CITY of NOVI CITY COUNCIL

Agenda Item 5
June 3, 2019

SUBJECT: Final approval of the request of Erickson Living for JSP 18-18 for the Revised Preliminary Site Plan with PD-1 Option, Revised Special Land Use approval, Revised Phasing Plan, Revised Wetlands Permit, Revised Woodlands Permit, and Revised Storm Water Management Plan, and the Fifth Amendment to the Development Agreement.

SUBMITTING DEPARTMENT: Community Development Department - Planning BRB

CITY MANAGER APPROVAL: CA

BACKGROUND INFORMATION:

The subject property is approximately 102 acres and is located on the north side of Thirteen Mile Road, west of M-5 and east of Meadowbrook Road (Section 1). The multi-phase Fox Run Community was originally approved in 2001 with a Development Agreement under RM-1 zoning with a Planned Development Option (PD-1 Option). Since then the Development Agreement has been amended four times as modifications to the layout of the site and certain buildings have been needed. Phase 1 and 2 buildings have been constructed, as has the original building of Phase 4, the Continuing Care Center, which was approved for expansion (Phase 4.2) by City Council on August 13, 2018.

The applicant is preparing to move forward with Phase 3, or Neighborhood 3 of the project, and has proposed changes to the building footprints and design from what was shown in prior approvals. Phase 3 would still result in the same number of independent living units (370) as originally approved. Phase 3 is located north of the Fox Run Road and south of the large area covered by a Conservation Easement on the north end of the property. Three of the four buildings would have underground garage parking. Parking lots, walking trails, and resident amenities are also included in the project.

The City Council granted tentative approval of the Revised Preliminary Site Plan with PD-1 Option, Revised Special Land Use approval, Revised Phasing Plan, Revised Wetlands Permit, Revised Woodlands Permit, and Revised Storm Water Management Plan, on April 1, 2019. At that time, the motion sheet highlighted the Planned Development Option Conditions and the opportunity to review additional conditions, and no additional conditions were requested at that time. An excerpt of the City Council minutes is included in this packet.

At this time, the City Council is asked to grant the final approval of the Revised Preliminary Site Plan and accompanying permits, with the Fifth Amendment to the Development Agreement, as prepared by the City Attorney's Office.

Deviations

The site plan requires waivers and deviations from the Zoning Ordinance requirements as noted below and in the suggested motion. Per Section 3.31.5 of the Zoning Ordinance, the PD-1 Option indicates that the City Council may grant deviations from ordinance standards, as provided in the ordinance:

As part of approval of a Preliminary Site Plan, the City Council shall be authorized to grant deviations from the strict terms of the zoning ordinance governing area, bulk, yard, and dimensional requirements applicable to the property; provided, however, that such authorization to grant deviations shall be conditioned upon the Council finding:

A. *That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest;*
B. *That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;*
C. *That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources;*
D. *That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic; and*
E. *That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.*

The identified Ordinance deviations are detailed below.

Maximum Building Length:

The ordinance states building lengths cannot exceed 180 feet. However, if exceeded, the Planning Commission/City Council may modify the length requirement up to 360 feet if there are recreational or social common areas with a minimum capacity of 50 persons within the building. The floor plans provided show social common areas in the form of dining facilities, classrooms and other enrichment areas within the buildings to accommodate more than 50 people. Additional length would also require additional setback of 1 foot for every 3 feet in excess of 180 feet. However, with buildings 3.3 and 3.4 connected by a 4-story pedestrian link and additional rooms are proposed on the east side of the building, the resultant structure is approximately 515 feet. This length would require a total setback of 187 feet. A setback of 123 feet is proposed. The applicant requests Council's approval of the modification of the maximum building length.

Staff supports the deviation because the interconnected facility would better serve the intended population by providing better and safer access to facilities and amenities for staff and residents. In addition, the full building length will only be visible from above, as there are protruding sections and recessed areas that break up the façade from all vantage points on the ground. The visual bulk of the buildings are also broken up by 90 degree wings as well as the shorter recessed structure that connects the buildings. Staff believes the intent of the ordinance is met by the proposed design.

Building Height:

The PD-1 Option requires that buildings exceeding the height limits of the RM-1 district must be between 3 and 5 stories. The proposed buildings are 7 stories and up to 86 feet in height. The original approvals for buildings at Fox Run were between 2 and 5 stories. The ordinance indicates that *for those structures exceeding the maximum height limitation of the District, the minimum yard setbacks shall be equal to the setback requirements of the District, plus*

one additional foot of setback shall be provided for each foot the building exceeds the maximum height limitation of the district. The building setbacks have been increased to 123 feet meet the additional setback required. The applicant has provided justification that in order to accommodate the larger units that today's seniors desire without encroaching into the environmentally sensitive areas of the site, the buildings must be built taller. The proposed number of units (370) previously approved for phase 3 is maintained, which the applicant states are needed to provide a feasible project and to balance the staffing levels and resident amenities proposed.

Staff supports the request for additional building height because the location of the phase 3 buildings are buffered from phase 2 by a forested wetland area and Fox Run Road, as well as from adjacent properties by the forest and wetland areas. The additional height allows the building footprint to remain smaller for less impact to the significant natural features on the site. The height of the proposed buildings also accommodates parking under the buildings. The applicant requests a deviation from the Council.

Minimum Distance Between Buildings:

The ordinance provides a formula based on width and height for a minimum distance between two residential buildings in the RM-1 and RM-2 districts. Using the formula, staff calculates the minimum required distance between RB3.1 and RB3.3 is 81.7 feet. The site plan shows a proposed distance of 77 feet. The applicant requests a deviation from the Council.

RECOMMENDED ACTION: (2 part motion)

Part 1:

Final approval of the request of Erickson Living for JSP 18-18 for the Revised Special Land Use Permit based on the following findings:

Relative to other feasible uses of the site:

- The proposed use will not cause any detrimental impact on existing thoroughfares (as indicated in findings and conclusions of the traffic review letter, including the adequacy of such thoroughfares to handle the existing improvements);
- Subject to satisfying the requirements in the Engineering Review the proposed use will not cause any detrimental impact on the capabilities of public services and facilities (because the plan adequately addresses and provides for water and sanitary sewer service and management of stormwater volumes in accordance with ordinance requirements as set forth in the engineering review);
- The proposed use is compatible with the natural features and characteristics of the land (as proposed impacts to natural features have been minimized as described in the staff and consultant reports);
- The proposed use is compatible with adjacent uses of land (as indicated in the staff and consultant review letters and as demonstrated by the longstanding relationship of the existing development to such uses);
- The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use, which contemplates this use;
- The proposed use will promote the use of land in a socially and economically desirable manner, as it is a continuation of this planned use;
- 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.

This motion is subject to the conditions and the items listed in those letters being addressed on the Final Site Plan.

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

Part 2:
Final approval of the request of Erickson Living for JSP 18-18 for the Revised Preliminary Site Plan with a PD-1 Option and the Fifth Amendment to the Development Agreement (with any final adjustments to be made by the City Manager's Office and City Attorney), and approval of the Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit, and Revised Storm Water Management Plan, subject to and based on the following:

1. City Council finding that the standards of Section 3.31.4.A of the Zoning Ordinance are adequately addressed;
2. Waiver from Section 3.8.2.C for a building exceeding 180 feet in length, up to 515 feet proposed, *because the interconnected facility will better serve the population by providing a protected pedestrian link, the visual appearance of the buildings are broken up by 90-degree wings and the shorter recessed structure connecting the buildings, and the ordinance allows the Planning Commission to modify building length when additional setback from adjacent uses is provided and common areas within the buildings are present, as they are in this proposal;*
3. Waiver to allow building heights to exceed 48 feet in height, up to 89 feet (7 stories) proposed, *because the additional height allows for the building footprints to be minimized to protect natural features on the site, the site is buffered from adjacent neighborhoods by significant tree cover, parking is provided under the buildings, and the ordinance allows for additional height when additional setbacks are provided, as they are in this proposal;*
4. Deviation to allow a reduction in the required 82 feet distance between buildings RB3.1 and RB3.3, 78 feet proposed, *because the site area is maximized and the layout reduces the impact on natural features;*
5. Waiver for the same side driveway spacing on the north side of Fox Run Road, *as the drives have been minimized and consolidated to the extent possible, and the service drive has been separated from entrance and parking lot drives to minimize traffic conflicts;*
6. Waiver for the sight distance at the southern parking area driveway less than the required 260 feet, *because the road speed is relatively slow and many existing trees would need to be removed in order to obtain the proper distance;*
7. Waiver of the requirement for the outside edge of the sidewalk to be located a minimum of 15 feet from the back of curb, 7.59 feet proposed, *because the placement is consistent throughout the Fox Run community and the safety of the existing sidewalks has not been an issue;*
8. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

The City Council's approval of the deviations listed above includes the following findings:

A. *That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest;*

B. *That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;*

C. *That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources;*

D. *That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic; and*

E. *That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.*

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance, Chapter 11 and Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.

MAPS

Location

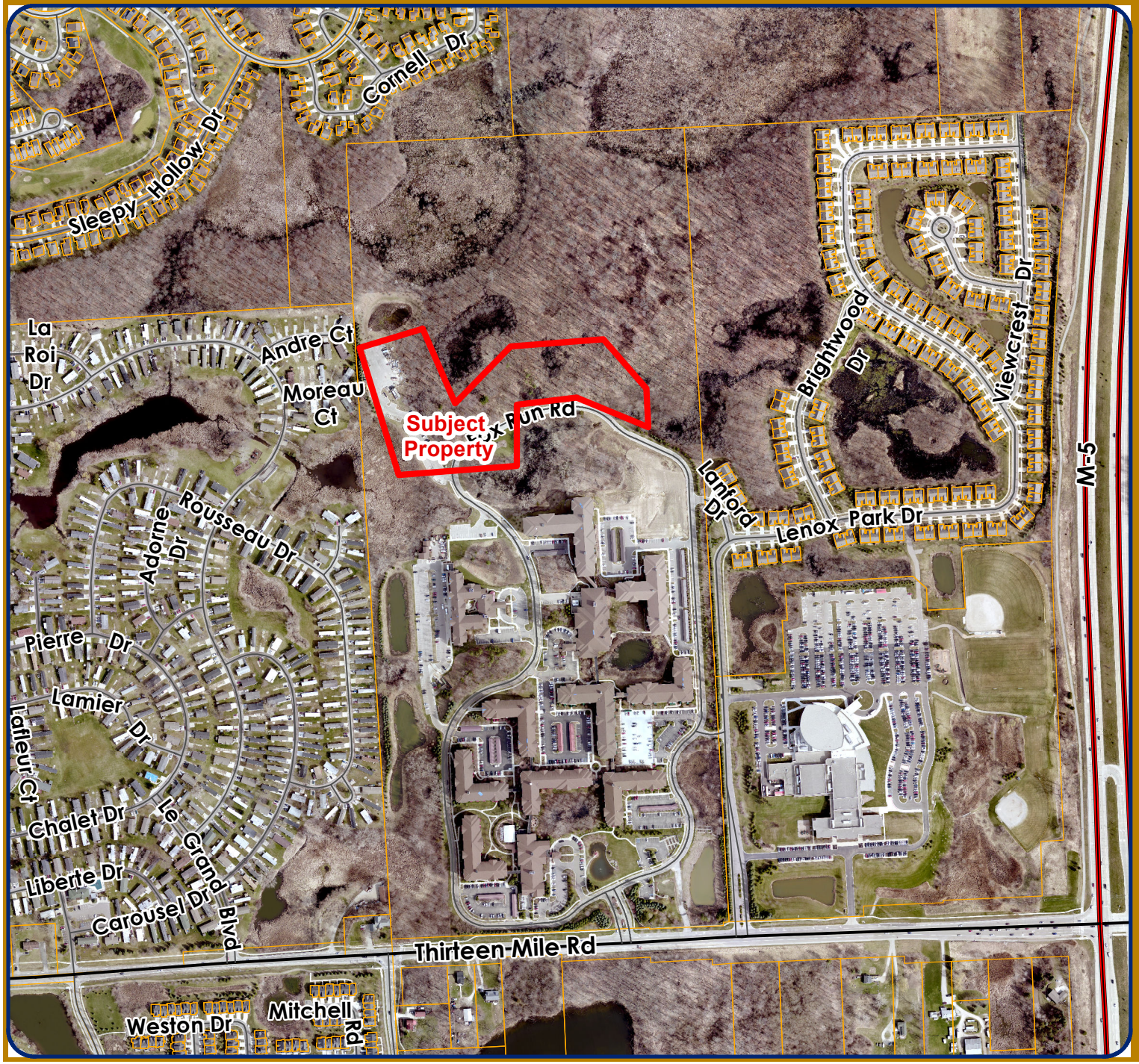
Zoning

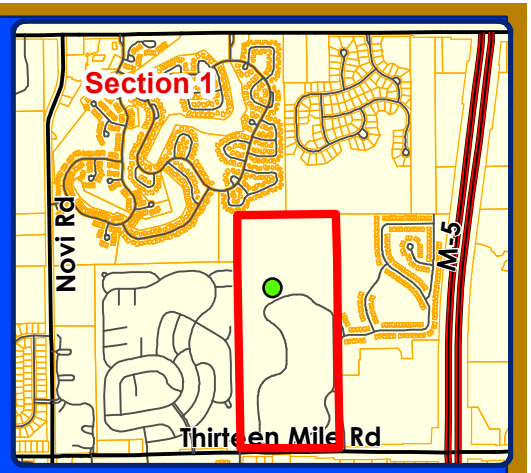
Future Land Use

Natural Features

FOX RUN NEIGHBORHOOD 3: JSP 18-18

LOCATION





LEGEND

Subject Property

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

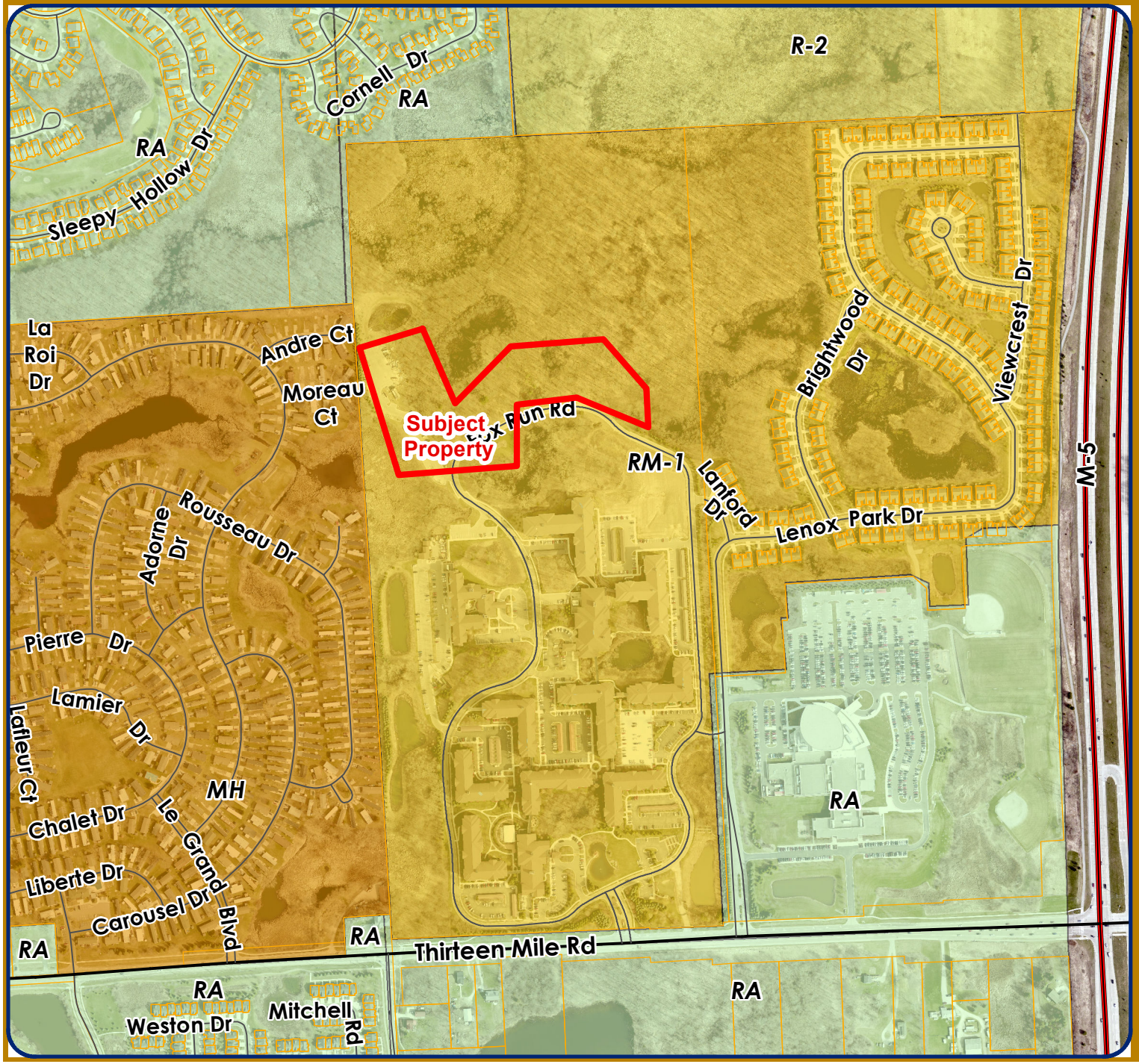
Map Author: Lindsay Bell
Date: 09/05/2018
Project: FOX RUN NH3 JSP18-18
Version #: 1

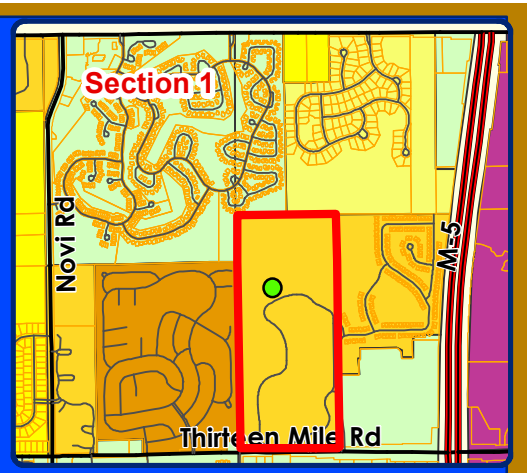
Feet
0 130 260 520 780

1 inch = 583 feet

FOX RUN NEIGHBORHOOD 3: JSP 18-18

ZONING





LEGEND

- R-A: Residential Acreage
- R-2: One-Family Residential
- R-4: One-Family Residential District
- RM-1: Low-Density Multiple Family
- MH: Mobile Home District
- OST: Office Service Technology
- Subject Property

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

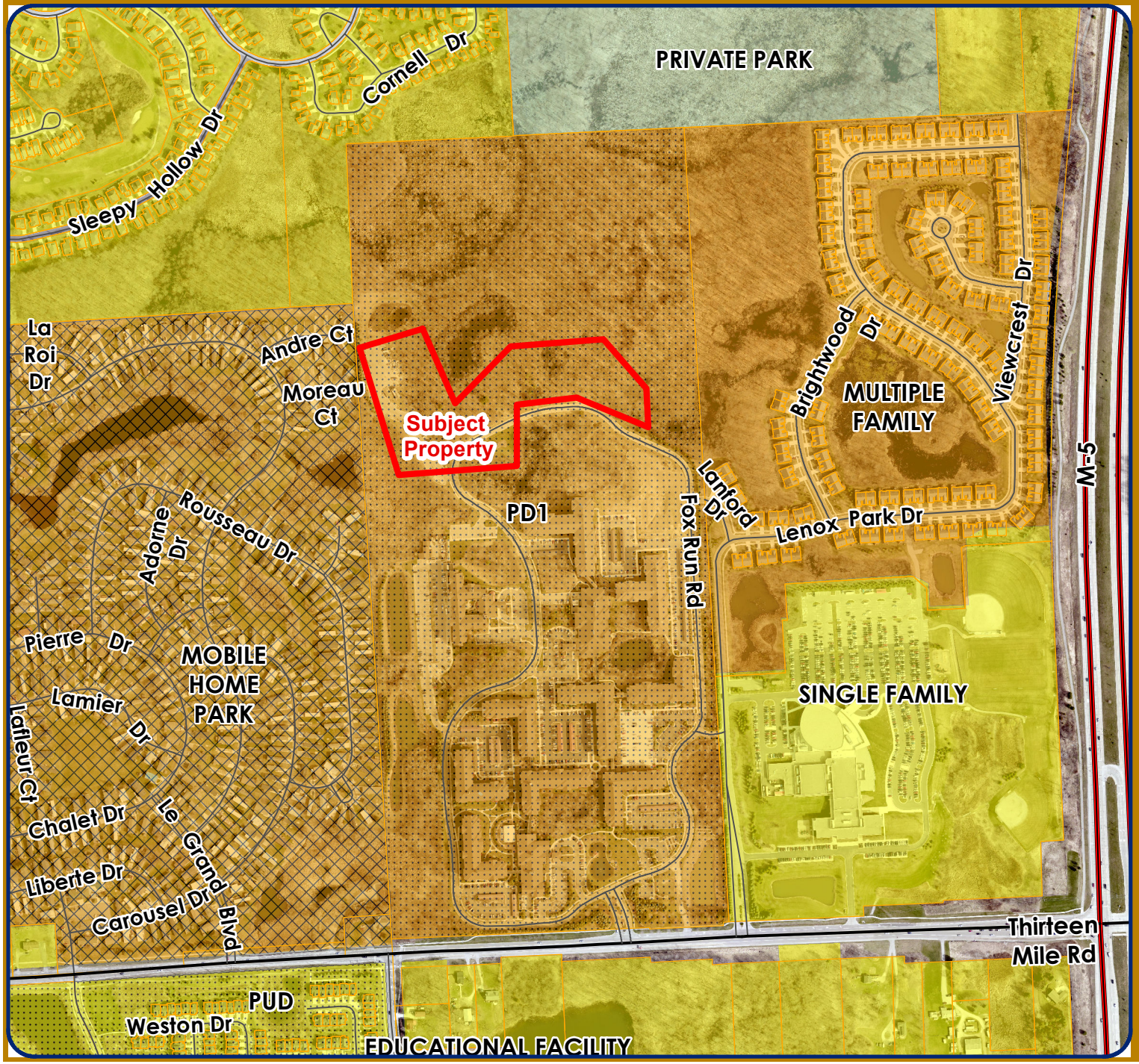
Map Author: Lindsay Bell
Date: 09/05/2018
Project: FOX RUN NH3 JSP18-18
Version #: 1

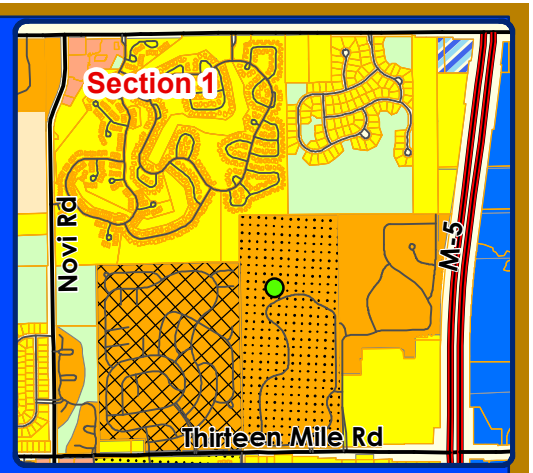
Feet
0 130 260 520 780

1 inch = 583 feet

FOX RUN NEIGHBORHOOD 3: JSP 18-18

FUTURE LAND USE





LEGEND

FUTURE LAND USE

- Single Family
- PUD
- Multiple Family
- PD1
- Mobile Home Park
- Community Office
- Office RD Tech
- Local Commercial
- Educational Facility
- Private Park
- Subject Property

City of Novi
Dept. of Community Development
City Hall / Civic Center
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Novi, MI 48375
cityofnovi.org

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Feet
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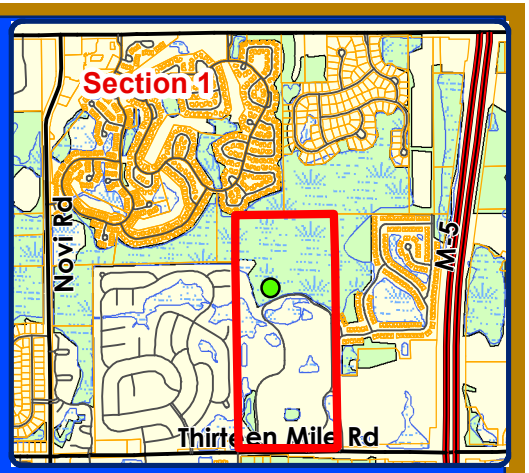
1 inch = 583 feet

FOX RUN NEIGHBORHOOD 3: JSP 18-18

NATURAL FEATURES



LEGEND

- WETLANDS
- WOODLANDS
- Subject Property

City of Novi
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Project: FOX RUN NH3 JSP18-18
Version #: 1

Feet
0 130 260 520 780

1 inch = 583 feet

SITE PLAN

PHASE 3 LANDSCAPE PLAN
SCALE 1" = 50'

NORTH

Lantz-Boggio Architects, P.C.
5650 DTC Pkwy. | Suite 200 | Englewood | CO 80111
Ph. 303.773.0436 | Fax: 303.773.8709

FOX RUN - PHASE 3

Novi | MI

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Baltimore, MD 21228
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Fax : (410) 402 2420

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New Hudson, MI 48165
Phone: (248) 437 5099

Structural Engineer:
Jirsa Hedrick Structural Engineers
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Greenwood Village, CO 80111
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Mechanical Engineer:
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Lakewood, CO 80228
Phone: (303) 716 1270

Geotechnical Engineer:
Testing Engineers & Consultants, Inc.
1343 Rochester Road - P.O. Box 249
Troy, MI 48099
Phone: (248) 588 6200

Landscape Architect:
Hagenbuch Weikal Landscape Architecture
33203 Biddestone Lane
Farmington Hills, MI 48334
Phone: (248) 447 3600

No.	Date	Description
1	3-26-18	PRE-APP REVIEW
2	1-15-19	RPSP SUBMISSION

MISS DIG SYSTEM, INC. 1-800-482-7171
THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

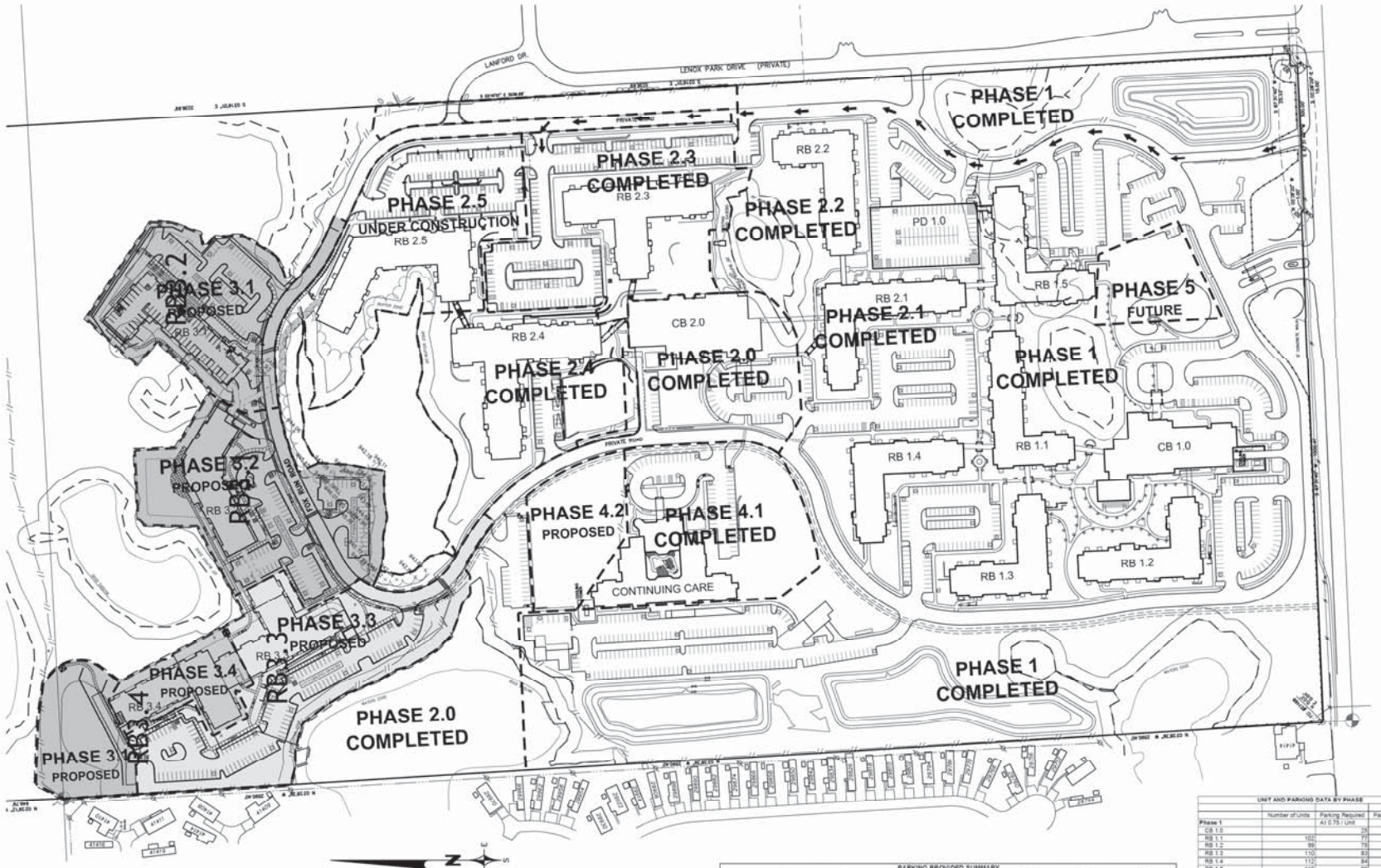
Seal:

KENNETH S. WEIKAL LANDSCAPE ARCHITECT No. 1572

LBA Project
Date 03/28/2018

PHASE 3
LANDSCAPE PLAN

L301



SCALE: 1" = 100'

0 50' 100' 200'

DENSITY CALCULATION TABLE

Unit Type	Number of Rooms	Site Area Req'd per Unit	Number of Units	Net Site Area Req'd
Studio	1	700	21	14,700
One Bedroom	2	1,400	376	526,400
One Bedroom + Den	3	2,100	146	306,600
Two Bedroom	3	2,100	719	1,509,900
Two Bedroom + Den	4	2,800	235	658,000
Totals			1,497	3,015,600
Asst. Living Unit	n/a	1,500	192	288,000
Skilled Nursing Unit	n/a	1,500	198	297,000
			390	585,000

Total Site Area Required = 3,015,600 + 585,000 = 3,600,600 SF

Total Site Area Available = 3,764,107 SF

102.817 Acres – 16.405 Acres Regulated Wetlands over 2 Acres = 86.412 Acres

PARKING PROVIDED SUMMARY

	Standard (Surface)	Barrier Free - Car (Surface)	Barrier Free - Van (Surface)	Standard (Garage)	Barrier Free - Car (Garage)	Barrier Free - Van (Garage)	Total
Phase 1	438	14	4	0	0	0	456
Phase 2	434	11	6	79	2	0	532
Phase 3	197	4	4	183	0	0	388
Phase 4	111	3	2	0	0	0	116
Phase 5	30	0	2	0	0	0	32
Visitor / Employee	227	1	0	0	0	0	228
Total	1437	33	18	262	2	0	1752

SITE DATA

	PER ORDINANCE	PROVIDED
MAXIMUM BUILDING HEIGHT	5 STORIES / 65'	7 STORIES / 82'
MAXIMUM BUILDING LENGTH	360'	517'
FRONT YARD SETBACK	50'	150'
SIDE YARD SETBACK	75'	95'
REAR YARD SETBACK	75'	790'
OPEN SPACE AREA	317,600 S.F.	OVER 317,600 S.F.
GROSS GROUND FLOOR AREA*		496,061 S.F.
MAXIMUM LOT COVERAGE	25%	13.1%
PAVEMENT AREA		729,713 S.F.

* EXCLUDES PHASE 5 CHAPEL

UNIT AND PARKING DATA BY PHASE

	Number of Units	Parking Required	Parking Provided
Phase 1		At 0.75 / Unit	
CB 1.0		25	25
RB 1.1	102	77	79
RB 1.2	99	75	78
RB 1.3	110	83	88
RB 1.4	112	84	93
RB 1.5	119	90	93
Total:	542	434	456
Phase 2		At 0.75 / Unit	
CB 2.0		25	53
RB 2.1	135	102	108
RB 2.2	81	61	81
RB 2.3	99	75	79
RB 2.4	137	103	108
RB 2.5	137	103	107
Total:	585	466	532
Phase 3		At 1.00 / Unit	
RB 3.1	90	90	90
RB 3.2	80	80	80
RB 3.2 (Visitor)			18
RB 3.3	104	104	104
RB 3.4	96	96	96
Total:	370	370	388
Phase 4		At 0.25 / Unit	
Assisted Living Unit	152	48	66
Skilled Nursing Unit	198	50	50
Total:	390	98	116
Phase 5			
Chapel		25	32
Visitor/Employee		226	226
Grand Total:	1887	1621	1752

Lantz-Boggio Architects, P.C.
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FOX RUN - PHASE 3

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Phone: (248) 588 6200

Landscape Architect:
Hagenbuch Weikal Landscape Architecture
33203 Biddestone Lane
Farmington Hills, MI 48334
Phone: (248) 447 3600

No.	Date	Description
1	03.15.2018	PRE-APP SUBMITTAL
2	08.26.2018	PSP SUBMITTAL
3	11.02.2018	PSP SUBMITTAL
4	01.15.2018	RPSP SUBMITTAL
5		
6		

MISS DIG SYSTEM, INC. 1-800-482-7171

THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

STATE OF MICHIGAN — JULIAN JAY HARGO, JR. — ENGINEER — No. 36177 — PROFESSIONAL ENGINEER

Julian J. Hargo, Jr.

LBA Project	2013.19
Date	03/23/2018

OVERALL SITE PLAN

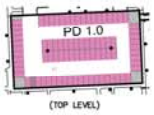
C100

Z:\Projects\17136\DWG\17136 OVERALL PARKING PLAN.dwg, C:\00 OVERALL SITE PLAN, 11/5/2018 10:54:21 AM, dbenitez

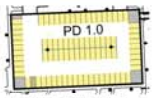
PARKING TABULATION:

25	CB 1.0 PARKING LOCATIONS 21 REGULAR STALLS (21 SURFACE) 4 ADA STALLS (4 SURFACE)	
79	RB 1.1 PARKING LOCATIONS 73 REGULAR STALLS (73 SURFACE) 6 ADA STALLS (6 SURFACE)	
78	RB 1.2 PARKING LOCATIONS 76 REGULAR STALLS (76 SURFACE) 2 ADA STALLS (2 SURFACE)	
88	RB 1.3 PARKING LOCATIONS 86 REGULAR STALLS (86 SURFACE) 2 ADA STALLS (2 SURFACE)	
93	RB 1.4 PARKING LOCATIONS 91 REGULAR STALLS (91 SURFACE) 2 ADA STALLS (2 SURFACE)	
93	RB 1.5 PARKING LOCATIONS 91 REGULAR STALLS (91 SURFACE) 2 ADA STALLS (2 SURFACE)	
53	CB 2.0 PARKING LOCATIONS 49 REGULAR STALLS (49 SURFACE) 4 ADA STALLS (4 SURFACE)	
105	RB 2.1 PARKING LOCATIONS 105 REGULAR STALLS (105 SURFACE, 0 GARAGE) 0 ADA STALLS (0 SURFACE, 0 GARAGE)	
81	RB 2.2 PARKING LOCATIONS 79 REGULAR STALLS (0 SURFACE, 79 GARAGE) 2 ADA STALLS (0 SURFACE, 2 GARAGE)	
78	RB 2.3 PARKING LOCATIONS 78 REGULAR STALLS (78 SURFACE) 0 ADA STALLS (0 SURFACE, 0 GARAGE)	
108	RB 2.4 PARKING LOCATIONS 101 REGULAR STALLS (101 SURFACE) 7 ADA STALLS (7 SURFACE)	
107	RB 2.5 PARKING LOCATIONS 101 REGULAR STALLS (101 SURFACE) 6 ADA STALLS (6 SURFACE)	
83	RB 3.1 PARKING LOCATIONS 81 REGULAR STALLS 54 SURFACE, 27 GARAGE) 2 ADA STALLS (2 SURFACE, 0 GARAGE)	
89	RB 3.2 PARKING LOCATIONS 85 REGULAR STALLS (59 SURFACE, 26 GARAGE) 4 ADA STALLS (2 SURFACE, 2 GARAGE)	
98	RB 3.3 PARKING LOCATIONS 96 REGULAR STALLS (51 SURFACE, 45 GARAGE) 2 ADA STALLS (2 SURFACE, 0 GARAGE)	
97	RB 3.4 PARKING LOCATIONS 95 REGULAR STALLS (46 SURFACE, 49 GARAGE) 2 ADA STALLS (2 SURFACE, 0 GARAGE)	
38	VISITOR PARKING LOCATIONS AT RB 3.4 38 REGULAR STALLS (38 SURFACE, 0 GARAGE) 0 ADA STALLS (0 SURFACE, 0 GARAGE)	
116	CONTINUING CARE PARKING LOCATIONS (PHASE 4) 111 REGULAR STALLS (111 SURFACE) 5 ADA STALLS (5 SURFACE)	
32	CHAPEL PARKING LOCATIONS (PHASE 5) 30 REGULAR STALLS (30 SURFACE) 2 ADA STALLS (2 SURFACE)	
225	EMPLOYEE/EVENT PARKING LOCATIONS 224 REGULAR STALLS (224 SURFACE) 1 ADA STALLS (1 SURFACE)	

MASTER OVERALL PARKING						
		PHASE 1	PHASE 2	PHASE 3	OTHER	SUMMARY – OVERALL
REGULAR STALLS	SURFACE	438	434	210	365	1447
	GARAGE	0	79	147	0	226
ADA STALLS	SURFACE	16	17	6	8	91
	GARAGE	0	2	2	0	4
TOTAL STALLS		456	532	367	373	1728



(TOP LEVEL)



GARAGE (LOWER LEVEL)

PD 1.0 DETAIL

Lantz-Boggio Architects, P.C.
9680 DTC Pkwy | Suite 200 | Englewood | CO 80111
Ph: 303.773.0436 | Fax: 303.773.8709

FOX RUN - PHASE 3

NOVI | MI

Owner:
Erickson Living
701 Maiden Choice LN.
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Civil Engineer:
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Structural Engineer:
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Phone: (248) 588 6200

Landscape Architect:
Hagenbuch Weikal Landscape Architecture
33203 Biddestone Lane
Farmington Hills, MI 48334
Phone: (248) 447 3600

No.	Date	Description
1	03.15.2018	PRE-APP SUBMITTAL
2	06.26.2018	PSP SUBMITTAL
3	01.15.2019	RPSP SUBMITTAL
4		
5		
6		

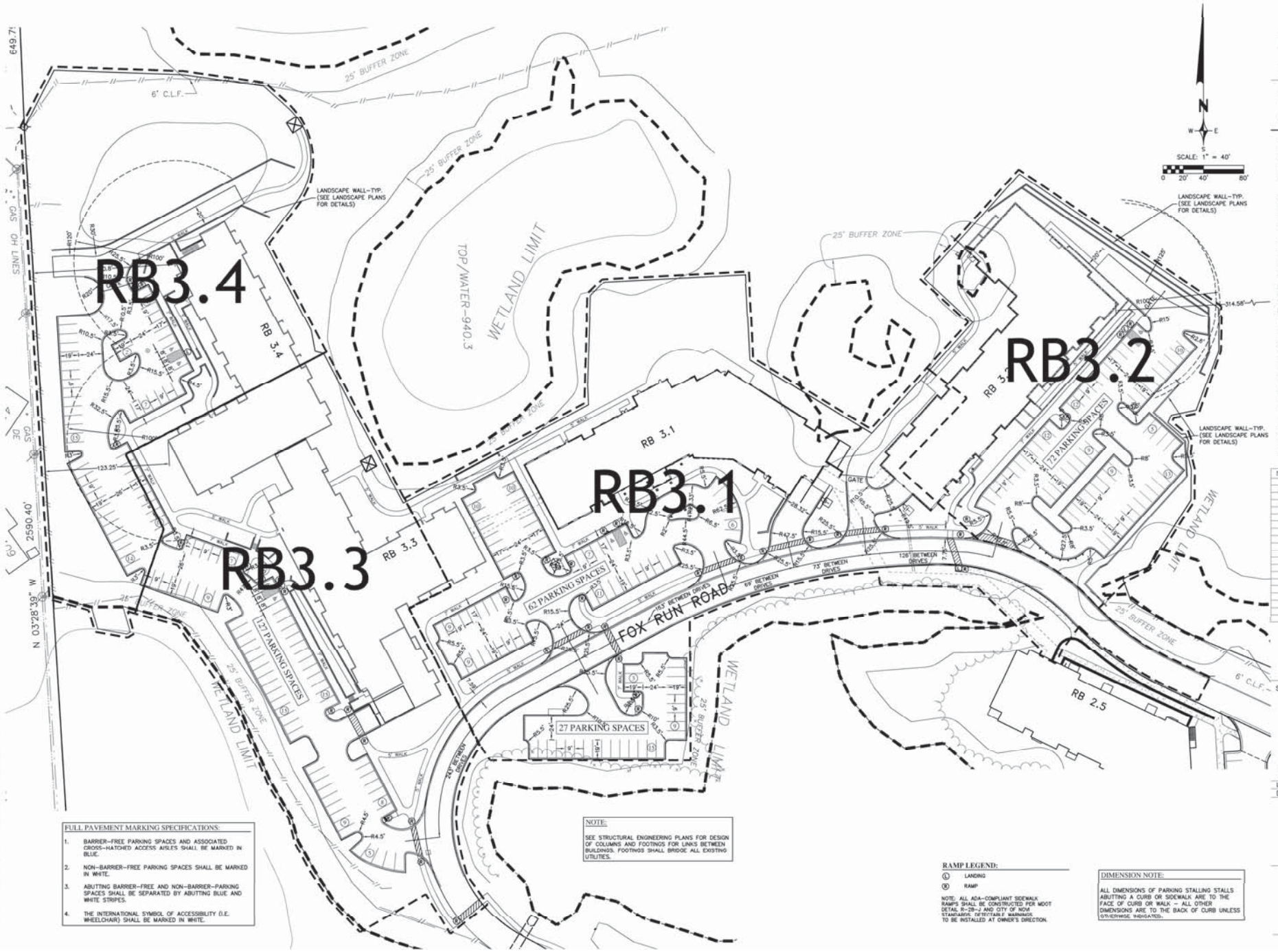
MISS DIG SYSTEM, INC. 1-800-482-7171
THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

LBA Project	2013.19
Date	03/23/2018

MASTER PARKING ALLOCATION PLAN

C100.1



FULL PAVEMENT MARKING SPECIFICATIONS:

1. BARRIER-FREE PARKING SPACES AND ASSOCIATED CROSS-HATCHED ACCESS AISLES SHALL BE MARKED IN BLUE.
2. NON-BARRIER-FREE PARKING SPACES SHALL BE MARKED IN WHITE.
3. ABUTTING BARRIER-FREE AND NON-BARRIER-PARKING SPACES SHALL BE SEPARATED BY ABUTTING BLUE AND WHITE STRIPES.
4. THE INTERNATIONAL SYMBOL OF ACCESSIBILITY (I.E. WHEELCHAIR) SHALL BE MARKED IN WHITE.

NOTE:

SEE STRUCTURAL ENGINEERING PLANS FOR DESIGN OF COLUMNS AND FOOTINGS FOR LINKS BETWEEN BUILDINGS. FOOTINGS SHALL BRIDGE ALL EXISTING UTILITIES.

RAMP LEGEND:

(L) LANDING
(R) RAMP

NOTE: ALL ADA-COMPLIANT SIDEWALK RAMPS SHALL BE CONSTRUCTED PER MDOT DETAIL R-28-J AND CITY OF NOVI STANDARDS. DETECTABLE WARNINGS TO BE INSTALLED AT OWNER'S DIRECTION.

DIMENSION NOTE:

ALL DIMENSIONS OF PARKING STALLING STALLS ABUTTING A CURB OR SIDEWALK ARE TO THE FACE OF CURB OR WALK - ALL OTHER DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE INDICATED.

Lantz-Boggio Architects, P.C.
9600 DTC Pkwy | Suite 200 | Englewood | CO 80111
Ph: 303.773.0436 | Fax 303.773.6709

FOX RUN - PHASE 3

NOVI | MI

Owner:
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No.	Date	Description
1	03.23.2018	PRE-APP SUBMITTAL
2	06.26.2018	PSP SUBMITTAL
3	11.02.2018	PSP SUBMITTAL
4	01.15.2019	RPSP SUBMITTAL
5		
6		

MISS DIG SYSTEM, INC. 1-800-482-7171
THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

STATE OF MICHIGAN — JULIAN JAY NOWICKI, JR. — ENGINEER — No. 39179 — REGISTERED PROFESSIONAL ENGINEER

Julian J. Nowicki, Jr.

LBA Project	2013.19
Date	03/23/2018

SITE DIMENSION PLAN

C101

ASPHALT SHINGLE ROOF

BRICK 1 - BAYHILL

TRIM

BRICK 2 - CABERNET

STANDING SEAM METAL ROOF

BRICK 3 - GREY ASH

STUCCO 1

STUCCO 2

FOX RUN - NEIGHBORHOOD 3 - CONCEPT

LANTZ-BOGGIO
Architects & Interior Designers
5650 DTC Parkway | Suite 200 | Englewood | CO 80111 | Ph: 303.773.0436

FOX RUN - NEIGHBORHOOD 3

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MISS DIG SYSTEM INC.
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THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

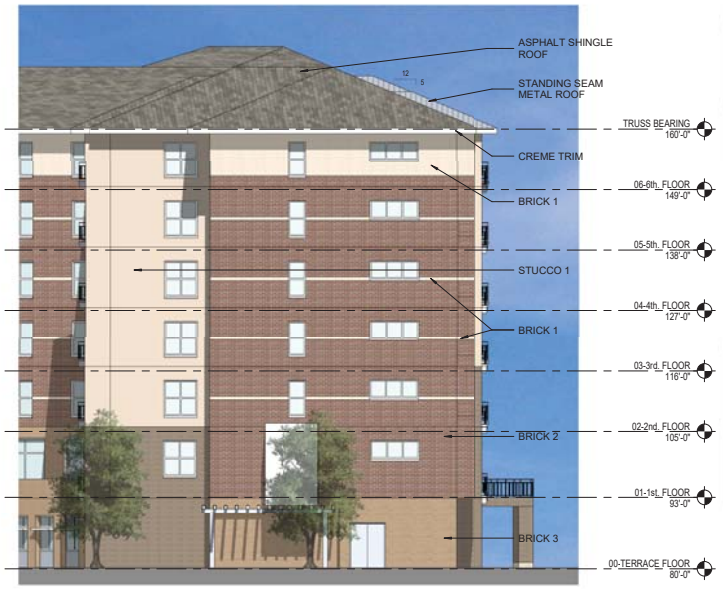
01.15.2019

LBA Project	2016.5600
Date	01.15.2019

MATERIAL BOARD

PSP - 010

2 SOUTHWEST ELEVATION
3/32" = 1'-0"



3 SOUTHEAST ELEVATION
3/32" = 1'-0"

FOX RUN RB3.2

	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
SOUTH	ASPHALT SHINGLE ROOF	3629 SF 30.0%	33.3%
	STANDING SEAM METAL ROOF	826 SF 6.8%	12.5%
	TRIM	182 SF 1.5%	15.0%
	STUCCO	5595 SF 27.0%	25.0%
	BRICK	10514 SF 64.5%	100% (90% MIN)
		16346 SF 100.0%	
SOUTHWEST	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	3961 SF 30.7%	33.3%
	STANDING SEAM METAL ROOF	212 SF 2.1%	12.5%
	TRIM	196 SF 1.5%	15.0%
	STUCCO	2099 SF 21.1%	25.0%
	BRICK	6473 SF 65.0%	100% (90% MIN)
		9951 SF 100.0%	
SOUTHEAST	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	519 SF 8.1%	33.3%
	STANDING SEAM METAL ROOF	68 SF 1.1%	12.5%
	TRIM	76 SF 1.2%	15.0%
	STUCCO	1527 SF 23.8%	25.0%
	BRICK	4220 SF 65.8%	100% (90% MIN)
		6410 SF 100.0%	
NORTH	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	1021 SF 9.9%	33.3%
	STANDING SEAM METAL ROOF	417 SF 4.0%	12.5%
	TRIM	233 SF 2.3%	15.0%
	STUCCO	4308 SF 41.8%	25.0%
	BRICK	12478 SF 64.4%	100% (90% MIN)
		10457 SF 100.0%	
NORTHEAST	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	1259 SF 9.7%	33.3%
	STANDING SEAM METAL ROOF	322 SF 2.5%	12.5%
	TRIM	147 SF 1.1%	15.0%
	STUCCO	2852 SF 22.0%	25.0%
	BRICK	8385 SF 64.7%	100% (90% MIN)
		12965 SF 100.0%	
WEST	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	514 SF 8.0%	33.3%
	STANDING SEAM METAL ROOF	56 SF 0.9%	12.5%
	TRIM	81 SF 1.3%	15.0%
	STUCCO	1061 SF 16.6%	25.0%
	BRICK	4686 SF 73.2%	100% (90% MIN)
		6398 SF 100.0%	

1 SOUTH ELEVATION
3/32" = 1'-0"

NOTE:

ALL UNITS IN THE REMAINING PHASE II WILL MEET MINIMUM FLOOR AREA REQUIREMENTS AS PART OF THE NEXT PLAN SUBMITTAL.

TME MAXIMUM NUMBER OF EFFICIENCY UNITS ON SITE WILL BE 10% AS PART OF THE NEXT PLAN SUBMITTAL.

LANTZ-BOGGIO
Architects & Interior Designers
5650 DTC Parkway | Suite 200 | Englewood | CO 80111 | Ph: 303.773.0436

FOX RUN - RB 3.1

41340 Fox Run Road
Novi | MI

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No.	Date	Description

MISS DIG SYSTEM INC.
1-800-482-7171

THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

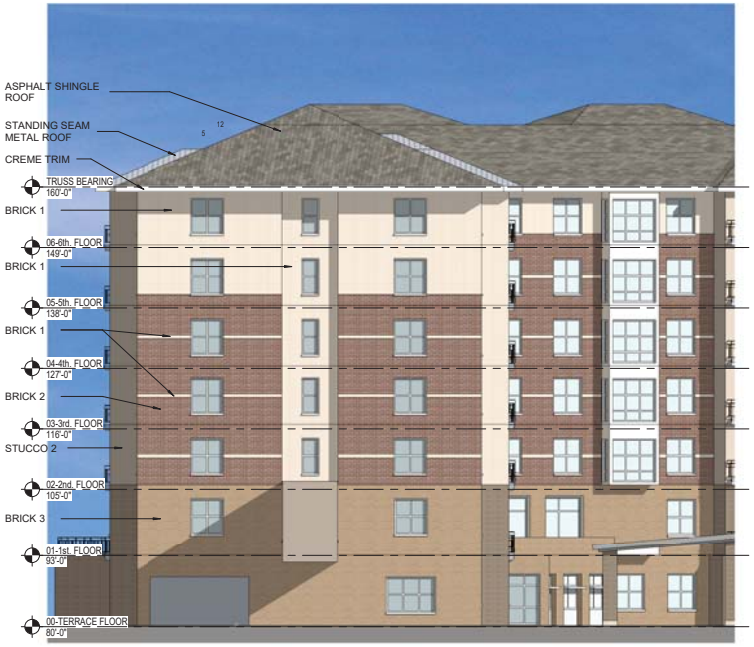
01.15.2019

LBA Project	2017.3700
Date	01.15.2019

RB3.1 - SOUTH ELEVATIONS

PSP - 501

1 NORTH ELEVATION
3/32" = 1'-0"



2 WEST ELEVATION
3/32" = 1'-0"

3 NORTHEAST ELEVATION
3/32" = 1'-0"

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FOX RUN - RB 3.1

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No.	Date	Description

MISS DIG SYSTEM INC.
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THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

01.15.2019

LBA Project	2017.3700
Date	01.15.2019

RB3.1 - NORTH and WEST ELEVATIONS

PSP - 502

1 EAST ELEVATION

3/32" = 1'-0"

0 2' 5' 10' 20'

FOX RUN RB3.1

	MATERIAL	FAÇADE %	ORDINANCE MAXIMUM %
SOUTH	ASPHALT SHINGLE ROOF	2213 SF 9.6%	12.5%
	STANDING SEAM METAL ROOF	802 SF 3.5%	12.5%
	TRIM	286 SF 1.2%	15.0%
	STUCCO	6053 SF 26.4%	25.0%
	BRICK	13619 SF 59.3%	100% (30% MIN)
		22973 SF 100.0%	
EAST	MATERIAL	FAÇADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	1063 SF 9.3%	12.5%
	STANDING SEAM METAL ROOF	458 SF 4.1%	12.5%
	TRIM	161 SF 1.4%	15.0%
	STUCCO	2485 SF 22.3%	25.0%
	BRICK	6981 SF 62.6%	100% (30% MIN)
		11148 SF 100.0%	
NORTH	MATERIAL	FAÇADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	2565 SF 10.4%	12.5%
	STANDING SEAM METAL ROOF	583 SF 2.0%	12.5%
	TRIM	302 SF 1.2%	15.0%
	STUCCO	6057 SF 24.4%	25.0%
	BRICK	15287 SF 62.0%	100% (30% MIN)
		24819 SF 100.0%	
WEST	MATERIAL	FAÇADE %	ORDINANCE MAXIMUM %
	ASPHALT SHINGLE ROOF	1363 SF 10.5%	12.5%
	STANDING SEAM METAL ROOF	119 SF 0.9%	12.5%
	TRIM	158 SF 1.2%	15.0%
	STUCCO	3188 SF 24.6%	25.0%
	BRICK	8151 SF 62.8%	100% (30% MIN)
		12979 SF 100.0%	

2 SOUTH ELEVATION

3/32" = 1'-0"

0 2' 5' 10' 20'

LANTZ-BOGGIO
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FOX RUN - RB 3.2

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No.	Date	Description

MISS DIG SYSTEM INC.
1-800-482-7171

THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

01.15.2019

LBA Project	2017.3700
Date	01.15.2019

RB3.2 - SOUTH and EAST ELEVATIONS

PSP - 503

2 WEST ELEVATION

3/32" = 1'-0" 0 2' 5' 10' 20'

1 NORTH ELEVATION

3/32" = 1'-0" 0 2' 5' 10' 20'

LANTZ-BOGGIO
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FOX RUN - RB 3.2

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01.15.2019

LBA Project	2017.3700
Date	01.15.2019

RB3.2 - NORTH and WEST ELEVATIONS

PSP - 504

1 SOUTH ELEVATION

3/32" = 1'-0"

0 2' 5' 10' 20'

2 EAST ELEVATION

3/32" = 1'-0"

0 2' 5' 10' 20'

FOX RUN RB3.3

	MATERIAL	FAÇADE 1		ORDINANCE MAXIMUM %
SOUTH	ASPHALT SHINGLE ROOF	1720 SF	11.4%	25.0%
	STANDING SEAM METAL ROOF	206 SF	1.4%	
	TRIM	170 SF	1.1%	15.0%
	STUCCO	4096 SF	27.2%	25.0%
	BRICK	8800 SF	58.5%	100% (50% MIN.)
		15058 SF	100.0%	

	MATERIAL	FAÇADE 1		ORDINANCE MAXIMUM %
EAST	ASPHALT SHINGLE ROOF	3269 SF	13.5%	25.0%
	STANDING SEAM METAL ROOF	273 SF	1.1%	
	TRIM	345 SF	1.4%	15.0%
	STUCCO	6359 SF	26.3%	25.0%
	BRICK	13969 SF	57.8%	100% (50% MIN.)
		24155 SF	100.0%	

	MATERIAL	FAÇADE 1		ORDINANCE MAXIMUM %
NORTH	ASPHALT SHINGLE ROOF	1755 SF	13.2%	25.0%
	STANDING SEAM METAL ROOF	237 SF	1.8%	
	TRIM	169 SF	1.3%	15.0%
	STUCCO	3432 SF	25.9%	25.0%
	BRICK	7655 SF	57.8%	100% (50% MIN.)
		13249 SF	100.0%	

	MATERIAL	FAÇADE 1		ORDINANCE MAXIMUM %
WEST	ASPHALT SHINGLE ROOF	3162 SF	13.1%	25.0%
	STANDING SEAM METAL ROOF	568 SF	2.3%	
	TRIM	282 SF	1.2%	15.0%
	STUCCO	5970 SF	24.7%	25.0%
	BRICK	14221 SF	58.7%	100% (50% MIN.)
		24183 SF	100.0%	

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FOX RUN - NEIGHBORHOOD 3

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Seal:

01.15.2019

LBA Project	2016.5600
Date	01.15.2019

RB3.3 - SOUTH and EAST ELEVATIONS

PSP - 505

1 NORTH ELEVATION

3/32" = 1'-0"

0 2' 5' 10' 20'

2 WEST ELEVATION

3/32" = 1'-0"

0 2' 5' 10' 20'

LANTZ-BOGGIO
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No.	Date	Description

MISS DIG SYSTEM, INC. 1-800-482-7171

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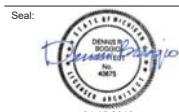
Seal:



01.15.2019

LBA Project	2016.5600
Date	01.15.2019

RB3.3 - NORTH and WEST ELEVATIONS

PSP - 506

1 SOUTH ELEVATION
3/32" = 1'-0"

0 2' 5' 10' 20'

FOX RUN RB3.4

	MATERIAL	FACADE %	ORDINANCE MAXIMUM %
SOUTH	ASPHALT SHINGLE ROOF	1671 SF 13.8%	12.5%
	STANDING SEAM METAL ROOF	129 SF 1.1%	12.5%
	TRIM	157 SF 1.3%	15.0%
	STUCCO	3095 SF 27.9%	25.0%
	BRICK	8025 SF 66.4%	100% (30% MIN)
		12077 SF 100.0%	
EAST	ASPHALT SHINGLE ROOF	2381 SF 11.6%	12.5%
	STANDING SEAM METAL ROOF	448 SF 2.2%	12.5%
	TRIM	229 SF 1.1%	15.0%
	STUCCO	4487 SF 21.8%	25.0%
	BRICK	17980 SF 63.3%	100% (30% MIN)
		20520 SF 100.0%	
NORTH	ASPHALT SHINGLE ROOF	1121 SF 11.0%	12.5%
	STANDING SEAM METAL ROOF	265 SF 1.9%	12.5%
	TRIM	157 SF 1.2%	15.0%
	STUCCO	3987 SF 28.8%	25.0%
	BRICK	7905 SF 57.1%	100% (30% MIN)
		13845 SF 100.0%	
WEST	ASPHALT SHINGLE ROOF	2495 SF 11.9%	12.5%
	STANDING SEAM METAL ROOF	314 SF 1.5%	12.5%
	TRIM	238 SF 1.1%	15.0%
	STUCCO	4702 SF 22.4%	25.0%
	BRICK	13197 SF 63.0%	100% (30% MIN)
		20946 SF 100.0%	

2 EAST ELEVATION
3/32" = 1'-0"

0 2' 5' 10' 20'

LANTZ-BOGGIO
Architects & Interior Designers
5650 DTC Parkway | Suite 200 | Englewood | CO 80111 | Ph: 303.773.0436

FOX RUN - NEIGHBORHOOD 3

41340 Fox Run Road
Novi | MI

Owner:
Owner
701 Maiden Choice Ln.
Baltimore, MD 21228
Phone: (410) 242 2880
Fax : (410) 402 2420

Civil Engineer:
Zeimet Wozniak & Associates, Inc
55800 Grand River Avenue, Suite 100
New Hudson, MI 48165
Phone: (248) 437 5099

Structural Engineer:
Jirsa Hedrick Structural Engineers
7000 E. Belleview Avenue, Suite 600
Greenwood Village, CO 80111
Phone: (303) 839 1963

Mechanical Engineer:
Given & Associates, Inc.
735 South Xenon Court, Suite 201
Lakewood, CO 80228
Phone: (303) 716 1270

Electrical Engineer:
Given & Associates, Inc.
735 South Xenon Court, Suite 201
Lakewood, CO 80228
Phone: (303) 716 1270

Geotechnical Engineer:
Testing Engineers & Consultants, Inc.
1343 Rochester Road - P.O. Box 249
Troy, MI 48099
Phone: (248) 588 6200

Landscape Architect:
Kenneth Weikal Landscape Architecture
33203 Biddestone Lane
Farmington Hills, MI 48334
Phone: (248) 447 3600

No.	Date	Description

MISS DIG SYSTEM INC.
1-800-482-7171

THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM

Seal:

01.15.2019

LBA Project	2016.5600
Date	01.15.2019

RB3.4 - SOUTH and EAST ELEVATIONS

PSP - 507

1 NORTH ELEVATION

3/32" = 1'-0"

2 WEST ELEVATION

3/32" = 1'-0"

LANTZ-BOGGIO
Architects & Interior Designers
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MISS DIG SYSTEM INC. 1-800-482-7171

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Seal:

01.15.2019

LBA Project	2016.5600
Date	01.15.2019

RB3.4 - NORTH and WEST ELEVATIONS

PSP - 508

FIFTH AMENDMENT
TO THE
DEVELOPMENT AGREEMENT

FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT

THIS AGREEMENT, by and between Redwood-ERC Novi, LLC, a Maryland limited liability company, whose address is 701 Maiden Choice Lane, Baltimore, MD 21228 (the "Owner") and the City of Novi, a Michigan municipal corporation, 45175 Ten Mile Road, Novi, MI 48375 (the "City").

RECITALS:

I. The Owner owns all interest in the Land described on the attached and incorporated Property Description Exhibit A (Property").

II. On or about January 25, 2002, the Owner's predecessors and City entered into a certain "Development Agreement" with respect to the rezoning of the Property for improvement and use as a retirement community. The Development Agreement incorporated a Preliminary Site Plan in respect to the development of the Property. The Development Agreement is on file with the Novi City Clerk, and an Affidavit Disclosing Development Agreement was recorded at Liber 26325, page(s) 514-515, Oakland County Register of Deeds.

III. On October 20, 2003, the Owner's predecessor sought, and the City approved, the First Amendment to the Development Agreement for purposes of incorporating a revised Preliminary Site Plan with a PD-1 option with respect to the Property for the purposes of adding a walkway, consolidating certain parking, rotating a building thereby preserving high quality trees, and modifying facades to distinguish between Phase I and Phase II. This First Amendment to the Development Agreement was executed on April 7, 2014 and is on file with the Novi City Clerk.

III. On January 11, 2014, Owner sought, and the City approved, a revised Preliminary Site Plan with a PD-1 option in respect to the property for purposes of reconfiguring the buildings located within Phase 2.3 and demonstrating its relationship with future Phases 2.4, 2.5, Phase III and Phase IV. The Second Amendment to the Development Agreement was executed on the 7th day of April, 2014 and is on file with the Novi City Clerk.

IV. On the 24th day of March, 2014 the Owner sought, and the City approved, a revised Preliminary Site Plan with the PD-1 Option and a revised phasing plan as the Developer had adjusted the phasing lines of the plan to include the parking lot south of Phase 2.5 into Phase 2.3. This parking lot was previously a part of Phase 2.4. Additionally, more landscape screening was added along the property line bordering the Lenox Park

Development. The Third Amendment to the Development Agreement was executed on the 7th day of April, 2014 and is on file with the Novi City Clerk.

V. An Affidavit, dated June 6, 2014, disclosing the First, Second, and Third Amendments to the Development Agreement was recorded on June 11, 2014, at Liber 47116, Page 585, Oakland County Records.

VI. On August 13, 2018, the Owner sought, and the City approved a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit and Revised Stormwater Management Plan, for the purpose of revising the original approval and layout of the building addition in Phase 4, subject to the conditions and deviations listed in the City Council action. The Fourth Amendment to the Development Agreement was executed on the 27th day of August, 2018 and is on file with the Novi City Clerk. An Affidavit, dated, _____, 2018, disclosing the Fourth Amendment to Development Agreement was recorded on _____, 2018, at Liber _____, Page _____, Oakland County Records.

VI. On April 1, 2019, the Owner sought, and the City approved a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit, and Revised Stormwater Management Plan for the purpose of revising the original approval and layout of Phase 3 of the Project. The changes include increasing the height of the buildings to accommodate a market demand for larger units, as well as changes to the building footprints and surface parking lots, subject to the conditions and deviations listed in the City Council action.

VI. The Owner and City wish to enter into this Fifth Amendment to the Development Agreement to incorporate the Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit, and Revised Stormwater Management Plan into the Development Agreement.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Development Agreement is hereby amended to include the revised Preliminary Site Plan with a PD-1 option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit and Revised Stormwater Management Plan, dated January 15, 2019, for Phase 3, or Neighborhood 3 of the project, which includes four (4) buildings with 370 independent living units, three (3) underground parking garages, associated parking lots, walking trails, and resident amenities, all located north of the Fox Run Road and south of the large area of covered by a Conservation Easement on the north end of the property. The revised Preliminary Site Plan hereby supersedes all previous site plans for this phase on file with the City.

2. Deviations and waivers granted in connection with the Revised Preliminary Site Plan with PD-1 Option include:

a. Waiver from Section 3.8.2.C for a building exceeding 180 feet in length, up to 515 feet proposed, because the interconnected facility will better serve the population by providing a protected pedestrian link, the visual appearance of the buildings are broken up by 90-degree wings and the shorter recessed structure connecting the buildings, and the ordinance allows the Planning Commission to modify building length when additional setback from adjacent uses is provided and common areas within the buildings are present, as they are in this proposal;
b. Waiver to allow building heights to exceed 48 feet in height, up to 89 feet (7 stories) proposed, because the additional height allows for the building footprints to be minimized to protect natural features on the site, the site is buffered from adjacent neighborhoods by significant tree cover, parking is provided under the buildings, and the ordinance allows for additional height when additional setbacks are provided, as they are in this proposal;
c. Deviation to allow a reduction in the required 82 feet distance between buildings RB3.1 and RB3.3, 78 feet proposed, because the site area is maximized and the layout reduces the impact on natural features;
d. Waiver for the same side driveway spacing on the north side of Fox Run Road, as the drives have been minimized and consolidated to the extent possible, and the service drive has been separated from entrance and parking lot drives to minimize traffic conflicts;
e. Waiver for the sight distance at the southern parking area driveway less than the required 260 feet, because the road speed is relatively slow and many existing trees would need to be removed in order to obtain the proper distance;
f. Waiver of the requirement for the outside edge of the sidewalk to be located a minimum of 15 feet from the back of curb, 7.59 feet proposed, because the placement is consistent throughout the Fox Run community and the safety of the existing sidewalks has not been an issue

3. Except for the incorporation of the revised Preliminary Site Plan in accordance with the action of City Council of April 1, 2019, the Development Agreement, as amended, shall remain in full force and effect.

4. This Agreement may be signed in counter-parts.

OWNER

REDWOOD-ERC NOVI, LLC

By: _____

STATE OF _____)
_____)
COUNTY OF _____)

On this _____ day of _____, 2019, before me appeared _____, authorized representative of Owner, who states that he/she has signed this document of his/her own free will on behalf of Owner.

_____
Notary Public
_____County,_____
My commission expires: _____
Acting in _____ County, _____

CITY OF NOVI

By: _____
Robert J. Gatt, Mayor

By: _____
Cortney Hanson, Clerk

_____

STATE OF MICHIGAN _)

COUNTY OF OAKLAND)

On this _____ day of _____, 2019, before me appeared Robert J. Gatt, Mayor and Cortney Hanson, Clerk of the City of Novi, authorized representatives of Owner, who state that they have signed this document of their own free will on behalf of Owner.

_____
Notary Public
_____County,_____
My commission expires: _____
Acting in _____ County, _____

Drafted by:
Elizabeth K. Saarela
Johnson, Rosati, Schultz & Joppich
27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48336

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

CITY COUNCIL MINUTES
APRIL 1, 2019
EXCERPT

***B. That approving the proposed deviation would* be *compatible with the existing* and *planned uses in the surrounding* area;**
C. *That the proposed deviation would not* be *detrimental to the natural features* and *resources of the affected property* and *surrounding* area, *or would enhance or preserve such natural features* and *resources;*
***D. That the proposed deviation would not* be *injurious to the safety or convenience of vehicular or pedestrian traffic;* and**
E. That the proposed deviation would not cause an* adverse *fiscal or financial impact on the City's ability to provide services* and *facilities to the property or to the public* as a *whole.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance, and with Chapter 11 of the Code of Ordinances, and all other applicable provisions of the Ordinance.

Roll call votes on CM 19-04-046 **Yeas: Staudt, Breen, Casey, Mutch, Poupard, Verma, Gatt,**
Nays: None

3. Tentative approval of the request of Erickson Living of the Revised Special Land Use permit, Revised Preliminary Site Plan with PD-1 Option, Revised Phasing Plan, Revised Wetlands Permit, Revised Woodlands Permit, and Revised Storm Water Management Plan, JSP 18-18. The property is zoned RM-1 (Low Density Multiple Family) and is approximately 102 acres. It is located in Section 1 of the City on the north side of Thirteen Mile Road, west of M-5 and east of Meadowbrook Road. The applicant is proposing to revise the original approval and layout of Phase 3 of the Fox Run senior community. The four buildings would contain 370 independent living units along with dining, gardens and enrichment facilities.

Member Casey had a few questions regarding the landscaping. How far away is this building away to the west from the neighbors immediately adjacent? City Planner McBeth replied that it is 123 feet from the building to the property line. Member Casey asked about the details of the type of screening that is between. Ken Weikal, Landscape Architect from Ken Weikal Associates said they are looking at the existing 25 foot tall evergreen screen that is there right now. He said that was planted back in 2007 or 2008. They were happy it was 25 feet tall instead of starting out at 8 feet. Member Casey said that was fantastic. He said the opacity was full both winter and summer.

Member Mutch had a few questions for the applicant. He mentioned the proposed buildings from the information that was provided to Council are 7-story and up to 89 feet high. He wondered if the 89 foot high building was in a couple of locations or are they all uniform in terms of height across those different buildings. Christian Fussy, Architect from Lantz-Boggio Architects said the roof line is fairly consistent on the four buildings with the middle of the roof approximately 88 to 89 feet. All four buildings are

roughly the same height. They are all the 7-story design, same floor to floor height. Member Mutch asked how tall the existing buildings in Fox Run are. Mr. Fussy said some buildings are 6-5 story split and they are 65 to 70 feet high depending on the chimney projections. Member Mutch brought up the subject of fire safety. He wondered if there was an emergency and they had to evacuate a 7-story building if Novi had the capabilities to handle that. Ms. McBeth said they had about four meetings with the fire marshal there and the design was tweaked and adjusted to make sure there was satisfactory access around the buildings. There is also parking under the building and access. Member Mutch said he would be interested in, not contingent upon approval of this, some more information from the Fire Department addressing what potential impacts this may have. It is a fairly tall building with a significant increase in height over the existing buildings he wants to make sure we are adequately addressing this. He commented on the building design and that we thought it would be less impact if we went up instead of out. If our ordinance standard allows an 89 foot building, roughly 125 from the rear property line to an adjacent residential this is completely inadequate in his mind. He said a 25 foot evergreen screen sounds great until you realize the that 100 feet past that is a 90 foot tall building. The folks that live in the manufactured home park to the west will not see the sun the first hour of the day which will be blocked out by this building. The buildings further east are fine he believed, the existing tree lines are going to be screen. He thought the City needed to revisit the ordinance standard that allows buildings to this scale so close to the rear property line. He said this is something we need to learn from and revisit that standard which does not provide enough setback and buffer for those who live next to it.

Member Poupard said she has some background on this and she lives in Neighborhood #1 in the Fox Run community. She stated to watch Neighborhood #2 which was five more residential buildings expand since the 14 years she has been there and now Neighborhood #3. She said one of the major concerns was the loss of our woods and the cutback of so many trees and the wetlands. However, she believed the plans and the ordinances have been worked through so that we have accommodated what all those needs are in the loss of wildlife in the back woods. The height of the buildings are a concern. Many of the residents that are currently there are very happy that we have underground parking because this has also reduced the need for open space parking across the campus. That has been another reduction in the footprint with this construction. The City has bent over backwards in order to try to accommodate and to work with Erickson Living. At the same time this is being proposed on the other side of campus, there will be construction being built on our continuing care facility to build a 90 bed assisted living. There will be a huge amount of construction traffic that will be coming in and out of that particular property. She was in support of this and she knew that the administration at Fox Run is very concerned with preserving wetlands and doing everything they can to do. She said there were strong resident groups that are there in support of protecting the natural environment as much as possible. Thank you for your concern and your support.

Mayor Pro Tem Staudt said that Fox Run is becoming an even bigger part of our community with this Fifth Amendment to the development agreement over the years.

We are looking forward to further expansion. We are aware that this is going to be a trying period for a lot of people who live close by. Construction is loud and he hopes that is mitigated by the Erickson Community and the people building it.

PART 1
CM 19-04-047 **Moved by Staudt, seconded by Casey; CARRIED UNANIMOUSLY**

Tentative approval of the request of Erickson Living for JSP 18-18 for the Revised Special Land Use Permit based on the following findings:

Relative to other feasible uses of the site:

- **The proposed use will not cause any detrimental impact on existing thoroughfares (as indicated in findings and conclusions of the traffic review letter, including the adequacy of such thoroughfares to handle the existing improvements);**
- **Subject to satisfying the requirements in the Engineering Review the proposed use will not cause any detrimental impact on the capabilities of public services and facilities (because the plan adequately addresses and provides for water and sanitary sewer service and management of stormwater volumes in accordance with ordinance requirements as set forth in the engineering review);**
- **The proposed use is compatible with adjacent uses of land (as indicated in the staff and consultant review letters and as demonstrated by the longstanding relationship of the existing development to such uses);**
- **The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use, which contemplates this use;**
- **The proposed use will promote the use of land in a socially and economically desirable manner, as it is a continuation of this planned use;**
- **The proposed use is (l) 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.**

This motion is subject to the City Council approving a Fifth Amendment to the Development Agreement to be prepared by the City Attorney's office and returned to the City Council for final approval, and is further subject to the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the

Zoning Ordinance and all other applicable provisions of the Ordinance.

City Manager Auger commented on question from Member Mutch regarding the fire suppression and how the Fire Department felt about the 90 foot tall building. He said that our ladder trucks are 100 feet and the building is fully suppressed and the Fire Marshal and Fire Department are in total line with this project.

Member Verma wondered if the fire trucks could maneuver to both the left and the right side. City Manager Auger said they have two entrances off of 13 Mile and one back by Lenox Park Drive for emergency access.

Roll call votes on CM 19-04-047 **Yeas: Breen, Casey, Mutch, Poupard, Verma, Gatt, Staudt,**
Nays: None

Part 2
CM 19-04-048 **Moved by Staudt, seconded by Poupard; CARRIED UNANIMOUSLY**

Tentative approval of the request of Erickson Living for JSP 18-18 for the Revised Preliminary Site Plan with a PD-1 Option, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit, and Revised Storm Water Management Plan, and to direct the City Attorney to prepare the Fifth Amendment to the Development Agreement to return to the City Council for Final approval, and subject to and based on the following:

1. **City Council finding that the standards of Section 3.31 .4.A of the Zoning Ordinance are adequately addressed;**
2. **Waiver from Section 3.8.2.C for a building exceeding 180 feet in length, up to 515 feet proposed, because the interconnected facility will better serve the population by 6 providing a protected pedestrian link, the visual appearance of the buildings are broken up by 90-degree wings and the shorter recessed structure connecting the buildings, and the ordinance allows the Planning Commission to modify building length when additional setback from adjacent uses is provided and common areas within the buildings are present, as they are in this proposal;**
3. **Waiver to allow building heights to exceed 48 feet in height, up to 89 feet (7 stories) proposed, because the additional height allows for the building footprints to be minimized to protect natural features on the site, the site is buffered from adjacent neighborhoods by significant tree cover, parking is provided under the buildings, and the ordinance allows for additional**

height when additional setbacks are provided, as they are in this proposal;

4. **Deviation to allow a reduction in the required 82 feet distance between buildings RB3. L and RB3.3, 78 feet proposed, *because the site area* is *maximized and the layout* reduces *the impact on natural features;***
5. **Waiver for the same side driveway spacing on the north side of Fox Run Road, as the drives have been minimized and consolidated to the extent possible, and the service drive has been separated from entrance and parking lot drives to minimize traffic conflicts;**
6. **Waiver for the sight distance at the southern parking area driveway less than the required 260 feet, *because the* road *speed* is *relatively* slow *and many existing trees would need to be removed in order to obtain the proper distance;***
7. **Waiver of the requirement for the outside edge of the sidewalk to be located a minimum of 15 feet from the back of curb, 7.59 feet proposed, *because the placement* is *consistent throughout the Fox Run community and the safety of the existing sidewalks* has *not been an* issue;**
8. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

The City Council's approval of the deviations listed* above *includes the following findings:

A. ***That each zoning ordinance provision from which* a *deviation* is *sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest;***
B. ***That approving the* proposed *deviation would be compatible with the existing and planned* uses *in the surrounding area;***
C. ***That the proposed deviation would not be detrimental to the natural features and* resources *of the affected property and surrounding area, or would enhance or preserve such natural features and resources;***
D. ***That the* proposed *deviation would not be injurious to the safety or convenience* of *vehicular or pedestrian traffic; and***
E. ***That the* proposed *deviation would not* cause *an* adverse *fiscal or financial impact on the City's ability to provide* services *and facilities to the property or to the public as* a *whole.***

This motion* is made because *the plan* is *otherwise in compliance with Article* 3, *Article 4, and Article 5 of the Zoning Ordinance, Chapter 11 and Chapter* 37 *of the* Code *of Ordinances and

all other applicable provisions of the Ordinance.

Mayor Pro Tem Staudt said his comment was totally unrelated. He understood that we are probably going to acquire a new ladder truck in the next few years. Is this something that we are thinking about, perhaps having a longer ladder at that point? City Manager Auger said he would look into it.

Roll call votes on CM 19-04-048 **Yeas: Casey Mutch, Poupard, Verma, Gatt, Staudt, Breen,**
Nays: None

4. Approval to award the construction contract for the Crescent Boulevard (NW Ring Road) and the Industrial Spur Road Construction project to Toebe Construction, LLC, in the amount of $4,720,600.01, subject to final review as to form, including any required minor amendments as approved by the City Manager and City Attorney's Office, and amend the budget

Member Casey said anytime we talk about forward progress on the Ring Road she gets excited.

Member Mutch had a few questions revolved around the funding for this particular project. As it is presented in our Agenda we are actually addressing three items related to the Ring Road. This is the largest at $4.7 million dollars. It is indicated that funding for this will be coming from the Major Street Fund and we are being asked to do a budget amendment of $1.7 million dollars. That $1.7 million will be coming from the Municipal Street Fund so a transfer from one Fund to the other Fund, then to this project. Also $3.9 million dollars from a Corridor Improvement Authority Fund which he was not entirely clear on the details on that. He asked Finance Director Johnson to come down for a few questions. Mr. Johnson stated that in an attempt to push this forward, as we talked about previously, this was on the schedule for next year's budget. What you have before you is pushing the project forward into the current Fiscal Year. The ultimate plan is to front the money for the entire project which is a little over $5 million dollars of which $3.9 million dollars was going to be paid from the Special Assessment Revenue Fund that we have and the other $1.7 million dollars was going to be paid and is budgeted for in the Municipal Street Fund. That is where the funding will come from to pay for it. Whether or not the money that comes from the Special Assessment Fund is repaid or not is still open to discussion, but that is where the funds would come from to front the entire cost of it right now. Member Mutch said the Municipal Street Fund we are appropriating $1.7 million dollars out of Fund Balance. He asked what the current balance was of that fund. Mr. Johnson said he believed it was $3.5 million dollars. Member Mutch said we are using roughly half of the balance out of that. Mr. Johnson said this was scheduled for next year, so it was to be performed next year that was part of the budget delivered to Council. He said because Council wanted to push this forward as quickly as we could, that is why we are bringing this forward to Council that evening. Member Mutch said the remainder $3.5 million is coming from the Special Assessment Fund, but it has the potential of repayment, how? Mr. Johnson said if the

FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT
FOX RUN COMMUNITY

PLANNING COMMISSION ACTION SUMMARY
MARCH 13, 2019
EXCERPT

PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI
Regular Meeting
March 13, 2019 7:00 PM
Council Chambers | Novi Civic Center
45175 W. Ten Mile (248) 347-0475

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

ROLL CALL

Present:	Member Anthony, Member Avdoulos, Member Greco, Member Maday, Chair Pehrson
Absent:	Member Hornung, Member Lynch
Also Present:	Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Thomas Schultz, City Attorney; Pete Hill, Environmental Consultant; Josh Bocks, Traffic Consultant

APPROVAL OF AGENDA

Motion to approve the March 13, 2019 Planning Commission Agenda. *Motion carried 5-0.*

CONSENT AGENDA - REMOVALS AND APPROVAL

PUBLIC HEARINGS

1. **FOX RUN NEIGHBORHOOD 3 JSP18-18**
   Public hearing at the request of Erickson Living for Planning Commission's recommendation to the City Council of a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit and Revised Stormwater Management Plan approval. The subject property is 102.8 acres in Section 1 of the City of Novi, located north of Thirteen Mile Road and west of M-5 in the RM-1, Low Density Low-Rise Multiple-Family District. The applicant is proposing to revise the original approval and layout of Neighborhood/Phase 3 of the Fox Run Community.

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Special Land Use permit based on the following findings:

Relative to other feasible uses of the site:

- **The proposed use will not cause any detrimental impact on existing thoroughfares *(as indicated in findings and conclusions of the traffic review letter, including the adequacy of such thoroughfares to handle the existing improvements);***
- **Subject to satisfying the requirements in the Engineering Review the proposed**

use will not cause any detrimental impact on the capabilities of public services and facilities *(because the plan adequately addresses and provides for water and sanitary sewer service and management of stormwater volumes in accordance with ordinance requirements as set forth in the engineering review);*

- **The proposed use is compatible with the natural features and characteristics of the land *(as proposed impacts to natural features have been minimized as described in the staff and consultant reports);***
- **The proposed use is compatible with adjacent uses of land *(as indicated in the staff and consultant review letters and as demonstrated by the longstanding relationship of the existing development to such uses);***
- **The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use, which contemplates this use;**
- **The proposed use will promote the use of land in a socially and economically desirable manner, as it is a continuation of this planned use;**
- **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.**

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

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Preliminary Site Plan with a PD-1 Option based on and subject to the following:

a. **City Council finding that the standards of Section 3.31.4.A of the Zoning Ordinance are adequately addressed;**
b. **Waiver from Section 3.8.2.C for a building exceeding 180 feet in length, up to 515 feet proposed, *because the interconnected facility will better serve the population by providing a protected pedestrian link, the visual appearance of the buildings are broken up by 90-degree wings and the shorter recessed structure connecting the buildings, and the ordinance allows the Planning Commission to modify building length when additional setback from adjacent uses is provided and common areas within the buildings are present, as they are in this proposal;***
c. **Waiver to allow building heights to exceed 48 feet in height, up to 89 feet (7 stories) proposed, *because the additional height allows for the building footprints to be minimized to protect natural features on the site, the site is buffered from adjacent neighborhoods by significant tree cover, parking is provided under the buildings, and the ordinance allows for additional height when additional setbacks are provided, as they are in this proposal;***
d. **Deviation to allow a reduction in the required 82 feet distance between buildings RB3.1 and RB3.3, 78 feet proposed, *because the site area is maximized and the layout reduces the impact on natural features;***
e. **Waiver for the same side driveway spacing on the north side of Fox Run Road, *as the drives have been minimized and consolidated to the extent possible, and the service drive has been separated from entrance and parking lot drives to minimize traffic conflicts;***
f. **Waiver for the sight distance at the southern parking area driveway less than the**

required 260 feet, *because the road speed is relatively slow and many trees would need to be removed in order to obtain the proper distance;*

g. Waiver of the requirement for the outside edge of the sidewalk to be located a minimum of 15 feet from the back of curb, 7.59 feet proposed, *because the placement is consistent throughout the Fox Run community and the safety of the existing sidewalks has not been an issue;*

h. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

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

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Phasing 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 the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised 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 5-0.*

In the matter of Fox Run Neighborhood 3, JSP18-19, motion to recommend approval to the City Council of the Stormwater Management Plan, subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the 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. *Motion carried 5-0.*

1. **ADELL CENTER PRO FIRST AMENDMENT JZ18-24 AND ZONING MAP AMENDMENT 18.724**

   Public hearing at the request of Orville Properties, LLC for Zoning Map Amendment 18.724 for Planning Commission's recommendation to the City Council for an amendment to the previously approved Planned Rezoning Overlay (PRO) Plan and Agreement. The subject property is approximately 23 acres and is located on Expo

PLANNING REVIEW

PLAN REVIEW CENTER REPORT

February 15, 2019

Planning Review

Fox Run Neighborhood 3

Revised Preliminary Site Plan

JSP18-18

PETITIONER

Erickson Living

REVIEW TYPE

Revised Preliminary Site Plan with PD-1 Option

PROPERTY CHARACTERISTICS

- Site Location: North of Thirteen Mile Road, West of M-5 (Section 1)
- Site Zoning: RM-1, Low Density, Low-Rise Multiple-Family Residential with a PD-1 Option
- Adjoining Zoning: North: RA, Residential Acreage, R-2, One-Family Residential; East: RA, Residential Acreage, RM-1 Low Density Multiple-Family; South: RA, Residential Acreage and West: MH, Manufactured Home, RA, Residential Acreage.
- Adjoining Uses: North: Haverhill Farms, The Maples of Novi; East: Brightmoor Tabernacle, Lenox Park; West: Oakland Glens; South: Single-family homes, Vacant
- School District: Walled Lake School District
- Site Size: 102.8 acres
- Plan Date: 1-15-2019

PROJECT SUMMARY

The applicant is proposing changes to portions the third phase of the multi-phase Fox Run Village project. The first and second phases of the project and portions of Phase 4 have been constructed. In working on the site, the applicant realized there were several changes they wished to make to the layout and building design of Phase 3 of the project. These changes include increasing the height of the buildings to accommodate a market demand for larger units, as well as changes to the building footprints and surface parking lots. The buildings would all be located north of the existing ring road, and south of the area previously protected by a Conservation Easement.

The previous update to the previously approved plan was approved by the City Council on January 11, 2014. However, Council approved a revised Preliminary Site Plan and the Fourth Amendment to the Development Agreement on August 13, 2018, which incorporates an addition to the Continuing Care Center, Phase 4. The total number of residential units in all four phases of the project has not changed in this submittal. The development of all four buildings in Phase 3 would complete the number of congregate care residential units approved in the original development agreement.

RECOMMENDATION

Staff recommends approval of the revised Preliminary Site Plan, revised Phasing Plan, revised Special Land Use Permit, revised Wetland Permit, revised Woodland Permit, and revised Stormwater Management Plan. City Council approval of the revised Preliminary Site Plan and amended Development Agreement is required following a public hearing and recommendation from the Planning Commission. The Planning Commission will be asked to review the requested deviations from

the ordinances standards. In the PD Districts, the Zoning Board of Appeals shall have no jurisdiction to hear appeals or make interpretation or any other decisions regarding this Section, or a proposed Preliminary Site Plan; the City Council may grant deviations from the ordinance standards.

ORDINANCE REQUIREMENTS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (RM-1 Low Density Low-Rise Multiple-Family Residential District, Planned Development Options), Section 3.6 (Notes to District Standards), Article 5 and Article 6 and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant or the Planning Commission/City Council.

1. Phasing Plan: Sheet C100, the Overall Site Plan, has overlapping and contradictory labels for the phases in Neighborhood 3. Phases 3.1 and 3.2 are reversed from our current understanding of the construction schedule. **Please clean up and clearly label each phase to be consistent with the rest of the plan set.**

2. Maximum Length of Buildings (Sec. 3.8.2.C): The ordinance states building lengths cannot exceed 180 feet. If exceeded, the ordinance allows the Planning Commission to modify the length requirement up to 360 feet if there are recreational or social common areas with a minimum capacity of 50 persons within the building and if building setbacks are increased an additional foot for each 3 foot of building length over 180. However, with buildings 3.3 and 3.4 connected by a 4-story pedestrian link and additional rooms on the east side, the resultant structure is approximately 515 feet. This length would require a total setback of 187 feet. A setback of 123 feet is proposed.

   All buildings within the Fox Run community have pedestrian links between them in order to provide safe passageways for residents that offer protection from the weather and make it easier for seniors of all abilities to get around the campus. The link between buildings 3.3 and 3.4 offer this same amenity, but also include living and gathering space on the eastern side of the hallway, making it somewhat different than any other link between buildings. The full building length will only be visible from above, as there are protruding sections and recessed areas that break up the façade from all vantage points on the ground. The visual bulk of the buildings are also broken up by 90 degree wings as well as the shorter recessed structure that connects the buildings. *Staff supports the request for additional building length because the intent of the ordinance is met by the design and the connected buildings will better serve the residents of Fox Run.* **City Council approval of the deviation in building length is required.**

3. Building Height: The PD-1 Option requires that buildings exceeding the height limits of the RM-1 district must be between 3 and 5 stories. The proposed buildings are 7 stories and up to 86 feet in height. The original approvals for buildings at Fox Run were between 2 and 5 stories. The ordinance indicates that *for those structures exceeding the maximum height limitation of the District, the minimum yard setbacks shall be equal to the setback requirements of the District, plus one additional foot of setback shall be provided for each foot the building exceeds the maximum height limitation of the district.* The building setbacks have been increased to 123 feet meet the additional setback required. The applicant has provided justification that in order to accommodate the larger units that today's seniors desire without encroaching into the environmentally sensitive areas of the site, the buildings must be built taller. The proposed number of units (370) previously approved for phase 3 is maintained, which the applicant states are needed to provide a feasible project and to balance the staffing levels and resident amenities proposed. *Staff supports the request for additional building height because the location of the phase 3 buildings are buffered from phase 2 by a forested wetland area and Fox Run Road, as well as from adjacent properties. The additional height allows the building footprint to remain smaller for less impact to the significant natural features on the site. The height of the proposed buildings also accommodates parking under the buildings.* **City Council approval of the deviation**

in building height is required.

4. Minimum Distance Between Buildings (Sec. 3.8.2.H.): The ordinance provides a formula based on width and height for a minimum distance between two residential buildings in the RM-1 and RM-2 districts. **Using the formula, staff calculates the minimum required distance between RB3.1 and RB3.3 is 81.7 feet. The site plan shows a proposed distance of 77 feet. The applicant should revise the plans to meet the minimum distance or request a variance from City Council.**

5. Overall Site Plan: Ensure sheet C100 reflects the most current designs for all buildings, roads and parking areas on the Fox Run site. **The phase 4.2 area should reflect the planned building layout for the proposed addition to the Continuing Care Center as reflected in the revised Final Site Plan under review.**

6. Photometric Plan: Lighting and photometric plans are required when a project is adjacent to residential areas. The applicant has provided photometric plans for buildings 3.1 and 3.2, but not 3.3 and 3.4. Those can be submitted when RB3.3 and RB3.4 are submitted for final site plan approval, and can be approved administratively if ordinance requirements are met. **An overall site lighting calculation of the Average to Minimum ratio should be shown for the areas being illuminated in order to verify the 4:1 ratio requirement. Areas not being illuminated (0.0 fc) should be excluded from the calculations in order to avoid a null value. Additional information should be included in the statistics chart as noted in the Planning Chart.**

7. Employee Counts: **The number of employees anticipated to be employed within Phase 3 should be provided in order to verify adequate parking and number of bicycle parking spaces required.**

8. Bicycle Parking (Sec. 5.16): Bicycle parking spaces are not shown on the site plan. The ordinance states that they should be located within 120 feet of the building entrance being served, and that they should be located at multiple public entrances when more than four spaces are provided. **The applicant should show the bicycle parking locations on the site plan in conformance with the Ordinance standards. Additional details of the bicycle parking should also be provided as detailed in the planning review chart attached and in the traffic review letter.**

9. **Miscellaneous Corrections:**
    a. Sheet S100, Survey Notes, (5): The statement should be corrected to note the property is zoned RM-1.
    b. Plan Scale: Plan scales on the following sheets are incorrectly shown as 1" = 40': C101.7, 101.8, 101.9, 101.10, 101.11, 101.12. It appears the correct scale would be 1" = 20'.

10. Other Reviews:
    a. Engineering Review: Engineering recommends approval of the Preliminary Site Plan. Additional comments to be addressed in the Final Site Plan Submittal.
    b. Landscape Review: Additional comments to be addressed with final site plan submittal. Landscape recommends approval.
    c. Wetland Review: Additional comments to be addressed with final site plan submittal. Wetlands recommends approval.
    d. Woodland Review: Additional comments to be addressed with final site plan submittal. Woodlands recommends approval.
    e. Traffic Review: Additional comments to be addressed with final site plan submittal. Traffic recommends approval.
    f. Facade Review: Façade recommended approval of previous submittal, with no new review at this time. See comments in review letter.

g. Fire Review: Fire recommends approval with conditions. See comments in Fire Review letter.

SPECIAL LAND USE CONSIDERATIONS

When the PD-1 Option is utilized, all uses fall under the Special Land Use requirements (Section 3.31). Section 6.1.2.C of the Zoning Ordinance outlines specific factors the Planning Commission shall consider in the review and recommendation to City Council of the Special Land Use Permit request:

- Whether, relative to other feasible uses of the site, the proposed use will 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.
- Whether, relative to other feasible uses of the site, the proposed use will 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.
- Whether, 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, watercourses and wildlife habitats.
- Whether, 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.
- Whether, 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.
- Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether, 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.

PLANNED DEVELOPMENT OPTION

Section 3.31.4 of the ordinance outlines the review procedures for Site Plans using the PD Option. This requires the Preliminary Site Plan to receive a recommendation for approval or denial from the Planning Commission with City Council ultimately approving or denying the proposed plan. A revised Planned Development Option Agreement is also required for this project and has not been submitted.

Section 3.31.5: Deviations From Area, Bulk, Yard, and Dimensional Requirements.
As part of approval of a Preliminary Site Plan, the City Council is authorized to grant deviations from the strict terms of the zoning ordinance governing area, bulk, yard, and dimensional requirements applicable to the property; provided, however, that such authorization to grant deviations shall be conditioned upon the Council finding:

A. That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest;
B. That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;
C. That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources;

D. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic; and
E. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.

In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the Preliminary Site Plan, in accordance with Section 3.31.4.B.

NEXT STEP: PLANNING COMMISSION MEETING

This site plan has been scheduled for public hearing before the Planning Commission on March 13, 2019. **Please submit the following no later than noon on March 6, 2019**:

1. Original Site Plan submittal in PDF format (maximum of 10MB). **NO CHANGES MADE.**
2. A response letter addressing ALL the comments from ALL the review letters and **a request for waivers and variances as you see fit.**
3. A color rendering of the Site Plan, if any.
4. A sample board of building materials as requested by our Façade Consultant. The applicant can bring the material samples to the Planning Commission meeting.

FINAL SITE PLAN SUBMITTAL

After receiving the Preliminary Site Plan approval from the Planning Commission, please submit the following for Final Site Plan review and approval:

1. Seven copies of Final Site Plan addressing all comments from Preliminary review
2. Response letter **addressing all comments and refer to sheet numbers where the change is reflected**
3. Final Site Plan Application
4. Final Site Plan Checklist
5. Engineering Cost Estimate
6. Landscape Cost Estimate
7. Other Agency Checklist
8. Hazardous Materials Packet (Non-residential developments)
9. Non-Domestic User Survey (Non-residential developments)
10. No Revision Façade Affidavit (if no changes are proposed for Façade)
11. Legal Documents as required
12. Drafts of any legal documents (note that off-site easements need to be executed and any on-site easements need to be submitted in draft form before stamping sets will be stamped)

ELECTRONIC STAMPING SET SUBMITTAL AND RESPONSE LETTER

After receiving Final Site Plan approval, please submit the following for Electronic stamping set approval:

1. Plans addressing the comments in all of the staff and consultant review letters in PDF format.
2. Response letter addressing all comments in ALL letters and ALL charts and **refer to sheet numbers where the change is reflected.**

STAMPING SET APPROVAL

Stamping sets are still required for this project. After having received all of the review letters from City staff the applicant should make the appropriate changes on the plans and submit **10 size 24" x 36" copies with original signature and original seals,** to the Community Development Department for final Stamping Set approval.

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 Brian Riley [248.347.0438] in the Community Development Department with any specific questions regarding addressing of sites.

PRE-CONSTRUCTION MEETING

A Pre-Construction meeting is required for this project. 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.

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

Lindsay Bell

Lindsay Bell, Planner

PLANNING REVIEW CHART: RM-1 Low Density Multiple Family

Review Date: February 11, 2019
Review Type: Revised Preliminary Site Plan
Project Name: JSP18-18 Fox Run Neighborhood 3
Location: North of Thirteen Mile Road, West of M-5
Plan Date: 1-15-19
Prepared by: Lindsay Bell, Planner
E-mail: lbell@cityofnovi.org; **Phone:** (248) 347-0484

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

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan *(adopted August 25, 2010)*	PD-1 (Planned Development Option)	Multi-family development	Yes	
Area Study	The site does not fall under any special category	NA	NA	
Zoning *(Effective December 25, 2013)*	RM-1 Low Density Multiple Family (Retirement Community)	Phase 3 of previously approved Senior Community	Yes	**Amendment to the PD-1 Option Development Agreement**
Uses Permitted (Sec 3.1.7.B & C)	Sec. 3.1.7.B. - Principal Uses Permitted. Sec. 3.1.7.C. – Special Land Uses Permitted.	Independent and congregate elderly living facilities		**All uses considered SLU when the PD-1 option is utilized.**
Height, bulk, density and area limitations *(Sec 3.1.8.D)*				
Frontage on a Public Street. *(Sec. 5.12)* **Access To Major Thoroughfare** *(Sec. 5.12)*	Frontage on a Public Street is required	The development has frontage and access Thirteen Mile Road. The development contains private roads	Yes	
Minimum Zoning Lot Size for each Unit in Ac *(Sec 3.8.1)*	RM-1 and RM-2 Required Conditions			
Minimum Zoning Lot Size for each Unit: Width in Feet *(Sec 3.8.1)*				
Open Space Area	----	---		
Maximum % of Lot Area Covered (By All Buildings)	*25%*	13%	Yes	

Item	Required Code		Proposed	Meets Code	Comments
Building Height *(Sec. 3.20)*	PD-1 Requirements: If exceeding the height limitations of the RM-1 district, building must be between 3 and 5 stories		7 stories, ~86 feet	**No**	**Deviation from ZO and PD-1 agreement, <u>CC approval would be required. See end of letter for Council's justification of deviations.</u>**
Minimum Floor Area per Unit *(Sec. 3.1.7.D)*	Efficiency	400 sq. ft.	--		
	1 bedroom	500 sq. ft.	823.4	Yes	
	2 bedroom	750 sq. ft.	1134.2	Yes	
	3 bedroom	900 sq. ft.	--		
	4 bedroom	1,000 sq. ft.	--		
Maximum Dwelling Unit Density/Net Set Area *(Sec. 3.1.7.D)*	Efficiency	--			
	1 bedroom	10.9			
	2 bedroom	7.3			
	3+ bedroom	5.4			
Residential Building Setbacks *(Sec 3.1.7.D)*					
Front	50 ft.		150 feet	Yes	***Additional building height requires greater setback be provided on the west side yard – see page 7** Max height proposed (83') for building closest to western property line exceeds allowed by 48ft 48ft +75ft = 123 ft required Setback proposed = 123 ft
Rear	75 ft.		790 feet	Yes	
Side	75 ft.		123' from W 315' from E	**Yes**	
Parking Setback *(Sec 3.1.7.D) Refer to applicable notes in Sec 3.6.2.B*					
Front	75 ft.		20 ft	NA	
Rear	20 ft.			NA	
Side	20 ft.			Yes	
Note To District Standards *(Sec 3.6.2)*					
Irregularly shaped lots (Sec 3.6.2.A)	Area requirements			NA	
Off-Street parking lots (Sec 3.6.2.B)	Off-street parking lots: setback from any interior side or rear lot line shall be not less than twenty (20) feet, and the setback from the front and any exterior side lot line shall comply with the building setback required for such uses specified above		Parking is 20' from west side lot line; all other lot line setbacks greater than required	Yes	

Item	Required Code		Proposed	Meets Code	Comments
Exterior Side Yard Abutting a Street *(Sec 3.6.2.C)*	All exterior side yards abutting a street shall be provided with a setback equal to front yard.			NA	
Wetland/Watercourse Setback *(Sec 3.6.2.M)*	A setback of 25ft from wetlands and from high watermark course shall be maintained				**See ECT letter**
RM-1 and RM-2 Required Conditions *(Sec 3.8)*					
Total number of rooms *(Sec. 3.8.1)*	Total No. of rooms < Net site area in SF/2000			NA	Original approval of Development Agreement covered total number of units
Public Utilities *(Sec. 3.8.1)*	All public utilities should be available		Public utilities available	Yes	
Maximum Number of Units for Elderly Housing *(Sec. 3.8.1.A.i)*	Efficiency < 30 percent of total units		None proposed	Yes	
	Balance of units must have at least 1 bedroom and a living room		100%	Yes	
Room Count per Dwelling Unit Size *(Sec. 3.8.1.C)* **An extra room such as den count towards an extra room*	**Dwelling Unit Size**	**Room Count ***	Phase 3 #s given		Original approval of Development Agreement covered total number of units – no changes are requested
	Efficiency	1	0		
	1 bedroom	2	68		
	2 bedroom	3	164		
	3 or more bedrooms	4	138		
Setback along natural shore line *(Sec. 3.8.2.A)*	A minimum of 150 feet along natural shore line is required.		No natural shoreline present	NA	
Structure frontage *(Sec. 3.8.2.B)*	Each structure in the dwelling group shall front either on a dedicated public street or approved private drive.		Each structure is to front on private drive	Yes	
Maximum length of the buildings *(Sec. 3.8.2.C)*	A single building or a group of attached buildings cannot exceed 180 ft.		Buildings exceed max length at 515'.	**No**	**<u>This is considered a deviation – Council approval required</u>**
Modification of maximum length *(Sec. 3.8.2.C)*	Planning Commission may modify the extra length up to 360 ft. if:		Common areas present? yes RB3.3 + RB3.4 = 515' building 517-180 = 337/3 = 112	**No**	**<u>The required setback for additional length is not fully met; Council approval required</u>**
	Common areas with a minimum capacity of 50 persons for recreation or social purposes				

Item	Required Code	Proposed	Meets Code	Comments
	Additional setback of 1 ft. for every 3 ft. in excess of 180 ft. from all property lines.	112' + 75'= 187' required Setback 123' from property line		
Building Orientation *(Sec. 3.8.2.D)*	Where any multiple dwelling structure and/ or accessory structure is located along an outer perimeter property line, said structure shall be oriented at a minimum angle of forty-five (45) degrees to said property line.	Buildings are angled	Yes	*Planning Commission waiver of this requirement was previously granted.*
Yard setback restrictions *(Sec. 3.8.2.E)*	Within any front, side or rear yard, off-street parking, maneuvering lanes, service drives or loading areas cannot exceed 30 % of yard area		Yes	
Off-Street Parking or related drives *(Sec. 3.8.2.F)* Off-street parking and related drives shall be	No closer than 25 ft. to any wall of a dwelling structure that contains openings involving living areas		Yes	
	No closer than 8 ft. for other walls		Yes	
	No closer than 20 ft. from ROW and property line	20 ft from property line	Yes	
Pedestrian Connectivity *(Sec. 3.8.2.G)*	5 feet sidewalks are required to permit safe and convenient pedestrian access.	5 and 7 foot sidewalks shown throughout the site	Yes	
	Where feasible sidewalks shall be connected to other pedestrian features abutting the site.	Sidewalks shown to connect with sidewalks in other phases and throughout the site;	Yes	Pedestrian bridges also provided between buildings
	All sidewalks shall comply with barrier free design standards	Provided	Yes	
Minimum Distance between the buildings *(Sec. 3.8.2.H)*	**(**Total length of building A **+** total length of building B **+** 2(height of building **+** height of building B)**)/**6	77' between RB3.3 and RB3.1 proposed, **81.7 feet required**	**No**	**The calculations provided should be adjusted; the distance between buildings 3.1 and 3.3 does not meet the Ordinance requirement and an variance would be required**

Item	Required Code	Proposed	Meets Code	Comments
Minimum Distance between the buildings *(Sec. 3.8.2.H)*	In no instance shall this distance be less than thirty (30) feet unless there is a corner-to-corner relationship in which case the minimum distance shall be fifteen (15) feet.	RB3.1 and 3.2: Corner to corner –15 feet distance maintained	Yes	
Parking, Loading and Dumpster Requirements				
Number of Parking Spaces Residential, Multiple-family *(Sec.5.2.12.A)*	Congregate elderly: 3 for each 4 units and one for each employee Required: 277 for residents + 1 for each employee	Ground floor garages and surface parking lots proposed; 367 spaces + 29 employee spaces + 38 Visitor spaces in Phase 3 area	Yes	Overall Fox Run site # given for employees on sheet C100
Parking Space Dimensions and Maneuvering Lanes *(Sec. 5.3.2)*	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping	9' x 19' and 9' x 17' spaces indicated with 7' sidewalks adj to 17' spaces 24 feet drive aisles	Yes	
Parking stall located adjacent to a parking lot entrance(public or private) *(Sec. 5.3.13)*	- shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer		Yes	
End Islands *(Sec. 5.3.12)*	- End Islands with landscaping and raised curbs are required at the end of all parking bays that abut traffic circulation aisles. - The end islands shall generally be at least 8 feet wide, have an outside radius of 15 feet, and be constructed 3' shorter than the adjacent		**No**	**See Traffic Review for comments**

Item	Required Code	Proposed	Meets Code	Comments
	parking stall as illustrated in the Zoning Ordinance			
Barrier Free Spaces *Barrier Free Code*	For 370 parking spaces, 8 Barrier Free required	8 provided	Yes	
Barrier Free Space Dimensions *Barrier Free Code*	- 8‘ wide with an 8’ wide access aisle for van accessible spaces - 5’ wide with a 5’ wide access aisle for regular accessible spaces	4 regular and 4 van accessible indicated	Yes	
Barrier Free Signs *Barrier Free Code*	One sign for each accessible parking space.	Shown	Yes	
Minimum number of Bicycle Parking *(Sec. 5.16.1)*	Congregate elderly housing One (1) space for each twenty (20) employees, minimum 2 spaces	6 spaces shown on C107.1 in detail? Bike parking locations not shown on plans	**No**	**Clarify total number of bicycle parking spaces to be provided and show locations on plans**
Bicycle Parking General requirements *(Sec. 5.16)*	No farther than 120 ft. from the entrance being served	Not shown	**No**	
	When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations	Not shown	**No**	
	Spaces to be paved and the bike rack shall be inverted “U” design Shall be accessible via 6 ft. paved sidewalk	Shown in detail on sheet C107.1	Yes	
Bicycle Parking Lot layout *(Sec 5.16.6)*	Parking space width: 6 ft. One tier width: 10 ft. Two tier width: 16 ft. Maneuvering lane width: 4 ft. Parking space depth: 2 ft. single, 2 ½ ft. double	Layout shown on C107.1	**Yes?**	
Dumpster *Sec 4.19.2.F*	- Located in rear yard - Attached to the building or - No closer than 10 ft. from building if not attached - Not located in parking setback - If no setback, then it cannot be any closer	No dumpsters proposed – refuse pick up same as rest of Fox Run Community	NA	

Item	Required Code	Proposed	Meets Code	Comments
	than 10 ft, from property line. - Away from Barrier free Spaces			
Dumpster Enclosure *Sec. 21-145. (c) Chapter 21 of City Code of Ordinances*	- Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery		NA	
Entryway lighting *Sec. 5.7*	One street light is required per entrance.	Not shown		
PD-1 Requirements (Section 3.31)				
	If exceeding the height limitations of the RM-1 District, the building must be between 3 and 5 stories	7 stories/90 feet	**No**	**PC/Council approval of deviation would be required**
	Total number of rooms on site shall not be more than the total area of the parcel/700. 585,000 sf/ 700= 836 rooms congregate care rooms permitted	370 congregate senior living units provided in Phase 3		Included in PD-1 Agreement
	A maximum of 10% of the units on site can be of the efficiency type	1.4% of all units on site will be efficiency.	Yes	
	Additional 1 foot of building setback required for each foot of height over the maximum allowed under RM-1 (RM-1 max height is 35 ft)	Max height proposed (83') for building closest to western property line exceeds allowed by 48ft 48ft +75ft = 123 ft required Setback proposed = 123 ft	Yes	**PC/Council approval of deviation would be required**
	A Community Impact Statement is required for the PD-1 option	N/A	Yes	The CIS was submitted with the overall site. An update is not required.
	A Traffic Impact Statement is required for	N/A	Yes	The TIS was submitted with the overall site. An

Item	Required Code	Proposed	Meets Code	Comments
	the PD-1 option			update is not required.
Non-Motorized Facilities				
Article XI. Off-Road Non-Motorized Facilities	A 6 foot sidewalk is required along collector and arterial roads	Private roads	Yes	
Pedestrian Connectivity	Assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets	See comments on Page 4 for Pedestrian Connectivity		
Building Code and Other Requirements				
Building Code	Building exits must be connected to sidewalk system or parking lot.	Sidewalks shown throughout site on plans	Yes	
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Provided	Yes	
General layout and dimension of proposed physical improvements	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in square feet), location of proposed parking and parking layout, streets and drives, and indicate square footage of pavement area (indicate public or private).	Dimensions generally provided	Yes	
Economic Impact	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied, if known)	Project will cost approximately $120,000,000	Yes	**Provide number of jobs during and after construction**
Development/ Business Sign & Street addressing	- Signage if proposed requires a permit. - The applicant should contact the Building Division for an address prior to applying for a		NA	

Item	Required Code	Proposed	Meets Code	Comments
	building permit.			
Project and Street naming (City Code Sec. 31-51)	Some projects may need approval from the Street and Project Naming Committee.		NA	
Required Legal Documents				
Conservation Easements	Drafts for Wetland and woodland conservation easements are required prior to stamping set approvals	Are required at the time of stamping set submittal	Yes	Additional Wetland/Woodland conservation easements may be requested – see ECT reviews for details
Master Deed and Bylaws	Drafts for Master Deed is required prior to stamping set approvals		NA	
Property Split/Combination	The proposed property split must be submitted to the Assessing Department for approval.		NA	
Amendment to Development Agreement	Amendments to the Development Agreement must be approved by City Council		**Yes**	The City's Attorney will draft the amendment to the Development Agreement following the PC recommendation
Lighting and Photometric Plan *(Sec. 5.7)*				
Intent *(Sec. 5.7.1)*	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky	Lighting plans provided for RB3.1 and 3.2	**Yes**	**Sheet SL1 and SL2 are included in the plan set, but no lighting plan is shown for RB3.3 and 3.4 – these will be reviewed when those phases are in for Final Site Plan approval**
Lighting Plan *(Sec. 5.7.A.1)*	Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures	Provided	Yes	**Show any light sources from RB2.5 that are within area of extent**
Lighting Plan *(Sec.5.7.A.2)*	Specifications for all proposed & existing lighting fixtures	Provided	Yes	
	Photometric data	Provided for east side	Yes	
	Fixture height	16' max shown	Yes	
	Mounting & design	Provided	Yes	
	Glare control devices	Provided	Yes	
	Type & color rendition of lamps	LED and CFL	Yes	
	Hours of operation	24 hr facility	Yes	

Item	Required Code	Proposed	Meets Code	Comments
	Photometric plan illustrating all light sources that impact the subject site, including spill-over information from neighboring properties		**No**	**Show any light sources from RB2.5 that are within area of extent**
Required Conditions *(Sec. 5.7.3.A)*	Height not to exceed maximum height of zoning district (or 25 ft. where adjacent to residential districts or uses	16 feet proposed	Yes	
Required Conditions *(Sec. 5.7.3.B)*	- Electrical service to light fixtures shall be placed underground - Flashing light shall not be permitted - Only necessary lighting for security purposes & limited operations shall be permitted after a site's hours of operation	Notes provided on Sheet SL2	Yes	
Required Conditions *(Sec.5.7.3.E)*	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1	8.5:1 for RB3.1 parking lot 25:1 for RB3.2 parking lot	**No**	**Adjust parking lot lighting levels. Cannot exceed Avg/Min of 4:1**
Required Conditions *(Sec. 5.7.3.F)*	Use of true color rendering lamps such as metal halide is preferred over high & low pressure sodium lamps	LED indicated	Yes	
Min. Illumination *(Sec. 5.7.3.k)*	Parking areas: 0.2 min	0.1 indicated in statistics table	**No**	**Adjust lighting levels as necessary to comply**
	Loading & unloading areas: 0.4 min	Provide line in statistics table	**No**	
	Walkways: 0.2 min	Provide line in statistics table	**No**	
	Building entrances, frequent use: 1.0 min	Provide line in statistics table	**No**	
	Building entrances, infrequent use: 0.2 min	Provide line in statistics table	**No**	
Max. Illumination adjacent to Non-Residential *(Sec. 5.7.3.K)*	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle		Yes	

Item	Required Code	Proposed	Meets Code	Comments
Cut off Angles *(Sec. 5.7.3.L)*	when adjacent to residential districts - All cut off angles of fixtures must be 90° - maximum illumination at the property line shall not exceed 0.5 foot candle		Yes	**Will need to verify on western property line when info is provided for RB3.3 and RB3.4**

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4 and 5 of the zoning ordinance for further details
3. **Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.**

ENGINEERING REVIEW

PLAN REVIEW CENTER REPORT

February 15, 2019

Engineering Review

Fox Run Neighborhood 3

Applicant
Redwood-ERC Novi, LLC

Review Type
Revised Preliminary Site Plan

Property Characteristics

- Site Location: North side of Thirteen Mile Road, west of M-5
- Site Size: 102.81 acres
- Plan Date: 01/15/2019
- Design Engineer: Zeimet Wozniak & Associates

Project Summary

- Construction of 4 residential buildings and associated parking within 3 phases. Site access would be provided through an existing private roadway system, Fox Run Road.
- Water service would be provided by 8-inch extensions from the existing 12-inch water main along Fox Run Road.
- Sanitary sewer service would be provided by extensions of existing leads.
- Storm water would be collected by a single storm sewer collection system, treated with a manufactured storm water treatment unit, and detained in an existing detention basin with minor modifications.

Recommendation

Approval of the Preliminary Site Plan is recommended.

Comments to be addressed upon Final Site Plan submittal:

General

1. Remove details or notes that conflict with the City's standard detail sheets for water main, sanitary sewer, storm sewer (02/16/2018); and paving (03/05/2018). They will be required at the time of the Stamping Set submittal, and are available on the City's website (www.cityofnovi.org/DesignManual).
2. Soil borings shall be provided for a preliminary review of the constructability of the proposed development. Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.
3. Same-side driveway spacing **Waivers**, granted by the Planning Commission, would be required for the proposed locations of the driveways on the north side of Fox Run Road in the area in front of RB3.1 and RB3.2. Consider consolidating driveways and/or provide justification of the driveway spacing so staff can determine whether the waivers would be supported.
4. A letter from either the applicant or the applicant's engineer must be submitted with the Final Site Plan submittal highlighting the changes made to the plans addressing each of the comments in this review.

Water Main

5. Our records indicate a water main stub to the western property line. A separate water main map will be sent to you for your reference.
6. Provide protection around the hydrant north of RB3.1. Place the hydrants at least 7 feet off back of curb (allowing 3-foot clearance from sidewalk).
7. Provide water main modeling calculations demonstrating that the required water supply of 3,000 gpm will be available.
8. Provide a profile for all proposed water main 8-inch and larger.
9. Indicate the water main pipe material on the utility plans.
10. Three (3) sealed sets of revised utility plans along with the MDEQ permit application (06/12 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Division for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

Sanitary Sewer

11. Either tie into an existing lead for RB3.4 or remove the existing lead and manhole.

Storm Sewer

12. Label all inlet storm structures on the profiles. Inlets are only permitted in paved areas and when followed by a catch basin within 50 feet.
13. 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.
14. Show and label all roof conductors, and show where they tie into the storm sewer.

Storm Water Management Plan

15. 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.
16. 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. A Storm Drainage Facility Maintenance Easement Agreement may already be recorded and will require verification.
17. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).
18. 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.
19. Provide supporting calculations for the runoff coefficient determination. A runoff coefficient of 0.35 shall be used for all turf grass lawns (mowed lawns), and 0.95 for all pavement.

Paving & Grading

20. Clearly indicate finished grade and floor elevations, retaining wall elevations, and landscape wall grades.
21. Clarify limits of disturbance, and existing and proposed topography near the western property line to ensure site drainage is captured.
22. Provide top of curb/walk and pavement/gutter grades to indicate height of curb adjacent to parking stalls or drive areas.
23. Curbing and walks adjacent to the end of 17-foot stalls shall be reduced to 4-inches high, rather than the standard 6-inch height to be provided adjacent to 19-foot stalls. Provide additional details as appropriate.
24. Provide a line designation representing the effective 19-foot stall length for 17-foot perimeter stalls.

Soil Erosion and Sediment Control

25. A SESC permit is required. A full review has not been completed at this time. The review checklist detailing all SESC requirements is attached to this letter. Please address the comments below and submit a SESC permit application under separate cover. The application can be found on the City's website at http://cityofnovi.org/Reference/Forms-and-Permits.aspx.

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

26. 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 shall not include 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).

27. Draft copies of any off-site utility easements, a recent title search, and legal escrow funds must be submitted to the Community Development Department for review and approved by the Engineering Division and the City Attorney prior to getting executed.

The following must be addressed prior to construction:

28. A pre-construction meeting shall be required prior to the commencement of any site work. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).

29. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting (no application fee).

30. An NPDES permit must be obtained from the MDEQ since the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.

31. 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.

32. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the Water and Sewer Senior Manager after the water main plans have been approved.

33. Construction Inspection Fees will be determined once the construction cost estimate is submitted and must be paid prior to the pre-construction meeting.

34. A storm water performance guarantee, equal to 1.2 times the amount required to complete storm water management and facilities (as specified in the Storm Water Management Ordinance) must be posted with Community Development.

35. An incomplete site work performance guarantee, equal to 1.2 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 with Community Development.

36. A street sign financial guarantee in an amount to be determined ($400 per traffic control sign proposed) must be posted with Community Development.

37. Permits for the construction of each retaining wall exceeding 48 inches in height (measured from bottom of the footing to top of the wall) must be obtained from the Community Development Department (248-347-0415).

To the extent this review letter addresses items and requirements that require the approval of or a permit from an agency or entity other than the City, this review shall not be considered an indication or statement that such approvals or permits will be issued.

Please contact Kate Richardson at (248) 347-0568 with any questions.

Kate Richardson, EIT

cc: Lindsay Bell, Community Development
Darcy Rechtien, PE, Engineering
George Melistas, Engineering

LANDSCAPE REVIEW

PLAN REVIEW CENTER REPORT

January 31, 2019

Revised Preliminary Site Plan - Landscaping

Fox Run Neighborhood #3

Review Type	**Job #**
Revised Preliminary Landscape Review	JSP18-0018

Property Characteristics

- Site Location: 41 West Thirteen Mile Road
- Site Acreage: 102.8 acres (total Fox Run site)
- Site Zoning: RM-1
- Adjacent Zoning: Related to project East, South: RM-1, West: MH, North:
- Plan Date: 1/15/2019

Ordinance Considerations

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

Recommendation

This project is **recommended for approval. While a number of changes need to be made, there is plenty of room to meet the requirements and the changes** noted below can all be done in Final Site Plans. A landscape waiver regarding interior parking lot landscaping is required if the layout is not revised as necessary.

LANDSCAPE WAIVERS:

A landscape waiver is needed for the lack of required interior and endcap islands provided in parking lots if the layout is not revised to provide them.

NOTE: **Please add total calculations (required and provided) for the overall Neighborhood 3 project on Sheet L-100 or L-101 for Woodland replacements, Parking lot and Multi-family landscaping.** It is helpful to have them broken out between phases as they are, but totals for the entire project would also be helpful to be sure overall requirements are met.

Ordinance Considerations

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

Provided.

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

1. Existing utilities and proposed light posts are provided.
2. **Please adjust the utilities and landscaping to provide the required spacing (10 feet between trees and hydrants and other utility structures).** Please note that all required trees need to be provided. Waivers for not providing those can only be supported if all

options for removing utility/tree conflicts are explored, including realignments of utility lines and structures.

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

1. A complete woodland survey, tree chart, removals plan and woodland replacement calculations are provided.
2. Tree protection fencing is shown for the entire site and a tree protection fence detail is provided.
3. There are a number of trees that don't appear to be safe from impact that are shown as being saved (see the Landscape Chart). **Please revise proposed grading and limits of disturbance to be sure all trees to be saved will be completely protected during the construction process.**

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

1. Adjacent residential property on the north and east are buffered by over xxx feet of existing woods to remain.
2. Adjacent mobile home community on the west is buffered by an existing dense, mature evergreen planting west of RB4.
3. No additions to any of these buffers are required, but if gaps in any of them appear, they should be filled with new plantings. **Please add a note to this effect on the plans.**

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

The project is not immediately adjacent to rights-of-way or an industrial subdivision road so no right-of-way berms or landscaping are required.

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

1. The project is not immediately adjacent to a street so no public street trees are required.
2. **See the Multi-family requirements below for interior street trees.**

Multi-family Landscape Requirements (Zoning Sec. 5.5.3.F.ii)

1. **Interior Street Trees:**
   a. Based on the provided frontage calculations, 23 trees are required and 26 are provided, but not all of them are marked as street trees.
   b. **Please mark all trees between the sidewalk and street, or within 10 feet of the street on the south side of Fox Run Drive, as Street trees (S).**
2. **Site Landscaping Trees:**
   a. Based on the number of ground floor units, 26, 78 site landscaping trees are required. 97 trees appear to be provided. **Please verify the requirement and number of trees provided.**
   b. In addition to being placed around the buildings, site landscaping trees can be used to meet the parking landscaping requirements. **Please check the counts of both multi-family and parking lot trees.**
   c. **If a multi-family site landscaping tree is to be used around the parking lot, please mark it as (I,M) or (I,PP) to assist with counting the trees provided.**
3. **Foundation Landscaping.** The foundation landscaping greatly exceeds the requirement for frontage landscaping along 35% of the frontage facing roads.

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

1. Calculations are provided.
2. Based on the vehicular use area, 4200sf of interior landscape area is required, in islands at least 200sf large per deciduous canopy tree planted in it, and 10 feet wide, measured at back of curb. 21 trees are required.

3. **The correct number of trees appears to be provided, but the islands' areas and widths need to be labeled to be sure they comply with the size requirements, and that the total required area is provided. If they aren't the shortages need to be corrected.**
4. **Some lots, such as the north lot between 3.1 and 3.3, and the west end of the lot south of 3.3, do not have all required endcaps. Please add the required endcap islands with deciduous canopy trees.**
5. **The bays immediately south of Building 3.2 are not broken up with a landscaped island. The island with a hydrant needs to have a deciduous canopy tree in it. Please increase the size of that island to provide room for both the hydrant and the tree.**
6. As noted above, multi-family residential site landscaping trees can be used to meet the requirements of the parking lot landscaping requirements**.**
7. **A landscape waiver is required for the lack of required interior and endcap islands provided in parking lots if the layout is not revised to provide them.**

Parking Lot Perimeter Canopy Trees (Zoning Sec. 5.5.3.C.(3) Chart footnote)

1. Calculations are provided.
2. Based on the perimeter figure provided (3413 lf), 98 trees are required. 21 trees are required.
3. **Please show in an illustration what the perimeter calculation was based on.**
4. Site landscaping trees can be used to help meet this requirement.
5. **Please show existing trees around the perimeter of the south parking lot. Canopy trees within 15 feet of the back of curb may be used to help meet the perimeter parking lot requirement**

Loading Zone screening (Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)

No loading zone screening is required as part of this project as the site is blocked from view from offsite properties.

Building Foundation Landscape (Zoning Sec 5.5.3.D.)

The provided coverage for building frontages facing the road exceeds the requirement.

Plant List (LDM 4)

1. **Please revise the plant lists to follow the Species Diversity requirements described on the Landscape Chart.**
2. **Please use $6/sy as the standard cost for sod and $3/sy for seed.**

Planting Notations and Details (LDM)

Provided.

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

Provided.

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

1. The proposed landscaping must be provided with sufficient water to become established and survive over the long term. Please note how this will be accomplished if an irrigation plan is not provided.
2. If an irrigation system will be used, please provide it with final site plans (stamping sets at the latest).

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

Provided

Snow Deposit (LDM.2.g.)

Please provide sufficient areas for snow deposits.

Corner Clearance (Zoning Sec 5.9)
Provided

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 email me at rmeader@cityofnovi.org.

Rick Meader – Landscape Architect

LANDSCAPE REVIEW SUMMARY CHART – PRELIMINARY SITE PLAN

Review Date: January 31, 2019
Project Name: Fox Run Neighborhood 3
Plan Date: January 15, 2019
Prepared by: Rick Meader, Landscape Architect E-mail: rmeader@cityofnovi.org; Phone: (248) 735-5621

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

LANDSCAPE WAIVERS:
A landscape waiver is needed for the lack of required interior and endcap islands provided in parking lots if the layout is not revised to provide them.

Item	Required	Proposed	Meets Code	Comments
Landscape Plan Requirements (LDM (2)				
Landscape Plan *(Zoning Sec 5.5.2, LDM 2.e.)*	▪ New commercial or residential developments ▪ Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less. ▪ 1"=20' minimum with proper North. Variations from this scale can be approved by LA ▪ Consistent with plans throughout set	Scale: 1"=20'	Yes	**1. To save paper, Sheets L100 and L101, the Phase 3 Natural Features Plan and the Planting Notes & Details only need to be provided once, at the start of the Landscape Plans, not for each phase.** **2. If it would be helpful, the phase plans can be at a scale of 1"=30'.**
Project Information *(LDM 2.d.)*	Name and Address	Yes	Yes	
Owner/Developer Contact Information *(LDM 2.a.)*	Name, address and telephone number of the owner and developer or association	Yes	Yes	
Landscape Architect contact information *(LDM 2.b.)*	Name, Address and telephone number of RLA	Yes	Yes	
Sealed by LA. *(LDM 2.g.)*	Requires original signature	Yes	Yes	Required for Final Site Plan
Miss Dig Note (800) 482-7171 *(LDM.3.a.(8))*	Show on all plan sheets	Yes	Yes	
Zoning *(LDM 2.f.)*	Include all adjacent zoning	Site: RM-1 East: RM-1/RA South: RA West: MH/RA North: RA/R-2	No	**Please provide zoning of site and adjacent properties on the landscape key plan.**

Item	Required	Proposed	Meets Code	Comments
Survey information *(LDM 2.c.)*	▪ Legal description or boundary line survey ▪ Existing topography	Boundary and description on S100 Topo on S101	Yes	
Existing plant material **Existing woodlands or wetlands** *(LDM 2.e.(2))*	▪ Show location type and size. Label to be saved or removed. ▪ Plan shall state if none exists.	Woodland tree removals and replacements are provided for each phase.	Yes	**1. Please see ECT review for detailed review of woodlands and wetlands.** 2. It appears that a number of trees near the limits of disturbance shown as being saved will be negatively impacted by grading or other work being done in much of their critical root zones. Trees that appear to be impacted include 111,167, 176, 228, 245, 250, 251, 277, 278, 417, 432, 434, 818, 848, 858, 876, 877, 878, 990, 1574, 1587. **3. Please check the above and other trees near the edges of work to make sure that they can reasonably be saved in a healthy condition. If they can't, they should be added to the list of removals. If they can, the tree fence line should be adjusted to move the disturbance line outside of the trees' driplines.** **4. Please add totals calculations for the entire project (NH3) of woodland removals and replacements on Sheet L-100 or L-101.**
Soil types *(LDM.2.r.)*	▪ As determined by Soils survey of Oakland	Natural Features Plan	Yes	

Item	Required	Proposed	Meets Code	Comments
	County ▪ Show types, boundaries			
Existing and proposed improvements *(LDM 2.e.(4))*	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Yes	Yes	
Existing and proposed utilities *(LDM 2.e.(4))*	▪ Overhead and underground utilities, including hydrants ▪ Light posts should also be included.	Existing, proposed storm sewers and proposed light posts are shown on landscape plans	Yes	
Proposed grading. 2' contour minimum *(LDM 2.e.(1))*	Provide proposed contours at 2' interval	• **Proposed contours on the Grading Plans appear to extend beyond the limits of disturbance shown on the Site Erosion Control plan and Tree Removal Plans in some areas.** • **In some cases the grading is within the conservation easement.**	No	**Please correct grading on Grading Plans and Soil Conservation Plans to keep proposed contours within areas of disturbance and outside of the conservation easement.**
Snow deposit *(LDM.2.q.)*	Show snow deposit areas on plan	Yes	Yes	
LANDSCAPING REQUIREMENTS				
Berms, Walls and ROW Planting Requirements				
Berms				
▪ All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours ▪ Berm should be located on lot line except in conflict with utilities. ▪ Berms should be constructed of loam with 6" top layer of top soil.				
Residential Adjacent to Non-residential (Sec 5.5.3.A) & (LDM 1.a)				
Berm requirements *(Zoning Sec 5.5.A)*	Since residential abuts residential, no berms are required along private drive, or along western boundary.	None indicated.	Yes	
Planting requirements *(LDM 1.a.)*	LDM Novi Street Tree List	• Existing evergreen trees along northwest property line are to remain.	Yes	**Please add a note on RB3.3 and RB3.4 plans stating that all gaps in screen along the west property line are to be**

Item	Required	Proposed	Meets Code	Comments
		• Additional evergreens and other plantings are provided to add screening at the north end of the property.		**filled with new trees on a perpetual basis to maintain 80-90% opacity.**
Walls (LDM 2.k & Zoning Sec 5.5.3.vi)				
Material, height and type of construction footing	Freestanding walls should have brick or stone exterior with masonry or concrete interior	At least 8 retaining walls are proposed in a number of areas.	No	1. The grading plan does not include tw/bw elevations. **2. Please show heights of walls on grading plan.**
Walls greater than 3 ½ ft. should be designed and sealed by an Engineer		TBD	TBD	**Construction details for taller walls should be provided for building permits.**
ROW Landscape Screening Requirements *(Sec 5.5.3.B. ii) and (LDM 1.b)*				
Greenbelt width (2)(3) (5)	As the project is interior to the site, along a private drive, no greenbelt is required.	NA	Yes	
Berm requirements *(Zoning Sec 5.5.3.A.(5))*				
Min. berm crest width	Not required	None		
Minimum berm height (9)	Not required	None		
3' wall		None		
Canopy deciduous or large evergreen trees Notes (1) (10)	As the project is interior to the site, along a private drive, no greenbelt plantings are required.	NA		
Sub-canopy deciduous trees Notes (2)(10)	As the project is interior to the site, along a private drive, no greenbelt plantings are required.	NA		
Canopy deciduous trees in area between sidewalk and curb *(Novi Street Tree List)*	See the multifamily requirements for street trees below.	NA		
Cross-Section of Berms (LDM 2.j)				
Slope, height and width	▪ Label contour lines ▪ Maximum 33% ▪ Constructed of loam ▪ 6" top layer of topsoil	No berms are proposed.		
Type of Ground		NA		

Item	Required	Proposed	Meets Code	Comments
Cover				
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	NA		
Multi-family/Attached Dwelling Units (Zoning Sec 5.5.3.E.ii)				
Interior Street Trees (Sec 5.5.3.F.ii.(b)(2))	▪ 1 deciduous canopy tree per 35 lf of interior roadway, excluding driveways, parking entry drives and interior roads adjacent to public rights-of-way ▪ Subcanopy trees can be used in place of canopy trees under overhead utility lines ▪ Evergreens not closer than 20 ft from roadway ▪ RB3.1: ▪ North: 230/35 = 7 trees ▪ South: 185/35 = 5 trees ▪ RB3.2: 195/35 = 6 trees ▪ RB3.3: 160/35 = 5 trees ▪ RB3.4: 0 lf frontage	RB3.1: ▪ North: 10 trees ▪ South: 6 trees RB3.2: 4 trees RB3.3: 6 trees RB3.4: None	3.1: Yes 3.2: No 3.3: No 3.4: Yes TOTAL: Yes	**1. Please show phase lines between RB3.1 and 3.2, and 3.2 and 3.3 consistently between landscape plans for each section.** **2. Please show existing trees to remain along the south side of Fox Run Road and around perimeter of parking lot on south side of main drive.** **3. Please label trees on north side of Fox Run Road between sidewalk and street as street trees.** **4. Please label trees on south within 10 feet of Fox Run Road as street trees.** **5. Please space out trees as necessary so they are at least 10 feet from utility structures. No additional street trees are required.**
Site Landscaping (Sec. 5.5.3.F.ii.(b)(1))	• (3) deciduous canopy trees or large evergreen trees for each dwelling unit on the ground floor. • 26 units * 3 = 78 trees	78 trees near building and within parking lots	TBD	1. **Please add total requirement and total provided calculations (including first floor dwelling units) for the entire project on L100 (between the sheets, the current calculations add up to more than 26 units).** 2. It appears that there

Item	Required	Proposed	Meets Code	Comments
				may be more Multi-family trees proposed than are required if there are 26 first floor units. Multi-family trees may be used to fulfill the parking lot requirements. **If they are, please designate them as (PP,M) or (I,M) to make clear that a multi-family tree is being used toward the parking calculations.** 3. If there are more multi-family trees proposed than are required, some of the multi-family trees near the woods could be counted as woodland replacement trees.
Foundation plantings (Sec 5.5.3.F.ii.(b)(3))	▪ Mix of shrubs, subcanopy trees, groundcover, perennials, annuals and ornamental grasses provided at the front of each ground floor unit ▪ Covers at least 35% of the front building façade.	Mix of shrubs, grasses, small trees cover more than 35% of buildings fronting drive	Yes	
Parking Area Landscape Requirements LDM 1.c. & Calculations (LDM 2.o.)				
General requirements *(LDM 1.c)*	▪ Clear sight distance within parking islands ▪ No evergreen trees	Yes	Yes	
Name, type and number of ground cover (LDM 1.c.(5))	As proposed on planting islands	Seed/sod	Yes	
General *(Zoning Sec 5.5.3.C.ii)*				
Parking lot Islands *(a, b. i)*	▪ A minimum of 200 SF to qualify ▪ Minimum 200 SF per tree planted in island	It appears that multiple interior and endcap islands do not conform to the	No	**1. Please dimension all interior and endcap landscape islands' width and show their**

Item	Required	Proposed	Meets Code	Comments
	▪ 6" curbs ▪ Islands minimum width 10' BOC to BOC	code.		**area in SF.** **2. Please increase the width and area of all landscape islands to be at least 10 feet wide measured at backs of curbs and have 200sf greenspace per tree planted in them. An island must have a deciduous canopy tree planted in it to count toward the requirement.** **3. Please move trees as necessary to provide them with sufficient space if some islands with multiple trees do not have 200sf per tree planted in them.** 4. Required multi-family site landscaping trees may be used in and around parking lots, but they must be in islands that conform to the rules for configuration.
Curbs and Parking stall reduction *(c)*	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7 ft.	▪ Only parking spaces ending at walks are 17' long. ▪ The rest are 19' long.		Spaces fronting on green space or 7' wide sidewalks can be 17' long if desired to reduce impervious surface.
Contiguous space limit *(i)*	• Maximum of 15 contiguous spaces in a bay • All islands used to break up bays of more than 15 spaces must have at least 200sf of landscape area and have a deciduous canopy tree planted in them.	Maximum bay is 15 spaces	Yes	1. All parking bays must have endcap islands with a deciduous tree planted in it. **2. Please provide endcaps where needed and revise all endcaps and interior islands as needed to meet the spatial requirements.** **3. The island with the hydrant, south of Building 3.2, needs to have a deciduous**

Item	Required	Proposed	Meets Code	Comments
				canopy tree in it to meet the requirement. Please add a tree to the island, at least 10 feet away from the hydrant. The island will probably have to be expanded to meet the spacing.
Plantings around Fire Hydrant *(d)*	• No plantings with matured height greater than 12' within 10 ft. of fire hydrants and utility structures • Trees should also be planted at least 5 feet away from underground utility lines.	No fire hydrants or other proposed utilities are shown on the landscape plan.	TBD	**1. Please provide at least 10 feet between trees and hydrants and utility structures.** **2. Add a note to the plans stating spacing requirements to assist contractors.** **3. Please note that a waiver for proposed utilities won't be recommended if the conflicts with required trees can be avoided by re-aligning the utilities.**
Clear Zones (LDM 2.3.(5))	▪ 25 ft corner clearance required. Refer to Zoning Section 5.9 ▪ Keep all trees and shrubs taller than 30" out of zones.	Yes	Yes	
Category 1: For OS-1, OS-2, OSC, OST, B-1, B-2, B-3, NCC, EXPO, FS, TC, TC-1, RC, Special Land Use or non-residential use in any R district *(Zoning Sec 5.5.3.C.iii)*				
A = Total square footage of vehicular use area up to 50,000 sf x 7.5%	TOTAL PROJECT: ▪ A = x SF x 7.5% = A sf ▪ A = 50000 SF * 7.5% = 3750 SF			
B = Total square footage of additional paved vehicular use areas over 50,000 SF) x 1 %	TOTAL PROJECT: ▪ B = x SF x 1% = B sf ▪ B = 44,979 SF * 1% = 450 SF			
Category 2: For: I-1 and I-2 (Zoning Sec 5.5.3.C.iii)				
A = Total square footage of vehicular use area up to 50,000 sf x 5%	A = x SF x 5% = A sf	NA		
B = Total square footage of additional paved vehicular use	B = x SF x 0.5% = B SF	NA		

Item	Required	Proposed	Meets Code	Comments
areas over 50,000 SF x 0.5 %				
All Categories				
C = A+B Total square footage of landscaped islands required	▪ A + B = C SF ▪ 3750 + 450 = 4200 SF	Island areas are not shown so the total area provided cannot be determined.	No	**1. Please show total parking lot interior and perimeter calculations on Sheet L-100 or L-101.** **2. Please add callouts showing the area of each island counted toward requirement. These can be shown on a separate, smaller inset drawing if desired.**
D = D/200 Number of canopy trees required	▪ D/200 = xx Trees ▪ 4200/200 = 21 trees	RB3.3: 22 trees RB3.4: 4 trees	Yes	1. **Interior trees should be located within endcap islands and islands within outline of parking lots.** 2. Multifamily site landscaping trees can be used within the interior of the parking lot. 3. **If they are, please mark them as (I,M).**
Perimeter Green space	1 Canopy tree per 35 lf 3413 lf/35 = 98 trees (total project)	RB3.1: 31 trees RB3.2: 32 trees RB3.3: 0 trees RB3.4: 21 trees	No	**1. Please provide a graphic showing the line(s) used to calculate the perimeter.** They can exclude frontage within 20 feet of the building or areas of existing trees to remain within 15 feet of the curb, including the screening of the RB3.4 parking lot. The line can be shown on the same inset drawing as the interior areas, if desired. **2. Please correct the calculation if necessary, double-check the counts and provide the**

Item	Required	Proposed	Meets Code	Comments
				required trees along the perimeter. **3. Interior island trees should be counted as interior trees, not perimeter trees and trees along Fox Run Road should count as street trees.** **4. Please locate perimeter trees within 15 feet of parking lot's outer perimeter.** **5. Please show existing trees to remain along perimeters of parking lots. If they are within 15 feet of the curb, they can count toward the perimeter requirement.** 6. Multifamily site landscaping trees can be used as perimeter trees. **7. If they are, please mark them as (PP,M).**
Parking land banked	NA	None		
Other Landscaping				
Other Screening				
Screening of outdoor storage, loading/unloading *(Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)*		NA	TBD	**Please indicate all storage and loading/ unloading areas on landscape plan and screen them from adjacent properties if necessary**
Transformers/Utility boxes *(LDM 1.e from 1 through 5)*	▪ A minimum of 2ft. separation between box and the plants ▪ Ground cover below 4" is allowed up to pad. ▪ No plant materials within 8 ft. from the doors	No utility boxes shown		**1. Provide proper screening for any transformers.** **2. Please add a note stating that all utility boxes shall be screened per the city detail.**
Detention/Retention Basin Requirements (Sec. 5.5.3.E.iv)				
Planting requirements *(Sec. 5.5.3.E.iv)*	▪ Clusters of large native shrubs shall cover 70-	Shrubs are provided along	Yes	

Item	Required	Proposed	Meets Code	Comments
	75% of the basin rim area ▪ 10" to 14" tall grass along sides of basin ▪ Refer to wetland for basin mix	approximately 70% of the sides of the pond without a wall.		
Phragmites Control (Sec 5.5.6.C)	▪ Any and all populations of Phragmites australis on site shall be included on tree survey. ▪ Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site.	A note indicates that all Phragmites within the Fox Run development is being removed as part of an overall program.	TBD	**Please add the *Phragmites* in the north pond to the Phragmites survey drawing.**
LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS				
Landscape Notes – Utilize City of Novi Standard Notes				
Installation date *(LDM 2.l. & Zoning Sec 5.5.5.B)*	• Provide intended dates • Should be between March 15 and November 15.	Between Mar 15 and Nov 15	Yes	
Maintenance & Statement of intent *(LDM 2.m & Zoning Sec 5.5.6)*	• Include statement of intent to install and guarantee all materials for 2 years. • Include a minimum one cultivation in June, July and August for the 2-year warranty period.	• Note regarding 2 year warranty is provided. • No cultivation note is provided.	No	**1. Please add note regarding cultivation.** **2. Please change City of Novi note #7 to read "3 months" instead of 1 year.**
Plant source *(LDM 2.n & LDM 3.a.(2))*	Shall be northern nursery grown, No.1 grade.	Yes	Yes	
Irrigation plan *(LDM 2.s.)*	• A fully automatic irrigation system and a method of draining is required with Final Site Plan • If an alternate method of providing sufficient water for establishment and long-term survival of the plantings is desired (xeriscaping, bibbs and hoses, treegators, etc.), a detailed description	No		Need for final site plan

Item	Required	Proposed	Meets Code	Comments
	of the plan needs to be included in the final site plans.			
Other information *(LDM 2.u)*	Required by Planning Commission	NA		
Establishment period *(Zoning Sec 5.5.6.B)*	**2 yr. Guarantee**	Yes	Yes	
Approval of substitutions. *(Zoning Sec 5.5.5.E)*	City must approve any substitutions in writing prior to installation.	Yes	Yes	
Plant List (LDM 2.h.) – Include all cost estimates				
Quantities and sizes	Refer to LDM suggested plant list	Yes	Yes	
Root type		Yes	Yes	
Botanical and common names		Yes	Yes	1. 19 of 37 species used (51%) are native to Michigan. This is acceptable. 2. The applicant is encouraged to use Dutch Elm resistant varieties of *Ulmus americana* in place of the non-native elm species used since the development is in habitat where native elms exist and where the non-native elms may spread. This is not required. 3. **In order to conform to the diversity requirements of Landscape Design Manual section 4.b more closely, please reduce the number of honeylocusts and tuliptrees to no more than 27 trees (10% of the total number of non-woodland replacement trees).**
Type and amount of lawn		Sheet L31-06	Yes	
Cost estimate *(LDM 2.t)*	For all new plantings, mulch and sod as listed on the plan	• RB3.1/RB3.2: Sheet L31-06 • RB3.3/RB3.4: Sheet L34-02	Yes	

Item	Required	Proposed	Meets Code	Comments
Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Sheet L31-06, L34-02	Yes	
Evergreen Tree		Sheet L31-06, L34-02	Yes	
Multi-stem Tree		Sheet L31-06	Yes	
Shrub		Sheet L31-06, L34-02	Yes	
Perennial/ Ground Cover		Sheet L31-06, L34-02	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		Sheet L31-06, L34-02	Yes	
Tree protection fencing	Located at Critical Root Zone (1' outside of dripline)	Tree Protection Fencing Detail shown on Landscaping Detail Sheets	Yes	**Please revise protection fence detail to show fence one foot outside of dripline.**
Other Plant Material Requirements (LDM 3)				
General Conditions *(LDM 3.a)*	Plant materials shall not be planted within 4 ft. of property line	No	No	**Please add note on plan view near property line.**
Plant Materials & Existing Plant Material *(LDM 3.b)*	Clearly show trees to be removed and trees to be saved on the plan and on tree chart.	No	No	
Landscape tree credit *(LDM3.b.(d))*	Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA. Refer to Landscape tree Credit Chart in LDM	No	No	The entire site is in a regulated woodland.
Plant Sizes for ROW, Woodland replacement and others *(LDM 3.c)*	Refer to Landscape Design Manual for requirements	Yes	Yes	**Included on Plant list**
Plant size credit *(LDM3.c.(2))*	NA	No	No	
Prohibited Plants *(LDM 3.d)*	No plants on City Invasive Species List	None	Yes	
Recommended trees for planting under overhead utilities *(LDM 3.e)*	Label the distance from the overhead utilities	No	No	**1. Please show any existing or proposed utility lines or add a note stating that there are none in the site area.** **2. If there are any overhead lines, please dimension the**

Item	Required	Proposed	Meets Code	Comments
				distance between new trees close to overhead lines and the lines.
Collected or Transplanted trees *(LDM 3.f)*		No		
Nonliving Durable Material: Mulch *(LDM 4)*	▪ Trees shall be mulched to 3"depth and shrubs, groundcovers to 2" ▪ Specify natural color, finely shredded hardwood bark mulch. Include in cost estimate. ▪ Refer to section for additional information	Yes	Yes	

NOTES:

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

WETLANDS REVIEW

ECT Environmental Consulting & Technology, Inc.

ECT Project No. 170526-0600

February 6, 2019

Ms. Barbara McBeth, AICP
City Planner
Community Development Department
City of Novi
45175 W. Ten Mile Road
Novi, Michigan 48375

Re: Fox Run Neighborhood 3 (JSP18-0018)
Wetland Review of the Revised Preliminary Site Plan (PSP19-0013)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Preliminary Site Plan for the proposed Fox Run Neighborhood 3 (NH3) project prepared by Zeimet Wozniak & Associates dated January 15, 2019 and stamped "Received" by the City of Novi Community Development Department on January 16, 2019 (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 currently recommends approval of the Revised Preliminary Site Plan for Wetlands. The Applicant shall address the items noted in the *Wetland Comments* Section of this letter prior to receiving Wetland approval of the Final Site Plan.

The following wetland related items are required for this project:

Item	Required/Not Required/Not Applicable
Wetland Permit (specify Non-Minor or Minor)	Required (Minor)
Wetland Mitigation	Required
Wetland Buffer Authorization	Required
MDEQ Permit	To Be Determined. It is the applicant's responsibility to contact the MDEQ in order to determine the need for a wetland use permit.
Wetland Conservation Easement	Required for any areas of proposed Wetland Mitigation

The project includes the construction of four (4) residential building (RB3.1, RB3.2, RB3.3, and RB3.4), associated parking and utilities. The Plan appears to separate the proposed construction into phases for each building. The site stormwater runoff appears to be directed to the existing storm sewer along Fox Run Road. In addition, the Plan notes that the existing detention pond will be re-shaped to accommodate additional stormwater runoff from the western portion of the project area. ECT suggests that the current Plan be reviewed by City of Novi Engineering Staff for adherence to all applicable storm water and engineering requirements.

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The proposed project site contains a total of five (5) wetland areas (Wetlands A, B, C, D and E), totaling approximately 10.7 acres. The on-site wetlands were delineated by King & MacGregor Environmental, Inc. (KME) on December 8, 2018. This wetland areas appear to be subject to regulation by the City of Novi and likely by the Michigan Department of Environmental Quality (MDEQ). Permits will likely be required from the MDEQ and the City of Novi for construction activities involving regulated wetland areas.

City of Novi Wetland Ordinance Requirements

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

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

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

> *All noncontiguous wetland areas of less than two (2) acres which appear on the wetlands inventory map, or which are otherwise identified during a field inspection by the city, shall be analyzed for the purpose of determining whether such areas are essential to the preservation of the natural resources of the city….In making the determination, the city shall find that one (1) or more of the following exist at the particular site:*
>
> *(1) The site supports state or federal endangered or threatened plants, fish or wildlife appearing on a list specified in Section 36505 of the Natural Resources Environmental Protection Act (Act 451 of 1994) [previously section 6 of the endangered species act of 1974, Act No. 203 of the Public Acts of 1974, being section 229.226 of the Michigan Compiled Laws].*
> *(2) The site represents what is identified as a locally rare or unique ecosystem.*
> *(3) The site supports plants or animals of an identified local importance.*
> *(4) The site provides groundwater recharge documented by a public agency.*
> *(5) The site provides flood and storm control by the hydrologic absorption and storage capacity of the wetland.*
> *(6) The site provides wildlife habitat by providing breeding, nesting or feeding grounds or cover for forms of wildlife, waterfowl, including migratory waterfowl, and rare, threatened or endangered wildlife species.*
> *(7) The site provides protection of subsurface water resources and provision of valuable watersheds and recharging groundwater supplies.*
> *(8) The site provides pollution treatment by serving as a biological and chemical oxidation basin.*
> *(9) The site provides erosion control by serving as a sedimentation area and filtering basin, absorbing silt and organic matter.*
> *(10) The site provides sources of nutrients in water food cycles and nursery grounds and sanctuaries for fish.*
>
> *After determining that a wetland less than two (2) acres in size is essential to the preservation of the natural resources of the city, the wetland use permit application shall be reviewed according to the standards in subsection 12-174(a).*

The on-site wetlands appear to meet one or more of the essentiality criteria and are therefore likely City regulated (i.e., wildlife habitat and flood and storm water control). Wetland A is over 2 acres in size, however, no impacts are proposed to this wetland.

ECT's in-office review of available materials included the City of Novi Regulated Wetland/Watercourse and Regulated Woodlands maps, USGS topographic quadrangle map, NRCS soils map, USFWS National Wetland Inventory map, and historical aerial photographs. It appears as if the entire subject site is indicated as City-Regulated Woodland as well as City-Regulated Wetland area on the official City of Novi Regulated Wetland and Watercourse Map (see Figure 1). In terms of Regulated Wetlands, this mapping is not accurate and a total of five (5) individual wetland areas (Wetlands A, B, C, D, E) were identified on-site and these boundaries have been reviewed in the field by ECT. ECT was previously asked to do a wetland boundary verification in December of 2017 ahead of soil boring work on the site. At that time, ECT recommended that we conduct a wetland and woodland field evaluation at the time of Preliminary Site Plan submittal in order to re-verify any existing on-site wetland boundaries (during more favorable time of the year than our previous wetland boundary verification) and woodland information (tree sizes, species, conditions, etc.). ECT conducted a follow-up site inspection on July 25, 2018.

On-Site Wetland Evaluation

ECT reviewed the site for the presence of regulated wetlands as defined in the City of Novi Wetland and Watercourse Protection Ordinance. The goal of this review was to verify the location of on-site wetland resources identified by KME and assess the regulatory status. ECT's most-recent site investigation was completed on July 25, 2018. Some pink wetland boundary flagging was in place at the time of this site inspection, however, because the most-recent wetland delineation appears to have been completed in December 2016, some wetland flags appear to be missing from the site and the wetland flag numbers no longer appear to be legible on the flagging. It was ECT's opinion that some of the wetland boundaries needed to be re-assessed by the applicant's wetland consultant. At a minimum, the wetland flags along (i.e., adjacent to) the project's limits of disturbance should be refreshed. Specifically, ECT recommends that Wetland C, Wetland D, and the southern and western sides of Wetland B be re-flagged by the applicant's wetland consultant. KME completed this work in September 2018 and ECT verified the revised boundaries. The on-site wetlands have now been accurately flagged in the field and the wetland boundaries appear to be accurately displayed on the Plan.

The following is a brief description of each of the on-site wetlands:

Wetland A (8.653 acres) is an emergent/scrub-shrub wetland with a forested wetland fringe located at the northern edge of the proposed project site. This wetland extends off site to the north.
Common vegetation within the wetland included silver maple (*Acer saccharinum*) and cattail (*Typha spp*).

Wetland B (1.294 acres) is forested/scrub-shrub wetland located in the north/central portion of the proposed site. Common vegetation within the wetland included silver maple (*Acer saccharinum*) and buttonbush (*Cephalanthus occidentalis).*

Wetland C (0.088-acre) is a forested wetland in the eastern portion of the proposed site. Common vegetation within the wetland included silver maple (*Acer saccharinum*).

Wetland D (0.014-acre) is a forested wetland in the eastern portion of the proposed site. Common vegetation within the wetland included silver maple (*Acer saccharinum*).

Wetland E (0.686-acre) is a forested/scrub-shrub wetland located in the easternmost portion of the proposed site. Common vegetation within the wetland included silver maple (*Acer saccharinum*) and buttonbush (*Cephalanthus occidentalis).*

Wetland Impact Review

As noted above, five (5) areas of wetland have been confirmed on the subject property by the applicant's wetland consultant. The site development appears to include the filling of the smallest on-site wetland; Wetland D (0.024-acre) for the construction of Building RB3.2 as well as an area of fill within Wetland C for the construction of Building RB3.1 and associated grading.

The following table summarizes the proposed wetland impacts as listed on the *Wetland Impacts* Plan (Sheet C108):

Table 1. *Proposed Wetland Impacts*

Wetland	***City Reg?***	***MDEQ Reg?***	***Wetland Area***	***Impact Area Impact Area***	
			Acre	***Square Feet***	***Acre***
A	**Yes, City Regulated /Essential**	**Likely**	8.653	None	None
B	**Yes, City Regulated /Essential**	**Likely**	1.294	None	None
C	**Yes, City Regulated /Essential**	**Likely**	0.088	854	0.020
D	**Yes, City Regulated /Essential**	**Likely**	0.014	1,045	0.024
E	**Yes, City Regulated /Essential**	**Likely**	0.686	None	None
TOTAL	**--**	**--**	**10.735**	**1,899**	**0.044**

It should be noted that the wetland areas listed in the Existing Wetland Summary table on Sheet TS101 (*Tree and Wetland Survey*) do not appear to reflect the updated areas for the wetlands that had the boundary flagging revised in September 2018. For example, Wetland D is listed as 0.014 acres however the proposed impact shown on Sheet 108 (*Wetland Impacts Plan*) is 1,045 square feet (i.e., 0.024-acre). Please review and revise the Plan so that the up-to-date existing wetland areas are consistently shown on the Plan.

In addition to the proposed wetland impacts, the Plan proposes permanent disturbance to 7,670 square feet (0.176-acre) and temporary disturbance to 2,109 square feet (0.048-acre) of on-site 25-foot wetland buffer area. The following table summarizes the proposed wetland setback impacts as listed on the Plan:

Table 2. *Proposed 25-Foot Wetland Buffer Impacts*

Wetland Buffer	***City Regulated?***	***Wetland Buffer Area***	***Wetland Buffer Area***	***Buffer Impact Area***	***Buffer Impact Area***
		Square Feet	***Acre***	***Square Feet***	***Acre***
A	**Yes, City Regulated /Essential**	Not Provided	Not Provided	None	None
B	**Yes, City Regulated /Essential**	Not Provided	Not Provided	610 (Permanent)	0.014 (Permanent)
C	**Yes, City Regulated /Essential**	Not Provided	Not Provided	4,159 (Permanent)	0.095 (Permanent)
D	**Yes, City Regulated /Essential**	Not Provided	Not Provided	1,296 (Temporary) & 2,901 (Permanent)	0.030 (Temporary) & 0.067 (Permanent)
E	**Yes, City Regulated /Essential**	Not Provided	Not Provided	662 (Temporary)	0.015 (Temporary)
M	**Yes, City Regulated /Essential**	Not Provided	Not Provided	151 (Temporary)	0.003 (Temporary)
TOTAL	**--**	**Not Provided**	**Not Provided**	2,109 (Temporary) & 7,670 (Permanent)	0.048 (Temporary) & 0.176 (Permanent)

In our opinion, as all of Wetland D is proposed to be permanently impacted, the wetland buffer impacts shall all be categorized as Permanent impacts on the Plan.

Wetland Mitigation Review

In general, it can be noted that in those cases where an activity results in the impact to wetland areas of 0.25-acre or greater that are deemed essential under City of Novi Ordinance subsection 12-174(b) mitigation shall be required. The applicant shall submit a mitigation plan which provides for the establishment of replacement wetlands at a ratio of 1:1 through 2:1 times the area of the natural wetland impaired or destroyed, if impacts meet or exceed the 0.25-acre threshold (emergent and scrub-shrub wetlands are generally mitigated at a 1.5-to-1 ratio, forested wetlands are mitigated for at a 2.0-to-1 ratio, and open water areas are mitigated for at a 1.0-to-1 ratio). The MDEQ's threshold for the requirement of wetland mitigation is 0.3-acre of wetland impacts.

Because the Fox Run Development is viewed as one (1) cohesive project, the currently proposed wetland impacts will require compensatory wetland mitigation. Wetland mitigation areas have previously been developed on the project site as previous phases of the site development have included impacts to on-site

wetlands that have exceeded the City and the MDEQ thresholds for compensatory wetland mitigation. As such, the impacts to existing wetlands associated with the current Neighborhood 3 project will require wetland mitigation.

Sheet C108.1 (*Wetland Mitigation*) outlines the current wetland mitigation concept. The Plan proposes two (2) small areas of wetland mitigation to be located south of the existing parking lot at proposed Building RB3.3 (adjacent to existing Wetland M). This Plan states that the proposed mitigation area is 4,112 square feet (0.094-acre) in size. The resulting mitigation ratio is 2.17-to-1, exceeding the City's requirement of mitigation of forested wetland impacts at a ratio of 2-to-1. The wetland mitigation areas are proposed to be forested wetland. The Plan also notes that no mitigation or restoration is offered for the permanent impacts to the 25-foot wetland buffers. Temporary impacts to the wetland buffers will be restored with an appropriate wetland buffer/meadow seed mix and mulch blankets. An acceptable restoration seed mix has been provided on Sheet L31-05 (*RB3.1 Planting Notes & Details*).

Wetland Regulatory Discussion

ECT has evaluated the on-site wetlands and believes that they are all considered to be essential/regulated by the City of Novi as they meet one or more of the essentiality criteria (i.e., functions and values) outlined in the City of Novi Wetland and Watercourse Protection Ordinance (listed above).

The Michigan Department of Environmental Quality (MDEQ) generally regulates wetlands that are within 500 feet of a waterbody, regulated stream or are part of wetland system greater than 5 acres in size. It is the applicant's responsibility to contact MDEQ in order to confirm the regulatory authority with respect to the on-site wetland areas and the need for wetland permits for any proposed direct impact to wetlands (i.e., cut, fill, drain, dredge, etc.). Specifically, Wetland D may be regulated by the MDEQ as it appears to be within 500 foot of a stream located east of this phase of development.

Any proposed use of the wetlands will require a City of Novi *Wetland Use Permit* as well as an *Authorization to Encroach the 25-Foot Natural Features Setback* for any proposed impacts to the 25-foot wetland buffers.

The applicant is urged to minimize impacts to on-site wetlands and wetland setbacks to the greatest extent practicable. 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*".

Existing Conservation Easement Areas

It should be noted that the proposed project site contains a previously-established Conservation Easement Area that provides for the protection (in perpetuity) of wetlands and woodlands within this area of the Fox Run development. The *Wetland Impacts* plan (Sheet C108) appears to indicate that the proposed areas of wetland impact (i.e., to Wetland C and Wetland D) are located outside of the existing Conservation Easement Area. It should be noted that the proposed wetland mitigation areas also appear to be located outside of the existing Conservation Easement Area. The applicant shall provide preservation/conservation easements as directed by the City of Novi Community Development Department for any areas of wetland mitigation.

Wetland Review Comments

The following are repeat comments from our *Wetland Review of the Preliminary Site Plan (PSP18-0099)* letter dated August 2, 2018. The current status of each comment follows in ***bold italics***. ECT recommends that the Applicant address the items noted below in subsequent site plan submittals:

1. It is ECT's opinion that some of the wetlands boundaries need to be re-assessed by the applicant's wetland consultant. At a minimum, the wetland flags along (i.e., adjacent to) the project's limits of disturbance should be refreshed. Specifically, ECT recommends that Wetland C, Wetland D, and the southern and western sides of Wetland B be re-flagged by the applicant's wetland consultant. If any changes to the locations of the wetland flags are made during this process, these wetland boundary flags shall be re-surveyed and indicated on the Plan. This comment has been addressed.

   The applicant's wetland consultant revised the boundaries in September 2018. The on-site wetlands have now been accurately flagged in the field and the wetland boundaries appear to be accurately displayed on the Plan. It should be noted that the wetland areas listed in the Existing Wetland Summary table on Sheet TS101 (Tree and Wetland Survey) do not appear to reflect the updated areas for the wetlands that had the boundary flagging revised in September 2018. For example, Wetland D is listed as 0.014 acres however the proposed impact shown on Sheet 108 (Wetland Impacts Plan) is 1,045 square feet (i.e., 0.024-acre). Please review and revise the Plan so that the up-to-date existing wetland areas are consistently shown on the Plan.

2. ECT encourages the Applicant to minimize impacts to on-site wetlands and wetland setbacks to the greatest extent practicable. Much of the impact to 25-foot wetland setback areas are for the purpose of grading around the proposed buildings. ECT recommends making any revisions feasible to decrease or minimize these impacts, such as proposing retaining walls in order to avoid grading into the 25-foot wetland setbacks, etc.

   This comment still applies. The overall quantity of permanent wetland and wetland buffer impacts has increased since our review of the Preliminary Site Plan.

3. The current Plan appears to propose direct impact to Wetland D for the purpose of constructing RB3.1. The applicant shall provide information on subsequent plans that clearly indicates the existing areas of onsite wetlands as well as the area of the 25-foot wetland buffers (i.e., square feet or acres of existing natural features). In addition, the Plan shall clearly indicate the area (square feet or acres) of all wetland and wetland buffer impacts (both permanent and temporary, if applicable) and the volume (cubic yards) of all wetland impacts.

   This comment has been addressed. However, in our opinion, as all of Wetland D is proposed to be permanently impacted, the wetland buffer impacts shall all be categorized as Permanent impacts on the Plan.

4. The currently proposed wetland impacts do not appear to require wetland mitigation as the City's threshold for wetland mitigation is 0.25-acre of wetland impact, however, the Plan notes that the development of proposed residential building 3.1 would result in permanent impact to Wetland D. Wetland mitigation behind residential building 2.5, adjacent to Wetland M, is being proposed for the loss of Wetland D. The proposed wetland mitigation area is 0.066-acre (2,875 square feet) in size. The

Plan notes that this is a ratio of 4.75-to-1 that exceeds the City's mitigation ratio requirement of 2-to-1 for impacts to forested wetlands. The new wetland mitigation area is proposed to be forested wetland. The applicant shall confirm whether or not this wetland mitigation area has been, or, is yet to be constructed.

Because the Fox Run Development is viewed as one (1) cohesive project, the currently proposed wetland impacts will require compensatory wetland mitigation. Wetland mitigation areas have previously been developed on the project site as previous phases of the site development have included impacts to on-site wetlands that have exceeded the City and the MDEQ thresholds for compensatory wetland mitigation. As such, the impacts to existing wetlands associated with the current Neighborhood 3 project will require wetland mitigation.

Sheet C108.1 (Wetland Mitigation) outlines the current wetland mitigation concept. Prior to wetland approval of the Final Site Plan, the applicant shall provide additional detail related to the proposed wetland mitigation (including a detailed grading and planting plans). The applicant shall provide additional written information that details the proposed goals and objectives of the mitigation plan, construction methodology, monitoring plan, and information related to the monitoring and treatment of invasive species of vegetation. Section 12-176 of the Wetland Ordinance outlines these requirements.

It should be noted that the wetland mitigation will likely be a requirement of not only the City of Novi but also the Michigan Department of Environmental Quality. All mitigation requirements of the MDEQ must also be met by the applicant. This shall include the installation of a minimum of six (6) habitat structures per acre of wetland mitigation (i.e., tree stumps, whole trees, logs, sand mounds, etc.).

5. It appears as though a City of Novi *Minor Use Wetland* and likely a MDEQ Wetland Permit would be required for the proposed wetland impacts. A City of Novi *Authorization to Encroach the 25-Foot Natural Features Setback* would be required for any proposed impacts to on-site 25-foot wetland buffers.

   This comment still applies. The applicant's engineer has noted that an application for wetland use permit from the MDEQ has been submitted.

6. 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 impacts. Final determination as to the regulatory status of any on-site wetlands shall be made by MDEQ. The Applicant should provide a copy of the MDEQ Wetland Use Permit application to the City (and our office) for review and a copy of the approved permit upon issuance. A City of Novi Wetland Permit cannot be issued prior to receiving this information.

   This comment still applies.

7. The applicant should ensure that any proposed snow storage areas are located such that any runoff will not directly affect any on-site wetlands.

   This comment still applies.

8. The Applicant shall provide preservation/conservation easements as directed by the City of Novi Community Development Department for any areas of proposed wetland mitigation. This language shall be submitted to the City Attorney for review. The executed easement must be returned to the City Attorney within 60 days of the issuance of the City of Novi Wetland permit. These easement areas shall be indicated on the Plan.

This comments still applies.

Recommendation

ECT currently recommends approval of the Revised Preliminary Site Plan for Wetlands. The Applicant shall address the items noted in the *Wetland Comments* Section of this letter prior to receiving Wetland approval of the 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: Lindsay Bell, City of Novi Planner
Sri Komaragiri, City of Novi Planner
Rick Meader, City of Novi Landscape Architect
Hannah Smith, City of Novi Planning Assistant

Attachments: Figure 1 – City of Novi Regulated Wetland and Woodland Map
Site Photos

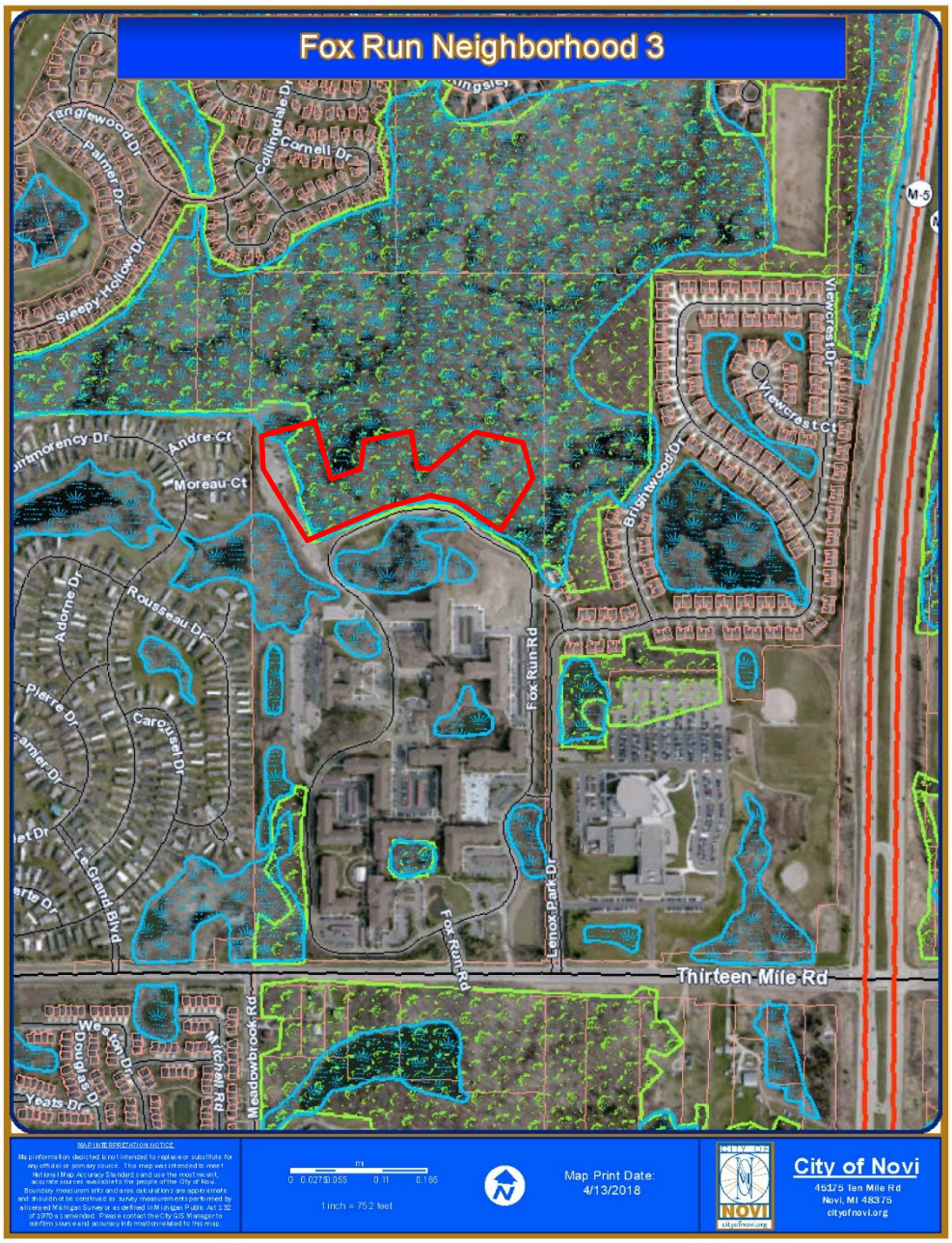

Figure 1. City of Novi Regulated Wetland & Woodland Map (approximate project boundary shown in red). Regulated Woodland areas are shown in green and Regulated Wetland areas are shown in blue.

Site Photos

Photo 1. Looking north from the south side of Wetland B (ECT, July 25, 2018).

Photo 2. Looking north at Wetland D (ECT, July 25, 2018).

Photo 3. Looking west at Wetland C (ECT, July 25, 2018).

WOODLANDS REVIEW

ECT Environmental Consulting & Technology, Inc.

ECT Project No. 170526-0700

February 6, 2019

Ms. Barbara McBeth, AICP
City Planner
Community Development Department
City of Novi
45175 W. Ten Mile Road
Novi, Michigan 48375

Re: Fox Run Neighborhood 3 (JSP18-0018)
Woodland Review of the Revised Preliminary Site Plan (PSP19-0013)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Preliminary Site Plan for the proposed Fox Run Neighborhood 3 (NH3) project prepared by Zeimet Wozniak & Associates dated January 15, 2019 and stamped "Received" by the City of Novi Community Development Department on January 16, 2019 (Plan). The Plan was reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37.

ECT currently recommends approval of the Revised Preliminary Site Plan for Woodlands. The Applicant shall address the items noted in the *Woodland Comments* Section of this letter prior to receiving Woodland approval of the Final Site Plan.

The following woodland related items are required for this project:

Item	Required/Not Required/Not Applicable
Woodland Permit	Required
Woodland Fence	Required
Woodland Conservation Easement	Required (For any proposed Woodland Replacement Tree Material)

The project includes the construction of four (4) residential building (RB3.1, RB3.2, RB3.3, and RB3.4), associated parking and utilities. The site does contain City of Novi Regulated Woodlands. An area of regulated woodland encompasses the majority of the proposed development area. The Plan includes a *Tree and Wetland Survey* (Sheets TS101, TS102, and TS103). These sheets include a tree list that provides the tree tag number, species, diameter, and condition of all of the surveyed trees on the site. The Plan notes that the tree inventory was prepared by King & MacGregor Environmental, Inc. (KME, February 2018) and supplemented by Hagenbuch-Weikal Landscape Architecture (March 2018).

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*

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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.*

What follows is a summary of our findings regarding on-site woodlands associated with the proposed project.

On-Site Woodland Evaluation

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on July 25, 2018. ECT's in-office review of available materials included the City of Novi Regulated Woodland map and other available mapping. The subject property includes area that is indicated as City-Regulated Woodland on the official City of Novi Regulated Wetland and Woodland Map (see Figure 1). As noted above, the majority of the development area is within area mapped as City Regulated Woodland.

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

The majority of the on-site trees are of good quality. In general, the on-site trees consist of northern red oak (*Quercus rubra*), white oak (*Quercus alba*), silver maple (*Acer saccharinum*), red maple (*Acer rubrum*), black cherry (*Prunus serotina*), shagbark hickory (*Carya ovata*), bitternut hickory (*Carya glabra*), eastern cottonwood (*Populus deltoides*) and several other species.

In terms of habitat quality and diversity of tree species, the overall subject site consists of good quality trees. In terms of a scenic asset, wildlife habitat, windblock, noise buffer or other environmental asset, the forested area located on the subject site is considered to be of good quality. It should be noted that although the woodland areas contain some degree of invasive species such as buckthorn (*Rhamnus cathartica*), areas of the existing woodlands are relatively open and free of dense undergrowth that deters some species of wildlife such as white-tailed deer (*Odocoileus virginianus*).

Woodland Impact Review & Woodland Replacement Credits

As shown, there are impacts proposed to regulated woodlands associated with the site construction. The Plan appears to separate the Woodland Impacts into four (4) phases. The tree removals and required Woodland Replacement Credits are summarized below:

Phase 1 (RB3.1):

- Regulated Trees Removed: Total Not Summarized
- Total Replacement Trees Required: 248

- On-site Replacement Credits Provided: None
- Credits to Tree Fund: 248

Phase 2 (RB3.2):

- Regulated Trees Removed: Total Not Summarized
- Total Replacement Trees Required: 230
- On-site Replacement Credits Provided: 48
  - Deciduous Trees (1:1 Credit): 2
  - Shrubs (6:1 Credit): 46 (280 shrubs)
- Credits to Tree Fund: 182

Phase 3 (RB3.3):

- Regulated Trees Removed: Total Not Summarized
- Total Replacement Trees Required: 162
- On-site Replacement Credits Provided: 26
  - Deciduous Trees (1:1 Credit): 9
  - Evergreen Trees (1.5:1 Credit): 5 (8 trees)
  - Shrubs (6:1 Credit): 12 (72 shrubs)
- Credits to Tree Fund: 136

Phase 4 (RB3.4):

- Regulated Trees Removed: Total Not Summarized
- Total Replacement Trees Required: 34
- On-site Replacement Credits Provided: 34
  - Deciduous Trees (1:1 Credit): 20
  - Evergreen Trees (1.5:1 Credit): 5 (8 trees)
  - Shrubs (6:1 Credit): 9 (54 shrubs)
- Credits to Tree Fund: 0

The Plant List sheets indicate what Woodland Replacement Tree Material is proposed within each phase. The proposed Woodland Replacement Tree material appears to be acceptable per the City's Woodland Tree Replacement Chart. All deciduous replacement trees to be provided appear to be two and one-half (2 ½) inches caliper (minimum) and will count at a 1-to-1 replacement ratio. Shrubs shall count at a 6-to-1 replacement ratio. All evergreen trees will count at a 1.5-to-1 replacement ratio. Based on these requirements, the Plan is currently proposing **108** total on-site Woodland Replacement credits and **566** credits to the City Tree Fund, for a project total of **674** Woodland Replacement Credits required.

Existing Conservation Easement Areas

It should be noted that the proposed project site contains a previously-established Conservation Easement Area that provides for the protection (in perpetuity) of wetlands and woodlands within this area of the Fox Run development. No impacts or site development are proposed within this Conservation Easement area. Because the on-site Woodland Replacement Tree material is being proposed outside of areas designated as

City of Novi Regulated Woodland and/or the existing Conservation Easement area, the applicant shall provide preservation/conservation easements as directed by the City of Novi Community Development Department for any areas of woodland replacement trees.

Woodland Review Comments

The following are repeat comments from our Woodland Review of the Preliminary Site Plan (PSP18-0099) letter dated August 2, 2018. The current status of each comment follows in ***bold italics***. Please consider the following comments when preparing subsequent site plan submittals:

1. ECT encourages the Applicant to minimize impacts to on-site woodlands to the greatest extent practicable. Currently, the Plan proposes the removal of **311** total regulated trees requiring a total of **664** Woodland Replacement Credits. The Plan proposes **74** on-site Woodland Replacement credits (11% of the required credits) and a payment of **591** credits (89% of the required credits) to the City Tree Fund.

   This comment still applies. The current Plan currently requires a total of 674 Woodland Replacement Credits (i.e., a 10 credit increase from the Preliminary Site Plan). The Plan proposes 108 on-site Woodland Replacement Credits (16% of the required credits) and 566 credits (84% of the required credits) paid to the City of Novi Tree Fund.

2. ECT recommends that the applicant take all steps feasible in order to provide as many of the required Woodland Replacement credits through the planting of on-site replacement trees. If on-site Woodland Replacement planting is proposed, all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1 replacement tree-to-1 credit replacement ratio. All coniferous replacement trees shall be six (6) feet in height (minimum) and count at a 1.5 replacement tree-to-1 credit replacement ratio. All Woodland Replacement trees shall be species that are listed on the City's Woodland Tree Replacement Chart (attached).

   This comment still applies.

3. For each of the proposed phases of development, the Applicant shall report/summarize the number of trees that are proposed to be removed within the following categories and indicate how many Woodland Replacement are required for each removed tree:

Replacement Tree Requirements

Removed Tree D.B.H. (In Inches)	Ratio Replacement/ Removed Tree
≥ 8 ≤ 11	1
>11 ≤ 20	2
> 20 < 29	3
≥ 30	4

This comment has not been addressed. The applicant shall provide this information as well as the total number of trees proposed for removal (within each phase).

4. A Woodland Replacement Performance financial guarantee for the planting of replacement trees will be required. 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.

   This comment still applies. Currently, this Woodland Replacement Performance financial guarantee will be $43,200 (108 on-site Woodland Replacement Tree Credits x $400/Credit).

5. Based on a successful inspection of the installed on-site Woodland Replacement trees, the Woodland Replacement financial guarantee will be returned to the Applicant. A Woodland Maintenance financial guarantee in the amount of twenty-five percent (25%) of the original Woodland Replacement financial guarantee will then be provided by the applicant. This Woodland Maintenance financial guarantee will be kept for a period of 2-years after the successful inspection of the on-site woodland replacement tree installation.

   This comment still applies. Currently, this Woodland Maintenance financial guarantee will be $10,800 (108 on-site Woodland Replacement Tree Credits x $400/Credit x 0.25).

6. 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. If no Woodland Replacement Trees are proposed on-site, the required payment to the City of Novi Tree Fund will be $8,000 (20 Credits Required x $400/Credit).

   This comment still applies. Currently, the required payment to the City of Novi Tree Fund will be $226,400 (566 Woodland Replacement Tree Credits x $400/Credit).

7. Woodland 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.

8. The Applicant shall provide preservation/conservation easements as directed by the City of Novi Community Development Department for any areas of woodland replacement trees to be installed in a currently non-regulated woodland area. The applicant shall demonstrate that the all proposed woodland replacement trees will be guaranteed to be preserved as planted with a conservation easement or landscape easement to be granted to the city. This language shall be submitted to the City Attorney for review. The executed easement must be returned to the City Attorney within 60 days of the issuance of the City of Novi Woodland permit. These easement areas shall be indicated on the Plan.

   This comment still applies.

In addition, please note the following:

9. The applicant shall revise the proposed Plant Lists to include Woodland Replacement material that are straight species. For example, the Plan (Sheet L32-02) notes that Red

Chokeberry (Aronia brutifolia 'Brilliantissima') is being proposes. The applicant should substitute this for Aronia arbutifolia, or red-fruited chokeberry.

Recommendation

ECT currently recommends approval of the Revised Preliminary Site Plan for Woodlands. The Applicant shall address the items noted in the *Woodland Comments* Section of this letter prior to receiving Woodland approval of the 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: Lindsay Bell, City of Novi Planner (lbell@cityofnovi.org)
Sri Komaragiri, City of Novi Planner (skomaragiri@cityofnovi.org)
Rick Meader, City of Novi Landscape Architect (rmeader@cityofnovi.org)
Hannah Smith, City of Novi Planning Assistant (hsmith@cityofnovi.org)

Attachments: Figure 1 – City of Novi Regulated Wetland and Woodland Map
Woodland Tree Replacement Chart
Site Photos

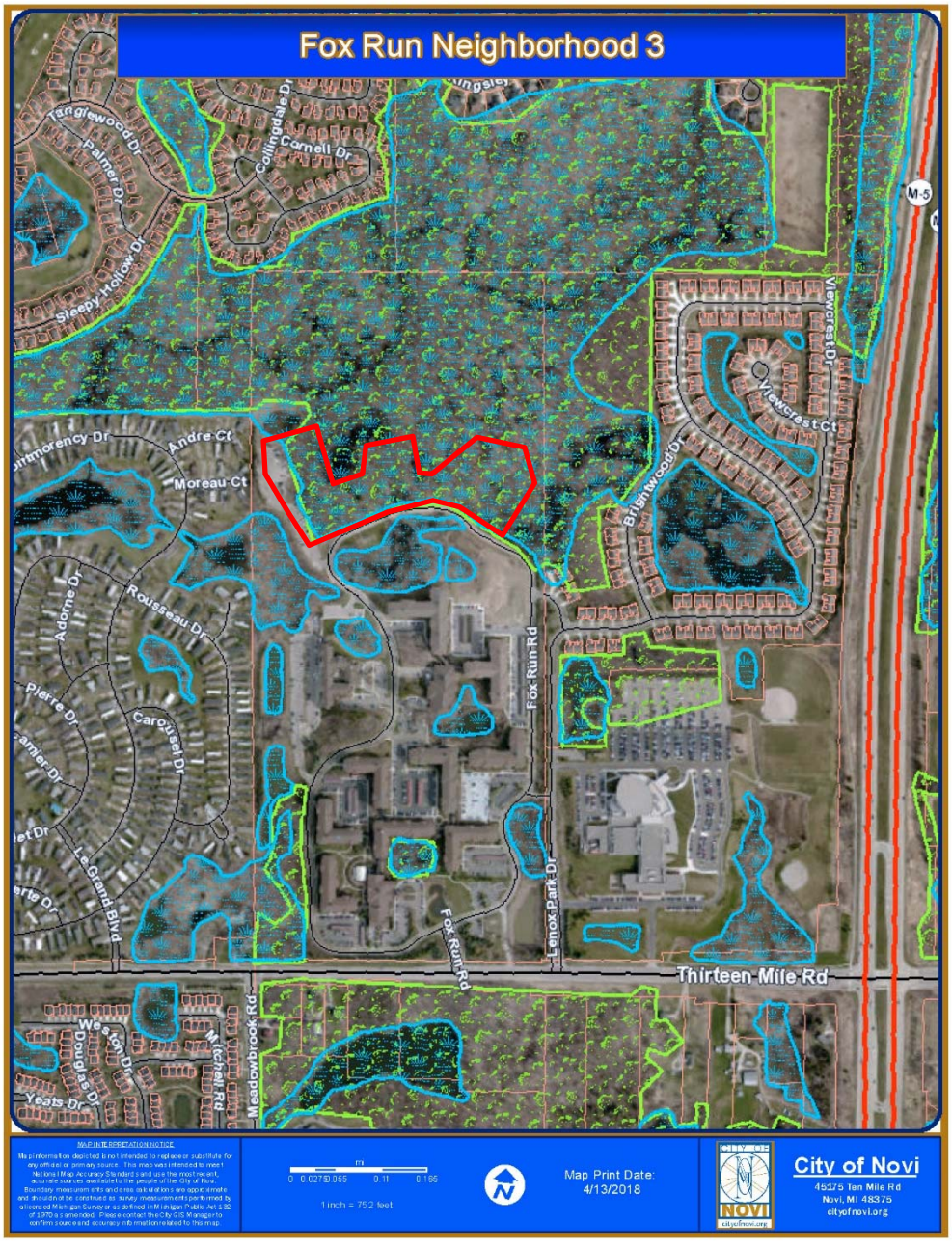

Figure 1. City of Novi Regulated Wetland & Woodland Map (approximate project boundary shown in red). Regulated Woodland areas are shown in green and Regulated Wetland areas are shown in blue.

Woodland Tree Replacement Chart

(from Chapter 37 Woodlands Protection)
(All canopy trees to be 2.5" cal or larger, evergreens as listed)

Common Name	Botanical Name
Black Maple	Acer nigrum
Striped Maple	Acer pennsylvanicum
Red Maple	Acer rubrum
Sugar Maple	Acer saccharum
Mountain Maple	Acer spicatum
Ohio Buckeye	Aesculus glabra
Downy Serviceberry	Amelanchier arborea
Smooth Shadbush	Amelanchier laevis
Yellow Birch	Betula alleghaniensis
Paper Birch	Betula papyrifera
American Hornbeam	Carpinus caroliniana
Bitternut Hickory	Carya cordiformis
Pignut Hickory	Carya glabra
Shagbark Hickory	Carya ovata
Northern Hackberry	Celtis occidentalis
Eastern Redbud	Cercis canadensis
Pagoda Dogwood	Cornus alternifolia
Flowering Dogwood	Cornus florida
American Beech	Fagus grandifolia
Thornless Honeylocust	Gleditsia triacanthos inermis
Kentucky Coffeetree	Gymnocladus diocus
Walnut	Juglans nigra or Juglans cinerea
Eastern Larch	Larix laricina
Tuliptree	Liriodendron tulipfera
Tupelo	Nyssa sylvatica
American Hophornbeam	Ostrya virginiana
White Spruce_(1.5:1 ratio) (6' ht.)	Picea glauca
Black Spruce_(1.5:1 ratio) (6' ht.)	Picea mariana
Red Pine_(1.5:1 ration) (6' ht.)	Pinus resinosa
White Pine_(1.5:1 ratio) (6' ht.)	Pinus strobus
American Sycamore	Platanus occidentalis
Black Cherry	Prunus serotina
White Oak	Quercus alba
Swamp White Oak	Quercus bicolor
Scarlet Oak	Quercus coccinea
Shingle Oak	Quercus imbricaria
Burr Oak	Quercus macrocarpa
Chinkapin Oak	Quercus muehlenbergii
Red Oak	Quercus rubra
Black Oak	Quercus velutina
American Basswood	Tilia americana

Site Photos

Photo 1. Looking east at Regulated Woodland area northwest of Wetland B (ECT, July 25, 2018).

Photo 2. Looking southeast at Regulated Woodland area and Wetland D in the southeast portion of the site (ECT, July 25, 2018).

TRAFFIC REVIEW

AECOM
27777 Franklin Road
Southfield
MI, 48034
USA
aecom.com

Project name:
JSP18-0018 Fox Run Neighborhood Phase 3
Revised Preliminary Traffic Review

To:
Barbara McBeth, AICP
City of Novi
45175 10 Mile Road
Novi, Michigan 48375

From:
AECOM

Date:
February 7, 2019

CC:
Sri Komaragiri, Lindsay Bell, George Melistas, Darcy Rechtien, Hannah Smith, Kate Richardson

Memo

Subject: JSP18-18 Fox Run Neighborhood Phase 3 Revised Preliminary Site Plan Traffic Review

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

GENERAL COMMENTS

1. The applicant, Erickson Living, is proposing to develop phase three of the Fox Run neighborhood senior living development. Phase 3 is located on the north side of the development and is comprised of 370 units across four buildings. Fox Run neighborhood is located north of 13 Mile Road west of M-5.
2. 13 Mile Road is under the jurisdiction of the City of Novi. All roads within Fox Run are private roads.
3. The applicant has not proposed any modifications to the existing RM-1 (Low-density Multiple-Family) zoning.
4. Summary of traffic-related waivers/variances:
    a. **Same-side driveway spacing requirements are currently not in compliance and a variance would be required if the applicant does not revise the plans.**
    b. **The sidewalk offset of 7.59 feet does not meet the requirement for the outside edge to be located a minimum of 15 feet from the back of curb. The applicant is seeking a variance for this deviation.**

TRAFFIC IMPACTS

1. AECOM performed an initial trip generation estimate based on the ITE Trip Generation Manual, 10th Edition, as follows:

    ITE Code: 252 – Senior Adult Housing - Attached
    Development-specific Quantity: 370 units
    Zoning Change:

Trip Generation Summary				
	Estimated Trips	**Estimated Peak-Direction Trips**	**City of Novi Threshold**	**Above Threshold?**

AM Peak-Hour Trips	74	48	100	No
PM Peak-Hour Trips	91	50	100	No
Daily (One-Directional) Trips	1,462	N/A	750	Yes

2. The number of trips does exceed the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour. However, according to City record, a traffic impact study (TIS) was submitted with the overall site plan. The applicant should indicate that the proposed site plan does not change the overall traffic impact of the project verifying that an update is not required.

EXTERNAL SITE ACCESS AND OPERATIONS

The following comments relate to the external interface between the proposed development and the surrounding roadway(s).

1. The applicant has not proposed any modifications to external site access and operations.
2. There is an existing right turn lane and exiting taper at the primary site entrance point.
3. There is an existing two-way left-turn lane on 13 Mile Road.

INTERNAL SITE OPERATIONS

The following comments relate to the on-site design and traffic flow operations.

1. General Traffic Flow
    a. Fox Run Road has been constructed under a previous phase of the development. The applicant has not proposed changes to the geometry of Fox Run Road.
    b. The widths for the internal site parking driveways that are located on Fox Run Road are within the acceptable range per Figure IX.1 of the City's Code of Ordinances.
    c. The proposed turning radii are within the allowable range per Figure IX.1 and in compliance with City standards.
    d. The amount of proposed spacing between site driveways may be a concern. Although City driveway spacing standards for driveways on opposite sides of the roadway are not applicable due to the private roadway, same side driveway spacing is applicable. **The applicant should consider revising the same side driveway spacing in order to be compliant with Figure IX.12 of the City's Code of Ordinances or request a variance**. As an option, the applicant may revisit the quantity of and need for each of the proposed driveways along the north side of Fox Run Road and consider driveway consolidation or removal as applicable, OR may provide additional justification for maintaining the propose number and locations of driveways.
    e. The applicant has indicated the sight distance at each internal site driveway along Fox Run Road and is in compliance with Figure XIII-E in the City's Code of Ordinances.
        i. **The applicant should ensure that the 260' sight line to the west at the southern driveway is accurate and there are no trees or other objects that would obstruct the sight line, and therefore, require a variance for not meeting sight distance required.**
    f. The applicant has indicated that no new trash collection areas are proposed.
    g. The applicant has provided the width of the garage-access driveways.

h. The applicant indicated that the intent of the gated driveways is to limit vehicular access to emergency response vehicles only.
i. The applicant should provide a garage-level site plan showing traffic circulation to and from the garage-level while also providing parking dimensions for the garage level parking.

2. Parking Facilities
   a. The applicant should refer to the Planning Review letter for parking space quantity requirement information.
   b. The applicant has indicated parking dimensions throughout the development. While parking aisle widths and parking space widths are in compliance with City standards, the applicant shall review where four inch and six inch curbs are located. Note that six inch curbs shall be placed along all landscaped areas, drive aisles, and in front of 19 foot parking spaces. Four inch curbs should be provided in front of 17 foot parking spaces and a two foot clear overhang shall be provided. There are several instances where a four inch curb is located in front of 19 foot parking spaces.
      i. The applicant should also provide a dimensioned garage-level site plan as mentioned above.
   c. The applicant has proposed a total of eight accessible parking spaces for phase 3, which is in compliance with ADA standards. Four of the eight accessible spaces are van accessible, which exceeds ADA requirements. The applicant should consider providing accessible parking spaces within the garage parking.
   d. The applicant has provided dimensions at all accessible spaces and they are in compliance with City standards.
   e. The applicant should include dimensions for the width of the proposed end islands throughout the site to review accessibility and compliance with City requirements as stated in Section 5.3.12 of the Zoning Ordinance.
      i. Note that all end islands adjacent to a travel way shall be constructed three (3) feet shorter than the adjacent parking space.
      ii. The end island outside radii is required to be a minimum of 15'. There are several instances where this minimum requirement is not met.
   f. The development requires one bicycle parking space for each 20 employees; or, a minimum of two spaces.
      i. The applicant has not indicated bicycle parking on the site plans The applicant should review Section 5.16 of the Zoning Ordinance and indicate the location of the bicycle parking facility such that all requirements are met.
      ii. The bicycle parking layout detail shown on sheet C107.1 should be revised to show 15 inches between the spaces and a six-foot width**.** Reference section 5.16.6 of the City's Zoning Ordinance for more information.
      iii. The bicycle layout detail should also include a 4-foot access aisle per Figure 5.16.6 of the City's Zoning Ordinance.

3. Sidewalk Requirements
   a. The applicant has indicated five foot walks in several areas throughout the development and seven foot walks along the 17 foot parking spaces, which is in compliance with City standards.
   b. The applicant has provided ramp locations and details.
   c. The applicant has provided a sidewalk offset of 7.59 feet from Fox Run Road. In the case of private streets and roadways, the required sidewalks, pathways, and trails the outside edge should be located a minimum of 15 feet from the back of curb. **The applicant has indicated that they are seeking a variance for this distance.**

SIGNING AND STRIPING

1. All on-site signing and pavement markings shall be in compliance with the Michigan Manual on Uniform Traffic Control Devices (MMUTCD). The following is a discussion of the proposed signing and striping.
2. The applicant has provided a summarized signing table.

a. The proposed stop sign (R1-1) should be 36 inches and not 24 inches and sheets C101.7 and C107.
b. The quantity of the proposed stop sign (R1-1 should be 6 and not 8.

3. The bottom height shown in the stop sign and barrier free parking sign details should be 84 inches and not 72 inches. Also the 2” x 2” steel post called out on the details do not match the note calling for the required galvanized U-channel post.
4. The applicant provided the applicable notes/details related to signing/striping. The last sentence of note number 3 contains a misspelling of “weight”.
5. The applicant should indicate that the parking spaces shall be four inches in width.
6. The applicant has provided pavement marking details for the international symbol for accessibility as well as the crosswalks that are in compliance.
    a. The crosswalk markings drawn on the site plans are not consistent with the detail and should be revised to match.

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

Sincerely,

AECOM

Patricia Thompson, EIT
Traffic Engineer

Josh A. Bocks, AICP, MBA
Senior Transportation Planner/Project Manager

FACADE REVIEW

DRN & ASSOCIATES, ARCHITECTS, PC
Phone: (248) 880-6523
E-Mail: dnecci@drnarchitects.com
Web: drnarchitects.com
50850 Applebrooke Dr., Northville, MI 48167

July 30, 2018

City of Novi Planning Department
45175 W. 10 Mile Rd.
Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Director of Community Development

Re: FACADE ORDINANCE – Revised Preliminary Site Plan Review
Fox Run Phase 3, PSP18-0099
Façade Region: 1, Zoning District: RM-1

Dear Ms. McBeth:

The following is the Facade Review for Revised Preliminary Site Plan Approval of the above referenced project based on the drawings prepared by Lantz-Boggio Architects, dated June 26, 2018. The percentages of materials proposed for each façade are as shown on the table below. The maximum percentages allowed by the Schedule Regulating Façade Materials of Ordinance Section 5.15 are shown in the right hand column. Materials in non-compliance with the Facade Schedule, if any, are highlighted in **bold**.

Building RB 3.1	West	North	East	South	Ordinance Maximum (Minimum)
Brick	62%	62%	63%	59%	100% (30% Min)
EIFS	24%	24%	22%	25%	25%
Trim	1%	2%	2%	2%	15%
Standing Seam Metal Roof	2%	2%	4%	4%	25%
Asphalt Shingles	11%	10%	9%	10%	50%

Building RB 3.2	West	North west	North	South east	South west	South	Ordinance Maximum (Minimum)
Brick	73%	64%	64%	66%	65%	64%	100% (30% Min)
EIFS	17%	22%	22%	24%	21%	22%	25%
Trim	1%	1%	1%	1%	1%	1%	15%
Stand Seam Metal Roof	1%	3%	3%	1%	2%	3%	25%
Asphalt Shingles	8%	10%	10%	8%	11%	10%	50%

Building RB 3.3	West	North	East	South	Ordinance Maximum (Minimum)
Brick	59%	58%	59%	60%	100% (30% Min)
EIFS	25%	26%	25%	25%	25%
Trim	1%	1%	1%	1%	15%
Standing Seam Metal Roof	2%	2%	2%	2%	25%
Asphalt Shingles	13%	13%	13%	12%	50%

Building RB 3.4	West	North	East	South	Ordinance Maximum (Minimum)
Brick	63%	57%	63%	66%	100% (30% Min)
EIFS	22%	29%	22%	18%	25%
Trim	1%	1%	1%	1%	15%
Standing Seam Metal Roof	2%	2%	2%	1%	25%
Asphalt Shingles	12%	11%	12%	14%	50%

As shown above all facades are in full compliance with the Façade Ordinance. The overall design appears to generally match the buildings in phases of this project. No sample board was provided, however colored renderings indicating the proposed colors were provided. It is assumed that the actual colors will substantially match the materials used in prior phases.

Section 3.8.2.C of the Ordinance requires that buildings in the RM-1 district be not greater than 180’ in length. The proposed buildings have an overall length of approximately 300’ and buildings 3.3 and 3.4 combined have an overall length of approximately 517’. In this case the proposed buildings are substantially articulated with horizontal offsets and will be general consistent in appearance with other buildings within the project. Therefore, we believe the general intent of this Section has been met with the proposed design.

Recommendation - All facades are in full compliance with the Façade Ordinance. A Section 9 Waiver is not required for this project. If you have any questions regarding this project please do not hesitate to call.

Sincerely,
DRN & Associates, Architects PC

Douglas R. Necci, AIA

FIRE REVIEW

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

cityofnovi.org

January 24, 2019

TO: Barbara McBeth- City Planner
Sri Ravali Komaragiri- Plan Review Center
Lindsay Bell-Plan Review Center
Hannah Smith-Planning Assistant

RE: Fox Run Neighborhood #3

PSP# Pre-App Meeting
PSP#18-0099
PSP# 19-0013

Project Description:
Build 4 buildings in Fox Run Community RB 3.1, RB 3.2, RB 3.3, and RB 3.4.

Comments:

- **All** fire hydrants **MUST** in installed and operational prior to any building construction begins.
- **All** fire hydrants MUST be accessible during construction phases.
- **CORRECTED 7/26/18-**In building RB 3.2, requesting to relocate the fire command center to the east near the stairwell.
- In building RB 3.3, requesting to relocate fire command center to the North West stairwell.
- In building RB 3.4 requesting to relocate fire command center to the south stairwell.
- **MUST** add a fire hydrant in front of buildings RB3.1, RB3.2 and RB 3.3, RB3.3 and RB3.4. Fire hydrant spacing is 300' from hydrant to hydrant **NOT** as the crow flies. **Novi City Ordinance 11-68(F)(1)c.**
- **CORRECTED 7/26/18-**Water main sizes MUST be added to the site for review.
- **MUST** add to plans for review which water feed that comes into each building is for which system (Domestic water or fire suppression system).
- On plan #C104.2 there are two water leads coming into the structure. Both water leads **MUST** have size of lead on the plans for review.
- On plans #C104.5 by the fire hydrant at the hammerhead turn around an unobstructed outside turning radius of 50 feet minimum and an inside turning radius of 30 feet maximum are to be provided at intersections of private or public roadways and cul-de-sacs. **City of Novi Ordinance 503.2.4.**

Recommendation:
APPROVED WITH CONDITIONS

Sincerely,

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

cc: file

APPLICANT RESPONSE LETTER

ZEIMET WOZNIAK & ASSOCIATES
Civil Engineers & Land Surveyors
55800 Grand River Avenue, Suite 100
New Hudson, Michigan 48165-9318
248.437.5099 · 248.437.5222 fax
www.zeimetwozniak.com

March 5, 2019

Ms. Lindsay Bell, Planner
City of Novi Community Development Department
45175 Ten Mile Road
Novi, MI 48375

Re: Approval of Revised Preliminary Site Plan Submittal for
Fox Run Neighborhood 3
JSP18-0018 / PSP18-0099

Dear Ms. Bell:

Thank you for your review package for thus project as transmitted to us on February 15, 2019.

Attached as requested, please find the following:

- A disk containing the original site plans in .pdf format.
- A color rendering mounted on 24" x 36 board.

A sample board of building materials has already been provided to you.

Response letters to each city reviewing agency are attached:

- To Planning (Lindsay Bell) from Julian J. Wargo, Jr., PE
- To Engineering (Kate Richardson) from Julian J. Wargo, Jr., PE
- To Landscaping (Barb McBeth) from Ken Weikal, RLA
- To Woodlands (Barb McBeth) from Ken Weikal, RLA
- To Wetlands (Peter Hill, PE) from Julian J. Wargo, Jr., PE
- To Traffic (Maureen N. Peters, PE) from Julian J. Wargo, Jr., PE describing the traffic waivers and deviations needed.
- To Fire (Kevin Pierce) from Julian J. Wargo, Jr., PE

A letter requesting waivers and deviations for the buildings as prepared by the Project Architect, Mr. Christian Fussy, is enclosed.

We look forward to presenting the project to the City's Planning Commission on Wednesday, March 13, 2019.

Thank you for assistance with this project.

Very truly yours,

Julian J. Wargo, Jr., PE

Encl.

J:17139.Letter19

ZEIMET WOZNIAK & ASSOCIATES
Civil Engineers & Land Surveyors
55800 Grand River Avenue, Suite 100
New Hudson, Michigan 48165-9318
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www.zeimetwozniak.com

March 5, 2019

Ms. Lindsay Bell, Planner
City of Novi Community Development Department
45175 Ten Mile Road
Novi, MI 48375

Re: Site Plan Review for
Revised Preliminary Site Plan Submittal for Fox Run Neighborhood 3
JSP18-0018 / PSP18-0099

Dear Ms. Bell:

Thank you for recommending approval of the revised Preliminary Site Plan for this project.

The comments from your correspondence dated February 15, 2019 shall be addressed upon Final Site Plan submittal.

We look forward to working with you as this project moves forward.

Very truly yours,

Julian J. Wargo, Jr., PE

J:17139.Letter24

ZEIMET WOZNIAK & ASSOCIATES
Civil Engineers & Land Surveyors
55800 Grand River Avenue, Suite 100
New Hudson, Michigan 48165-9318
248.437.5099 · 248.437.5222 fax
www.zeimetwozniak.com

March 5, 2019

Ms. Kate Richardson, EIT
City of Novi Engineering Department
45175 Ten Mile Road
Novi, MI 48375

Re: Engineering Review for
Revised Preliminary Site Plan for Fox Run Neighborhood 3
JSP18-0018 / PSP 18-0099

Dear Ms. Richardson:

Thank you for recommending approval of the revised Preliminary Site Plan for this project.

The comments from your correspondence dated February 15, 2019 shall be addressed upon Final Site Plan submittal.

We look forward to working with you as this project moves forward.

Very truly yours,

Julian J. Wargo, Jr., PE

J:17139.Letter20

HAGENBUCH WEIKAL
LANDSCAPE ARCHITECTURE

March 02, 2018

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

RE: Fox Run Neighborhood Three – Revised Preliminary Site Plan JSP18-18
Novi, Michigan
Landscape Planting Plans

Dear Ms. McBeth,

Thank you for your review of the Fox Run Neighborhood Three revised Preliminary Site Plan. In response to the PLAN REVIEW CENTER REPORT dated January 31, 2019, Revised Preliminary Site Plan - Landscaping for Fox Run Neighborhood Three by Rick Meader L. A., we have no issue with his comments and will address these comments at final site plan submission.

Sincerely,
HAGENBUCH WEIKAL LANDSCAPE ARCHITECTURE

Kenneth S. Weikal - Principal

33203 BIDDESTONE LANE FARMINGTON HILLS, MICHIGAN 48334-4313
(248) 477- 3600 kweikal@kw-la.com

HAGENBUCH WEIKAL
LANDSCAPE ARCHITECTURE

March 2, 2019

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

RE: Fox Run Neighborhood Three – Revised Preliminary Site Plan JSP18-18
Novi, Michigan
Woodland Review

Dear Ms. McBeth,

In response to the PLAN REVIEW CENTER REPORT Revised Preliminary Site Plan - Woodland Review for Fox Run Neighborhood Three by Pete Hill P.E., Senior Associate Engineer, at Environmental Consulting & Technology, INC. dated February 6, 2019, we have no issue with his comments and will address these comments at final site plan submission.

Sincerely,
HAGENBUCH WEIKAL LANDSCAPE ARCHITECTURE

Kenneth S. Weikal - Principal

33203 BIDDESTONE LANE FARMINGTON HILLS, MICHIGAN 48334-4313
(248) 477- 3600 kweikal@kw-la.com

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55800 Grand River Avenue, Suite 100
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March 5, 2019

Mr. Peter Hill, PE
ECT
2200 Commonwealth Blvd, #300
Ann Arbor, MI 48105

Re: Wetland Review for
Revised Preliminary Site Plan Fox Run Neighborhood 3
JSP18-0018 / PSP18-0099

Dear Mr. Hill:

Thank you for recommending approval of the revised Preliminary Site Plan for this project.

The comments from your correspondence dated February 6, 2019 shall be addressed upon Final Site Plan submittal.

A JPA has been filed with the MDEQ for the proposed wetland impacts (MiWaters Accounts #HNJ-Q013-CWAJX and #HNH-4CHT-36XPB). We are currently working with their staff (Ms. Sue Tepatti) to address their concerns. Once a permit is issued, a copy shall be provided to your office.

We look forward to working with you as this project moves forward.

Very truly yours,

Julian J. Wargo, Jr., PE

J:17139.Letter23

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www.zeimetwozniak.com

March 5, 2019

Ms. Maureen N. Peters, PE
AECOM
27777 Franklin Road
Southfield, MI 48034

Re: Traffic Review for
Revised Preliminary Site Plan for Fox Run Neighborhood 3
Novi JSP18-19

Dear Ms. Peters:

Thank you for your correspondence dated February 7, 2019.

As we have shared, the project is requesting three traffic-related waivers/variances:

1. **SAME-SIDE DRIVEWAY SPACING NOT IN COMPLIANCE WITH FIGURE IX.12 OF THE CITY'S CODE OF ORDINANCES.**

   The quantity and need for ach of the proposed driveways along the north side of Fox Run Road is driven by the need to access the buildings. The number of driveways has been minimized and consolidated to the extent possible. From a functionality standpoint, we believe that it is particularly important to separate the access to the service court at RB3.1 from the main entrances to the parking lots and parking garages so that larger delivery vehicles do not interfere or conflict with daily drivers.

2. **SIGHT DISTANCE BETWEEN INTERNAL DRIVEWAYS LESS THAN 260' NOT IN COMPLIANCE WITH FIGURE XIII-E OF THE CITY'S CODE OR ORDINANCES.**

   The 260' sight line to the west at the southern driveway is obstructed by existing trees. It is not desirable to remove the number of trees required to meet the requirement.

3. **THE SIDEWALK OFFSET OF 7.59 FEET DOES NOT MEET THE REQUIREMENT FOR THE OUTSIDE EDGE TO BE LOCATED A MINIMUM OF 15-FEET FROM THE BACK OF THE CURB.**

   The site has been mastered planned with a typical sidewalk offset of 7-feet. RB 2.5 was constructed with a sidewalk abutting the existing curb. To date, the operators of Fox Run have experienced no traffic-related or safety incidents relative to the proximity of the existing sidewalks to the roadway.

We look forward to discussing these waivers/variances before the City's Planning Commission on March 13, 2019.

Very truly yours,

Julian J. Wargo, Jr., PE

Encl.

J:17139.Letter22

ZEIMET WOZNIAK & ASSOCIATES
Civil Engineers & Land Surveyors
55800 Grand River Avenue, Suite 100
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www.zeimetwozniak.com

March 5, 2019

Mr. Kevin Pierce
City of Novi Public Safety Administration
45125 W. Ten Mile
Novi, MI 48375

Re: Fire Department Review for
Revised Preliminary Site Plan for Fox Run Neighborhood 3
JSP18-18 / PSP18-0099

Dear Mr. Pierce:

Thank you for recommending approval of the revised Preliminary Site Plan for this project.

The comments from your correspondence dated January 24, 2019 shall be addressed upon Final Site Plan submittal.

We look forward to working with you as this project moves forward.

Very truly yours,

Julian J. Wargo, Jr., PE

J:17139.Letter21

LANTZ-BOGGIO
Architects & Interior Designers

5650 DTC Parkway, Suite 200
Englewood, Colorado 80111
303.773.0436 | lantz-boggio.com

Mrs. Lindsay Bell,
Plans Examiner
City of Novi
45175 Ten Mile Road
Novi, Michigan 48375

February, 28th 2019

Lindsay,

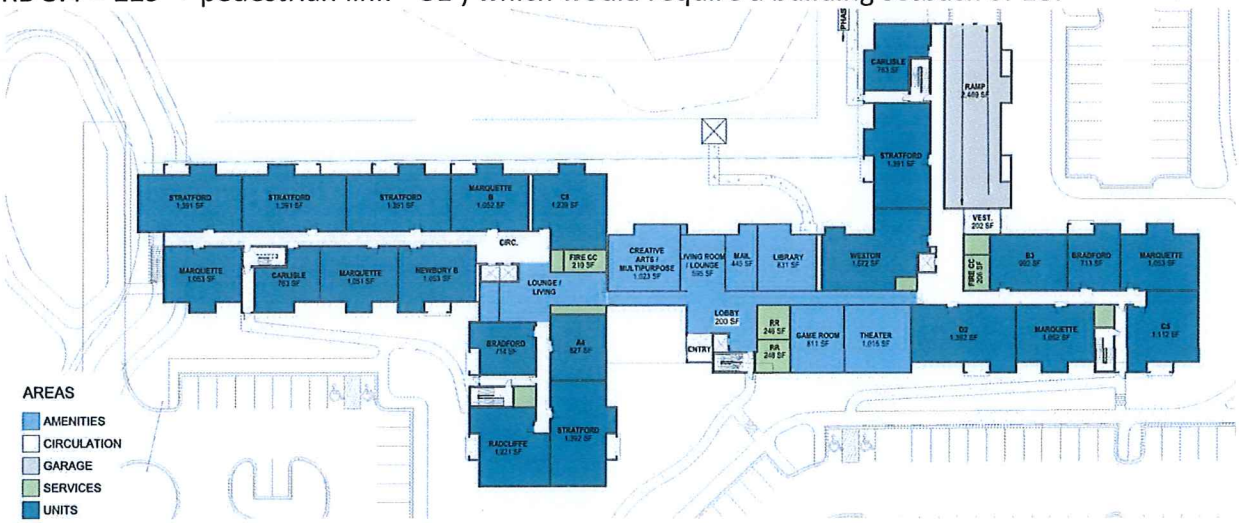
We are seeking positive consideration of three Zoning Ordnance deviations for the proposed Fox Run Neighborhood 3.

Modification of Maximum length of the buildings (Sec.3.8.2.C)

The overall horizontal length of proposed RB3.3 is 237' and for RB 3.4 is 229'.

We are proposing that overall horizontal length requirement should be modified by the Planning Commission from 180' to 360'. The proposed design meets the following conditions (1) Both buildings include common areas with a minimum capacity of fifty (50) persons for recreation and social activities.

The zoning regulation require an additional one (1) foot for every three (3) feet of building length in excess of 180 feet from all property lines abutting a residential
The total length of RB 3.3 and RB3.4 **with** the connecting pedestrian link is 517' (RB3.3 =237' + RB 3.4 = 229' + pedestrian link = 51') which would require a building setback of 187'



Please note if the RB3.3 and RB 3.4 would not have a pedestrian connection, then the required setback would be and 94' for RB 3.3 and 91' for RB 3.4. this would be well within the constraints of the proposed 123' setback from the property line.

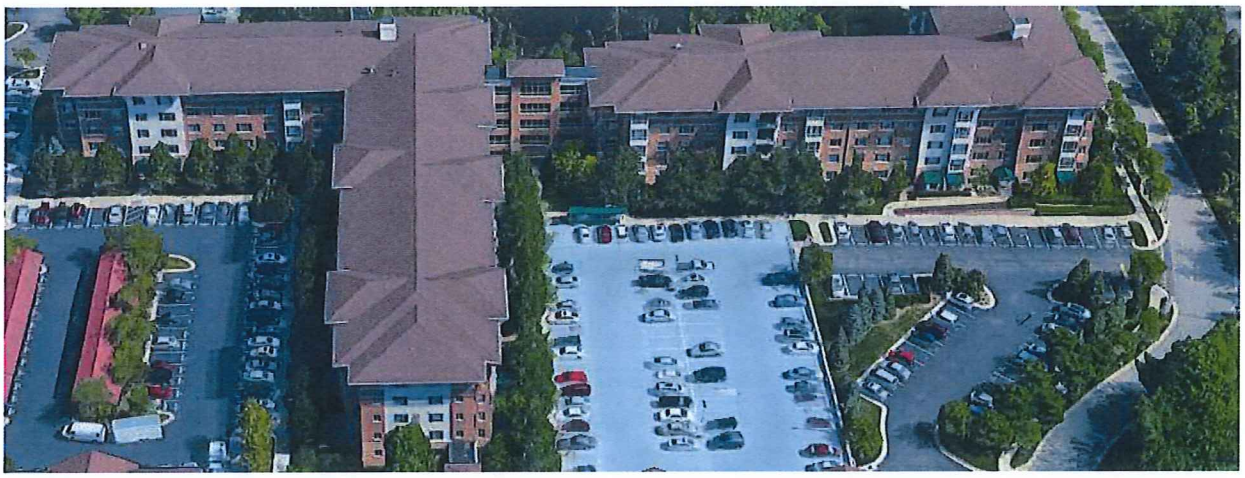
Section 3.31.5: Deviations from Area, Bulk, Yard, and Dimensional Requirements.
As part of approval of a Preliminary Site Plan, the City Council shall be authorized to grant deviations from the strict terms of the zoning ordinance governing area, bulk, yard, and dimensional requirements applicable to the property; provided, however, that such authorization to grant deviations shall be
conditioned upon the Council finding:

Deviation request Building length:

A. That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest:

All buildings within the existing Fox Run Community are interconnected with pedestrian links, which provide protection from the weather as rain, snow and heat.
This concept allows the senior living residents to move around independently at their own pace to visit the dining venues, live enrichment areas as movie a theater, arts and crafts, game room, etc., or their neighbors. Some residents are fragile and need the handrail support provided along the corridors and pedestrian bridges others use walkers and canes.
Our proposed design therefore shows the residential buildings RB 3.3 and 3.4 connected with a pedestrian link to provide a better senior living option in the city of Novi.

B. That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;
Please refer to the existing RB 2.1 + RB 2.2 = 545' of fox Run Neighborhood 2 which has established a similar architectural pattern in Fox Run Neighborhood.



Existing RB 2.1 + RB 2.2 = 545'

Proposed RB3.3 + RB 3.4 = 516' building length

C. That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources;
The pedestrian link does not encroach into the buffer zone of the existing wetlands.

D. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic; and
The pedestrian link will not impact the safety or convenience of vehicular or pedestrian traffic. However, it will raise the safety of the pedestrian traffic since the senior residents will use the provided hand rail of the pedestrian link.

E. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.
The proposed deviation will have no impact on the condition called out under E above.

In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the Preliminary Site Plan, in accordance with Section 3.31.4.B.

Based on the outlined arguments and findings above we are seeking a positive consideration of the length deviation of proposed RB 3.3 and 3.4.

Required Code Height of proposed building RB 3.3

The max height (89') of the proposed Building RB 3.3 per the concept design which was reviewed with the preapplication exceeded the allowed building height by 54 ft (54ft +75ft = 129 ft)

We lowered the proposed building height of the RB 3.3 east leg by 6' feet to 83' with the PSD application.

We are providing one additional 1 foot of building setback required for each foot of height over the maximum allowed under RM-1 (RM-1 max height is 35 ft). The proposed for the east leg of RB 3.3 is 123' from the property line.

All four proposed buildings RB 3.1 ,RB3.2,RB 3.3 and RB3.4 are now meeting the height contrains of the zoning ordance.

Deviation request Building stories

PD-1 Requirements (Section 3.20, Section 3.31)

Required Code Stories

If exceeding the height limitations of the RM-1 District, the building must be between 3 and 5 Stories.

Proposed 7 stories/90 feet.

Fox Run RB 3.1 Proposed 7 Stories

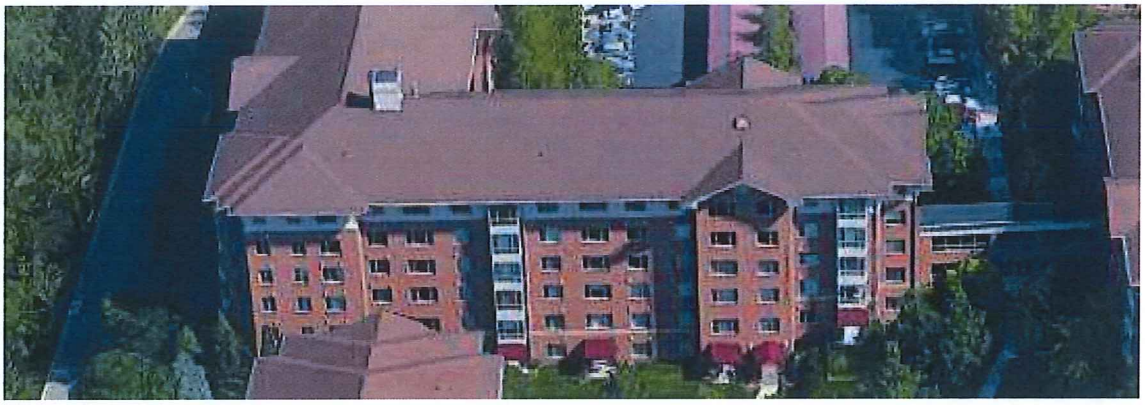
A. That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest.

The Silent Generation of seniors, born between the years of 1927 and 1945 prefers retirement campus with larger resident units. The average unit size of proposed neighborhood 3 is about 1200 SF in average compared to the 1000 SF average unit size of Neighborhood 1. Neighborhood 3 was originally planned for 370 resident units as a 5-story building scheme. 370 units are needed to provide a feasible project and balance out the staffing, life enrichment areas as pickle ball, movie theater, game room, and dining venues. We are proposing 370 units as a 7-story building based on the larger market requested unit sizes.

In today's competitive senior living market environment Fox Run continuously strives provide a better senior living option in the city of Novi

B. That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area.

Please also refer to the RB 1.3 and RB 1.5. with 6 story buildings as part of the existing Fox Run Neighborhood 1. The proposed 7 story building are tying into the fabric and pattern of the existing 5 and 6 story community. The four proposed 7 story buildings of Neighborhood 3 are separated from Neighborhood 1 and 2 by a ring road lined by trees and the adjacent wetland within the community. The building height of the proposed four buildings in Fox Neighborhood 3 will be within the allowable height requirements of the Zoning Ordinance.



Existing Fox Run RB 1.3

Existing Fox Run RB 1.5

C. That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources.
Proposed RB 3.3 and 3.4 are positioned in between the campus ring road and the wetlands to the north of the campus in bedded into the current topography of the campus.

D. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic.
The proposed 7 story concept will not raise the unit count/resident count for neighborhood 3 compared to the original proposal. The deviation, if granted will not impact the safety or convenience of vehicular or pedestrian traffic.

E. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.
In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the Preliminary Site Plan, in accordance with Section 3.31.4.B.XX

The proposed deviation will have no impact on the condition called out under E above.

We are seeking a positive consideration of the building story deviation for the four proposed Buildings in Fox Run Neighborhood 3.

Minimum distance requirements between the buildings (Sec 3.8.2.H)

Requirement: Total length of building A + total length of building B + 2(height of building + height of building B)/6

Distance in between RB3.1 and RB 3.2:
Please refer to enclosed sheet PSP-001, which shows that the current proposed design is within the compliance of distances and spacing per 3.8.2.H of the Zoning ordinance.
Mailboxes: RB3.1 has a proposed mail room on the first floor. RB 3.2 has a proposed mail room on the first floor. RB 3.3 has a proposed mail room on the first-floor which will be shared with the future RB 3.4.

Deviation request of distance between building RB3.1 and RB 3.3:
78'-4" are proposed and 82.1' are required. (3'-9" discrepancy)

A. That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest.

Based on the setback requirements towards the western property line and imposed by the required configuration of the existing western parking lot and wetland buffer zones the building footprint of RB 3.3 got shifted 3'-9" east.
The proposed eastern end units C3 and D3 of building RB 3.3 are based on bay increments of 12'-6" and reduction by 3'-9" would lead to an end bay of 8'-9" which will not allow for feasible bedrooms for (7) C3 and (7) D3 units.
370 units are needed to provide a feasible project and balance out the staffing, life enrichment areas as pickle ball, movie theater, game room, and dining venues. We are proposing the reduction of 3'-9" in between RB 3.1 and RB 3.3, which would allow us to build 370 functional units.

B. That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area.

The proposed 3'- 9" reduction in between buildings RB 3.1 and RB 3.3 seems to be compatible with the existing and planned uses in the surrounding area.
The proposed buildings of Neighborhood 3 are separated from Neighborhood 1 and 2 by a ring road lined by trees and the adjacent wetland within the community.

C. That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources.
Proposed RB 3.1 and 3.3 are positioned in between the campus ring road and the wetlands to the north of the campus in bedded into the current topography of the campus.

D. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic.
The proposed deviation will not raise the unit count/resident count for neighborhood 3 compared to the original proposal. The deviation, if granted will not impact the safety or convenience of vehicular or pedestrian traffic.

E. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.
In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the Preliminary Site Plan, in accordance with Section 3.31.4.B.XX

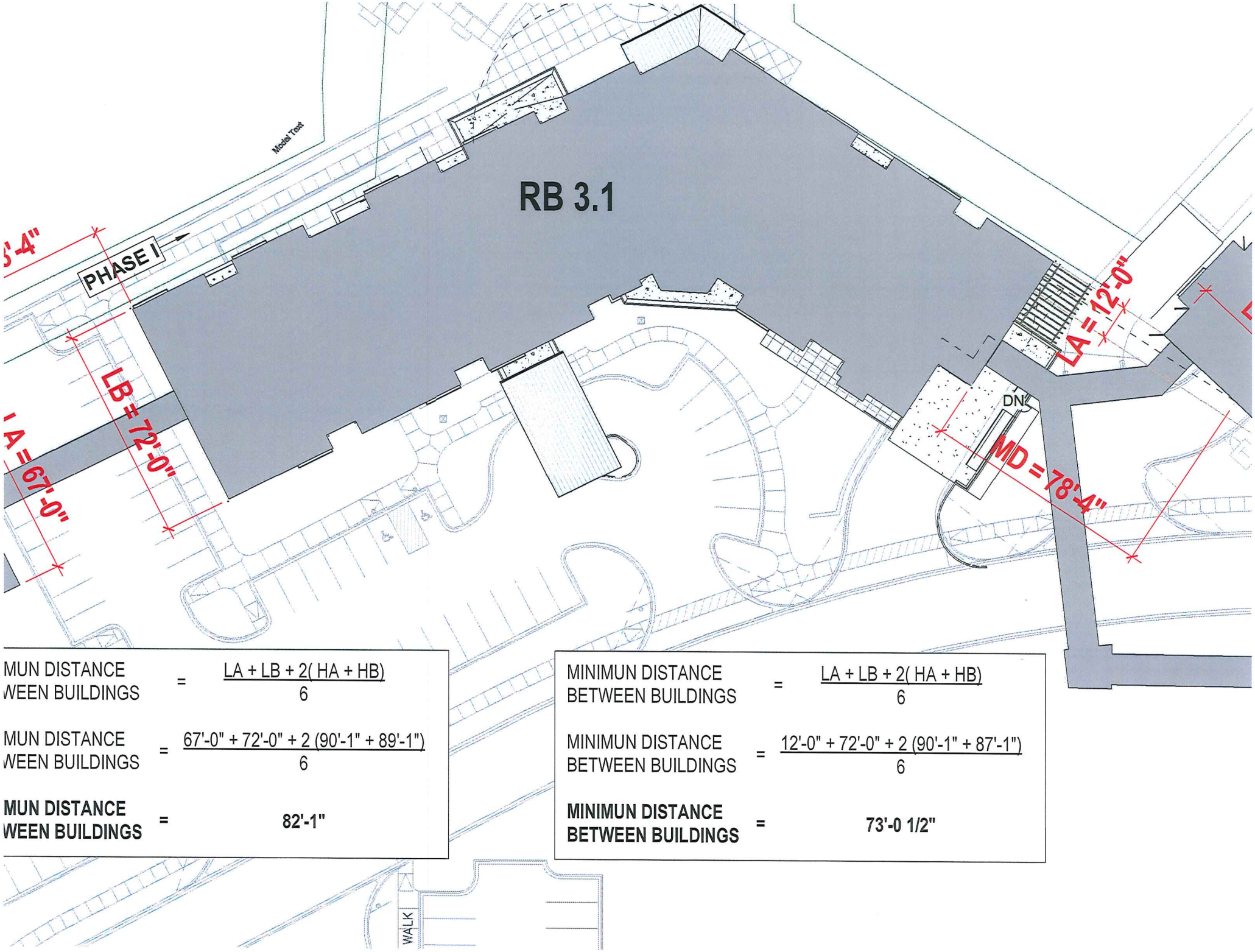
The proposed deviation will have no impact on the condition called out under E above.

We are seeking a positive consideration for the proposed reduction of 3'-9" distance between building RB 3.1 and RB 3.3.

Please don't hesitate to contact me, if you have any questions.

Sincerely,

Christian Fussy, AIA Principal
Lantz-Boggio Architects



MUN DISTANCE
WEEN BUILDINGS = $\frac{LA + LB + 2(HA + HB)}{6}$

MUN DISTANCE
WEEN BUILDINGS = $\frac{67'\text{-}0" + 72'\text{-}0" + 2\,(90'\text{-}1" + 89'\text{-}1")}{6}$

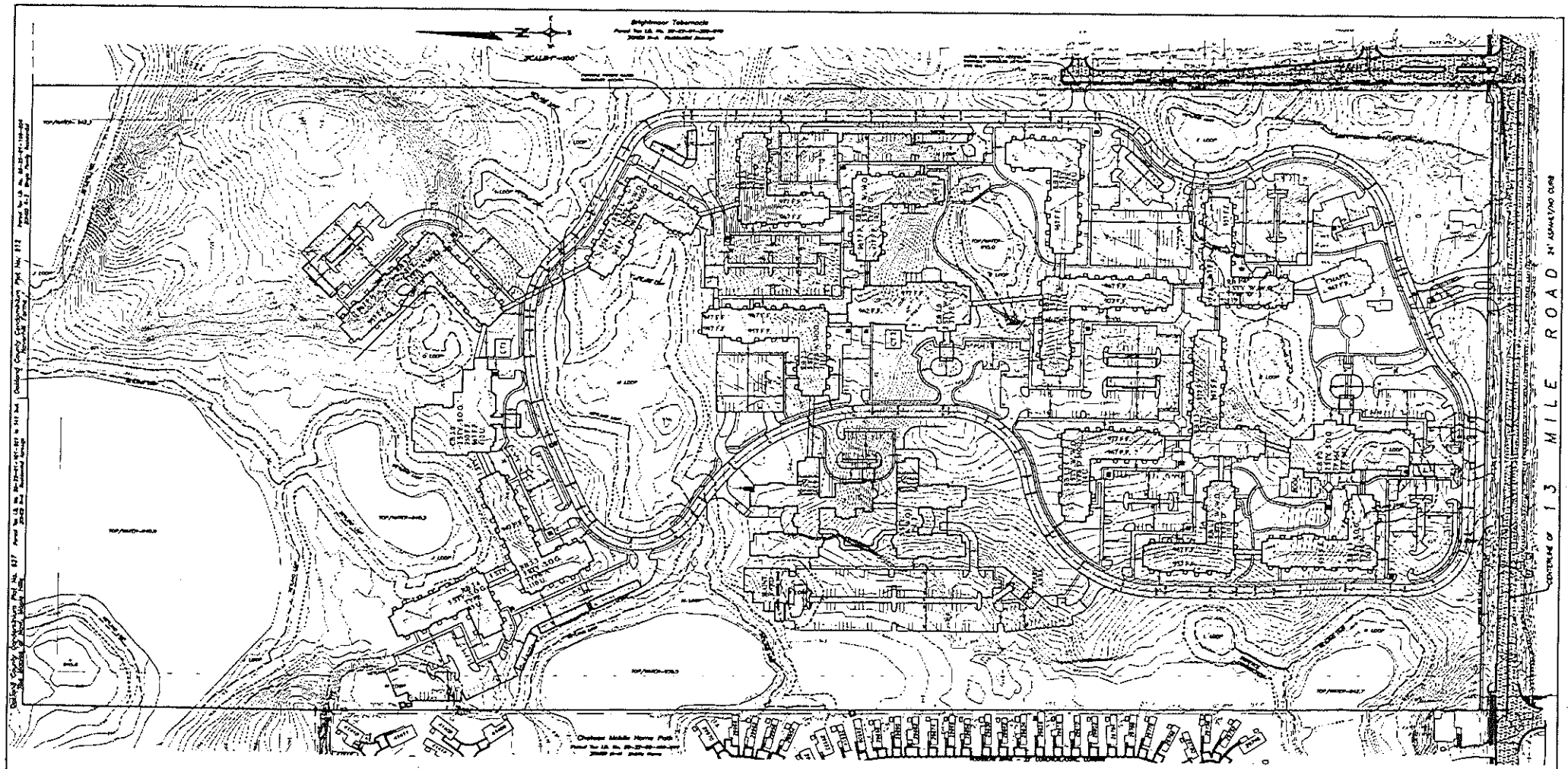
**MUN DISTANCE
WEEN BUILDINGS = 82'-1"**

MINIMUN DISTANCE
BETWEEN BUILDINGS = $\frac{LA + LB + 2(HA + HB)}{6}$

MINIMUN DISTANCE
BETWEEN BUILDINGS = $\frac{12'\text{-}0" + 72'\text{-}0" + 2\,(90'\text{-}1" + 87'\text{-}1")}{6}$

**MINIMUN DISTANCE
BETWEEN BUILDINGS = 73'-0 1/2"**

ORIGINAL FOX RUN SITE PLAN
APPROVED JANUARY 2002



BUILDING LEGEND

CTx INDICATES COOLING TOWER
x STY INDICATES No. OF STORIES
S.O.G. INDICATES SLAB-ON-GRADE CONSTRUCTION
W/W.O. INDICATES WALK-OUT BASEMENT CONSTRUCTION
RB or CF x.x INDICATES ROBERTSHAW, OR COMMUNITY BUILDING & BUILDING No.
TYPE 'x' INDICATES ARCHITECTURAL TYPE OF BUILDING
x U. INDICATES No. OF UNITS
FFE x.x INDICATES ELEVATION OF FINISH FLOOR

INDICATES PORTION OF BUILDING AREA CONSTRUCTION 1 STORY BELOW OUTSIDE GROUND FINISH GRADE

ECC EXTENDED CARE CENTER LEGEND:

x STY (W/BSMT.) INDICATES No. OF STORIES WITH A BASEMENT
x STY (S.O.G.) INDICATES No. OF STORIES WITH SLAB-ON-GRADE CONSTRUCTION
ALF or SNF INDICATES ASSISTED LIVING or SKILLED NURSING FACILITIES
PH. x INDICATES CONSTRUCTION PHASE No.

NOTE:
DIMENSIONS SHOWN ARE TO FACE OF CURB IN PAVEMENT AREAS.
ALL DRIVES ARE PRIVATE DRIVES TO ACCESS PARKING LOTS

UTILITY LEGEND

SITE DATA:			
	PER ORDINANCE	PROVIDED	
MAXIMUM BUILDING HEIGHT	5 STORIES/65 FEET	5 STORIES/65 FEET	(PHASE 1 ECC)
MAXIMUM BUILDING LENGTH	350 FEET	350 FEET	(PHASE 1 ECC)
FRONT YARD SETBACK	50 FEET	985 FEET	
SIDE YARD SETBACK	75 FEET	85 FEET	
REAR YARD SETBACK	75 FEET	890 FEET	
OPEN SPACE AREA	317,800 SQUARE FEET	317,800 + SQUARE FEET	
GROSS GROUND FLOOR AREA		358,468 S.F.	
MAXIMUM LOT COVERAGE	25 PERCENT	12.4 PERCENT	
PAVEMENT AREA		680,000 S.F.	

DENSITY CALCULATION TABLE

Unit Type	Number of Rooms	Site Area Req'd per Unit	Number of Units	Inst. Site Area Req'd
Studio	1	700	21	14,700
One Bedroom	2	1,400	482	844,800
One Bedroom + Den	3	2,100	172	361,200
Two Bedroom	3	2,700	823	1,778,300
Two Bedroom + Den	4	2,800	19	53,200
			1,497	2,804,200
Asst. Living Unit	n/a	1,500	192	288,000
Skilled Nursing Unit	n/a	1,500	198	297,000
			390	585,000
Total Site Area Required	=	3,389,200		
Total Site Area Available	=	3,764,107		

102.817 Acres – 16.405 Acres Regulated Wetlands over 2 Acres = 86.412 Acres

PARKING CALCULATION TABLE

3 Spaces per 4 Independent Living Unit		1,123 Spaces
1 Spaces per 4 Assisted Living/Skilled Nursing Units		99 Spaces
1 Space per Employee (At Peak)		375 Spaces
Total Required		1,272 Spaces
Total Spaces Provided	=	1,847 Spaces

REVISIONS	DATE	BY	REVISIONS	DATE	BY	REVISIONS	DATE	BY	REVISIONS	DATE	BY

WIDMAN
CIVIL ENGINEERS & LAND SURVEYORS
29450 FRANKLIN ROAD
SOUTHFIELD, MICHIGAN 48034
(248) 352-8950 (248) 352-1344 (FAX)

BEFORE YOU DIG CALL MISS DIG 1-800-482-7171

DEVELOPER:
DIVERSIFIED RETIREMENT COMMUNITIES
703 MARDEN CHOICE LANE
BALTIMORE, MARYLAND 21228
WAYNE M. RUSH 410-242-2880

SITE PLAN
FOX RUN VILLAGE
NOVI, MICHIGAN

DATE	10-27-00
SCALE	HOR. 1" = 100' VER. 1" = ---
JOB NO.	00144
SHEET	CE101

PLANNING COMMISSION MINUTES – EXCERPT
September 12, 2018

ROLL CALL VOTE TO RECOMMEND APPROVAL OF STORMWATER MANAGEMENT PLAN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

In the matter of the request of Orville Properties, LLC, for the Adell Center JSP 18-27, motion to recommend approval to the City Council for 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; and**
b. **This recommendation is subject to completion of the of the PRO Concept Plan and PRO Agreement process at the City Council, and any and all requirements that result from such approval, if it is granted; and if those approvals do not occur, then this recommendation is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan and other approvals, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.**

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. ***Motion carried 4-0.***

3. **FOX RUN NEIGHBORHOOD 3, JSP 18-18**

   Public hearing at the request of Erickson Living for Planning Commission's recommendation to the City Council of a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit and Revised Stormwater Management Plan approval. The subject property is 102.8 acres in Section 1 of the City of Novi, located north of Thirteen Mile Road and west of M-5 in the RM-1, Low Density Low-Rise Multiple-Family District. The applicant is proposing to revise the original approval and layout of Neighborhood/Phase 3 of the Fox Run Community.

Planner Bell said Erickson Living is proposing to move forward with Phase 3, or Neighborhood 3 of the Fox Run Community. The total Fox Run site is over 102 acres and located in Section 1, north of Thirteen Mile Road, west of M-5. The location of Neighborhood 3 is north of the Fox Run ring road. The proposed Phase 3 consists of four residential buildings, associated parking, and utilities. Within the buildings are 370 independent living units, multiple dining facilities, as well as spaces for social gathering, classrooms, fitness and other lifestyle amenities for the residents.

The subject property is currently zoned RM-1 and developed under a PD-1 Option development agreement. The properties to the east are zoned RM-1 low density low rise multiple family (Lenox Park) and RA Residential Acreage (developed as Brightmoor Church). The property to the west is zoned MH Mobile Home District and is the location of the Oakland Glens community. On the north and northwest sides is the Maples of Novi community, zoned RA Residential Acreage. The northwest side is zoned R-2 One Family Residential and is part of the Haverhill Farms development. South of Thirteen Mile is zoned RA and contains single family homes and vacant land.

The Future Land Use Map indicates Multiple Family with the PD-1 option for the subject property. The property to the west is planned for Manufactured Home Residential. The northern east side is planned for multiple family. Remaining adjacent land to the north, east, and south is planned for single family uses.

There are many acres of wetlands and woodlands throughout the Fox Run parcel. The proposed project site contains 5 wetland areas, and is protected by an existing conservation easement. One small wetland outside of the conservation easement will be permanently impacted by the proposed development. A City of Novi minor use wetland permit would be required for the proposed permanent impacts of 0.014-acre, as well as an authorization to encroach into the 25-foot natural features setback. Temporary disturbance of 0.14 acres and permanent disturbance of 0.02 acres are proposed within 25-foot wetland buffer areas. Wetland mitigation is not required as the total area of impact is less than the 1/4 acre threshold, however the applicant has proposed wetland mitigation in excess of the requirement behind Building 2.5, which was just completed, on the south side of Fox Run Road.

Woodland review determined that 311 regulated trees are proposed to be removed, with a total of 665 woodland tree credits required. The applicant intends to plant 74 of the credits on-site and contribute to the Tree Fund for the remaining 591 credits.

The proposed 370 dwelling units would complete the build-out of the originally approved 1,497 independent residential units in the Fox Run development. The current building layout and design has been modified somewhat from previous approvals while maintaining the same general area of disturbance and respecting the previously established Conservation Easement to the north and south.

Planner Bell said the proposed buildings are 7 stories, with a height of up to 90 feet. The applicant has stated that the additional building height is necessary to build the approved number of units while accommodating the market demand for larger units. The ordinance indicates that structures exceeding the maximum height limit of the district should have increased setbacks of one additional foot for each foot of the building in excess of the maximum. In this case the building closest to the west side yard, RB 3.4 is 85 feet, which would require an additional setback of 50 feet for a total side yard setback of 125 feet. The building has a proposed setback of 123.25 feet, or about 2 feet short of the requirement at one corner of the building. All other setbacks for the buildings exceed the additional length requirement. The deviation for building heights will require City Council approval and a recommendation from the Planning Commission. Staff supports the request for additional building height because the location of Phase 3 buildings are buffered from surrounding properties as well as previous phases of the Fox Run community. In addition, the height allows the building footprint to remain smaller for less impact to the significant natural features of the site.

Buildings 3.3 and 3.4 on the west side of the project site are proposed to be connected by a 4-story pedestrian link or hallway, with additional units located on the east side of the structure. The resulting structure is a total length of 517 feet, while the ordinance only allows up to 360 feet with increased setbacks.

All buildings within the Fox Run community have pedestrian links between them in order to provide safe passageways for residents that offer protection from the weather and make it easier for seniors of all abilities to get around the campus. The 4-story link between buildings 3.3 and 3.4 offers this same amenity, but also include living and gathering space on the eastern side of the hallway, making it somewhat different than other links between buildings. The full building length will only be visible from above, as there are protruding corridors and recessed areas that break up the façade from all vantage points on the ground. The visual bulk of the buildings are broken up by 90 degree wings as well as the shorter recessed structure that connects the buildings. Staff supports the request for additional building length because the intent of the ordinance is met by the design and the connected buildings will better serve the residents of Fox Run. City Council approval of the deviation in building length is required.

Garage parking is proposed under 3 of the buildings. A total of 388 parking spaces are proposed under and around the buildings, which exceeds the parking requirement of the zoning ordinance. Bicycle parking spaces are also proposed.

Planner Bell said access drives to the parking facilities and buildings will likely require a waiver for same-side driveway spacing along the north side of Fox Run Road, as well as possible sight-distance, sidewalk off-set, and driveway radii variances. These are issue that the applicant would like to continue to study and work on with staff, which is why we ask tonight that you postpone making a recommendation on this item after the public hearing is held. Additional concerns from the Traffic and Engineer's reviews will also be addressed to resolve certain comments and to clarify the waivers and variances needed.

All other reviewers are all recommending approval with additional items to be addressed with final site plan submittal.

The Planning Commission is asked tonight to hold the public hearing as scheduled for this evening. However we recommend that no recommendation to the City Council be made tonight in order to allow the applicant and staff to work through remaining traffic and engineering issues. The architect Christian Fussy is here tonight to tell you more about the project, along with his team. Staff and consultants are here to answer any questions you have. Thank you.

Christian Fussy with Lantz-Boggio Architects said we're here tonight to answer any questions you might have, thank you for the presentation. I'm here with my Landscape Architect, my Civil Engineer, and we are happy to answer any questions you might have.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he said I think we have some correspondence.

Member Lynch said we do, there are four. The first is from Rick Montes, 41410 Cornell Drive, he objects saying he paid for a premium lot next to the wetlands and doesn't want it disturbed. The next one is an objection from Kristina Atanasoski, 30138 Lanford Drive, with noise level concerns. The next one is an objection from Lisa Smith, 41418 Cornell Drive, with concerns about disruption of lifestyle, decreased property values, and destruction of wildlife. And we have a support from Dorothy Powell, 40851 Lenox Park Drive.

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

Member Greco said I will make a motion.

Motion made by member Greco and seconded by Member Lynch.

ROLL CALL VOTE TO POSTPONE RECOMMENDATION OF REVISED PRELIMINARY SITE PLAN, REVISED SPECIAL LAND USE PERMIT, REVISED PHASING PLAN, REVISED WOODLAND PERMIT, REVISED WETLAND PERMIT, AND REVISED STORMWATER MANAGEMENT PLAN MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH.

In the matter request of Erickson for the Fox Run Neighborhood 3, JSP18-18, a motion to postpone making a recommendation on the proposed Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use permit, Revised Phasing Plan, Revised Woodland Permit, Revised Wetland Permit, and Revised Stormwater Management Plan. This motion is made for the following reasons: To allow the applicant time to study and revise driveway and parking layout issues and to allow the City staff, consultants, and the Planning Commission, to evaluate changes to be made to the plans as proposed. The applicant and staff are in agreement with this action to postpone. ***Motion carried 4-0.***

4. **SPEEDWAY #2224, JSP 17-63 AND ZONING MAP AMENDMENT 18.720**
   Public hearing at the request of McBride Dale Clarion for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from OST (Office Service Technology) and B-3 (General Business) to B-3 (General Business). The subject property is approximately 2.03 acres and is located on the southwest corner of 14 Mile Road and Haggerty Road (Section 1). The applicant is proposing to demolish the existing gas station and replace it with a larger convenience store with an outdoor seating area, 8 double-sided fuel dispensers, associated parking and storm water detention pond.

Planner Bell said so the map here shows the subjection property, which is about 2.03 acres of land and it's located at the southwest corner of Fourteen Mile and Haggerty Road in Section 1. The zoning map shows that the property is zoned OST, Office Service Technology, and B-3, General Business. The Future Land Use map indicates Office R & D Technology for both the subject site and the surrounding parcels. The natural features map shows that the subject property has no regulated woodlands or wetlands on the site.

The Planning Commission last reviewed this rezoning request with the Concept Plan in November 2017. A public hearing was held; however, the Planning Commission postponed action to allow the applicant and staff additional time to work on issues related to the taper lane and new driveway along Haggerty Road, and engineering concerns about the stormwater management system.

The PRO Revised Concept Plan proposes to remove the existing 2,400 square foot building and the six double-sided fuel dispensers that are on the site today in order to construct a larger convenience store (4,600 square feet) with an outdoor seating area. The Concept Plan also includes a 5,400 square foot canopy over eight double-sided fuel dispensers.

PLANNING COMMISSION MINUTES
MARCH 13, 2019 DRAFT
EXCERPT

PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting
March 13, 2019 7:00 PM
Council Chambers | Novi Civic Center
45175 W. Ten Mile (248) 347-0475

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

ROLL CALL

Present:	Member Anthony, Member Avdoulos, Member Greco, Member Maday, Chair Pehrson
Absent:	Member Hornung, Member Lynch
Also Present:	Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Thomas Schultz, City Attorney; Pete Hill, Environmental Consultant; Josh Bocks, Traffic Consultant

PLEDGE OF ALLEGIANCE
Member Maday led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA
Moved by Member Avdoulos and seconded by Member Greco.

VOICE VOTE TO APPROVE THE MARCH 13, 2019 AGENDA MOTION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.

> **Motion to approve the March 13, 2019 Planning Commission Agenda. *Motion carried 5-0.***

AUDIENCE PARTICIPATION

Arlene Johnson, 41378 Cornell Drive, said my home backs up to the far north end of the Fox Run property, but I'm not here to speak solely for where my property is located. I'm also not here, I don't think, to object to Phase 3 because I'm getting mixed messages when I call – can I ask, was Phase 3 part of the original approval? Is that a yes?

Chair Pehrson said we don't answer questions, this is for you to share your comments.

Ms. Johnson said well I'm going to need somebody to answer that at some point because I thought Phase 2 was, and I don't remember ever being able to speak at a Phase 3 project. Anyway, as I understand it, it was already approved under the original agreement with the City of Novi, so I'm here to represent my concerns along with the many residents that I have spoken to in Novi's diverse communities about the future development of this property. My concern is that while my discussions with the City's Community Development

Office have led me to believe that enough of the area of concern is regulated woodlands and wetlands, and therefore unlikely to be developed, there are ways for property owners to get around that. That's something that I was told from the City.

Fox Run is owned by Mr. Erickson, a devout Catholic. I would like to remind him of what the Pope recently said publicly – we must respect and protect the entire creation which God has entrusted to man, and it should not be indiscriminately exploited but rather made into a garden. I'd also like to remind the Council that there's been a 57 percent loss of wetlands in Oakland County, according to the DEQ. The County has 580,232 acres and only about 10 percent, or 52,131 acres of wetlands still exist. The property owned by Mr. Erickson and Fox Run is on regulated woodlands and wetlands, also known as a Conservation Easement. Key word, conservation. So while this is unlikely to be developed, I am uneasy about the word unlikely. Especially seeing how aggressively Fox Run advertises, leaving me to believe they need to develop the demand which will inevitably lead to more and more building on this property.

Michigan's wetland laws recognize the important benefits provided by wetlands and their vital role. Today we know that wetlands provide many important services to the environment and to the public. They offer critical habitat for fish, water fowl, and other wildlife, they purify polluted waters, they help check the destructive power of floods and storms. Wetlands are highly productive and biologically diverse systems that enhance water quality, control erosion, maintain stream flows, sequester carbon, and provide a home to at least one third of all threatened and endangered species. Not only does this property have a small river rouge tributary stream running through it, but has a large wildlife population. In a Detroit Free Press article from January 7 of 2014, and I quote, Wetlands are known as nature's kidneys, filtering out pollutants that would otherwise wash into lakes and rivers and also provides vital wildlife habitat, nesting grounds for duck and geese, temporary refuge for migratory birds, and spawning areas for fish. They go on to say that wetlands have been relentlessly filled and drained for farms, housing, and cities. Living in this Fox Run-owned area currently are white-tailed deer, raccoons, coyotes, possums, woodchucks, owls, egrets, blue heron, red fox, red-tail hawks, a variety of types of woodpeckers, and on and on. If development continues at the pace we currently see, where will they go and when does it end?

Ms. Johnson said out of respect to time and other business that Council has on their agenda, I'll give the floor to others. But I hope the takeaway of what I have said is that I do object to the development of Fox Run beyond Phase 3, because I don't think there's any chance we can do anything about Phase 3. But I will look into it. And will do all that I can do to educate citizens affected if I'm not reassured that there's a limit to the amount of wetland destruction planned by the owner of Fox Run. A copy of what I just said will be going to Nature Conservancy, Michigan Department of Natural Resources, and the US Department of Natural Resources. Thank you for your time.

Kevin Adell, 43700 Adell Center Drive, said I just wanted to say thank you for allowing me to be here, I'm honored to be here tonight. I just wanted to give an update to Planning Commission, as we are moving very forward. I hired Stante, the underground people, and they'll be moving forward to put in the underground and the main, as well as the fire hydrants. So by April 16th, we'll have water to the property, all the utilities in, and then my users can actually start. So you should see construction after April 16th. And I just humbly ask that we don't delay our user tonight. I have iFly here and Texas Roadhouse, so I just humbly

ask that we move the project forward and not table that, maybe with conditions if necessary.

But I just want to say thank you again and that's why I'm here, to show you that I'm on it and I'm not leaving the project. I'm fully here watching the project every day and working with Staff. And I appreciate Sri and Barb and the attorneys and the Staff here, as well as the City of Novi. The quicker we can get this done, the quicker the companies can start making money and paying taxes. All the property has been split, so once the companies are built we can start collecting taxes for the City of Novi. Thank you.

CORRESPONDENCE
There was no correspondence.

COMMITTEE REPORTS
There were no Committee Reports.

CITY PLANNER REPORT
City Planner McBeth had nothing to report.

CONSENT AGENDA
There were no items on the consent agenda.

PUBLIC HEARINGS

1. **FOX RUN NEIGHBORHOOD 3 JSP18-18**
   Public hearing at the request of Erickson Living for Planning Commission's recommendation to the City Council of a Revised Preliminary Site Plan with a PD-1 Option, Revised Special Land Use Permit, Revised Phasing Plan, Revised Wetland Permit, Revised Woodland Permit and Revised Stormwater Management Plan approval. The subject property is 102.8 acres in Section 1 of the City of Novi, located north of Thirteen Mile Road and west of M-5 in the RM-1, Low Density Low-Rise Multiple-Family District. The applicant is proposing to revise the original approval and layout of Neighborhood/Phase 3 of the Fox Run Community.

Planner Bell said Erickson Living is proposing to move forward with Phase 3, or Neighborhood 3 of the Fox Run Community. The total Fox Run site is over 102 acres and located in Section 1, north of Thirteen Mile Road, west of M-5. The location of Neighborhood 3 is north of the Fox Run ring road. The proposed Phase 3 consists of four residential buildings, associated parking and utilities. Within the buildings would be 370 independent living units, multiple dining facilities, as well as spaces for social gathering, classrooms, fitness and other lifestyle amenities for residents.

This project previously came before the Planning Commission on September 12, 2018. At that time the applicant and Staff determined that additional issues needed to be resolved, so the item was postponed after the public hearing to allow time for corrections to be made.

The subject property is currently zoned RM-1 and developed under a PD-1 Option development agreement. The properties to the east are zoned RM-1 low density low rise multiple family (Lenox Park) and RA Residential Acreage (developed as Brightmoor

Church). The property to the west is zoned Mobile Home District and is the location of the Oakland Glens community. On the north and northwest sides is the Maples of Novi community, zoned RA Residential Acreage. The northwest side is zoned R-2 One Family Residential and is part of the Haverhill Farms development. South of Thirteen Mile is zoned RA and contains single family homes and vacant land.

The Future Land Use Map indicates Multiple Family with the PD-1 option for the subject property. The property to the west is planned for Manufactured Home Residential. The northern east side is planned for multiple-family. Remaining adjacent land to the north, east, and south is planned for single family uses.

Planner Bell said there are many acres of wetlands and woodlands throughout the Fox Run parcel. The proposed project site contains 5 wetland areas, and is protected by an existing conservation easement. One small wetland outside of the conservation easement will be permanently impacted by the proposed development. A City of Novi minor use wetland permit would be required for the permanent impacts of 0.044-acre, as well as an Authorization to encroach into the 25-foot natural features setback. Temporary disturbance of 0.048 acres and permanent disturbance of 0.176 acres are proposed within 25-foot wetland buffer areas. The applicant has proposed 2 small areas of mitigation located south of the existing parking lot near Building 3.3, adjacent to an existing pond, that would fulfill the mitigation ratio requirement for the project.

Woodland review determined that 311 regulated trees are proposed to be removed, with a total of 674 woodland tree credits required. The applicant intends to plant 16% or 108 of the credits on-site and contribute to the Tree Fund for the remaining 566 credits.

The proposed 370 dwelling units would complete the build-out of the originally approved 1,497 independent residential units in the Fox Run development. The current building layout and design has been modified somewhat from previous approvals while maintaining the same general area of disturbance and respecting the previously established Conservation Easement to the north and south.

The proposed buildings are 7 stories, with a height of up to 90 feet. The applicant has stated that the additional building height is necessary to build the approved number of units while accommodating the market demand for larger units. The Ordinance indicates that structures exceeding the maximum height limit of the district should have increased setbacks of one additional foot for each foot the building exceeds the maximum. In this case the building closest to the west side yard, RB 3.4 is 83 feet, which would require an additional setback of 48 feet for a total side yard setback of 123 feet, which is what is proposed at this time. All other setbacks for the buildings exceed the additional setback requirement. The deviation for building heights will require City Council approval and a recommendation from the Planning Commission. Staff supports the request for additional building height because the location of the Phase 3 buildings are buffered from surrounding properties as well as previous phases of the Fox Run community. In addition the height allows the building footprint to remain smaller for less impact to the significant natural features of the site.

Buildings 3.3 and 3.4 on the west side of the project site are proposed to be connected by a 4-story pedestrian link or hallway, with additional units located on the east side of the structure. The resulting structure – buildings 3.3 and 3.4 together – is a total length of 515

feet, while the Ordinance only allows up to 360 feet with increased setbacks.

Planner Bell said all buildings within the Fox Run community have pedestrian links between them in order to provide safe passageways for residents that offer protection from the weather and make it easier for seniors of all abilities to get around the campus. The 4-story link between buildings 3.3 and 3.4 offers this same amenity, but also includes living and gathering space on the eastern side of the hallway. The full building length will only be visible from above, as there are protruding corridors and recessed areas that break up the façade from all vantage points on the ground. The visual bulk of the buildings are broken up by 90 degree wings as well as the shorter recessed structure that connects the buildings. Staff supports the request for additional building length because the intent of the Ordinance is met by the design and the connected buildings will better serve the residents of Fox Run. City Council approval of the deviation in building length is required.

The minimum distance required between buildings 3.1 and 3.3 is short by 3 feet between those buildings. This variance is also requested by the applicant.

Garage parking is proposed under 3 of the 4 buildings. A total of 388 parking spaces are proposed under and around the buildings, which exceeds the parking requirement.

Access drives to the parking facilities and buildings require a waiver for same-side driveway spacing along the north side of Fox Run Road, as well as a waiver for sight-distance at the southern parking lot entrance. The proposed sidewalks off-set also deviate from the City standard of 15 feet, but are consistent with the rest of the Fox Run campus.

All reviewers are all recommending approval of the Preliminary Site Plan with additional concerns to be addressed with final site plan submittal.

Planner Bell said the Planning Commission is asked tonight to hold the public hearing as scheduled for this evening and to make a recommendation to approve or deny to City Council. Julian Wargo is here representing the applicant, as well as some members from the Fox Run community, and Staff is here to answer any questions.

Julian Wargo, with Zemiet Wozniak and Associates, said with me tonight is Ken Weikal, our Landscape Architect, Andrew Hirshfield from Erickson Living. Our architect unfortunately is not with us this evening, he was snowed in in Denver. But we'd be happy to answer any questions you may have as they arise. Thank you.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project.

Patricia Franks, 40602 Lenox Park Drive, said I have a question. Who owns the wetlands?

Chair Pehrson said this is just for you to give your comments. We can't answer questions right now.

Ms. Franks said ok well that's one of my questions, I'd like to know who owns that. I moved into Lenox Park four years ago and prior to my moving in, I came to Novi here and asked the Planning Department who owns the property. And they told me that Lenox Park owns the property. I live directly behind in the woods, I back up to the woods. And they told me

that Lenox Park owned it, so I was fine, and they told me it was protected wetlands and that there would be issues with that. Fine, I purchased the property.

Two years later, through a winter and everything, I noticed that there were two oil barrels out in the woods. So I went to Lenox Park and asked them to remove those oil barrels and they told me, Kramer-Triad our management company, told me that they don't own the property, the City of Novi owns the property. So I came back to the City of Novi and inquired about that, and they told me again that they don't own the property and that Lenox Park owns the property. So that is one of my concerns, who owns the woodlands so that these expansions can take place? And how does it come about that as a Lenox Park resident, I was never notified of this expansion? Thank you.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission regarding this project. Seeing no one, he said I think we have some correspondence.

Member Greco said we do. For this matter, we received a few response forms for the City of Novi. The first one here is from Lisa and Herman Smith, they object to this project as taxpayers in this community for the following reasons – disruption of lifestyle, increased traffic, loss of peace and quiet, loss of scenic views behind our home, decreased property values along with the loss of scenic views, and destruction of wildlife habitat and negative impacts on the environment. We received another form from Gerald McDonnell, 30151 Brightwood Drive, also objects as the wetlands should not be disturbed, because of increased traffic on 13 Mile Road, because no structure should be 7 stories, he questions how many vacancies are present in the existing buildings, complains that the noise level has been non-ending except for this year, and thinks that we do not need a mini city in this community. We received another response form from Kristina Atanasoski, 30138 Lanford Drive, who objects to the idea that Fox Run can build on protected wetlands, and that the property is already so big, and that the people of Lenox Park have already suffered enough construction in the last five years.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for their consideration.

Member Anthony said I believe our consultants ECT are here, if I could call you up and ask some questions.

City Environmental Consultant Pete Hill, with ECT, said good evening everybody, I'm with ECT, Wetlands and Woodlands Consultants.

Member Anthony said wetlands and woodlands are always a concern. One thing about Novi that we've been really good with is preserving all of those, and I think it's good to perhaps show how, with this site, how this process works. When you are looking at whether there are wetlands or not here, I think you can break it into two categories, City-regulated and State-regulated. Can you tell us a little bit about the difference there?

Environmental Consultant Hill said the State of Michigan, the DEQ, regulates certain wetlands based on several factors, the biggest of which are size and proximity to an otherwise regulated watercourse. So in terms of this site, I believe that all the wetlands shown on the drawings are State-regulated, as well as City-regulated, wetlands.

Member Anthony said and we often have in our City City-regulated wetlands, which end up being much smaller than even what the State recognizes. In the wetlands that are here, there four different wetlands or areas that were identified? Or is it more than that?

Environmental Consultant Hill said five on this site plan.

Member Anthony said ok, so five on this site plan. And of those five, how many are impacted?

Environmental Consultant Hill said two.

Member Anthony said two of them. And what's the requirement for mitigation? If you take those two away, then what is the developer required to do?

Environmental Consultant Hill said on a stand-alone site, there is a little bit of a difference between mitigation from the City's perspective and the DEQ. There's a minor difference. The City has a quarter-acre, a 0.25-acre threshold of impact for mitigation, which is a little bit more strict or stringent than the State's third of an acre, or 0.3-acre threshold. But I guess one thing to keep in mind on this site is that it's a phased development. I can't speak directly to the question earlier of if Phase 3 was part of the original approval and I don't think I'm the correct person to speak on that. But the project is taken as a whole. So although the actual impacts for this Phase 3, they're listed at 1,899 square feet, so that's like a 50 by 40 foot area – not huge in terms of what it could be. So that's 0.04 acres, and I think Lindsay already mentioned that. The applicant is providing mitigation for this wetland impact – getting back to that – because the project as a whole, all the phases are being taken as a whole.

Member Anthony said when the developer does mitigation for the 0.04 acres or 1,800 square feet, what size of mitigation is required to rebuild and replace?

Environmental Consultant Hill said it depends on wetland type.

Member Anthony said for this project.

Environmental Consultant Hill said for this project, they do have their mitigation area called out. In general, emerging wetland areas require a 1.5:1 replacement ratio, and that's essentially to make sure the quality of the created wetland is better than if you just did a 1:1 and you don't have any leeway in terms of your replacement. So emergent wetlands are 1.5:1 by the regulations, forested wetlands are 2:1, and they're providing a 2.17:1 mitigation ratio. It's 4,112 square feet of wetland mitigation, exceeding the City's requirement.

Member Anthony said and I think I saw in your report that that mitigation area is south of the parking lot?

Environmental Consultant Hill said yeah, it is south and west of this proposed phase. You can see it on the screen.

Member Anthony said what was the total wetland of all five areas?

Environmental Consultant Hill said the total area of all five areas is 10.7 acres.

Member Anthony said so of that 10.7 acres, it's only 0.04 acres that is disturbed from the construction. And with that, twice that area or at least one and a half times that area would be reconstructed or mitigation and tied into the rest of the wetland area. I go through this and take a little bit longer because this really illustrates the degree that the City goes through in preserving its wetlands, and going beyond what the State regulates. In this case, they also happen to connect with State-regulated wetland but Staff is very diligent with their consultant in preserving as much wetlands in their City as possible. And if you look at this specific site, this is about 3% or less of the area of the wetland that was impacted, just of this site. That's actually very good in how they're managing and controlling the wetland. With the concern of building height, I'm going to pass that to my other Commission members. But the wetland mitigation and the wetland response for this development is actually, I think I would say, professionally outstanding with what the City has done here. I know emotionally we are sometimes upset with that, but technically what they've done is very good. Thank you for taking the time to go through that explanation, Pete.

Environmental Consultant Hill said you're welcome.

Member Avdoulos said there was a question as to who owns the wetland or what property it falls on. So when we look at the property lines, I'm guessing that that rectangular area on the map belongs to this development. And then to ask the other question related to phasing, is this the final phase of this particular project? Has anything else been proposed?

Planner Bell said there were in the original approved phases five phases. Phase 4 is the Continuing Care Center, which is already partially constructed and recently approved to be expanded. That would be over in this area here. So Phase 4 will be nearing completion with that being done. Phase 5 would be the only thing remaining, and that was a chapel that was to be constructed in the south end of the property.

Member Avdoulos said so the limits of this development is basically what we see in the red?

Planner Bell said that's correct. And the number of units would be built out, as well, under the development agreement.

Member Avdoulos said and what we're looking at today, is that also going to be a phased build?

Planner Bell said that's correct.

Member Avdoulos said ok. I think Member Anthony walked through the wetlands and woodlands in a nice manner and how the development has been looking at this with the City and Staff, so I'm ok with that. And with Staff understanding this project and working with the developer over the years, and if Staff is supporting the seven stories then I have no issue with that either.

Member Greco said I just have a question for the applicant. I understand that this was previously approved and amended to make the changes that we're discussing here. What is being changed? I know it's going up to seven stories and the number of units is being built out, but what are you trying to accomplish by this change?

Mr. Wargo said well one, the configuration of the four buildings differs from what was originally master planned some ten to fifteen years ago, so how the buildings are shaped is different.

In terms of market demand, from what I understand from Erickson and the architect, the resident that was originally targeted for this community, their demographic has changed. One is that they're slightly younger, two is that they're looking for larger units. Originally, I believe there were many one-bedroom units proposed for the community. Today's buyer is looking for something along the lines of a two-bedroom unit, not that they necessarily occupy two bedrooms but they like the second bedroom as an opportunity for guests, family members, or even used a study.

Member Greco so that's what generated the interest for getting this done?

Mr. Wargo said yes sir.

Member Greco said ok.

Mr. Wargo said if I could just point out one thing, when Member Anthony was doing his map on the calculations of wetland disturbance, it's actually only 3/10 of a percent, not 3%.

Member Maday said I appreciate all of your information and how much that you presented regarding the wetlands – that was very useful to summarize it all. So with that, I feel much more comfortable. That fact that the building is taller I'm ok with, because it impacts less of the land that we're talking about. And it appears that there is a value in that for people purchasing. And as far as the length of the building, I think it's key given the demographics of the people living there to not have to walk outside and worry about the weather.

Member Greco said with that, I'd like to make a motion.

Motion made by Member Greco and seconded by Member Anthony.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED SPECIAL LAND USE MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY.

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Special Land Use permit based on the following findings:

Relative to other feasible uses of the site:

- **The proposed use will not cause any detrimental impact on existing thoroughfares *(as indicated in findings and conclusions of the traffic review letter, including the adequacy of such thoroughfares to handle the existing improvements);***
- **Subject to satisfying the requirements in the Engineering Review the proposed**

use will not cause any detrimental impact on the capabilities of public services and facilities *(because the plan adequately addresses and provides for water and sanitary sewer service and management of stormwater volumes in accordance with ordinance requirements as set forth in the engineering review);*

- **The proposed use is compatible with the natural features and characteristics of the land *(as proposed impacts to natural features have been minimized as described in the staff and consultant reports);***
- **The proposed use is compatible with adjacent uses of land *(as indicated in the staff and consultant review letters and as demonstrated by the longstanding relationship of the existing development to such uses);***
- **The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use, which contemplates this use;**
- **The proposed use will promote the use of land in a socially and economically desirable manner, as it is a continuation of this planned use;**
- **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.**

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

ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED PRELIMINARY SITE PLAN MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY.

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Preliminary Site Plan with a PD-1 Option based on and subject to the following:

a. **City Council finding that the standards of Section 3.31.4.A of the Zoning Ordinance are adequately addressed;**
b. **Waiver from Section 3.8.2.C for a building exceeding 180 feet in length, up to 515 feet proposed, *because the interconnected facility will better serve the population by providing a protected pedestrian link, the visual appearance of the buildings are broken up by 90-degree wings and the shorter recessed structure connecting the buildings, and the ordinance allows the Planning Commission to modify building length when additional setback from adjacent uses is provided and common areas within the buildings are present, as they are in this proposal;***
c. **Waiver to allow building heights to exceed 48 feet in height, up to 89 feet (7 stories) proposed, *because the additional height allows for the building footprints to be minimized to protect natural features on the site, the site is buffered from adjacent neighborhoods by significant tree cover, parking is provided under the buildings, and the ordinance allows for additional height when additional setbacks are provided, as they are in this proposal;***
d. **Deviation to allow a reduction in the required 82 feet distance between buildings RB3.1 and RB3.3, 78 feet proposed, *because the site area is maximized and the layout reduces the impact on natural features;***
e. **Waiver for the same side driveway spacing on the north side of Fox Run Road, *as the drives have been minimized and consolidated to the extent possible,***

and the service drive has been separated from entrance and parking lot drives to minimize traffic conflicts;

f. **Waiver for the sight distance at the southern parking area driveway less than the required 260 feet, *because the road speed is relatively slow and many trees would need to be removed in order to obtain the proper distance;***

g. **Waiver of the requirement for the outside edge of the sidewalk to be located a minimum of 15 feet from the back of curb, 7.59 feet proposed, *because the placement is consistent throughout the Fox Run community and the safety of the existing sidewalks has not been an issue;***

h. **The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.**

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

ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED PHASING PLAN MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY.

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Phasing 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 the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED WETLAND PERMIT MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY.

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED WOODLAND PERMIT MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY.

In the matter of Fox Run Neighborhood 3, JSP18-18, motion to recommend approval to the City Council of the Revised 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 5-0.*

ROLL CALL VOTE TO RECOMMEND APPROVAL OF REVISED STORMWATER MANAGEMENT PLAN MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY.

In the matter of Fox Run Neighborhood 3, JSP18-19, motion to recommend approval to the City Council of the Stormwater Management Plan, subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the 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. *Motion carried 5-0.*

2. **ADELL CENTER PRO FIRST AMENDMENT JZ18-24 AND ZONING MAP AMENDMENT 18.724**

   Public hearing at the request of Orville Properties, LLC for Zoning Map Amendment 18.724 for Planning Commission's recommendation to the City Council for an amendment to the previously approved Planned Rezoning Overlay (PRO) Plan and Agreement. The subject property is approximately 23 acres and is located on Expo Center Drive (now Adell Center Drive), north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development. The current amendment is requested as changes are proposed to the approved layout for Units 6 and 7, common landscape areas, building signage, and location of accessory units.

Planner Komaragiri said the subject property is referred to as Adell Center and is located on the west side of Crescent Boulevard and south of I-96 expressway ramp. It is currently zoned TC, Town Center, with a PRO and is surrounded by industrial uses to the south and west, Town Center to the east, and Conference district to the north across the expressway.

There is an existing water tower which is proposed to remain and be located on its own unit. There are regulated wetlands and woodlands along the southern side of the property, but those are not impacted with this current revision.

As you know, the applicant has received rezoning approval to develop this property as a multi-unit commercial development by City Council at their October 22 meeting in 2018. The approved plan proposed a mix of hotels, indoor recreational centers, restaurants, and an unlisted use. As the applicant indicated earlier tonight, the roads and utilities site plan has received final approval and are under construction at the moment.

We have presented parts of this overall development in phases as the individual units are trying to get their site plan approvals. The current amendment is requested as changes are being proposed to the approved layout, primarily for Units 6 and 7, common landscape areas, building signage, and location of accessory units. The change is a result of the size of Unit 7 was increased from 1.5 acres to 2.55 acres, which made Unit 6 smaller. The end user for Unit 7 is Texas Roadhouse, so the building size was increased from 6,000 to 7,163 square feet. There was shared parking between Units 6 and 7 as part of the approved PRO plan. Shared parking is not proposed at this time, each unit stands on its own with regards to parking needs. The current revised plan will be subject to all conditions listed in the original PRO Agreement unless otherwise amended with this approval.

Staff reviews have identified multiple deviations with the revisions that were not part of the original submittal, as noted in the motion sheet. Most of the deviations have to do with the