

CITY of NOVI CITY COUNCIL

Agenda Item 3
March 14, 2016

SUBJECT: Consideration of approval of the request of Hunter Pasteur Homes for Dunhill, JSP 15-13, for Zoning Map Amendment 18.711, to rezone property in Section 32, located at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) to R-1 (One-Family Residential) subject to the related Planned Rezoning Overlay (PRO) Plan Agreement, and corresponding PRO Plan. The property totals 23.76 acres and the applicant is proposing to construct a 31-unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Paul*

CITY MANAGER APPROVAL: *PK*

BACKGROUND INFORMATION:

The petitioner is requesting a Zoning Map amendment for a 23.76-acre property at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) to R-1 (One-Family Residential) using the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow the development of a 31-unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

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 City and the applicant agree to a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

The subject parcel is 23.76 gross acres on the northwest corner of Beck Road and Eight Mile Road. The site includes 0.25 acres of land in the Eight Mile Road right-of-way; the net acreage is 23.51 acres. The concept PRO plan proposes 31 total lots in a cluster arrangement, with 7.76 acres, or 33 percent of the total site preserved as open space. The open space is primarily devoted to an on-site detention pond and wetland mitigation areas. An open park space is proposed next to lot 22. One boulevarded access point is proposed onto Eight Mile Road and one stub street is proposed.

This site was the former home to J.J. Zayti Trucking, Inc. The applicant has indicated that the previous use resulted in environmental contamination and that remediation efforts are planned for the entire site. At the Planning Commission meeting, the applicant said that there are two issues with the site: one is elevated levels of arsenic in the soil, and the other is buried debris on the site. Non-contaminated debris includes crushed concrete and

various fill material. Contaminated debris includes buried fuel oil tanks. The concept plan shows large circle areas that are the potential areas of debris; the smaller circles are the areas that are known to have debris. Any contamination found during excavation will be dug out and properly disposed.

The City Council granted tentative approval of the request at its January 11, 2016 meeting. The Council considered the proposed public benefits described in the Background Information of that motion sheet, and granted certain deviations from various ordinance requirements.

The attached document follows the format that has been used in prior PRO development approvals. If the Council determines to proceed with the approval, the rezoning would be effective upon the signing and recording of the PRO Agreement.

RECOMMENDED ACTION:

Approval of the request of Hunter Pasteur Homes for Dunhill, JSP 15-13, for Zoning Map Amendment 18.711, to rezone property in Section 32, located at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) to R-1 (One-Family Residential) subject to the related Planned Rezoning Overlay (PRO) Plan Agreement, and corresponding PRO Plan. The property totals 23.76 acres and the applicant is proposing to construct a 31-unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

This motion is made because:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of a maximum of 0.8 units/acre to an actual 1.32 units/acre, and which supports several objectives of the Master Plan for Land Use as noted in this review letter.
- b. The proposed density of 1.32 units/acre provides a reasonable transitional use between the lower density developments to the north and west, and the existing higher density developments to the east, in the City of Northville, and Maybury State Park on the south side of Eight Mile Road.
- c. The site will be adequately served by public utilities.
- d. The proposed zoning and proposed use represents only a nominal increase in expected site generated traffic relative to development permitted under existing zoning.
- e. Submittal of the PRO Plan, and PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.
- f. The proposed PRO Plan shows the intent of the applicant to remediate environmental contamination of the site as a part of the development plan, which will improve the land through the removal of potential environmental hazards.

The approval of the PRO Agreement is subject to final review and approval as to form by the City Manager and the City Attorney.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Burke				
Council Member Casey				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

CITY COUNCIL MEETING MINUTES

JANUARY 11, 2016

- b) On January 1, 2017 to increase the hourly rate \$5 for Partners from \$135 to \$140; and for Associates from \$130 to \$135.

Roll call vote on CM 16-01-003

**Yeas: Burke, Casey, Markham, Mutch, Wrobel,
Gaff, Staudt**

Nays: None

MATTERS FOR COUNCIL ACTION

1. Consideration of tentative approval of the request of Hunter Pasteur Homes for Dunhill Park, JSP 15-13, with Zoning Map Amendment 18.711, to rezone property in Section 32, located at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) to R-1 (One-Family Residential) with a Planned Rezoning Overlay (PRO), and corresponding concept plan. The property totals 23.76 acres and the applicant is proposing to construct a 31-unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

Mr. Randy Werthiemer, Hunter Pasteur Homes, spoke about building a 31 lot community at 8 Mile and Beck and will be consistent with the homes in the area. The price range will be \$700,000 - \$1 million with homes of 3,500 square feet and larger. They are taking a site that is a gateway to Novi. It is an environmentally challenged site. It is not a pristine site and they are expecting to spend millions to clean up the environmental issues prior to developing it into a single-family home residential neighborhood.

Member Mutch asked for information about Brownfield process that will go through the County. Mr. Andy Millia, Hunter Pasteur Homes, answered they are working through the Brownfield Tax Credit Authority in conjunction with the County and the City. There are a few benefits. Eventually, the community will capture the property taxes once the Brownfield is exhausted and also through a negotiation, the City can recapture a portion of the Brownfield tax credit that would normally go back to the developer. Member Mutch clarified that the Brownfield Authority would be established by the County and asked him to explain how it would operate. Mr. Millia said there is a specific plan put in place and the amount of dollars that goes towards the remediation are captured and their costs reimbursed. They are working with the City administration to remediate a portion of it and then the reimbursement will go back to the City during the process. Member Mutch asked how long it will last. Mr. Millia gave an analogy if the taxes are \$10,000 per unit per year for 31 units equals \$310,000. He explained a certain portion of it wouldn't get reimbursed. If there were \$900,000 worth of remediation costs, the Brownfield tax credit would be used up in 3 years. After the 3 year time period, the City, County and schools would start to collect taxes. In this case, because the tax amount is very high, the Brownfield reimbursement period will be short. They anticipate between 3 to 5 years. Member Mutch asked what costs can be reimbursed. Mr. Millia said there are two forms of remediation on the property. There is some arsenic associated with the property and some contaminated debris buried on the property. Anything that is removed and taken to a class II land fill would be

considered contamination and those costs would be reimbursed. Also, the costs associated with testing and certain soft costs. It is not the costs for general infrastructure and the normal costs associated with development of the property. It is only the costs associated with remediating contaminated materials. Member Mutch asked whether the costs to remove the woodlands and wetlands in certain areas because of arsenic would be reimbursed. Mr. Millia said he is not an expert to answer that. He said it would be anything associated with the removal of contamination. He said those costs would be very minor compared with the bulk of the costs to remove the contaminated soil and any contaminated debris. Some of the ancillary costs, he was not positive if they would be reimbursed, but would be minor compared to the major cost associated with it. Member Mutch said he had a concern about them collecting money from the Authority for reimbursement and not have to pay fees to the City. He said it seemed like it was in the developer's favor. Mr. Millia said the trees and the environmental cleanup are not related to each other. The reason they are asking not to commit to the woodland replacement fund is because they are taking a dilapidated site and are replacing it with an unbelievable landscape entrance and planting trees 50% to 100% larger than the ordinance requires. He noted it because they are spending more money than the minimum requirements. They want the site to look mature. They want the corner of 8 Mile and Beck Road to look exceptional. The request for a waiver of the tree ordinance has nothing to do with the environmental cleanup. Member Mutch thought he would have to see something more structured. Mr. Millia said they did present the information to staff. Member Mutch said he didn't see anything that said they shouldn't have to replace the trees that would otherwise have to be replaced by the ordinance because of their new plan to plant bigger trees. Mr. Millia said they were in front of the Planning Commission and heard the same discussion. They said it was something the Council should decide. They are looking to plant mature large trees that exceed the minimum requirement after the cleanup of contamination. Member Mutch said they would want to discuss something that states they are putting the approximately \$100,000 into landscaping above and beyond what it required by the ordinance. Member Mutch felt he had a better understanding about the Brownfield Authority and how it will work. He would be interested if there are opportunities to do environmental improvements to the site above and beyond what is required and it would be financed through the Authority. City Manager Auger said after it goes through the County, there will be a Brownfield plan developed to specify what will be reimbursed. Member Mutch confirmed they will see the plan in the future. Member Mutch noted the rezoning will go from R-A with 18 home sites to 1.3 units per acre. He said the properties to the east are about a half-acre lot. He asked why staff thought it was a transition of 13,000 square acre lots to larger lots with lower density. Barb McBeth, Deputy Community Development Director, explained the consultant studied the proposed density of the project. He excluded the property to the south because it is not developed as a residential project and looked at the developments to the west, north and east and found 0.8 units to the acre, 1 unit to the acre, and 3.63 to the acre respectively. Member Mutch said they were half acre lots to the east. He is concerned because everyone else has built half acre lots or larger and density that is less than this proposed plan. He said this plan is a higher density. He asked how the 31 units were determined. Ms. McBeth said there were a series of discussions with the applicant

about the lot size that was needed, the arrangement of the lots and preservation of the open space as much as possible to do. When the plan first went to the Planning Commission there were 32 lots proposed. The Planning Commission had a few issues with the plan and requested additional information be provided. The plan that came back had 31 lots and preserved additional space. Ms. McBeth said that the plan went to the Master Plan and Zoning Committee for discussion also. Member Mutch noted the public benefits outlined and confirmed that it hasn't changed. He appreciated what the developer is doing to the site. The applicant is also recapturing a portion of the costs through the Brownfield Authority. He felt it changes the financial consideration of some of their requests. He felt the City is forgoing a significant amount of money. He didn't see anything different than if they just rezoned the property to R-1. He is looking for more specifics of what benefit it generates for the City above and beyond what is standard.

Member Casey asked about why staff supported not requiring a stub street to the west. Ms. McBeth responded that there should be an emergency access at that location and they are asking for a deviation. The Engineering and Fire Marshall are satisfied with the deviation and felt it was minor. Member Casey asked how the deviation relates to the distance from the emergency access and 8 Mile. Ms. McBeth said along the west side, there is an emergency access that is proposed to Beck Road and it was acceptable.

Member Wrobel asked what percentage of the whole site is arsenic located in it now. Mr. Millia said the arsenic was in a small area. The majority of the remediation is from the former trucking company. Member Wrobel asked if he knew how deep they had to go to remove the arsenic. Mr. Wertheimer said there are two areas of arsenic remediation and are within a couple of feet of the topsoil. The balance of the site has spotty areas of fill. They can't determine the exact amount or cost until they begin the work. There will be a testing engineer on site during the remediation. The contamination and debris will be taken off site to a land fill. Member Wrobel commented that development there has been a problem for this site because of the contamination and was pleased to have someone presenting a project to make it a useful site.

Mayor Pro Tem Staudt asked if the language in the recommended motion was correct. City Attorney Schultz explained he could make the motion to read the introductory paragraph and then recite the subsections while incorporating the subsections by reference. Mayor Pro Tem Staudt asked if the developer was involved with the Knightsbridge Gate Development. Mr. Wertheimer said they were the builder and not the developer. He explained they will be the developer and the builder on this project. He only bought developed lots from Grand Sakwa and built the homes. He was aware of the issues the residents are having, but they didn't have anything to do with its development.

CM 16-01-004

Moved by Staudt, seconded by Wrobel; MOTION CARRIED: 4-3

Tentative indication that Council may approve the request of Hunter Pasteur Homes for Dunhill Park, JSP 15-13 with Zoning Map Amendment 18.711 to rezone the subject property from RA (Residential Acreage) to R-1 (One-Family Residential) with a Planned Rezoning Overlay (PRO) Concept Plan and direction to the City Attorney to prepare a proposed PRO Agreement with the following ordinance deviations:

- a. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided);
- b. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided);
- c. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features (coverage along entire frontage required; approximately 40 percent coverage proposed);
- d. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the right-of-way along Beck Road;
- e. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements of canopy and sub canopy trees in greenbelt along both Public Rights-of-way;
- f. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile Road if the Road Commission for Oakland County does not allow some or all of the required street trees along Eight Mile Road;
- g. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed);
- h. Landscape deviation from Landscape Design Manual Section I.d.(1) (d) for not meeting the required diversity of tree species for a single family residential subdivision; i. Applicant shall provide modelling data showing sufficient fire flows at the water main dead end or applicant shall provide a loop connection approved by the City Engineer during Preliminary Site Plan. An offsite easement may be required for the loop connection;

- j. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter; and
- k. City Council variance from Section 11-194(a) (7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access.

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

- a. Acceptance of applicant's offer of Public benefits as proposed:
 - i. Tax benefits for the City including significant property taxes and potential Brownfield benefits from Oakland County.
 - ii. Significant Brownfield environmental cleanup.
 - iii. Installation of a "Welcome to Novi" landmark feature.
 - iv. \$25,000 donation to the Parks, Recreation and Cultural Services Department to be applied toward the construction of the nearby ITC Community Sports Park Trail.
 - v. High-end landscaping (i.e., exceeding ordinance requirements, as determined at the time of site plan approval).
 - vi. The developer's financial contribution to complete the construction of the sidewalk along the Eight Mile Road frontage. The applicant has offered \$75,000.
- b. Applicant complying with the conditions listed in the staff and consultant review letters, including satisfying the concerns in Wetlands and Woodlands review letters.
- c. The applicant shall not conform with the City's Code requirements for the required woodland replacement trees, with an appropriate number of replacement trees being planted on site, (as determined at the time of Preliminary Site Plan), or the applicant shall pay into the City's tree fund, per the recommendation of the Planning Commission at the Public Hearing.

This motion is made for the following reasons:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of a maximum of 0.8 units/acre to an actual 1.32 units/acre, and which supports several objectives of the Master Plan for Land Use as noted in this review letter.
- b. The proposed density of 1.32 units/acre provides a reasonable transitional use between the lower density developments to the north and west, and the existing higher density developments to the east, in the City of Northville, and Maybury State Park on the

south side of Eight Mile Road.

- c. The site will be adequately served by public utilities.**
- d. The proposed zoning and proposed use represents only a nominal increase in expected site generated traffic relative to development permitted under existing zoning.**
- e. Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.**
- f. The proposed concept plan shows the intent of the applicant to remediate environmental contamination of the site as a part of the development plan, which will improve the land through the removal of potential environmental hazards.**

Member Markham liked the development, but did not approve of the loss of the requirement to contribute to the tree fund.

Member Gatt spoke about the history of that area. He explained there were negative comments made about him, but believes he has been transparent and has always acted in an ethical manner. He has always supported new development for the past 12 years. He believed this development will go a long way toward making Novi a premier City. It is an investment that will bring millions of dollars into the City. He will support it.

Member Mutch asked if there ever had been a waiver of the woodland ordinance in the past. City Attorney Schultz didn't know. He explained that it will be a provision in the PRO agreement that will exercise the option that Council has under the woodlands ordinance to grant variances. Member Mutch has not recalled ever granting a variance to the woodlands replacement requirements. He thinks it sets a bad precedent. Unfortunately, he understood the waiver for the woodlands requirement was based on environmental costs related to the site and that was being addressed through the Brownfield Authority reimbursement process. Then he was told it was due to the upsizing of the landscaping. The landscaping report didn't indicate in a way he felt comfortable with. He said if trees are cut down, they have to be replaced. He hasn't seen justification for waiving it in this case. He has an issue with the City investing \$175,000 to put into sidewalks for this project and the costs are not being recouped. It benefits the residents, but it is a cost savings for the developer. He will not support it as it is currently presented.

Member Casey also could not support it without the change to Item C. where the motion would require them to make the contribution to either replant the trees or make a contribution to the tree fund. She felt it was important to keep the City's ordinance in place. She didn't see any argument for the developer to overturn the ordinance.

Member Markham echoed what the previous speakers said. She said there are a lot of good features of the development. She said it is probably the best proposal that she

has seen for the property but didn't see a reason to deviate from the City's ordinances in this case.

Roll call vote on CM 16-01-004

Yeas: Wrobel, Gatt, Staudt, Burke

Nays: Casey, Markham, Mutch

2. Consideration of a request from Mirabella Estates Condominium Association for a variance from: 1) Section 2-210 of the Ordinance to waive the required legal review escrow deposit, in the amount of \$2,039 associated with the review of legal document exhibits for the dedication of the road and utilities in the condominium; and 2) Section 11-301 of the Ordinance to waive the required fees in the amount of \$8,900 for the City to prepare the record drawings showing the completed utility locations on the project.

Member Mutch asked if there was anyone present from the Association. Mayor Gatt noted no one was present from the Association. Member Mutch felt it was unfortunate because he had questions related to the request and it would be difficult to get additional information. He was inclined to deny the request because he thought it would present a problematic precedence for the City to waive the requirements in this case. He had some concerns of how this process unfolded. He said it was another example of how homeowners and property tax payers are left with costs they should have never had to pay for if the developer had done what they were supposed to do. He said some of the details of the information provided raise concerns about the development process. The Association needed to do their due diligence but he wondered about how the developer was allowed to get away with not fulfilling their obligations. He said there have been problems with other projects. It is an unfortunate situation for the residents.

Member Markham exited the meeting due to a family emergency.

CM 16-01-005

Moved by Mutch, seconded by Burke; MOTION CARRIED: 6-0

Denial of a request from Mirabella Estates Condominium Association for a variance from:

- 1) **Section 2-210 of the Ordinance to waive the required legal review escrow deposit, in the amount of \$2,039 associated with the dedication of the road and utilities in the condominium; and**
- 2) **Section 11-301 of the Ordinance to waive the required fees in the amount of \$8,900 for the City to prepare the record drawings showing the completed utility locations on the project for the following reasons:**
 - The fees are necessary to pay a City consultant to complete the documentation that is required in Sections 11-301 and Section 26.5-33, prior to the acceptance of streets and utilities**

PROPOSED
PLANNED REZONING OVERLAY (PRO)
AGREEMENT

PLANNED REZONING OVERLAY (PRO) AGREEMENT
DUNHILL PARK

AGREEMENT, by and among Hunter Pasteur Homes Dunhill Park, a Michigan Limited Partnership, whose address is 32300 Northwestern Highway, Suite 125, Farmington Hills, MI 48334 (referred to as “**Developer**”); Allen H. Vigneron, Roman Catholic Archbishop of the Archdiocese of Detroit, whose address is 12 State Street, Detroit, MI, 48226 (“**Owner**”); and the City of Novi, 45175 West Ten Mile Road, Novi, MI 48375-3024 (“**City**”).

RECITATIONS:

- I. Owner is the owner and Developer is the developer of an approximately 23.76-acre parcel of property (with final acreage determined in accordance with the PSA as hereinafter defined) located on the northwest corner of Eight Mile and Beck Roads, herein known as the “Land” or the “Development” described on **Exhibit A**, attached and incorporated herein. Owner and Developer are hereinafter referred to as “Applicants.”
- II. For purposes of improving and using the Land for a 31-unit detached single-family residential development intended for owner occupancy, Applicants have 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, Single Family Residential. The RA 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 Applicants with certain material development options not available under the Existing Classification, and would be a distinct and material benefit and advantage to the Applicants.
- IV. The City has reviewed and approved Applicants’ 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 and has reviewed Applicants’ proposed PRO Plan, including conceptual renderings of homes, 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. The City has further reviewed the proposed PRO conditions offered or accepted by Applicants.

- V. In proposing the Proposed Classification to the City, Applicants have expressed a firm and unalterable intent that Applicants will develop and use the Land in conformance with the following undertakings by Applicants, as well as the following forbearances by Applicants (each and every one of such undertakings and forbearances shall together be referred to as the “Undertakings”):
- A. Applicants shall develop and use the Land solely for a 31-unit high-quality, owner occupied, single-family residential project, in accordance with the PRO Plan. Applicants shall forbear from developing and/or using the Land in any manner other than as authorized and/or limited by this Agreement and/or the terms of any other subsequent approvals, including site plan approval, that may be obtained by Applicants from the City.
 - B. Applicants shall develop the Land in accordance with all applicable laws and regulations, and with all applicable ordinances, including all applicable setback requirements of the Zoning Ordinance with respect to the Proposed Classification, except as expressly authorized herein or as shown on the PRO Plan, or as authorized by other subsequent approvals, including site plan approval, by the City. The PRO Plan is acknowledged by the City and Applicants to be a conceptual plan for the purpose of depicting the general development approval, and that preliminary and final site plan approvals, which will require the submission and review of additional information, are still required. Deviations from the provisions of the City’s ordinances, rules, or regulations that are depicted in the PRO Plan are approved by virtue of this Agreement; however, except as to such specific deviations enumerated herein, Applicants’ right to develop the 31-unit single-family development 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 or as part of any other approval or permit granted by the City or its agencies. Applicants acknowledge that the Planning Commission and Engineering Division may impose additional conditions other than those contained in this Agreement during detailed site plan reviews and approvals as authorized by law; provided, however, that such conditions shall not be inconsistent with the PRO Plan or this Agreement and shall not change or eliminate any development right authorized thereby.
 - C. In addition to any other ordinance requirements, Applicants shall comply with all applicable ordinances for storm water and soil erosion

requirements and measures throughout the site during the design and construction phases, and subsequent use, of the development contemplated in the Proposed Classification.

D. Applicants shall provide the following Public Benefits/Public Improvements in connection with the development of the Land:

1. Residences that exceed the minimum architectural standards of the City and are similar, in the City's determination, to those conceptual architectural renderings in the PRO Plan attached as **Exhibit B**.
2. Clean-up of an environmentally-contaminated former trucking site. The clean-up is to include the removal and remediation of any site contamination, including but not limited to, underground storage tanks or hazardous or toxic substances existing on, under, above or upon the Land. The clean-up shall result in a site that is safe for residential occupancy and that complies with the unrestricted residential clean-up criteria of the Michigan Department of Environmental Quality (MDEQ), to the satisfaction of the City's environmental consultants.
3. Installation, at Applicants' cost, of a "Welcome to Novi" sign as a landmark feature, with the details of the sign (size, location, materials, and the like) to be determined by the City;
4. Installation of additional or alternative landscaping as shown in the PRO Plan and subject to final approval by the City at the time of site plan approval.
5. Payment of \$25,000 toward the construction of the nearby ITC Sports Park Trail, which is likely to be used by future residents of the development. Such payment shall be due prior to the issuance of the initial permit for development.

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

1. Applicants acknowledge that the Land contains areas of elevated level of arsenic as a result of its prior use as well as buried debris, and that the site was formerly used in connection with a trucking operation. Applicants have therefore requested the City's support for and approval of a Brownfield Redevelopment Plan using the Oakland County Brownfield Redevelopment Authority. Prior to the issuance of any building permits within the Development, Applicants shall be required to clean up, remove, and remediate any and all site

contamination, including but not limited to any underground storage tanks or hazardous or toxic substances existing on, under, above or upon the Land such that the Land is safe for use for single family residential homes in conformance with MDEQ unrestricted residential clean-up criteria, and conforms to the Applicants' Brownfield Redevelopment Plan requirements pursuant to MDEQ approved certificate(s) of completion. Compliance with this condition shall be subject to review by the City's environmental consultants. For purposes of this Agreement, the term "hazardous substance(s)" shall mean any hazardous or toxic material, substance or waste, which is defined by or for which the production, processing, sale, handling and/or disposal thereof is regulated as a hazardous or toxic material or waste under any applicable statute, law, rule or regulation of any federal, state or local governmental authority.

2. Applicants shall contribute \$75,000 toward construction of a sidewalk along the site's frontage as now being undertaken by the City. Such payment shall be due prior to the issuance of the initial permit for development.
3. Installation and maintenance of landscaping in accordance with the Landscaping Plan that is part of the PRO Plan, and permanently maintaining such landscaping to a professional standard. The landscaping shall be subject to review by the City at the time of final site plan approval; however, any additional requirements at the time of such approval shall not be inconsistent with nor detrimentally effect the deviations granted with regard to landscaping in this Agreement.
4. Compliance with all conditions set forth in the staff and consultant review letters attached in **Exhibit C**, provided, however, that such conditions shall not be inconsistent with the PRO Plan or this Agreement and shall not change or eliminate any development right authorized thereby.
5. Applicants shall plant the number of woodland replacement trees determined at the time of final site plan approval to be required on site (at the time of this Agreement expected to be 231 trees). The woodland replacement trees shall be approximately 4 inches in diameter, provided that the City shall approve the species of such trees at the time of site plan approval. To the extent that all of the required replacements cannot be replaced on site, as determined by the City at the time of preliminary site plan approval, the remainder of the replacement trees shall be waived, and Applicants shall not be required to pay the equivalent amount into the City's

tree fund. All other provisions of the City's woodlands and landscape ordinances shall apply except as provided herein.

6. The City acknowledges that the design and appearance of the homes may change as the development proceeds and may not be exactly as shown in the renderings in **Exhibit B**. However, Applicants specifically acknowledge that they have promised high-quality architecture and appearance as a benefit to secure this rezoning. The Department of Community Development will determine as part of the plot plan approval process whether the proposed home meets the requirements of this Agreement and the PRO Plan. Any modifications to the design and appearance of the homes as represented to the City must be reviewed pursuant to the administrative site plan approval process provided for in the Zoning Ordinance, and must be approved by the Community Development Department.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Upon the Proposed Classification becoming final following entry into this Agreement:
 - a. The Undertakings and PRO Conditions shall be binding on Applicants and the Land;
 - b. Applicants shall act in conformance with the Undertakings; and
 - c. Applicants shall forbear from acting in a manner inconsistent with the Undertakings;
2. The following deviations from the standards of the zoning ordinance are hereby authorized pursuant to §7.13.D.i.c (2) of the City's Zoning Ordinance.
 - a. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided);
 - b. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided);

- c. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features (coverage along entire frontage required; approximately 40 percent coverage proposed);
- d. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the existing natural areas along the right-of-way along Beck Road, provided, however, that the trees are placed as close as possible to the correct position;
- e. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements for the required mix of canopy and sub canopy trees in greenbelt along both Public Rights-of-way;
- f. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile Road if the Road Commission for Oakland County does not allow some or all of the required street trees along Eight Mile Road;
- g. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed);
- h. Landscape deviation from Landscape Design Manual Section 1.d.(1)(d) for not meeting the required diversity of tree species for a single family residential subdivision;
- i. Applicants shall provide modelling data showing sufficient fire flows at the water main dead end or applicant shall provide a loop connection approved by the City Engineer during Preliminary Site Plan. An offsite easement may be required for the loop connection;
- j. Variance from Section 4.04 (A)(1) of the Novi City Code for the absence of street extensions to the site boundary at access intervals not to exceed 1,300 ft.
- k. Variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access.
- l. Waiver of required payments into tree fund for replacement trees that cannot be replaced on-site as determined by the City at the time of site plan approval, as further described in this Agreement.
- m. Because of the initial environmental clean-up that is required, Applicants may, upon securing preliminary site plan approval and appropriate woodlands approval, enter upon the land for the purpose of commencing the

environmental clean-up activities as described herein, provided that Applicants receive from the City a Land Improvement Permit under Chapter 12 of the City Code, which may include approval by the City's environmental consultants. Applicants acknowledge and agree that any such work shall be at their own risk, and that the City's authorization to commence such work shall not constitute or require approval by the City of site plan approval or any other required approvals.

- n. Limited authorization for delay in planting of street trees and/or replacement trees that are shown as placed at the back of individual lots/units (not common areas or along/adjacent to rights-of-way). To the extent the zoning ordinance requires planting of such trees before construction of a home on the lot, Applicants may defer such planting until completion of construction of the home on such lot/unit; provided, however, that such delay authorization shall not apply as to units/lots along Beck Road or Eight Mile Road; as to those lots/units, such trees shall be planted at the time required by the ordinance, as those trees are intended to form a visual buffer. Identification of which trees qualify for delayed planting shall be determined at the time of site plan review.
3. In the event Applicants proceed with actions to complete improvement of the Land in any manner other than as provided in this Agreement, the City shall be authorized to revoke all outstanding building permits and certificates of occupancy issued for such building and use following notice to Applicant and a reasonable opportunity to cure.
4. Applicants acknowledge and agree that the City has not required the Undertakings. The Undertakings have been voluntarily offered by Applicants 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 Applicants.
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 31-unit single-family residential development. The burden of the Undertakings on the Applicants 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 Applicants, or their 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 Applicants nor their 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 Applicants 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 Applicants from otherwise challenging the reasonableness of such rezoning as applied to the Land. In the event the City rezones the Land to a use classification other than the Proposed Classification, this Agreement shall terminate and be null and void.

7. By execution of this Agreement, Applicants acknowledge that they have acted in consideration of the City approving the Proposed Classification on the Land, and Applicants agree to be bound by the provisions of this Agreement.
8. After consulting with an attorney, Applicants understand and agree that this Agreement is authorized by and consistent with all applicable state and federal laws and Constitutions, that the terms of the 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 Applicant inconsistent with this Agreement.
9. This Agreement shall run with the land and shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees, and shall be recorded by either party with the office of the Oakland County Register of Deeds.
10. The Zoning Board of Appeals (ZBA) shall have no jurisdiction over the 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}

WITNESSES:

DEVELOPER

Print Name:

HUNTER PASTEUR HOMES DUNHILL
PARK, LLC

Print Name:

By: _____

Its: Manager

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this ____ day of _____, 2016, before me appeared
who states that he has signed this document of his own free will duly authorized on behalf of the
Developer.

, Notary Public
County
Acting in County
My commission expires:

WITNESSES:

Print Name:

Print Name:

OWNER

ALLEN H. VIGNERON, ROMAN
CATHOLIC ARCHBISHOP OF THE
ACRCHDIOCESE OF DETROIT

By: _____

Its: Allen H. Vigneron

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this ____ day of _____, 2016, before me appeared
_____ who states that he has signed this document of his own free
will duly authorized on behalf of the Owner.

, Notary Public

County
Acting in County
My commission expires:

CITY OF NOVI

Print Name:

By: _____
Robert J. Gatt, Mayor

Print Name:

Print Name:

By: _____
Maryanne Cornelius, Clerk

Print Name:

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this ____ day of _____, 2016, before me appeared Robert J. Gatt and Maryanne Cornelius, 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.

, 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

When recorded return to:
Maryanne Cornelius, Clerk
City of Novi
45175 West Ten Mile Road
Novi, MI 48375-3024

EXHIBIT A

LAND

EXHIBIT B

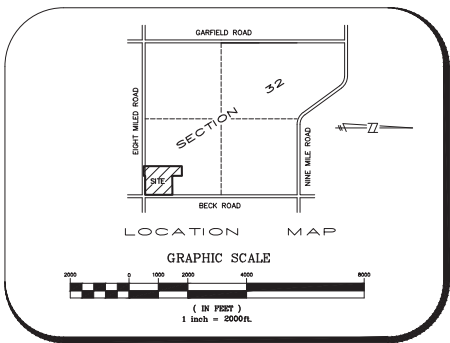
PRO PLAN

PLANNED REZONING OVERLAY (PRO) PLAN

DUNHILL PARK

**SECTION 32, TOWN 1 NORTH,
RANGE 8 EAST, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN**

PREPARED FOR:
**HUNTER PASTEUR HOMES
DUNHILL PARK, L.L.C.**
32300 NORTHWESTERN HWY., STE. 125
FARMINGTON HILLS, MI 48334
248.539.5511



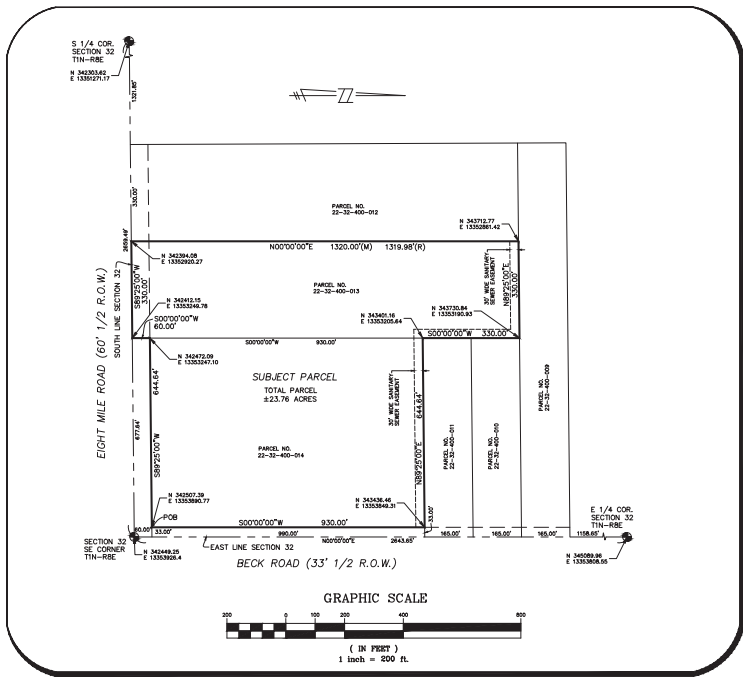
LEGAL DESCRIPTION

PART OF THE SOUTHEAST 1/4 OF SECTION 32, T1N-R8E, CITY OF NOVI, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE N00°00'00"E 60.00 FEET ALONG THE EAST LINE OF SAID SECTION 32 AND THE CENTERLINE OF BECK ROAD; THENCE S89°25'00"W 330.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°25'00"W 644.64 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF EIGHT MILE ROAD; THENCE S00°00'00"W 60.00 FEET; THENCE S89°25'00"W 330.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 32 AND THE CENTERLINE OF EIGHT MILE ROAD; THENCE N00°00'00"E 1320.00 FEET; THENCE N89°25'00"E 330.00 FEET; THENCE S00°00'00"W 330.00 FEET TO THE POINT OF BEGINNING, CONTAINING 23.76 ACRES OF LAND, MORE OR LESS.

BENCHMARKS

BM#1 - (CITY OF NOVI BM 32-6) RAILROAD SPIKE IN SOUTH FACE OF POWER POLE AT NORTHEAST CORNER OF 8 MILE RD. AND BECK RD. ELEVATION 944.93 (CITY OF NOVI DATUM)

BM#2 - RAILROAD SPIKE IN NORTH FACE OF 4TH POWER POLE WEST OF BECK RD. ON THE NORTH SIDE OF 8 MILE RD. ELEVATION 944.65 (CITY OF NOVI DATUM)



- SHEET INDEX**
- ENGINEERING PLANS:**
1. COVER SHEET
 2. SITE PLAN
 3. STORM WATER MANAGEMENT PLAN
- WOODLAND PLANS:**
- W-1 WOODLAND PLAN
W-2 TREE LIST
W-3 TREE LIST
- LANDSCAPE PLANS:**
- L101, L102, L401, L501

- NOTES**
1. ALL WORK SHALL CONFORM TO THE CITY OF NOVI'S CURRENT STANDARDS AND SPECIFICATIONS.
 2. THE CONTRACTOR MUST OBTAIN A PERMIT FROM THE CITY OF NOVI FOR ANY WORK WITHIN THE RIGHT-OF-WAY OF 8 MILE ROAD AND BECK ROAD. THE CONTRACTOR MUST OBTAIN A PERMIT FROM THE ROAD COMMISSION FOR OAKLAND COUNTY FOR ANY WORK WITHIN THE RIGHT-OF-WAY OF 8 MILE ROAD.
 3. ALL PAVEMENT MARKINGS, TRAFFIC CONTROL SIGNS, AND PARKING SIGNS SHALL COMPLY WITH THE DESIGN AND PLACEMENT REQUIREMENTS OF THE 2011 MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

- FIRE DEPARTMENT NOTES**
1. All fire hydrants and water mains shall be installed and in service prior to above foundation building construction as each phase is built.
 2. All roads shall be paved and capable of supporting 35 tons prior to construction above foundation.
 3. Building addresses shall be posted facing the street during all phases of construction. Addresses shall be a minimum of three inches in height on a contrasting background.
 4. Provide 4-6" diameter concrete filled steel posts 48" above finish grade at each hydrant as required.
 5. Fire lanes shall be posted with "Fire Lane - No Parking" signs in accordance with Ordinance #85.99.02.

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

LANDSCAPE PLANS PREPARED BY:
GRISSIM METZ ANDRIESE ASSOCIATES
300 EAST CADY STREET
NORTHVILLE, MICHIGAN 48167
PHONE: 248.347.7010

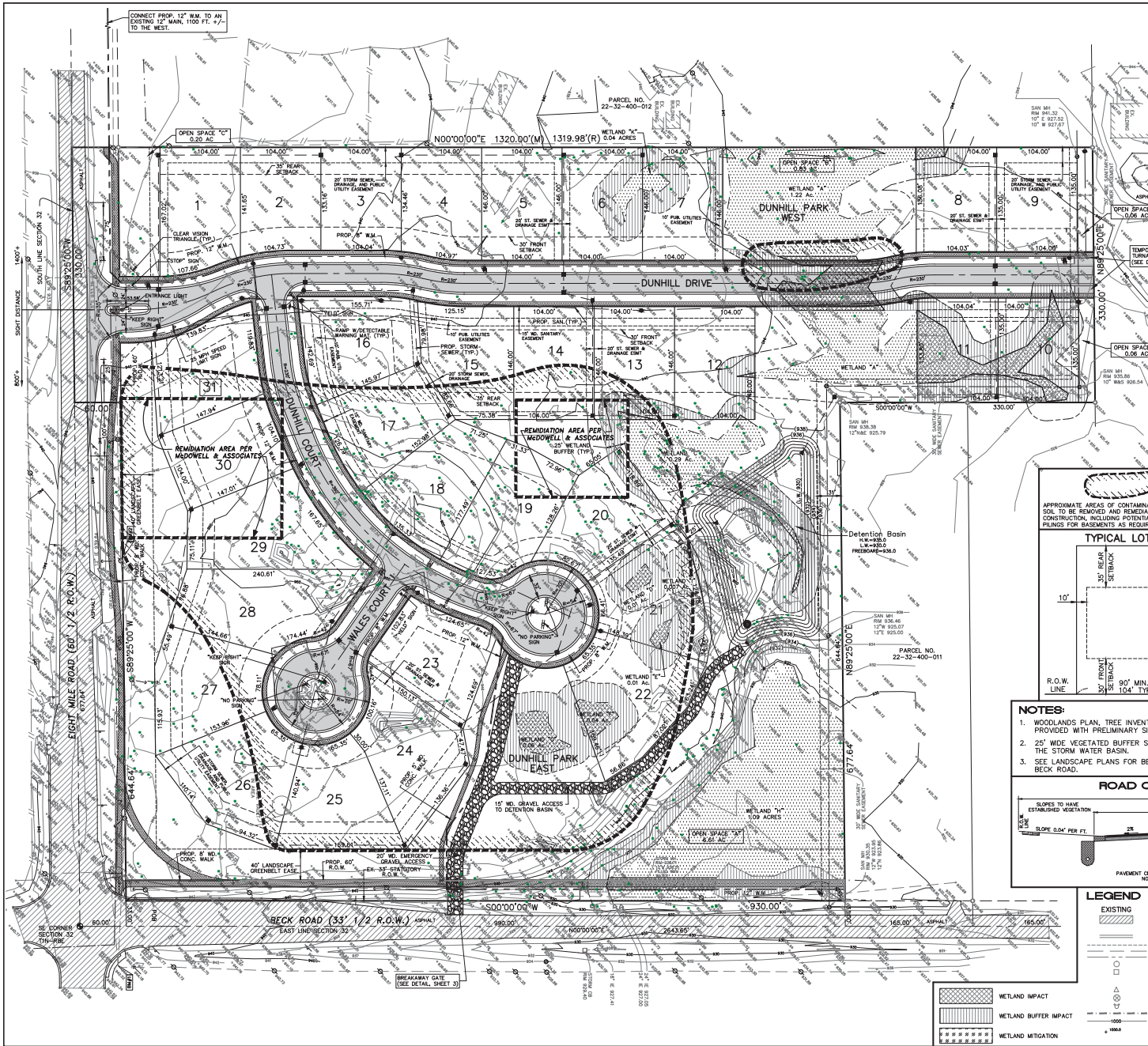
WOODLAND PLANS PREPARED BY:
ALLEN DESIGN
557 CARPENTER
NORTHVILLE, MICHIGAN 48167
PHONE: 248.467.4668

SURVEY PROVIDED BY:
ALPINE SURVEYING, INC.
46890 WEST ROAD, SUITE 109
NOVI, MICHIGAN 48377
PHONE: 248.926.3701

WETLAND INFORMATION PROVIDED BY:
KING & MACGREGOR ENVIRONMENTAL, INC.
43050 FORD ROAD, SUITE 130
CANTON, MICHIGAN 48187
PHONE: 734.354.0594

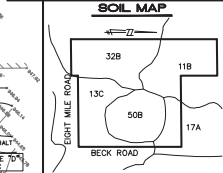
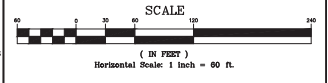
REVISIONS		ENGINEER'S SEAL
NO.	DATE	
1	6-12-15	
2	7-28-15	
3	10-26-15	

DATE: 02-16-16 DESIGNED BY: A.A. JOB NUMBER: 14-011
CHECKED BY: P.K. DRAWING FILE: 14-011R-03



SOIL CLASSIFICATION
 SOIL CLASSIFICATIONS WERE DETERMINED BY THE SOIL SURVEY OF OAKLAND COUNTY, MICHIGAN, PUBLISHED BY UNITED STATES DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

118 - CAPAC SANDY LOAM, 0 TO 4% SLOPES
 132 - CONTAMINATED SANDY LOAM, 6 TO 12% SLOPES
 174 - WASHY SANDY LOAM, 0 TO 3% SLOPES
 129 - SILTY LOAM, 0 TO 4% SLOPES
 50B - UPSAMMENTS, UNULATING



WETLAND IMPACT

WETLAND	AREA (AC.)	IMPACT AREA (AC.)	25' BUFFER AREA (AC.)	25' BUFFER DISTURBANCE (AC.)
A	1.22	0.36	1.08	0.66
C	0.29	0.04	0.56	0.42
D	0.01	0.01	0.09	0.09
E	0.01	0.01	0.11	0.11
F	0.04	0.04	0.13	0.13
G	0.06	0.06	0.14	0.14
H	1.09	0.05	0.43	0.33
I	0.007	0.007	0.09	0.09
K	0.04	0.04	0.17	0.17
TOTAL:	2.767	0.617	2.80	2.14

TOTAL WETLAND FILL = 0.617 AC

UNIT TABLE

UNIT #	AREA (SF)	WIDTH (SF)
1	16,354	107.27'
2	14,034	104.27'
3	13,860	104.00'
4	14,783	104.65'
5	15,184	104.00'
6	15,184	104.00'
7	15,184	104.00'
8	14,548	104.00'
9	14,539	104.00'
10	14,539	104.00'
11	14,030	104.00'
12	15,184	104.00'
13	15,184	104.00'
14	15,184	104.00'
15	16,138	122.73'
16	17,145	130.63'
17	16,091	118.15'
18	16,947	122.16'
19	17,650	120.42'
20	16,225	90.00'
21	17,812	90.00'
22	20,359	90.00'
23	15,646	106.96'
24	18,781	99.87'
25	16,894	90.00'
26	18,534	90.00'
27	17,427	93.21'
28	20,570	157.69'
29	19,766	146.93'
30	15,214	104.00'
31	16,339	120.87'

SITE DATA

PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM
 CURRENT ZONING: "R-A"
 AREA GROSS = 23.761 ACRES
 AREA NET = EXCLUDING STATUTORY R.O.W. ON EIGHT MILE ROAD (33') = 23.511 ACRES.

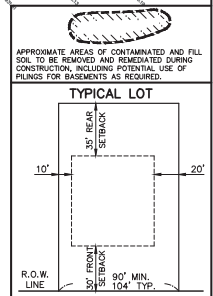
PROPOSED DESIGN CRITERIA

(CONSISTENT WITH "R-3 ZONING")
 MINIMUM LOT SIZE = 12,000 SQ.FT.
 MINIMUM LOT WIDTH = 90.00 FEET
 FRONT SETBACK = 30 FEET
 REAR SETBACK = 35 FEET
 SIDE YARD SETBACK = 10 FEET (MINIMUM)
 SIDE YARD SETBACK = 30 FEET (AGGREGATE)

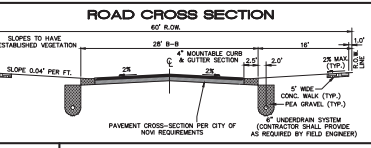
TOTAL OPEN SPACE
 OPEN SPACE "A" = 6.61 AC.
 OPEN SPACE "B" = 0.83 AC.
 OPEN SPACE "C" = 0.20 AC.
 OPEN SPACE "D" = 0.06 AC.
 OPEN SPACE "E" = 0.06 AC.
 TOTAL OPEN SPACE = 7.76 ACRES
 TOTAL OPEN SPACE = 33.00% OF NET SITE AREA

PROPOSED IMPROVEMENTS

- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING 12" SANITARY SEWER LOCATED AT THE NORTHERLY PROPERTY LINE.
- MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO EXISTING 12" WATER MAIN LOCATED ON THE NORTH SIDE OF EIGHT MILE ROAD AND 1,100 FT. WEST OF THE WESTERLY PROPERTY LINE. ALL PROPOSED WATER MAIN SHALL BE 12" AND 8" DUCTILE IRON CL-54 AS SHOWN.
- STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
- 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL INTERIOR ROADWAYS. AN 8'-FOOT WIDE CONCRETE WALK SHALL BE CONSTRUCTED ALONG EIGHT MILE ROAD AND BECK ROAD. ALL SIDEWALK STUBS SHALL BE PROVIDED WITH RAMPS & DETECTABLE WARNING SURFACES.
- ALL ROADWAYS TO BE PUBLIC.
- A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.



- NOTES:**
- WOODLANDS PLAN, TREE INVENTORY REMOVAL & REPLACEMENT PLAN WILL BE PROVIDED WITH PRELIMINARY SITE PLAN.
 - 25' WIDE VEGETATED BUFFER SHALL BE PROVIDED AROUND THE PERIMETER OF THE STORM WATER BASIN.
 - SEE LANDSCAPE PLANS FOR BERM DETAILS ALONG 8 MILE ROAD AND BECK ROAD.



LEGEND

EXISTING	PROPOSED
WETLAND IMPACT	PAVEMENT (ASPHALT)
WETLAND BUFFER IMPACT	5' WIDE VEGETATED BUFFER
WETLAND MITIGATION	CONCRETE CURB AND GUTTER
	STORM SEWER
	SANITARY SEWER
	WATER MAIN
	MANHOLE
	CATCH BASIN W/STREAM GUARD
	CURB INLET W/SILT SAC
	END SECTION
	GATE VALVE
	HYDRANT
	FLOOD PLAIN
	CONTOURS
	100% SPOT ELEVATION

DUNHILL PARK
 SECTION 32, TOWN 1 NORTH, RANGE 8 EAST
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

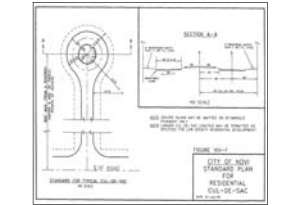
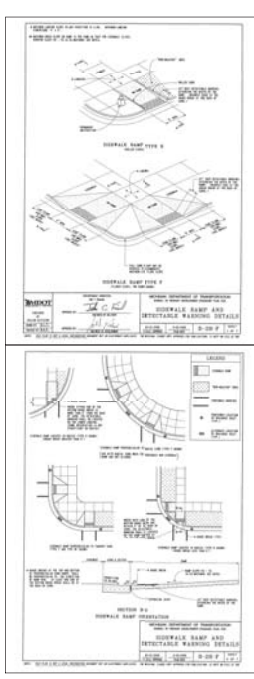
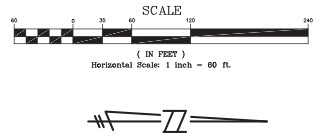
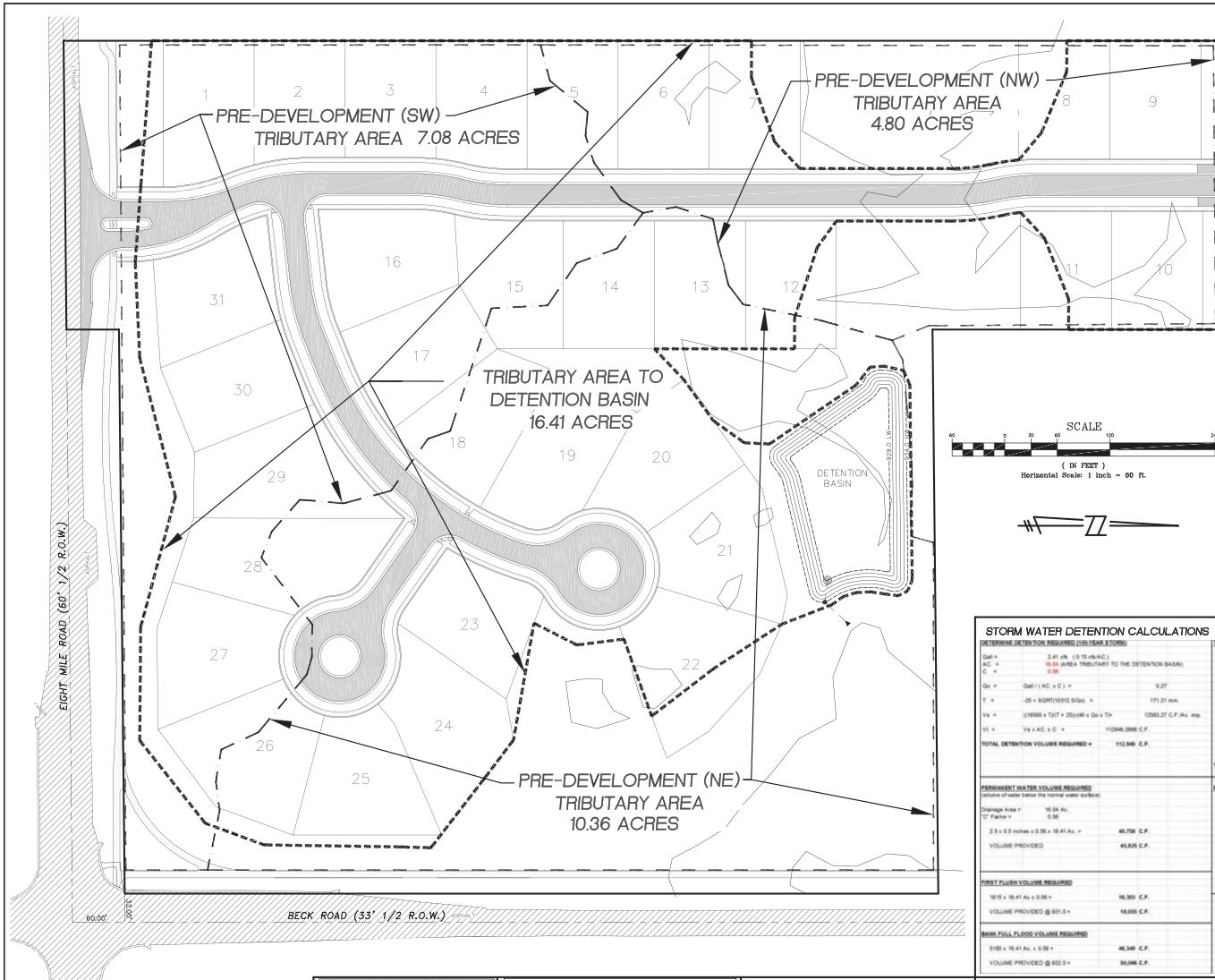
REVISIONS

NO.	ITEM	DATE
1	ADD EGRESS ACCESS PER CITY OF NOV	4-10-15
2	REV PER CITY PER APP LETTER	7-8-15
3	REV PER CITY	7-8-15
4	REV PER CITY / DELETE ONE LOT	10-20-15

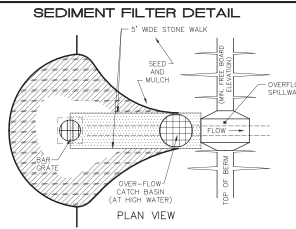
DATE: 02-10-16 DESIGNED BY: A.A. FOR NUMBER: 14-011
 CHECKED BY: P.K. DRAWING FILE: 14-011SP-0A

PLANNED REZONING OVERLAY (PRO) PLAN

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



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



STORM WATER DETENTION CALCULATIONS

DETERMINE DETENTION REQUIRED (DISCHARGE & STORAGE)

Q₁₀ = 2.41 cfs (0.18 cfs/AC)
 A_D = 16.41 AC (AREA TRIBUTARY TO THE DETENTION BASIN)
 C = 0.56

Q₁₀ = Q₁₀ / (A_D × C) = 0.37
 T = (2.41 - 0.37) / (0.18) = 11.22 min.
 V = (16.41 AC × 11.22 min) × (0.18 cfs/AC) × (0.000705) = 0.24 MGD
 V = 18.00 MGD
 V₁ = V₁ + A_D × C = 10.98 MGD C.F.
 TOTAL DETENTION VOLUME REQUIRED = 18.00 MGD C.F.

PERMANENT WATER VOLUME REQUIRED
 Storage Area = 16.41 AC
 C Factor = 0.56
 2.5 × 0.5 inches = 0.56 × 16.41 AC = 46.78 C.F.
 VOLUME PROVIDED = 46.83 C.F.

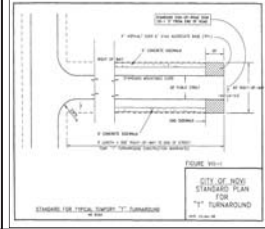
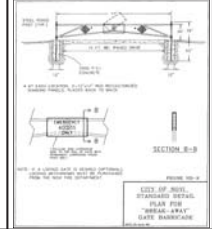
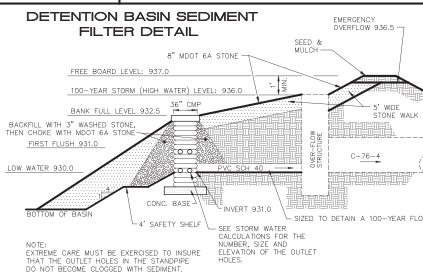
FIRST FLUSH VOLUME REQUIRED
 18.0 × 16.41 AC × 0.56 = 16.30 C.F.
 VOLUME PROVIDED @ 80% = 16.85 C.F.

BANK FULL FLOOD VOLUME REQUIRED
 18.0 × 16.41 AC × 0.56 = 16.30 C.F.
 VOLUME PROVIDED @ 80% = 16.85 C.F.

DETECTION BASIN SEDIMENT FILTER DETAIL

TOTAL DETENTION PROVIDED (100 YEAR)		
ELEVATION	AREA (F)	VOLUME (VOLUME)
936	28610	2483
934	27060	2574
932	24930	2373
930	21762	2066
928	18246	1558
926	13962	1197
924	9036	778
922	3534	303
920	854	73
918	104	9
TOTAL DETENTION VOLUME PROVIDED = 116,475 C.F.		

PERMANENT WATER VOLUME PROVIDED		
ELEVATION	AREA (F)	VOLUME (VOLUME)
936	19862	1547
934	18431	1507
932	16688	1363
930	14568	1169
928	12046	954
926	8946	716
924	5634	447
922	2104	166
920	504	40
TOTAL DETENTION VOLUME PROVIDED = 116,475 C.F.		



C-FACTOR DETERMINATION

C Factor Determination
 Tributary Area = 16.41 AC

Impervious Area	Area	at C = 0.56
Streets	0.51 AC	
Roads	1.86 AC	
Highways and Driveways	3.27 AC	
Total	5.64 AC	at C = 0.56

Permeable Area	Area	at C = 0.39
Lawns	9.31 AC	
Park Areas	0.87 AC	
Total	10.18 AC	at C = 0.39

Group A = 0.74 AC at C = 0.25
 Group C = 0.23 AC at C = 0.30

Low Water = 0.39 AC at C = 1.00

C Avg = 0.56

PRE AND POST DEVELOPMENT STORM WATER DISCHARGE

PRE-DEVELOPMENT	POST-DEVELOPMENT
PRE (NE) AREA	POST (NE) AREA
AREA: 10.36 ACRES	16.04 ACRES
DISCHARGE: 18.98 CFS	2.41 CFS
VOLUME: 95,726 CF	112,848 CF
PRE (NW) AREA	POST (NW) AREA
AREA: 4.80 ACRES	1.83 ACRES
DISCHARGE: 8.79 CFS	3.35 CFS
VOLUME: 44,352 CF	16,909 CF
PRE (SW) AREA	POST (SW) AREA
AREA: 7.08 ACRES	0.76 ACRES
DISCHARGE: 12.97 CFS	1.39 CFS
VOLUME: 65,419 CF	7,022 CF

DUNHILL PARK
 SECTION 92, TOWN 1 NORTH, RANGE 8 EAST
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

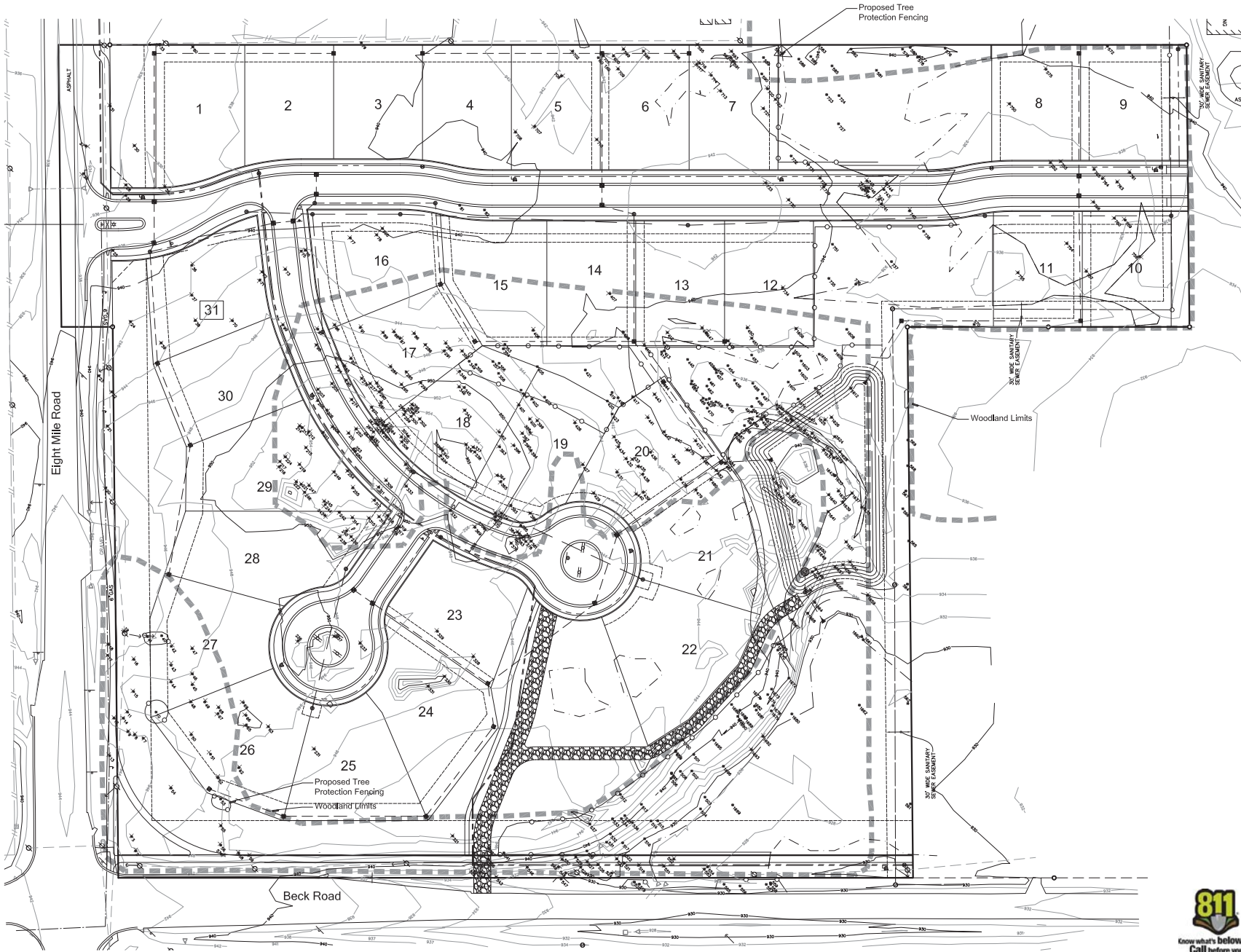
REVISIONS

NO.	REVISION	DATE
1	REV PER CITY PER APP LETTER	4-12-15
2	REV PER CITY	6-28-15
3	REV PER CITY / CLIENT ONE LOT	10-20-15

DATE: 02-07-15 | DESIGNED BY: A.A. | JOB NUMBER: 14-011
 CHECKED BY: P.K. | DRAWING FILE: 03-14011-SMP

PLANNED REZONING OVERLAY (PRO) PLAN

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



Seal: _____



Title:
Woodland Plan

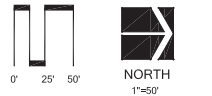
Project:
**Dunhill Park
 Novi, Michigan**

Prepared for:
 Hunter Pasteur Homes-
 Dunhill Park, LLC
 32300 Northwestern Highway, Suite 125
 Farmington Hills, Michigan 48334
 248.539.5511

Revision:	Issued:
Review	February 4, 2015
Revised	February 12, 2015
Revised	February 16, 2015
Revised	February 17, 2015
Revised	October 21, 2015
Revised	October 22, 2015

Job Number:
 15-009

Drawn By: _____ Checked By: _____
 jca jca



Sheet No. _____



See Sheet W-3 for Replacement Information
 See Sheets W-2 and W-3 for Tree List

Tree List

Tag No	DBH	Common Name	Botanical Name	Condition	Remarks	Required Replacement
750	14	Siberian Elm	Ulmus pumila	Good	Remove/Exempt	
751	8	Bux Elder	Acet. negundo	Good	Credit	
752	9	American Elm	Ulmus americana	Good	Remove/Exempt	
753	11	American Elm	Ulmus americana	Good	Remove/Exempt	
754	6.8-10	Black Cherry	Prunus serotina	Good	Remove/Exempt	
755	10	Eastern Cottonwood	Populus deltoides	Good	Remove/Exempt	
757	7.14	Bux Elder	Acet. negundo	Good	Remove/Exempt	
758	8	Eastern Cottonwood	Populus deltoides	Good	Remove/Exempt	
761	10	American Elm	Ulmus americana	Good	Remove/Exempt	
760	10	American Elm	Ulmus americana	Good	Remove/Exempt	
761	9.11	American Elm	Ulmus americana	Good	Remove/Exempt	
763	8	American Elm	Ulmus americana	Good	Remove/Exempt	
764	9	American Elm	Ulmus americana	Good	Remove/Exempt	
765	13	American Elm	Ulmus americana	Good	Remove/Exempt	
766	8	American Elm	Ulmus americana	Good	Remove/Exempt	
1053	14	American Elm	Ulmus americana	Good	Remove/Exempt	
1052	9	Black Willow	Salix nigra	Good		
1053	8	American Elm	Ulmus americana	Good		
1054		Dead				
1056	9	Common Pear	Malus sp.	Good		
1058	9	Common Pear	Malus sp.	Good		
1059	10	American Elm	Ulmus americana	Good		
1010	9	Black Willow	Salix nigra	Good		
1012	13	Scotch Pine	Pinus sylvestris	Good	Remove	2
1013	9	Silver Maple	Acer saccharinum	Good		
1014	15	Eastern Cottonwood	Populus deltoides	Good		
1016	14	Eastern Cottonwood	Populus deltoides	Good	Remove	2
1017	9	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1019	9	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1020	7.10-11	Eastern Cottonwood	Populus deltoides	Good	Remove	3
1022	14	Eastern Cottonwood	Populus deltoides	Good	Remove	2
1024	8	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1025	13	Black Locust	Robinia pseudoacacia	Good	Remove	2
1026	8	Black Cherry	Prunus serotina	Good	Remove	1
1028	10.10	Eastern Cottonwood	Populus deltoides	Good	Remove	3
1029	11	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1030	9	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1031	10	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1032	10	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1033	10	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1037	15	Eastern Cottonwood	Populus deltoides	Good	Remove	2
1038	8	American Elm	Ulmus americana	Good	Remove	1
1039	11	Black Locust	Robinia pseudoacacia	Good	Remove	1
1040	8	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1041	14	Eastern Cottonwood	Populus deltoides	Good	Remove	2
1042	8	Black Locust	Robinia pseudoacacia	Good	Remove/Exempt	
1043	8	Black Locust	Robinia pseudoacacia	Good	Remove/Exempt	
1044	7.8	Black Locust	Robinia pseudoacacia	Good	Remove/Exempt	
1045	8	Black Locust	Robinia pseudoacacia	Good	Remove/Exempt	
1046	8	Black Locust	Robinia pseudoacacia	Good	Remove/Exempt	
1047	14	Eastern Cottonwood	Populus deltoides	Good	Remove	2
1048	10	Siberian Elm	Ulmus pumila	Good	Remove	1
1049	10	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1050	11	Black Locust	Robinia pseudoacacia	Good	Remove	1
1051	12	American Elm	Ulmus americana	Good	Remove	2
1055	8	Bux Elder	Acet. negundo	Good	Remove	1
1056	10	American Elm	Ulmus americana	Good	Remove	1
1057	10	American Elm	Ulmus americana	Good	Remove	1
1058	8	American Elm	Ulmus americana	Good	Remove	1
1059	10	American Elm	Ulmus americana	Good	Remove	2
1060	8	American Elm	Ulmus americana	Good	Remove	1
1061	12	Red Maple	Acer rubrum	Good	Remove	1
1062	14	Black Willow	Salix nigra	Good		
1063	8	Siberian Elm	Ulmus pumila	Good	Remove	1
1064	11	Siberian Elm	Ulmus pumila	Good	Remove	1
1067	8	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1068	9	Eastern Cottonwood	Populus deltoides	Good	Remove	1
1069	10.11	Black Locust	Robinia pseudoacacia	Good	Save	
1070	9	Black Locust	Robinia pseudoacacia	Good	Save	
1071	9	Eastern Cottonwood	Populus deltoides	Good	Save	
1072	11	Eastern Cottonwood	Populus deltoides	Good	Save	
1073	12	Eastern Cottonwood	Populus deltoides	Good	Save	
1074	10	Eastern Cottonwood	Populus deltoides	Good	Save	
1077	8	Eastern Cottonwood	Populus deltoides	Good	Save	
1078	13	Eastern Cottonwood	Populus deltoides	Good	Save	
1079	12	Eastern Cottonwood	Populus deltoides	Good	Save	
1080	8	Siberian Elm	Ulmus pumila	Good	Save	
1081	9	Eastern Cottonwood	Populus deltoides	Good	Save	
1082	9	Eastern Cottonwood	Populus deltoides	Good	Save	
1088	9	Eastern Cottonwood	Populus deltoides	Good	Save	
1088	9	Siberian Elm	Ulmus pumila	Good	Save	
1089	10	Eastern Cottonwood	Populus deltoides	Good	Save	
1090	9	Black Locust	Robinia pseudoacacia	Good	Save	
1091	10	Eastern Cottonwood	Populus deltoides	Good	Save	
1092	9	Bux Elder	Acet. negundo	Good	Save	
1093	11	Bux Elder	Acet. negundo	Good	Save	
1094	10	Black Locust	Robinia pseudoacacia	Good	Save	
1096	8	Black Locust	Robinia pseudoacacia	Good	Save	
1099	8	Black Willow	Salix nigra	Good		
1700	8	Black Locust	Robinia pseudoacacia	Good	Remove	1

Required Replacement 420

Remarks Key:

- Blank Tree will be saved
- Credit Tree is located outside of a woodland area and will be saved.
- Remove Tree is located in a regulated woodland and will be removed.
- Remove/Exempt Tree is dead or located outside of a woodland area.

Woodland Summary

Total Trees	520 Trees
Less Non - Regulated Trees:	
Removed / Exempt Trees	116 Trees
Non - Woodland Trees	106 Trees
Net Regulated Trees	298 Regulated Trees
Regulated Trees Removed	248 Trees
Replacement Required	
Trees 8" - 11"	140 Trees
Trees 11" - 20"	64 Trees x 2= 128 Trees
Trees 20" - 30"	13 Trees x 3= 39 Trees
Trees 30"	1 Trees x 4= 4 Trees
Multi-Stemmed Trees	109 Trees
Sub-total Replacement Required	420 Trees
Less Credits	23 Trees
Replacement Required	397 Trees

Tree Size	Woodland Credits for Non-Woodland Preservation					
	3"-7"	7"-12"	12"-17"	17"-23"	23"-29"	29"-36"
Quantity	0	5	3	1	0	0
Credits	1 tree	2 trees	3 trees	4 trees	5 trees	6 trees
Total	0 trees	10 trees	9 trees	4 trees	0 trees	0 trees
	= 23 Tree Credits					

Tree Survey Work was Conducted From Dec. - Jan. 2014, 2015



Seat:



Title:

Tree List

Project:

Dunhill Park
Novi, Michigan

Prepared for:

Hunter Pasteur Homes-
Dunhill Park, LLC
32000 Northwestern Highway, Suite 125
Farmington Hills, Michigan 48334
248.539.5511

Revision:	Issued:
Review	February 4, 2015
Revised	February 12, 2015
Revised	February 18, 2015
Revised	February 17, 2015
Revised	October 21, 2015
Revised	October 22, 2015

Job Number:

15-009

Drawn By: Checked By:

jca jca



NORTH

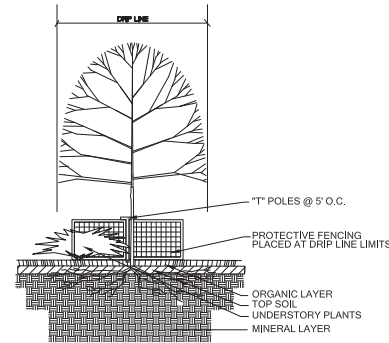
Sheet No.



W-3

TREE PROTECTION DETAIL

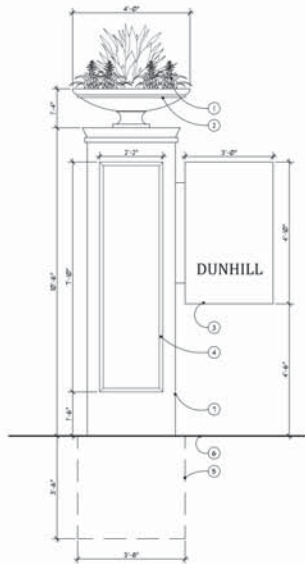
NO SCALE



- Either Plastic or Wood Orange Snow Fencing Shall be Installed at or Beyond the Drip Line, Unless More Substantial Fencing is Required.
- Stakes Shall be Metal "T" Poles Spaced no Further than 5' on Center.
- Fencing Shall not be Installed Closer to the Tree than the Diameter of Those Trees to be Saved.
- Special Circumstances Shall be Reviewed by the City.
- Fencing Shall be Erected Prior to Construction. The City Shall be Notified Once the Fencing is Installed for Inspection.
- Under no Circumstances Shall the Protected Fencing be Removed Without Proper Approval from the City.
- No Person Shall Conduct any Activity Within Areas Proposed to Remain. This Shall Include, but not be Limited to:
 - No Staking or Chaining Within Protected Areas.
 - No Blasting Materials or Construction Equipment Within Protected Areas.
 - No Grading, Excavation, or Other Work Within Protected Areas.
 - No Removal of Vegetation from the Ground Up Without Permission from the Proper Reviewing Authority, Including the Woodlands Review Board.
- Any Required Swale Needs to be Directed Around the Protected Areas. Instances Where Swales are Approved Through a Protected Area, the Swales Need to be HAND DUG. Machinery of Any Kind is Prohibited.
- Regulated Woodland or Regulated Trees Adjacent to the Property are Also Required to be Protected Whether or not they are Shown on the Plans.

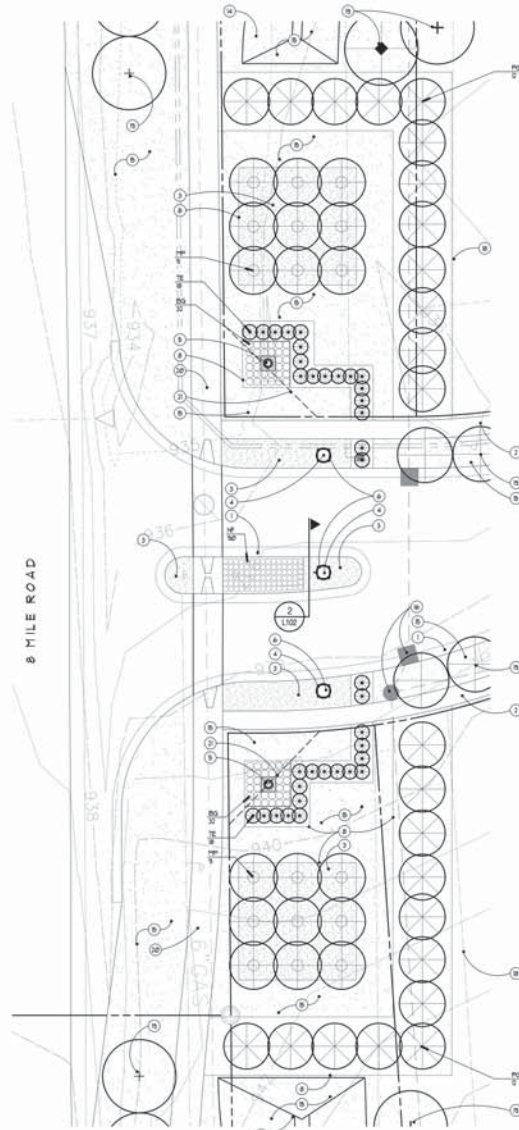
City of Novi Landscape Requirements, Calculations, Proposed PRO Condition, and PRO Consideration Notes:

Right-of-Way Landscape Screening (Sec. 5.5.3.B.1.a)				
8 Mile Road	Required	Proposed PRO Condition	Proposed PRO Consideration Notes	Additional Landscape Provided
Sub-Canopy Trees (403' cal.) - 1 tree per 20 lf. 3475/17.38 - 2137 or 21 trees +	(47) Trees # 23' cal.	(28) Trees	(1) Sub-Canopy # 347' cal. (5) Canopy # 33' cal. (1 tree per (2) sub-canopy required)	(4) Existing trees to remain (44) 12" Hg. upright evergreen trees (44) 12" Hg. evergreen shrubs (44) 12" Hg. evergreen shrubs (44) 12" Hg. evergreen shrubs
Area between sidewalk and curb (403' cal.) - 1 tree per 20 lf. 3475/17.38 - 2137 or 21 trees +	(27) Trees # 23' cal.	(23) Trees # 23' cal.		
Block Road				
Sub-Canopy Trees (403' cal.) - 1 tree per 20 lf. 4254/21.27 - 2137 or 21 trees +	(22) Trees # 23' cal.	(15) Trees	(1) Canopy # 237' cal. (1 tree per (2) sub-canopy required)	
Area between sidewalk and curb (403' cal.) - 1 tree per 20 lf. 4254/21.27 - 2137 or 21 trees +	(15) Trees # 23' cal.	(13) Trees # 23' cal.		
Street Tree Requirements (Sec. 5.5.3.E.1.c and LDM 1.4.d)				
8 Mile Road				
Canopy (4 3/4" cal.) or Large Evergreen Trees (4 # 12" Hg.) - 1 tree per 20 lf. 3475/17.38 - 2137 or 21 trees +	(27) Trees # 37' cal.	(27) Trees	(24) 12" Hg. Evergreen Trees (3) 30" Hg. Multi-trunk Canopy Trees	
Block Road				
Canopy (4 3/4" cal.) or Large Evergreen Trees (4 # 12" Hg.) - 1 tree per 20 lf. 4254/21.27 - 2137 or 21 trees +	(13) Trees # 37' cal.	(13) Trees	(1) 12" Hg. Multi-trunk Canopy Trees	
Interior Street				
Canopy (4 3/4" cal.) or Large Evergreen Trees (4 # 12" Hg.) - 1 tree per 20 lf. 2427/12.14 - 1214 or 12 trees +	(16) Trees # 37' cal.	(7) Trees # 37' cal.		
Woodland Replacement Trees				
Per Street (2 3/4" Tree Lvl.)	(478) Trees # 23' cal.	(233) Trees	(15) 12" Hg. Multi-trunk Canopy Trees (2) 4" cal. Canopy Trees (4) 23" cal. Canopy Trees	
Storm Basin Landscape (Sec. 5.5.3.E.v and LDM 1.4. (b))				
Clusters of large native shrubs (75% - 75% coverage along top of basin) 18.75' x 30' x 30" or 302 (202) x (1) shrub every 3' - 35.0' or 28'	(26) Shrubs	(26) Trees	(2) 4" cal. Canopy Trees (1) 23" cal. Canopy Trees	
Out-of-the-Street Landscape (Sec. 5.5.3.E.1.c and LDM 1.4.d)				
75% of area to be landscaped 304.25' x 75' = 22818 or 643' x (2) out-of-the-street - 1206 sf	(126) sf (Undeveloped)	(2) 4" cal. Canopy Trees (1) 23" cal. Canopy Trees		



- 1 REGIONAL FLOWERS
- 2 DECORATIVE FIBERGLASS URN
- 3 PAINTED ALUMINUM PANEL WITH APPLIED TEXT
- 4 RECESSED PANEL AND TRIM
- 5 CONCRETE FOOTING TO PROST DEPTH
- 6 FINISH GRADE OF DECOMPOSED GRANITE AROUND COLUMN
- 7 FIBER CEMENT PANELS (HARDIE BOARD) AND TRIM, PRESSED TREATED GOOD GRADE WITH UTM PAINTED VENEER

2 Entrance Column with Sign Elevation
SCALE: 1/2" = 1'-0"



1 Main Entrance Landscape Enlargement
SCALE: 1/8" = 1'-0"

- Note Key:** (NOTE NOTES NOT APPLICABLE TO EVERY SHEET. REFER TO PLAN.)
- 1 CURB AND GUTTER - REFER TO CIVIL DRAWING
 - 2 CONCRETE SIDEWALK - REFER TO CIVIL DRAWING
 - 3 4" DEPTH DECOMPOSED GRANITE ON NON-GOVEN FILTER FABRIC
 - 4 DECORATIVE URN WITH REGIONAL FLOWERS
 - 5 DECORATIVE URN PLANTER
 - 6 DECORATIVE ENTRANCE COLUMN - REFER TO DETAIL 2 SHEET LIST
 - 7 DEVELOPMENT ENTRANCE SIGN
 - 8 STEEL EDGING
 - 9 EXISTING TREES TO REMAIN AND PROTECTED
 - 10 EXISTING METLAND
 - 11 MITIGATED METLAND - REFER TO CIVIL DRAWING
 - 12 DETENTION BASIN - REFER TO CIVIL DRAWING
 - 13 ACCESS PATH - REFER TO CIVIL DRAWING
 - 14 SOLIDIFIED LAND FORM - REFER TO TRF SECTION
 - 15 IRRIGATED SLOPED LAWN ON 4" DEPTH TOPSOIL
 - 16 PROPOSED UTILITIES - REFER TO CIVIL DRAWING
 - 17 PROPOSED CITY OF NOVI SIGN - REFER DETAIL 2 SHEET LIST
 - 18 LOT LINE - REFER TO CIVIL DRAWING
 - 19 DECIDUOUS TREES - REFER TO SHEET LIST
 - 20 CONCRETE SIDEWALK (8 MILE ROAD) - REFER TO CITY OF NOVI DRAWING
 - 21 VISIBILITY TRIANGLE, TRF
 - 22 EXISTING OVERHEAD UTILITY LINES, TRF

Plant List (Main Entrance Landscape Enlargement Only)

Tree	CODE	QTY.	DESCRIPTION	SIZE	COMMENTS
MFL	18	16	Male Fraxinus	37' cal.	Male: 16/18
	19	24	Female Fraxinus	37' cal.	Female: 16/18
Shrub	23	24	Prunella	12" - 14" Hg.	Male: 16/18
	24	24	Prunella	12" - 14" Hg.	Female: 16/18
	25	24	Prunella	12" - 14" Hg.	Male: 16/18
	26	24	Prunella	12" - 14" Hg.	Female: 16/18
Perennial	27	24	Prunella	12" - 14" Hg.	Male: 16/18
	28	24	Prunella	12" - 14" Hg.	Female: 16/18
	29	24	Prunella	12" - 14" Hg.	Male: 16/18



Location Map
Scale: 1/4" = 1'-0"



Existing Soils Map
Scale: 1/4" = 1'-0"

**GRISSIM
METZ
ASSOCIATES
ANDRIESE**

300 East Cody Street
Northville, MI 48167
Ph: 248-347-7010

Project:
Dunhill Park
Site: 16/18

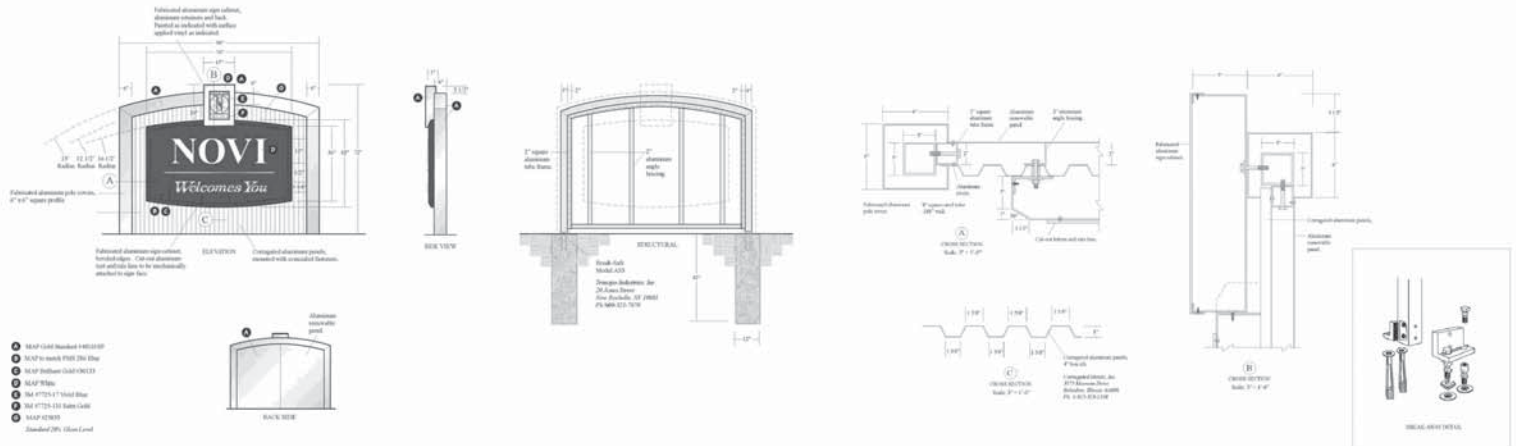
Sheet:
Main Entrance Landscape Plan Enlargement

Job Number: F35-151
Drawn: ATP
Checked: ATP/PMB
Title: 00 Final

Date: 07.29.2015
10.23.2015
Issued For: Planned Rezoning Overlay (PRO)
PRO Submittal

Sheet Number: L102
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Location Map
Scale: 1/4" = 100'



Existing Soils Map
Not to Scale

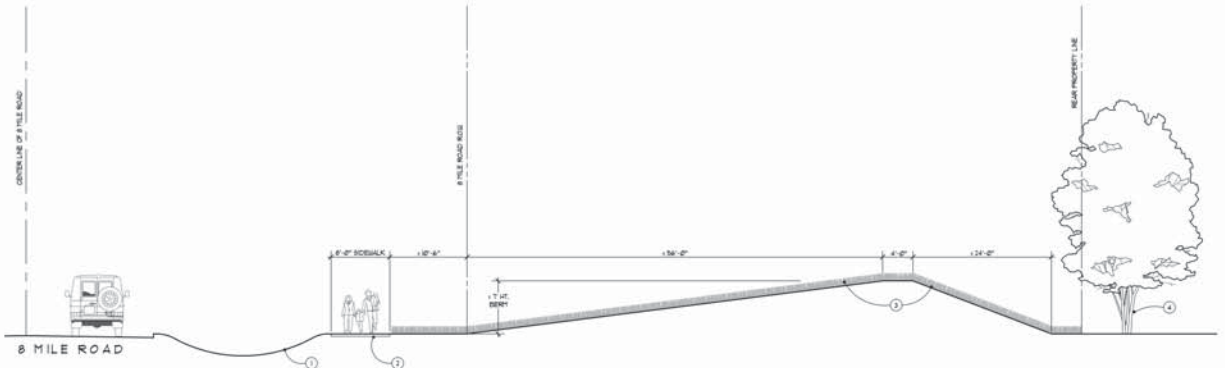
2 City of Novi Sign Details
NOT TO SCALE

**GRISSIM
METZ ASSOCIATES
ANDRIESE**
300 East Cody Street
Northville, MI 48167
Ph: 248-347-7010

Project:	Dunhill Park
Location:	Novi, Michigan
Client:	
Site Details:	
Job Number:	735-151
Drawn:	ATP
Checked:	ATP/PMB
Date:	05/14/15

Date: 07.29.2015
10.23.2015
Issued for: Planned Rezoning Overlay (PRO)
PRO Submittal

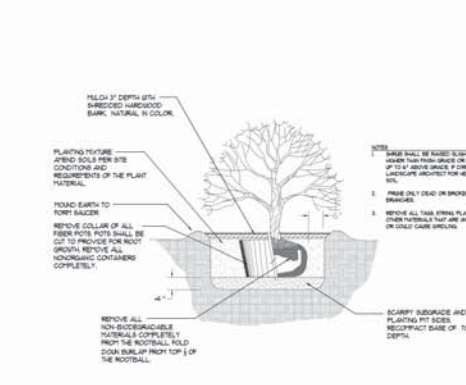
1 Section Through Berm Along 8 Mile Road
SCALE: 1/8" = 1'-0"



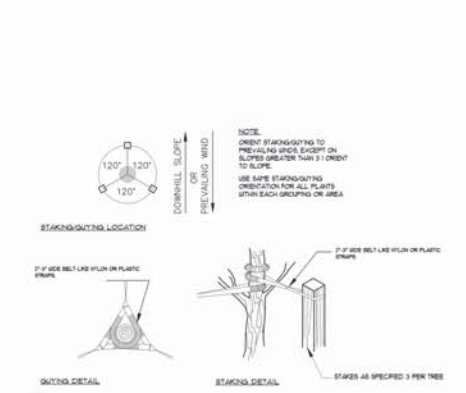
CITY OF NOVI LANDSCAPE NOTES:

1. ALL PLANT MATERIALS ARE TO BE INSTALLED IN A SOUND SODDING-LIKE MANNER AND IN ACCORDANCE WITH THE CURRENT CITY OF NOVI PLANTING REQUIREMENTS.
2. ALL PLANT MATERIALS SHALL BE INSTALLED BETWEEN MARCH 30th AND NOVEMBER 30th.
3. ALL PLANT MATERIALS ARE TO BE NORTHERN HEMISPHERE GROWN AND INSTALLED ACCORDING TO ACCEPTED PLANTING PROCEDURES. ALL PLANT MATERIALS SHALL CONFORM TO THE CURRENT SAN STANDARDS FOR FOREST STOCK. THEY SHALL BE PLANTED ACCORDING TO THE CITY OF NOVI PLANTING DETAILS AND SPECIFICATIONS. THE CITY SHALL HAVE THE RIGHT TO INSPECT THE PLANT MATERIALS PRIOR TO PLANTING AND TO REJECT ANY PLANT MATERIALS DEEMED NOT TO MEET THE STANDARDS OF THE ZONING ORDINANCE.
4. ALL TREES SHALL HAVE A CENTRAL LEADER AND A RADIAL BRANCHING STRUCTURE. THINK BRANCHES ARE NOT ACCEPTABLE. ALL TREES SHALL BE SHELLED AND BURLAPPED (SEE).
5. ANY DECIDUOUS CANOPY TREES WITH BRANCHES THAT TEND TO DEVELOP INTO V-CURVEDS SHALL BE SUBCORNATED SO AS NOT TO RECEIVE COGNATE BRANCHES.
6. FELCH SHALL BE NATURAL COLOR FINELY BURRED HARDWOOD BARK FOR ALL PLANTING. IF TROPIC TREES IN ROOT QUARTERS CIRCLE 1/4" TO 3/4" PULLED AWAY FROM TRUNK. IF THICK FOR BRANCHES AND SHOULD BEES AND 7" THICK BARK FOR PRINOVALS.
7. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR TWO (2) FULL YEARS AFTER DATE OF ACCEPTANCE BY THE CITY FROM ALL UNHEALTHY AND DEAD MATERIAL SHALL BE REPLACED WITHIN ONE (1) YEAR OR THE NEXT APPROPRIATE PLANTING PERIOD (WHICH EVER COMES FIRST).
8. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION INCLUDING WATERING, CULTIVATION, WEED CONTROL, AND SOIL ENRICHMENTS AS THAT BE NECESSARY.
9. ALL LANDSCAPE AREAS ARE TO BE MAINTAINED IN HEALTHY GROWING CONDITION FREE OF WEEDS AND WEEDS AND IN CONFORMANCE WITH THE APPROVED LANDSCAPE PLAN.
10. CONTRACTOR TO REMOVE ALL CONSTRUCTION DEBRIS AND EXCESS MATERIALS FROM THE SITE PRIOR TO FINAL ACCEPTANCE.
11. PLANT MATERIALS EXCEPT SOIL, GROUND COVERS, AND CREEPING VINE TYPE PLANTINGS SHALL NOT BE LOCATED WITHIN FOUR (4) FEET OF THE PROPERTY LINE.
12. ALL TREASURERS ARE TO BE SCREENED ON THREE (3) INCH (3) INCH IN ACCORDANCE WITH THE CITY OF NOVI ORDINANCE AND SO AS TO NOT COME IN CONTACT WITH THE PROPERTY LINE (SEE LANDSCAPE PLAN FOR PLANT LAYOUT).
13. ALL TREES MUST BE PLANTED WITH A COGNATION OF TREES. BRANCHES AND OTHER EXCESSIVE GROUND COVERS.
14. THE OWNER IS RESPONSIBLE FOR REQUEST OF FINAL INSPECTION AND ACCEPTANCE OF THE LANDSCAPE AT THE END OF THE 2-YEAR GUARANTEE PERIOD.
15. THE PROVIDER OF THE FINANCIAL GUARANTEE FOR THE LANDSCAPE INSTALLATION SHALL BE FULLY RESPONSIBLE FOR COMPLETION OF THE LANDSCAPE INSTALLATION AND MAINTENANCE PER THE APPROVED LANDSCAPE PLAN AND APPLICABLE CITY ORDINANCES.
16. THIS CITY MUST BE NOTIFIED TO LOCATE ALL UNDERGROUND BEFORE PLANTING BEGINS.
17. THE CONTRACTOR SHALL INSTALL AND GUARANTEE ALL PLANT MATERIALS FOR 1 YEAR AND MAINTAIN ALL SOIL LANDSCAPE AREAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF NOVI ZONING ORDINANCE.
18. CITY MAY APPROVE ANY SUBSTITUTION OF PLANT MATERIAL IN WRITING PRIOR TO INSTALLATION.

6 Groundcover / Perennial Planting Detail (City of Novi Standard)
L201 NOT TO SCALE



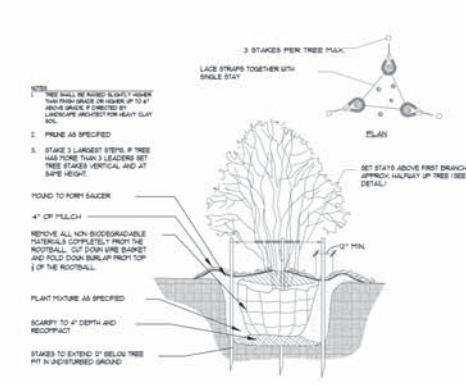
5 Shrub Planting Detail (City of Novi Standard)
L201 NOT TO SCALE



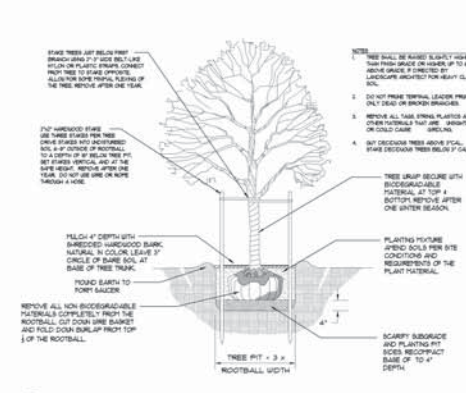
4 Tree Staking Detail (City of Novi Standard)
L201 NOT TO SCALE



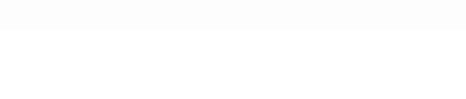
3 Evergreen Tree Planting Detail (City of Novi Standard)
L201 NOT TO SCALE



2 Multi-stem Tree Planting Detail (City of Novi Standard)
L201 NOT TO SCALE



1 Deciduous Tree Planting Detail (City of Novi Standard)
L201 NOT TO SCALE



Location Map
Scale: 1/4\"/>



Existing Soils Map
Not to Scale

City of Novi Landscape Standards

Project:	Dunkirk Park
Site:	Novi, Michigan
Client:	City of Novi
City of Novi Landscape Standards:	
Job Number:	F35-151
Drawn:	ATP
Checked:	ATP/JMB
Date:	05/08/2015
Scale:	AS SHOWN
Issue:	
07.29.2015	Final for Planning Overlay (PO)
10.23.2015	PO Submittal

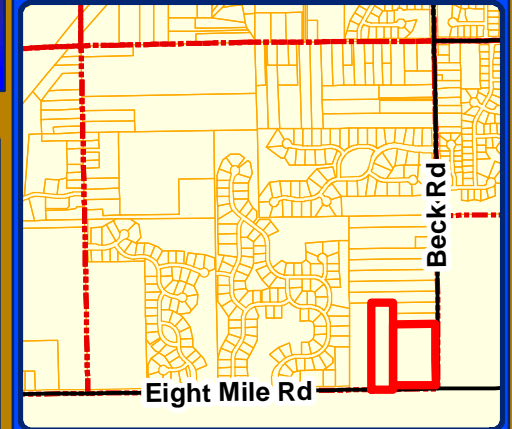
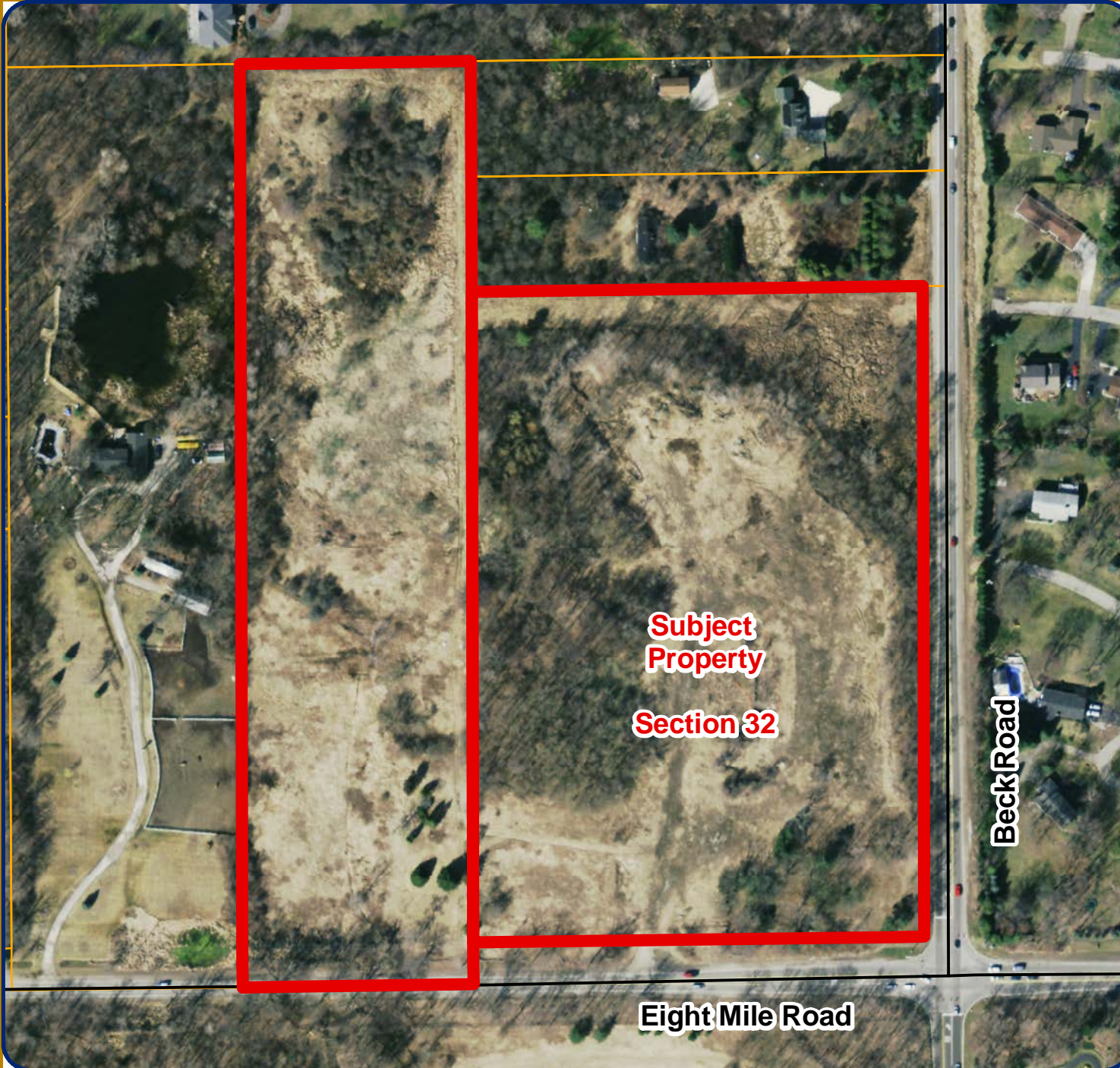
EXHIBIT C

STAFF AND CONSULTANT REVIEW LETTERS

Maps
Location
Zoning
Future Land Use
Natural Features

JSP 15-13 Dunhill Park

Location



Legend

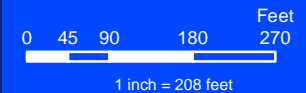
 Sections



City of Novi

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

Map Author: Sri Komaragiri
Date: 09/22/15
Project: JSP15-13 Dunhill Park
Version #: 1

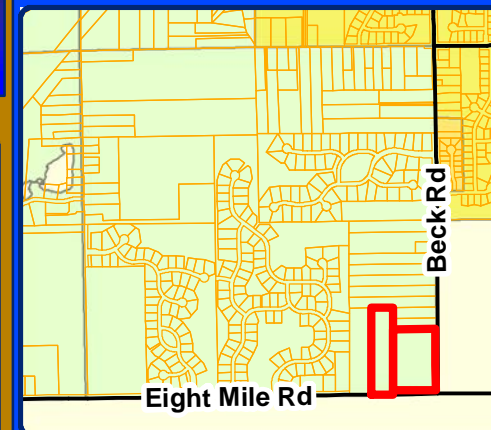
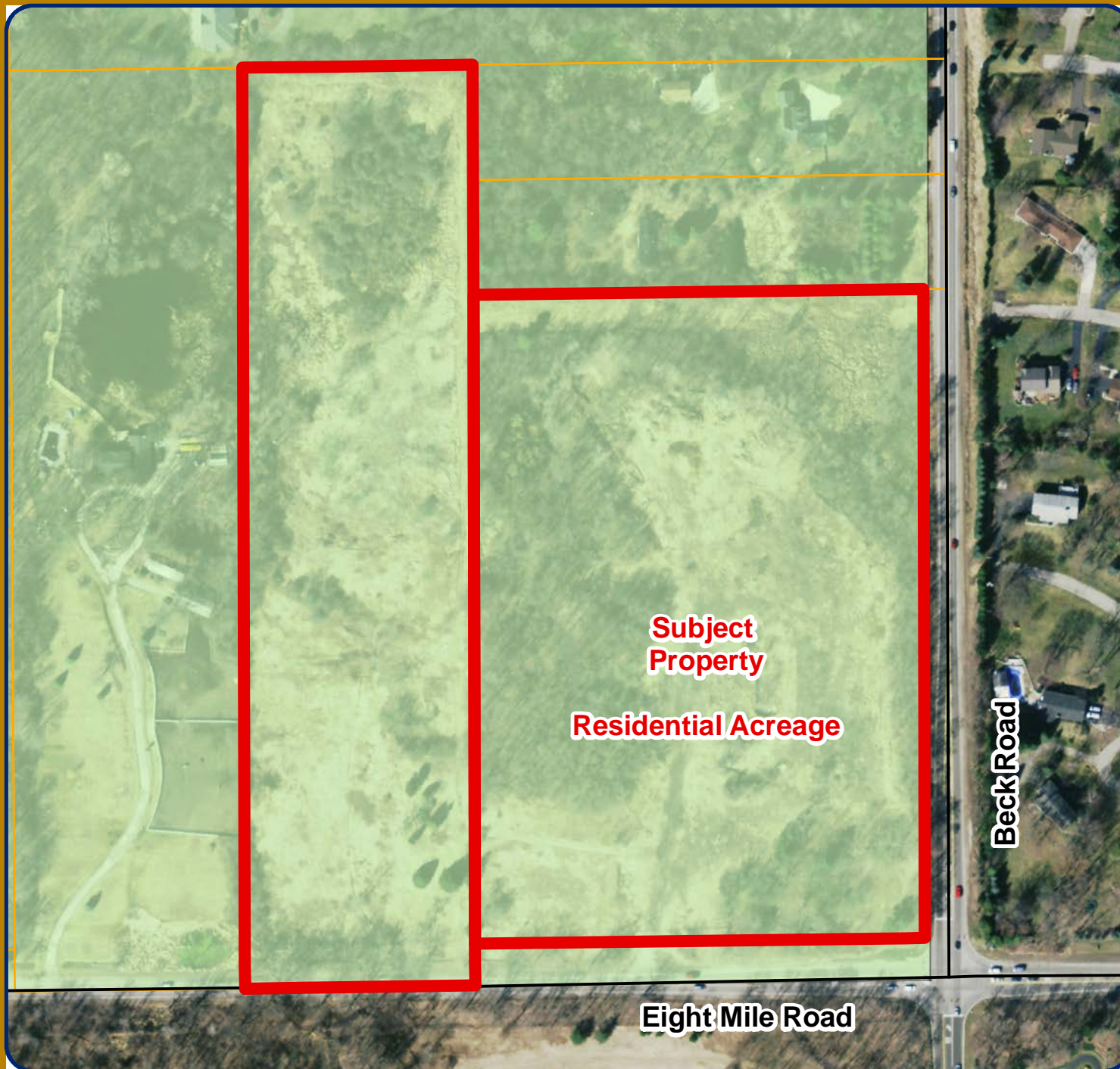


MAP INTERPRETATION NOTICE




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

JSP 15-13 Dunhill Park

Zoning



Legend

-  R-A: Residential Acreage
-  R-1: One-Family Residential District
-  RM-1: Low-Density Multiple Family



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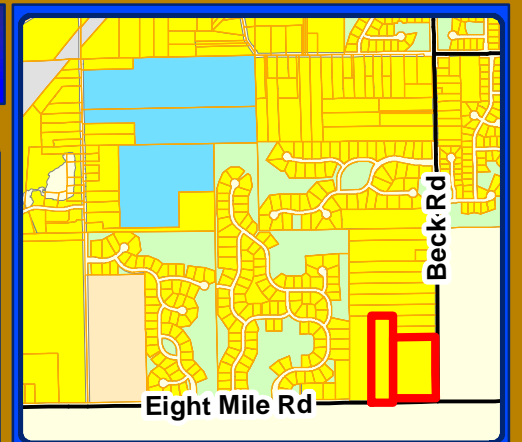
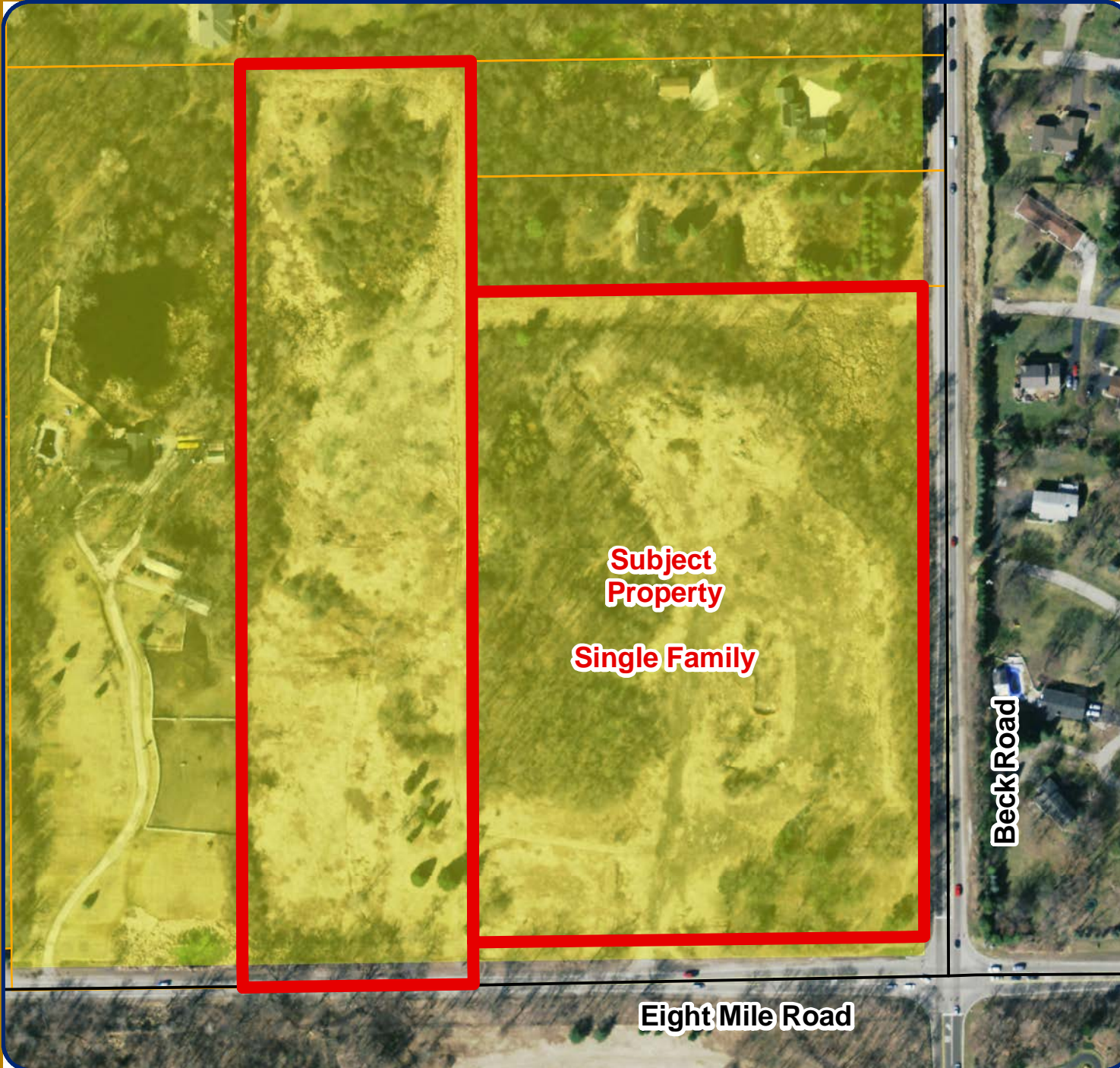


MAP INTERPRETATION NOTICE






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JSP 15-13 Dunhill Park

Future Land Use



Legend

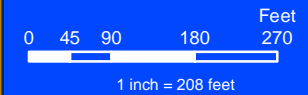
-  SINGLE FAMILY
-  EDUCATIONAL FACILITY
-  PUBLIC
-  PRIVATE PARK
-  UTILITY



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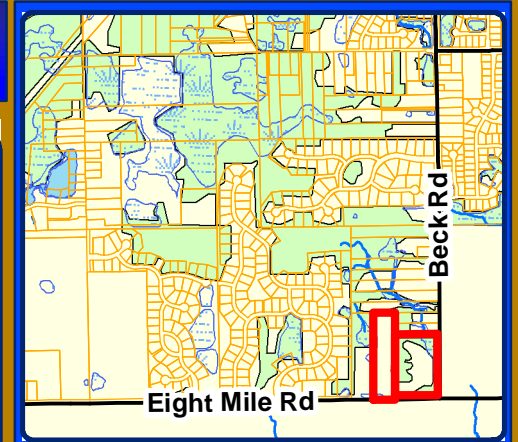
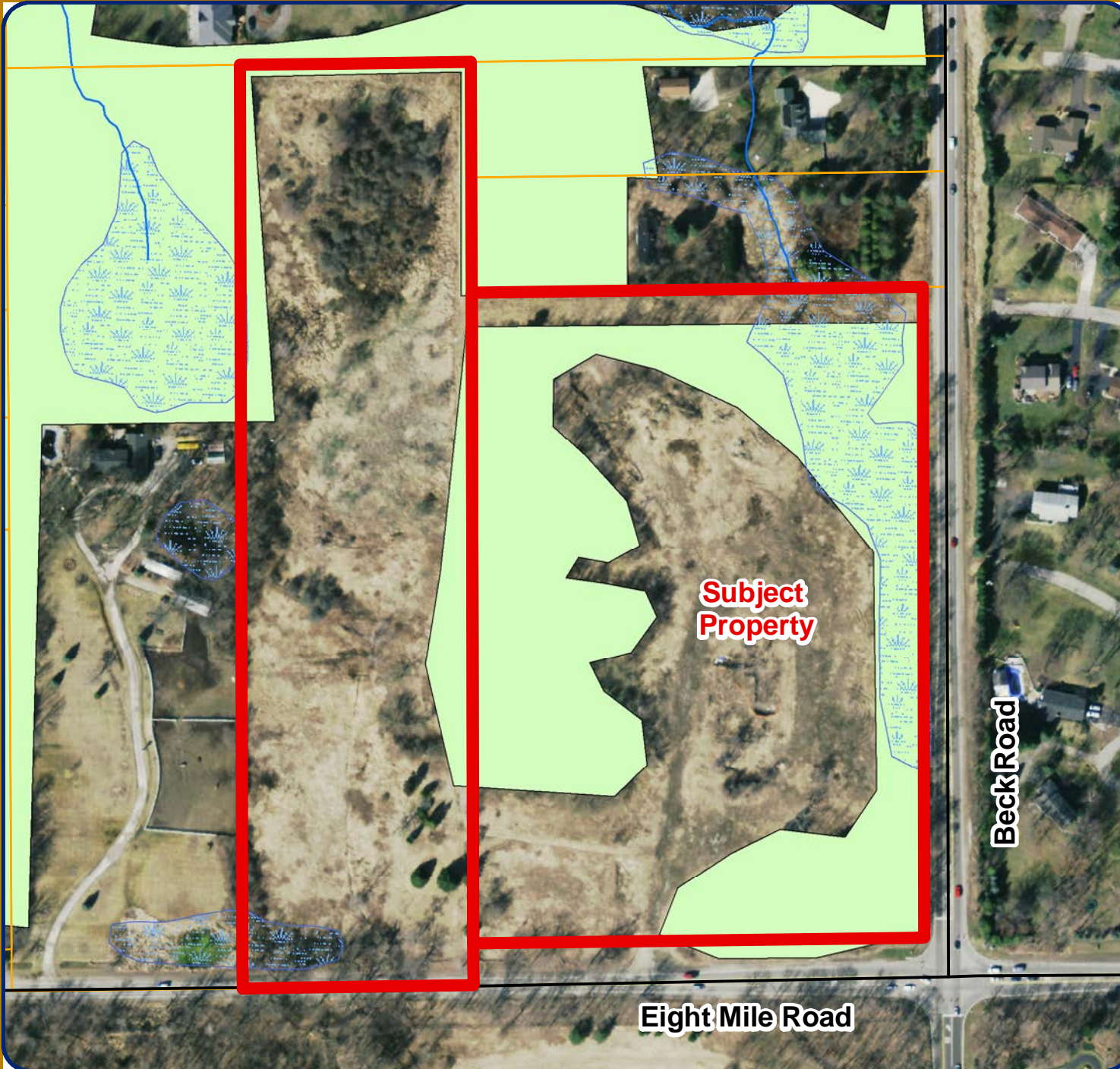


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JSP 15-13 Dunhill Park

Natural Features



Legend

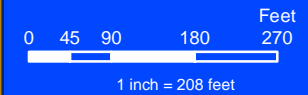
-  Wetlands
-  Woodlands



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Date: 09/22/15
Project: JSP15-13 Dunhill Park
Version #: 1

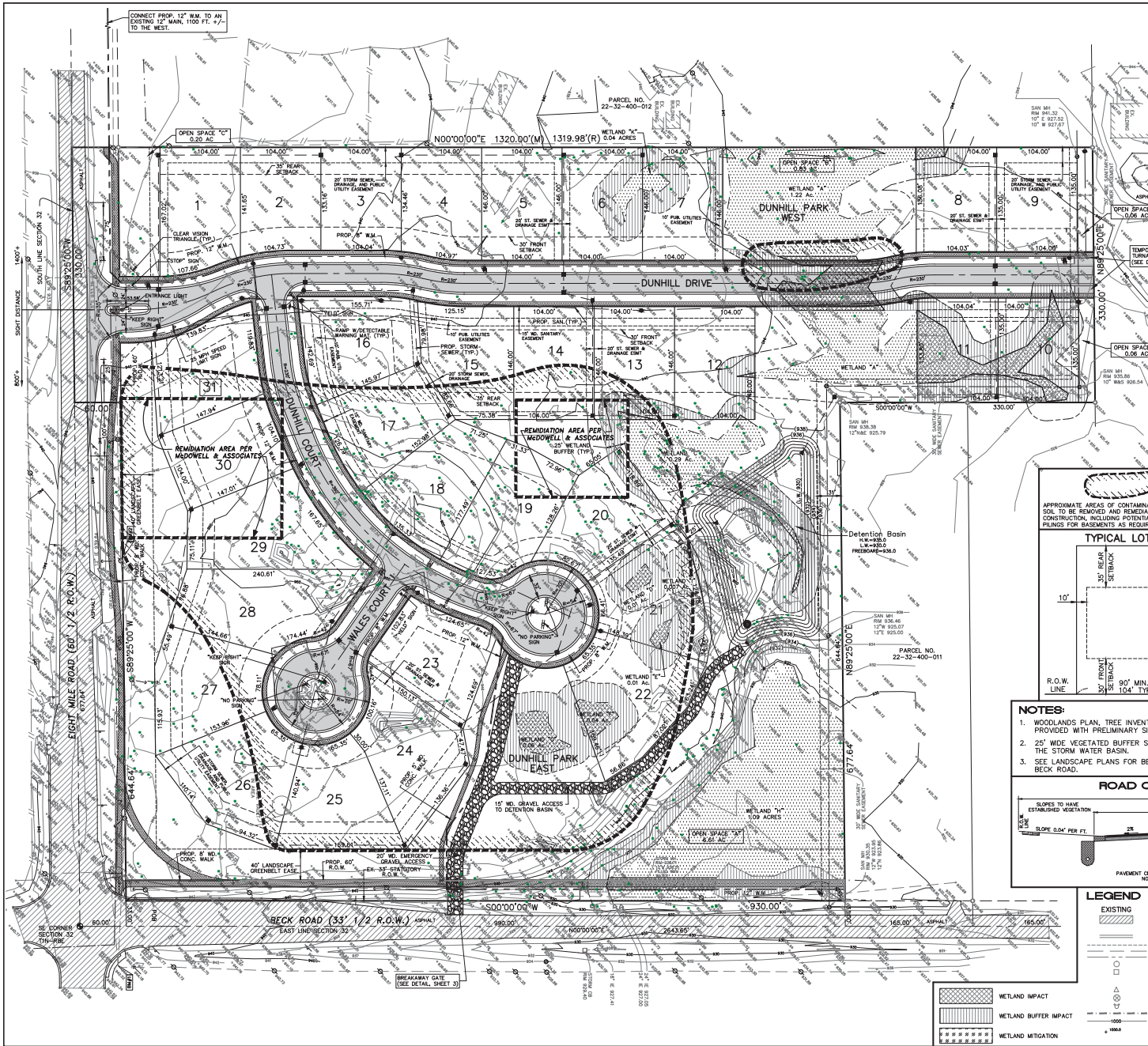


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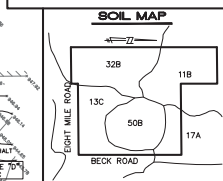
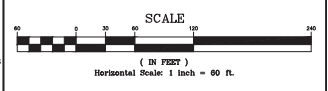
CONCEPT PLAN

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



SOIL CLASSIFICATION
 SOIL CLASSIFICATIONS WERE DETERMINED BY THE SOIL SURVEY OF OAKLAND COUNTY, MICHIGAN, PUBLISHED BY UNITED STATES DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

118 - CAPAC SANDY LOAM, 0 TO 4% SLOPES
 132 - CONTINOUS-SLOVE LOAM SANDS, 6 TO 12% SLOPES
 174 - WASHY SANDY LOAM, 0 TO 3% SLOPES
 129 - SILTY LOAM, 0 TO 4% SLOPES
 50B - UDPSAMENTS, UNULATING



WETLAND IMPACT

WETLAND	AREA (AC.)	IMPACT AREA (AC.)	25' BUFFER AREA (AC.)	25' BUFFER DISTURBANCE (AC.)
A	1.22	0.36	1.08	0.66
C	0.29	0.04	0.56	0.42
D	0.01	0.01	0.09	0.09
E	0.01	0.01	0.11	0.11
F	0.04	0.04	0.13	0.13
G	0.06	0.06	0.14	0.14
H	1.09	0.05	0.43	0.33
I	0.007	0.007	0.09	0.09
K	0.04	0.04	0.17	0.17
TOTAL:	2.767	0.617	2.80	2.14

TOTAL WETLAND FILL = 0.617 AC

UNIT TABLE

UNIT #	AREA (SF)	WIDTH (SF)
1	16,354	107.27'
2	14,034	104.21'
3	13,860	104.00'
4	14,783	104.65'
5	15,184	104.00'
6	15,184	104.00'
7	15,184	104.00'
8	14,548	104.00'
9	14,539	104.00'
10	14,539	104.00'
11	14,030	104.00'
12	15,184	104.00'
13	15,184	104.00'
14	15,184	104.00'
15	16,138	122.73'
16	17,145	130.63'
17	16,091	118.15'
18	16,947	122.16'
19	17,650	120.42'
20	16,225	90.00'
21	17,812	90.00'
22	20,359	90.00'
23	15,646	106.96'
24	18,781	99.87'
25	16,894	90.00'
26	18,534	90.00'
27	17,427	93.21'
28	20,570	157.69'
29	19,766	146.93'
30	15,214	104.00'
31	16,339	120.87'

SITE DATA

PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM
 CURRENT ZONING: "R-A"
 AREA GROSS = 23.761 ACRES
 AREA NET = EXCLUDING STATUTORY R.O.W. ON EIGHT MILE ROAD (33') = 23.511 ACRES.

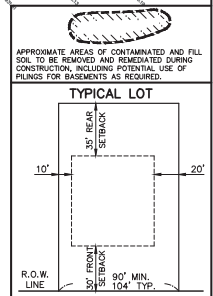
PROPOSED DESIGN CRITERIA

(CONSISTENT WITH "R-3 ZONING")
 MINIMUM LOT SIZE = 12,000 SQ. FT.
 MINIMUM LOT WIDTH = 90.00 FEET
 FRONT SETBACK = 30 FEET
 REAR SETBACK = 35 FEET
 SIDE YARD SETBACK = 10 FEET (MINIMUM)
 SIDE YARD SETBACK = 30 FEET (AGGREGATE)

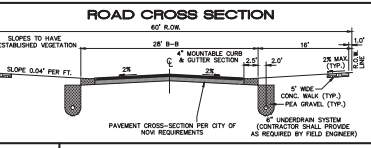
TOTAL OPEN SPACE
 OPEN SPACE "A" = 6.61 AC.
 OPEN SPACE "B" = 0.83 AC.
 OPEN SPACE "C" = 0.20 AC.
 OPEN SPACE "D" = 0.06 AC.
 OPEN SPACE "E" = 0.06 AC.
 TOTAL OPEN SPACE = 7.76 ACRES
 TOTAL OPEN SPACE = 33.00% OF NET SITE AREA

PROPOSED IMPROVEMENTS

- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING 12" SANITARY SEWER LOCATED AT THE NORTHERLY PROPERTY LINE.
- MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO EXISTING 12" WATER MAIN LOCATED ON THE NORTH SIDE OF EIGHT MILE ROAD AND 1,100 FT. WEST OF THE WESTERLY PROPERTY LINE. ALL PROPOSED WATER MAIN SHALL BE 12" AND 8" DUCTILE IRON CL-54 AS SHOWN.
- STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
- 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL INTERIOR ROADWAYS. AN 8'-FOOT WIDE CONCRETE WALK SHALL BE CONSTRUCTED ALONG EIGHT MILE ROAD AND BECK ROAD. ALL SIDEWALK STUBS SHALL BE PROVIDED WITH RAMPS & DETECTABLE WARNING SURFACES.
- ALL ROADWAYS TO BE PUBLIC.
- A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.



- NOTES:**
- WOODLANDS PLAN, TREE INVENTORY REMOVAL & REPLACEMENT PLAN WILL BE PROVIDED WITH PRELIMINARY SITE PLAN.
 - 25' WIDE VEGETATED BUFFER SHALL BE PROVIDED AROUND THE PERIMETER OF THE STORM WATER BASIN.
 - SEE LANDSCAPE PLANS FOR BERM DETAILS ALONG 8 MILE ROAD AND BECK ROAD.



LEGEND

EXISTING	PROPOSED
[Symbol]	PAVEMENT (ASPHALT)
[Symbol]	5' WIDE WALK (CONCRETE)
[Symbol]	CONCRETE CURB AND GUTTER
[Symbol]	STORM SEWER
[Symbol]	SANITARY SEWER
[Symbol]	WATER MAIN
[Symbol]	MANHOLE
[Symbol]	CATCH BASIN W/STREAM GUARD
[Symbol]	CURB INLET W/SILT SAC
[Symbol]	END SECTION
[Symbol]	GATE VALVE
[Symbol]	HYDRANT
[Symbol]	FLOOD PLAIN
[Symbol]	CONTOURS
[Symbol]	100% SPOT ELEVATION

DUNHILL PARK
 SECTION 32, TOWN 1 NORTH, RANGE 8 EAST
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REVISIONS

NO.	ITEM	DATE
1	ADD EGRESS ACCESS PER CITY OF NOV	4-10-15
2	REV PER CITY PER APP LETTER	7-28-15
3	REV PER CITY	7-28-15
4	REV PER CITY / DELETE ONE LOT	10-20-15

DATE: 02-10-16 DESIGNED BY: A.A. FOR NUMBER: 14-011 CHECKED BY: P.E. DRAWING FILE: 14-011SP-0A

PLANNED REZONING OVERLAY (PRO) PLAN

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

**Planning Commission Meeting Minutes
Excerpt – September 30, 2015**



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

September 30, 2015 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 Baratta, Member Lynch, Chair Pehrson, Member Greco, Member Giacometti
Member Zuchlewski

Absent: Member Anthony (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri, Planner; Rick Meader, Landscape Architect; Jeremy Miller, Engineer; Chris Gruba, Planner Gary Dovre, City Attorney; Matt Carmer, ETC Consultant; Paula Johnson, AECOM Consultant

PLEDGE OF ALLEGIANCE

Chairperson Pehrson led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Anthony:

Motion to approve the September 30, 2015 Planning Commission Agenda. *Motion carried 6-0*

AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE

There was no correspondence

COMMITTEE REPORTS

There were no committee reports

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth explained the post card advertising for the open house for the Master Plan for Land Use is provided at the table for each Planning Commissioner. The open house is scheduled for October 21st from 4-7 p.m. in the Atrium. Planning staff and our consultant will be present to provide information and discuss the Master Plan for Land Use review and update. The Planning Commission is encouraged to attend.

PUBLIC HEARING

1. CITYGATE MARKET PLACE JSP 15-21

Public hearing at the request of Grand Beck Partners LLC for approval of the Preliminary Site Plan, Woodlands Permit, Wetlands Permit and Storm water Management Plan. The subject property is located in Section 16, on the southeast corner of Citygate Drive and Beck Road. The applicant is proposing to construct a 6,241 sq. ft. building with a retail space and two fast food restaurant spaces (with associated parking, landscaping and storm water facilities) utilizing the Retail Service Overlay

Option. A drive-through is proposed for one of the restaurant spaces.

Planner Sri Komaragiri stated that the subject property is located in Section 16, on the southeast corner of Citygate Drive and Beck Road. It is located between Chase Bank and USA to Go on east of Beck Road. The subject property is zoned Office Service and Technology, OST with the same district and the same on all other sides and Freeway Service which was developed using a PRO option on the north. The Future Land Use map indicates Office research Development and Technology with retail Service Overlay option. The applicant is currently proposing the development using the retail overlay option. There are no regulated woodlands on the site, but the property contains considerable wetlands on the west. The proposed development site contains five areas of existing wetland totaling up to 0.15 acres.

The Retail Service Overlay Option is intended to provide a limited amount of retail and personal service establishments to serve the employees of and visitors to the nearby office use areas. The option allows additional uses not typically permitted in the OST District provided certain conditions are met and subject to the Special Land Use requirements outlined in Section 6.2.C. Retail spaces and fast food restaurants are uses permitted under this option.

The applicant is proposing to construct a 6,241 square foot building with a retail space and two fast food restaurant spaces with associated site improvements utilizing the Retail Service Overlay Option. A drive-through is proposed for one of the restaurant spaces. The intensity of the building program and the parking layout has resulted in couple of deviations from the Planning and landscape sections of the zoning ordinance. The current site plan would require zoning board of Appeals variances for reduction in building setback, parking setback and absence of by-pass lane for the drive through.

Planning staff recommends approval contingent on ZBA approval and additional comments to be addressed during Final Site Plan. Engineering recommends approval with additional information to be provided with final site plan. Landscape also identified three Planning Commission waivers that would be required for this site plan for providing a decorative wall instead of a berm, not meeting the minimum required street trees and not meeting the minimum required greenbelt requirements along City gate. The applicant has been working with our landscape architect to find suitable alternate screening options to compensate for the said deviations. Our landscape architect Rick Meader is available to expand on this if needed. Landscape recommends approval noting the above concerns and additional comments to be addressed with Final Site Plan.

The current site plan would require a City of Novi Wetland Use Permit. A City of Novi Authorization to encroach into the 25-Foot Natural Features Setback would be required for any proposed impacts to on-site wetlands and the 25-foot wetland buffers. ECT notes that the plan continues to exhibit several deficiencies in the information provided with respect to wetlands and proposed wetland impacts. Wetlands recommend approval provided all the comments are addressed prior to Final Site Plan approval.

Traffic is recommending approval of the site plan based on their review of the site plan and the Traffic Impact study. City has recently approved a restriction on left turn lanes for a certain time from Citygate onto Beck Road. Based on this recent change, Traffic was able to recommend approval. Traffic identified a City Council Variance that is required for the reduction in the minimum required radii for the entryway. Our Traffic consultant Paula Johnson and our Engineer Jeremy Miller are here tonight and will be glad to answer any questions in this regard.

The site plan is in full compliance with the Façade Ordinance and Façade recommends approval. Fire recommends approval with some recommendations. The applicant Doraid Markus with Grand Beck Realty is here with his Engineer to answer any questions you may have. Staff will be glad to answer any questions you have for us.

The Applicant, Doraid Markus came to the podium and stated that he is the Managing Member of Grand Beck Partners. He said, we have proposed the submitted plan for this location and are here to answer any questions.

Chair Pehrson opened the public hearing.

Tom Smith is a resident at 26625 Glenwood Drive stated he is one of the owners of Novi Coffee and Tea which is right across the street from this site. He also owns a business on Town Center Drive in Novi. He stated that he is interested in the traffic congestion at this intersection. He, along with the five other owners of Novi Coffee and Tea, understood at the time of their purchase that a drive through is not allowed at that location because of the minimum 1000 feet distance between drive through locations. In addition, as it has been noted, there has been a request in regarding a variance for a lack of a by-pass lane for that particular drive through. Often it is impossible to make a left turn out of our location to go eastbound on Grand River. The left turn lane to go north on Beck Road backs up often to the main entrance to Kroger and Staples. The gas station that has been approved for Kroger will also add to the traffic congestion. He stated that this doesn't seem to fit in this particular location. He and his five partners object.

Seeing no one else, Chair Pehrson asked if there was any correspondence.

Member Lynch read the written correspondence:

Bob Kalen 28265 Beck Road, Wixom, MI. He wrote that the current congestion at the corner of Citygate and Beck Road would only be more complicated and create even more congestion without an alternative roadway. Any new development should accompany an alternative roadway to eliminate congestion. He objects to the request.

Cay Li, 47770 Grand River wrote that he objects because there are too many restaurants.

Chair Pehrson closed the public hearing.

Planner Sri Komaragiri stated that she would like to make a correction to the earlier presentation. She said that she mentioned that there were no regulated woodlands on the property. This is incorrect. The site plan does require a woodland permit. The site plan proposes to remove 89 percent of the total regulated woodlands. Because of this, 40 replacement trees are required. No additional information was provided with regards to replacement planting. The Planning Commission is asked tonight to approve Preliminary Site Plan, storm water management plan, woodland permit and wetland permit.

Member Lynch asked the traffic consultant, Paula Johnson, URS /AECOM about the study that was done.

Ms. Johnson replied that the applicant had their own traffic study that they prepared. The city asked AECOM to do a study of the left turn restrictions onto Beck Road which was found to be needed at certain hours for safety concerns. There are not significant gaps for cars to turn left out of Citygate Drive. The turn restriction is from 7:00 a.m. until 7 p.m. Basically anyone coming out of Citygate Drive during those hours has to go northbound on Beck Road. There are cross access easements with Chase Bank so that traffic can only turn right onto Grand River. It is not ideal but there are restrictions to make it safer. There is another traffic review that needs to be submitted.

Member Lynch also questioned the drive-through. He stated that he needs to understand why one company would be denied a drive thru and another would be granted.

Deputy Director McBeth responded that she didn't believe that the other business owners requested a drive through at the location on the other side of Beck Road.

Member Lynch had concerns regarding the traffic and what it will do in an already congested area.

Member Baratta asked Deputy Director McBeth about the drive through and questioned the ordinance that would not allow two drive throughs within 1000 feet.

Deputy Director McBeth responded that the 1000 foot distance is a provision in the Town Center District that limits the number of drive through restaurants and the distance between them. The provisions for the drive through restaurants for this district are located in a different section of the ordinance and does not

have the same separation requirement.

Member Baratta asked the traffic consultant if it was her recommendation that the left turns be eliminated at that intersection and only have a right turn until Citygate is constructed. He also asked her opinion if a restaurant would bring in more traffic than a retail store.

Ms. Johnson confirmed that the left turn restrictions were recommended for certain hours. She responded that a restaurant is likely to bring more traffic than a retail store.

Member Giacometti asked the traffic consultant if you are going southbound on Beck Road how you would access these businesses?

Ms. Johnson replied that you could still turn left from southbound Beck Road; you just can't turn left out of Citygate onto southbound Beck.

Member Zuchlewski asked the developer if there had there been any attempt to negotiate a lease for a road at the east end of this property that would take you from Citygate to Grand River.

Doraid Markus with Grand Beck Realty said that they had not negotiated a lease with the property to the east. The property owner of the eastern property has plans for their site.

Member Greco commented that the traffic congestion will be a problem regardless of how the property gets developed. He does not have any problem with the plan.

Chair Pehrson commented on the bypass lane. He questioned Deputy Director McBeth about the bypass lane for such a property.

Deputy Director McBeth stated that a bypass lane is the requirement for a drive through restaurant and they are not providing that. If the site plan is approved, the applicant would need to seek approval from the Zoning Board of Appeals for a variance of that requirement.

Chair Pehrson stated that the proposed building could be moved to the east, and rotated, given the same kind of traffic pattern so that you can have the bypass lane included. There needs to be some rethought to the design. For me this is a show stopper at this time.

Mr. Markus stated that if he shrinks the building anymore they would not be able to launch.

Member Baratta stated that he is concerned about the drive through not having an escape plan and patrons being stuck in the drive through. He would like to see more thought to the design of the plan.

Member Baratta makes a motion to deny the Preliminary Site Plan Citygate Market Place, JSP 15-21, seconded by Member Giacometti

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN TO DENIAL MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GIACOPETTI

In the matter of Citygate Market Place, JSP 15-21, motion to deny the Preliminary Site Plan because the plan is not in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-1*

Member Baratta makes a motion to deny the Wetland Permit, seconded by Member Giacometti

ROLL CALL VOTE TO DENY THE WETLAND PERMIT MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GIACOPETTI

In the matter of Citygate Market Place, JSP 15-21, motion to deny the Wetland Permit because the plan is not in compliance with Chapter 12, Article V of the Code of Ordinances and all other

applicable provisions of the Ordinance. *Motion carried 6-0*

Member Baratta makes a motion to deny the Woodland Permit, seconded by Member Giacometti

ROLL CALL VOTE TO DENY THE WOODLAND PERMIT MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GIACOPETTI

In the matter of Citygate Market Place, JSP 15-21, motion to deny the Woodland Permit because the plan is not in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0*

Member Baratta makes a motion to deny the Stormwater Management plan, seconded by Member Giacometti

ROLL CALL VOTE TO DENY THE STORMWATER MANAGEMENT PLAN MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GIACOPETTI

In the matter of Citygate Market Place, JSP 15-21, motion to deny the Stormwater Management Plan because the plan is not in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0*

2. NOVI TEN TOWNHOMES JSP 14-18

Public hearing at the request of Toll Brothers for approval of the Preliminary Site Plan, Woodlands Permit, Wetlands Permit and Storm water Management Plan. The subject property is located in Section 26, east of Novi Road and south of Ten Mile Road. The applicant is proposing to construct a 93 unit multiple-family residential development on a 20.09 acre property.

Planner Sri Komaragiri stated that the subject property is located in Section 16, Section 26, east of Novi Road and south of Ten Mile Road behind the Novi Ice Arena and the City of Novi Dog Park. This property was recently rezoned with a PRO from I-1, Light Industrial and OS-1, Office Service to RM-1 (Low Density, Low-Rise Multiple-Family Residential) with a PRO. The subject property is abutted by RM-1 on the Southwest and I-1 on South east and north east and OS-1 on North West. The Future Land Use map indicates Community Office Research and Technology to the east, multiple-family to the southwest and community office to the northwest.

The development site is adjacent to small emergent scrub shrub wetlands as well as higher quality forested and open-water wetland. The site contains floodplain areas associated with a tributary of the Rouge River (Chapman Creek). The property also contains a considerable amount of woodlands.

The applicant is proposing a 93-unit owner-occupied attached condominium project. The current plan shows two on-site detention ponds on the site, preservation of wetland areas along the site's northern and eastern property lines, a pathway connection through the site to future development to the north, and an offsite pathway at the site's southeast corner to the Novi Dog Park to the south. Two access points (one boulevard) are proposed off of Nick Lidstrom Drive. All the deviations from the code were included as part of the PRO agreement. The applicant is asked to work with City Parks and Recreation on the connection of the pathway to the entrance of the dog park. The applicant has proposed pedestrian lighting along Lidstrom drive as required part of PRO conditions. Engineering have identified that the proposed locations fall with Oakland County right of way and will need to be revised. If moved outside the ROW, Engineering identified a possible conflict with the existing utilities. The applicant is asked to work with Engineering to find a suitable location for the pedestrian lighting. The motion sheets have been revised based on the new findings we found and have been included in your packet. The staff reserves the right to approve the modifications based on the conflicts that have been identified.

Engineering also recommends approval as the Site plan meets the general requirements of the code. The plan is in general conformance with landscape ordinance. Sixty percent greenspace is required in front of the buildings. While the design does not match the requirement of the ordinance, it is consistent

with the original concept plan. Landscape recommends approval with additional comments to be addressed with Final Site plan.

Although no direct wetland impacts are proposed, the Plan does propose temporary impact to 0.29 acre of the total 1.77 acres of on-site wetland buffer for the purpose of constructing proposed storm water detention basin "B", several storm water bio-retention areas, and a sanitary sewer connection that extends off-site to the east. The project as proposed will require a City of Novi Minor Use Wetland Permit and an Authorization to encroach the 25-Foot Natural Features Setback.

The subject property has four potential specimen trees and all four are proposed for preservation. The site plan proposes to remove 67 percent of the total regulated woodlands. A total 903 Woodland replacement trees are required. Of which, 325 Woodland replacement credits will be provided for on-site. The remaining credits (578) will be paid into the City of Novi Tree Fund (i.e., 64% of the required Woodland Replacement credits). ECT recommends approval to woodlands and wetlands with additional comments to be addressed with Final Site plan.

A section 9 waiver was granted as part of the PRO process for the underage of brick and overage of asphalt shingles. Façade confirms that the applicant did not make any further changes to the previously approved elevations. The applicant is asked to submit full scale elevations with the Final Site plan.

Traffic and Fire recommends approval with some recommendations. The Planning Commission is asked tonight to approve Preliminary Site Plan, Stormwater Management Plan, Woodland Permit and Wetland Permit.

Applicant Mike Noles, with Toll Brothers greeted the Planning Commission and said that he and his design team are available to answer any questions.

Chair Pehrson opened the Public Hearing. No one in the audience came forward.

Member Lynch read correspondence from Mark Pinchoff from the The Sports Club of Novi, 42500 Nick Lindstrom Drive, who is in support of the request.

Chair Pehrson closed the Public Hearing and turned the discussion over to the Planning Commission for consideration.

Member Baratta asked if the retention pond will have a fountain similar to the one on Wixom Road.

Mike Noles responded that there would be a fountain and that it does require about four feet of water level to be able float the "spritzers". One of the ponds is located in the middle of about 30 units and they really want that to be an amenity for the site. There will be fountains and walking paths that connect to the north and the walking path that connects to the south to the ice rink and to the dog park. The Sports Club supports this and has agreed to give us an easement to connect the path to their property.

Moved by Member Greco and seconded by Member Baratta

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

In the matter of Novi Ten Townhomes, JSP 14-18, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **Applicants shall provide pedestrian style lighting along the frontage of City streets, including but not limited to Nick Lidstrom Drive according to the approved Planned Rezoning Overlay Agreement:**
 - i. **Pedestrian lighting shall be shown on the preliminary site plan, and reviewed by the Planning Commission to determine that the style, number, and location of fixtures are acceptable to the City, and further subject to additional modifications as approved administratively to the location and style of the light at the time of Final Site Plan Review.**

- b. Construction of an off-site pathway for public use to the Novi Dog Park commencing from the site's southeast corner along the rear property line of Novi Sport's Club and a connection to the existing according to approved Planned Rezoning Overlay Agreement as per the following conditions:
 - i. Pathway easements in a form acceptable to the City shall be provided to the City for dedication for public use of the pathways prior to the start of construction.
- c. All public pathway improvements to be completed prior to occupancy.
- d. Pedestrian Lighting will be located outside of Public Rights-of-Way, at locations to be reviewed and approved by the City Engineer.
- e. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0*

Moved by Member Greco and seconded by Member Baratta

ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Ten Townhomes, JSP 14-18, motion to approve the Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0*

Moved by Member Greco and seconded by Member Baratta

ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Ten Townhomes, JSP 14-18, motion to approve the Woodland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters to be addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0*

Moved by Member Greco and seconded by Member Baratta

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Ten Townhomes, JSP 14-18, motion to approve the Stormwater Management Plan, based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0*

3. DUNHILL PARK JSP 15-13

Public hearing at the request of Hunter Pasteur Homes Dunhill Park LLC for Planning Commission's recommendation to the City Council for rezoning of property in Section 32, located at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) TO R-3 (One-Family Residential)) with a Planned Rezoning Overlay (PRO). The subject property is approximately 23.76-acres and the applicant is proposing to construct a 32 unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

Planner Komaragiri stated that the subject property is located Section 32, located at the northwest corner

of Beck Road and Eight Mile Road. The subject property is currently zoned Residential Acreage with the same on the north and to the west. It is abutted by residential in City of Northville on the east and single family residential in Northville township to the south.

The Future Land Use map indicates Single Family on all sides. The applicant is currently requesting Rezoning from RA Residential Acreage to R-3 One-Family Residential with a Planned Rezoning Overlay (PRO). The subject property has about 2.7 acres of regulated wetlands spread around 9 areas within the site. ECT was unable to confirm that the existing wetland boundaries are all accurately depicted on the Plan. There are regulated woodlands on site which includes 10 specimen trees. The City's planning consultant Rod Arroyo from Clearzoning reviewed the site plan for conformance with the Planning Ordinance. He is here tonight to present his findings. Planner Komaragiri said she will continue with the rest of the reviews after his presentation.

Mr. Arroyo summarized Clearzoning's review letter from August 19, 2015. This proposal is to develop 32 lots in a cluster arrangement by allowing development on smaller parcels than would otherwise be allowed within the zoning district. There is also a change in the zoning proposed. The current zoning is RA. The applicant is asking to change the zoning to R-3 along with approval of the overlay. The overlay concept works by first reviewing the concept plan review and the rezoning. The Planning Commission makes a recommendation to City Council for the final action.

This property is currently vacant. It is our understanding that there has been some environmental contamination on the site due to the trucking operation that was there. There were underground tanks as well as the ongoing maintenance of trucks in the area. There is some clean up that is necessary and the applicant has indicated that is one of the benefits of this project. Certainly this is an item that should be discussed in terms of what is involved: could you develop this site under the existing zoning and still do the clean up or is the change necessary in order to justify the development due to the cost of the cleanup. That is a question that might be worth getting some additional information on.

Under RA zoning you could potentially have the 18 single family homes with the density of .8 dwelling units per acre. This request is to allow 32 units. In terms of what could be permitted under R-3 you could go as high as 2.7 dwelling units per acre. We suggested that because the plan is within the allowed R-1 density, one possibility is the Planning Commissioners and Council would approve with an R-1 zoning rather than an R-3 zoning with modification of lot size, lot width and lot area. This would be as part of the overlay plan. In terms of Master Plan density what is being proposed is consistent with 1.65 dwelling units per acre which is equivalent to the R-1 density. The actual density of this project is just under 1.4 dwelling units per acre. Everything west of Beck Road and south of Nine Mile is at the 0.8 dwelling units per acre in terms of the planned density of the Master Plan for Land Use.

Since this is an Overlay it is specified that the use would be single family development at the maximum density of this plan. There are some issues with the proposed Infrastructure, particularly the need for a stub street to the west. There are single family homes located to the west. There is the potential that there could be some aggregating of lots and potential redevelopment to the west in the future. A stub street to the west could provide that option. This is something that should be discussed with the applicant to provide for a second point of access to those possible future properties. In terms of natural features, the Woodlands and Wetland Consultants have raised some issues particularly with the amount of the removal of trees and the impact on wetlands.

In terms of the major conditions of the planned rezoning overlay the applicant has specified that they will limit the maximum number of units to 32, replace street trees, and do wetland mitigation, as well as landscaping along Eight Mile and Beck Roads. Additional conditions are, the minimum width is limited to 90 feet, with a minimum square footage 13,860 (which does fall within R-3 lot size), do significant brownfield clean up with funds potentially coming back to the city, installation of Welcome to Novi landmark, and contribute to the ITC Community Sports Park.

There are some specific ordinance deviations regarding stub streets that would have to be granted in the plan as proposed. There is also specific applicant burden under the PRO Ordinance to demonstrate certain requirements and standards are met. We have identified some of the requirements. The Ordinance requirement states that the results should be an enhancement of the project area as

compared to existing zoning and such enhancement would be unlikely to be achieved or would not be assured in the absence in the use of the planned rezoning overlay. That is clearly a significant item that needs to be reviewed in terms of evaluating the merits of this proposal. The public benefits include tax benefit, brownfield redevelopment the Welcome to Novi sign, working with the ITC Sports Park, high-end quality home construction, and high-end landscaping.

In terms of options the Planning Commission has a number of options: recommending approval, recommending denial and what we are suggesting is postponing action, after having a discussion to allow the applicant to hear points of the discussion.

Planner Komaragiri continued her presentation to the Commission. Engineering is not currently recommending approval of the concept plan for various items noted in the review letter. The proposed water main dead-end exceeds 800 feet. Engineering is asking to provide additional modeling data for sufficient fire flows or provide a looped system. In his response letter, the applicant agreed to provide that information or provide a loop as needed. The site plan also did not provide adequate detail for storm water detention calculations. The site plan would require a City Council variance for absence of stub street. The applicant is asked to work with Engineering to provide the necessary detail.

Landscape is recommending approval of the concept plan noting a few deviations and requesting additional information to conform to the ordinance. Waivers are required for not meeting the minimum required street trees. Landscape staff is willing to support the waiver depending on the Oakland County Road Commission's approval to allow the street trees in their Right-of-way. Other waivers are required for not meeting the minimum requirements for Cu-de-sac planting and greenspace along the roads. Landscape believes that there is enough opportunity to meet the requirement. The exhibits display the landscaping that was provided along the Eight Mile Road right of way where they are proposing some berms, but the landscaping is not adequate.

The Plan includes some level of proposed impact to all of the on-site wetlands and the associated 25-foot wetland setbacks located on this property. Most of these impacts are for the purpose of lot development. The current Plan includes a total of 0.617-acre of proposed wetland impact and 2.01 acres of proposed wetland buffer impacts. The project as proposed will require a City of Novi Wetland Non-Minor Use Permit as well as an Authorization to encroach the 25-Foot Natural Features Setback. The Wetlands consultant does not currently recommend approval and asks the applicant to reconsider the design to minimize impacts.

Of the 10 specimen trees, two will be saved and eight are proposed for removal. The site plan is also proposing removal of 90 percent of the regulated woodlands. A total of 476 woodland trees are required. The Plan does not provide adequate information regarding the woodland tree calculations or the replacement trees. The Woodlands consultant does not currently recommend approval and asks for additional information.

Façade is not recommending approval as the proposed homes do not meet the PRO's requirement of achieving a "higher standard that would not otherwise be achieved under the current Ordinance Requirements" and that significant issues may exist with respect to compliance with the Similar / Dissimilar Ordinance Section 303. The applicant agreed to revise the elevations to meet the ordinance requirements.

Traffic and Fire are recommending approval with additional comments to be addressed with the revised submittal.

In his response letter, the applicant has mentioned the intent to provide information with the Preliminary Site Plan. Staff would like to see some of it to be provided with the revised submittal so that we can identify any deviations to be included in the Planned Rezoning Overlay agreement. The applicant Randy Wertheimer is here with his Engineer and would like to make a presentation and answer questions.

Randy Wertheimer with Hunter Pasteur Homes states that their goal is to take Eight Mile and Beck Roads, a gateway to Novi that is currently a vacant, contaminated piece of land, and turn it into a beautiful community. We are looking to build homes that are consistent with the homes in the area. We are going

to build homes that are going to be \$700,000 to \$1,000,000. The houses will be 3,500 to 6,000 square feet. We are looking to build a beautiful residential area.

Andy Milia introduced himself along with Pat Keast, Project Engineer, and Scott Black with Grissim Metz. Mr. Milia stated that one of the significant features of the site and of the PRO requirement is the brownfield clean up. The site is currently contaminated it was the site of a former trucking company. They dumped fill on the property. A portion of the property was an apple orchard which contained arsenic. What we would be doing is to totally clean up the property, removing all the contaminated materials from the property. We would be doing this through the Brownfield Development Authority. Our legal counsel has been talking to your City Manager and the County Brownfield representative. They are looking at a proposal where the city would get back some of the brownfield credits. In addition when the brownfield is paid back this will go on the tax rolls at approximately \$10,000 per house. Also it is understood that a proposed sidewalk along Eight Mile Road will be installed, although we realize that the Council might want to put that sidewalk in before anything being developed. We are favorable to working with the City to making the land available and contributing toward some of the cost.

One of the items mentioned was a potential stub street to the west of the property. To the west there is a shorter parcel and with our development there is a break in the number of lots because there is a wetland area. The wetland goes on to the neighboring property. There is not a need for a stub street there. We have allowed for a stub street north of the property.

We are requesting that this be rezoned with a PRO to the R-3 district. That is consistent with other changes in the community. The reason is because the setbacks and the lot sizes would be consistent with the R-3 zoning. It would not be consistent with the R-1 zoning. We are committed to a density of 32 units.

Chair Pehrson opened the Public Hearing.

Jeffery Lindsey and Christina Zayti, 48000 Eight Mile. The concern is the wetland impact and how it could affect their home. There are four natural wetlands on their property. The water basin has changed with the Maybury Park development. The southwest corner of our driveway used to be a natural wetland. It is now just a dried up parcel. There are a lot of wild animals on the property. Mr. Lindsey questioned if there is some way to change the configuration in the back area where there is such a natural nature preserve and has been for decades.

No one else in the audience wished to speak. Member Lynch read the correspondence:

John Dodge 47209 Dunsany Ct, Northville, MI states that this is the best proposal to date. The added traffic would be the only concern. He does not want to see Beck Road or Eight Mile expanded any more.

Robert Frush, 47325 Dunsany Ct, Northville, MI states that R-3 zoning doesn't fit the community; R-3 zoning will negatively affect RA home values. The amendment proposal benefits the developer and not existing home owners.

Chair Pehrson closed the Public Hearing and turned the matter over to the Planning Commission.

Member Lynch stated that he does like the development. He is concerned about all of the staff and consultants negative recommendations and he cannot recommend approval this at this time. He recommends tweaking the items regarding not approved with the city.

Member Baratta questioned the density of the proposal. He also questioned the traffic on Beck and Eight Mile. This would have a significant impact on the project.

Andy Milia responded that they have worked very closely with the Archdiocese of Detroit, the current land owner to make this work and with 18 lots the numbers just don't work. They didn't go for a product type that doesn't fit in the area. As the consultant mentioned we could get up to 60 lots but that is not what they are looking for here. With 32 lots the numbers work. They will have to make a significant investment on the land, and there is the environmental cleanup expense.

Member Baratta questioned what the minimum lot size could be.

Andy Milia responded that minimum is 105 feet except in the cul-de-sac.

Member Baratta asked if you can get an access off of Beck Road.

Pat Keast, Project Engineer responded that it would be very difficult because the majority of the frontage on Beck Road is wetlands.

Member Baratta stated that if they can straighten out the issues with the staff then he would be supportive of the project at that density.

Member Giacometti asked Mr. Arroyo about the density being consistent with R-1. Under the PRO could we zone it R-1 and approve this design.

Mr. Arroyo responded that the Master Plan refers to a density that is similar to the R-1 zoning. What it is asking for is a density that is equal to 1.65 which is the second highest from RA. I think that if someone ten years from now takes a look at your zoning map and even though it is a PRO and looks at that map and sees R-3 next to RA there will be long story that will have to be told as to why this happened. Since the density is consistent with R-1 zoning if you find that this density is acceptable I like the concept of having an R-1 zoning with a PRO and then grant the waivers and deviations necessary for smaller lots.

Member Greco stated that with this being the southwestern part of the city he is uncomfortable with the density. When this has occurred in other sections of the city the deviations have not been as great.

Chair Pehrson stated that he is in agreement with the other members that have spoken. He is not comfortable with this large of jump in the zoning. He asked what is the quality of the existing trees on this site.

Matt Carmer, with ETC stated that they have not done a thorough review because they are at a concept level. However, a site inspection was done to look at the general quality of wetlands and woodlands. The data on the plans looks old. Overall this is not a pristine area. As you get closer to the wetland edges there are higher quality areas. If more of the wetland with buffers were protected, then more of the higher quality trees would be protected. A good portion of this site that has been disturbed, and is well suited for development.

Member Zuchlewski asked Andy Milia if he has enough information that he needs to move forward to make this work.

Andy Milia stated that he understands the issues. He said they will address the issues and will look forward to coming back.

Motion to postpone a recommendation on JSP15-13 Concept Plan made by Member Greco, and seconded by Member Baratta.

ROLL CALL VOTE ON TO POSTPONE MAKING A RECOMMENDATION ON JSP15-13 CONCEPT PLAN MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

In the matter of the request of Hunter Pasteur Homes Dunhill Park LLC for Dunhill Park JSP15-13 with Zoning Map Amendment 18.711 motion to postpone making a recommendation on the proposed PRO and Concept Plan to allow the applicant time to consider further modifications to the Concept Plan that would preserve natural features, or provide additional usable open space on site, and to further substantiate the public benefits that are being offered. This recommendation is made for the following reasons:

- Unlike other recent development plans submitted for review, the Concept Plan provides no parkland on the site, with the open space provided primarily devoted to an on-site detention ponds and wetland mitigation areas.
- Additional information is needed regarding the proposed environmental cleanup of the site,

including a discussion of implications on future development, in order to supplement the information provided as a part of the response letter from the applicant and to support the assertion that the cleanup would be considered a significant public benefit.

- Contrary to the applicant's assertion, the proposed landscaping provided at the intersection and along Eight Mile Road and Beck Road frontages is not considered an enhancement over the ordinance standards.
- Further information is needed regarding the proposed contributions to the ITC Sports Park, which have been identified by the applicant as a PRO Condition supporting approval of the request.
- Further clarity is needed regarding whether the applicant will install the Eight foot wide concrete sidewalks along Eight Mile and Beck Roads, or whether the sidewalks will be installed by the City as a part of a public project.
- There are a number of outstanding issues noted in the woodland and wetland review letters, including reflagging and verification of the wetlands, review of alternate layouts to minimize impacts to the natural features, and clarification of calculations provided.
- There are a number of outstanding issues noted in the Engineering Review letter that need to be addressed on subsequent submittals.
- For the applicant to consider changing the requested rezoning from R-3 to R-1 as discussed at this public hearing.

Motion passes 6-0

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE AUGUST 26, 2015 PLANNING COMMISSION MINUTES

Motion to approve by Member Baratta seconded by Member Greco

ROLL CALL VOTE TO APPROVE THE AUGUST 26, 2015 PLANNING COMMISSION MINUTES MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH

Motion to approve the August 26, 2015 Planning Commission Minutes. *Motion passes 6-0*

MATTERS FOR DISCUSSION

There were no matters for discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Motion to adjourn by Member Lynch and seconded by Member Baratta:

Motion to adjourn the September 30, 2015 Planning Commission meeting. *Motion carried 6-0.*

The meeting was adjourned at 8:34 PM.

Transcribed by Richelle Leskun

Date Approved:

Richelle Leskun, Planning Assistant
Signature on File

**Planning Commission Draft Meeting Minutes
Excerpt – December 09, 2015**



PLANNING COMMISSION MINUTES

Regular Meeting

DECEMBER 9, 2015 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 Anthony, Member Baratta, Member Giacometti, Member Lynch,
Member Zuchlewski

Absent: Member Greco (excused), Chair Pehrson (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri, Planner;
Chris Gruba, Planner; Rick Meader, Landscape Architect; Brian Coburn, Engineer; Gary
Dovre, City Attorney; Maureen Peters, Traffic Consultant; Pete Hill, Environmental
Consultant; Matt Carmer, Environmental Consultant; Rod Arroyo, Planning Consultant.

APPROVAL OF AGENDA

Motion to approve the December 9, 2015 Planning Commission Agenda. *Motion carried. 5-0*

PUBLIC HEARINGS

3. DUNHILL PARK, JSP 15-13

Public hearing at the request of Hunter Pasteur Homes Dunhill Park LLC for Planning Commission's recommendation to the City Council for rezoning of property in Section 32, located at the northwest corner of Beck Road and Eight Mile Road from RA (Residential Acreage) to R-1 (One-Family Residential)) with a Planned Rezoning Overlay (PRO). The subject property is approximately 23.76-acres and the applicant is proposing to construct a 31 unit single family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

Planner Sri Komaragiri stated that, the subject property is located Section 32, located at the northwest corner of Beck Road and Eight Mile Road. The subject property is currently zoned Residential Acreage with the same zoning on the north and west. It is abutted by residential in City of Northville on east and single family residential in Northville Township on the south. The Future Land Use Map indicates Single Family on all sides. The applicant is currently requesting Rezoning from RA Residential Acreage to R-1 One-Family Residential with a Planned Rezoning Overlay (PRO).

The subject property has about 2.7 acres of regulated wetlands spread around 9 areas within the site. ECT was unable to confirm that the existing wetland boundaries are all accurately depicted on the plan. There are regulated woodlands on site which includes 10 specimen trees. Our planning consultant Rod Arroyo from Clearzoning has reviewed the site plan for conformance with the Planning Code. He is here tonight to present his findings. I will continue with the rest of the reviews after his presentation.

Mr. Arroyo stated that he will be going over the November 10, 2015 review letter. The applicant has revised the previous plan that was submitted. One lot has been removed from the previous plan. What is presented now is PRO with an R-1 Zoning. The density that is being requested actually falls within the R-1 zoning classification. In addition to that is the landscaping at the entrance to the development along Eight Mile Road has been substantially increased from what was previously submitted. The applicant has also confirmed that they will be contributing both land and funding to the construction of a pathway along Eight Mile Road.

Mr. Arroyo said that there is a list of public benefits that the applicant is proposing as part of this application. The actual project development is the site of a former trucking operation. There is some contamination on this property that is going to require some remediation. That happens to be one of the public benefits that is being offered by the applicant. As with any PRO this is an optional approval that requires a public hearing and then a final action as a rezoning and a PRO plan approval by the City Council. The Planning Commission is charged with holding the public hearing and then making a recommendation to the City Council on this application.

Under the existing RA zoning the project could be developed with up to 18 single family homes. Under the proposed zoning, if there was no specific plan tied to it, there could be up to 38 single family homes. The applicant is requesting somewhere in the neighborhood of 80% of what could be allowed under R-1 zoning. The Master Plan designates pretty much all the property west of Beck Road and south of Nine Mile as 0.8 dwelling units per acre, single family. This single family designation extends up north of Ten Mile. There other densities that surrounds the property. The density is higher within the City of Northville, located to the east, directly across Beck Road and Maybury Park to the south across Eight Mile Road. To the north and west is similar RA zoning.

This project would support the goals and objectives of the Master Plan, including providing for open space. Thirty three percent of this site is being preserved as open space. This is one of the advantages of this type of plan with the flexibility in lot size you get an increase of amount of open space of what would be accomplished through a traditional development plan. You also get a pathway system, connections to the external systems and further development in the pathway system along Eight Mile road and connection into the Beck road system as well. This is a development that is going to enhance the non-motorized transportation network within the city. The specific benefits that are part of the rezoning overlay plan, the applicant has identified the tax benefits for the city, the maximum number of units being limited to 31. High end landscaping, high end home construction, minimum unit lot width of 90 ft. and square footage of 13,860 and significant brownfield clean up with potential funds coming back to the city, the installation of a Welcome to Novi landmark feature and a 25,000 contribution to the ITC Sports Park trail that is going to be coordinated with the city. There are also some ordinance deviation's that come with this plan. One deviation is that there will not be a berm along Beck Road due to the existing natural features. The landscaping does not meet the minimum requirement for canopy and sub canopy trees along the public right of way. The applicant is purposing some larger trees than what would normally be required due to the type of design intent of the landscaping within the development does not meet the street tree requirements along Eight Mile and Beck. Again, there a larger caliber trees that are being purposed as part of this development to have a larger presence. Minimum requirements for storm basin and landscaping are not met. The required sub-street to the west is not provided. They are providing a stub street to the north. There is also an emergency access connection over to Beck Road. The distance between the emergency access and Eight Mile exceeds the maximum. That could be a variance that could be granted through an application to the City Council.

The Planning Commission has several options. They can recommend that the Council conditionally approve, recommending denial, recommending rezoning to a district other than R-1, postponing consideration. Clear Zoning recommends is that the Planning Commission should consider recommending this application as proposed with the appropriate conditions, including resolution and any remaining wetland and woodland items that need to be resolved.

Planner Komaragiri continued with her report. Engineering is currently recommending approval of the concept plan for various items noted in the review letter and also noting that the site plan would require City Council variances for exceeding the maximum length for street A and lack of stub-street along the subdivision perimeter.

Landscape is recommending approval of the concept plan noting multiple deviations and requesting additional information that is required to conform to the code. The deviations are for absence of required berm, and required green belt landscaping along the entire frontage on Beck Road right-a-way. For absence of required street trees within the right-a-way along Beck Road for not meeting the minimum requirements for canopy and sub-canopy trees in the greenbelt along both public the rights-of way; Also for not meeting the street tree requirements along Eight Mile, if the Oakland County Road Commission does not allow some or all of the required street trees along Eight Mile; For not meeting the

minimum requirements for storm-basin landscape and for not meeting the required diversity of tree species for a single residential subdivision. Landscape acknowledges that while the applicant is trying to provide larger trees for a better landscape design that they would not be counted as extra credit for woodlands.

The plan includes some level of proposed impact to all of the onsite wetlands and the associated 25 ft. wetland buffers that backs up to this property. Most of this impact is due to the lot development. The current plan includes a total .617 acre of wetland impact and 2.14 acres of purposed wetland buffer impact. This is slightly higher than the one that was purposed before. The project as proposed will require a City of Novi wetland non-minor use permit as well as authorization to encroach the 25 ft. Natural Features Setback.

Wetlands review is not currently recommending approval and is currently asking the applicant to consider redesigning the design to minimize the impact to wetland C for reasons noted in the letter. Of the 10 specimen trees, two will be saved and eight are proposed for removal. The site plan is also proposing a removal of 83% of the regulated woodlands (a 7 percent decrease from the previous submittal). The notes on the site plan and the applicant's response letter are providing conflicting number for replacement trees provided and remaining required. According to the applicant's response letter, a remaining on 240 trees are not provided on site. The applicant is requesting the Planning Commission to waive the requirement to pay into City tree fund due to significant costs they incurred for the site cleanup. There is no precedent with the City for such a request to date. Staff does not prefer to allow this request. Due to conflict in the number for the remaining woodland trees required, staff would like to amend the remove the number 230 from the motion language.

Woodlands review is not currently recommending approval and asks for additional information. The applicant has chosen not to provide elevations prior to concept plan submittal. Façade did not review the project with the revised submittal. However, the applicant has been in discussion with the façade consultant and provided their letter of intent to meet the requirements of the Façade Ordinance during preliminary site plan submittal. They have provided sample elevations and sample boards to indicate the quality of construction.

Traffic and Fire are recommending approval with additional comments to be addressed with the revised submittal.

The Planning Commission is asked tonight to recommend to City Council an approval or denial of rezoning request from RA Residential Acreage to R-1 One Family Residential with a Planned Rezoning Overlay.

Applicant Randy Wertheimer addressed the Planning Commission. He stated that they did reduce a lot in order to create a park for the neighborhood. We also changed the zoning to be more in line with what the City was comfortable with to the R-1. We are making a contribution to the ITC Sports Park. Also they will be making a significant contribution toward the path that the city is installing on Eight Mile. The reason that we are not removing the trees along Eight Mile is because the existing trees present a beautiful natural feature. The landscape comment that we are short on trees is because we are planting much larger trees than are the minimum requirement. We are looking to have mature landscaping on day one. He stated that they are not trying to cut corners on landscaping.

Chairperson Lynch opened the public hearing for this agenda item and seeing that no one in the audience had any comments he closed the public hearing and turned the discussion over to the Planning Commission for comments.

Member Anthony questioned the applicant as to what type of contamination is there on this property? He also questioned some of the markings on the site plan.

Applicant Randy Wertheimer responded that the area is a former trucking site so there is some contaminated soil with arsenic on the site. Part of the site years ago there was an apple orchard on the site. We are committed to remediate the site and turn it in to a beautiful area.

Andy Bellia the Engineer for the Dunhill project addressed the markings on the site plan. There are two issues with the site. One is arsenic and there is also buried debris on the site. Non contaminated debris is the crushed concrete and various fill material contaminated debris which is fuel oil tanks. The large circle areas on the site plan are the potential areas of debris and the smaller circles are the areas that are known to have debris. As they are excavating the area they will remove any contaminated and take it to a land fill.

Member Anthony stated that they do not know if the wetlands are affected by any contamination. He wanted to know if any of this information had been shared with in house staff or the wetland consultants.

Matt Carmer and Pete Hill with ETC responded to Member Anthony's questions regarding the ECT report.

Member Anthony questioned the wetland areas A and area C. So wetland areas H and K which was identified as being regulated by the city you are not concerned with. H & K has minimal impact. With area C you were concerned about lots 12, 13 and 20. The actual remediation would remove the area of wetland on lot 20. Approximately 50% of the wetland will be removed with the remediation. Lot 13 appeared to have the same issues as lot 20. These wetlands are not regulated by the state and only regulated by the city the most cost effective solution will be removal.

Pete Hill responded to Member Anthony that they did not have any additional reports that had soil borings. During the review we wondered if soil borings had been done in the area with the road. The studies that the applicant submitted lead them to believe that remediation would be needed in that area.

Member Anthony stated that there is not enough information at this time for a solid conclusion. He stated that he feels that if there was additional information that ECT might have a different recommendation on the wetlands and woodlands.

Mr. Carmer agreed that with the additional information their recommendation might be changed. In the letter ETC recommended that wetland C is one to preserve. The reason is we suggested that is because it is a small vernal pool not regulated by the state due to the fact that it is not connected to a lake, stream or pond. It is not greater than 5 acres in size.

Member Anthony stated that when you look at their open area it looks like a majority of wetland C is in there. Then they are also adding a retention pond and to the south of that it ties in with wetland H. Considering what they are leaving now and the work that they are doing would that have any equivalency to mitigation that they are adding to replace what they are removing?

Mr. Carmer stated that initially there was a mitigation area shown along the edge of wetland H. In the latest mitigation plan of wetlands H there was not a lot of detail and not even labeled as wetland mitigation area. The assumption was that this was still the area that they would attempt to mitigate the wetlands. It wasn't clearly indicated on the plans. It is also very steep slope there. It seems a little bit difficult. I would like to see a little bit of engineering review of that by the applicant suggesting that it can be built there. There seems like a lot of earth would have to come out to create wetland H in that area.

Based on the grades that were observed on site it appears to be a very large undertaking.

Member Anthony asked Mr. Carmer about the area directly to the north where you end up having your storm water retention. That would seem logical to have that associated with mitigation.

Mr. Carmer stated that a lot of times what people do on these sites is to have their storm-water basin going and then have an outflow from your storm-water basin into an wetland mitigation area to kind of continue the hydrology.

Member Anthony states that he does not think that they have seen that level of detail here.

Mr. Carmer states that concern with wetland C just north of the basin it has some potential for wildlife with animals that rely on vernal pools. It is close enough where wetland H, detention basin and wetland

C are all in a line. There was quite a bit of buffer. For example wetland C being a small vernal pool that fills up with water every spring and dries up in late summer. If you develop houses and have lots backing up to it the hydrology that currently goes there probably doesn't continue to get in to the wetlands. So you are removing the buffer.

Member Anthony questioned that wouldn't it be that by constructing that retention pond right next to C that is where the water will collect as opposed to C thus rendering that little area of C not functioning as a wetland anymore. It has been shifted over so that you continue and end up with you connecting wetland A through H. With that concept at least in the area where we are concerned about lots 12, 13 and 20 it minimizes the impact that the development of those lots would have.

Member Anthony questioned Mr. Carmer about the wetlands on lots 10 and 11.

Mr. Carmer responded that wetland A is at the far north end and the additional 2 lots are pretty much all wetland. In the review letter it does suggest that maybe that is not a spot to build if it is almost entirely wetland. These lots could be avoided or repositioned. We would like to see that some alternatives have been considered. As you go through the language in the ordinance you are supposed to look at feasible alternatives for impacting the wetland and we would like to see that the design has considered wetlands and woodlands can be avoided and if not why?

Member Anthony questioned if Wetland A, lots 10 and 11 is connected to a wetland area off site of the development.

Mr. Carmer responded that to the west there is a pond located not too far to the west of that wetland.

Member Anthony again questioned that if lots 10 and 11 were developed would it impact the wetland off site hydraulically? Did the flow come on to the property or flow away from the property?

Mr. Carmer stated that wetland does continue off site to the east. To the north it did not appear so but did not investigate very far to the north.

Member Anthony asked that if lots 10 and 11 were developed would it damage the wetland that you saw off site to the east?

Mr. Carmer responded they did not do a whole lot of walking on the adjacent property as they did not have permission. It probably connects up through wetland H.

Applicant Randy Wertheimer wanted the Planning Commission to know that they have hired one of the most reputable wetland consultants in southeast Michigan, King & MacGregor Environmental, LLC. They have also hired McDowell and Associates. Mr. Wertheimer said we are happy to share any information with you so that you will feel comfortable with this plan.

Member Anthony stated that the report showed that 83% of the trees that would be removed that you would normally want protected.

Mr. Hill responded that it is 83% because there is a significant amount of trees that are coming down.

Mr. Carmer also stated that the site has been previously disturbed so the trees are smaller. There are a couple areas with significant size trees but for the most part the trees are smaller. So essentially we are asking the developer to provide an offset of trees that are removed. It is that number that is still in negotiations.

Applicant Randy Wertheimer stated that this site is a little different. They would be taking down ten large trees. The rest is scrub, brush already half down. We are replacing the site with not only a seven figure mediation but a beautiful landscaped entrance with trees that far exceed the minimum requirements.

Member Anthony stated that it appears that more data needs to be assessed and essentially the developer needs to work with staff and the staff consultants further.

Member Baratta question staff engineer Brian Coburn if the city had looked at the impact on the drainage on the adjacent properties?

Brian Coburn responded that with the purpose plan indicated that discharging wetland H from the detention pond. So they are accepting the drainage from the site and then discharging it over to the east. So it should not have impact on the adjacent properties. The ordinance requires that it should be self-contained so they have to collect all the storm water through the basin.

Member Baratta stated that after investigating the site he feels that access to Beck Road is not necessary. Eight Mile is far less traveled than Beck Road. When you look at the two subdivisions west of Beck the sites have half of an acre lots or more. The proposed plan is a lot less than that. It will have a higher utilized site. The tradeoff for the city is this project has higher density verses cleaning up the contaminated site. That is really where I see the value here. The City of Novi is already constructing the pathway. Do you need that much density verses paying for the cleanup?

Member Lynch said that he does like this project. He agreed with Member Baratta about the tradeoff. He feels that this fits well into the ordinance. He believes that this will be a good addition to Novi.

Member Anthony makes a motion to recommend approval to city Council and seconded by Member Baratta.

ROLL CALL VOTE TO RECOMMEND APPROVAL TO CITY COUNCIL MADE BY MEMBER ANTHONY AND SECONDED BY MEMBE BARATTA

In the matter of the request of Hunter Pasteur Homes Dunhill Park LLC for Dunhill Park JSP15-13 with Zoning Map Amendment 18.711 motion to recommend approval to the City Council to rezone the subject property from RA (Residential Acreage) to R-1 (One Family residential) with a Planned Rezoning Overlay. The recommendation shall include the following ordinance deviations for consideration by the City Council:

- a. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided);
- b. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided);
- c. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features. (coverage along entire frontage required; approximately 40 percent proposed);
- d. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the right-of-way along Beck Road;
- e. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements of canopy and sub canopy trees in greenbelt along both Public Rights-of-way;
- f. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile if the Oakland County Road Commission does not allow some or all of the required street trees along 8 Mile Road;
- g. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed);
- h. Landscape deviation from Landscape Design Manual Section 1.d.(1)(d) for not meeting the required diversity of tree species for a single family residential subdivision;
- i. Applicant shall provide modelling data showing sufficient fire flows at the water main dead end or applicant shall provide a loop connection approved by the City Engineer during Preliminary Site Plan. An offsite easement may be required for the loop connection;
- j. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;

- k. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access;

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

- a. Acceptance of applicant's offer of Public benefits as proposed:
 - i. Tax benefits for the City including significant property taxes and potential Brownfield benefits from Oakland County.
 - ii. Significant brownfield environmental cleanup.
 - iii. Installation of a "Welcome to Novi" landmark feature.
 - iv. \$25,000 donation to the Parks, Recreation and Cultural Services Department to be applied toward the construction of the ITC Community Sports Park Trail.
 - v. High-end landscaping.
 - vi. Developers financial contribution to complete the construction of Eight Mile sidewalk, as determined by the City Council
- b. Applicant complying with the conditions listed in the staff and consultant review letters, including satisfying the concerns in Wetlands and Woodlands review letters.
- c. The applicant shall conform with the code requirements to provide additional information with regards to the required woodland replacement trees, with an appropriate number to be determined by staff, at the time of Preliminary Site Plan, or to pay into the City's tree fund, per staff's recommendation.

This motion is made because:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of a maximum of 0.8 units/acre to an actual 1.32 units/acre, and which supports several objectives of the Master Plan for Land Use as noted in this review letter.
- b. The proposed density of 1.32 units/acre provides a reasonable transitional use between the lower density developments to the north and west, and the existing higher density developments to the east, in the City of Northville, and Maybury State Park on the south side of Eight Mile Road.
- c. The site will be adequately served by public utilities.
- d. The proposed zoning and proposed use represents only a nominal increase in expected site generated traffic relative to development permitted under existing zoning.
- e. Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.
- f. The proposed concept plan shows the intent of the applicant to remediate environmental contamination of the site as a part of the development plan, which will improve the land through the removal of potential environmental hazards.

Motion carried 5-0.

PLANNING REVIEW

November 20, 2015

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

**SUBJECT: 2nd Review of Dunhill Park
JSP15-13 Rezoning with a PRO**

Dear Ms. McBeth:

At your request, we have reviewed the resubmission of the request for rezoning with a Planned Rezoning Overlay referenced above and offer the following analysis:

Applicant

Hunter Pasteur Homes Dunhill Park, LLC

Review Type

Rezoning from RA Residential Acreage to R-1 One-Family Residential with a Planned Rezoning Overlay (PRO).

Property Characteristics

- Site Location: Northwest corner of Eight Mile Road and Beck Road (Section 32)
- Site Zoning: RA Residential Acreage
- Adjoining Zoning: North and west: RA Residential Acreage; East (City of Northville): R-1A First Density Residential; South (Northville Township): R-1 Single Family Residential
- Current Site Use: Vacant
- Adjoining Uses: North, east and west: single family homes; South: Maybury State Park
- School District: Northville Community
- Site Size: 23.76 gross acres/23.51 net acres

Summary of Amendments to the Plan since the First Submission

This is the second submission of this plan. In response to the Planning Commission's feedback on the last version of the plan, the applicant has made the following amendments to the plan:

- 32 lots have been reduced to 31, with the subtracted lot repurposed as open/park space. Leaving this lot open preserved some existing trees as well as a small area of wetland (the portion of the site preserved as open space is now 33%, up from 31%. The net density has changed from 1.36 to 1.32 units per acre.
- The landscaping at the entrance to the development, along 8 Mile Road, has been substantially increased.
- The applicant has confirmed that it will contribute land and funding to the construction of the pathway along 8 Mile.

- The applicant originally sought rezoning to R-3. The request has been revised to R-1. While R-3's setback and lot size requirements were more similar to the applicant's plan, R-1 provides for a lower maximum net density on the site.
- The list of public benefits has been modified slightly, and the more information on remediation efforts (*misspelled on the plan*) has been provided.

Project Summary

The petitioner is proposing a Zoning Map amendment for two parcels that total 23.76 acres located at the northwest corner of Beck Road and Eight Mile Road (Section 32) from RA (One-Family Residential, 0.8 DU's per net acre) to R-1 (One-Family Residential, 2 DU's per net acre) utilizing the City's Planned Rezoning Overlay (PRO) option. This request amends the original request for rezoning to R-3 (*there is still a reference to R-3 on the second sheet of the plan that must be amended*).

The subject parcel is 23.76 gross acres on the northwest corner of Beck Road and Eight Mile Road. The site includes 0.25 acres of land in the Eight Mile Road right-of-way, and the net acreage is 23.51 acres. It is currently zoned RA. The applicant is proposing to rezone the property to R-1. The concept PRO plan proposes 31 total lots¹ in a cluster arrangement, with 7.76 acres, or 33% of the total site, preserved as open space. This is one fewer lot than originally proposed. The open space is primarily devoted to an on-site detention pond and wetland mitigation areas, though the letter accompanying the revised site plan indicates that removed lot will be available for park space. One boulevarded access point is proposed onto Eight Mile Road and one stub street is proposed.

This site was the former home to J.J. Zayti Trucking, Inc. The 1999 aerial photo at right shows the trucking operation, which public records show resulting in some environmental contamination on this site. *The Applicant has indicated that remediation efforts are planned for the entire site.*



Summary of PRO Agreements

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 City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

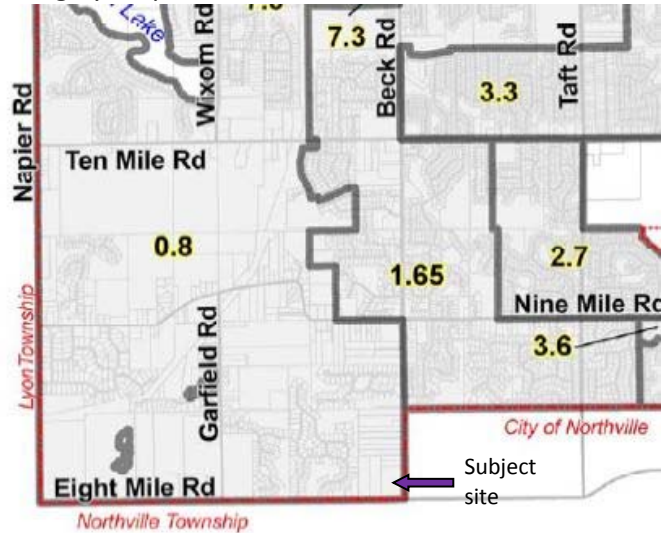
¹ 1.32 units per net acre.

Potential Development with Existing Zoning

The existing zoning, RA, permits 0.8 dwelling units per acre. Under current zoning, the 23.51 net acres of the site could be developed with 18 single family homes. Homes are proposed to be clustered; the open space preservation option, however, does not offer a density bonus for clustered homes. The site is currently vacant. R-1 zoning would permit a maximum density of 1.65 units per net acre, or a total of 38 single family homes. The applicant is requesting roughly 80 percent of the maximum allowable units under the proposed zoning.

Master Plan for Land Use

The Future Land Use Map of the 2010 City of Novi Master Plan for Land Use identifies this property and all adjacent land within the City as single family residential, with a density of 0.8 dwelling units per acre. This matches the existing zoning of the site. The City of Northville identifies land to the east as low density residential (3.63 units per acre), while Northville Township designates land to the south as single family residential; it is occupied by Maybury State Park and unlikely to be developed.



The Master Plan establishes numerous goals and supporting objectives for the City. This concept plan supports several objectives and conflicts with others.

Objective: Attract new residents to the City by providing a full range of quality housing opportunities that meet the housing needs of all demographic groups, including but not limited to singles, couples, first time home buyers, families, and the elderly. *The development would provide medium-lot single family dwelling units, an intermediate size between the City’s existing large-lot and small-lot developments.*

Objective: Encourage residential developments that promote healthy lifestyles. *The concept plan’s inclusion of pathways and connection to the City’s larger pathway system enables walking and bicycling.*

Objective: Protect and maintain open space throughout the community. *33% of the site is preserved as open space, primarily for the purpose of stormwater detention and wetland mitigation.*

Objective: Continue to strive toward making the City of Novi a more bikeable and more walkable community. *The development is proposed to be linked to the City’s developing pathway system.*

The proposal calls for a departure from the vision of the Master Plan, which is to provide for 0.8 du/acre in this location (see below for addition density discussion). *Neighborhood compatibility with existing large lot RA properties in the area should be considered.*

Proposed Residential Density

The applicant is proposing 31 units on 23.51 net acres for a net density of 1.32 units per acre. As mentioned above, the Master Plan calls for a density of 0.8 dwelling units per acre on this land and surrounding sites. The proposed density is 1.65 times the Master Plan recommendation for the site. Proposed density is most consistent with the R-1 One-Family Residential District (maximum density of 1.65 units per acre). This is the proposed new zoning classification for the site.

Lot Requirements

The minimum lot size in R-1 is 21,780 square feet. The minimum lot size shown on the plan is 13,860 square feet. The minimum lot width in R-1 is 120 feet. The minimum lot width on the plan, shown for five of the cul de sac lots, is 90 feet; all lots less than 104 feet wide are on cul de sacs. Setbacks are similarly not met—the aggregate side setback for the district is 40 feet, while the average aggregate side setback shown on the plan is 30 feet.

Under the PRO option, the Planning Commission may approve deviations from the dimensional standards of the district in order to facilitate a more innovative design that preserves open space.

Compatibility with Surrounding Land Use

Summary of Land Use and Zoning of Subject and Adjacent Properties			
	Existing Zoning	Existing Land Use	Master Plan Designation
Subject Property	RA Residential Acreage	Vacant	Single Family, 0.8/acre
To the North	RA Residential Acreage	Single Family Homes	Single Family, 0.8/acre
To the East	R1-A (Northville)	Single Family Homes	Single Family, 3.63/acre
To the South	R-2 (Northville Twp)	Maybury State Park	Single Family, 1.0/acre
To the West	RA Residential Acreage	Single Family Home	Single Family, 0.8/acre

The surrounding land uses are detailed in the table above. In making its recommendation to City Council, the Planning Commission should consider the compatibility of the PRO concept plan with existing adjacent land uses and zoning.

In general, standard construction noise during development and increased traffic after development are the most likely negative effects of this development on surrounding properties.

Directly to the **north** of the subject property are several properties zoned RA, One-Family Residential, containing single-family homes. Casa Loma, a 10-unit residential development, is located one half mile north of Eight Mile Road on the west side of Beck Road.

Directly to the **west** of the subject property is an existing single-family home. Maybury Park Estates is a bit further to the west. Maybury Park Estates contains 106 units on roughly 133 acres for a gross density of roughly 0.8 units per acre. These properties would experience greater traffic volumes on Beck Road and Eight Mile Road under the proposed development than under the maximum currently permissible density.

Directly to the **south** of the subject property in Northville Township is property zoned R-1, Single-Family Residential. The R-1 Zoning District allows one unit per acre. However, the site is part of Maybury State Park and unlikely ever to be developed. Impacts from the proposed development would be negligible.

The properties to the **east** of the subject property are in the City of Northville in the R-1A, First Density Residential district and contain single-family homes. The existing residential development would experience greater traffic volumes along Beck and Eight Mile Roads than it would if the site was developed within the limits of current zoning.

Comparison of Zoning Districts

	RA Zoning (Existing)	R-1 Zoning (Proposed)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. One-family dwellings 2. Farms and greenhouses 3. Publicly owned and operated parks 4. Cemeteries 5. Schools 6. Home occupations 7. Accessory buildings and uses 8. Family day care homes 	<ol style="list-style-type: none"> 1. One-family detached dwellings 2. Farms and greenhouses 3. Publicly owned and operated parks, parkways and outdoor recreational facilities 4. Home occupations 5. Keeping of horses and ponies 6. Family day care homes 7. Accessory buildings and uses
Special Land Uses	<ol style="list-style-type: none"> 1. Raising of nursery plant materials 2. Dairies 3. Keeping and raising of livestock 4. Places of worship 5. Utility and public service buildings (no storage yards) 6. Group day care, day care centers, adult day care 7. Private noncommercial recreation areas 8. Golf courses 9. Colleges and universities 10. Private pools 11. Cemeteries 12. Mortuary establishments 13. Limited nonresidential uses of historic structures 14. Bed and breakfasts 15. Accessory buildings and uses 	<ol style="list-style-type: none"> 1. Places of worship 2. Schools 3. Utility and public service buildings (no storage yards) 4. Group day care, day care centers, adult day care 5. Private noncommercial recreation areas 6. Golf courses 7. Colleges and universities 8. Private pools 9. Cemeteries 10. Mortuary establishments 11. Bed and breakfasts 12. Accessory buildings and uses
Minimum Lot Size	43,560 sq ft (1 acre)	21,780 sq ft (0.5 acres)
Minimum Lot Width	150 ft	120 ft
Building Height	2.5 stories or 35 ft	2.5 stories or 35 ft
Building Setbacks	Front: 45 ft Side: 20 ft (aggregate 50 ft) Rear: 50 ft	Front: 30 ft Side: 15 ft (aggregate 40 ft) Rear: 35 ft

Infrastructure

Water and sanitary sewer are available at the site. We defer to the engineer regarding the adequacy of proposed stormwater management.

The applicant proposes one primary access street (Dunhill Drive on the concept plan) with a boulevard at the entrance. This street runs straight north and south through the western portion of the site and stubs to a temporary T turnaround at the northern property line. Two additional courts (Dunhill Court and Wales Court on the concept plan) are proposed, each ending in a cul de sac with a center island. Secondary access is proposed from Beck Road via a gravel access path secured with a breakaway gate.

The plan illustrates an eight-foot-wide concrete sidewalk along Eight Mile and Beck Roads. The narrative provided by the applicant indicates that the applicant is collaborating with the City to either install the path at its own expense or contribute funds for the installation by the City at a later date.

The applicant has submitted a traffic study for the site showing likely volumes at the proposed density. The traffic study appears to overestimate the number of homes that could be located on the site under RA zoning, however, assuming 32 homes when the maximum would be 18. The applicant had previously submitted a traffic study that included an accurate projection for the RA district. Combining the two studies, we see a projection that the proposed development will likely generate about 130 more trips per day than the maximum allowable development under current zoning.

Natural Features

There is a significant area of City-regulated woodlands on the site, including trees that could be considered specimen trees. The applicant has proposed woodland impacts and will need to plant woodland replacement trees and contribute money to the tree fund to account for said impacts. The applicant has submitted the required tree survey. Based on the woodlands consultant's review, consideration should be given to modifying lots and/or lot boundaries to provide as little impact on woodlands as possible. The applicant contends that this is primarily low quality scrub forest and notes that it is not pristine woodland. 9 additional trees are saved on the revised plan due to the relocation of a storm sewer.

The applicant proposes to replace 231 of the 471 total trees removed from the site at an increased caliper; in general, the applicant argues that the full number of replacement trees will not fit on the site and that environmental remediation efforts adequately compensate for the loss of the unreplaced trees.

There are ten on-site City-regulated wetlands totaling 2.767 acres and the concept plan proposes 0.557 acres of impact to the wetlands. An impact of 2.01 acres on the 25 foot natural features setback is anticipated as well. The applicant has proposed 0.98 acres of wetland mitigation. See wetlands consultant review regarding recommendations to consider alternative lot arrangements to reduce impacts on higher quality wetlands.

Major Conditions of Planned Rezoning Overlay Agreement

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

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the internal roads and lots, the location of the proposed detention ponds, location of the proposed open space, and proposed landscaping throughout the development. The applicant has also provided conceptual home elevations and 3-D renderings of extensive landscaping at the development entrance. The applicant has described conditions for the rezoning, summarized as such:

1. Tax benefits for the City.
2. Maximum number of units shall be 31 single family detached dwelling units (80% of the density permitted by the proposed zoning)
3. High-end landscaping
4. High-end home construction
5. Minimum unit width shall be 90 feet and minimum square footage of 13,860 square feet.
6. Significant brownfield environmental cleanup with funds potentially coming back to the City.
7. Installation of a “Welcome to Novi” landmark feature
8. \$25,000 contribution to the ITC Community Sports Park Trail (to be coordinated with Parks, Recreation and Cultural Services).

Ordinance Deviations

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

The Applicant and City staff have identified 6 variances that will be needed:

1. No berm along Beck Road due to existing natural features.
2. Landscaping does not meet the minimum requirement for canopy and sub-canopy trees along the public right-of-way.
3. Landscaping does not meet street tree requirements along 8 Mile and Beck—the Applicant is seeking Road Commission for Oakland County approval for additional large-caliper trees.
4. The minimum requirements for storm basin landscape are not met.
5. The required stub street to the west is not provided.
6. The distance between the emergency access and 8 Mile Road exceeds the maximum (this variance is granted by the City Council).

Additional Deviations noted due to change in requested zoning designation (R-1 proposed currently, R-3 proposed previously) and other changes to the plan:

The concept plan submitted with an application for a rezoning with a PRO is not required to contain the same level of detail as a preliminary site plan. Staff has reviewed the concept plan inasmuch detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance, or may proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement. The following are deviations from the Zoning Ordinance (Section 3.1.2) and other applicable ordinances shown on the concept plan (sheet 2 needs to be updated to reflect R-1 zoning requirements):

1. Lot Size and Width: Per Section 3.1.2 of the Zoning Ordinance, **the R-1 One-Family Residential Zoning district requires a minimum lot size of 21,780 square feet and a minimum lot width of 120 feet. The applicant has proposed a minimum lot size of 13,860 square feet and a minimum width of 90 feet. These deviations should be included in the**

PRO Agreement. For reference, the proposed lot sizes more closely reflect the R-3 Zoning District, but the overall density at 1.32 units/acre more closely reflects the R-1 (requested) Zoning District.

2. **Setbacks:** The minimum side yard setback for a single-family dwelling in this district is 15 feet with an aggregate of 40 feet. The applicant has proposed a minimum 10 foot side yard setback (with an aggregate of 30 feet). These deviations should be included in the PRO Agreement and should be updated on Sheet 2.
3. **Woodland Replacement Trees:** The applicant is requesting a deviation from ordinance requirements that require the applicant to plant, or pay into the City's tree fund for the equivalent of 230 required woodland replacement trees. The applicant has stated that the cost to remedy the existing soil remediation issues is significant enough to negate the City's requirements to provide a Woodland Replacement Guarantee for the remaining trees that will not be planted.
4. **Landscape waivers:** A number of deviations from the landscaping standards are being proposed. See the landscape review letter for additional details.

Applicant Burden under PRO Ordinance

The Planned Rezoning Overlay ordinance requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items. Section 7.13.2.D.ii states the following:

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

Public Benefit under PRO Ordinance

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and the public benefits of the proposed PRO rezoning would clearly outweigh the detriments. The applicant has identified the public benefits listed below at this time. These proposed benefits will be weighed against the proposal to determine if they clearly outweigh any detriments of the proposed rezoning.

1. Tax benefits for the City including significant property taxes and potential Brownfield benefits from Oakland County.
2. Significant brownfield environmental cleanup.
3. Installation of a “Welcome to Novi” landmark feature.
4. \$25,000 donation to the Parks, Recreation and Cultural Services Department to be applied toward the construction of the ITC Community Sports Park Trail.
5. High-end landscaping.

Submittal Requirements

- Rezoning signs must be erected along the property’s frontage in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request. The signs should be erected no later than 15 days prior to the scheduled public hearing. The concept plan does not show the proposed locations of the two required rezoning signs.

Planning Commission Options

The Planning Commission has the following options for its recommendation to City Council:

1. Recommend City Council conditionally approve the request to rezone the parcel to R-1, One-- Family Residential with a Planned Rezoning Overlay (APPLICANT REQUEST); OR
2. Recommend City Council deny the request to rezone the parcel to R-1 with a PRO, with the zoning of the property to remain RA; OR
3. Recommend City Council rezone the parcel to a zoning district other than R-1 (an additional public hearing may be required); OR
4. Postpone consideration of the request for further study or consideration of another alternative.

Recommendation

Clearzoning **recommends approval** of the proposed PRO and concept plan (JSP14-18 and Rezoning 18.707 for the 31-unit detached residential development to rezone property at the northwest corner of Eight Mile Road and Beck Road, from RA, Residential Acreage to R-1 One Family Residential with a Planned Rezoning Overlay for the following reasons:

- The applicant has presented a reasonable alternative to the proposed Master Plan designation of a maximum of 0.8 units/acre to an actual 1.32 units/acre, and which supports several objectives of the Master Plan for Land Use as noted in this review letter.
- The proposed density of 1.32 units/acre provides a reasonable transitional use between the lower density developments to the north and west, and the existing higher density developments to the east, in the City of Northville, and Maybury State Park on the south side of Eight Mile Road.
- The site will be adequately served by public utilities.
- The proposed zoning and proposed use represents only a nominal increase in expected site-generated traffic relative to development permitted under existing zoning.
- Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.
- The proposed concept plan shows the intent of the applicant to remediate environmental contamination of the site as a part of the development plan, which will improve the land through the removal of potential environmental hazards.

Sincerely,
CLEARZONING, INC.

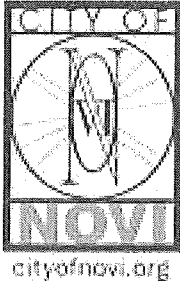


Rodney L. Arroyo, AICP
President



2015 Aerial – Google

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

11/13/2015

Engineering Review

DUNHILL PARK
JSP15-0013

Applicant

HUNTER PASTEUR HOMES DUNHILL PARK

Review Type

PRO Revised Concept Plan

Property Characteristics

- Site Location: N. of 8 Mile Rd. and W. of Beck Rd.
- Site Size: 23.76 acres
- Plan Date: 10/20/15

Project Summary

- Construction of a 31 lot subdivision. Site access would be provided by a single curb cut on 8 Mile Rd. to internal roadways.
- Water service would be provided by 12-inch and 8-inch extension from the existing 12-inch water main along the north side of 8 Mile Rd. approximately 1,100 feet to the west, along with 8 additional hydrants.
- Sanitary sewer service would be provided by an extension of the existing 10-inch sanitary sewer running along the north property line.
- Storm water would be collected by a single storm sewer collection system and detained in an on-site basin.

Recommendation

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

Comments:

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

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

General

1. A right-of-way permit will be required from the City of Novi and Oakland County.
2. Provide a traffic control sign table listing the quantities of each sign type proposed for the development. Provide a note along with the table stating all traffic signage will comply with the current MMUTCD standards.
3. Traffic signs in the RCOC right-of-way will be installed by RCOC.
4. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review.
5. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.
6. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal. They can be found on the City website (www.cityofnovi.org/DesignManual).

Water Main

7. **The proposed water main dead end exceeds 800-feet, provided modeling data showing sufficient fire flows at the dead end or provide a loop connection approved by the City Engineer. An offsite easement may be required for the loop connection.**
8. Provide a plan and profile for the off-site water main construction.
9. The water main stubs shall terminate with a hydrant followed by a valve in well. If the hydrant is not a requirement of the development for another reason the hydrant can be labeled as temporary allowing it to be relocated in the future.
10. Three (3) sealed sets of revised utility plans along with the MDEQ permit application (1/07 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

Sanitary Sewer

11. Provide a basis of design.
12. Provide size and material for proposed sanitary sewer.
13. Seven (7) sealed sets of revised utility plans along with the MDEQ permit application (04/14 rev.) for sanitary sewer construction and the Streamlined Sanitary Sewer Permit Certification Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets. Also, the MDEQ can be contacted for an expedited review by their office.

Storm Sewer

14. A minimum cover depth of 3 feet shall be maintained over all storm sewers. Currently, a few pipe sections do not meet this standard. Grades shall be elevated and minimum pipe slopes shall be used to maximize the cover depth. In situations where the minimum cover cannot be achieved, Class V pipe must be used with an absolute minimum cover depth of 2 feet. An explanation shall be provided where the cover depth cannot be provided.
15. Provide a 0.1-foot drop in the downstream invert of all storm structures where a change in direction of 30 degrees or greater occurs.
16. Match the 0.80 diameter depth above invert for pipe size increases.
17. Storm manholes with differences in invert elevations exceeding two feet shall contain a 2-foot deep plunge pool.
18. Provide a four-foot deep sump and an oil/gas separator in the last storm structure prior to discharge to the storm water basin.
19. Label all inlet storm structures on the profiles. Inlets are only permitted in paved areas and when followed by a catch basin within 50 feet.
20. Label the 10-year HGL on the storm sewer profiles, and ensure the HGL remains at least 1-foot below the rim of each structure.

Storm Water Management Plan

21. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
22. Provide detention time calculations for the bankfull volume. The bankfull volume must be detained for 24 to 40 hours.
23. Provide a soil boring in the vicinity of the storm water basin to determine soil conditions and to establish the high water elevation of the groundwater table.

Paving & Grading

24. The length of Street A exceeds the maximum of 1,000 feet and would require a variance unless an emergency access is provided. The access could be temporary until adjacent development occurs to provide secondary access.

Or provided a DCS Variance request to wave this requirement, staff would support this request.

25. A stub street shall be provided to the west for future connection or a variance would be required. **Or provided a DCS Variance request to wave this requirement, staff would support this request.**
26. Provide detailed grading for the hammer head turn around at the north property line.
27. The emergency access must be paved or grass pavers.
28. Clarify if the streets are to be public or private.
29. Provide a pathway connection to the west. If a stub street is provided to the west, the sidewalk adjacent to the street would provide that connection.
30. Add a note to the plan stating that the emergency access gate is to be installed and closed prior to the issuance of the first TCO in the subdivision.

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



cc: Adam Wayne, Engineering
Brian Coburn, Engineering
Sri Komaragiri, Community Development
Becky Arold, Water & Sewer

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

November 12, 2015

Revised PRO Conceptual Site Plan

Dunhill Park

Review Type

Conceptual Landscape Review

Job

JSP15-0013

Property Characteristics

- Site Location: Northwest corner of Beck and Eight Mile Roads
- Site Zoning: RA
- Adjacent Zoning: RA to north and west, Northville to east, Maybury State Park to south
- Plan Date: 10/20/2015

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed and incorporated as part of the Preliminary Site Plan submittal. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance.

Recommendation:

This concept is **recommended for approval**. The basic concept and layout indicate that there is sufficient room provided to meet city requirements, but it still proposes significant variations from the current landscape ordinance provisions.

General comments:

- The concept for right-of-way landscaping does not meet the goals of the landscape ordinance for landscaping along Beck and Eight Mile roads and will need to be revised to more closely meet those goals.
- The landscape design manual (page 10) specifically lists areas where credits can be gained for using larger trees. Street trees, right-of-way landscaping and woodland replacement trees are listed as tree requirements that cannot be reduced through the use of larger trees. Larger trees can be used, but no reduction in tree quantities provided can be achieved through this use.
- The diversity of trees along the frontages.

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

Soil information is provided.

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

1. The overhead power line along Beck Road has been added, and street trees have been located along the rear lot lines instead of along the right-of-way line because of an existing, low-hanging property line. **It is preferable to have the street trees along the right-of-way line. If that power line can be raised, it should be, and subcanopy trees should be placed within the right-of-way line as are proposed along 8 Mile Road. If it can't be, the street trees should be located as close to the right-of-way line as possible**

without causing a conflict with the wires. A waiver can be sought for street trees that cannot be planted in the right-of-way due to existing natural conditions that are to be preserved.

2. Trees should be located at least 10' away from all utility structures. It appears that some internal street trees are closer than that and should be shifted over in preliminary and final site plans.

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

Existing trees, proposed removals and removal/replacement calculations are shown on Sheets W-1 through W-3.

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

1. Tree fencing has been added to the plans. It should also appear on the removal/demolition plan when that sheet is added to the set.
2. Please modify the tree fence detail to show it is to be placed at 1' outside the dripline.
3. Please include the tree labels of trees to be saved on sheets L-101 and L-102.

Woodland Replacement Trees

1. While the applicant is no longer specifically requesting credit for larger replacement trees, they are requesting as part of the PRO that the 230 remaining trees they are not planting not be required in recognition of the significant cost of remediation of the site. This has not been granted on other projects currently under consideration that have required site remediation and is not recommended in this case. If the applicant wishes to plant smaller trees (i.e. 2.5" caliper deciduous canopy trees and 6' height evergreen trees) to help save costs, they may do so as those are the minimum size trees required for woodland replacements. The applicant may also contribute to the city tree fund for trees they cannot place on the site.
2. *Ulmus x* Frontier elms are not on the Woodland Replacement Chart so they can't be planted as replacement trees for credit. Valley Forge Elm or other *Ulmus americana* selections may be used.
3. Woodland replacement trees have been uniquely marked on the plans per request.

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

1. Calculations have been provided for the landscaping in the greenbelts along Beck and 8 Mile Roads. Waivers for the extent of frontage occupied by natural areas that would be negatively impacted by the construction and planting of the required berms and landscaping can be sought. Staff would support the waiver for the section of Beck Road that is wetland and the waiver for the wetland mitigation area since screening of homes adjacent to it has been provided with woodland replacement trees. **Calculations showing the number of canopy/large evergreen and sub-canopy trees not being planted due to the waiver should be added to the plans.**
2. Three additional canopy tree species have been added to the curving landscape along the rear lot property lines which increases the diversity of the plantings, as requested. However, contrary to the statement in the response letter, staff doesn't support using canopy trees to meet the subcanopy tree requirement of the greenbelt plantings. Two tight clusters of crabapples have been provided near the entrance, but the count is still far below what the calculations show are required. The applicant has used just canopy trees along the rear property lines and has maintained the wide expanse of bermed lawn between the right-of-way and the line of canopy trees. Please note the spacing guidelines for various tree and shrub types on second page of the Landscape Design Manual.
3. While the berms are fairly geometric in nature, they do have variations in height and width, and do have a 2' crest so they are acceptable.

4. Plants have been labeled uniquely per the requirement they're fulfilling as requested.
5. **Please add proposed contours to the landscape plan for the entire site when they are available.**

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

1. **Calculations for street trees have been provided and a line of street trees along Eight Mile Road has been proposed. If the Oakland County Road Commission prohibits any or all of those trees, a waiver for the prohibited trees will be supported but all allowed trees need to be planted.**
2. **Please consider changing those street trees from flowering pears to some other subcanopy species. Unfortunately, we are seeing a number of flowering pears self-seeding and growing wild in open spaces. It is not currently on our list of invasive species, but it is acting invasively, and cooperation toward reducing the numbers of it on the plan would be appreciated.**
3. **Street trees have been proposed for Beck Road, but not within the Right-of-Way. A low-hanging utility wire is a reasonable cause for locating the trees elsewhere, but they should be located as close to the right-of-way line as possible, not along the rear lot lines. A waiver can be sought to avoid planting street trees altogether in the area to remain natural if there is insufficient room for those trees along the right-of-way. This waiver would be supported by staff. The number of trees not planted would need to be provided on the plan.**
4. Staff would accept the reduction in street trees in favor of larger trees as part of the PRO, since the roads will be private roads in a gated community.
5. Additional landscaping has been added to the cul-de-sac islands, per the ordinance.

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

Large, native shrubs planted in clusters around 70-75% of the rim are required by the ordinance. Instead, the applicant is proposing canopy trees as part of the PRO. This is acceptable in that the trees may provide shading of the pond, which is desirable. No fertilizers should be used on the grassy areas in the basin in order to promote better water quality within the pond.

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

When proposed transformers/utilities/fire hydrants are available, add to landscape plan and adjust plant spacing accordingly.

Plant List (LDM 1.d.(1).(d) and LDM 2.h. and t.)

1. Plant lists have been provided that meet the city requirements.
2. **Note the requirements for species diversity in the Landscape Design Manual (Section 1.d.(1).(d). The overall diversity of the development needs to conform to these guidelines. The large number of just a few types of trees (especially maples) does not appear to be in conformance with this requirement.**

Planting Notations and Details (LDM)

1. Details provided meet City of Novi requirements.
2. City of Novi landscape notes have been provided.
3. For final site plans, costs per the City of Novi Community Development Fee Schedule need to be provided for all plants, including seed and sod, and mulch proposed to be used on the site.

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

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

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

Please show contours for entire site – not just berms and detention basin, on preliminary and final site plans.

Snow Deposit (LDM.2.q.)

Please indicate areas to be used for snow plowing that won't harm existing or proposed landscaping.

Corner Clearance (Zoning Sec 5.9)

Indicate Corner Clearance triangles for interior roads as well as intersection at Eight Mile Road.

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 rmeader@cityofnovi.org.



Rick Meader – Landscape Architect

WETLANDS REVIEW

November 12, 2015

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

Re: Dunhill Park (JSP15-0013)
Wetland Review of the Revised Concept/PRO Plan (PSP15-0159)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Concept/PRO Plan for the proposed Dunhill Park single-family residential condominium project located at the northwest corner of Eight Mile Road and Beck Road in Section 32. This included the review of the Planned Rezoning Overlay Plan (PRO) prepared by Seiber, Keast Engineering, L.L.C. dated October 20, 2015 (Plan). The Plan was reviewed for conformance with the City of Novi Wetland and Watercourse Protection Ordinance and the natural features setback provisions in the Zoning Ordinance. ECT conducted a preliminary wetland evaluation for the property on August 12, 2015 and reviewed re-flagged wetland boundaries on Tuesday, October 27, 2015.

ECT does not currently recommend approval of the Revised Concept/PRO Plan for Wetlands. ECT recommends that the applicant consider and implement the Wetland Comments noted in this letter prior to receiving Wetland approval of the Plan.

The Plan proposes the construction of a 31-unit single-family development on approximately 23 acres. The property is currently zoned RA (Residential Acreage) and is proposed to be rezoned to a Planned Rezoning Overlay (PRO). The applicant states that the property has not been developed in the past due to known environmental issues that significantly impact the site.

The proposed project site contains several areas of City-Regulated Wetlands (see Figure 1).

City of Novi Ordinance Requirements

The City of Novi Wetland and Watercourse Protection Ordinance (City of Novi Code of Ordinances, Part II, Chapter 12, and Article V.) describes the regulatory criteria for wetlands and review standards for wetland permit applications.

As stated in the Ordinance, it is the policy of the city to prevent a further net loss of those wetlands that are: (1) contiguous to a lake, pond, river or stream, as defined in Administrative Rule 281.921; (2) two (2) acres in size or greater; or (3) less than two (2) acres in size, but deemed essential to the preservation of the natural resources of the city under the criteria set forth in subsection 12-174(b).

The wetland essentiality criteria as described in the Wetland and Watercourse Protection Ordinance are included below. Wetlands deemed essential by the City of Novi require the approval of a use permit for any proposed impacts to the wetland.

All noncontiguous wetland areas of less than two (2) acres which appear on the wetlands inventory map, or which are otherwise identified during a field inspection by the city, shall be analyzed for the purpose of determining whether such areas are essential to the preservation of the natural resources of the city....In making the determination, the city shall find that one (1) or more of the following exist at the particular site:

- (1) The site supports state or federal endangered or threatened plants, fish or wildlife appearing on a list specified in Section 36505 of the Natural Resources Environmental Protection Act (Act 451 of 1994) [previously section 6 of the endangered species act of 1974, Act No. 203 of the Public Acts of 1974, being section 229.226 of the Michigan Compiled Laws].*
- (2) The site represents what is identified as a locally rare or unique ecosystem.*
- (3) The site supports plants or animals of an identified local importance.*
- (4) The site provides groundwater recharge documented by a public agency.*
- (5) The site provides flood and storm control by the hydrologic absorption and storage capacity of the wetland.*
- (6) The site provides wildlife habitat by providing breeding, nesting or feeding grounds or cover for forms of wildlife, waterfowl, including migratory waterfowl, and rare, threatened or endangered wildlife species.*
- (7) The site provides protection of subsurface water resources and provision of valuable watersheds and recharging groundwater supplies.*
- (8) The site provides pollution treatment by serving as a biological and chemical oxidation basin.*
- (9) The site provides erosion control by serving as a sedimentation area and filtering basin, absorbing silt and organic matter.*
- (10) The site provides sources of nutrients in water food cycles and nursery grounds and sanctuaries for fish.*

After determining that a wetland less than two (2) acres in size is essential to the preservation of the natural resources of the city, the wetland use permit application shall be reviewed according to the standards in subsection 12-174(a).

The site was reviewed for the presence of regulated wetlands as defined in the City of Novi Wetland and Watercourse Protection Ordinance. ECT staff met on-site with the Applicant's wetland consultant (King and MacGregor Environmental, Inc. - KME), most-recently on Tuesday, October 27, 2015.

ECT's in-office review of available materials included the City of Novi Regulated Wetland and Watercourse map, USGS topographic quadrangle map, NRCS soils map, USFWS National Wetland Inventory map, and historical aerial photographs dating back to the 1940's.

Onsite Wetland Evaluation

ECT visited the site on August 12, 2015 for the purpose of a preliminary wetland boundary verification. In addition, ECT visited the site again on Tuesday, October 27, 2015 in order to review the recently-reflagged wetland boundaries completed by the applicant's wetland consultant, KME. The focus of the site inspection was to review site conditions in order to determine whether the on-site wetlands meet the City of Novi's Wetland Essentiality Criteria. Wetland boundary flagging was in place at the time of this site inspection. ECT reviewed the flagging and agrees that the wetland boundaries were accurately flagged in the field. It should be noted that the wetland boundaries as shown on the current Plan do not appear to represent the most recent wetland boundary information flagged most-recently by KME. The applicant's wetland consultant appeared to have updated wetland boundary information at the time of our site visit, including having had flagged an additional small wetland area (Wetland L) that does not appear to be shown on the current Plan.

The Plan indicates nine (9) total areas of on-site wetland (Wetlands A through K). The wetlands include:

- Wetland "A" – 1.22 acre;
- Wetland "C" – 0.29-acre;
- Wetland "D" – 0.01-acre;
- Wetland "E" – 0.01-acre;
- Wetland "F" – 0.04-acre;
- Wetland "G" – 0.06-acre;
- Wetland "H" – 1.09 acre;
- Wetland "I" – 0.007-acre;
- Wetland "K" – 0.04-acre;

Total Wetland – 2.767 acres

Wetland C is a forested wetland area and the other wetland areas are emergent and/or scrub shrub wetlands. The forested wetland areas (Wetland C) contain mainly black willow (*Salix nigra*), and box elder (*Acer negundo*). Wetland C appears to be the higher quality wetland on-site.

Many of the on-site wetlands (Wetlands D, E, F, G, I and K) are dominated by invasive species. The vegetation consists of mainly reed-canary grass (*Phalaris arundinacea*) or common reed (*Phragmites australis*). These wetlands are emergent/wet meadow wetland types and all except Wetland K appear to be located within areas of the site that have been previously-disturbed. These areas are not depicted as wetlands on the available mapping materials or the official City of Novi Regulated Wetland and Watercourse map. Wetlands D, E, F, G and I appear to be the result of previous man-made site disturbances.

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

Wetland Impact Review

The Plan includes some level of proposed impact to all of the on-site wetlands and the associated 25-foot wetland setbacks located on this property. Most of these impacts are for the purpose of lot development. The current Plan indicates a total of 0.617-acre of proposed impact to the 2.767 acres of existing on-site wetlands, as well as 2.14 acres of proposed wetland buffer impacts. It should be noted that the amount of proposed impacts to wetlands remains unchanged from the previous plan submittal. The proposed impact to 25-foot wetland setbacks has increased, only slightly, from 2.01 acres.

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

Table 1. Proposed Wetland Impacts

Wetland Area	City Regulated?	MDEQ Regulated?	Wetland Area (acres)	Impact Area (acre)	Estimated Impact Volume (cubic yards)
A	Yes	Not Likely	1.22	0.36	Not Provided
C	Yes	Not Likely	0.29	0.04	Not Provided
D	No	Not Likely	0.01	0.01	Not Provided
E	No	Not Likely	0.01	0.01	Not Provided
F	No	Not Likely	0.04	0.04	Not Provided
G	No	Not Likely	0.06	0.06	Not Provided
H	Yes	Not Likely	1.09	0.05	Not Provided
I	No	Not Likely	0.007	0.007	Not Provided
K	Yes	Not Likely	0.04	0.04	Not Provided
TOTAL	--	--	2.767	0.617	Not Provided

It should be noted that during our most-recent site assessment, ECT has confirmed that Wetlands D, E, F, G, and I do not appear to be considered essential wetlands based on the requirements in the City’s Wetland Ordinance.

The currently-proposed impacts to essential/City-regulated wetlands (i.e., Wetlands A, C, H, and K) appear to total 0.49-acre. These impacts are above the City of Novi 0.25-acre impact area threshold for compensatory wetland mitigation. Previously-submitted plans proposed two (2) areas of on-site wetland mitigation, totaling 0.98-acre. The proposed wetland mitigation areas shown on the previous plan appear to have been (perhaps unintentionally) omitted from the current Plan.

In a response letter dated October 23, 2015, the applicant states that no changes have been made to the proposed wetland impacts or mitigation from the previous plan submittal. However, this response

letter also states that the plans no longer propose to fill the small wetland (Wetland G, 0.06-acre) where Lot 23 was located. The letter also states that wetland mitigation is provided for all city regulated wetlands on the site at a ratio of 1.5 (mitigation) to 1 (fill). This information does not appear to be consistent with what has been indicated on the current Plan (including the *Wetland Impact* table on Sheet 2). Based on the current Plan, 0.735-acre of wetland mitigation would be required.

Subsequent plans should clearly indicate all areas of wetland (and wetland buffer) impacts and graphically indicate all areas of proposed wetland mitigation. In addition, all impacts to City-regulated wetlands shall be mitigated at a 1.5-to-1 ratio.

In addition to wetland impacts, the Plan also specifies impacts to the 25-foot natural features setbacks. The following table summarizes the existing wetland setbacks and the proposed wetland setback impacts as listed on the *Planned Rezoning Overlay Plan*, Sheet 2):

Table 2. Proposed Wetland Buffer Impacts

Wetland Area	Wetland Buffer Area (acres)	Wetland Buffer Impact Area (acre)
A	1.08	0.66
C	0.56	0.42
D	0.09	0.09
E	0.11	0.11
F	0.13	0.13
G	0.14	0.14
H	0.43	0.33
I	0.09	0.09
K	0.17	0.17
TOTAL	2.80	2.14

Permits & Regulatory Status

The on-site wetlands do not appear to be regulated by the Michigan Department of Environmental Quality (MDEQ) as they do not appear to be within 500 feet of a watercourse/regulated drain. In addition, none of the wetlands appear to be greater than 5 acres in size. The Applicant should provide any associated information with respect to the regulatory status of the on-site wetlands by MDEQ to the City for review. It is the applicant’s responsibility to contact the MDEQ in order to determine if a wetland permit will be required for the proposed wetland impacts. The City of Novi requires this clarification prior to issuing a City of Novi Wetland Permit.

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

required for the proposed impacts to wetlands and regulated wetland setbacks. Several of the on-site wetlands (Wetlands A, C, H, and K) appear to be considered essential by the City as they appear to meet one or more of the essentiality criteria set forth in the City's Wetland and Watercourse Protection Ordinance (i.e., storm water storage/flood control, wildlife habitat, etc.). As discussed above, during our most-recent site assessment, ECT has confirmed that Wetlands D, E, F, G, and I do not appear to be considered essential wetlands based on the requirements in the City's Wetland Ordinance, and therefore are not regulated by the City. Based on the size, location, and history of previous site disturbance, Wetlands D, E, F, G, I, and K do not significantly provide any of the functions included in the essentiality criteria. These wetlands should therefore not be considered regulated by the City's Wetland and Watercourse Protection Ordinance as they are not contiguous, are less than two acres in size, and are not found to be essential wetlands as defined in the City's wetland ordinance. Impacts to these wetlands will not require compensatory mitigation. Impacts to Wetlands A, C, H, and K will require mitigation.

Wetland Comments

The following are repeat comments from our Wetland Review of the Concept/PRO Plan dated August 19, 2015. The current status of each follows in ***bold italics***:

1. Wetland boundary flagging was not apparent in all areas of the site at the time of our preliminary site walk. ECT recommends that the applicant's wetland consultant re-flag/re-fresh the wetland delineation flags and submit to the City of Novi's Community Development Department for a Wetland Boundary Evaluation.

This comment has been addressed. The applicant's wetland consultant has re-flagged the on-site wetlands and our office confirmed the wetland boundaries on October 27, 2015. It should be noted that the current Plan does not appear to contain the most recent wetland boundary information. The applicant should review and revise the Plan as necessary.

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

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

This is especially true in the case of Wetland C, which appear to be the highest-quality on-site wetland. As noted above, most of these impacts are for the purpose of lot development. The

current Plan includes a total of 0.617-acre of proposed wetland impact and 2.01 acres of proposed wetland buffer impacts.

This comment has not been addressed. Proposed impacts to wetlands and wetland buffers essentially remain unchanged from the previous Plan submittal.

ECT suggests that efforts should be made in order to avoid impacts to Wetlands C. In addition, while the necessity to impact Wetland A in order to construct an access drive to the buildable upland area located in the northwest portion of the site is understood, it is ECT's opinion that the impacts to Wetland A for the purpose of constructing Lots 10 and 11 is not warranted.

With regard to the preservation of 25-foot wetland buffers, the applicant should work in order to preserve the buffer of Wetland C. The Plan currently includes an impact to 0.42-acre of the 0.56-acre setback (75%). The majority of this proposed impact appears to be for the purpose of development of individual lots (Lots 12, 13, and 20). It is ECT's opinion that the preservation of this 25-foot buffer area is important to the overall health of Wetland C, especially after site development. The existing buffer serves to filter pollutants and nutrients from storm water before entering the wetland, as well as provide additional wildlife habitat. These buffer areas may also currently have a positive slope towards Wetland C, therefore providing storm water runoff and hydrology to this wetland. As a detailed utility plan has not been provided, it is unclear if backyards will slope to Wetland C or if backyard drains will be installed to collect and route storm water to the wetland. This information should be clarified on subsequent site plan submittals.

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

This comment has not been addressed. See Comment #1, above.

3. Subsequent plans should indicate what wetland mitigation ratios have been used for each area of wetland impact (i.e., 1.5-to-1 or 2-to-1 for forested wetland areas, etc.).

This comment has been partially addressed. The proposed mitigation information appears to have been omitted from the Plan. The applicant should review and revise the Plan as necessary.

In addition, it should be noted that the previously-proposed wetland mitigation scenario was not ideal. The majority of the wetland mitigation was to be constructed south of Wetland H, near the east side of the site/Beck Road. In addition to being located within close proximity to a major road, a very large amount of earthwork/grading would be required in order to achieve the necessary grades/elevations to support the creation of a constructed wetland. The applicant should consider proposing wetland mitigation areas adjacent to some of the other existing wetland areas to remain (such as Wetland A, etc.).

4. The Applicant is encouraged to provide wetland conservation easements for any areas of remaining wetland or 25-foot wetland buffer. The Applicant should consider modification of the proposed lot boundaries and/or site design in order to preserve all wetland and wetland buffer areas.

This comment still applies.

5. The overall areas of the existing wetland and wetland buffer should be indicated on the Plan. The Plan indicates the acreage of proposed permanent disturbance to the wetland and wetland buffer but does not list the acreage of the wetland buffer areas themselves. The Plan should be reviewed and revised as necessary.

This comment has been partially addressed. While the areas of existing wetland and wetland buffer, as well as proposed impact areas, have been indicated on the Plan, it is our understanding that the wetland boundary information shown on the Plan does not represent the most current wetland delineation. The applicant should review and revise the Plan as necessary.

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

This comment has not been adequately addressed. The PRO Plan (Sheet 2) does not appear to clearly indicate the quantity or the location of any proposed wetland mitigation areas. In a response letter dated October 23, 2015, the applicant states that no changes have been made to the proposed wetland impacts or mitigation from the previous plan submittal. However, this response letter also states that the plans no longer propose to fill the small wetland (Wetland G, 0.06-acre) where Lot 23 was located. The letter also states that wetland mitigation is provided for all city regulated wetlands on the site at a ratio of 1.5 (mitigation) to 1 (fill). This information does not appear to be consistent with what has been indicated on the current Plan (including the Wetland Impact table on Sheet 2). Based on the current Plan, 0.735-acre of wetland mitigation would be required. The applicant is encouraged to review and revise the Plan as necessary.

Recommendation

ECT does not currently recommend approval of the Revised Concept/PRO Plan for Wetlands. ECT recommends that the applicant consider and implement the Wetland Comments noted in this letter prior to receiving Wetland approval of the Plan.

Dunhill Park (JSP15-0013)
Wetland Review of the Revised Concept/PRO Plan (PSP15-0159)
November 12, 2015
Page 9 of 10

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Peter Hill, P.E.
Senior Associate Engineer



Matthew Carmer
Senior Scientist
Professional Wetland Scientist #1746

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

Attachments: Figure 1

November 12, 2015

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

Re: Dunhill Park (JSP15-0013)
Woodland Review of the Revised Concept/PRO Plan (PSP15-0159)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Concept/PRO Plan for the proposed Dunhill Park single-family residential condominium project located at the northwest corner of Eight Mile Road and Beck Road in Section 32. This included a review of the Planned Rezoning Overlay Plan (PRO) prepared by Seiber, Keast Engineering, L.L.C. dated October 20, 2015 (Plan). The Plan was reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37. ECT conducted a woodland evaluation for the property on Wednesday, August 12, 2015 and on Tuesday, October 27, 2015.

ECT does not currently recommend approval of the Revised Concept/PRO Plan for Woodlands. ECT recommends that the applicant consider and implement the Woodland Comments noted in this letter prior to receiving Woodland approval of the Plan.

The Plan proposes the construction of a 31-unit single-family development on approximately 23 acres. The property is currently zoned RA (Residential Acreage) and is proposed to be rezoned to a Planned Rezoning Overlay (PRO). The applicant states that the property has not been developed in the past due to known environmental issues that significantly impact the site.

The proposed project site contains several areas of City-Regulated Woodland (see Figure 1 and Site Photos).

The purpose of the Woodlands Protection Ordinance is to:

- 1) Provide for the protection, preservation, replacement, proper maintenance and use of trees and woodlands located in the city in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat. In this regard, it is the intent of this chapter to protect the integrity of woodland areas as a whole, in recognition that woodlands serve as part of an ecosystem, and to place priority on the preservation of woodlands, trees, similar woody vegetation, and related natural resources over development when there are no location alternatives;*

- 2) *Protect the woodlands, including trees and other forms of vegetation, of the city for their economic support of local property values when allowed to remain uncleared and/or unharvested and for their natural beauty, wilderness character of geological, ecological, or historical significance; and*
- 3) *Provide for the paramount public concern for these natural resources in the interest of health, safety and general welfare of the residents of the city.*

Onsite Woodland Evaluation

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on Wednesday, August 12, 2015 and on Tuesday, October 27, 2015.

An existing tree survey has been completed for this property by Allen Design. The *Woodland Plan* (Sheet W-1) contains existing tree survey information (tree locations and tag numbers). The *Woodland List* is included on Sheets W-2 and W-3, and includes tree tag numbers, diameter-at-breast-height (DBH), common/botanical name, and condition of all surveyed trees as well as the required woodland replacement credit requirements.

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

The entire site is approximately 23 acres with regulated woodland mapped across a portion of the property. The mapped City-regulated woodlands area generally located within the central and eastern sections of the site (see Figure 1). It appears as if the proposed site development will involve a significant amount of impact to regulated woodlands and will include a significant number of tree removals.

On-site woodland within the project area consists of American elm (*Ulmus americana*), black locust (*Robinia pseudoacacia*), black walnut (*Juglans nigra*), black willow (*Salix nigra*), box elder (*Acer negundo*), bur oak (*Quercus macrocarpa*), mulberry (*Morus alba*), common pear (*Pyrus sp.*), eastern cottonwood (*Populus deltoides*), eastern red cedar (*Juniperus virginiana*), green spruce (*Picea pungens*), red maple (*Acer rubrum*), Siberian elm (*Ulmus pumila*), sugar maple (*Acer saccharum*), and several other species. Black willow, box elder and cottonwood compromise approximately 46% of all on-site trees.

Based on the information provided on the Plan, the maximum size tree diameter on the site is a black cherry (36-inch DBH). This tree is listed in poor condition and is proposed to be removed. The average diameter of on-site trees is 11-inches. In terms of habitat quality and diversity of tree species, the on-site areas of mapped City-regulated woodlands are of fair to good quality. The

majority of the woodland areas consist of relatively immature growth trees of fair to good health. Although many areas of the site have been previously disturbed, the wooded areas provide a fair level of environmental benefit. The subject property is bordered on the east and on the west by existing residential use; however there are remaining natural areas located to the north and south (i.e., Maybury State Park) of the site. In terms of a scenic asset, wind block, noise buffer or other environmental asset, the woodland areas proposed for impact are considered to be of fair quality.

After our woodland evaluation and review of the *Tree List* submitted by the applicant's woodland consultant, there are ten (10) trees on-site that meet the minimum caliper size for designation as a specimen tree. These trees include:

- Tree #336, 27" black cherry (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #98, 36" black cherry (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #40, 26" black locust (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #48, 18"/24" black locust (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #86, 24" bur oak (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #18, 24" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #42, 26" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #21, 26" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #16, 27" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #10, 33" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees).

Of these ten (10) potential specimen trees, two (2) of these trees will be saved and eight (8) are proposed for removal. The Applicant should be aware of the City's Specimen Tree Designation as outlined in Section 37-6.5 of the Woodland Ordinance. This section states that:

"A person may nominate a tree within the city for designation as a historic or specimen tree based upon documented historical or cultural associations. Such a nomination shall be made upon that form provided by the community development department. A person may nominate a tree within the city as a specimen tree based upon its size and good health. Any species may be nominated as a specimen tree for consideration by the planning commission.

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

Proposed Woodland Impacts and Replacements

As shown, there appear to be substantial impacts to regulated woodlands associated with the proposed site development. It appears as if the proposed work (proposed lots and roads) will cover the majority of the site and will involve a considerable number of tree removals. It should be noted

that the City of Novi replacement requirements pertain to regulated trees with d.b.h. greater than or equal to 8 inches.

A *Woodland Summary* Table has been included on the *Tree List* (Sheet W-3). The Applicant has noted the following:

- Total Trees: 520
- Total Regulated Trees: 298
- Regulated Trees Removed: 248 (83% removal)
- Regulated Trees Preserved: 50 (17% preservation)

- Stems to be Removed 8" to 11": 140 x 1 replacement (Requiring 140 Replacements)
- Stems to be Removed 11" to 20": 64 x 2 replacements (Requiring 128 Replacements)
- Stems to be Removed 20" to 30": 13 x 3 replacements (Requiring 39 Replacements)
- Stems to be Removed 30"+: 1 x 4 replacements (Requiring 4 Replacements)
- Multi-Stemmed Trees: (Requires 109 Replacements)

- Sub-total Replacement Trees Required: 420
- Less credit for "non-woodland tree preservation": 23
(The applicant proposes the preservation of 9 trees that lie outside of the City's Regulated Woodland Boundary and is requesting credits towards required Woodland Replacements)

- Total Woodland Replacement Required: 397

It should be noted that the current Plan appears to show a slight improvement in the number of regulated trees proposed for removal. The current Plan indicates that 248 of the 298 regulated trees (83%) are proposed for removal. The previous plan proposed the removal of 269 of the 298 regulated trees (90%). The applicant notes in their response letter (dated October 23, 2015) that the rear yard storm sewer has been relocated on Lots 18-19 allowing for the preservation of 9 additional trees. The applicant also states that revised tree counts and replacements can be found on Sheet W-3 of the woodland plans and Sheet L102 of the landscape plans. It should be noted that the landscape plans do not appear to have been updated since the previous submittal as the table on Sheet L102 still appears to refer to a total of 476 Woodland Replacements required. The current Plan requires 397 Woodland Replacements, as noted above. The applicant should review and revise the Plan for consistency.

The Plan should clearly indicate the locations, sizes, species and quantities of all on-site woodland replacement trees. The applicant should review and revise the Plan in order to better indicate how the Woodland Replacement requirements will be met on-site. It is recommended that the applicant provide a table that specifically describes the species and quantities of proposed Woodland Replacement trees. It should also be noted that all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio. All coniferous

replacement trees shall be 6-feet in height (minimum) and provide 1.5 trees-to-1 replacement credit replacement ratio (i.e., each coniferous/evergreen tree planted provides for 0.67 credits). Sheet L102 appears to note that 231 on-site Woodland Replacements will be provided:

- (59) 12' height multi-stem canopy trees;
- (132) 4" caliper canopy trees;
- (40) 2.5" caliper canopy trees.

Per the City of Novi Landscape Design Manual Section 3.c.(2) no additional woodland tree replacement credits can be gained by using larger plant material than those specified in the table 3.c.(1). As a rule, the standard woodland replacement tree credits listed on the Woodland Replacement Chart in Section 37 must be used, including the 1.5:1 evergreen ratio. As noted above, all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio. It should be noted that the applicant does not appear to be proposing the installation of up-sized Woodland Replacement material for additional credit.

With regard to the location of woodland replacement trees, the Woodland Ordinance states:

- *The location of replacement trees shall be subject to the approval of the planning commission and shall be such as to provide the optimum enhancement, preservation and protection of woodland areas. Where woodland densities permit, tree relocation or replacement shall be within the same woodland areas as the removed trees. Such woodland replanting shall not be used for the landscaping requirements of the subdivision ordinance or the zoning landscaping;*
- *Where the tree relocation or replacement is not feasible within the woodland area, the relocation or replacement plantings may be placed elsewhere on the project property;*
- *Where tree relocation or replacement is not feasible within the woodland area, or on the project property, the permit grantee shall pay into the city tree fund monies for tree replacement in a per tree amount representing the market value for the tree replacement as approved by the planning commission. The city tree fund shall be utilized for the purpose of woodland creation and enhancement, installation of aesthetic landscape vegetation, provision of care and maintenance for public trees and provision and maintenance of specialized tree care equipment. Tree fund plantings shall take place on public property or within right-of-ways with approval of the agency of jurisdiction. Relocation or replacement plantings may be considered on private property provided that the owner grants a permanent conservation easement and the location is approved by the planning commission;*
- *Where replacements are installed in a currently non-regulated woodland area on the project property, appropriate provision shall be made to guarantee that the replacement trees shall be preserved as planted, such as through a conservation or landscape easement to be granted to the city. Such easement or other provision shall be in a form acceptable to the city*

attorney and provide for the perpetual preservation of the replacement trees and related vegetation.

The applicant shall demonstrate that the all proposed Woodland Replacement Trees (and existing regulated woodland trees to remain) will be guaranteed to be preserved as planted with a conservation easement or landscape easement to be granted to the city. In the response letter dated October 23, 2015, the applicant states that many of the replacement trees will be located on individual units to provide road screening. Such trees will not be in a Conservation Easement however there is language in the Master Deed which requires proper maintenance, forbids removal of these trees and requires the homeowner to replace the trees should they die. As such, the applicant does not intend to provide a Conservation Easement and will therefore request this variance as a PRO Condition.

It should also be noted that the applicant has stated that the total amount of trees that are to be replaced per the ordinance will not physically fit on the site. In addition, the applicant feels that the cost that they will incur to remedy the existing environmental issues (soil remediation) is significant enough to negate the City's requirements to provide a Woodland Replacement Guarantee for the remaining trees that will not be planted. As such, the applicant does not intend to provide a payment for Woodland Replacement trees that do not fit on-site and will request this variance as a PRO Condition as well.

City of Novi Woodland Review Standards and Woodland Permit Requirements

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

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

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

There are a significant number of replacement trees required for the construction of the proposed development. This development consists of 31 proposed single-family residential units. The subject property is surrounded by existing residential use on the east and west sides. Some relatively natural areas remain to the north and to the south (i.e., Maybury State Park) of the site. Some degree of impact to on-site trees is likely in the development of this property for residential use; however, ECT suggests that the applicant consider preserving existing trees to the greatest extent possible even on individual proposed lots, outside of the proposed building envelope. The current Plan appears to

clear the vast majority of all trees within the lots and proposes an 83% removal of the existing on-site City-regulated trees.

Woodland Comments

The following are repeat comments from our Wetland Review of the Concept/PRO Plan dated August 20, 2015. The current status of each follows in ***bold italics***:

1. ECT encourages the Applicant to minimize impacts to on-site Woodlands to the greatest extent practicable; especially those trees that may meet the minimum size qualifications to be considered a Specimen Tree (as described above). Ten percent (10%) of the regulated on-site trees are proposed to be preserved and ninety percent (90%) are proposed for removal. The applicant should demonstrate why additional trees cannot be preserved.

This comment has been partially addressed. It should be noted that the current Plan appears to show a slight improvement in the number of regulated trees proposed for removal. The current Plan indicates that 248 of the 298 regulated trees (83%) are proposed for removal. The previous plan proposed the removal of 269 of the 298 regulated trees (90%). The applicant notes in their response letter (dated October 23, 2015) that the rear yard storm sewer has been relocated on Lots 18-19 allowing for the preservation of 9 additional trees. The applicant also states that revised tree counts and replacements can be found on Sheet W-3 of the woodland plans and Sheet L102 of the landscape plans. However, the letter also notes that some of these trees to be preserved fall within the remediation area, so these trees could end up being removed during remediation operations. It is ECT's opinion that the Plan can be improved in order to incorporate a tree preservation percentage greater than that currently proposed, 17%.

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

This comment has been partially addressed. See Item #1, above.

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

This comment still applies. The applicant shall demonstrate that the all proposed Woodland Replacement Trees (and existing regulated woodland trees to remain) will be guaranteed to be preserved as planted with a conservation easement or landscape easement to be granted to the city. In the response letter dated October 23, 2015, the applicant states that many of the replacement trees will be located on individual units to provide road screening. Such trees will not be in a Conservation Easement however there is

language in the Master Deed which requires proper maintenance, forbids removal of these trees and requires the homeowner to replace the trees should they die. As such, the applicant does not intend to provide a Conservation Easement and will therefore request this variance as a PRO Condition. An agreement shall be in place in order to preserve all proposed woodland replacement trees as well as existing regulated woodland trees to remain.

4. The Applicant is encouraged to provide woodland conservation easements for any areas containing woodland replacement trees, if applicable. It is not clear how all of the proposed replacement trees will be guaranteed in perpetuity. As stated in the woodland ordinance:

Where replacements are installed in a currently non-regulated woodland area on the project property, appropriate provision shall be made to guarantee that the replacement trees shall be preserved as planted, such as through a conservation or landscape easement to be granted to the city. Such easement or other provision shall be in a form acceptable to the city attorney and provide for the perpetual preservation of the replacement trees and related vegetation.

This comment still applies. See Item #4, above.

5. The *Overall Landscape Plan* (Sheet L101) appears to note that a total of 476 Woodland Replacement Credits are required for the proposed tree removals and that 129, 4-inch caliper deciduous replacement trees will be provided. In general, per the Landscape Design Manual Section 3.c.(2) no additional woodland tree replacement credits can be gained by using larger plant material than those specified in the table 3.c.(1). The applicant should review and revise the woodland replacement plan as necessary.

This comment still applies. Please note that the Plan should clearly indicate the locations, sizes, species and quantities of all on-site woodland replacement trees. The applicant should review and revise the Plan in order to better indicate how the Woodland Replacement requirements will be met on-site. It is recommended that the applicant provide a table that specifically describes the species and quantities of proposed Woodland Replacement trees. It should also be noted that all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio. All coniferous replacement trees shall be 6-feet in height (minimum) and provide 1.5 trees-to-1 replacement credit replacement ratio (i.e., each coniferous/evergreen tree planted provides for 0.67 credits). Sheet L102 appears to note that 231 on-site Woodland Replacements will be provided:

- ***(59) 12' height multi-stem canopy trees;***
- ***(132) 4" caliper canopy trees;***
- ***(40) 2.5" caliper canopy trees.***

Per the City of Novi Landscape Design Manual Section 3.c.(2) no additional woodland tree replacement credits can be gained by using larger plant material than those specified in the table 3.c. (1). As a rule, the standard woodland replacement tree credits listed on the Woodland Replacement Chart in Section 37 must be used, including the 1.5:1 evergreen ratio. As noted above, all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio. It should be noted that the applicant does not appear to be proposing the installation of up-sized Woodland Replacement material for additional credit, but should clarify the number of on-site Woodland Replacement trees being provided.

6. The Plan states that a total of 476 Woodland Replacement Credits are required for the proposed tree removals. The Plan shall clearly state the locations, sizes, species and quantities of all Woodland Replacement trees. It is recommended that the applicant provide a table that specifically describes the species and quantities of proposed Woodland Replacement trees.

This comment still applies. The current Plan appears to show that 397 Woodland Replacement Credits are required. The Plan should clearly indicate the locations, sizes, species and quantities of all on-site woodland replacement trees. This information does not appear to be consistent throughout all of the Plan sheets. Please review and revise as necessary.

7. A Woodland Permit from the City of Novi would be required for proposed impacts to any trees 8-inch d.b.h. or greater. Such trees shall be relocated or replaced by the permit grantee. All replacement trees shall be two and one-half (2 ½) inches caliper or greater.

This comment still applies.

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

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

This comment still applies.

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

This comment still applies.

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

This comment still applies.

Recommendation

ECT does not currently recommend approval of the Concept/PRO Plan for Woodlands. ECT recommends that the applicant consider and implement the Woodland Comments noted above prior to receiving Woodland approval of the Plan.

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Peter Hill, P.E.
Senior Associate Engineer



Matthew Carmer
Senior Scientist
Certified Arborist

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

Attachments: Figure 1 & Site Photos



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

Site Photos



Photo 1. Looking north near central portion of site. City-regulated woodlands shown (ECT, 8/12/15).



Photo 2. Tree #498, 10"/10" City-regulated cottonwood. Tree to be preserved within proposed open-space area; this area Includes existing Wetland A (ECT, 8/12/15).



Photo 3. Tree #498, 10"/10" City-regulated cottonwood.
Tree to be preserved within proposed open-space area; this area
Includes existing Wetland A (ECT, 8/12/15).



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

TRAFFIC REVIEW



AECOM
27777 Franklin Road
Suite 2000
Southfield, MI 48034
www.aecom.com

248.204.5900 tel
248.204.5901 fax

November 16, 2015

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

SUBJECT: Dunhill Park, Traffic Review of Revised Concept Planned Rezoning Overlay (PRO) Site Plan JSP15-0013

Dear Ms. McBeth,

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

1. General Comments

- a. The applicant, Hunter Pasteur Homes Dunhill Park, LLC, is proposing the development of a 23-acre, 31-unit single-family residential development in the northwest quadrant of Eight Mile Road and Beck Road. The development provides site access through one (1) roadway intersecting Eight Mile Road.
- b. The site is currently zoned as RA Residential Acreage and the developer is proposing a PRO with R-1 overlay zoning.
- c. Beck Road is within the City of Novi's jurisdiction and Eight Mile Road is within the Road Commission for Oakland County's jurisdiction. All site roadways are proposed to be public.

2. Potential Traffic Impacts

- a. The applicant provided a revised rezoning traffic impact study which reviews the effects the proposed development may have on the existing roadway for R-1 zoning. The impacts on traffic due to a rezoning can be considered minimal. The PM peak hour can be expected to see the highest increase in traffic volumes throughout the day. A summary of the rezoning traffic impact study can be found in section 6 of this letter.
- b. The trips generated by the development are not expected produce traffic volumes in excess of the City's thresholds; therefore, further traffic impact studies are not recommended at this time.

3. General Plan Comments – Review of the plan generally shows compliance with City standards; however, the following items at minimum may require further detail in the Preliminary Plan submittal.

- a. Access to the proposed development is provided by one driveway that intersects with Eight Mile Road. The applicant is also proposing an emergency access road onto Beck Road.
- b. Proposed Roadways - Provide additional details for the intersection of the proposed Street "A" with Eight Mile Road, including but not limited to:
 - i. Nose offset of center island

- ii. Other details as necessary to convey design intent and the meeting of applicable City standards
- c. The MDOT Standard Plan R-28-F on sheet 3 should be updated with the latest version R-28-I.
- 4. Signing and Pavement Marking** – Review of the plan generally shows compliance with the Signing and Pavement Marking Master Plan.
 - a. The applicant should consider adding a sign table showing the proposed signs and their quantities.
- 5. Bicycle and Pedestrian** – The proposed pathway and sidewalk widths are in compliance with the City of Novi Bicycle and Pedestrian Master Plan.
- 6. Traffic Impact Studies**
 - a. The applicant provided a revised rezoning traffic impact study, dated November 16, 2015, which reviews the effects the proposed development may have on the existing roadway for R-1 zoning (proposed) in comparison to RA zoning (existing).
 - b. Under RA Residential ordinances, the 23.8-acre site can accommodate 19 single-family homes, based on the maximum density of 0.8 units per site. Under R-1 Residential ordinances, the 23.8-acre site can accommodate up to 39 single-family homes, based on a maximum density of 1.65 units per site. The proposed development includes 31 single-family homes, which falls within the R-1 zoning requirements. The traffic impacts associated with the different zoning scenarios is summarized in the table below.

Zoning Comparison	Number of Units	Traffic Generated from Site (veh/hr)	
		AM Peak Hour	PM Peak Hour
R-A Residential Acreage	19	23	24
R-1 Residential	39	37	45
Proposed Development	31	31	37
<i>Proposed Development vs. RA</i>	+12	+8	+13
<i>Proposed Development vs. R-1</i>	-8	-6	-8

- c. The proposed development is estimated to produce 31 trips in the AM peak hour and 37 trips in the PM peak hour, which is 8 more trips during the AM peak hour (13 more in the PM peak hour) than if the zoning were to remain at an RA designation.
- d. The overall impacts of the site-generated traffic can be considered nominal in comparison to the existing Eight Mile Road volumes.
- e. Similarly, the overall proposed site-generated traffic volumes do not meet the City's threshold of 100 trips per hour.

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

Sincerely,

AECOM





Sterling J. Frazier, E.I.T.
Reviewer, Traffic/ITS Engineer

A handwritten signature in blue ink, appearing to read 'Matthew G. Klawon'.

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

FIRE REVIEW



November 2, 2015

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

RE: Dunhill Park
PSP#15-0159

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Gwen Markham

Andrew Mutch

Doreen Poupard

Wayne Wrobel

Laura Marie Casey

City Manager
Pete Auger

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

Director of EMS/Fire Operations
Jeffery R. Johnson

Assistant Chief of Police
Victor C.M. Lauria

Assistant Chief of Police
Jerrod S. Hart

Project Description: A 31 single family home development on the Northwest corner of Eight Mile and Beck.

Comments:

- 1) Proposed water main exceeds maximum length without looping. **Provide water flow data for 12" main to meet flow requirements**
- 2) The single point entry exceeds maximum length. Site plan shall provide more than one point of external access to the site. A boulevard entranceway shall not be considered as providing multiple points of access. Multiple access points shall be as remote from one another as is feasible. The requirement for secondary access may be satisfied by access through adjacent property where an easement for such access is provided. Secondary access shall not be required. Provide a 20' wide and all weather secondary access for emergency vehicles. **11/2/15 Item Corrected**
- 3) Fire hydrants exceed maximum distance. In single family residential areas, hydrants shall be spaced a maximum of 500 feet apart. It is recommended that a hydrant be located at every intersection on the same corner with the street sign. This will help with locating the fire hydrants in winter when they are covered with snow. **Item corrected 8/13/15**

Recommendation: Recommended for approval

Sincerely,

Joseph Shelton- Fire Marshal
City of Novi – Fire Dept.
cc: file

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

cityofnovi.org

LETTER OF INTENT TO CONFORM TO THE FAÇADE ORDINANCE
DURING PRELIMINARY SITE PLAN



November 24, 2015

Ms. Sri Komaragiri, Planner
City of Novi
Community Planning Department
45175 W. Ten Mile Road
Novi, MI 48375

**Re: Dunhill Park PRO - JSP15-13
Rezoning R-1 with a PRO**

Dear Ms. Komaragiri:

Pursuant to your request and our previous e-mail correspondence on the facade review of Dunhill Park, the Applicant agrees to meet the following requirement as it relates to the elevations of the homes that will be offered at Dunhill Park. The additional elevations will be submitted at the time of preliminary site plan review.


There will be as many as six (6) or seven (7) different floor plans and elevations offered at the time of construction which will ensure diversity within the development. It is our intent to satisfy the requirements of the Similar/Dissimilar Ordinance which includes:

- Side and rear elevations with brick or stone to the second floor belt line as a minimum.
- An approximately equal number of each model will be used as required to comply with the Similar Dissimilar Ordinance. including a difference in the roof lines and basic building envelope geometry; typically at least two gables difference.

Please contact me should you have any questions.

Sincerely,

FRANKLIN CONSTRUCTION COMPANY, L.L.C.
On Behalf of Hunter Pasteur Homes Dunhill Park, LLC


Whitney Findlay
Project Manager

Cc: Randy Wertheimer, Hunter Pasteur Homes Dunhill Park, LLC
Seth Herkowitz, Hunter Pasteur Homes Dunhill Park, LLC
Jeff Sakwa, Hunter Pasteur Homes Dunhill Park, LLC
Andy Milia, Franklin Construction Company, L.L.C.
Karen Brown, Franklin Construction Company, L.L.C.

**SAMPLE ELEVATIONS
SUBJECT TO CHANGE DURING PRELIMINARY SITE PLAN**

THE CAMBRIDGE

HP HUNTER PASTEUR *Homes*



ELEVATION C



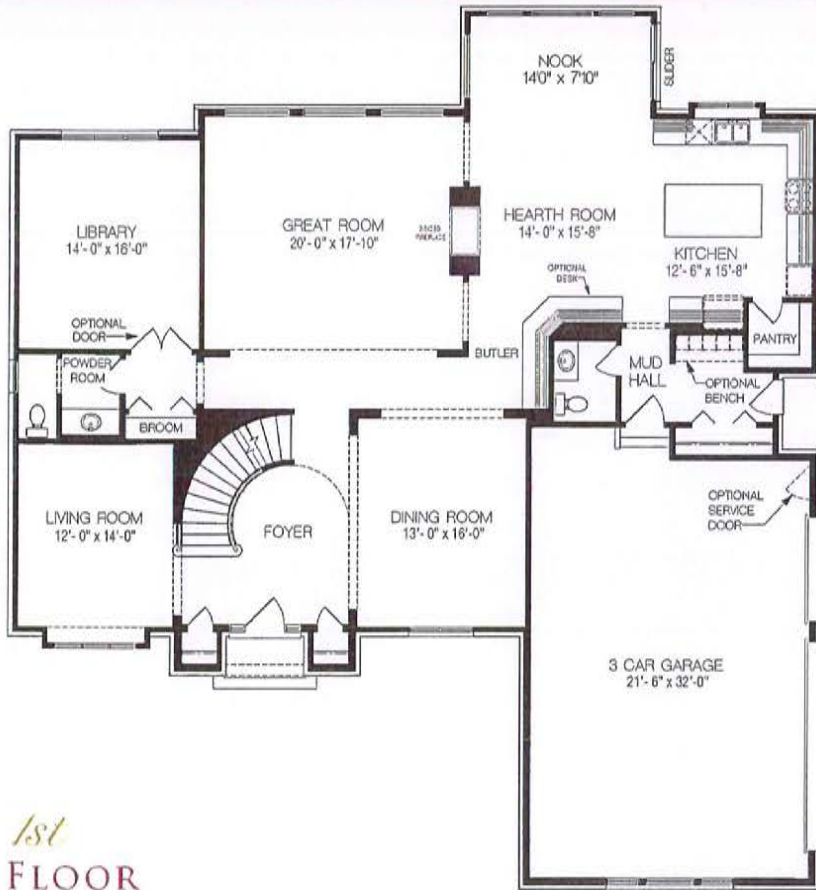
ELEVATION B



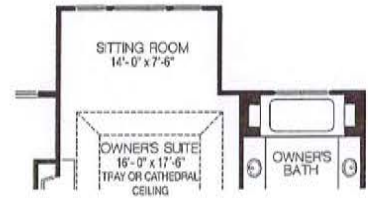
ELEVATION A



THE CAMBRIDGE



Optional
GUEST ROOM



Optional
SITTING ROOM

1st
FLOOR

The CAMBRIDGE

BEDROOMS.....	4
FULL BATHS.....	3
HALF BATHS.....	2
SQUARE FEET.....	4.150



2nd
FLOOR

MANY OPTIONS
AVAILABLE

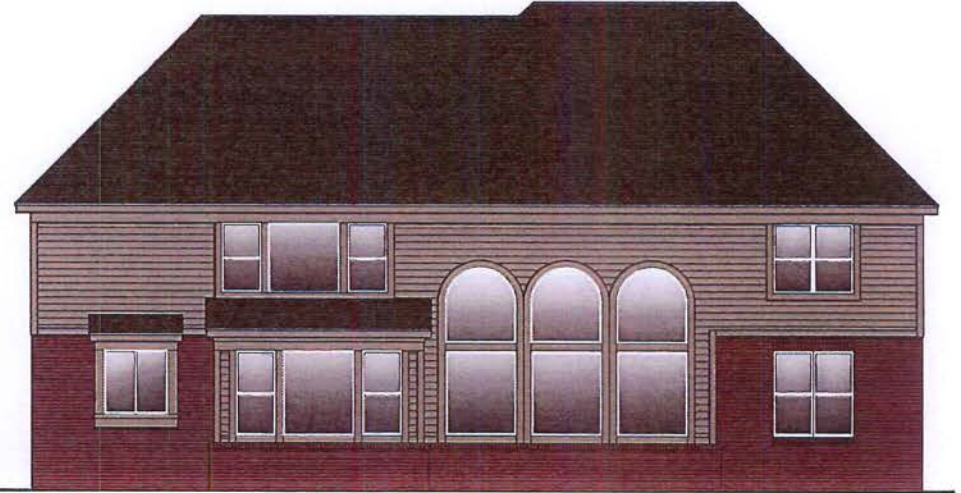
Please Ask Your Sales Manager

We reserve the right to make changes to plans, prices, specifications & materials or to change or discontinue models without prior notice or obligation. Floorplan shown is Elevation A. Elevation A square footage may change. Rathmor Estates: 10' first floor ceilings and 9' second floor ceilings may result in specific room heights to change and may vary plan to plan.

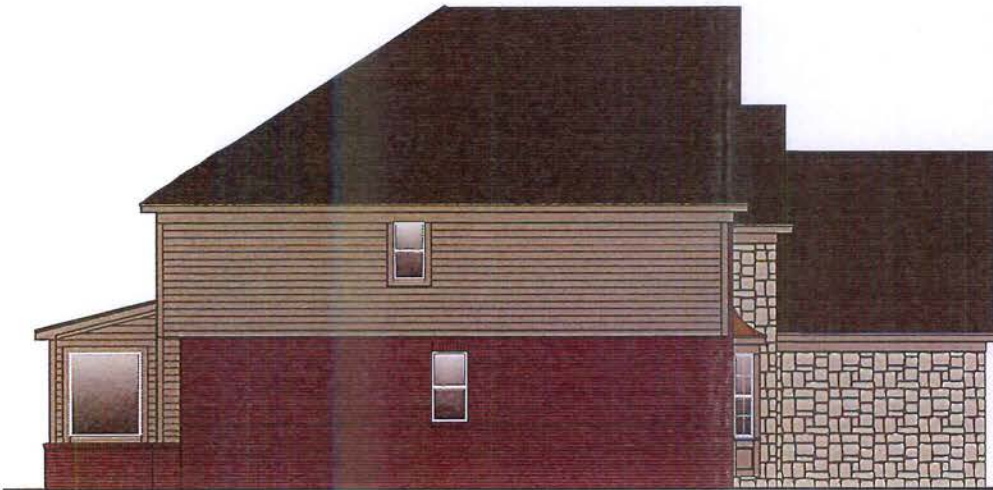




CAMBRIDGE - RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



CAMBRIDGE - REAR ELEVATION
SCALE: 1/4" = 1'-0"



CAMBRIDGE - LEFT ELEVATION
SCALE: 1/4" = 1'-0"



CAMBRIDGE - FRONT ELEVATION
SCALE: 1/4" = 1'-0"

THE MADISON

HP HUNTER PASTEUR *Homes*

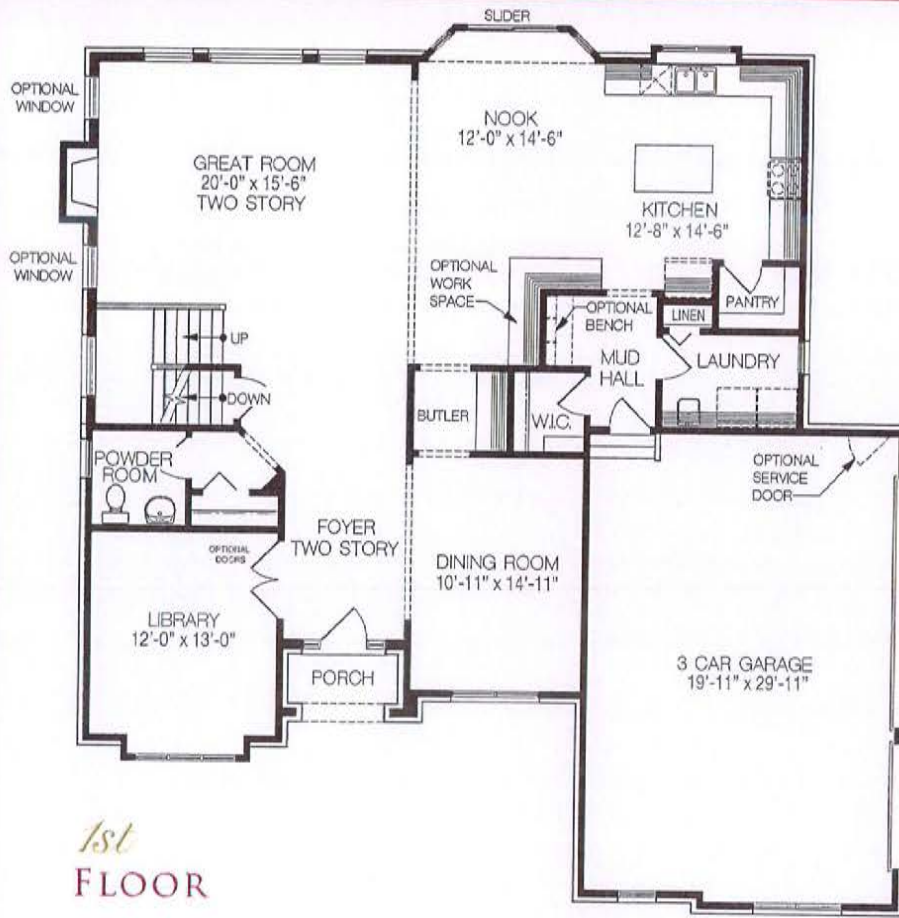


ELEVATION C

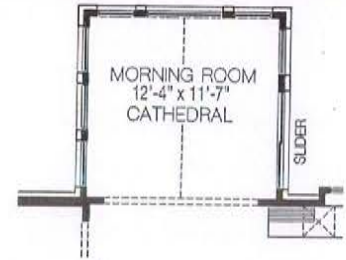


www.visitHPHomes.com

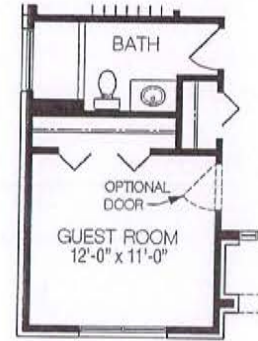
THE MADISON



1st FLOOR



Optional MORNING ROOM - 158 SQ. FT.



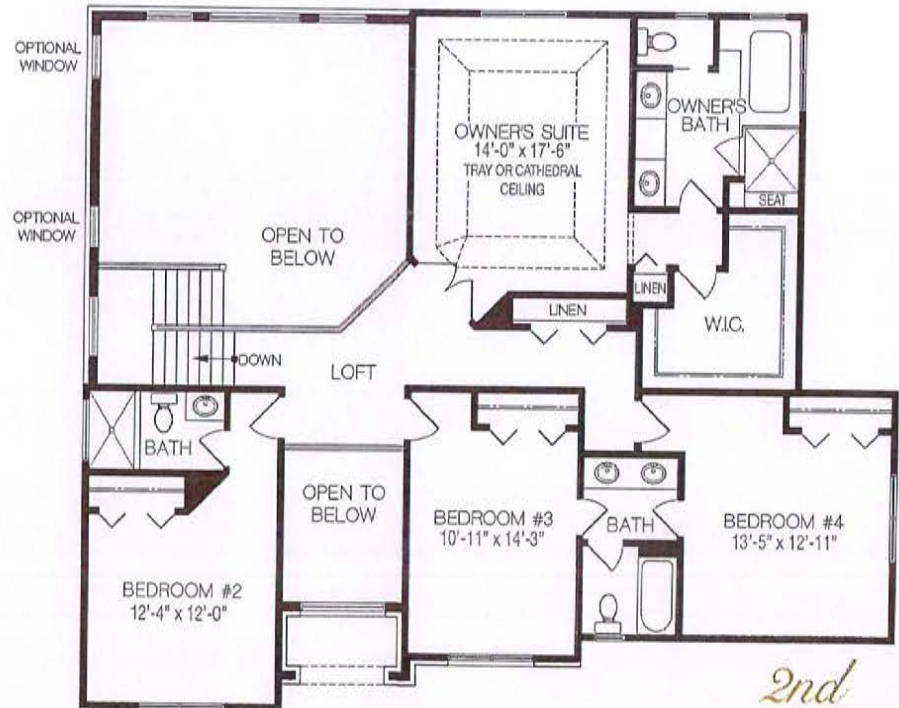
Optional GUEST ROOM

The MADISON

BEDROOMS.....	4
BATHS.....	3.5
SQUARE FEET.....	3,200

MANY OPTIONS AVAILABLE

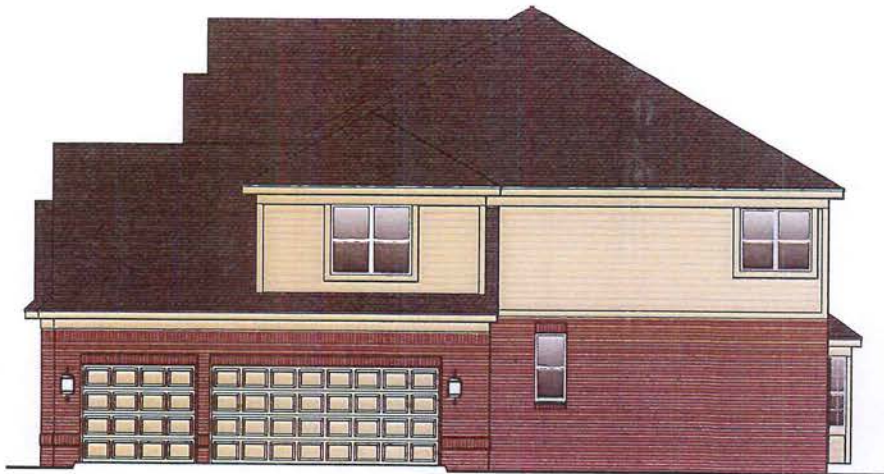
Please Ask Your Sales Manager



2nd FLOOR

We reserve the right to make changes to plans, prices, specifications & materials or to change or discontinue models without prior notice or obligation. Floorplan shown is Elevation A. Elevation A square footage may change. Rathmor Estates: 10' first floor ceilings and 9' second floor ceilings may result in specific room heights to change and may vary plan to plan.

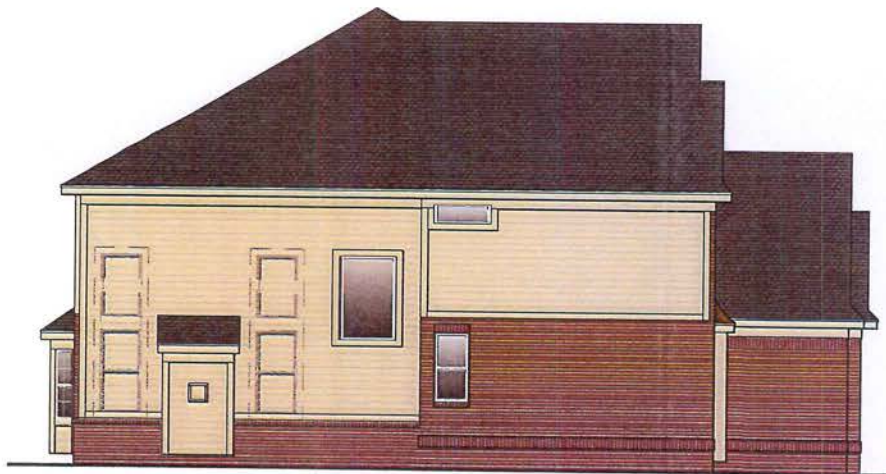




MADISON - RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



MADISON - REAR ELEVATION
SCALE: 1/4" = 1'-0"



MADISON - LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



MADISON - FRONT ELEVATION
SCALE: 1/4" = 1'-0"

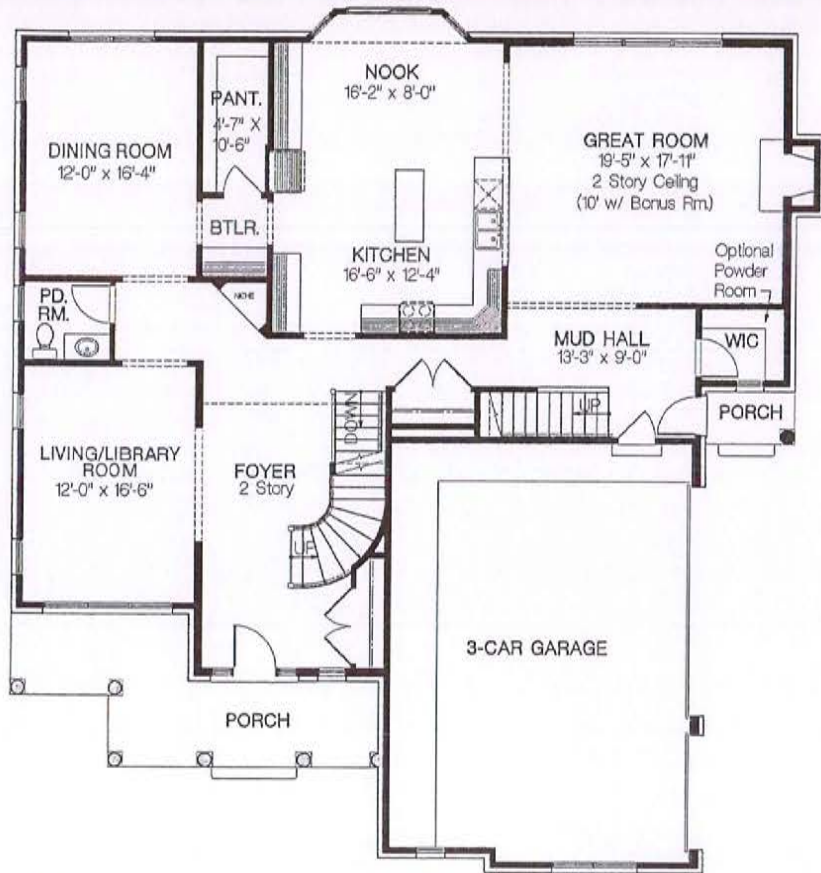
THE GABRIELLA GRAND **HP** HUNTER PASTEUR *Homes*



ELEVATION A



THE GABRIELLA GRAND



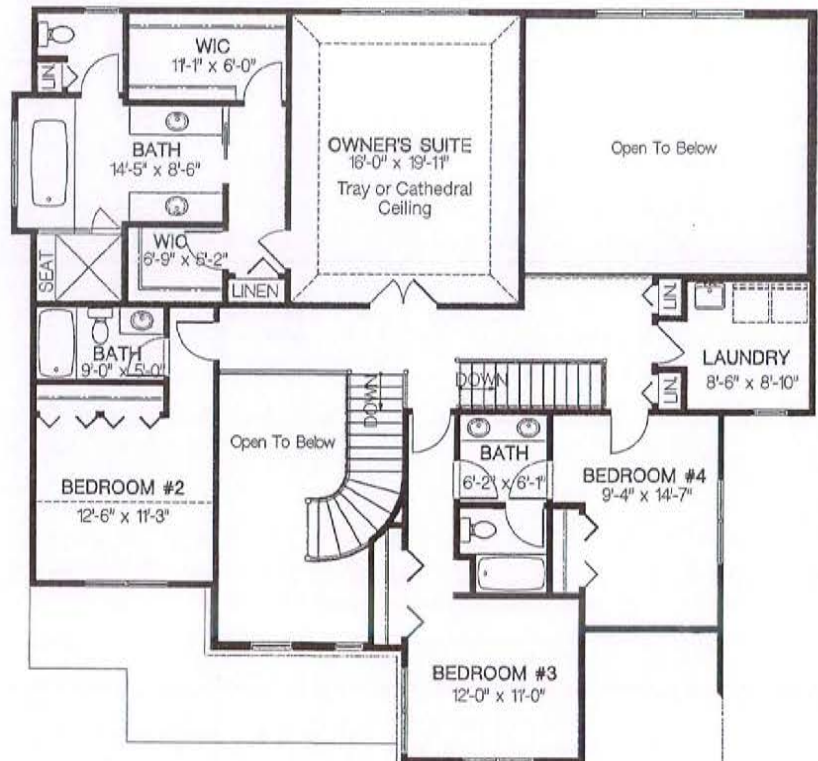
Optional
BONUS ROOM - 370 SQ. FT



Optional
MUDHALL POWDER ROOM



2nd
FLOOR



1st
FLOOR

The GABRIELLA GRAND

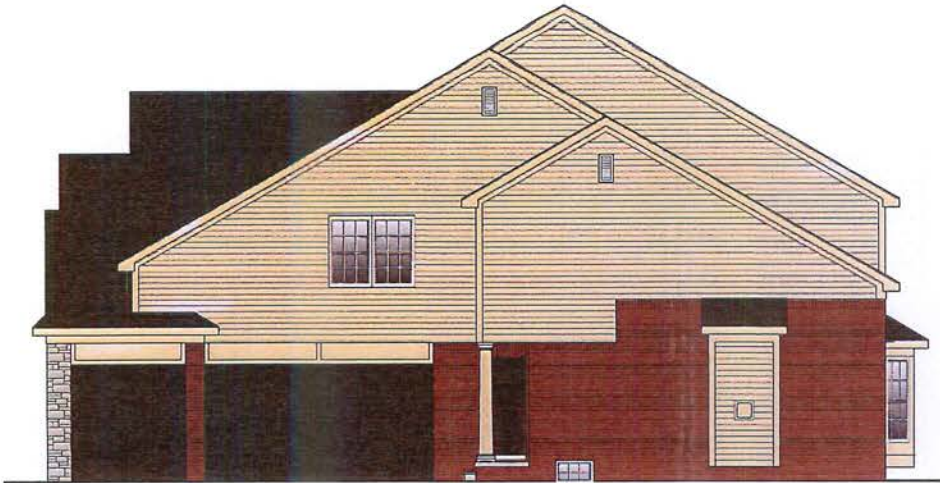
BEDROOMS..... 4
BATHS..... 3.5
SQUARE FEET..... 3,750

MANY OPTIONS
AVAILABLE

Please Ask Your Sales Manager

We reserve the right to make changes to plans, prices, specifications & materials or to change or discontinue models without prior notice or obligation. Floorplan shown is Elevation A. Elevation A square footage may change. Rathmor Estates: 10' first floor ceilings and 9' second floor ceilings may result in specific room heights to change and may vary plan to plan.

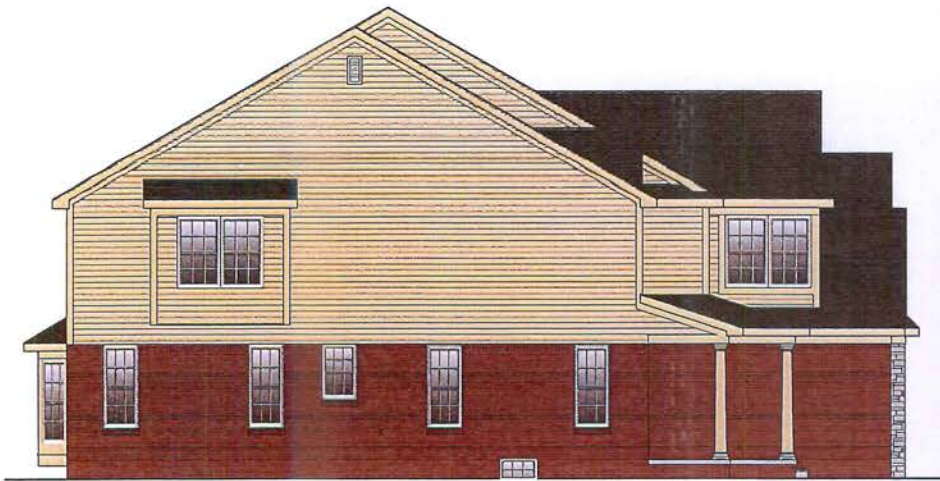




GABRIELLA GRAND - RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



GABRIELLA GRAND - REAR ELEVATION
SCALE: 1/4" = 1'-0"



GABRIELLA GRAND - LEFT ELEVATION
SCALE: 1/4" = 1'-0"



GABRIELLA GRAND - FRONT ELEVATION
SCALE: 1/4" = 1'-0"

THE CHESHIRE GRAND

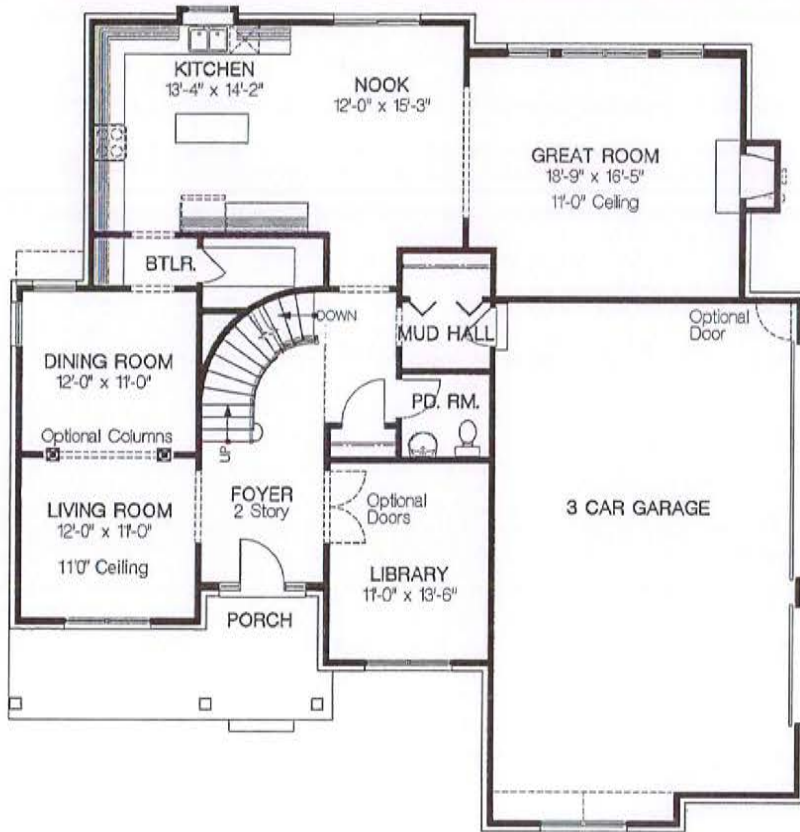
HP HUNTER PASTEUR *Homes*



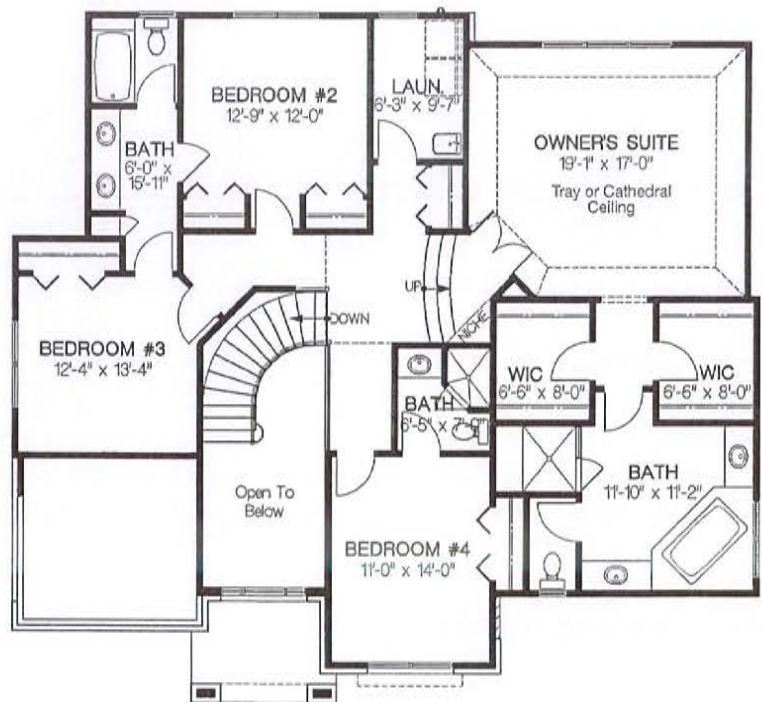
ELEVATION D



THE CHESHIRE GRAND



2nd FLOOR



The CHESHIRE GRAND

BEDROOMS.....	4
BATHS.....	3.5
SQUARE FEET.....	3,340

MANY OPTIONS
AVAILABLE

Please Ask Your Sales Manager

We reserve the right to make changes to plans, prices, specifications & materials or to change or discontinue models without prior notice or obligation. Floorplan shown is Elevation A. Elevation A square footage may change. Rathmor Estates: 10' first floor ceilings and 9' second floor ceilings may result in specific room heights to change and may vary plan to plan.





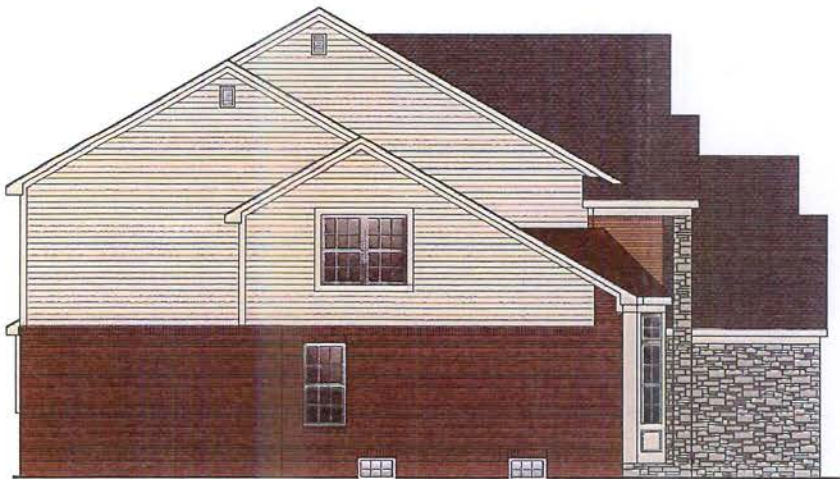
CHESHIRE GRAND - RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



CHESHIRE GRAND - REAR ELEVATION

SCALE: 1/4" = 1'-0"



CHESHIRE GRAND - LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



CHESHIRE GRAND - FRONT ELEVATION

SCALE: 1/4" = 1'-0"

APPLICANTS RESPONSE LETTER



November 24, 2015

Ms. Sri Komaragiri, Planner
City of Novi
Community Planning Department
45175 W. Ten Mile Road
Novi, MI 48375

**Re: Dunhill Park PRO - JSP15-13
Rezoning to R-1 with a PRO**

Dear Ms. Komaragiri:

The City of Novi and its consultants completed a review of the revised Dunhill Park PRO plans dated October 23, 2015 and we offer the following in response.

PLANNING

Clearzoning, Inc., issued a review letter dated November 20, 2015 which recommends approval but also identified the following items which we have addressed below.

Rezoning Signs

The required rezoning sign locations were approved by the City Planner via e-mail on September 8, 2015 and the signs were installed to reflect the R-1 zoning request on October 16, 2015.

Eight Mile Road Pathway Installation

The City of Novi is currently constructing the 10-foot wide concrete pathway along Eight Mile Road. The Applicant has provided a Temporary Grading Permit and Wood Disposal License to the City of Novi Engineering Department for the portion of the pathway that is on the Dunhill Park property. The Applicant is also working with the Community Development Department to make a financial contribution to the cost of the installation for the portion of the pathway that is on the Dunhill Park site.

PRO Conditions

1. Tax benefits for the City.
2. Maximum number of units shall be 31 single family detached dwelling units (80% of the density permitted by the proposed zoning).
3. High-end landscaping.
4. Minimum unit width shall be 90 feet and minimum square footage of 13,860 square feet.
5. Significant Brownfield environmental cleanup with funds potentially coming back to the City.

6. Installation of a "Welcome to Novi" landmark feature.
7. \$25,000 contribution to the ITC Community Sports Park Trail (to be coordinated with Parks, Recreation and Cultural Services).
8. A Woodland Replacement Guarantee will not be provided by the Applicant (see woodlands section below).
9. A Conservation Easement will not be provided by the Applicant (see woodlands section below).

The PRO Conditions should be written into the proposed PRO Agreement with consideration of the following Public Benefits.

Public Benefits

We believe that the density bonus is warranted due to the following public benefits which are unique to this property and will greatly enhance the entire Novi community due to its "gateway" location.

1. Tax benefits for the City including significant property taxes and potential Brownfield benefits from Oakland County.
2. Significant Brownfield environmental cleanup.
3. Installation of a "Welcome to Novi" landmark feature.
4. \$25,000 donation to the Parks, Recreation and Cultural Services Department to be applied towards the construction of the ITC Community Sports Park Trail.
5. High-end landscaping.

Ordinance Deviations

1. No berm along Beck Road due to existing natural features.
2. Landscaping does not meet the minimum requirement for canopy and sub-canopy trees along the public right-of-way.
3. Landscaping does not meet street tree requirements along 8 Mile and Beck—the Applicant is seeking Road Commission for Oakland County approval for additional large-caliper trees.
4. The minimum requirements for storm basin landscape are not met.
5. The required stub street to the west is not provided.
6. The distance between the emergency access and 8 Mile Road exceeds the maximum (this variance is granted by the City Council).

Additional Deviations as a result of the change to R-1 zoning instead of the originally requested R-3, per Mr. Arroyo's recommendation:

7. Lot Size and Width: Per Section 3.1.2 of the Zoning Ordinance, the R-1 One-Family Residential Zoning district requires a minimum lot size of 21,780 square feet and a minimum lot width of 120 feet. The applicant has proposed a minimum lot size of 13,860 square feet and a minimum width of 90 feet. These deviations should be included in the PRO Agreement.
8. Setbacks: The minimum side yard setback for a single-family dwelling in this district is 15 feet with an aggregate of 40 feet. The applicant has proposed a minimum 10 foot side

yard setback (with an aggregate of 30 feet). These deviations should be included in the PRO Agreement and should be updated on Sheet 2.

9. Woodland Replacement Trees: The Applicant is requesting a deviation from ordinance requirements that require the applicant to plant, or pay into the City's tree fund for the equivalent of 230 required woodland replacement trees. The Applicant has stated that the cost to remedy the existing soil remediation issues is significant enough to negate the City's requirements to provide a Woodland Replacement Guarantee for the remaining trees that will not be planted.

ENGINEERING

The City of Novi Engineering Department provided a review letter dated November 13, 2015 that recommends approval. The letter also outlines the need for a DCS Variance for the absence of the stub street to the west and Dunhill Drive exceeding the maximum length, as identified in the Ordinance Deviations above. The remainder of the comments will be addressed prior to Final Site Plan submittal as requested.

LANDSCAPE

The City of Novi Landscape Architect, Rick Meader, issued a review letter dated November 12, 2015 recommending approval. All comments will be addressed at the time of preliminary and final site plan review, as required, however the Applicant has addressed the comments that require further discussion at the this time:

- **Woodland Replacement Trees, Comment 1:** The total amount of trees that are to be replaced per ordinance will not physically fit on this site. The Applicant feels that the cost that they will incur to remedy the existing environmental issues is significant enough to negate the city's requirement to provide a Woodland Replacement Guarantee for the remaining 240 trees that will not be planted. *A Woodland Replacement Guarantee will not be provided and is therefore requested as a PRO Condition and Ordinance Deviation.*
- **Plant List, Comment 2:** The Applicant and its landscape consultant will work closely with the city on the overall diversity of species used throughout the development however we do not intend to meet the requirement for species diversity in the Landscape Design Manual (Section 1.d.(1).(d) as it would take away from the intended design and feel of the overall development. *An Ordinance Deviation has been requested above.*

NATURAL FEATURES

Environmental Consulting & Technology, Inc., (ECT) issued review letters dated November 12, 2015 which did not recommend approval. Our wetland consultant, Woody Held of King & MacGregor, and our woodlands consultant, Jim Allen of Allen Design, walked the site with Matt Carner of ECT on October 27, 2015.

Regarding the onsite wetlands, there are details to be worked out with ECT and the City staff in effort to protect and if possible enhance the existing wetlands to remain onsite. This may

include, for example, invasive species treatment or native plant installation. It should be emphasized that our mitigation plan meets the 1.5 to 1 standard, we will continue to maintain the current hydrology in the remaining and newly created wetlands areas and we will monitor and manage the invasive species vegetation in the remaining and newly created wetland areas.

As it relates to the woodlands onsite, woodland replacement is proposed as a condition for the PRO Agreement. A comprehensive woodland replacement plan has been submitted and the following should be noted:

- Many of the replacement trees will be located on individual units to provide road screening. Such trees will not be in a Conservation Easement however there is language in the Master Deed which requires proper maintenance, forbids removal of these trees and also requires the homeowner to replace the tree's should they die. *A Conservation Easement will not be provided and therefore is requested as a PRO Condition.*
- This site requires a total of 471 replacement trees of which we are providing 231 at an increased caliper and quality, as shown on sheet L101. The total amount of trees that are to be replaced per ordinance will not physically fit on this site. The Applicant feels that the cost that they will incur to remedy the existing environmental issues is significant enough to negate the city's requirement to provide a Woodland Replacement Guarantee for the remaining 240 trees that will not be planted. *A Woodland Replacement Guarantee will not be provided and is therefore requested as a PRO Condition.*

TRAFFIC

The Rezoning Traffic Study was revised on October 16, 2015 to reflect R-1 zoning instead of the previously requested R-3 zoning. AECOM issued a review letter dated November 16, 2015 which recommends approval. If additional details are required as noted under item three (3) the information will be provided at the time of preliminary site plan review.

FACADE

A Facade review was not completed at this time. Please reference the letter addressed to the City of Novi stating the Applicant's intent to meet the facade requirements at the preliminary site plan review phase, per the city's request.

FIRE

The Fire Marshall, Joseph Shelton, issued a review letter dated November 2, 2015 which recommends approval. In response to his comment regarding fire flow testing, fire flow testing will be completed and the modeling data will be provided upon completion during the preliminary site plan approval process. If the modeling demonstrates insufficient fire flows at the dead end of the water main, the Applicant will provide a secondary connection (loop).

Ms. Sri Komaragiri
November 24, 2015
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We look forward to receiving approval at the December 9, 2015 Planning Commission Meeting.
Please contact us should you have any questions.

Sincerely,

FRANKLIN CONSTRUCTION COMPANY, L.L.C.
On Behalf of Hunter Pasteur Homes Dunhill Park, LLC


Whitney Findlay
Project Manager

Cc: Randy Wertheimer, Hunter Pasteur Homes Dunhill Park, LLC
Seth Herkowitz, Hunter Pasteur Homes Dunhill Park, LLC
Jeff Sakwa, Hunter Pasteur Homes Dunhill Park, LLC
Andy Milia, Franklin Construction Company, L.L.C.
Karen Brown, Franklin Construction Company, L.L.C.
Pat Keast, P.E., Seiber Keast Engineering, L.L.C.
Scott Black, LLA, ASLA, Grissim Metz Andriese Associates
Woody Held, King & MacGregor
Jim Allen, Allen Design