



Valencia South JSP13-75

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Public Hearing at the request of Beck South LLC for Planning Commission's approval of Preliminary Site Plan review, Wetland Permit, Woodland Permit and Stormwater Management Plan for Valencia South, located at the southwest corner of Beck Road and Ten Mile Road. The subject property is approximately 40.27 acres and the applicant is proposing a 64 unit single-family development.

The PRO agreement was recorded with Oakland County on August 24, 2015, a copy of which has been included with this report.

REQUIRED ACTION

Approval or denial of Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan.

REVIEW	RESULT	DATE	COMMENTS
Planning	Recommending approval	11-19-15	<ul style="list-style-type: none"> Minor items to be addressed on the final site plan submittal, namely adding a residential entranceway light at the entrances along Beck Road and Ten Mile Road, an 80' long easement for a sidewalk along the Poinsett property.
Engineering	Recommending approval	12-29-15	<ul style="list-style-type: none"> Minor items to be addressed on the final site plan submittal, namely construction of a pedestrian pathway from the northeast cul-de-sac to Beck Road sidewalk.
Landscape	Recommending approval	11-16-15	<ul style="list-style-type: none"> Minor items to be addressed on the final site plan submittal
Wetlands (ECT)	Recommending approval	11-12-15	<ul style="list-style-type: none"> Requires a City of Novi Wetland Permit and an Authorization to encroach into the 25' Natural Features setback. Other minor items to be addressed on the final site plan submittal
Woodlands (ECT)	Recommending approval	11-12-15	<ul style="list-style-type: none"> Requires a City of Novi Woodland Permit. Other minor items to be addressed on the final site plan submittal
Traffic (AECOM)	Recommending approval	11-9-15	<ul style="list-style-type: none"> Minor items to be addressed on the final site plan submittal
Fire	Recommending approval	11-2-15	<ul style="list-style-type: none"> All comments addressed

Motion sheet

Approval

In the matter of the request of Beck South LLC for Valencia South JSP13-75 to **approve** the Preliminary Site Plan based on and subject to the following:

- a. A residential entranceway light must be added to each entrance along Beck Road and Ten Mile Road. A copy of the four pre-approved types of entranceway lights has been included in this packet.
- b. The applicant shall pursue obtaining an easement for the 80' long section of sidewalk along Beck Road in front of the Poinsett property.
- c. Master Deed/Covenant restrictions will be required to be submitted for review during Final Site Plan review.
- d. Lot combination/split will have to be completed with the church and Poinsett properties prior to final site plan approval.
- e. A pedestrian pathway connection must be provided from the northeast cul-de-sac to the sidewalk along Beck Road.
- f. All City and consultant comments addressed prior to final site plan approval.

(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.)

-AND-

Approval – Wetland Permit

In the matter of the request of Beck South LLC for Valencia South JSP13-75 to **approve** the Wetland Permit based on and subject to the following:

- a. 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.)

-AND-

Approval – Woodland Permit

In the matter of the request of Beck South LLC for Valencia South JSP13-75 to **approve** the Woodland Permit based on and subject to the following:

- a. 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 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

-AND-

Approval – Stormwater Management Plan

In the matter of the request of Beck South LLC for Valencia South JSP13-75 to **approve** the Stormwater Management Plan based on and subject to the following:

- a. 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 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

-OR-

Denial – Preliminary Site Plan

In the matter of the request of Beck South LLC for Valencia South JSP13-75 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.)

-AND-

Denial – Wetland Permit

In the matter of the request of Beck South LLC for Valencia South JSP13-75 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.)

-AND-

Denial – Woodland Permit

In the matter of the request of Beck South LLC for Valencia South JSP13-75 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.)

-AND-

Denial – Stormwater Management Plan

In the matter of the request of Beck South LLC for Valencia South JSP13-75 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.)

Maps
Location
Zoning
Future Land Use
Natural Features

Valencia South JSP13-75

Location



Map Legend

 Subject Property



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

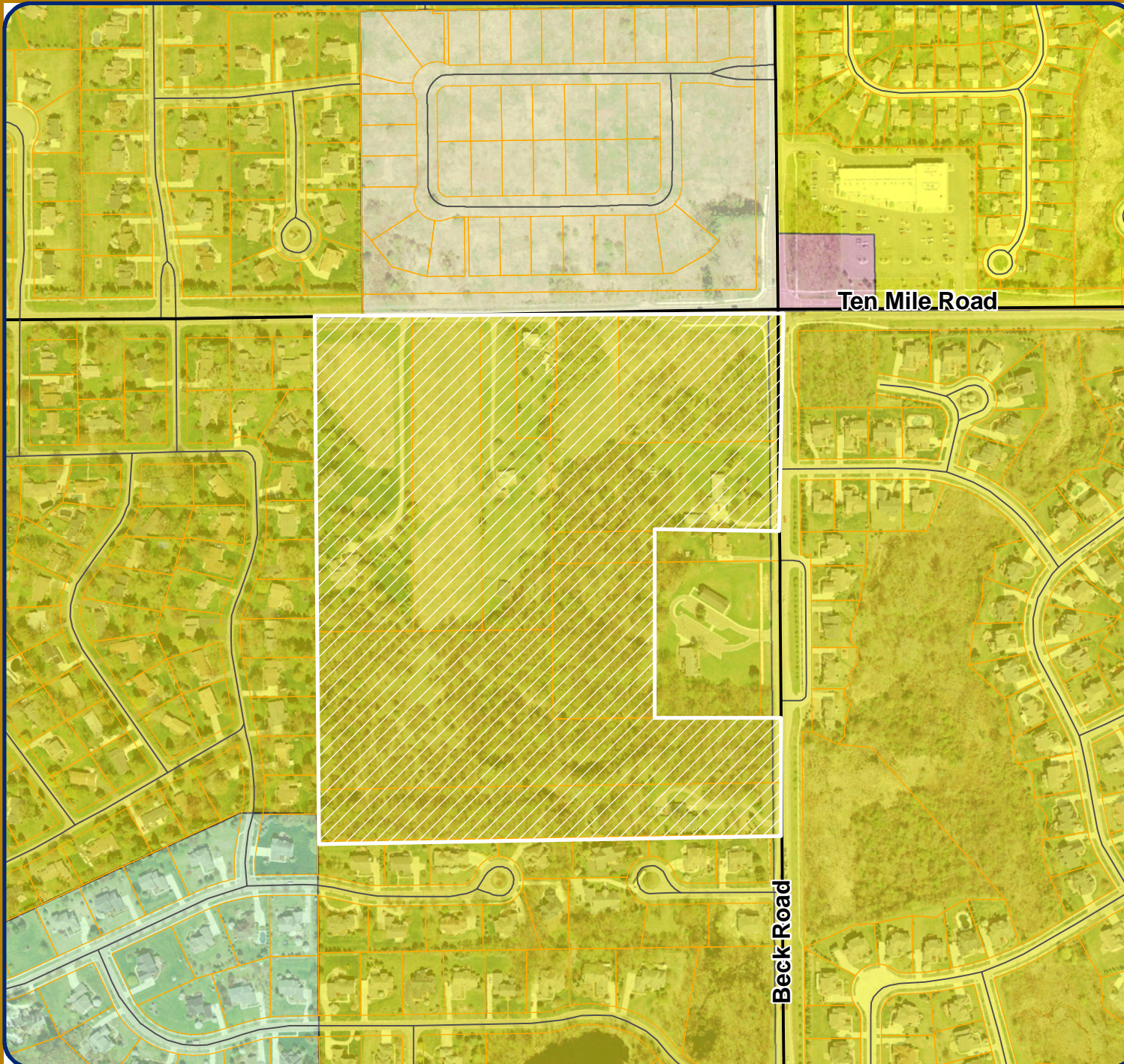
Map Author: Kristen Kapelanski
Date: 02-05-15
Project: JSP13-75 Valencia South
Version #: 1.0

MAP INTERPRETATION NOTICE

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.

Valencia South JSP13-75

Zoning



Map Legend

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



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
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Valencia South JSP13-75

Future Land Use



Map Legend

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



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Valencia South JSP13-75

Natural Features



Map Legend

- Subject Property
- Wetlands
- Woodlands



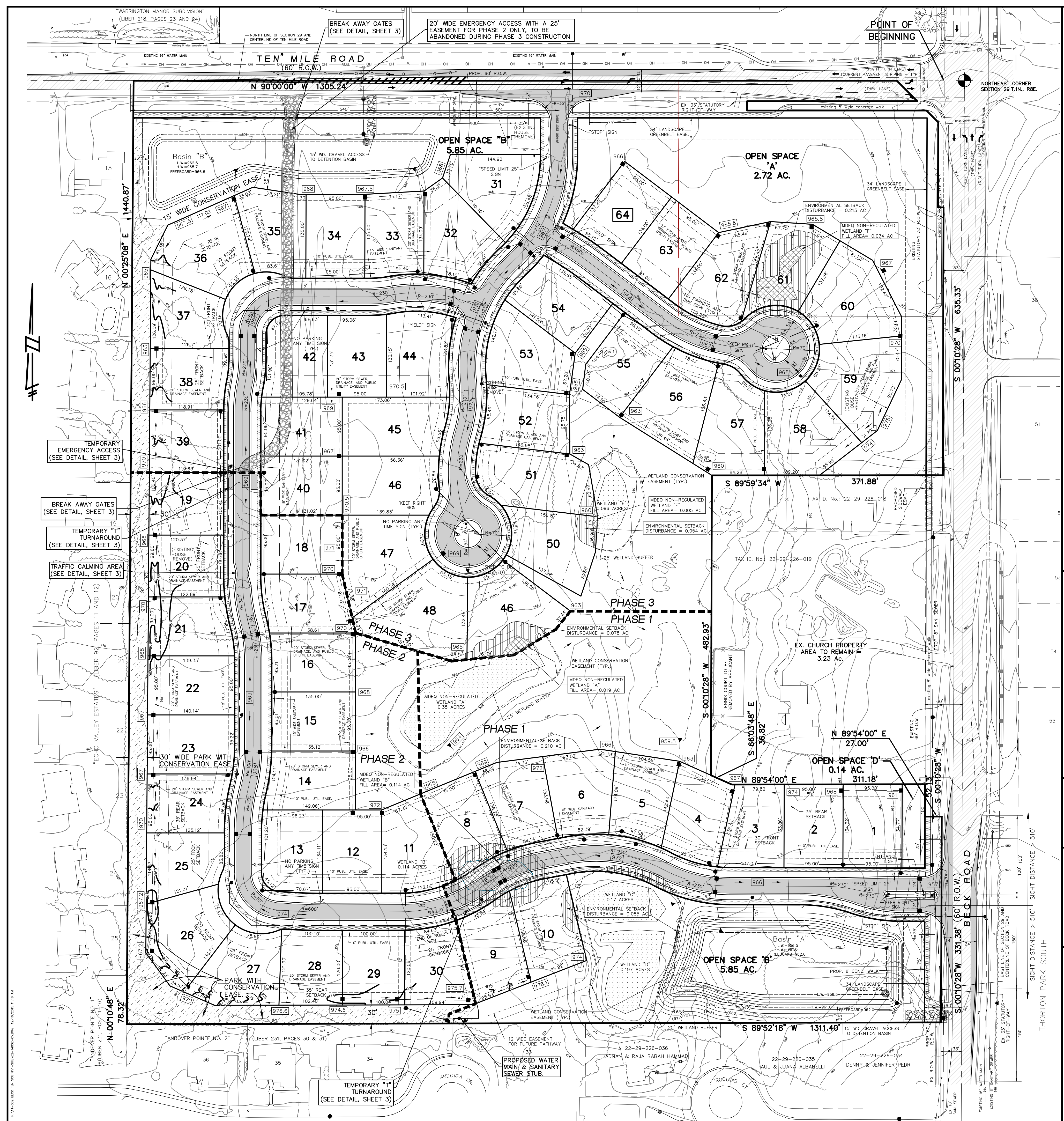
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Preliminary Site Plan
10-14-15



UNIT TABLE - PHASE 1

UNIT #	AREA (SF)	WIDTH (SF)
1	12,782	95.00'
2	12,739	95.00'
3	12,457	100.82'
4	13,410	95.68'
5	12,982	91.00'
6	13,409	90.00'
7	13,457	90.00'
8	13,599	95.79'
9	13,508	98.38'
10	14,150	95.17'

UNIT TABLE - PHASE 2

UNIT #	AREA (SF)	WIDTH (SF)
11	13,650	109.08'
12	12,730	95.00'
13	12,840	98.71'
14	13,374	95.98'
15	12,825	95.00'
16	12,877	95.06'
17	12,979	95.98'
18	12,447	95.00'
19	12,048	100.40'
20	12,045	99.61'
21	12,504	96.32'
22	13,280	95.00'
23	13,287	95.10'
24	12,267	94.41'
25	12,051	91.36'
26	15,780	90.00'
27	14,320	90.00'
28	12,076	98.80'
29	12,005	100.04'
30	12,538	90.00'

UNIT TABLE - PHASE 3

UNIT #	AREA (SF)	WIDTH (SF)
31	14,397	129.20'
32	14,026	95.58'
33	12,734	95.23'
34	12,825	95.00'
35	13,403	90.00'
36	17,178	90.00'
37	12,397	90.00'
38	12,210	99.37'
39	12,046	101.00'
40	12,447	95.00'
41	12,436	95.01'
42	12,943	98.63'
43	12,505	95.01'
44	13,983	104.71'
45	15,706	96.48'
46	14,574	96.80'
47	16,808	90.00'
48	19,304	90.00'
49	17,326	90.00'
50	14,560	90.00'
51	17,078	109.73'
52	13,090	95.00'
53	14,604	123.86'
54	13,857	99.18'
55	12,928	95.04'
56	16,210	90.00'
57	15,599	93.00'
58	16,652	90.00'
59	17,300	90.00'
60	17,402	90.00'
61	14,189	93.83'
62	15,416	113.33'
63	12,730	95.00'
64	12,792	95.05'

EYEBROW SIGNAGE
 "NO PARKING" SIGNS WILL BE POSTED ON BOTH SIDES OF THE STREET THROUGH THE EYEBROW BEND TO ENSURE MOBILITY OF FIRE TRUCKS AND MOVING VANS.

SIGNAGE NOTES

- STREET NAME SIGNS SHOULD BE PLACED ATOP THE INTERIOR YIELD SIGNS AND THE EXISTING STOP SIGNS.
- ALL STREET-NAME SIGNS SHALL COMPLY WITH THE CITY OF NOVI DESIGN STANDARDS.

SIGNAGE LEGEND

SYMBOL	DESCRIPTION	QUANTITY	PANEL	POST
Yield Sign	"YIELD" SIGN (R1-2)	2	2	2
Keep Right Sign	"KEEP RIGHT" SIGN (R4-7A)	4	4	4
No Parking Sign	"NO PARKING ANY TIME" SIGN (R7-1)	16	12	12
End of Road Marker	"END OF ROAD" MARKER (OM4-3)	1	1	1
25 MPH Speed Limit Sign	"25 MPH SPEED LIMIT" SIGN (R2-1) (25)	2	2	2
Stop Sign	"STOP" SIGN (R1-1 30")	2	2	2
Street Name Sign	"STREET NAME" SIGN (D3-1)	4	0	0

WETLAND IMPACT

MDEQ NON REGULATED WETLAND	AREA (AC.)	WETLAND IMPACT AREA (AC.)	25' BUFFER AREA (AC.)	25' BUFFER DISTURBANCE (AC.)
A	0.350	0.019	0.410	0.078
B	0.114	0.114	0.210	0.210
C	0.170	0	0.221	0.066
D	0.197	0	0.222	0.019
E	0.096	0.005	0.197	0.054
F	0.074	0.074	0.215	0.215
TOTAL:	1.001	0.212	1.475	0.642

SITE DATA
PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM
 CURRENT ZONING: "R-1"
 MAXIMUM DENSITY = 1.65 DU/NET ACRE
 AREA GROSS = 41.21 ACRES
 AREA NET = EXCLUDING STATUTORY 33' R.O.W. ON TEN MILE ROAD (0.94 AC.) = 40.27 ACRES.
 MAXIMUM DENSITY = 1.65 DU/N.AC. X 40.27 ACRES = 66.44 UNITS
 PROPOSED NUMBER OF UNITS: 64 UNITS

TOTAL OPEN SPACE (GROSS)
 OPEN SPACE "A" = 118,502 SQ.FT. / 2.72 AC.
 OPEN SPACE "B" = 254,598 SQ.FT. / 5.85 AC.
 OPEN SPACE "C" = 191,510 SQ.FT. / 4.39 AC.
 OPEN SPACE "D" = 5,976 SQ.FT. / 0.14 AC.
 TOTAL OPEN SPACE = 570,586 SQ.FT. / 13.10 ACRES
 = 31.71% OF SITE

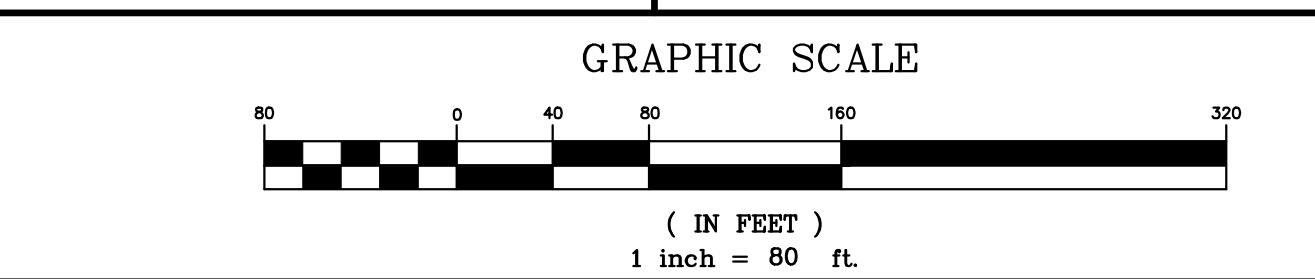
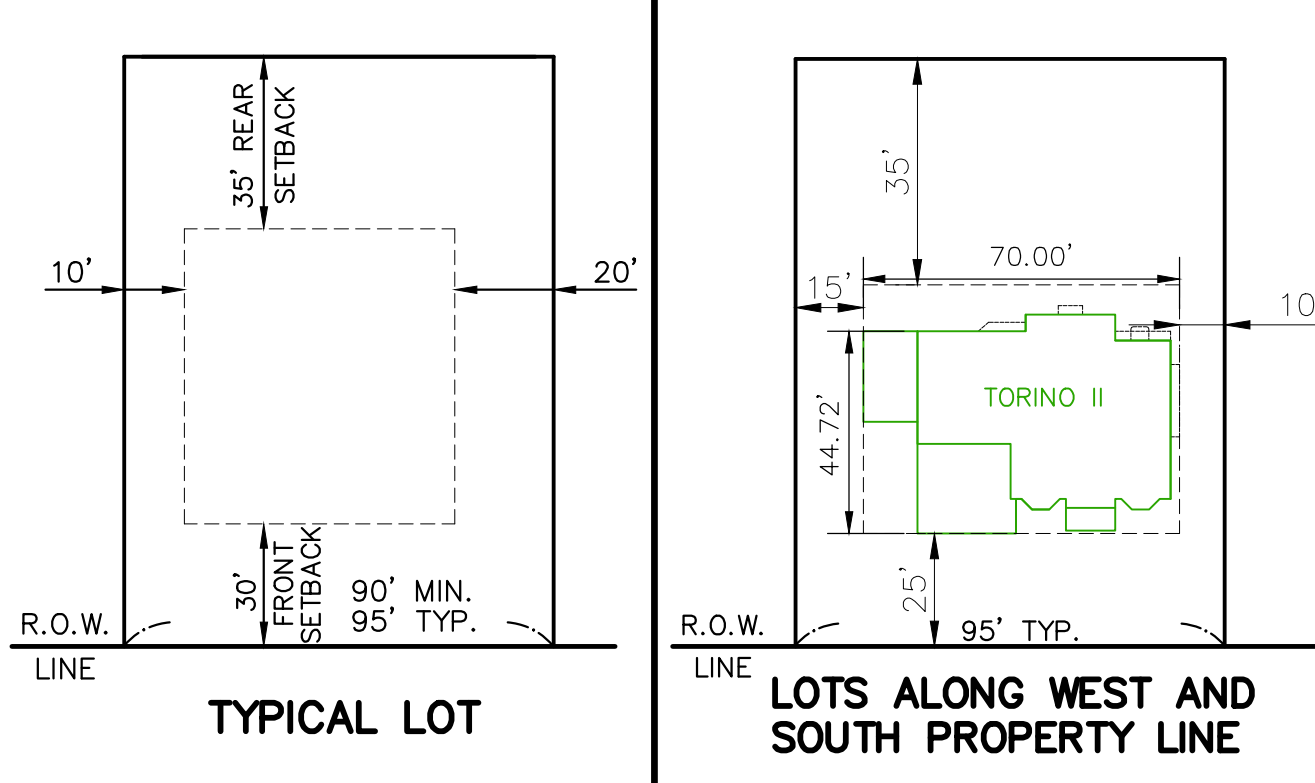
PROPOSED DESIGN CRITERIA
 (CONSISTENT "R-3 ZONING")
 MINIMUM LOT SIZE = 12,000 SQ.FT.
 MINIMUM LOT WIDTH = 90.00 FEET

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

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

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

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



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

- PROPOSED IMPROVEMENTS**
- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING SANITARY SEWER ON THE WEST SIDE OF BECK ROAD.
 - MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO EXISTING 16" WATER MAINS LOCATED ON THE EAST SIDE OF BECK ROAD AND THE NORTH SIDE OF TEN MILE ROAD. ALL PROPOSED WATER MAIN SHALL BE 8" DUCTILE IRON CL. 54.
 - STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
 - 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL INTERIOR ROADWAYS. AN 8-FOOT WIDE CONCRETE WALK SHALL BE CONSTRUCTED ALONG TEN MILE ROAD AND BECK ROAD. ALL SIDEWALK SURFACES 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.

LEGEND

EXISTING	PROPOSED	DESCRIPTION
--- (dashed)	--- (dashed)	PAVEMENT (ASPHALT)
--- (dashed)	--- (dashed)	SIDE WALK (CONCRETE)
--- (dashed)	--- (dashed)	CONCRETE CURB AND GUTTER
--- (dashed)	--- (dashed)	STORM SEWER
--- (dashed)	--- (dashed)	SANITARY SEWER
--- (dashed)	--- (dashed)	WATER MAIN
○ (circle)	○ (circle)	MANHOLE
○ (circle)	○ (circle)	CATCH BASIN W/STREAM GUARD
○ (circle)	○ (circle)	CURB INLET W/SILT SAC
○ (circle)	○ (circle)	END SECTION GATE VALVE
○ (circle)	○ (circle)	HYDRANT
○ (circle)	○ (circle)	FLOOD PLAIN
○ (circle)	○ (circle)	CONTOURS
○ (circle)	○ (circle)	SPOT ELEVATION
○ (circle)	○ (circle)	PROPOSED ELEVATION

VALENCIA ESTATES SOUTH
 SECTION 29, TOWN 1 NORTH, RANGE 8 EAST
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REVISIONS

NO.	ITEM	DATE
1	PER CITY REVIEW	8-14-14
2	EXPAND PROJECT LIMITS	10-28-14
3	PER CITY REVIEW	12-12-14
4	REVISE LAYOUT PER OWNER	07-16-15
5	PRELIMINARY SITE PLAN	10-14-15
6	ADD PROPOSED GRADING	11-23-15
7	ADD PROPOSED CONTOURS ALONG CONSERVATION EASEMENT	12-15-15

DATE: 09-20-15
 DESIGNED BY: A.A.
 CHECKED BY: P.K.
 JOB NUMBER: 14-002
 DRAWING FILE: 02-14002-0V

PRELIMINARY SITE PLAN

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

SHEET 2

PRO Agreement

PLANNED REZONING OVERLAY (PRO) AGREEMENT
BECK SOUTH LLC

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

RECITATIONS:

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

conditions offered or accepted by the Developer. **Exhibit B** includes the following pages:

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

approvals, permits, and authorizations required under applicable laws, ordinances, and regulations, including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, façade approval, landscape approval, dewatering plan approval, and engineering plan approval, except as expressly provided in this Agreement. The home elevations shall be substantially similar (as determined by the City) to that submitted as part of the Developer's final approval request, as depicted in **Exhibit B**.

- C. In addition to any other ordinance requirements, Developer shall comply with all applicable ordinances for storm water and soil erosion requirements and measures throughout the site during the design and construction phases, and subsequent use, of the development contemplated in the Proposed Classification.
- D. The following PRO Conditions shall apply to the Land and/or be undertaken by Developer:
 - 1. The Developer shall provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering review letter dated January 7, 2015;
 - 2. Developer shall comply with all conditions listed in the staff and consultant review letters which are identified on attached **Exhibit C**, as the same may be administratively modified by the City Planning and Engineering department.
 - 3. Prior to commencing any temporary dewatering activities within the Land for the installation of utilities, Developer shall: (i) submit to the City for approval a dewatering plan in accordance with the City's applicable ordinances; and (ii) place in escrow with the City under the terms and conditions of an Escrow Agreement to be prepared by the City, the sum of \$75,000.00 to secure the Developer's obligation to address any temporary or permanent damage which occurs to the existing water wells of any of the thirteen (13) homes that are located within 400 feet of the proposed dewatering limits. If no claims are made against the escrow by the foregoing homeowners within thirty (30) days following the completion of the Developer's dewatering activities, the escrowed funds shall be returned to the Developer.

4. Developer shall provide a 30 foot wide tree preservation and planting easement between the west and south boundaries of the Land and the rear lot lines of the site condominium units located along the west and south property lines, as shown on the site plan and landscape plan which are part of the PRO Plan attached hereto (collectively the "Conservation Area"). The Conservation Area shall be restricted as follows:

- i. The Conservation Area shall be left in its natural state. Except as set forth in subsection (ii) and (iii) below, Developer shall not remove any trees or vegetation in the Conservation Area at any time. In addition, the master deed establishing the condominium project within the Land shall establish the Conservation Area as general common element and shall restrict home owners from cutting, pruning, or otherwise altering the trees and vegetation within the Conservation Area. Notwithstanding the foregoing, the Developer shall plant **additional** trees in the Conservation Area, to provide additional visual screening between the project and neighboring homes to the west and south, in locations as determined and as specifically approved by the City's landscape architect at the time of site plan approval on the final landscape plan. The additional screening shall achieve ninety (90%) percent opacity in the summer and eighty (80%) percent opacity in the winter within two (2) years after planting measured at six (6) to eight (8) feet in height. Tree plantings may be supplemented with shrubs or other approved plantings to achieve the required opacity. All trees meeting the City's standards for woodland replacements that are installed by the Developer within the Conservation Area will be credited towards the Developer's tree replacement obligations.
- ii. The master deed for the project will also prohibit the installation of any structures or improvements within the Conservation Area; provided, however, that the Developer may install catch basins within the Conservation Area where new trees are planted to collect storm water drainage from neighboring properties. The placement of such catch basins shall be approved by the City Engineer, who shall

only approve such placement where and if necessary to prevent flooding or excess drainage on the land.

- iii. As part of the Developer's tree replacement obligations, during the development of the Land, the Developer will, at the City's request, replace dead or dying trees within the Conservation Area with new trees. Any such replacement trees installed by the Developer within the Conservation Area shall be credited towards the Developer's tree replacement obligations. Where the final approved landscape plan shows the planting of oversized trees, Developer shall be responsible to plant the trees as depicted on the Concept Plan, the final approved Landscape Plan, and as directed by the City's Landscape Architect. Where possible to plant without interference with or adverse effect on existing trees, the oversized trees shall be a minimum of 18 feet in height at the time of planting; where not possible, the trees shall be of as great a height possible as determined by the City's Landscape Architect. Developer shall receive woodland replacement credit for the oversizing per the table on page 11 in the Landscape Design Manual in calculating the amount to be placed into the Tree Fund

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Upon the Proposed Classification becoming final following entry into this Agreement:
 - a. The Undertakings and PRO Conditions shall be binding on Developer and the Land;
 - b. Developer shall act in conformance with the Undertakings; and
 - c. The Developer shall forbear from acting in a manner inconsistent with the Undertakings;
2. The following deviations from the standards of the zoning ordinance are hereby authorized pursuant to §7.13.2.D.1.(c).(2) of the City's zoning ordinance:

- a. Reduction in the required 30 foot front yard building setback for Units 19-30 and 37-39 to 25 feet;
 - b. Reduction in the required 30 foot aggregate of the two side yard setbacks for Units 19-30 and 37-39 to an aggregate of 25 feet;
 - c. Waiver of the required berm between the project and the existing church in order to preserve existing mature vegetation;
 - d. Administrative waiver to omit the required stub street connection at 1,300 foot intervals;
 - e. Design and Construction Standards waiver for the lack of paved eyebrows;
 - f. Waiver of the obligation to install the required pathway to the adjacent Andover Pointe No. 2 development with the condition that: (i) an easement is provided for such purpose; and (ii) the Developer escrows with the City the sum of \$25,000 to be used for the installation of such pathway; and
 - g. Approval of additional woodland credits for the planting of upsized woodlands replacement plantings as shown on the final approved landscape plan or as approved by the City's landscape architect.
3. In the event Developer attempts to or proceeds with actions to complete improvement of the Land in any manner other than as 64-unit residential site condominium, as shown on **Exhibit B**, the City shall be authorized to revoke all outstanding building permits and certificates of occupancy issued for such building and use. In addition, a breach of this Agreement shall constitute a nuisance *per se* which shall be abated. Developer and the City therefore agree that, in the event of a breach of this Agreement by Developer, the City, in addition to any other relief to which it may be entitled at law or in equity, shall be entitled under this Agreement to relief in the form of specific performance and an order of the court requiring abatement of the nuisance *per se*. In the event of a breach of this Agreement, the City may notify Developer of the occurrence of the breach and issue a written notice requiring the breach be cured within thirty (30) days; provided, however, that if the breach, by its nature, cannot be cured within thirty (30) days, Developer shall not be in the breach hereunder if Developer commences the cure within the thirty (30) day period and diligently pursues the cure to completion. Failure to comply with such notice shall, in addition to any other relief to which the City may be entitled in equity or at law, render Developer liable to the City in any suit for enforcement for actual costs incurred by the City including, but not limited to, attorneys' fees, expert witness fees, and the like.

4. Developer acknowledges and agrees that the City has not required the Undertakings. The Undertakings have been voluntarily offered by Developer in order to provide an enhanced use and value of the Land, to protect the public safety and welfare, and to induce the City to rezone the Land to the Proposed Classification so as to provide material advantages and development options for the Developer.
5. All of the Undertakings represent actions, improvements, and/or forbearances that are directly beneficial to the Land and/or to the development of and/or marketing of a 64-unit residential site condominium project on the Land. The burden of the Undertakings on the Developer is roughly proportionate to the burdens being created by the development, and to the benefit which will accrue to the Land as a result of the requirements represented in the Undertakings.
6. In addition to the provisions in Paragraph 3, above, in the event the Developer, or its respective successors, assigns, and/or transferees proceed with a proposal for, or other pursuit of, development of the Land in a manner which is in violation of the Undertakings, the City shall, following notice and a reasonable opportunity to cure, have the right and option to take action using the procedure prescribed by law for the amendment of the Master Plan and Zoning Ordinance applicable to the Land to amend the Master Plan and zoning classifications of the Land to a reasonable classification determined appropriate by the City, and neither the Developer nor its respective successors, assigns, and/or transferees, shall have any vested rights in the Proposed Classification and/or use of the Land as permitted under the Proposed Classification, and Developer shall be estopped from objecting to the rezoning and reclassification to such reasonable classifications based upon the argument that such action represents a “downzoning” or based upon any other argument relating to the approval of the Proposed Classification and use of the Land; provided, this provision shall not preclude Developer from otherwise challenging the reasonableness of such rezoning as applied to the Land. In the event the City rezones the Land to a use classification other than the Proposed Classification, this Agreement shall terminate and be null and void.
7. By execution of this Agreement, Developer acknowledges that it has acted in consideration of the City approving the Proposed Classification on the Land, and Developer agrees to be bound by the provisions of this Agreement.
8. After consulting with an attorney, the Developer understands and agrees that this Agreement is authorized by and consistent with all applicable state and federal laws and Constitutions, that the terms of this Agreement are reasonable, that it shall be estopped from taking a contrary position in the future, and, that the City shall be entitled to injunctive relief to prohibit any actions by the Developer inconsistent with the terms of this Agreement.

9. This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees, and an affidavit providing notice of this Agreement may be recorded by either party with the office of the Oakland County Register of Deeds.
10. The Zoning Board of Appeals (ZBA) shall have no jurisdiction over the Land or the application of this Agreement until after site plan approval and construction of the development as approved therein. Upon completion of the development improvements, the ZBA may exercise jurisdiction over the Land in accordance with its authority under the Zoning Ordinance, in a manner not inconsistent with this Agreement.
11. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement shall be taken and construed as cumulative, that is, in addition to every other remedy provided by law.
12. This Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. Any and all suits for any and every breach of this Agreement may be instituted and maintained in any court of competent jurisdiction in the County of Oakland, State of Michigan.
13. This Agreement may not be amended except in writing signed by the parties and recorded in the same manner as this Agreement. In the event Developer desires to propose an amendment, an application shall be made to the City's Department of Community Development, which shall process the application in accordance with the procedures set forth in the Zoning Ordinance.
14. Both parties understand and agree that if any part, term, or provision of this Agreement is held by a court of competent jurisdiction, and as a final enforceable judgment, to be illegal or in conflict with any law of the State of Michigan or the United States, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provisions held to be invalid.
15. Developer hereby represents and warrants that it will become the owner in fee simple of the Land described in Exhibit A, and that this Agreement shall not become effective unless and until Developer becomes the owner of the Land.
16. The recitals contained in this Agreement and all exhibits attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part of this Agreement.

17. The parties intend that this Agreement shall create no third-party beneficiary interest except for an assignment pursuant to this Agreement. The parties are not presently aware of any actions by them or any of their authorized representatives which would form the basis for interpretation construing a different intent and in any event expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.
18. Where there is a question with regard to applicable regulations for a particular aspect of the development, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PRO Concept Plan and this Agreement that apply, the City, in the reasonable exercise of its discretion, shall determine the regulations of the City's Zoning Ordinance, as that Ordinance may have been amended, or other City Ordinances that shall be applicable, provided that such determination is not inconsistent with the nature and intent of the PRO Documents and does not change or eliminate any development right authorized by the PRO documents. In the event of a conflict or inconsistency between two or more provisions of the PRO Concept Plan and/or this Agreement, or between such documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of the City, shall apply.
19. This Agreement may be signed in counterparts.

{Signatures begin on following page}

WITNESSES:

Antionette Berger
Print Name: Antionette Berger

Jennifer Maray
Print Name: Jennifer Maray

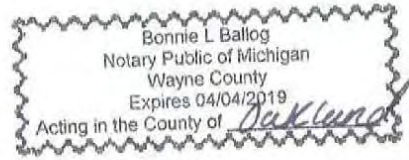
DEVELOPER

Valencia South Land, LLC

By: Howard Fingerroot
Its: Manager

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 24 day of August, 2015, before me appeared Howard Fingerroot who states that he has signed this document of his own free will duly authorized on behalf of the Developer.



Bonnie L. Ballog, Notary Public
Wayne County
Acting in Oakland County
My commission expires: April 4, 2019

Maryanne Cornelius
Print Name: MARYANNE CORNELIUS-CITY CLERK

Marilyn S. Troutman
Print Name: MARILYN S. TROUTMAN

Marilyn S. Troutman
Print Name: MARILYN S. TROUTMAN

Jane L. Keller
Print Name: JANE L. KELLER


CITY OF NOVI

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

By: Maryanne Cornelius
Maryanne Cornelius, Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 24th day of AUGUST, 2015, 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

WAYNE County
Acting in OAKLAND County
My commission expires: OCT. 13, 2017

Drafted by:

Elizabeth Kudla Saarela
Johnson, Rosati, Schultz & Joppich
34405 W. Twelve Mile Road, Suite 200
Farmington Hills, MI 48331-5627

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

MARILYN S. TROUTMAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Oct 13, 2017
ACTING IN COUNTY OF OAKLAND

EXHIBIT A

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

Parcel 1

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

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

Parcel Identification No. 22-29-225-011

Parcel 2

Part of the East 1/2 of the Northeast 1/4 of Section 29, Town 1 North, Range 8 East, beginning at point distant West 860.18 feet from the Northeast section corner; thence West 197.00 feet; thence South 00 degrees 24 minutes 33 seconds West 914.92 feet; thence South 89 degrees 48 minutes 46 seconds East 198.92 feet; thence North 00 degrees 17 minutes 19 seconds East 915.56 feet to beginning.

Parcel Identification No. 22-29-226-028

Parcel 3

Part of the East 1/2 of Northeast 1/4 of Section 29, Town 1 North, Range 0 East, beginning at point distant West 756.15 feet from Northeast section corner; thence West 105.00 feet; thence South 00 degrees 17 minutes 19 seconds West 915.56 feet; thence South 89 degrees 48 minutes 46 seconds East 201.55 feet; thence North 00 degrees 17 minutes 18 seconds East 534.22 feet; thence West 97.31 feet; thence North 00 degrees 24 minutes 33 seconds East 362.00 feet to beginning.

Parcel Identification No. 22-29-226-029

Parcel 4

Parcel 4:

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

Parcel 2:

Part of the Northeast 1/4, Town 1 North, Range 8 East, Section 29; beginning at a point distant North 1273.95 feet from East 1/4 corner; thence South 89 degrees 41 minutes 50 seconds West 1341.47 feet; thence North 00 degrees 07 minutes 46 seconds East 456.79 feet; thence North 89 degrees 16 minutes 04 seconds East 681.88 feet; thence South 276.21 feet; thence North 89 degrees 43 minutes 32 seconds East 658.60 feet; thence South 185.38 feet to beginning except East 33 feet taken for Beck Road.

Parcel Identification Nos.

~~22-20-226-021, as to Parcel 1~~

~~22-20-226-022, as to Parcel 2~~

Parcel 5

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

Parcel Identification No. 22-29-226-004

PARCEL 6

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

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

Parcel 7

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

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

Parcel 8

Part of the Northeast 1/4 of Section 29, Town 1 North, Range 8 East, City of Nowi, Oakland County, Michigan, described as follows: Beginning at Northeast section corner; thence South 03 degrees 00 minutes 13 seconds East 378.89 feet; thence South 86 degrees 48 minutes 56 seconds West, 459.87 feet; thence North 03 degrees 00 minutes 13 seconds West, 378.89 feet; thence North 86 degrees 48 minutes 56 seconds East, 459.87 feet to the beginning, EXCEPT those parts of Ten Mile Road and Beck Road taken or divided in Liber 9229, page 479, Liber 10400, page 785, Liber 10433, page 401 and Liber 39279, page 797, Oakland County Records.

Tax Item No. 22-29-226-030

Parcel 9

Town 1 North, Range 8 East, Section 28, Part of Northeast 1/4 beginning at point distant South 03 degrees 00 minutes 13 seconds East 376.89 feet from the Northeast section corner, thence South 03 degrees 00 minutes 13 seconds East 255.88 feet, thence South 86 degrees 48 minutes 56 seconds West 688.60 feet, thence North 03 degrees 00 minutes 13 seconds West 370.75 feet, thence North 86 degrees 48 minutes 56 seconds East 18 feet, thence North 03 degrees 00 minutes 13 seconds West 264 feet, thence North 86 degrees 48 minutes 56 seconds East 180.73 feet, thence South 03 degrees 00 minutes 13 seconds East 376.89 feet, thence North 86 degrees 48 minutes 56 seconds East 469.87 feet to beginning.

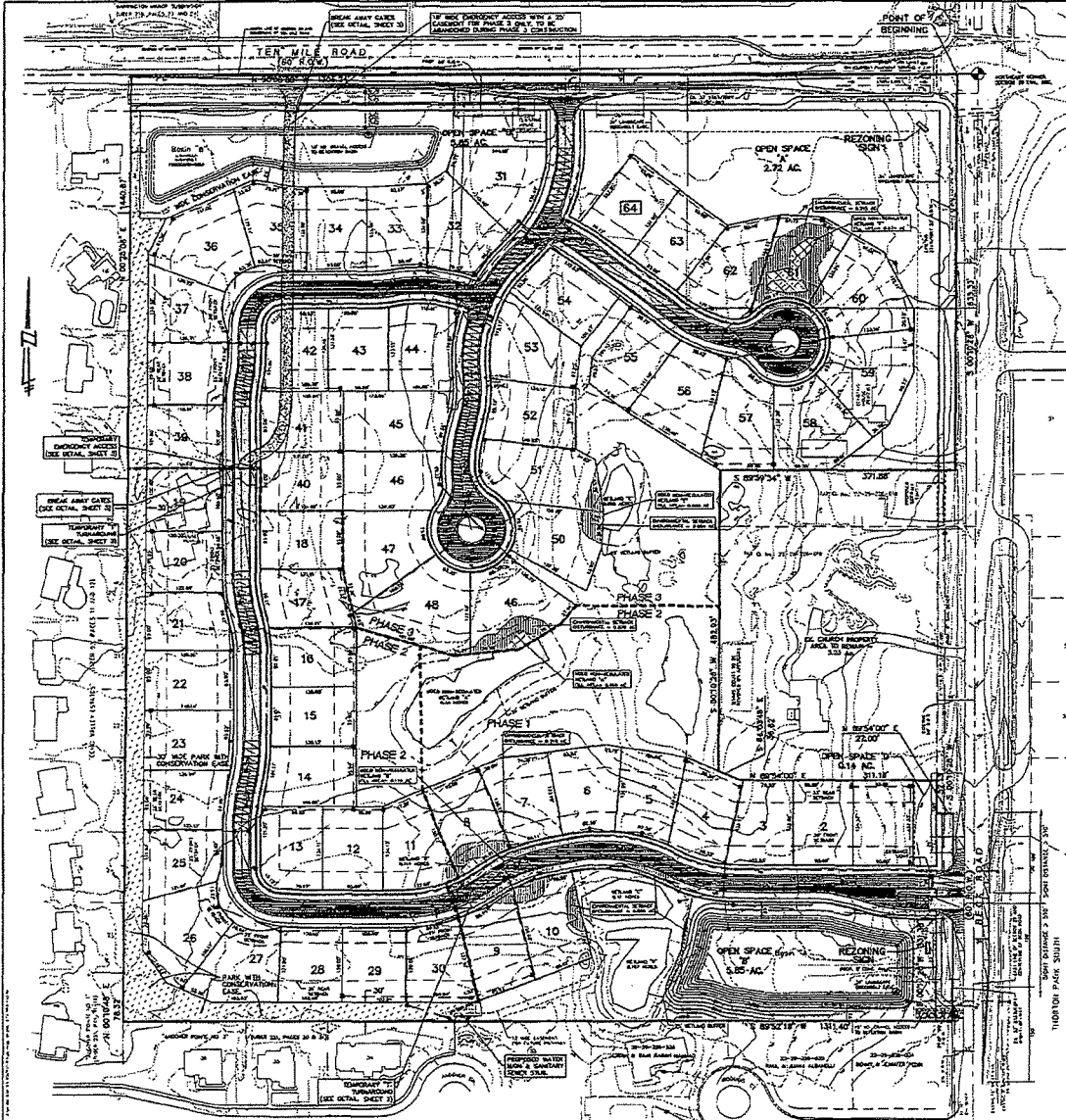
Parcel Identification No. 22-29-226-031

Parcels 1 through 9 are also described as:

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

EXHIBIT B

PRO PLAN



UNIT TABLE - PHASE 1

UNIT #	AREA (SF)	WIDTH (SF)
1	12,700	88.00
2	12,729	88.00
3	13,407	100.82
4	13,419	88.48
5	13,383	91.30
6	13,429	88.00
7	13,427	88.00
8	13,369	83.19
9	13,323	88.34
10	14,108	88.17

UNIT TABLE - PHASE 2

UNIT #	AREA (SF)	WIDTH (SF)
11	13,430	100.00
12	12,720	88.00
13	12,940	88.37
14	13,274	88.18
15	12,885	88.00
16	12,877	88.00
17	12,876	88.19
18	12,842	88.00
19	12,946	100.42
20	12,825	89.41
21	12,824	88.32
22	13,287	88.10
23	12,887	88.41
24	12,827	88.41
25	12,825	91.30
26	15,780	88.00
27	14,320	88.00
28	12,876	88.00
29	12,865	88.00
30	12,828	88.00

UNIT TABLE - PHASE 3

UNIT #	AREA (SF)	WIDTH (SF)
31	13,387	115.82
32	14,024	88.50
33	13,294	88.23
34	13,823	88.00
35	14,643	88.00
36	13,718	88.00
37	12,317	88.00
38	12,250	88.37
39	14,014	101.00
40	12,417	88.00
41	12,848	88.00
42	12,914	88.42
43	13,345	88.47
44	13,843	104.71
45	13,798	76.48
46	14,374	88.00
47	14,808	88.00
48	19,294	100.00
49	17,216	88.00
50	14,240	88.00
51	17,078	105.71
52	12,268	88.00
53	14,004	123.82
54	13,847	88.18
55	12,878	88.34
56	18,210	88.00
57	12,888	88.00
58	19,452	88.00
59	17,000	88.00
60	17,402	88.00
61	14,180	88.83
62	12,818	88.00
63	12,828	88.00
64	12,792	88.00

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

WETLAND IMPACT

WETLAND IMPACT AREA (AC)	WETLAND BUFFER ESTIMATED AREA (AC)	WETLAND BUFFER ESTIMATED AREA (AC)
A	0.550	0.693
B	0.014	0.014
C	0.170	0.064
D	0.197	0.409
E	0.006	0.005
F	0.074	0.215
TOTAL	1.101	0.212

SITE DATA
 PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM
 CURRENT ZONING: "R-1"
 MAXIMUM DENSITY = 1.65 DU/NET ACRE
 AREA CROSS = 41.312 ACRES
 AREA NET = EXCLUDING STATUTORY R.O.W. ON TER MILE ROAD (AS) = 40.253 ACRES
 MAXIMUM DENSITY = 1.65 DU/AC. X 40.253 ACRES = 66.5 UNITS
 PROPOSED NUMBER OF UNITS: 64 UNITS

TOTAL OPEN SPACE (GROSS)
 OPEN SPACE "A" = 114,592 SQ.FT. / 2.72 AC
 OPEN SPACE "B" = 204,560 SQ.FT. / 4.68 AC
 OPEN SPACE "C" = 181,310 SQ.FT. / 4.13 AC
 OPEN SPACE "D" = 5,876 SQ.FT. / 0.14 AC

TOTAL OPEN SPACE = 370,548 SQ.FT. / 13.10 ACRES = 31.71% OF SITE

PROPOSED DESIGN CRITERIA
 (CONSISTENT "R-3 ZONING")
 MINIMUM LOT SIZE = 12,000 SQ.FT.
 MINIMUM LOT WIDTH = 30.00 FEET
 STANDARD LOTS
 FRONT SETBACK = 30 FEET
 REAR SETBACK = 15 FEET
 SIDE YARD SETBACK = 10 FEET (MINIMUM)
 SIDE YARD SETBACK = 30 FEET (AGGREGATE)
 LOTS ALONG WEST AND SOUTH PROPERTY LINE
 FRONT SETBACK = 25 FEET
 REAR SETBACK = 25 FEET
 SIDE YARD SETBACK = 10 FEET (MINIMUM)
 SIDE YARD SETBACK = 25 FEET (AGGREGATE)

LEGEND

	EXISTING WETLAND		PROPOSED FINISHED AREA
	PROPOSED WETLAND		PROPOSED CONCRETE CURB AND GUTTER
	EXISTING STORM WATER		PROPOSED STORM WATER
	EXISTING EASEMENT		PROPOSED EASEMENT
	EXISTING RIGHT OF WAY		PROPOSED RIGHT OF WAY
	EXISTING ROAD		PROPOSED ROAD
	EXISTING UTILITY		PROPOSED UTILITY
	EXISTING CONTOUR		PROPOSED CONTOUR

NOTES

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

AVERAGE UNIT AREA = 13,874
 AVERAGE UNIT WIDTH = 86.37

TYPICAL LOT

LOTS ALONG WEST AND SOUTH PROPERTY LINE

GRAPHIC SCALE

1" = 80' (FEET)

NOTES

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

PROPOSED IMPROVEMENTS

- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING SANITARY SEWER ON THE WEST SIDE OF BECK ROAD.
- MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO EXISTING 16" WATER MAINS LOCATED ON THE EAST SIDE OF BECK ROAD AND THE NORTH SIDE OF TER MILE ROAD. ALL PROPOSED WATER MAIN SHALL BE 6" DUCTILE IRON CL 54.
- STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
- 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL THROUGH ROADWAYS. AN 8'-FOOT WIDE CONCRETE WALK SHALL BE CONSTRUCTED ALONG TER MILE ROAD AND BECK ROAD. ALL SIDEWALK STUBS SHALL BE PROVIDED WITH RAMPS & DETECTABLE WARNING SURFACES.
- ALL ROADWAYS TO BE PUBLIC.
- A CITY OF HOH SIGN-OFF PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.

VALENCIA ESTATES SOUTH
 SECTION 29, TOWN 1 NORTH, RANGE 8 EAST
 CITY OF HOH, OAKLAND COUNTY, MICHIGAN

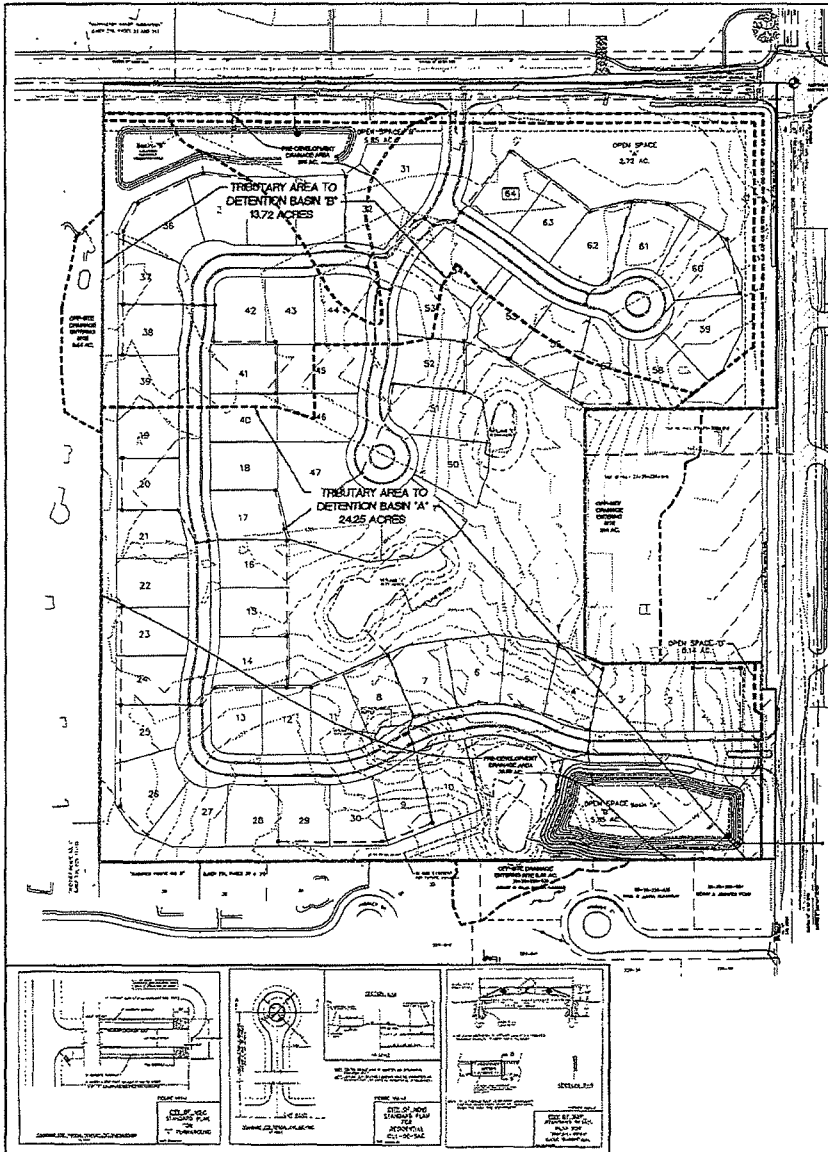
REVISIONS

NO.	DATE	DESCRIPTION
1	04-30-14	ISSUED FOR PERMIT
2	05-14-14	REVISED PER PERMIT
3	05-14-14	REVISED PER PERMIT
4	05-14-14	REVISED PER PERMIT
5	05-14-14	REVISED PER PERMIT
6	05-14-14	REVISED PER PERMIT

PLANNED REZONING OVERLAY (PRO) PLAN

SEIBER, KRAST ENGINEERING, L.L.C.
 CONSULTING ENGINEERS
 110 WANDERER - SUITE 10 - BIRMINGHAM, MICHIGAN 48107
 PHONE 248.368.3331 FAX 248.368.3333

SHEET 2

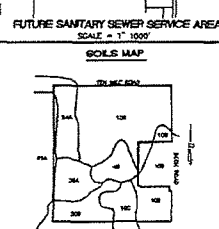
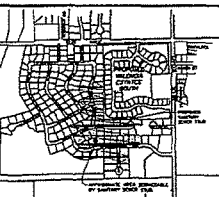


TRANK FLOW SLOTTED CALCULATION

1.180 PPD = 2.58 = 2.58 x 1.180 PPD = 3.04 PPD

Basin A
 $Q = (CVA) \cdot Q = 2.58 \cdot (2.58 \cdot 1000) = 6.66 \cdot 10^6 \text{ GAL}$
 $Q = (CVA) \cdot Q = 2.58 \cdot (2.58 \cdot 1000) = 6.66 \cdot 10^6 \text{ GAL}$

Basin B
 $Q = (CVA) \cdot Q = 2.58 \cdot (2.58 \cdot 1000) = 6.66 \cdot 10^6 \text{ GAL}$
 $Q = (CVA) \cdot Q = 2.58 \cdot (2.58 \cdot 1000) = 6.66 \cdot 10^6 \text{ GAL}$



SOILS INVENTORY

THE "NATIONAL SURVEY OF LANDS COUNTY MICHIGAN" UNITED STATES DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE IN COOPERATION WITH THE MICHIGAN AGRICULTURAL EXPERIMENT STATION, CROSBY MICHIGAN (1980)

1.00 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP II
 1.01 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP III
 1.02 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP IV
 1.03 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP V
 1.04 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP VI
 1.05 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP VII
 1.06 - SANDY SILTY LOAM, 15% TO 20% SILT, HYDROLOGIC SOIL GROUP VIII

Basin B Tertiary Area = 1172 Acres

Impervious Areas	0.00 AC
Lawns	1.15 AC
Roofs and Driveways	2.25 AC
Soils	4.50 AC
Open Areas	3.08 AC
Low Water	0.27 AC
C Avg. = 0.54	

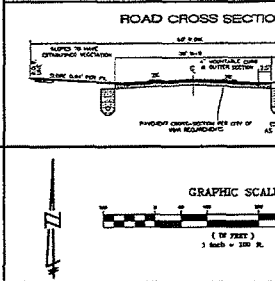
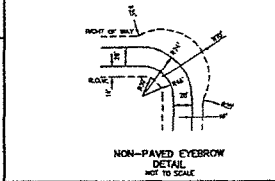
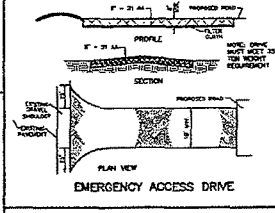
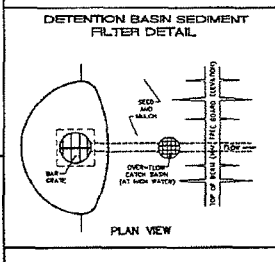
Basin A Tertiary Area = 2425 Acres

Impervious Areas	1.51 AC
Lawns	2.91 AC
Roofs and Driveways	5.82 AC
Soils	11.64 AC
Open Areas	8.10 AC
Low Water	0.27 AC
C Avg. = 0.50	

MAINTENANCE SCHEDULE:

THE PROPERTY OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE DETENTION BASIN. MAINTENANCE SHOULD BE PERFORMED FOLLOWING ANY RAIN STORM AND SHOULD INCLUDE:

1. CHECKING THE DEPTH OF SEDIMENT DEPOSIT TO DETERMINE THE CAPACITY OF THE BASIN IS ADEQUATE FOR FLOOD PEAK AND SEDIMENT DEPOSITION, AND FOR THE PROTECTIVE OF SEDIMENT.
2. CHECKING THE BASIN FOR PILING, SEDIMENT, OR OTHER OBSTRUCTIONS.
3. CHECKING FOR THE PRESENCE OF ANY SOIL EROSION, WHICH WOULD PREVENT PROPER DRAINAGE FROM THE BASIN.
4. CHECKING THE OUTFALL TO ENSURE DRAINAGE IS NOT OBSTRUCTED AND THAT SEDIMENT DOES NOT OBSTRUCT THE OUTLET IF NOT CLOGGED.
5. ANY PROBLEMS IDENTIFIED DURING THE MAINTENANCE CHECKING SHOULD BE ADDRESSING IMMEDIATELY.
6. SEDIMENT REMOVED DURING CLEANING SHOULD BE PLACED AT AN OFF-SITE AREA AND STABILIZED SO THAT IT DOES NOT RE-ENTER THE DRAINAGE COURSE.

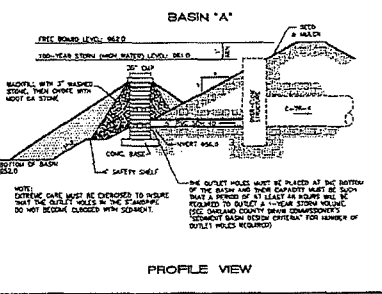
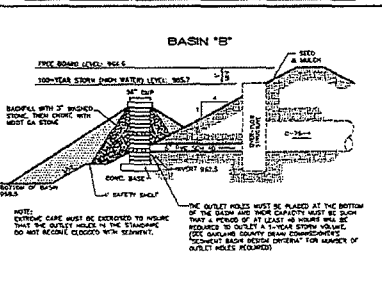


STORM WATER DETENTION CALCULATIONS

BASIN 'B'	
Basin Area	1172 AC
C Avg.	0.54
Q (1-year)	10,000,000 GAL
Q (2-year)	12,000,000 GAL
Q (5-year)	15,000,000 GAL
Q (10-year)	18,000,000 GAL
Q (25-year)	22,000,000 GAL
Q (50-year)	28,000,000 GAL
Q (100-year)	35,000,000 GAL
TOTAL	100,000,000 GAL

STORM WATER DETENTION CALCULATIONS

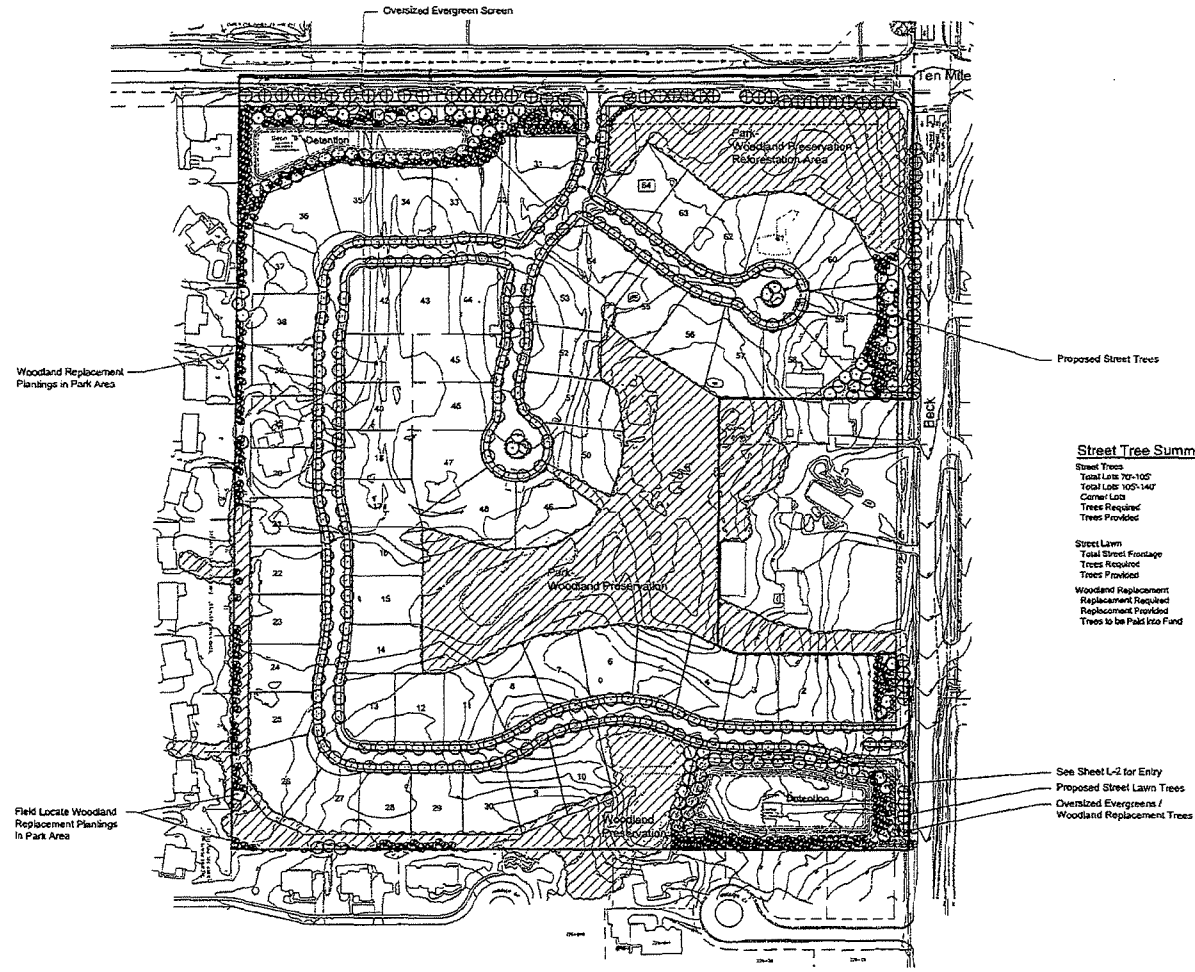
BASIN 'A'	
Basin Area	2425 AC
C Avg.	0.50
Q (1-year)	20,000,000 GAL
Q (2-year)	24,000,000 GAL
Q (5-year)	30,000,000 GAL
Q (10-year)	36,000,000 GAL
Q (25-year)	45,000,000 GAL
Q (50-year)	58,000,000 GAL
Q (100-year)	75,000,000 GAL
TOTAL	200,000,000 GAL



VALENCIA ESTATES SOUTH
SECTION 29, TOWN 1 NORTH, RANGE 8 EAST
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK.
1	04-10-13	ISSUE FOR PERMIT	JK	JK
2	05-10-13	REVISED PER CITY OF NOVI COMMENTS	JK	JK



Street Tree Summary

Street Trees	
Total Lots	58 Lots
Total Lots 70'-100'	5 Lots
Total Lots 100'-140'	5 Lots
Corner Lots	5 Lots
Trees Required	142 Trees (50'-5) x 2 Trees = (5 x 3)
Trees Provided	204 Trees (Extra 61 Trees to be Counted Towards Woodland Replacement)
Street Lawn	
Total Street Frontage	2,323 LF
Trees Required	66 Trees (2,323 / 35)
Trees Provided	64 Trees
Woodland Replacement	
Replacement Required	1,827 Trees
Replacement Provided	796 Trees
Trees to be Paid Into Fund	1,101 Trees

Seal: _____



Title: Landscape Plan

Project: Valencia Estates South
Novi, Michigan

Prepared for: Pinaculo Homes
1535 South Telegraph, Suite 300
Bloomfield Hills, MI 48302

Revision	Issued
Submission	May 1, 2014
Revised	August 18, 2014
Revised	November 14, 2014
Revised	December 12, 2014
Revised	February 16, 2015
Revised	May 8, 2015
Revised	July 15, 2015

Job Number: 14-025

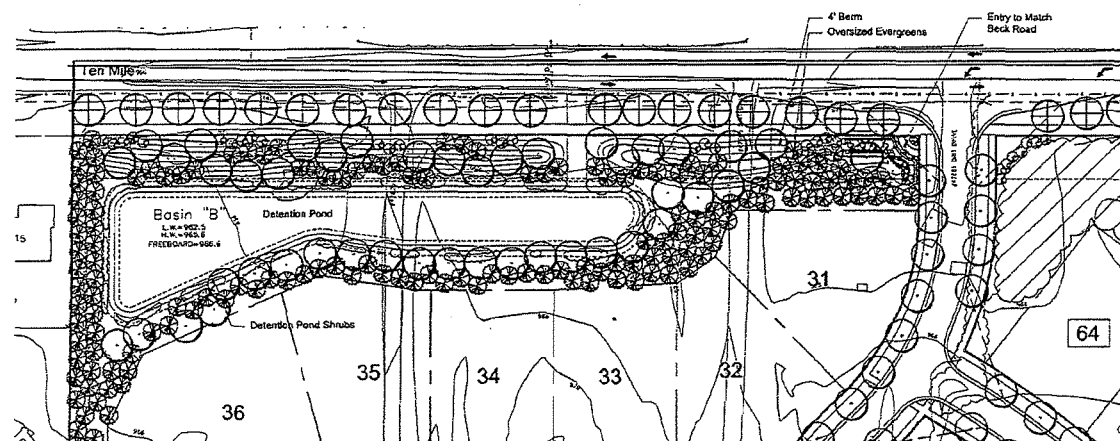
Drawn By: ja Checked By: ja



Sheet No. _____

L-1





Ten Mile Greenbelt - Entry

Landscape Summary

Greenbelt Plantings	
Total Street Frontage	2,323 LF.
Less Preservation Areas	831 LF.
Net Frontage	1,492 LF.
Canopy Trees Required	42 Trees (1,482 / 35)
Canopy Trees Provided	43 Trees
Sub-Canopy Trees Required	75 Trees (1,492 / 20)
Sub-Canopy Trees Provided	75 Trees
Detention Pond Plantings	
High-Water Elevation	1,913 LF.
Required Planting	1,340 LF. (70%)
Planting Provided	1,454 LF. (76%)

Seal:

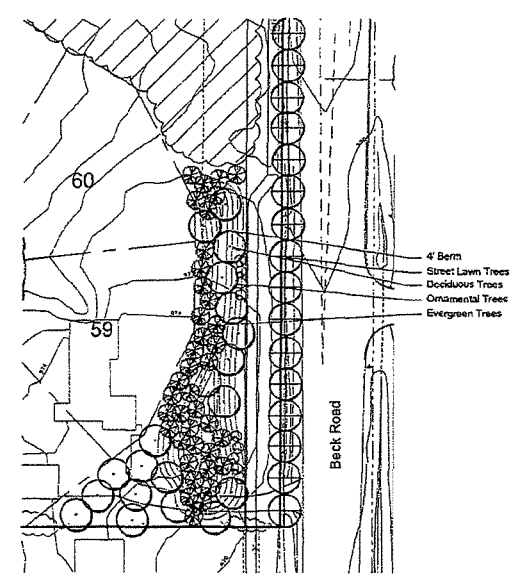


Title:
Entry Plan

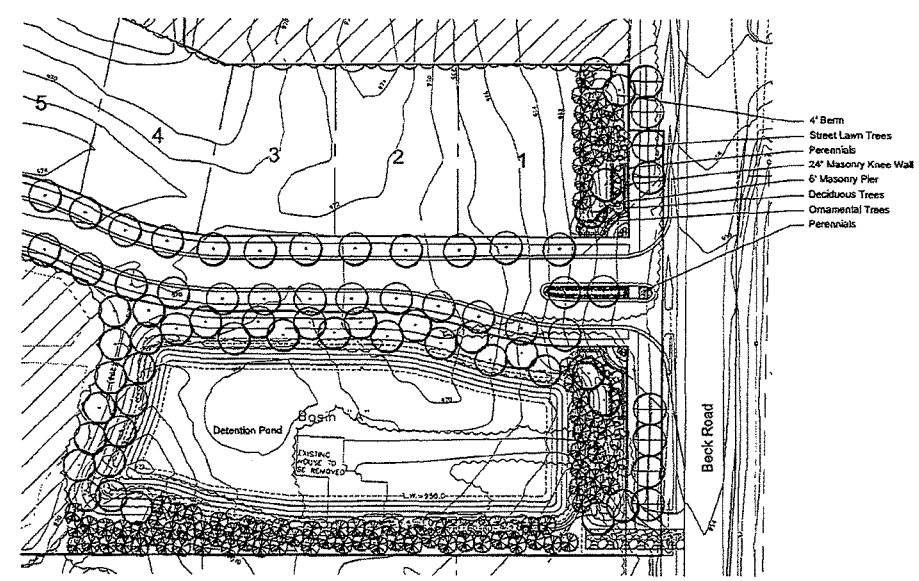
Project:
**Valencia Estates South
 Novi, Michigan**

Prepared for:
 Pinacode Homes
 1658 South Telegraph, Suite 200
 Bloomfield Hills, MI 48302

Revision:	Issued:
Submission	May 1, 2014
Revised	August 18, 2014
Revised	December 12, 2014
Revised	February 16, 2015
Revised	May 4, 2015
Revised	July 13, 2015



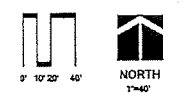
Beck Road Greenbelt



Beck Road Entry

Job Number:
 14-022

Drawn By: Checked By:
 jca jca



Sheet No.



Seal:



Title:
Woodland Plan

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

Prepared for:
 Pinacole Homes
 1666 South Telegraph, Suite 200
 Bloomfield Hills, MI 48302

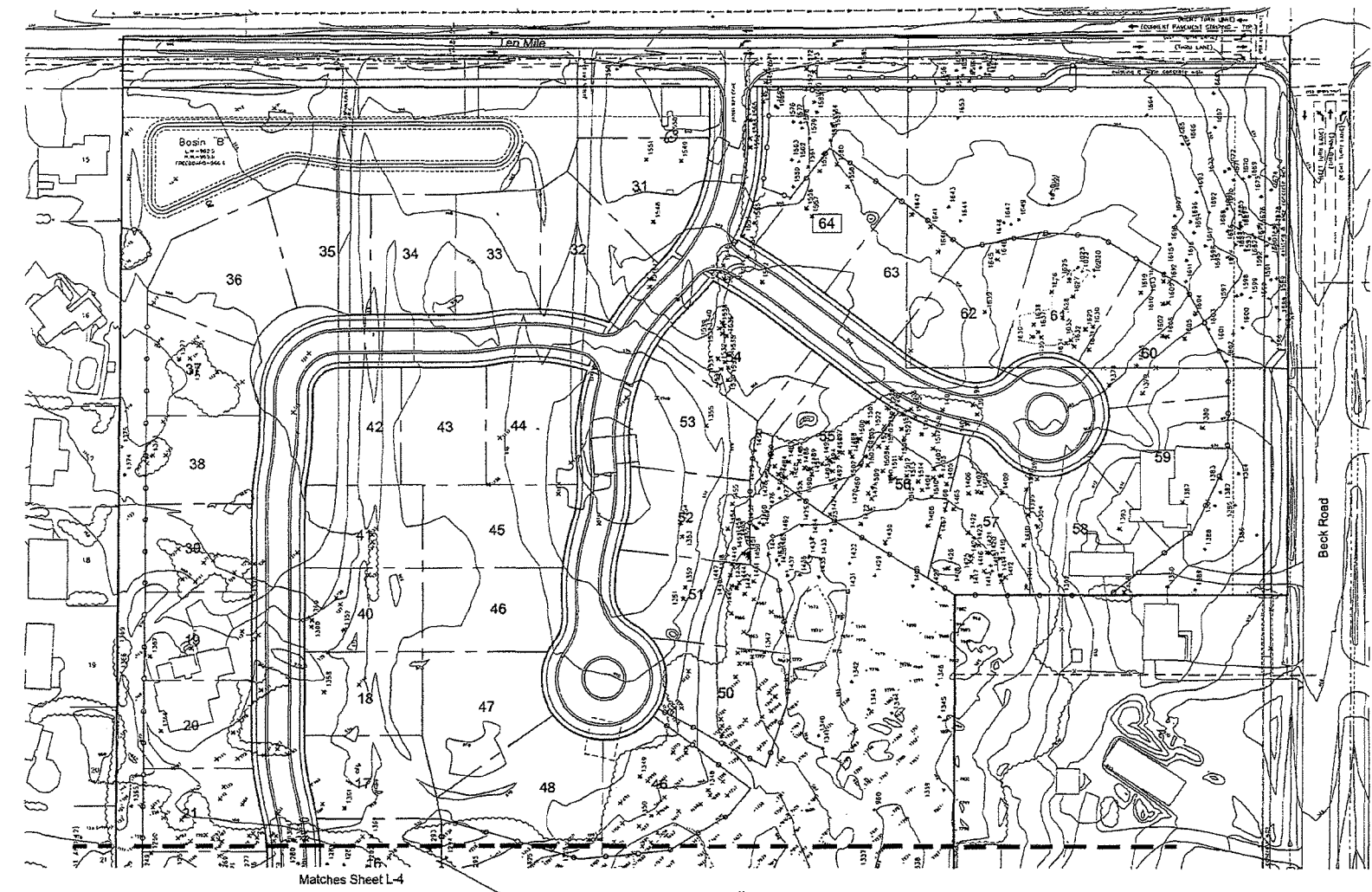
Revision:	Issued:
Submission	May 1, 2014
Revised	August 18, 2014
Revised	November 14, 2014
Revised	December 12, 2014
Revised	February 11, 2015
Revised	May 8, 2015
Revised	JULY 15, 2015

Job Number:
 14023

Drawn By: Checked By:
 jca jca



Sheet No.



Matches Sheet L-4
 Tree Protection Fencing

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



Seal: _____



Title: _____
Woodland Plan

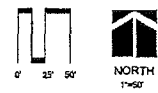
Project: _____
**Valencia Estates South
 Novi, Michigan**

Prepared for: _____
 Pinnacle Homes
 1659 South Telegraph, Suite 200
 Bloomfield Hills, MI 48302

Revision:	Issued:
Submitted	Mar 1, 2014
Revised	August 18, 2014
Revised	November 14, 2014
Revised	December 15, 2014
Revised	February 16, 2015
Revised	May 9, 2015
Revised	July 15, 2015

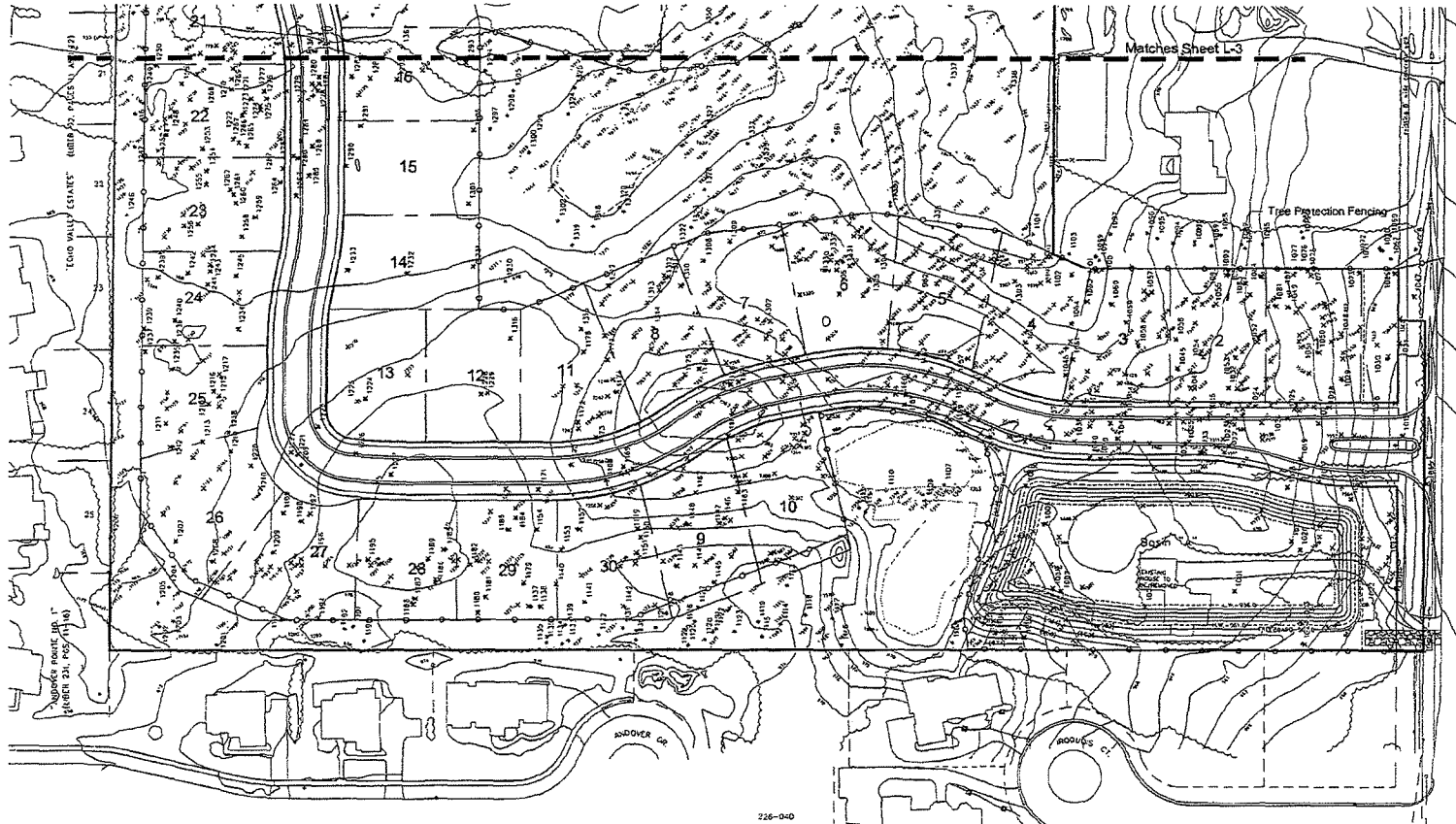
Job Number: _____
 14423

Drawn By: _____ Checked By: _____
 ja ja



Sheet No. _____

L-4



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

Woodland Summary

Total Trees	1,570 Trees
Non-Regulated Trees	51 Trees
Regulated Trees Removed	342 Trees
Regulated Trees Preserved	537 Trees
Replacement Required	
Trees 8" - 11"	347 trees x 1" = 347 Trees
Trees 11" - 20"	353 trees x 2" = 706 Trees
Trees 20" - 30"	63 trees x 3" = 183 Trees
Trees 30" +	19 trees x 4" = 76 Trees
Multi-Stemmed Trees	342 Trees
Total Replacements Required	1,627 Trees



Conceptual Elevations



PINNACLE HOMES



Torino

3,500 Square Feet



Valencia Estates

www.PinnacleHomes.com

248.977.6144



10/14



PINNACLE HOMES

A



Springhaven

3,000 Square Feet

A



B



C



D



E



F



Valencia Estates

www.PinnacleHomes.com

248.977.6144



10/14

PINNACLE HOMES
A Tradition of Luxury

A



Santa Fe

3,520 Square Feet

A



B



C



Valencia Estates

www.PinnacleBuilt.com

248.449.4000





PINNACLE HOMES



Muirfield

3,200 Square Feet



Valencia Estates

www.PinnacleHomes.com

248.977.6144



10/14

**City Council Minutes
August 24, 2015 - Excerpt**

explained a number of them. Member Mutch asked if the applicant abuts residential. City Attorney Schultz said he believes the property abuts multiple family residential. Member Mutch had some concerns with the request. He understood the applicant desired something in the ordinance and his alternative would be to go to the ZBA to get a variance. City Attorney Schultz said they did not because this was a use variance and difficult to get. Member Mutch noted the expansion of the storage yard use in the Light Industrial. He would be more comfortable if it was strictly limited for some light industrial users. He was concerned it was open ended with no language that limited it. He didn't want to see I-1 properties being used with significant amount of storage on site. They don't generate tax revenue and thought it shouldn't be encouraged. He also was concerned with allowing it adjacent to residential. He would like to see from City administration something that delineates the I-1 uses that are adjacent to residential and whether it should be allowed adjacent to single-family residential. It is the nature of the uses and he could see some enforcement issues that may arise with this use. He will consider the first reading.

Roll call vote on CM 15-08-118

**Yeas: Markham, Mutch, Poupard, Wrobel,
Gatt, Staudt, Casey,
Nays: None**

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

City Manager Auger said all the items in the PRO that Council had asked for were addressed by the Attorneys.

Member Casey asked City staff to clarify if there were any utility easements in the conservation easement or if there is anything that could negatively impact or encroach what is being planned for the 30 foot buffer. Deputy Community Development Director McBeth said there is a potential for a storm water facility in the area. The intent is to try to preserve the woodlands in the 30 foot easement on the West and South property lines as much as possible but if there is a need to establish positive drainage, then there may be some modification to the grades to accommodate that. Member Casey clarified if it would be a one-time occurrence where what is being planned for one of the lots in the development may cause or potentially cause runoff into one of the back yards of the abutting neighbors and that particular lot would need to be corrected, so that there will not be drainage into the abutting neighborhood. Deputy Director McBeth agreed and the intent is to not have any negative impact or negative drainage into the adjacent properties. City Attorney Schultz said on page 4 of the agreement, they are not to build any structures in the 30 foot easement area with the

exception of a catch basin running between lots, but only if approved by the City and only if necessary to make sure there is proper drainage in either direction. The intention is to limit it to situations where the City engineer has approved it. Member Casey asked if there needs to be a storm or catch basin in the easement, what kind of space around would also need protected planting. She described an example to determine what would be required and asked if there would be a 6 foot buffer where there couldn't have any trees or vegetation near that basin. Deputy Director McBeth said it would be possible to have a zone around that area that would need to be protected. City Engineer Hayes said, in response to the question, it depends on the species of tree, drip line and other factors. Member Casey asked if he could give a range. City Engineer Hayes said conservatively he would determine for a common tree to be 10 feet from the center line of the trunk to where the center line of the structure would be located. Member Casey asked at what point in time in the process would it be determined that there could be an impact of the easement. Director McBeth explained that this is the concept plan stage and there is a lot more to be learned in terms of detail at the preliminary site plan and final site plan stage. The intent, if it is approved, is to have the City landscape architect work with the applicant to determine the spots for the replacement trees. Member Casey said it could be several months in the future by the time that occurs. There would not be much remedy at that point to figure out a different solution to keep the buffer intact. Director McBeth said that would be the point to working closely with the applicant to field-verify where the trees can be preserved and where replacements would be suited. City Attorney Schultz said it is a shared process from approval to the issuance of occupancy permits. The developer is going to look at placing the catch basin in a limited number of areas away from the easement, if at all possible, with a slight intrusion into the easement if the City allows it. There is an Engineer and the Landscape Architect for the City involved in the determination with any remedy or make sure there is no or limited impact to the property adjacent than is required. Unlike the usual project, this agreement contemplates a much more significant involvement of the City staff than normal. Member Casey said what she was seeking to understand was how guaranteed is this 30 foot conservation easement. She wanted to make sure it is a solid agreement in terms of any changes. She suggested instead of the agreement saying there is a goal of opacity of 80-90% year round that it says, "it will be at minimum 80% opacity". She wanted stronger language that doesn't just give a goal, but it states that, "we require opacity at this level." She asked Mr. Howard Fingerroot, Developer of Beck South, if he would be open to the amendment if part of the approval that it states the developer will meet 80% opacity requirement in the conservation easement. Mr. Fingerroot wasn't sure what that meant. He has a fairly good working knowledge of landscaping and didn't know if he looked at something whether it was 75% or 90% opaque. They are trees with leaves and at what point in time would it be measured. There is a common goal because what is good for the neighbor is also for the new residents coming in. A more visual shield is good for both parties. He didn't know practically how it would be defined, how to measure it and if it has to be determined every year. The species and size of trees within ranges can be determined. He said there is not an 18 foot tree store. They go to a farm and bring trees within a range. He agreed with her and was happy to have metrics, but they have to be metrics that are practical. City Attorney Schultz

asked if he was optimistic there was a standard in the agreement that can make sure it is met the same way as the referenced ordinance. There can be language that said 75%-80% opacity as determined by the City staff in accordance with City ordinances in the way the standards are applied. He thought they could do it and Mr. Fingerroot would accept it if it was a requirement. Mr. Fingerroot said he was not challenged by it, but wanted to make sure it is thought through. Member Casey said she would like the language changed without stating it as a goal. Mr. Fingerroot agreed with something like that. Member Casey said there was some feedback with a suggestion there would be some 18 feet evergreens that could be planted. She would like to see it is written into the PRO. She wanted to get the kinds of specificity around trees and height in the PRO and not leave it vague. She didn't want loose language with some words that are not very clear. She asked City Attorney Schultz if it can be written in the PRO. City Attorney Schultz cited a paragraph in the PRO that talks about that subject that oversized trees shall be planted and it gives the credit for them. He said they could make it more specific. The trees could be identified and shown more clearly on the landscape plans. The Landscape Architect can clearly be given some authority to say where else oversized trees should go. Member Casey would like the oversized trees to go specifically in the conservation easement. City Attorney Schultz agreed. Member Casey said within the PRO, there is reference to exhibit C, the City has, as part of the review process, the ability to amend the letters as the process advances. City Attorney Schultz agreed that when it goes from a concept plan to an actual site plan, which has more detail and information, the consultants may look at it and for any potential problems, it would go back to the City and the City can state what the remedy would be. Member Casey asked at what point in time will the transformer and utility boxes be outlined in the plan. City Attorney Schultz said the only thing to be put in the conservation easement, after the agreement is approved, is the catch basin. The language now is that nothing else encroaches. Member Casey asked what happens if the draw on the escrow for sewers and wells goes above \$75,001 and what would be the remedy for those after the escrow caps if there is a problem. City Manager Auger said they do not anticipate any issues with the dewatering. If there are any issues they would have to be resolved before the next stage. All the City staff and Engineers are aware of the concerns of the Council and staff on this issue. Member Casey asked who would pay for any remediation. Manager Auger said there should not be any well issues from the data the developer has presented. He felt that is why the developer put the \$75,000 forward because he didn't think it would be used either. Member Casey asked what would happen if something happened. Mr. Auger said the cost for a well is about \$5-7K and there would have to be quite a few wells before the \$75,000 is reached. City Engineer Hayes said he has experience designing ground water pumping systems for environmental cleanup. The developer would be dewatering at an elevation of about 14 feet. The shallowest spring well that he could find there is about 60 feet deep. If there is a water column of 46 feet that has to be pumped down and the nearest well is a couple hundred feet away, dewatering would have to be 13 million gallons of water to impact that shallow of a well. The chances of a well being impacted are extremely rare. Member Casey said she appreciated the confidence the City has but she still hasn't heard an answer if it happened. City Engineer Hayes said there is enough money for about 15 wells. Member Casey wanted to know what

would happen if there were 16 wells. She asked who would be liable for the repair. City Engineer Hayes said in order for the developer to impact the nearest well, he would have to discharge a high amount of water. Right now, it would be about 20,000 gallons at the most. Member Casey asked if the resident would be liable. City Attorney Schultz said the City has the requirement for a dewatering plan to make sure that it is within the tolerance, but a deposit isn't required for any other development because the general rule is that they own property on that water system and they are entitled to develop the property even if it includes a minor inconvenience to the adjacent property owners. They established the \$75,000 bond because there will be a lot of discretion with the PRO. It was a reasonable number that is very high considering the circumstances. They cannot go as far as to say that the 16th well would be the resident's responsibility just like any other property owner. Member Casey respects the expertise of the staff and didn't think they have a good solution on the chance there is something unexpected happens. City Manager Auger said that \$75,000 is that high number and if they put \$100,000 to \$150,000 the same question would be asked. We don't anticipate any issues. There is no State law that would require a developer to put a bond up like this. The only reason they were able to ask the developer is because it is a PRO process. This is not the first stage and they will have to hook up to sanitary sewers at about 12 feet. If he doesn't get that done right, the rest of the project will not get done and he wouldn't be able to sell homes. The developer and staff understood the criteria and he was confident the \$75,000 will be enough. Member Casey asked if the residents will come to the City if the \$75,000 is not enough. Mr. Fingerroot clarified comments on the catch basins in the conservation easement that it is not the developments property that will cause a flow of water into the neighbors and the only reason for the catch basin was that it is necessary to catch all the flow from the neighboring properties. If they plant a tree and it blocks the flow of the water, they would have to mitigate it.

Member Mutch asked about the PRO language as it is currently written. The residents would be responsible for damage to their wells above the \$75,000 bond and the City would not be responsible and he couldn't understand why it is so difficult to state it. He asked if residents do encounter a situation through the dewatering process, with whom they would file a claim. City Attorney Schultz said they have not prepared that document and the City designed the process according to the agreement. Member Mutch confirmed a resident would not be able to take a greater share than another. City Attorney said there would be a final decision through the City staff and there would be a limit. Member Mutch asked when would the process be developed and put in place. City Attorney Schultz said at the time the permit for the dewatering and site work happens. Member Mutch said the claim process would be handled by the City and has final say. Member Mutch asked if it will be an easement over the property in the provision under D. 4 for the 30 foot wide tree preservation and planting easement and confirmed that the City would enforce any issues with it. In subsection 3, he asked if the language applies for the trees that have been currently identified or if any die in the future. City Attorney Schultz said the intent is that it is a cleanup in making it a buffer. The language allows them to remove some trees and plant new ones to increase the screening. He didn't think it is a perpetual and eternal obligation to replace them unless they are woodland replacement trees that would carry that obligation.

Member Mutch asked if they have identified existing trees that are dead and are getting credits, is it different than if they kill additional trees in the process. He felt they should be replaced also. City Attorney Schultz said if they damage a tree, they would have to replace it. Member Mutch wanted to get back to the specificity and didn't think it was clear that was the intent. He was concerned that the count may not be accurate and it was clear from the site plan, there would be significant impacts along the conservation area. He was concerned about how many of those trees will survive that process and he felt if they are impacted they should be replaced. He would like some clarity in the agreement. He noted it is important for the residents to understand that whatever is approved in the PRO process by Council will be final. He knew they discussed that staff has some authority to make adjustments but this will be the final product. He felt this developer chose to put the smallest lots in the site adjacent to the residential area and has created many of the problems discussed. If the larger lots were adjacent to the residential, there would be fewer lots and would better accommodate the woodlands. If the smaller lots were in the interior of the plan, there would be less of an impact on the core area and the developer may have lost a few more lots. He didn't know the number by making that adjustment, but it would have been a better plan. There will be 982 trees removed on the site and the largest tree removed is almost 4 feet in diameter. There are 36 specimen trees that are larger than baseline for trees of significant size in the community. He said they are sacrificing the trees when the City should be protecting them. He felt what was best for the residents at large was best for the residents of the adjoining subdivisions. He noted fewer lots would be less traffic and more protected woodlands would be valuable. He felt the argument that the tradeoff between the tax base and development with the additional homes somehow accrues to the City is a false choice for the City. He felt it could have been a less dense development and protected more woodland that would be just as economically beneficial as what is being proposed. He appreciated Member Casey's efforts to get the best plan out of the process. He can't support the City ordinances to be cast aside in many areas for this development and not get the best possible development out of the process.

Member Markham appreciated the many comments from the residents, studying the documents, and they have taken this process seriously. She thought with this development they were trying to put too much on this site. She felt 64 homes were too many and slightly less than the maximum number of R-1 homes. It is the maximum number of homes that can be put on the property. The only difference between the R-1 and R-3 is that some of the lot sizes are smaller. This plan still encroaches into the highest quality section of the woodlands which is the southwest portion of the property. She believed there could have been a premier development that protected the woodlands and also valued them as an asset. She saw that they were trying to minimize it. She thought the trees were understood to be pretty but not important. She said the solid contiguous woodlands on the property of 1,700 of high quality trees were very important to the storm water management and habitat. It has been minimized in the overall design of the development.

Member Casey summarized that she asked for change in language regarding opacity as an "is" and not "should". Also, she asked for specificity and height of trees and how that would be incorporated in the agreement. City Attorney Schultz said adding some additional requirements to a motion would be appropriate.

Mr. Fingerroot confirmed that she wanted a certain level of opaqueness. He would agree to. The answer to the metric is already defined in the City ordinances. He said that it would not be a problem. In terms of height, he would use a range rather than a specific height. He said the reason being is when they go to farms to buy the trees, if it is an 18 foot tree they may grow a foot a year and they know how much they grow per year. They also have an idea of what type of trees within their farm that will live from the transplant process itself. It is too difficult if just 18 feet is required, but if they are given plus or minus 2 feet or 3 feet would be more practical. It is not because he wants to save money but because a 16 feet tree may grow a foot a year and would have a much better probability of surviving. He would be amenable to how it is proposed but with a range and not specific.

Member Casey said that within the landscape design on the outer edges, that there is a notation of an 18 foot tree height with no plus or minus or is there within the ordinance there is that kind of range that Mr. Fingerroot mentioned.

Deputy Director McBeth said it is a specific standard as much as it could be and it could say a range of plus or minor two feet or a minimum of 18 feet or taller.

City Attorney Schultz explained that the motion is designed to the way they want. If they want to accept the premise from Mr. Fingerroot, the Planning staff and Landscape Architect would review the plan and ultimately review the plantings to make sure they conform to the general requirement of 18 feet and whether they have met the intent of the language. The more specific directions, they will be clearer in their direction as to what they accept.

Member Casey asked if she would have the opportunity to give him direction and to come for final approval or was this final. She would rather get the language the way she liked it and not do something spontaneously to give direction that says, "I want to see" and "should be on opacity with a minimum of 18 feet trees planted in the buffer with additional specifications."

City Attorney Schultz thought they were not insurmountable language barriers. He understood that if there is a particular tree height and opacity shall be 80%, then it can be written that way. He didn't think those things were insurmountable.

Member Casey asked City Engineer Hayes to remind her what the current ordinance standards are in cases of dewatering where there is impact to wells and sewer outside the development. He explained they require dewatering plans, the size of the pumps to be used, the area of influence the pumps would have, the estimated depth of the groundwater to be impacted, and they have the ability to require monitoring wells

installed. Sometimes the City does it or the developer may take it upon himself. There is the possibility of a third party to oversee the actual dewatering to make sure whether or not there is an impact so it can be verified. She asked what if there is an impact. He said if there is an impact based on verification through the monitoring they gauge the degree to which somebody's property has been damaged. Member Casey asked if the City would take it from there. He said if in the extremely rare chance that there are more than 15 wells impacted then it would be the resident's responsibility. He didn't think there were more than 15 wells there. Member Casey believed that the area to the west is well and sewer. City Engineer Hayes confirmed the area that will be influenced by the minor amount of pumping that the developer will do is minuscule. He considers it a non-issue.

Member Casey felt she hasn't pushed Mr. Fingerroot on the \$75,000 bond. She asked him previously in regards to the buffer. She said she will include language on opacity, a minimum of 18 feet in the conservation easement and she will count on the developer's new watering plan and the confidence of staff. She directed a statement to Mr. Fingerroot that she would hope he would make good a well that a resident is responsible based on the confidence he is advocating and what she is hearing from everyone else. Mr. Fingerroot said he is not challenged by it at all. This development is one of about 120 to 130 subdivisions he has developed in Southeast Michigan and he has never had this issue. He has spent \$25,000 with a hydro-geo person because the City asked him to. He mapped out every well and looked at the soil borings. He figured everything out and said there was nothing there. He said he handed it to the Engineer and said the same thing. He gave \$75,000 just so they can make sure everybody is comfortable. If it goes above and beyond that, he will be a good neighbor and will continue to be a good neighbor. If he damages someone's property he would make good on it. He is concerned they will get into trouble with one thing. He thought they will need to give some discretion to the City landscapers in terms of an absolute height. He is concerned the City landscaper may say if they plant all these trees the likelihood of ten year survival is very low and they should plant in another area because of the soil conditions. He didn't know what it was and he is not a landscape expert. He has a reasonable working knowledge of landscaping and dewatering. He continued there are experts that know a tremendous amount more than he does. He would like them to propose that the City landscaper has some discretion and provide the intent of 18 feet. He said there is a survivability issue when there are larger trees spaded in. He can't quote what it is. It does make a difference what species they are and what the soil conditions are. It is different throughout the site. There may be clay soils in one area, fine sandy soil in another or two feet of topsoil. They have to have a real expert. He said it would be the City landscaper to try to make the City's desires met. He emphasized it is no good if in ten years, if half the trees are dead because they tried to over specify. He said it would be out of his control and will be within the City's experts.

Member Casey said then she will leave it up to the City's experts.

City Attorney Schultz explained that in the agreement, the oversized trees will be planted as depicted and making a reference to that being 18 feet height. As Member Casey pointed out, City staff will do what they do in their normal course to make sure the plan is compliable. Deputy Director McBeth confirmed the plan already has reference to the 18 feet trees.

CM 15-08-119 Moved by Casey, seconded by Wrobel; MOTION CARRIED: 5-2

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

- a) *The proposed development meets the intent of the Master Plan to provide single family residential uses on the property that are consistent with and comparable to surrounding developments:*
- b) *The proposed density of 1.65 units per acre matches the master planned density for the site:*
- c) *The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns"; and*
- d) *The consolidation of the several parcels affected into an integrated single-family land development project will result in an enhancement of the project area as compared to development of smaller land areas.*
- e) *The final approval document requires the developer meet an 80% or greater opacity and plant a minimum of 18 foot trees in the conservation easement.*

Roll call vote on CM 15-08-119

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

3. Approval to purchase three Force America CommandAll regulating controllers and three wing plows for the City's winter maintenance fleet from Truck and Trailer Specialties Inc., the low bidder, in the amount of \$154,188; and approval of a resolution to amend the budget to add \$24,200 to this line item.

**City Council Minutes
July 27, 2015 - Excerpt**

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

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

Roll call vote on CM 15-07-100

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

Nays: Mutch

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

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

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

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

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

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

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

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

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

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

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

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

CM 15-07-101

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

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

- 1) The rezoning request with PRO requires numerous deviations from the Zoning Ordinance standards, including the following as indicated on the submitted PRO Concept Plan:
 - a. Reduction in the front yard setback from 30 feet to 25 feet, and reduction in the aggregate of the side yard setbacks from 30 feet to 25 feet,
 - b. Lack of the required berm along the church property line,
 - c. Missing pathway connections from the internal loop road to Ten Mile Road, and the missing pathway stub from the south loop road to the south property line,
 - d. Lack of stub street connections every 1300 feet along the perimeter of the site, and
 - e. Lack of paved eyebrows for the proposed internal road system.

- 2) The City Council finds that the proposed PRO rezoning would not be in the public interest, and the public benefits of the proposed PRO rezoning would not clearly outweigh the detriments of the proposed plan, as provided in Section 7.13.2.D.ii, for the following reasons:
 - a. Two of the eight listed benefits (sidewalk connections and sewer line connection) would be requirements of any residential subdivision development as permitted in the R-1 Zoning District,
 - b. Preservation of natural features as shown on the proposed Concept Plan would be encouraged and could be accomplished in whole or in part as part of a typical development review, and,
 - c. Although not required, the right of way dedication that is proposed as a part of the plan is typical of new developments.
 - d. The remaining listed benefits are not of a sufficiently substantial character to justify use of the overlay option and the increase in developed density.

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

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

Roll call vote on CM 15-07-101

Yeas: Mutch, Markham

Nays: Poupard, Wrobel, Gatt, Staudt, Casey

CM 15-07-102

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

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

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

And subject to the following conditions:

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

This motion is made for the following reasons:

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

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

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

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

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

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

Roll call vote on CM 15-07-102

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

**Planning Commission Minutes
February 25, 2015 - Excerpt**

- be required in this Ordinance in relation to the most dominant use in the development;
- g. Each particular proposed use in the development, as well as the size and location of such use, results in and contributes to a reasonable and mutually supportive mix of uses on the site, and a compatibility of uses in harmony with the surrounding area and other downtown areas of the City;
 - h. The proposed development is under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance;
 - i. Relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service;
 - j. Relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area;
 - k. Relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourse and wildlife habitats;
 - l. Relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood;
 - m. Relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
 - n. Relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner; and
 - o. Relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Motion carried 5-0.

MATTERS FOR CONSIDERATION

1. Valencia South JSP13-0075 with Rezoning 18.706

Consideration of the request of Beck South LLC for Planning Commission's recommendation to City Council for rezoning of property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. The subject property is approximately 41.31 acres and the applicant is proposing a 66 unit single-family development.

Planner Kapelanski stated that the applicant is proposing a rezoning with PRO to develop 66 single-family homes on a 41 acre site at the southwest corner of Beck Road and Ten Mile Road. The parcels are currently made up of single-family homes and vacant land. Land to the north of the proposed project across Ten Mile Road is under construction for the development of single-family homes very similar to this proposal. Existing single-family developments can be found to the south and west and vacant land, single-family homes and a church are located to the east. The subject property is zoned R-1, One-Family Residential with R-1 zoning surrounding the site with the exception of the property to the north, which is zoned R-3 with a Planned Rezoning Overlay.

The future land use map indicates single-family uses for the subject property and the surrounding properties along with a private park designation to the east. There are significant amounts of natural features on the site. Impacts to natural features have been minimized to the extent practical. Permits for wetland and woodland impacts would be required at the time of site plan review and approval. The City's environmental consultant, Pete Hill of ECT, is here this evening to address any natural features concerns.

The applicant is proposing 66 single-family homes with a density of 1.65 units per acre, consistent with the R-1 zoning district provisions. Proposed lot sizes and widths are consistent with the standards provided in the R-3 district, hence the proposed rezoning. This matter was previously considered by the Planning Commission and a public hearing was held on February 11th. The applicant has revised their plan in response to the comments made by the Planning Commission. Specifically, the applicant has shifted the proposed development to allow for a fifteen foot conservation easement along the west and south property lines bordering the existing residential uses. They have also provided additional information on the proposed drainage patterns and impacts on adjacent septic's and wells. Sanitary sewer and water main stubs extended to the south property line for future connection have also been highlighted. Planning staff continues to recommend approval of the proposed rezoning to R-3 with a PRO as the plan meets the intended master plan density and the objective to maintain low density development and natural features preservation patterns in this area of the City. The engineering staff has reviewed the additional information and concurs with the applicant's response regarding drainage and impacts on adjacent properties. Staff has since changed their stance on the required ordinance deviation for the missing pathway construction to Andover Pointe and supports the deviation with the applicant providing an easement. Staff continues to recommend the increased rear yard setback as shown in the applicant's sketch of an altered building footprint that would increase the rear yard setback but require a five foot deviation for the front yard setback and the aggregate setback of the two side yards. This would only apply to those lots bordering the existing residential developments. The Planning Commission is asked to make a recommendation on the proposed rezoning with PRO this evening.

Chair Pehrson asked the applicant to step forward and address the board.

Howard Fingerroot, managing partner of Pinnacle Homes, stated he is present to answer any questions that anyone may have. At the previous meeting the board requested them to consider pushing the development to the east and the north. They did in both cases and studied the concerns of the neighbors regarding the well and septic. Island Lakes of Novi was a different issue since they were by a lake and there were ground water issues. The soil borings which go down 25 feet show no water that would need to be de-watered. He believes the soils makeup at the proposed location is different than that of Island Lake.

Chair Pehrson turned the matter over to the Planning Commission for discussion.

Member Baratta told the applicant that he saw the engineering study regarding the drainage sewer hookups and his efforts on the buffer. The current zoning is R-1 and the applicant wants to have it changed to R-3 but there needs to be a public benefit. You can build the same numbers of houses on an R-1 as in R-3 zoning and would like to know more reasoning for the change.

The applicant stated that they are requesting the R-3 PRO because he believes it will make them better stewards of the land. They will be preserving close to 30% open space and their density will be lower than Echo Valley to the west of them. They have 12 homes along the western property line which is the same number of homes Echo Valley has on the east property line. In

the south they have six houses that back up to the property line and Andover Pointe, and seven homes backed up to the property line. It is consistent with the surrounding zonings. Technically it is not an R-3, but an R-3 PRO which will allow them to preserve more of the natural features and keep the density to R-1 zoning.

Member Baratta asked the applicant about the 15' buffer to the west and south that was discussed at the last meeting. This buffer seems limited and he is not sure it will provide the existing residents the look, feel and screening they want for their backyards. He would like to know if there is any more room to add depth to the conservation easement.

The applicant stated that when they had met with the neighbors, they asked for the proposed homes to be pushed further away from them. They have figured out a way to give them a 50 foot setback instead of the required 35 foot setback by changing the architecture. Based on the Chairman's request to push the subdivision to the east, they have created more space providing 65 feet from the property line to the back of the proposed homes. Typically there is not a buffer between subdivisions; it is mostly seen in Industrial zoning, so he feels it is generous of them to be providing a buffer at all.

Member Giacometti stated there had previously been discussion about a bond being required to be posted for the project to protect the sewer and septic fields. He asked the applicant if he has any objections to posting the bond for a period of time.

The applicant stated that the city requires financial guarantees that they have to post with any development. They had to post over two million dollars for each of the other subdivisions they developed; it is also part of the subdivision ordinance. If there was an indication that there was going to be some de-watering necessary like in Island Lake, he thinks it could be a request. Looking at the soil boring logs and analysis, the engineers agreed that it does not look like it will be an issue. He strongly prefers not to have to post the bond because he does not feel it makes any sense since there are no engineering facts behind the request, only the concerns of the neighbors.

Member Giacometti stated that he would make a recommendation that there would be a bond considered. He also listened to the concerns of the neighbors and read a number of the letters against the proposal. He is not convinced that changing the zoning from R-1 to R-3 is necessary since the same number of properties can fit under the R-1 zoning.

Member Greco commented that when growing up in a rural area, you will always want the wooded areas to stay, but with development and private land this cannot happen. He understands the concerns of the neighbors and what they presented to the board, but many of the concerns are the same exact concerns that would be present if an R-1 development was proposed. The reason for the PRO overlay is to give the city more control on what the city wants and to respond to issues with respect to the neighbors. The Planning Commission has dealt with this intersection on the west side on the north and the south for at least ten years, and the Planning Commission and the city have denied zoning requests every single year. When Valencia North and South were proposed, they were able to provide a plan and it was very apparent that the developer was trying to make as much money as possible. With respect to the number of homes being built and the number of homes in the development versus what else could be developed, (including larger homes with an increased buffer, moving it to the northwest and creating a conservation easement,) these are all requests made by the city. If it were an R-1 development being proposed, all these requests could not be justified. The development looks to be viable and is acceptable to the area. Looking at the aerial view, the

area is going to increase and grow. With respect to the alternative as to what could potentially be developed in this area, this proposal seems to be a good plan. It provides an additional buffer for the existing neighbors and the Planning Commission can request the City Council add a bond with respect to potential areas regarding septic; this is giving the residents more than they would get under an R-1 development.

Chair Pehrson stated that he is in complete agreement with Member Greco. They have turned down many proposals for the area over the years because it did not fit the community. The argument of Dissimilar-Similar is something that was picked up and carried forward but has no real meaning in this particular situation. You will not find the same kind of architecture that existed twenty years or so ago to meet today's modern standards and what the people in the community want. They have allowed and provided for an ordinance change with this kind of PRO so the board can hold the developer to a higher standard and put constraints around the development. If this were a conventional R-1 development, there could potentially be lot lines and easements/buffers that will be much less. They are not doing the city any good by turning down this particular rezoning request. He feels this is the right application and is appreciative of the changes the developer has been willing to make.

Member Zuchiewski questioned what control the PRO gives them over a project that they do not have in a normal development of this nature.

Attorney Dove stated that with a PRO, it is controlled by a PRO agreement which is a binding contract that runs with the land and is the document stating the commitments of the developer. In traditional zoning with an R-1 proposal, if the lot sizes and density are conforming, there is no option but to approve it and there are not any negotiations.

Moved by Member Greco and seconded by Member Baratta:

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

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

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

- a. Applicant must provide an increased rear yard setback of 50 ft. for Lots 19-30 and 43-46 consistent with the provided sketch;

- b. Applicant must provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering memo dated January 7, 2015;
- c. Applicant complying with the conditions listed in the staff and consultant review letters; and
- d. The City Council should consider a bond requirement with regard to the well and septic issues brought forward by the residents.

This motion is made because:

- a. The proposed development meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments;
- b. The proposed density of 1.65 units per acre matches the master planned density for the site; and
- c. The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns;"

Member Giacometti stated that he agrees with most of what Member Greco has said and it is the responsibility of the Planning Commission to do what they feel is best for the city. He agrees that the new development will be more tax revenue for the city which needs to be considered. There are some aesthetic benefits including the tree line along Ten Mile Road and Beck Road. He understands that the developer can come back with something that is less attractive but is uncertain if this is what is in the best interest of the city as a whole. He is not in support of this motion.

ROLL CALL VOTE ON MOTION RECOMMENDING APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

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

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

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

- e. Applicant must provide an increased rear yard setback of 50 ft. for Lots 19-30 and 43-46 consistent with the provided sketch;

- f. Applicant must provide a pathway connection to Ten Mile Road from the internal loop street as noted under Comment 1 of the engineering memo dated January 7, 2015;
- g. Applicant complying with the conditions listed in the staff and consultant review letters; and
- h. The City Council should consider a bond requirement with regard to the well and septic issues brought forward by the residents.

This motion is made because:

- d. The proposed development meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments;
- e. The proposed density of 1.65 units per acre matches the master planned density for the site; and
- f. The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns;"

Motion carried 4-1.

2. APPROVAL OF THE FEBRUARY 11, 2015 PLANNING COMMISSION MINUTES

Moved by Member Greco and seconded by Member Baratta:

VOICE VOTE ON THE FEBRUARY 11, 2015 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to approve the February 11, 2015 Planning Commission Minutes. *Motion carried 5-0.*

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Greco and seconded by Member Baratta:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to adjourn the February 25, 2015 Planning Commission meeting. *Motion carried 5-0.*

The meeting was adjourned at 9:20 PM.

Transcribed by Stephanie Ramsay
February 27, 2015
Date Approved: March 25, 2015

Planning Commission Minutes
February 11, 2015 - Excerpt

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 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

Moved by Member Baratta and seconded by Member Greco:

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

In the matter of Chamberlin Crossings, JSP14-82, 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 being 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 Baratta and seconded by Member Greco:

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

In the matter of Chamberlin Crossings, JSP14-82, 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 is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

2. Valencia South JSP13-0075 with Rezoning 18.706

Public hearing of the request of Beck South LLC for Planning Commission's recommendation to City Council for rezoning of property in Section 29, on the southwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. The subject property is approximately 41.31 acres.

Planner Kristen Kapelanski stated that the applicant is proposing a rezoning with PRO to develop 66 single-family homes on a 41 acre site at the southwest corner of Beck Road and Ten Mile Road. The parcels are currently made up of single-family homes and vacant land. Land to the north of the proposed project across Ten Mile Road is under construction for the development of single-family homes very similar to this proposal. Existing single-family developments can be found to the south and west and vacant land, single-family homes and a church are located to the east. The subject property is zoned R-1, One-Family Residential with R-1 zoning surrounding the site with the exception of the property to the north, which is zoned R-3 with a Planned Rezoning Overlay. The future land use map indicates single-family uses for the subject property and the surrounding properties along with a private park designation to the east. There are significant amounts of natural features on the site. Impacts to natural features have been minimized to the extent practical. Permits for wetland and woodland impacts would be required at the time of site plan review and approval. The City's environmental consultant is here this evening to address any natural features concerns. The applicant is proposing 66 single-family homes with 28% open space resulting in a density of 1.65 units per acre, consistent with

the R-1 zoning district provisions. Proposed lot sizes and widths are consistent with the standards provided in the R-3 district, hence the proposed rezoning.

Planning staff has recommended approval of the proposed rezoning to R-3 with a PRO as the plan meets the intended master plan density and the objective to maintain low density development and natural features preservation patterns in this area of the City. A PRO requires the applicant propose a public benefit that is above and beyond the activities that would occur as a result of the normal development of the property. The applicant has proposed the following benefits: housing style and size upgrade as demonstrated by the included renderings and similar to what is being constructed to the north; increased frontage open space, 28% open space on the site, dedication of rights-of-way and an off-site sidewalk connection along Beck Road. The applicant has also offered to preserve the remaining on-site natural features with a conservation easement. Ordinance deviations have been requested by the applicant for inclusion in the PRO Agreement for the following items: Lack of berm along the church property line, lack of paved eyebrows and missing pathway connections to Ten Mile Road and to the adjacent Andover Pointe No. 2. Staff supports the waiver of the berm surrounding the church property and the lack of paved eyebrows. Staff does not support the missing pathway connections for the reasons noted in the engineering review letter. The applicant has proposed a creative solution in response to the concerns of residents in the adjacent developments to the west and south for an increased rear yard setback for the proposed homes. The sketch shows an altered building footprint that would increase the rear yard setback but require a five foot deviation for the front yard setback and the aggregate setback of the two side yards. This would only apply to those lots bordering the existing residential developments. Staff supports these deviations. All reviews recommend approval of the concept plan noting items to be addressed on the Preliminary Site Plan submittal. The Planning Commission is asked to make a recommendation on the proposed rezoning with PRO this evening.

Chair Pehrson asked the applicant to come to the front and address the board.

Howard Fingerroot, managing partner with Pinnacle Homes stood before the board. He stated that he wanted to do a review of what they were proposing at Valencia South. The process was started in May of last year and they have had discussions with neighbors and listened to what they had to say. He thinks they have been able to put together a very nice plan. By way of background, Pinnacle Homes has built four communities, making this project the fifth since 2009. In 2009 they bought a project called Provincial Glades. It was a 70 unit development and they completed the development along with the last 67 homes. A few years later they did a smaller project on Eight Mile called Normandy Hills. It was started by another company and they came in, finished the development and built about 12 homes. Two years ago, they started Andelina Ridge at Napier Road and Twelve Mile Road, which is currently under construction. They paved Twelve Mile in front of their site and put together a nice landscape package including the entry way and walls which is being well received. Across the street from the proposed Valencia South is Valencia Estates which was 38 home sites. They have a lot of experience in the City of Novi, they work well with the staff and have lived up to all of the requests and obligations they have made. Before discussing Valencia South, he brought some elevations of homes to show the board to give them an idea of what these homes would look like. The samples are upgraded in elevation, size and materials and range from approximately 2,800 to 4,000 square feet. These are homes they have built in Novi over the last few years with a variety of elevations. He stated that Novi has an ordinance called Similar-Dissimilar which no other city has. When builders come to Novi, it is difficult because you have to look through the entire neighborhood. He appreciates it because it has resulted in them doing a variety of elevations which they have also been able to use in other communities. Ultimately, it has been a positive process. The samples he brought with

him today will be used to a limited degree in the Valencia South development. He also brought pictures with him of other homes they have built in Novi.

The plan for Valencia South is to build 66 luxury home sites as a PRO. The PRO is a good way to develop this site. There are two boulevard entrances off Beck Road with sidewalks throughout, open space (approximately 28%) and a park in the middle. From a planning and environmental perspective, they feel the open space is a good benefit. They have increased the greenbelt primarily along Ten Mile Road and there is a lot of landscaping to make it appealing for the traffic driving back and forth. On the north corner, they took away the concern of having it rezoned, which is also an added benefit. They bought the corner and 70% of it will be left untouched, or they will have additional trees planted in that area so it will be nice for the community. In regards to the rear yard setback, they met last summer with the neighbors. They requested that the homes be pushed back further from theirs. The rear yard setback required is 35 feet and they requested it to be 50 feet. Mr. Fingerroot provided a photo slide to show the potential changes they were going to make to provide a larger rear yard and be able to accommodate the neighbors. The other issue to be addressed is the two paths which were not shown in the site plan. One of the paths would go to the property to the south where there is an existing home, which he was not sure if it would be beneficial to anyone, but if the board wants them to install it they will. The second path goes to the north to Ten Mile Road and goes between two homes. He prefers not to put paths between homes because the people that buy those homes typically do not like people walking within 10 or 15 feet of their house. Again, if the board would like them to install it, they will.

Chair Pehrson opened the case to public hearing and asked anyone that wished to speak to address the board.

John Kuenzel, 23819 Heartwood, President of the Echo Valley Homeowners Association stood before the board. He is concerned about another community being developed next to them. He listed who would be affected and who would gain from Valencia South. Even with a 50' rear setback, the new homes would be very close to their properties and the space would be denuded of trees and wildlife. He is requesting a conservation easement bordering the neighboring subdivisions to be a part of the new development plan. If this easement is not a requirement for the design, the association will be challenging the proposed zoning change request from R-1 to R-3.

Gerald Harris, 23918 Forest Park Drive East, expressed his feelings against the proposal. This is the fourth attempt to make this development. He agrees that they wanted a greater rear setback behind the new homes and the attempt to accommodate from the developer is the only one that they will receive. He does not believe that that developer is complying with R-1 zoning requirements. In addition, there will be 2100 trees removed and only 481 trees will be replaced, resulting in a 78% loss. He is concerned about the loss of the specimen trees which are not accounted for in the tree replacement.

Michelle Brower, 47992 Andover Drive, stated that her house would be where the first path described would end if one was to be required. If Valencia South were already built when they were purchasing a home last summer, they would not have purchased the home that they did because they wanted a home in a less dense area. She feels that selling their home in the future will make it less marketable if R-3 zoned homes are surrounding their R-1 zoned home.

Chris Brower, 47992 Andover Drive, stated that he is against the rezoning. It is not consistent with the look and feel of the surrounding area and does not feel it is in the public's best interest. With

all the trees that would be removed to build the development, only 20% will be replaced. Based on the location of their home, there will be three homes built adjacent to his home, equivalent to his lot.

Jimmy McGuire, 48028 Andover Drive, stated that he has objections to the proposal. He does not think that he and the others in his community would gain anything from the rezoning. The only benefit the city would gain is the tax revenue. He likes the existing wooded buffer which is part of the reason why he chose to purchase a home on Andover Drive 20 years ago.

Bruce Flaherty, 48048 Andover Drive, stated that prior to purchasing his home, he spoke to someone at the city and asked about the possibility of the land going up for rezoning, and was told that it was R-1 and would stay R-1 based on the amount of existing wetlands and woodlands. The community and residents will not benefit and the impact on their property taxes will be substantial.

Marti Anderson, 48360 Burntwood Court, President of Andover Pointe No. 1, was present to represent Andover Pointe No. 1 and No. 2. She has a lot of wooded area behind her home which was a major reason as to why she purchased it. If there was a preserve, she thinks that people will be more receptive. Out of the 39 residents in Andover Pointe 1 and 2, 18 people reached out to her regarding the rezoning stating they wanted to fight it. Traffic is a problem at 10 Mile Road and Beck Road and at Grand River Avenue and Beck Road. They are also concerned about the water table rising since they have wells and septic systems.

Stacey Rose, 23940 Forest Park Drive, says that he has a ranch home and having an R-3 dense subdivision behind him will cause these large homes to be looking down onto his yard. He is strongly against the rezoning.

Chair Pehrson asked the board if there was any correspondence.

Member Greco stated that there is a lot of correspondence. He will read them in two groups, those in support and those that object to the rezoning. He started with those in support of the rezoning.

Reverend Timothy S. White of Oakland Baptist Church, 23893 Beck Road, thinks the addition to more homes and families to the area will bring good change to the community. Jacqueline Bakewell, 42750 Grand River Ave, is happy to see that the number of units proposed is what is permitted under R-1 zoning. If there is no additional impact on traffic and utilities she thinks it will be a positive development. Dan and Mona Poinsett, 23937 Beck Road, are in support because it is the exact same number of units allowed under R-1 zoning. The large open space at the corner of 10 Mile Road and Beck Road will be a good asset. Patricia Heath, 23445 Beck Road, thinks it will be beneficial to Novi. Kimberly Lochos, 42750 Grand River Ave, is in support. She likes the open spaces left at the corner of Ten Mile Road and Beck Road. Dr. Michael and Denise Balon, 47825 W Ten Mile Road, is in support of the development which includes their home and the six acres. They have reviewed the site plan and think the development is a good idea for the area. Krishna Baddam, 24266 Warrington Court, is in support. Jerry and Margo Smith, 23962 Forest Park Drive, are in support if the developer adheres to the 50 foot setback to the west four lots 43-46. Virginia A. Klaserner, 23973 Beck Road, thinks the development would be good for the city. Houston J. Taylor, 47665 W Ten Mile Road, is in support because of the same number of units, reduced lot size and because Novi will get more tax dollars.

Member Greco read the letters from those that are opposed to the development.

- William F. and Sally McInnes, 23830 Forest Park Drive, think the builder is interested in acquiring the R-3 zoning to allow a greater number of homes on smaller lots.
- Patricia Dominick, 47940 Cedarwood Drive, thinks the land should stay zoned R-1 as planned.
- Jeffrey Almoney, 47955 Andover Drive, thinks too many trees will be removed and the boundaries shown overlap Andover Drive properties. He says they need more green space and wetlands need to be preserved.
- Denise Edwards, 23880 Forest Park Drive, says there is already too much congestion. Traffic will be even worse with 66 more residents.
- Wonho Son, 47552 Valencia Circle, says there is already too much traffic at Beck Road.
- Thomas Jones, 47991 Andover Drive, says that the development only benefits Valencia South. There will be a decrease in property values for surrounding homes along with a loss of green space, environmental issues and an increase in traffic.
- Charles and Bonnie Threet, 47911 W Ten Mile Road, are in objection due to congestion and traffic accidents which are already a problem.
- John Nicholson, 47350 Baker Street, objects because traffic is already a problem. He does not want to see a decrease in wildlife.
- Maria Muzzin, 23966 Heartwood Drive, says that large homes backing up to her property will cause loss of property and loss of quality of life.
- James and Lucy McGuire stated that the development will decrease property values, increase traffic, loss of privacy, loss of greenspace, impact wildlife and environmental issues. Andover Pointe 1 and 2 were told by builders that nothing could ever be built on that property due to drainage issues.
- George Mahan, 47961 Cedarwood Court, thinks there will be too many homes in a small area and it will obstruct the nature of the landscape growth.
- Gerald & Susan Harris, think the change and rezoning is excessive. They have issues with the tree removal and replacement proposal. The proposed public open spaces would not be public or open for the citizens.
- Michelle Brower wrote that the proposed development is inconsistent with the city plan, there will be a loss of trees and increased traffic congestion. There was also a letter submitted from
- Chris and Michelle Brower outlining the statements they made at the meeting.
- Stacey & Kathy Rose, 23940 Forest Park Drive, state that the R-1 density around their home was a considered when they purchased their home. The proposed 50 foot setbacks do little to ease the change in density and the large homes would tower over the smaller homes of Echo Valley Subdivision.
- Debra Nikutta objects because of the increase in traffic and potential drainage issues.
- Barry Buha, 48035 Andover Drive, thinks that the number of homes proposed is too dense for the property and will result in a loss of privacy.
- Stacey Gleeson, 23819 Forest Park Drive, thinks the area is already too crowded, the roads are congested, wildlife will be impacted and zoning does not conform for that area.
- Kevin Nikutta, 23714 Forest Park Drive, believes the increased density will cause more traffic, reduced privacy and potential drainage issues. The development will be out of character with the surrounding area.
- Bruce and Mary Flaherty, 48048 Andover Drive, believe there will be an impact on the environment and there is no benefit to the community.
- Marti Anderson, 48360 Burntwood Court, does not believe the development will benefit the current residents and there are concerns on the impact of the wildlife.
- Bruce Bergeson at 48299 Burntwood Court, Laura Yokie at 47700 Edinborough Lane, Robert Gasparotto at 48320 Burntwood Court, Dan Brudzynski at 47699 Edinborough,

Harry Nutile at 48227 Andover Drive and Kelly Esper at 48051 Andover Drive, are all in objection because there is no benefit to the abutting subdivisions and they are concerned about environmental issues, wildlife impact, water table change, increased traffic, loss of privacy and greenspace.

- Mr. and Mrs. Krupic at 48076 Andover Drive, state that the 50 foot setback does not provide privacy and believes it will impact their septic system and existing well, along with increased traffic, loss of wildlife and other listed concerns.
- Daniel Carlson, 48340 Burntwood Court, thinks the area of interest is already over-developed.
- Tim Ruffing at 23733 Heartwood Drive wrote that he was in objection.
- Mr. Kuenzel is objecting because the open spaces are not a natural transition between the new development and existing subdivisions, and it will cause more traffic problems, a loss of privacy and many other issues. He would like to see a conservation easement between the proposed and existing subdivisions along with the 50 foot rear setback requirement.
- Kristen Pietraz, 48380 Burntwood Court, does not see any benefit to the current abutting subdivisions. There will be an impact on wildlife, environmental and drainage issues, decreased property values and loss of privacy.

Chair Pehrson closed the public participation and opened the discussion to the Planning Commission.

Member Baratta asked City Attorney Dove if the public benefit for change of zoning needs to exclusively benefit the neighbors or the city as a whole.

Attorney Dove stated that a public benefit means the city in general, it is not exclusive to the neighbors.

Member Baratta asked Engineer Jeremy Miller if they have looked at water hookups, water table reduction and impact on septic systems in their studies.

Engineer Miller stated that it has not been reviewed entirely but the project would be connecting to the city water main and sanitary and it provides stubs to connect to in the future.

Member Baratta asked if the elevation has been reviewed in comparison to the elevation of surrounding neighborhoods.

Engineer Miller stated that it was detailed on the plans.

Member Baratta asked if someone could confirm that the density allowed in R-1 and R-3 is the same.

Planner Kapalanski stated that the proposal is consistent with R-1 zoning which is 1.65 units per acre. If it were an R-3 zoning district, more would be allowed, which is about 2.7 units per acre.

Member Baratta inquired about the drawing the developer brought in proposing elevations and a smaller garage and asked if it is consistent with city codes.

Planner Kapalanski stated that they would need the reduced setback for the front yard and side yards, otherwise it looks consistent.

Member Greco asked the petitioner if they considered installing an easement or tree line between the properties that abut the subdivision.

Mr. Fingerroot stated that the city has a strict tree ordinance. They are cutting down a lot of trees and will be replacing as many as possible on site. For those they cannot replace on site they can replace off-site or put towards a tree fund. They could put a conservation easement in the rear yard and plant some of the replacement trees in that easement. His concern was whether a conservation easement could be in someone's yard and what would happen if the homeowner were to cut one of the trees down. Another option would be to create the conservation easement and put it in favor of the homeowners association which would make them enforce the trees not to be cut down.

Member Greco stated he thought it would make more sense to have the homeowners association enforce it.

Mr. Fingerroot stated his engineer says there are a lot of drainage considerations. If trees were to be placed in a conservation easement, they may not be placed every 15 feet because of the topography and where the storm sewer is located.

Member Greco asked the staff that with the increased setback from the neighboring properties, if it was left R-1 and someone was coming in with an R-1 project, would it be safe to say that a bigger home on a bigger lot with smaller setbacks, could be imposed on the existing subdivisions?

Planner Kapalanski confirmed that the R-1 district does not require a 50 foot rear yard setback, only 35 feet is required. She also stated that in regards to side entry garages, they are encouraged by the ordinance but are not required.

Member Greco asked the staff if they reviewed and considered the pathways the developer was willing to install and whether it was a requirement. He is generally in favor of pathways but was unsure about the proposed pathways for this particular project.

Engineer Miller stated that a pathway ordinance passed in December 2014 to encourage more pathways and connections to existing and future city facilities and between neighborhoods.

Member Anthony asked the environmental consultants if someone were to come in with an R-1 development for this area, if the state has a process for the wetlands to become buildable.

Matt Carmer, ECT Consultant, stated that the wetlands are not regulated by the State of Michigan due to their small size, but they are regulated under the Novi ordinance.

Member Anthony said that this is a key point that he wanted everyone to be aware of. He stated that more wetland areas and green space will be preserved with the proposed configuration. The corner space that residents were concerned about becoming commercial would no longer be an issue. He asked the applicant if the 50 foot setback would apply to both the southern and western lots along with confirming the tree replacement program being for both the southern and western lots.

The applicant confirmed that the setback and tree replacement program would apply to both sets of lots.

Member Anthony expressed his support on the pathways being installed. The City of Novi is working to continue to create a non-motorized work plan, which ties the communities together and makes it a walkable, bicycle ride-able community. This is beneficial to raising young families.

Chair Pehrson asked the developer if he considered what the plan would look like if it were developed R-1.

Mr. Fingeroot stated that he thinks there would be lots that would back up to Ten Mile Road and the buffering would be different. With larger homes built in an R-1 district there would be a greater impact on the trees. The plan to rezone to R-3 is more environmentally sensitive. It would not affect the neighbors much differently.

Chair Pehrson asked the applicant if the smaller side setbacks may generate a more dense appearance to the neighborhood.

The applicant stated he did not think it would. He believes it would appear denser if the homes were built 65 feet wide as opposed to the proposed 55 feet wide.

Chair Pehrson asked the other board members if they could require the smaller homes to be in a certain area of the subdivision instead of mixed in with the larger homes.

The applicant explained that there would be no visual change if a 2,800 square foot home were next to a 4,000 square foot home because of how they maximize the width of the house.

Chair Pehrson stated that density is the main concern. Echo Valley has a density of 1.94. The proposed subdivision would have a density of 1.6. Looking across the street, there are homes abutting Ten Mile Road. He asked the applicant if he looked at the configuration to possibly mirror what already exists on Ten Mile Road. Homes would be moved to the north and further away from Andover Pointe. He also asked if he had considered removing the first three lots facing Beck Road and moving everything to the east furthering the buffer between the west and the south.

The applicant said they could not move the homes further east without changing the density.

Chair Pehrson stated that he understands that the developer wants to install as many homes as possible on the land. No matter what they decide, there is going to be someone that is not happy with the decision since it is interfering with the existing open land but the board is trying to re-plan the proposed development to make it accessible and comply with the public's requests. He asked the board if the Planning Commission were to suggest a conservation easement be added, do they prepare language to put in front of City Council or table a motion to allow the applicant to consider what was discussed in regards to the conservation easement and pathways?

Attorney Dovre confirmed that the Planning Commission can make recommendations for City Council or they could postpone consideration.

Chair Pehrson stated that he is in favor of the motion for the rezoning because the density is consistent with the best case scenario. He is asking the maker of the motion to consider a review of the configuration of the lots to potentially remove the three lots adjacent to Beck Road and consider moving everything to the north to mirror what is existing on the southeast side of the street. In regards to the number of trees being removed, he would like to see a sufficient number

of trees be replaced on the property or elsewhere in the city.

Planning Director McBeth stated that the wetland and woodland permit are reviewed in more detail at the time of preliminary site plan. If this goes to City Council and it is approved, it will go for an agreement then back to Planning Commission for the woodland and wetland permits.

Chair Pehrson stated that in regards to the paths, he wants staff to sit down with the applicant and determine what the best resolution is.

Mr. Fingerroot commented that he has reviewed the condition of the road pattern with staff multiple times. It is a complicated process and he believes they have come up with what they feel is the best road pattern taking the woodlands, wetlands and the geometry of the roads into account.

Chair Pehrson stated he doesn't know what the solution is or if this is the final product, but he wants them to review it as many more times as needed to see if they happen to think of additional ideas and to make sure nothing has been missed.

Member Baratta said when he originally saw the proposal, he initially thought the homes were close to the existing homes. He is concerned about the septic systems, wells and sewer systems and is interested in the idea of the buffer and tree lines being installed. He would like to see what the plan and engineering study would look like, along with the impact it would have on the adjacent properties before he would be prepared to make a motion.

Moved by Member Baratta and seconded by Member Zuchiewski:

In the matter of the request of Valencia South JSP13-75 with Zoning Map Amendment 18.706 motion to postpone consideration until the February 25, 2015 Planning Commission Meeting agenda in order for the applicant to consider and provide details on the following items:

- a. Elevation and drainage as they relate to adjacent properties;
- b. Impacts on adjacent properties' septic systems and wells;
- c. Applicant consideration of the creation of a conservation easement area bordering the existing developments to the south and west to be planted with woodland replacement plantings;
- d. Applicant consideration or further detail provided on the ability of the neighboring developments to the south and west to connect into the City sewer and water systems.

Mr. Fingerroot stated that in regards to the septic, they are connecting to city water and sewer. It will not affect the resident's wells or septic field when developing 200 feet away. He will be able to make the next meeting to go over the additional details.

Chair Pehrson asked the board if they had any additional comments or questions.

Member Giacometti asked for verification on the specific details that will be discussed at the next meeting.

Chair Pehrson stated that it relates to the neighbors and the buffer, the conservation easement and the trees installed.

Member Giacometti stated that he is not in agreement to table to motion since he is prepared

to make a motion.

ROLL CALL VOTE TO POSTPONE CONSIDERATION UNTIL THE FEBRUARY 25, 2015 MEETING APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHIEWSKI:

In the matter of the request of Valencia South JSP13-75 with Zoning Map Amendment 18.706 motion to postpone consideration until the February 25, 2015 Planning Commission Meeting agenda in order for the applicant to consider and provide details on the following items:

- e. Elevation and drainage as they relate to adjacent properties;**
- f. Impacts on adjacent properties' septic systems and wells;**
- g. Applicant consideration of the creation of a conservation easement area bordering the existing developments to the south and west to be planted with woodland replacement plantings;**
- h. Applicant consideration or further detail provided on the ability of the neighboring developments to the south and west to connect into the City sewer and water systems.**

Motion carried 5-1.

MATTERS FOR CONSIDERATION

1. SUNBELT RENTAL BUILDING ADDITION JSP14-0068

Consideration at the request of Ideal Contracting for the approval of the Preliminary Site Plan. The subject property is located in Section 17, south of Grand River Avenue, east of Wixom Road and west of Beck Road in the I-2, General Industrial District. The applicant is proposing to expand the existing 10,353 SF construction equipment rental space by adding 6,250 SF three (3) bay pre-manufactured metal building addition for equipment repair and related parking and landscape improvement. The applicant is not proposing any storm water improvements on site.

Chair Pehrson asked the applicant to stand and address the board.

Kristofer Enlow from Enlow Engineering stated that he is the engineer on the job, and with him is Sam Gill from Ideal Contracting and Dean Cushman with Core Design Group. They are proposing an addition on the existing Sunbelt Rental building. The addition will be on the south side of the site and it is accurate that they are not proposing any storm water improvements. The addition is being placed over an existing parking area and an additional impervious surface is not being created.

Planner Sri Komaragiri stated that the subject property is approximately 5 acres and is located in section 17, south of Grand River Avenue, east of Wixom Road and west of Beck Road. The subject property is zoned I-2, General Industrial district. It is surrounded by I-2 zoning on the east, I-1 Light Industrial on the south and west and Community Business District on the north of Grand River Avenue. The Future Land Use map indicates Office Research Development and Technology uses for the subject property and the surrounding properties. There are no regulated wetlands or woodlands areas on the property. The applicant is proposing to expand the existing 10,353 sq. ft. Sunbelt construction equipment rental space by adding a 6,250 sq. ft. three bay pre-manufactured metal building addition for equipment repair along with required parking and landscaping. This is a permitted use in the I-2 district. The applicant has been actively working with the staff addressing the concerns with the initial and the revised submittals. Planning, engineering, traffic and fire reviews recommend approval for the current site plan with additional comments to be addressed during final submittal. The applicant has agreed to staff

Planning Review Letter



PLAN REVIEW CENTER REPORT

December 23, 2015

Planning Review

Valencia South

JSP13-75

Petitioner

Beck South LLC

Review Type

Preliminary Site Plan

Property Characteristics

- Site Location: Parcels surrounding the southwest corner of Beck Road and Ten Mile Road (Section 29)
- Site Zoning: R-3, One-Family Residential (Approved City Council 7-27-15)
- Adjoining Zoning: North (across Ten Mile Road): R-3 PRO; East, South and West: R-1
- Current Site Use: Single-Family Homes and Vacant Land
- Adjoining Uses: North: Valencia Estates; East: Single-Family Homes and Oakland Baptist Church; South: Andover Pointe No. 2 and Single-Family Homes; West: Echo Valley Estates
- School District: Novi Community School District
- Site Size: 41.21 gross acres, 40.27 net acres

Project Summary

The petitioner is proposing to combine eight parcels and a portion of two additional parcels that total 41.21 gross acres in order to build a 64-lot single-family residential subdivision, known as Valencia South. The properties were rezoned from R-1 to R-3 on July 27, 2015, utilizing the City's Planned Rezoning Overlay (PRO) option. The rezoning allowed for smaller and narrower lots, but still maintaining a density that is permitted in the R-1 zone district. The PRO agreement was approved and recorded by Oakland County on August 24, 2015. The agreement lists several requirements that must be met as part of the final site plan. The PRO agreement will remain connected to the land in perpetuity, so that future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two years after final approval, the rezoning and PRO concept plan expires and the agreement becomes void. A copy of the PRO agreement has been attached to this memo.

The preliminary site plan dated 10-14-15 illustrates 64 lots on 40.27 net acres resulting in a density of 1.59 units per acre, slightly below the 1.65 units per acre that would be allowed in the R-1 zone district. The configuration of the lots has been changed slightly since the PRO concept plan. The gross acreage of the site has been decreased by 0.1 acres, due to some land being dedicated to road right-of-way and for a portion of the existing sidewalk along Ten Mile Road and minor lot size changes. The project is still within the allowed density.

A 30' wide conservation easement has been provided along the entire length of the west and south property lines. This conservation easement area is currently wooded and will remain as a natural buffer to the existing subdivisions to the extent possible. However, as part of the PRO agreement, some of the invasive vegetation will be removed within the easement areas and additional evergreen trees will be planted as space provides. Four open space areas are illustrated

on the plans, labeled A-D. However, open space "B" is labeled twice and open space "C" is omitted, which should be corrected on the plans. The combined open space areas total 13.10 acres or 31.71% of the development.

Most of the storm water runoff will be directed to two basins, located at the northwest and southeast corners of the property, adjacent to Ten Mile Road and Beck Road respectively. Storm water would also be directed to Wetland A and a lowland area in the center of the development. It would appear that most of the storm water will be directed to the two detention basins, but that a smaller volume will also be directed to the wetland/lowland area.

The internal road layout has been altered since the PRO Concept Plan to minimize cut-through traffic between Ten Mile and Beck Roads. A traffic calming area is proposed in front of lot 20, in which the width of the road is decreased from 28' to 21'. As part of the PRO agreement, an 80' section of sidewalk will be completed off-site, along Beck Road in front of the Poinsett property just north of Oakland Baptist Church.

Natural Features

There is a significant area of regulated woodlands on the site including trees that could be considered specimen trees. The applicant has proposed woodland impacts and will need to plant woodland replacement trees and contribute money to the tree fund to account for said impacts. The applicant has submitted the required tree survey and has agreed to provide woodland conservation easements for any areas containing woodland replacement trees and for those woodland areas being preserved as open space. The applicant was encouraged to modify lot boundaries to minimize impacts to quality/specimen trees. Please refer to the woodland review letter or additional information.

There are six on-site regulated wetlands and the preliminary plan proposes 0.212 acres of impact to the wetlands through the complete filling of Wetlands B and F and partial filling of Wetlands A and E. An impact on the 25-foot natural features setback is anticipated as well. The applicant has agreed to provide wetland conservation easements for any wetland or 25 foot wetland buffer areas with designated open space areas. The applicant was encouraged to modify lot boundaries to minimize impacts to the wetlands and wetland buffer areas. Please refer to the wetland review letter for additional information. The applicant has noted that they have taken great care to avoid wetland impacts to the extent practical and are preserving the majority of the wetland areas on the property and have altered the site layout as part of previous review comments regarding wetland impacts.

Recommendation

Approval of the Preliminary Site Plan is recommended at this time. The plans that were submitted generally meet the requirements of the Zoning Ordinance. Comments need to also be addressed from the Engineer, Landscape Architect and Wetlands & Woodlands consultant. Planning Commission approval of the Preliminary Site Plan is required per Section 6.1 of the Zoning Ordinance. There are minor planning related items to be addressed on the Final Site Plan submittal.

Planned Rezoning Overlay

City Council approved the PRO Concept plan on August 24, 2015 meeting with the following ordinance deviations. A complete copy of the PRO agreement has been attached to this memo.

- a) *Reduction in the required front yard building setback for Lots 19-30 and 37-39 (30 feet required, 25 feet provided);*
- b) *Reduction in the required aggregate of the two side yard setbacks for Lots 19-30 and 37-39 (30 feet required, 25 feet provided);*
- c) *Waiver of the required berm between the project property and the existing church in order*

- to preserve existing mature vegetation;*
- d) *Administrative waiver to omit the required stub street connection at 1,300 foot intervals;*
 - e) *Design and Construction Standards waiver for the lack of paved eyebrows;*
 - f) *Design and Construction Standards variance for the installation of the required pathway to the adjacent Andover Pointe No. 2 development with the condition that an easement is provided.*

And subject to the following conditions:

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

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (R-3: One-Family Residential Districts), Article 4 (Use Standards), Article 5 (Site Standards) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant and incorporated as part of the final site plan submittal.

1. **A residential entranceway light required at each entrance along Ten Mile Road and Beck Road. The light style may be one of the four pre-approved styles (see attached).**
2. **The applicant shall pursue obtaining an easement for the 80' wide section of sidewalk along Beck Road in front of the Poinsett property. Please provide a status in the response letter.**
3. **Sheet 2 illustrates Wetlands "A-D", but "B" is labeled twice with no "C". Please clarify.**
4. Master Deed/Covenant and Restrictions will be required to be submitted for review during Final Site Plan review.
5. Applicant has agreed to provide a conservation easement over remaining wetland and natural features setback areas. Easement documents will be required with Final Site Plan.
6. Lot Combination & split will have to be completed with the church and Poinsett properties prior to final site plan approval.

All department comments were received for the preliminary site plan on November 16, 2015. All departments are recommending approval of the preliminary site plan contingent upon some outstanding comments.

The landscape architect has recommended that the applicant apply for a waiver from the requirement to install a berm and trees along the frontage of Ten Mile and Beck roads. The frontages along Ten Mile and Beck roads are currently heavily wooded, and the installation of a berm would involve removal of the trees in this area, being counterproductive to screening the subdivision. Please see review letters attached to this memo.

Site Addressing

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

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

Street and Project Name

The project is intended to be named Valencia South with several streets, which will have to be considered and approved by the Street and Project Naming Committee. The applicant should contact Richelle Leskun at rleskun@cityofnovi.org or 248-347-0579 to arrange an application to the Street and Project Naming Committee.

Pre-Construction Meeting

Prior to the start of any work on the site, Pre-Construction (Pre-Con) meetings must be held with the applicant's contractor and the City's consulting engineer. Pre-Con meetings are generally held after Stamping Sets have been issued and prior to the start of any work on the site. There are a variety of requirements, fees and permits that must be issued before a Pre-Con can be scheduled. If you have questions regarding the checklist or the Pre-Con itself, please contact Sarah Marchioni [248.347.0430 or smarchioni@cityofnovi.org] in the Community Development Department.

Chapter 26.5

Chapter 26.5 of the City of Novi Code of Ordinances generally requires all projects be completed within two years of the issuance of any starting permit. Please contact Sarah Marchioni at 248-347-0430 for additional information on starting permits. The applicant should review and be aware of the requirements of Chapter 26.5 before starting construction.

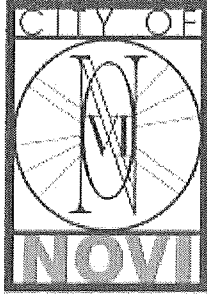
Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this, and in the other review letters, is requested to be submitted prior to the Planning Commission meeting and with the next set of plans addressing each of the comments listed above and in other review letters.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0586 or cgruba@cityofnovi.org.

Engineering Review Letter

MEMORANDUM



cityofnovi.org

TO: BARBARA MCBETH; COMMUNITY DEVELOPMENT
FROM: JEREMY MILLER, E.I.T.; STAFF ENGINEER *JJM*
SUBJECT: JSP13-0075 VALENCIA SOUTH PRELIMINARY SITE PLAN UPDATE
DATE: DECEMBER 29, 2015

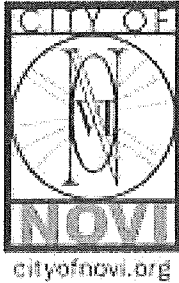
This memo is to provide an updated review of the preliminary site plan for Valencia South. Engineering issued a preliminary site plan review letter on November 10, 2015 that did not recommend approval of the plan. There was one comment in the letter that identifies the reason for staff's recommendation for denial. The applicant has provided additional information and plan sheets (attached, dated 12/15/15) to address that comment. We are issuing this memo to update our recommendation as detailed below.

Comment 1—Grading

The applicant has provided additional plan sheets detailing the proposed grading.

Engineering now recommends approval of the revised concept plan subject to the applicant's response letter dated November 10, 2015 (attached) and the conditions listed above.

cc: Brian Coburn, Engineering Manager
Christopher Gruba, Planner



PLAN REVIEW CENTER REPORT

11/10/2015

Engineering Review

Valencia South PRO

JSP13-0075

Applicant

VALENCIA SOUTH LAND LLC

Review Type

Preliminary Site Plan

Property Characteristics

- Site Location: S. of Ten Mile Road and W. of Beck Road
- Site Size: 41.31 Acres
- Plan Date: 10/14/2015

Project Summary

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

Recommendation

Approval of the Preliminary Site Plan and the Preliminary Storm Water Management Plan is NOT recommended.

Comments:

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

1. Provide a detailed grading plan.
 - a. In addition prior to or at FSP provide a grading limit line and 5 cross-sections along the west property line.

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

General

2. Revise the plan set to reference at least one city established benchmark. An interactive map of the City's established survey benchmarks can be found under the 'Map Gallery' tab on www.cityofnovi.org.
3. Clarify if the proposed streets are public or private roads.
4. A right-of-way permit will be required from the City of Novi and Oakland County.
5. Provide a pathway connection from the eastern cul-de-sac to Beck Rd. in the vicinity of units 58-60.
6. Provide a stub street to the subdivision boundary at intervals not to exceed 1,300 feet along the subdivision perimeter or **request an administrative variance from Appendix C Section 4.04 (A)(1) of Novi City Code**. This request must be submitted under a separate cover. This variance will be supported by City staff due to the existing development surrounding this site.
7. Staff will support a request for a **Design and Construction Standards Variance from Section 11-194(a)(8) of the Novi City Code** from City Council for the lack of paved eyebrows.
8. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.
9. Traffic signs in the RCOC right-of-way will be installed by RCOC.
10. Provide a traffic control plan for the proposed road work activity (City roads).
11. Provide a note that compacted sand backfill shall be provided for all utilities within the influence of paved areas, and illustrate on the profiles.
12. Provide a construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
13. Provide a utility crossing table indicating that at least 18-inch vertical clearance will be provided, or that additional bedding measures will be utilized at points of conflict where adequate clearance cannot be maintained.
14. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review.

15. Generally, all proposed trees shall remain outside utility easements. Where proposed trees are required within a utility easement, the trees shall maintain a minimum 5-foot horizontal separation distance from any existing or proposed utility. All utilities shall be shown on the landscape plan, or other appropriate sheet, to confirm the separation distance.
16. Show the locations of all light poles on the utility plan and indicate the typical foundation depth for the pole to verify that no conflicts with utilities will occur. Light poles in a utility easement will require a License Agreement.
17. 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

18. Provide a profile for all proposed water main 8-inch and larger.
19. Provide details on water main connection and impacts to Beck Road. A traffic control plan will be required for any lane closures.
20. The water main stub at the phase line shall terminate with a hydrant followed by a valve in well. If the hydrant is not a requirement of the development for another reason the hydrant can be labeled as temporary allowing it to be relocated in the future.
21. Provide a 20 foot wide easement for the water main stub to the south between lots 33 and 34 Anderover Pointe No. 2.
22. Note that a tapping sleeve, valve and well will be provided at the connection to the existing water main.
23. 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

24. Provide a sanitary sewer basis of design for the development on the utility plan sheet. Include Andover Pointe No. 1 and No. 2 in the basis of design calculations.
25. Note on the construction materials table that 6-inch sanitary leads shall be a minimum SDR 23.5, and mains shall be SDR 26.
26. Provide a note on the Utility Plan and sanitary profile stating the sanitary lead will be buried at least 5 feet deep where under the influence of pavement.
27. Provide a testing bulkhead immediately upstream of the sanitary connection point. Additionally, provide a temporary 1-foot deep sump in the first sanitary structure proposed upstream of the connection point, and provide a secondary watertight bulkhead in the downstream side of this structure.
28. Provide a 20 foot wide easement for the sanitary stub to the south.

29. 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

30. Provide details for proposed storm sewer including; material, size, and slope.
31. Provide profiles for all storm sewer 8-inches and larger.
32. A minimum cover depth of 3 feet shall be maintained over all storm sewers
33. 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.
34. Match the 0.80 diameter depth above invert for pipe size increases.
35. Provide a four-foot deep sump and an oil/gas separator in the last storm structure prior to discharge to the storm water basin.
36. 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.
37. Provide a schedule listing the casting type and other relevant information for each proposed storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures.

Storm Water Management Plan

38. 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.
39. Provide a 5-foot wide stone bridge allowing direct access to the standpipe from the bank of the basin during high-water conditions (i.e. stone 6-inches above high water elevation). Provide a detail and/or note as necessary.
40. Provide an access easement for maintenance over the storm water detention system and the pretreatment structure. Also, include an access easement to the detention area from the public road right-of-way.
41. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).
42. 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.
43. Provide details showing that storm discharge to the wetlands near lots 5 and 8 meets the requirements listed in the City of Novi Engineering Design Manual section 5.2.5.

Paving & Grading

44. Provide a proposed grading plan.

45. Provide proposed contours on the Grading Plan at the time of the Final Site Plan submittal.
46. Site grading shall be limited to 1V:4H (25-percent), excluding landscaping berms. Numerous areas appear to exceed this standard.
47. The grade of the drive approach shall not exceed 2-percent within the first 25 feet of the intersection. Provide spot grades as necessary to establish this grade.
48. The City standard straight-faced curb (MDOT C-4 curb detail) shall be provided. Revise details accordingly.
49. Provide top of curb/walk and pavement/gutter grades to indicate height of curb.
50. The right-of-way sidewalk shall continue through the drive approach. If like materials are used for each, the sidewalk shall be striped through the approach. The sidewalk shall be increased to 6/8-inches thick along the crossing or match the proposed cross-section if the approach is concrete. The thickness of the sidewalk shall be increased to 6/8 inches across the drive approach. Provide additional spot grades as necessary to verify the maximum 2-percent cross-slope is maintained along the walk.
51. Provide a paving cross-section for the proposed pavement.
52. Provide a note on the plans that all sidewalks in commons areas shall be constructed prior to issuance of the first building permit, excluding model homes.

Soil Erosion

53. A City of Novi Soil Erosion Permit is required. The SESC review checklist is attached. Please refer to the checklist when preparing the SESC plans. If the SESC are submitted as part of the final site plan an informal review will be done. The SESC permit must be applied for under a separate cover with the application found under the forms tab on www.cityofnovi.org.

The following must be provided at the time of Preliminary Site Plan resubmittal:

54. A letter from either the applicant or the applicant's engineer must be submitted with the revised PSP highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.

The following must be submitted at the time of Final Site Plan submittal:

55. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. **The cost estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

The following must be submitted at the time of Stamping Set submittal:

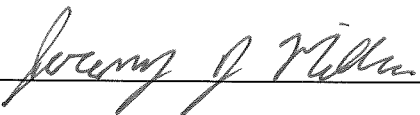
56. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
57. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.
58. A draft copy of the 20-foot wide easement for the sanitary sewer to be constructed on the site must be submitted to the Community Development Department.
59. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

The following must be addressed prior to construction:

60. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).
61. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
62. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.
63. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
64. A permit for work within the right-of-way of 10 Mile Rd. and Beck Rd. must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
65. A permit for work within the right-of-way of 10 Mile Rd. must be obtained from the Road Commission for Oakland County. Please contact the RCOC (248-858-4835) directly with any questions. The applicant must forward a copy of this permit to the City. Provide a note on the plans indicating all work within the right-of-way will be constructed in accordance with the Road Commission for Oakland County standards.
66. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.

67. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.
68. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
69. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
70. An incomplete site work performance guarantee, equal to 1.5 times the amount required to complete the site improvements (excluding the storm water detention facilities) as specified in the Performance Guarantee Ordinance, must be posted at the Treasurer's Office.
71. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.

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



cc: Adam Wayne, Engineering
Brian Coburn, Engineering
Christopher Gruba, Community Development
Becky Arold, Water & Sewer

OVER POINT NO. 1
R 231, PGS. 11-16)

N 00°10'48" E
78.32'

"ECHO VALLEY ESTATES" (LIBER 92, PAGES 11 AND 12)

N 00°25'08" E



LEGEND	
	EXISTING PAVEMENT (ASPHALT)
	EXISTING SIDE WALK (CONCRETE)
	EXISTING CONCRETE CURB AND GUTTER
	EXISTING STORM SEWER
	EXISTING SANITARY SEWER
	EXISTING WATER MAIN
	EXISTING MANHOLE
	EXISTING CATCH BASIN W/STREAM GUARD
	EXISTING CURB INLET W/SILT SAC
	EXISTING END SECTION
	EXISTING GATE VALVE
	EXISTING HYDRANT
	EXISTING FLOOD PLAIN
	EXISTING CONTOURS
	SPOT ELEVATION
	PROPOSED ELEVATION

VALENCIA ESTATES SOUTH
SECTION 29, TOWN 1 NORTH, RANGE 8 EAST
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

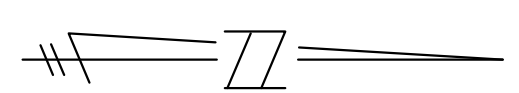
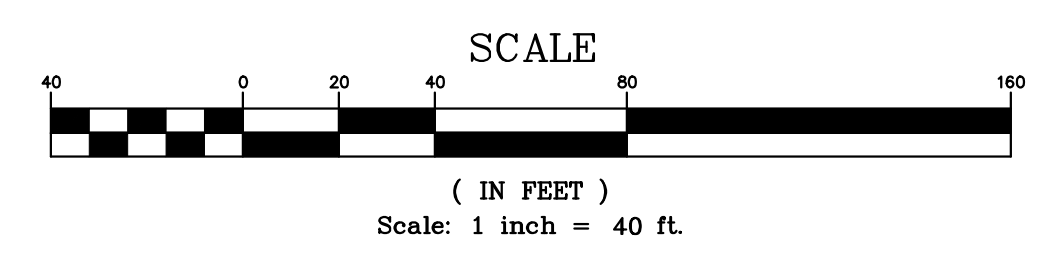
REVISIONS		
NO.	ITEM	DATE

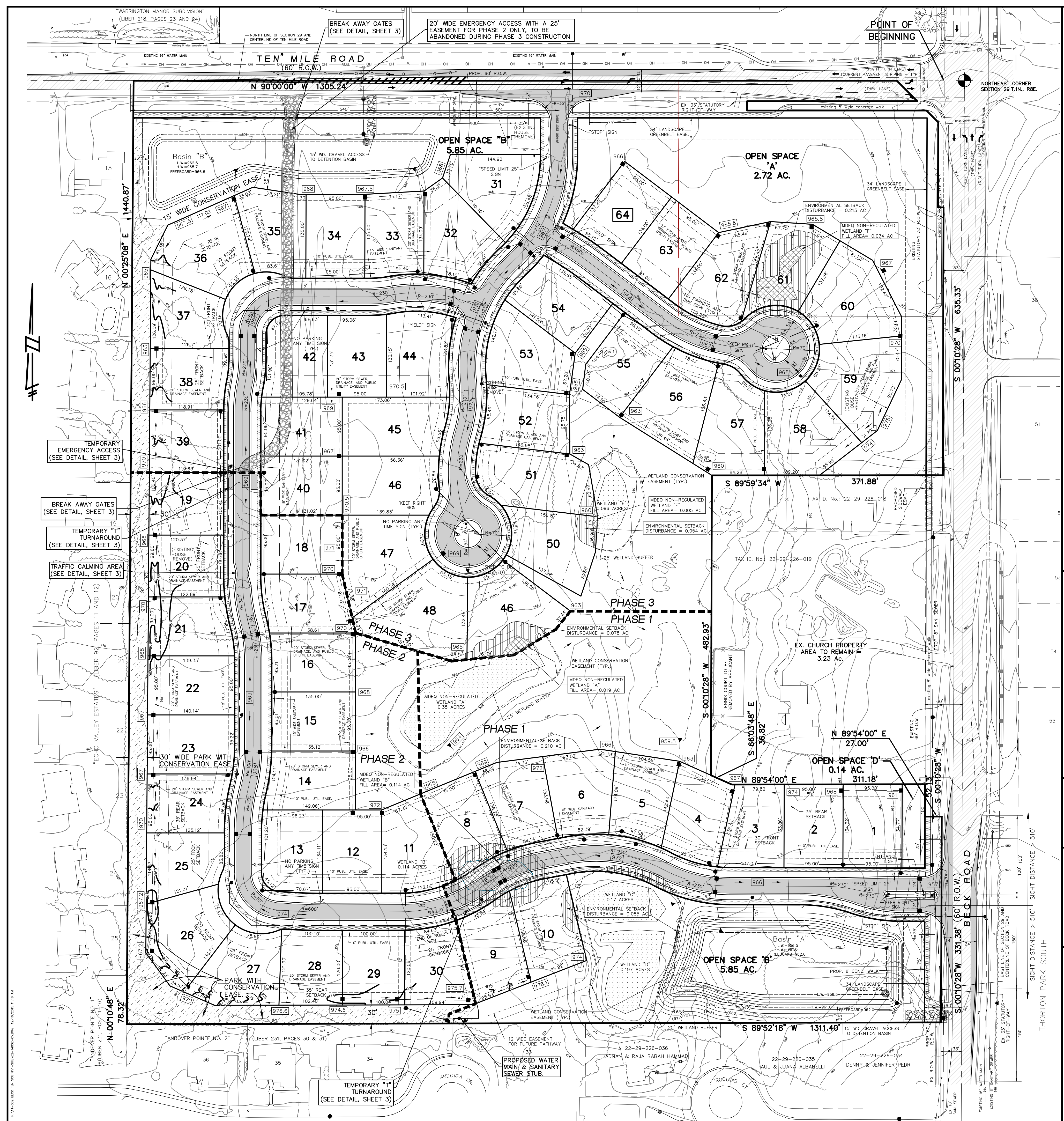
DATE: 12-15-15 DESIGNED BY: A.A. JOB NUMBER: 14-002
CHECKED BY: P.K. DRAWING FILE: 02-14002-LY-SP-WORK

**GRADING PLAN -
CONSERVATION EASEMENT**

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

SHEET
1





UNIT TABLE - PHASE 1

UNIT #	AREA (SF)	WIDTH (SF)
1	12,782	95.00'
2	12,739	95.00'
3	12,457	100.82'
4	13,410	95.68'
5	12,982	91.00'
6	13,409	90.00'
7	13,457	90.00'
8	13,599	95.79'
9	13,508	98.38'
10	14,150	95.17'

UNIT TABLE - PHASE 2

UNIT #	AREA (SF)	WIDTH (SF)
11	13,650	109.08'
12	12,730	95.00'
13	12,840	98.71'
14	13,374	95.98'
15	12,825	95.00'
16	12,877	95.06'
17	12,979	95.98'
18	12,447	95.00'
19	12,048	100.40'
20	12,045	99.61'
21	12,504	96.32'
22	13,280	95.00'
23	13,287	95.10'
24	12,267	94.41'
25	12,051	91.36'
26	15,780	90.00'
27	14,320	90.00'
28	12,076	98.80'
29	12,005	100.04'
30	12,538	90.00'

UNIT TABLE - PHASE 3

UNIT #	AREA (SF)	WIDTH (SF)
31	14,397	129.20'
32	14,026	95.58'
33	12,734	95.23'
34	12,825	95.00'
35	13,403	90.00'
36	17,178	90.00'
37	12,397	90.00'
38	12,210	99.37'
39	12,046	101.00'
40	12,447	95.00'
41	12,436	95.01'
42	12,943	98.63'
43	12,505	95.01'
44	13,983	104.71'
45	15,706	96.48'
46	14,574	96.80'
47	16,808	90.00'
48	19,304	90.00'
49	17,326	90.00'
50	14,560	90.00'
51	17,078	109.73'
52	13,090	95.00'
53	14,604	123.86'
54	13,857	99.18'
55	12,928	95.04'
56	16,210	90.00'
57	15,599	93.00'
58	16,652	90.00'
59	17,300	90.00'
60	17,402	90.00'
61	14,189	93.83'
62	15,416	113.33'
63	12,730	95.00'
64	12,792	95.05'

EYEBROW SIGNAGE
 "NO PARKING" SIGNS WILL BE POSTED ON BOTH SIDES OF THE STREET THROUGH THE EYEBROW BEND TO ENSURE MOBILITY OF FIRE TRUCKS AND MOVING VANS.

SIGNAGE NOTES
 1. STREET NAME SIGNS SHOULD BE PLACED ATOP THE INTERIOR YIELD SIGNS AND THE EXISTING STOP SIGNS.
 2. ALL STREET-NAME SIGNS SHALL COMPLY WITH THE CITY OF NOVI DESIGN STANDARDS.

SIGNAGE LEGEND

SYMBOL	DESCRIPTION	QUANTITY	PANEL	POST
Yield Sign	"YIELD" SIGN (R1-2)	2	2	2
Keep Right Sign	"KEEP RIGHT" SIGN (R4-7A)	4	4	4
No Parking Sign	"NO PARKING ANY TIME" SIGN (R7-1)	16	12	12
End of Road Marker	"END OF ROAD" MARKER (OM4-3)	1	1	1
25 MPH Speed Limit Sign	"25 MPH SPEED LIMIT" SIGN (R2-1) (25)	2	2	2
Stop Sign	"STOP" SIGN (R1-1 30")	2	2	2
Street Name Sign	"STREET NAME" SIGN (D3-1)	4	0	0

WETLAND IMPACT

MDEQ NON REGULATED WETLAND	AREA (AC.)	WETLAND IMPACT AREA (AC.)	25' BUFFER AREA (AC.)	25' BUFFER DISTURBANCE (AC.)
A	0.350	0.019	0.410	0.078
B	0.114	0.114	0.210	0.210
C	0.170	0	0.221	0.066
D	0.197	0	0.222	0.019
E	0.096	0.005	0.197	0.054
F	0.074	0.074	0.215	0.215
TOTAL:	1.001	0.212	1.475	0.642

SITE DATA
PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM
 CURRENT ZONING: "R-1"
 MAXIMUM DENSITY = 1.65 DU/NET ACRE
 AREA GROSS = 41.21 ACRES
 AREA NET = EXCLUDING STATUTORY 33' R.O.W. ON TEN MILE ROAD (0.94 AC.) = 40.27 ACRES.
 MAXIMUM DENSITY = 1.65 DU/N.AC. X 40.27 ACRES = 66.44 UNITS
 PROPOSED NUMBER OF UNITS: 64 UNITS

TOTAL OPEN SPACE (GROSS)
 OPEN SPACE "A" = 118,502 SQ.FT. / 2.72 AC.
 OPEN SPACE "B" = 254,598 SQ.FT. / 5.85 AC.
 OPEN SPACE "C" = 191,510 SQ.FT. / 4.39 AC.
 OPEN SPACE "D" = 5,976 SQ.FT. / 0.14 AC.
 TOTAL OPEN SPACE = 570,586 SQ.FT. / 13.10 ACRES
 = 31.71% OF SITE

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

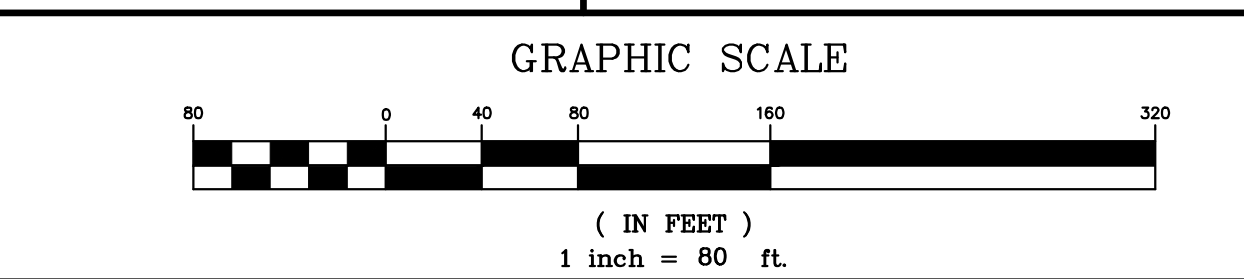
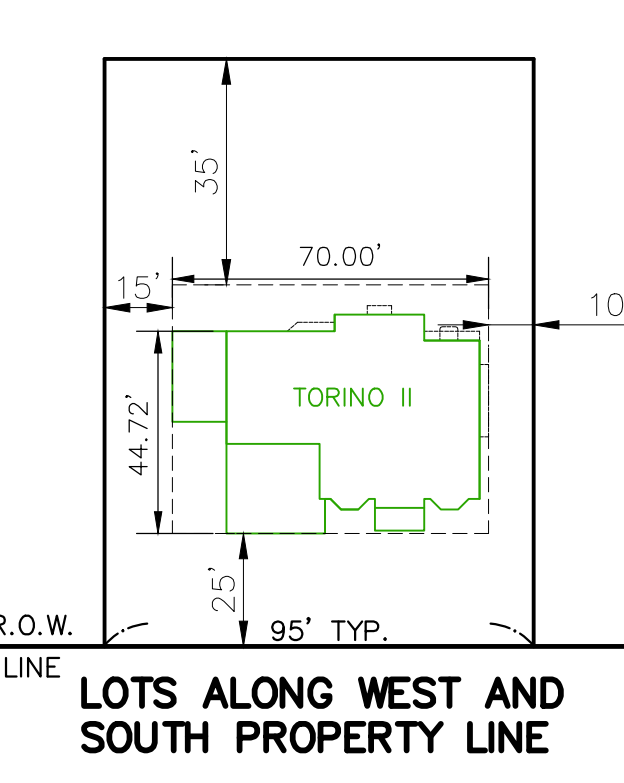
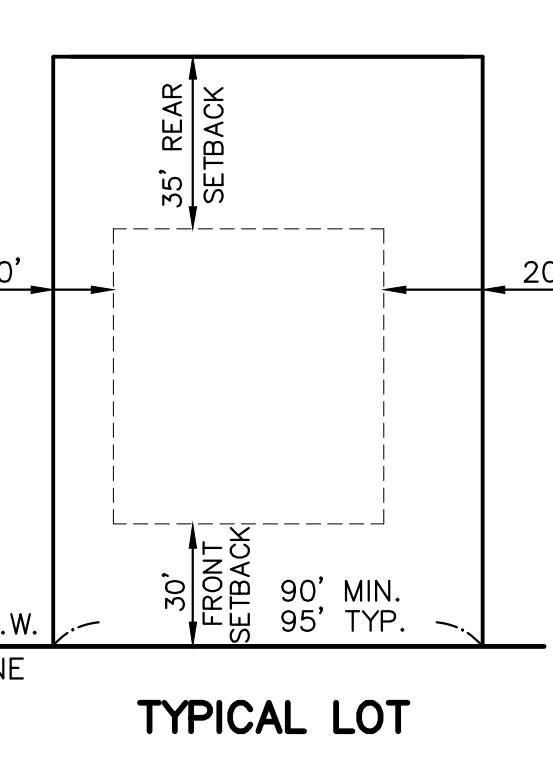
STANDARD LOTS
 FRONT SETBACK = 30 FEET
 REAR SETBACK = 35 FEET
 SIDE YARD SETBACK = 10 FEET (MINIMUM)
 SIDE YARD SETBACK = 30 FEET (AGGREGATE)
LOTS ALONG WEST AND SOUTH PROPERTY LINE
 FRONT SETBACK = 25 FEET
 REAR SETBACK = 35 FEET
 SIDE YARD SETBACK = 10 FEET (MINIMUM)
 SIDE YARD SETBACK = 25 FEET (AGGREGATE)

LEGEND

EXISTING	PROPOSED	DESCRIPTION
--- (dashed)	--- (dashed)	PAVEMENT (ASPHALT)
--- (dashed)	--- (dashed)	SIDE WALK (CONCRETE)
--- (dashed)	--- (dashed)	CONCRETE CURB AND GUTTER
--- (dashed)	--- (dashed)	STORM SEWER
--- (dashed)	--- (dashed)	SANITARY SEWER
--- (dashed)	--- (dashed)	WATER MAIN
○ (circle)	○ (circle)	MANHOLE
○ (circle)	○ (circle)	CATCH BASIN W/STREAM GUARD
○ (circle)	○ (circle)	CURB INLET W/SILT SAC
○ (circle)	○ (circle)	END SECTION GATE VALVE
○ (circle)	○ (circle)	HYDRANT
○ (circle)	○ (circle)	FLOOD PLAIN
○ (circle)	○ (circle)	CONTOURS
○ (circle)	○ (circle)	SPOT ELEVATION
○ (circle)	○ (circle)	PROPOSED ELEVATION

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

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



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

- PROPOSED IMPROVEMENTS**
- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING SANITARY SEWER ON THE WEST SIDE OF BECK ROAD.
 - MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO EXISTING 16" WATER MAINS LOCATED ON THE EAST SIDE OF BECK ROAD AND THE NORTH SIDE OF TEN MILE ROAD. ALL PROPOSED WATER MAIN SHALL BE 8" DUCTILE IRON CL. 54.
 - STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
 - 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL INTERIOR ROADWAYS. AN 8'-FOOT WIDE CONCRETE WALK SHALL BE CONSTRUCTED ALONG TEN MILE ROAD AND BECK ROAD. ALL SIDEWALK TUBS 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.

VALENCIA ESTATES SOUTH
 SECTION 29, TOWN 1 NORTH, RANGE 8 EAST
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REVISIONS

NO.	ITEM	DATE
1	PER CITY REVIEW	8-18-14
2	EXPAND PROJECT LIMITS	10-28-14
3	PER CITY REVIEW	12-12-14
4	REVISE LAYOUT PER OWNER	07-16-15
5	PRELIMINARY SITE PLAN	10-14-15
6	ADD PROPOSED GRADING	11-23-15
7	ADD PROPOSED CONTOURS ALONG CONSERVATION EASEMENT	12-15-15

DATE: 09-20-15 DESIGNED BY: A.A. JOB NUMBER: 14-002
 CHECKED BY: P.K. DRAWING FILE: 02-14002-0V

PRELIMINARY SITE PLAN

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

SHEET 2

Landscape Review Letter



PLAN REVIEW CENTER REPORT

November 16, 2015

Preliminary Site Plan - Landscaping

Valencia Estates South

Review Type

Preliminary Site Plan Landscape Review

Property Characteristics

- Site Location: Southwest corner of Beck and 10 Mile Roads
- Site Acreage: 1.23 acres
- Site Zoning: R-1
- Adjacent Zoning: R-1 east, west and south, R-3 north
- Plan Date: 10/9/2015

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

The project is **recommended for approval**, with the understanding that the items below and on the accompanying Landscape Chart are addressed during Final Site Plans.

Ordinance Considerations

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

1. Provided.
2. **Please dimension the distance from closest proposed tree(s) to overhead utility lines.**

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

Please include tree id numbers for existing trees to remain on the Landscape Plans.

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

1. **A waiver is required for trees and berms not provided due to natural areas that are designated for preservation along Beck and 10 Mile Road.** This waiver is supported by staff. The number of trees and subcanopy trees not planted due to the waiver should be shown with the calculations.
2. Calculations have been provided, and the correct number of trees and subcanopy trees, based on the waiver mentioned above, has been proposed.
3. **Please show proposed grades clearly on plan.**

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

1. The calculations for, and required number of street trees have been provided.
2. **Please indicate with a unique symbol/designation which of the street trees are woodland replacement trees to aid in monitoring.**

Proposed grading

1. Please show all proposed grading on the site clearly for verification of the requirements of the berms. These can be on the grading plan if preferred.
2. Please provide a cross section detail for the proposed berms. Be sure to show 6" of topsoil as top layer of berm construction.

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

1. Plant list and details are provided
2. Quantities of seed and/or sod with costs (\$6/sy for sod, \$3/sy for seed) need to be added to the plant lists.

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

1. The storm basin landscaping provided is sufficient to meet ordinance requirements.
2. The proposed seed mix for the basin should be provided in Final Site Plans.

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

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

Corner Clearance (Zoning Sec 5.9)

Corner clearances at all corners and intersections are provided.

Sheet scale (Landscape Design Manual 2.e.)

The overall plan can be kept at 1"=100 if desired, but the project also needs to be shown at a scale no greater than 1"=50' to aid with proper placement of street trees with regard to utilities.

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 Letter

November 10, 2015

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

Re: Valencia Estates South (JSP13-0075)
Wetland Review of the Preliminary Site Plan (PSP15-0156)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Preliminary Site Plan for the proposed Valencia Estates South project prepared by Seiber, Keast Engineering, L.L.C. dated October 14, 2015 (Plan). The Plan was reviewed for conformance with the City of Novi Wetland and Watercourse Protection Ordinance and the natural features setback provisions in the Zoning Ordinance. ECT has reviewed previous iterations of this site plan. The most recent of which was dated

ECT currently recommends approval of the Preliminary Site Plan for Wetlands. ECT recommends that the Applicant address the items noted in the *Wetland Comments* section of this letter prior to the submittal of a Final Site Plan.

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

Onsite Wetland Evaluation

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

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

The wetlands include:

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

Total Wetland – 1.001 acres

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

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

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

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

Wetland Impact Review

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

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

Table 1. Proposed Wetland Impacts

<i>Wetland Area</i>	<i>Wetland Area (acres)</i>	<i>City Regulated?</i>	<i>MDEQ Regulated?</i>	<i>Current Impact Area (acre)</i>	<i>Estimated Impact Volume (cubic yards)</i>
A	0.350	Yes City Regulated /Essential	No	0.019	Not Provided
B	0.114	Yes City Regulated /Essential	No	0.114	Not Provided
C	0.170	Yes City Regulated /Essential	No	None	Not Provided
D	0.197	Yes City Regulated /Essential	No	None	Not Provided

E	0.096	Yes City Regulated /Essential	No	0.005	Not Provided
F	0.074	Yes City Regulated /Essential	No	0.074	Not Provided
TOTAL	1.001	--	--	0.212	Not Provided

The currently-proposed wetland impacts appear to be below the City of Novi 0.25-acre impact area threshold for compensatory wetland mitigation.

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 *Preliminary Site Plan*:

Table 2. Proposed Wetland Buffer Impacts

<i>Wetland Setback/Buffer Area</i>	<i>Overall Wetland Buffer Area (acres)</i>	<i>Current Impact Area (acre)</i>
A	0.410	0.078
B	0.210	0.210
C & D	0.443	0.085
E	0.197	0.054
F	0.215	0.215
TOTAL	1.475	0.642

Permits & Regulatory Status

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

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

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

Wetland Comments

The following are repeat comments from our Wetland Review of the Revised Concept Plan dated August 10, 2015. The current status of these comments is listed in ***bold italics***. ECT recommends that the Applicant address the items noted below in subsequent site Plan submittals:

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

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

This comment has been addressed. The applicant has previously stated that wetland impacts are necessary to allow the roadway to go through the property and to allow the significant open space area at the corner of Ten Mile and Beck Roads. Avoiding this wetland (Wetland B) would significantly impact unit relationships to the desired open space area. The applicant has also stated that they have considered multiple site layouts. In addition, the Applicant has minimized impacts to existing wetlands such that the total impact area (0.21-acre) is less than the City's impact threshold for wetland mitigation (0.25-acre).

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 been addressed. See Comment #1, above.

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

This comment has been addressed. Proposed wetland conservation easements have been indicated on Sheet 2 (Preliminary Site Plan).

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

permanent disturbance to the wetland buffers but does not list the acreage of the existing wetland buffer areas themselves. The Plan should be reviewed and revised as necessary.

This comment has been addressed. The overall areas of the wetland buffers has been added to Sheet 2.

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

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

This comment has been partially addressed. The Applicant has stated in a response letter dated October 13, 2015 that if there are temporary impacts to wetland buffers that are to remain, restoration will be provided per City standards. The Applicant shall provide a proposed, native wetland buffer restoration seed mix on the Plan. Seed mix details shall be provided on the Final Site Plan.

Recommendation

ECT currently recommends approval of the Preliminary Site Plan for Wetlands. ECT recommends that the Applicant address the items noted in the *Wetland Comments* section of this letter prior to the submittal of a Final Site Plan.

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Pete Hill, P.E.
Senior Associate Engineer

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

Attachments: Figure 1



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

Woodlands Review Letter

November 10, 2015

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

Re: Valencia Estates South (JSP13-0075)
Woodland Review of the Preliminary Site Plan (PSP15-0156)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Preliminary Site Plan for the proposed Valencia Estates South project prepared by Seiber, Keast Engineering, L.L.C. dated October 14, 2015 (Plan). The Plan was reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37. ECT has reviewed previous iterations of this site plan.

ECT currently recommends approval of the Preliminary Site Plan for Woodlands. ECT recommends that the Applicant address the items noted in the *Woodland Comments* section of this letter prior to the submittal of a Final Site Plan.

The purpose of the Woodlands Protection Ordinance is to:

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

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

Onsite Woodland Evaluation

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on June 3, 2014. An existing tree survey has been completed for this Unit. The *Woodland Plan* (Sheets L-4 and L-5) contain existing tree survey information (tree locations and tag numbers). Sheet L-6, L-7 and L-8 contain Tree List information as well as a *Woodland Summary* of proposed tree removals and required replacements. A separate supplemental tree list has also been previously provided (prepared by Allen Design) that includes Tree ID #, Diameter (diameter-at-breast-height; d.b.h), Species, Health Condition, Crown Spread, Removal Status and Required Replacements.

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

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

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

A complete tree list has now been included on the Plan. Based on previously-received *Tree List* information (including a separate spreadsheet from Allen Design) as well as our site assessment, the maximum size tree diameter on the site is a 51-inch d.b.h. weeping willow (*Salix babylonica*), Tree #1380. The site also contains a 46-inch d.b.h. white oak (Tree #754) and a 45-inch d.b.h. red maple (Tree #765). Tree #754 is proposed to be removed while Tree #765 will be preserved as part of the current site design. The site also contains a number of other large trees, many of which are red maples. The average tree diameter is approximately 14-inch d.b.h. In terms of habitat quality and diversity of tree species, the project site is of good quality. The majority of the woodland areas consist of relatively-mature growth trees of good health. This wooded area provides a good level of environmental benefit; however the subject property is surrounded by existing residential use. In terms of a scenic asset, wind block, noise buffer or other environmental asset, the woodland areas proposed for impact are considered to be of good quality.

After our woodland evaluation and review of the *Tree List* submitted by the applicant’s woodland consultant, there are a significant number (96) of trees on-site that meet the minimum caliper size for designation as a specimen tree. These trees include:

- American elm (3 trees measuring $\geq 24''$, the minimum caliper size for specimen trees);
- Black cherry (19 trees measuring $\geq 24''$, the minimum caliper size for specimen trees);
- Black gum (1 tree measuring $\geq 24''$, the minimum caliper size for specimen trees);
- Black locust (4 trees measuring $\geq 24''$, the minimum caliper size for specimen trees);
- Black walnut (3 trees measuring $\geq 24''$, the minimum caliper size for specimen trees);
- Red Maple (64 trees measuring $\geq 24''$, the minimum caliper size for specimen trees);
- White Oak (2 trees measuring $\geq 24''$, the minimum caliper size for specimen trees).

The previous plan noted that, of these 96 potential specimen trees, 59 of these trees will be saved and 37 are proposed for removal (38% of the total potential Specimen Trees). The Applicant should be aware of the City’s Specimen Tree Designation as outlined in Section 37-6.5 of the Woodland Ordinance. This section states that:

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

Specimen Trees Minimum Caliper Size

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

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

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

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

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

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

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

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

Proposed Woodland Impacts and Replacements

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

It should be noted that the Planned Rezoning Overlay (PRO) Agreement for the site includes the following conditions that shall apply to the land and/or be undertaken by the Developer:

- *Developer shall provide a 30 foot wide tree preservation and planting easement between the west and south boundaries of the Land and the rear lot lines of the site condominium units located along the west and south property lines, as shown on the site plan and landscape plan which are part of the PRO Plan...The Conservation Area shall be restricted as follows:*
 - The Conservation Area shall be left in its natural state. Except as set forth in subsection (ii) and (iii) below, Developer shall not remove any trees or vegetation in the Conservation Area at any time. In addition, the master deed establishing the condominium project within the Land shall establish the Conservation Area as general common element and shall restrict home owners from cutting, pruning, or otherwise altering the trees and vegetation within the Conservation Area. Notwithstanding the foregoing, the Developer shall plant additional trees in the Conservation Area, to provide additional visual screening between the project and neighboring homes to the west and south, in locations as determined and as specifically approved by the City’s landscape architect at the time of site plan approval on the final landscape plan. All trees meeting the City’s standards for woodland replacements that are installed by the Developer within the Conservation Area will be credited towards the Developer’s tree replacement obligations.*

- ii. *The master deed for the project will also prohibit the installation of any structures or improvements within the Conservation Area, provided, however, that the Developer may install catch basins within the Conservation Area where new trees are planted to collect storm water drainage from neighboring properties.*
- iii. *As part of the Developer's tree replacement obligations, during the development of the Land, the Developer will, at the City's request, replace dead or dying trees within the Conservation Area with new trees. Any such replacement trees installed by the Developer within the Conservation Area shall be credited towards the Developer's tree replacement obligations. Where the final approved landscape plan shows the planting of oversized trees, Developer shall be responsible to plant the trees as depicted on the Concept Plan, the final approved landscape plan, and as directed by the City's Landscape Architect. Where possible to plant without interference with or adverse effect on existing trees, the oversized trees shall be a minimum of 18 feet in height at the time of planting; where not possible, the trees shall be of as great a height as possible as determined by the City's Landscape Architect. Developer shall receive woodland replacement credit for the oversizing per the table on page 11 in the Landscape Design Manual in calculating the amount to be placed into the Tree Fund.*

A Woodland Summary Table has been included on the Sheet L-8. The Applicant has noted the following:

- Total Trees: 1,570 (includes some dead trees & other unregulated trees)
- Net Regulated Trees: 1,408
- Regulated Trees Removed: 881 (reduced from 982 on previous plan)
- Regulated Trees Preserved: 527 (reduced from 537 on previous plan)

- Stems to be Removed 8" to 11": 371 x 1 replacement (Requiring 371 Replacements)
- Stems to be Removed 11" to 20": 325 x 2 replacements (Requiring 650 Replacements)
- Stems to be Removed 20" to 30": 55 x 3 replacements (Requiring 165 Replacements)
- Stems to be Removed 30"+: 17 x 4 replacements (Requiring 68 Replacements)
- Multi-Stemmed Trees: (Requires 475 Replacements)

- Sub-Total Replacement Trees Required: 1,729
- Credit for Non-Woodland Tree Preservation: 111
- Total Woodland Replacements Required: 1,618

Previously, the applicant had clarified that 51 of the originally-surveyed trees have since been identified as dead, and therefore are considered non-regulated. These 51 trees have been removed from the total tree removal quantities. ECT has confirmed the accuracy of this information.

In addition, the *Landscape Plan* (Sheet L-1) notes that 1,046 Woodland Replacement Tree credits will be provided on-site and 572 tree credits will be paid into the City of Novi Tree Fund. The *Plant List* on this sheet appears to show a total of 986.5 Credits in Woodland Replacement material (including the oversized evergreen trees). It appears as if the applicant intends to count 60 street trees towards the overall woodland replacement tree requirement; thereby bringing the number of Woodland Replacement credits provided to 1,046.5 (986.5 + 60).

The applicant has proposed on-site woodland replacements through both the planting of 2.5" caliper diameter deciduous trees as well as 'oversized' evergreen trees near the Beck Road Right-of-Way and in other locations. As previously noted, this is acceptable per the PRO agreement. The Plan also notes that 60 Street Trees are intended to meet Woodland Replacement Tree Requirements. However, the applicant's woodland consultant has noted that "*an extra 30 street trees are proposed to count as woodland replacement trees. These trees are 3.0" caliper and conform to the required woodland replacement species*". Woodland Replacement tree locations need to be protected by conservation/preservation easements. The Applicant should review and revise all proposed Woodland Replacement tree locations for acceptability and should also clarify the quantity and locations of all Woodland Replacement trees (i.e., clarify the discrepancy above). In addition, the suitability of street trees to qualify as Woodland Replacement tree credits shall be confirmed by the City of Novi Landscape Architect.

Previously-submitted plans noted that the existing trees and understory will be preserved within the 30-foot conservation easement to the greatest extent possible. The current Plan states that the first ten (10) feet of understory will be removed to accommodate tree planting within the 30-foot conservation easement areas along lots 26 through 30 on the south side of the proposed development (along Andover Drive) and along the entire western side of the proposed development (lots 19 through 26 and 36 through 39). The applicant's woodland consultant has concluded that removing the first 10' of understory within the proposed easement area will provide the area required for the large (replacement) evergreens and also provide the maximum amount of light to achieve good growth. They also state that much of the understory consists of invasive species so the environmental impact is minimum. ECT generally agrees with this assessment.

The Landscape Plan (Sheet L-1) now indicates proposed locations for Woodland Replacement material, however, as noted above, some clarifications are necessary on subsequent site plan submittals.

City of Novi Woodland Review Standards and Woodland Permit Requirements

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

No application shall be denied solely on the basis that some trees are growing on the property under consideration. However, the protection and conservation of irreplaceable natural resources from pollution, impairment, or destruction is of paramount concern. Therefore, the

preservation of woodlands, trees, similar woody vegetation, and related natural resources shall have priority over development when there are location alternatives.

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

There are a significant number of replacement trees required for the construction of the proposed development. The currently-proposed Valencia Estates South project consists of 64 single-family residences. The subject property is surrounded by existing residential use on the south and west sides, by Ten Mile Road to the north and Beck Road to the east. Some degree of impact to on-site woodlands is deemed unavoidable if these properties are to be developed for residential use; however, the current Plan appears to clear all proposed lots of existing trees. ECT suggests that the applicant consider preserving existing trees to the greatest extent possible even on individual proposed lots, outside of the proposed building envelope. Proposed woodland impacts will require a Woodland Permit from the City of Novi that allows for the removal of trees eight (8)-inch diameter-at-breast-height (d.b.h.) or greater. Such trees shall be relocated or replaced by the permit grantee. All deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater. In general, all coniferous replacement trees shall be 6-feet in height (minimum) and provide 1.5 trees-to-1 replacement credit replacement ratio (i.e., each coniferous tree planted provides for 0.67 credits). However, as noted above, the oversizing of some of the proposed replacement evergreen trees will qualify for additional woodland replacement credits (per the table on page 11 in the Landscape Design Manual).

Woodland Comments

The following are repeat comments from our Woodland Review of the Revised Concept Plan letter dated August 10, 2015. The current status of these comments is listed in ***bold italics***. ECT recommends that the Applicant address the items noted below in subsequent site Plan submittals:

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

This comment has been partially met. The current Plan proposes to preserve approximately 527 of the 1,408 total regulated on-site trees (i.e. 37% preservation, a small improvement from the previously-submitted plan; was 35% preservation); however it appears as though the current Plan appears to clear all proposed lots of existing trees. ECT suggests that the applicant consider preserving existing trees to the greatest extent possible even on individual proposed lots, outside of the proposed building envelope. The applicant should demonstrate

why additional trees cannot be preserved within the proposed lots in areas that fall outside of the proposed building envelopes, as well as in proposed open-space areas.

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

This comment has been partially met. The current Plan does include the addition of a 30-foot wide park/conservation easement along lots 26 through 30 on the south side of the proposed development (along Andover Drive) and along the entire western side of the proposed development (lots 19 through 26 and 36 through 39). Previously, the Applicant's woodland consultant (Allen Design) noted that the existing trees and understory will be preserved within this 30-foot conservation easement, to the greatest extent possible. The current Plan notes that the first 10-feet of the understory within these areas will be removed in order to accommodate the planting of Woodland Replacement Trees. This area will provide the space required for the oversized evergreen replacements and also provide the maximum amount of light to achieve good growth of the replacement trees. As noted above (Item #1), the applicant should demonstrate why additional trees cannot be preserved within the proposed lots in areas that fall outside of the proposed building envelopes, as well as in proposed open-space areas.

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

This item has been partially addressed. The applicant's woodland consultant has noted that conservation easements will be shown on the Final Site Plans. In addition, it was noted that the 30' Conservation Area will be included in the overall conservation easement.

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

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

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

This comment still applies. The applicant has proposed on-site woodland replacements through both the planting of 2.5" caliper diameter deciduous trees as well as 'oversized'

evergreen trees near the Beck Road Right-of-Way and in other locations. As previously noted, this is acceptable per the PRO agreement. The Plan also notes that 60 Street Trees are intended to meet Woodland Replacement Tree Requirements. However, the applicant's woodland consultant has noted that "an extra 30 street trees are proposed to count as woodland replacement trees. These trees are 3.0" caliper and conform to the required woodland replacement species". Woodland Replacement tree locations need to be protected by conservation/preservation easements. The Applicant should review and revise all proposed Woodland Replacement tree locations for acceptability and should also clarify the quantity and locations of all Woodland Replacement trees (i.e., clarify the discrepancy above). In addition, the suitability of street trees to qualify as Woodland Replacement tree credits shall be confirmed by the City of Novi Landscape Architect.

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

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

This comment still applies.

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

This comment still applies.

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

This comment still applies.

Valencia Estates South (JSP13-0075)
Woodland Review of the Preliminary Site Plan (PSP15-0156)
November 10, 2015
Page 11 of 12

Recommendation

ECT currently recommends approval of the Preliminary Site Plan for Woodlands. ECT recommends that the Applicant address the items noted in the *Woodland Comments* section of this letter prior to the submittal of a Final Site Plan.

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Pete Hill, P.E.
Senior Associate Engineer

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

Attachments: Figure 1



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

Traffic Review Letter

November 9, 2015

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

**SUBJECT: Valencia Estates South
Traffic Review for Preliminary Site Plan
JSP13-0075**

Dear Ms. McBeth,

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

1. General Comments

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

2. Potential Traffic Impacts – The proposed development is not expected to generate traffic volumes in excess of the City thresholds; therefore, additional traffic impact studies are not recommended at this time.

- a. The applicant has made adjustments due to the Ten Mile geometrics based on RCOC suggestions.

3. External Site Access and Operations – Initial review of the plans generally show compliance with City standards; however, the following items at minimum require further detail in the Preliminary Site Plan submittal.

- a. Confirm entrance island nose offset distance from Beck Road is within City standards.

4. Internal Site Access and Operations – Review of the plan generally shows compliance with City standards.

- a. The two (2) eyebrow designs in the northwest quadrant and southwest quadrant of the site are not paved. The unpaved eyebrow design is considered a variance to the ordinance and is supported by the City Engineering Division.
 - i. The eyebrow designs are within City standards.

5. Signing and Pavement Marking – Review of the plan generally shows compliance with City and MUTCD standards.

6. Bicycle and Pedestrian – The proposed pathway and sidewalk widths are in compliance with the City of Novi Bicycle and Pedestrian Master Plan.



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

Sincerely,

AECOM

A handwritten signature in blue ink, appearing to read "Sterling Frazier". The signature is fluid and cursive.

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

A handwritten signature in blue ink, appearing to read "Matthew G. Klawon". The signature is fluid and cursive.

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

Fire Review Letter



November 2, 2015

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

RE: Valencia South - Concept

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Gwen Markham

Andrew Mutch

Wayne Wrobel

Laura Marie Casey

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

Director of EMS/Fire Operations
Jeffery R. Johnson

Assistant Chief of Police
Victor C.M. Lauria

Assistant Chief of Police
Jerrold S. Hart

PSP#15-0156

Project Description:

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

Comments:

1) Meets Fire Department standards

Recommendation: Recommended for Approval

Sincerely,

Joseph Shelton- Fire Marshal
City of Novi – Fire Dept.

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

cc: file

Response Letter

SEIBER, KEAST ENGINEERING, LLC
CONSULTING ENGINEERS

Clif Seiber, P.E.
Patrick G. Keast, P.E.
Azad Awad
Robert Emerine, P.E.
Jason Emerine, P.E.

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

January 7, 2016

Mr. Christopher Gruba, Planner
City of Novi Planning and Community Development Department
45175 West 10 Mile Road
Novi, Michigan 48375

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

Dear Mr. Gruba:

The following is a response to the review comments found in the Plan Review Center Report dated November 19, 2015, provided by the Novi Planning Department. Referring to the reviews from staff and consultants in that report, we offer the following:

ENGINEERING REVIEW (11-10-15)

This report did not recommend approval of the Preliminary Site Plan due to Item 1, found on page 2, indicating a detailed grading plan needed to be submitted.

Subsequent to this engineering review, we have discussed this requirement with members of staff, prepared detailed grading plans as requested and submitted the grading plans to the city. We are under the understanding that the grading plans have been found to be acceptable from both an engineering and landscaping standpoint and staff is now prepared to recommend approval of the Preliminary Site Plan.

We acknowledge all other engineering comments are to be addressed at the time indicated in the review letter.

TRAFFIC REVIEW (AECOM 11-9-15)

Approval of the Preliminary Site Plan is recommended. We acknowledge all comments will be addressed in subsequent submittals, as requested.

FIRE DEPARTMENT REVIEW (11-2-15)

Approval of the Preliminary Site Plan is recommended.

WETLAND REVIEW and WOODLANDS REVIEW (ECT, 11-10-15)

Approval of the Preliminary Site Plan is recommended in both of these reviews. As requested, items noted in the Wetland Comments and Woodland Comments sections will be addressed with the Final Site Plan submittal.

SEIBER, KEAST ENGINEERING, LLC

Mr. Christopher Gruba
January 7, 2016
Page 2 of 2

LANDSCAPE REVIEW (11-16-15)

Approval of the Preliminary Site Plan is recommended. We acknowledge items found in the review and the accompanying Landscape Chart are to be addressed during Final Site Plan review.

Please contact the undersigned if you have any questions or need clarifications on the above.

Sincerely,

SEIBER, KEAST ENGINEERING, LLC

A handwritten signature in cursive script that reads "Patrick G. Keast".

Patrick G. Keast, P.E.

encl.

cc: Howard Fingerroot, Pinnacle Homes