



**THE RESERVE OF ISLAND LAKE OF NOVI  
(fka THE MEADOWS OF ISLAND LAKE OF NOVI)  
JSP12-65**

**THE RESERVE OF ISLAND LAKE OF NOVI (fka THE MEADOWS OF ISLAND LAKE OF NOVI)  
JSP12-65**

Public hearing at the request of Toll Brothers, Inc. for Preliminary Site Plan, Woodland Permit and Stormwater Management Plan approval. The subject property is 40.68 acres in Section 20 of the City of Novi and located near the northeast corner of Ten Mile Road and Wixom Road. The applicant is proposing a 74 unit development that would be Phase 7 of the existing Island Lake of Novi development.

**Required Action**

Approval/denial of the Preliminary Site Plan, Phasing Plan, Woodland Permit and Stormwater Management Plan

<b>REVIEW</b>	<b>RESULT</b>	<b>DATE</b>	<b>COMMENTS</b>
Planning	Approval recommended	01-31-13	<ul style="list-style-type: none"> <li>• City Council modification of lot size and width approved.</li> <li>• City Council building setback reduction approved.</li> <li>• Items to be addressed on next submittal.</li> </ul>
Engineering	Approval recommended	01-31-13	Items to be addressed on the Final Site Plan submittal.
Traffic	Approval recommended	01-28-13	Items to be addressed on the Final Site Plan submittal.
Landscaping	Approval recommended	12-27-12	<ul style="list-style-type: none"> <li>• Waiver required for the discontinuation of berms in the locations of existing vegetation – City Council approved</li> <li>• Waiver required for the lack of a berm adjacent to proposed storm basins – City Council approved</li> <li>• Items to be addressed on the Final Site Plan.</li> </ul>
Wetland	Approval recommended	01-21-13	Items to be addressed on the Final Site Plan submittal.
Woodland	Approval recommended	01-21-13	Items to be addressed on the Final Site Plan submittal.
Fire	Approval recommended	01-18-13	Items to be addressed on the Final Site Plan and/or construction plans.

## **Motion sheet**

### **Approval – Preliminary Site Plan**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **approve** the Preliminary Site Plan based on and subject to the following:

- a. The applicant adding additional landscaping near the northeast corner of the subject property along Dinser Drive as discussed at the March 25<sup>th</sup> City Council approval of the 6<sup>th</sup> Amendment to the RUD;
- b. The applicant providing open space near the northeast corner of the subject property along Dinser Drive as discussed at the March 25<sup>th</sup> City Council approval of the 6<sup>th</sup> Amendment to the RUD;
- c. The applicant investigating the potential to relocate the sidewalk connection to the Dinser Drive sidewalk as discussed at the March 25<sup>th</sup> City Council approval of the 6<sup>th</sup> Amendment to the RUD;
- d. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and
- e. *(additional conditions here if any)*

*(This motion is made because the plan is otherwise in compliance with the approved 6<sup>th</sup> Amendment to the RUD, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*

### **Approval – Phasing Plan**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **approve** the Phasing Plan based on and subject to the following:

- a. The conditions and items listed in the staff and consultant review 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 the approved 6<sup>th</sup> Amendment to the RUD, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*

### **Approval – Woodland Permit**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **approve** the Woodland Permit based on and subject to the following:

- a. The conditions and items listed in the staff and consultant review 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 the approved 6<sup>th</sup> Amendment to the RUD, Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.)*

**Approval – Stormwater Management Plan**

In the matter of the Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **approve** the Stormwater Management Plan, based on and subject to:

- a. The conditions and items listed in the staff and consultant review 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 the approved 6<sup>th</sup> Amendment to the RUD, Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)*

**Denial – Preliminary Site Plan**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **deny** the Preliminary Site Plan...(because the plan is not in compliance with the approved 6<sup>th</sup> Amendment to the RUD, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

**Denial – Phasing Plan**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **deny** the Phasing Plan...(because the plan is not in compliance with the approved 6<sup>th</sup> Amendment to the RUD, Article 3, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

**Denial– Woodland Permit**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **deny** the Woodland Permit...(because the plan is not in compliance with the approved 6<sup>th</sup> Amendment to the RUD, Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

**Denial – Stormwater Management Plan**

In the matter of The Reserve of Island Lake of Novi (fka The Meadows of Island Lake of Novi), JSP12-65, motion to **deny** the Stormwater Management Plan...(because the plan is not in compliance with the 6<sup>th</sup> Amendment to the RUD, Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

**PLANNING REVIEW**



## PLAN REVIEW CENTER REPORT

January 31, 2013

### Planning Review

The Meadows of Island Lake Of Novi

**JSP12-65**

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#### Petitioner

Toll Brothers, Inc.

#### Review Type

Revised RUD Amendment, Revised RUD Plan, Revised Preliminary Site Plan and Phasing Plan

#### Property Characteristics

- Site Location: North of Ten Mile Road and east of Wixom Road (Section 20)
- Site Zoning: RA, Residential Acreage
- Adjoining Zoning: North: RA and RA with RUD; South and East: RA; West: RA with RUD
- Current Site Use: Vacant
- Adjoining Uses: North: Single-family residential/Existing RUD; South: Vacant, Daycare Center, Single-family residential, Fire Station; West: Single-family residential/Existing RUD; East: Single-Family Residential, Vacant
- School District: Novi Community School District
- Site Size: 40.68 acres
- Plan Date: 12-21-12

#### Project Summary

The applicant is proposing to add a 40.68 acre parcel near the northeast corner of Ten Mile Road and Wixom Road to the existing Island Lake of Novi Residential Unit Development (RUD) Agreement in order to construct 74 single-family residential units. The existing agreement provides review standards for the development of the property where the terms of the development differ from the underlying ordinance standards.

There are currently 773 units constructed or approved in the existing Island Lake development. The addition of 74 units would bring the total number of units to 847 units, less than the amount permitted in the existing RUD Agreement (884 units). The applicant has also proposed increasing the number of units permitted in the agreement from 884 to 916 in order to allow for future expansion of the development. The additional future expansion area has not been identified.

The ordinance states that an RUD shall include detached one-family dwelling units, as is proposed in this phase. The applicant has not proposed any attached units, clubhouses, churches, schools or other uses that may be permitted as a part of the proposed development phase. While a variety of housing types is expected in an RUD, the overall density generally shall not exceed the density permitted in the underlying zoning district. The applicant has provided a statement that the proposed density will increase from 0.89 units/acre to 0.96 units/acre if the RUD Amendment is approved. The Island Lake Development is a combination of R-1, One Family Residential, and RA, Residential Acreage zoning.

The previously submitted RUD Plan, RUD Amendment and Preliminary Site Plan and proposed 75 single-family residential units. The Planning Commission held a public hearing on December 12, 2012 for the submitted RUD Plan. At that public hearing several members of the public expressed concerns. The Planning Commission postponed consideration of the item and adjourned the public hearing to a date to be determined to allow the applicant additional time to address the concerns of detailed in the staff and consultant review letters, and the concerns of the public.

## Planning Review

The Meadows of Island Lake of Novi  
JSP12-65

January 31, 2013

Page 2 of 7

The revised RUD Plan, RUD Amendment and Preliminary Site Plan propose 74 single-family units (1 less than previously proposed). The eliminated unit has been converted to open space and parkland and the applicant has offered to contribute \$25,000 to the Island Lake Homeowner's Association to be used for the expansion of the existing swimming pool deck. The applicant has also included several features to aid pedestrians, including a sidewalk connection to the proposed Dinser Drive sidewalk, a crosswalk on Wixom Road and the construction of approximately 928 feet of missing sidewalk within the Wixom Road right-of-way on the property south of the proposed development.

### Recommendation

Staff **recommends approval of the revised RUD Plan and RUD Amendment** to allow for the development of the subject property without an increase in the overall allowable units for the entire Island Lake of Novi development provided that the Planning Commission recommends and the City Council finds that the proposed plan meets the Zoning Ordinance standards for a major change to an approved RUD, as outlined in this letter. If the RUD Plan and RUD Amendment are approved by the City Council, the revised Preliminary Site Plan, Woodland Permit and Storm Water Management Plan will be considered by the Planning Commission.

While staff supports the increase in the number of units needed for this phase (an additional 74 units to the existing 773 units, and allowed within the previously approved maximum of 884 units) as identified on the submitted plans, **staff does not support the increase in the allowable number of units above what is shown (an additional 32 units to the overall development to allow up to 916 units) on the submitted RUD plan at this time.** If at some point in the future, additional land is identified for expansion of the RUD development, the applicant may return for revised RUD plan consideration at that time.

### RUD Standards

Any amendment or revision constituting a major change in the approved RUD plan shall be reviewed as if it were a new RUD plan. An increase in the number of dwelling units is considered a major change. The Planning Commission and City Council are asked to consider the following when evaluating the proposed RUD amendment. Staff comments are underlined and bracketed.

- a) The appropriateness of the site for the proposed use;
- b) The effects of the proposed use upon adjacent properties and the community;
- c) The demonstrable need for the proposed use;
- d) The care taken to maintain the naturalness of the site and to blend the use within the site and its surroundings;  
[While larger, valuable Walnut trees have been preserved along Dinser Drive, a significant amount of regulated woodland would be removed as part of the proposed development.];
- e) The existence of clear, explicit, substantial and ascertainable benefits to the City from the RUD.  
[The applicant has provided a narrative describing the benefits of the RUD.]

The Planning Commission and City Council shall consider the following factors noted in Section 2402.8 as part of their evaluation of the RUD Amendment. Staff comments are italicized and bracketed.

- a) Whether all applicable provisions of this Section [2402 of the Zoning Ordinance], other applicable requirements of this Ordinance, including those applicable to special land uses, and all applicable ordinances, codes, regulations and laws have been met.  
[The applicant has submitted the required application information.]
- b) Whether adequate areas have been set aside for all schools, walkways, playgrounds, parks, recreation areas, parking areas and other open spaces and areas to be used by residents of the development. The applicant shall make provisions to assure that such areas have been or will be committed for those purposes.

[Walkways have generally been provided as part of the proposed addition. The applicant has set aside 13.7% of the proposed development area as open space, some of which will be comprised of a recreation area. The applicant has offered to donate \$25,000 to the Island Lake Homeowner's Association to be used for expansion of the pool deck, an existing amenity.]

- c) Whether traffic circulation features within the site and the location of parking areas are designed to assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.  
[The applicant has provided for safe traffic flow as indicated in the traffic review letter.]
- d) Whether, relative to conventional one-family development of the site, the proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service, or, in the alternative, the development will provide onsite and offsite improvements to alleviate such impacts.  
[The development will not have a detrimental impact on existing thoroughfares over and above development under the existing zoning as indicated in the traffic review letter.]
- e) Whether there are or will be, at the time of development, adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water.  
[The applicant has provided for adequate stormwater management and utilities.]
- f) Whether, and the extent to which, the RUD will provide for the preservation and creation of open space. Open space includes the preservation of significant natural assets, including, but not limited to, woodlands, topographic features, significant views, natural drainage ways, water bodies, floodplains, wetlands, significant plant and animal habitats and other natural features. Specific consideration shall be given to whether the proposed development will minimize disruption to such resources. Open space also includes the creation of active and passive recreational areas, such as parks, golf courses, soccer fields, ball fields, bike paths, walkways and nature trails.  
[The applicant has set aside 13.7% of the proposed development area as open space, some of which will be comprised of a recreation area.]
- g) Whether the RUD will be compatible with adjacent and neighboring land uses, existing and master planned.  
[Uses permitted in the single-family zoning districts are proposed or existing on the surrounding parcels to the north and east. The adjacent property at the northeast corner of Ten Mile and Wixom Roads is developed as a daycare facility and an undeveloped, wooded lot. The Planning Commission and the City Council may wish to consider the future uses of this remainder property, currently zoned and master planned for residential uses.]
- h) Whether the desirability of conventional residential development within the City is outweighed by benefits occurring from the preservation and creation of open space and the establishment of school and park facilities that will result from the RUD. [One additional pocket park is proposed with this phase. Residents of this phase would have access to the parks and open space created in earlier phases of the Island Lake Development, with proposed pedestrian access provided for the phases located on the east side of Wixom Road.]
- i) Whether any detrimental impact from the RUD resulting from an increase in total dwelling units over that which would occur with conventional residential development is outweighed by benefits occurring from the preservation and creation of open space and the establishment of school and park facilities that will result from the RUD.



- j) Whether the proposed reductions in lot sizes and setback areas are the minimum necessary to preserve and create open space, to provide for school and park sites, and to ensure compatibility with adjacent and neighboring land uses.  
[A reduction in lot sizes below the Zoning Ordinance standards is proposed. Several lots would be deficient in terms of the required side yard setback even under the reduced standard.]
- k) Evaluation of the impact of RUD development on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost and with regard to the planned and expected contribution of the property to tax base and other fiscal considerations.
- l) Whether the applicant has made satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements.
- m) Whether the applicant has made satisfactory provisions for future ownership and maintenance of all common areas within the proposed development.  
[The new development area would be included in the amended Master Deed and By-laws for the Island Lake of Novi development.]
- n) Whether any proposed deviations from the area, bulk, yard, and other dimensional requirements of the zoning ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.

#### Ordinance Requirements

This project was reviewed for conformance with the standards of the RUD Agreement. Where the agreement fails to address an item of review, the underlying ordinance standards govern the review of the site including standards in Article 3 (RA Residential Acreage District), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant and or Planning Commission/City Council.

1. **RUD Intent:** As an optional form of development, the RUD allows development flexibility of various types of residential dwelling units (one-family, attached one-family cluster). It is also the intent of the RUD option to permit permanent preservation of valuable open land, fragile natural resources and rural community character that would be lost under conventional development. This is accomplished by permitting flexible lot sizes in accordance with open land preservation credits when the residential developments are located in a substantial open land setting, and through the consideration of relaxation of area, bulk, yard, dimensional and other zoning ordinance standards in order to accomplish specific planning objectives.

This flexibility is intended to reduce the visual intensity of development; provide privacy; protect natural resources from intrusion, pollution, or impairment; protect locally important animal and plant habitats; preserve lands of unique scenic, historic, or geologic value; provide private neighborhood recreation; and protect the public health, safety and welfare.

Such flexibility will also provide for:

- The use of land in accordance with its character and adaptability;
- The construction and maintenance of streets, utilities and public services in a more economical and efficient manner;
- The compatible design and use of neighboring properties; and
- The reduction of development sprawl, so as to preserve open space as undeveloped land.

Amendments and Revisions to an approved RUD plan shall require all procedures and conditions that are required for original submittal and review for amendments that are considered "major changes". The addition of land area and increase in the number of dwelling units are both considered "major changes", so full review of the ordinance standards is necessary at this time.

2. **Density:** The currently approved RUD Agreement allows up to 884 dwelling units. A total of 773 dwelling units have been approved for the development through site plan approvals. The applicant is seeking to add 74 units in this phase, and increase the permitted density an additional 32 units for a phase yet to be determined. The applicant has indicated that the density approved in the RUD is 0.97 units/acre. With the proposed addition of 32 units, and if the total number of units permitted is constructed, the actual density will be 0.96 units/acre. The applicant has provided the updated density calculations for the entire development and Island Lake of Novi will be within the permitted density with the new proposed development area.
3. **Lot Size and Area:** One-family detached dwellings are subject to the minimum lot area and size requirements of the underlying district. RA zoning requires 43,560 sq. ft. lots that are a minimum of 150 ft. wide. The applicant has proposed a minimum size of 12,000 sq. ft. and a minimum width of 90 ft., consistent with the currently approved RUD Agreement standards. **The City Council may modify lot size and width requirements where such modification will result in the preservation of open space for those purposes set forth in Section 2402.3B of the Zoning Ordinance and where the RUD will provide a genuine variety of lot sizes. The plans indicate that a total of 5 acres of open space will be maintained in this phase of development (mostly in the perimeter buffering, the detention basin area and the proposed pocket park), which is about 13.7 percent of the area in this phase. The applicant has provided a summary of lot sizes throughout the entire development. Taken as a whole, there are a variety of lot sizes throughout Island Lake of Novi. In the proposed phase, lots range from approximately 12,000 sq. ft. to 28,719 sq. ft., allowing for some variation in lot size. This is consistent with other phases of Island Lake of Novi.**
4. **Building Setback:** One-family detached dwellings in an RUD are subject to the building setback regulations of the underlying zoning district, in this case the RA District. The RA District setbacks are listed in the attached planning review chart. The applicant has proposed building setbacks generally consistent with the currently approved RUD Agreement standards. **This setback reduction would be permitted provided the City Council agrees to the reduction in lot size and area noted above.** Additionally, the applicant has proposed a 7 ft. side yard setback in several instances, which would be deficient even if the current RUD Agreement standards are used. **Provided lot sizes and widths are reduced as part of the RUD plan approval, the City Council is authorized to grant deviations from the strict terms of the Zoning Ordinance with a Council finding of the following factors listed in Sec. 2402.6:**
  - a. That each zoning ordinance provision from which a deviation is sought would, if the deviation were not granted, prohibit an enhancement of the development that would be in the greater public interest;
  - b. That approving the proposed deviation would be compatible with the existing and planned uses in the surrounding area;
  - c. That the proposed deviation would not be detrimental to the natural features and resources of the affected property and surrounding area, or would enhance or preserve such natural features and resources;
  - d. That the proposed deviation would not be injurious to the safety or convenience of vehicular or pedestrian traffic. In determining whether to grant any such deviation, the Council shall be authorized to attach reasonable conditions to the RUD plan, in accordance with Section 2402.10; and
  - e. That the proposed deviation would not cause an adverse fiscal or financial impact on the City's ability to provide services and facilities to the property or to the public as a whole.**The applicant has provided justification related to the requested deviation indicating there is a conflict between the originally approved RUD and current City ordinances regulating driveways necessitating a three foot deviation for side-entry garages.**

## Planning Review

The Meadows of Island Lake of Novi  
JSP12-65

January 31, 2013

Page 6 of 7

5. Submittal Requirements: The applicant has submitted the items noted in Section 2402.7 of the ordinance including a recent aerial photo with a scale not smaller than 1"=200"; a written statement regarding the expected population for the RUD Plan; and a statement regarding the proposed mechanism to assure the permanent preservation and maintenance of open space areas, RUD amenities, and common areas.
6. Private Parks and Recreation Areas: At the Pre-Application meeting, the applicant indicated that residents of "The Meadows" phase would be permitted to use the private parks, recreation areas and clubhouse that have been established for the Island Lake community. Staff inquired about whether non-motorized improvements would be proposed to assist in allowing for non-motorized traffic to cross Wixom Road. The approved Non-Motorized Master Plan shows an existing signalized pedestrian crosswalk at Ten Mile Road and Wixom Road, and another crossing location planned for Wixom Road, north of Ten Mile Road. The applicant has proposed a sidewalk connection to the proposed Dinser Drive sidewalk, a crosswalk on Wixom Road and the construction of approximately 928 feet of missing sidewalk within the Wixom Road right-of-way on the property south of the proposed development.
7. Special Land Use: The Planning Commission shall also consider the standards for Special Land Use approval as a part of its review of the proposed RUD modification, per Section 2402.8.B.
8. Master Deed and By-laws: The amended Master Deed and By-laws must be submitted for review with the Final Site Plan submittal.
9. Parcel Combination/Split: It appears a parcel combination and/or parcel split is proposed. All combinations and splits must be completed prior to Stamping Set approval.
10. Signage: Exterior Signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland (248.347.0438) for information regarding sign permits.

### Site Addressing

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

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

### Street and Project Name

This proposed streets will need approval from the Street and Project Naming Committee. Please contact Richelle Leskun (248-347-0579) in the Community Development Department for additional information.

### Pre-Construction Meeting

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

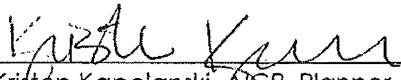
### Chapter 26.5

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

**Response Letter**

A letter from either the applicant or the applicant's representative addressing comments in this and other review letters is required prior to consideration by the Planning Commission and with the next plan submittal.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0586 or [kkapelanski@cityofnovi.org](mailto:kkapelanski@cityofnovi.org).

  
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Kristen Kapelanski, AICP, Planner  
Attachments: planning review chart

**Planning Review Summary Chart**

JSP12-65 The Meadows of Island Lake of Novi  
 Revised Preliminary Site Plan and RUD Amendment  
 Plan Date: 12-21-12

Item	Proposed	Meet Requirements?	Comments
Property is master planned for single family residential use	No change	Yes	
Zoning is currently RA, Residential Acreage	Inclusion in the Island Lake of Novi RUD		Applicant has submitted an amendment to the Island Lake RUD Agreement.
Use (Sec. 2402) single family detached homes, etc.	Single-family, detached homes proposed	Yes	
<b>Density (RUD term)</b>  884 dwelling units permitted under current RUD agreement	<p>Island Lake has 773 dwelling units under currently approved site plans.</p> <p>Up to 884 dwelling units are permitted.</p> <p>The applicant has indicated up to 74 units could be constructed on the subject property bring the total number of units to 847 units.</p> <p>The applicant has proposed to add 32 units to the RUD meaning up to 916 units could be developed in order to allow for potential expansion of the RUD in the future.</p>		<p>See the planning review letter for additional information.</p> <p>The applicant has indicated the total density of the Island Lake of Novi development will be 0.96 units per acre, consistent with the originally approved density of 0.97 units per acre.</p> <p>The applicant has indicated the additional 32 units are proposed to be included in the RUD to allow for additional expansion of the development in the future.</p>
<b>RUD Ordinance Standards (Sec. 2402)</b>			
Required property size – 20 acres	40.68 acres	Yes	
Detached one-family dwellings permitted	Detached one-family dwellings	Yes	

Item	Proposed	Meet Requirements?	Comments
<p><b>Minimum Lot Size</b> (Sec. 2402.4 and RUD term) One-family detached dwellings are subject to the minimum lot area requirements of the underlying district. RA zoning requires 43,560 sq. ft. lots.</p> <p>Non waterfront lots in the RUD are required to be a minimum of 12,000 square feet</p>	<p>Minimum lot size 12,000 sq. ft.</p>	<p>No</p>	<p>The City Council may modify such lot area requirements where such modification will result in the preservation of open space for those purposes set forth in subpart 2402.3B and where the RUD will provide a genuine variety of lot sizes.</p> <p>See the planning review letter for additional information.</p>
<p><b>Minimum Lot Width</b> (Sec. 2402.4 and RUD term) One-family detached dwellings are subject to the minimum lot width requirements of the underlying district. RA zoning requires 150 ft. lot widths.</p> <p>Non waterfront lots in the RUD are required to be a minimum of 90 feet wide</p>	<p>Minimum 90 ft. lot width</p>	<p>No</p>	<p>The City Council may modify such lot width requirements where such modification will result in the preservation of open space for those purposes set forth in subpart 2402.3B and where the RUD will provide a genuine variety of lot sizes.</p> <p>Lot sizes in this proposed Phase 7 are similar to lot sizes in the recently added Phase 5C, which is currently under construction west of Oak Pointe Church.</p>
<p><b>Building Setbacks</b> (Sec. 2402.5 and RUD term) One-family detached dwellings shall be subject to the minimum requirements of the zoning district.</p> <p>RA zoning Front: 45 ft. Rear: 50 ft. Side: 20 ft. Side Yard Aggregate: 50 ft.</p> <p>If lot sizes are reduced in accordance with Sec. 2402.4 yard requirements shall be governed by that zoning district which has minimum lot area and width standards that correspond to the dimensions of the particular lot.</p> <p>For 90 foot wide lots: Front: 30 feet Rear: 35 feet Side Minimum: 10 feet</p>	<p>Front: Min. 30 ft. Rear: 35 ft. Side: 7 ft. Aggregate Side: 30 ft.</p> <p>Entire building envelope shown on plans</p>	<p>No</p>	<p>7' side yard setback shown in several instances.</p> <p>Provided lot sizes and widths are reduced as part of final approval of an RUD plan, the City Council shall be authorized to grant deviations from the strict terms of the zoning ordinance with a Council finding of the factors listed in Sec. 2402.6.</p>

Item	Proposed	Meet Requirements?	Comments
Side Combined: 30 feet			
<b>Minimum Floor Area (Sec. 2400)</b> Units must be greater than 1,000 square feet	No minimum unit size shown or required at this point	N/A	Building size reviewed at plot plan phase
<b>Building Height (Sec. 2400)</b> Buildings shall not exceed 2 ½ stories or 35 feet	No elevations provided at this time	N/A	Building height reviewed at plot plan phase
<b>Sidewalks (RUD term)</b> A pedestrian network plan was approved as part of the RUD. This plan requires sidewalks along all internal roads.	Sidewalks shown	Yes	
<b>Open Space (RUD term)</b> The RUD includes an open space plan, indicating certain areas to be set aside as community open space	The current plan does not encroach into those areas designated for open space. The proposed development area includes 13.7% open space.	Yes	See the planning review letter for additional information.

Review Prepared by Kristen Kapelanski, AICP

**ENGINEERING REVIEW**





## PLAN REVIEW CENTER REPORT

January 31, 2013

### Engineering Review

The Meadows of Island Lake of Novi  
JSP12-0065

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#### Petitioner

Toll Bros. Inc., applicant

#### Review Type

Revised Preliminary Site Plan

#### Property Characteristics

- Site Location: E. of Wixom Rd and N. of Ten Mile Rd
- Site Size: 40.68 acres
- Plan Date: December 21, 2012

#### Project Summary

- Construction of a 75 lot two-phase single family subdivision on approximately 40.68 acres. Site access would be provided by Wixom Road and Acorn Trail.
- Water service would be provided by the existing 12-inch water mains on Wixom Rd that would be extended through the proposed development as an 8-inch public water main. Extension of the water main across the Ten Mile Road and Dinser Road frontages as a 12-inch water main.
- Sanitary sewer service would be provided by a 10-inch extension from the existing 10-inch sanitary sewer along the west side of Wixom Road with a stub to Dinser Drive.
- Storm water would be collected by two storm sewer collection systems, one directing flow into an expansion of the existing detention basin (Basin 1) in Island Lake 3C and the other directing flow into a proposed detention basin (Basin 2) south of Basin 1. Basin 1 and Basin 2 are proposed to discharge into a storm sewer network that ultimately outlets into Island Lake.

#### Recommendation

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

**Comments:**

The Revised 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. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal.

**Water Main**

2. Provide a profile for all proposed water main with a note stating that a minimum cover of five and one-half (5½) feet shall be maintained at all times.
3. 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**

4. Provide a profile for all proposed sanitary sewer with a note stating that a minimum cover of four (4) feet shall be maintained at all times.
5. Revise the sanitary sewer service area to show how the area south of Delmont Drive and west of the ITC property will be served, either by the sanitary stub provided in Island Lake 3C or the proposed sanitary stub on Dinsler Drive. The sanitary service area for the proposed stub should be maximized to eliminate any breaks in service area. This may require an increase in invert depth for the proposed stub on Dinsler Drive.
6. Five (5) sealed sets of revised utility plans along with the MDEQ permit application (11/07 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**

7. Provide a profile of the proposed storm sewer showing a minimum cover of 3 feet and all catch basin sumps.
8. Provide the location for all residential sump leads. All leads must discharge into the subdivision's storm sewer network.

Storm Water Management Plan

9. 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.
10. A revised Storm Drain Maintenance agreement for Island Lake 3C may be required for the changes to Basin 1.

Paving & Grading

11. Provide spot elevations to demonstrate a level landing adjacent to each side of the pathway crossing and general ADA compliance.
12. No more than ¼" vertical obstacle shall be allowed at each transition between the pathway and the drive approach.

Off-Site Easements

13. Provide a temporary construction easement for the detention basin expansion in Island Lake 3C.
14. Provide a revised Storm Drainage Maintenance Agreement for Island Lake 3C

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

15. 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.
16. 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:

17. 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.
18. 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.


19. 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.
20. 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.
21. Executed copies of any required off-site utility/construction easements must be submitted to the Community Development Department.

**The following must be addressed prior to construction:**

22. 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).
23. 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.
24. 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.
25. 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.
26. A permit for work within the right-of-way of Wixom Rd and Dinsler Dr 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.
27. A permit for work within the right-of-way of Ten 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.
28. 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.
29. 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.
30. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.

31. 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.
32. 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.
33. 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.
34. Permits for the construction of each retaining wall (if applicable) must be obtained from the Community Development Department (248-347-0415).

Please contact Adam Wayne at (248) 735-5648 with any questions.



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cc: Ben Croy, Engineering  
Brian Coburn, Engineering  
Kristen Kapelanski, Community Development Department  
Tina Glenn, Water & Sewer Dept.

**TRAFFIC REVIEW**

January 28, 2013

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

**SUBJECT: The Meadows (of Island Lake of Novi), JSP12-0065,  
Traffic Review of Revised Island Lake RUD Amendment (PRUD13-0003)  
& Revised Preliminary Site Plan (PSP13-0039)**

Dear Ms. McBeth:

At your request, we have reviewed the above and offer the following recommendation and supporting comments.

#### Recommendation

We recommend approval of the above two items, subject to the items shown below in **bold** being satisfactorily addressed on the final site plan.

#### Site Description

What is the applicant proposing, and what are the surrounding land uses and road network?

1. The applicant is proposing 74 single-family home sites on a 40.68-acre site on the northeast corner of Wixom and 10 Mile Roads (surrounding two outlots at the immediate corner). Primary vehicular access would occur via an easterly extension of Drakes Bay from its current east terminus at Wixom Road, and secondary vehicular access would occur via a southerly extension of Acorn Trail (from an earlier phase of Island Lake).
2. Most surrounding land is in residential use or undeveloped. Earlier phases of Island Lake lie to the north and west, scattered homes in residential-acreage districts are south and east, and a City fire station is located on the south side of 10 Mile opposite Wixom Road.
3. Wixom Road is a 35-mph minor arterial under City of Novi jurisdiction. This two-lane road widens to include a center left-turn lane at selected locations, such as Drakes Bay. A speed study done for the City showed that the average daily traffic (ADT) volume at a point about midway between 10 and 11 Mile Roads was approximately 7,500 vehicles in November 2010; however, a just-completed study at Wixom and Glenwood (north of 11 Mile) shows that Wixom's daily volume has increased about 20% over the past two years.

#### Trip Generation & Traffic Study

Was a traffic study submitted and was it acceptable? How much new traffic would be generated?

4. Seventy-four single-family detached homes can be expected to generate about 796 one-way vehicle trips per day, 61 in the AM peak hour (15 entering and 46 exiting) and 80 in the PM peak hour (50 entering and 30 exiting). Since peak-hour, peak-direction trips would be less than 75, the applicant does not need to prepare and submit a formal traffic study.

#### **Vehicular Access Locations**

Do the proposed "driveway" locations meet City spacing standards?

5. As indicated above, both points of vehicular access would be extensions of existing streets. Relative to the primary access on Wixom Road, the nearest existing intersections are 10 Mile Road to the south and Braeburn Lane to the north, both about 900 ft from Drakes Bay.

#### **Vehicular Access Improvements**

Will there be any improvements to the abutting road(s) at the proposed access point(s)?

6. None have been proposed, other than a note (on plan sheet 15) indicating that the southbound center-lane approach to Drakes Bay will be re-stripped for a left-turn lane. This re-stripping will have to be detailed on the final site plan. Based on the plan's rendition of existing conditions, it appears that it would be feasible to provide an adequate, 75-ft-long southbound left-turn lane at least 10-12-ft wide, extending north from an imaginary east-west extension of the north curb of Drakes Bay; over this distance, all crosshatching will have to be ground off, a 4-inch-wide solid white line placed along the west side of the turn lane, and a left-only arrow and the word ONLY painted on the pavement. A 50-ft-long entry gap should then be provided north of the full-width left-turn lane, by grinding off the double-yellow striping west of the centerline as well as all crosshatching.
7. To afford northbound left-turn drivers a sense of equal turning priority, the lane markings on the northbound approach should be extended north to a point opposite an imaginary east-west extension of the south curb of Drakes Bay.
8. The approved 2002 plan for Island Lake called for a RIGHT LANE MUST TURN RIGHT (R3-7R) sign on southbound Wixom Road approaching Drakes Bay, at the north end of a 60-ft-long solid white stripe separating the right-turn lane from the through lane (and about 80 ft in advance of the north curb of Drakes Bay). However, as can be seen in the attached photo, no such sign existed as of May 2009. Given the proposed addition of a southbound left-turn lane at this location, we recommend that a left-only + through-only + right-only Lane Control (R3-8b) sign be installed in place of the missing R3-7R.
9. The 2010 speed sample on Wixom Road near Delmont Drive showed that 38% of the traffic in the 5:00-6:00 p.m. peak hour was northbound. Making the worst-case assumption that this percentage of all traffic entering The Meadows would turn right from Wixom Road that hour, the entering right-turn volume would be 19 vehicles. It may be reasonable to also assume that the ADT volume on Wixom at this location is now 20% higher than it was at Delmont in 2010 (per comment 3 above), or 9,000 vehicles. Coincidentally, the above



combination of peak-hour right-turn volume and roadway ADT volume appears to exactly equal the City's warrant for a right-turn taper (per DCS Figure IX.10). However, assuming that at least some traffic would enter via Acorn Trail/Braeburn Lane or existing Drakes Bay, the warrant would not quite be met, even under the assumed new level of through traffic. Given this conclusion, the moderate (35-mph) speed limit, and the entry design of other side streets to the north, we are not recommending (and the applicant is not proposing) deceleration and/or acceleration tapers on Wixom at Drakes Bay East.

#### **Access Drive Design & Control**

Are the proposed design, pavement markings, and signage satisfactory?

10. The first boulevard island upon entering from Wixom Road would be about 58 ft long, slightly longer than the Novi standard but shorter than the maximum permitted (per DCS Figure IX.3). The nose offset, individual entering and exiting road widths, and curb return radii all meet City standards.
11. Consistent with our pre-application comments, the only pavement markings on the new westbound approach to Wixom Road would be those for a north-south crosswalk. Currently, the plan simply notes "Pro. 8' wide crosswalk striping." **The final site plan should show two MMUTCD-standard 6-inch-wide white longitudinal stripes spaced 8 ft apart (the width of the paved safety path north and south of this intersection).**
12. Since the preliminary site plan was first submitted, an east-west crosswalk has been added on the north side of the Wixom/Drakes Bay intersection, with an attached note reading in part "(Design to match two (2) existing painted crosswalks further north on Wixom Road)." **The pattern and color of this crosswalk must be consistent with MMUTCD standards and detailed on the final site plan.**
13. **The two Keep Right signs now proposed at the 28-ft-wide opening between the two boulevard islands are unnecessary and should be deleted.**
14. To afford drivers turning right onto Drakes Bay East from Lake View Drive a better opportunity to notice and benefit from the **proposed westbound Lane Control (R3-8 modified) sign, that sign should be relocated 55 ft to the west, where it would still be 80 ft in advance of the STOP sign.**
15. **Clear-vision triangles consistent with DCS Figure VIII-E and 11 Mile Road's 35-mph speed limit should be shown on the plan at Wixom and Drakes Bay East.**

#### **Pedestrian Access**

Are pedestrians safely and reasonably accommodated?

16. An 8-ft-wide safety path is proposed along Wixom Road, consistent with what was previously provided for Island Lake along this side of the road to the north. **The plan should note the type of paving proposed for this path (concrete or asphalt).**

17. In response to our pre-application comments, a walk was proposed between the development and the 10 Mile sidewalk, roughly midway along the development's 10 Mile Road frontage. **The plan should note that this walk and the 6-ft-wide walk along the north side of 10 Mile will be constructed of Portland cement concrete.**
18. Unless otherwise specified by the City's ADA Compliance Officer, **ADA-compliant sidewalk ramps – equipped with detectable warning surfaces – should be provided on the:**
  - a. **Safety path on both sides of Drakes Bay East.**
  - b. **Ten Mile Road sidewalk on the west side of Dinser Drive.**
  - c. **All internal sidewalk stubs (which have now been proposed in all requested locations).**

#### **Circulation & Parking**

Can vehicles safely and conveniently maneuver through the site?

19. All proposed street widths, centerline radii, and curb return radii meet or exceed City standards. The two very short U streets substantially conform to City design standards for a cul-de-sac turnaround.
20. The sign symbols distributed around the plan show only one street-name sign per intersection. **Both streets at each intersection (both external and internal) must be equipped with a street-name sign.**
21. To help ensure circulation by emergency vehicles, **each U-street island should be equipped with two pair of back-to-back, 12-inch No Parking symbol (R8-3) signs. Such sign posts should be located at the ¼ and ¾ points around the periphery of each island. (Since there is no approaching centerline relative to each of these two islands, there is no need for the customary Keep Right sign.)**
22. Given proposed phasing, it appears likely that after the construction of Phase 7A but before construction of Phase 7B, there may be two temporary, 108-130-ft-long stubs in Drakes Bay East south of Meadow View Drive. **At a minimum, the plan should call for the temporary placement of an End of Road (OM4-3) marker on the centerline at the end of each stub. A plan note should be included calling for the removal of the two markers upon extending the road into Phase 7B.**
23. The same sign legend appears on each of several sheets. **The plan should clarify that this sign legend / sign quantity table applies to the entire plan, not just the particular sheet on which it appears. Also, reflecting earlier comments, the table should include:**

- a. A left-only + through-only + right-only Lane Control (R3-8b) sign (for SB Wixom approach to Drakes Bay.)
- b. One Lane Control (R3-8 modified) sign, specifically a left-only + shared through/right sign, not two as now listed (for WB Drakes Bay).
- c. Two diagrammatic Keep Right (R4-7) signs, not two as now listed (for the west end of the west boulevard island and the east end of the east boulevard island).
- d. A total of 14 street-name signs, not seven. Per City standards (available from the City Engineering Division), the street-name signs at the Wixom/Drakes Bay East intersection will be larger than the internal signs.
- e. A total of eight No Parking Symbol signs (R8-3, 12-inch size), mounted on four posts (two on each U-street island).
- f. Two End of Roadway (OM4-3) object markers (red reflective diamond panels) (for temporary placement in Drakes Bay East prior to construction of Phase 7B).

Sincerely,  
CLEARZONING, INC.

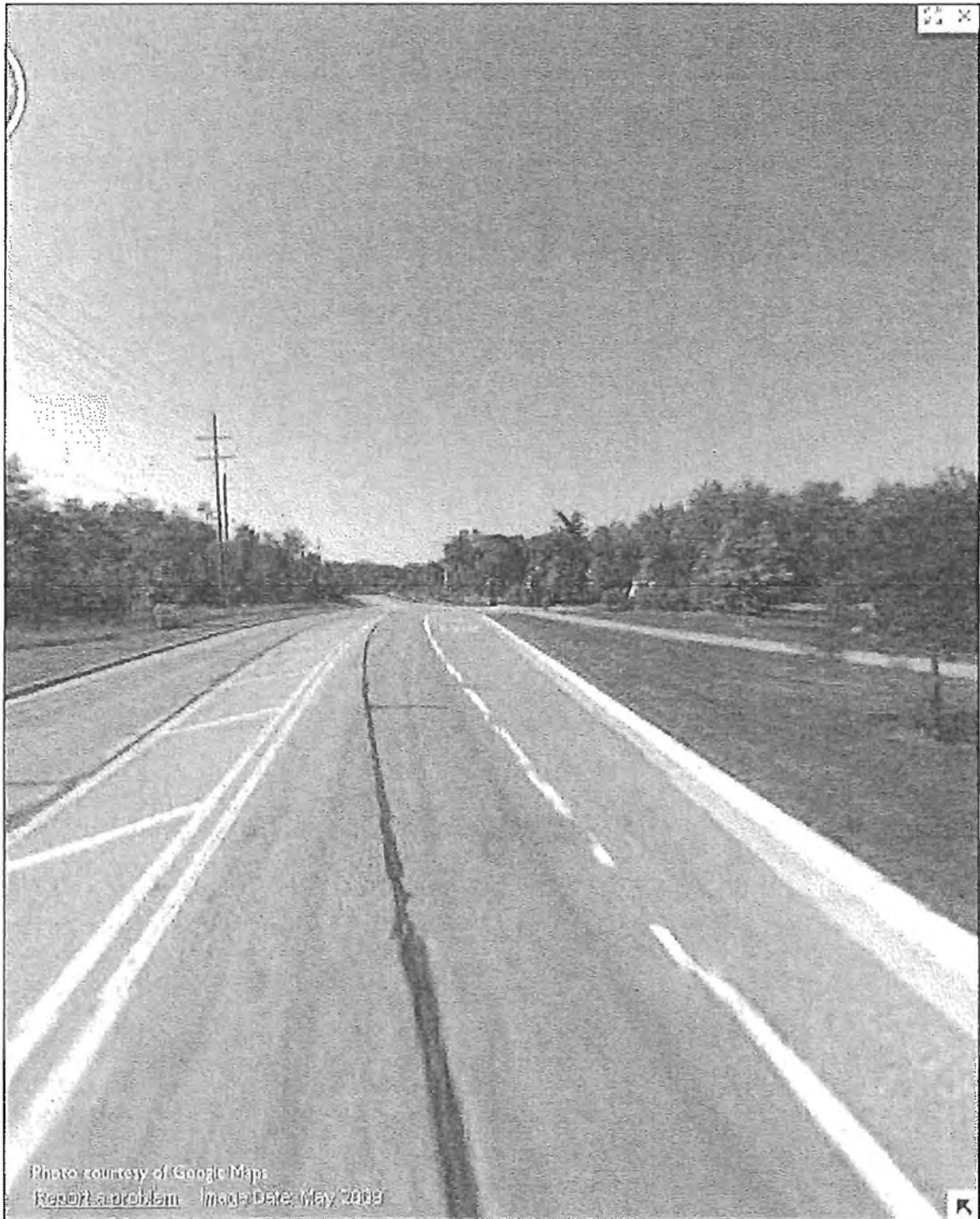


Rodney L. Arroyo, AICP  
President



William A. Stimpson, P.E.  
Director of Traffic Engineering

Attachment:  
Google street-level photo of SB Wixom Rd approach to Drakes Bay



**Southbound Wixom Road Approach to Drakes Bay**

LANDSCAPE REVIEW



# PLAN REVIEW CENTER REPORT

December 27, 2012

## Revised Preliminary Landscape Review

Meadows of Island Lake JSP#12-0065

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### Property Characteristics

- Site Location: North of Ten Mile Road and east of Wixom Road (Section 20)
- Site Zoning: RA, Residential Acreage
- Adjoining Zoning: North: RA and RA with RUD; South and East: RA; West: RA with RUD
- Current Site Use: Vacant
- Adjoining Uses: North: Single-family residential/Existing RUD; South: Vacant, Daycare Center, Single-family residential, Fire Station; West: Single-family residential/Existing RUD; East: Single-Family Residential, Vacant
- School District: Novi Community School District
- Site Size: 40.68 acres
- Plan Date: 12-21-12

### Recommendation

**Approval of the Revised Preliminary Site Plan for Meadows of Island Lake JSP#12-65 is recommended provided the Applicant receives the necessary waivers from the Planning Commission.**

### Ordinance Considerations

#### Adjacent to Residential – Buffer (Sec. 2509.3.a.)

1. The project is completely surrounded by residentially zoned properties. There are no requirements for buffering between residentially zoned properties.

#### Adjacent to Public Rights-of-Way – Berm (Wall) & Buffer (Sec. 2509.3.b.)

1. The project property is adjacent to public right of ways on Dinsler, Ten Mile and Wixom roads. A thirty four foot (34') wide landscaped greenbelt and berm is required at the exterior road frontages. The non-access greenbelt has been adjusted so as not to include any portion of proposed lots. The Applicant has met these requirements with the exception of discontinuing the berms in areas where existing mature vegetation and protected trees are to be preserved. **The discontinuation of the berms in the locations of existing vegetation would require a Planning Commission waiver. Staff would support the waiver.**
2. Berms have been discontinued where located adjacent to proposed storm basins along Wixom Road. **A landscape berm is required in this location or a waiver will be necessary from the Planning Commission. Staff would support the waiver as the Wixom Road basin is the continuation of an existing basin with no existing berm.** The Applicant has proposed significant landscape along this buffer zone as a screen for the basin. The Applicant has further provided

additional plantings at the main basin in areas off the subject site but on Island Lake property. These will enhance the existing basin.

**Street Tree Requirements (Sec. 2509.3.b.)**

1. Street tree requirement calculations have been provided.
  - a. The Applicant has met the requirement for street trees on proposed internal roadways.
  - b. The Applicant has met the requirement for street trees on proposed external roadways. Sub-canopy trees have been substituted for full size canopy trees where overhead utility lines exist as allowed under the ordinance.
2. The Applicant has met landscape requirements at proposed cul-de-sac islands.

**Parking Landscape (Sec. 2509.3.c.)**

1. No public parking areas have been proposed.

**Building Foundation Landscape (Sec. 2509.3.d.)**

1. No public buildings are proposed.

**Plant List (LDM)**

1. The Plant List meets the requirements of the Ordinance and Landscape Design Manual.

**Planting Details & Notations (LDM)**

1. Planting Details and Notations meet the requirements of the Ordinance and Landscape Design Manual.

**Irrigation (Sec. 2509 3.f.(6)(b))**

1. All landscape areas are required to be irrigated. A note has been provided stating that the existing irrigation system will be appropriately modified in the area of the addition.

**General**

1. Please see the Woodland and Wetland reviews for related comments.
2. Please specify a native seed mix for the interior of storm basins.
3. Please provide additional details for the proposed play area.

Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance. For the landscape requirements, see the Zoning Ordinance landscape section on 2509, Landscape Design Manual and the appropriate items in the applicable zoning classification. Also see the Woodland and Wetland review comments.

**Financial Requirements Review**

To be completed at time of Final Site Plan Review.

Item	Amount	Verified	Adjustment	Comments
Full Landscape Cost Estimate	\$ 151,416			Includes street trees. Does not include irrigation costs.
Final Landscape Review Fee	\$ 2,271.24			1.5% of full cost estimate Any adjustments to the fee must be paid in full prior to stamping set submittal.

**Financial Requirements (Bonds & Inspections)**

Item	Required	Amount	Verified	Comments
Landscape Cost Estimate	YES	\$ 171,416		Does not include street trees. Includes irrigation.
Landscape Financial Guaranty	YES	\$ 257,124		This financial guarantee is based upon 150% of the verified cost estimate. For Commercial, this letter of credit is due prior to the issuance of a Temporary Certificate of Occupancy. For Residential this is letter of credit is due prior to pre-construction meeting.
Landscape Inspection Fee (Development Review Fee Schedule 3/15/99)	YES	\$ 10,284.96		For projects up to \$250,000, this fee is \$500 or 6 % of the amount of the Landscape cost estimate, whichever is greater.  This cash or check is due prior to the Pre-Construction meeting.
Landscape Administration Fee (Development Review Fee Schedule 3/15/99)	YES	\$ 1,542.74		This fee is 15% of the Landscape Inspection Fee. This cash or check is due prior to the Pre-Construction meeting.
Transformer Financial Guarantee	NO	\$ 0		\$500 per transformer if not included above. For Commercial this letter of credit is due prior to the issuance of a Temporary Certificate of Occupancy. For Residential this is letter of credit is due prior to pre-construction meeting.
Street Tree Financial Guaranty	YES	\$ 103,200		\$400 per tree.
Street Tree Inspection Fee	YES	\$ 6,192		6% of the Street Tree Bond as listed above.
Street tree Maintenance Fee	YES	\$ 6,450		\$25 per tree.
Landscape Maintenance Bond	YES	\$ 17,141		10% of verified cost estimate due prior to release of Financial Guaranty.



**WETLAND REVIEW**



Environmental Consulting & Technology, Inc.

January 21, 2013

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

Re: The Meadows of Island Lake of Novi  
Wetland Review of the Revised Preliminary Site Plan  
JSP12-0065

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Preliminary Site Plan (Plan) for the proposed *The Meadows of Island Lake of Novi* project prepared by Alpine Engineering, Inc. dated December 21, 2012. 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 previously visited the site on October 31, 2012 with the Applicant's wetland consultant (King & MacGregor Environmental) for the purpose of a Wetland Boundary Delineation.

During the Wetland Boundary Delineation, two areas of on-site wetland were delineated and flagged. The northernmost wetland appears to be the result of a man-made depression/excavation and is considered non-essential by ECT. The southernmost wetland appears to be a City of Novi essential wetland but not regulated by the MDEQ. The wetland boundaries appear to be accurately depicted on the Plan.

The proposed development is located north of Ten Mile Road and east of Wixom Road in Section 20. The proposed project involves the construction of a 2-phase site condominium development (totaling 74 units), associated roads and utilities and two stormwater detention basins.

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

**Wetland Impact Review**

As previously noted, two (2) relatively small areas of emergent wetland exist on this parcel totaling 0.17 acres of wetland (see Figure 1). The following table summarizes the existing wetlands and the proposed wetland impacts:

**Table 1. Proposed Wetland Impacts**

Wetland Area	Wetland Area (acres)	City Regulated?	MDEQ Regulated?	Impact Area (acre)	Impact Volume (cubic yards)
A	0.03	City Regulated /Non-Essential	No	0.03	Information Not Provided
B	0.14	City Regulated /Essential	No	0.14	Information Not Provided
TOTAL	0.17	--	--	0.17	Information Not Provided

Based on the essentiality criteria outlined in the City of Novi's Wetland and Watercourse Protection Ordinance, ECT believes that Wetland A does not appear to be City-essential wetland. Wetland A appears to be a man-made depression located along an existing property/lot boundary. This wetland area is dominated by Phragmites (common reed), an invasive species. It is ECT's opinion that this wetland area is a non-essential wetland and is not deemed essential to the preservation of the natural resources of the city because it does not appear to meet one or more of the essentiality criteria set forth in the City's Wetland and Watercourse Protection Ordinance (subsections 12-174(b)(1) – (10)).

Wetland B on the south side of the project site, appears to be considered essential by the city as it appears to meet one or more of the essentiality criteria set forth in the City's Wetland and Watercourse Protection Ordinance (i.e., storm water storage/flood control, wildlife habitat, etc.).

This information has been noted in the *Proposed Wetland Impacts* table, above. Because neither wetland is contiguous to or within 500 feet of any inland lakes, streams or ponds and is less than five acres in size, they do not appear to be regulated by the Michigan Department of Environmental Quality.

The filling of Wetland A is proposed for the purpose of constructing Lots 16 and 17. The filling of Wetland B is proposed for the purpose of constructing Lots 48, 49 and 50.

In addition to wetland impacts, the Plan also specifies impacts to the 25-foot natural features setbacks. As with the Preliminary Site Plan submittal, the current Plan does not indicate the impact areas (i.e., calculated area in square feet) associated with the proposed disturbance to the 25-foot wetland setbacks. This information is necessary in order to complete an Authorization to Encroach the Regulated 25-Foot Wetland Setback at the time of project permitting. This information should be provided on the Final Site Plan.

### Comments

The following are repeat comments from ECT's Wetland Review of the Preliminary Site Plan Letter dated December 3, 2012. The current status of each comment follows in ***bold italics***. It should be noted that the Applicant's Engineer stated in their preliminary site plan review response letter dated December 21, 2012 that the wetland items noted in our previous review letter would be addressed at the time of Final Site Plan.

1. Neither Wetlands A nor Wetland B appear to be MDEQ-regulated. Both Wetland A and Wetland B appear to be regulated by the City of Novi, however only Wetland B appears to be considered essential (i.e., exhibit storm water storage function as well as provide wildlife habitat). Wetlands deemed essential by the City of Novi require the approval of a use permit for any proposed impacts to the wetland.

***This item still applies. The proposed wetland impacts will require a City of Novi Wetland and Watercourse Permit as well as an Authorization to Encroach the 25-Foot Wetland Setback letter.***

2. The Plan does not appear to currently indicate the impact areas associated with the proposed disturbance to the 25-foot wetland setbacks. The impact areas should be noted on the Plan.

***This item has not been addressed. The impacts to the wetland buffers (25-foot wetland setbacks) shall be indicated and quantified on the Plan. The wetland buffer impact information (i.e., calculated area in square feet) associated with the proposed disturbance to the 25-foot wetland setbacks is necessary in order to complete an Authorization to Encroach the Regulated 25-Foot Wetland Setback at the time of project permitting. This information should be provided on the Final Site Plan.***

### Permits

It appears as though a City of Novi Wetland and Watercourse Minor Use Permit and an Authorization to Encroach the 25-Foot Natural Features/Wetland Setback would be required for the proposed impacts. It does not appear that a MDEQ Wetland Permit is required.

The Meadows of Island Lake of Novi  
Wetland Review of the Revised Preliminary Site Plan (JSP12-0065)  
January 21, 2013  
Page 4 of 5

**Recommendation**

ECT recommends conditional approval of the Revised Preliminary Site Plan with the condition that the above comments be satisfactorily addressed in the Final Site Plan.

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

Respectfully submitted,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**

A handwritten signature in black ink, appearing to read "Pete Hill", enclosed in a thin black rectangular border.

Pete Hill, P.E.  
Senior Associate Engineer

cc: David Beschke, City of Novi, Licensed Landscape Architect  
Kristen Kapelanski, AICP, City of Novi Planner  
Angela Pawlowski, City of Novi, Senior Customer Service

---

Attachments: Figure 1

Figure 1. Approximate wetland locations.



WOODLAND REVIEW



Environmental Consulting & Technology, Inc.

January 21, 2013

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

Re: The Meadows of Island Lake of Novi  
Woodland Review of the Revised Preliminary Site Plan  
JSP12-0065

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Preliminary Site Plan (Plan) for the proposed *The Meadows of Island Lake of Novi* project prepared by Alpine Engineering, Inc. dated December 21, 2012. The Plan and supporting documentation were reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37.

The proposed development is located north of Ten Mile Road and east of Wixom Road in Section 20. The proposed project involves the construction of a 2-phase site condominium development (totaling 74 units), associated roads and utilities and two stormwater detention basins.

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

**Onsite Woodland Evaluation**

ECT has previously reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on December 4, 2012. ECT found that the information provided on the *Tree List* (Sheet L-6) appears to accurately depict the location, species composition and the size of the existing trees. ECT took numerous diameter-at-breast-height (d.b.h.) measurements and found that the data provided in the *Tree List* was consistent with the field measurements. The surveyed trees have been marked with metal tags on fishing line, allowing ECT to compare the reported diameters to the existing tree diameters in the field.

The entire site is just over 40 acres with regulated woodland mapped across several areas on the western side of the property. The site contains sections of relatively-open field as well as the existing Dinser's Nursery on the northern portion of the site. On-site woodland is dominated by black cherry, box elder, cottonwood, silver maple, black walnut and several other species. Several large black walnut (*Juglans nigra*) trees are located along Dinser Street in the southeast corner of the property. These trees range from 7-inches d.b.h. to 33-inches d.b.h. The Plan currently proposes to preserve these high-quality black walnut trees.

2200 Commonwealth  
Boulevard, Suite 300  
Ann Arbor, MI  
48105

(734)  
769-3004

FAX (734)  
769-3164

An Equal Opportunity/Affirmative Action Employer



#### Woodland Impact Review

Per summary calculations on the *Woodland Plan* (Sheet L-5), the current Plan proposes the removal of 143 live trees with d.b.h. greater than or equal to 8 inches, requiring a total of 220 replacement credits. The Plan states that 180 Woodland Credits can be achieved via preservation of Non-Woodland Trees. This results in a total of 40 Woodland Replacement Trees required, according to the Plan.

After review of the *Tree List* (Sheet L-6), ECT tallied a total of 141 regulated trees to be removed (several of these trees have multiple stems). In addition, ECT tallied a total of 220 Woodland Replacement Trees required. This is consistent with the quantity shown on the *Woodland Plan* (Sheet L-5).

#### Woodland Replacement Review

The Plan is seeking a total of 180 Woodland Replacement Credits for the preservation of Non-Woodland Trees. This information is found on the *Tree List* (Sheet L-5). Based on our tally of 220 Woodland Replacements required, less the 180 Woodland Credits of Non-Woodland Tree Preservation, it appears as though the Applicant would be responsible for a total of 40 Woodland Replacement Trees. Currently, the Plan appears to propose 30 Woodland Replacement trees (8 sugar maple, 8 tulip tree, 7 red oak and 7 silver linden) to be located around the Proposed Detention Basin No. 1 in the northwest corner of the property. It is currently not clear where the remaining 10 required Woodland Replacement Tree requirements will be planted, or if the Applicant intends to pay into the City of Novi Tree Fund for the remaining required credits.

#### Comments

The following are repeat comments from ECT's Woodland Review of the Preliminary Site Plan Letter dated December 4, 2012. The current status of each comment follows in *bold italics*. It should be noted that the Applicant's Engineer stated in their preliminary site plan review response letter dated December 21, 2012 that the woodland items noted in our previous review letter would be addressed at the time of Final Site Plan.

1. 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 continues to be applicable.*

2. One of the species listed in the *Replacement Tree List* on the *Landscape Plan* (Sheet No. L-1) is not acceptable as a Woodland Replacement Tree in Novi. This species, Silver Linden (*Tilia tomentosa*) is not listed as an accepted species in the City of Novi's *Woodland Tree Replacement Chart* found in the Woodland Ordinance (Chapter 37) or in the *Suggested Plant Materials List* found in the City of Novi's *Landscape Design Manual*. This should be addressed in subsequent site plan submittals.

Refer to the *Woodland Tree Replacement Chart* and *Reforestation Credit Table* in the Woodland Ordinance for guidance on acceptable native tree species and other types of native woodland vegetation that can count toward woodland replacement credits.

*This comment continues to be applicable and should be addressed in the Final Site Plan.*

3. ECT suggests that the Applicant review the number of Regulated Woodland Trees being removed as well as the number of Woodland Replacement Trees required and make any revisions to the Plan, as necessary.

*This comment no longer applies.*

4. 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 continues to be applicable. Currently, the Plan proposes 30 Woodland Replacement trees (8 sugar maple, 8 tulip tree, 7 red oak and 7 silver linden) to be located around the Proposed Detention Basin No. 1 in the northwest corner of the property. It is currently not clear where the remaining 10 required Woodland Replacement Trees will be planted. Please indicate on the Final Site Plan whether or not all 40 replacement trees are being placed on-site, or if some of the required credits will be paid into the City of Novi Tree Fund.*

Recommendation

ECT recommends approval of the Revised Preliminary Site Plan for Woodlands, contingent upon the Applicant satisfactorily addressing the comments outlined above.

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



Pete Hill, P.E.  
Senior Associate Engineer

cc: David Beschke, City of Novi, Licensed Landscape Architect  
Kristen Kapelanski, AICP, City of Novi Planner  
Angela Pawlowski, City of Novi, Senior Customer Service

**FIRE REVIEW**



October 19, 2012  
November 20, 2012  
**January 18, 2013 REVISED**

**CITY COUNCIL**

**Mayor**  
Bob Gatt

**Mayor Pro Tem**  
Dave Staudt

Terry K. Margolis

Andrew Mutch

Justin Fischer

Wayne Wrobel

Laura Marie Casey

**City Manager**  
Clay J. Pearson

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

**Director of EMS/Fire Operations**  
Jeffery R. Johnson

**Assistant Chief of Police**  
Victor C.M. Lauria

**Assistant Chief of Police**  
Jerrold S. Hart

TO: Barbara McBeth, Deputy Director of Community Development  
Joseph Shelton, Fire Marshal

RE: Meadows of Island Lake of Novi

SP#: JSP12-0065

**Project Description:**

Proposed construction and/or addition of 75 Residential Lots, in Phase #1 & #2.

**Comments:**

All water mains and fire hydrant spacing appear to conform to roadway and distance requirements.

All Fire Apparatus turning radius distances conform to AHJ requirements of 50' outside & 30' inside turning radii.

Secondary Emergency Access, as required by Novi Ordinance is acceptable using Acorn Trail Dr to the north of phase #2.

**Recommendation:**

The above plan has been reviewed and is recommended for Approval.

Complete engineering plans would need to be reviewed for a full approval prior to construction. This item is addressed in Alpine Engineering's response letter dated 12/21/2012.

This review is consistent with previous reviews dated Oct 19<sup>th</sup>, Nov 20 2012.

Sincerely,

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

cityofnovi.org

Andrew Copeland – Inspector II/CFPE  
City of Novi – Fire Dept.

cc: file

**APPLICANT RESPONSE LETTER**



46892 West Road, Suite 109  
Novi, Michigan 48377  
Phone: 248-926-3701  
Fax: 248-926-3765

March 27, 2013

Kristen Kapelanski, AICP  
City of Novi Community Development Department  
45175 West 10 Mile Road  
Novi, Michigan 48375

Re: **The Reserve of Island Lake (f.k.a. The Meadows of Island Lake of Novi)  
Island Lake RUD Expansion  
Revised Preliminary Site Plan Submittal  
(City of Novi Review JSP#12-65)**

Dear Kristen:

Enclosed, please find eleven (11) sets of the previously submitted Preliminary Site Plan drawings, dated December 21, 2012, with no changes or revisions made for consideration at the April 3, 2013 Planning Commission.

We offer the below comments, on behalf of our client, with regards to the City meetings and Staff review comments:

City Council Meeting, March 25, 2013

- City Council approved the Sixth Amendment to the Residential Unit Development (RUD) Agreement.
- There are currently 784 units constructed or approved in the existing Island Lake development. The addition of the 74 units brings the total number of units to 858 units, which is fewer than the amount permitted in the approved RUD agreement (884 units). With the addition of the 40.68 acre parcel, the Island Lake of Novi Development will consist of 956.7 acres in total. Toll Brothers proposes to increase the land area of the RUD to 956.7 acres which will decrease the density for the Island Lake R.U.D. from 0.97 units per acre to 0.92 units per acre.
- Toll Brothers has been working closely with the neighbors and has agreed to create additional open space and landscaping at the rear of lots 35 and 36 to provide additional screening for Pebble Ridge Estates. Furthermore, the Pebble Ridge Creek Estates residents requested the sidewalk connection to Dinser Drive be relocated to the north to allow them more convenient access the public walks west of Dinser Drive and at Wixom Road. Toll Brothers has committed to relocating the sidewalk connection between lots 42 and 43 to be between lots 37 and 38. These revisions will be addressed with the Final Site Plan submittal.

## **City review comments**

### **Project and Street Naming Committee Review (Dated March 11, 2013)**

#### **Project Name**

The project name will be "The Reserve of Island Lake".

#### **Street Names**

Lake View Lane will be changed to Overlook Trail.

Meadow View Drive will be changed to Mallard Trail.

Harvest Trail will be changed to Driftwood Drive.

Drakes Bay East will be changed to Acorn Trail.

The above project and street names have been approved by the Project and Street Naming Committee and these revisions will be addressed with the Final Site Plan submittal.

### **Planning Review (Dated January 31, 2013)**

Review recommends approval. Responses to the Planning Ordinance review items outlined in the letter in **bold** are provided below:

#### **Ordinance Requirements**

3. **Lot Size and Area:**

City Council has approved the lot size mix. The open space is 13.17%.

4. **Building Setback:**

The initial three (3) foot reduction request in the required ten (10) foot side yard building setback did not receive approval from City Council and is removed as part of this proposal. The setbacks will be addressed with the Final Site Plan submittal.

All other items noted in the review which are required prior to Final Approval will be addressed as necessary.

### **Engineering Review (Dated January 31, 2013)**

Review recommends approval of the Preliminary Site Plan and Storm Water Management Plan. Items noted will be addressed at the time of Final Site Plan and Stamping Set submittal.

### **Clearzoning, Inc Review (Dated January 28, 2013)**

Review recommends approval of the Traffic Review and Preliminary Site Plan. Items noted will be addressed at the time of Final Site Plan submittal.

### **City of Novi Fire Department Review (Dated January 18, 2013)**

Review recommends approval. Complete engineering plans will be provided at the time of Final Site Plan submittal.

### **Landscape Review (Dated December 27, 2012)**

Review recommends approval of the Preliminary Site Plan provided the applicant receives the necessary waivers from the Planning Commission. Items noted will be addressed at the time of Final Site Plan submittal.

**ECT Woodland Review (Dated January 21, 2013)**

Review recommends approval of the Preliminary Site Plan. Items noted will be addressed at the time of Final Site Plan submittal.

**ECT Wetland Review (Dated January 21, 2013)**

Review recommends approval of the Preliminary Site Plan. Items noted will be addressed at the time of Final Site Plan submittal.

If you have any questions or require additional information please feel free to call our office at (248) 926-3701.

Regards,  
Alpine Engineering, Inc.

  
Tom Gizoni, PE

Enclosures:

cc: Mike Noles, Toll Bros., Inc.  
Jason Minock, Toll Bros., Inc.



APPROVED 6<sup>TH</sup> AMENDMENT  
TO THE RUD

**SIXTH AMENDMENT TO  
RESIDENTIAL UNIT DEVELOPMENT AGREEMENT**

**ISLAND LAKE OF NOVI (FORMERLY KNOWN AS "HARVEST LAKE OF NOVI")**

This Sixth Amendment to Residential Unit Development Agreement ("the Sixth Amendment") is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF NOVI, a Michigan municipal corporation (the "City"), whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, and TOLL MI II LIMITED PARTNERSHIP, a Michigan limited partnership ("Toll"), whose address is 29655 William K. Smith Drive, Suite B, New Hudson, Michigan 48165.

**RECITALS:**

A. On or about February 9, 1998, the City entered into a certain Residential Unit Development Agreement (the "Original RUD Agreement") with Harvest Land Company, L.L.C., a Michigan limited liability company ("Harvest Land"), with respect to a certain development established and approved as a residential unit development pursuant to Section 2404 of the City of Novi Zoning Ordinance under the name "Harvest Lake of Novi". The Original RUD Agreement was recorded on March 31, 1998 at Liber 18279, Pages 716 through 855, both inclusive, Oakland County Records. The land included in the Harvest Lake of Novi Residential Unit Development (now known as the "Island Lake of Novi Residential Unit Development" and hereinafter referred to as the "RUD") is legally described in the attached Exhibit "A".

B. On or about July 22, 1999, the City entered into a certain First Amendment of Residential Unit Development Agreement (the "First Amendment") with Harvest Land pursuant to Section 2404.17 of the City of Novi Zoning Ordinance to amend certain aspects of the area plan for the RUD. The First Amendment was recorded at Liber 20818, Pages 15 through 40, both inclusive, Oakland County Records.

C. On or about November 1, 1999, Toll acquired the land then included in the RUD, except for approximately 104.2 acres located east of Wixom Road and acquired by the City of Novi and the Novi Community School District. Toll also accepted all of the rights, interests and obligations granted and imposed on the owners of land in the RUD with the execution of the Original RUD Agreement and the First Amendment by Harvest Land.

D. After acquiring title to the residential development portions of the RUD and the rights of the property owners under the Original RUD Agreement, as amended, Toll secured the City's approval of a change in the name of the RUD to "Island Lake of Novi" as permitted by paragraph 2 of the aforesaid First Amendment.

E. On or about April 7, 2003, the City and Toll entered into a certain Second Amendment to the Residential Unit Development Agreement (the "Second Amendment") to reflect the addition of certain land to

the RUD and certain other aspects of the RUD related to the configuration of the roads and walkways and related improvements. The Second Amendment was recorded at Liber 29801, Pages 7 through 23, both inclusive, Oakland County Records. The land added to the RUD pursuant to the Second Amendment is also legally described in the attached Exhibit "A".

F. On or about July 21, 2003, the City and Toll entered into a certain Third Amendment to the Residential Unit Development Agreement (the "Third Amendment") to reflect the amendment to the Phasing Plan set forth in the Original RUD Agreement. The Third Amendment was recorded at Liber 30402, Pages 1 through 15, both inclusive, Oakland County Records.

G. On or about February 11, 2005, the City and Toll entered into a certain Fourth Amendment to the Residential Unit Development Agreement (the "Fourth Amendment") to provide for the removal, reconstruction and rehabilitation of an existing 1860's era barn from its original site within the open park area located near the southwest corner of the lake known as "Island Lake" to a new site within Maybury State Park in Northville Township or to another site acceptable to both the City and Toll. The Fourth Amendment was recorded at Liber 35126, Pages 758 through 772, both inclusive, Oakland County Records.

H. On or about March 5, 2005, the City and Toll entered into a certain Fifth Amendment to the Residential Unit Development Agreement (the "Fifth Amendment") to reflect the addition of certain land, approximately ten (10) acres in area located on Ten Mile Road and immediately adjacent to a portion of Phase 4 of the RUD, to the RUD and certain other aspects of the RUD related to the configuration of the roads and walkways and related improvements. The Fifth Amendment was recorded at Liber 35126, Pages 773 through 794, both inclusive, Oakland County Records.

I. Since undertaking the development of the Island Lake of Novi RUD, Toll has acquired a parcel of land measuring approximately 40.7 acres in area located north of Ten Mile Road and east of Wixom Road and immediately adjacent to Phase 3C of the RUD. The portion of Phase 3C located adjacent to the 40.7-acre parcel (referred to herein as the "Additional Parcel") has been developed as site condominium units and related open space as part of an established condominium project known as "Island Lake Vineyards" an identified as Oakland County Condominium Subdivision Plan 1271. The Additional Parcel is legally described In the attached Exhibit "B".

J. Upon determining that including the Additional Parcel in the RUD would further the objectives of the RUD, Toll applied for and obtained the approval of the City Council of Novi for the additional of the Additional Parcel to the RUD as documented by the minutes of the March 11, 2013 meeting of the Novi City Council.

K. Toll and the City of Novi now wish to further amend the Original RUD Agreement to include the Additional Parcel in the RUD Agreement consistent with the revised RUD and to document the terms and conditions applicable to the revised RUD.

NOW, THEREFORE, in consideration for the mutual covenants provided herein, the parties agree as follows:

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Inclusion of the Additional Parcel in the RUD. The additional Parcel described in Exhibit "B" attached hereto is hereby added to the RUD and the legal description of the RUD set forth in Exhibit "A" is hereby revised to include the land legally described in the attached Exhibit "B" (the "Revised RUD"). The

location of the Additional Parcel in relation to the remainder original RUD is depicted on the attached Exhibit "C".

2. Development of the Additional Parcel. The additional Parcel shall be developed as the site of up to Seventy-Four (74) site condominium units, each of which shall comprise the site of a single family home, consistent with the revised RUD Plan, and approved final site plan.

3. Toll Obligations. In requesting the Revised RUD Plan, Toll has expressed its intent to develop the Additional Parcel in conformance with the following undertakings and forbearances by Toll:

a. Except as expressly set forth herein, and as set forth in the Revised RUD Plan, Toll shall develop the Additional Parcel in accordance with all applicable ordinances and regulations. More specifically, except for the following deviations, no deviations from the provisions of the City's ordinances are contemplated:

- i. The minimum lot size for the Additional Parcel shall be 12,000 sq. feet.
- ii. The minimum lot width for the Additional Parcel shall be 90 feet
- iii. Building setbacks shall be consistent with the approved minimum lot sizes, as follows:

Front: 30 feet  
Rear: 35 feet  
Side: 10 feet

- iv. Toll shall be permitted to discontinue the installation of berms in those locations that include existing mature vegetation and protected trees, as shown in the approved site plan and landscape plan for the Additional Parcel.
- v. Toll shall be permitted to discontinue the installation of berms where located next to proposed storm water basins along Wixom Road, as shown in the approved site plan and landscape plan for the Additional Parcel.

b. The attachment of the Revised RUD Plan to this Amendment shall not be construed as granting Toll the right to construct the improvements as shown in the Revised RUD Plan, and Toll's right to develop the plan shall be subject to and in accordance with all applications, reviews, approvals, permits, and requirements under applicable laws, ordinances, and regulations, including but not limited to , site plan approval, storm water management plan approval, woodland and wetland permit requirements, landscape plan approval, and engineering plan approval. The following conditions and undertakings shall be completed by Toll:

- i. Toll shall set aside 13.17% of the Additional Parcel for the creation of open space, a portion of which shall be comprised of a recreation area, as shown in the approved RUD Plan, landscape plan and final site plan for the Additional Parcel. Furthermore, Toll shall provide an appropriate easement or mechanism for ensuring the perpetual preservation and maintenance of the open space and recreation areas within the Master Deed for the Additional Parcel,
- ii. Toll shall contribute \$25,000 to the Island Lake of Novi Homeowners Association to be used for the expansion of the existing swimming pool deck;
- iii. Toll shall construct a sidewalk connection to the proposed Dinser Drive sidewalk as shown in the Revised RUD Plan and approved final site plan.

- iv. Toll shall construct a crosswalk on Wixom Road as shown in the Revised RUD Plan and approved final site plan;
- v. Toll shall construct 928 feet of missing sidewalk as show in the Revised RUD Plan and approved final site plan.

c. The overall density permitted in the RUD shall remain unchanged (at 884 units) and the addition of the 40.7 acres to the RUD shall not entitle Toll to any additional development rights or approvals beyond those described in this Agreement.

4. Amendment to Area Plan. The Area Plan for the RUD is hereby amended as described in the Summary of Proposed Amendment to the RUD (Island Lake of Novi Residential Unit Development Draft Report Addendum December 21, 2012) to reflect the Inclusion of the Additional Parcel as set forth herein, said Summary of Proposed Amendment being attached hereto as Exhibit "D". The Revised Open Space Summary per Revised Area Plan, December 2012 and the Revised Land Use Summary per Revised Area Plan included in the attached Exhibit "D" hereby supersede all previous versions of those summaries to reflect the Area Plan as hereby amended.

5. Continuing Effect of Original RUD, as Amended. Except for the revisions described herein, the Original RUD Agreement, as amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Sixth Amendment on the date first written above.

WITNESSES:

“CITY”

CITY OF NOVI, a Michigan municipal corporation

By: \_\_\_\_\_  
Robert J. Gatt  
Its: Mayor

By: \_\_\_\_\_  
Maryanne Cornelius  
Its: Clerk

STATE OF MICHIGAN

) ss.

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2013, by Robert J. Gatt, the Mayor and Maryanne Cornelius, the Clerk of the City of Novi, a Michigan municipal corporation, on behalf of the municipal corporation.

NOTARY PUBLIC

County of \_\_\_\_\_, State of Michigan


My Commission Expires:

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

“TOLL”

TOLL MI II LIMITED PARTNERSHIP, a Michigan limited partnership

By: Toll MI GP Corp.,  
A Michigan corporation,  
General Partner

By:   
Michael T. Noles

STATE OF MICHIGAN

) ss.

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of March 2013, by Michael T. Noles, Vice President of Toll MI GP Corp., a Michigan municipal corporation, on behalf of the limited partnership.



Marilee S. Steinhilber  
NOTARY PUBLIC – Michigan  
County of Oakland, State of Michigan

My Commission Expires: December, 23, 2017  
Acting in Oakland County

THIS INSTRUMENT DRAFTED BY:

WHEN RECORDED RETURN TO:

Maryanne Cornelius, Clerk  
City of Novi  
45175 Ten Mile  
Novi, MI 48375

**EXHIBIT "A"**

**LAND INCLUDED IN THE ISLAND LAKE OF NOVI  
RESIDENTIAL UNIT DEVELOPMENT (FORMERLY KNOWN AS  
THE HARVEST LAKE OF NOVI RESIDENTIAL UNIT DEVELOPMENT)**

LAND LOCATED IN SECTIONS 17, 18, 19 AND 20, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN AND COMPRISED OF TEN (10) PARCELS IDENTIFIED AS PARCELS "A" THROUGH "J", BOTH INCLUSIVE, AND LEGALLY DESCRIBED BY DESCRIPTIONS SET FORTH ON THE FOLLOWING FIVE (5) PAGES.

**PARCEL "A"**

A PARCEL OF LAND LOCATED IN PART OF THE N.E. 1/4 OF SECTION 18, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT A POINT DISTANT N. 89°23'05" W. 990.00 FEET ALONG THE EAST AND WEST 1/4 LINE OF SECTION 18 FROM THE EAST 1/4 CORNER OF SECTION 18; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID EAST AND WEST 1/4 LINE OF SECTION 18 N. 89°23'05" W. 1,658.14 FEET TO THE CENTER OF SECTION 18; THENCE N. 00°22'24" W. 312.35 FEET ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 18; THENCE S. 89°23'05" E. 2,646.45 FEET; THENCE ALONG THE EAST LINE OF SECTION 18 AND CENTERLINE OF WIXOM ROAD (66 FEET WIDE) S. 00°41'00" E. 180.35 FEET; THENCE N. 89°23'05" W. 990.00 FEET; THENCE S. 00°41'00" E. 132.03 FEET TO THE POINT OF BEGINNING CONTAINING 15.98 ACRES OF LAND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER WIXOM ROAD.

**PARCEL "B"**

A PARCEL OF LAND LOCATED IN PART OF THE S.W. 1/4 OF SECTION 17, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF 17 AND PROCEEDING ALONG THE WEST LINE OF SECTION 17 AND CENTERLINE OF WIXOM ROAD (66 FEET WIDE) N. 00°40'10" W. (500.00 FEET RECORD), 500.10 FEET MEASURED; THENCE N. 89°59'55" E. 800.00 FEET; THENCE N. 00°40'10" W. 610.00 FEET; THENCE S. 89°59'55" W. 800.00 FEET; THENCE ALONG SAID WEST LINE OF SECTION 17 AND WIXOM ROAD CENTERLINE N. 00°40'10" W. 899.93 FEET; THENCE S. 89°57'24" E. 2,422.42 FEET; THENCE S. 00°29'32" W. 1,330.22 FEET; THENCE N. 89°57'12" W. 422.53 FEET; THENCE S. 00°13'05" W. 678.19 FEET; THENCE ALONG THE SOUTH LINE OF SECTION 17 AND CENTERLINE OF ELEVEN MILE ROAD (66 FEET WIDE) S. 89°59'55" W. 1,962.40 FEET TO THE POINT OF BEGINNING CONTAINING 93.03 ACRES OF LAND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER WIXOM AND ELEVEN MILE ROADS.



PARCEL "C"

A PARCEL OF LAND LOCATED IN PART OF THE S. 1/2 OF SECTION 18, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE SOUTHWEST 1/4 CORNER OF SAID SECTION 18 AND PROCEEDING ALONG THE WEST LINE OF SECTION 18 AND CENTERLINE OF NAPIER ROAD (33 FEET WIDE, 1/2 WIDTH), N. 00°20'46" E. 726.63 FEET; THENCE S. 89°48'18" E. 2,670.92 FEET; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 18 (AS DESCRIBED), N. 00°53'02" W. 1,977.53 FEET TO THE CENTER OF SECTION 18; THENCE ALONG THE EAST AND WEST 1/4 LINE OF SECTION 18 S. 89°23'05" E. 2,648.14 FEET TO THE EAST 1/4 CORNER OF SECTION 18; THENCE ALONG THE EAST LINE OF SECTION 18 AND CENTERLINE OF WIXOM ROAD (66 FEET WIDE) S. 00°40'10" E. 2,638.71 FEET TO THE SOUTHEAST CORNER OF SECTION 18; THENCE ALONG THE SOUTH LINE OF SECTION 18 S. 88°58'37" W. 2,637.37 FEET TO THE SOUTH 1/4 CORNER OF SECTION 18; THENCE CONTINUING ALONG SAID SOUTH LINE OF SECTION 18 N. 89°35'23" W. 2,686.73 FEET TO THE SOUTHWEST CORNER OF SECTION 18 AND THE POINT OF BEGINNING CONTAINING 207.35 ACRES OF LAND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER WIXOM AND NAPIER ROADS.

PARCEL "D"

A PARCEL OF LAND LOCATED IN PART OF THE N. 1/2 OF SECTION 19, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 19 AND PROCEEDING ALONG THE WEST LINE OF SECTION 19 AND CENTERLINE OF NAPIER ROAD (33 FEET WIDE, 1/2 WIDTH), N. 00°24'29" E. 2,631.46 FEET TO THE NORTHWEST CORNER OF SECTION 19; THENCE ALONG THE NORTH LINE OF SAID SECTION 19 S. 89°35'23" E. 2,686.73 FEET TO THE NORTH 1/4 CORNER OF SECTION 19; THENCE N. 88°58'37" E. 2,637.37 FEET TO THE NORTHEAST CORNER OF SECTION 19; THENCE ALONG THE EAST LINE OF SECTION 19 AND CENTERLINE OF WIXOM ROAD (66 FEET WIDE) S. 00°17'45" W. 2,310.99 FEET; THENCE S. 89°48'12" W. 1,347.14 FEET; THENCE S. 01°01'19" E. 330.03 FEET; THENCE ALONG THE EAST AND WEST 1/4 LINE OF SECTION 19 S. 89°48'12" W. 3,989.19 FEET TO THE WEST 1/4 CORNER OF SECTION 19 AND POINT OF BEGINNING CONTAINING 310.11 ACRES OF LAND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER WIXOM AND NAPIER ROADS.

PARCEL "E"  
LESS 2.93 ACRE PARCEL

A PARCEL OF LAND LOCATED IN PART OF THE S. 1/2 OF SECTION 19, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT A POINT DISTANT S. 89°50'26" W. 230.64 FEET ALONG THE SOUTH LINE OF SAID SECTION 19 AND CENTERLINE OF 10 MILE ROAD FROM THE SOUTHEAST CORNER OF SECTION 19; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID SOUTH LINE OF SECTION 19 AND 10 MILE ROAD CENTERLINE S. 89°50'26" W. 1,088.56 FEET; THENCE N. 01°16'58" E. 1,317.25 FEET; THENCE N. 89°36'35" W. 1,038.10 FEET; THENCE S. 89°52'13" W. 334.24 FEET; THENCE S. 00°58'36" W. (1,326.96 FEET) RECORD, 1,327.27 FEET MEASURED; THENCE ALONG SAID SOUTH LINE OF SECTION 19 AND TEN MILE ROAD CENTERLINE S. 89°46'54" W. 985.50 FEET; THENCE N. 00°58'36" E. 1,326.96 FEET; THENCE S. 89°29'07" W. 1,615.78 FEET; THENCE ALONG THE WEST LINE OF SECTION 19 AND CENTERLINE OF NAPIER ROAD (33 FEET WIDE) N. 00°36'10" E. 1,315.36 FEET TO THE WEST 1/4 CORNER OF SECTION 19; THENCE ALONG THE EAST AND WEST 1/4 LINE OF SECTION 19 N. 89°48'12" E. 5,285.72 FEET TO THE WEST RIGHT-OF-WAY LINE OF WIXOM ROAD (86 FEET WIDE); THENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG SAID WEST LINE OF WIXOM ROAD S. 01°43'29" W. 1,545.25 FEET, 74.16 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 607.00 FEET, A CENTRAL ANGLE OF 06°59'59", A CHORD LENGTH OF 74.11 FEET AND A CHORD BEARING OF S. 05°13'21" W., S. 08°43'28" W. 273.33 FEET, 84.66 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 693.00 FEET, A CENTRAL ANGLE OF 06°59'59", A CHORD LENGTH OF 84.61 FEET AND A CHORD BEARING OF S. 05°13'45" W. AND S. 01°43'29" W. 112.17 FEET; THENCE N. 88°16'27" W. 17.00 FEET; THENCE S. 62°28'04" W. 345.32 FEET; THENCE S. 22°30'38" E. 423.30 FEET TO THE POINT OF BEGINNING CONTAINING 223.67 ACRES OF LAND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OF ANY GOVERNMENTAL AGENCY OVER 10 MILE ROAD AND NAPIER ROADS.

PARCEL "F"

A PARCEL OF LAND LOCATED IN PART OF THE N.W. 1/4 OF SECTION 20, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 20 AND PROCEEDING ALONG THE NORTH LINE OF SECTION 20 AND CENTERLINE OF ELEVEN MILE ROAD (66 FEET WIDE) N. 89°59'55" E. 233.00 FEET; THENCE S. 00°00'05" E. 233.00 FEET; THENCE N. 89°59'55" E. 100.00 FEET; THENCE S. 00°00'05" E. 133.00 FEET; THENCE N. 89°59'55" E. 357.00 FEET; THENCE N. 01°06'10" E. 366.07 FEET; THENCE ALONG SAID NORTH LINE OF SECTION 20 AND ELEVEN MILE ROAD CENTERLINE N. 89°59'55" E. 49.60 FEET; THENCE S. 00°58'40" W. 1,323.61 FEET; THENCE N. 89°47'42" W. 730.90 FEET ALONG THE NORTH LINE "BIRCHWOODS SUBDIVISION" RECORDED IN LIBER 166, PAGE 16, OAKLAND COUNTY RECORDS; THENCE ALONG THE CENTERLINE OF WIXOM ROAD (66 FEET WIDE) N. 00°17'45" E. 1,320.80 FEET TO THE POINT OF BEGINNING CONTAINING 18.86 ACRES BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER WIXOM ROAD.

PARCEL "G"

A PARCEL OF LAND LOCATED IN PART OF THE S.W. 1/4 OF SECTION 20, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT A POINT DISTANT S. 89°34'55" E. 43.01 FEET ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 20 AND CENTERLINE OF OLD WIXOM ROAD (86 FEET WIDE) FROM THE WEST 1/4 CORNER OF SECTION 20; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID EAST AND WEST 1/4 LINE AND OLD WIXOM ROAD CENTERLINE S. 89°34'55" E. 814.97 FEET; THENCE S. 00°45'16" W. 1,002.50 FEET; THENCE N. 89°26'50" W. 831.91 FEET; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF WIXOM ROAD N. 01°43'29" E. 1,000.79 FEET TO THE POINT OF BEGINNING CONTAINING 18.93 ACRES AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER OLD WIXOM ROAD.

PARCEL "H"

A PARCEL OF LAND LOCATED IN PART OF THE S.W. 1/4 OF SECTION 17, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT A POINT DISTANT N 00°40'10" W. (500.00 FEET RECORD), 500.10 FEET MEASURED ALONG THE WEST LINE OF SECTION 17 AND CENTERLINE OF WIXOM ROAD (66 FEET WIDE) FROM THE SOUTHWEST CORNER OF SECTION 17; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID WEST LINE OF SECTION 17 AND WIXOM ROAD CENTERLINE N. 00°40'10" W. 610.00 FEET; THENCE N. 89°59'55" E. 800.00 FEET; THENCE S. 00°40'10" E. 610.00 FEET; THENCE S. 89°59'55" W. 800.00 FEET TO THE POINT OF BEGINNING CONTAINING 11.20 ACRES OF LAND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND THE RIGHTS OF THE PUBLIC OR ANY GOVERNMENTAL AGENCY OVER WIXOM ROAD.

PARCEL "I"

A PARCEL OF LAND LOCATED IN THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN AND LEGALLY DESCRIBED AS FOLLOWS:

A PART OF NORTHEAST 1/4 OF SECTION 19, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 19, FOR A POINT OF BEGINNING, THENCE SOUTH 86°22'40" WEST, 1338.16 FEET, ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 19; THENCE NORTH 02°42'01" WEST, 164.88 FEET; THENCE NORTH 86°22'40" EAST, 1336.91 FEET, TO THE EAST LINE OF SAID SECTION 19 AND THE CENTERLINE OF WIXOM ROAD; THENCE SOUTH 03°08'01" EAST, 164.87 FEET, ALONG THE EAST LINE OF SAID SECTION 19 AND THE CENTERLINE OF SAID WIXOM ROAD, TO THE POINT OF BEGINNING. ALL OF THE ABOVE CONTAINING 5.062 ACRES. ALL OF THE ABOVE BEING SUBJECT EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAYS OF RECORD. ALL OF THE ABOVE BEING SUBJECT TO THE RIGHTS OF THE PUBLIC IN WIXOM ROAD.

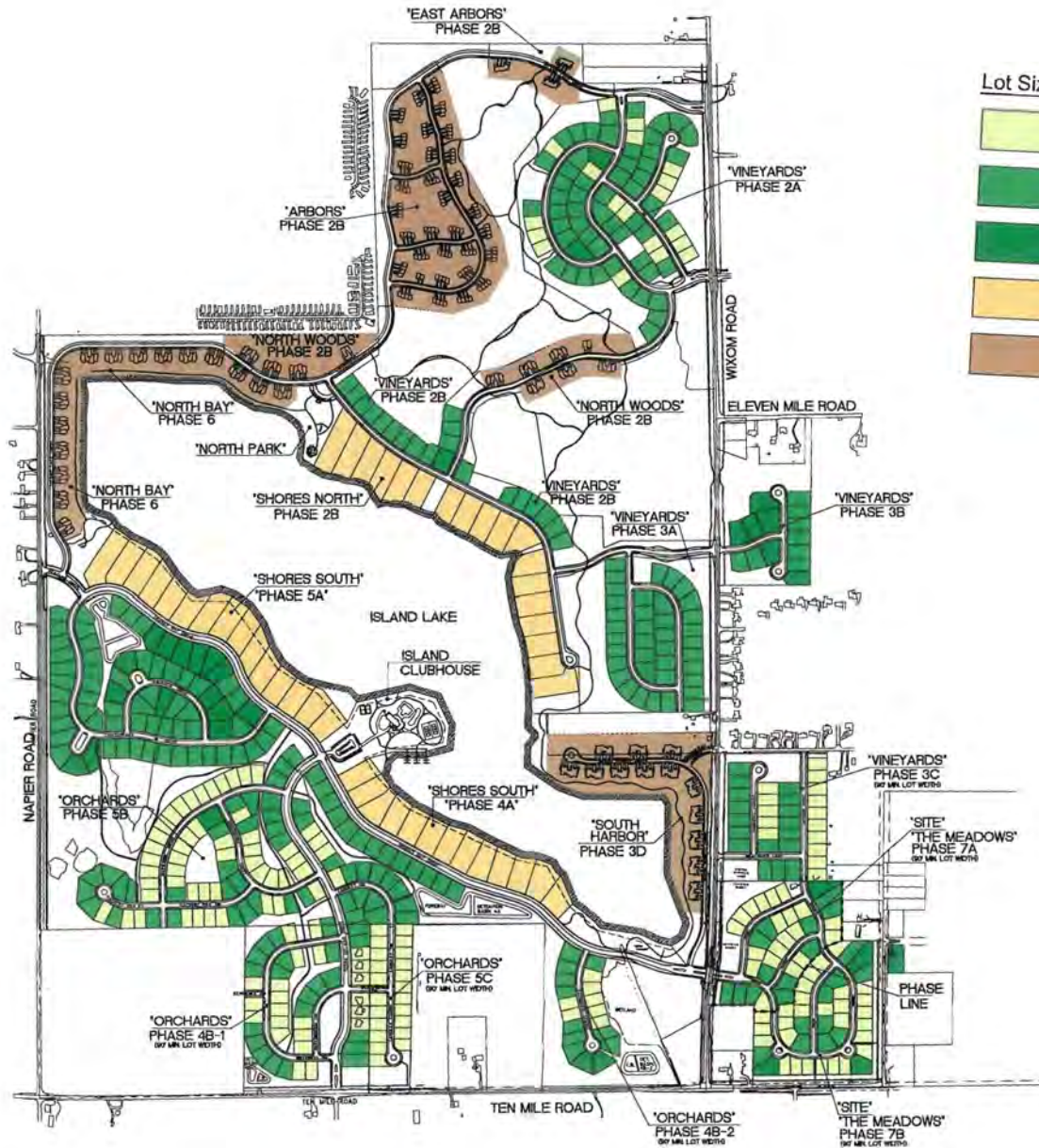
PARCEL "J" (SOMETIMES REFERRED TO AS ISLAND LAKE PHASE 5C)

A PART OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 19, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN; BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 19 FOR A POINT OF BEGINNING; THENCE SOUTH 86°21'12" WEST 38.00 FEET (PREVIOUSLY DESCRIBED AS SOUTH 89°18'00" WEST), ALONG THE SOUTH LINE OF SAID SECTION 19 AND THE CENTERLINE OF TEN MILE ROAD, TO THE SOUTHEAST CORNER OF "ISLAND LAKE ORCHARDS", OAKLAND COUNTY CONDOMINIUM PLAN NO. 1552, AS RECORDED IN LIBER 30468, PAGE 611 THROUGH 689, AS AMENDED, (SAID POINT BEING NORTH 86°21'12" EAST, 2592.36 FEET, FROM THE SOUTHWEST CORNER OF SAID SECTION 19); THENCE NORTH 02°20'47" WEST, 1326.96 FEET, ALONG THE EASTERLY LINE OF SAID "ISLAND LAKE ORCHARDS", (PREVIOUSLY DESCRIBED AS NORTH 00°33'20" EAST); THENCE NORTH 86°21'12" EAST, 38.00 FEET, ALONG THE SOUTHERLY LINE OF SAID "ISLAND LAKE ORCHARDS", (PREVIOUSLY DESCRIBED AS NORTH 89°18'00" EAST), TO A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 19, (SAID POINT BEING SOUTH 02°20'47" EAST, 1306.18 FEET, FROM THE CENTER OF SAID SECTION 19); THENCE NORTH 86°25'23" EAST, 297.38 FEET, ALONG THE SOUTHERLY LINE OF SAID "ISLAND LAKE ORCHARDS", (PREVIOUSLY DESCRIBED AS NORTH 89°24'00" EAST, 296.21 FEET); THENCE SOUTH 01°52'19" EAST, 1327.19 FEET, ALONG THE SOUTHERLY LINE OF SAID "ISLAND LAKE ORCHARDS" AND AN EXTENSION THEREOF, (PREVIOUSLY DESCRIBED AS SOUTH 00°58'48" WEST), TO A POINT ON THE SOUTH LINE OF SAID SECTION 19, (SAID POINT BEING SOUTH 86°24'49" WEST, 2360.31 FEET, FROM THE SOUTHEAST CORNER OF SAID SECTION 19); THENCE SOUTH 86°24'49" WEST, 286.39 FEET, (PREVIOUSLY DESCRIBED AS SOUTH 89°24'00" WEST), ALONG THE SOUTH LINE OF SAID SECTION 19 AND THE CENTERLINE OF SAID TEN MILE ROAD, TO THE POINT OF BEGINNING. ALL OF THE ABOVE CONTAINING 10.047 ACRES. ALL OF THE ABOVE BEING SUBJECT TO THE RIGHT OF THE PUBLIC IN TEN MILE ROAD. ALL OF THE ABOVE BEING SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAYS OF RECORDS.






**EXHIBIT "B"**

**The "Additional Parcel" (Now Part of the Land Included in  
the Island Lake of Novi Residential Unit Development)**

A PART OF THE SOUTHWEST 1/4 OF SECTION 20, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN; BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 20; THENCE N01°42'13"W 658.30 FEET ALONG THE WEST LINE OF SAID SECTION 20 AND THE EAST RIGHT OF WAY LINE OF WIXOM ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING FIVE COURSES: (1) N01°42'13"W 1.68 FEET; (2) 74.16 FEET ALONG THE ARC OF A 607.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N01°47'47"E 74.11 FEET; (3) N05°17'47"E 273.33 FEET; (4) 84.67 FEET ALONG THE ARC OF A 693.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N01°47'47"E 84.61 FEET AND (5) N01°42'13"W 546.24 FEET TO THE SOUTHWEST CORNER OF ISLAND LAKE VINEYARDS, OAKLAND COUNTY CONDOMINIUM PLAN NO. 1271 AS RECORDED IN LIBER 37695, PAGE 523, OAKLAND COUNTY RECORDS; THENCE N87°07'28"E (RECORDED AS N87°07'49"E) 955.70 FEET ALONG THE SOUTH LINE OF SAID ISLAND LAKE VINEYARDS CONDOMINIUM; THENCE S02°34'33"E 471.53 FEET PARALLEL TO THE CENTERLINE OF DINSER ROAD; THENCE N86°56'30"E 323.41 FEET; THENCE S02°34'33"E 1151.04 FEET ALONG SAID CENTERLINE OF DINSER ROAD; THENCE S86°33'46"W 1018.99 FEET ALONG THE SOUTH LINE OF SAID SECTION 20 AND THE CENTERLINE OF 10 MILE ROAD; THENCE N01°42'13"W 657.15 FEET PARALLEL TO THE WEST LINE OF SAID SECTION 20; THENCE S86°45'47"W 328.12 FEET TO THE POINT OF BEGINNING. ALL OF THE ABOVE CONTAINING 40.677 ACRES. ALL OF THE ABOVE BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTH 60 FEET THEREOF FOR TEN MILE ROAD AND THE EAST 33 FEET THEREOF FOR DINSER ROAD. ALL OF THE ABOVE BEING SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAYS OF RECORD.



**Lot Size Comparison**

	Lots 12,000 s.f. - 14,999 s.f.	186 Lots
	Lots 15,000 s.f. - 21,779 s.f.	301 Lots
	Lots 21,800 s.f. - 43,559 s.f.	31 Lots
	Lots 1 Acre or Larger	46 Lots
	Attached Units	294 Units

*Exhibit C*

**Island Lake of Novi**  
Novi Michigan



North  
No Scale

Exhibit D

Island Lake of Novi  
Residential Unit Development Amendment

Revised Open Space Summary, March 15, 2013

Common Open Space Category	*Approximate Acreage per July 9th 2004 Open Space Summary	*Acreage Applicable for Open Space Credit per July 9th 2004 Open Space Summary	Revised Open Space Summary November 9th 2012	Acreage Applicable for Open Space Credit November 9th 2012
Wetlands	107 ac.	2 ac.	107 ac.	2 ac.
Wetland Setbacks	5 ac.	5 ac.	5 ac.	5 ac.
Upland Woods	65 ac.	54 ac.	65 ac.	54 ac.
City Park	52 ac.	0 ac.	52 ac.	0 ac.
Resident Parks	22 ac.	18 ac.	22.3 ac.	18 ac.
Secondary Conservation Zone	18 ac.	16 ac.	18 ac.	16 ac.
Internal Greenbelts, Passive Recreation	19 ac.	18 ac.	19 ac.	18 ac.
Entrances, Perimeter Landscape	21 ac.	0 ac.	25.7 ac.	0 ac.
Lake (169 ac. 16,450 LF of Shoreline)	169 ac./17,545 LF 4,387 LF=25% of new shoreline	169 ac. 4,387 LF	169 ac./17,545 LF 4,387 LF=25% of new shoreline	169 ac. 4,387 LF
<b>Grand Total</b>	<b>478 ac.</b>	<b>282 ac.</b>	<b>483.0 ac.</b>	<b>282 ac.</b>

Notes:

\*Acreage shown per previous revised Open Space Summary Table, July 9th, 2004.

Combined open space comprises 50.5% of total site area.

Island Lake of Novi  
Residential Unit Development Amendment

\*Revised Land Use Summary, March 15, 2013

Category	Approved in RUD Agreement	Proposed to Date	Revised RUD Agreement
<b>Proposed Residences By Unit Type:</b>			
Single-Family Attached Cluster	219	Combined	Combined
Waterfront/Woodland Aff. Cluster	158	294	294 (33%)
Single-Family Detached Homes	464	518	544 (62%)
Single-Family Waterfront Homes	35-51	46	46 (5%)
<b>Total Residences (dwelling units)</b>	<b>884</b>	<b>858</b>	<b>884</b>
<b>Total RUD Acreage</b>	<b>916</b>	<b>956.7</b>	<b>956.7</b>
<b>Average Gross Density (du/ac)</b>	<b>0.97</b>	<b>0.90</b>	<b>0.92</b>
<b>Non-Residential Uses:</b>			
A. Schools	52.06 ac.		
B. City Park	52.17 ac.		
C. Waterfront Parks	min. 14.0 a.c		
D. Neighborhood Play Lot	min. 1.0 ac.		

\*Revised from Land Use Summary, July 9th 2004 RUD Amendment



Summary of the Proposed Amendment to the R.U.D.  
Island Lake of Novi (*formerly Harvest Lake of Novi*)

Introduction

Toll Bros, Inc. has purchased a 40.7 acre parcel fronting Ten Mile and Wixom Roads, immediately adjacent to the Island Lake of Novi Residential Unit Development (the RUD). Toll Bros, Inc. wishes to incorporate this parcel into the RUD for Island Lake of Novi, and seeks an amendment to the RUD with this submittal.

Description of Site

The parcel is a 40.7 acre site of open, sloping land, previously used for agriculture & commercial nursery purposes. The site is now fallow field with two small pocket wetlands and approximately 4.7 acres of woodlands on the property. The site has 985 feet frontage on Ten Mile Rd., 980 feet frontage on Wixom Rd., and 1091 feet frontage on Dinser.

There are good sightlines on Wixom Road for a main access point, across from the existing Drakes Bay Drive access point. This is the optimal location for ingress and egress to the parcel. A secondary access is provided to the existing Island Lake Vineyards (PH 3C) street just north of the property.

The current zoning of the site is RA, Residential Acreage, allowing a maximum of 0.8 dwelling units per acre. It is contiguous with Island Lake of Novi, on the north property line, as well as the west property line (Bifurcated by Wixom Rd.).

RUD Amendment Request

Toll Bros, Inc. requests an amendment to the RUD agreement. The request is as follows:

- 1) Toll Brothers proposes the addition of the 40.7 acre parcel described above to the 916 acres within the Residential Unit Development. This would bring the total acreage of the RUD for Island Lake of Novi up to 956.7 acres.
- 2) The total number of units permitted for the Island Lake of Novi RUD is 884 homes. Toll Brothers intends to build Single Family Detached homes on this parcel, to the same lot width as the homes permitted immediately north of the site. Toll Brothers estimates development of approximately 74 new lots on The Reserve of Island Lake parcel. Upon build-out of the Reserve addition, there will be a total of 858 constructed units, still well below the original RUD unit maximum.

Inclusion of this property into the Island Lake of Novi RUD will benefit the City of Novi for many reasons. It will consolidate traffic ingress and egress, eliminating the need for a separate road access off of Dinser Rd. The stub street connections allow the parcel's



residential traffic access to the secondary entrance at Wixom Rd., and use the internal road network as well. The parcel will tie into the Island Lake of Novi storm water treatment system assuring a high quality of storm water treatment, and eliminating the need for a separate detention basin on the site. There will be a more orderly and efficient layout and construction of utilities, as part of the Island Lake Vineyards (phase 3C). A sanitary sewer extension is proposed to Dinser Drive to allow for future connections and service for parcels east of Dinser Drive which currently do not have public sanitary sewer service. Water main extensions are proposed along the Ten Mile Road and Dinser Drive frontage to allow for future extensions and connections for parcels east of Dinser Drive which currently do not have public water main service.

Toll Bros, Inc. will add a painted crosswalk and barrier free curb cuts at the main entrance. The crosswalk design will match the two (2) existing painted crosswalks further north on Wixom Road. Furthermore, Toll Bros., Inc. is committed to filling in approximately 928 feet of missing sidewalks south of the Reserve site in the current Wixom Road right-of-way so residents may cross Wixom Road at the traffic light and still have safety path access to both sides of Drakes Bay. This will further enhance the connectivity of both the existing Vineyards Phase 3C and proposed Reserve to the lake and amenities.

Toll Bros, Inc. will contribute to the expansion and re-rating of the existing pool deck area to increase its capacity. A one-time lump sum payment of \$25,000 will be made to the Master Island Lake HOA specifically earmarked for the deck expansion. Final Design/Permit/Construction will be under HOA control. This figure is derived as follows: 5,000 square feet concrete paving @\$3 per square foot equals \$15,000 and 250 lineal feet metal fence @\$40 per lineal foot equals \$10,000.

There will be a greater amount of open space and perimeter landscape along the Ten Mile Road corridor, Wixom Road and Dinser Drive than if developed separately (requiring additional road connections) with homes and lot sizes visually compatible with the adjacent homes of Island Lake of Novi. A pocket play park is provided which includes a children's play structure and benches. The play park and open space is strategically located in a location which allows shared use for the neighbors to the north and to enhance the long vistas of the lake from the Acorn Trail access point and surrounding area. It will also enhance views of the lake from the new access for residents in the Reserve which will further connect and associate the neighborhood with the overall development.

50.5% of total acreage will still be preserved as open space and the majority of residential units will be single family detached homes. With Island Lake, its waterfront parks, trails and preservation zones, home buyers will have access to a significantly greater amount of privately maintained recreational facilities and open space as part of the Island Lake of Novi Homeowners Association than possible as a separate subdivision. Island Lake of Novi will continue as a high quality, planned residential development set within a generous natural environment of woods and wetlands surrounding Island Lake. Toll Brothers proposes to increase the land area of the RUD to 956.7 acres which will decrease the density for the Island Lake R.U.D. from 0.97 units per acre to 0.92 units per acre. Single-family detached lots (including waterfront sites) will still comprise the majority of units at

67% of the total, or approximately 590 units. Over half of the site will still be preserved as permanent dedicated open space, per the original categories of the R.U.D. The Open Space Summary Table and Land Use Summary by Phase have been updated to reflect the revised acreage and units.

In order to support the proposed modifications, this report addendum includes the revision to the Area Plan, Open Space Plan, Open Space Summary Table, Pedestrian Network, Land Use by Phases, and Phasing Plan of the previously amended RUD report addendum submitted July 9, 2004. These revisions are intended to amend those same pages of July 9, 2004 Island Lake of Novi Residential Unit Development Report.

Per the City Design and Construction Standards, an access point for every 1,300 feet of perimeter is required but undesirable for the proposed development. The proposed layout will consolidate traffic ingress and egress, eliminating the need for a separate road access off of Dinser Rd. The stub street connections allow the parcel's residential traffic access to the secondary entrance at Wixom Rd., and use the internal road network as well. There will be a greater amount of open space and perimeter landscape along the Ten Mile Road corridor, Wixom Road and Dinser Road.

**SITE PLAN**



**ALLEN DESIGN**  
 LAND PLANNING / LANDSCAPE ARCHITECTURE  
 517 CALVERTER • NORTHVILLE, MI 48167  
 248.447.4648 • Fax: 248.349.9559  
 Email: jad@alldesign.com



Seal:

Title:  
**Preliminary Plan**

Project:  
 Island Lake of Novi  
 Novi, Michigan

Prepared for:  
 Toll Brothers  
 39665 Wilkams K. Smith Dr., Suite B  
 New Hudson, Michigan 48165

Revision:	Issued:
Submission	October 13, 2012
Submission	November 9, 2012
Revised	November 23, 2012

Job Number:  
 12 017

Drawn By:      Checked By:  
 jad                      jad



Sheet No.

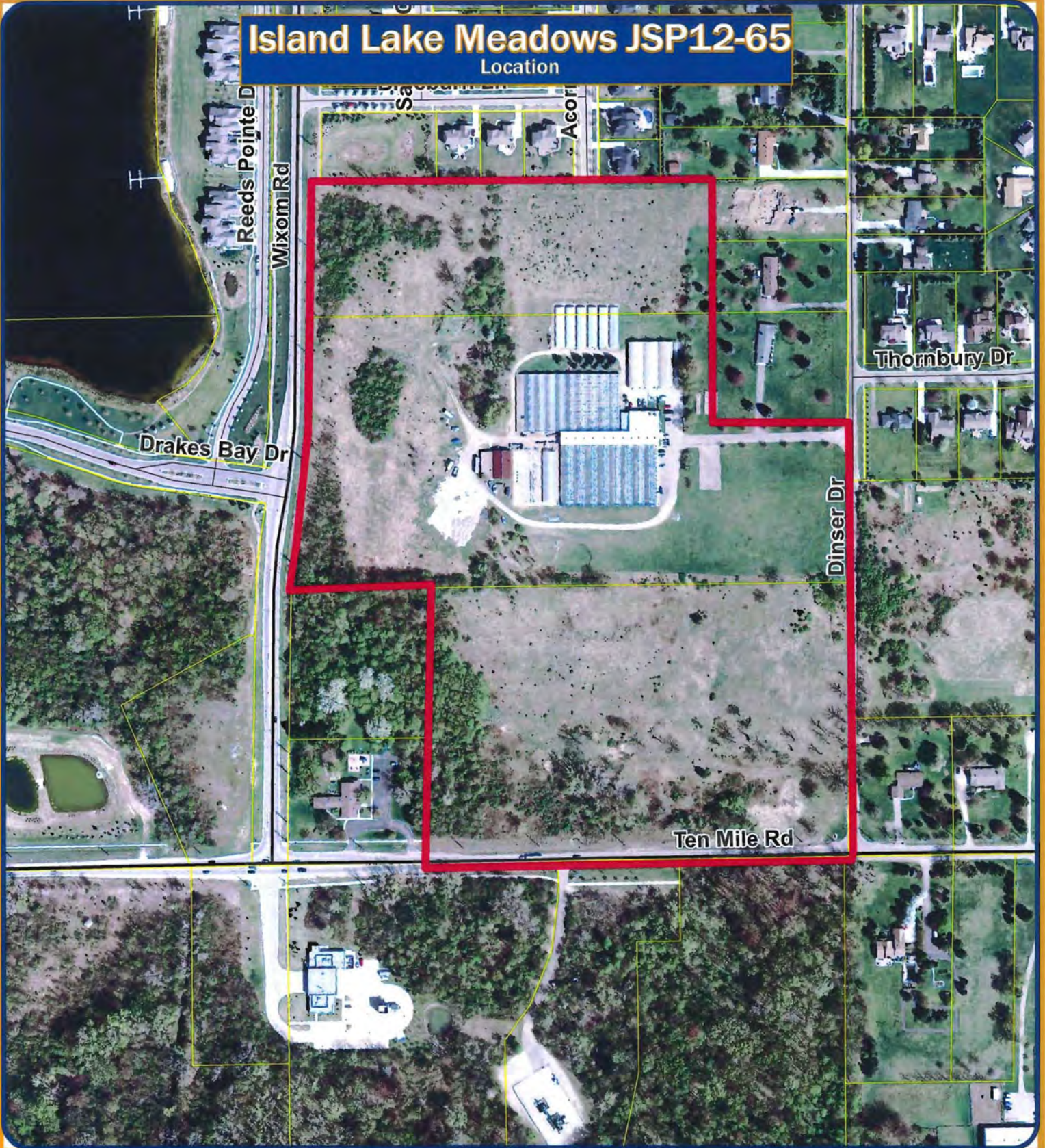
L-1

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features




# Island Lake Meadows JSP12-65

Location



Map Author: Kristen Kapelanski  
 Date: 12-05-12  
 Project: Island Lake Meadows JSP12-65  
 Version #: 1.0

**Map Legend**  
 Subject Property



**City of Novi**  
 Planning Division  
 Community Development  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

**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.

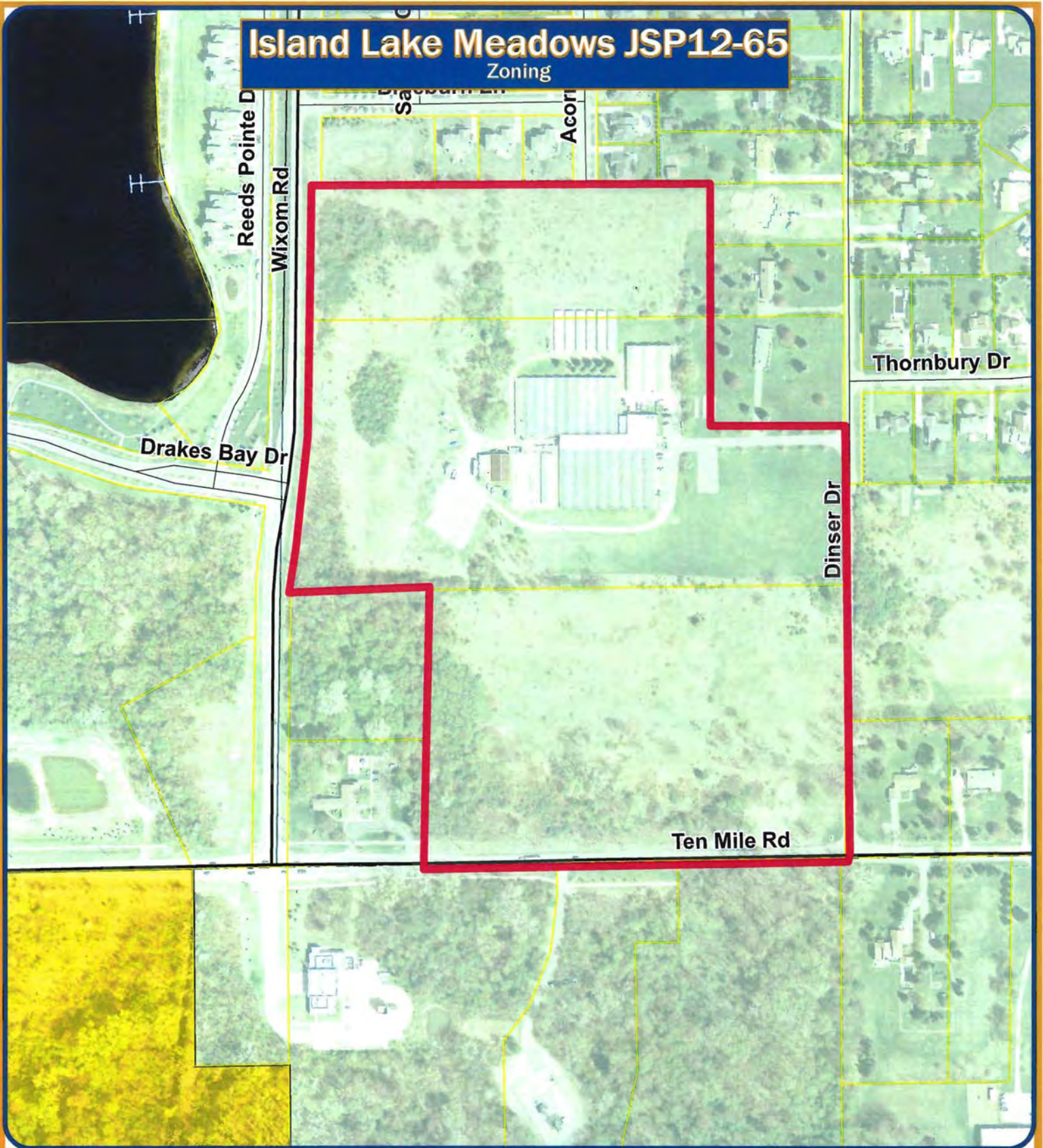


1 inch = 314 feet






# Island Lake Meadows JSP12-65

## Zoning



Map Author: Kristen Kapelanski  
 Date: 12-05-12  
 Project: Island Lake Meadows JSP12-65  
 Version #: 1.0

### Map Legend

-  Subject Property
-  R-A: Residential Acreage
-  R-1: One-Family Residential District



### City of Novi

Planning Division  
 Community Development  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

#### 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.

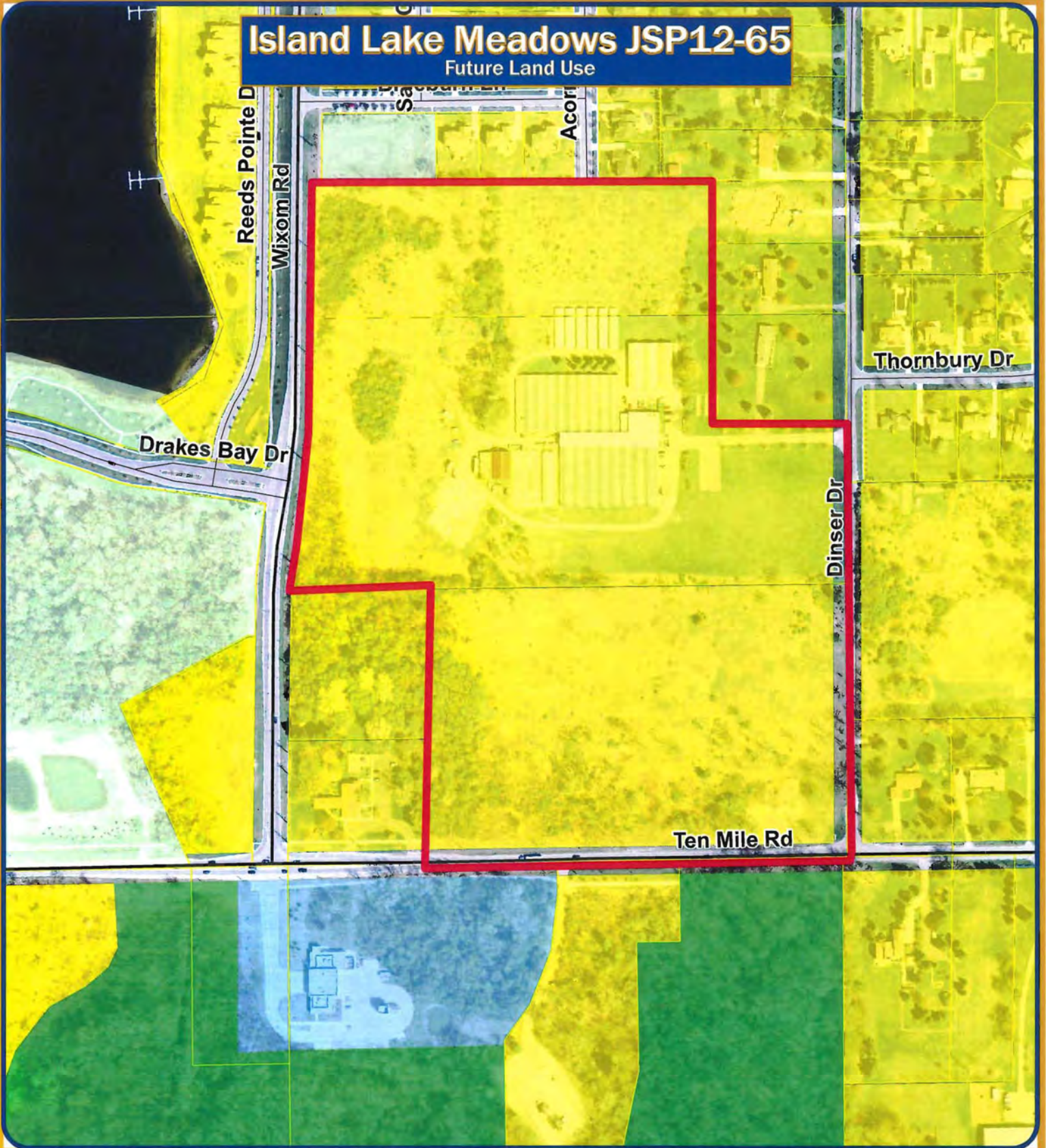


1 inch = 314 feet



# Island Lake Meadows JSP12-65

## Future Land Use



Map Author: Kristen Kapelanski  
 Date: 12-05-12  
 Project: Island Lake Meadows JSP12-65  
 Version #: 1.0

### Map Legend

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



### City of Novi

Planning Division  
 Community Development  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

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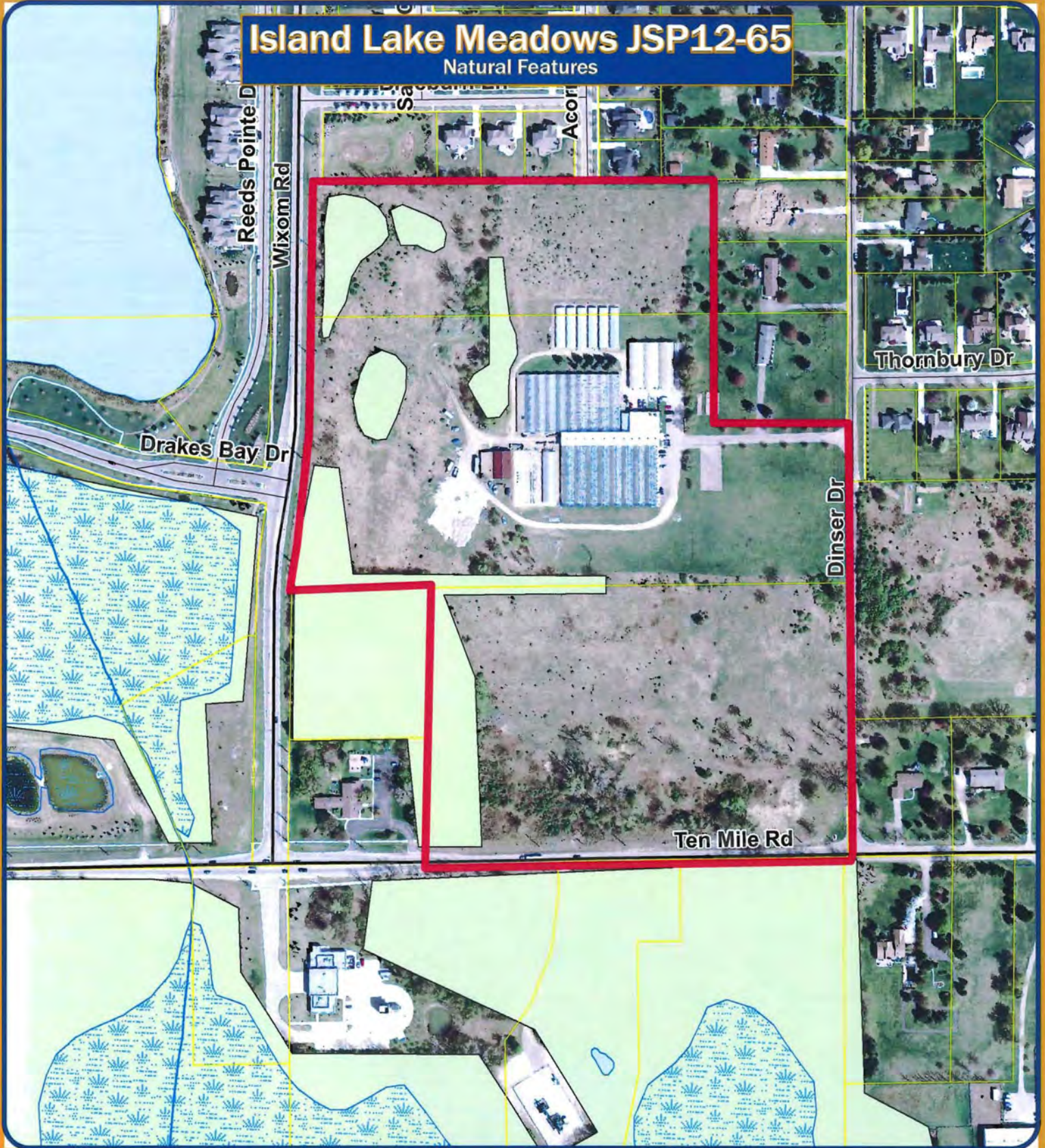


1 inch = 314 feet



# Island Lake Meadows JSP12-65

## Natural Features



Map Author: Kristen Kapelanski  
 Date: 12-05-12  
 Project: Island Lake Meadows JSP12-65  
 Version #: 1.0

Map Legend	
	Subject Property
	Wetlands
	Woodlands



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