



DUNHILL PARK JSP15-13

DUNHILL PARK JSP 15-13

Public hearing at the request of Hunter Pasteur Homes Dunhill Park, LLC for Planning Commission's approval of the Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan. The subject property is located in Section 32 at the northwest corner of Beck Road and Eight Mile Road on 23.76 acres. The property is subject to a Planned Rezoning Overlay (PRO) Plan and Agreement. The applicant is proposing to construct a 31-unit single-family residential development in a cluster arrangement with frontage on and access to Eight Mile Road.

REQUIRED ACTION

Approve/deny the Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	3-30-16	<ul style="list-style-type: none"> Items to be addressed on the Final Site Plan submittal. Applicant shall request an amendment to the PRO Agreement to allow for the deviation for the sign as proposed, OR modify the sign to comply with ordinance requirements.
Engineering	Approval recommended	3-29-16	Items to be addressed on the Final Site Plan submittal.
Landscaping	Approval recommended	3-30-16	Items to be addressed on the Final Site Plan submittal.
Wetlands	Approval recommended	4-4-16	Items to be addressed on the Final Site Plan submittal.
Woodlands	Approval recommended	4-4-16	<ul style="list-style-type: none"> As a part of the PRO Agreement, the applicant will not be paying into the tree fund and will only be providing replacement trees that fit on the site. Items to be addressed on the Final Site Plan submittal.
Traffic	Approval recommended	3-28-16	Items to be addressed on the Final Site Plan submittal.
Facade	Approval recommended	4-1-16	Items to be addressed on the Final Site Plan submittal.
Fire	Approval NOT recommended	4-1-16	Applicant shall provide a satisfactory resolution on the water flow data required by the Fire Marshal and City Engineer.

MOTION SHEET

Approval – Preliminary Site Plan

In the matter of Dunhill Park JSP15-13, motion to **approve** the Preliminary Site Plan based on and subject to the following:

- a. Applicant shall request an amendment to the PRO Agreement to allow the deviation for the proposed sign, OR the applicant shall modify the sign to comply with ordinance requirements;
- b. Applicant shall provide a satisfactory resolution to the water flow data required by the Fire Marshal and City Engineer prior to Final Site Plan submittal;
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters, as well as all of the terms and conditions of the PRO Agreement as approved, with these items being addressed on the Final Site Plan; and
- d. *(additional conditions here if any)*

(This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

Approval – Wetland Permit

In the matter of Dunhill Park JSP15-13, motion to **approve** the Wetland Permit based on and subject to the following:

- a. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan; and
- b. *(additional conditions here if any)*

(This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance.)

Approval – Woodland Permit

In the matter of Dunhill Park JSP15-13, motion to **approve** the Woodland Permit based on and subject to the following:

- a. The applicant will not be paying into the tree fund and will only be providing replacement trees that fit on the site;
- b. 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
- c. *(additional conditions here if any)*

(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.)

Approval – Stormwater Management Plan

In the matter of Dunhill Park JSP15-13, motion to **approve** the Stormwater Management Plan, based on and subject to:

- 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. *(additional conditions here if any)*

(This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

-OR-

Denial – Preliminary Site Plan

In the matter of Dunhill Park JSP15-13, motion to **deny** the Preliminary Site Plan... (because the plan is not in compliance with Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

Denial- Wetland Permit

In the matter of Dunhill Park JSP15-13, motion to **deny** the Wetland Permit... (because the plan is not in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance.)

Denial- Woodland Permit

In the matter of Dunhill Park JSP15-13, motion to **deny** the Woodland Permit... (because the plan is not in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

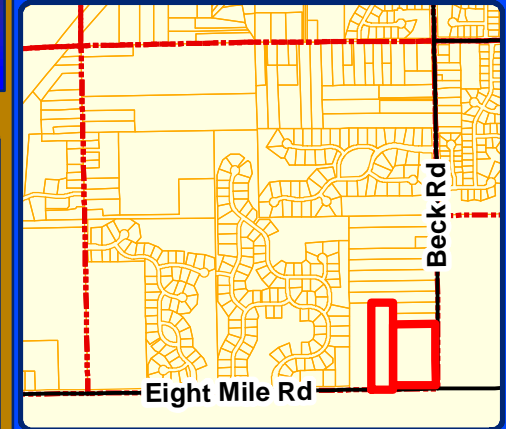
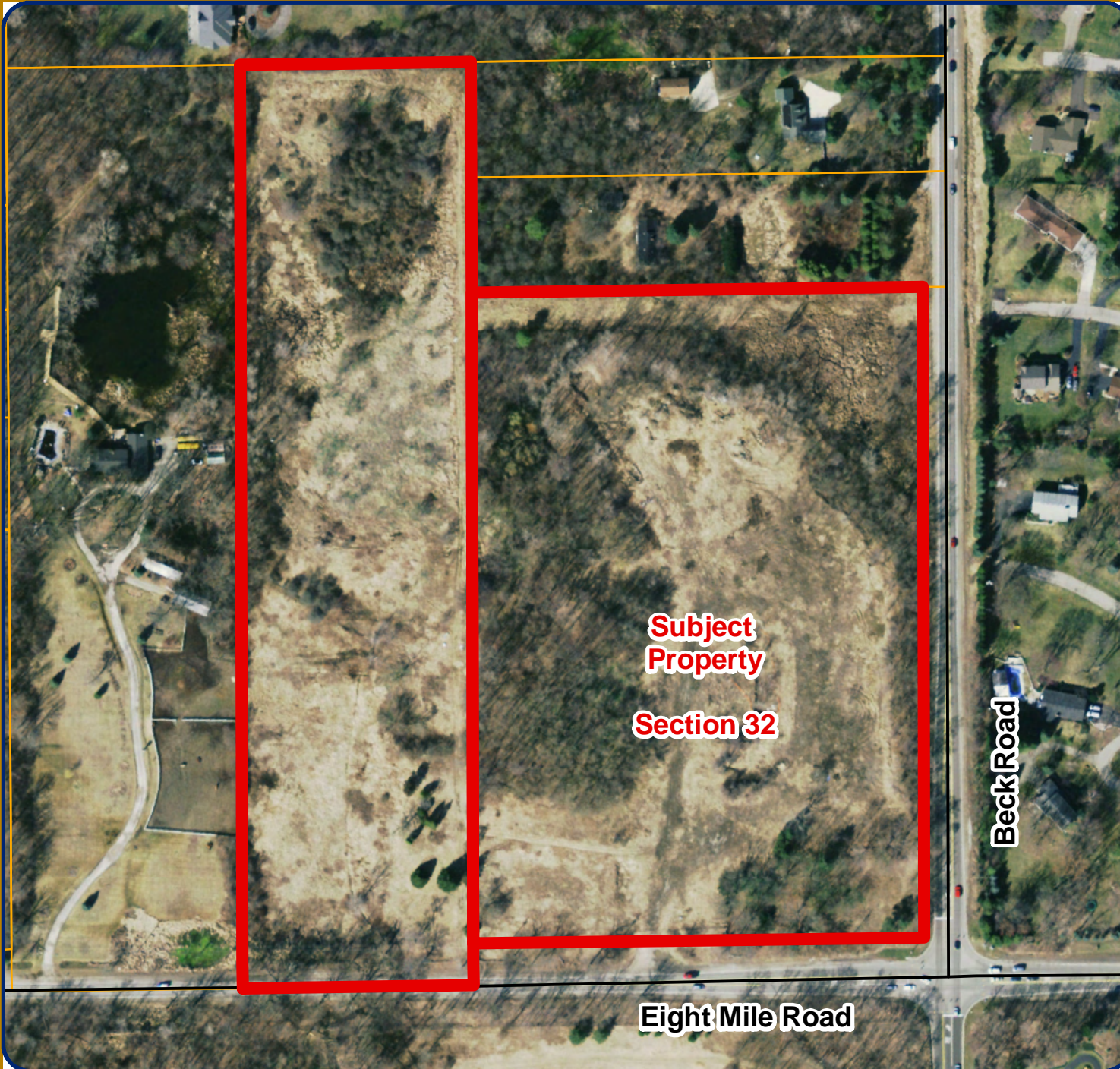
Denial – Stormwater Management Plan

In the matter of Dunhill Park JSP15-13, motion to **deny** the Stormwater Management Plan... (because the plan is not in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

Maps
Location
Zoning
Future Land Use
Natural Features

JSP 15-13 Dunhill Park

Location



Legend

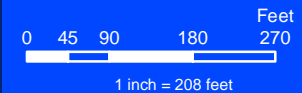
 Sections



City of Novi

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

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

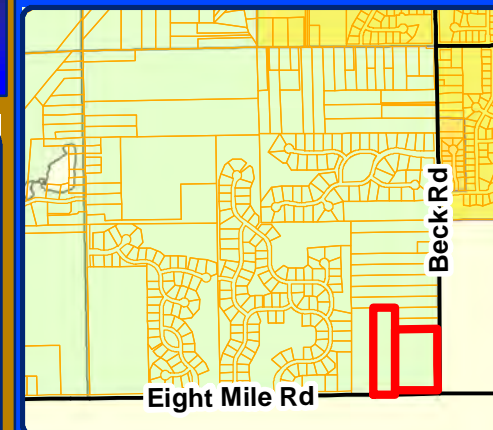
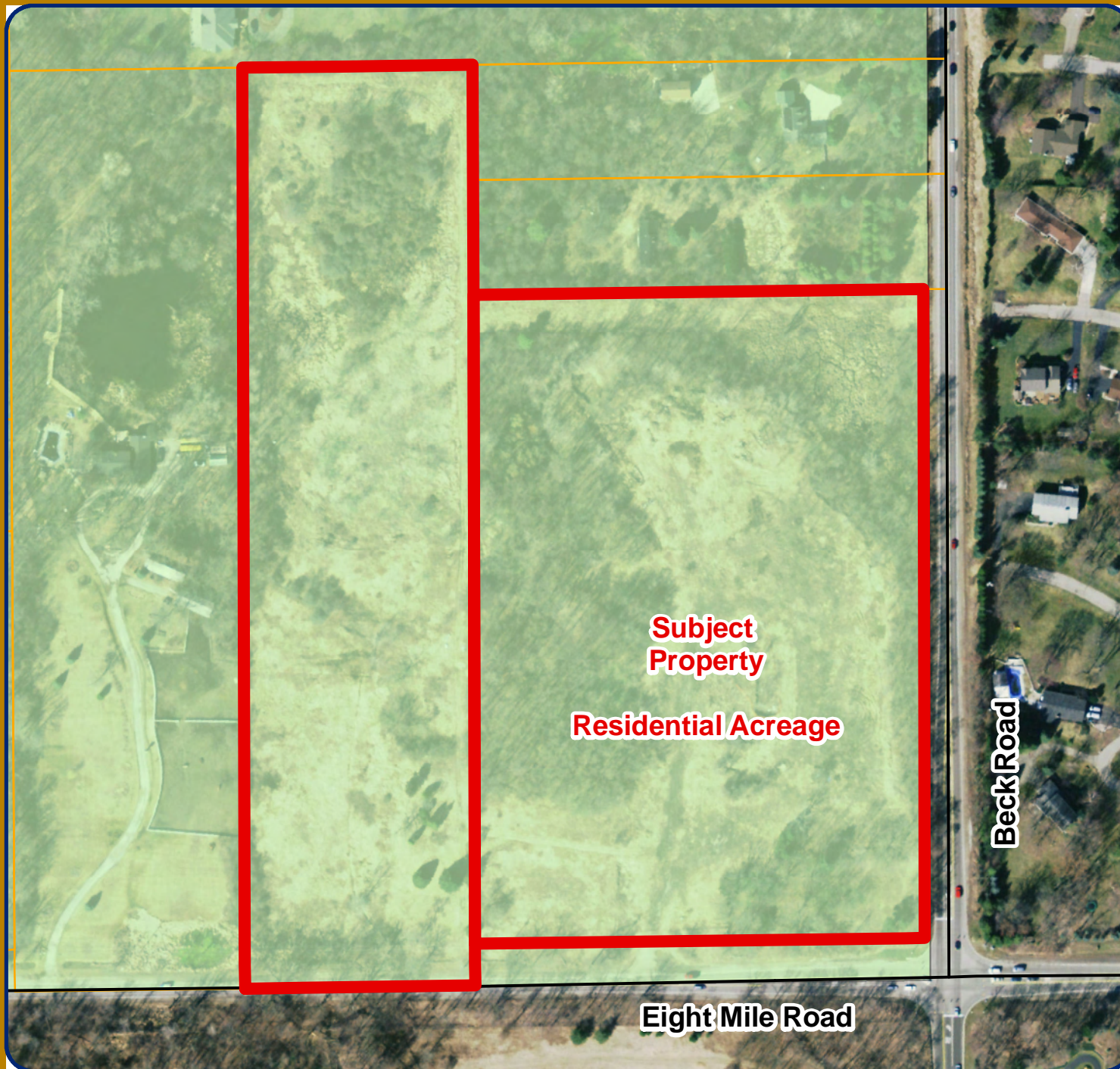


MAP INTERPRETATION NOTICE




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

JSP 15-13 Dunhill Park

Zoning



Legend

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



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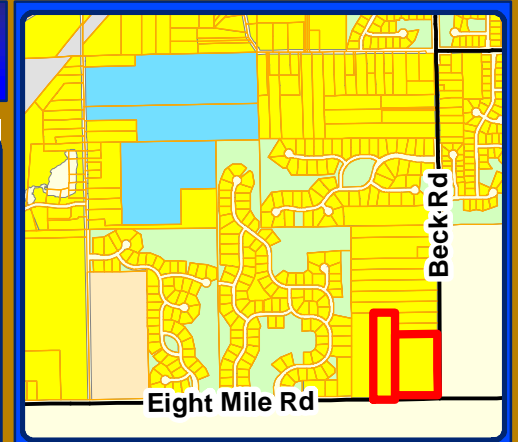
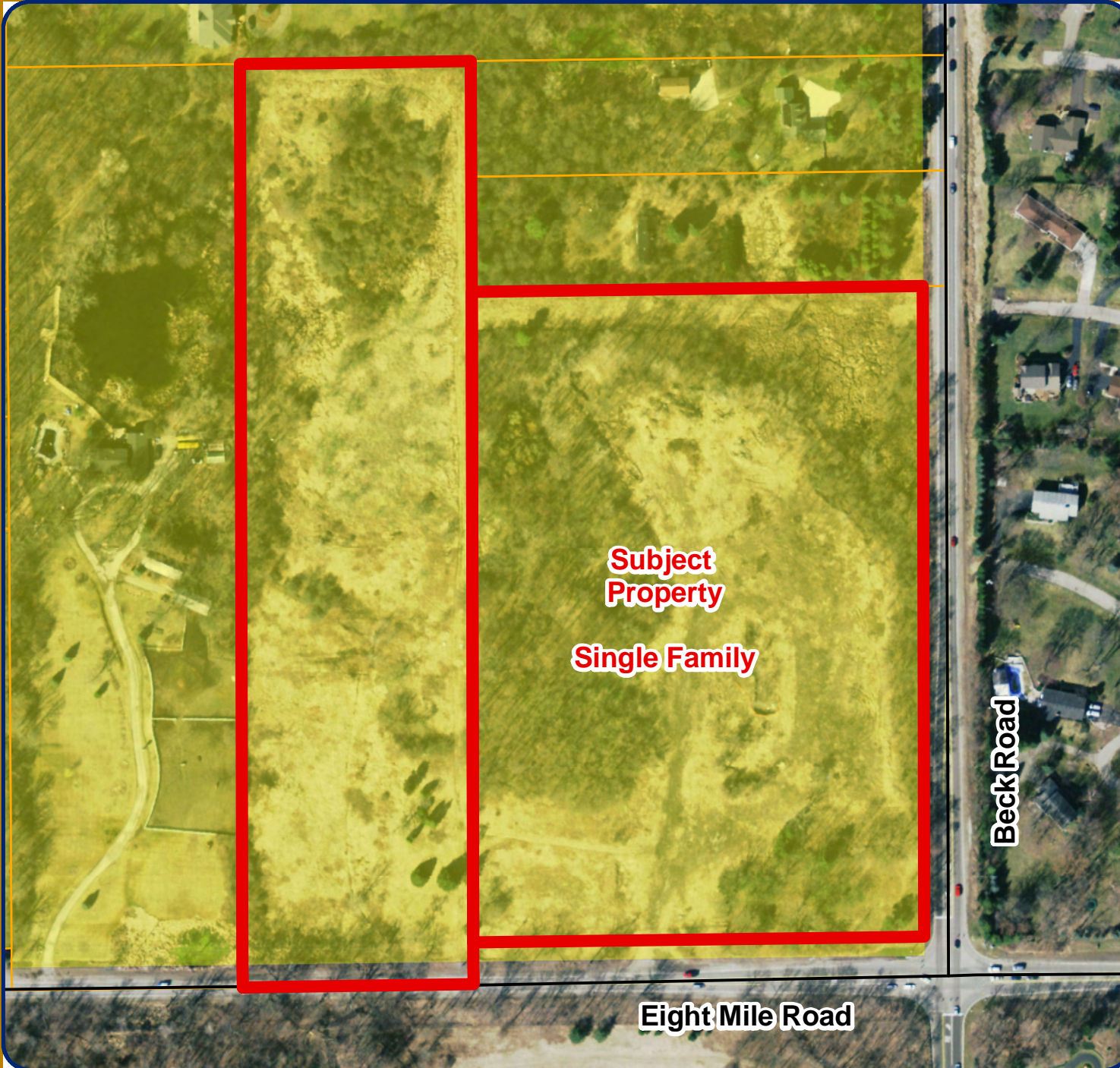


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



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JSP 15-13 Dunhill Park

Future Land Use



Legend

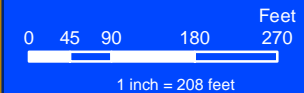
-  SINGLE FAMILY
-  EDUCATIONAL FACILITY
-  PUBLIC
-  PRIVATE PARK
-  UTILITY



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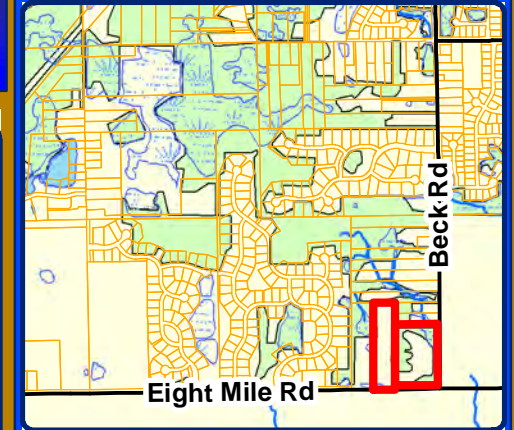
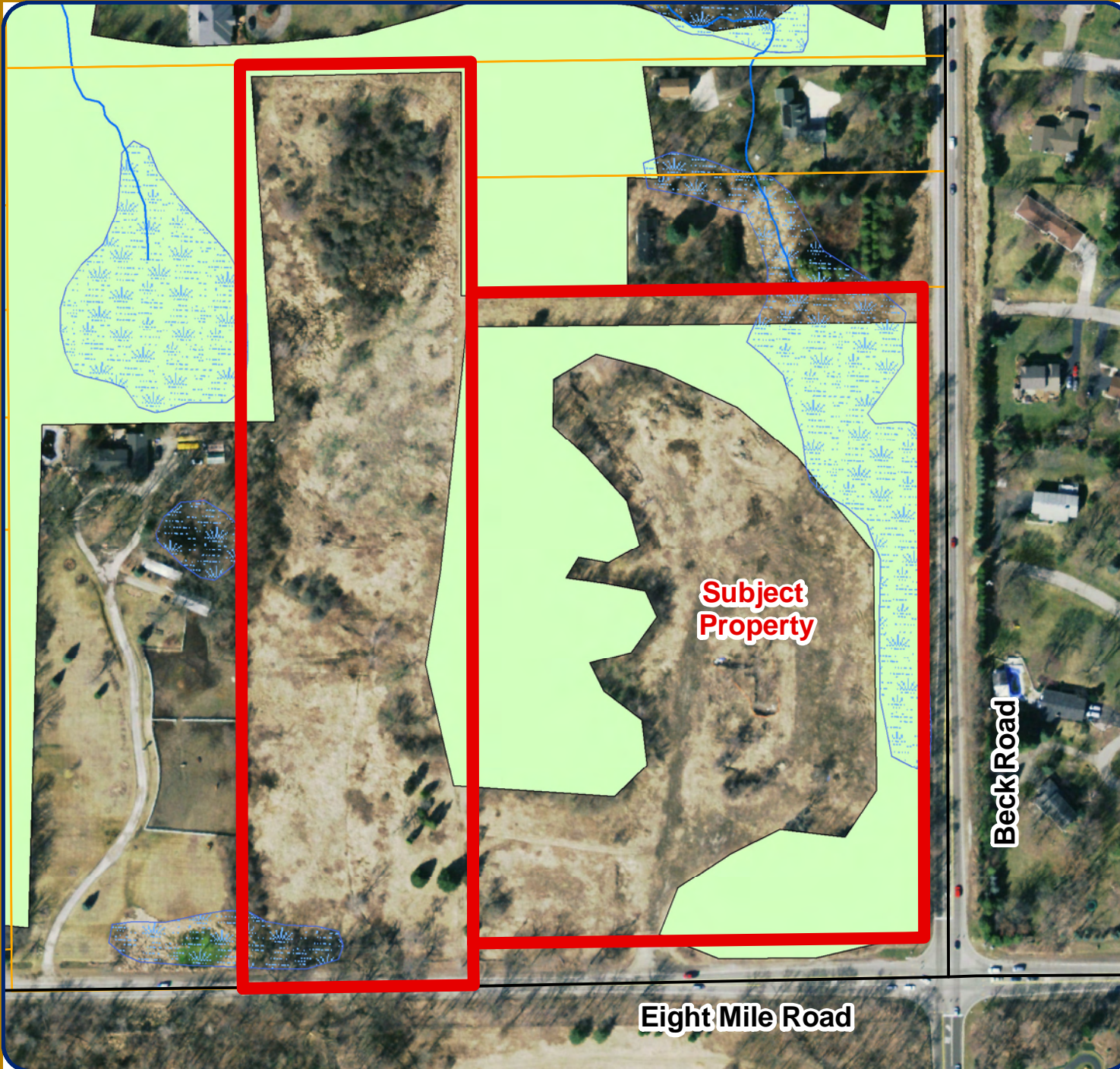


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JSP 15-13 Dunhill Park

Natural Features



Legend

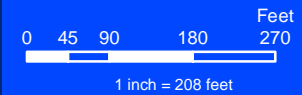
-  **Wetlands**
-  **Woodlands**



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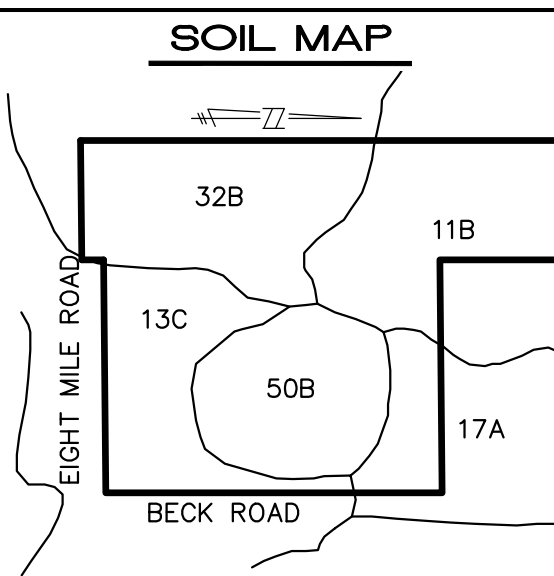
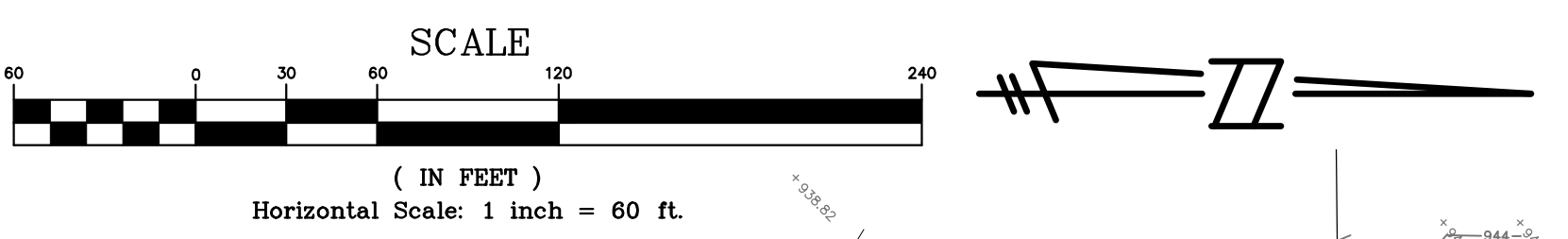
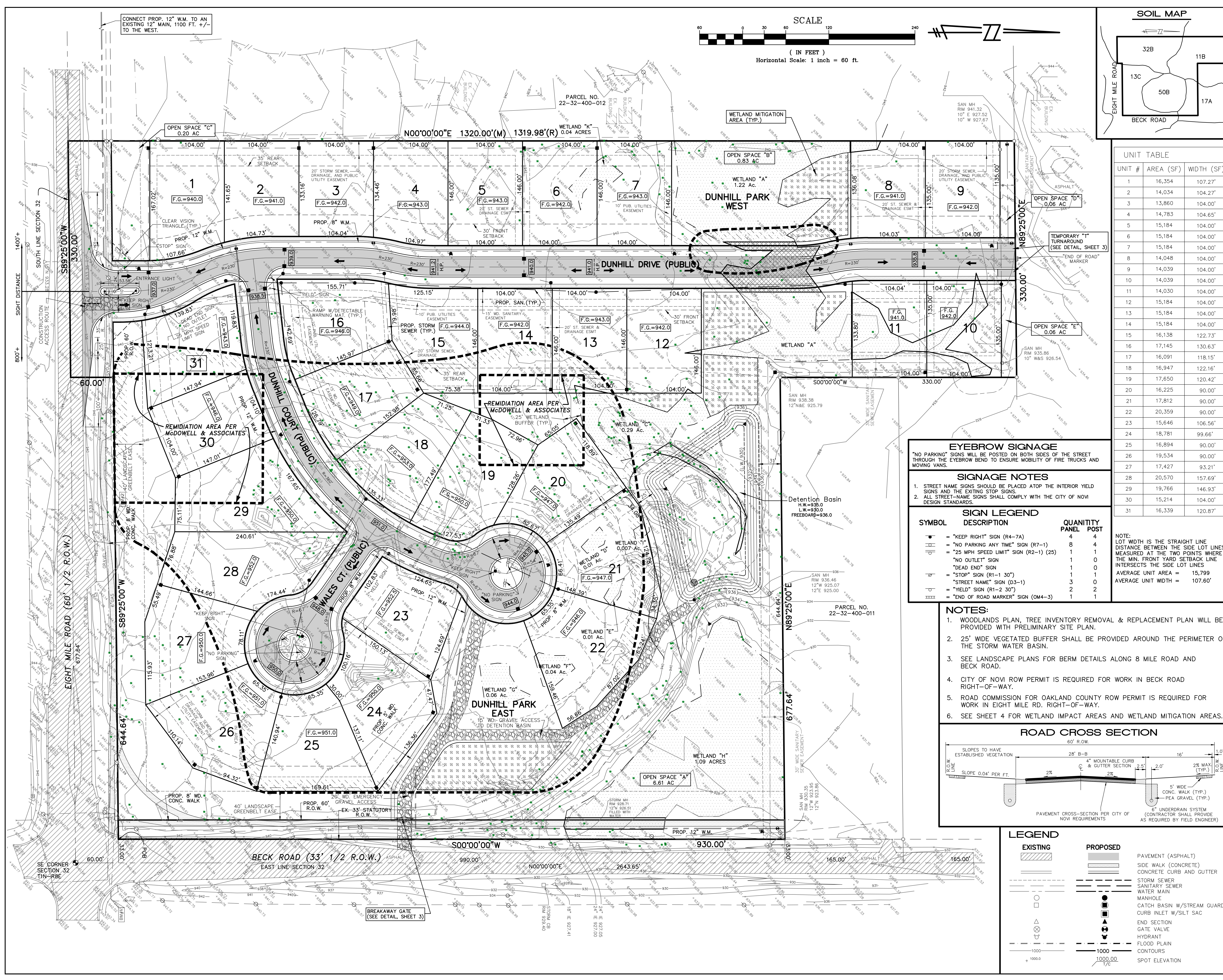


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SITE PLAN

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



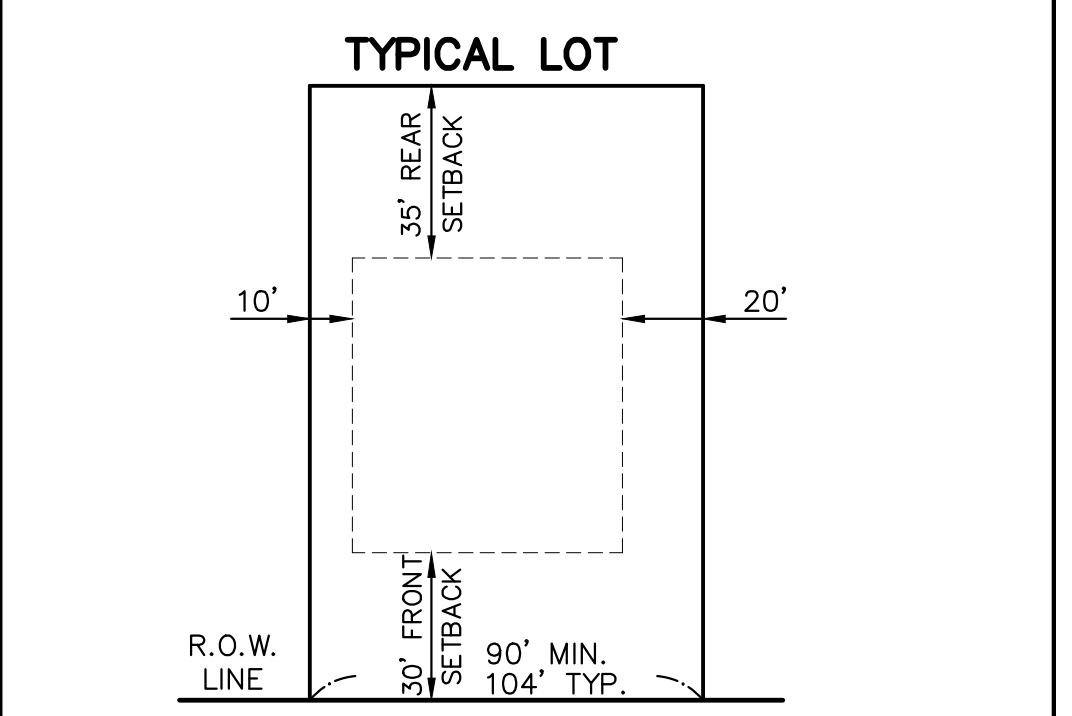
APPROXIMATE AREAS OF CONTAMINATED AND FILL SOIL TO BE REMOVED AND REMEDIATED DURING CONSTRUCTION, INCLUDING POTENTIAL USE OF PILINGS FOR BASEMENTS AS REQUIRED.

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

11B - CAPAC SANDY LOAM, 0 TO 4% SLOPES
13C - OSHEMBO-BAYER LOAMY SANDS, 6 TO 12% SLOPES
17A - WASPER SANDY LOAM, 0 TO 3% SLOPES
32B - BLOUNT LOAM, 0 TO 4% SLOPES
50B - UDIPSAMMETS, UNDULATING

UNIT TABLE

UNIT #	AREA (SF)	WIDTH (SF)
1	16,354	107.27'
2	14,034	104.27'
3	13,860	104.00'
4	14,783	104.65'
5	15,184	104.00'
6	15,184	104.00'
7	15,184	104.00'
8	14,048	104.00'
9	14,039	104.00'
10	14,039	104.00'
11	14,030	104.00'
12	15,184	104.00'
13	15,184	104.00'
14	15,184	104.00'
15	16,138	122.73'
16	17,145	130.63'
17	16,091	118.15'
18	16,947	122.16'
19	17,650	120.42'
20	16,225	90.00'
21	17,812	90.00'
22	20,359	90.00'
23	15,646	106.56'
24	18,781	99.66'
25	16,894	90.00'
26	19,534	90.00'
27	17,427	93.21'
28	20,570	157.69'
29	19,766	146.93'
30	15,214	104.00'
31	16,339	120.87'



SITE DATA
PROPOSED ONE-FAMILY RESIDENTIAL SITE CONDOMINIUM
CURRENT ZONING: "R-A"

AREA GROSS = 23.761 ACRES
AREA NET = EXCLUDING STATUTORY R.O.W. ON EIGHT MILE ROAD (33') = 23.511 ACRES.

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

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

PROPOSED IMPROVEMENTS

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

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

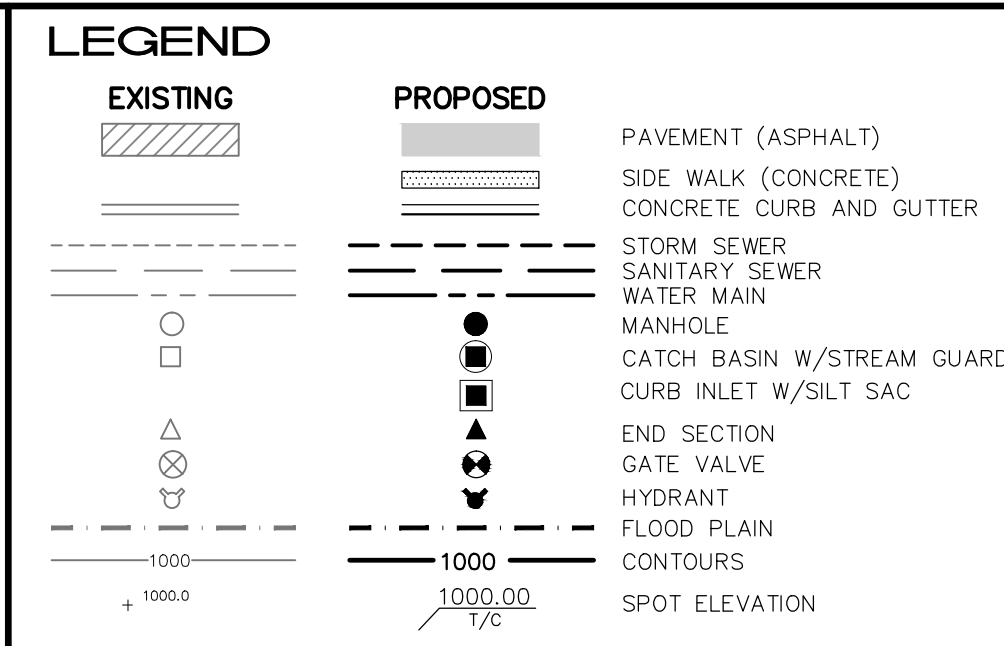
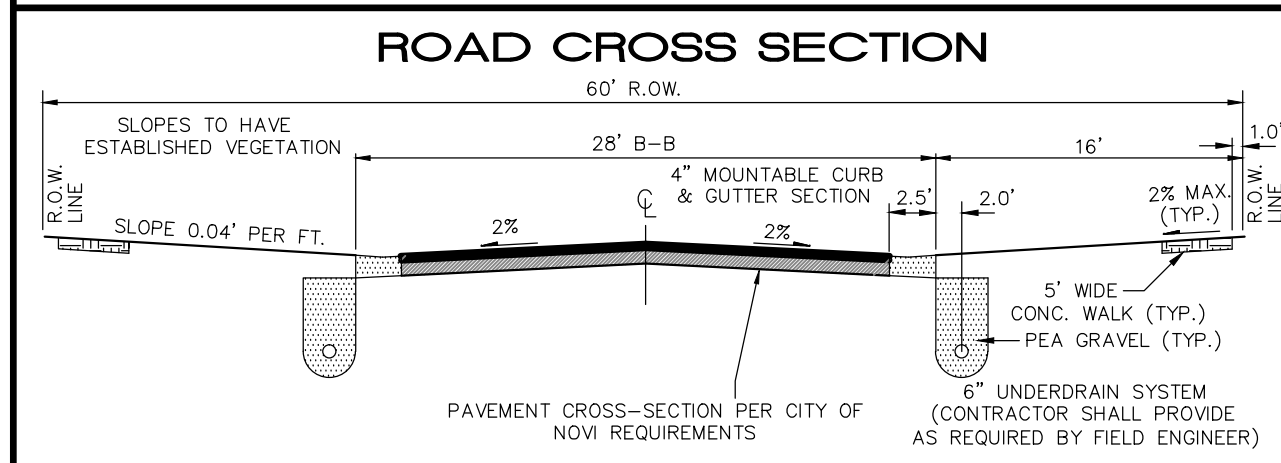
SIGNAGE NOTES

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

SIGN LEGEND

SYMBOL	DESCRIPTION	QUANTITY	PANEL POST
⬇	"KEEP RIGHT" SIGN (R4-7A)	4	4
⊘	"NO PARKING ANY TIME" SIGN (R7-1)	8	4
⊘	"25 MPH SPEED LIMIT" SIGN (R2-1) (25)	1	1
⊘	"NO OUTLET" SIGN	1	0
⊘	"DEAD END" SIGN	1	0
⊘	"STOP" SIGN (R1-1 30")	1	1
⊘	"STREET NAME" SIGN (D3-1)	3	0
⊘	"YIELD" SIGN (R1-2 30")	2	2
⊘	"END OF ROAD MARKER" SIGN (OM4-3)	1	1

- NOTES:**
- WOODLANDS PLAN, TREE INVENTORY REMOVAL & REPLACEMENT PLAN WILL BE PROVIDED WITH PRELIMINARY SITE PLAN.
 - 25' WIDE VEGETATED BUFFER SHALL BE PROVIDED AROUND THE PERIMETER OF THE STORM WATER BASIN.
 - SEE LANDSCAPE PLANS FOR BERM DETAILS ALONG 8 MILE ROAD AND BECK ROAD.
 - CITY OF NOVI ROW PERMIT IS REQUIRED FOR WORK IN BECK ROAD RIGHT-OF-WAY.
 - ROAD COMMISSION FOR OAKLAND COUNTY ROW PERMIT IS REQUIRED FOR WORK IN EIGHT MILE RD. RIGHT-OF-WAY.
 - SEE SHEET 4 FOR WETLAND IMPACT AREAS AND WETLAND MITIGATION AREAS.



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

REVISIONS

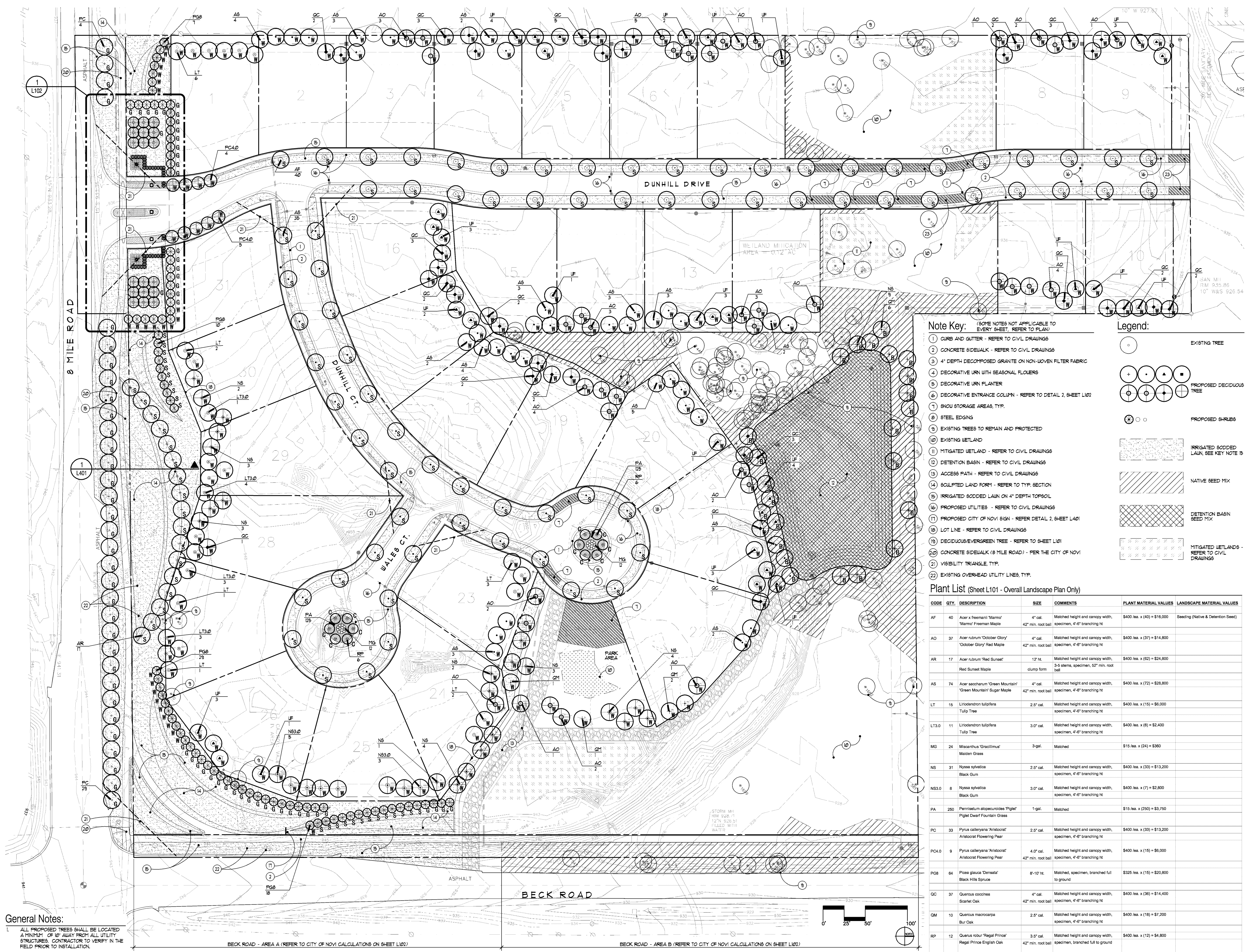
NO.	ITEM	DATE
1.	ADD EMERGENCY ACCESS PER CITY OF NOVI	6-1-15
2.	REV PER CITY PRE APP LETTER	6-12-15
3.	REV PER CITY	7-29-15
4.	REV PER CITY / DELETE ONE LOT	10-20-15
5.	REV PER CITY CONSULTANTS	3-8-16

DATE: 02-16-15 DESIGNED BY: A.A. JOB NUMBER: 14-011
CHECKED BY: P.K. DRAWING FILE: 14-011SP-0A

SITE PLAN

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

SHEET **2**



General Notes:
 ALL PROPOSED TREES SHALL BE LOCATED A MINIMUM OF 10' AWAY FROM ALL UTILITY STRUCTURES. CONTRACTOR TO VERIFY IN THE FIELD PRIOR TO INSTALLATION.

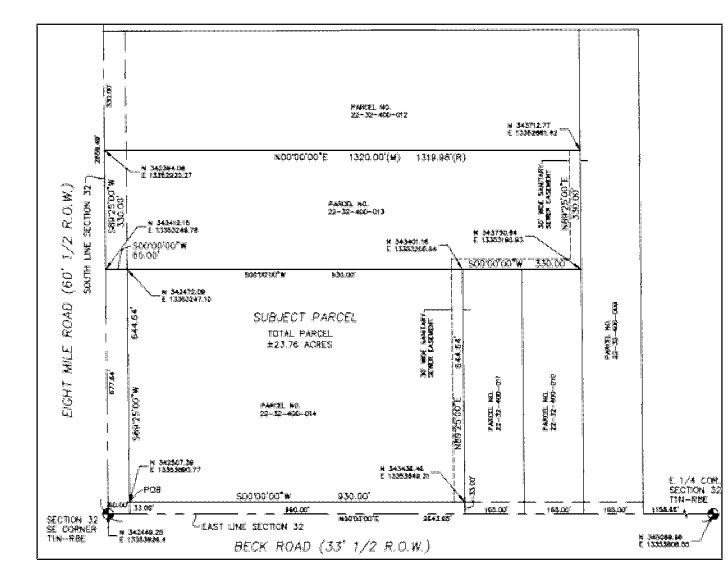
BECK ROAD - AREA A (REFER TO CITY OF NOVI CALCULATIONS ON SHEET L102)
 BECK ROAD - AREA B (REFER TO CITY OF NOVI CALCULATIONS ON SHEET L102)

- Note Key:** (NOTE: NOTES NOT APPLICABLE TO EVERY SHEET. REFER TO PLAN.)
- 1 CURB AND GUTTER - REFER TO CIVIL DRAWINGS
 - 2 CONCRETE SIDEWALK - REFER TO CIVIL DRAWINGS
 - 3 4" DEPTH DECOMPOSED GRANITE ON NON-WOVEN FILTER FABRIC
 - 4 DECORATIVE URN WITH SEASONAL FLOWERS
 - 5 DECORATIVE URN PLANTER
 - 6 DECORATIVE ENTRANCE COLUMN - REFER TO DETAIL 2, SHEET L102
 - 7 SNOW STORAGE AREAS, TYP.
 - 8 STEEL EDGING
 - 9 EXISTING TREES TO REMAIN AND PROTECTED
 - 10 EXISTING WETLAND
 - 11 MITIGATED WETLAND - REFER TO CIVIL DRAWINGS
 - 12 DETENTION BASIN - REFER TO CIVIL DRAWINGS
 - 13 ACCESS PATH - REFER TO CIVIL DRAWINGS
 - 14 SCULPTED LAND FORM - REFER TO TYP. SECTION
 - 15 IRRIGATED BODDED LAWN ON 4" DEPTH TOPSOIL
 - 16 PROPOSED UTILITIES - REFER TO CIVIL DRAWINGS
 - 17 PROPOSED CITY OF NOVI SIGN - REFER TO DETAIL 2, SHEET L401
 - 18 LOT LINE - REFER TO CIVIL DRAWINGS
 - 19 DECIDUOUS/EVERGREEN TREE - REFER TO SHEET L101
 - 20 CONCRETE SIDEWALK (8 MILE ROAD) - REFER TO CITY OF NOVI
 - 21 VISIBILITY TRIANGLE, TYP.
 - 22 EXISTING OVERHEAD UTILITY LINES, TYP.

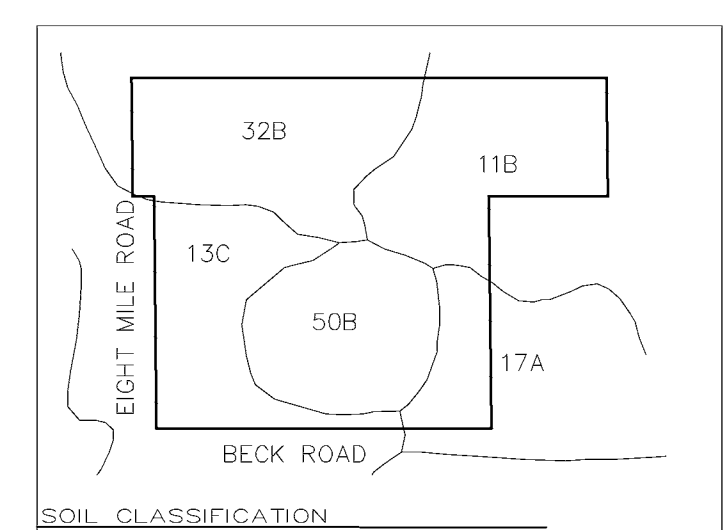
- Legend:**
- (Symbol: Circle with dot) EXISTING TREE
 - (Symbol: Circle with cross) PROPOSED DECIDUOUS TREE
 - (Symbol: Circle with star) PROPOSED SHRUBS
 - (Symbol: Stippled pattern) IRRIGATED BODDED LAWN. SEE KEY NOTE 15
 - (Symbol: Diagonal lines) NATIVE SEED MIX
 - (Symbol: Cross-hatch pattern) DETENTION BASIN SEED MIX
 - (Symbol: Dotted pattern) MITIGATED WETLANDS - REFER TO CIVIL DRAWINGS

Plant List (Sheet L101 - Overall Landscape Plan Only)

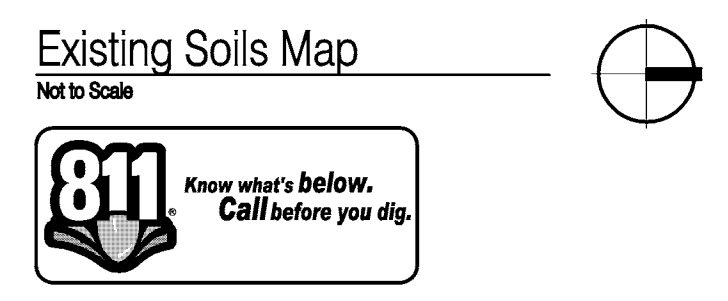
CODE	QTY.	DESCRIPTION	SIZE	COMMENTS	PLANT MATERIAL VALUES	LANDSCAPE MATERIAL VALUES
AF	40	Acer x freemanii 'Marm' 'Marm' Freeman Maple	4" cal. 42" min. root ball	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (40) = \$16,000	Seeding (Native & Detention Seed)
AO	37	Acer rubrum 'October Glory' 'October Glory' Red Maple	4" cal. 42" min. root ball	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (37) = \$14,800	
AR	17	Acer rubrum 'Red Sunset' 'Red Sunset' Maple	12" ht. clump form	Matched height and canopy width, 2-3 stems, specimen, 62" min. root ball	\$400/lea. x (82) = \$24,800	
AS	74	Acer saccharum 'Green Mountain' 'Green Mountain' Sugar Maple	4" cal. 42" min. root ball	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (72) = \$28,800	
LT	15	Liriodendron tulipifera 'Tulip Tree'	2.5" cal. clump form	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (15) = \$6,000	
LT3.0	11	Liriodendron tulipifera 'Tulip Tree'	3.0" cal. clump form	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (8) = \$2,400	
MG	24	Miscanthus 'Gracillimus' 'Maiden Grass'	3-gal.	Matched	\$15/lea. x (24) = \$360	
NS	31	Nyssa sylvatica 'Black Gum'	2.5" cal. clump form	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (33) = \$13,200	
NS3.0	8	Nyssa sylvatica 'Black Gum'	3.0" cal. clump form	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (7) = \$2,800	
PA	250	Pennisetum alopecuroides 'Piglet' 'Piglet Dwarf' Fountain Grass	1-gal.	Matched	\$15/lea. x (250) = \$3,750	
PC	33	Pyrus calleryana 'Aristocrat' 'Aristocrat' Flowering Pear	2.5" cal. clump form	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (33) = \$13,200	
PC4.0	9	Pyrus calleryana 'Aristocrat' 'Aristocrat' Flowering Pear	4.0" cal. 42" min. root ball	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (15) = \$6,000	
PG8	64	Picea glauca 'Denata' 'Black Hills Spruce'	8-10" ht. clump form	Matched, specimen, branched full to ground	\$325/lea. x (16) = \$20,800	
QC	37	Quercus coccinea 'Scarlet Oak'	4" cal. 42" min. root ball	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (36) = \$14,400	
QM	10	Quercus macrocarpa 'Bur Oak'	2.5" cal. clump form	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (16) = \$7,200	
RP	12	Quercus robur 'Regal Prince' 'Regal Prince' English Oak	3.5" cal. 42" min. root ball	Matched height and canopy width, specimen, branched full to ground	\$400/lea. x (12) = \$4,800	
UF	36	Ulmus americana 'Princeton' 'Princeton Elm'	4" cal. 42" min. root ball	Matched height and canopy width, specimen, 4'-6" branching ht.	\$400/lea. x (33) = \$13,200	
		Seeding (Native & Detention Seed)		Sheets L101 & L102	\$3/ly. x (11,000 sy.) = \$33,000	
		Sodding		Sheets L101 & L102	\$6/ly. x (10,000 sy.) = \$60,000	
		Mulch		Sheets L101 & L102	\$35/ly. x (xxxxxx) = \$xxxx	



Location Map
 Scale: 1"=75'-0"



Existing Soils Map
 Not to Scale



GRISSIM METZ ASSOCIATES ANDRIESE

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

Project: Dunhill Park
 Location: Novi, Michigan

Sheet: Overall Landscape Plan

Job Number: F35-151
 Drawn: ATP
 Checked: ATP/SRB
 Scale: 1"=50'-0"

Date: 07.29.2015 Issued for: Planned Rezoning Overlay (PRO)
10.23.2015 PRO Submittal
03.08.2016 Revised Per City Consultants

**PREVIOUS PLANNING COMMISSION MEETING MINUTES
December 9, 2015**



PLANNING COMMISSION MINUTES

Regular Meeting

DECEMBER 9, 2015 7:00 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Baratta, Member Giacometti, Member Lynch,
Member Zuchlewski

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

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

APPROVAL OF AGENDA

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

PUBLIC HEARINGS

3. DUNHILL PARK, JSP 15-13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This motion is made because:

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

Motion carried 5-0.

PLANNED REZONING OVERLAY AGREEMENT

PLANNED REZONING OVERLAY (PRO) AGREEMENT
DUNHILL PARK

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

RECITATIONS:

- I. Owner is the owner and Developer is the developer of an approximately 23.76-acre parcel of property (with final acreage determined in accordance with the PSA as hereinafter defined) located on the northwest corner of Eight Mile and Beck Roads, herein known as the “Land” or the “Development” described on **Exhibit A**, attached and incorporated herein. Owner and Developer are hereinafter referred to as “Applicants.”
- II. For purposes of improving and using the Land for a 31-unit detached single-family residential development intended for owner occupancy, Applicants have petitioned the City for an amendment of the Zoning Ordinance, as amended, so as to reclassify the Land from RA Residential Acreage to R-1, Single Family Residential. The RA classification shall be referred to as the “**Existing Classification**” and R-1 shall be referred to as the “**Proposed Classification**.”
- III. The Proposed Classification would provide Applicants with certain material development options not available under the Existing Classification, and would be a distinct and material benefit and advantage to the Applicants.
- IV. The City has reviewed and approved Applicants’ proposed petition to amend the zoning district classification of the Land from the Existing Classification to the Proposed Classification under the terms of the Planned Rezoning Overlay (PRO) provisions of the City’s Zoning Ordinance and has reviewed Applicants’ proposed PRO Plan, including conceptual renderings of homes, attached hereto and incorporated herein as **Exhibit B** (the “PRO Plan”), which is a conceptual or illustrative plan for the potential development of the Land under the Proposed Classification, and not an approval to construct the proposed improvements as

shown. The City has further reviewed the proposed PRO conditions offered or accepted by Applicants.

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

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

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

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

- n. Limited authorization for delay in planting of street trees and/or replacement trees that are shown as placed at the back of individual lots/units (not common areas or along/adjacent to rights-of-way). To the extent the zoning ordinance requires planting of such trees before construction of a home on the lot, Applicants may defer such planting until completion of construction of the home on such lot/unit; provided, however, that such delay authorization shall not apply as to units/lots along Beck Road or Eight Mile Road; as to those lots/units, such trees shall be planted at the time required by the ordinance, as those trees are intended to form a visual buffer. Identification of which trees qualify for delayed planting shall be determined at the time of site plan review.
3. In the event Applicants proceed with actions to complete improvement of the Land in any manner other than as provided in this Agreement, the City shall be authorized to revoke all outstanding building permits and certificates of occupancy issued for such building and use following notice to Applicant and a reasonable opportunity to cure.
4. Applicants acknowledge and agree that the City has not required the Undertakings. The Undertakings have been voluntarily offered by Applicants in order to provide an enhanced use and value of the Land, to protect the public safety and welfare, and to induce the City to rezone the Land to the Proposed Classification so as to provide material advantages and development options for the Applicants.
5. All of the Undertakings represent actions, improvements, and/or forbearances that are directly beneficial to the Land and/or to the development of and/or marketing of a 31-unit single-family residential development. The burden of the Undertakings on the Applicants is roughly proportionate to the burdens being created by the development, and to the benefit which will accrue to the Land as a result of the requirements represented in the Undertakings.
6. In addition to the provisions in Paragraph 2, above, in the event Applicants, or their respective successors, assigns, and/or transferees proceed with a proposal for, or other pursuit of, development of the Land in a manner which is in material violation of the Undertakings, the City shall, following notice and a reasonable opportunity to cure, have the right and option to take action using the procedure prescribed by law for the amendment of the Master Plan and Zoning Ordinance

applicable to the Land to amend the Master Plan and zoning classifications of the Land to a reasonable classification determined appropriate by the City, and neither Applicants nor their respective successors, assigns, and/or transferees, shall have any vested rights in the Proposed Classification and/or use of the Land as permitted under the Proposed Classification, and Applicants shall be estopped from objecting to the rezoning and reclassification to such reasonable classifications based upon the argument that such action represents a “downzoning” or based upon any other argument relating to the approval of the Proposed Classification and use of the Land; provided, this provision shall not preclude Applicants from otherwise challenging the reasonableness of such rezoning as applied to the Land. In the event the City rezones the Land to a use classification other than the Proposed Classification, this Agreement shall terminate and be null and void.

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

PLANNING REVIEW

March 30, 2016

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

**SUBJECT: Dunhill Park
JSP15-13/PSP16-0025 1st Review of Preliminary Site Plan for PRO**

Dear Ms. McBeth:

At your request, we have reviewed the preliminary site plan for the Planned Rezoning Overlay referenced above and offer the following analysis:

Applicant

Hunter Pasteur Homes Dunhill Park, LLC

Review Type

Preliminary site plan for a Planned Rezoning Overlay (PRO).

Property Characteristics

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

Project Summary

This project received tentative PRO approval from the Planning Commission on December 9, 2015 and from the City Council on January 11, 2016. The PRO Agreement was subsequently approved by the City Council on March 14, 2016. The property was originally zoned RA and has been rezoned to R-1 with a PRO.

The subject parcel is 23.76 gross acres on the northwest corner of Beck Road and Eight Mile Road. The site includes 0.25 acres of land in the Eight Mile Road right-of-way, and the net acreage is 23.51 acres. The preliminary site plan proposes 31 total lots¹ in a cluster arrangement, with 7.76 acres, or 33% of the total site, preserved as open space. The open space is primarily devoted to an on-site detention pond and wetland mitigation areas, though two areas on the plan are labeled as “Dunhill Park West” and

¹ 1.32 units per net acre.

“Dunhill Park East.” The site is proposed to be accessed from 8 Mile Road. The applicant will install a “Novi Welcomes You” sign near the corner of Beck and 8 Mile Road.

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



Summary of PRO Agreements

The PRO option creates a “floating district” with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from RA to R-1) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void. This project has reached the Preliminary Site Plan stage.

Proposed Development

The applicant is proposing 31 single family homes in a cluster arrangement (a net density of 1.32 units per acre, 80% of the maximum allowable density under R-1 zoning). In order to accomplish the proposed cluster arrangement, the applicant is seeking modifications to the lot size and dimensional standards of the R-1 district; the requested modifications are consistent with standards of the R-3 district.

Lot Dimension Modifications		
	R-1 Standard	Proposed
Minimum Lot Size	21,780 square feet	13,860 square feet
Minimum Lot Width	120 feet	90 feet
Side Setbacks	15 feet (40 aggregate)	10 feet (30 aggregate)
Front Setback	30 feet	30 feet
Rear Setback	35 feet	35 feet

Under the PRO option, the Planning Commission and City Council may approve deviations from the dimensional standards of the district in order to facilitate a more innovative design that preserves open space. The following deviations were tentatively approved by the City Council on January 11, 2016, and final approval was subsequently granted on March 14, 2016:

- a. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided);
- b. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided);
- c. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features (coverage along entire frontage required; approximately 40 percent coverage proposed);
- d. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the right-of-way along Beck Road;
- e. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements of canopy and sub canopy trees in greenbelt along both Public Rights-of-way;
- f. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile Road if the Road Commission for Oakland County does not allow some or all of the required street trees along Eight Mile Road;
- g. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed);
- h. Landscape deviation from Landscape Design Manual Section I.d.(1) (d) for not meeting the required diversity of tree species for a single family residential subdivision;
- i. Applicant shall provide modelling data showing sufficient fire flows at the water main dead end or applicant shall provide a loop connection approved by the City Engineer during Preliminary Site Plan. An offsite easement may be required for the loop connection;
- j. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter; and
- k. City Council variance from Section 11-194(a) (7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access.

Conditions of PRO Approval

The City Council's tentative approval of the PRO attached the following conditions:

- a. Acceptance of applicant's offer of Public benefits as proposed:
 - i. Tax benefits for the City including significant property taxes and potential Brownfield benefits from Oakland County.
 - ii. Significant Brownfield environmental cleanup.
 - iii. Installation of a "Novi Welcomes You" landmark feature.
 - iv. \$25,000 donation to the Parks, Recreation and Cultural Services Department to be applied toward the construction of the nearby ITC Community Sports Park Trail.
 - v. High-end landscaping (i.e., exceeding ordinance requirements, as determined at the time of site plan approval).
 - vi. The developer's financial contribution to complete the construction of the sidewalk along the Eight Mile Road frontage. The applicant has offered \$75,000.

- b. Applicant complying with the conditions listed in the staff and consultant review letters, including satisfying the concerns in Wetlands and Woodlands review letters.
- c. The applicant shall not conform with the City's Code requirements for the required woodland replacement trees, with an appropriate number of replacement trees being planted on site, (as determined at the time of Preliminary Site Plan), and is not required to pay into the City's tree fund, per the recommendation of the Planning Commission at the Public Hearing.

Infrastructure

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

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

The plan illustrates five-foot-wide sidewalks on both sides of all streets within the development, with ADA-compliant ramps for crossing, and an eight-foot-wide concrete sidewalk along Eight Mile and Beck Roads, the latter of which ties into the City's planned non-motorized pathway system.

Natural Features & Open Spaces

The applicant has submitted the required tree survey. The City Council's approval of the PRO Agreement waived the applicant's responsibility to pay into the City tree fund for trees not able to be replaced onsite.

33 percent of the site is proposed to be open space. Most of this is proposed to remain in its natural state. However, two parks are identified on the plan (Dunhill Park East and Dunhill Park West), and the final use of each is not specified.

Home Sites

The plan includes 31 home sites, each with direct access to one of the proposed internal roads. All home sites meet the minimum lot width and minimum lot size established for this PRO in the City Council's motion for tentative approval. The average lot size is 15,799 square feet, and the average lot width is 107.6 feet. Additionally, all lots are able to accommodate the setbacks established in the tentative approval.

Signage

The plan proposes two Entrance signs, each saying "Dunhill." Each is 14.83 square feet and projects from a 10.5-foot decorative entrance column. These signs comply with the area requirements of the City sign ordinance. However, the signs exceed the five-foot height limit for subdivision entryway signs;

the text is 6 feet above grade, and the top of the sign structure is nine feet above grade. No method of illumination is proposed. **A sign height variance or modification of plan will be required.**

Lighting

A single entrance light is proposed. The design of this light and any other proposed lighting (no other lighting is mentioned) should be included in the submission for final site plan approval.

Subdivision Ordinance Design Requirements

The following standards are met by this Preliminary Site Plan.

Per Section 4.01 – Blocks:

- a. The maximum length for all blocks shall not exceed one thousand four hundred (1,400) feet, except where, in the opinion of the Planning Board, conditions may justify a greater length.
- b. Widths of blocks shall be determined by the conditions of the layout and shall be suited to the intended layout.

Per Section 4.02 – Lots, Sizes and Shapes:

- a. The lot size, width, depth and shape in any subdivision shall be appropriate, in the opinion of the Planning Board, for the location and the type of development contemplated.
- b. Lot areas and widths shall conform to at least the minimum requirements of the Zoning Ordinance for the District in which the subdivision is proposed.
- c. Building setback lines shall conform to at least the minimum requirements of the Zoning Ordinance.
- d. Corner lots in a one-family residential subdivision shall be the standards set forth in the City of Novi Zoning Ordinance.
- e. Residential lots having a reverse frontage or rear lot relationship to major or secondary thoroughfares shall have a minimum depth of one hundred forty (140) feet
- f. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of 3 to 1 shall normally be considered a maximum.
- g. Lots intended for purposes other than residential use shall be specifically designed for such purposes, and shall have adequate provision for off-street parking, off-street loading and other requirements in accordance with the Zoning Ordinance.
- h. Every lot shall front or abut on a street.
- i. Side lot lines shall be at right angles or radial to the street lines, or as nearly as possible thereto.
- j. Residential lots abutting major thoroughfares shall be designed with a marginal access street, except where marginal access streets are not desirable or possible to attain, then they shall be platted with reverse frontage lots or with side lot lines parallel to such thoroughfares. That portion of these lots abutting major thoroughfares shall include an approved screen planting and/or a raised berm, as determined by the Planning Board, contained in a non-access greenbelt easement having a minimum width of fifteen (15) feet. Where power lines exist or are planned for such areas, the easement shall be at least twenty (20) feet wide. The screen plantings shall be installed at the time of construction of the subdivision. *(note: 40' easement is provided in this plan)*
- k. Lots shall generally have a front to front relationship across all streets.

- I. Other street requirements related to maximum cul-de-sac length and stub streets were addressed in deviations granted as part of the PRO agreement.

Recommendation

Clearzoning **recommends conditional approval** of the preliminary site plan for the following reasons:

1. The submitted preliminary site plan complies with the conditions and deviations set forth in the PRO Agreement.

Recommended conditions:

1. The applicant must obtain a variance for sign height or modify the plan.

Sincerely,
CLEARZONING, INC.

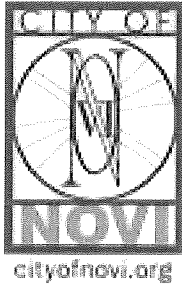


Rodney L. Arroyo, AICP
President



2015 Aerial – Google

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

03/29/2016

Engineering Review

DUNHILL PARK

JSP15-0013

Applicant

HUNTER PASTEUR HOMES DUNHILL PARK

Review Type

Preliminary Site Plan

Property Characteristics

- Site Location: N. of 8 Mile Rd. and W. of Beck Rd.
- Site Size: 23.76 acres
- Plan Date: 03/08/16

Project Summary

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

Recommendation

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

Comments:

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

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

General

1. A right-of-way permit will be required from the City of Novi and Oakland County.
2. Provide a note that compacted sand backfill shall be provided for all utilities within the influence of paved areas, and illustrate on the profiles.
3. Provide the utility and proposed grading plans on separate sheets.
4. Provide a construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
5. Provide a utility crossing table indicating that at least 18-inch vertical clearance will be provided, or that additional bedding measures will be utilized at points of conflict where adequate clearance cannot be maintained.
6. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review.
7. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.
8. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal. They can be found on the City website (www.cityofnovi.org/DesignManual).

Water Main

9. Provide a profile for all proposed water main 8-inch and larger.
10. Provide details to connect to the existing water main. In order to protect the existing pathway and the capillary break constructed through the area with poor soils, the applicant will be required to directional drill the water main along 8 Mile Road.
11. Provide plans for the entire proposed water main connection.
12. Three (3) sealed sets of revised utility plans along with the MDEQ permit application (1/07 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

Sanitary Sewer

13. **Because Wayne County has expressed capacity concerns, a temporary moratorium has been placed on approval of sanitary sewer permits from the City. We are working with the County to resolve this as quickly as possible. Until then all sanitary sewer permit applications will be on hold.**
14. Provide size, material and slope for the proposed sanitary sewer.
15. Provide profiles for all proposed sanitary sewer 8-inches and larger.
16. Provide a note on the Utility Plan and sanitary profile stating the sanitary lead will be buried at least 5 feet deep where under the influence of pavement.
17. Provide a testing bulkhead immediately upstream of the sanitary connection point. Additionally, provide a temporary 1-foot deep sump in the first sanitary structure proposed upstream of the connection point, and provide a secondary watertight bulkhead in the downstream side of this structure.
18. Provide a sanitary sewer basis of design.
19. Seven (7) sealed sets of revised utility plans along with the MDEQ permit application (04/14 rev.) for sanitary sewer construction and the Streamlined Sanitary Sewer Permit Certification Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets. Also, the MDEQ can be contacted for an expedited review by their office.

Storm Sewer

20. Provide profiles for all storm sewer 8-inches or larger.
21. A minimum cover depth of 3 feet shall be maintained over all storm sewers. Currently, a few pipe sections do not meet this standard. Grades shall be elevated and minimum pipe slopes shall be used to maximize the cover depth. In situations where the minimum cover cannot be achieved, Class V pipe must be used with an absolute minimum cover depth of 2 feet. An explanation shall be provided where the cover depth cannot be provided.
22. Provide a 0.1-foot drop in the downstream invert of all storm structures where a change in direction of 30 degrees or greater occurs.
23. Match the 0.80 diameter depth above invert for pipe size increases.
24. Storm manholes with differences in invert elevations exceeding two feet shall contain a 2-foot deep plunge pool.
25. Provide a four-foot deep sump and an oil/gas separator in the last storm structure prior to discharge to the storm water basin.
26. 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.
27. Provide a schedule listing the casting type and other relevant information for each proposed storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures.

Storm Water Management Plan

28. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
29. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).
30. 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.
31. A 4-foot wide safety shelf is required one-foot below the permanent water surface elevation within the basin.
32. The Total Detention Provide calculations on sheet 3 have the total labeled as "Total Detention Volume Required".
33. Provide calculations and sizing for standpipe outlet holes.
34. Provide detention time calculations for the bankfull volume. The bankfull volume must be detained for 24 to 40 hours.
35. Provide a soil boring in the vicinity of the storm water basin to determine soil conditions and to establish the high water elevation of the groundwater table.

Paving & Grading

36. The pathway along the frontage of Eight Mile Road is being constructed by the City. The plan should reflect the proposed location, note that is under construction and require coordination with the City's contractor. The right-of-way permit application should include discrete areas of disruption to facilitate construction of this site that will require a financial guarantee for replacement.
37. Provide a gate at the west end of the emergency access drive at Dunhill Ct.
38. The emergency access drive must be paved or grass paves, not gravel as shown.
39. Add a note to the plan stating that the emergency access gate is to be installed and closed prior to the issuance of the first TCO in the subdivision.
40. Provide sidewalk ramps/crossings on both sides of the Dunhill Ct. and Wales Ct. intersection and the Dunhill Dr. and Dunhill Ct. intersection.
41. Provide a profile for the proposed public roadways.
42. Provide a cross-section for the proposed public roadways.
43. Soil borings along the proposed road will be required at 500 foot intervals per Section 11-195(d) of the Design and Construction Standards. A minimum of 5 borings meeting ordinance requirements will be acceptable.
44. Provide a detailed grading plan.

Soil Erosion and Sediment Control

45. A SESC permit is required. A full review has not been done at this time. The review checklist detailing all SESC requirements is attached to this letter. Please submit a SESC permit application under a separate cover. The application can be found on the City's website at www.cityofnovi.org.

Off-Site Easements

46. Any off-site utility easements anticipated must be executed by both parties **prior to final approval of the plans**. Drafts of the easement shall be submitted at the time of the Preliminary Site Plan submittal for review, and shall be approved by the City prior to final signatures.
 - a. Clearly show if any off-site easements are required for the installation of the off-site water main connections.

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

47. A letter from either the applicant or the applicant's engineer must be submitted with the Final Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.
48. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. **The cost estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

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

49. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
50. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.
51. A draft copy of the 20-foot wide easement for the sanitary sewer to be constructed on the site must be submitted to the Community Development Department.
52. A 20-foot wide easement where storm sewer or surface drainage crosses lot boundaries must be shown on the Exhibit B drawings of the Master Deed.

53. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

The following must be addressed prior to construction:

54. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).
55. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
56. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.
57. 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.
58. A permit for work within the right-of-way of Beck Rd. and 8 Mile Rd. must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
59. A permit for work within the right-of-way of 8 Mile Rd. must be obtained from the Road Commission for Oakland County. Please contact the RCOC (248-858-4835) directly with any questions. The applicant must forward a copy of this permit to the City. Provide a note on the plans indicating all work within the right-of-way will be constructed in accordance with the Road Commission for Oakland County standards.
60. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.
61. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.
62. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
63. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
64. An incomplete site work performance guarantee, equal to 1.5 times the amount required to complete the site improvements (excluding the storm

water detention facilities) as specified in the Performance Guarantee Ordinance, must be posted at the Treasurer's Office.

65. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.

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



cc: Adam Wayne, Engineering
Brian Coburn, Engineering
Barb McBeth, Community Development
Beck Arold, Water & Sewer

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

March 30, 2016

PRO Preliminary Site Plan

Dunhill Park

Review Type

Preliminary Site Plan Landscape Review

Job

JSP15-0013

Property Characteristics

- Site Location: Northwest corner of Beck and Eight Mile Roads
- Site Zoning: RA
- Adjacent Zoning: RA to north and west, Northville to east, Maybury State Park to south
- Plan Date: 3/08/2016

Ordinance Considerations

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

Recommendation:

This concept is **recommended for approval**. For the most part, the plans comply with the ordinance and/or the PRO approved by City Council. There are some items mentioned below that should be corrected in the Final Site Plans.

General note:

Please add a summary table of all landscape waivers requested to Sheet L-101. Calculations are not necessary in that table as they are provided on Sheet L-102.

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

Soil information is provided.

Zoning (Preliminary Site Plan checklist #8)

Please add the zoning on the property and on properties adjacent to the development.

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

The overhead power line along Beck Road has been added, and street trees have been located within the greenbelt instead of along the right-of-way line because of an existing, low-hanging property line. **It is preferable to have the street trees within the right-of-way. If the power line within the right-of-way can be raised, it should be, and subcanopy trees should be placed within the right-of-way line as are proposed along 8 Mile Road. If it can't be, the street trees should be located as close to the right-of-way line as possible without causing a conflict with the wires.**

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

Existing trees, proposed removals and removal/replacement calculations are shown on

Sheets W-1 through W-3.

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

1. **The proposed tree protection fencing that appeared on the conceptual plans is not on the current set (Sheet W-1), although the label remains. Please restore the tree fencing lines to the plans, and include on the demolition/grading plans as well.**
2. The tree labels of trees to be saved have been included on Sheet L-101 as requested.

Woodland Replacement Trees

1. ***Pyrus calleryana* cannot be used as a woodland replacement tree as they are not included in the Woodland Replacement Chart. Please either substitute a species native to Michigan or add compensating trees elsewhere on the site to add up to the 231 replacement trees agreed to in the PRO agreement.**
2. *Ulmus americana* 'Princeton' has been substituted for Frontier Elm. This is an approved species for woodland replacements.

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

1. Calculations have been provided for the landscaping in the greenbelts along Beck and 8 Mile Roads. Waivers for the extent of frontage occupied by natural areas that would be negatively impacted by the construction and planting of the required berms and landscaping are requested. Staff supports the waiver for the section of Beck Road that is wetland and the waiver for the wetland mitigation area since screening of homes adjacent to it has been provided with woodland replacement trees. Calculations showing the number of canopy/large evergreen and sub-canopy trees not being planted due to the waiver have been added to the plans.
2. Additional trees (evergreens) have been added within the greenbelt, which adds screening from 8 Mile and Beck for the residents of the development.
3. While the berms are fairly geometric in nature, they do have variations in height and width. A flattened 4' crest should be added for maintenance, but otherwise they are acceptable.
4. Plants have been labeled uniquely per the requirement they're fulfilling as requested.
5. **Please add proposed contours to the landscape plan for the entire site when they are available.**

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

1. Calculations for street trees have been provided and a line of street trees along Eight Mile Road has been proposed. **If the Oakland County Road Commission prohibits any or all of those trees, a waiver for the prohibited trees will be supported but all allowed trees need to be planted.**
2. **Please consider changing the 8 Mile Road street trees from flowering pears to some other subcanopy species that does not exhibit invasive behavior. Unfortunately, we are seeing a number of flowering pears self-seeding and growing wild in open spaces. It is not currently on our list of invasive species, but it is acting invasively, and cooperation toward reducing the numbers of it on the plan would be appreciated.**
3. **The easternmost tree of those street trees should be removed from the corner clearance zone.**
4. Street trees have been proposed for the southern section of Beck Road not abutting wetland, but not within the Right-of-Way. It is preferable to have the street trees within the right-of-way. **If the power line within the right-of-way can be raised, it should be, and subcanopy trees should be placed within the right-of-way line as are proposed along 8 Mile Road. If it can't be, the street trees should be located as close to the right-of-way line as possible without causing a conflict with the wires.**
5. **A landscape waiver is requested to avoid planting street trees altogether in the area to**

remain natural if there is insufficient room for those trees along the right-of-way. This waiver is supported by staff. The number of trees not planted is indicated in calculations on Sheet L-102. The waiver request should be included in the table mentioned above.

6. Additional landscaping has been added to the cul-de-sac islands, per the ordinance.

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

1. Large, native shrubs planted in clusters around 70-75% of the rim are required by the ordinance. Instead, the applicant is proposing canopy trees as part of the PRO. The proposed trees are acceptable given the terms of the PRO agreement.
2. **No fertilizers should be used on the grassy areas in and around the basin in order to promote better water quality within the pond. Please add a note to that effect to the plans.**

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

When proposed transformers/utility boxes are available, add to landscape plan and add the plants to the plant list.

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

1. Plant lists have been provided that meet the city requirements.
2. The PRO agreement approved the mix of species which does not conform to the rules of the Landscape Design Manual regarding species diversity.

Planting Notations and Details (LDM)

1. Details provided meet City of Novi requirements.
2. City of Novi landscape notes have been provided.
3. Costs have been added for all items except for mulch on the plan. Please add an estimated quantity and cost for mulch (at \$35/cubic yard).

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

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

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

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

Snow Deposit (LDM.2.q.)

Snow deposit areas have been added to Sheet L-101.

Corner Clearance (Zoning Sec 5.9)

1. Corner Clearance triangles for all intersections have been added.
2. **Please move the eastern urn out of the clearance zone.**
3. **Please remove the easternmost 8 Mile Road street tree from the clearance zone.**

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 meader meader@cityofnovi.org.



WETLANDS REVIEW

April 4, 2016

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

Re: Dunhill Park (JSP15-0013)
Wetland Review of the Preliminary Site Plan (PSP16-0025)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Preliminary Site Plan for the proposed Dunhill Park single-family residential condominium project located at the northwest corner of Eight Mile Road and Beck Road in Section 32. This included the review of the Preliminary Site Plan prepared by Seiber, Keast Engineering, L.L.C. dated March 8, 2016 (Plan). The Plan was reviewed for conformance with the City of Novi Wetland and Watercourse Protection Ordinance and the natural features setback provisions in the Zoning Ordinance. ECT conducted a preliminary wetland evaluation for the property on August 12, 2015 and reviewed re-flagged wetland boundaries on Tuesday, October 27, 2015.

The Preliminary Site Plan is Approved as Noted for Wetlands. ECT recommends that the Applicant address the concerns noted in the *Wetland Comments* section of this letter prior to submittal of the final site plan.

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

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

City of Novi Ordinance Requirements

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

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

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

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

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

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

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

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

Onsite Wetland Evaluation

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

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

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

Total Wetland – 2.767 acres

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

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

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

Wetland Impact Review

The Plan includes some level of proposed impact to all of the on-site wetlands and the associated 25-foot wetland setbacks located on this property. Most of these impacts are for the purpose of lot development. The current Plan indicates a total of 0.49-acre of proposed impact to the 2.64 acres of existing on-site City-Regulated wetlands (impacts to 19% of regulated wetland), as well as 1.83 acres of impact to the 2.24 acres of existing regulated wetland buffer (impacts to 82% of the regulated wetland buffers).

The following table summarizes the existing wetlands and the proposed wetland impacts as listed on the *Wetland Plan* (Sheet 4):

Table 1. Proposed Wetland Impacts

Wetland Area	City Regulated?	MDEQ Regulated?	Wetland Area (acres)	Impact Area (acre)	Estimated Impact Volume (cubic yards)
City-Regulated Wetlands					
A	Yes	No	1.22	0.36	Not Provided
C	Yes	No	0.29	0.04	Not Provided
H	Yes	No	1.09	0.05	Not Provided
K	Yes	No	0.04	0.04	Not Provided
TOTAL	--	--	2.64	0.49	Not Provided
City Non-Regulated Wetlands					
D	No	No	0.01	0.01	Not Provided
E	No	No	0.01	0.01	Not Provided
F	No	No	0.04	0.04	Not Provided
G	No	No	0.06	0.06	Not Provided
I	No	No	0.007	0.007	Not Provided
TOTAL	--	--	0.127	0.127	Not Provided

It should be noted that during our most-recent site assessment, ECT has confirmed that Wetlands D, E, F, G, and I do not appear to be considered essential wetlands based on the requirements in the City’s Wetland Ordinance. Therefore, the proposed impacts to these wetlands do not count towards the required wetland mitigation requirements/calculations.

The currently-proposed impacts to essential/City-regulated wetlands (i.e., Wetlands A, C, H, and K) appear to total 0.49-acre. This impact is unchanged from the previously-submitted plan. These impacts are above the City of Novi 0.25-acre impact area threshold for compensatory wetland mitigation. Previously-submitted plans proposed two (2) areas of on-site wetland mitigation, totaling 0.98-acre. The current plan indicates a total of six (6) pockets of proposed wetland mitigation totaling

0.735-acres. The applicant is proposing the minimum amount of required wetland mitigation at the required 1.5-to-1 replacement ratio (i.e., 0.49 x 1.5 = 0.735).

In addition to wetland impacts, the Plan also specifies impacts to the 25-foot natural features setbacks. The following table summarizes the existing wetland setbacks and the proposed wetland setback impacts as listed on the *Wetland Plan*, Sheet 4):

Table 2. Proposed Wetland Buffer Impacts

Wetland Buffer Area	City Regulated?	Wetland Buffer Area (acres)	Impact Area (acre)
A	Yes	1.08	0.95
C	Yes	0.56	0.56
H	Yes	0.43	0.15
K	Yes	0.17	0.17
TOTAL	--	2.24	1.83

Permits & Regulatory Status

The on-site wetlands do not appear to be regulated by the Michigan Department of Environmental Quality (MDEQ) as they do not appear to be within 500 feet of a watercourse/regulated drain. In addition, none of the wetlands appear to be greater than 5 acres in size. The Applicant has provided a letter from the MDEQ dated February 19, 2016 stating that based on the information provided by the applicant the MDEQ’s Water Resources Division (WRD) has determined that an MDEQ wetland permit is not required.

The project as proposed will require a City of Novi *Wetland Non-Minor Use Permit* as well as an *Authorization to Encroach the 25-Foot Natural Features Setback*. This permit and authorization are required for the proposed impacts to wetlands and regulated wetland setbacks. Several of the on-site wetlands (Wetlands A, C, H, and K) appear to be considered essential by the City as they appear to meet one or more of the essentiality criteria set forth in the City’s Wetland and Watercourse Protection Ordinance (i.e., storm water storage/flood control, wildlife habitat, etc.). As discussed above, during our most-recent site assessment, ECT has confirmed that Wetlands D, E, F, G, and I do not appear to be considered essential wetlands based on the requirements in the City’s Wetland Ordinance, and therefore are not regulated by the City. Based on the size, location, and history of previous site disturbance, Wetlands D, E, F, G, I, and K do not significantly provide any of the functions included in the essentiality criteria. These wetlands should therefore not be considered regulated by the City’s Wetland and Watercourse Protection Ordinance as they are not contiguous, are less than two acres in size, and are not found to be essential wetlands as defined in the City’s wetland ordinance. Impacts to these wetlands will not require compensatory mitigation. Impacts to Wetlands A, C, H, and K will require mitigation.

Wetland Comments

The following are repeat comments from our Wetland Review of the Revised Concept/PRO Plan (PSP15-0159) dated November 12, 2015. The current status of each follows in ***bold italics***:

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

This comment has been addressed. The applicant's wetland consultant has re-flagged the on-site wetlands and our office confirmed the wetland boundaries on October 27, 2015. The current Plan contains the most recent wetland boundary information.

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

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

This is especially true in the case of Wetland C, which appear to be the highest-quality on-site wetland. As noted above, most of these impacts are for the purpose of lot development. The current Plan includes a total of 0.617-acre of proposed wetland impact and 2.01 acres of proposed wetland buffer impacts.

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

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

With regard to the preservation of 25-foot wetland buffers, the applicant should work in order to preserve the buffer of Wetland C. The Plan currently includes an impact to all of the 0.56-acre wetland setback associated with Wetland C (this is an increase from the 0.42-acre of impact on

the previous plan. A large portion of this proposed impact appears to be for the purpose of development of individual lots (Lots 12, 13, and 20). It is ECT's opinion that the preservation of this 25-foot buffer area is important to the overall health of Wetland C, especially after site development. The existing buffer serves to filter pollutants and nutrients from storm water before entering the wetland, as well as provide additional wildlife habitat. These buffer areas may also currently have a positive slope towards Wetland C, therefore providing storm water runoff and hydrology to this wetland. Based on the proposed Site Plan and the Storm Water Management Plan it appears as if the drainage from areas surrounding Wetland C will be collected and routed to the proposed detention basin. As such, Wetland C appears to be losing most of the wetland buffer area and contributing drainage area.

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

This comment has not been addressed. See Comment #2, above.

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

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

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

This comment still applies.

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

This comment has been addressed.

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

This comment has not been adequately addressed. The applicant is encouraged to review and revise the Plan as necessary.

Please also consider this addition comment:

8. While the applicant has provided an overview of the proposed wetland mitigation plan (i.e., Sheet 4, *Wetland Plan*, ECT recommends that additional details with regard to wetland mitigation grading, planting and proposed hydrology be provided with subsequent site plan submittals, and prior to permit issuance.

Recommendation

The Preliminary Site Plan is **Approved as Noted** for Wetlands. ECT recommends that the Applicant address the concerns noted above under the **Wetland Comments** section of this letter prior to submittal 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.



Peter Hill, P.E.
Senior Associate Engineer



Matthew Carmer
Senior Scientist
Professional Wetland Scientist #1746

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

Attachments: Figure 1



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

WOODLANDS REVIEW

April 4, 2016

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

Re: Dunhill Park (JSP15-0013)
Woodland Review of the Preliminary Site Plan (PSP16-0025)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Preliminary Site Plan for the proposed Dunhill Park single-family residential condominium project located at the northwest corner of Eight Mile Road and Beck Road in Section 32. This included a review of the Preliminary Site Plan prepared by Seiber, Keast Engineering, L.L.C. dated March 8, 2016 (Plan). The Plan was reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37. ECT conducted a woodland evaluation for the property on Wednesday, August 12, 2015 and on Tuesday, October 27, 2015.

The Preliminary Site Plan is Approved as Noted for Woodlands. ECT recommends that the Applicant address the concerns noted in the *Woodland Comments* section of this letter prior to submittal of the final site plan.

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

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

The purpose of the Woodlands Protection Ordinance is to:

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

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

Onsite Woodland Evaluation

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

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

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

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

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

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

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

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

- Tree #336, 27" black cherry (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #98, 36" black cherry (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #40, 26" black locust (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #48, 18"/24" black locust (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #86, 24" bur oak (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #18, 24" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees) – This tree was removed by the City for construction of the sidewalk along 8 Mile Road;
- Tree #42, 26" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #21, 26" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees) - This tree was removed by the City for construction of the sidewalk along 8 Mile Road;
- Tree #16, 27" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees);
- Tree #10, 33" sugar maple (measures $\geq 24"$, the minimum caliper size for specimen trees).

Of these ten (10) potential specimen trees, two (2) of these trees (#18 and #21) have been removed by the City for the purpose of constructing the pedestrian pathway/sidewalk along Eight Mile Road. Of the remaining six (6) potential Specimen Trees, two (2) are proposed to be saved and six (6) are proposed for removal (i.e., 25% preservation/75% removal). The Applicant should be aware of the City's Specimen Tree Designation as outlined in Section 37-6.5 of the Woodland Ordinance. This section states that:

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

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

Proposed Woodland Impacts and Replacements

As shown, there appear to be substantial impacts to regulated woodlands associated with the proposed site development. It appears as if the proposed work (proposed lots and roads) will cover the majority of the site and will involve a considerable number of tree removals. It should be noted that the City of Novi replacement requirements pertain to regulated trees with d.b.h. greater than or equal to 8 inches.

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

- Total Trees: 520
- Less Non-Regulated Trees:
- Removed/Exempt Trees: 115
- Removed by City: 11
- Net Regulated Trees: 394
- Regulated Trees Removed: 286 (73% removal)
- Regulated Trees Preserved: 108 (27% preservation)

- Stems to be Removed 8" to 11": 168 x 1 replacement (Requiring 168 Replacements; up from 140 Replacements on the previous plan)
- Stems to be Removed 11" to 20": 73 x 2 replacements (Requiring 146 Replacements; up from 128 Replacements on the previous plan)
- Stems to be Removed 20" to 30": 12 x 3 replacements (Requiring 36 Replacements; down from 39 Replacements on the previous plan)
- Stems to be Removed 30"+: 2 x 4 replacements (Requiring 8 Replacements, up from 4 Replacements on the previous plan)
- Multi-Stemmed Trees: (31 trees Requiring 112 Replacements, up from 109 Replacements on the previous plan)

- Sub-total Replacement Trees Required: 470 (up from 420 on the previous plan)
- Less credit for "non-woodland tree preservation": 23
(The applicant proposes the preservation of 9 trees that lie outside of the City's Regulated Woodland Boundary and is requesting credits towards required Woodland Replacements)

- Total Woodland Replacement Required: 447 (up from 397 on the previous plan)

The current Landscape Plans now clearly indicate the locations, sizes, species and quantities of all on-site woodland replacement trees. It should also be noted that all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio. All coniferous replacement trees shall be 6-feet in height (minimum) and provide 1.5 trees-to-1

replacement credit replacement ratio (i.e., each coniferous/evergreen tree planted provides for 0.67 credits). Sheet L102 appears to note that 231 on-site Woodland Replacements will be provided:

- (147 trees) 4" caliper canopy trees (147 credits);
- (19 trees) 3" caliper canopy trees (19 credits);
- (41 trees) 2.5" caliper canopy trees (41 credits);
- (7 trees) 10'-12' height evergreen trees (4.67 credits);
- (17 trees) 8'-10' height evergreen trees (11.33 credits).

Therefore, the applicant is proposing to provide 231 Woodland Replacement trees totaling 223 Woodland Replacement credits.

Per the City of Novi Landscape Design Manual Section 3.c.(2) no additional woodland tree replacement credits can be gained by using larger plant material than those specified in the table 3.c.(1). As a rule, the standard woodland replacement tree credits listed on the Woodland Replacement Chart in Section 37 must be used, including the 1.5:1 evergreen ratio. As noted above, all deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio. The proposed Woodland Replacement trees listed on the Plan appear to provide for 223 Woodland Replacement Credits.

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

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

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

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

It should also be noted that the applicant has previously stated that the total amount of trees that are to be replaced per the ordinance will not physically fit on the open areas to remain on-site. In addition, the applicant feels that the cost that they will incur to remedy the existing environmental issues (soil remediation) is significant enough to negate the City's requirements to provide a Woodland Replacement Guarantee for the remaining trees that will not be planted. It should be noted that the City of Novi City Council has approved this variance in the meeting held on March 14, 2016. The applicant will not be required to pay the City of Novi Tree Fund for the Woodland Replacement Credits that do not fit on the site. The applicant will be responsible for a Woodland Financial Guarantee based on the total number of Woodland Replacement credits that are proposed on the Plan (i.e., 223).

City of Novi Woodland Review Standards and Woodland Permit Requirements

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

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

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

There are a significant number of replacement trees required for the construction of the proposed development. This development consists of 31 proposed single-family residential units. The subject property is surrounded by existing residential use on the east and west sides. Some relatively natural areas remain to the north and to the south (i.e., Maybury State Park) of the site. Some degree of impact to on-site trees is likely in the development of this property for residential use; however, ECT suggests that the applicant consider preserving existing trees to the greatest extent possible even on individual proposed lots, outside of the proposed building envelope. The current Plan appears to clear the vast majority of all trees within the lots and proposes a 73% removal of the existing on-site City-regulated trees.

Woodland Comments

The following are repeat comments from our Woodland Review of the Revised Concept/PRO Plan (PSP15-1059) dated November 12, 2015. The current status of each follows in ***bold italics***:

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

This comment has been partially addressed. It should be noted that the current Plan appears to show a slight improvement in the number of regulated trees proposed for removal. The current Plan indicates that 286 of the 394 regulated trees (73%) are proposed for removal. It is ECT's opinion that the Plan can be improved in order to incorporate a tree preservation percentage greater than that currently proposed, 27%.

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

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

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

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

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

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

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

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

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

This comment has been addressed. The current Plan notes that while 447 total Woodland Replacement trees are required, a total of 231 Woodland Replacement trees will be planted on-site (providing 223 Woodland Replacement credits).

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

This comment has been addressed. The current Plan appears to show that 447 Woodland Replacement Credits are required. The Plan now clearly indicates that a total of 231 Woodland Replacement trees will be planted on-site (providing 223 Woodland Replacement credits).

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

This comment still applies.

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

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

This comment still applies. Based on the on-site Woodland Replacement trees proposed, the Woodland Replacement Financial guarantee will be \$133,800 (223 credits x \$400/credit x 1.5).

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

This comment is no longer applicable as the applicant is no longer required to pay the City of Novi Tree Fund for Woodland Replacement trees that do not fit on the site.

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

This comment still applies.

Recommendation

The Preliminary Site Plan is **Approved as Noted** for Woodlands. ECT recommends that the Applicant address the concerns noted above under the **Woodland Comments** section of this letter prior to submittal of the final site plan.

Dunhill Park (JSP15-0013)
Woodland Review of the Preliminary Site Plan (PSP16-0025)
April 4, 2016
Page 10 of 13

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Peter Hill, P.E.
Senior Associate Engineer



Matthew Carmer
Senior Scientist
Certified Arborist

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

Attachments: Figure 1 & Site Photos



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

Site Photos



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



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



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

TRAFFIC REVIEW

Memorandum

To Barbara McBeth, AICP Page 1

CC Sri Komaragiri, Kirsten Mellem, Brian Coburn, Jeremy Miller, Richelle Leskun

Subject JSP 15-0013 – Dunhill Park – Preliminary Site Plan – Traffic Review

From Matt Klawon, PE

Date March 28, 2016

The 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, Hunter Pasteur Homes Dunhill Park, LLC, is proposing the development of a 23.76 acre, 31-unit single-family site condominium residential development in the northwest quadrant of Eight Mile Road and Beck Road. The development provides site access through the roadway intersection Eight Mile Road.
2. Beck Road is within the City of Novi’s jurisdiction and Eight Mile Road is within the Road Commission for Oakland County’s jurisdiction. All site roadways are proposed to be public.
3. The site is currently zoned RA Residential Acreage and the developer is proposing a PRO with R-1 overlay zoning.

TRAFFIC IMPACTS

1. Fleis & Vandenbrink performed an initial trip generation estimate based on the ITE Trip Generation Manual, 8th Edition, as part of the Concept PRO submittal and the results are as follows:

ITE Code: 210
 Development-specific Quantity: 31
 Zoning Change: RA to R-1

Trip Generation Summary					
	City of Novi Threshold	Estimated Trips (Permitted under existing zoning)	Estimated Trips (Permitted under proposed zoning)	Proposed Development	Analysis

AM Peak-Hour, Peak-Direction Trips	100	24	28	23	
PM Peak-Hour, Peak-Direction Trips	100	24	28	23	
Daily (One-Directional) Trips	750	368	442	358	

- The number of trips does not exceed the City’s threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour. AECOM recommends performing the following traffic impact study in accordance with the City’s requirements:

Traffic Impact Study Recommendation	
Type of Study	Justification
None	Full study not warranted

EXTERNAL SITE ACCESS AND OPERATIONS

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

- The dimensions provided on the plan for the development entrance design indicate compliance with the City’s standards.
- The anticipated volumes do not warrant a left- or right-turn lane into the development; however, the site plan includes a right turn lane. The right-turn lane design is in compliance with City standards.
- The sight distance measurements indicated on the plans are in excess of the City’s minimum requirements.
- The location of the proposed entrance is in compliance with the City’s driveway spacing requirements.
- Adequate site access drives provided.

INTERNAL SITE OPERATIONS

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

- General traffic flow
 - The general design of the internal site roadways is in compliance with City standards.
 - The design of the cul-de-sacs and “T” turnaround are in compliance with City standards.
- Sidewalk Requirements

- a. The proposed sidewalk and pedestrian facilities are in compliance with City standards.
3. All on-site signing and pavement markings shall be in compliance with the Michigan Manual on Uniform Traffic Control Devices.
 - a. Ensure the proposed "dead end" and "no outlet" signs are W14-1 and W14-2 signs, respectively.

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

Sincerely,

AECOM



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



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

FAÇADE REVIEW



April 1, 2016

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

Re: Dunhill Park – PRO, PSP16-0025

Dear Ms. McBeth;

The following is our review of the conceptual façade renderings provided by the applicant for the subject project. Five models were provided; the Cheshire (3,340 SF), the Cambridge (4,150 SF), the Gabriella Grand (3,750 SF), the Cheshire Grand, the Kensington (4,690 SF) and the Somerset (4,900 SF). One model has been added since the prior review. Each model has approximately 3 front elevations. The drawings indicate that all models will have a significant percentage of brick or stone front façade with brick extending up to the second floor belt line on the side and rear facades. The front facades are well articulated with variable roof lines and multiple front-facing gables. All have well defined front entrance features such as two-story masonry arches and large covered front porches.

Similar/Dissimilar Ordinance, Section 303 - The property is located in close proximity to Maybury Park Estates Subdivision. It appears that several lots in Marbury Park would be located within 350' of homes located in the proposed PRO. Section 303.1.g.1 of the Similar Dissimilar Ordinance requires that proposed new homes be within 75% of the average square footage of existing homes within 350' in R-3 and 1,000' in RA districts. Based on preliminary measurements the minimum square footage for homes in the proposed PRO would be approximately 3,450 square feet. The minimum square footage could vary somewhat depending on the distance (350' vs. 1,000') and sequence of construction of individual lots. One model, the Cheshire Grand (3,340 SF), would not meet the minimum square footage based on this estimate.

Section 303.1.g.2 of the Similar Dissimilar Ordinance requires that the type of materials used not be “grossly dissimilar” to those used in the surrounding area. The relative percentage of brick or stone is an important factor in determining compliance. It appears that the proposed facades have a somewhat lower percentage of brick or stone as compared to the facades located within the adjacent Maybury Park and Bellagio Subdivisions.

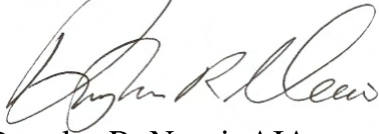
Section 303.2 of the Similar / Dissimilar Ordinance requires that nearby homes (two on the left, two on the right and any across the street that overlap by 50%) not be “substantially similar” in appearance to the proposed home. The applicant has provided five different models, each with 3 different front elevations; a total of approximately 15 different front elevations. It is our experience that this would provide sufficient diversity to meet Section 303.2 requirements.

Planned Rezoning Overlay Ordinance (Section 7.13) - The PRO Ordinance requires that the development “result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.” In general, it appears that type and quantity of materials and diversity of architectural features indicated on the façade elevations represent an enhancement to what may otherwise be constructed in the absence of the PRO.

Recommendation – For the reasons stated above we believe that the proposed homes meet the PRO’s requirement of achieving a “higher standard that would not otherwise be achieved under the current Ordinance Requirements”, and that quantity of dissimilar front elevations is sufficient to meet the Similar / Dissimilar Ordinance.

If you have any questions please do not hesitate to call.

Sincerely,
DRN & Associates, Architects PC

A handwritten signature in black ink, appearing to read "Douglas R. Necci". The signature is fluid and cursive, written over the printed name below.

Douglas R. Necci, AIA

FIRE REVIEW



April 1, 2016

TO: Barbara McBeth- Deputy Director of Community Development
Kirsten Mellem- Plan Review Center

RE: Dunhill Park

PSP#16-0025

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Gwen Markham

Andrew Mutch

Wayne Wrobel

Laura Marie Casey

Brian Burke

City Manager
Pete Auger

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

Director of EMS/Fire Operations
Jeffery R. Johnson

Assistant Chief of Police
Erick W. Zinser

Assistant Chief of Police
Jerrod S. Hart

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

Comments:

- 1) Proposed water main exceeds maximum length without looping. **Provide water flow data for 12" main to meet flow requirements.**

Recommendation: Not Recommended for approval

- 1) Water flow data concludes only 15.29 psi of working pressure for fire department operations. This pressure and flow rates do not meet the design standards for water supply.
 - **The ability to serve at least two thousand (2,000) gallons per minute in single-family detached residential; three thousand (3,000) gallons per school areas; and at least four thousand (4,000) gallons per minute in office, industrial and shopping centers is essential.**
(D.C.S. Sec.11-68(a))

Sincerely,

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

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

cityofnovi.org

APPLICANT RESPONSE LETTER



April 20, 2016

Ms. Barb McBeth
City of Novi
Community Planning Department
45175 W. Ten Mile Road
Novi, MI 48375

**Re: Dunhill Park Preliminary Site Plan
PRO - JSP15-13 / PSP16-0025**

Dear Ms. McBeth:

The City of Novi and its consultants completed a review of the Dunhill Park PRO Preliminary Site Plans dated March 8, 2016 and issued review letters which were received by the Applicant on April 7, 2016. We offer the following in response:

Planning

Clearzoning, Inc., issued a review letter dated March 30, 2016 which recommends preliminary site plan approval and notes the need for a sign height variance or modification of the plan. The Applicant is reviewing the signage and will either modify the plan prior to Final Site Plan Review or request the required variance. It is understood that should a variance be obtained, a Sign Permit Application will be submitted for review and approval.

Engineering

The City of Novi Engineer issued a letter dated March 29, 2016 which is recommending approval of the Preliminary Site Plan and Preliminary Storm Water Management Plan. It is understood by the Applicant that the Sanitary Sewer Permit Application is on hold and that the City is working with Wayne County to resolve. In discussions with the City Manager it is the Applicant's understanding that this issue will be resolved prior to the Public Hearing on April 27, 2016.

It should be noted that all of the Additional Comments including the General, Water Main, Sanitary Sewer, Storm Sewer, Storm Water Management Plan, Paving & Grading, Soil Erosion and Sediment Control and Off-Site Easements (item's 1 – 46) are being addressed. We also acknowledge the additional requirements for Final Site Plan, Stamping Sets and items due Prior to Construction which will all be addressed at the appropriate time.

Wetlands

Environmental Consulting & Technology, Inc., issued a letter dated April 4, 2016 which recommends approval of the preliminary site plans. The letter outlines items that were discussed and addressed throughout the PRO review and approval process therefore some of the comments and requests made by ECT are not applicable for the reasons outlined and **bolded** below.

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

This comment has been addressed.

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

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

This is especially true in the case of Wetland C, which appear to be the highest-quality on-site wetland. As noted above, most of these impacts are for the purpose of lot development. The current Plan includes a total of 0.617-acre of proposed wetland impact and 2.01 acres of proposed wetland buffer impacts.

Impacts will be minimized to the greatest extent possible. The Applicant will mitigate, provide buffer restoration and provide additional open space to preserve these areas as much as possible. There are no impacts to the proposed wetland disturbance and mitigation areas as approved in the PRO plans.

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

See comment 3 above.

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

This comment has been addressed.

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

It is not the Applicant's desire to provide a Conservation Easement for wetlands or for the 25-foot wetland buffer.

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

This comment has been addressed.

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

This information will be provided at the time of Final Site Plan Review.

Woodlands

Environmental Consulting & Technology, Inc., issued a letter dated April 4, 2016 which recommends approval of the preliminary site plans. The letter outlines items that were discussed and addressed throughout the PRO review and approval process therefore the comments and requests made by ECT are not all applicable for the reasons outlined and **bolded** below.

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

The Applicant has minimized the impacts to on-site Woodlands as much as possible, as reviewed and discussed throughout the PRO process. No further modifications will be made.

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

Alternative site layouts were explored during the PRO process and no further adjustments to the site layout will be made which is in accordance with the PRO approval.

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

A Conservation Easement will not be provided pursuant to the PRO Approval.

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

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

A Conservation Easement will not be provided pursuant to the PRO Approval.

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

This comment has been addressed.

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

This comment has been addressed.

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

A Woodland Permit will be obtained by the Applicant.

8. A Woodland Replacement financial guarantee for the planting of replacement trees will be required, if applicable. This financial guarantee will be based on the number of on-site woodland replacement trees (credits) being provided at a per tree value of \$400. Based on a successful inspection of the installed on-site Woodland Replacement trees, seventy-five percent (75%) of the original Woodland Financial Guarantee shall be returned to the Applicant. Twenty-five percent (25%) of the original Woodland Replacement financial guarantee will be kept for a period of 2-years after the successful inspection of the tree replacement installation as a Woodland Maintenance and Guarantee Bond.

Waiver of the Woodland Replacement Guarantee was waived as a condition of the PRO Agreement therefore no Guarantee will be provided by the Applicant.

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

This comment no longer applies as noted in the ECT letter. See Comment 8 above.

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

The Applicant will comply with these replacement material requirements.

Landscape

The City of Novi Landscape Architect issued a letter dated March 30, 2016 which recommends approval of the preliminary site plan. The letter outlines details that need to be added to the plans prior to Final Site Plan Review. It should be noted that the Applicant is making all of the requested updates with the exception of comment number 2 in the Street Tree Requirements which is on page 2 of the letter. The Applicant's landscape architect consultant has discussed this item with the City of Novi Landscape Architect and it was concluded that the flowering pears trees along Eight Mile Road will remain.

Facade Renderings

DRN & Associates issued a letter dated April 1, 2016 which recommends approval of the proposed facades as they meet the PRO requirement as well as the Similar / Dissimilar Ordinance requirements.

Traffic

AECOM's Memorandum dated March 28, 2016 recommends approval. It should be noted that the Applicant will be sure to comply with the Michigan manual on Uniform Traffic Control Devices and ensure that the proposed "dead end" and "no outlet" signs are W14-1 and W14-2 signs, as noted on page 3 of the Memorandum.

Fire

The City of Novi Fire Marshal issued a letter dated April 1, 2016 which is not recommending approval due to insufficient water flow data. The Applicant and its consultants are working with the City Manager and City Engineer to resolve and see that sufficient flows will be provided.

Waiver Request

Dunhill Park requires a number of variances and waivers which are supported by city staff and have been approved by both the Planning Commission and City Council during the PRO review and approval process. *Please consider this our formal request to obtain the following variances and waivers:*

1. Variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter to the west.
2. Deviation in the minimum Ordinance standards to allow reduction in the required minimum lot size and minimum lot width for one-family detached dwellings reviewed against R-1 Zoning standards to allow for smaller lots (21,780 square feet and 120 feet required, 13,860 square feet and 90 feet provided).
3. Deviation in the minimum Ordinance standards to allow reduction in minimum side yard setback and aggregate side yard setback for one-family detached dwellings reviewed against R-1 Zoning standards (15 feet with 40 feet aggregate required, 10 feet with 30 feet minimum aggregate provided).
4. Landscape deviation from Section 5.5.3.B.ii and iii for absence of required berm and required greenbelt landscaping along the entire frontage of Beck Road Right of Way due to existing natural features (coverage along entire frontage required; approximately 40 percent coverage proposed).
5. Landscape deviation from Section 5.5.3.B. iii for absence of required street trees within the existing natural areas along the right-of-way along Beck Road, provided, however, that the trees are placed as close as possible to the correct position.
6. Landscape deviation from Section 5.5.3.B.ii and iii for not meeting the minimum requirements for the required mix of canopy and sub canopy trees in greenbelt along both Public Rights-of-way.

7. Landscape deviation from Section 5.5.3.E.i.c for not meeting the street tree requirements along Eight Mile Road if the Road Commission for Oakland County does not allow some or all of the required street trees along Eight Mile Road.
8. Landscape deviation from Section 5.5.3.E.iv for not meeting the minimum requirements for Storm Basin Landscape (Shrubs required; Canopy trees proposed).
9. Landscape deviation from Landscape Design Manual Section 1.d.(1)(d) for not meeting the required diversity of tree species for a single family residential subdivision.
10. Variance from Section 4.04 (A)(1) of the Novi City Code for the absence of street extensions to the site boundary at access intervals not to exceed 1,300 ft.
11. Variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access.
12. Waiver of required payments into tree fund for replacement trees that cannot be replaced on-site.

We look forward to receiving preliminary site plan approval at the March 27, 2016 Planning Commission Meeting and Public Hearing. Please contact us should you have any questions.

Sincerely,

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



Whitney Findlay
Project Manager

Cc: Michael McInerney, Archdiocese of Detroit
Randy Wertheimer, Hunter Pasteur Homes Dunhill Park, LLC
Seth Herkowitz, Hunter Pasteur Homes Dunhill Park, LLC
Jeff Sakwa, Hunter Pasteur Homes Dunhill Park, LLC
Andy Milia, Franklin Construction Company, L.L.C.
Karen Brown, Franklin Construction Company, L.L.C.
Pat Keast, P.E., Seiber Keast Engineering, L.L.C.
Scott Black, LLA, ASLA, Grissim Metz Andriese Associates

CORRESPONDENCE

From: [Peter Hill](#)
To: [McBeth, Barb](#); [Mellem, Kirsten](#)
Cc: [Meader, Rick](#); [Pete Hill \(phill@ectinc.com\)](#); [Matt Carmer \(mcarmer@ectinc.com\)](#); [Marchioni, Sarah](#)
Subject: RE: Dunhill Park - PSP Response comments from Applicant - Woodlands
Date: Thursday, April 21, 2016 6:45:33 PM
Attachments: [image003.png](#)
[image004.png](#)

Hello,

Rick Meader has brought it to our attention that the PSP plan review response letter for Dunhill Park, prepared by Franklin Construction Company, L.L.C. (dated April 20, 2016) states that the applicant does not intend to provide a Woodland Replacement Financial Guarantee (see comment No. 8, below). It is our understanding that City Council has approved a waiver of the payment to the Tree Fund that would be required to compensate for the Woodland Replacement Credits that will not physically fit on the site.

It is **NOT** our understanding that the applicant will be relieved of paying a Financial Guarantee associated with the planting of on-site Woodland Replacement Trees.

We believe that the current Plan proposes to provide 223 on-site Woodland Replacement CREDITS. Therefore a Woodland Replacement Financial Guarantee of **\$89,200** (223 Woodland Credits x \$400/credit) would be required.

Please keep this in mind if/when preparing responses to the applicant or Council.

As always, please feel free to contact our office if you have any questions.

8. A Woodland Replacement financial guarantee for the planting of replacement trees will be required, if applicable. This financial guarantee will be based on the number of on-site woodland replacement trees (credits) being provided at a per tree value of \$400. Based on a successful inspection of the installed on-site Woodland Replacement trees, seventy-five percent (75%) of the original Woodland Financial Guarantee shall be returned to the Applicant. Twenty-five percent (25%) of the original Woodland Replacement financial guarantee will be kept for a period of 2-years after the successful inspection of the tree replacement installation as a Woodland Maintenance and Guarantee Bond.

Waiver of the Woodland Replacement Guarantee was waived as a condition of the PRO Agreement therefore no Guarantee will be provided by the Applicant.

Peter F. Hill, P.E.
Senior Associate Engineer



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