAD ARE VISIBLE TO VEHICLES ON THE ROAD FROM 360 FEET AWAY.

| FOR BENCHMARK & CONTROL PT. DATA SEE SHEETS 6, 7 AND 12 |                                |        |
|---|--------------------------------|--------|
| LOCATION  | STORM SEWER **                 | LENGTH |
| 52 TO 51  | SEWER, CL E. 36 INCH, TR DET B | 90 FT  |
| 53 TO 52  | SEWER, CL E. 18 INCH, TR DET B | 6 FT   |
| 54 TO 53  | SEWER, CL E. 12 INCH, TR DET B | 51 FT  |
| 55 TO 54  | SEWER, CL E. 12 INCH, TR DET B | 30 FT  |
| 56 TO 52  | SEWER, CL E. 12 INCH, TR DET B | 46 FT  |

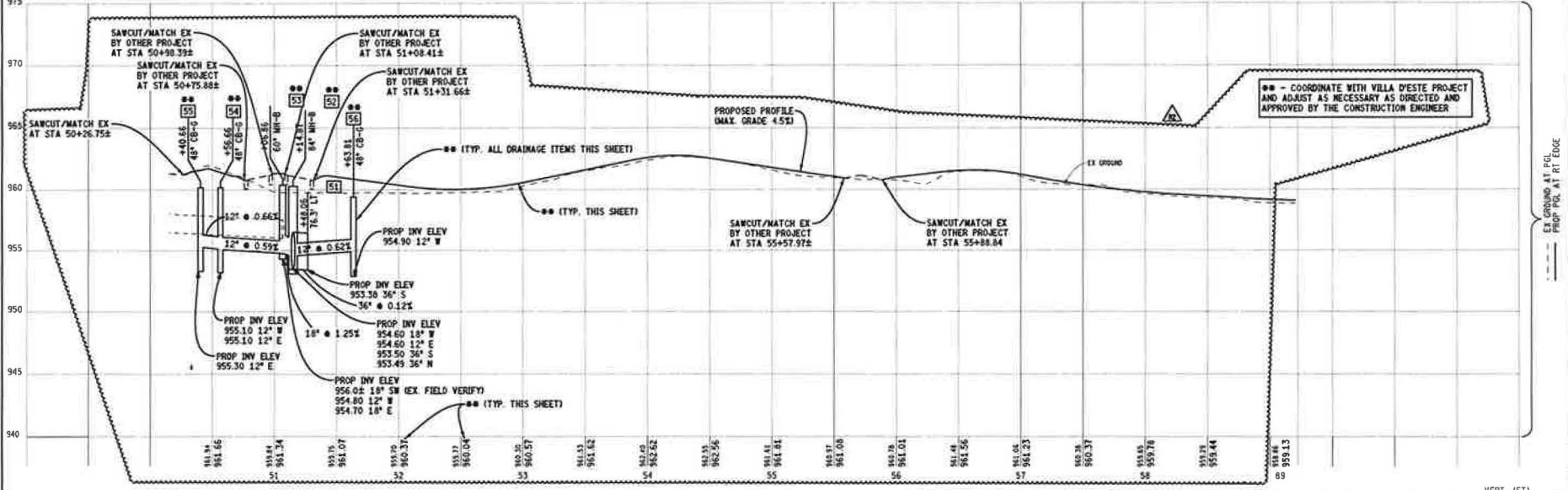


BENCHMARK AND CONTROL POINT DESCRIPTIONS:  
 CP2 N = 348308.67 E = 13348275.63  
 STA 52+60.72 14.51' RT  
 OMI ELEV = 959.84 STA 51+12.62 12.48' RT FOUND CUT BOX ON THE WEST END OF A CONCRETE HEADWALL OVER A SOUTH TO NORTH FLOWING DRAIN AT THE INTERSECTIONS OF 3 MILE & GARFIELD  
 BM2933 ELEV = 961.20 N = 348444.06  
 E = 13348993.46 SOUTHEAST FLANGE BOLT ON FIRE HYDRANT LOCATED 1.8 FT SOUTH OF CENTERLINE OF 3 MILE ROAD & 77.0± FT EAST OF GARFIELD ROAD

NOTE: SELF FENCING SHALL BE INSTALLED AT LOCATIONS DETERMINED BY THE ENGINEER.

SPECIAL NOTES  
 1 CULV BEDDING 16" WIDE UNDER CULV EXTENSION & CULV END. 3" 34R OVER 9" CAI TRENCH UNDERCUT AND BACKFILL (AS NECESS. PER STD PLN R-82-SER & AS APPROVED BY THE ENGINEER)

- SPECIAL NOTES
- 1 PEDESTAL ALUM. PEDESTAL FDN. PUSHBUTTON & R10-25 SIGN. FLSH BEACON, RECTANGULAR RAPID, SOLAR POWER
  - 2 W11-2 (36") 18 SFT TYPE IIB SIGN W16-7PHD (36"x18") & W16-7PHL (36"x18") 9 SFT TYPE IIB SIGN 10 EA - BAND, SIGN
  - 3 PLACE 12 INCH WHITE SPECIAL EMPHASIS CROSSWALK STRIPING (ON PROPOSED HMA PAVEMENT BY OTHER PROJECT)
  - 4 INSTALL 1 R4-1 (18") SIGN ON 1-10 FT. 3 LB STEEL POST. 5 FT BOTTOM HT.
  - 5 INSTALL 1 R5-3 (24") SIGN ON 1-10 FT. 3 LB STEEL POST. 5 FT BOTTOM HT.
  - 6 SWING GATE LOCKABLE BOLLARD (2 EA)
  - 7 PARTIAL REM CULV PAID FOR AS SEWER, REM. 24 INCH TO 48 INCH, TEMP RESTORE PAVT (SEE PREVIOUS SH)
  - 8 DR STRUCTURE COVER, ADJ. CASE 2 (ADJ-0)



\*\* - COORDINATE WITH VILLA D'ESTE PROJECT AND ADJUST AS NECESSARY AS DIRECTED AND APPROVED BY THE CONSTRUCTION ENGINEER

PRELIMINARY DRAFT OF REVISION 2, FOR COORDINATION ONLY: DECEMBER 27, 2018

PLAN REVISION R2: DECEMBER xx, 2018

APPENDUM 2: JUNE 25, 2018

APPENDUM 1: JUNE 22, 2018



FILE: 51567.ITC.phn.001.dwg  
 AUTH: DATE: REVISION:  
 CITY OF NOVI - ITC TRAIL PHASE 2  
 JOB 60551567  
 DATE 06/06/18  
 SHEET 7

**FIRST AMENDMENT OF  
PRO AGREEMENT**

---

RECEIVED  
OAKLAND COUNTY  
REGISTER OF DEEDS

2019 NOV 15 AM 10:07

NOVI CITY CLERK'S OFFICE  
2019 DEC 26 PM 12:34

196205  
LIBER 53534 PAGE 132  
\$28.00 FISC RECORDING  
\$4.00 REINFORCEMENT  
11/21/2019 02:50:55 P.M. RECEIPT# 143721  
PAID RECORDED - OAKLAND COUNTY  
LISA BROWN, CLERK/REGISTER OF DEEDS

### FIRST AMENDMENT TO PLANNED REZONING OVERLAY (PRO) AGREEMENT (TERRA)

This First Amendment to Planned Rezoning Overlay (PRO) Agreement, TERRA ("Amendment"), made this 28<sup>th</sup> day of OCTOBER, 2019, by and between **CAMBRIDGE OF NOVI, L.L.C.**, a Michigan limited liability company, whose address is 47765 Bellagio Drive, Northville, MI 48167 (referred to as "Developer"), and **CITY OF NOVI**, a Michigan municipal corporation, whose address is 45175 Ten Mile Road, Novi, MI 48375-3024 (referred to as "City").

#### RECITATIONS

1. Developer and City are parties to a Planned Rezoning Overlay (PRO) Agreement, TERRA (the "PRO"), dated March 4, 2019 (the date of the last signatory), with respect to certain properties situated in the City of Novi, County of Oakland, State of Michigan, as more particularly described on **Exhibit A** attached hereto (the "Property").
2. On March 22, 2019, the PRO Agreement was recorded with the Oakland County Register of Deeds at Liber 52674, Page 562.
3. Developer and City desire to amend the PRO Agreement with respect to certain deviations and the establishment of additional conditions and terms.

NOW, THEREFORE, Developer and City agree as follows:

A. The following conditions are added to the PRO Conditions listed in Section V.C following Condition No. 14 on page 5:

15. For Unit 7 through 36, covered decks shall be allowed to extend up to fifteen (15) feet into the "Accessory Unit Boundary" from the rear façade. "Accessory Unit Boundary" refers to the area beginning at the rear unit boundary and is within the sidelines of the unit boundary, and extending twenty-five (25) feet to the rear, as shown on the approved Final Concept Plan made part of the original PRO Agreement. 88
16. No more than three (3) regulated woodland trees may be removed from the accessory unit boundary to accommodate the construction or installation of a pool or other accessory use. A minimum of fifteen (15) feet shall be maintained between two buildings, with the exception of rough overhangs and wind walls as noted below:
  - a. A minimum of nine (9) feet shall be maintained between the roof overhangs between two buildings at the facia, as shown in the "overhang



subject to approval by the City's façade consultant at the time of building permit review;

- b. Masonry planters with foundations are allowed in front yard setbacks. They are not allowed in easement areas. A maximum of 4.5 feet of on-ground projection shall be allowed in the sideyard as shown on the "wing wall/planter projection area" exhibit on the Revised Concept Plan dated July 25, 2019, attached as Exhibit B, subject to approval by the City's façade consultant at the time of building permit review.

- 17. The elevations of the homes within the development shall comply with the ordinance requirements and conditions of the original PRO Agreement, subject to any and all limitations set forth in the Master Deed as determined at the time of individual building permit review. More specifically, given the Developer's representations to the City and the deviations granted herein and in the PRO Agreement, the homes within the development shall be designed and built in the Prairie architectural style, subject to the following conditions:

- a. All homes shall have elements of prairie style architecture with large overhangs, horizontal lines, and low-sloped roofs.
- b. All facades shall be brick or stone or siding or a combination. Vinyl siding is not allowed.
- c. Where wood siding is the predominant material, it shall be a wood toned color.
- d. All elevations are subject to minor deviation as approved by the City's façade consultant at the time of building permit review

- 18. The compensating cut periods in the approved PRO Agreement shall be updated to be consistent with MDEGLE permit approval dated April 9, 2019.

- B. The third sentence of Section V.C.1.b on page 4 is amended as follows:

The ITC Comfort Station shall be completed within 6 months from the substantial completion date of the ITC trail along the subject property's frontage

- C. The following deviations are added to the list of deviations in Section 2 of the PRO Agreement, at page 7:

- o. Engineering deviation from Section 7.4.2(d) of the Engineering Design Manual to allow exposed aggregate as an alternate material for sidewalk pavement in lieu of concrete for the entire development.
- p. Planning deviation from Section 3.32.8 to allow for additional encroachment for roof overhangs into the required side yards (a maximum of fifteen (15) feet is allowed per current side yard setbacks, a minimum of nine (9) feet between the roof overhangs at fascia is proposed). This approval shall be subject to the building (and the buildings within the development) being designed in the prairie

architectural style and subject to conditions listed under the PRO Condition numbered 17, a through d.

D. Paragraph 3, on page 7, is amended to add the following sentence:

Notwithstanding the foregoing, the Developer shall be permitted to combine two units into a larger unit, thereby reducing the number of total units within the subdivision. Such combination and reduction shall be reviewed and approved administratively by the Community Development Department as part of plot plan review process.

E. Except as expressly modified by this Agreement, the PRO Agreement remains in full force and effect.

F. This amendment shall be binding upon and inure to the benefit of the parties hereto and their successors and assigns. The rights and obligations contained in this amendment shall run with the property.

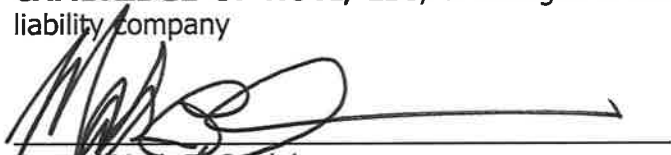
G. This amendment has been duly authorized by all necessary action of Developer and City.

H. This amendment may be executed by the parties in counterparts.

IN WITNESS WHEREOF the undersigned have executed this amendment effective as of the day and year set forth above.

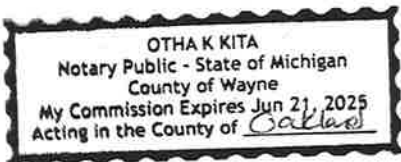
**DEVELOPER**


**CAMBRIDGE OF NOVI, LLC**, a Michigan limited liability company

  
By: Mark F. Guidobono  
Its: Member

STATE OF MICHIGAN )  
                                  ) ss  
COUNTY OF OAKLAND )

The foregoing First Amendment to Planned Rezoning Overlay (PRO) Agreement was acknowledged before me by Mark F. Guidobono, member for Cambridge of Novi, LLC, on the 24<sup>th</sup> day of October, 2019.

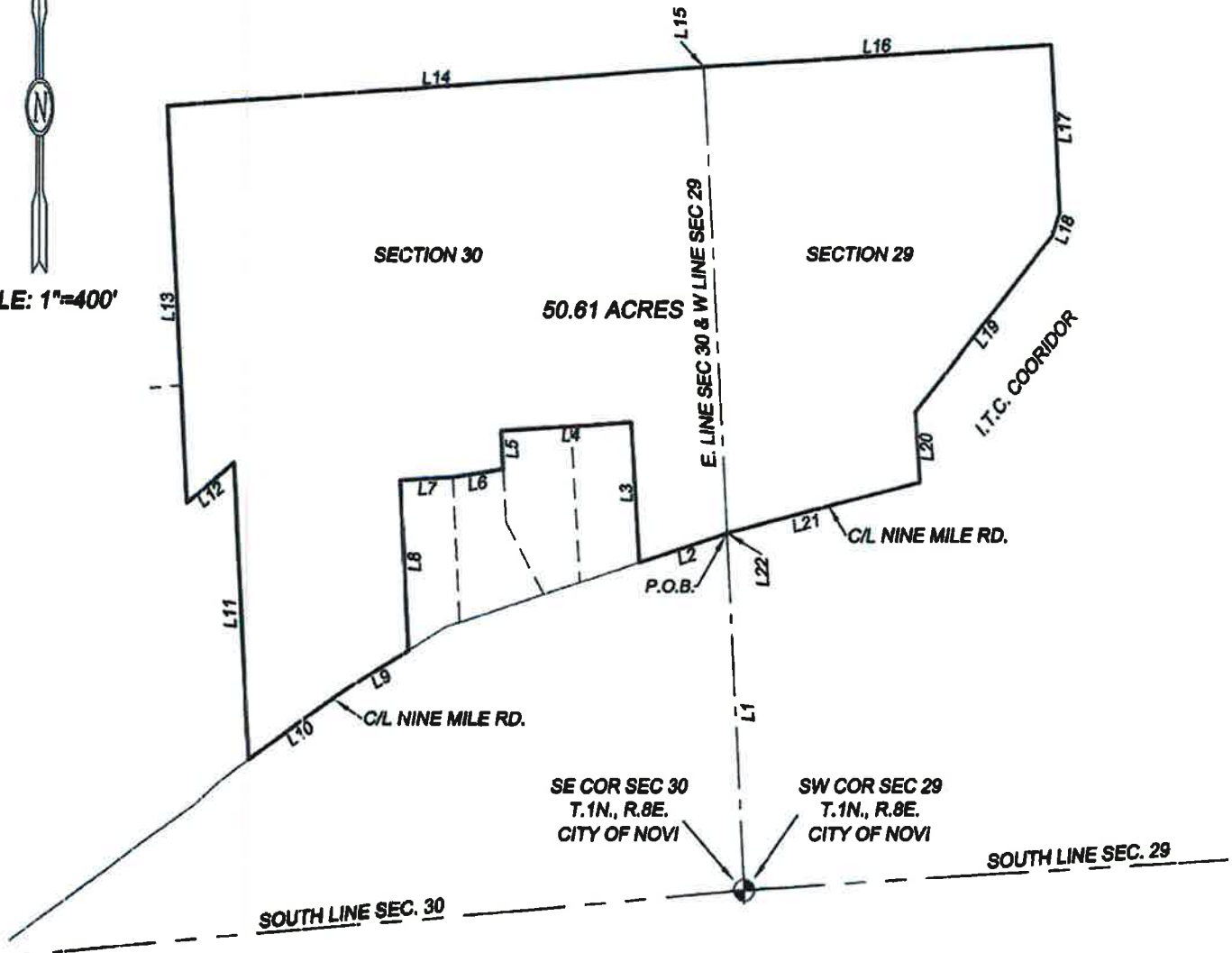


  
Notary Public  
Oakland County, Michigan  
Acting in Oakland County, Michigan  
My Commission Expires: 6-21-25



# EXHIBIT "A"

SCALE: 1"=400'



| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 856.10 | N02°55'33"W |
| L2   | 225.47 | S72°10'25"W |
| L3   | 338.57 | N03°29'24"W |
| L4   | 324.26 | S86°30'35"W |
| L5   | 94.19  | S03°29'25"E |
| L6   | 123.77 | S81°07'19"W |
| L7   | 126.82 | S87°09'55"W |
| L8   | 410.12 | S02°48'50"E |
| L9   | 181.85 | S57°34'11"W |
| L10  | 288.11 | S53°31'53"W |
| L11  | 718.50 | N02°57'55"W |
| L12  | 152.36 | S50°15'11"W |

| LINE | LENGTH  | BEARING     |
|------|---------|-------------|
| L13  | 953.24  | N02°57'42"W |
| L14  | 1317.06 | N85°45'28"E |
| L15  | 0.79    | N02°55'33"W |
| L16  | 851.95  | N86°30'23"E |
| L17  | 400.57  | S03°01'41"E |
| L18  | 59.92   | S18°05'04"W |
| L19  | 540.46  | S38°22'03"W |
| L20  | 169.15  | S03°49'56"E |
| L21  | 487.26  | S75°23'04"W |
| L22  | 1.18    | S02°55'33"E |



*Joseph C. Kapelczak*

© 2019 JCK & ASSOCIATES, INC.

Scale:  
1"=400'  
Date:  
2/27/18  
Job No.:  
10822  
Sht. No.:  
10F2

## TERRA

PART OF THE SE 1/4 SEC 30 &  
PART OF THE SW 1/4 SEC 29  
T.1N., R.8E., CITY OF NOVI, OAKLAND CO., MI

## EXHIBIT "A" TO THE PRO AGREEMENT



8615 RICHARDSON ROAD  
COMMERCE TWP., MI. 48390  
PHONE: 248-363-2550  
FAX: 248-363-1646



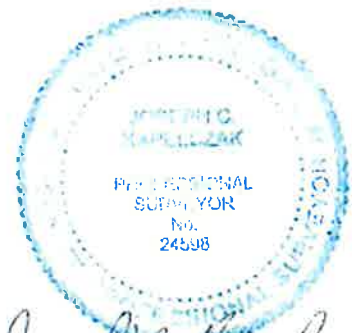
# EXHIBIT "A"

## DESCRIPTION

PART OF THE SOUTHEAST ¼ OF SECTION 30 AND PART OF THE SOUTHWEST ¼ OF SECTION 29, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE C/L OF NINE MILE ROAD AND THE WEST LINE OF SECTION 30, ALSO BEING THE EAST LINE OF SECTION 29, SAID INTERSECTION BEING N 02°55'33" W, 856.10 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE S 72°10'25" W ALONG THE C/L OF NINE MILE ROAD, 225.47 FEET; THENCE N 03°29'24" W, 338.57 FEET; THENCE S 86°30'35" W, 324.26 FEET; THENCE S 03°29'25" E, 94.19 FEET; THENCE S 81°07'19" W, 123.77 FEET; THENCE S 87°09'55" W, 126.82 FEET; THENCE S 02°48'50" E, 410.12 FEET TO THE C/L OF NINE MILE ROAD; THENCE S 57°34'11" W ALONG THE C/L OF NINE MILE ROAD 181.85 FEET; THENCE S 53°31'53" W ALONG THE C/L OF NINE MILE ROAD, 288.11 FEET; THENCE N 02°57'55" W, 718.50 FEET; THENCE S 50°15'11" W, 152.36 FEET; THENCE N 02°57'42" W, 953.24 FEET; THENCE N 85°45'28" E, 1317.06 FEET TO THE WEST LINE OF SECTION 30, ALSO BEING THE EAST LINE OF SECTION 29; THENCE N 02°55'33" W ALONG SAID SECTION LINE 0.79 FEET; THENCE N 86°30'23" E, 851.95 FEET; THENCE S 03°01'41" E, 400.57 FEET; THENCE S 18°05'04" W, 59.92 FEET; THENCE S 38°22'03" W, 540.46 FEET; THENCE S 03°49'56" E, 169.15 FEET TO THE C/L OF NINE MILE ROAD; THENCE S 75°23'04" W ALONG THE C/L OF NINE MILE ROAD, 487.26 FEET TO THE WEST LINE OF SECTION 30, ALSO BEING THE EAST LINE OF SECTION 29, THENCE S 02°55'33" E ALONG SAID SECTION LINE 1.18 FEET TO THE POINT OF BEGINNING. CONTAINING 50.61 ACRES AND SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

22-30-401-025 > SE ¼ Sec. 30.  
-026

22-29-326-039 > SW ¼ Sec. 29  
-040  
-041



*Joseph D. Kapilevich*

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Scale:  
1"=400'  
Date:  
2/27/19  
Job No.:  
10822  
Pl. No.:  
10P2

## TERRA

PART OF THE SE ¼ SEC 30 &  
PART OF THE SW ¼ SEC 29  
T.1N., R.8E., CITY OF NOVI, OAKLAND CO., MI.

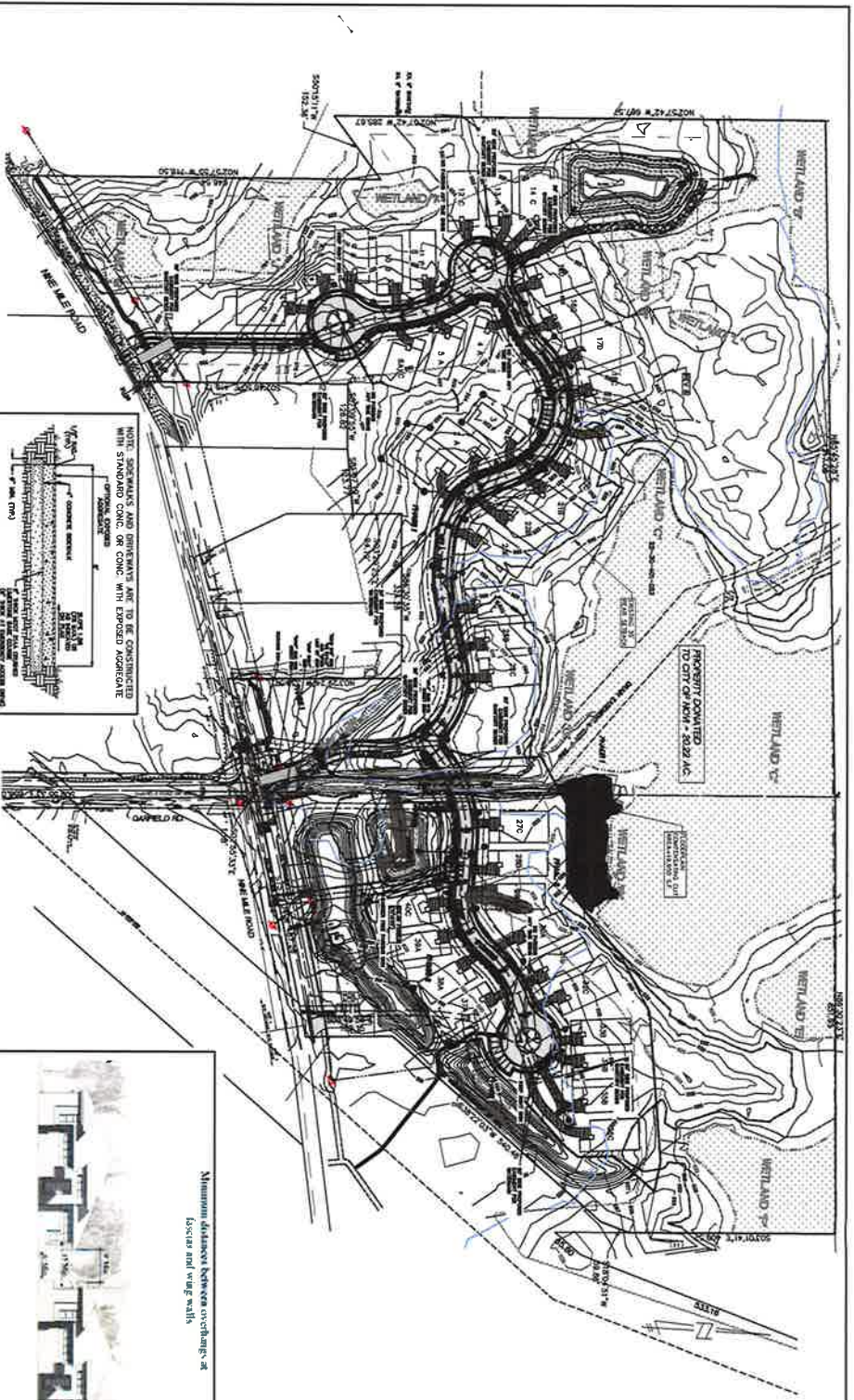
EXHIBIT "A" TO THE  
PRO AGREEMENT



8615 RICHARDSON ROAD  
COMMERCE TWP., MI. 48390  
PHONE: 248-363-2550  
FAX: 248-363-1646

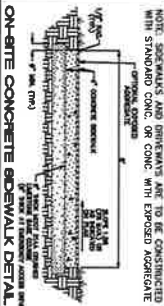
**Exhibit B**

**PRO Plan**

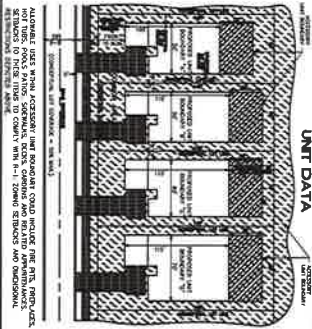
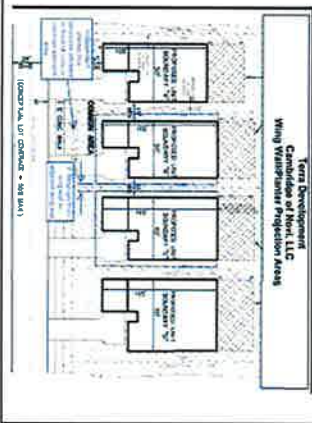
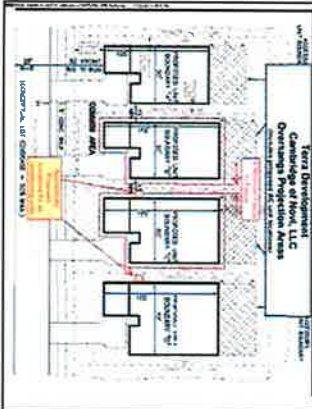


RECENTLY DOWNGRADED TO CITY OF HOUSTON - 2012 A.C.

CONCRETE SIDEWALK



ON-SITE CONCRETE SIDEWALK DETAIL



Minimum distance between overhangs at facade and wing walls



**PROPOSED IMPROVEMENTS**

1. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT
2. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT
3. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT
4. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT
5. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT
6. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT
7. PROVIDE 12" MIN. CONC. SIDEWALK REPLACEMENT

- Phase 1 Construction Activities and Measurements**
1. Clear 1.5' from existing sidewalk
  2. Excavate and remove existing sidewalk
  3. Compact subgrade to 4" depth
  4. Place 12" concrete sidewalk
  5. Place 12" concrete sidewalk
  6. Place 12" concrete sidewalk
  7. Place 12" concrete sidewalk
  8. Place 12" concrete sidewalk
  9. Place 12" concrete sidewalk
  10. Place 12" concrete sidewalk

**SITE DATA**

PROPOSED PLANNED REZONING OVERLAY (PRO) CUBHBT ZONING: R-C-A

ALTERNATE ZONING (CUBHBT) = 0.88 UNITS/ACRE

AREA ACROSS: 50.61 ACRES

PROPOSED DENSITY: 40/50.61 = 0.79 UNITS/ACRE

PROPOSED ZONING: R-1

ALTERNATE ZONING (CUBHBT) = 1.83 UNITS/ACRE

PROPOSED DENSITY EXCLUDING METPANS AND ROW: 40/50.61 = 0.79 UNITS/ACRE

PROPOSED DENSITY EXCLUDING METPANS AND ROW: 40/50.61 = 0.79 UNITS/ACRE

**LEGEND**

EXISTING: EXISTING LOT LINES, EXISTING BUILDING FOOTPRINTS, EXISTING DRIVEWAYS AND ALLEYS, EXISTING SIDEWALKS, EXISTING CURBS, EXISTING UTILITIES, EXISTING TREES AND LANDSCAPE.

PROPOSED: PROPOSED LOT LINES, PROPOSED BUILDING FOOTPRINTS, PROPOSED DRIVEWAYS AND ALLEYS, PROPOSED SIDEWALKS, PROPOSED CURBS, PROPOSED UTILITIES, PROPOSED TREES AND LANDSCAPE.

**PRO SITE PLAN**

SEIBER, KEAST ENGINEERING, L.L.C.

CONSULTING ENGINEERS

100 BANCROFT SQUARE, HOUSTON, TEXAS 77056

DATE: 07/14/14

SHEET 1

**APPLICANT RESPONSE LETTER TO CITY COUNCIL**

**SEPTEMBER 29, 2022**

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September 29<sup>th</sup>, 2022

City of Novi  
45175 Ten Mile Road  
Novi, Michigan 48375

**Regarding: PRO Site Plan Revision Terra JSP 21-12**

Dear City Council,

We are requesting a PRO site plan revision to Terra Phase 2 for the three items listed below:

1. In Terra Phase 2 our residents would like us to eliminate the sidewalk that connects the cul-de-sac with the ITC Trail. The residents would like the berm elevation raised to better block the view of the transmission towers and the power lines. The residents would also prefer to minimize pedestrian traffic into their community. We still will be connected to the ITC Trail at the entrance to Terra. Lastly, this trail runs very close to one of our units back and side yard and it will make this future homeowner very unhappy to have a pedestrian highway in their private backyard. For PRO approval, the sidewalk was not a public benefit. Originally the ITC trail was proposed south of 9 Mile and Terra had zero connection to the trail. Then the trail was flipped on the north side of the road and this gave Terra connection to the ITC Trail at its Terra entrance.
2. We are requesting to shorten the side walk on the south side of Villa Court where it crosses the Garfield Drain. We are asking for this revision because there is not enough room to install the sidewalk per the plan. When the culvert for the road was being installed it was determined in the field to shift the culvert to the north a few feet because of the dewatering operation related to the 9 Mile sewer project. Because the culvert was moved, there is no room for the sidewalk. As you will see on the site plan there is no benefit for this portion of sidewalk. There is no sidewalk connecting to this walk on the east side of Villa Drive out to our entrance.
3. We will work with Rick Meader to relocate the 51 woodland replacement trees behind lots 27-36 in phase 2 and move them to a new location in Terra.
4. To honor the memory of Wayne Wrobel, we are proposing to dedicate the ITC Comfort Station in his name by adding a bronze plaque with his name and a few words attached to the new comfort station off of Nine Mile Road. See the attached rendering for review.

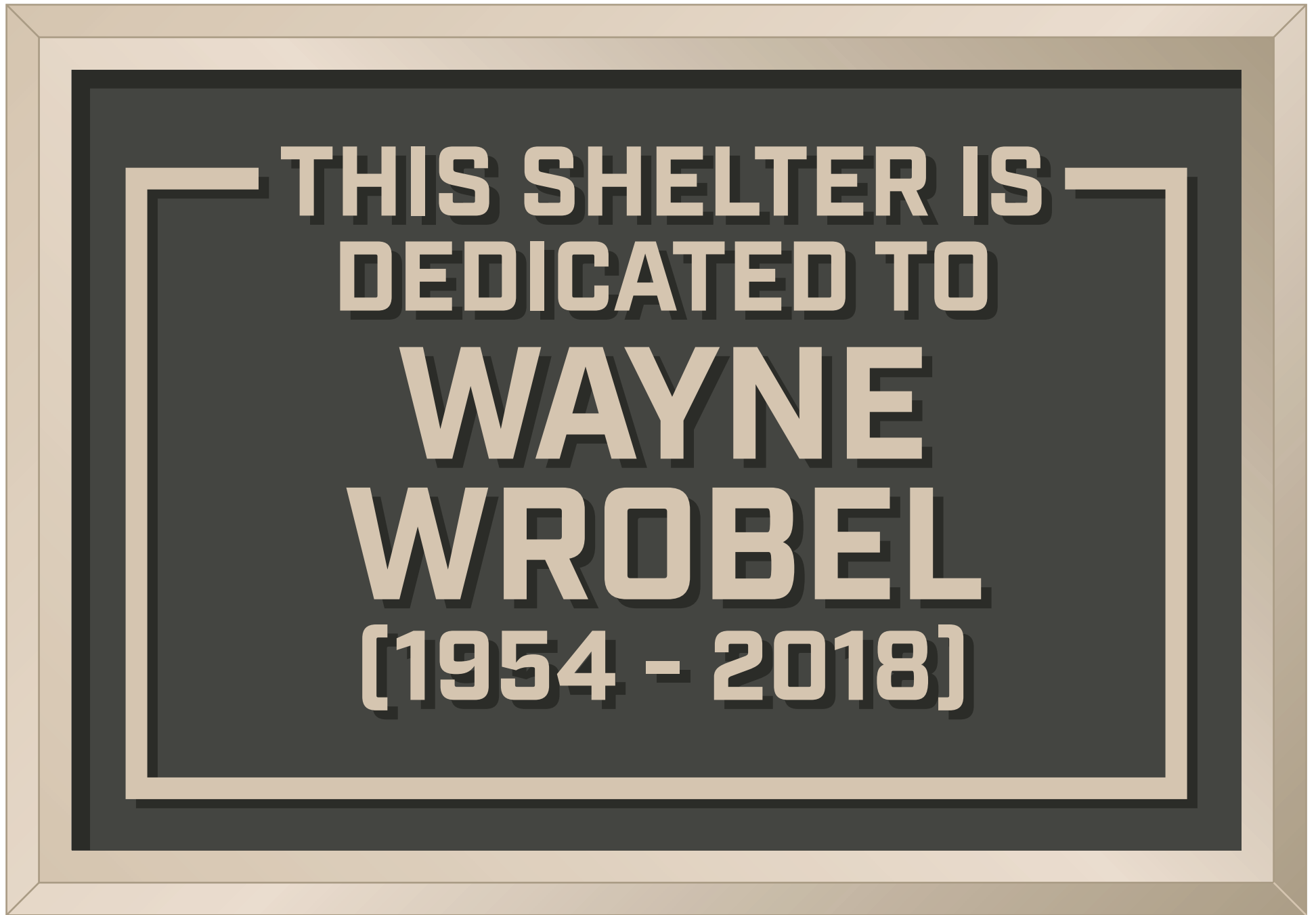
Thank you for your consideration.

Sincerely,

CAMBRIDGE OF NOVI, L.L.C.

Mark F. Guidobono

10" x 7" Cast Bronze Plaque



FINAL VERBIAGE TO BE DETERMINED BY THE CITY OF NOVI

**PLANNING COMMISSION MINUTES  
SEPTEMBER 14, 2022**

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**PLANNING COMMISSION  
MINUTES**  
CITY OF NOVI  
Regular Meeting  
**September 14, 2022 7:00 PM**  
Council Chambers | Novi Civic Center  
45175 W. Ten Mile (248) 347-0475

**CALL TO ORDER**

The meeting was called to order at 7:00 PM.

**ROLL CALL**

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney

Absent – Excused: Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Humna Anjum, Plan Review Engineer; James Hill, Planner

**PLEDGE OF ALLEGIANCE**

Member Roney led the meeting attendees in the recitation of the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Motion made by Member Lynch and seconded by Member Avdoulos.

**VOICE VOTE TO APPROVE THE SEPTEMBER 14, 2022 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to approve the September 14, 2022 Planning Commission Agenda. Motion carried 6-0.**

**AUDIENCE PARTICIPATION**

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the first public participation.

**CORRESPONDENCE**

There was not any correspondence.

**COMMITTEE REPORTS**

City Planner McBeth said there was a Master Plan Steering Committee on September 7; Mr. Roney was able to attend as Mr. Verma could not attend that meeting. We discussed the summary of interviews held with developers and real estate professionals, we reviewed the real estate market analysis and land use associated with that, and finally we reviewed the Master



Plan survey results. Next month, we will be discussing the Thoroughfare Plan.

Member Avdoulos said I thought the information provided fell in line with how the city is growing and what opportunities are available. I believe our consultants are going to provide a summary, and we could pass that on to the rest of the Planning Commission. It is great to see how well the city is growing and its future potential.

## **CITY PLANNER REPORT**

City Planner McBeth had nothing to report.

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

There were not any consent agenda items.

## **PUBLIC HEARINGS**

### **1. TERRA JSP 21-12 TERRA PRO SECOND AMENDMENT**

Public hearing at the request of Cambridge of Novi, LLC for Planning Commission's recommendation to the City Council for the Second Amendment to the previously approved Terra Planned Rezoning Overlay (PRO) Plan, JSP17-52 and JSP 21-12, and associated with Zoning Map Amendment 18.718. The subject property is approximately 30.14-acres and is located east of Napier Road and on the north side of Nine Mile Road (Section 29, 30). The applicant proposed a 41-unit single-family ranch housing development. The current amendment is requested as the applicant is seeking to eliminate previously proposed sidewalk connections in two locations and to pay into the Tree Fund for 51 woodland tree credits rather than planting them on site to the north of units 27-36 as previously proposed.

Senior Planner Bell said this is a familiar plan to some of you. It came before the Planning Commission as a PRO Concept plan a few times in 2017 and 2018 and was recommended for approval to City Council. Council approved the rezoning request to R-1 subject to the conditions of the PRO agreement in September of 2018. The site plan returned to the Planning Commission and received approval in late 2018. The approved development consists of 41 single-family units, to be built in 2 Phases. Both phases are currently under construction.

Ms. Bell went on to say the current revised plan being considered is a request to amend the PRO Agreement and Concept Plan in three ways:

1. The first change proposes the removal of woodland replacement trees to the north of units 27 through 36. The applicant had previously shown 51 woodland replacement trees would be planted along the north property line. They now propose to pay into the Tree Fund for those trees. Staff has encouraged the applicant to plant as many of them as possible on-site or consider alternative ways to lessen the impact on the homes as described in the landscape review.
2. The second change would be the removal of a sidewalk segment along the south side of Villa Court. During construction of the culvert for the Garfield Drain, the decision was made by on-site engineers to shift it to the north a few feet to avoid eroding soils over time. This change created a narrower space between the road and the culvert, which limits the space to place the sidewalk as shown on the original plan. The current plan shows the sidewalk ending on the south side of Villa Court about 110 feet east of the intersection with Villa Drive, with ramps provided to enable pedestrians to cross the street to connect to the north side sidewalk. However, based on the plan provided and on-site inspection, it still appears feasible to redesign the sidewalk to fit it between the road and the culvert. Staff recommends the applicant adhere to the Code to provide the required sidewalk.
3. The third change is to eliminate the sidewalk connection from the east side of the site to

the ITC Pathway. The applicant states the residents of the development would like to eliminate the sidewalk in favor of continuing the berm to provide additional screening of the ITC transmission towers, as well as to limit pedestrian & bicycle traffic through the community. While the connection to the ITC Trail is not a requirement of the Zoning Ordinance, its inclusion in the original PRO Agreement and Plan was listed as a site amenity in the Concept Plan submittals and was a specific development condition in City Council's motion to approve the PRO Agreement. Staff recommends the segment be provided in the interest of preserving the amenities promised to the City in the PRO Agreement and enhancing non-motorized connectivity throughout the community.

For these reasons, Staff does not recommend approval of the request at this time.

Ms. Bell concluded by saying the applicant has provided a response letter in addition to letters of support from Terra residents, all of which are in the meeting packet. The Planning Commission is asked tonight to hold the public hearing to consider making a recommendation to City Council for the requested amendment to the PRO Agreement and Plan. The applicant Mark Guidobono is here tonight if you have any questions for him, and staff is happy to answer questions as well.

Chair Pehrson invited the applicant to address the Planning Commission.

Mark Guidobono, owner of Cambridge Homes, the developer of Terra, said I'll start with the outlet request. There is a detention basin that we installed during Phase 1. We did this so the City could run their dewatering operation into it. We installed an outlet, per our plan, into the drain that runs parallel to our entrance. During Phase 2, we went to install the culvert underneath the road to connect the drain getting the water from south to north. However, a City consultant realized that a volume of 2 million gallons per day reaching this culvert would erode the culvert over time. The City asked the contractor doing the work to shift the culvert over 3 to 4 feet; as the developer, we were not consulted about this until after it was done. I understand their rationale for doing it, but when it came time to put in the sidewalk, we realized we would have to install a retaining wall in order to construct the sidewalk per the plan that was approved by the City. By installing this retaining wall, which would likely include a rail, we will likely have to spend an additional \$25,000 that we were not expecting. There are a couple different options, which I believe the City has included in their letter. One was the retaining wall, which we are not very excited about. Another option would be to shift the sidewalk against the curb; we might be able to eliminate the retaining wall with that move, but we would have to get rid of the street trees that are in that location. Also, having a sidewalk against a curb is not the best look for a development. One thing our team noticed was that if the sidewalk continued to Villa Drive, we would still have to cross the street going north, similar to the crossing to the east. We will have to do that anyway at the intersection because there isn't a sidewalk on the east side of Villa Drive. The pedestrian would have to get to the west side either way. We would be willing to stripe that area to mark it as a crossing, and there are only four houses on that side of street. For us, the cost does not seem worth the benefit to us. We don't have a sidewalk on the east side of Villa Drive. The pedestrian will have to cross Villa Court to the north and then cross Villa Drive, either at the intersection or 100 feet back – it's just a matter of where they choose to do it. However, as the developer, I feel it is unfair to cost us \$25,000 for this particular issue.

Mr. Guidobono continued by saying the next request is for the tree fund. In Phase 1, we have some residents that are wanting to do small projects in their yards, like a patio or a pool. We've kept the woodlands tight to these houses. In several instances, we had to come back to the City with plans to cut down trees in order to fit a patio or pool. We made it tight on purpose because we wanted the development to have a natural atmosphere. Now, in Phase 2, we don't have any space to plant these 50 trees, and we've already planted around 800 trees on the site. Our landscape architect showed us planting around the backs of the properties, and I realized that the plantings weren't going to work because people would want to install a patio

or pool. Therefore, we have taken a position to pay into the tree fund rather than plant the trees. I know that the City staff believes there is room for the trees elsewhere, but we are right up against the woods, and I feel that we have every square inch covered. We also want to avoid having to come back to the Planning Commission for tree removals during the second phase.

Mr. Guidobono went on to say the last request is pertaining to the ITC Trail. We have gotten push back from current and future residents; that is 21 people out of 40. They would prefer not to have a connection to this trail, and they would also like the berm to be raised up where the trail crosses. The berm is very low there, and they would like to block the high-tension wires. They'd also like us to plant the trees on top of the berm to block out as much as possible. Several residents submitted letters, and one of our residents is here on behalf of the other residents. Also, the trail is about 10 feet away from the house at site 37. That customer is likely not going to be happy about having the trail being that close to the house. This was not a part of the public benefit portion of the PRO; it was more a connectivity item we agreed upon with the staff. We moved the ITC Trail to our side of the street, so there is access to the trail directly at the entrance to the development. The trail crosses our boulevard at 9 Mile Road, so our residents can access the ITC Trail very easily.

Chair Pehrson invited members of the audience who wished to participate in the public hearing to approach the podium.

Carleen Lunsford, Novi resident, said I've been a Novi resident for 20 years, and I am here today representing the residents of Terra. We unanimously support removing the connector leading into our subdivision from the ITC Trail on 9 Mile Road. If you are walking, jogging, or biking on the ITC Trail neighboring Terra, you can access the subdivision through the main entrance. Therefore, the connector serves no real purpose. Removing the connector would provide Terra residents additional privacy and security. A berm with plantings in lieu of the connector would provide additional screening from the power lines, and it is consistent with the overall vision of this project.

Sarah Tedesco, 22830 Evergreen Court, said the east line of my property directly abuts the Phase 1 of Terra. I am here to advocate for myself and my neighbors Dan and Erin Shaheen. Our houses are the most affected by the trees that have been taken down. Today, I measured the setback from a large tree trunk that was likely a woodland tree. It was taken down in order to build one of the aforementioned patios, even though they had been informed they only had 20 to 30 feet of setback from the regulated woodland. That tree has left a very large hole in the canopy that I can see directly outside my bedroom and bathroom windows. It provided screening and privacy, as you could assume I would want for my master suite. If we planted evergreens, it would take about 20 years on our end of the property for them to grow tall enough to provide backfill for screening and canopy loss incurred from removing the one tree. Dan and Erin Shaheen have four houses along their property line, and I have three houses along mine. I don't think anyone would be okay with pools and patios for their neighbors at the expense of the natural features and privacy they paid a lot of money for. I understand people want what they want in their backyards, but what about the people like me and my neighbors? Are some of the funds going into the City's Tree Fund going to be used to somehow compensate us for the loss of privacy and seclusion? Would those trees be large mature evergreens on the edges of our properties to compensate for the old and large trees that have been removed by the developer?

Karl Migrin, 49450 West 9 Mile Road, said my home is the first house west of the entrance to the Terra subdivision. I pretty much lost any privacy I had in my backyard when they began building Terra. I have gotten to know the sounds of the cement trucks and gravel haulers, but this project was not mine to approve or disapprove. As of today, I can only find sales data for 21 of the 40 lots in both Phases 1 and 2 of the Terra subdivision. Only 10 lot owners have expressed their

support for this second amendment to the Terra PRO Amendment. Are the remaining lot owners for or against the proposed changes? Sales data could only be located for one lot in Phase 2. This lot owner, at 49362 Villa Court, is the only one of the 10 lot owners expressing support for this amendment who has a clear view of the transmission towers and power lines from their lot. The transmission towers and power lines are obscured from view from all the Phase 1 lots by trees that were not removed by the developer during site clearing. The Terra website lists exposed aggregate sidewalks as a community feature, and the Terra site plan clearly shows a connection between Phase 2 and the ITC Trail. The site plan also shows an abundance of trees throughout Phase 2 and a babbling brook that flows from the Garfield Drain. Is this false advertising? I also ran across a letter from Mr. Guidobono dated March 6, 2018, where he states we agree to connect to the proposed location of the ITC Trail. I am truly saddened that the 10 lot owners who support this amendment are fearful that the sidewalks will encourage walkers and bike riders to tour their community on a constant basis. These sidewalks and the connection to the ITC Trail were clearly shown on the Terra site plan at the time they purchased their lots. The residents of Terra should be grateful that they have safe sidewalks to walk on and for their grandchildren to learn how to ride a bike on. I support the staff's position to deny this second amendment.

Seeing that nobody else wished to speak, Chair Pehrson turned it over to Member Lynch to note the correspondence received for this public hearing.

Member Lynch said Thomas and Diane Busard, 49506 Villa Drive, are in support due to concerns about privacy and the ITC Trail; Annette Mullett, 49438 Villa Drive, is in support; Jean and Howard Bleiwas, 49599 Villa Drive, are in support to maintain privacy; Marion Harris, 49542 Villa Drive, is in support; Daryl Adams, 49554 Villa Drive, is in support; finally, Karl Migrin, who just spoke, objects.

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

Member Lynch said concerning Mr. Guidobono's first point about the sidewalk and culvert, it sounds valid. It appears we, the City, made the mistake. Who was a part of the discussion to move the culvert over? I understand that there is room to do it, but the additional charges to the applicant seem unnecessary. I don't think we should burden the developer with installing that segment of sidewalk since we did not fully understand the culvert situation. We did ask for a sidewalk at that location, but it doesn't make sense to push a sidewalk directly against a curb.

Member Lynch went on to say the other two requests are a bit different. I remember Mr. Meader and I discussed the tree planting situation for this development at length when it was originally brought before us for approval. The reason that I, and many of my fellow Commissioners from my understanding, approved this project because it was Mr. Guidobono presented it as a rustic and natural environment, like you were driving up north. There were agreements on planting trees on site to replace the ones that would be removed for construction. I do recall Mr. Guidobono mentioning that people would want pools and patios in certain areas of the neighborhood, but I specifically remember having a conversation where the developer said they would include those amenities as possible based upon the footprint they had. I understand that the residents of the neighborhood have their wants and needs, but I think it should be remembered the difficulty this Commission went through to get this project approved. The first order of business was maintaining the natural environment. I am reluctant to approve removing the trees along the boundary since they are woodland replacement trees. Mr. Meader, could you provide some insight? I know that Novi has a history of trying to fit too many trees where they won't fit, but my understanding is that the developer's landscape architect said they would have plenty of space to plant the trees and the trees would survive planted according to the plan. The only reason the developer wants the trees removed now is to accommodate a patio or a pool. Am I getting this right?



Landscape Architect Meader said that is my understanding as well. I was also told that another reason was to prevent blocking the view of the woods, but this was not included in their application before you today. We've had quite a few applications from Terra residents who want to add decks, pools, and other things behind their lots. My position is that the trees don't have to be planted exactly where they are located on the drawing, but I believe they do need to be planted in the development. For the developer to say they aren't going to plant 51 replacement trees, it seems like they aren't trying hard enough to find space for them.

Member Lynch asked do you think there is enough room for those trees elsewhere in the development?

Mr. Meader replied maybe not for all 51 trees, but for a good portion of them I do believe that.

Member Lynch said the last item requested was for not including a sidewalk connection to the ITC Trail. I was not a very big fan of connecting the trails to this site because the developers of Island Lake did something similar, and it has caused controversy among the residents. However, the site plan was approved with the trails, and people bought the properties the way the developer had originally laid out. I am a little nervous about this similar request for Terra, so I will listen to my colleagues for their comments on this.

Member Becker asked what is the minimum lot size for the RA Residential Acreage zoning designation?

Senior Planner Bell replied it is one acre in the RA district.

Member Becker asked what is the minimum lot size for R-1?

Ms. Bell replied it's half an acre.

Member Becker asked what is the minimum distance required between houses in the R-1 district?

Ms. Bell said based on setbacks, it would be essentially 30 feet.

Member Becker asked does the City allow any residential development to prohibit non-motorized traffic by non-residents?

Ms. Bell said in the case of a private street, we wouldn't necessarily get involved if it is posted – that is my understanding. That is more of a legal question regarding trespassing.

City Attorney Saarela said this is a condominium development, so the street, as a general common element, are owned as a proportionate share by all the unit owners. Therefore, there is no right for anyone other than those unit owners to use those private streets.

Member Becker said, regarding the trees between lots 27 and 36, how close would those trees be planted to the property line? Are there any restrictions as to how close trees can be planted to the property line?

Landscape Architect Meader said generally, and especially between units, we want them to be at least 4 feet away to allow drainage between the units. Along the back, some of the trees are almost directly on the property line, but we approved that because there's only woods behind those lines – no residents are back there. Also, the property behind those lots belongs to the City.

Member Becker asked what is the minimum DBH we require for a replacement tree?

Mr. Meader replied they are generally two-and-a-half-inch caliper for canopy trees, and we usually do 2 to 1.75 inches for subcanopy trees – there are a few subcanopy trees on the list.

Member Becker said there are a lot of items here that remind me of issues we've had to face with other developments. Hypothetically, if the applicant agrees to planting 51 replacement trees behind the lots on the north side of the development, what is the limitation for future property owners regarding removing these trees to build a deck, pool, or other property enhancement?

Mr. Meader said they would have to plant them somewhere else or contribute to the tree fund. In this case, since the developer is doing the building, they would be replaced by the developer.

Senior Planner Bell said there is also a conservation easement over the areas where they'd proposed to plant those trees.

Member Becker said regarding the ITC Trail, one of the rationales for eliminating the connector to the trail was to allow the berm to come all the way through to screen the view of the ITC towers. How high is the berm as it exists in the plan.

Mr. Meader said probably 8 to 10 feet.

Member Becker said I can somewhat see how that would screen those towers. We have done a lot of work over the years with much thoughtful consideration to amend and deviate from some standards that were in place. This started with the 2016 Master Plan Update when the property that is now Terra was completely Residential Acreage. By approving the PRO under R-1 standards, we potentially doubled the amount of lots for them to sell and houses to build. I also looked at the October 2019 City Council meeting documents, and there appeared to be about 19 deviations, alterations, or other modifications that were approved for the developer that we could have denied. I think I would probably be in favor of not requiring the sidewalk segment over the culvert, but the other two items are legitimate. They were agreed to by the developer three years ago, and they should be adhered to.

Member Dismondy said the rerouting of the sidewalk to the north around the culvert seems to be reasonable, especially since there isn't a sidewalk on the east side of the entrance street. This original agreement predates my membership on this commission, so I don't have the full history of it. However, the concern with eliminating the connection to the trail is that it was presented originally as a public benefit. I personally don't consider a trail going through a private neighborhood as a public benefit, especially when that trail is accessible from the entrance to the neighborhood. I would be okay with eliminating that requirement; that way, they could build up the berm and perhaps plant some of those 51 trees on top. I also imagine there is a compromise on the trees that can be reached between Mr. Meader and the applicant. Perhaps it isn't possible to fit all 51 replacements on site, but it certainly should be more than zero.

Member Roney said I spent a good deal of time thinking about this over the weekend. It is sort of difficult to address three different items at once, so I'll take each one at a time. The request regarding the sidewalk over the culvert makes sense to me. The next issue is the trees; it seems to me that we really should plant as many trees as we possibly can. That is the entire idea of the Woodland Ordinance. Maybe not all 51 can be planted, but as many as possible should be planted. For me, it comes down to the ITC Trail. I agree with Member Dismondy that the ITC Trail connection doesn't seem like a public benefit to me. Was the trail connection a stated public benefit in the PRO or was it just implied?

City Attorney Saarela said it was stated as a condition.

Member Roney said given that, it seems difficult to recommend to City Council to change the PRO unless we have a solid reason. I'm wondering if there was ever an alternative offered; since the developer believes the trail won't work, has there been any discussion with the developer about other options to keep the same amount of public benefit stated in the original PRO?

Senior Planner Bell said no, that has not been discussed.

Member Roney asked is it possible to ask to replace the trail connector with an alternate public benefit?

Mark Guidobono said I'm not sure what else we could include as a public benefit. One thing we talked to the City about was to do a commemorative plaque at the comfort station in honor of Wayne Wrobel. I'm not sure if the City would still be interested in doing that; I think this is one of the last projects he worked on at the City Council level. We had early discussions with the City about that, but we've been so busy that we're finally just now completing that comfort station. However, my recollection was that the trail connector wasn't a public benefit, but rather it was just connectivity for the City. We can also think of some other ideas to amount to a public benefit for the City.

Member Roney said it seems to me that would be an appropriate way to approach this. When an applicant get a PRO approved, the zoning change is allowed due to the public benefits presented. When those benefits begin to be eliminated, it somewhat defeats the purpose of the PRO.

Member Avdoulos said just to verify, this development is a gated community, and we have other gated communities in the City. Does this mean that the public is prohibited from walking through a private community.

City Attorney Saarela said typically, when there is a private street that is not dedicated to the public, the public would have no right otherwise to go there. In this case, the Master Deed does indicate the ITC connection, and that does imply a right for whoever is on the ITC Trail to travel through the development. That sets this development apart from a standard private and gated community where the public is not allowed. This project was built with the condition that it would be connected to the public trail with outlets on several streets. That easement is identified in their Master Deed, so everyone who purchased property in the development was on notice that this connection was going to be part of the condition of the use of their streets.

Member Avdoulos said when this project was presented to the Planning Commission, we looked at what all the benefits could be for the developer and the City to create something unique. This isn't like a typical subdivision, so we worked together with Mr. Guidobono to create a nice development. I think the developer has been doing a nice job so far, but one major aspect of the agreement was to become a part of the community by having that connectivity to the trail amenity. Therefore, I am in support of keeping the connection to the trail. I understand the concern with the visualization of the ITC power lines, but they are large and tall. An addition to the berm will not stop those from being visible. I would also like to keep the trees on site; I think that can be worked out, and we can find places for them to be planted. I do agree with the condition of the sidewalk near the culvert. I live close to this subdivision, so I walk along Nine Mile Road and Garfield Road, and I also walk through the subdivision with my dog. That has been a great amenity for me as a neighbor, and I appreciate it. I'm familiar with that entrance and layout of that sidewalk – even if it came to the road, the pedestrian would have to cross a larger mouth. I would prefer to cross the road when it is further back. Therefore, I can agree with the applicant on that particular issue, but I agree with the staff on the other two requests.

Chair Pehrson asked does the Commission have the purview to modify the motions presented to accept one request and deny the others?

City Planner McBeth said yes, you can modify the motion as you see fit.

Chair Pehrson said I agree with the other Commissioners on the sidewalk issue near the culvert. I won't waver on the trees – that requirement was part of what this entire plan was intended to be. The same goes for the ITC Trail connection point; everyone involved was aware of this requirement and the PRO agreement states it as a condition. I would recommend that we keep that amenity in place, as well.

Motion made by Member Avdoulos and seconded by Member Lynch.

**In the matter of the request of Cambridge of Novi, LLC, for Terra JSP21-12, motion to recommend denial to the City Council for an amendment to previously approved Planned Rezoning Overlay (PRO) plan and agreement for two of the requested changes, based on the following:**

- 1. The asphalt sidewalk connection to the ITC Trail helps to further the goals of non-motorized connectivity in the City and was presented as a public amenity at the time the PRO Agreement was approved.**
- 2. The applicant should attempt to find alternate on-site locations for the 51 woodland credits. Any remaining tree credits that cannot feasibly be planted on site may be paid into the Tree Fund.**

**ROLL CALL VOTE TO RECOMMEND PARTIAL DENIAL OF THE PRO PLAN AND AGREEMENT AMENDMENT FOR JSP21-12 TERRA TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to recommend partial denial of the PRO Plan and Agreement Amendment for JSP21-12 Terra to City Council. *Motion carried 5-1.***

Motion made by Member Avdoulos and seconded by Member Lynch.

**In the matter of the request of Cambridge of Novi, LLC, for the Terra JSP 21-12 with Zoning Map Amendment 18.718, motion to recommend approval to the City Council for an amendment to the previously approved Planned Rezoning Overlay (PRO) plan to allow a deviation from Subdivision Ordinance Section 4.05 and Design and Construction Standards Section 11-256(b) for the absence of approximately 110 feet of sidewalk along the south side of Villa Court. *Motion carried 6-0.***

**ROLL CALL VOTE TO RECOMMEND PARTIAL APPROVAL OF THE PRO PLAN AND AGREEMENT AMENDMENT FOR JSP21-12 TERRA TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to recommend partial approval of the PRO Plan and Agreement Amendment for JSP21-12 Terra to City Council. *Motion carried 6-0.***

## **MATTERS FOR CONSIDERATION**

### **1. APPROVAL OF THE 2023 PLANNING COMMISSION REGULAR MEETING SCHEDULE**

City Planner McBeth said as you know, around this time each year our Community Relations Department requests boards and commissions submit meeting dates for the following year. We have put together a schedule for you, and we've tried to avoid all major holidays. Most of the



**PLANNING COMMISSION ACTION SUMMARY  
SEPTEMBER 14, 2022**

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# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**September 14, 2022 7:00 PM**

Council Chambers | Novi Civic Center  
45175 W. Ten Mile (248) 347-0475

## CALL TO ORDER

The meeting was called to order at 7:00 PM.

## ROLL CALL

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney

Absent – Excused: Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Humna Anjum, Plan Review Engineer; James Hill, Planner

## APPROVAL OF AGENDA

**Motion to approve the September 14, 2022 Planning Commission Agenda. Motion carried 6-0.**

## PUBLIC HEARINGS

### 1. TERRA JSP 21-12 TERRA PRO SECOND AMENDMENT

Public hearing at the request of Cambridge of Novi, LLC for Planning Commission's recommendation to the City Council for the Second Amendment to the previously approved Terra Planned Rezoning Overlay (PRO) Plan, JSP17-52 and JSP 21-12, and associated with Zoning Map Amendment 18.718. The subject property is approximately 30.14-acres and is located east of Napier Road and on the north side of Nine Mile Road (Section 29, 30). The applicant proposed a 41-unit single-family ranch housing development. The current amendment is requested as the applicant is seeking to eliminate previously proposed sidewalk connections in two locations and to pay into the Tree Fund for 51 woodland tree credits rather than planting them on site to the north of units 27-36 as previously proposed.

**In the matter of the request of Cambridge of Novi, LLC, for Terra JSP 21-12, motion to recommend denial to the City Council for an amendment to previously approved Planned Rezoning Overlay (PRO) plan and agreement for two of the requested changes, based on the following:**

- 1. The asphalt sidewalk connection to the ITC Trail helps to further the goals of non-motorized connectivity in the City and was presented as a public amenity at the time the PRO Agreement was approved.**
- 2. The applicant should attempt to find alternate on-site locations for the 51 woodland credits. Any remaining tree credits that cannot feasibly be planted on site may be paid into the Tree Fund.**

**Motion carried 5-1.**

In the matter of the request of Cambridge of Novi, LLC, for the Terra JSP 21-12 with Zoning Map Amendment 18.718, motion to recommend approval to the City Council for an amendment to the previously approved Planned Rezoning Overlay (PRO) plan to allow a deviation from Subdivision Ordinance Section 4.05 and Design and Construction Standards Section 11-256(b) for the absence of approximately 110 feet of sidewalk along the south side of Villa Court. *Motion carried 6-0.*

#### **MATTERS FOR CONSIDERATION**

1. **APPROVAL OF THE 2023 PLANNING COMMISSION REGULAR MEETING SCHEDULE**

Motion to approve the 2023 Planning Commission Regular Meeting Schedule. *Motion carried 6-0.*

2. **APPROVAL OF THE AUGUST 10, 2022 PLANNING COMMISSION MINUTES**

Motion to approve the August 10, 2022 Planning Commission minutes. *Motion carried 6-0.*

#### **ADJOURNMENT**

Motion to adjourn the September 14, 2022 Planning Commission meeting. *Motion carried 6-0.*

The meeting adjourned at 8:00 PM.

\*Actual language of the motion sheet subject to review.