



**CITY OF NOVI CITY COUNCIL**  
**MAY 20, 2024**

**SUBJECT:** Consideration of tentative approval of the request of Toll Brothers, LLC, for Elm Creek, JZ22-28 with Zoning Map Amendment 18.732, to rezone property on the west side of Meadowbrook Road, south of 12 Mile Road from Office Service Technology and Low-Rise Multiple Family to Low-Rise Multiple Family with a Planned Rezoning Overlay.

**SUBMITTING DEPARTMENT:** Community Development Department - Planning

**BACKGROUND INFORMATION:**

The petitioner is requesting a Zoning Map Amendment for approximately 37 acres of property on the west side of Meadowbrook Road, south of Twelve Mile Road (Section 14). The applicant is proposing to rezone property rezone from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) using the City's Planned Rezoning Overlay (PRO) option.

The Formal PRO Plan proposes a two-phased up to 121-unit multiple-family townhome development. The single entrance to the development would be from Meadowbrook Road. Two new public roads are proposed, along with two access routes for emergency use only. A looped walking path and lake overlook amenity is proposed through a preserved wooded area to provide the required usable open space. Wetland impacts are proposed to be mitigated on-site near the entrance on Meadowbrook Road. One stormwater detention pond is proposed in each phase.

A unique feature of this property is that the northern roughly 23-acre area is owned by one entity, Lakeside/Novi Land Partnership, while the southern 13.6-acre area is "owned" by another entity, Singh VI LP. The quotes are around the word "owned" because there was never a formal split of this overall parcel, only a private agreement. As far as the City records are concerned this is one roughly 37-acre parcel. For the Formal PRO Plan, the entire parcel is proposed to be rezoned to RM-1, and the owner of the southern portion has submitted a letter stating that they agree to be bound by the terms of the PRO Agreement, should it be approved.

For the southern Phase 2 portion, the request is for up to 54 units (although only 34 units are shown on the plan). The proposed allowance for 54 units is the maximum density

permitted under the RM-1 District (5.4 dwellings per acre) and is not more restrictive than permitted under the ordinance. It is not clear how 54 units could be built on the site without requiring additional variances than have been identified at this time. If approved, the PRO Agreement should address the possibility that the Phase 2 portion of the property may not be developed for some time. This raises concerns with the timeline for acceptance of public streets that may be damaged by construction traffic, looping the water system, providing cul-de-sacs at the road terminus rather than a temporary T-turnaround. In addition, phase 1 residents will be impacted by construction traffic.

See the proposed motion for a complete list of deviations requested and suggested conditions to be included in the PRO Agreement.

### **PROPERTY HISTORY**

A previous PRO Agreement and Plan was previously approved for this site in 2005, which was known as Uptown Park. That agreement, between the City and Singh IV Limited Partnership, permitted a rezoning to RM-2 to allow up to 201 residential units. Conditions of development included that they be for-sale units and stipulated the preservation of landscape buffers in lieu of building berms. The Uptown Park PRO Plan, which has expired, is included in the packet attachments.

### **PRO ORDINANCE**

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

City Council adopted revisions to the Planned Rezoning Overlay ordinance. Under the terms of the new ordinance, the Planning Commission does not make a formal recommendation to City Council after the first public hearing. Instead, the initial review is an opportunity for the members of the Planning Commission, and then City Council, to hear public comment, and to review and comment on whether the project meets the requirements of eligibility for Planned Rezoning Overlay proposal. Section 7.13.2.B.ii states:

*In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the proposed improvements that,*

- 1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C below; and*

- 2) *constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.*

(See attachment for Full text, including Subsection C)

After this initial round of comments by the public bodies, the applicant may choose to make any changes, additions or deletions to the proposal based on the feedback received. The applicant will then submit their formalized PRO Plan, which will be reviewed by City staff and consultants. The project would then be scheduled for a 2<sup>nd</sup> public hearing before the Planning Commission. Following the 2<sup>nd</sup> public hearing the Planning Commission will make a recommendation on the project to City Council. City Council would then consider the rezoning with PRO, and if it determines it may approve it, would direct the City Attorney to work with the applicant on a PRO Agreement. Once completed, that final PRO Agreement would go back to Council for final determination.

### **PLANNING COMMISSION**

The Planning Commission held a Public Hearing on the formal PRO Plan on April 24, 2024 and recommended approval to the City Council. Comments made at that time are reflected in the meeting minutes included in this packet.

### **City Council Action**

If the City Council is inclined to approve the rezoning request with PRO at this time, the City Council's motion would be to direct the City Attorney to prepare a PRO Agreement to be brought back before the City Council for approval with specified PRO Conditions.

**RECOMMENDED ACTION:** Tentative indication that Council may **approve** the request of Toll Brothers, LLC, for Elm Creek, JZ22-28 with Zoning Map Amendment 18.732, to rezone from OST and RM-1 to RM-1, subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, and direction to the City Attorney to prepare the PRO Agreement including items A through C:

A. All deviations from the ordinance requirements shall be identified and included in PRO Agreement, including:

1. Side and Rear Setbacks (Sec 3.1.7.D and 3.6.2.B): A Zoning Ordinance deviation is requested to reduce the side and rear setbacks from 75 feet to 50 feet along the north, east, and west property lines of Phase 1. The deviation is requested to cluster the buildings in the northern portion of the site while preserving City Woodlands and Wetlands in the southern portion of the property.
2. Building Orientation (Sec. 3.8.2.D): A Zoning Ordinance deviation is requested to revise the required orientation of the buildings from 45 degrees to the property line to 90 degrees. This allows for a more uniform site layout with all of the units backing up to open space/wooded areas.

3. Distance Between Buildings (Sec. 3.8.2.H): A Zoning Ordinance deviation is requested to allow a minimum distance of 30 feet between buildings on the same side of the street. The calculated minimum distance would be between 33.72 feet and 34.9 feet, so the deviation is relatively minor.
4. Parking along Major Drives (Sec. 5.10): A Zoning Ordinance deviation is requested to allow for perpendicular parking on a major drive. This deviation is requested due to the impracticality of providing a minor road given the site constraints (woodlands, wetlands, and property configuration). The placement of these parking areas is not near the main entrance.
5. Landscape Berms (Sec. 5.5.3.A.ii): A Zoning Ordinance deviation is requested to not provide a 4-foot, 6-inch to 6-foot high landscape berm on a proposed RM-1 district adjacent to an OST district on the north and east sides of the property. This deviation is requested due to significant grade changes near property lines, and to preserve existing natural features including City regulated woodlands and wetlands. An 8-foot high vinyl fence is proposed along portions of the site where the homes are closest to these areas to provide visual and audible screening, including along the south side of the main entry road as described in the Landscape Review.
6. Right-of-Way Landscaping (Section 5.5.3.B.ii): A deviation for the lack of required street trees and greenbelt berm along Meadowbrook Road in order to avoid disturbance of the existing wetlands and underground utilities.
7. Street Connection (Subdivision Ordinance Design Standards, Sec. 4.04): A deviation for lack of a connection to the proposed Lion Lane of the Griffin Novi project (approximately 250 feet distance). The ordinance requires compliance with the Thoroughfare Plan of the Master Plan, which indicates a road connection between the mall area to Meadowbrook Road. The applicant requests this deviation as it is likely to create undesirable cut-through traffic in the neighborhood.
8. Any additional deviations identified during Site Plan Review (after the Concept Plan and PRO Agreement is approved), will require amendment of the PRO Agreement, unless otherwise stated in the PRO Agreement.

B. The following conditions shall be requirements of the PRO Agreement:

1. Preservation of 8.38 acres of City regulated woodlands, *as placement in a conservation easement is more restrictive than required, and it is beneficial to the public to have additional woodland areas permanently protected within conservation easements.*
2. Preservation of 3.02 acres of City regulated wetlands, *as placement in a conservation easement is more restrictive than required, and it is beneficial to*

*the public to have additional wetland areas permanently protected within conservation easements.*

3. On-site wetland mitigation will be provided in accordance with the Wetland and Watercourse Protection Ordinance.
4. Overall density of both phases shall not exceed 4.2 dwelling units per acre, *which is more limiting than the 5.4 dwelling units per acre allowed in the RM-1 District.*
5. Providing the community amenities shown in the PRO Concept Plan, including the nature trail and overlook with seating, *as this is a greater area of usable open space than required in RM-1 District, which will benefit future residents of the site.*
6. Screening between adjacent properties including fences and landscaping as shown in the PRO Plan.
7. A cul-de-sac shall be provided at the terminus of the road in Phase 2 rather than a temporary T-turn, since it is unlikely that the road will connect to future development to the south. If Phase 2 of the project does not move forward in a timely manner, the temporary T-turnaround shall be changed to a cul-de-sac.
8. The applicant proposes to fill two off-site sidewalk gaps along Meadowbrook Road adjacent to the north and south (on frontage of parcels 22-14-200-045 and 22-14-200-010) totaling 314 feet as a benefit to the public. The sidewalk extensions will include design, construction, and easement acquisition, if necessary.
9. The PRO Plan includes a sidewalk extension along the western emergency access road, which will allow non-motorized access to the mall area via the proposed sidewalk of the Griffin Novi project.
10. First floor living options providing primary bedrooms on the first level will be available in end units in the development.
11. The applicant has offered to contribute \$10,000 to City of Novi Parks, Recreation, and Cultural Services to be utilized for improvements to nearby Beacon Hill Trailhead at the northeast corner of Meadowbrook Road and Twelve Mile Road, likely to be used by residents of the proposed development.
12. The development will encourage energy efficient design and utilize LEED strategies such as energy efficiency, sustainably produced building materials, high indoor air quality and insulation materials. For Phase 1, Toll Brothers will be providing EV Charging Infrastructure with a 240-volt outlet prewired in every garage, Energy Star rated appliances in all units, and the use of Low-E Energy Star rated windows. Construction will also include High-Efficiency Insulation with 2x6 Walls with R-19 Insulation, blown in attic insulation, spray sealed ducts, and R11 Blanket insulation in basement walls.

13. Any land division requested for the property shall be subject to approval by the City of Novi Assessor's office. A title search shall be provided by the applicant. The timing of the land division shall be addressed in the final PRO Agreement and will not be granted unless and until appropriate easements have been established and appropriate performance guarantees have been provided to ensure access to all affected properties to the satisfaction of the City.
14. Appropriate consideration of the timing of development between the two phases, including conditions that account for road terminus treatment, water system looping, damage to public roads caused by construction, etc. shall be detailed in the draft PRO Agreement.

C. This motion is made because the proposed Low-Density Multiple Family (RM-1) zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use, because it meets the requirements of the Zoning Ordinance as relates to Planned Rezoning Overlays by including site specific features that are more restrictive than could otherwise be required by ordinance, and because the benefits to the public of the project outweigh any detrimental impacts of the project:

1. The proposed residential neighborhood would support healthy lifestyles through the provision of walking trails and sidewalk connections and ensure the provision of open space within the development.
2. The unit sizes and types help the City's goal of providing a wide range of housing options and could appeal to a variety of buyers who prioritize minimal maintenance, smaller unit sizes, and natural surroundings.
3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features *as the 8.38 acres of city-regulated woodlands and 3.02 acres of regulated wetlands will be preserved in conservation easements. The proposed layout minimizes impacts to natural features by grouping buildings along two roads, whereas an OST development would be likely to disturb more of the natural area.*
4. The proposed project will ensure compatibility between residential and non-residential developments *because the project proposes proper screening.*
5. The Rezoning Traffic Study demonstrates that the proposed use is likely to generate far fewer vehicle trips per day compared to potential development under the current OST zoning district.
6. Public utilities are available to connect to, and adequate service capacity is available for the residential demand proposed.

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features

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# ELM CREEK PRO LOCATION



Legend

 Subject Property

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

Map Author: Lindsay Bell  
 Date: 9/1/23  
 Project: ELM CREEK PRO  
 Version #: 1

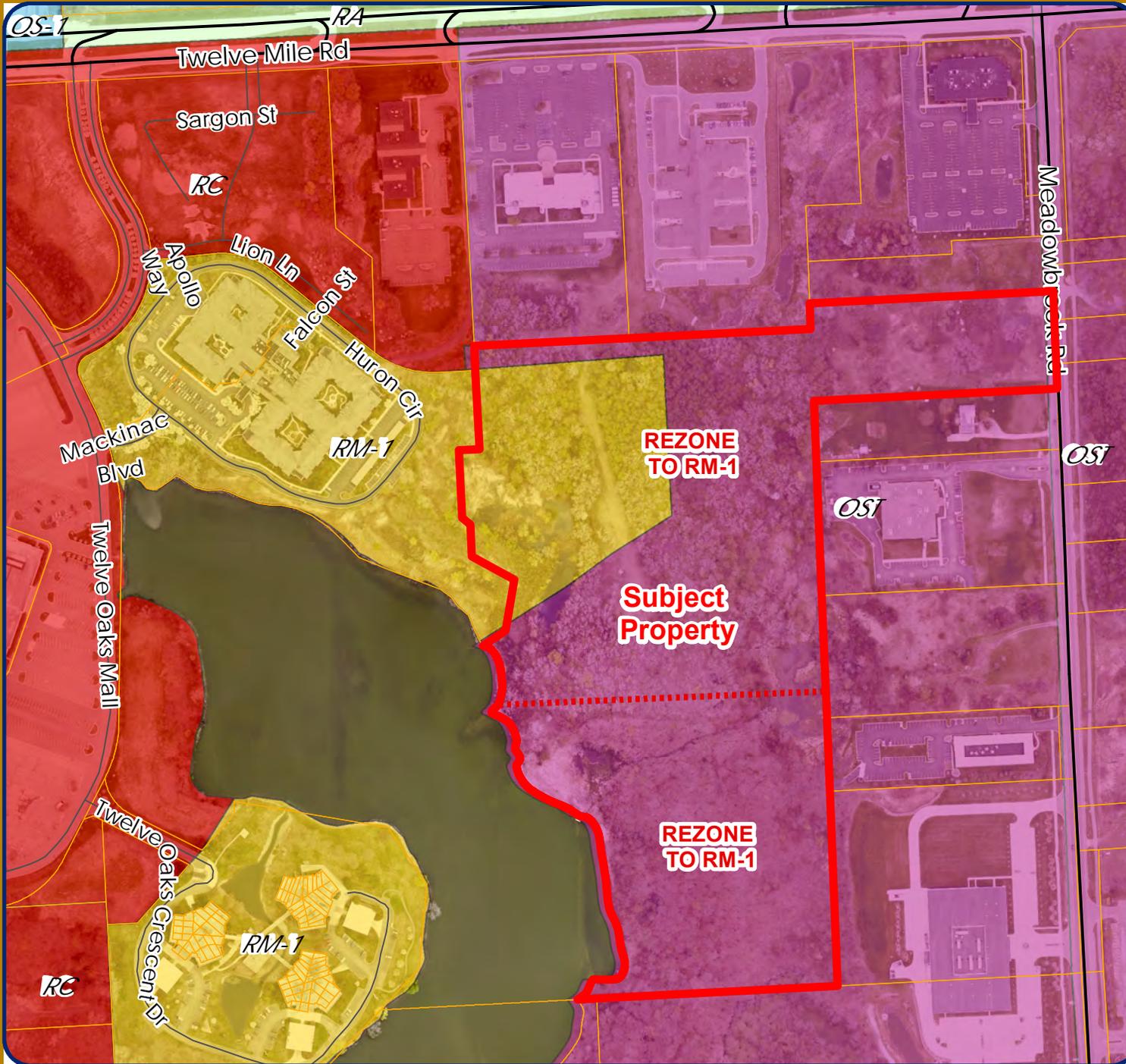
0 87.5 175 350 525 Feet  
 1 inch = 392 feet



**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.

# ELM CREEK PRO ZONING



**Legend**

- R-A: Residential Acreage
- RM-1: Low-Density Multiple Family
- OS-1: Office Service District
- OST: Office Service Technology
- RC: Regional Center District
- Subject Property

**CITY OF NOVI**  
  
**NOVI**  
 cityofnovi.org

**City of Novi**  
 Dept. of Community Development  
 City Hall / Civic Center  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
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# ELM CREEK PRO

## FUTURE LAND USE



### Section 14



#### Legend

 Subject Property



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

Map Author: Lindsay Bell  
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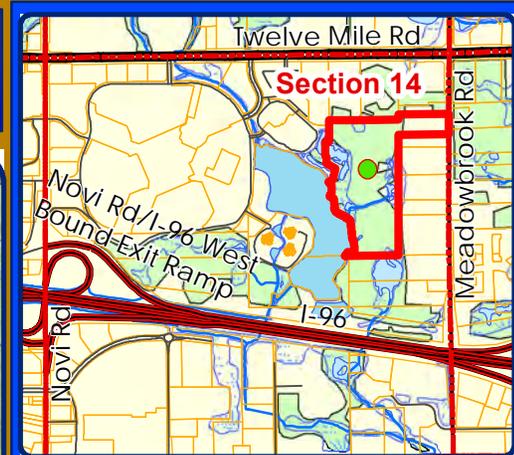
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# ELM CREEK PRO NATURAL FEATURES



**Legend**

-  Wetlands
-  Woodlands
-  Subject Property

**CITY OF NOVI**  
  
**NOVI**  
 cityofnovi.org

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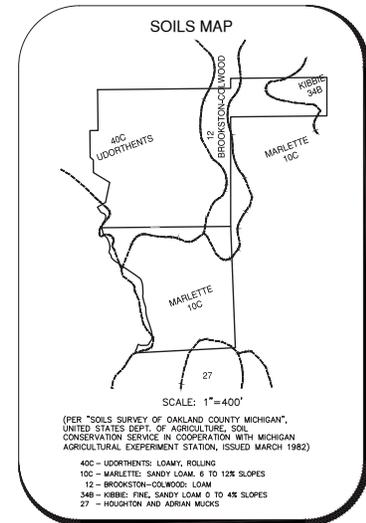
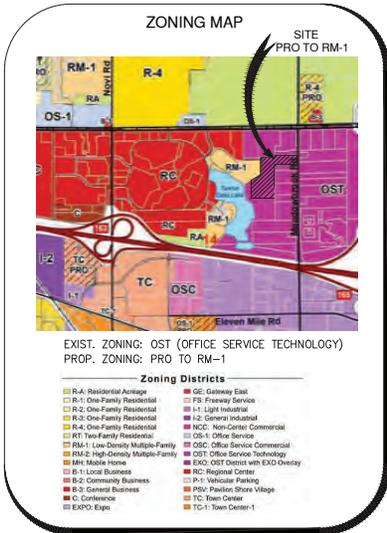
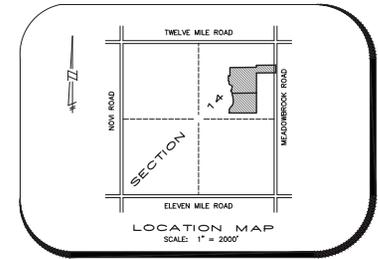
**FORMAL PRO CONCEPT PLAN**  
**FEBRUARY 15, 2024**

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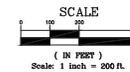
# PLANNED REZONING OVERLAY (PRO) PLAN ELM CREEK BY TOLL BROTHERS

SECTION 26, TOWN 1 NORTH, RANGE 8 EAST,  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

PREPARED FOR:  
**TOLL BROTHERS, INC.**  
26200 TOWN CENTER DRIVE  
NOVI, MICHIGAN 48375  
248.380.9611



LANDSCAPE PLANS PROVIDED BY:  
**ALLEN DESIGN**  
LAND PLANNING | LANDSCAPE ARCHITECTURE  
557 CARPENTER  
NORTHVILLE, MICHIGAN 48167  
PHONE: 248.467.4668



**SHEET INDEX**

**PRO PLANS:**

- COVER SHEET
- SURVEY PLAN PHASE 1
- SITE PLAN PHASE 1
- SITE PLAN PHASE 2
- GRADING PLAN PHASE 1
- STORM WATER MANAGEMENT PLAN PHASE 1
- OPEN SPACE PLAN PHASE 1
- EMERGENCY VEHICLE ROUTE PLAN PHASE 1
- OVERALL RE-ZONING PLAN

**LANDSCAPE PLANS:**

- L-1 CONCEPTUAL LANDSCAPE PLAN
- L-2 GREENBELT AND ENTRY
- L-3 PROPOSED BUFFERS
- L-4 WOODLAND PLAN
- L-5 LANDSCAPE DETAILS
- L-6 TO L-8 TREE LIST

**ARCHITECTURAL PLANS:**

- 1-4 BUILDING FLOOR PLAN
- 5-8 BUILDING ELEVATIONS

**PHOTOMETRIC PLANS:**

- 1 OF 3 - 3 OF 3

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

- NOTES**
- ALL WORK SHALL CONFORM TO THE CITY OF NOVI'S CURRENT STANDARDS AND SPECIFICATIONS.
  - THE CONTRACTOR MUST OBTAIN A PERMIT FROM THE CITY OF NOVI FOR ANY WORK WITHIN THE RIGHT-OF-WAY OF HICK LUDTRUM DRIVE.
  - ALL PAVEMENT MARKINGS, TRAFFIC CONTROL SIGNS, AND PARKING SIGNS SHALL COMPLY WITH THE DESIGN AND PLACEMENT REQUIREMENTS OF THE 2011 MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

**ELM CREEK BY TOLL BROTHERS**  
SECTION 26, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

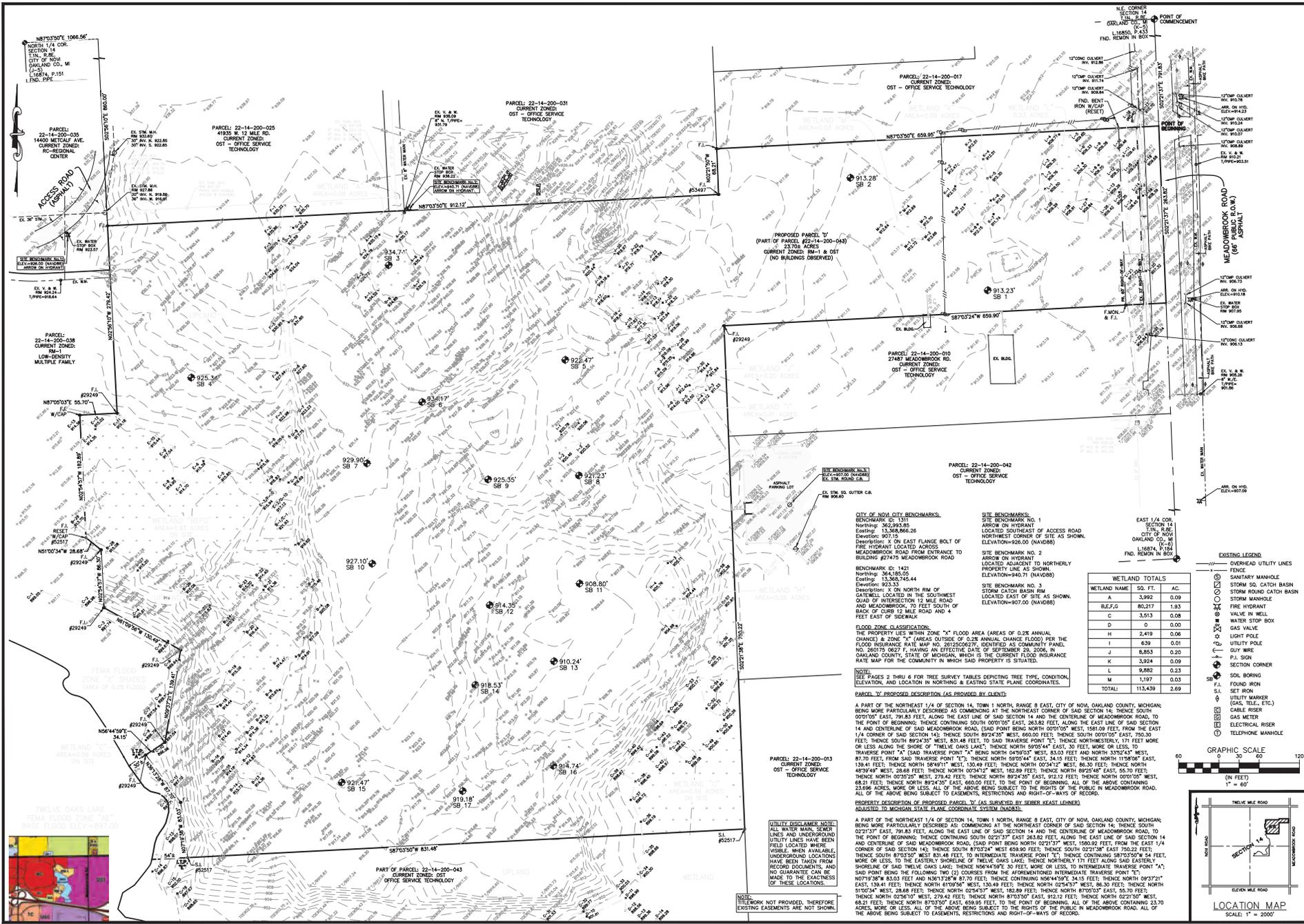
COVER SHEET

REVISIONS		DATE		3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171 TOLL FREE FOR THE LOCATION OF UNDERGROUND FACILITIES
NO.	REVISION FOR THE CITY	DATE		
1	REVISION FOR THE CITY	3/29/2024		
2	REVISION FOR THE CITY	2/19/2024		

DESIGNED BY: J.E. RICHARD  
CHECKED BY: J.E. RICHARD  
DATE: 06-13-23  
JOB NUMBER: 21-044  
FILE: 21-044-CV.dwg

**SKL SEIBER KEAST LEHNER ENGINEERING | SURVEYING**

SHEET 1



**SEIBER KEAST LEHNER ENGINEERING | SURVEYING**

1700 W. WOODRIDGE AVE., SUITE 100, NOVI, MI 48240-1100  
 TEL: 248.463.1100 FAX: 248.463.1101  
 WWW.SKLENG.COM

DATE: 1/17/2022  
 DRAWN BY: JASON EMERINE  
 CHECKED BY: JASON EMERINE  
 SCALE: 1" = 60'

3 WORKING DAYS BEFORE YOU DIG  
 1- CALL MISS DIG  
 1- TOLL FREE 788 788 LOCAL 11  
 1- TOLL FREE 788 788 LOCAL 11  
 1- TOLL FREE 788 788 LOCAL 11

**811**

OVERHEAD UTILITY LINES  
 FENCE  
 SANITARY MANHOLE  
 STORM S&S CATCH BASIN  
 STORM ROUND CATCH BASIN  
 FIRE HYDRANT  
 VALVE IN WELL  
 WATER STOP BOX  
 GAS VALVE  
 LIGHT POLE  
 UTILITY POLE  
 CITY WIRE  
 P.U. SON  
 SECTION CORNER  
 F.I. SOIL BORING  
 F.I. FOUND IRON  
 S.I. SET IRON  
 U.M. UTILITY MARKER (CABLE, TELE, ETC.)  
 C.R. CABLE RISER  
 E.R. ELECTRICAL RISER  
 T.M. TELEPHONE MANHOLE

WETLAND NAME	SQ. FT.	AC.
A	3,592	0.09
B.F.E.P.	85,217	1.93
C	3,513	0.08
D	0	0.00
H	2,419	0.06
I	639	0.01
J	8,853	0.20
K	3,924	0.09
L	9,882	0.23
M	1,197	0.03
TOTAL	113,439	2.69

GRAPHIC SCALE  
 0 30 60 120  
 (IN FEET)  
 1" = 60'

LOCATION MAP  
 SCALE: 1" = 2000'

PROJECT NAME: ELM CREEK AT TOLL BROTHERS  
 SECTION 14, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, MICHIGAN  
 SHEET TITLE: BOUNDARY AND TOPOGRAPHIC SURVEY  
 JOB NO.: 21-0445K  
 PAGE NO.: 2





PARCEL: 22-14-200-013  
CURRENT ZONING: OST - OFFICE SERVICE TECHNOLOGY

PARCEL: 22-14-200-044  
CURRENT ZONING: OST - OFFICE SERVICE TECHNOLOGY



**RM-1 ZONING NOTES**

THE SITE WILL MEET THE FOLLOWING ZONING ORDINANCE REQUIREMENTS:

- SECTION 5.15 FACADE
- SECTION 5.5 LANDSCAPE
- SECTION 5.7 EXTERIOR LIGHTING

THE SITE WILL HAVE THE FOLLOWING DEVIATIONS FROM RM-1 ZONING:

- SECTION 5.5.3.A.ii - LANDSCAPE BERM SCREENING.
- SECTION 3.8.2.D - ORIENTATION OF BUILDINGS TO THE PROPERTY LINES
- SECTION 3.8.2.H - MINIMUM DISTANCE BETWEEN BUILDINGS
- SECTION 5.10 - PERPENDICULAR PARKING TO "MAJOR" ROAD

**OVERALL PARCELL**

Property Description:  
 T1N, R8E, SEC 14 PART OF NE 1/4 BEG AT PT DIST N 89-24-35 E 1066.73 FT & S 00-35-25 E 860 FT FROM N 1/4 COR, TH N 89-24-35 E 912.12 FT, TH N 00-01-05 W 68.21 FT, TH N 89-24-35 E 660 FT, TH S 00-01-05 E 263.82 FT, TH S 89-24-35 W 660 FT, TH S 00-01-05 E 1581.97 FT, TH S 89-20-01 W 671.60 FT TO TRAV PT 'D', TH S 89-20-01 W 33 FT TO SHORE OF TWELVE OAKS LAKE, TH NELY & NWLY 1334 FT ALG SD SHORE, TH N 59-05-44 E 30 FT TO TRAV PT 'A', LOC N 13-18-35 E 34 FT & N 87-31-55 E 110.80 FT & N 08-21-20 W 494.05 FT & N 58-12-28 W 222.88 FT & N 04-59-03 W 270.31 FT & N 33-52-43 W 87.70 FT FROM TRAV PT 'D', TH N 59-05-44 E 24.15 FT, TH N E1-58-06 E 130.41 FT TH N 58-49-11 W 130.49 FT TH N 00-34-12 W 86.30 FT, TH N 48-39-49 W 28.68 FT, TH N 00-34-12 W 182.89 FT, TH N 89-25-48 E 55.70 FT, TH N 00-35-25 W 279.42 FT TO BEG 36.68 A 1-16-04 FR 041

- NOTES AND PROPOSED IMPROVEMENTS**
- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING 6" SANITARY STUB AS SHOWN ON PLANS.
  - MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO AN EXISTING WATER MAIN STUB AS SHOWN ON THE PLANS.
  - STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
  - 2' WIDE CONC. SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF INTERIOR ROADWAYS AS SHOWN.
  - ALL ROADWAYS TO BE PUBLIC.
  - A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.
  - ALL SIDEWALKS AND SIDEWALK RAMPS SHALL A.D.A. COMPLIANT.
  - ALL WORK SHALL CONFORM TO THE CURRENT CITY OF NOVI STANDARDS AND SPECIFICATIONS.
  - PROP. WATER MAIN AND PROP. SANITARY SEWER TO BE CENTERLINE OF 20' WIDE PUBLIC EASEMENT.
  - TRUCKS TO BE HOOKED UP BY CURBSIDE PICK UP.
  - ROOF TOP EQUIPMENT AND APPURTEANCES ARE NOT PROPOSED. SCREENING IS NOT REQUIRED.
  - ON-STREET PARKING IS NOT PROPOSED.
  - ONE PHASE IS PROPOSED FOR THE WHOLE DEVELOPMENT.
  - ELECTRICAL SERVICE TO LIGHT FIXTURES SHALL BE PLACED UNDERGROUND.
  - FLASHING LIGHTS SHALL NOT BE PERMITTED.
  - ONLY NECESSARY LIGHTING FOR SECURITY PURPOSES AND LIMITED OPERATIONS SHALL BE PERMITTED AFTER SITE'S HOURS OF OPERATION.

**ELM CREEK BY TOLL BROTHERS**  
 SECTION 14, TOWN 1 NORTH, RANGE 8 EAST  
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

**SITE PLAN - PHASE 2**

REVISIONS		
NO.	REVISION FOR THE CITY	DATE
1	REVISION FOR THE CITY	3/29/2023
2	REVISION FOR THE CITY	2/15/2024

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171 TOLL FREE FOR 24 HOURS OF UNDERGROUND UTILITY

DATE: 06-13-23 DRAWN BY: J.E. JOB NUMBER: 21-044 CHECKED BY: J.E. FILE: 21041-SP-S0076.dwg

**SKL SEIBERKEAST LEHNER ENGINEERING | SURVEYING**

SHEET 4

**Usable Open Space Calculations**  
**Sec. 3.1.7.D**

TOTAL NO. OF RESIDENTIAL UNITS	= 54
UNITS DECKS (100 S.F. EACH DECK) x 54	= 5,400 S.F. = 0.12 AC.
50 W/O. AREA FOR 5 W/O. GRAVEL PATH = 10,000 S.F. = 0.23 AC. W/OVERLOOK	
<b>USABLE OPEN SPACE PROVIDED = 15,400 S.F. = 0.35 AC.</b>	

<b>PARKING CALCULATIONS</b>	
PARKING REQUIRED PER SEC. 5.2.12.A (2.5 SPACES FOR EACH UNIT HAVING 3 OR MORE BEDROOMS)	
NO. OF UNITS PROPOSED = 54	
PARKING PROVIDED = 54 x 2.5 = 135 SPACES	
ATTACHED GARAGE PARKING = 108	
AT-RISK GARAGE PARKING = 108	
QUEST SURFACE PARKING INCLUDING 1 1/2" SPACE = 9	
PARKING PROVIDED = 225 SPACES	
<b>ACCESSIBLE PARKING SPACES</b>	
TOTAL SURFACE SPACES = 9	
ACCESSIBLE SPACES PER 2010 ADA (208.2 RES. FACILITIES)	
TOTAL ACCESSIBLE REQUIRED: 1 TO 25 SPACES	
= 1 VAN ACCESSIBLE SPACE	
TOTAL ACCESSIBLE PROVIDED: 1 VAN ACCESSIBLE SPACE	

⊙ DENOTES BUILDING NUMBER

MAXIMUM BUILDING HEIGHT ALLOWED = 30'  
 MEDIAN BUILDING HEIGHT PROPOSED = 26.06'

MIN. DISTANCE BETWEEN BUILDINGS  
 MIN. DISTANCE BETWEEN BUILDINGS REQUIRED PER SEC. 3.8.2.H  
 LENGTH BLDG A + HEIGHT BLDG B + HEIGHT BLDG B x 3/8"  
 PROVIDING 30' MIN. (90° DEVIATION REQUIRED)

**BIKE RACK REQUIREMENTS**  
 BICYCLE PARKING REQUIRED PER SECTION 5.16.1 (ONE SPACE FOR EACH 5 UNITS REQUIRED)  
 TOTAL REQUIRED = 54 / 5 = 11 SPACES  
 TOTAL PROVIDED = 11 SPACES

**BUILDINGS COVERAGE**  
 MAXIMUM PERMITTED LOT COVERAGE = 25%  
 PROVIDED LOT COVERAGE = 19%

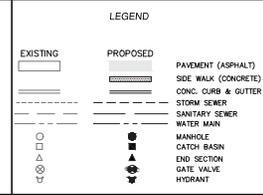
**SITE DATA**

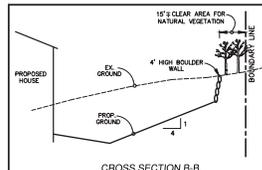
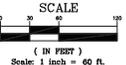
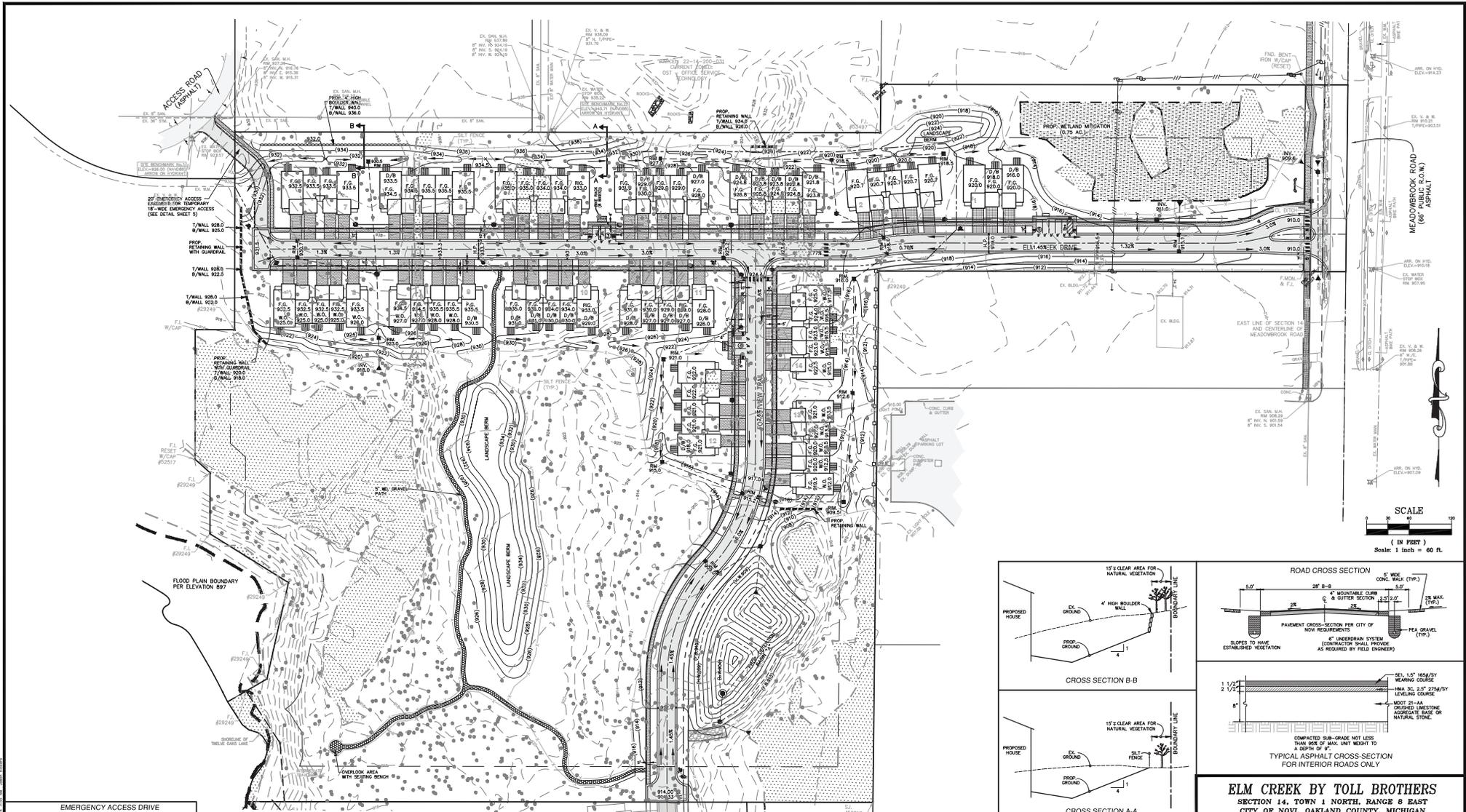
EXISTING ZONING: RM-1 & OST  
 PROPOSED ZONING: RM-1 WITH PRO

SITE AREA = 12.08 ACRES  
 WETLAND AREA = 3.03 ACRES  
 NET SITE AREA = 9.05 ACRES

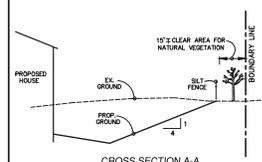
NO. OF BUILDINGS PROPOSED = 16  
 NO. OF UNITS MAXIMUM = 54  
 ALL UNITS HAVE 3 BEDROOMS EACH, (4 ROOMS)

NO. OF ROOMS PROPOSED = 4 x 54 = 216  
 PER 2010 ZONING ORDINANCE  
 NET AREA REQUIRED = 2,000 S.F. PER ROOM  
 = 2,000 x 216 = 432,000 S.F.  
 = 9.92 ACRES  
 NET AREA PROVIDED = 9.95 ACRES

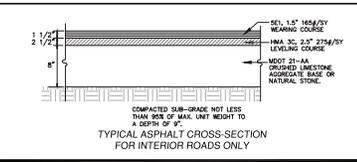
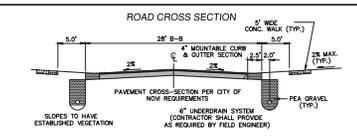




CROSS SECTION B-B



CROSS SECTION A-A



TYPICAL ASPHALT CROSS SECTION FOR INTERIOR ROADS ONLY

LEGEND

EXISTING	PROPOSED	PAVEMENT (ASPH.)
		PAVEMENT (ASPH.)
		SIDE WALK (CONC.)
		CONC. CURB & GUT
		STORM SEWER
		SANITARY SEWER
		WATER MAIN
		MANHOLE
		END SECTION
		GATE VALVE
		HYDRANT

PHASE 1 GRADING PLAN

NO.	REVISION	DATE
1	REVISION FOR THE CITY	3/20/2023
2	REVISION FOR THE CITY	2/15/2024

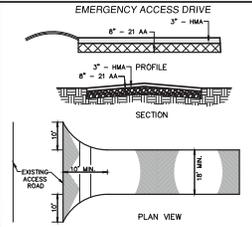
ELM CREEK BY TOLL BROTHERS  
SECTION 14, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

3 WORKING DAYS BEFORE YOU DIG  
CALL MISS DIG  
1-800-482-7171  
TOLL FREE FOR THE LOCATION OF UNDERGROUND FACILITIES

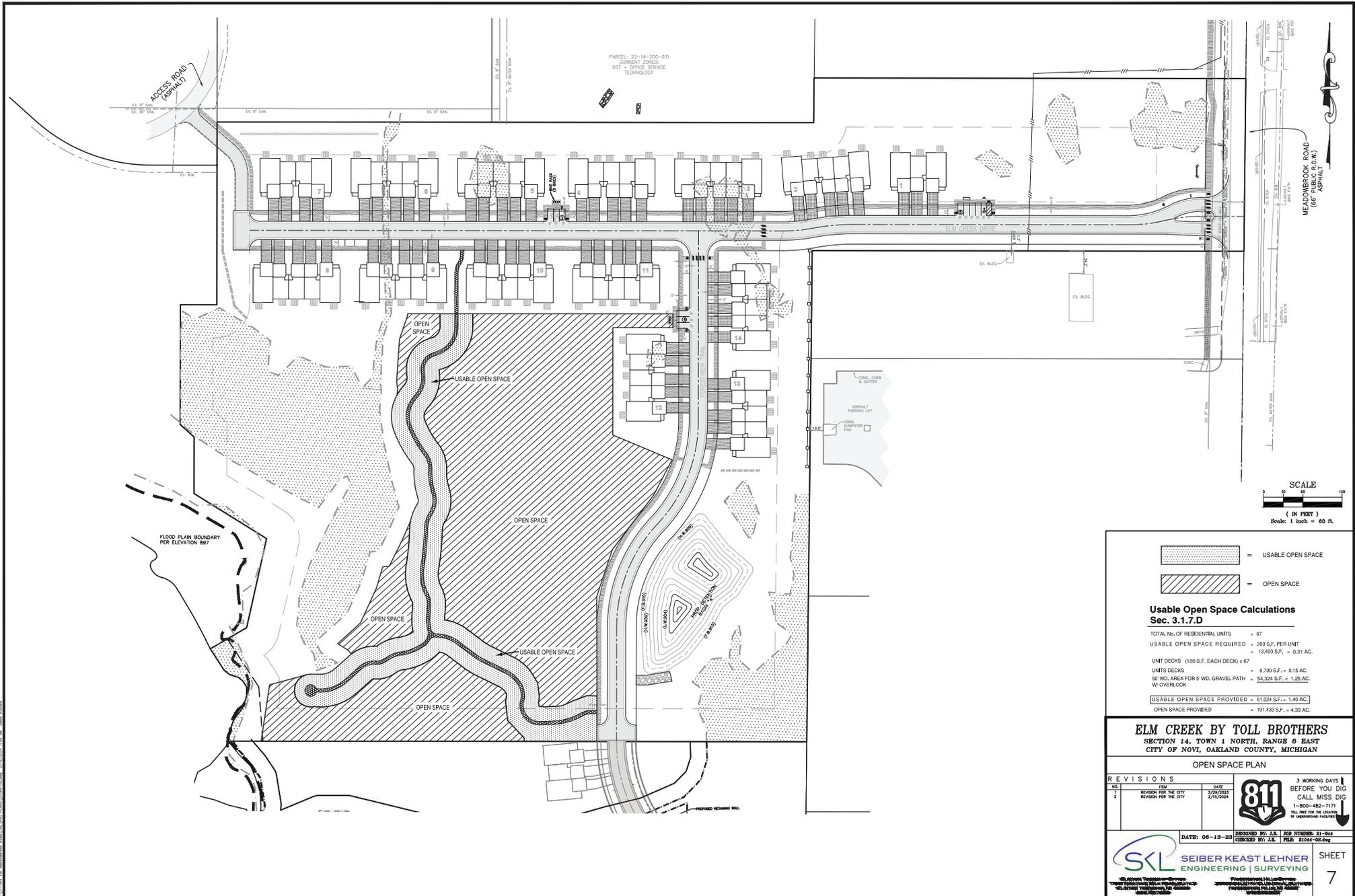
811

DATE: 06-13-23 DESIGNED BY: J.E. AND NUMBER: 21-244  
CHECKED BY: J.E. FILE: 21041-02.dwg

SKL SEIBER KEAST LEHNER ENGINEERING | SURVEYING







**Usable Open Space Calculations Sec. 3.1.7.D**

TOTAL NO. OF RESIDENTIAL UNITS	= 67
USABLE OPEN SPACE REQUIRED	= 203 S.F. PER UNIT = 13,400 S.F. = 0.31 AC.
UNITS DECKS (100 S.F. EACH DECK) x 67	= 6,700 S.F. = 0.15 AC.
50' WD. AREA FOR 5' WD. GRAVEL PATH W/ OVERLOOK	= 54,324 S.F. = 1.25 AC.
USABLE OPEN SPACE PROVIDED	= 61,024 S.F. = 1.40 AC.
OPEN SPACE PROVIDED	= 191,433 S.F. = 4.39 AC.

**ELM CREEK BY TOLL BROTHERS**  
SECTION 14, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

OPEN SPACE PLAN

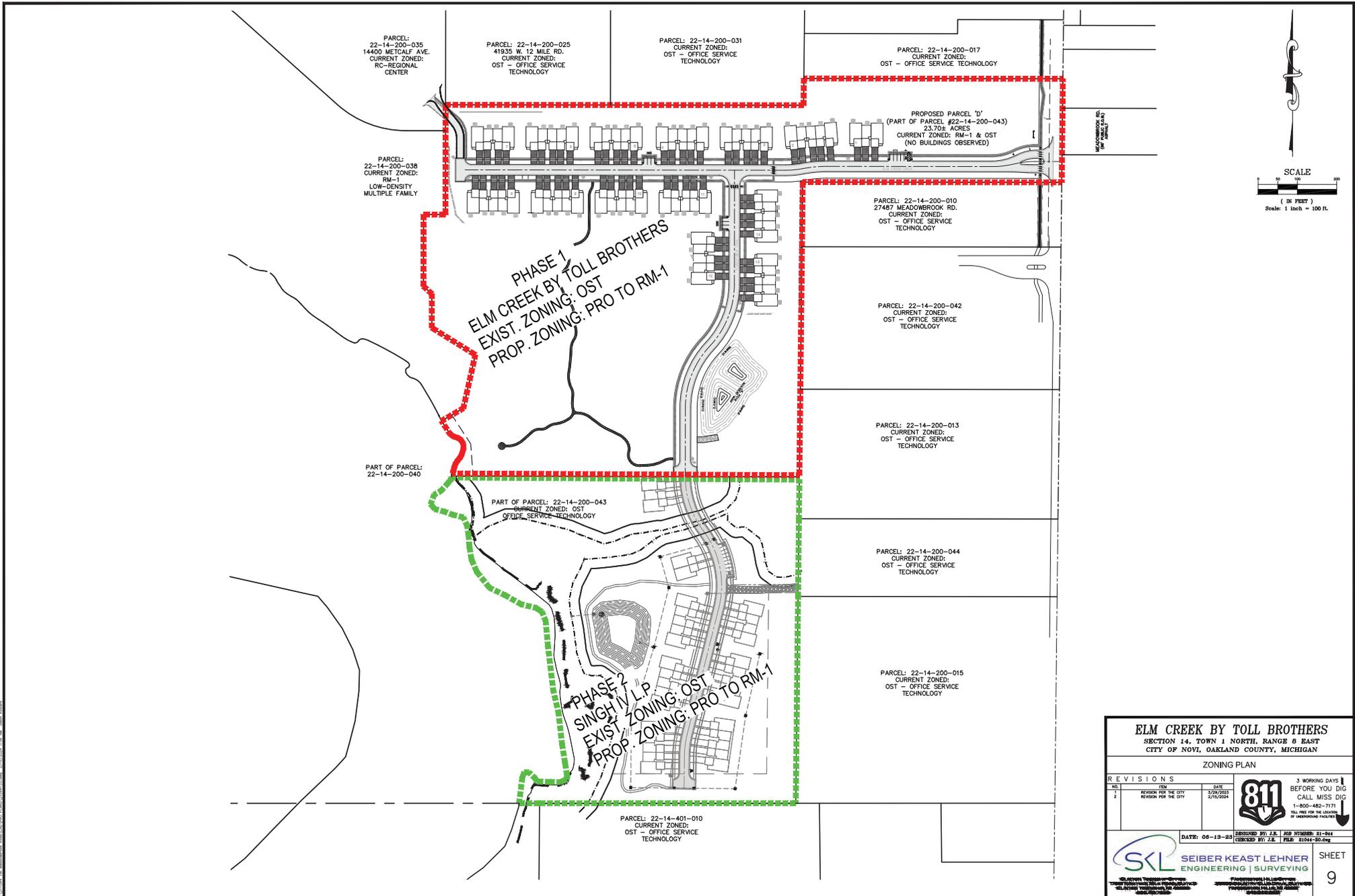
REVISIONS		DATE	3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG
1	REVISION FOR THE CITY	3/29/2023	1-800-482-7171 TOLL FREE FOR THE LOCATION OF UNDERGROUND FACILITIES
2	REVISION FOR THE CITY	2/15/2024	

DESIGNED BY: J.E. | JOB NUMBER: 21-044  
CHECKED BY: J.E. | FILE: 21041-02.dwg

**SKL** SEIBER KEAST LEHNER  
ENGINEERING | SURVEYING

SHEET 7





**ELM CREEK BY TOLL BROTHERS**  
SECTION 14, TOWN 4 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

ZONING PLAN

REVISIONS		
NO.	ITEM	DATE
1	REVISION FOR THE CITY	3/29/2023
2	REVISION FOR THE CITY	2/15/2024

3 WORKING DAYS  
BEFORE YOU DIG  
CALL MISS DIG  
1-800-482-7171  
TOLL FREE FOR THE LOCATION  
OF UNDERGROUND FACILITIES

DATE: 06-13-23  
DESIGNED BY: J.E. | JOB NUMBER: 21-044  
CHECKED BY: J.E. | FILE: 21041-20.dwg

**SKL** SEIBER KEAST LEHNER  
ENGINEERING | SURVEYING

SHEET  
9

21-044-041, J.E. Seiber, K. East, L. Lehner, Nov, MI, 06/13/2023, 10:30 AM, J.E. Seiber

Seal: \_\_\_\_\_



Title:  
**Conceptual Landscape Plan**

Project: \_\_\_\_\_

**Elm Creek  
 Novi, Michigan**

Prepared for: \_\_\_\_\_

Toll Brothers  
 26200 Town Center Drive, Suite 200  
 Novi, Michigan 48375

Revision: \_\_\_\_\_ Issued: \_\_\_\_\_

Submission	August 30, 2022
Revised	March 27, 2023
Revised	February 12, 2024

Job Number: \_\_\_\_\_

22-057

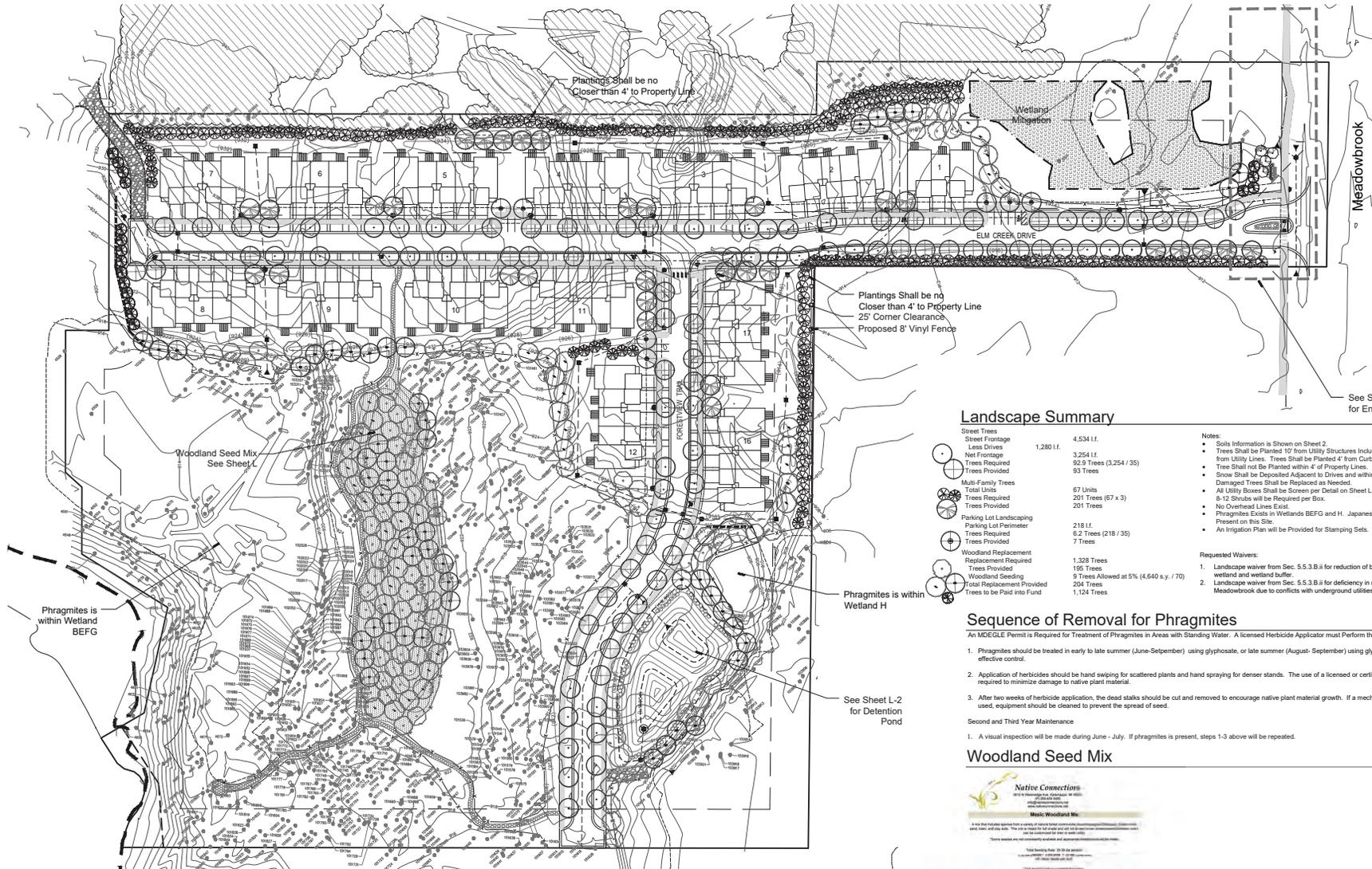
Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_

jca jca



Sheet No. \_\_\_\_\_

L-1



**Landscape Summary**

Street Trees	4,534 Lf.
Less Drives	3,254 Lf.
Net Frontage	1,280 Lf.
Trees Required	929 Trees (3,254 / 35)
Trees Provided	93 Trees
Multi-Family Trees	
Total Units	67 Units
Trees Required	201 Trees (67 x 3)
Trees Provided	201 Trees
Parking Lot Landscaping	
Parking Lot Perimeter	218 Lf.
Trees Required	62 Trees (218 / 35)
Trees Provided	7 Trees
Woodland Replacement	
Replacement Required	1,328 Trees
Trees Provided	195 Trees
Woodland Seeding	9 Trees Allowed at 5% (4,640 s.y. / 70)
Total Replacement Provided	204 Trees
Trees to be Paid into Fund	1,124 Trees

- Notes:
- Site Information is shown on Sheet 2.
  - Trees shall be Planted 10' from Utility Structures including Hydrants and 5' from Utility Lines. Trees shall be Planted 4' from Curbs.
  - Tree shall not be Planted within 4' of Property Lines.
  - Snow shall be Deposited Adjacent to Drives and within the Curb Lane. Any Damaged Trees shall be Replaced as Needed.
  - All Utility Boxes shall be Screen per Detail on Sheet L-3. Approximately 8-12 Shrubs will be Required per Box.
  - No Overhead Lines Exist.
  - Phragmites Exists in Wetlands BEFG and H. Japanese Knotweed and not Present on this Site.
  - An Irrigation Plan will be Provided for Stamping Sets.

- Requested Waivers:
1. Landscape waiver from Sec. 5.5.3.B.i for reduction of berm due to existing wetland and wetland buffer.
  2. Landscape waiver from Sec. 5.5.3.B.ii for deficiency in required trees along Meadowbrook due to conflicts with underground utilities.

**Sequence of Removal for Phragmites**

An MDEGLE Permit is Required for Treatment of Phragmites in Areas with Standing Water. A Licensed Herbicide Applicator must Perform the Work.

1. Phragmites should be treated in early to late summer (June-September) using glyphosate, or late summer (August- September) using glyphosate to achieve effective control.
2. Application of herbicides should be hand spraying for scattered plants and hand spraying for denser stands. The use of a licensed or certified applicator is required to minimize damage to native plant material.
3. After two weeks of herbicide application, the dead stalks should be cut and removed to encourage native plant material growth. If a mechanical method is used, equipment should be cleaned to prevent the spread of seed.

**Second and Third Year Maintenance**

1. A visual inspection will be made during June - July. If phragmites is present, steps 1-3 above will be repeated.

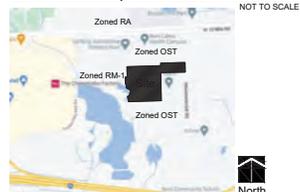
**Woodland Seed Mix**



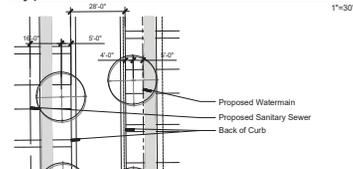
Plant Species	Quantity	Notes
...	...	...
...	...	...
...	...	...

43,751 s.f. of Planting Area

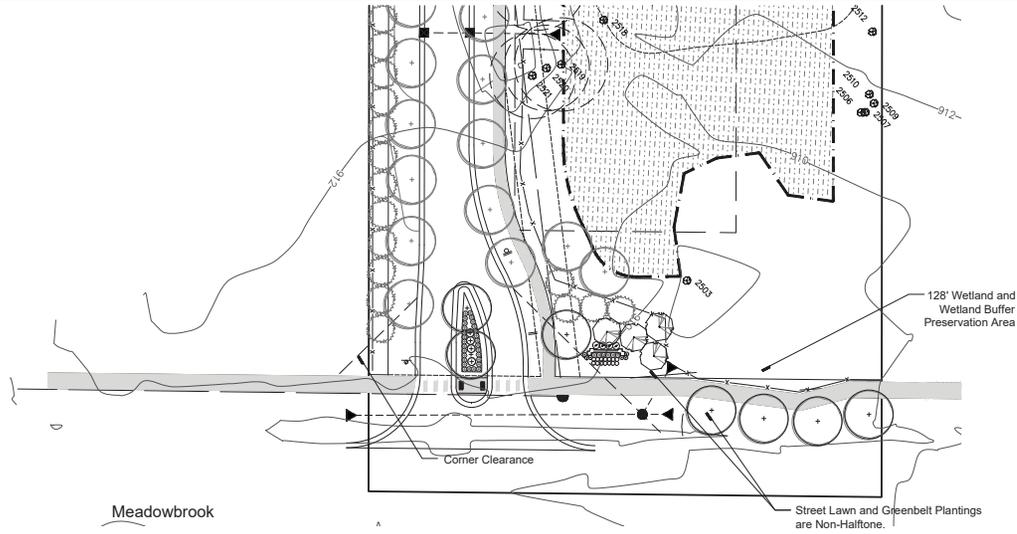
**Location Map**



**Typical Street Tree Detail**



Meadowbrook Greenbelt



Landscape Summary

<b>Street Lawn</b>	
Total Street Frontage	264 L.F.
Less Drive Opening	57 L.F.
Net Street Frontage	207 L.F.
Trees Required	5.9 Trees (207 / 35)
Trees Provided	4 Trees
<b>Greenbelt Plantings</b>	
Total Street Frontage	264 L.F.
Less Preservation Area	128 L.F.
Drive Opening	57 L.F.
Net Street Frontage	79 L.F.
Canopy Trees Required	2.3 Trees (79 / 35)
Canopy Trees Provided	3 Trees
Sub-Canopy Trees Required	3.2 Trees (79 / 25)
Sub-Canopy Trees Provided	4 Trees
<b>Detention Pond Plantings</b>	
High-Water Elevation	587 L.F. (Elev. 909)
Required Planting	411 L.F. (70%)
Planting Provided	450 L.F. (76.6%)
Pond Frontage for Trees	355'
Trees Required	10.1 Trees (355 / 35)
Trees Provided	10 Trees

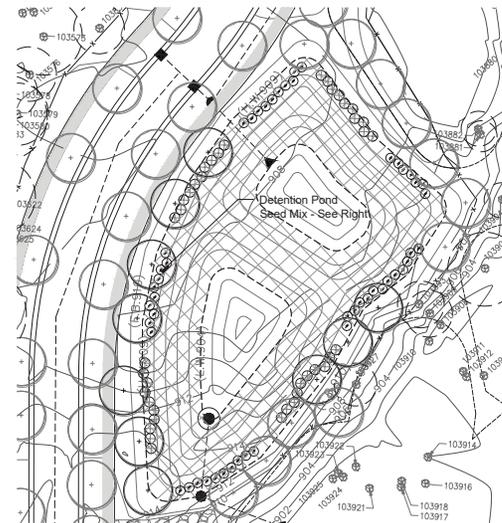


Title:  
Greenbelt and Entry

Project:  
Elm Creek  
Novi, Michigan

Prepared for:  
Toll Brothers  
26290 Town Center Drive, Suite 200  
Novi, Michigan 48375

Detention Pond



**Nutria Connections**  
Nutrient Management Solutions

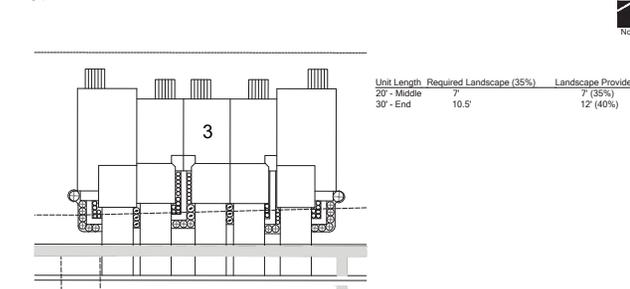
**Summary**

The Summary of Detention Pond Seed Mix is as follows:

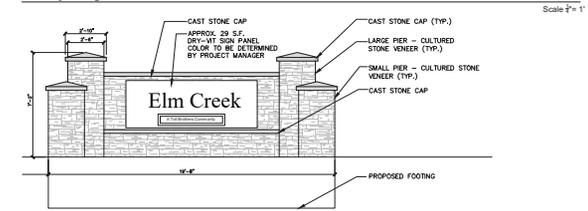
Area	Area (sq. ft.)	Area (Acres)
Detention Pond	16,318	0.37
Other	1,148	0.03
<b>Total</b>	<b>17,466</b>	<b>0.40</b>

16,318 s.f. Total Area  
34.2 lbs. per Acre Application Rate  
12.8 lbs. of Detention Seed Mix Required  
3"-4" of Topsoil with 20%-30% Compost Shall be Placed in this Area.

Typical Unit



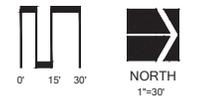
Entry Sign



Revision:	Issued:
Submission	August 30, 2022
Revised	March 27, 2023
Revised	February 12, 2024

Job Number:  
22-057

Drawn By: jca  
Checked By: jca

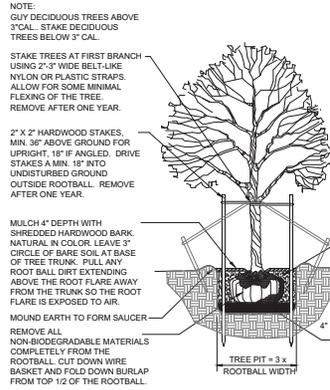


Sheet No.



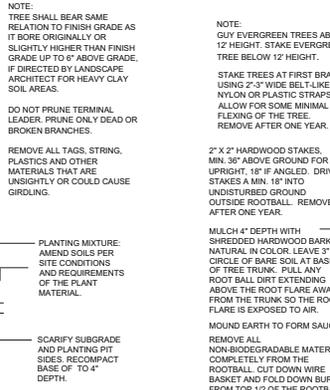






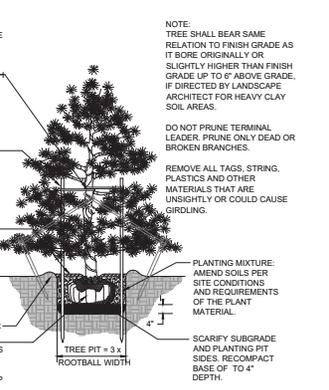
### DECIDUOUS TREE PLANTING DETAIL

Not to scale



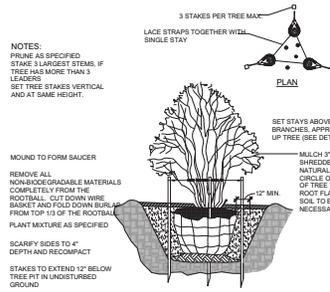
### EVERGREEN TREE PLANTING DETAIL

Not to scale



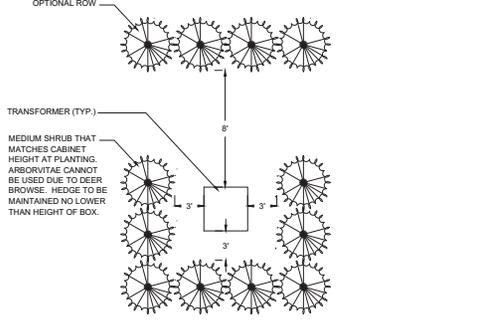
### SHRUB PLANTING DETAIL

NOT TO SCALE



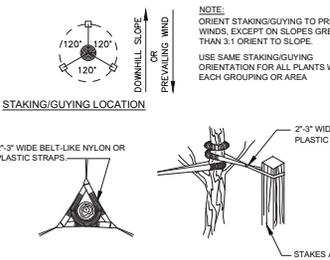
### MULTI-STEM TREE PLANTING DETAIL

NOT TO SCALE



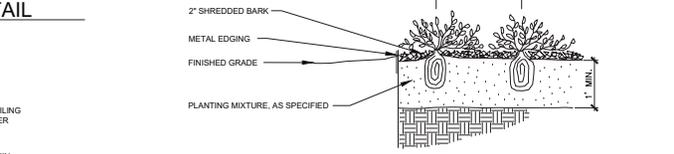
### TRANSFORMER SCREENING DETAIL

Not to scale



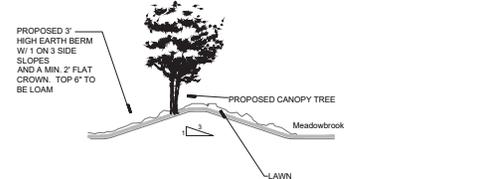
### TREE STAKING DETAIL

Not to scale



### PERENNIAL PLANTING DETAIL

Not to scale



### Berm Detail

HORIZONTAL SCALE: 1\"/>

### LANDSCAPE NOTES

- All plants shall be north Midwest American region group, No. 1 grade plant materials, and shall be true to name, free from physical damage and wind burn.
- Plants shall be full, well-branched, and in healthy vigorous growing condition.
- Plants shall be watered before and after planting is complete.
- All trees must be staked, fertilized and mulched and shall be guaranteed to exhibit a normal growth cycle for at least two (2) full years following City approval.
- All material shall conform to the guidelines established in the most recent edition of the American Standard for Nursery Stock.
- Provide clean backfill soil, using material stockpiled on site. Soil shall be screened and free of any debris, foreign material, and stone.
- \*Agriflora\* tabs or similar slow-release fertilizer shall be added to the planting site before being backfilled.
- Amended planting mix shall consist of 1/3 screened topsoil, 1/3 sand and 1/3 compost, mixed well and spread to the depth as indicated in planting details.
- All plantings shall be mulched per planting details located on this sheet.
- The Landscape Contractor shall be responsible for all work shown on the landscape drawings and specifications.
- No substitutions or changes of location, or plant types shall be made without the approval of the Landscape Architect.
- The Landscape Architect shall be notified in writing of any discrepancies between the plans and field conditions prior to installation.
- The Landscape Contractor shall be responsible for maintaining all plant material in a vertical condition throughout the guaranteed period.
- The Landscape Architect shall have the right, at any stage of the installation, to reject any work or material that does not meet the requirements of the plans and specifications, if requested by owner.
- Contractor shall be responsible for checking plant quantities to ensure quantities on drawings and plant list are the same. In the event of a discrepancy, the quantities on the plans shall prevail.
- The Landscape Contractor shall seed and mulch or sod (as indicated on plans) all areas disturbed during construction, throughout the contract limits.
- A pre-emergent weed control agent, "Premer" or equal, shall be applied uniformly on or off of all mulling in all planting beds.
- Sod shall be two year old "Baron/Cheridephi" Kentucky Blue Grass grown in a sod nursery on loam soil.

### CITY OF NOVI NOTES

- All landscape islands shall be backfilled with a sand mixture to facilitate drainage.
- All proposed landscape islands shall be curbed.
- All landscape areas shall be irrigated.
- Overhead utility lines and poles to be relocated as directed by utility company of record.
- Evergreen and canopy trees shall be planted a minimum of 10' from a fire hydrant, and manhole, 15' from overhead wires and 5' from underground utility lines.
- All plant material shall be guaranteed for two (2) years after City Approval and shall be installed and maintained according to City of Novi standards. Replace Failing Material within 3 Months of Discovering the Need for Replacement. One cultivation per month shall occur in June-August.
- All proposed street trees shall be planted a minimum of 4' from both the back of curb and proposed walks.
- All tree and shrub planting beds shall be mulched with shredded hardwood bark, spread to minimum depth of 4". All lawn area trees shall have a 4' diameter circle of shredded hardwood mulch 3' away from trunk. All perennial, annual and ground cover beds shall receive 2" of bark colored bark mulch as indicated on the plant list. Mulch is to be free from debris and foreign material, and shall contain no pieces of inconsistent size.
- All Substitutions or Deviations from the Landscape Plan Must be Approved in Writing by the City of Novi Prior to their Installation.

NOTES:  
THE APPROXIMATE DATE OF INSTALLATION FOR THE PROPOSED LANDSCAPE WILL BE MARCH 15 AND NOVEMBER 15 OF 2021 OR 2024.  
THE SITE WILL BE MAINTAINED BY THE DEVELOPER IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE CITY OF NOVI ZONING ORDINANCE. THIS INCLUDES WEEDING AND WATERING AS REQUIRED BY NORMAL MAINTENANCE PRACTICES.  
DEVELOPER SHALL BE RESPONSIBLE FOR REPLACING ANY TREES WITHIN UTILITY EASEMENTS THAT ARE DAMAGED THROUGH NORMAL MAINTENANCE OR REPAIRS.  
PLANT MATERIALS SHALL BE GUARANTEED FOR 2 YEARS AND SHALL BE MAINTAINED IN ACCORDANCE WITH CITY ORDINANCES. WARRANTY PERIOD BEGINS AT THE TIME OF CITY APPROVAL. WATERING AS NECESSARY SHALL OCCUR DURING THIS WARRANTY PERIOD.  
ANY SUBSTITUTIONS MUST BE SUBMITTED IN WRITING AND APPROVED BY THE CITY.

Seal:



Title:  
**Landscape Details**

Project:

**Elm Creek  
Novi, Michigan**

Prepared for:

Toll Brothers  
26200 Town Center Drive, Suite 200  
Novi, Michigan 48175

Revision:	Issued:
Submission	August 30, 2022
Revised	March 27, 2023
Revised	February 12, 2024

Job Number:

22-057

Drawn By: **Checked By:**

jca

jca

Sheet No.







Tree List

Tag No.	Diameter	Common Name	Botanical Name	Condition	Status	Required Replacement	Multi-Stem Replacement	Tag No.	Diameter	Common Name	Botanical Name	Condition	Status	Required Replacement	Multi-Stem Replacement
001	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
002	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
003	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
004	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
005	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
006	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
007	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
008	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
009	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
010	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
011	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
012	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
013	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
014	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
015	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
016	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
017	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
018	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
019	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
020	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
021	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
022	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
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024	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
025	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
026	12"	...	...	...	...	...	...	...	...	...	...	...	...	...	...
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Status Key

- Save: Tree will be saved
- Credit: Tree is located outside of a woodland area and will be saved.
- CRZ: Grading Occurs within the Critical Root Zone. Tree Will Remain but Counted as Removed.
- Remove: Tree is located in a regulated woodland and will be removed.
- Exempt: Tree is dead or located outside of a woodland area.

Woodland Summary

Total Trees: 1,424 Trees  
 Less Non - Regulated Trees: 58 Trees  
 Net Regulated Trees: 1,366 Regulated Trees  
 Regulated Trees Removed: 654 Trees

Replacement Required  
 Trees 8" - 11": 248 trees x 1= 248 Trees  
 Trees 11" - 20": 278 trees x 2= 556 Trees  
 Trees 20" - 30": 60 trees x 3= 180 Trees  
 Trees 30"+: 4 trees x 4= 16 Trees  
 Multi-Stemmed Trees (54 Trees): 245 Trees  
 CRZ Replacement (92 Trees): 168 Trees  
 Net Replacement Required: 1,413 Trees  
 Less Credits: 85 Trees  
 Replacement Required: 1,328 Trees

Woodland Credits for Non-Woodland Preservation

Tree Size	3"-7"	7"-12"	12"-17"	17"-23"	23"-29"	29"-36"
Quantity	0	18	5	3	2	2
Credits	1 tree	12 trees	3 trees	4 trees	5 trees	6 trees
Total	0 trees	36 trees	15 trees	12 trees	10 trees	12 trees



Seal: \_\_\_\_\_



Title: \_\_\_\_\_

Tree List

Project: \_\_\_\_\_

Elm Creek  
 Novi, Michigan

Prepared for: \_\_\_\_\_

Toll Brothers  
 26200 Town Center Drive, Suite 200  
 Novi, Michigan 48375

Revision: \_\_\_\_\_ Issued: \_\_\_\_\_

Revision	Issued
Submission	August 30, 2022
Revised	March 27, 2023
Revised	February 12, 2024

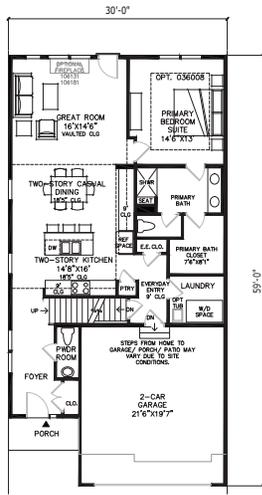
Job Number: \_\_\_\_\_

Drawn By: \_\_\_\_\_ Checked By: \_\_\_\_\_

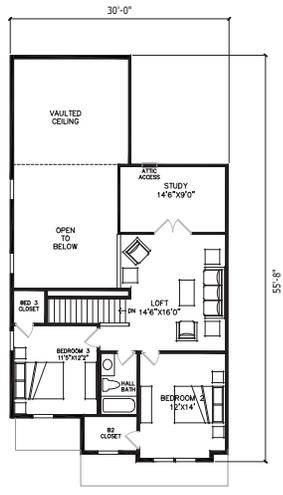
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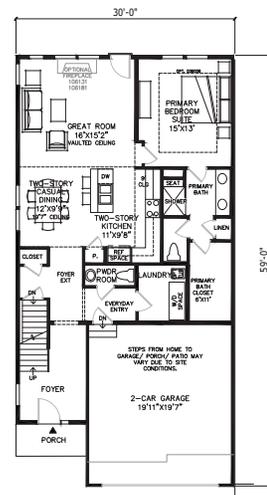




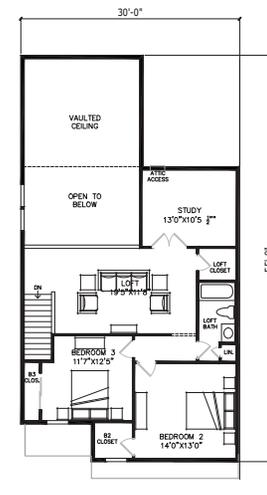
HORTON ELITE - FIRST FLOOR 9' CEILING  
Scale 1/8" = 1'-0"



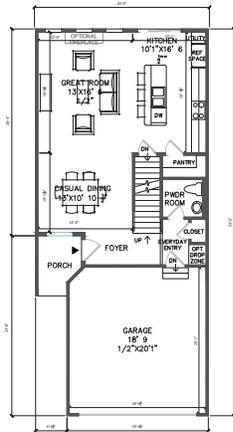
HORTON ELITE - SECOND FLOOR 8' CEILING  
Scale 1/8" = 1'-0"



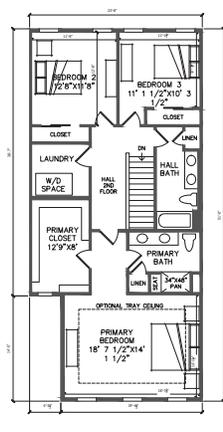
FULMER ELITE - FIRST FLOOR 9' CEILING  
Scale 1/8" = 1'-0"



FULMER ELITE - SECOND FLOOR 8' CEILING  
Scale 1/8" = 1'-0"



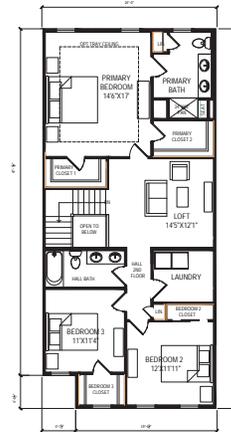
HOWE - FIRST FLOOR 9' CEILING  
Scale 1/8" = 1'-0"



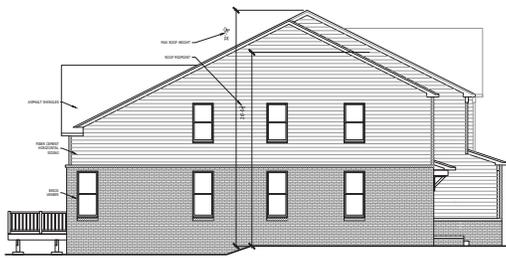
HOWE - SECOND FLOOR 8' CEILING  
Scale 1/8" = 1'-0"



SANDERS - FIRST FLOOR 9' CEILING  
Scale 1/8" = 1'-0"



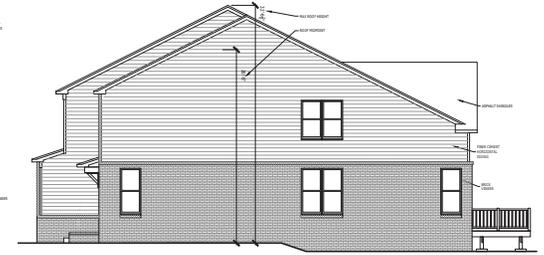
SANDERS - SECOND FLOOR 8' CEILING  
Scale 1/8" = 1'-0"



LEFT SIDE ELEVATION - HORTON ELITE/DEVONSHIRE  
Scale 1/8" = 1'-0"



FRONT ELEVATION - HORTON ELITE/DEVONSHIRE  
FRONT ELEVATION - SANDERS/NEWHAVEN  
FRONT ELEVATION - HOWE/WETHERBY  
FRONT ELEVATION - FULMER ELITE/NEWHAVEN



RIGHT SIDE ELEVATION - FULMER ELITE/NEWHAVEN  
Scale 1/8" = 1'-0"



REAR ELEVATION - FULMER ELITE/NEWHAVEN  
REAR ELEVATION - HOWE/WETHERBY  
REAR ELEVATION - SANDERS/NEWHAVEN  
REAR ELEVATION - HORTON ELITE/DEVONSHIRE

5.15 Schedule Regulating Façade Materials - RM-1 - Region 1						
Ordinance						
Model/ Elevation	Brick Natural Clay - Minimum 30%		Wood Siding, painted, t&g and batten siding - Maximum 50%		Asphalt Shingles - Maximum 50%	
	Meets	Deviation Req'd	Meets	Deviation Req'd	Meets	Deviation Req'd
Howe/ Newhaven - Front Elevation	X		X			X-55%
Howe/ Wetherby - Front Elevation		X - 23%	X		X	
Howe - Rear Elevation	X		X		X	
Horton Elite/ Devonshire - Front Elevation	X		X		X	
Horton Elite/ Newhaven - Front Elevation	X		X		X	
Horton Elite- Rear Elevation	X		X		X	
Horton Elite/ Devonshire - Side Elevation	X		X		X	
Horton Elite/ Newhaven - Side Elevation	X			X-56%	X	
Sanders/ Newhaven - Front Elevation	X		X		X	
Sanders/ Wetherby - Front Elevation		X-23%	X		X	
Sanders - Rear Elevation	X		X		X	
Fulmer Elite/ Devonshire - Front Elevation	X		X		X	
Fulmer Elite/ Newhaven - Front Elevation	X		X		X	
Fulmer Elite- Rear Elevation	X		X		X	
Fulmer Elite/ Devonshire - Side Elevation	X			X-53%	X	
Fulmer Elite/ Newhaven - Side Elevation	X			X-56%	X	



Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Non Residential Property Line	+	0.0 fc	0.7 fc	0.0 fc	N/A	N/A	0.0:1
Overall	+	0.2 fc	8.5 fc	0.0 fc	N/A	N/A	0.0:1
Residential Property Line	+	0.1 fc	0.3 fc	0.0 fc	N/A	N/A	0.3:1
Front Elevation		2.4 fc	66.7 fc	0.0 fc	N/A	N/A	0.0:1

Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lumens Per Lamp	Light Loss Factor	Wattage	Mounting Height
	P1	8	Lithonia Lighting	DSXO LED P3 30K 70CRI BLC4	D-Series Size 0 Area Luminaire P3 Performance Package 3000K CCT 70 CRI Type 4 Extreme Backlight Control	6340	0.9	68.95	15'
	P2	1	Lithonia Lighting	DSXO LED P3 30K 70CRI TSW	D-Series Size 0 Area Luminaire P3 Performance Package 3000K CCT 70 CRI Type 5 Wide	8955	0.9	68.95	20'
	W1	201	Generation Lighting	8790901-12	Large one Light Lantern	1707	0.9	13.7	6'

**Plan View**  
Scale = 1" = 60ft

**General Note**

- SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
- CALCULATIONS ARE SHOWN IN FOOTCANDELS AT: 0' - 0"
- LIGHTING ALTERNATES REQUIRE NEW PHOTOMETRIC CALCULATION AND RESUBMISSION TO CITY FOR APPROVAL.

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LABORS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

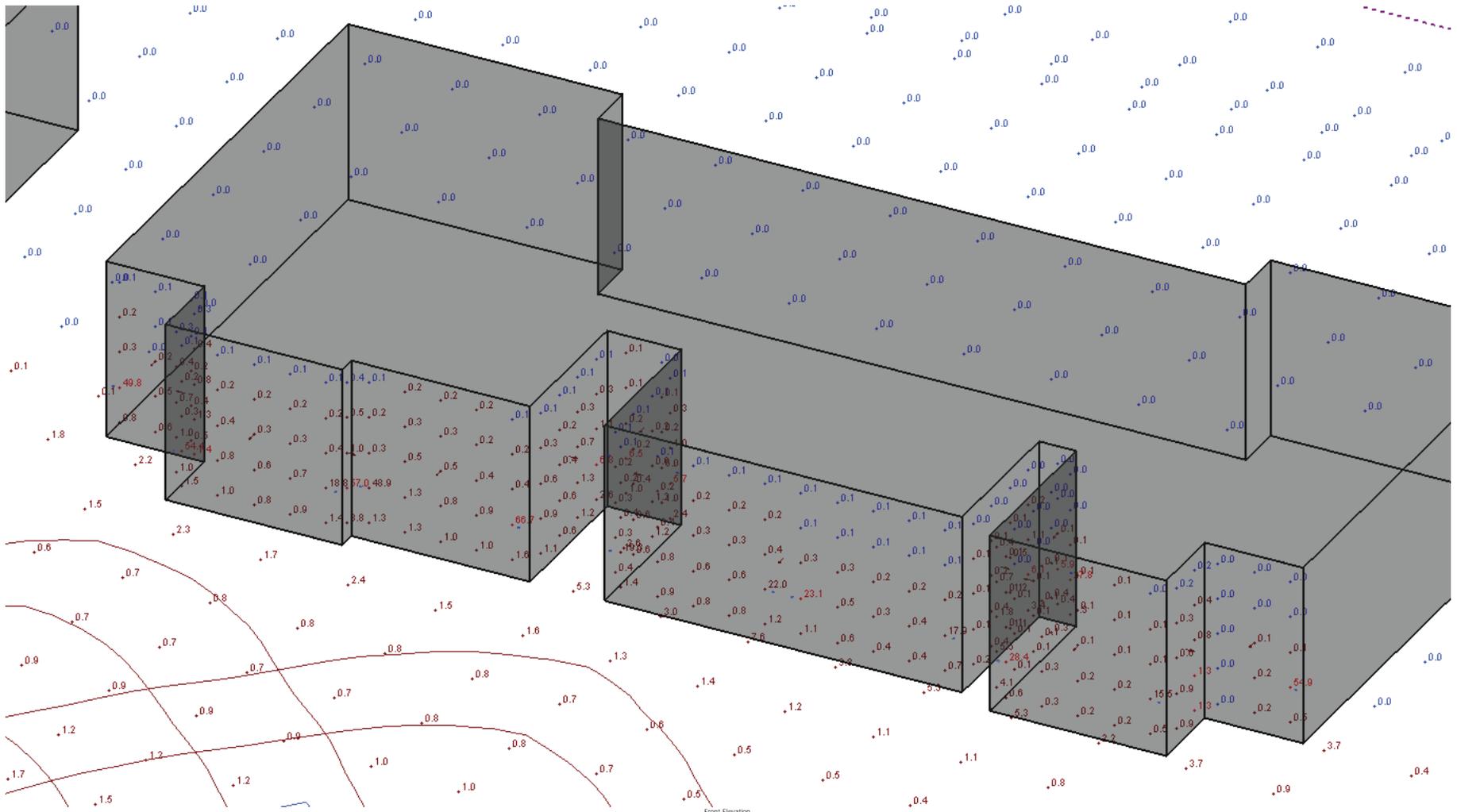
THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIREMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705.

FOR ORDERING INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.



## PROJECT NARRATIVE

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February 15, 2024

Lindsay Bell, Senior Planner AICP  
City of Novi – Planning Division  
45175 Ten Mile Road  
Novi, MI 48375

Re: Elm Creek by Toll Brothers (fka Meadowbrook Towns), Meadowbrook Road, Planned Rezoning Overlay

Dear Ms. Bell,

Please accept the attached plans as our resubmittal for the proposed rezoning of the 36.68-acre property located along the west side of Meadowbrook Road, south of 12 Mile Road, from OST to RM-1 with a Planned Rezoning Overlay (PRO). The proposed PRO now includes two phases, the first of which includes 67 attached townhome units, on 23.7 acres with associated infrastructure improvements. The second phase of the PRO is conceptual and proposes a maximum density of 5.4 units per acre which is in line with the maximum density for the RM-1 zoning district (assuming three-bedroom units). Additional details, deviations, and setback restrictions regarding phase two are included in the PRO plans. Our previous submittal included 80 units in Phase 1, that number has been reduced to 67 units due to soil conditions on the site which make constructability of the additional 13 units extremely challenging.

The townhomes proposed in phase one will be “for sale” with individual owners in each unit. The common areas and exteriors of all units will be managed and maintained by a community homeowners association. The proposed townhomes will range in size between 1800 and 2200 square feet with 2-car front entry garages. The total development cost of phase one of the project is estimated to be approximately \$17 million. The specific details regarding the types of units in phase two would be identified through a PRO Amendment prior to a preliminary site plan submittal for that phase.

While existing commercial uses surround the proposed site, the property remains relatively secluded from those uses as large undisturbed buffers exist adjacent to the existing commercial properties located east, north, and west of the site. The existing natural features, City Woodlands and Wetlands on-site, provide buffers to the existing commercial properties and allow for a residential use to integrate seamlessly with the surrounding area. The first building is also setback approximately 400-feet from Meadowbrook Road which will help to preserve the commercial corridor that currently exists.

The proposed residential use also provides for a much less impactful development. Due to the large amounts of wetlands and woodlands on-site, a commercial use on the property would result in significantly more disturbance to natural features. A conceptual office park layout on the property, given

the OST underlying zoning, resulted in 4 additional acres of disturbed area versus the disturbed area proposed in the Elm Creek PRO.

Associated with the PRO rezoning of the property will be several public benefits which would otherwise not be possible under the existing OST zoning designation. Offsite sidewalk extensions both north and south of the frontage along Meadowbrook Road are proposed to fill sidewalk gaps and provide walkability that doesn't currently exist. The proposed sidewalk extensions along Meadowbrook Road will include design, construction, and easement acquisition (if necessary). If easements cannot be secured, then 1.5x the cost of the sidewalk will be paid to the City to complete those extensions in the future. This sidewalk extension will allow residents to access the trailhead located at Beacon Hill Park. The updated PRO plans include the installation of a bicycle repair station at the park at a location chosen by the City. Also, the revised plans include a sidewalk connection to the access road west of the site. This provides future residents an opportunity for walkability to the residential development to the west of the site as well as the potential to reach 12 Oaks Mall on foot. The proposed site plan allows for the preservation of 8.38 acres of City Woodlands and 3.02 acres of City Wetland on-site that will remain natural in perpetuity. In addition to the natural features that will be preserved, 0.75 acres of wetland mitigation will also be provided by expanding the existing wetlands near Meadowbrook Road. Finally, the proposed site plan includes a nature trail and overlook that will allow future residents to directly benefit from the preserved natural features on-site. The benefits provided above are intended to serve both phases of the PRO.

The RM-1, PRO rezoning proposes several conditions for approval. Those conditions include the preservation of 8.38 acres of City Woodland, 3.02 acres of City Wetlands, and a density not to exceed 2.8 dwelling units per acre (du/ac) in phase one and a density of 5.4 du/ac in phase two for an overall maximum density of 3.3 du/ac. As previously mentioned, the current plan is an overall reduction in the number of units in phase one from 80 to 67 as the plan has eliminated three buildings going from 17 buildings to 14 buildings. The buildings were eliminated from the plan due to soil conditions in that area of the property. In addition to the conditions outlined above, the PRO plan included with this submittal outlines proposed setbacks, open space, landscaping, and community amenities, all of which will be considered conditions of approval for both phases of the PRO.

As outlined in the PRO ordinance, we are requesting several PRO Zoning Ordinance Deviations. The proposed deviations and their descriptions for phase one are listed below. Proposed deviations for phase two are identified in the PRO plans.

1. Zoning Ordinance (ZO) Section 5.15 – Façade Deviation
  - a. Please refer to the ZO Section 5.15 façade deviation request chart below for requested deviations. The deviation chart has also been provided on the architectural elevations shown in the PRO plan.

5.15 Schedule Regulating Exterior Materials - RM-1 - Region 1							
Model/Elevation	Brick Natural Clay - Minimum 30%		Ornance		Asphalt Shingles - Maximum 50%		Deviation Req'd
	Meets	Deviation Req'd	Meets	Deviation Req'd	Meets	Deviation Req'd	
Howe/ Wetherby - Front Elevation	X		X		X		X-55%
Howe - Rear Elevation		X-23%	X		X		
Horton Elite/ Devonshire - Front Elevation	X		X		X		
Horton Elite/ Newhaven - Front Elevation	X		X		X		
Horton Elite- Rear Elevation	X		X		X		
Horton Elite/ Devonshire - Side Elevation	X		X		X		
Horton Elite/ Newhaven - Side Elevation	X			X-50%	X		
Sanders/ Newhaven - Front Elevation	X		X		X		
Sanders/ Wetherby - Front Elevation		X-23%	X		X		
Sanders - Rear Elevation	X		X		X		
Palmer Elite/ Devonshire - Front Elevation	X		X		X		
Palmer Elite/ Newhaven - Front Elevation	X		X		X		
Palmer Elite- Rear Elevation	X		X		X		
Palmer Elite/ Devonshire - Side Elevation	X			X-43%	X		
Palmer Elite/ Newhaven - Side Elevation	X			X-50%	X		

2. ZO Section 5.5.3.A.ii – Landscape Berm Screening
  - a. A ZO deviation is requested to not provide a 4-foot, 6-inch to 6-foot high landscape berm on a proposed RM-1 district adjacent to an OST district. This deviation is requested due to significant grade changes near property lines, and to preserve existing natural features including City regulated woodlands and wetlands. Steep grade changes, along with proposed site grading near property boundaries, mimic a landscape berm, while maintaining existing vegetation for screening which we believe is an enhancement over a newly planted landscaped berm.
3. ZO Section 5.5.3.B.ii – Right of Way Landscaping
  - a. A deviation to the required street trees and berm along Meadowbrook Road due to the existing wetlands and underground utilities.
4. ZO Section 3.1.7.D – Side and Rear Setback
  - a. A ZO deviation is requested to reduce the side and rear setbacks from 75 feet to 50 along the north, east, and west property lines. The deviation is requested to cluster the buildings in the northern portion of the site while preserving the City Woodlands and Wetlands in the southern portion of the property.
5. ZO Section 3.6.2.B – Setback
  - a. A ZO deviation is requested to reduce the side and rear setbacks from 75 feet to 50 along the north, east, and west property lines. The deviation is requested to cluster the buildings in the northern portion of the site while preserving the City Woodlands and Wetlands in the southern portion of the property.
6. ZO Section 3.8.2.D – Orientation of Buildings to the Property Lines
  - a. A deviation is requested to revise the required orientation of the buildings from 45 degrees to the property line to 90 degrees. This allows for a more uniform site layout with all of the units backing to open space/wooded areas.
7. ZO Section 5.10 – Perpendicular Parking to “Major” Road
  - a. A deviation is requested to allow for perpendicular parking on a major drive. This deviation is requested due to the impracticality of providing a minor road given the site constraints (woodlands, wetlands, property configuration).

# Toll Brothers

AMERICA'S LUXURY HOME BUILDER®

Thank you for your consideration of our application and we look forward to working together throughout the RUD process. Should you have any questions, or need any additional information, please feel free to contact me any time via phone at 248-305-4020, or email at [shansen@tollbrothers.com](mailto:shansen@tollbrothers.com).

Sincerely,

DocuSigned by:  
  
3C357FA824924E7...

Scott Hansen, PE  
Land Development Director  
Toll Brothers, Inc.

## PLANNING REVIEW

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## PLAN REVIEW CENTER REPORT

### Planning Review

March 13, 2024

### JZ 22-28 ELM CREEK

Zoning Map Amendment No. 18.737

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#### APPLICANT

Toll Brothers, Inc

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#### REVIEW TYPE

PRO Concept Plan: Formal Submittal

Rezoning Request from OST Office Service Technology to Low-Density Multiple Family RM-1 with a Planned Rezoning Overlay

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#### PROPERTY CHARACTERISTICS

<b>Section</b>	14	
<b>Site Location</b>	West side of Meadowbrook, south of Twelve Mile Road; 22-14-200-043	
<b>Site School District</b>	Novi Community School District	
<b>Current Site Zoning</b>	OST, Office Service Technology	
<b>Proposed Site Zoning</b>	RM-1, Low-Density Multiple Family	
<b>Adjoining Zoning</b>	North	OST, Office Service Technology
	East	OST, Office Service Technology
	West	RM-1, Low-Density Multiple Family, and RC, Regional Center
	South	OST, Office Service Technology
<b>Current Site Use</b>	Vacant	
<b>Adjoining Uses</b>	North	Office buildings
	East	Office, Vacant, Single Family Home
	West	Multifamily Residential
	South	Vacant
<b>Site Size</b>	Gross: 37.11 Acres; Net: 28.8 Acres	
<b>Parcel ID's</b>	50-22-14-200-043	
<b>Plan Date</b>	February 15, 2024	

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#### PROJECT SUMMARY

The subject property is located on the west side of Meadowbrook Road, south of Twelve Mile Road in Section 14 of the City of Novi. The property to be rezoned totals about 37.11 acres and contains significant areas of regulated woodlands and wetlands. The applicant is proposing to develop a 121-unit multiple-family residential development. The development consists of 21 townhouse-style buildings. All units are two stories tall at average grade. The development proposes a public street network with one entrance off Meadowbrook Road. The applicant is requesting to rezone the site from Office Service Technology (OST) to Low-Density Multiple Family (RM-1) with a Planned Rezoning Overlay.

A unique feature of this property is that the northern roughly 23-acre area is owned by one entity, Lakeside/Novi Land Partnership, while the southern 13.6-acre area is "owned" by another entity, Singh VI LP. The quotes are around the word "owned" because there was never a formal split of this overall parcel, only a private agreement. As far as the City records are concerned this is one roughly 37-acre parcel. In the initial submittal, only the northern portion was proposed for rezoning.

In this Formal PRO Plan, the entire parcel is proposed to be rezoned to RM-1, and the owner of the southern portion has submitted a letter stating that they agree to be bound by the terms of the PRO Agreement, should it be approved. Any deviations from City codes not identified in such agreement would require the applicant to request an amendment of the PRO Agreement.

### PRO OPTION

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The PRO option creates a “floating district” with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from OST to RM-1), and the applicant submits a conceptual plan for development of the site. After Staff and consultant review, the proposed request goes through initial review by the Planning Commission and City Council. Each of those bodies will provide feedback and comments on whether the project meets the eligibility criteria for the PRO process.

The applicant can then make any changes to the Concept Plan based on the feedback received, and resubmit for formal review, which is the current step in the process. The Planning Commission holds a public hearing and makes a recommendation to City Council. The City Council reviews the Concept Plan, and if the plan receives tentative approval, it directs the preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi.

### RECOMMENDATION

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Staff recommends approval with some additional modifications. The proposed use is not consistent with the 2016 Master Plan; however, the residential building type and layout appears to be a better fit for the site given the extensive natural features present and soil conditions. The identified benefits of rezoning are construction of off-site sidewalk gaps, permanent preservation of woodland and wetland areas on-site, and the installation of a bicycle repair station at the Beacon Hill Trailhead. **The applicant should consider whether City Council’s comments regarding screening, consideration of older adult homebuyer needs, and public benefits could be further addressed.**

Very little detail is provided for the “Phase 2” area of the project. No boundary/topographic survey is provided for the southern area (ie, that area owned by Singh), and no tree survey is provided. The proposed plan for the southern area is very conceptual. Any development proposed for the phase 2 area would require an amendment of the PRO Agreement by all parties if it does not conform to the agreed upon terms.

### PLANNING COMMISSION

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The Planning Commission held Public Hearings on December 7, 2022 and October 11, 2023, to review and make comments on the proposal’s eligibility for using the Planned Rezoning Overlay option. Comments made at that time are reflected in the [meeting minutes](#) and are summarized here:

- An adjacent landowner suggested that the closest residential building to Meadowbrook Road should be moved even further west, to a setback of approximately 600 feet from the road, to further decrease the visibility of the project.
- A Novi resident suggested more of the units should have first floor living, with a primary bedroom on that floor, to be more accommodating to the senior population. He also raised concerns about the divided ownership of the two phases of the project, and not having enough information about the Phase 2 portion.

- Concerns about traffic congestion at the single entrance point from Meadowbrook Road and impacts to wetlands were mentioned in a letter received by the Commission from an adjacent landowner.
- Commissioners stated more information should be provided to compare a likely development scenario under the current zoning (OST) to the proposed residential development in terms of woodland and wetland impacts, and traffic impacts.
- Commissioners thought it was significant that a residential PRO development had previously been approved for this site, and they would like to see the layout that was proposed at that time.
- Commissioners thought the residential use could be an aesthetic enhancement for the area with the preservation of woodland and wetland areas compared to an OST use.
- Commissioners mentioned more clarity and definition of the Phase 2 portion of the project would help to strengthen the justification for the PRO process.
- Commissioners stated that additional strategies to make more of the units accommodating to seniors would be a benefit to the community.

### CITY COUNCIL

The City Council provided feedback at its meeting on November 20, 2023, on the proposal's eligibility for using the Planned Rezoning Overlay option. Comments made at that time are reflected in the [meeting minutes](#), and comments are summarized here:

- Councilmembers thought landscape screening to adjacent OST parcels should be the burden of the applicant, not adjacent landowners.
- Councilmembers expressed concerns about the parcel having two separate owners, and wanting to ensure any legal agreements are able to align expectations between all parties.
- Councilmembers are interested in seeing as many first floor living options as possible to address resident's desires for aging in place.
- Councilmembers would like the applicant to minimize the number of tree removals, and to replace as many trees as possible on-site rather than paying into the Tree Fund.
- Councilmembers asked the applicant to consider options for additional public benefits that would outweigh the detriments that might be caused by approving this rezoning request, since what they had proposed would mostly serve the residents of this development, and not the broader public.
- Councilmembers noted that while the renderings from Meadowbrook in the spring and fall show there will be screening of the buildings, the applicant should consider whether the plantings will also provide screening in the winter.

**The applicant's response letter should address the comments from Commissioners and Councilmembers.**

### REVIEW CONCERNS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), Section 7.13 (Amendments to Ordinance) and any other applicable provisions of the Zoning Ordinance. **Please see the attached chart for additional information pertaining to ordinance requirements.** Items in **bold** below must be addressed and incorporated as part of the next submittal:

1. **Future Land Use:** The City's Future Land Use map indicates Office Research Development Technology for this site, which corresponds to the OST – Office Service Technology district. The

OST district does not permit residential uses, but there are residential uses directly west of the subject property. **The applicant's requested zoning category, RM-1, is not consistent with the Master Plans' recommendation for this area. The density recommended on the Future Land Use Map for a portion of this area is 15.2 dwellings per acre, while the applicant is proposing 3.36 du/ac. The proposal is a fairly low-density development compared to what could be built under the OST District, which could result in greater areas of wetland and woodland preservation.**

2. Ownership and Phasing: Two different entities control the north and south portions of this single property. Generally stated, this condition was created back in 2000 when Taubman "sold" the overall property to Singh Development, giving Singh a deed for part of it (the southern part)—without ever getting a formal split/division approved by the City—and then later foreclosed on the other part of it (the northern part now at issue). That southern part does not have the needed public road access to be approved for a split, and so the City has declined over the years to grant that split.

Whereas a previous submittal only proposed rezoning of the northern portion of the property, the applicant now proposes to rezone the entire parcel. The record title "owner" of the southern portion has submitted a letter stating they agree and acknowledge that all of the property owned by Singh will be included in and subject to the rezoning and PRO Agreement. The road network is now proposed to be public, and extends through the southern portion. **The southern portion is designated in the Concept Plan as Phase 2 on sheet 4. Very few details are provided for this area of the site, so a thorough review of compliance with applicable ordinances is not possible. Some deviations are requested for the southern portion including for landscape berms, building orientation, minimum distance between buildings, and parking on the major drive. If the PRO Agreement is approved, the applicant would need to comply with all other ordinance requirements, or seek an amendment of the Agreement if additional deviations are needed or if the layout or style of the buildings were to change. Wetland delineations and a woodland tree survey have not been provided at this time to determine impacts to natural features.**

3. Usable Open Space: The applicant has stated the deck/patio space on the units are a standard element of construction. The applicant has also indicated a 50-foot width with the 5-foot gravel pathway in order to qualify as usable open space. The walking pathway has also been rerouted to create a loop, and an overlook area is proposed on the western end. **A similar looped pathway is also proposed for the Phase 2 portion, however the exact area included in the calculation is not shown on the plan.**
4. Wetland Mitigation: The applicant has revised the layout for Phase 1 to reduce the wetland impact to 0.43 acre, which results in 0.75 acre of mitigation area required. That mitigation area is proposed to be constructed on-site in the eastern area north of the entrance from Meadowbrook Road. **Phase 2 wetland impacts and any required mitigation have not been shown, and would be expected to conform to Code of Ordinance requirements at the time of site plan submittal.**
5. Street Names: The Project and Street Naming Committee approved the development name Elm Creek, and street names *Forestview Trail* and *Creekview Trail*. **The plans continue to show the east-west street as Elm Creek Drive, which was not approved by the Committee. Please change the street names to those approved, or request new names.**
6. Plan Review Chart: **The attached chart provides additional comments on many of the Ordinance review standards. Please refer to it in detail.**
7. Other Reviews:

- a. **Engineering:** Engineering recommends approval of the PRO Concept Plan, but comments noted should be addressed in a response letter or revised submittal. Negative impacts to public utilities are not expected with the requested change to residential use. Additional comments shall be addressed at the site plan stage if the rezoning is approved.
- b. **Landscape:** Landscape review recommends approval with the condition that fencing be extended to provide additional screening.
- c. **Traffic:** Traffic review notes that the applicant would need a deviation for the parking areas on the major drive. The traffic study shows that the proposed rezoning would result in fewer vehicle trips compared to possible development under current zoning standards. Therefore, the rezoning would be unlikely to cause negative impacts to the traffic system. Traffic recommends approval.
- d. **Woodlands:** Approval is recommended with additional comments to be addressed in the site plan submittal. The site measures 37 acres, nearly all of which is covered by regulated woodlands. For Phase 1, the plan proposes a total of 746 regulated tree removals requiring 1,424 Woodland Replacement Credits. Currently the applicant proposes to plant 195 credits on site, 85 credits earned for preserving non-regulated trees, and payment into the Tree Fund for the remaining credits. Details for Phase 2 removals are not provided. Woodland permits would be required.
- e. **Wetlands:** Wetlands notes that wetland impacts will require both a Wetland Permit, Wetland Buffer Authorization, and wetland mitigation. A wetland permit from EGLE is also required. The applicant proposes to construct 0.75 acre of mitigation on-site.
- f. **Façade:** Façade notes that the elevations provided are now in compliance with the minimum ordinance standards, but do not qualify as a “benefit” under the PRO ordinance. Façade does not recommend approval as the PRO Ordinance requires an “enhancement” of a project area.
- g. **Fire:** Fire has additional concerns to be addressed at the time of site plan submittal. Conditional approval is recommended provided those comments will be addressed in future submittals.

**LAND USE AND ZONING: FOR SUBJECT PROPERTY AND ADJACENT PROPERTIES**

Figure 1: Current Zoning

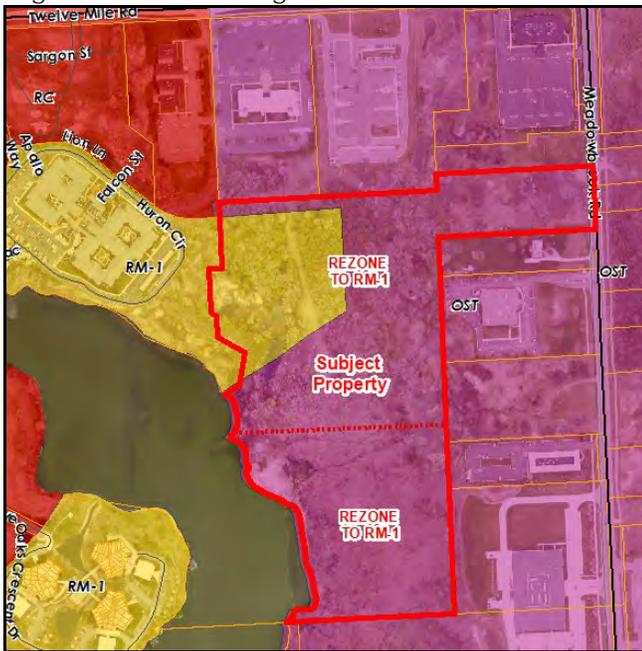


Figure 2: Future Land Use



The following table summarizes the zoning and land use status for the subject property and surrounding properties.

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
<b>Subject Property</b>	OST: Office Service Technology and RM-1 Multiple Family	Vacant	Office Research Service and Technology (Uses consistent with OST)
<b>Northern Parcels</b>	OST: Office Service Technology	Office	
<b>Eastern Parcels</b>	OST: Office Service Technology	Single Family Residential, Office, Vacant	Office Research Service and Technology (Uses consistent with OST)
<b>Western Parcels</b>	RM-1: Multiple Family	Multi-family residential	Office Research Service and Technology (Uses consistent with OST)
<b>Southern Parcels</b>	OST: Office Service Technology	Vacant	

**Compatibility with Surrounding Land Use**

The subject property is located along the west side of Meadowbrook Road, south of Twelve Mile Road and east of Twelve Oaks Lake. It is surrounded by existing office development to the north and east. The area to the south is currently undeveloped, but zoned Office Service Technology. To the west is the Waltonwood senior living facility, which is zoned for multiple-family residential. Most of the surrounding properties are developed, but there are some parcels that are currently vacant. The proposed use is not consistent with the surrounding existing uses to the north, east and south based on current Zoning requirements. However, it would be consistent with the development to the west.



Figure 3: Names of surrounding developments and businesses

The applicant’s narrative notes that the target market of the proposed development is “empty nesters” looking to downsize to a community without needing to worry about exterior maintenance. They note this is an underserved market in Novi. The townhomes would be for-sale units ranging in size between 1,800-2,200 square feet with attached 2-car front entry garages.

The narrative states that there are natural buffers in place that will shield the residential units from the surrounding commercial uses. The undisturbed woodland and wetland areas on the site and surrounding properties would allow the proposed use to “remain relatively secluded” from the commercial properties. However, as noted there are several undeveloped properties adjacent that could develop under the OST zoning district, which could result in greater conflicts with the residential use. Existing developed properties could also change hands, with new occupancy that may result in greater noise or other undesirable impacts. Rezoning to residential will also have impacts on the undeveloped properties, which will now be required to construct a 4-6 foot berm between their property and the proposed residents. The two parcels north and south of this property that front Meadowbrook are very narrow, so the additional berm requirement would impact the ability to develop those two parcels. That additional burden should be shouldered by the applicant, which is creating the non-compatibility, however the creation of berms would also cause greater impacts to the wetland and woodlands present. The applicant has added 8-foot vinyl fencing at the property line behind buildings 16 and 17 to help provide additional screening. Fencing may be needed in additional areas as well in lieu of berms.

**Comparison of Zoning Districts**

The following table provides a comparison of the current (OST) and proposed (RM-1) zoning classifications. It is not a direct comparison between the two uses, given that the two uses are clearly distinct from each other. It is a change of use from Office to Residential. The requirements for building setbacks, buffering and lot coverage are also different between the two districts.

	<b>OST (EXISTING)</b>	<b>RM-1 (PROPOSED)</b>
Principal Permitted Uses	Professional and Medical offices; Data processing and computer centers; Laboratories; Research, testing, design & development, technical training; Hotels; Higher learning institutions; Motion picture, TV, & radio production facilities; Facilities for human care; Public parks/parkways, outdoor recreation; Public utilities; Financial institutions; Indoor/outdoor recreation facilities; Day care centers and adult day care; Sit down restaurants	Multiple-family dwellings; Independent and congregate elderly living facilities; Two-family dwellings; Shared elderly housing; One-family dwellings; Farms & greenhouses; Public parks, parkways, and outdoor recreation; Cemeteries; Home occupations; Family day care homes
Special Land Uses	Retail business and retail service; Restaurants, sit down and drive-through	Convalescent homes, assisted living facilities, hospice care facilities and child care centers
Lot Size	Except where otherwise provided in this Ordinance, the minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements as set forth in this Ordinance.	See Section 3.8.1
Lot Coverage		25%

	OST (EXISTING)	RM-1 (PROPOSED)
Building Height	46 ft. or 3 stories, whichever is less	35 ft or 2 stories, whichever is less
Building Setbacks	Front: 50 feet Rear: 50 feet Side: 50 feet Exterior side yard setbacks same as front yard	Front: 75 feet Rear: 75 feet Side: 75 feet Exterior side yard setbacks same as front yard
Parking Setbacks  See 3.6.2. for additional conditions	Front: 20 feet Rear: 20 feet Side: 20 feet Exterior side yard setbacks same as front yard	Subject to 3.8 RM-1 and RM-2 Required Conditions

**DEVELOPMENT POTENTIAL**

The land is currently vacant. Development under the current OST zoning could result in a substantial amount of Office or Research & Development building space being constructed. In the narrative provided, the applicant states that a commercial development on this property would result in significantly greater disturbance of the woodlands and wetlands on the site. They estimate that an additional 4 acres of disturbed area would result from an office park development on the northern portion. No conceptual layouts or building sizes were included with the submittal. There have been no formal submittals for development proposals in the last decade for the subject property.

In 2005, a Planned Rezoning Overlay was approved for this property by City Council, which changed the zoning from OST to RM-2 High Density Residential subject to the terms of a PRO Agreement. That development, known as Uptown Park, consisted of 201 for-sale condominium units (overall density of 6.43 dwelling units per acre). The development never got underway, and so the PRO Agreement and Rezoning expired and the zoning classification reverted to OST. (Under the revised Zoning Ordinance, a PRO Agreement no longer expires and runs with the land.)

The current concept plan proposes a development of 121 units (density of 4.2 dwellings per net acre) for a low-density multifamily development, which is below the 5.4 maximum density allowed for three-bedroom units in the RM-1 zoning district (627 total number of rooms allowed, 484 rooms proposed). The buildings are clustered along the north and eastern portions of the property, which allows for some preservation of sensitive wetland and woodland areas, but also makes the units closer to the existing office uses in the surrounding area. The applicant is proposing a deviation to allow 50-foot setbacks, which are consistent with the current OST zoning, rather than the 75-foot setback required for RM-1 zoning.

The Master Plan for Land Use does not anticipate residential uses of this property, so no density guidelines are provided on the plan except for the northwestern portion that is currently zoned RM-1, which indicates 15.2 du/ac. The site is adjacent to high tech office developments to the east and north, and the zoning to the south will also remain OST. Some potential conflicts with the adjacent users could be the noise and disruption of truck traffic, including loading and unloading functions, on the proposed residents. The closest residential unit is shown to be 80 feet from the dumpster enclosure of one commercial establishment to the east. To the north, the developed properties are further from the property line, with the closest parking areas at least 130 feet and buildings 220 feet away, which will provide a greater buffer.

**2016 MASTER PLAN FOR LAND USE: GOALS AND OBJECTIVES**

The proposed use is currently not recommended by the 2016 Master Plan for Land Use. The following objectives as listed in the Master Plan are applicable for the proposed development. However, at this time the plan follows only a few. **The applicant should consider revisions to the plan to comply with as many goals as possible. Please refer to staff comments in bold.**

**1. General Goal: Quality and Variety of Housing**

- a. Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments. **The development proposes the required sidewalks along the public streets, a connection to the west along the secondary emergency drive, as well as a gravel walking path through the woods for residents. A substantial portion of the site is to remain undeveloped in open space. Design, construction and easement acquisition for sidewalks are also proposed off-site to the north and south along Meadowbrook Road as a public benefit.**
- b. Safe housing and neighborhoods. Enhance the City of Novi's identity as an attractive community in which to live by maintaining structurally safe and attractive housing choices and safe neighborhoods. **The development proposed would provide a safe and attractive housing choice.**
- c. Maintain existing housing stock and related infrastructure.
- d. Provide a wide range of housing options. Attract new residents to the City by providing a full range of quality housing opportunities that meet the housing needs of all demographic groups including but not limited to singles, couples, first time home buyers, families and the elderly. **The unit sizes and types could appeal to a variety of buyers who prioritize minimal maintenance, smaller unit sizes, and natural surroundings.**

**2. General Goal: Community Identity**

- a. Maintain quality architecture and design throughout the City. **The proposed elevations meet the minimum required Façade Ordinance standards. Please refer to the façade review letter and consider enhanced quality materials that would exceed the minimum.**

**3. General Goal: Environmental Stewardship**

- a. Protect and maintain the City's woodlands, wetlands, water features, and open space. **The concept plan proposes removal of regulated woodlands and wetland impacts, however a greater amount of disturbance would be likely if the property were to develop as an office facility compared to the proposed residential units. The applicant estimates 4 additional acres would be cleared if developed under OST zoning. The layout minimizes disturbance of natural features by grouping buildings along two roads. The applicant has proposed to preserve remaining wetland and woodland features in conservation easements.**
- b. Increase recreational opportunities in the City. **The Concept plan proposes recreational opportunities for the residents. The applicant proposes to fill two off-site gaps totaling about 314 feet as a benefit to the public, as well as building the required sidewalk along their frontage. The applicant has added a pedestrian connection from the west side of the property to the developments near Twelve Oaks Mall. This would connect the proposed residential development to the existing regional retail and restaurant amenities available in the area. There is also a looped gravel path proposed on the site that would include an overlook area near Twelve Oaks Lake. The applicant shall provide details of the proposed seating area at the outlook on future plans.**
- c. Encourage energy-efficient and environmentally sustainable development through raising awareness and standards that support best practices. **The applicant should consider sustainable, energy-efficient and best-practice design for site elements and building materials, such as LEED recommended strategies.**

**4. General Goal: Infrastructure**

- a. Provide and maintain adequate water and sewer service for the City's needs. **Please refer to the Engineering memo.**

- b. Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities. **Please refer to comment for item b under General Goal 3. See also the Engineering Review which recommends providing a full road connection to the proposed Lion Lane of the Griffin Novi development. This route is recommended in the City's Master Plan for Land Use as a future roadway.**

**5. General Goal: Economic Development / Community Identity**

- a. Ensure compatibility between residential and non-residential developments. **Please refer to comments about compatibility with surrounding development earlier in this review.**

**MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT**

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

The PRO conditions must be in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. *Development and use of the property shall be subject to the more restrictive requirements shown or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement.*

The following conditions for development could be included in the PRO Agreement:

1. Preservation of 8.38 acres of City regulated woodlands **(Placement in conservation easement would not normally be required, so this would be more restrictive than required.)**
2. Preservation of 3.02 acres of City regulated wetlands **(Placement in conservation easement would not normally be required, so this would be more restrictive than required.)**
3. On-site wetland mitigation will be provided in accordance with the Wetland and Watercourse Protection Ordinance.
4. Overall density shall not exceed 3.3 dwelling units per acre **(More limiting than the 5.4 dwelling units per acre allowed in the RM-1 District)**
5. Providing the community amenities shown in the PRO Concept Plan, including the nature trail and overlook with seating. **(Greater area of usable open space than required in RM-1 District.)**
6. A sidewalk connection extending to the west along the secondary emergency access road.
7. Screening to adjacent properties including fences and landscaping as shown in the PRO Plan.

**Additional conditions to be included in the PRO Agreement, if it should be approved, will likely be added during the review process.**

**ORDINANCE DEVIATIONS**

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

agreement would be considered by City Council only after tentative approval of the proposed concept plan and rezoning.

The Concept Plan submitted with an application for a rezoning with a PRO is not required to contain the same level of detail as a preliminary site plan. Staff has reviewed the applicant's Concept Plan in as much detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance, or may proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement. The previous concept plan required 8 deviations. The revised submittal has reduced that number to 6.

The following are Ordinance deviations that have been requested by the applicant. **Staff comments are in bold.**

1. **Side and Rear Setbacks (Sec. 3.1.7.D and 3.6.2.B)**: A Zoning Ordinance deviation is requested to reduce the side and rear setbacks from 75 feet to 50 feet along the north, east, and west property lines. The deviation is requested to cluster the buildings in the northern portion of the site while preserving City Woodlands and Wetlands in the southern portion of the property. **This layout does appear to avoid a greater amount of woodland and wetland areas.**
2. **Building Orientation (Sec. 3.8.2.D)**: A Zoning Ordinance deviation is requested to revise the required orientation of the buildings from 45 degrees to the property line to 90 degrees. This allows for a more uniform site layout with all of the units backing up to open space/wooded areas. **All buildings are either parallel or perpendicular to property lines abutting non-residential districts. This deviation has been requested and granted for many residential projects in the City in the last 5 years.**
3. **Distance Between Buildings (Sec. 3.8.2.H)**: A Zoning Ordinance deviation is requested to allow a minimum distance of 30 feet between buildings on the same side of the street. **Based on the information provided by the applicant, the calculated minimum distance would be between 33.72 feet and 34.9 feet, so the deviation is relatively minor.**
4. **Parking along Major Drives (Sec. 5.10)**: A Zoning Ordinance deviation is requested to allow for perpendicular parking on a major drive. This deviation is requested to due to the impracticality of providing a minor road given the site constraints (woodlands, wetlands, and property configuration). **Angled and perpendicular parking is permitted on a minor drive, but not on a major drive; on-street perpendicular parking for guests is proposed the Major Drive in four locations. The placement of these parking areas are not near the main entrance.**
5. **Landscape Berms (Sec. 5.5.3.A.ii)**: A Zoning Ordinance deviation is requested to not provide a 4-foot, 6-inch to 6-foot high landscape berm on a proposed RM-1 district adjacent to an OST district on the north and east sides of the property. This deviation is requested due to significant grade changes near property lines, and to preserve existing natural features including City regulated woodlands and wetlands. An 8-foot high vinyl fence is proposed along one portion of the site where the homes are closest to these areas to provide visual and audible screening. **The proposed fence and maintaining existing vegetation for screening is an enhancement over a newly planted landscaped berm. Additional fence should be provided along the south side of the main entry road as described in the Landscape Review.**
6. **Right-of-Way Landscaping (Section 5.5.3.B.ii)**: A deviation to the required street trees and greenbelt berm along Meadowbrook Road due to the existing wetlands and underground utilities.

All deviations from the ordinance requirements shall be identified and included in PRO Agreement. Any additional deviations identified during Site Plan Review (after the Concept Plan and PRO Agreement is approved), will require amendment of the PRO Agreement.

#### **APPLICANT'S BURDEN UNDER PRO ORDINANCE**

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The Planned Rezoning Overlay ordinance (PRO) requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 7.13.2.D.ii states the following:

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

#### **IDENTIFYING BENEFITS TO PUBLIC RESULTING FROM THE REZONING AND THE PROPOSED DEVIATIONS**

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Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and that the benefits to the public of the proposed PRO rezoning would clearly outweigh the detriments. The following benefits are suggested by the applicant (as listed in their narrative) as resulting from the development proposal:

1. The applicant proposes to fill two off-site sidewalk gaps along Meadowbrook Road adjacent to the north and south totaling 314 feet as a benefit to the public. The sidewalk extensions will include design, construction, and easement acquisition, if necessary. **The plans also now include a sidewalk extension along the western emergency access road, which will allow non-motorized access to the mall area via the proposed sidewalk of the Griffin Novi project.**
2. The proposed site plan allows for the preservation of 7.06 acres of City Woodlands and 3.02 acres of City Wetland on-site that will remain natural in perpetuity. **It is beneficial to the public to have additional wetland and woodland areas permanently protected within conservation easements.**
3. The proposed Concept plan includes a nature trail and overlook amenity that will allow future residents to directly benefit from the preserved natural features on-site. **While the nature trail is a pleasant amenity, it is also a requirement of the RM-1 district to provide 200 square feet of usable open space per unit. The trail is counted toward meeting this requirement, which means it would be possible to achieve this benefit absent the PRO process. The applicant has proposed a looped path and exceeds the open space requirements, which offers greater benefit. The calculation for Phase 2 indicates the open**

space requirement is exceeded by 43%. These will be private amenities, so the benefits are specific to the residents of this community, and not the broader public.

4. The applicant has offered to install a bicycle repair station in the trailhead park at the corner of Twelve Mile Road and Meadowbrook Road. **While this amenity would provide a benefit to the general public, it would be a fairly minor investment of approximately \$1,000-2,000. Additional needs at this location include a shade structure and benches.**

This is a PRO in which the applicant seeks both a rezoning and a list of ordinance deviations. In Staff's opinion the proposed benefits to the community could be further enhanced, and we have offered some suggestions for the applicant to consider in this and the other review letters.

#### **NEXT STEP: PLANNING COMMISSION PUBLIC HEARING**

The Planning Commission will hold a public hearing on the rezoning request from OST (Office Service Technology) to RM-1 (Multiple Family Low Rise Residential) with a Planned Rezoning Overlay. Following the public hearing, they will make a recommendation to City Council whether to approve or deny the request, or may postpone making a recommendation if they determine additional information or changes are needed. **The next available agenda would be April 24<sup>th</sup>. Please let me know no later than March 21 if you would like to be placed on this agenda.**

#### **CITY COUNCIL CONSIDERATION**

After the Planning Commission makes its recommendation, the PRO Concept Plan will be scheduled for consideration by the City Council. If the City Council grants tentative approval at that time, they will direct the City Attorney to draft a PRO Agreement describing the terms of the rezoning approval. Once the PRO Agreement has been drafted and approved by the applicant's attorney, it will return City Council for final approval.

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



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Lindsay Bell, AICP, Senior Planner



## PLANNING REVIEW CHART: RM-1 with PRO Rezoning

**Review Date:** March 8, 2024  
**Review Type:** PRO Concept Plan – Revised Initial Submittal  
**Project Name:** JZ22-28 Elm Creek PRO  
**Location:** West of Meadowbrook Road, South of Twelve Mile  
**Plan Date:** February 15, 2024  
**Prepared by:** Lindsay Bell, Senior Planner  
**E-mail:** lbell@cityofnovi.org; **Phone:** (248) 347-0484

Items in **Bold** need to be addressed by the applicant with next submittal. Items in **Underlined Bold** are possible deviations identified. Underlined items need to be addressed during the Site Plan phase. *Italic* items are to be noted.

Item	Required Code	Proposed	Meets Code	Comments
<b>Zoning and Use Requirements</b>				
<b>Master Plan</b> (adopted July 27, 2017)	Office, R&D, Technology	121-unit attached residential development with PRO overlay;	<b>No</b>	<i>Proposed rezoning is not consistent with the 2017 Master Plan</i>
<b>Area Study</b>	The site does not fall under any special category	NA	NA	
<b>Zoning</b> (Effective January 8, 2015)	OST Office Service Tech; RM-1 Low Rise Multiple Family	RM-1 Low Density Low-rise Multi-Residential District	<b>No</b>	<i>Rezoning proposed - Subject to new PRO Ordinance</i>
<b>Uses Permitted</b> (Sec 3.1.23.B & C)	Office and Service Uses Sec. 3.1.23.B. - Principal Uses Permitted. Sec. 3.1.23.C. – Special Land Uses Permitted.	Multiple Family Residential – 121 units	<b>No</b>	<i>Uses proposed would be permitted in RM-1 district</i>
<b>Phasing</b>	Provide phase lines and detail description of activities in each phase	Phase 1 (north): 67 units Phase 2 (south): 54 units	Yes	
<b>Planned Rezoning Overlay Document Requirements (Section 7.13.2 and SDM: <u>Site Development Manual</u>)</b>				
<b>Narrative</b> <a href="#">(Section 7.13.2)</a>  The statement should include the following:	Statement of eligibility for PRO Approval: Describe the rezoning requested including uses proposed, justification for why it makes sense	Provided in narrative		<i>See Planning Review for detailed comments</i>
	How does the project constitute an overall benefit to the public that outweighs any material detriments or could otherwise be accomplished without the rezoning?	Provided in narrative		<i>See Planning Review for detailed comments</i>
	Deviations and Conditions proposed for inclusion in the PRO Agreement (i.e., Zoning	Provided in narrative		<i>See Planning Review for detailed comments</i>

Item	Required Code	Proposed	Meets Code	Comments
	Ordinance deviations, limitation on total units, height or uses, etc)			
<b>Traffic Impact Study</b> <a href="#">Site Development Manual</a>	Required regardless of site size, with requirements in SDM	Previously provided	Yes	See previous TIS Review from Traffic Consultant for comments
<b>Community Impact Statement</b> (Sec. 2.2)	Required in certain situations (SDM link: <a href="#">Site Development Manual</a> )		NA	Not required as does not meet threshold
<b>Rezoning Sign Details</b> ( <a href="#">Site Development Manual</a> )	Installed within 15 days prior to public hearing Located along all road frontages	Signage posted in fall of 2022	Yes	
<b>Residential: Height, bulk, density and area limitations (Sec 3.1.8.D)</b>				
<b>Frontage on a Public Street.</b> (Sec. 5.12)	Frontage on a Public Street is required	The site has frontage and access to Meadowbrook Road	Yes	
<b>Minimum Zoning Lot Size</b> for each Unit: in Acres (Sec 3.8.1)	RM-1 and RM-2 Required Conditions	Phase 1: 23.7 acres total site size, with 4.49 ac wetlands Net area: 18.85 acres		
<b>Minimum Zoning Lot Size</b> for each Unit: Width in Feet (Sec 3.8.1)		Phase 2: 12.98 acres, 3.03 acres wetland Net site area: 9.95 ac		<b>Wetland areas have not been flagged or verified for Phase 2 – all approximate</b>
<b>Open Space Area</b> (Sec 3.1.8.D)	200 sf Minimum usable open space per dwelling unit For a total of 67 dwelling units, <u>required Open Space Phase 1: 13,400 SF</u> <u>Phase 2: 10,800</u> <u>Refer to definitions for Usable Open Space and Open Space</u>	Phase 1 Open Space Plan provided Sheet 6; 5' wide gravel path to overlook area and individual unit decks shown as usable open space – total of <u>61,024 sf</u>  Phase 2 – 15,400 sf (unit decks and open space around walking path)	Yes  Yes	<b><u>Usable open space would need to be confirmed during site plan approval as not indicated on plans</u></b>
<b>Maximum % of Lot Area Covered</b> (By All Buildings)	25%	Phase 1: 14% Phase 2: 19%	Yes	
<b>Building Height</b> (Sec. 3.20)	35 ft. or 2 stories whichever is less	Median building height 26.5 feet – max roof height of 33 feet	Yes	
<b>Minimum Floor Area per Unit</b> (Sec. 3.1.8.D)	Efficiency	400 sq. ft.	Not proposed	NA
	1 bedroom	500 sq. ft.	Not proposed	NA
	2 bedroom	750 sq. ft.	Not proposed	NA
	3 bedroom	900 sq. ft.	Units shown are 2000-2200 sf	Yes

Item	Required Code		Proposed	Meets Code	Comments
	4 bedroom	1,000 sq. ft.	Not Proposed	NA	
<b>Maximum Dwelling Unit Density/Net Site Area</b> (Sec. 3.1.8.D)	Efficiency	5%	Not proposed	Yes	<u>Phase 2 notes indicate maximum density of 5.4 du/ac of net site area</u>
	1 bedroom	10.9 Max 20%	Not proposed		
	2 bedroom	7.3	Not proposed		
	3+ bedroom	5.4	Phase 1 3.55 du/ac  Total site: 23.7 Acres ROW Area: 0.36 Acres Wetlands: 4.49Acres Net Site Area: 18.85 Acres		
<b>Residential Building Setbacks (Sec 3.1.8.D)</b>					
Front (along Meadowbrook Rd)	75 ft.	> 75 ft 50 ft. on E side	Yes No	No <u>Deviations requested by applicant to allow 50-foot setbacks on north, east and west of property; Phase 2 buildings appear to meet all setback requirements of current property configuration</u>	
Rear (West)	75 ft.	50 ft.	No		
Side (North & South)	75 ft.	N: 50 ft. S: 90 ft.	No Yes		
<b>Parking Setback (Sec 3.1.8.D) (Sec 3.1.12.D) Refer to applicable notes in Sec 3.6.2</b>					
Front (along Meadowbrook Rd)	20 ft.	20 ft. on all sides. Parking is provided in the garage and in front of the garage. Proposed parking along the streets meets the setback requirements	Yes		
Rear (West)	10 ft.		Yes		
Side (North & South)	10 ft.		Yes		
<b>Residential: Note to District Standards (Sec 3.6.2)</b>					
<b>Building structure setback</b> (Sec 3.6.2.B)	Other than single family or 2-family, building setback shall be minimum of <u>whichever is greater</u> : 1) height of main building; 2) 75 feet; or 3) setback listed in Section 3.1 (50 ft front)	Setbacks are not all 75 feet	No	<u>Deviations requested by applicant as noted above for Phase 1</u>	
<b>Exterior Side Yard Abutting a Street</b> (Sec 3.6.2.C)	All exterior side yards abutting a street shall be provided with a	No exterior side yards	NA		

Item	Required Code	Proposed	Meets Code	Comments	
	setback equal to front yard.				
<b>Wetland/Watercourse Setback</b> (Sec 3.6.2.M)	A setback of 25ft from wetlands and from high watermark course shall be maintained	Wetlands exist in several areas of the site; impacts proposed	<b>No</b>	<i>See Wetland Review letter for detailed comments</i>	
<b>RM-1 and RM-2 Required Conditions (Sec 3.8)&amp; (Sec 3.10)</b>					
<b>Total number of rooms</b> (Sec. 3.8.1)	Total No. of rooms < Net site area in SF/2000  <b>836,788 SF/2000 = 418</b> <b>Full site:</b> <b>1254,528 sf/2000 = 627</b> <b>rooms</b>	Total number of rooms = 67 units x 4 rooms = 268 rooms  With phase 2: 121 x 4 rooms = 484	Yes		
<b>Public Utilities</b> (Sec. 3.8.1)	All public utilities should be available	All public utilities are available	Yes	<i>See Engineering Review for detailed comments</i>	
<b>Maximum Number of Units</b> (Sec. 3.8.1.A.ii)	Efficiency < 5 percent of the units	Not Proposed	NA		
	1-bedroom units < 20 percent of the units	Not Proposed	NA		
	Balance should be at least 2-bedroom units	All are 3-bedroom units	Yes		
<b>Room Count per Dwelling Unit Size</b> (Sec. 3.8.1.C) *An extra room such as den, library or other extra room count as an additional bedroom	<b>Dwelling Unit Size</b>	<b>Room Count *</b>	Yes		
	Efficiency	1			Not proposed
	1 bedroom	2			Not proposed
	2 bedroom	3			Not proposed
	3 or more bedrooms	4			4
<b>Setback along natural shore line</b> (Sec. 3.8.2.A)	A minimum of 150 feet along natural shore line is required.	Over 400 feet proposed	Yes		
<b>Structure frontage</b> (Sec. 3.8.2.B)	Each structure in the dwelling group shall front either on a dedicated public street or approved private drive.	All structures front on proposed public drives	Yes		
<b>Maximum length of the buildings</b> (Sec. 3.8.2.C)	A single building or a group of attached buildings cannot exceed 180 ft.	~132 feet proposed	Yes		
<b>Modification of maximum length</b> (Sec. 3.8.2.C)	Planning Commission may modify the extra length up to 360 ft. if		NA		

Item	Required Code	Proposed	Meets Code	Comments
	Common areas with a minimum capacity of 50 persons for recreation or social purposes			
	Additional setback of 1 ft. for every 3 ft. in excess of 180 ft. from all property lines.			
<b>Building Orientation</b> (Sec. 3.8.2.D)	Where any multiple dwelling structure and/or accessory structure is located along an outer perimeter property line adjacent to another residential or nonresidential district, said structure shall be oriented at a minimum angle of forty-five (45) degrees to said property line.	Orientation of buildings do not appear to meet the minimum requirement for all buildings	No	<u>Deviation requested by applicant for all buildings</u>
<b>Yard setback restrictions</b> (Sec. 3.8.2.E)	Within any front, side or rear yard, off-street parking, maneuvering lanes, service drives or loading areas cannot exceed 30% of yard area	No off-street parking or loading area is proposed within side yards	Yes	
<b>Off-Street Parking or related drives</b> (Sec. 3.8.2.F)	No closer than 25 ft. to any wall of a dwelling structure that contains openings involving living areas or	Off-street parking areas more than 25 feet from buildings	Yes	
Off-street parking and related drives shall be...	No closer than 8 ft. for other walls or		Yes	
	No closer than 20 ft. from ROW and property line		Yes	
<b>Pedestrian Connectivity</b> (Sec. 3.8.2.G)	5 feet sidewalks on both sides of the Private drive are required to permit safe and convenient pedestrian access.	5-foot Sidewalks shown along the internal streets	Yes	
	Where feasible sidewalks shall be connected to other pedestrian features abutting the site.	Sidewalks proposed north and south of site on Meadowbrook as public benefit; Sidewalk connection along Emergency Access drive in NW corner	Yes	

Item	Required Code	Proposed	Meets Code	Comments
	All sidewalks shall comply with barrier free design standards	Stated that they will comply	Yes	<i>Details will be reviewed during site plan stage</i>
<b>Minimum Distance between the buildings</b> (Sec. 3.8.2.H)	(Total length of building A + total length of building B + 2(height of building + height of building B))/6	Minimum of 30 feet proposed, calculation shows 33-35 feet required	No	<b><u>Deviation requested to allow 30 ft minimum between all buildings</u></b>
<b>Minimum Distance between the buildings</b> (Sec. 3.8.2.H)	In no instance shall this distance be less than thirty (30) feet unless there is a corner-to-corner relationship in which case the minimum distance shall be fifteen (15) feet.	Buildings are min. of 30 ft. from each other	Yes	
<b>Number of Parking Spaces</b> Residential, Multiple-family (Sec.5.2.12.A)	Two (2) for each dwelling unit having two (2) or less bedrooms and two and one-half (2 ½) for each dwelling unit having three (3) or more bedrooms <b>Phase 1 67 Three-BR units, required spaces = 168 spaces</b> <b>Phase 2 54 three-BR = 135 spaces</b>	<b>Phase 1</b> 2-car garages provided in each unit (134) Driveway spaces (134) Guest surface (11) <b>Total parking: 279 spaces</b> <b>Phase 2</b> 2-car garages in each unit (108) Driveway spaces (108) Guest surface (9) <b>Total parking: 225 spaces</b>	Yes	
<b>Parking Space Dimensions and Maneuvering Lanes</b> (Sec. 5.3.2)	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping	- 28 ft. two-way drives - Parking shown in garages and driveways - A few 9'x19' spaces	Yes	
<b>Parking stall located adjacent to a parking lot entrance</b> (public or private) (Sec. 5.3.13)	- shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer	Closest parking is 325 feet from Meadowbrook ROW	Yes	
<b>Barrier Free Spaces</b> Barrier Free Code	2 accessible space (including 1 Van accessible) for every 26 to 50 spaces			<b>Review the requirements for ADA spaces for residential communities</b>

Item	Required Code	Proposed	Meets Code	Comments
<b>Barrier Free Space Dimensions</b> Barrier Free Code	- 8' wide with an 8' wide access aisle for van accessible spaces - 8' wide with a 5' wide access aisle for regular accessible spaces			
<b>Barrier Free Signs</b> Barrier Free Code	One sign for each accessible parking space.			
<b>Corner Clearance</b> (Sec. 5.9)	No fence, wall, plant material, sign or other obstruction shall be permitted within the clear view zone above a height of 2 feet from established street grade	Corner clearance noted	Yes	
<b>Minimum number of Bicycle Parking</b> (Sec. 5.16.1) <u>Multiple-family residential</u>	One (1) space for each five (5) dwelling units <b>Ph 1 Required: 16 Spaces</b> <b>Ph 2 required: 11 spaces</b>	Phase 1: 16 spaces provided  Phase 2: will comply at time of site plan approval	Yes	
<b>Bicycle Parking General requirements</b> (Sec. 5.16)	No farther than 120 ft. from the entrance being served  When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations  Spaces to be paved and the bike rack shall be inverted "U" design Shall be accessible via 6 ft. paved sidewalk	Provided in multiple locations	Yes	
<b>Bicycle Parking Lot layout</b> (Sec 5.16.6)	Parking space width: 6 ft. One tier width: 10 ft. Two tier width: 16 ft. Maneuvering lane width: 4 ft. Parking space depth: 2 ft. single, 2 ½ ft. double	Layout shown	Yes	
<b>5.10 Additional Road Design, Building Setback, And Parking Setback Requirements, Multiple-Family Uses</b>				
<b>Road standards</b> (Sec. 5.10)	A private drive network within a cluster, two - family, multiple-family, or non-residential uses and developments shall be built to City of Novi	Proposed roads are to be public	Yes	<i>Proposed roads are "major drive" with direct access to exterior public road</i>

	Design and Construction Standards for local street standards (28 feet back-to-back width)			
<b>Major Drives</b>	<ul style="list-style-type: none"> <li>- Width: 28 feet</li> <li>- No perpendicular parking</li> </ul>	Proposed major drives are 28 feet wide	Yes	
<b>Minor Drive</b>	<ul style="list-style-type: none"> <li>- Cannot exceed 600 feet</li> <li>- Width: 24 feet with no on-street parking</li> <li>- Width: 28 feet with parking on one side</li> <li>- Parking on two sides is not allowed</li> <li>- Needs turn-around if longer than 150 feet</li> </ul>	Shorter streets are minor drives – roads proposed are over 600 feet long	NA	
<b>Parking on Major and Minor Drives</b>	<ul style="list-style-type: none"> <li>- Angled and perpendicular parking, permitted on minor drive, but not from a major drive;</li> <li>- minimum centerline radius: 100 feet</li> <li>- Adjacent parking and on-street parking shall be limited near curves with less than two-hundred thirty (230) feet of centerline radius</li> <li>- Minimum building setback from the end of a parking stall shall be 25 feet in residential districts.</li> </ul>	<p>Perpendicular parking is proposed in 4 locations on major drives</p> <p>Minimum centerline radius is not provided</p>	No	<u><b>Deviation requested to allow perpendicular parking on a major drive</b></u>
<b>Accessory and Roof top Structures</b>				
<b>Dumpster</b> Sec 4.19.2.F	<ul style="list-style-type: none"> <li>- Located in rear yard</li> <li>- Attached to the building or</li> <li>- No closer than 10 ft. from building if not attached</li> <li>- Not located in parking setback</li> <li>- If no setback, then it cannot be any closer than 10 ft, from property line.</li> <li>- Away from Barrier free Spaces</li> </ul>	Curb side trash pick-up planned	NA	

<p><b>Dumpster Enclosure</b>                  Sec. 21-145. (c)                  Chapter 21 of City                  Code of Ordinances</p>	<ul style="list-style-type: none"> <li>- Screened from public view</li> <li>- A wall or fence 1 ft. higher than height of refuse bin</li> <li>- And no less than 5 ft. on three sides</li> <li>- Posts or bumpers to protect the screening</li> <li>- Hard surface pad.</li> <li>- Screening Materials: Masonry, wood or evergreen shrubbery</li> </ul>	<p>Not proposed</p>	<p>NA</p>	
<p><b>Roof top equipment and wall mounted utility equipment</b> Sec. 4.19.2.E.ii</p>	<p>All roof top equipment must be screened and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building</p>		<p>NA</p>	
<p><b>Roof top appurtenances screening</b></p>	<p>Roof top appurtenances shall be screened in accordance with applicable facade regulations, and shall not be visible from any street, road or adjacent property.</p>		<p>NA</p>	
<p><b>Sidewalks and Other Requirements</b></p>				
<p><b>Non-Motorized Plan</b></p>	<p>Proposed Off-Road Trails and Neighborhood Connector Pathways.</p>	<p>Pathways planned as usable open space through natural areas</p>	<p>Yes</p>	
<p><b>Sidewalks</b>                  (Subdivision Ordinance: Sec. 4.05)</p>	<p>Sidewalks are required on both sides of proposed drives</p>	<p>5' Sidewalks are proposed on both sides of the proposed private drive</p>	<p>Yes</p>	
<p><b>Public Sidewalks</b>                  (Chapter 11, Sec.11-276(b), Subdivision Ordinance: Sec. 4.05)</p>	<p>A 8-foot sidewalk is required along Meadowbrook Road</p>	<p>Sidewalk proposed</p>	<p>Yes</p>	
<p><b>Entryway lighting</b>                  Sec. 5.7</p>	<p>One streetlight is required per entrance.</p>			<p><u>Applicant to work with engineering and DTE on the location and type of the fixtures proposed in the right of way for residential community</u></p>
<p><b>Building Code and Other Requirements</b></p>				
<p><b>Building Code</b></p>	<p>Building exits must be connected to sidewalk</p>		<p>NA</p>	

	system or parking lot.			
<b>Design and Construction Standards Manual</b>	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Provided	Yes	
<b>General layout and dimension of proposed physical improvements</b>	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in square feet), location of proposed parking and parking layout, streets and drives, and indicate square footage of pavement area (indicate public or private).		Yes	<b>Refer to all review letters for additional information requested.</b>  <b>Show any utility structures and mailboxes on the plans</b>
<b>Economic Impact</b>	<ul style="list-style-type: none"> <li>- Total cost of the proposed building &amp; site improvements</li> <li>- Number of anticipated jobs created (during construction &amp; after building is occupied, if known)</li> </ul>	Information provided	Yes	<b>(not considered a public benefit)</b>
<b>Other Permits and Approvals</b>				
<b>Development/ Business Sign</b>  (City Code Sec 28.3)  Sign permit applications may be reviewed an part of Preliminary Site Plan or separately for Building Office review.	<p>The leading edge of the sign structure shall be a minimum of 10 ft. behind the right-of-way.</p> <p>Entranceway shall be a maximum of 24 square feet, measured by completely enclosing all lettering within a geometric shape.</p> <p>Maximum height of the sign shall be 5 ft.</p>	Monument sign shown on north side of entry		
<b>Development and Street Names</b>	Development and street names must be approved by the Street Naming Committee	The project name "Elm Creek", and street names <b>Forestview Trail</b> and <b>Creekview Trail</b> were approved by the Committee		<b>Please only use the approved street names on the plan set.</b> <u>If any changes are requested submit a new application</u>
<b>Property Split</b>	The proposed property split must be submitted to the Assessing Department for	Not proposed at this time		<u>If intended, a property split will need to be resolved with 2<sup>nd</sup> property owner to the</u>

	approval.			<u>satisfaction of the City;</u>
<b>Other Legal Requirements</b>				
<b>PRO Agreement</b> (Sec. 7.13.2.D(3))	A PRO Agreement shall be prepared by the City Attorney and the applicant (or designee) and approved by the City Council, and which shall incorporate the PRO Plan and set forth the PRO Conditions and conditions imposed			<u>If tentative approval is granted, Council will direct City Attorney to prepare the agreement, which will then be shared with applicant</u>
<b>Master Deed/Covenants and Restrictions</b>	Applicant is required to submit this information for review with the Final Site Plan submittal	Not applicable at this moment		<u>Provide any easements or agreements parcel is subject to</u>  <u>If proposed, Master Deed draft shall be submitted prior to Stamping Set approval.</u>
<b>Conservation easements</b>	Conservation easements may be required for woodland impacts	Wetland and woodland easements may be required, or offered as a public benefit		<u>Draft documents would be required prior to stamping set approval.</u>
<b>Lighting and Photometric Plan (Sec. 5.7)</b>				
<b>Intent</b> (Sec. 5.7.1)	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky		NA	
<b>Lighting Plan</b> (Sec. 5.7.A.i)	Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures	Provided	Yes	
<b>Building Lighting</b> (Sec. 5.7.2.A.iii)	Relevant building elevation drawings showing all fixtures, the portions of the walls to be illuminated, illuminance levels of walls and the aiming points of any remote fixtures.	Provided	Yes	
<b>Lighting Plan</b> (Sec.5.7.2.A.ii)	Specifications for all proposed & existing lighting fixtures	Not provided		Provide lighting spec sheets in the plan set at the time of final site plan submittal
	Photometric data	Provided	Yes	
	Fixture height	7'-20'	Yes	

	Mounting & design	Not shown		
	Glare control devices (Also see Sec. 5.7.3.D)	Not shown		
	Type & color rendition of lamps	LED	Yes	
	Hours of operation	Not shown	NA	
<b>Required Conditions</b> (Sec. 5.7.3.A)	Height not to exceed maximum height of zoning district (or 25 ft. where adjacent to residential districts or uses)	20' max	Yes	
<b>Required Conditions</b> (Sec. 5.7.3.B)	<ul style="list-style-type: none"> <li>- Electrical service to light fixtures shall be placed underground</li> <li>- Flashing light shall not be permitted</li> <li>- Only necessary lighting for security purposes &amp; limited operations shall be permitted after a site's hours of operation</li> </ul>	Notes provided on sheet 3	Yes	
<b>Security Lighting</b> (Sec. 5.7.3.H)  Lighting for security purposes shall be directed only onto the area to be secured.	<ul style="list-style-type: none"> <li>- All fixtures shall be located, shielded and aimed at the areas to be secured.</li> <li>- Fixtures mounted on the building and designed to illuminate the facade are preferred</li> </ul>		TBD	
<b>Required Conditions</b> (Sec.5.7.3.E)	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1		NA	<b>See Text Amendment 18.301 for revised standards of Sec. 5.7.3.O</b>
<b>Color Spectrum</b> (Sec. 5.7.3.F)	Multi-family: <ul style="list-style-type: none"> <li>i. Min Color Rendering Index (CRI) of 70</li> <li>ii. Correlated Color Temp (CCT) &lt; 3000 Kelvin</li> </ul>	3000K noted for P1 and P2 fixtures	TBD	<b>Note new standard – please provide data to verify compliance</b>
<b>Min. Illumination</b> (Sec. 5.7.3.L)	Parking areas: 0.2 min	0.2 min	Yes	
	Loading & unloading areas: 0.4 min		NA	
	Walkways: 0.2 min		NA	
	Building entrances, frequent use: 1.0 min		NA	
	Building entrances, infrequent use: 0.2 min		NA	

<p><b>Max. Illumination adjacent to Non-Residential</b>                  (Sec. 5.7.3.M)</p>	<p>When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle</p>	<p>0.7 max shown</p>	<p>Yes</p>	
<p><b>Cut off Angles</b> (Sec. 5.7.3.N)</p>	<p>when adjacent to residential districts                  - All cut off angles of fixtures must be 90°                  - maximum illumination at the property line shall not exceed 0.5 foot candle</p>	<p>0.3 max shown</p>	<p>Yes</p>	
<p><b>Residential Developments</b> (Sec. 5.7.3.O)</p>	<p>i. Provide lighting at each entrance to major thoroughfare, with min 0.2 fc, and max height of 25 ft                  ii. May deviate from 5.7.3.L requirements as long as parking lots, property lines, and security is provided</p>	<p>Entrance light shown, 20 ft height, 0.9-0.5 fc                   Meets requirements at these locations</p>	<p>Yes</p>	

**NOTES:**

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

## ENGINEERING REVIEW

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# PLAN REVIEW CENTER REPORT

3/13/2024

## Engineering Review

Elm Creek PRO

JZ22-0028

### APPLICANT

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Toll Brothers, Inc

### REVIEW TYPE

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Revised PRO Concept Plans

### PROPERTY CHARACTERISTICS

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- Site Location: South of 12 Mile Road West side of Meadowbrook Road
- Site Size: 37.11 Acres
- Plan Date: 2/15/2024
- Design Engineer: Seiber Keast Lehner

### PROJECT SUMMARY

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- Construction of a 121 unit multi-family residential development with 67 units proposed in Phase 1, and 54 units proposed in Phase 2.
- Two water main connections are proposed for Phase 1, one connection is proposed to the existing 8-inch water main stub located at the southwest corner of 41795 Twelve Mile Road (parcel 22-14-200-031), and an additional connection is proposed to the 12-inch water main located at the west side of the property on a neighboring parcel (parcel 22-14-200-038), this connection will require an off-site water main easement. One water main connection is proposed for Phase 2, connection to the existing 8-inch water main stub located at the west side of 27333 Meadowbrook Road (parcel 22-14-200-044).
- Sanitary sewer service for Phase 1 would be provided by an off-site sanitary sewer extension across the frontage of the neighboring property to the south (parcel 22-14-200-010). Sanitary sewer service for Phase 2 would be provided by an extension from the existing 8-inch sanitary sewer stub on the southwest side of 27333 Meadowbrook Road (parcel 22-14-200-044).
- Stormwater would be collected by an on-site storm sewer collection system. Two detention basins are proposed for the entire development, additional information will be needed at the time of site plan submittal.

- Off-Site sidewalk extension is proposed, the sidewalk will be built along the right-of-way of Meadowbrook Road, and it will extend to neighboring properties to the north (parcel 22-14-200-045) and to the south (parcel 22-14-200-010) of the project area.

### **Recommendation**

**Approval of the revised PRO Concept Plan is recommended contingent upon the applicant addressing the following comments.**

### **Items to be addressed with PRO Concept plan.**

1. Water main should not be proposed in the rear yard of homes. A connection should be proposed to the existing 16-inch main on the east side of Meadowbrook Road rather than the proposed connection in the rear yards.
2. Overall development has proposed three T-turnarounds, one temporary turnaround at the southern portion of Phase 1 that will be removed when Phase 2 is constructed for the extension of Forestview Trail. Two permanent T-turnarounds are proposed, one located at the west side of Elm Creek Drive and the other is proposed in Phase 2 at the southern end of Forestview Trail.
  - A. Temporary T-turnaround proposed as part of Phase 1 meets the city standard, if Phase 2 of this site plan does not move forward a cul-de-sac will be required at this location.
  - B. T-Turnaround proposed at the west side of the development. This turnaround meets the city standard, but it is recommended that the applicant consider connecting Elm Creek Drive to Lion Lane, see comment 3.
  - C. T-Turnaround proposed in Phase 2 located at the southern end of Forestview Trail, this turnaround MUST be changed to a cul-de-sac.
3. The applicant has proposed emergency access drive and off-site sidewalk connection to the private access road located on 42005 Twelve Mile Road (parcel 22-14-200-035). It is recommended that the applicant investigate connecting directly to the Griffin Novi parcel. The Development Griffin Novi has proposed a private road Lion Lane and sidewalk stubbed to the property line for future connection. Griffen Novi is owned by Singh Development LLC, the southern portion of the ELM Creek property is also owned by Singh Development.

It appears that there is an existing 86' wide roadway easement over the southern portion of 42005 Twelve Mile Road (parcel 22-14-200-035), easement liber 21763, page 525.

The sidewalk to the Griffin Development would allow for sidewalk connection to go all the way to Twelve Oaks Mall Drive, connection to Lion Lane would also allow ELM Creek residents to have secondary access to their site.

### **Items to be addressed at site plan submittal.**

1. At the time of site plan submittal the applicant must use new stormwater standards adopted in 2024. Revised Engineering Design Manual is available on the city website [Engineering Design Manual](#).
2. Applicant should note that emergency access easements should extend to public right-of-way. The two proposed emergency access roads would need to have easements extending to 12 Mile Road and Meadowbrook Road.
3. Generally, all proposed trees shall remain outside utility easements. Where proposed trees are required within a utility easement, the trees shall maintain a minimum 5-foot horizontal separation from water main and 10-foot horizontal clearance from sanitary sewer. All utilities shall be shown on the landscape plan, or other appropriate sheet, to confirm the separation distance.
4. Show the locations of all light poles on the utility plan. Light poles in a utility easement will require a License Agreement

### **Water Main**

5. Per Section 11-68 of the ordinances developments requiring more than 800 feet of water main shall have at least 2 connections and shall be a looped system. If phase 2 does not move forward the proposed dead end in Phase 1 does not meet the city standard, propose an alternate route if Phase 2 does not move forward.
6. Provide hydrant spacing for both phases. Hydrants shall be spaced approximately three hundred (300) feet apart as measured by an approved, unobstructed route accessible by fire apparatus in commercial, industrial, and multiple-residential areas. In cases where the buildings within developments are fully fire suppressed, such spacing may be increased to no more than five hundred (500) feet apart.
7. Water main shall have the ability to serve at least three thousand (3,000) gallons per minute in apartment, cluster residential and similar complexes, institutional and school areas. Water mains are required to be extended along all road frontages abutting the proposed development at the direction of the city in accordance with the City of Novi Master Plan current edition for water main construction. Provide modeling calculations for both phases.

### **Irrigation Comments**

8. The irrigation plans should be provided at time of site plan submittal, irrigation plans must be approved prior to stamping set submittal.

### **Sanitary Sewer**

9. Provide a sanitary sewer basis of design for the development on the utility plan sheet. (Calculations should use peaking factor of 4.0 and 3.2 People/REU).

### **Storm Sewer**

10. Plastic pipe is not allowed in the right-of-way Except ADS HP, the maximum allowable size for plastic storm sewer is 12-inch. (Smaller diameters are allowed for roof drains)

### **Storm Water Management Plan**

11. Rather than a sediment forebay, a permanent water surface and storage volume are preferred. Refer to section 5.6.1 A. of the Engineering Design Manual for depth and volume requirements for wet detention basins.
12. An adequate maintenance access route to the basin outlet structure and any other pretreatment structures shall be provided (15 feet wide, maximum running slope of 1V:5H, maximum cross slope of 3%, and able to withstand the passage of heavy equipment). Verify the access route does not conflict with proposed landscaping.
13. As part of the Storm Drainage Facility Maintenance Easement Agreement, provide an access easement for maintenance over the storm water detention system and the pretreatment structure. Also, include an access easement to the detention area from the public road right-of-way.
14. Provide a soil boring in the vicinity of the storm water basin to determine soil conditions and to establish the high-water elevation of the groundwater table. Note the bottom of the detention facility must be a minimum of three (3) feet above the groundwater elevation.
15. A 25-foot vegetated buffer shall be provided around the perimeter of the storm water basin. This buffer cannot encroach onto adjacent lots or property.

### **Paving & Grading**

16. Provide an emergency access gate at both ends of the proposed emergency access drive. The City's break-away gate detail (Figure VIII-K) can be found in Section 11-194 of the Code of Ordinances.
17. Emergency access road shall be designed to support a 35-ton fire truck. Standard detail for emergency access drive is provided in Figure VIII-K in Section 11-94 of the Code of Ordinance.
18. Cul-de-sac shall be designed in accordance with Figures VIII-F. The standard outside pavement radius of cul-de-sac shall be sixty (60) feet in industrial areas and fifty-four (54) feet in all other areas. Wherever cul-de-sacs contain islands, parking shall be prohibited along the island. The island radius shall be twenty-two (22) feet and standard pavement width shall be thirty-two (32) feet, back-to-back of curb. Islands will not be allowed in industrial areas.

19. Retaining walls that are 48-inches or larger shall need a permit from the Building Department. The Retaining walls plan sheet shall be signed and sealed by the design engineer responsible for the proposed retaining wall design and all associated calculations.
20. A License Agreement may be required for the proposed retaining wall if they are located within the water main and sanitary sewer easements.
21. Soil borings along the centerline of the proposed road will be required at 500-foot intervals per Section 11-195(d) of the Design and Construction Standards. A minimum of 6 borings meeting ordinance requirements will be acceptable.

### **Flood Plain**

22. Show the impact and the current limits of the 100-year flood plain. Floodplain should be shown on all relevant sheets and indicate if any impact is proposed to the floodplain. Link to FEMA ARC GIS map: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

### **Off-Site Easements**

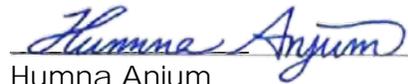
23. Any off-site utility easements anticipated must be executed **prior to Stamping Set Approval**. At time of site plan submittal drafts easements and a recent title search shall be submitted to the Community Development Department for review and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.
24. The following off-site easements have been proposed:
  - Off-site sidewalk easement parcel to the north (parcel 22-14-200-045)
  - ROW easement suggested for parcel to the south (parcel 22-14-200-010), applicant has proposed sanitary sewer to be extended across the frontage of this property and sidewalk across this property. It is recommended that instead of obtaining two off-site easements (sanitary and sidewalk easement) the applicant obtain one ROW easement from the property owner.
  - Off-site water main connection, and extension to parcel to the west (parcel 22-14-200-035)
  - Emergency access easements, one for Phase 1 and one for Phase 2.
  - Connections to utility stubs located at the property line will not require an easement, applicant should indicate on the plans if they may need to go outside of the existing 20-foot-wide easements.

**The following must be submitted with the Preliminary Site Plan:**

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

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

Please contact Humna Anjum at (248)735-5632 or email at [hanjum@cityofnovi.org](mailto:hanjum@cityofnovi.org) with any questions.



Humna Anjum  
Project Engineer

cc: Lindsay Bell Community Development  
Adam Yako, Engineering  
Ben Nelson, Engineering  
Ben Croy, City Engineer

## LANDSCAPE REVIEW

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PLAN REVIEW CENTER REPORT  
February 29, 2024  
Elm Creek PRO  
Formal PRO Concept Plan – Landscaping Review

Review Type

Formal PRO Concept Plan Landscape Review

Job #

JZ22-0028

Property Characteristics

- Site Location: 43180 Nine Mile Road
- Site Acreage: 2.12 ac.
- Site Zoning: I-1
- Adjacent Zoning: North, West: RM-1, East, South: I-1
- Plan Date: 2/15/2024

Ordinance Considerations

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

**RECOMMENDATION:**

This project is **recommended for approval, contingent on screening fencing being added south of the entry drive as noted below.**

**LANDSCAPE DEVIATIONS THAT ARE REQUIRED FOR PROPOSED LAYOUT:**

- The required 4.5-6 foot landscaped berm is not provided along the east side of the property and along the south side of the connecting drive to Meadowbrook. The proposed alternatives are supported by staff contingent on the extension of the vinyl fence along approximately half of the entry drive (to buffer the homes along the drive). That requested section of fence has not been added, so the deviation is not supported by staff.
- It is possible that some of the street trees shown will not be able to be planted due to the utility layout (insufficient spacing between trees and underground lines) This would be a deviation that would not be supported by staff.
- A landscape deviation to not provide the required greenbelt berm and landscaping in the 113lf of existing wetland to be preserved. This is supported by staff.

Ordinance Considerations

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

1. A tree survey and chart are provided.
2. 195 trees and 9 credits of woodland seed will be planted to offset some of the required 1328 required credits. A donation to the tree fund will cover the remaining 1124 required restoration credits.
3. **Please see the Merjent letter for a detailed discussion of the wetlands and woodlands on the site.**
4. See the landscape chart for a discussion of the desired tree species for woodland

replacements.

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

1. The project is adjacent to OST property so a 4.5-6 foot tall landscaped berm with 80-90% opacity is required. A mix of alternative screening, including a vinyl fence behind plantings, double rows of plantings and densely planted evergreens, is proposed.
2. The south frontage along the drive from Meadowbrook also seems to have inadequate buffering from a future office building. Please extend the vinyl fence buffering used behind Buildings 13 and 14 along the property line south of the entry drive to a point equal to the eastern end of the eastern visitor parking bay.
3. The exhibit provided indicates that north of the site, on adjacent properties, are significant vegetated distances that will provide significant buffering from those businesses.
4. *Staff can support the deviation for the lack of berm due to the above factors if the fence extension is added.*

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

1. A landscape deviation is requested to not provide the required greenbelt berm and landscaping within an existing wetland to be preserved. *This deviation is supported by staff.*
2. The required greenbelt berm and landscaping are provided near the entrance.
3. **See the note regarding the entry island plantings on the landscape chart.**

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

No parking lot interior landscaping is required as only small bays are proposed. Perimeter trees are shown along all of the parking bays.

Multi-Family Landscaping:

1. Units: 194 of the required 201 trees are proposed, primarily as screening vegetation around the perimeter of the site. The species must be provided on Final Site Plans.
2. **The parking lot perimeter trees shown can be relabeled to be multi-family unit trees to make up the difference.**
3. Interior Drive trees:
  - a. The required number of trees (93) are proposed along the interior drives
  - b. In a number of locations, the underground utility layout does not provide room for the required trees. **Please revise the utility layout where necessary to provide the required spacing (4 feet behind the curb and 5 feet from the underground lines).**
4. Building Foundation Landscaping: A minimum of at least 35% of the buildings' faces will be provided, as is required.

Plant List (LDM 4, 10)

1. No plant list is provided.
2. It is expected that the plant list will be provided no later than the Final Site Plan and the species used will meet ordinance requirements.

Planting Notations and Details (LDM 10)

1. Provided
2. Please add the note regarding the seeding mix verification to the sheets near the seed mixes.

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

All required detention basin landscaping is proposed.

Irrigation (LDM 10)

A plan for an automatic irrigation system or information as to how the plants will be provided with sufficient water for establishment and long-term survival must be provided no later than the Final Site Plan.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5621 or [rmeader@cityofnovi.org](mailto:rmeader@cityofnovi.org).



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Rick Meader – Landscape Architect

## LANDSCAPE REVIEW SUMMARY CHART – Formal PRO Concept Plans

**Review Date:** February 29, 2024  
**Project Name:** JZ22 – 0028: Elm Creek PRO  
**Plan Date:** 2/15/2024  
**Prepared by:** Rick Meader, Landscape Architect E-mail: [rmeader@cityofnovi.org](mailto:rmeader@cityofnovi.org);  
 Phone: (248) 735-5621

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

### LANDSCAPE DEVIATIONS THAT ARE REQUIRED FOR PROPOSED LAYOUT:

- The required 4.5-6 foot landscaped berm is not provided along the east side of the property and along the south side of the connecting drive to Meadowbrook. *The proposed alternatives are supported by staff contingent on the extension of the vinyl fence along approximately half of the entry drive (to buffer the homes along the drive). That requested section of fence has not been added, so the deviation is not supported by staff.*
- It is possible that some of the street trees shown will not be able to be planted due to the utility layout (insufficient spacing between trees and underground lines). *This would be a deviation that would not be supported by staff.*
- A landscape deviation to not provide the required greenbelt berm and landscaping in the 113lf of existing wetland to be preserved. *This is supported by staff.*

Item	Required	Proposed	Meets Code	Comments
<b>Landscape Plan Requirements – Basic Information (LDM (2))</b>				
<b>Landscape Plan</b> <i>(Zoning Sec 5.5.2, LDM 2.e)</i>	<ul style="list-style-type: none"> <li>• New commercial or residential developments</li> <li>• Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less.</li> <li>• 1" -20' minimum with proper North. Variations from this scale can be approved by LA</li> </ul>	<ul style="list-style-type: none"> <li>• Site plan scale is 1"=60 ft</li> <li>• Detail plans are 1"=30'</li> </ul>	Yes	Yes
<b>Owner/Developer Contact Information</b> <i>(LDM 2.a.)</i>	Name, address and telephone number of the owner and developer or association	Provided on landscape plan title bar	Yes	
<b>Project Information</b> <i>(LDM 2.d.)</i>	Name and Address	Location map is provided on landscape plan Sheet L-1	Yes	
<b>Survey information</b> <i>(LDM 2.c.)</i>	Legal description or boundary line survey	Survey and Descriptions on Sheet 2	Yes	
<b>Landscape Architect contact information</b>	Name, Address and telephone number of	Allen Design	Yes	

Item	Required	Proposed	Meets Code	Comments
<i>(LDM 2.b.)</i>	RLA/PLA/LLA who created the plan			
<b>Sealed by LA.</b> <i>(LDM 2.g.)</i>	Requires original signature	Copied seal and signature		<u>Final stamping sets must have live LA signature</u>
<b>Miss Dig Note</b> (800) 482-7171 <i>(LDM.3.a.(8))</i>	Show on all plan sheets	Yes	Yes	
<b>EXISTING CONDITIONS</b>				
<b>Existing plant material</b> <b>Existing woodlands or wetlands</b> <i>(LDM 2.e.(2))</i>	<ul style="list-style-type: none"> <li>• Show location type and size.</li> <li>• Label to be saved or removed.</li> <li>• Plan shall state if none exists.</li> </ul>	<ul style="list-style-type: none"> <li>• Tree survey and tree charts are provided on Sheets L-4 and L-6 – L-8</li> <li>• Tree numbers of trees to remain are shown on the landscape plan.</li> <li>• Trees being removed are indicated on the tree chart</li> <li>• Calculations for woodland replacements are provided.</li> <li>• Per the calculations provided, 1,328 replacement credits are required, 204 credits will be provided (including 9 credits for a seed mix to be planted beneath the large mass of replacement trees) and a contribution to the tree fund for the remaining 1124 trees will be made.</li> <li>• Wetlands are shown on same plan</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> </ul>	<ol style="list-style-type: none"> <li>1. Although the calculations indicate that 204 trees were provided, only 194 woodland replacement tree symbols were found on the plan. <u>Please add one more tree.</u></li> <li>2. <u>When selecting woodland replacement species, please remember that only 10% of the trees provided can be evergreens.</u></li> <li>3. <u>The diversity requirement does not apply to woodland replacement trees.</u></li> <li>4. <u>Please show the seed mix is found on L-1 or below (the callout only says "Sheet L").</u></li> <li>5. <u>Please add a note stating that "The contractor shall provide proof of the seed mix used to the city landscape architect in the form of a photo of the seed mix bag label or a copy of the seed invoice to <a href="mailto:rmeader@cityofnovi.org">rmeader@cityofnovi.org</a> before spreading the seed" with both the woodland seed and detention basin seed mixes.</u></li> </ol>

Item	Required	Proposed	Meets Code	Comments
<b>Natural Features protection</b>				<b>Please be sure that proper buffers and protection for stream and lake are provided.</b>
<b>Soil type (LDM.2.r.)</b>	As determined by Soils survey of Oakland county	Soils information provided on cover sheet	Yes	
<b>Zoning (LDM 2.f.)</b>	Site: RM-1, OST Proposed: RM-1 with PRO North, East, South: OST West: RM-1,RC	Yes – on location map on Cover Sheet	Yes	
<b>PROPOSED IMPROVEMENTS</b>				
<b>Existing and proposed improvements (LDM 2.e.(4))</b>	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Landscape plan shows locations of buildings and drives	Yes	<b>Please revise the building numbers for Buildings 16 and 17 to 13 and 14 to coordinate with the civil plans.</b>
<b>Existing and proposed utilities (LDM 2.e.(4))</b>	Overhead and underground utilities, including hydrants	<ul style="list-style-type: none"> <li>• Shown on landscape plan</li> <li>• A number of lines (water, storm) are placed such that there is insufficient room between the lines and the curb to plant the required street trees with required spacing</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>	<b>Please consider putting the water main on the building side of the sidewalks to provide better spacing from the street trees.</b>
<b>Proposed topography - 2' contour minimum (LDM 2.e.(1))</b>	Provide proposed contours at 2' interval	<ul style="list-style-type: none"> <li>• Proposed spot elevations and contours are provided on Grading Plan</li> <li>• Proposed contours are provided on landscape plan</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• Yes</li> </ul>	
<b>Clear Zones (LDM 2.e.(5))</b>	25 ft. corner clearance required. Refer to Zoning Sec 5.5.9	Provided	Yes	
<b>LANDSCAPING REQUIREMENTS</b>				
<b>Berms and ROW Planting</b>				
<ul style="list-style-type: none"> <li>• All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours</li> <li>• Berm should be located on lot line except in conflict with utilities.</li> <li>• Berms should be constructed with 6" of topsoil.</li> </ul>				
<b>Residential Adjacent to Non-residential (Sec 5.5.3.A) &amp; (LDM 1.a)</b>				
<b>Berm requirements (Zoning Sec 5.5.A)</b>	<u>Residential adjacent to OST requires:</u>	• No berm is proposed along	No	<b>1. A landscape deviation is required</b>

Item	Required	Proposed	Meets Code	Comments
	<ul style="list-style-type: none"> <li>4.5-6 foot high landscaped berm with 5 foot wide crest.</li> <li>Opacity 80% winter, 90% summer.</li> </ul>	<p>the north or east sides of the property.</p> <ul style="list-style-type: none"> <li>A line of trees is proposed along the east property line, north property line and south of the entry drive.</li> <li>A vinyl fence is also proposed along the eastern property line.</li> <li>Dimensioned aerials are provided to show the existing conditions of the proposed buildings in relation to the adjacent property.</li> </ul>		<p><b>for the lack of the required berm along the north, east and south property lines (along entry drive).</b></p> <p>2. <i>The deviation would be supported by staff if vinyl fencing was added south of the driveway to a point equal to the eastern edge of the parking pay along the entry.</i></p>
<b>Adjacent to Public Rights-of-Way (Sec 5.5.B) and (LDM 1.b)</b>				
<b>ROW Landscape Screening Requirements Chart (Sec 5.5.3.B. ii) (RM-1)</b>				
<b>Greenbelt width</b> (2)(3) (5)	<ul style="list-style-type: none"> <li>Adj to parking: 20 ft</li> <li>Not adj to parking: 34 ft</li> </ul>	397 ft	Yes	
<b>Min. berm crest width</b>	2 ft	No berm is proposed	No	<p>1. A landscape deviation is requested to preserve the existing wetland area (113lf/3 trees) and the remaining frontage is too limited to create the required berm</p> <p>2. <i>This deviation is supported by staff.</i></p>
<b>Min. berm height</b> (9)	3 ft	No berm is proposed	No	
3' wall	(4)(7)	No wall is proposed in greenbelt		
<b>Canopy deciduous or large evergreen trees</b> Notes (1) (10)	<ul style="list-style-type: none"> <li>1 tree per 35 lf</li> <li>(264-113-57)lf/35 = 3 trees</li> </ul>	<ul style="list-style-type: none"> <li>No trees or berm proposed in natural area to remain</li> <li>3 trees</li> </ul>	No	<p>1. A landscape deviation is requested to preserve the existing wetland area (113lf/3 trees)</p> <p>2. <i>This deviation is</i></p>

Item	Required	Proposed	Meets Code	Comments
				<i>supported by staff. With the deviation, the correct number of trees are provided</i>
<b>Sub-canopy deciduous trees</b> Notes (2)(10)	<ul style="list-style-type: none"> <li>• 1 tree per 35 lf</li> <li>• <math>(264-113-57)lf/25 = 4</math> trees</li> </ul>	<ul style="list-style-type: none"> <li>• No trees or berm proposed in natural area to remain</li> <li>• 4 trees</li> </ul>	No	See above
<b>Canopy deciduous trees in area between sidewalk and curb</b>	1 tree per 35 lf $120/35 = 3$ trees	4 trees	Yes	
<b>Multi-Family Residential (Sec 5.5.3.F.ii)</b>				
<b>Building Landscaping</b> (Zoning Sec 5.5.3.E.ii.)	<ul style="list-style-type: none"> <li>• 3 deciduous canopy trees or large evergreen trees per dwelling unit on the first floor.</li> <li>• <math>67 \text{ units} * 3 = 201</math> trees</li> <li>• Up to 25% of requirement can be subcanopy trees</li> </ul>	Only 194 multi-family unit trees were found	No	<ol style="list-style-type: none"> <li>1. <b>Please add the missing trees to the plan.</b></li> <li>2. <u>On the final site plan, please show the species of the trees.</u></li> <li>3. The western tree in the entry island is planted in too narrow of an area for good survival. <u>Either move it eastward into the "fat" part of the island or move it out of the island – the latter would be preferable.</u></li> <li>4. <b>Multi-family unit trees can be used to meet the parking lot perimeter requirement that is currently met with parking lot landscape trees. This would offset the shortage noted above.</b></li> </ol>
<b>Interior Street Landscaping</b>	<ul style="list-style-type: none"> <li>• 1 deciduous canopy tree along interior roads for every 35 lf (both sides), excluding driveways, interior roads adjacent to public rights-of-way and parking entry drives.</li> <li>• Trees in boulevard</li> </ul>	<ul style="list-style-type: none"> <li>• 93 trees</li> <li>• Deficient spacing is provided between some of the utility lines and the curb to allow the required street trees</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>	<b>Please adjust utility lines locations where necessary to allow sufficient space for trees (4 feet behind curb and 5 feet from lines).</b>

Item	Required	Proposed	Meets Code	Comments
	islands do not count toward street tree requirement • $(4534-1280)/35 = 93$ trees			
<b>Foundation Landscaping</b>	35% of building façades facing road must be landscaped	The standard foundation planting detail indicates that 35%-40% of the units faces will be landscaped	Yes	
<b>Parking Area Landscape Requirements (Zoning Sec 5.5.3.C &amp; LDM 5)</b>				
<b>General requirements (LDM 1.c)</b>	<ul style="list-style-type: none"> <li>• Clear sight distance within parking islands</li> <li>• No evergreen trees</li> </ul>	<ul style="list-style-type: none"> <li>• Only small parking bays are proposed</li> <li>• Calculations for the parking lot perimeter trees and trees are provided</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• Yes</li> </ul>	
<b>Name, type and number of ground cover (LDM 1.c.(5))</b>	As proposed on planting islands	NA	TBD	
<b>General (Zoning Sec 5.5.3.C.ii)</b>				
<b>Parking lot Islands (e,g,h,i)</b>	<ul style="list-style-type: none"> <li>• A minimum of 200 SF to qualify</li> <li>• 200sf landscape space per tree planted in island.</li> <li>• 6" curbs</li> <li>• Islands minimum width 10' BOC to BOC</li> </ul>	NA	NA	
<b>Curbs and Parking stall reduction (i)</b>	Parking stall can be reduced to 17' with 4" curb adjacent to a sidewalk of minimum 7 ft.	17' parking space with 7' sidewalk	Yes	
<b>Contiguous space limit (o)</b>	Maximum of 15 contiguous spaces	3 and 5 space bays are proposed	Yes	
<b>Parking Lot Perimeter Trees (iv)</b>	<ul style="list-style-type: none"> <li>• 1 Canopy tree per 35 lf</li> <li>• Sub-canopy trees can be used under overhead utility lines.</li> </ul>	Calculations are provided and 7 trees are proposed	Yes	Since the parking is only on one side of the road, only perimeter trees are required, and the requirement can be met with multifamily unit trees.
<b>Parking land banked</b>	NA	None		
<b>Miscellaneous Landscaping Requirements</b>				

Item	Required	Proposed	Meets Code	Comments
<b>Plantings around Fire Hydrant (j)</b>	<ul style="list-style-type: none"> <li>No plantings with matured height greater than 12' within 10 ft. of fire hydrants, manholes, catch basins or other utility structures.</li> <li>Trees should not be planted within 5 feet of underground lines.</li> </ul>	<ul style="list-style-type: none"> <li>All hydrants and utility lines are shown on the landscape plans.</li> <li>Insufficient space is provided between some lines and the curb for the required street trees.</li> <li>Correct spacing is provided for hydrants</li> </ul>	Yes/No	<ol style="list-style-type: none"> <li>Please re-align the utility lines as necessary to provide sufficient space for all required trees.</li> <li>Please put the water mains under the sidewalk or on the other side of the sidewalk from the tree, as is done with the sanitary line.</li> </ol>
<b>Landscaped area (m)</b>	Areas not dedicated to parking use or driveways exceeding 100 sq. ft. shall be landscaped	NA		
<b>Name, type and number of ground cover (LDM 1.c.(5))</b>	As proposed on planting islands	NA		<u>Please indicate on the Final Site Plans</u>
<b>Snow deposit (LDM.2.q.)</b>	Show leave snow deposit areas on plan in locations where landscaping won't be damaged	A note indicates snow will be deposited along the drives	Yes	
<b>Transformers/Utility boxes (LDM 1.e from 1 through 5)</b>	<ul style="list-style-type: none"> <li>A minimum of 2 ft. separation between box and the plants</li> <li>Ground cover below 4" is allowed up to pad.</li> <li>No plant materials within 8 ft. from the doors</li> </ul>	No	TBD	<ol style="list-style-type: none"> <li><u>Please show transformers and other utility boxes when their locations are determined.</u></li> <li><u>If box locations are not determined by final site plans, add a note to plan stating that all utility boxes are to be landscaped per the detail.</u></li> <li><u>Please add an allowance of 10 shrubs per box on the plant list and label as such</u></li> </ol>
<b>Detention/Retention Basin Planting requirements (Sec. 5.5.3.E.iv)</b>	<ul style="list-style-type: none"> <li>Clusters of large native shrubs shall cover 70-75% of the basin rim area at 10 ft away from the permanent water line.</li> <li>Canopy trees must be located at 1 per 35lf of</li> </ul>	All required detention trees and shrubs are indicated	Yes	Woodland replacement trees are used to meet the detention tree requirement. This is allowed by ordinance.

Item	Required	Proposed	Meets Code	Comments
	the pond rim 10 feet away from the permanent water level <ul style="list-style-type: none"> <li>• 10" to 14" tall grass along sides of basin</li> <li>• Refer to wetland for basin mix</li> <li>• Include seed mix details on landscape plan</li> </ul>			
<b>Phragmites and Japanese Knotweed Control (Sec 5.5.7)</b>	<ul style="list-style-type: none"> <li>• Note any locations of Phragmites australis or Japanese Knotweed on the site.</li> <li>• If some is found, add plans for its removal to the plans.</li> </ul>	<ul style="list-style-type: none"> <li>• Phragmites was found in wetlands on the site and located on the plans</li> <li>• Instructions for its removal are provided.</li> </ul>	Yes	
<b>Landscape Notes and Details– Utilize City of Novi Standard Notes</b>				
<b>Plant List (LDM 4) – Include all cost estimates</b>				
Quantities and sizes		No plant list is provided	No	<u>Provide plant list on landscape plans.</u>
Root type		No plant list is provided	No	<u>See above</u>
Botanical and common names	<ul style="list-style-type: none"> <li>• At least 50% of plant species used, not including seed mixes or woodland replacement trees, must be species native to Michigan.</li> <li>• The non-woodland replacement tree diversity must meet the standards of the Landscape Design Manual section 4.</li> </ul>	No plant list is provided		1. <u>See above</u> 2. <u>Woodland replacement trees do not need to meet the tree diversity requirement. Please use quality species (beech, maples, elms, oaks, ironwood) to help restore some of the habitat that was lost or is being removed.</u>
Type and amount of lawn		No		<u>Need for final site plan</u>
Cost estimate (LDM 2.t)	For all new plantings, mulch and sod as listed on the plan	No		<u>Need for final site plan</u>
<b>Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details</b>				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes	Yes	
Evergreen Tree		Yes	Yes	
Shrub		Yes	Yes	
Multi-stem tree		Yes	Yes	

Item	Required	Proposed	Meets Code	Comments
Perennial/ Ground Cover		Yes	Yes	
Tree stakes and guys	Wood stakes, fabric guys.	Yes	Yes	
<b>Cross-Section of Berms (LDM 2.j)</b>				
Slope, height and width	<ul style="list-style-type: none"> <li>Label contour lines</li> <li>Maximum 33% slope</li> <li>Constructed of loam</li> <li>6" top layer of topsoil</li> </ul>	Detail is provided	Yes	If no berm is proposed this detail is not necessary.
Type of Ground Cover		Lawn	Yes	
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole, 10 feet from structures, hydrants	NA		
<b>Walls (LDM 2.k &amp; Zoning Sec 5.5.3.vi)</b>				
<b>Material, height and type of construction footing</b>	Freestanding walls should have brick or stone exterior with masonry or concrete interior	A 4 ft high boulder retaining wall is proposed near the northwest corner of the property.		Please provide a detail for the wall.
<b>Walls greater than 3 ½ ft. should be designed and sealed by an Engineer</b>		NA		A tiered wall may be required.
<b>Notes (LDM 2.i) – Utilize City of Novi Standard Details</b>				
<b>Installation date</b> (LDM 2.l. & Zoning Sec 5.5.5.B)	<ul style="list-style-type: none"> <li>Provide intended date</li> <li>Between Mar 15 – Nov 15</li> </ul>	Between Mar 15 – Nov 15	Yes	
<b>Maintenance &amp; Statement of intent</b> (LDM 2.m & Zoning Sec 5.5.6)	<ul style="list-style-type: none"> <li>Include statement of intent to install and guarantee all materials for 2 years.</li> <li>Include a minimum one cultivation in June, July and August for the 2-year warranty period.</li> </ul>	Yes		
<b>Plant source</b> (LDM 2.n & LDM 3.a.(2))	Shall be northern nursery grown, No.1 grade.	Yes		
<b>Establishment period</b> (Zoning Sec 5.5.6.B)	<b>2 yr. Guarantee</b>	Yes		
<b>Approval of substitutions.</b> (Zoning Sec 5.5.5.E)	City must approve any substitutions <u>in writing</u> prior to installation.	Yes		
<b>General Landscape Requirements (LDM 3)</b>				

Item	Required	Proposed	Meets Code	Comments
<b>General Conditions</b> (LDM 3.a)	Plant materials shall not be planted within 4 ft. of property line	A note indicates this.	Yes	
<b>Irrigation plan</b> (LDM 2.s.)	A fully automatic irrigation system and a method of draining is required with Final Site Plan	No		<ol style="list-style-type: none"> <li>1. <u>Please add an irrigation plan or information as to how plants will be watered sufficiently for establishment and long- term survival in the Final Site Plans, not stamping sets.</u></li> <li>2. <u>The plan should meet the requirements listed at the end of this chart.</u></li> <li>3. <u>If xeriscaping is used, please provide information about plantings included.</u></li> </ol>
<b>Landscape tree credit</b> (LDM11.b.(1)(f))	<ul style="list-style-type: none"> <li>• Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA.</li> <li>• Refer to Landscape tree Credit Chart in LDM</li> </ul>	30 saved trees are identified for which 85 credits are taken	TBD	<ol style="list-style-type: none"> <li>1. <b>See the Merjent review for a discussion of the credits taken.</b></li> <li>2. <b>If any of the credited trees are not allowed for credit based on the Landscape Design Manual, additional credits may be required to be planted or added to the tree fund donation.</b></li> </ol>
<b>Plant Sizes for ROW, Woodland replacement and others</b> (LDM 11.b)	<ul style="list-style-type: none"> <li>• Canopy Deciduous shall be 3" and sub-canopy deciduous shall be 2.5" caliper.</li> <li>• Refer to LDM section 11.b for more details</li> </ul>	No plant list is provided		<u>Include correct sizes on plant list.</u>
<b>Plant size credit</b> (LDM11.b)	NA	No		
<b>Prohibited Plants</b> (LDM 11.b)	Do not use any plants on the Prohibited Species List	No plant list		
<b>Recommended trees for planting under overhead utilities</b> (LDM 3.e)	Label the distance from the overhead utilities	<ul style="list-style-type: none"> <li>• Overhead lines on Meadowbrook Road are shown</li> <li>• They do not conflict with proposed trees</li> </ul>	Yes	

Item	Required	Proposed	Meets Code	Comments
<b>Collected or Transplanted trees</b> (LDM 3.f)		None		
<b>Nonliving Durable Material: Mulch</b> (LDM 4)	<ul style="list-style-type: none"> <li>• Trees shall be mulched to 3" depth and shrubs, groundcovers to 2" depth</li> <li>• Specify natural color, finely shredded hardwood bark mulch.</li> <li>• Include in cost estimate.</li> </ul>	Not noted		
<p><b>NOTES:</b></p> <ol style="list-style-type: none"> <li>1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.</li> <li>2. The section of the applicable ordinance or standard is indicated in parenthesis. For the landscape requirements, please see the Zoning Ordinance landscape section 5.5 and the Landscape Design Manual for the appropriate items under the applicable zoning classification.</li> <li>3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.</li> </ol>				

Irrigation System Requirements

1. Any booster pump installed to connect the project’s irrigation system to an existing irrigation system must be downstream of the RPZ.
2. The RPZ must be installed in accordance with the 2015 Michigan Plumbing Code.
3. The RPZ must be installed in accordance with the manufacture installation instructions for winterization that includes drain ports and blowout ports.
4. The RPZ must be installed a minimum of 12-inches above FINISHED grade.
5. Attached is a handout that addresses winterization installation requirements to assist with this.
6. A plumbing permit is required.
7. The assembly must be tested after installation with results recorded on the City of Novi test report form.

## WETLAND & WOODLAND REVIEW

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March 6, 2024

Lindsay Bell  
Planner – Community Development  
City of Novi  
45175 Ten Mile Road  
Novi, MI 48375

Submitted electronically to [lbell@cityofnovi.org](mailto:lbell@cityofnovi.org)

Re: Elm Creek Planned Rezoning Overlay Wetland and Woodland Review (Formal Application; JZ22-28)

Dear Lindsay,

Merjent, Inc. (Merjent) has conducted a site plan review of the planned rezoning overlay (PRO) for the formal PRO application for Elm Creek by Toll Brothers (site) prepared by Seiber Keast Lehner and Akken Design (rev. date 2/15/2024). Merjent reviewed the plan for conformance with the City of Novi’s (City) Woodland Protection Ordinance, Chapter 37, and Wetlands and Watercourse Protection Ordinance, Chapter 12 Article V. The site (parcel 50-22-14-200-043) contains City-regulated woodlands and City-regulated wetlands (Figure 1).

**Woodlands**

**Woodland Recommendation:** Merjent **recommends approval** of the Elm Creek PRO Formal Application **with the condition of alteration to the site plan replacement count**. The following Woodland Regulations apply to this site:

Woodland Regulation	Required
Woodland Permit (Chapter 37, Section 37-26)	YES
Tree Replacement (Chapter 37, Section 37-8)	YES
Tree Protection (Fence; Chapter 37, Section 37-9)	YES
Woodland Conservation Easement (Chapter 37-30[e])	YES

**Woodland Review Comments**

1. City-regulated woodlands, as identified on the City of Novi Woodlands interactive map website, are present onsite. Note that both the woodlands and property limits depicted on the City map are considered approximations (Figure 1).
2. Merjent conducted a site visit on March 4, 2024 to review the site conditions as stated by Davey Resource Group’s (DRG) review conducted on August 25, 2023. Site photographs are included in **Attachment A**.
3. As summarized on Sheet No. L-8, the plan has proposed the removal of 654 trees in Regulated Woodlands and the credit (non-woodland trees saved) of 85 trees. A **Woodland Use Permit** is

required to perform construction on any site containing regulated woodlands. The permit for this site will require Planning Commission approval. Although not stated on Sheet No. L-8, the total number of trees with critical root zone (CRZ) impacts is 92 trees.

4. **Woodland Replacement.** Based on a review of the plan, the following woodland replacements are required:

Tree Size (DBH, inches)	Number of Trees	Ratio Replacement/Removed Tree	Total Replacements Required
8-11	245	1	245
12-20	309	2	618
21-29	73	3	219
30+	11	4	44
Multi-stem	108*	Sum of Stem DBH/8 (rounded up)*	298
Total	746	-	1,424
Tree credits in non-regulated woodland areas			- 85
<b>Total Replacements Required</b>			<b>1,339</b>

\*Some of the multi-stem trees contained DBH's less than eight inches and therefore, were not included in the calculation and were treated as a single-stem tree.

A review of the summary provided on Sheet No. L-8 and the tree survey results show a discrepancy with the values calculated above. **Attachment B** contains a review of the provided tree survey data. Upon review of the tree survey, **the following tree tags contained incorrect replacement values:**

- 289
- 2543
- 101600
- 102776
- 102892
- 103111
- 103360
- 103840
- 290
- 2597
- 101905
- 102881
- 102895
- 103268
- 103824

Before granting final site plan approval, the values above should be fixed, and the subsequent summary of replacements on Sheet Nos. L-1 and L-8 should be fixed. A copy of the full Excel file and table used to perform this review can be provided upon request. Only errors in replacement values have been provided in **Attachment B** for brevity.

Sheet No. L-1 provides a summary of the trees to be planted onsite in partial satisfaction of the replacement requirement: 195 trees planted and 9 trees allowed at 5% for woodland seeding (204 trees total). **Sheet No. L-1 should be modified** to state that **1,135 trees will be paid into the City of Novi Tree Fund.**

Woodland replacements shall be guaranteed for two growing seasons after the applicant's installation and the City's acceptance. A two-year maintenance bond in the amount of 25% of the value of the trees, but in no case less than \$1,000, shall be required to ensure the continued health of the trees following acceptance. Based on a successful inspection two years after installation of the on-site

Woodland Replacement trees, the Woodland Replacement Performance Guarantee shall be returned to the Applicant. The Applicant is responsible for requesting this inspection.

5. For tree replacement credits that will be planted on-site, a financial guarantee of \$400/tree replacement credit is required to ensure the planting of the on-site woodland replacement credits. The financial guarantee will be released after trees have been planted and approved by the City of Novi. The applicant must request a tree planting inspection. For the Elm Creek PRO, a **Woodland Replacement Financial Guarantee of \$81,600** is required as part of the Woodland Use Permit fees to ensure a successful planting of on-site Woodland Replacement Tree Credits.

The Applicant shall guarantee trees for two growing seasons after installation and the City's acceptance, per the City's Performance Guarantees Ordinance. A two-year maintenance bond in the amount of 25% of the value of the trees (**\$20,400**), shall be required to ensure the continue health of the trees following acceptance (Chapter 26.5, Section 26.5-37).

Note that the Applicant is responsible for requesting an inspection of the installed on-site Woodland Replacement Trees.

6. The Applicant will be required to pay into the **City of Novi Tree Fund \$454,000** for the remaining 1,135 woodland replacements not planted on site (1,135 woodland replacement credits x \$400/credit).
7. As stated in DRG's letter (August 25, 2023), a **woodland fence guarantee of \$6,000** (\$5,000 x 120%) is required per Chapter 26.5-37. The financial guarantee shall be paid prior to issuance of the City of Novi Woodland Use Permit.
  - a. DRG requested that the cost to stake, install, and remove the tree protection fencing be added to Sheet L-3 in order to calculate woodland fence inspection fees. Prior to final site plan approval this should be added to either Sheet L-1 or L-3.
8. As stated in DRG's letter (August 25, 2023), the PRO formal application does not include the species to be planted on site for the woodland replacement credits. The final site plan must provide the list of woodland replacement species. All woodland replacement credits must be species native to Michigan.
9. Woodland Replacement Inspection, Woodland Guarantee Inspection, and Conservation Easement Information can be found in a letter provided by DRG on 10/17/2022.

### **Wetlands**

**Wetland Recommendation:** Merjent **recommends approval** of the Elm Creek PRO formal application **with the condition of setback edits** based on the comments provided below.

Upon review of published resources, the Site appears to contain or immediately borders:

- City-regulated wetlands, as identified on the City of Novi interactive map website. Note that both wetland and property limits depicted on the City's map are considered approximations (Figure 2).
- Wetlands that are regulated by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

- ☒ Wetlands as identified on National Wetland Inventory (NWI) and Michigan Resource Inventory System (MIRIS) maps, as identified on the EGLE Wetlands Viewer interactive map website. NWI and MIRIS wetlands are identified by the associated governmental bodies' interpretation of topographic data and aerial photographs.
- ☒ Hydric (wetland) soil as mapped by the U.S. Department of Agriculture, Natural Resource Conservation Service, as identified on the EGLE Wetlands Viewer interactive map website.

The Mannik and Smith Group, Inc. (MSG) performed a previous review of a previous PRO Plan and provided a summary of their findings in a letter dated August 28, 2023. Merjent, Inc. performed a site visit on March 4, 2024 and concurs with MSG's findings. Photos from the site visit are included as **Attachment A**. Maps of public database reviews can be found in the MSG review performed on August 28, 2023. As previously summarized in MSG's August 2023 letter, the following table provides a summary of the Site wetlands and has been updated with the proposed impacts listed in the PRO formal application site plan (Sheet 3).

Wetland ID	Wetland Area within Site (acres)	Wetland Impact Area (acres)	Wetland Impact Volume (cu. yd.)	Wetland Setback Impact Area (acres)	Wetland Setback Impact Volume (cu. yd.)	Wetland Type*	EGLE Regulated†	City of Novi Regulated	Mitigation Required by Novi?
<b>A</b>	0.09	0.09	148	0.18	447	Emergent	No	Yes	
<b>BEFG</b>	1.99	0.07	420	0.49	1,186	Emergent	Yes	Yes	
<b>C</b>	0.72	None	None	None	None	Emergent and Scrub-shrub	Yes	Yes	NA
<b>H</b>	0.05	0.01	10	0.09	218	Emergent	Yes	Yes	
<b>I</b>	0.01	0.01	47	0.11	255	Emergent	No	Yes	
<b>J</b>	0.20	0.20	984	0.43	1,052	Forested	No	Yes	
<b>K</b>	0.09	None	None	0.16‡	None	Emergent	No	Yes	NA
<b>L</b>	0.23	0.05	38	0.52‡	1,678	Emergent	Yes	Yes	
<b>M</b>	0.03	None	None	0.06‡	427	Emergent	No	Yes	NA
<b>Total</b>	<b>3.41</b>	<b>0.43</b>	<b>1,647</b>	<b>2.10</b>	<b>5,263</b>				

\*Obtained from both the site plan and a *Wetland Delineation Report* prepared by Niswander Environmental, LLC, dated November 2021.

†EGLE Regulated as identified on site plan.

‡Portion of or all of the setback impact area will be for wetland mitigation area construction.

### Permits and Regulatory Status

The City of Novi Code of Ordinances, Chapter 12, Article V defines an essential wetland as meeting one or more of the criteria listed in subsections 12-174(b)(1) through (10).

Depending on development plans, the following wetland-related items may be required for this project:

Item	Required/Not Required*
<b>Wetland Permit (specify Non-minor or Minor)</b>	Required, Non-minor
<b>Wetland Mitigation</b>	Required, greater than 0.25 acre of wetland impact proposed
<b>Environmental Enhancement Plan</b>	Required
<b>Wetland Buffer Authorization</b>	Required
<b>EGLE Wetland Permit</b>	Required
<b>Wetland Conservation Easement</b>	Required

\*Based on site plan dated rev. 2/15/2024

### Wetland Review Comments



1. Upon comparison of the August 28, 2023 MSG letter and the current PRO formal application, no changes to the wetland impact area and wetland impact volume have occurred. MSG requested that mitigation construction setback areas be addressed for the associated wetlands (Wetland M, Wetland K, and Wetland L). These areas have been addressed in the PRO formal application.
2. The previous review from MSG did not identify the two separate portions of Wetland C within the proposed development area. The two separate portions have been included in the summary table above. No impacts are proposed to Wetland C.
3. Wetland M, Wetland K, and Wetland L have buffer impacts that are associated with a proposed wetland mitigation construction. This may be addressed in a future site plan with additional mitigation details, but it is unclear why fill is necessary for the construction of a mitigation area adjacent to Wetland M; unless the proposed 427 cubic yards of fill in the setback is associated with the final grading of the mitigation area. If this is the case, missing fill amounts may need to be addressed in a future site plan for the Wetland K setback area.
4. Merjent reviewed an EGLE Pre-application Letter (May 26, 2022) associated with *Site Name: 63-Meadowbrook Rd btwn Grand River Ave & 11 Mile Rd-Novi and Submission Number: HPD-NMR1-5SJXP; Novi, Oakland County* on the MiEnviro Portal Site Viewer. EGLE states that a permit is required for the proposed project. Additionally, EGLE states that mitigation may be required for EGLE-regulated impacts greater than 0.10 acre. A City of Novi Wetland Use Permit cannot be granted until a EGLE Permit is granted. Merjent and the City of Novi cannot provide a determination if EGLE will allow onsite mitigation to satisfy the requirements of their permit or if EGLE will require the purchase of mitigation bank credits for the size of the proposed mitigation. Should EGLE require mitigation to be satisfied through the purchase of wetland mitigation bank credits, the plan should be revised accordingly. As mentioned in MSG's August 2023 letter, the applicant is advised both City and EGLE requirements would apply to a mitigation plan, if applicable.
  - a. The applicant shall submit a detailed wetland mitigation plan for approval concurrently with the Site Development Plan. Subsequent plans should provide detailed information regarding the proposed wetland mitigation area(s), and specifically contain all of the requirements listed in Section 12-176 – Mitigation, of the City of Novi Wetland Ordinance. The plan shall contain detailed wetland mitigation construction information (such as grading and planting plans as well as monitoring requirements and performance standards information).
5. In addition to wetlands, the City of Novi regulates wetland and watercourse buffers/setbacks. Article 24 of the Zoning Ordinance, Schedule of Regulations, states: "There shall be maintained in all districts a wetland and watercourse setback, as provided herein, unless and to the extent, it is determined to be in the public interest not to maintain such a setback. The intent of this provision is to require a minimum setback from wetlands and watercourses". The established wetland and watercourse buffer/setback limit is 25 horizontal feet, regardless of grade change. This setback is *partially* addressed in the current site plan and was previously noted in MSG's previous review.
  - a. Due to the proximity of Wetland BEFG to the proposed five-foot wide gravel path, the Applicant should update the Site Plan to verify that the five-foot wide gravel path is not within the 25-foot setback area of Wetland BEFG. There is a meander in the proposed five-foot wide gravel path that appears to potentially intersect the setback of Wetland BEFG.
  - b. The Proposed Detention Basin A also appears to be in close proximity to Wetland C. Although it is likely not within the 25-foot setback, a buffer around Wetland C should be

added to verify that the Proposed Detention Basin A does not encroach on the 25-foot setback of Wetland C.

6. The Applicant is encouraged to provide wetland conservation easements for any areas of remaining wetland and 25-foot wetland buffer. The Applicant shall provide wetland conservation easements as directed by the City of Novi Community Development Department for any areas of proposed wetland mitigation areas (if necessary). This language shall be submitted to the City Attorney for review. The executed easement must be returned to the City Attorney within 60 days of the issuance of the City of Novi Wetland Use Permit.
7. The City of Novi requires the boundary lines of any watercourses or wetlands on the Site to be clearly flagged or staked and such flagging/staking shall remain in place throughout the conduct of permit activity. During Merjent's site visit on March 4, 2024 it was noted that the flagging from the delineation had begun deteriorating and falling off. Select photos are included in **Attachment A**. The site does not need to be re-flagged during the site plan review process, but prior to granting a Wetland Use Permit and construction the wetlands should be staked or flagged.
8. The cost to perform any wetland protection and restoration shall be listed on the site plan, per Chapter 26.5, Section 26.5-7 (b) of the City of Novi Code of Ordinances. A **Wetland Financial Performance Guarantee** in the amount of 120% of the cost to perform any wetland protection, restoration, and development will be collected prior to the granting of a Wetland Use Permit.

Should you have any questions or concerns with this review, please contact me via email at [jason.demoss@merjent.com](mailto:jason.demoss@merjent.com) or via phone at (619) 944-3835.

Sincerely,

**Merjent, Inc.**



Jason DeMoss, PWS  
Environmental Consultant

Enclosures:

Figure 1 – City of Novi Woodlands Map  
Figure 2 – City of Novi Wetlands Map  
Attachment A – Site Photographs  
Attachment B – Tree Survey Review

CC:

Diana Shanahan, City of Novi, [dshanahan@cityofnovi.org](mailto:dshanahan@cityofnovi.org)  
Rick Meader, City of Novi, [rmeader@cityofnovi.org](mailto:rmeader@cityofnovi.org)  
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**Figure 1. City of Novi Regulated Woodlands Map**  
Approximate parcel boundary is shown in Red.  
(Approximate) Regulated Woodland areas are shown in Green



**Figure 2. City of Novi Regulated Wetlands Map**  
Approximate parcel boundary is shown in red.  
(Approximate) Regulated Wetland areas are shown in turquoise.

**Attachment A**  
**Site Photographs**



Overview of the central portion of the site



Overview of the eastern site boundary. Wetland H is in the background.



Overview of the eastern site boundary.



Overview of Wetland H.



Overview of Wetland H.



Overview of Wetland J that contained faded wetland flagging and torn wetland flagging.



Overview of the northeastern site, where mitigation is proposed.



Overview of Wetland K with a faded wetland flag.



Close up of Wetland M with a faded and torn wetland flag.

**Attachment B**  
**Tree Survey Review**

Attachment B  
Tree Survey Summary

Tag No.	Diameter	Common Name	Botanical Name	Condition	Status	Required Replacement (site plan)	Multi-stem Replacement (site plan)	Replacement verification	Single-stem Correct?	Multi-stem Verification (rounded)	Multi-stem correct?	Multi-stem non-rounded
289	30	Eastern Cottonwood	<i>Populus deltoides</i>	Good	CRZ	3		4	No			
290	20	Black Walnut	<i>Juglans nigra</i>	Good	CRZ	1		2	No			
2543	30	Eastern Cottonwood	<i>Populus deltoides</i>	Good	Remove	3		4	No			
2597	30	Eastern Cottonwood	<i>Populus deltoides</i>	Good	Remove	3		4	No			
101600	14	Eastern Cottonwood	<i>Populus deltoides</i>	Good	CRZ	1		2	No			
101905	8,9	Slippery Elm	<i>Ulmus rubra</i>	Good	CRZ	1	1			3	No	2.125
102776	9,9	Slippery Elm	<i>Ulmus rubra</i>	Good	Remove		2			3	No	2.25
102881	15	Slippery Elm	<i>Ulmus rubra</i>	Good	CRZ	1		2	No			
102892	13	Box Elder	<i>Acer negundo</i>	Good	CRZ	1		2	No			
102895	10,12	Box Elder	<i>Acer negundo</i>	Good	Remove		4			3	No	2.75
103111	18	Eastern Cottonwood	<i>Populus deltoides</i>	Good	CRZ	1		2	No			
103268	30	Eastern Cottonwood	<i>Populus deltoides</i>	Good	CRZ	3		4	No			
103360	15,17	Eastern Cottonwood	<i>Populus deltoides</i>	Good	Remove		5			4	No	4.00
103824	30	Eastern Cottonwood	<i>Populus deltoides</i>	Good	CRZ	3		4	No			
103840	6,12	Box Elder	<i>Acer negundo</i>	Good	Remove	1	1			2	No	

Type	Single-stem	multi-stem		Totals
1 Tree replacement	245	21	x1	266
2 Tree replacements	309	19	x2	656
3 tree replacements	73	40	x3	339
4 tree replacements	11	23	x4	136
5 tree replacements		4	x5	20
6 tree replacements				0
7 tree replacements		1	x7	7
<b>Total Replacements Needed</b>				<b>1424</b>

## TRAFFIC REVIEW

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

**Project name:**  
 JZ22-38 – Elm Creek PRO Traffic Review

**From:**  
 AECOM

**Date:**  
 February 28, 2024

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

**CC:**  
 Lindsay Bell, Humna Anjum, Diana Shanahan,  
 James Hill, Heather Zeigler, Adam Yako

# Memo

**Subject:** JZ22-38 – Elm Creek PRO Traffic Review

The PRO site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward as long as the comments below are addressed to the satisfaction of the City.

## GENERAL COMMENTS

1. The applicant, Toll Brothers, is proposing an 67-unit townhome development.
2. The development is located on the west side of Meadowbrook Road, south of Twelve Mile Road. Meadowbrook Road is under the jurisdiction of the City of Novi.
3. The site is zoned OST (Office Service Technology). The applicant is requesting a rezoning to RM-1 (One-Family Residential)
4. The following traffic-related deviations are being requested by the applicant.
  - a. Allow perpendicular parking on a major drive.
  - b. Side and rear setback below standard.

## TRAFFIC IMPACTS

1. AECOM performed an initial trip generation based on the ITE Trip Generation Manual, 11<sup>th</sup> Edition, as follows.

ITE Code: 215 (Single-Family Attached Housing)  
 Development-specific Quantity: 67 Dwelling Units  
 Zoning Change: OST to RM-1

Trip Generation Summary				
	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
<b>AM Peak-Hour Trips</b>	32	24	100	No
<b>PM Peak-Hour Trips</b>	38	23	100	No
<b>Daily (One-Directional) Trips</b>	482	N/A	750	No

2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour, or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
RTS	Rezoning proposed. The RTS was submitted and reviewed previously.

## TRAFFIC REVIEW

The following table identifies the aspects of the plan that were reviewed. Items marked O are listed in the City’s Code of Ordinances. Items marked with ZO are listed in the City’s Zoning Ordinance. Items marked with ADA are listed in the Americans with Disabilities Act. Items marked with MMUTCD are listed in the Michigan Manual on Uniform Traffic Control Devices.

The values in the ‘Compliance’ column read as ‘met’ for plan provision meeting the standard it refers to, ‘not met’ stands for provision not meeting the standard and ‘inconclusive’ indicates applicant to provide data or information for review and ‘NA’ stands for not applicable for subject Project. The ‘remarks’ column covers any comments reviewer has and/or ‘requested/required variance’ and ‘potential variance’. A potential variance indicates a variance that will be required if modifications are not made or further information provided to show compliance with the standards and ordinances. The applicant should put effort into complying with the standards; the variances should be the last resort after all avenues for complying have been exhausted. Indication of a potential variance does not imply support unless explicitly stated.

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
1	Driveway Radii   O <a href="#">Figure IX.3</a>	35'	Met	
2	Driveway Width   O <a href="#">Figure IX.3</a>	28', 21' at boulevard	<b>Partially Met</b>	<b>Required minimum width at boulevard is 22'. Dimension length of boulevard island.</b>
3	Driveway Taper   O <a href="#">Figure IX.11</a>			
3a	Taper length	-	N/A	
3b	Tangent	-	N/A	
4	Emergency Access   O <a href="#">11-194.a.19</a>	2 access points	Met	<b>Include detail of emergency access gate and signing per Figure VIII-K in future submittal.</b>
5	Driveway sight distance   O <a href="#">Figure VIII-E</a>	500'+ indicated	Met	
6	Driveway spacing			
6a	Same-side   O <a href="#">11.216.d.1.d</a>	212'	Met	
6b	Opposite side   O <a href="#">11.216.d.1.e</a>	820' to 12 Mile Road	Met	
7	External coordination (Road agency)	N/A	N/A	City roadway.
8	External Sidewalk   <a href="#">Master Plan &amp; EDM</a>	8'	Met	
9	Sidewalk Ramps   <a href="#">EDM 7.4 &amp; R-28-K</a>	Indicated	Met	<b>Include detail in future submittals.</b>

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
10	Any Other Comments:			

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
11	Loading zone   <a href="#">ZO 5.4</a>	N/A	N/A	
12	Trash receptacle   <a href="#">ZO 5.4.4</a>	Curbside pickup	N/A	
13	Emergency Vehicle Access	Turning movements provided	Met	
14	Maneuvering Lane   <a href="#">ZO 5.3.2</a>	N/A	N/A	No parking access aisles.
15	End islands   <a href="#">ZO 5.3.12</a>			
15a	Adjacent to a travel way	N/A	N/A	No parking access aisles.
15b	Internal to parking bays	N/A	N/A	
16	Parking spaces   <a href="#">ZO 5.2.12</a>	11 guest spaces	N/A	Applicant indicated on-street parking is not proposed. See Planning Review letter. <b>The 3 parking spaces on Crestview Trail are incorrectly labeled as “4” on the site plan.</b>
17	Adjacent parking spaces   <a href="#">ZO 5.5.3.C.ii.i</a>	N/A	N/A	
18	Parking space length   <a href="#">ZO 5.3.2</a>	19'	Met	
19	Parking space Width   <a href="#">ZO 5.3.2</a>	9'	Met	
20	Parking space front curb height   <a href="#">ZO 5.3.2</a>	6"	Met	
21	Accessible parking – number   <a href="#">ADA</a>	1	Met	
22	Accessible parking – size   <a href="#">ADA</a>	8' space with 8' aisle	Met	
23	Number of Van-accessible space   <a href="#">ADA</a>	1	Met	
24	Bicycle parking			
24a	Requirement   <a href="#">ZO 5.16.1</a>	16 spaces	Met	
24b	Location   <a href="#">ZO 5.16.1</a>	2 locations	Met	
24c	Clear path from Street   <a href="#">ZO 5.16.1</a>	6'	Met	
24d	Height of rack   <a href="#">ZO 5.16.5.B</a>	36"	Met	
24e	Other (Covered / Layout)   <a href="#">ZO 5.16.1</a>	Indicated	<b>Partially Met</b>	<b>Refer to Text Amendment 18.301 for updated layout requirements.</b>
25	Sidewalk – min 5' wide   <a href="#">Master Plan</a>	5'	Met	
26	Sidewalk ramps   <a href="#">EDM 7.4 &amp; R-28-K</a>	Indicated	Met	
27	Sidewalk – distance back of curb   <a href="#">EDM 7.4</a>	10'	Met	
28	Cul-De-Sac   O <a href="#">Figure VIII-F</a>	N/A	-	-
29	EyeBrow   O <a href="#">Figure VIII-G</a>	N/A		

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
30	Minor/Major Drives   <a href="#">ZO 5.10</a>	T turnarounds 60' by 25', parking on major drive	<b>Partially Met</b>	Perpendicular parking is not permitted on major drives (Elm Creek Drive). <b>The applicant has requested a deviation.</b>
31	Any Other Comments:			

SIGNING AND STRIPING				
No.	Item	Proposed	Compliance	Remarks
32	Signing: Sizes   <a href="#">MMUTCD</a>	Included	Met	
33	Signing table: quantities and sizes	Included	Met	
34	Signs 12" x 18" or smaller in size shall be mounted on a galvanized 2 lb. U-channel post   <a href="#">MMUTCD</a>	Included	Met	
35	Signs greater than 12" x 18" shall be mounted on a galvanized 3 lb. or greater U-channel post   <a href="#">MMUTCD</a>	Included	Met	
36	Sign bottom height of 7' from final grade   <a href="#">MMUTCD</a>	Included	Met	
37	Signing shall be placed 2' from the face of the curb or edge of the nearest sidewalk to the near edge of the sign   <a href="#">MMUTCD</a>	Included	Met	
38	FHWA Standard Alphabet series used for all sign language   <a href="#">MMUTCD</a>	Included	Met	
39	High-Intensity Prismatic (HIP) sheeting to meet FHWA retro-reflectivity   <a href="#">MMUTCD</a>	Included	Met	
40	Parking space striping notes	Included	Met	
41	The international symbol for accessibility pavement markings   ADA	Included	Met	
42	Crosswalk pavement marking detail	Included	Met	
43	Any Other Comments:	Could add R4-7 (keep right symbol) signs in the island at the entrance. Could add crosswalk signs at the mid-block crossing on Elm Creek Drive. <b>Add a R1-1 (stop) sign on Forestview Trail at Elm Creek Drive.</b>		

Note: Hyperlinks to the standards and Ordinances are for reference purposes only, the applicant and City of Novi to ensure referring to the latest standards and Ordinances in its entirety.

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

Sincerely,

**AECOM**



Paula K. Johnson, PE  
Senior Transportation Engineer



Saumil Shah, PMP  
Project Manager

## TRAFFIC IMPACT STUDY REVIEW

---



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

**Project name:**  
 JZ22-38 – Elm Creek PRO Concept Traffic Review

**From:**  
 AECOM

**Date:**  
 October 20, 2022

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

**CC:**  
 Lindsay Bell, Christian Carroll, Humna Anjum

# Memo

**Subject:** JZ22-38 – Elm Creek PRO Concept Traffic Review

The concept site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward as long as the comments below are addressed to the satisfaction of the City.

## GENERAL COMMENTS

1. The applicant, Toll Brothers, is proposing a 68 unit townhome development.
2. The development is located on the west side of Meadowbrook Road, south of Twelve Mile Road. Meadowbrook Road is under the jurisdiction of the City of Novi.
3. The site is zoned OST (Office Service Technology). The applicant is requesting a rezoning to RM-1 (One-Family Residential)
4. The following traffic-related deviations will be required if plans are not changed.
  - a. Parking on major drive for two instances of 3 parking spaces.

## TRAFFIC IMPACTS

1. AECOM performed an initial trip generation based on the ITE Trip Generation Manual, 11<sup>th</sup> Edition, as follows.

ITE Code: 215 (Single-Family Attached Housing)  
 Development-specific Quantity: 68 Dwelling Units  
 Zoning Change: OST to RM-1

Trip Generation Summary				
	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
<b>AM Peak-Hour Trips</b>	30	21	100	No
<b>PM Peak-Hour Trips</b>	37	21	100	No
<b>Daily (One-Directional) Trips</b>	468	N/A	750	No

2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour, or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
RTS	Rezoning proposed. The RTS was submitted and is reviewed below..

## REZONING TRAFFIC STUDY

1. The site is currently zoned Office Service Technology (OST) and is proposed to be rezoned to Low Density Multiple-Family (RM-1) through a PRO.
2. The preparer indicates a volume of 10,000 vehicles per day on Meadowbrook Road, as per a 2016 RCOC count.
3. The adjacent land use to the immediate west of the project site is zoned RM-1.
4. The land uses examined for the OST zoning were General Office building and Medical-Dental Office Building. The maximum allowable density for either for the parcel size would be 202,690 SF, according to the preparer based on similar projects.
  - a. General Office Building would result in 2,146 trips per day.
  - b. Medical-Dental Office Building would result in 8,602 trips per day.
    - i. This size of medical-dental office building is very far out of range for the data in the 11<sup>th</sup> Edition of the ITE Trip Generation Manual. This value should be treated with caution.
  - c. A site plan for either of these options was provided in the appendix of the RTS.
5. The maximum density for the proposed land use would be 84 dwelling units.
  - a. This would result in 590 trips per day.
6. The difference in trips between the maximum allowed under OST zoning and the proposed PRO is 8,012 trips per day. Even discounting the out-of-range value for the medical-dental office building land use, the general office building land use would result in 1,556 more trips than the proposed RM-1 zoning.
7. The zoning change permitted by this proposed PRO is unlikely to negatively impact the traffic system.

## TRAFFIC REVIEW

The following table identifies the aspects of the plan that were reviewed. Items marked O are listed in the City’s Code of Ordinances. Items marked with ZO are listed in the City’s Zoning Ordinance. Items marked with ADA are listed in the Americans with Disabilities Act. Items marked with MMUTCD are listed in the Michigan Manual on Uniform Traffic Control Devices.

The values in the ‘Compliance’ column read as ‘met’ for plan provision meeting the standard it refers to, ‘not met’ stands for provision not meeting the standard and ‘inconclusive’ indicates applicant to provide data or information for review and ‘NA’ stands for not applicable for subject Project. The ‘remarks’ column covers any comments reviewer has and/or ‘requested/required variance’ and ‘potential variance’. A potential variance indicates a variance that will be required if modifications are not made or further information provided to show compliance with the standards and ordinances. The applicant should put effort into complying with the standards; the variances should be the last resort after all avenues for complying have been exhausted. Indication of a potential variance does not imply support unless explicitly stated.

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
1	Driveway Radii   O <a href="#">Figure IX.3</a>	35'	Met	
2	Driveway Width   O <a href="#">Figure IX.3</a>	28'	Met	
3	Driveway Taper   O <a href="#">Figure IX.11</a>			Check if taper is required.
3a	Taper length	50'	<b>Not Met</b>	75' to 100', with 100' as standard.

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
3b	Tangent	50'	Met	Could be reduced to standard of 25'.
4	Emergency Access   O <a href="#">11-194.a.19</a>	1 access point	<b>Not Met</b>	There appears to be an emergency access drive on the south end to a parking lot, but the access is not shown to connect to the parking lot.
5	Driveway sight distance   O <a href="#">Figure VIII-E</a>	500'+ indicated	Met	
6	Driveway spacing			
6a	Same-side   O <a href="#">11.216.d.1.d</a>	Not indicated	<b>Inconclusive</b>	If a public street, driveway spacing requirements must be met along Meadowbrook Road
6b	Opposite side   O <a href="#">11.216.d.1.e</a>	Not indicated	<b>Inconclusive</b>	If a public street, driveway spacing requirements must be met along Meadowbrook Road
7	External coordination (Road agency)	N/A	N/A	City roadway.
8	External Sidewalk   <a href="#">Master Plan &amp; EDM</a>	6'	Met	
9	Sidewalk Ramps   <a href="#">EDM 7.4</a> & <a href="#">R-28-J</a>	Indicated	Met	Include detail in future submittals.
10	Any Other Comments:			

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
1	Loading zone   <a href="#">ZO 5.4</a>	N/A	N/A	
1	Trash receptacle   <a href="#">ZO 5.4.4</a>	Not indicated	N/A	Assumption of typical residential trash collection at each residence.
1	Emergency Vehicle Access	No turning movements	<b>Inconclusive</b>	Provide turning movements to show emergency vehicle access.
1	Maneuvering Lane   <a href="#">ZO 5.3.2</a>	N/A	N/A	No parking access aisles.
1	End islands   <a href="#">ZO 5.3.12</a>			
1	Adjacent to a travel way	N/A	N/A	No parking access aisles.
1	Internal to parking bays	N/A	N/A	

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
16	Parking spaces   <a href="#">ZO 5.2.12</a>	N/A	N/A	Applicant should indicate if on-street parking is permitted.
17	Adjacent parking spaces   <a href="#">ZO 5.5.3.C.ii.i</a>	N/A	N/A	
18	Parking space length   <a href="#">ZO 5.3.2</a>	19' indicated, appears to be miscalculated	<b>Inconclusive</b>	Indicate parking space length <b>clearly</b> in future submittals. 17' spaces allowed with 4" curb and 2' clear overhang, 19' spaces with 6" curb. Current dimension showing 19' extends some distance onto curb.
19	Parking space Width   <a href="#">ZO 5.3.2</a>	9'	Met	
20	Parking space front curb height   <a href="#">ZO 5.3.2</a>	Not indicated	<b>Inconclusive</b>	See note 18.
21	Accessible parking – number   <a href="#">ADA</a>	1	Met	Van accessible space is currently centrally located to the development. However, there is no accessible parking at the mailboxes. Applicant should consider providing accessible parking at the mailboxes instead or as well.
22	Accessible parking – size   <a href="#">ADA</a>	8' space with 8' aisle	Met	
23	Number of Van-accessible space   <a href="#">ADA</a>	1	<b>Partially Met</b>	Aisle should be on the passenger side of a vehicle pulled into the space.
24	Bicycle parking			
24a	Requirement   <a href="#">ZO 5.16.1</a>	16 spaces	Met	14 required
24b	Location   <a href="#">ZO 5.16.1</a>	2 locations	Met	
24c	Clear path from Street   <a href="#">ZO 5.16.1</a>	5'	<b>Not Met</b>	6' clear path required from bicycle parking to adjacent facilities.
24d	Height of rack   <a href="#">ZO 5.16.5.B</a>	36"	Met	

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
24	Other (Covered / Layout)   <a href="#">ZO 5.16.1</a>	Indicated	Met	
25	Sidewalk – min 5' wide   <a href="#">Master Plan</a>	5'	Met	
26	Sidewalk ramps   <a href="#">EDM 7.4</a> & <a href="#">R-28-J</a>	Indicated at intersection	<b>Partially Met</b>	Ramps should be provided by parking spaces as well, especially near ADA parking.
27	Sidewalk – distance back of curb   <a href="#">EDM 7.4</a>	10'	Met	
28	Cul-De-Sac   O <a href="#">Figure VIII-F</a>	N/A	-	-
29	EyeBrow   O <a href="#">Figure VIII-G</a>	N/A		
30	Minor/Major Drives   <a href="#">ZO 5.10</a>	T turnarounds 60' by 25', parking on major drive	<b>Partially Met</b>	Perpendicular parking is not permitted on major drives (Elm Creek Drive). <b>The applicant has indicated they are seeking a deviation.</b>
31	Any Other Comments:			

SIGNING AND STRIPING				
No.	Item	Proposed	Compliance	Remarks
32	Signing: Sizes   <a href="#">MMUTCD</a>	Included	Met	
33	Signing table: quantities and sizes	Included	<b>Partially Met</b>	Include sizes for the R7-8 and R7-8p signs in table.
34	Signs 12" x 18" or smaller in size shall be mounted on a galvanized 2 lb. U-channel post   <a href="#">MMUTCD</a>	Included	Met	
35	Signs greater than 12" x 18" shall be mounted on a galvanized 3 lb. or greater U-channel post   <a href="#">MMUTCD</a>	Included	Met	
36	Sign bottom height of 7' from final grade   <a href="#">MMUTCD</a>	Included	Met	
37	Signing shall be placed 2' from the face of the curb or edge of the nearest sidewalk to the near edge of the sign   <a href="#">MMUTCD</a>	Included	Met	
38	FHWA Standard Alphabet series used for all sign language   <a href="#">MMUTCD</a>	Included	Met	
39	High-Intensity Prismatic (HIP) sheeting to meet FHWA retro-reflectivity   <a href="#">MMUTCD</a>	Included	Met	
40	Parking space striping notes	Not present	<b>Not Met</b>	

SIGNING AND STRIPING				
No.	Item	Proposed	Compliance	Remarks
41	The international symbol for accessibility pavement markings   ADA	Not present	<b>Not Met</b>	
42	Crosswalk pavement marking detail	Included	Met	
43	Any Other Comments:	Could add R4-7 (keep right symbol) signs in the island at the entrance.		

Note: Hyperlinks to the standards and Ordinances are for reference purposes only, the applicant and City of Novi to ensure referring to the latest standards and Ordinances in its entirety.

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

Sincerely,

**AECOM**



Patricia Thompson, EIT  
Traffic Engineer



Paula K. Johnson, PE  
Senior Transportation Engineer



Saumil Shah, PMP  
Project Manager

## FAÇADE REVIEW

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August 26, 2023

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

Attn: Ms. Barb McBeth – Director of Community Development

Re: **FACADE ORDINANCE REVIEW**  
**Elm Creek, PRO Initial Concept Plan, JZ22-28**  
 Façade Region: 1, Zoning District: **OST to RM-1**

Dear Ms. McBeth:

The following is the Façade Review of the PRO Concept plan for the above referenced project. Our review is based on the drawings provided by Toll Brothers Development, dated 3/27/23. The applicant has provided one example of the building to be used within the project. The percentages of materials proposed are shown in the tables below. The maximum (and minimum) percentages allowed by the Schedule Regulating Façade Materials of Ordinance Section 5.15 are shown in the righthand column. Materials that are in non-compliance, if any, are highlighted in bold.

Example 4-Unit Building	Front	Rear	Left Side	Right Side	Ordinance Maximum (Minimum)
Brick	31%	33%	40%	40%	100% (30% Min)
Vinyl Siding, Board & Batten Pattern	15%	0%	0%	0%	25%
Cement Fiber Siding	4%	21%	50%	50%	50% (Note 11)
Asphalt Shingles	45%	45%	5%	5%	50% (Note 14)
Wood Trim	5%	5%	5%	5%	15%

**Section 5.15 The Façade Ordinance** - As shown above, all facades are in compliance with the Façade Ordinance. The Vinyl Siding proposed on the front façade is a Board and Batten pattern which qualifies for Patterned / Textured Siding on the Façade Chart. It should be noted that vinyl siding in a lap siding pattern is not permitted.

**Section 7.13.2 – Planned Rezoning Overlay** - The PRO Ordinance requires that the project “accomplishes the integration of the proposed land development project with the characteristics of the project area in such a manner that results in an enhancement of the project area as compared to the existing zoning that would be unlikely to be achieved, or would not be assured, in the absence of the use of a PRO.” We believe that the requirements of Section 5.15 (above) must be exceeded to achieve compliance with this Section. In this case the proposed façade materials do not significantly exceed the requirements of the Façade Ordinance. Therefore, we believe the facades do not meet the PRO requirements.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,  
DRN & Associates, Architects PC

A handwritten signature in black ink, appearing to read "Douglas R. Necci". The signature is fluid and cursive, with a large initial "D" and "N".

Douglas R. Necci, AIA

## FIRE REVIEW

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February 29, 2024

TO: Barbara McBeth - City Planner  
Lindsay Bell - Plan Review Center  
James Hill – Plan Review Center  
Heather Zeigler – Plan Review Center  
Diana Shanahan – Planning Assistant

**CITY COUNCIL**

**Mayor**  
Justin Fischer

**Mayor Pro Tem**  
Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

**City Manager**  
Victor Cardenas

**Director of Public Safety**  
**Chief of Police**  
Erick W. Zinser

**Fire Chief**  
John B. Martin

**Assistant Chief of Police**  
Scott R. Baetens

**Assistant Fire Chief**  
Todd Seog

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

cityofnovi.org

RE: Elm Creek

**PRZ# 22-0101**

**Project Description:**

Construct 15 building multi-tenant units off Meadowbrook south of Twelve Mile.

**Comments:**

- **All fire hydrants MUST** be installed and operational prior to any combustible material is brought on site. **IFC 2015 3312.1**
- For new buildings and existing buildings, you **MUST** comply with the International Fire Code Section 510 for Emergency Radio Coverage. This shall be completed by the time the final inspection of the fire alarm and fire suppression permits.
- **The secondary access road shall meet city standards for weigh requirements and width requirements. (35 ton and 20' wide)** When the property has limited frontage along external arterials, or topographic conditions on the external arterials reduce sight line distances so that a secondary access point cannot be established which will provide safe ingress and egress, the City shall require access roads for emergency vehicles, where feasible. A secondary access driveway shall be a minimum of twenty (20 feet in width and paved to provide all-weather access and shall be designed to support a vehicle of thirty-five (35) tons. Minimum easement width for secondary access driveways shall be twenty-five (25) feet. A permanent "break-away" gate shall be provided at the secondary access driveway's intersection with the public roadway in accordance with Figure VIII-K of the Design and Construction Standards. To discourage non-emergency vehicles, emergency access roads shall be designated by signage as for emergency access only, shall be separated from the other roadways by mountable curbs, and shall utilize entrance radii designed to permit emergency vehicles while discouraging non-emergency traffic. **(D.C.S. Sec 11-194 (a)(19))**

- **Corrected 2/29/24 KSP- Front page of plans Fire Dept. Notes #3 states 3" high numbers, needs to be 10" high numbers.**  
All new multi-residential buildings shall be numbered. Each number shall be a minimum 10 inches high, 1 inch wide and be posted at least 15 feet above the ground on the building where readily visible from the street. (*Fire Prevention Ord.*)
- **Is the connection to the south connecting to another water-main?** The distribution system in all developments requiring more than eight hundred (800) feet of water main shall have a minimum of two (2) connections to a source of supply and shall be a looped system. **There is 916' passed the second connection. (D.C.S. Sec. 11-68(a))**
- Fire hydrant spacing shall be measured as "hose laying distance" from fire apparatus. Hose laying distance is the distance the fire apparatus travels along improved access routes between hydrants or from a hydrant to a structure.
- **Hydrants shall be spaced approximately three hundred (300) feet apart online in commercial, industrial, and multiple-residential areas.** In cases where the buildings within developments are fully fire suppressed, hydrants shall be no more than five hundred (500) feet apart. The spacing of hydrants around commercial and/or industrial developments shall be considered as individual cases where special circumstances exist upon consultation with the fire chief. (*D.C.S. Sec. 11-68 (f)(1)c*)  
**Fire hydrant spacing is deficient throughout the site plan.**
- Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the code official. (*International Fire Code 912.2.1*)
- Proximity to hydrant: In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant. (*Fire Prevention Ord. Sec. 15-17 912.2.3*)

**Recommendation:**

Approved with Conditions

Sincerely,



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

cc: file

APPLICANT RESPONSE LETTERS

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May 10, 2024

**City of Novi**  
45175 Ten Mile Road  
Novi, Michigan 48375

**Attention: Lindsay Bell, Senior Planner**

**Regarding: JZ22-28 Elm Creek PRO  
Revised PRO Concept**

Please find below a detailed response to the Comprehensive Review packet that was received by Seiber Keast Lehner and Toll Brothers as a part of the PRO Overlay process for the Elm Creek Condominium Project. The responses have been addressed according to the specific review letters received as a part of the packet. We look forward to discussing the project further with City Staff and the City Council at the upcoming May 20, 2024 meeting.

**Planning Commission Conditions – from April 24, 2024 Planning Commission Meeting**

*Planning Commission Condition #4 – Overall density shall not exceed 3.3 dwelling units per acre, which is more limiting than the 5.4 dwelling units per acre allowed in the RM-1 District.*

**Response: Toll is requesting that this condition be modified to restrict the overall density of the development to a combined 4.2 dwelling units per acre for the entire development with a density of 3.6 units per acre in Phase 1 and a density of 5.4 units per acre in Phase 2.**

**Planning Review** - Dated March 13, 2024

- Toll Brothers will contribute \$10,000.00 toward the planned improvements for Beacon Hill Park. These funds can be used by the Parks and Recreation Commission to enhance this trailhead.
- First Floor living options will be available in Elm Creek with the end units in the development providing first floor primary bedrooms.
- The Site Plan will be revised to eliminate the use of the street name Elm Creek Drive to Forestview Trail per the Street Naming Committee.
- Details for the proposed seating areas will be included in the Preliminary Site Plan for review and approval.
- This development will encourage energy efficient design and where applicable using LEED strategies such as energy efficiency, sustainably produced building materials, high indoor air quality, and insulation materials. Toll will be providing EV Charging Infrastructure with a 240-volt outlet prewired in every garage. Energy Star rated appliances in all units. And the use of Low-e Energy Star rated windows as a part of construction. High-Efficiency Insulation with 2x6

Ms. Lindsay Bell  
Elm Creek – PRO Concept  
May 10, 2024



Walls with R-19 Insulation, blown in attic insulation, spray sealed ducts, and R11 Blanket insulation in basement walls.

**Engineering Review** - Dated March, 13, 2024

- We will make the requested change to the water main connection from the rear of the homes to the 16” water main on Meadowbrook Road.
- We will make the requested change for the T-Turnaround in Phase 2 and change it to a cul-de-sac.
- We do not agree with a road connection to the future Griffin Novi parcel as this connection would create a cut-through road for 12 Oaks Mall traffic through a residential community.
- All Engineering comments included in the letter dated March 13, 2024 will be addressed with our Final Site Plan / Stamping Set submittals.
- SKL will utilize the new stormwater standards adopted in 2024 as provided for in the City Engineering Design Manual.

**Wetland Review** - Dated August 28, 2023

- Added the volume of fill on the plans.
- Wetland setback impact areas have been included in those areas that will be affected by construction of mitigation wetlands.
- The proposed volume of wetland setback fill/cut has been specified for preparation of the permit documents, including areas affected by mitigation wetland construction.
- All other comments will be addressed with our Preliminary Site Plan submittal.

**Traffic Review** - Dated February 28, 2024

- We are requesting a deviation to allow perpendicular parking on major drives and side and rear setback standards.
- All remaining comments to be addressed in the revised site plans.

**Facade Review** - Dated August 26, 2023

- Plans are in compliance with the Facade Ordinance.

**Fire Department Review** - Dated February 29, 2024

- Secondary access roads will meet the City standards for weight requirements and width requirements. (35 ton and 20' wide)
- All hydrants to be spaced three hundred (300') feet. Will address all fire hydrant spacing per the review comments.

**Landscape Review** - Dated February 29, 2024

- All natural features that are to be protected as a part of the Elm Creek PRO project will use the proper buffers and protections for streams and lakes as provided by the City standards and best practices.
- Building numbers will be revised as requested and provided in the Final Site Plan.
- Additional vinyl fencing to be added to south side of the driveway to the edge of the parking lot per the review letter.
- All building landscaping to be addressed per the review letter.
- Sufficient spacing will be provided between utility lines and tree plantings.

**Woodland Review** - Dated March, 6 2024

- A Woodland Use Permit will be acquired prior to any construction taking place per the letter from Merjent, Inc.
- All woodland replacement trees will be native species to Michigan per the requirements.

Sincerely,  
Seiber Keast Lehner, Inc.

Ms. Lindsay Bell  
Elm Creek – PRO Concept  
May 10, 2024



A handwritten signature in blue ink, appearing to read 'J. Rickard'. The signature is fluid and cursive, with a large loop at the end.

Jason A. Rickard, PE

April 15, 2024

**City of Novi**  
45175 Ten Mile Road  
Novi, Michigan 48375

**Attention: Lindsay Bell, Senior Planner**

**Regarding: JZ22-28 Elm Creek PRO  
Revised PRO Concept**

Please find below a detailed response to the Comprehensive Review packet that was received by Seiber Keast and Toll Brothers as a part of the PRO Overlay process for the Elm Creek Condominium Project. The responses have been addressed according to the specific review letters received as a part of the packet. We look forward to discussing the project further with City Staff and the Planning Commission at the upcoming April 24, 2024 meeting.

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- All woodland replacement trees will be native species to Michigan per the requirements.

Sincerely,  
Seiber Keast Lehner, Inc.



Jason A. Rickard, PE

PLANNING COMMISSION MINUTES

OCTOBER 11, 2023 EXCERPT

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**PLANNING COMMISSION**  
**MINUTES**  
CITY OF NOVI  
Regular Meeting  
**October 11, 2023 7:00 PM**

Council Chambers | Novi Civic Center  
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

**CALL TO ORDER**

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

**ROLL CALL**

Present: Member Avdoulos (Acting Chair), Member Becker, Member Dismondy, Member Lynch, Member Roney, Member Verma

Absent Excused: Chair Pehrson

Staff: Lindsay Bell, Senior Planner; Beth Saarela, City Attorney; James Hill, Planner; Rick Meader, Landscape Architect; Adam Yako, Plan Review Engineer

**PLEDGE OF ALLEGIANCE**

Member Roney led the meeting attendees in the recitation of the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Motion made by Member Lynch and seconded by Member Becker to approve the October 11, 2023 Planning Commission Agenda.

**VOICE VOTE ON MOTION TO APPROVE THE OCTOBER 11, 2023 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER.**

*Motion carried 6-0.*

**AUDIENCE PARTICIPATION**

Acting Chair Avdoulos invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward.

Mike Duchesneau, 1191 South Lake Drive, relayed Monday's City Council meeting agenda has a nice thirty-one page package on older adults, their needs, and the trends as far as Senior Citizens and the growth in the City of Novi. For anybody or any developer that hasn't seen that, it's noteworthy.

There is also a video recording available of the City Council meeting and near the end of the video, there are some interesting comments from the Council members as to what the older adults need.

We need more developments in Novi that are ranch style or all the housing needs, as in a studio, are on the first floor. We really haven't seen that in Novi. We always seem to get bigger, better houses. Mr. Duchesneau would recommend that anybody that has not read the Older Adults Needs Committee report or seen the Council meeting video should do so.

Seeing no one else, Acting Chair Avdoulos closed the first public participation.

**CORRESPONDENCE**

There was not any correspondence.

## COMMITTEE REPORTS

There were no Committee Reports.

## CITY PLANNER REPORT

There was no City Planner Report.

## CONSENT AGENDA - REMOVALS AND APPROVALS

### 1. ARMENIAN CULTURAL CENTER JSP17-37

Approval of the request of Zeimet Wozniak & Associates, on behalf of the Armenian Community Center of Greater Detroit, for the one-year extension of the Final Site Plan and Special Land Use approval. The subject property is located in section 12, on the north side of Twelve Mile Road and east of Meadowbrook Road, in residential acreage (RA) zoning district. The project area is approximately 19.30 acres. A revised Special Land Use Permit was granted by the Planning Commission on October 14, 2020 to permit a Place of Worship, a daycare in a residential district, and a proposed Armenian Genocide Memorial structure within the courtyard.

Motion to approve JSP17-37 Armenian Cultural Center one-year extension of the Final Site Plan and Special Land Use approval made by Member Lynch and seconded by Member Verma.

**In the matter of JSP17-37 Armenian Cultural Center, motion to approve the one-year extension of Final Site Plan and Special Land Use approval.**

**ROLL CALL VOTE TO APPROVE JSP17-37 ARMENIAN CULTURAL CENTER ONE YEAR EXTENSION OF THE FINAL SITE PLAN AND SPECIAL LAND USE APPROVAL MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER VERMA.**

*Motion carried 6-0.*

## PUBLIC HEARINGS

### 1. ELM CREEK PRO JZ22-28 WITH REZONING 18.737

Public hearing at the request of Toll Brothers, Inc. for revised initial submittal and eligibility discussion for a Zoning Map amendment from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) with a Planned Rezoning Overlay. The subject site is approximately 37-acres and is located south of Twelve Mile Road, west of Meadowbrook Road (Section 14). The applicant is proposing to develop a two-phase 134-unit multiple-family townhome development.

Planner Lindsay Bell relayed the applicant is proposing to rezone about 37 acres south of Twelve Mile Road, on the west side of Meadowbrook Road, utilizing the Planned Rezoning Overlay option. The existing development to the north and east is largely office, with some vacant parcels. The Waltonwood senior living facility is to the west, along with Twelve Oaks Lake.

The current zoning of the property is mostly OST – Office Service Technology, and a portion on the west side is RM-1. The properties to the north, east and south are also zoned OST. The area to the west is RM-1 low rise multiple family.

The Future Land Use Map identifies this property and those around it as Office, R&D and Technology, which is consistent with the current zoning. The area to the west is designated Planned Development 1, which allows for multi-family development.

The natural features map shows significant wetland and woodland areas on this property as well as to the north and south. The tree and wetland surveys provided by the applicant confirm these features.

The Planning Commission reviewed the original request for this property in December 2022. Based on feedback received from Staff and the Planning Commission, the applicant has revised their PRO Plan to

include the entire parcel, rather than just the northern portion. This also means that Singh Development, who controls the southern portion of the parcel, is now a party to the PRO process. Their portion of the property is shown as Phase 2 of the project and lacks many of the details provided for Phase 1. For instance, there is no topographic survey of that area, no wetland delineations, no woodland tree surveys, or detailed development plans provided for Phase 2.

The applicant is proposing to utilize the Planned Rezoning Overlay (PRO) to rezone the whole property to RM-1 Low Density Multiple Family. The revised initial PRO plan shows a total of 114 attached townhome units between the 2 phases, clustered along two public roads. However, the requested conditions would permit up to 20 additional units in Phase 2, for a total of 134 units. All units will comply with height limits of the RM-1 District.

The development is accessed by one entrance off Meadowbrook Road. A secondary emergency access drive has been added to connect along the northwest portion of the parcel to the existing emergency access route that connects Waltonwood to the DMC property. Another emergency access route is shown for Phase 2 that would connect to the existing stub road on the Oliver Hatcher property.

Rezoning to the RM-1 category would permit the use proposed, however the multifamily zoning is not in compliance with the current Master Plan designation as Office Research Development and Technology. The current update to the Master Plan is under review, and the land use designation for this area may change.

The public benefits offered are virtually the same as what was proposed originally, so it appears no new benefits are offered with the additional land area included. Some of the conditions proposed include:

1. Preservation of 7.06 acres of City regulated woodlands.
2. Preservation of about 3 acres of City regulated wetlands.
3. Overall density shall not exceed 4.75 dwelling units per acre (More limiting than the 5.4 dwelling units per acre allowed in the RM-1 District).
4. Providing the community amenities shown in the PRO Concept Plan, which includes a walking trail and scenic overlook point in Phase 1. Another walking trail is shown in Phase 2.
5. The applicant has also proposed to provide the off-site sidewalk segments on properties to the north and south along Meadowbrook Road – a total of 314 feet, which would fill gaps in the City's sidewalk network.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. First, as discussed in the planning review letter, the Phase 2 area is lacking details for both existing conditions and future development. The details that are provided don't exactly match up with the conditions proposed. The conceptual layout shows 34 units, but the request is for up to 54 units, or 5.4 dwellings per net site area, which is the maximum density allowed for 3-bedroom units in the RM-1 District. Usable open space is not quantified but would be expected to meet the ordinance requirements if they were to come in for site plan approval.

Some other issues identified include questions of compatibility and buffering from the adjacent uses that will remain OST. The applicant has requested a deviation to provide a lesser setback from these developments than would be permitted under the RM-1 standards. An 8' vinyl fence is proposed where the units on the east side of the road back up to parcels zoned OST. Being adjacent to a residential development can require additional setbacks or other restrictions on those property owners, which can be an added burden to surrounding non-residential landowners.

The wetland impacts for Phase 1 have been reduced with this revised layout, which moved some of the units further back from Meadowbrook Road, which was recommended by the Planning Commission last December. The mitigation area is now between three smaller wetlands, so essentially those would become one big wetland.

Many woodland trees are also proposed for removal, and only a limited number of replacements can fit on-site which means the rest of the credits would be paid into the tree fund for Phase 1 at least, because we don't know the impacts for Phase 2.

The façade review notes that the elevations provided are now in conformance with the minimum standards of the ordinance. As PRO projects are supposed to be an overall enhancement to the area, we would recommend exceeding the façade ordinance standards. Staff has also recommended additional landscape screening along the south of the entry drive and a non-motorized connection along the northern emergency access road to connect to the Twelve Oaks area. The anticipated Griffin Novi development would provide sidewalks to the mall area to connect to.

A residential development will likely result in smaller wetland and woodland impacts compared to an OST development due to the typical size of buildings and parking needs. OST permitted uses include offices, research & development, data processing, and hotels, which all have a larger footprint than the RM-1 uses proposed. The traffic study notes that the number of residential units proposed would likely result in fewer vehicle trips compared to an OST development. There are relatively few deviations from Ordinance requirements requested by the applicant.

Under the terms of the new Planned Rezoning ordinance, the Planning Commission will not make a formal recommendation to City Council at this meeting. Instead, the initial Public Hearing is an opportunity for the members of the Planning Commission to hear public comment, and to review and comment on whether the project meets the requirements of eligibility for a Planned Rezoning Overlay proposal.

Following the Planning Commission public hearing, the project would then go to City Council for its review and comment on the eligibility.

After this initial round of comments by the public bodies, the applicant may choose to make any changes, additions or deletions to the proposal based on the feedback received. The subsequent submittal would then be reviewed by City staff and consultants, and then the project would be scheduled for another public hearing before the Planning Commission. Following this Public Hearing on the formal PRO Plan, the Planning Commission would make a recommendation for approval or denial to City Council.

The Planning Commission is asked to hold the public hearing, and review and comment on the proposed rezoning. Planning Commission members may offer feedback for the applicant to consider that would be an enhancement to the project and surrounding area, including suggesting site-specific conditions, revisions to the plans or the deviations requested, and other impressions.

The applicant Scott Hansen from Toll Brothers, as well as engineer Jason Rickard from Sieber Keast Lehner are representing the project tonight. Staff is also available to answer any questions.

Acting Chair Avdoulos invited the applicant to address the Planning Commission.

Scott Hansen, with Toll Brothers, relayed that Senior Planner Bell covered many of the relevant points, but he would like to highlight two real key points based on the feedback received last December. One point was maintaining Meadowbrook Road as a commercial corridor. To try to achieve that two buildings were eliminated, basically increasing the setback from Meadowbrook Road from about 100 feet to 400 feet to the first unit. The only thing visible coming down Meadowbrook Road will be an entrance, which will help maintain that commercial character.

The other main comment or piece of feedback was regarding the OST zoning remaining on the southern portion of the parcel. That portion is now incorporated into the PRO. The goal was to provide as much flexibility for Singh to come in in the future and put their own product on that portion of the site. It is conceptual at this point, but any deviations requested from a PRO perspective would go back through the process for a PRO amendment, which would come to the Planning Commission for approval. If Singh decided to go with this plan, it would go in for preliminary site plan review, which would also come to the Planning Commission for approval.

Mr. Hansen relayed those are the main two points he wanted to touch on. He is available to answer any questions and looks forward to feedback.

Acting Chair Avdoulos opened the Public Hearing and invited members of the audience who wished to participate to approach the podium.

Paul Hatcher, 27333 Meadowbrook Road, the Oliver Hatcher building, relayed he was at the Planning Commission meeting in December of last year and voiced concern. He appreciates Toll Brothers removing some of the previously shown buildings that were closer to Meadowbrook Road. Mr. Hatcher's request last December and tonight is that the buildings that are in the parcel inside or east of the west property line of his property, and the properties to the north and south of his property, are eliminated or pushed back even further.

When Mr. Hatcher bought his parcel and built 17 years ago, the intention was for the whole area to be OST, however he does not have an issue with the residential buildings behind his property. He has been on the property, and it doesn't appear there are really many OST type uses that would be compatible with the property with all the wetlands and woodlands. Residential is a good use for it, but Mr. Hatcher requests that the Planning Commission consider asking for the units he identified earlier to be eliminated.

Mike Duchesneau, 1191 South Lake Drive, relayed that this is not a solid concept plan. The applicant does not own or control the Phase 2 property and that is a major issue. The Phase 2 property is landlocked and needs to be part of a total development.

The applicant is asking for 80 units in Phase 1 and 54 units in Phase 2. The concept plan shows only 34 units, not the 54 that they're asking for. The applicant is asking for setback variances for these 54 imaginary units. Traffic information supplied was based on 80 units, not the 134 requested. Based on daily trips for the total development, a traffic study will be required to determine if an acceleration/deceleration lane is needed on Meadowbrook.

On the positive side, both Toll Brothers and Singh are known to be high quality builders in Novi. The homes are for sale and not for rent and as a longtime resident Mr. Duchesneau likes that.

Traffic on Meadowbrook would be significantly less than under the OST zoning. The surrounding properties are predominantly developed, and minimal adverse impacts would result from the residential development in this location. New home buyers would know what's behind them or near them.

The Toll Brothers proposal consists of two types of homes. The end units have a nice first floor layout including a primary bedroom. A person could easily age in place in these units if the developer includes other senior friendly amenities.

The center units have all the bedrooms on the second floor. This development could consist primarily of two-family buildings with only the first-floor layout end units. The two-family buildings could have smaller side yard setbacks, 20 feet total between the buildings as in the RT Two-Family Residential zoning district, which is hardly ever used. Mr. Duchesneau does not know of an RT Two-Family development in Novi.

Some of the three or four unit buildings could be allowed to have 30 foot side yard setbacks. The five unit clusters should meet the 35 foot side yard setbacks per RM-1. There's no logical reason for reducing the setbacks for these clusters of buildings. There are concerns about not meeting the 75 foot rear yard setbacks of RM-1. There are many areas, such as to the north where there are large trees, or to the west where there are wetlands, that would make sense to have smaller setbacks.

There is a much-needed senior friendly multifamily development option that should be available under a PRO, but this is not currently the proposal. Some of the interior units should be designed to include everything on the first floor, including a bedroom. It might mean that that these units don't have a 2-car garage, but then this could be proposed as a senior development PRO.

One of the Council members stated at the Monday Council meeting that the only reason he would consider leaving Novi was to be near his grandkids. This kind of facility with the end units and perhaps a smaller one-story middle unit would accommodate seniors and their families very well. Mr. Duchesneau has multiple instances where he knows of people who want to be near their family, especially grandkids.

Seeing no other audience members who wished to speak, Acting Chair Avdoulos asked Member Lynch to read into the record the correspondence received. Member Lynch relayed Stephen Carey, 27421 Meadowbrook Road, is opposed to the expansion of the development into the southern portion of the parcel relating to wetlands and has concern regarding Meadowbrook Road congestion due to the community's one access point.

Acting Chair Avdoulos closed the Public Hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch relayed that residential use in this area is probably more appropriate than OST. Member Lynch inquired as to what the adverse impact could be to adjacent non-residential property owners.

Senior Planner Bell responded that for some uses, when they abut a residential district, there are sometimes additional set back requirements or use restrictions on those parcels.

Member Lynch inquired as to whether the applicant intends to offer an elevator option for the interior units. Mr. Rickard responded no.

Member Lynch relayed that if this moves forward to City Council, it would be good to prepare an analysis that quantifies the reduction in woodland/wetland impact versus OST zoning. Mr. Rickard responded that an analysis was run, and it was estimated that four additional acres of city woodlands would be preserved for a residential use. Member Lynch relayed hearing the numbers is good but suggested that a pictorial with a property plan as currently zoned and an overlay with the proposed zoning, as a previous applicant presented, would be a very helpful visual in terms of determining whether OST or residential use is more appropriate for the property and how many trees are actually saved.

Member Lynch relayed he noticed that the applicant is also going to contribute to the tree fund and inquired if there is any way the trees can be put on site instead. Mr. Rickard responded unfortunately not, the property has so many woodlands, every inch of open space has been replanted.

Member Lynch relayed he is familiar with what one of the residents spoke about regarding first floor and the elder population. Member Lynch lives in a Toll Brothers property that has an elevator which works fine. It's becoming more and more important to have a first-floor bedroom. These are selling like hotcakes in South Lyon or the Kensington Ridge Del Webb development in Milford. If there is any way an elevator can be accommodated, it may be a win-win. It's expensive, and really doesn't take up that much space, especially if it is done at the in the beginning. It is something to consider although Member Lynch does not want to tell Toll Brothers how to market their product as they do a great job at that.

Mr. Rickard relayed that this site was originally planned for all primary down units. It ultimately came down to a function of economics where the loss of removing the buildings near the entrance had to be made up for by adding in the smaller two-story townhomes in between the first-floor primary bedroom end units.

Member Lynch relayed he is not saying it should be a standard to put elevators in, but it may be something to consider because it would accommodate what Novi is trying to do to fit the needs of the senior population. Mr. Rickard replied he would look into it.

Member Lynch relayed that he would also like the applicant to quantify the difference between OST traffic compared to RM-1. OST will have thousands more trips than RM-1, so in addition to quantifying the reduction in woodland impact, quantify the percentage of traffic reduction.

Member Lynch inquired if there is a reason why the buildings are not located closer to the lake to take advantage of that feature. Mr. Rickard responded that when the mall was developed this property was used as a dumping ground. Along the western side by the large wetland, the walking path is on 20 to 25 feet of fill that is over topsoil. The only way to support residential foundations or any foundation is with pilings or some other extreme measure, so it becomes a function of economics.

Member Lynch relayed overall he would like to see this property as residential. There are some goals that

the City Council has to meet, such as addressing the senior population, reduction of wetland destruction, and traffic but the best thing the applicant can do is show the facts between leaving the property as OST versus rezoning to residential.

Mr. Rickard inquired whether the Planning Commission has the right to waive requirements on OST parcels that are adjacent to residential. Senior Planner Bell responded that she would need to look into that, but usually would think that would be ZBA.

Member Becker relayed that the subject properties are currently zoned OST with, curiously, part of one of the properties already falling in RM-1 zoning that came shooting out of Waltonwood. He has not been able to determine whether The Enclave and or Waltonwood developments required rezoning. It would seem likely that they were originally zoned RC Regional Center, as is the rest of the Twelve Oaks property.

The Planning Commission had another proposal in the last three years to change the RC zoning for other parts of property around Twelve Oaks to accommodate multifamily development. Our Master Plan and Future Land Use plan are not meant to be unchangeable, but we must always take great care when making significant modifications, which Member Becker believes was the case with The Enclave and Waltonwood.

In the information packet, it was mentioned that in 2005 the City approved an RM-1 with the PRO change for a similar, if not the same property area. This meant modifying the then current Master Plan and Future Land Use plan. The approved request was never realized but it would seem to indicate some justification for considering a similar request at this time.

The current property is mostly OST. It's not zoned as city parkland. At some point the property owners would have the legal right to develop the property as OST with nonresidential buildings, outdoor parking areas, etc. Trees and woodlands would be disturbed as they always will be for undeveloped land that's not set aside as parkland.

When Member Becker visited the area, he wondered what the residents of the fifth and sixth floors of the luxury condos at The Enclave would rather see across the lake from them - OST buildings and parking lots or two-story residential units with mostly inside parking. He had the same thought about the third story residents on the south side of Waltonwood. Granted, they would all say they'd rather see the woods and wetlands as they are, but the subject properties are not parkland. Either as OST or RM-1, the property will be developed at some point.

Given the beautiful and rather large lake that abuts the existing residential buildings and the subject properties, Member Becker thinks an RM-1 use will enhance the aesthetics of the entire area around the lake far more than any OST development could, which would quite likely require substantial large acreage of woods and wetlands to be disturbed.

The applicant has pointed out that conceptual office park development shows the loss of an additional four acres of woods and wetlands. The applicant's current proposal preserves 7.06 acres of City woodlands and 3.02 acres of City wetlands. The use and aesthetics of the proposed development complement the other two existing residential developments in the area.

It now looks as if the additional property in the south will be enjoined as an RM-1 under the same PRO which addresses the concern Member Becker had last time: that a dead-end road OST development would be created.

Member Becker's last comment is more to the Planning Commission and the planning staff and concerns this project, others in the recent past, and those yet to come. The applicant tonight, as they did last year, states that Novi is underserved regarding medium rise, high density residential options. When the Planning Commission and perhaps City Council are asked to make decisions using this underserved designation as a rationale, it would behoove us for several important reasons to hire an unbiased third party to assess the state of Novi's residential options. To one of the comments earlier, let's look at adult living options and provide professional and unbiased guidance to use in the future. Modifying our guiding documents, the

Master Plan, Future Land Use plan, and the accompanying zoning designations will become more logical and justifiable if we had information and data to back up the decisions.

Member Dismondy relayed this property is a good use for residential. He agrees with the gentleman who came up and spoke that it would be odd to have residential units in line with the office buildings along Meadowbrook. Recognizing economics makes it difficult to do so, but if the units could be west of the rear property line of the office uses, then when driving down Meadowbrook Road the townhomes wouldn't be as visible.

Member Dismondy inquired to confirm that the north-south street is located as is and not further west due to the soil conditions and inquired what the buffer is behind the first couple of units heading to the south. Mr. Rickard confirmed that the street is located as is due to the poor soil and the buffer is 50 feet from the property line. An 8-foot vinyl fence was proposed there to help with screening as well as landscape plantings. Landscape Architect Rick Meader relayed that is in line with what would be required.

Member Dismondy relayed that if it doesn't disturb the feeling of the OST district going up and down Meadowbrook Road, then he thinks this is a better use for the wetland area there. Also, it is adjacent to other residential surrounding a lake, so he is in support.

Member Roney relayed it would be nice to have more clarity on what is proposed for the Phase 2 portion and thinks that would help justify the PRO process. It is understood this is still one parcel as far as the city is concerned, so Phase 2 wouldn't be landlocked, but Singh through a private agreement owns Phase 2.

Member Roney did struggle a little bit with the public value that this brings, but Member Lynch did a nice job of pointing out some things that could be highlighted as public uses or benefits. In addition, if the non-motorized walking path could get over to Twelve Oaks Mall that could really strengthen up this being a nice public benefit. Member Roney would like to see this go forward, but there are a few more things that need to be done.

Member Verma inquired if the Fire Department has provided review comments. Senior Planner Bell responded that the Fire Department provided comments in the last review but did not have any major concerns.

Acting Chair Avdoulos relayed that from the last time this was presented to where we are today, he is a little bit more comfortable with having residential. The Planning Commission packet referenced the 2005 PRO proposal for this property which was approved by City Council. Although Acting Chair Avdoulos did not think of asking for a copy of the prior proposal to review until later today, it would have been nice to compare how much was taken up with that proposal versus what we have now to have a better understanding, and also to understand how that was proposed as you enter the site.

Having this as residential creates more of a community with the residential area that's around Twelve Oaks Lake and that's where it starts making sense. There were a lot of great comments made this evening. The staff has provided some great comments as well. If there could be an opportunity for the applicant to look at the need for homes that may benefit more of the senior community, it would be nice to recognize that somehow even as a percentage of the homes, although it can't be required.

Acting Chair Avdoulos has some friends that moved to Florida, and they showed pictures of their home which was in a 55 and over community. They were all ranch homes, and it was kind of interesting but that is a whole different ball game and different demographic because people go down there for that. If seniors want to stay in the city, those are the things that we'd like to see incorporated if they can be.

Acting Chair Avdoulos had the same concerns as Member Roney to make sure that the south piece was part of all of this; as Mr. Duchesneau said in his presentation, that would make it a little bit more solidified and would be a good way to present that to the City Council.

**This agenda item was discussed, but a motion on the item was not required.**

CITY COUNCIL MINUTES  
EXCERPT NOVEMBER 20, 2023

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- 2. Initial review of Planned Rezoning Overlay (PRO) eligibility of the request of Toll Brothers, LLC, for Elm Creek, JZ22-28, to rezone from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) on land located on the west side of Meadowbrook Road, south of Twelve Mile Road in Section 14. The applicant is proposing to utilize the Planned Rezoning Overlay option to rezone and develop a 134-unit multiple-family townhome development on approximately 37 acres of land. Under the new PRO Ordinance, this initial review by City Council is an opportunity to review and comment on the eligibility of the proposal.**

City Manager Cardenas stated this is a change of policy that the City Council acted on back in August of 2021 to allow City Council a heads up on the PRO's that are currently in the queue. He said this is a second opportunity this has presented itself since that change in the policy, no action is required. He said the petitioners are here to give a brief overview of the proposal after this opportunity to further comment on any comments, the applicant will then submit their formalized PRO plan which will be reviewed by City staff, and consultants. He said the project will then be scheduled for a second public hearing before the Planning Commission. He said the Planning Commission will make the recommendation for the project to the City Council and the City Council will have their final consideration on the rezoning with the PRO later.

Mayor Fischer asked the petitioner to come down to the podium and give us a brief overview and any comments you must make. He commented that they did receive the information regarding this project in their Council Packet.

Scott Hanson, Toll Brothers congratulated everyone who was appointed to City Council. He said they had a brief presentation. He said he was the land development director for Toll Brothers, and ultimately, we have been working on this project for the last couple of years now. He said they have gone to the Planning Commission twice and have received really good feedback. He said they have made changes to the plan that are not reflected in the current plan that is presented. Ultimately, this is a townhome development with both primary up and primary down bedroom units. He said these are three-bedroom, two bath, that range in size from 1800 to 2200 square feet. He said the site plan is laid out the way it is laid out because of the challenges with the property itself. He said the property was used as a dump site for Twelve Oaks Mall back when that was developed so there is a lot of unsuitable soil on the site. He stated they tried to lay out the site plan to account for those soils to make basement and foundation construction in a conventional manner possible. He stated some of the main comments they heard from the Planning Commission were to adjust, basically to keep Meadowbrook Road commercial, try to keep Meadowbrook Road commercial as possible. He said between our two submittals they eliminated two buildings from the first two buildings off Meadowbrook Road to try to maintain that commercial corridor and we really think that helped the whole fee. He said ultimately this property has it in your packet as well, but it has residential to the west, so we felt like this is a good transitional property to keep residential without impacting that commercial corridor as that was kind of the primary comment that they received.

Mr. Hanson said he would briefly go through those and then he just looked forward to any feedback. He said this evening, we would just like to understand if you have general support for the project, and if you do not have support for the project, what could we do differently to gain that support. He said he also had a couple of renderings. He said between the two submittals they increased their setback for Meadowbrook Road from 120 feet to 400 feet, so this really means you can hardly see the unit. He highlighted an area on the presentation on the overhead projector of Meadowbrook Road looking south and there is also the current view in that same area. He said the existing vegetation, he stated on renderings you do your best to model the existing conditions as closely as possible without fabricating something that will not be real, when the property if the property gets developed. He said that is what they tried to do between the two images, and he pulled this from Google Earth, so he was not standing out in the middle of Meadowbrook Road. He highlighted another rendering from the entrance and what that would look like. He said they tried to scale the street trees, the existing vegetation and that 400-foot buffer is extremely significant. He said they felt this property, you would not even know it was residential except for the signage out front. He said if you flip between the two, you can see how they tried to model as closely as possible with that existing vegetation. Lastly, he highlighted a more elevated view from that same location, and again, demonstrating that 400-foot buffer to those first two units. He said that was really it, again, they were looking for feedback and they wanted to understand if there is support for the project, and if not, what it would take to gain that support.

Mayor Fischer thanked him for the presentation, he said he would turn it over to his colleagues on City Council for feedback.

Mayor Pro Tem Casey thanked Mr. Hanson for bringing this project forward through our process. She had a couple of questions that evening, the first, she knew there were challenges with the site, especially as it related to the ownership split in the parcels. She said there was a reference to a letter in the packet that would be an agreement between you and the other property owner, she asked if he could give a little more specific about what the letter is going to be? She wondered if it was a memorandum of understanding or if it was a contract. She asked for a little more clarification about that. Mr. Hanson said he had a couple of slides on the overhead projector that can demonstrate. He stated the property is owned by two different people. He noted the Mall owns the northern parcel, which Toll is under contract with the purchase, and then Singh owns the southern parcel, he was sure everyone was familiar with saying the local developer. He stated the latter that is referenced in the application is an acknowledgment letter or an authorization letter from Singh saying basically that they agree to this rezoning to a PRO or RM-1 zoning. He said that is the letter they have been working with Singh to try to get their cooperation and ultimately, Singhs portion of the property at this point is conceptual. He said their goal is to continue to move forward on the northern parcel while Singh has the ability and the flexibility to move forward with something in the future on the southern portion of the parcel. He felt that the PRO process gives the City the ability to dictate what happens on that southern portion that conceptual phase two in the future, meaning if Singh does not comply exactly with what we proposed, they come back to City Council, they come back to Planning Commission

with a PRO amendment to get those approvals. He stated if they do comply with exactly what they have proposed, and what they are proposing with this submittal, then they still go to the preliminary site plan, they still go to Planning Commission and they still must go through the process of complying with all the other city requirements.

Mayor Pro Tem Casey commented that looking at it from our perspective on this, once the PRO, assuming it is approved, and once it is signed, is that going to be a strong enough agreement between the three parties, the landowner to the north, the landowner to the south, and the City to ensure that southern portion gets developed as residential in the same flavor as an RM-1 as the northern portion. She wondered if there are any further requirements from a legal perspective that we want to put in place to ensure that the agreement and that we are protected in the future should any changes to the PRO be proposed. City Attorney Schultz explained what we took at this point was just a letter saying, as part owner of that property because there has never been a split even though there was a sale. He said we, Singh, agree to the submission of this proposed PRO when it comes time to approve that if that is what the City Council does, we intend to make sure that the ownership issue and Singh's rights under the PRO are properly articulated and resolved, hopefully, regarding the property line with the potential approval of the Toll Brothers project. Mayor Pro Tem Casey appreciated Mr. Schultz's explanation. She thought it was a bit of a concern. She said it is just the difference in ownership and making sure that all owners are aligned, the City is aligned on what the expectations are, if again, the PRO is approved, and making sure that it is all documented, all the I's are dotted, and the Ts are crossed from a legal perspective.

Mayor Pro Tem Casey said second, she wanted to comment on the landscaping screening. She pointed out on the map that there are a couple of properties that are currently zoned OST that are not developed yet, and the PRO is asking us to change what is currently OST for your property into residential. She said when that happens, the screening requirements between residential and OST become much more stringent. She said what she would like to see, because some of those properties are not developed, she would like to see the screening accommodated for the residential side, and not on the OST side. She said that would be something she would be looking for to make sure that this development, this PRO addresses those screening issues and not waiting for a future development from an OST perspective to come in and then must address that screening. She said that is one of the things that she will be looking to understand when and if this comes back in front of us.

Mayor Pro Tem Casey commented that she appreciated the long driveway, she thought they were spot on in doing that. She mentioned that their proposal with first floor living and trying to address the empty nesters that most of the people at this table know that she is chair of the Older Adult needs Committee. One of the big things that we have been hearing from our residents is about the lack of empty nester type of housing and specifically first floor living. She was very happy to see that you have a plan for first floor living. She thought they could probably err on the side of more first floor options than primary bedrooms on the second floor. She said that was an opinion. She wanted to share with you the feedback they have gotten continuously as a committee, as we have

been talking to our residents that this is a big need, to have first floor living in the city of Novi, so, for whatever consideration is worth for you. She noted that looking at the number of trees that are going to be brought down, you have heard this a million times, she appreciated that you are putting a conservation easement over seven plus acres of woodlands and three plus acres of wetlands. She encouraged them to do everything they possibly could, obviously first to try to reduce the number of trees you need to pull down. Secondly, to make sure that you are replacing those trees on the property, by kind of lessening the amount you would contribute to the Tree Fund. She said she knew that was feedback that you received from staff, she wanted to echo that from the table as well, that would be something she would be looking to see. Thank you. Mr. Hanson said that is always their goal is to replace, that is where the value is for them as entries we can replace. He said the value is in keeping as many trees as possible. He said unfortunately, this site is primarily all woodlands, so it just makes it a little more challenging, but we will do the best we can.

Mayor Pro Tem Casey said part of the PRO process is that you are asking the developer, landowners, asking us to make a pretty big change to zoning and part of what they are looking for is that change in zoning will have a public benefit. She mentioned when developers go through this PRO process come in, they will say, here is a list of things that we believed to be public benefit. She stated when she looked at those, they tend to have to work with developers in terms of providing things that are truly a public benefit. She stated when she looked at the list that is in our packet here, the first one mentions, having offsite sidewalk gaps. She said that is a public benefit, so it will be on Meadowbrook Road, anybody can access it. The second item being preservation of the seven acres of woodlands and three acres of wetlands, that leans a little more toward the residents of or future residents who will be there, she could stretch her way to seeing that might be a public benefit, because it is a broad benefit to the environment. She said the third benefit that you listed is proposed walkway and nature trail and overlook amenity that is strictly for your residents, that is not a public benefit and public meaning broader residents in the city of Novi. She encouraged him to look and see what other opportunities there might be free to truly offer a public benefit that would encompass a larger portion of our residents. Mr. Hanson asked if she had any recommendations or suggestions. Mayor Pro Tem Casey said she would leave that up to him.

Member Smith echoed Mayor Pro Tem Casey and what she said about the older adult housing needs that is something we are hearing; he was glad to see that in there. Obviously, preserving the wetlands is critical, he said his office overlooks the woods from the Singh property. He was hoping that we could preserve as many trees as possible for the wildlife he sees running around in the back lot of ATI, and the eagle that flies overhead occasionally.

Mayor Fischer wanted to put a few comments on the record. He said that was the joy of going last, and having our Mayor Pro Tem eloquently go through a lot of the concerns is helpful. He echoed two concerns, the two he wanted to echo were the land division concerns and making sure that it is all tidied up. He said he gets more concerned that one phase gets built, and suddenly, we are stung up as a Council on what to do with

Phase Two in the second parcel. He said he was going to be keeping a careful eye on how that legal agreement comes to fruition. He stated personally, if the entire development was coming all at once, that would be his utmost preference, but we will leave that up to you to try to go ahead. His second comment was that he appreciated the efforts to keep Meadowbrook as that commercial corridor. He mentioned that when he showed some rendering the only thing, he noticed was that the renderings showed spring, summer, fall where there were leaves on the trees. He was not fully convinced that the building closest to Meadowbrook is going to be screened as much as we think for six months of the year. He encouraged them to retake a look at that. He said whether it is that building or different types of plantings, etc. He said those are two things that he will be keeping in mind as this project moves through the process. He wished them the best, it sounded like Mr. Cardenas laid out that there are plenty of steps and plenty of feedback going back and forth. He looked forward to seeing him again in the future.

### **3. Discussion on the process to fill the open Council seat.**

City Manager Cardenas noted that we sent out correspondence to the City Council outlining the Charter provisions as it relates to the vacancy on City Council and provided some relevant history on how this has been handled previously, when this situation has occurred. He said the City staff stands ready to follow directions from the City Council on how to proceed.

Mayor Fischer commented that there are three on Council who have been through the application vacancy process before, Mayor Pro Tem Casey, Member Staudt, and himself and they have been through this process several times, appointing people in 2009, 2010, 2014, 2018, 2019 and 2020. He stated they followed a certain process and City staff had come to him and they were prepared to go ahead and move forward in that direction. He asked that they put in on the Agenda so we could have a full discussion and make sure that we were all on board with whether we wanted to continue the process that has been followed in Novi, or something else. He understood it from the City Attorney, the Charter is very open on the process by which we as a Council could fill this. He said this is a very important decision for the two years remaining on his Council term.

Mayor Pro Tem Casey commented that there are three of us who have gone through this process. She stated she had been through it four times, herself as a Councilmember. She believed that following the appointment process is an appropriate way for us to fill the Council seat. She said people can see how many applicants have come forward every time there is an interest from the community. She thought our process is fair, there is an interview process, there is an application process. She was in favor of us continuing to follow the process that previous Councils have followed, as documented from 2009 to 2020.

Member Smith said he as a 38-year resident of Novi has seen several times when the Council has had to replace a member, the seat had been vacated. He said we have the examples from 2009 forward have been included in the packet. He noted the City Charter says we just must fill the seat within the next 30 days, or it goes to a special

**PLANNING COMMISSION MINUTES – EXCERPT**

**APRIL 24, 2024**

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They will get information from this evening, and staff can work with them further but will probably not suggest the donation to the library be in a PRO agreement.

Chair Pehrson appreciates Mr. Landry bringing up the verbiage in the ordinance relative to the PRO, maybe that is something we need to look at going forward, again not to put too much of a restriction on any of the words that were used in trying to interpret what is or isn't but certainly to be able to have it address that particular application.

City Attorney Schultz added that what the Planning Commission and the City Council are doing with the PRO is really making two kinds of findings. First, is the proposal an enhancement to the project area that you couldn't get with the existing zoning or without the PRO. Second, is just a general finding that the rezoning and the use of the PRO is in the public interest. That's a broad question that depends on the number of conditions that are imposed. That's how the ordinance is written. Do the conditions that you are going to impose over and above what they're otherwise obligated to comply with, do those together make this a project in the public interest? Benefits versus detriments is sort of only one aspect of that, and that's going to differ every time. It's part of an overall process that relies mostly on the conditions as opposed to tangible public benefits, which sometimes there won't be.

Chair Pehrson added the opportunity to talk about a PRO involves all those conditions relative to what Planning Commission input is, what the City Council input is, what the citizens input is, relative to restrictions to that particular PRO. He appreciates that the property owner has turned away other proposals that might have additional issues and has done due diligence in trying to make the property something that we're all going to be proud of. In this case, there would be restrictions on the PRO so that if the business failed for some reason, it goes back to ground zero, so we have a level playing field. Again, that's something that probably no one thought of 20 years ago when we were thinking of a Master Plan and how we're going to use this piece of property before this particular center existed. Hopefully, the Planning Commission comments provide the applicant with some valuable input, and we appreciate their time. Chair Pehrson looks forward to driving his car through a Jax Kar Wash in the near future.

**This agenda item was discussed, but a motion on the item was not required.**

**2. J22-28 ELM CREEK PRO PLAN WITH REZONING 18.737**

Public hearing at the request of Toll Brothers, Inc. for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) with a Planned Rezoning Overlay. The subject site is approximately 37-acres and is located south of Twelve Mile Road, west of Meadowbrook Road (Section 14). The applicant is proposing to develop a two-phased 121-unit multiple-family townhome development.

Senior Planner Bell stated the applicant is proposing to rezone about 37 acres south of Twelve Mile Road, on the west side of Meadowbrook Road, utilizing the Planned Rezoning Overlay (PRO) option. The existing development to the north and east is largely office, with some vacant parcels. The Waltonwood Senior Living facility is to the west, along with Twelve Oaks Lake.

The current zoning of the property is mostly OST – Office Service Technology, and a portion on the west side is RM-1. The properties to the north, east and south are also zoned OST. The area to the west is RM-1 Low Rise Multiple Family.

The Future Land Use Map identifies this property and those around it as Office, Research Development and Technology, which is consistent with the current zoning. The area to the west is designated Planned Development 1, which allows for multi-family development.

The natural features map shows there are significant wetland and woodland areas on this property as well as to the north and south. The tree and wetland surveys provided by the applicant confirm these features with more precise boundaries.

You may recall that the Planning Commission reviewed and offered feedback on the initial PRO request

for this property in December 2022 and a revised initial plan in October 2023. The applicant received feedback from City Council in November of 2023, and now returns for formal consideration of their proposal for a recommendation of approval or denial to City Council.

The applicant is proposing to rezone the whole property to RM-1 Low Density Multiple Family. The formal PRO plan would permit a total of 121 attached townhome units for the 2 phases, clustered along two public roads. This has been reduced from the previous 134 units. All units will comply with height limits of the RM-1 District.

The development is accessed by one entrance off Meadowbrook Road. A secondary emergency access drive will connect along the northwest portion of the parcel to the existing emergency access route that connects Waltonwood to the DMC property. Another emergency access route is shown for Phase 2 that would connect to the existing stub road on the Oliver Hatcher property.

Rezoning to the RM-1 category would permit the use proposed, however the multifamily zoning is not in compliance with the current Master Plan designation as Office Research Development and Technology. However the current update to the Master Plan is under review, and the land use designation for this area may change.

The public benefits offered mostly are the same as what was proposed originally; however they have proposed an additional donation of \$10,000 to be used for improvements at the Beacon Hill Trailhead park at the northeast corner of Meadowbrook and Twelve Mile Road. Some additional conditions proposed include:

1. Preservation of 8.38 acres of City regulated woodlands.
2. Preservation of about 3 acres of City regulated wetlands.
3. Overall density shall not exceed 4.2 dwelling units per acre (More limiting than the 5.4 dwelling units per acre allowed in the RM-1 District).
4. Providing the community amenities shown in the PRO Concept Plan, which includes a walking trail and scenic overlook point with seating in Phase 1. Another walking trail is shown in Phase 2.
5. The applicant has also proposed to provide the off-site sidewalk segments on properties to the north and south along Meadowbrook Road – a total of 314 feet, which would fill gaps in the City's sidewalk network. A sidewalk connection is also shown along the western emergency access route.
6. First floor living options providing primary bedrooms on the first level will be available in end units of the development.
7. Energy efficiency and sustainability considerations will be incorporated into the design and building materials, including EV charging infrastructure in each garage and Energy Star appliances and windows.

There are 6 deviations requested in the proposal including:

1. Side and rear building setbacks along the north, east and west property lines for Phase 1.
2. Building orientation to the property lines is not 45 degrees.
3. The distance between some buildings does not meet the minimum distance requirement of 33-35 feet, with a minimum of 30 feet proposed.
4. Perpendicular parking spaces for visitors are located along the access drives, which is not permitted since they are classified as major drives. However, the parking spaces are limited to a few locations as the amount of traffic on the roadways is not expected to be heavy.
5. A 4.5 to 6 foot landscaping berm is required when an RM-1 district is adjacent to an OST district, which has not been provided in order to retain existing natural features. An 8-foot vinyl fence has been proposed with landscaping trees to provide alternative screening.
6. The required street trees and greenbelt berm along Meadowbrook Road have not been provided due to existing wetland areas and underground utilities.

As stated previously, issues identified include questions of compatibility and buffering from the adjacent uses that will remain OST. Being adjacent to a residential development can require additional setbacks and buffering requirements, which can be an added burden to surrounding non-residential landowners.

The engineering review raised the question of whether a connection to the proposed Lion Lane of the Griffin Novi project to the west could be provided rather than the emergency only access to the adjacent parcel. This issue was not addressed in the applicant's response letter so perhaps they could provide a response here tonight.

The wetland impacts for Phase 1 have been reduced, but still require wetland mitigation under the City's code. The applicant is proposing to construct that mitigation on-site in the area near Meadowbrook Road where they moved units further away from the road, as recommended by the Planning Commission. That mitigation area would essentially connect three existing small wetlands.

About 746 woodland trees are proposed for removal resulting in 1,424 credits required. 85 Non-regulated trees are being saved to be counted as credits. Approximately 204 credits can be planted on-site which means the rest of the credits would be paid into the tree fund.

The façade review notes that the elevations provided are in conformance with the minimum standards of the ordinance.

A residential development will likely result in smaller wetland and woodland impacts compared to an OST development due to the typical size of buildings and parking needs. OST permitted uses include offices, research & development, data processing, and hotels, which all have a larger footprint than the RM-1 uses proposed. The Traffic study notes that the number of residential units proposed would likely result in fewer vehicle trips compared to an OST development. There are relatively few deviations from Ordinance requirements requested by the applicant. Staff and consultants are all recommending approval or approval with conditions.

Tonight the Planning Commission is asked to hold the public hearing, and to consider making a recommendation for approval or denial to City Council. If City Council decides to approve the Planned Rezoning Overlay request, the project would come back to the Planning Commission for the usual site plan approval process with wetland and woodland permits.

The applicant Jason Iacoangeli from Toll Brothers, as well as engineer Jason Rickard from Sieber Keast Lehner are here representing the project tonight. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Jason Iacoangeli introduced himself as part of the planning team for Toll Brothers, along with Jason Rickard from Sieber Keast Lehner. Senior Planner Bell did a good job of identifying the project details. This is a 134 for sale townhome development being proposed, a PRO rezoning from OST to RM-1.

The team thinks they have done a pretty good job with the design to preserve the existing natural features of this site and think that the residential use in this particular neighborhood is a good fit outside of the office use master planned for this area. The units that are going to be developed here will have the option of first or second floor primary bedrooms, so they will be available for empty nesters, those in the community looking to downsize and to allow for some aging in place.

Since the last time Toll Brothers presented the Elm Creek proposal to the Planning Commission, some of the major changes include the units that were closer to Meadowbrook Road have been set back at the entrance to preserve that natural corridor on Meadowbrook Road. As you're traveling north or southbound, you're really not going to see any of these residential units as you pass by from Meadowbrook. Additional screening will be added to the neighbor who is immediately adjacent to the south of the entrance drive by providing them with a vinyl fence and including the landscaping along that edge to help that neighbor preserve the boundaries of their yard and not have to see the entrance drive to the development.

The screening behind the office buildings that are along Meadowbrook Road has been enhanced. They are not necessarily berms, but some of the existing vegetation has been left in place and will be supplemented with additional landscaping.

Over eight acres of woodland and three acres of wetland will be preserved, which is quite a bit more than if this would have developed as just an office or technology park based on the fact that units can be clustered together, and open space preserved as a part of the development.

A western sidewalk connection was added to the private drive to the adjacent senior living facility that's next door to this development, which will allow residents who live in this neighborhood to walk to Twelve Oaks Mall if they choose.

Initially, Toll Brothers was working with the park system to install a bike repair facility at the Beacon Hill trailhead, but then thought maybe it would be better to just make a one-time contribution to the park system and allow them to focus the funding towards one of the items that they have called out for in their Beacon Hill trailhead master plan. This slide is actually taken from the Novi Parks Department, and it highlights some of the amenities that they're looking for and they'll be able to sort of pick and choose what items they feel that would be best or more appropriate for that trailhead as the residents of this neighborhood with the infill sidewalk development will then be able to get to the park. The public benefit is that not only Elm Creek residents will benefit from improvements at the trailhead. The off-site sidewalk infill again is part of the public benefit. There are some gaps that are missing along Meadowbrook from some existing businesses that probably developed a long time ago when there wasn't more of a sidewalk or pathway ordinance.

High quality materials are being used, brick and Hardy board cement fiber board on the facades which are very long lasting and durable. Also, sustainable design features are being used, including 240 Volt outlets prewired in every garage, residents will still have to install their given charging equipment, but the 240 plug will be there waiting or stubbed off. Energy Star appliances and 2x6 walls with better insulation make the units themselves very efficient compared to units that were built 20 or 30 years ago.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium.

Mike Duchesneau, 1191 South Lake Drive, stated he supports Phase 1 being presented tonight by the applicant, they have done a good job. They could emphasize a little bit more as far as the PRO benefit of reduced traffic or minimizing the increase in traffic of their traffic input study that is in the end of the Planning Commission packet and shows significant improvement on the amount of traffic that we'll see on Meadowbrook. The motion sheet includes it as one of the PRO issues in item C, number 5, but going forward to the City Council, that should be emphasized a little bit more.

Toll Brothers should have end units with first floor bedrooms listed as being standard as opposed to optional so that any spec homes or models that they build include the downstairs bedroom for the end units.

Mr. Duchesneau has concerns about what's going on with Phase 2. It is not obvious with what's been presented from a legal standpoint what could be done with RM-1 if it's just a straight RM-1 zoning. Someone could perhaps buy that property and build the biggest assisted living facility you've ever seen, because it's a nice large property, so there should be restrictions that include it will be residential, and hopefully for sale residential, as opposed to just items pertaining to being an RM-1 district now. Mr. Duchesneau is disappointed we haven't heard more regarding the agreements with the owner of this southern half because that's been a consistent issue at both this table and the City Council.

One of the things also included in the PRO is that the home clusters are allowed to be 30 feet apart as opposed to 35. The narrative says this is a minimal deviation, which is as presented by Toll Brothers. We have no idea what Phase 2 will allow, and they should not start with deviations until there's more flesh on what the proposal is. If Toll Brothers owned the entire property, we'd have an excellent development with lots of benefits to the community, but as it is, they can only speak for half.

Seeing no one else, Chair Pehrson requested Member Lynch to read correspondence into the record. One comment was received from Stephen Carey in support. Chair Pehrson closed the Public Hearing and turned the matter over to the Planning Commission.

Member Lynch stated he thinks it is a good fit. There are a lot of benefits in the PRO that is being proposed and Member Lynch agrees with the prior speaker that there will be less traffic with this use, which is certainly a public benefit.

Member Lynch inquired as to the units per acre. Senior Planner Bell responded that the overall for the entire project would be 4.2, but the northern Phase 1 portion is lower. The applicant stated that the lower southern portion of the site owned by Singh Development would be the 5.4 as permitted under RM-1 zoning and the PRO will control both properties. Member Lynch would like to see the development go in but has concerns with having a higher density for different parts of the property.

Member Becker inquired to staff regarding the impact to commercial developments to the east of this property who developed thinking they would be abutting another OSC district with different setbacks, berms and plantings required as opposed to abutting a residential district. If the existing commercial businesses wish to expand, would this cause hardship to them? City Attorney Schultz responded that the neighbor does not control the zoning on neighboring properties, when they come in to develop property, they will have to meet whatever standards there are.

Member Becker thinks when there is a lake or water property like this with so much natural, undeveloped wetlands and woodlands that what you really want to have enjoy that is residential, not office building. It looks kind of funky to be right behind all the commercial development, but he would much rather see it developed for people who are going to enjoy it 24/7 and 365 days rather than office building tenants. Member Becker's concern is whether this will be another spot zoning if Singh changes their mind on developing Phase 2 and that portion becomes landlocked. For the PRO, as long as it covers whoever owns both properties, it will rule that. Member Becker likes the residential option.

City Attorney Schultz stated that the PRO will cover the entire parcel. It has two different entities that control the northern and southern portions, the PRO will be signed by everybody with an ownership interest in that. If the north piece develops first, there will be provisions in the agreement as to how and when to do the formal land division and it will include a road there to provide access, so it won't be landlocked.

Member Dismondy stated that the last time the Planning Commission saw this proposal, most of these issues were covered and the neighboring properties were in attendance and supportive. It is better use than OST in terms of saving the natural features, so Member Dismondy is in support.

Member Roney inquired if first floor bedrooms are an option. Mr. Iacoangeli responded, not necessarily, all the end units on each building block will have first floor primary bedrooms, so roughly 20 percent will have first floor primary bedrooms. Member Roney stated that was one of the things that came up in the discussion when this was last presented, to make the development more friendly to aging in place, so he appreciates the applicant taking steps to do that. The other issue that came up was the walkway to get to the mall, and he appreciates the applicant finding a way to make that happen. Member Roney noted in response to previous comments regarding number of dwelling units, the motion sheet states in item B, number 4. that overall density shall not exceed 3.3 dwelling units per acre.

Member Avdoulos inquired for clarification regarding the road connection. Plan Review Engineer Humna Anjum stated as part of the Griffin Novi project, Singh Development had proposed Lion Lane and that stubs right at the edge of the DMC property. That road with sidewalks stubs at the property line and the applicant has proposed an emergency access drive that connects to the access road between Waltonwood and the DMC property and now a sidewalk connection. For the engineering review, it was recommended that the applicant provide the full connection all the way to Lion Lane because there is an existing 86-foot wide roadway easement at the south side of the DMC property that would eliminate that extra emergency access and provide better connectivity between the developments.

Member Avdoulos stated that each time this proposal has come before the Planning Commission there have been improvements, which is greatly appreciated.

Motion to recommend JZ22-28 Elm Creek PRO for approval to City Council made by Member Avdoulos and seconded by Member Lynch.

In the matter of JZ22-28 Elm Creek, with Zoning Map Amendment 18.737 motion to recommend approval to City Council to rezone the subject property from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) with a Planned Rezoning Overlay Concept Plan.

A. The recommendation includes the following ordinance deviations for consideration by the City Council:

1. Side and Rear Setbacks (Sec 3.1.7.D and 3.6.2.B): A Zoning Ordinance deviation is requested to reduce the side and rear setbacks from 75 feet to 50 feet along the north, east, and west property lines of Phase 1. The deviation is requested to cluster the buildings in the northern portion of the site while preserving City Woodlands and Wetlands in the southern portion of the property.
2. Building Orientation (Sec. 3.8.2.D): A Zoning Ordinance deviation is requested to revise the required orientation of the buildings from 45 degrees to the property line to 90 degrees. This allows for a more uniform site layout with all of the units backing up to open space/wooded areas.
3. Distance Between Buildings (Sec. 3.8.2.H): A Zoning Ordinance deviation is requested to allow a minimum distance of 30 feet between buildings on the same side of the street. The calculated minimum distance would be between 33.72 feet and 34.9 feet, so the deviation is relatively minor.
4. Parking along Major Drives (Sec. 5.10): A Zoning Ordinance deviation is requested to allow for perpendicular parking on a major drive. This deviation is requested due to the impracticality of providing a minor road given the site constraints (woodlands, wetlands, and property configuration). The placement of these parking areas is not near the main entrance.
5. Landscape Berms (Sec. 5.5.3.A.ii): A Zoning Ordinance deviation is requested to not provide a 4-foot, 6-inch to 6-foot high landscape berm on a proposed RM-1 district adjacent to an OST district on the north and east sides of the property. This deviation is requested due to significant grade changes near property lines, and to preserve existing natural features including City regulated woodlands and wetlands. An 8-foot high vinyl fence is proposed along portions of the site where the homes are closest to these areas to provide visual and audible screening, including along the south side of the main entry road as described in the Landscape Review.
6. Right-of-Way Landscaping (Section 5.5.3.B.ii): A deviation for the lack of required street trees and greenbelt berm along Meadowbrook Road in order to avoid disturbance of the existing wetlands and underground utilities.
7. All deviations from the ordinance requirements shall be identified and included in PRO Agreement. Any additional deviations identified during Site Plan Review (after the Concept Plan and PRO Agreement is approved), will require amendment of the PRO Agreement, unless otherwise stated in the PRO Agreement.

B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:

1. Preservation of 8.38 acres of City regulated woodlands, as placement in a conservation easement is more restrictive than required, and it is beneficial to the public to have additional woodland areas permanently protected within conservation easements.

2. Preservation of 3.02 acres of City regulated wetlands, as placement in a conservation easement is more restrictive than required, and it is beneficial to the public to have additional wetland areas permanently protected within conservation easements.
3. On-site wetland mitigation will be provided in accordance with the Wetland and Watercourse Protection Ordinance.
4. Overall density shall not exceed 3.3 dwelling units per acre, which is more limiting than the 5.4 dwelling units per acre allowed in the RM-1 District.
5. Providing the community amenities shown in the PRO Concept Plan, including the nature trail and overlook with seating, as this is a greater area of usable open space than required in RM-1 District, which will benefit future residents of the site.
6. Screening between adjacent properties including fences and landscaping as shown in the PRO Plan.
7. A cul-de-sac shall be provided at the terminus of the road in Phase 2 rather than a temporary T-turn, since it is unlikely that the road will connect to future development to the south. If Phase 2 of the project does not move forward in a timely manner, the temporary T-turnaround shall be changed to a cul-de-sac.
8. The applicant proposes to fill two off-site sidewalk gaps along Meadowbrook Road adjacent to the north and south (on frontage of parcels 22-14-200-045 and 22-14-200-010) totaling 314 feet as a benefit to the public. The sidewalk extensions will include design, construction, and easement acquisition, if necessary.
9. The PRO Plan includes a sidewalk extension along the western emergency access road, which will allow non-motorized access to the mall area via the proposed sidewalk of the Griffin Novi project.
10. First floor living options providing primary bedrooms on the first level will be available in end units in the development.
11. The applicant has offered to contribute \$10,000 to City of Novi Parks, Recreation, and Cultural Services to be utilized for improvements to nearby Beacon Hill Trailhead at the northeast corner of Meadowbrook Road and Twelve Mile Road.
12. The development will encourage energy efficient design and utilize LEED strategies such as energy efficiency, sustainably produced building materials, high indoor air quality and insulation materials. For Phase 1, Toll Brothers will be providing EV Charging Infrastructure with a 240-volt outlet prewired in every garage, Energy Star rated appliances in all units, and the use of Low-E Energy Star rated windows. Construction will also include High-Efficiency Insulation with 2x6 Walls with R-19 Insulation, blown in attic insulation, spray sealed ducts, and R11 Blanket insulation in basement walls.
13. Any land division requested for the property shall be subject to approval by the City of Novi Assessor's office. A title search shall be provided by the applicant. The timing of the land division shall be addressed in the final PRO Agreement, and will not be granted unless and until appropriate easements have been established and appropriate performance guarantees have been provided to ensure access to all affected properties to the satisfaction of the City.

C. This motion is made because the proposed Low-Density Multiple Family (RM-1) zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use, and because:

1. The proposed residential neighborhood would support healthy lifestyles through the provision of walking trails and sidewalk connections and ensure the provision of open space within the development.
2. The unit sizes and types help the City's goal of providing a wide range of housing options and could appeal to a variety of buyers who prioritize minimal maintenance, smaller unit sizes, and natural surroundings.
3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features as the 8.38 acres of city-regulated woodlands and 3.02 acres of regulated wetlands will be preserved in conservation easements. The proposed layout minimizes impacts to natural features by grouping buildings along two roads, whereas an OST development would be likely to disturb more of the natural area.
4. The proposed project will ensure compatibility between residential and non-residential developments because the project proposes proper screening.
5. The Rezoning Traffic Study demonstrates that the proposed use is likely to generate far fewer vehicle trips per day compared to potential development under the current OST zoning district.
6. Public utilities are available to connect to, and adequate service capacity is available for the residential demand proposed.

**ROLL CALL VOTE TO RECOMMEND JZ22-28 ELM CREEK PRO FOR APPROVAL TO CITY COUNCIL MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.**

**1. APPROVAL OF THE APRIL 10, 2024 PLANNING COMMISSION MINUTES**

Motion to approve the April 10, 2024 Planning Commission minutes made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE ON MOTION TO APPROVE THE APRIL 10, 2024 PLANNING COMMISSION MINUTES MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.**

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no consent agenda items.

**SUPPLEMENTAL ISSUES/TRAINING UPDATES**

City Planner McBeth introduced the new wetlands and woodland environmental consultant Jason DeMoss from Merjent. Mr. DeMoss has ten years of professional experience with natural resource assessment, wetland ecology and soil science. He has the designation PWS, Professional Wetland Scientist. He attended Cal Poly San Luis Obispo.

**AUDIENCE PARTICIPATION**

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

**ADJOURNMENT**

Motion to adjourn the meeting made by Member Lynch and seconded by Member Roney.

**ROLL CALL VOTE ON MOTION TO ADJOURN THE APRIL 24, 2024 PLANNING COMMISSION MEETING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

Meeting adjourned at 8:36 PM.

\*Actual language of the motion sheet subject to review.

# REZONING TRAFFIC IMPACT STUDY

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# MEMO

VIA EMAIL [shanshen@tollbrothers.com](mailto:shanshen@tollbrothers.com)

To: **Scott Hansen**  
**Toll Brothers**

From: **Julie Kroll, PE, PTOE**  
**Mary Flanagan, EIT**  
**Fleis & VandenBrink**

Date: **February 8, 2024**

Re: **Elm Creek – Proposed Residential Development**  
**Novi, Michigan**  
**Rezoning Traffic Study**

## INTRODUCTION

This memorandum presents the results of the Rezoning Traffic Study (RTS) for the proposed residential development in the City of Novi, Michigan. The project site is on approximately 23.7 acres of property, located adjacent to the west side of Meadowbrook Road, south of 12-Mile Road, as shown in **Figure 1**.

**Figure 1: Site Location Map**



**27725 Stansbury Boulevard, Suite 195**  
**Farmington Hills, MI 48334**

**P: 248.536.0080**

**F: 248.536.0079**

**[www.fveng.com](http://www.fveng.com)**

The proposed development includes the construction of single-family attached residential units. As part of this development project, the subject property is proposed to be rezoned from the existing Office Service Technology (OST) zoning to a Planned Rezoning Overlay (PRO), with an underlying Low Density Multiple-Family (RM-1) zoning classification.

In accordance with the City of Novi *Site Plan and Development Manual*, an RTS is required for the proposed rezoning. Included in this RTS are the following: background information, description of the requested use, trip generation evaluation, and available traffic count data (peak hour and daily) within one (1) mile of the proposed subject property.

**BACKGROUND INFORMATION**

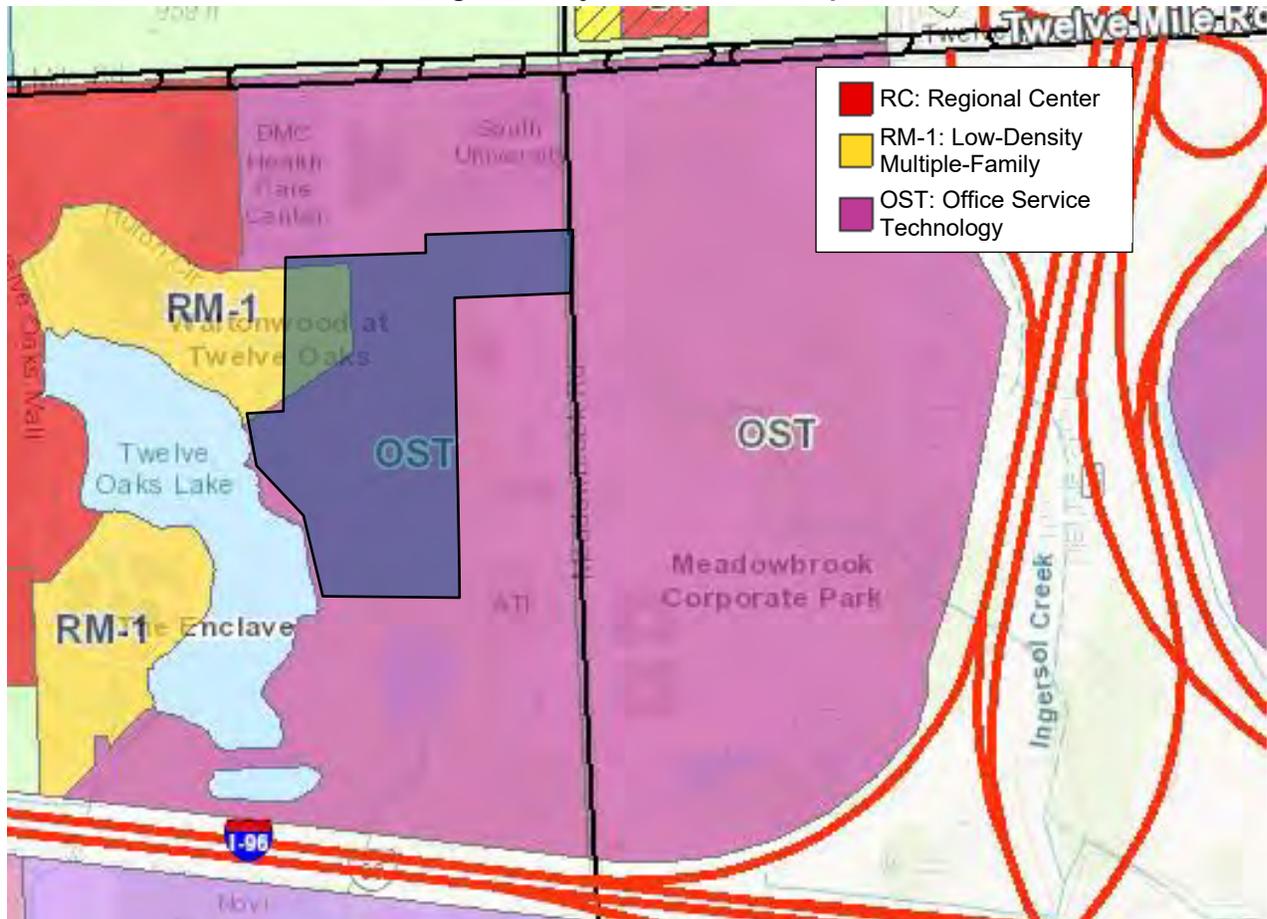
The project site is located adjacent to the west side of Meadowbrook Road, south of 12-Mile Road, in the City of Novi, Michigan. The study section of Meadowbrook Road is under the jurisdiction of the Road Commission for Oakland County (RCOC). Additional roadway information is summarized in **Table 1**.

**Table 1: Roadway Information**

Roadway Segment	Meadowbrook Road
Number of Lanes	3 (1-lane each direction and a center TWLTL)
Functional Classification	Minor Arterial
Posted Speed Limit	40-mph
Traffic Volumes (RCOC 2016)	10,000 vpd

The majority of land uses adjacent to the project site are office uses, with some residential land and regional center uses. The adjacent land uses/zoning are shown below on **Figure 2**.

**Figure 2: Adjacent Land Use Map**



### TRIP GENERATION

The City of Novi Zoning Ordinance describes the land uses permitted by-right under the existing OST zoning classification. In order to determine the maximum site trip generation potential under the existing and proposed zoning classifications, the principal uses permitted under each zoning classification must be matched to the land use categories described by the Institute of Transportation Engineers (ITE) in *Trip Generation, 11<sup>th</sup> Edition*. ITE publishes trip generation data using different independent variables (such as square feet (SF), units, and rooms) for various uses. Therefore, the maximum allowable density within the existing OST zoning was determined based on a parallel site plan developed for the project site.

The City of Novi Zoning Ordinance definition of uses permitted under the OST zoning includes professional office buildings, data processing and computer centers, laboratories, hotels and business motels, colleges, universities, and other such secondary institutions, etc. Review of the ITE land use description indicates that the General Office Building (LUC 710) and Medical Office (LUC 720) uses generate the highest trips and best match the uses defined by the Ordinance and permitted by right under the existing zoning.

In accordance with City Ordinance, a Planned Rezoning Overlay (PRO) would establish a site-specific use authorization to accomplish the objectives of the zoning ordinance through a land development project review process. This review is based upon the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area. If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "PRO, Planned Rezoning Overlay". Development and use of the rezoned property shall be restricted to the permission granted in the PRO Agreement, and no other development or use shall be permitted. As such the proposed development plan that was approved within the PRO Agreement would be the only development allowed within the new zoning.

Therefore, an analysis was performed in order to determine the maximum site trip generation potential currently permitted by right under the existing OST zoning as compared to the trip generation associated with the proposed PRO. The number of weekday peak hour (AM and PM) and daily vehicle trips that would be generated by the existing and proposed zoning classifications, were calculated based on the rates and equations published by ITE in *Trip Generation, 11<sup>th</sup> Edition*. The results of the trip generation analysis comparison are summarized in **Table 2**.

**Table 2: Site Trip Generation Comparison**

Zoning	Land Use	ITE Code	Amount	Units	Average Daily Traffic (vpd)	AM Peak Hour (vph)			PM Peak Hour (vph)		
						In	Out	Total	In	Out	Total
Existing Zoning (OST)	General Office Building	710	274,925	SF	2,797	351	48	399	65	319	384
	Medical-Dental Office Building	720	274,925	SF	11,706	473	126	599	335	781	1,116
<i>Max for existing zoning (OST)</i>					11,706	473	126	599	335	781	1,116
Proposed Development (PRO)	Single-Family Attached Housing	215	121	DU	872	14	43	57	41	28	69
<i>Difference</i>					-10,834	-459	-83	-542	-294	-753	-1,047

### CONCLUSIONS

- The results of the trip generation comparison indicates that the proposed PRO zoning classification will generate significantly *less* trips than the potential trip generation that is currently permitted under the existing OST zoning.
- The proposed PRO will have less of an impact on the adjacent roadway system than the potential use(s) of the property as currently zoned.

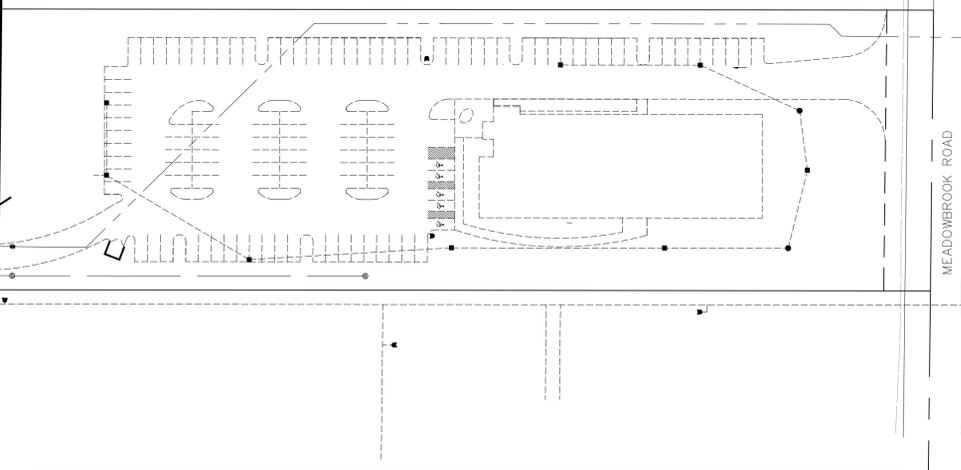
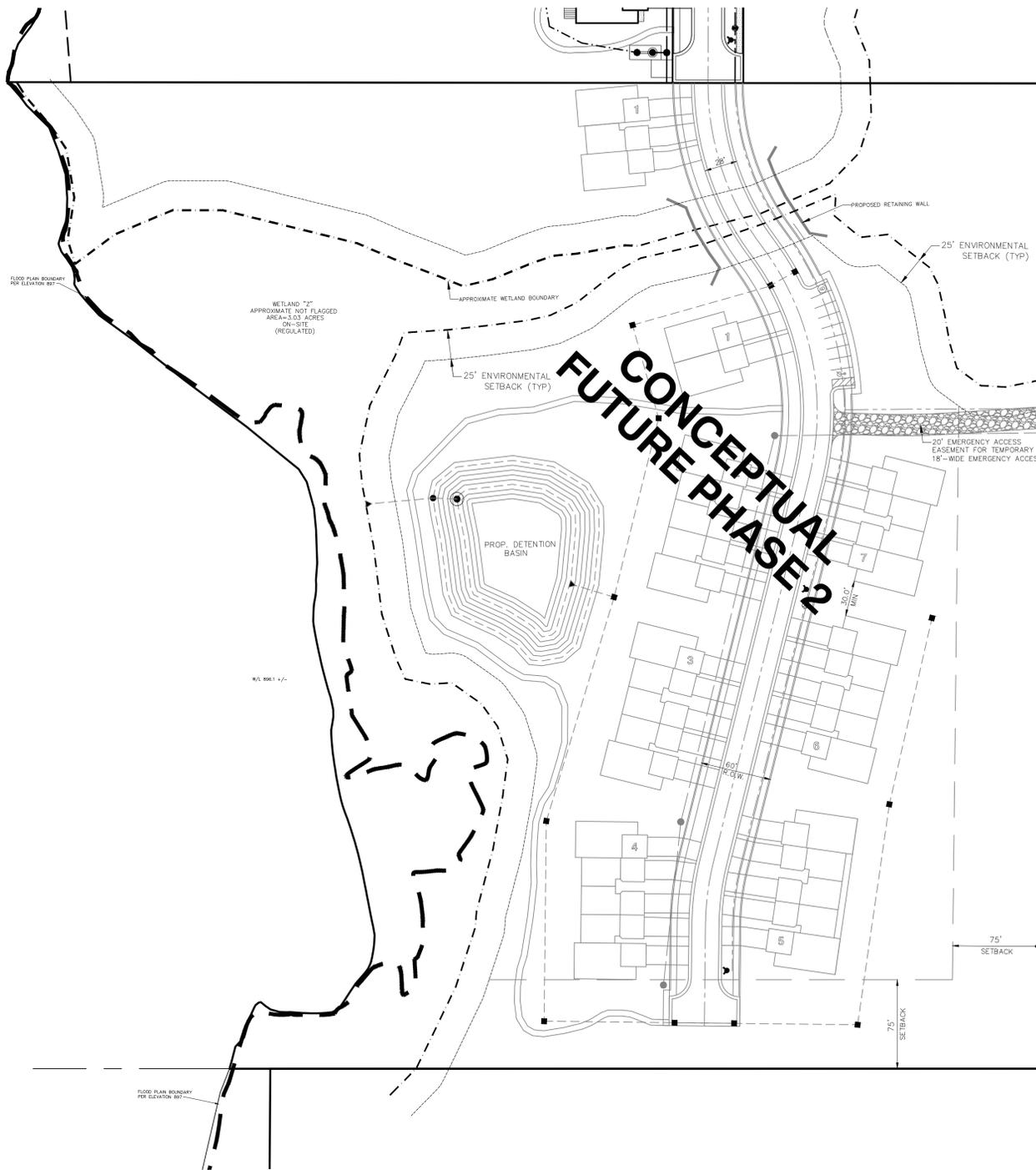
Any questions related to this memorandum, study, analysis, and results should be addressed to Fleis & VandenBrink.



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Michigan.

**Attached:** Site Concept Plan  
Parallel Site Plan (Existing OST Zoning)  
SEMCOG Data  
Traffic Count Data





**RM-1 ZONING NOTES**

THE SITE WILL MEET THE FOLLOWING ZONING ORDINANCE REQUIREMENTS:

- SECTION 5.15 FACADE
- SECTION 5.5 LANDSCAPE
- SECTION 5.7 EXTERIOR LIGHTING

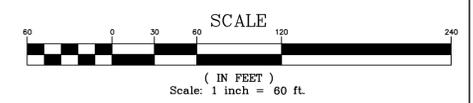
THE SITE WILL HAVE THE FOLLOWING DEVIATIONS FROM RM-1 ZONING:

- SECTION 5.5.3.A.ii - LANDSCAPE BERM SCREENING.
- SECTION 3.8.2.D - ORIENTATION OF BUILDINGS TO THE PROPERTY LINES
- SECTION 3.8.2.H - MINIMUM DISTANCE BETWEEN BUILDINGS
- SECTION 5.10 - PERPENDICULAR PARKING TO "MAJOR" ROAD

**OVERALL PARCELL**

**Property Description:**

T1N, R8E, SEC 14 PART OF NE 1/4 BEG AT PT DIST N 89-24-35 E 1066.73 FT & S 00-35-25 E 860 FT FROM N 1/4 COR, TH N 89-24-35 E 912.12 FT, TH N 00-01-05 W 68.21 FT, TH N 89-24-35 E 660 FT, TH S 00-01-05 E 263.82 FT, TH S 89-24-35 W 660 FT, TH S 00-01-05 E 1581.97 FT, TH S 89-20-01 W 671.60 FT TO TRAV PT 'D', TH S 89-20-01 W 33 FT TO SHORE OF TWELVE OAKS LAKE, TH NELY & NWLY 1334 FT ALG SD SHORE, TH N 59-05-44 E 30 FT TO TRAV PT 'A' LOC N 11-18-35 E 34 FT & N 87-31-55 E 110.80 FT & N 08-21-20 W 494.05 FT & N 58-12-28 W 222.88 FT & N 04-59-03 W 270.31 FT & N 33-52-43 W 87.70 FT FROM TRAV PT 'D', TH N 59-05-44 E 34.15 FT, TH N 11-58-06 E 139.41 FT, TH N 58-49-11 W 130.49 FT, TH N 00-34-12 W 86.30 FT, TH N 48-39-49 W 28.68 FT, TH N 00-34-12 W 182.89 FT, TH N 89-25-48 E 55.70 FT, TH N 00-35-25 W 279.42 FT TO BEG 36.68 A 1-16-04 FR 0411



- NOTES AND PROPOSED IMPROVEMENTS**
- MUNICIPAL SEWER TO BE PROVIDED BY CONNECTING TO AN EXISTING 8" SANITARY STUB AS SHOWN ON PLANS.
  - MUNICIPAL WATER TO BE PROVIDED BY CONNECTING TO AN EXISTING WATER MAIN STUB AS SHOWN ON THE PLANS.
  - STORM WATER DETENTION SHALL BE PROVIDED ON SITE.
  - 5' WIDE CONC. SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF INTERIOR ROADWAYS AS SHOWN.
  - ALL ROADWAYS TO BE PUBLIC.
  - A CITY OF NOVI RIGHT-OF-WAY PERMIT IS REQUIRED FOR WORK WITHIN ANY PUBLIC ROAD RIGHT-OF-WAY.
  - ALL SIDEWALKS AND SIDEWALK RAMPS SHALL A.D.A. COMPLIANT.
  - ALL WORK SHALL CONFORM TO THE CURRENT CITY OF NOVI STANDARDS AND SPECIFICATIONS.
  - PROP. WATER MAIN AND PROP. SANITARY SEWER TO BE CENTERLINE OF 20' WIDE PUBLIC EASEMENT.
  - TRASH TO BE PICKED UP BY CURBSIDE PICK UP.
  - ROOF TOP EQUIPMENT AND APPURTENANCES ARE NOT PROPOSED. SCREENING IS NOT REQUIRED.
  - ON-STREET PARKING IS NOT PROPOSED.
  - ONE PHASE IS PROPOSED FOR THE WHOLE DEVELOPMENT.
  - ELECTRICAL SERVICE TO LIGHT FIXTURES SHALL BE PLACED UNDERGROUND.
  - FLASHING LIGHTS SHALL NOT BE PERMITTED.
  - ONLY NECESSARY LIGHTING FOR SECURITY PURPOSES AND LIMITED OPERATIONS SHALL BE PERMITTED AFTER SITE'S HOURS OF OPERATION.

**ELM CREEK BY TOLL BROTHERS**  
SECTION 14, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

DATE: 06-13-23 DESIGNED BY: A.A. JOB NUMBER: 21-044  
CHECKED BY: J.E. FILE: 3A-21044-SP SOUTH.dwg

REVISIONS		
NO.	ITEM	DATE
1.	PER CITY OF NOVI	6-21-2023

**SITE PLAN - PHASE 2**

**SKL SEIBER KEAST LEHNER ENGINEERING | SURVEYING**  
CLINTON TOWNSHIP OFFICE: 17001 NINETEEN MILE ROAD, SUITE 3 CLINTON TOWNSHIP, MI 48038 588-208-3321  
FARMINGTON HILLS OFFICE: 39205 COUNTRY CLUB DRIVE, SUITE C8 FARMINGTON HILLS, MI 48331 588-208-3321

**Usable Open Space Calculations**  
**Sec. 3.1.7.D**

TOTAL No. OF RESIDENTIAL UNITS = 54  
USABLE OPEN SPACE REQUIRED = 200 S.F. PER UNIT = 10,800 S.F. = 0.25 AC.  
UNIT DECKS (100 S.F. EACH DECK) x 54 = 5,400 S.F. = 0.12 AC.  
50' WD. AREA FOR 5' WD. GRAVEL PATH W/ OVERLOOK = 10,000 S.F. = 0.23 AC.  
**USABLE OPEN SPACE PROVIDED = 15,400 S.F. = 0.35 AC.**

**PARKING CALCULATIONS**  
PARKING REQUIRED PER SEC. 5.2.12.A (2.5 SPACES FOR EACH UNIT HAVING 3 OR MORE BEDROOMS)  
NO. OF UNITS PROPOSED = 54  
PARKING REQUIRED = 54 x 2.5 = 135 SPACES  
PARKING PROVIDED =  
ATTACHED GARAGE PARKING = 108  
APRON GARAGE PARKING = 108  
GUEST SURFACE PARKING INCLUDING 1 V.A. SPACE = 9  
PARKING PROVIDED = 225 SPACES  
**ACCESSIBLE PARKING SPACES**  
TOTAL SURFACE SPACES = 9  
ACCESSIBLE SPACES PER 2010 ADA (208.2 RES. FACILITIES) INCLUDING 1 V.A. SPACE = 1 VAN ACCESSIBLE SPACE  
TOTAL ACCESSIBLE PROVIDED: 1 VAN ACCESSIBLE SPACE

① DENOTES BUILDING NUMBER

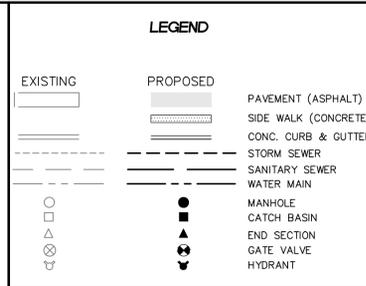
MAXIMUM BUILDING HEIGHT ALLOWED = 35'  
MEDIAN BUILDING HEIGHT PROPOSED = 26.06'

**MIN. DISTANCE BETWEEN BUILDINGS**  
MIN. DISTANCE BETWEEN BUILDINGS REQUIRED PER SEC. 3.8.2.H  
LENGTH BLDG A.+LENGTH BLDG B.+2(HHEIGHT BLDG A.+HEIGHT BLDG B.)/6  
PROVIDING 30' MIN (PRO DEVIATION REQUIRED)

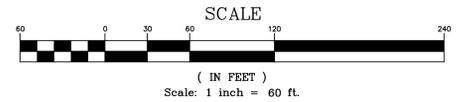
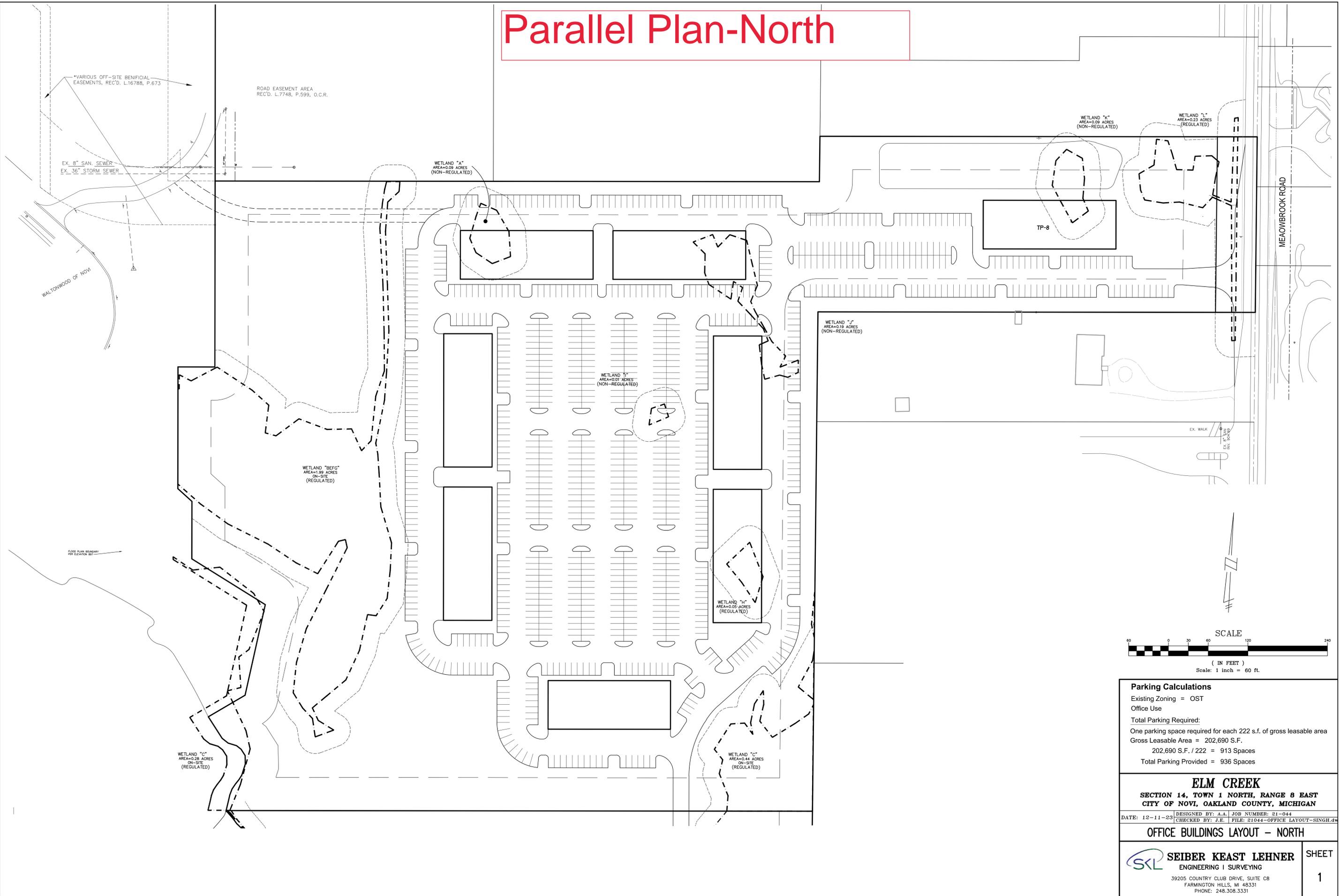
**BIKE RACK REQUIREMENTS**  
BICYCLE PARKING REQUIRED PER SECTION 5.16.1 (ONE SPACE FOR EACH 5 UNITS REQUIRED)  
TOTAL REQUIRED = 54 / 5 = 11 SPACES  
TOTAL PROVIDED = 11 SPACES

**BUILDINGS COVERAGE**  
MAXIMUM PERMITTED LOT COVERAGE = 25%  
PROVIDED LOT COVERAGE = 19%

**SITE DATA**  
EXISTING ZONING: RM-1 & OST  
PROPOSED ZONING: RM-1 WITH PRO  
SITE AREA = 12.98 ACRES  
WETLAND AREA = 3.03 ACRES  
NET SITE AREA = 9.95 ACRES  
NO. OF BUILDINGS PROPOSED = 16  
NO. OF UNITS MAXIMUM = 54  
ALL UNITS HAVE 3 BEDROOMS EACH, (4 ROOMS)  
NO. OF ROOMS PROPOSED = 4 x 54 = 216  
PER NOVI ZONING ORDINANCE:  
NET AREA REQUIRED = 2,000 S.F. PER ROOM = 2,000 x 216 = 432,000 S.F. = 9.92 ACRES  
NET AREA PROVIDED = 9.95 ACRES



# Parallel Plan-North



**Parking Calculations**  
 Existing Zoning = OST  
 Office Use  
 Total Parking Required:  
 One parking space required for each 222 s.f. of gross leasable area  
 Gross Leasable Area = 202,690 S.F.  
 202,690 S.F. / 222 = 913 Spaces  
 Total Parking Provided = 936 Spaces

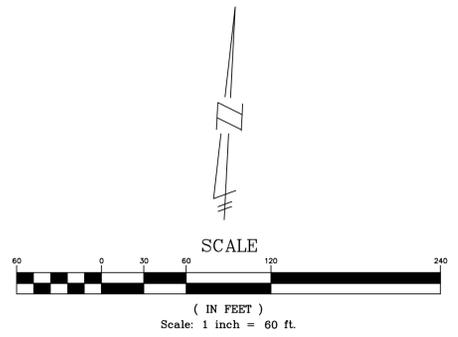
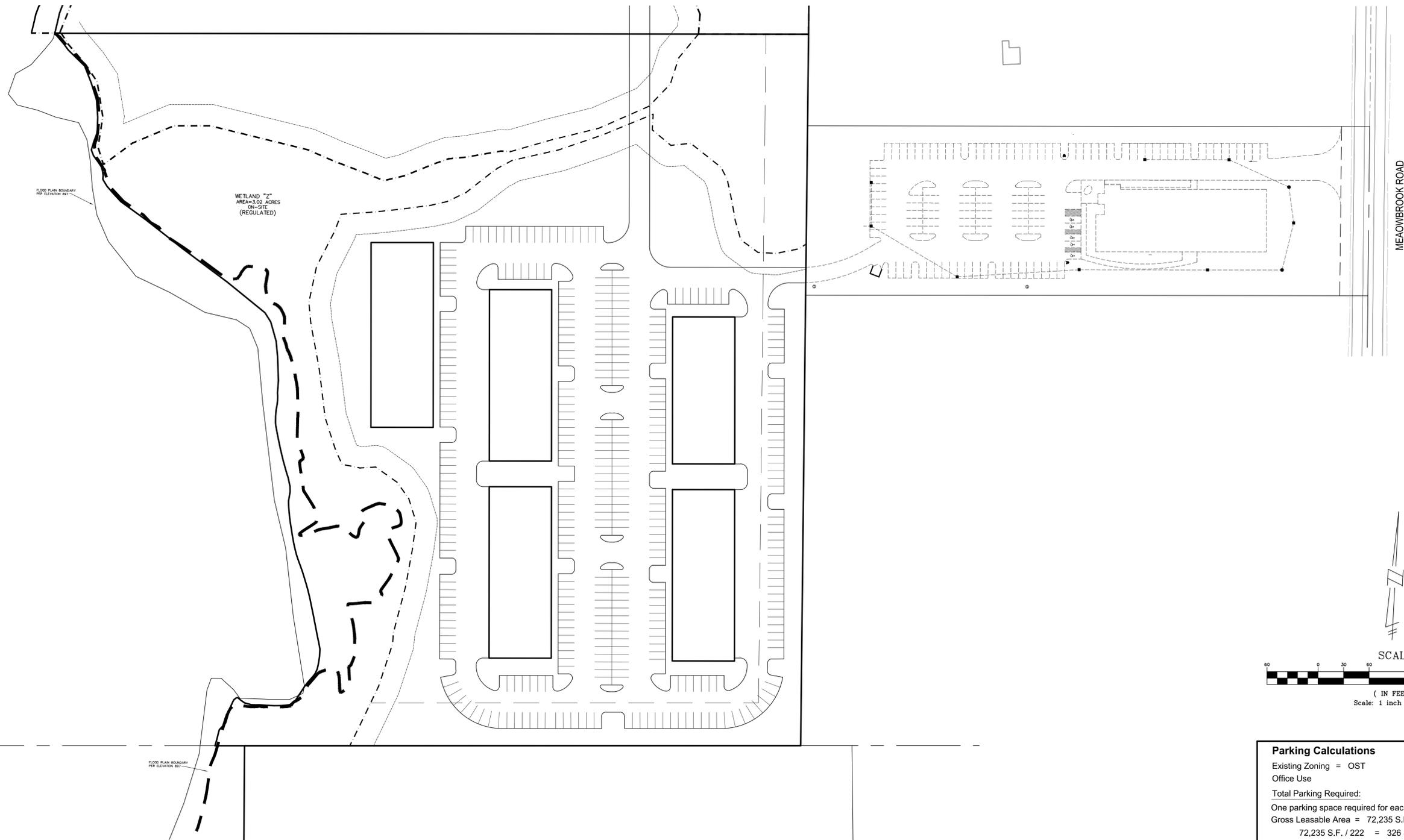
**ELM CREEK**  
 SECTION 14, TOWN 1 NORTH, RANGE 8 EAST  
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

DATE: 12-11-23 | DESIGNED BY: A.A. | JOB NUMBER: 21-044  
 CHECKED BY: J.E. | FILE: 21044-OFFICE LAYOUT-SINGH.dwg

**OFFICE BUILDINGS LAYOUT - NORTH**

<b>SEIBER KEAST LEHNER</b> ENGINEERING   SURVEYING 39205 COUNTRY CLUB DRIVE, SUITE C8 FARMINGTON HILLS, MI 48331 PHONE: 248.308.3331	SHEET
	1

# Parallel Plan-South



**Parking Calculations**

Existing Zoning = OST  
Office Use

Total Parking Required:

One parking space required for each 222 s.f. of gross leasable area  
Gross Leasable Area = 72,235 S.F.  
 $72,235 \text{ S.F.} / 222 = 326 \text{ Spaces}$   
Total Parking Provided = 353 Spaces

**ELM CREEK**  
SECTION 14, TOWN 1 NORTH, RANGE 8 EAST  
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

DATE: 12-11-23 | DESIGNED BY: A.A. | JOB NUMBER: 21-044  
CHECKED BY: J.E. | FILE: 21044-OFFICE LAYOUT-SINGH.dwg

**OFFICE BUILDINGS LAYOUT – SOUTH**

 <b>SEIBER KEAST LEHNER</b> ENGINEERING   SURVEYING 39205 COUNTRY CLUB DRIVE, SUITE C8 FARMINGTON HILLS, MI 48331 PHONE: 248.308.3331	SHEET
	2

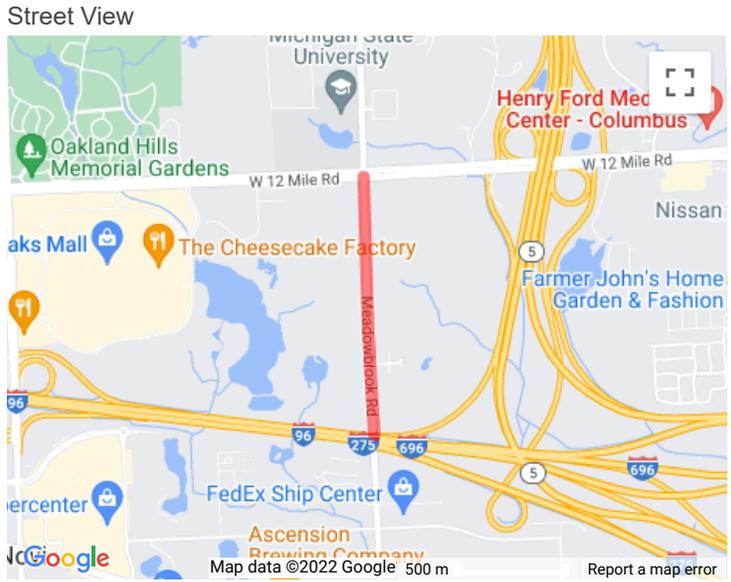
# Crash and Road Data

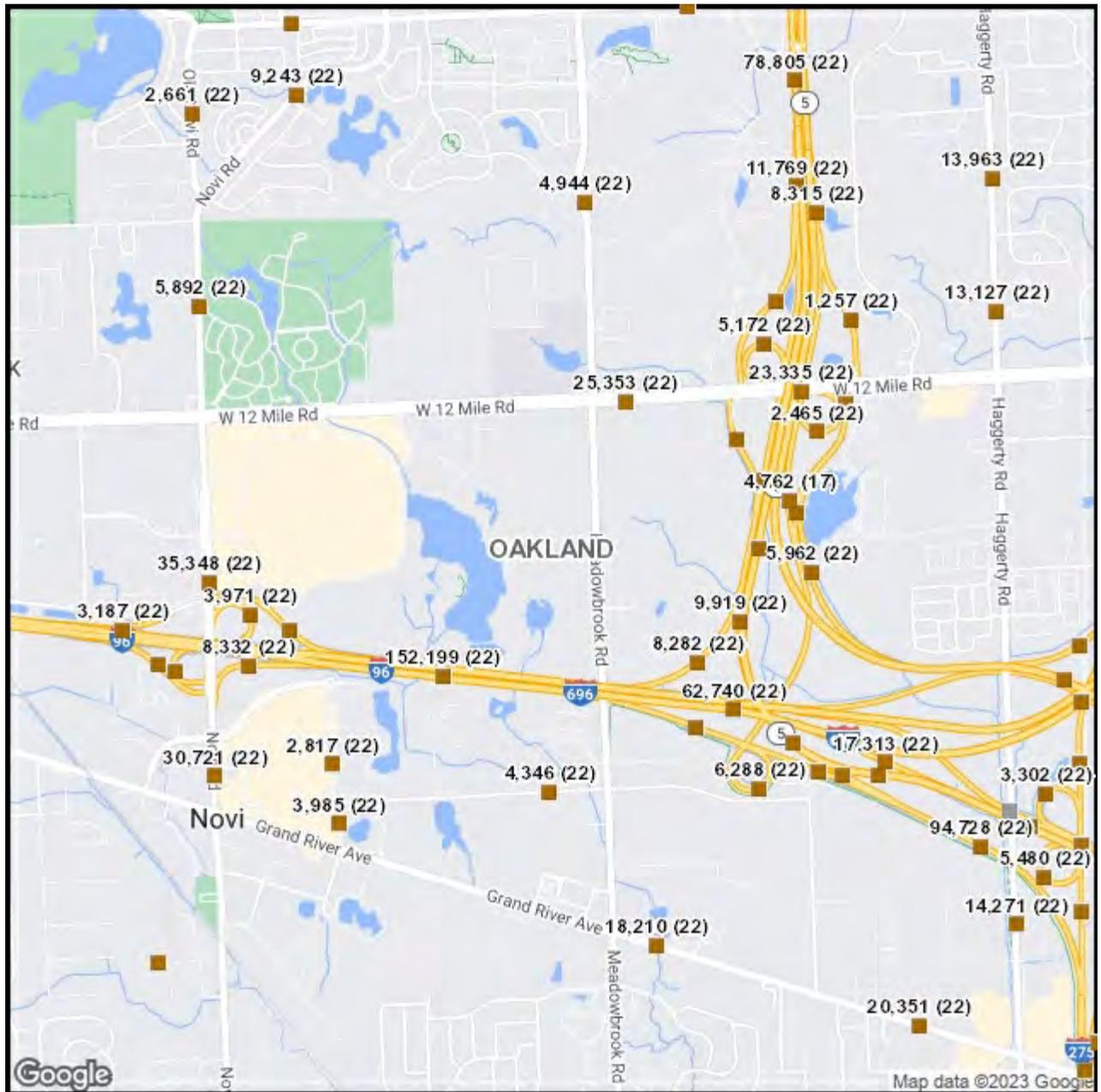
## Road Segment Report

### Meadowbrook Rd, (PR Number 656706)

<b>From:</b>	W I 96 3.255 BMP
<b>To:</b>	12 Mile Rd W 3.986 EMP
<b>FALINK ID:</b>	2086
<b>Community:</b>	City of Novi
<b>County:</b>	Oakland
<b>Functional Class:</b>	4 - Minor Arterial
<b>Direction:</b>	1 Way
<b>Length:</b>	0.731 miles
<b>Number of Lanes:</b>	3
<b>Posted Speed:</b>	40 (source: MSP)
<b>Route Classification:</b>	Not a route
<b>Annual Crash Average 2016-2020:</b>	4
<b>Traffic Volume (2016)*:</b>	10,000 (Observed AADT)
<b>Pavement Type (2021):</b>	Asphalt
<b>Pavement Rating (2021):</b>	Good
<b>Short Range (TIP) Projects:</b>	(22328) Rehabilitate Roadway
<b>Long Range (RTP) Projects:</b>	(10589) Capacity Improvement

\* AADT values are derived from **Traffic Counts**





0 3000 6000



Feet



**TCDS Locations**

- Short
- Continuous
- W WIM
- Located Short
- Located Continuous
- W Located WIM
- Inactive Location
- State Owned



12/15/2023

PREVIOUS PRO CONCEPT PLAN

UPTOWN PARK - 2005

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