



## CITY of NOVI CITY COUNCIL

**Agenda Item 5**  
**October 22, 2018**

**SUBJECT:** Consideration for tentative approval of the request of Robertson Brothers Homes, for Lakeview, JSP 18-16, with Zoning Map Amendment 18.723, to rezone from R-4 (One-Family Residential) and B-3 (General Business) to RM-2 (High Density Multiple Family Residential) subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan. The property is located in Sections 10 and 11, on both the west and east side of Old Novi Road south of Thirteen Mile Road and totals approximately 3.15 acres. The applicant is proposing a new development with 21 single-family detached homes for an overall density of 6.67 dwelling units per acre.

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

**CITY MANAGER APPROVAL:** 

**BACKGROUND INFORMATION:**

The petitioner is requesting to rezone a 3.15-acre parcel of property on the west and east side of Old Novi Road south of Thirteen Mile Road from R-4 (One-Family Residential) and B-3 (General Business) to RM-2 (High-Density Multi-Family Residential) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow the development of 21 single-family, for-sale residential homes in a manner consistent with the City's Master Plan.

In 2016, the Master Plan Update prepared by the Planning Commission identified the "Pavilion Shore Village" as an area to be studied for redevelopment. The Master Plan recommended development that would establish "a unique sense of place at the corner of Old Novi Road and Thirteen Mile Road by providing housing and commercial uses that are inspired by the natural and recreational features of the park and lake." Housing in the area is envisioned as smaller, market-rate housing units, to "offer unique housing for young professionals and empty-nesters."

The 2016 Master Plan states "*the creation of a simple form-based district that defines building forms and architectural elements should be considered to encourage redevelopment of this area as envisioned.*" The City is working with a consultant on a Zoning Ordinance amendment to create such a district for Pavilion Shore Village, which is expected to take a few more months. Rather than waiting for the adoption of the new district, the applicant desires to move forward with getting approval of the plans they have been working on throughout the past year. Their rezoning request necessitates adapting an existing zoning district to the site through the use of the Planned Rezoning Overlay option. The rezoning request is consistent with the density and uses recommended in the Master Plan.

The applicant is proposing to develop the property with eleven (11) homes fronting on the west side of Old Novi Road, and ten (10) homes on the east side fronting on Linhart and Wainwright Streets. The PRO Concept Plan shows one detention pond on the east side of Old Novi Road, just south of the existing Lakeview Bar and Grill. The detention pond also serves as a buffer from the commercial development to the north and west. The concept plan includes pedestrian walks along both sides of Old Novi Road and in front of the other homes, to provide non-motorized community connections to the Pavilion Shore Park to the north. No new roads are proposed.

The RM-2 (High-Density Multi-Family Residential) is being requested in order to allow the construction of single-family homes with a density of 6.67 dwelling units per acre (maximum density allowed with RM-2 is 15.6 DUA). The RM-1 (Low-Density Multiple Family Residential) District is not suited to this development, since the maximum allowed density for the RM-1 District is 5.3 dwelling units to the acre for 3-bedroom units. As it is a Planned Rezoning Overlay concept plan, the applicant has agreed to include the proposed maximum density and the total number of units as conditions of the agreement. If the rezoning is approved with the submitted Concept Plan, the developer would be limited to developing the plan as shown and would not be permitted to develop any other type of development under the RM-2 standards.

The concept plan has evolved over the last year, as noted in the Planning Review letter. The total number of units has been reduced from 70 townhouse units to 21 single family units. Enhancements have been made to the design and layout to respond to community concerns and staff comments. The applicant held meetings with the adjoining neighborhoods on three separate occasions to seek input. City staff also conducted a public workshop with the surrounding community to review the recommendations of the Master Plan and seek additional input into the larger Pavilion Shore Village Master Plan study area. The comments received at the public workshop indicated a desire for the following elements to be included in the area:

- Single-family detached housing, cottage-court style development;
- Outdoor seating for eating or entertainment;
- Front porches;
- Specialty food and beverage stores;
- Restaurant and/or bar;
- Trees, landscaping and sidewalks.

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 R-4 and B-3 to RM-2) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

### **Planning Commission Action**

The Planning Commission held a Public Hearing on September 12, 2018 and recommended approval as noted in the attached draft Planning Commission meeting minutes.

### **Master Plan for Land Use**

The proposed development follows objectives listed in the 2016 Master Plan for Land Use update as listed below. Staff comments are underlined.

#### **1. Infrastructure**

- a. Provide and maintain adequate water and sewer service for the City's needs. Public water main exists on Old Novi Road and Austin Drive. Public sanitary sewer exists in Old Novi Road. On-site detention is proposed for storm water management.
- b. Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities. The proposed concept plan indicates pedestrian improvements along Old Novi Road including building a segment of planned sidewalk on the east side of the road. The 2016 Master Plan recommends prioritizing connections with nearby parks in the implementation of the Non-Motorized Plan in this area.

#### **2. Quality and Variety of Housing:**

- a. *Provide residential developments that support healthy lifestyles by providing neighborhood open space within residential developments. The development proposes pedestrian walks to access nearby Pavilion Shore Park and a seating area along the pathway.*
- b. *Provide a wide range of housing opportunities. 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 applicant has indicated that the proposed townhouse development meets the demand for "missing middle" housing, and will also provide another option for young families, millennials, and active adults looking to enjoy what the Pavilion Shore Park area has to offer along with a quality school district. Missing middle characteristics include homes set in a walkable context, medium density, smaller, well-designed units, smaller footprints, and blended densities.*

#### **3. Community Identity**

- a. *Pavilion Shore Village: Develop a cohesive mixed-use village that complements the surrounding neighborhood. Ensure compatibility between residential and non-residential developments. In their narrative, the applicant indicates that quality architecture and design is one of the benefits to the public proposed, which will provide a catalyst for more retail amenities in the Pavilion Shore Village area. The façade review suggests that it does not currently meet the higher standard for attractive housing than required by the ordinance. The applicant states the residential units will provide new customers to the existing nearby businesses and help spur new desirable commercial investment in the area.*

### **Ordinance Deviations Requested**

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

The Ordinance deviations that have been identified are included in the suggested motion, with the exception of the following:

- The applicant has not requested any deviations from the façade ordinance standards. The conceptual elevations appear to deviate from the requirements of the Façade Ordinance, and therefore do not achieve a higher standard of design that would qualify for a benefit to the public. Façade deviations have not been included in the suggested motion and the homes will be expected to meet the similar-dissimilar requirements of the Ordinance.
- The applicant has shown the proposed driveways less than 3 feet from the property line. This deviation has not been included in the suggested motion as the City's Engineers believe this is an important requirement given the narrow lot widths and stormwater concerns in the community. The applicant has stated that the minimum driveway setback can be accommodated, and they are in agreement that the deviation request can be removed.
- The applicant has requested a variance from the Engineering Design Manual for not maintaining a permanent buffer strip of natural vegetation with a minimum width of 25 feet around the entire perimeter of the stormwater detention basin. Engineering staff believe this requirement is important to the function of the basin, and that the applicant has not provided enough detail and design to evaluate the consequences of reducing or eliminating the buffer strip. Staff does not support this variance at this time.

### **Other requests**

#### **1. Existing easement in vacated Erma Street**

The City holds a 50-foot-wide easement across the vacated Erma Street, located on the west side of Old Novi Road, at the north edge of the subject property. There is a water main existing in this easement, but the Engineering Division has determined that a full, 50-foot easement is not required for utility purposes. The applicant has requested that the City consider abandoning the easement, and instead will offer a new easement for the water main and proposed storm sewer. If the City Council is inclined to approve this request, the applicant will need to provide additional information regarding the location and required easements at the time of Preliminary Site Plan review.

## 2. Use easement

On the west side of Old Novi Road, the applicant is proposing to use up to 15 feet of the Old Novi Road right of way for front yard features for the homes including landscaping and decorative fences. This is proposed due to the shallow existing lot depth of approximately 100 feet, and the existing 120-foot right-of-way that is not anticipated to be fully required for road widening purposes in the future.

## 3. Applicant's response to Comments from the Planning Commission

- Increase the rear yard setback for the detached garages along the western perimeter of the development from five feet to six feet. The applicant is willing to make the adjustment to comply with the ordinance, but has requested that the front yard setback for the homes on the western eleven lots be correspondingly reduced from seven feet to six feet.
- The applicant has offered flexibility in the design of the rear garages for the homes on the west side of Old Novi Road. The plans show side-oriented detached garages that would allow vehicles to turn around before existing onto Novi Road. Due to concern for headlines shining into the adjacent Austin Street residents' homes, the applicant has proposed a vinyl fence. The applicant is instead willing to provide head-in garages to address the concerns raised, but would request a three foot setback on the side yards rather than the 6 feet required in order to align with the driveways.
- The Planning Commission heard public comments regarding the applicant's plan to relocate the existing walk from the location at the edge of the curb of Old Novi Road, to a location closer to the proposed homes (on the west side of Old Novi Road). Some residents preferred that the sidewalk remain near the edge of curb. The applicant has expressed concern regarding the proposed change due to the need to relocate the trees proposed between the curb and sidewalk, to the west of the sidewalk. Staff believes that placing the sidewalk at least 10 feet from the edge of curb will aid in the safety of pedestrians.
- Staff has pointed out that an additional deviation is required to allow a driveway to be located at the side property line as three (3) feet is currently required. The applicant has verbally confirmed that the plans can be modified to meet this minimum standard.
- The location of the mailbox kiosks will be further evaluated by the applicant and the Post Office as the project moves forward.

### Public Benefit under PRO Ordinance

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 the public benefits of the proposed PRO rezoning would clearly outweigh the detriments. The following benefits are being offered by the applicant (as listed in their narrative)

The following are the benefits provided with the original concept plan that remain:

1. Redevelopment Potential of Property: Development of an otherwise undevelopable property under current zoning regulations. **There is a redevelopment potential for the property even if the property is developed according to existing zoning, but perhaps not as likely. Variances for setbacks and lot sizes would be expected for any residential development due to the shape and**

depth of the lots, which would make it difficult to design in compliance with the regulations. Removing vacant and nonconforming buildings can be considered as a public benefit.

2. Fulfilling the Master Plan's Redevelopment Strategy: Meeting the intent of the City's Pavilion Shore Village planning area. **Staff acknowledges that the proposed development aims to fulfill the redevelopment vision laid out in the Master Plan. The Master Plan talks about a mix of uses, however, and this plan only addresses the housing uses. There are existing commercial uses in the area, but the result is not necessarily a cohesive development that ties the uses together and expands the commercial options available to the local community. The applicant's position that additional residents and investment in the area could drive development interest is valid, and the single-family uses are appropriate in the proposed area.**
3. Public Parking: Ten public parking spaces are proposed along the east side of Old Novi Road for overflow park parking. **These would be available for the general public including local residents, customers of local businesses, and visitors of the Pavilion Shore Park. The Master Plan does recommend on-street parking along Old Novi Road, so the spaces could be counted as a benefit to the public.**
4. Providing Alternative Housing: Housing options for residents that are currently underserved. **Single family homes at the price point proposed by the applicant do not specifically address the underserved market of the area. Staff agrees that there is a demand for the proposed type of housing within the City, but it does not necessarily represent a benefit to the public.**
5. Enhanced Architectural Design: Quality architecture and design that will provide a catalyst for more retail amenities in the Pavilion Shore Village area. **The single-family elevations provided lack the architectural features that would achieve a higher standard than would otherwise be provided in a development. Unless the architectural designs are modified to enhance the architectural details, the facades do not represent a benefit to the public.**
6. Pedestrian Enhancement on Old Novi Road: Inclusion of ADA accessible sidewalks to provide for neighborhood access to the Pavilion Shore Park. **The applicant would be required to provide accessible sidewalks in any site plan review or rezoning process. Staff does not agree can be included as a public benefit.**

Items 4, 5 and 6 do not meet the intent of public benefits as defined in Section 7.13.2.D.ii for the reasons explained above.

### **PRO Conditions**

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 completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the internal roads and lots, location of proposed detention ponds, location of proposed open space and preserved natural features and a general layout of landscaping throughout the development. The applicant has provided a narrative describing the proposed public benefits. At this time, staff can identify thirteen conditions to be included in the agreement:

1. A homeowner's association shall be established as part of the development and the City shall review the Master Deed and Bylaws prior to recordation. A separate maintenance agreement to be assigned to the homeowner's association is proposed to meet the intent of this provision.
2. The use of the property will be for single family homes meeting the standards spelled out in the development agreement and shown in the Concept Plan.
3. The maximum number of single-family units shall be 21.
4. The maximum density of the development shall be 6.67 DUA.
5. Use easement or license agreement extending 15 feet into the Old Novi Road ROW for the parcels along the west side of the road. The use easement would be used as front yard space for the homes, including landscaping features and decorative fences to be maintained by the homeowners' association established in a Master Deed.
6. The small wetland area on the northeast corner of the site shall be minimally impacted only as permitted by MDEQ and City Wetland Permit, and the applicant has indicated that the Master Deed for Lakeview will provide for a conservation easement for these two properties such that the remaining wetlands will not be disturbed.
7. Screening fences and/or landscaping shall be provided along the rear lot lines of the properties on the west side of Old Novi Road.
8. On both sides of Old Novi Road, in lieu of the required berm separating the residential uses from the non-residential uses to the north, the applicant shall provide alternate screening in the form of a fence or wall and/or landscaping to be approved by the City's landscape architect. Consideration shall be given to limiting noise and visual impacts for the residents, as well as impacts to wetlands and buffer areas.
9. The two lots north of Wainwright, east of Old Novi Road, shall have front entry garages due to the presence of the wetland in the rear yards that shall be preserved. The remaining 19 lots shall be constructed with detached or rear attached garages.
10. The applicant shall provide 10 on-street parking spaces along the east side of Old Novi Road, as recommended by the Master Plan.
11. Adjacent to the on-street parking spaces, the sidewalk on the east side of Old Novi Road shall be 8 feet wide to accommodate encroachment opening vehicle doors.
12. The city shall abandon the 50 feet of the utility easement within the previously vacated Erma Street, but shall require a 20-foot water main easement.
13. Applicant complying with the conditions listed in the staff and consultant review letters.

### 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 indicate its *tentative* approval and direct the City Attorney to prepare a PRO Agreement to be brought back before the City Council for approval with specified PRO Conditions. Tentative approval does not guarantee final approval of either the PRO Plan or a PRO Agreement.

### THREE PART MOTION, AS FOLLOWS:

#### **RECOMMENDED ACTION:**

Tentative indication that Council **may approve** the request of Robertson Brothers Homes, for Lakeview, JSP 18-16, with Zoning Map Amendment 18.723, to rezone property in Section 10 and 11, located on the west and east side of Old Novi Road south of Thirteen Mile Road from R-4 (One-Family Residential) and B-3 (General Business) to RM-2 (High-Density Multiple-Family Residential) subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, and direction to the City Attorney to prepare a proposed PRO Agreement with the following considerations:

#### PART 1

1. The PRO Agreement shall contain the following Ordinance deviations, for which the City Council makes the finding, for the reasons stated, 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 (which is hereby granted):*
  - a. Planning Deviations for Single-Family (R-4 standards), Section 3.1.5.D of the Zoning Ordinance, *because the density recommended by the Master Plan would not be achieved with the required standards and many of the deviations are similar to the existing homes in the area:*
    - i. Reduction of minimum lot area by 5,000 square feet (10,000 sq. ft. required, 5,000 sq. ft. provided);
    - ii. Reduction of minimum lot frontage by 32 feet (80 ft required, 48 ft provided);
    - iii. Reduction of the minimum required building front setback by 23 feet (Required 30 feet, provided 6 feet on the west side of Old Novi);
    - iv. Reduction of the minimum required building principal side setback by 5 feet (Required 10 feet, provided 5 feet);
    - v. Reduction of the minimum required building side total setback by 10 feet (Required 25 feet, provided 15 feet);
    - vi. Reduction of the minimum required building rear setback by 15 feet (Required 35 feet, provided 20 feet);
    - vii. Reduction of the exterior side yard required building setback by 20 feet (Required 30 feet, provided 10 feet);
    - viii. Reduction of the side and rear yard setback for accessory buildings (Section 4.19.1.G) by 1 foot (Required 6 feet, providing 5 feet) for lots east of Old Novi Road;
    - ix. Exceeding the maximum lot coverage percentage by 20% (25% allowed, 45% provided);



- b. City Council variance from Sec. 11-94(a)(2) of the Code of Ordinances for deviation for the width of storm sewer easements (10 feet requested, 20 feet required);
- c. Engineering deviation from Chapter 7.4.2(C)(3) of Engineering Design Manual for the distance between the sidewalk and curb to a minimum of 10 feet on the west side of Old Novi Road, *to create more usable area in the wide the Right of Way while ensuring pedestrian safety*;
- d. Engineering deviation from Chapter 7.4.2(C)(3) of Engineering Design Manual for the distance between the sidewalk and curb to a minimum of 9 feet on the east side of Old Novi Road, *to create more usable area in the wide the Right of Way and provide sidewalk adjacent to the on-street parking spaces*;
- e. Traffic deviation from Sec. 11-216 of the Code of Ordinances for driveway width of 10 feet (16 feet standard) which is within the acceptable range and may be granted administratively;
- f. Landscape deviation from Sec. 5.5.3.B.ii and iii of the Zoning Ordinance for no screening berm provided between the B-3 commercial district and the residential properties to the south on both sides of Old Novi Road (6-8 feet tall landscaped berm required, 0 feet provided) with alternative screening with fence/wall and/or landscaping to be provided;
- g. Landscape deviation from Sec. 5.5.3.E.i.c and 5.5.3.E.ii of the Zoning Ordinance for street trees located in front yards of single-family homes on Wainwright and Linhart, rather than within the right-of-way due to the presence of utilities;
- h. Landscape deviation from Sec 5.5.3.E.ii of the Zoning Ordinance for subcanopy trees used as street trees due to the presence of overhead power lines on Old Novi Road;
- i. Landscape deviation from Sec 5.5.3.E.ii of the Zoning Ordinance for fewer subcanopy trees substituted for canopy street trees than required, due to the number of driveways and the 10-foot spacing requirement from driveways;
- j. Landscaping and decorative fences are proposed within the Right of Way, which requires:
  - i. A landscape waiver for the location of greenbelt trees within the right of way;
  - ii. A license agreement, or other agreement as determined by the City Attorney, for use of the right-of-way on the west side of Old Novi Road as a front yard area to be maintained by the Homeowner Association;
  - iii. The Right of Way width in this area is 120 feet, which creates the opportunity to grant these exceptions.
- k. Subdivision Ordinance deviation for site condominium unit boundaries extending into wetland area for lots 20 and 21; and
- l. Planning deviations from Sec. 3.1.5.D of the Zoning Ordinance for lots 50-22-10-231-019 and 50-22-10-231-008 (remainder of lots fronting on Austin maintaining R-4 zoning designation) as follows:
  - i. 21-foot rear setback where 35 foot is required;
  - ii. Lot area of 6,500 square feet where 10,000 sf is required;
  - iii. Lot coverage of 30% where 25% is permitted.

## **PART 2**

- 2. The following conditions be requirements of the Planned Rezoning Overlay Agreement:

- a. A homeowner's association shall be established as part of the development and the City shall review the Master Deed and Bylaws prior to recordation. A separate maintenance agreement to be assigned to the homeowner's association is proposed to meet the intent of this provision.
- b. The use of the property will be for single family homes meeting the standards spelled out in the development agreement and shown in the Concept Plan.
- c. The maximum number of single-family units shall be 21.
- d. The maximum density of the development shall be 6.67 DUA.
- e. Use easement or license agreement extending 15 feet into the Old Novi Road ROW for the parcels along the west side of the road. The use easement would be used as front yard space for the homes, including landscaping features and decorative fences to be maintained by the home owners' association established in a Master Deed.
- f. The small wetland area on the northeast corner of the site shall be minimally impacted only as permitted by MDEQ and City Wetland Permit, and the applicant has indicated that the Master Deed for Lakeview will provide for a conservation easement for these two properties such that the remaining wetlands will not be disturbed.
- g. Screening fences and/or landscaping shall be provided along the rear lot lines of the properties on the west side of Old Novi Road.
- h. On both sides of Old Novi Road, in lieu of the required berm separating the residential uses from the non-residential uses to the north, the applicant shall provide alternate screening in the form of a fence or wall and/or landscaping to be approved by the City's landscape architect. Consideration shall be given to limiting noise and visual impacts for the residents, as well as impacts to wetlands and buffer areas.
- i. The two lots north of Wainwright, east of Old Novi Road, shall have front entry garages due to the presence of the wetland in the rear yards that shall be preserved. The remaining 19 lots shall be constructed with detached or rear attached garages.
- j. The applicant shall provide 10 on-street parking spaces along the east side of Old Novi Road, as recommended by the Master Plan.
- k. Adjacent to the on-street parking spaces, the sidewalk on the east side of Old Novi Road shall be 8 feet wide to accommodate encroachment opening vehicle doors.
- l. The city shall abandon the 50 feet of the utility easement within the previously vacated Erma Street, but shall require a 20-foot water main easement.
- m. Applicant complying with the conditions listed in the staff and consultant review letters.

### **PART 3**

3. This motion is made for the following reasons:
  1. The proposed plan meets several objectives of the Master Plan, as noted in the review letter, including:
    - a. *The Pavilion Shore Village area is identified in the Master Plan for redevelopment with a vision for a cohesive mixed-use village that complements the surrounding neighborhood. (Bringing additional residents and investment into the area could drive development interest in the other areas of Pavilion Shore Village, and the community has strongly expressed single family uses are preferred on these parcels).*

- b. *Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities (Pedestrian improvements are proposed along Old Novi Road including building a segment of planned sidewalk on the east side of the road, which includes a bench seating area with landscaping).*
  - c. *Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments. (The homes are set in a walkable context with sidewalks leading to the nearby parks.)*
  - d. *Provide a wide range of quality 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 homes include characteristics of the "missing middle" housing option with medium density, well-designed units with smaller footprints that will appeal to many types of demographic groups.)*
2. The proposed detention pond provides improved management of storm water in an area not currently detained.
  3. The redevelopment of this site provides an update to the visual aesthetic in a unique area of the City with underutilized parcels.
  4. The redevelopment of the subject parcels will remove non-conforming structures from the Right-of-Way.
  5. The proposed single-family homes are consistent with the surrounding residential neighborhoods.
  6. The topography and parcel configuration are such that single family home development under the existing zoning would not be possible without similar variances for lot depth, lot area, lot coverage and setbacks.
  7. The density proposed is within the density recommended in the Master Plan.
  8. Submittal of a Concept Plan and any resulting PRO Agreement provides assurance to the Planning Commission and the City Council of the manner in which the property will be developed, and offers benefits that would not be likely to be offered under standard development options.
  9. This tentative approval does not guarantee final PRO Plan approval or approval of a PRO Agreement.

MAPS

Location

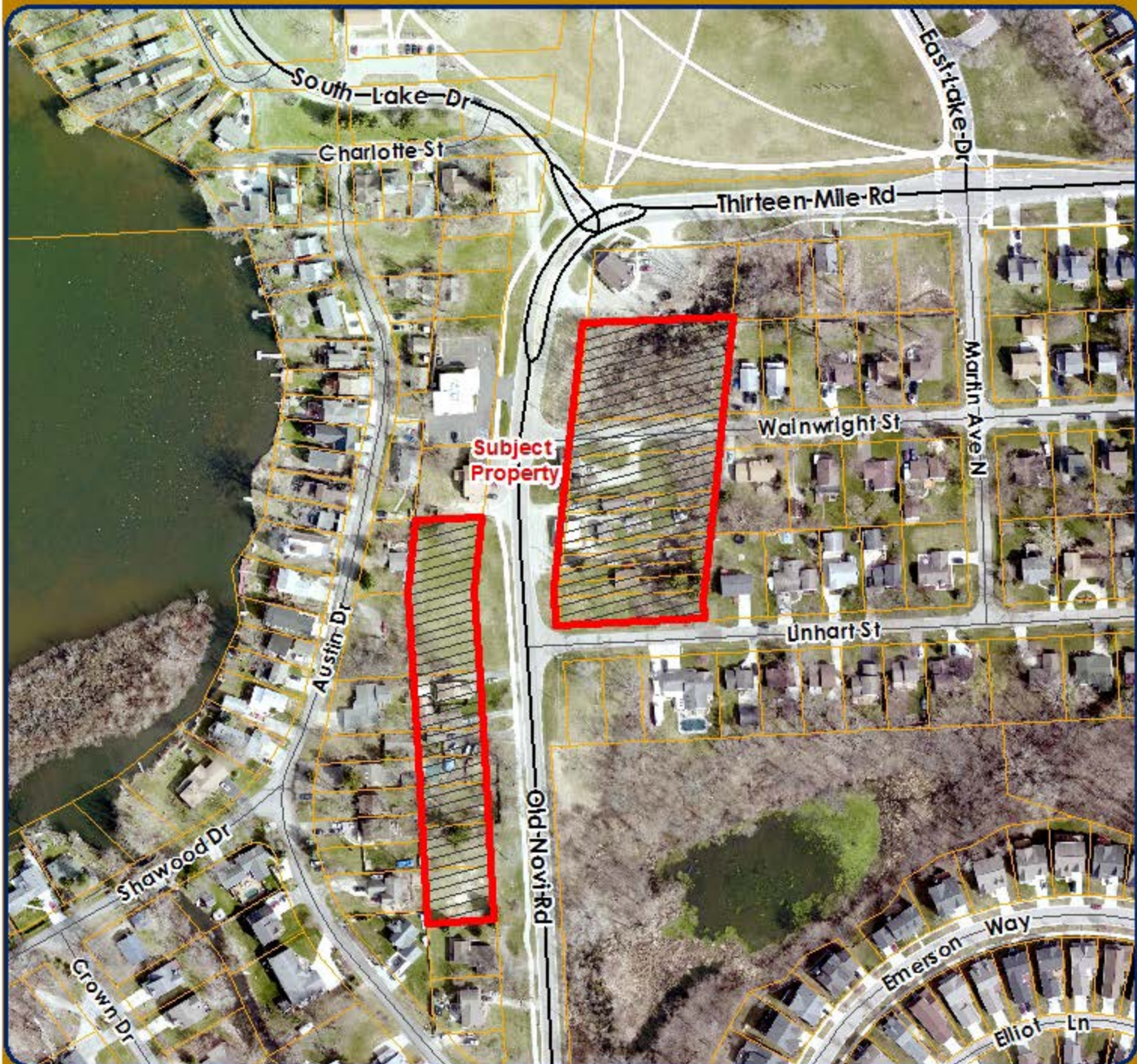
Zoning

Future Land Use

Natural Features

# LAKEVIEW: JSP18-16

## LOCATION



**LEGEND**

 Subject Property



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

Map Author: Lindsay Bell  
Date: 09/20/2018  
Project: LAKEVIEW JSP18-16  
Version #: 1

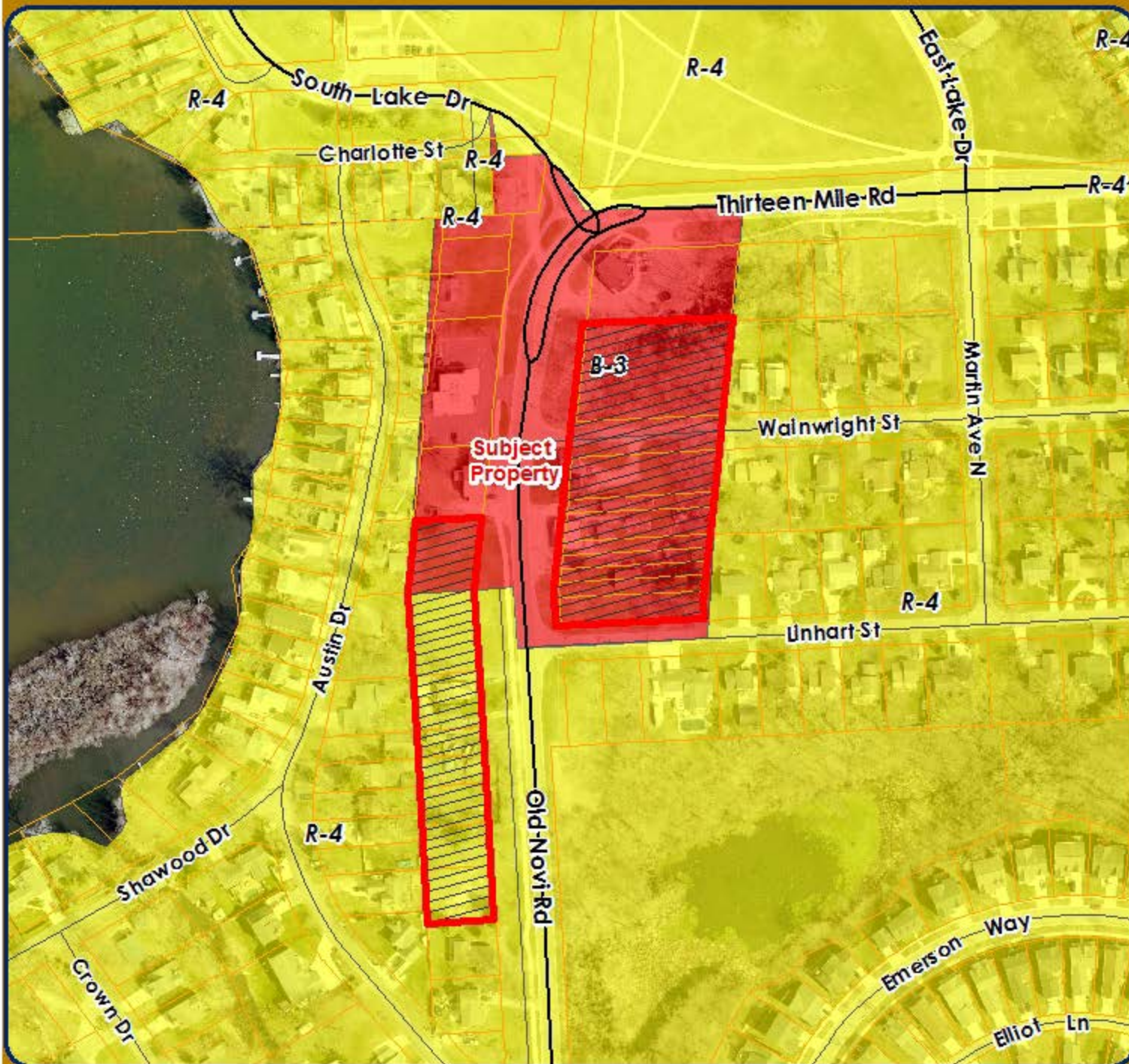
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1 inch = 208 feet

**MAP INTERPRETATION NOTICE**

Map information depicted is not intended to replace or substitute for any official 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.

# LAKEVIEW: JSP18-16

## ZONING



### LEGEND

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



### City of Novi

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

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# LAKEVIEW: JSP18-16

## LOCATION



**LEGEND**

- Single Family
- PUD
- PD1
- Pavillion Shore Village
- Public Park
- Private Park
- Subject Property

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

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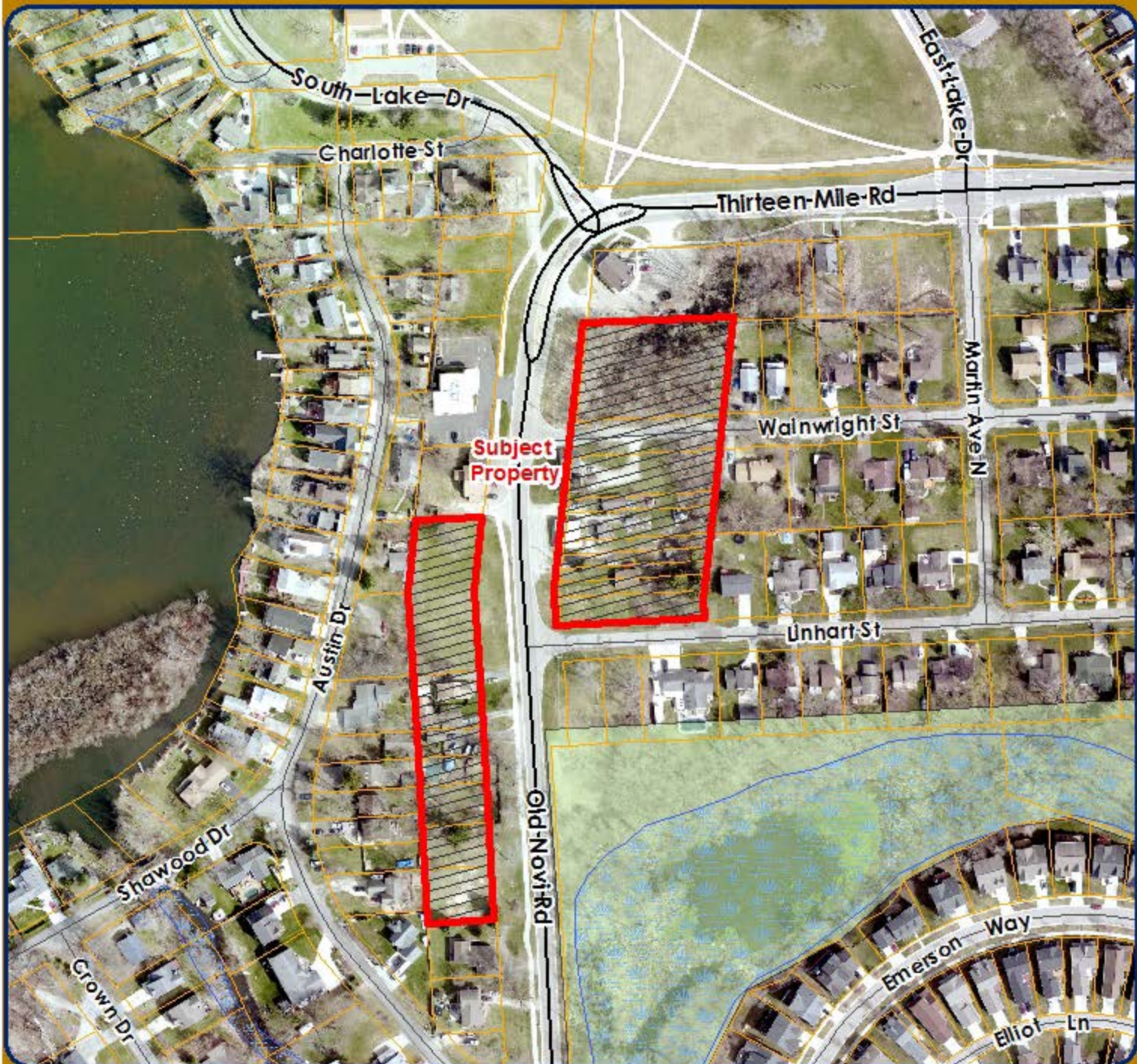
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# LAKEVIEW: JSP18-16

## NATURAL FEATURES



**LEGEND**

- WETLANDS
- WOODLANDS
- Subject Property



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

Map Author: Lindsay Bell  
Date: 09/20/2018  
Project: LAKEVIEW JSP18-16  
Version #: 1

0 45 90 180 270 Feet  
1 inch = 208 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 or 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.



**SITE PLAN**

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



Canopy R.O.W. Trees

Detention Pond  
 - Native Seed Mixes  
 - Deciduous Shrubs

Mail Kiosk Areas

Austin Drive

Old Novi Road

Wainwright Street

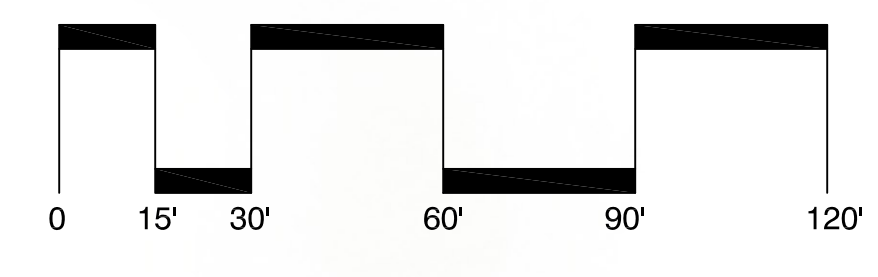
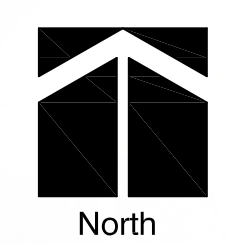
Linhart Street

Evergreen Buffer

Public Seating Plaza  
 - Bench Seating  
 - Bike Repair Station  
 - Flowering Ornamental Trees

Old Novi Road Frontage Landscape  
 - Decorative White Fence  
 - Evergreen Shrubs  
 - Flowering Perennials

Flowering R.O.W. Trees



# Lakeview

City of Novi, Michigan  
 Robertson Brothers Homes

August 2018

Prepared For: Robertson Brothers Homes  
 6905 Telegraph Road - Suite 200  
 Bloomfield Hills, MI  
 (248) 644-3460

Prepared By: Land Design Studio  
 18161 W. Thirteen Mile Road - Suite B-4  
 Southfield, MI  
 (248) 594-3220

**GENERAL PAVING NOTES**

PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:

**CONCRETE:** PORTLAND CEMENT TYPE I (ASTM C-150) WITH A MINIMUM CEMENT CONTENT OF 60 SACS PER CUBIC YARD, MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3500 PSI AND A SLUMP OF 1/2 TO 3/4 INCHES.

**ASPHALT:** BASE COURSE - MOOT BITUMINOUS MIXTURE NO. 100S, 20#A, SURFACE COURSE - MOOT BITUMINOUS MIXTURE NO. 1100T, 20#A, JOINT CEMENT PORTLAND CEMENT (RATIO 85-15), 3000 PSF, 1.5" MOOT BITUMULASLUM AT 1/2" GALLOUS PER SQUARE YARD, MAXIMUM 3."

PAVEMENT BASE SHALL BE COMPACTED TO 90% OF THE MAXIMUM DENSITY (INDIRECT PROCT) FROM TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE ENGINEER TO EXCESSIVE STABILITY.

ALL CONCRETE PAVEMENT, DRIVEWAYS, CURBS & OUTLET ETC. SHALL BE SPRAY-CURED WITH WHITE MEMBRANE CURING COMPOUND IMMEDIATELY FOLLOWING FINISHING OPERATION.

ALL CONCRETE PAVEMENT JOINTS SHALL BE FILLED WITH HOT APPLIED RUBBERIZED ASPHALT JOINT SEALING COMPOUND IMMEDIATELY AFTER SMOOTH OPERATION. FEDERAL SPECIFICATION 30-594A.

ALL WORKMANSHIP AND MATERIAL SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE METROPOLITAN AND THE REGIONAL DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, CURRENT EDITION.

ALL TOP OF CURB ELEVATIONS, AS SHOWN ON THE PLANS, ARE CALCULATED FOR A 6" CONCRETE CURB UNLESS OTHERWISE NOTED.

ALL SIDEWALK RAMP CONFORMING TO PUBLIC ACT NO. 8, 1935, SHALL BE INSTALLED AS INDICATED ON THE PLANS.

CONSTRUCTION OF A NEW OR RECONSTRUCTED DRIVE APPROACH CONNECTING TO AN EXISTING STATE OR COUNTY HIGHWAY SHALL BE ALLOWED ONE AFTER AN APPROVED PERMIT HAS BEEN SECURED FROM THE AGENCY HAVING JURISDICTION OVER SAID ROADWAY.

FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LICENSES AHEAD FOR ALL INTERSECTION.

EXISTING TOPSOIL, VEGETATION AND ORGANIC MATERIALS SHALL BE STRIPPED AND REMOVED FROM PROPOSED PAVEMENT AREA PRIOR TO PLACEMENT OF BASE MATERIALS.

EXPANSION JOINTS SHALL BE INSTALLED AT THE END OF ALL INTERSECTION BAYS.

SIDEWALK RAMP CONFORMING TO PUBLIC ACT NO. 8, 1935, SHALL BE INSTALLED AS SHOWN AT ALL STREET INTERSECTIONS AND AT ALL SIDEWALK FREE PARKING AREAS AS INDICATED ON THE PLANS.

ALL PAVEMENT AREAS SHALL BE PROOF-ROLLED UNDER THE SUPERVISOR OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND PAVED MATERIALS.

FILL AREAS SHALL BE MACHINE COMPACTED IN UNIFORM LIFTS NOT EXCEEDING 8" BONES THICK TO 95% OF THE MAXIMUM DENSITY (INDIRECT PROCT) FROM TO PLACEMENT OF FINISHED PAVEMENT.

**LEGAL DESCRIPTION - PARCEL A - AS SURVEYED**

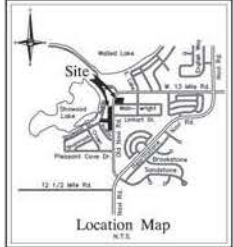
LAND SITUATED IN THE COUNTY OF OAKLAND, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOTS 33 THROUGH 36, EXCEPT THE WEST 22.88 FEET THEREOF AND ALL OF LOTS 37 THROUGH 46, SIXTH MERIDIAN, RISE 7 1/2' OF VACATED OLGA STREET ADJACENT TO LOT 17E OF SHAWOOD UNPLATTED LAKE HEIGHTS SUBDIVISION, PART OF THE WESTERLY 1/4 OF SECTION 17A OF TOWNSHIP 36 NORTH, RANGE 8 EAST, CITY OF NOVA, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN DEED BOOK PAGE 48, OAKLAND COUNTY RECORDS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 17E, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEING THE WEST 22.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 17E, THENCE NORTH 88°57'30" E, 153.13 FEET TO THE SOUTHWEST CORNER OF SAID LOT 33, THENCE S88°57'30" E, 34.66 FEET TO THE SOUTHWEST CORNER OF SAID LOT 33, THENCE S111°18'57" E, 47.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 38,658.30 SQ. FT. OR 1.30 ACRES.

TAX ID NUMBER: 22-10-23-021, 22-10-23-006, 22-10-23-022, 22-10-23-003, 22-10-23-008 AND 22-10-23-027

L = 47.74 (M)  
R = 300.00 (RAM)  
A = 90.00 (M)  
CHD. BKG. =  
N111°18'57"  
47.62 (M)



**BUILDING DEPT. NOTE**  
ALL ACCESSIBLE RAMPWAYS INCLUDING RAMPS, SLOPES, COUNTER SLOPES, ETC. FOR THE RAMPS LOT IN ADDITION THE RAMP SLOPES IN THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CODE SECTION 407.20 AND 407.21.

MAX RAMP SLOPE SHALL NOT EXCEED 1/12 OR 8.33%  
MAX RAMPING SLOPE WALL SURFACE SHALL NOT EXCEED 1:25 OR 4%  
MAX CROSS SLOPE WALL SURFACE SHALL NOT EXCEED 1/4% OF CURB

**SOIL DATA**  
SEE THE CONDITIONS OF FOR SUNDY LOAM, PL. PLAN, 2 TO 6 PERCENT BONES 47.8% COMPACTANTS, UNCLAYED (15.2% SAND, 56.0% SILT, 28.8% CLAY) FROM THE WESTERLY SIDE OF THE EAST SIDE OF SECTION 17A OF TOWNSHIP 36 NORTH, RANGE 8 EAST, CITY OF NOVA, OAKLAND COUNTY, MICHIGAN.

**RESIDENTIAL DEVELOPMENT NOTE:**  
UNITS SHOWN ARE PRELIMINARY ONLY. FINAL DESIGN TO BE PREPARED DURING ENGINEERING CONSTRUCTION REVIEW PHASE & DURING INDIVIDUAL PLOT PLAN PREPARATION (179)

**STRIPING NOTE:**  
PAVEMENT MARKING SPECIFICATIONS ARE REQUIRED. PER THE MAINTENANCE AND SAFETY DIVISION UNDESIGNATED PARKING SPACES MUST BE STRIPPED IN WHITE, BARRIER-FREE SPACES AND ACCESS AISLES MUST BE MARKED IN BLUE. ALSO, THE INTERNATIONAL SYMBOL OF ACCESSIBILITY (WHEELCHAIR) MUST BE MARKED IN WHITE. ALSO, WHERE A BARRIER-FREE SPACE ADJACENT AN UNDESIGNATED SPACE, THE TWO SPACES MUST BE SEPARATED BY A WHITE LINE AND WHITE STRIPES.

**CURB NOTE:**  
ALL LOCATIONS WHERE PARKING SPACES ARE REFERENCED TO CURB SHALL BE THE MAX ELEVATION OF THE CURB. BKG. IS 4".

**ADA NOTE:**  
ALL SIDEWALKS SHALL BE DESIGNED TO BE ADA COMPLIANT (179).  
NO MORE THAN 1/4" OBSTACLE SHALL BE ALLOWED AT EACH TRANSITION BETWEEN THE SIDEWALK RAMP AND THE PARKING.

**NOTES:**  
ALL WORK SHALL CONFORM TO THE CITY OF NOVA STANDARDS AND SPECIFICATIONS (179).  
ALL SIDE STRIPING SHALL BE A MAXIMUM OF 3/4 OR 20% PER CITY OF NOVA REQUIREMENTS.  
RELOCATE OR REMOVE PAVED OBJECTS PRIOR TO EXCAVATION.  
ALL DIMENSIONS ARE TO THE OUTSIDE BUILDING WALL FACE OF CURB OR TO THE FACE OF SIDEWALK UNLESS OTHERWISE NOTED. THE WIDTH OF END PARKING SPACES ARE REFERENCED TO THE FACE OF CURB. BKG. AND PARKING SPACES ARE NOT DIMENSIONED ON THE PLAN. THE SPACE SHALL BE THE WIDTH OF A TYPICAL SPACE DIMENSIONED TO THE FACE OF CURB. (3) FEET FOR A STANDARD PARKING SPACE AND (8) FEET FOR A BARRIER FREE SPACE.  
IF SEWER/LINE IS ANTICIPATED OR DISCOVERED DURING CONSTRUCTION, A DRAINAGE PLAN MUST BE SUBMITTED TO THE ENGINEERING DIVISION FOR REVIEW.  
A RIGHT-OF-WAY PERMIT WILL BE REQUIRED FROM THE CITY OF NOVA FOR ALL PROPOSED WORK ON SAID NOW ROAD, LINHART STREET AND WOODWARD STREET.  
ALL FIRE HYDRANTS MUST BE INSTALLED AND OPERATIONAL PRIOR TO ANY BUILDING CONSTRUCTION BEGINS.

**SITE DATA-PARCEL A**  
TOTAL AREA: 38,658.30 SQ. FT. OR 1.30 ACRES  
FRONT: B-S-1, B-S-3, B-S-4  
REAR: B-S-1, B-S-3, B-S-4  
\* SUBJECT TO CHANGE DEPENDENT ON MODEL HOME  
SITE AREA: 38,658.30 SQ. FT. 100.00 ACRES  
BUILDING FOOTPRINT: 18,000.00 SQ. FT. 0.41 ACRES  
PARKING & DRIVE: 13,138.30 SQ. FT. 0.30 ACRES  
OPEN SPACE: 12,520.00 SQ. FT. 0.29 ACRES

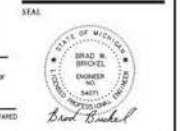
**PARKING DATA - PARCELS A**  
REGULATORY: 2 SPACES PER UNIT X 11 = 22  
PROPOSED: 22 GARAGE SPACES

**PAVING LEGEND**  
[Symbol] PROPOSED CONCRETE PAVEMENT  
[Symbol] PROPOSED ASPHALT PAVEMENT

**LEGEND**  
[Symbol] EXISTING SANITARY SEWER  
[Symbol] SAN CLEAN OUT  
[Symbol] GATE VALVE  
[Symbol] EXISTING WATERMAIN  
[Symbol] EXISTING STOP VALVE  
[Symbol] 4" x 4" CATCH BASIN  
[Symbol] EXISTING BURIED CABLES  
[Symbol] OVERHEAD LINES  
[Symbol] LIGHT POLE  
[Symbol] SON  
[Symbol] EXISTING GAS MAIN  
[Symbol] EXISTING SANITARY SEWER  
[Symbol] EXISTING WATER MAIN  
[Symbol] EXISTING STOP VALVE  
[Symbol] EXISTING 4" x 4" CATCH BASIN  
[Symbol] PROPOSED LIGHT POLE

**NF ENGINEERS**  
CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS

NOWAK & FRAUS ENGINEERS  
4677 WOODWARD AVE.  
PONTIAC, MI 48342-3032  
TEL (248) 332-7931  
FAX (248) 332-8257



PROJECT  
Lakeview  
Single-Family Development

CLIENT  
Robertson Brothers Homes  
6905 Telegraph Road,  
Suite 200  
Bloomfield Hills, MI 48301

Contact: Tim Loughrin  
248.282.1428 - Phone  
248.282.1432 - Fax

PROJECT LOCATION  
Part of the NE 1/4  
of Section 10 and Part of the  
NW 1/4 of Section 11  
T. 11 N., R. 8 E.,  
City of Novi,  
Oakland County, Michigan

38197  
PRO Concept Plan - West

**811**  
Know what's below  
Call before you dig.

**REVISIONS**

10-28-17 PRE-APPLICATION MEETING  
09-28-17 REVISION TO CLIENT  
05-26-18 ISSUED FOR PER. PLAN REVIEW  
08-23-18 REVISION FOR CITY REVIEW

DRAWN BY:  
R. Johnson

DESIGNED BY:  
B. Brickel

APPROVED BY:  
B. Brickel

DATE:  
September 2017

SCALE: 1" = 30'

NFE JOB NO. 1955 SHEET NO. SP1

**LEGAL DESCRIPTION - PARCEL B - AS SURVEYED**

LAND SITUATED IN THE COUNTY OF OAKLAND, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOTS 28 THROUGH 305, ALSO 1/3 OF VACATED ALLEY ADJACENT THEREOF, HONEL'S HALLED LANE SUBDIVISION, PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBRARY OF PLATS, PAGE 26, OAKLAND COUNTY RECORDS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 28, ALSO BEING THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY LINE OF OLD NOVIO ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WAINWRIGHT STREET (37' WIDE) THENCE S 89°07'00" W 315.21 FEET TO A POINT ON THE CONTINUANCE OF VACATED ALLEY (20' WIDE) THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID CONTINUANCE OF VACATED ALLEY: 1) S 89°07'00" W 207.78 FEET AND 2) S 62°02'17" E 38.62 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF CHERRY STREET (10' WIDE) THENCE N 46°15'00" W 207.63 FEET ALONG THE NORTH LINE OF SAID CHERRY STREET TO THE SOUTHWEST CORNER OF SAID LOT 29, ALSO BEING A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF OLD NOVIO ROAD, THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID EASTERN LINE: 1) S 62°02'17" E 33.43 FEET AND 2) N 68°03'20" E 183.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 81,555.02 SQ. FT. OR 1.774 ACRES

TAX ID NUMBERS: 22-11-103-001, 22-11-103-002, 22-11-103-003, 22-11-103-004, 22-11-103-005, 22-11-103-006, 22-11-103-007, 22-11-103-008 AND 22-11-103-009

**LEGAL DESCRIPTION - PARCEL C - AS SURVEYED**

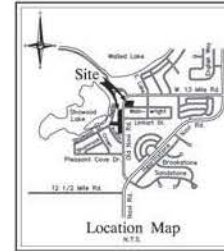
LAND SITUATED IN THE COUNTY OF OAKLAND, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOTS 38 THROUGH 42, BOTH INCLUSIVE, INCLUDING 1/2 OF THE VACATED ALLEY ADJACENT THEREOF, HONEL'S HALLED LANE SUBDIVISION, PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBRARY OF PLATS, PAGE 26, OAKLAND COUNTY RECORDS, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 42, ALSO BEING THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY LINE OF OLD NOVIO ROAD (20' WIDE) AND THE NORTHERLY RIGHT-OF-WAY LINE OF WAINWRIGHT STREET (37' WIDE) THENCE N 68°03'20" E 143.43 FEET ALONG THE EASTERN LINE OF SAID OLD NOVIO ROAD TO THE NORTHEAST CORNER OF SAID LOT 36, THENCE S 89°07'00" W 210.12 FEET TO A POINT ON THE CONTINUANCE OF VACATED ALLEY (20' WIDE) THENCE S 89°07'00" W 143.43 FEET ALONG THE CONTINUANCE OF SAID VACATED ALLEY TO A POINT ON THE NORTHERLY LINE OF SAID WAINWRIGHT STREET, THENCE S 89°07'00" W 210.12 FEET ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING.

CONTAINING 28,782.81 SQ. FT. OR 0.658 ACRES

TAX ID NUMBER: 22-11-103-005

W. 13 Mile Road  
(93' R.O.W.)



**NF ENGINEERS**  
CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS

NOWAK & FRUAS ENGINEERS  
4677 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

PROJCT  
Lakeview  
Single-Family Development

CLIENT  
Robertson Brothers Homes  
6905 Telegraph Road,  
Suite 200  
Bloomfield Hills, MI 48301

Contact: Tim Loughrin  
248.282.1428 - Phone  
248.282.1432 - Fax

PROJCT LOCATION  
Part of the NE 1/4  
of Section 10 and Part of the  
NW 1/4 of Section 11  
T.1N., R.8E.  
City of Novi,  
Oakland County, Michigan

SHEET  
PRO Concept Plan - East

Know what's below  
Call before you dig.

REVISIONS

10-28-17 PRE-APPLICATION MEETING  
09-28-17 REVISED TO CLIENT  
08-28-17 ISSUED FOR PER PLAN REVIEW  
08-21-17 REVISED FOR CITY REVIEW

DRAWN BY  
R. JOHNSON  
DESIGNED BY  
B. BRICKEL  
APPROVED BY  
B. BRICKEL

DATE  
September 2017

SCALE 1" = 30'

NFE JOB NO. 1955 SHEET NO. SP2



**STRIPING NOTE:**  
PAVEMENT MARKING SPECIFICATIONS ARE REQUIRED. PER THE MAINTENANCE AND CITY MANUALS, UNDESIGNATED PARKING SPACES MUST BE STRIPED IN WHITE. BARRIER-FREE SPACES AND ACCESS AREAS MUST BE STRIPED IN BLUE AND THE INTERNATIONAL SYMBOLS OF ACCESSIBILITY (WHEELCHAIR) MUST BE MARKED IN WHITE. ALSO, WHERE A BARRIER-FREE SPACE AND AN UNDESIGNATED SPACE, THE TWO SPACES MUST BE SEPARATED BY ABUTTING BLUE AND WHITE STRIPES.

**CURB NOTE:**  
ALL LOCATIONS WHERE PARKING SPACES ARE PERPENDICULAR TO CURB/WALK THE MAX ELEVATION OF THE CURB/WALK IS 4".

**ADA NOTE:**  
NO MORE THAN ONE (1) OBSTACLE SHALL BE ALLOWED AT EACH TRANSITION BETWEEN THE SIDEWALK RAMP AND THE PARKING.

**NOTES:**  
ALL WORK SHALL CONFORM TO THE CITY OF NOVIO STANDARDS AND SPECIFICATIONS (SIS).  
ALL SITE GRADING SHALL BE A MAXIMUM OF 1:4 OR 25% PER CITY OF NOVIO REQUIREMENTS.  
INDICATE OR REMOVE FIXED OBJECTS PRIOR TO EXCAVATION.  
ALL DIMENSIONS ARE TO THE OUTSIDE BUILDING WALL, FACE OF CURB, OR TO THE FACE OF SIDEWALK UNLESS OTHERWISE NOTED. THE SPACES WHERE TWO PARKING SPACES ARE NOT DIMENSIONED ON THE PLAN, THE SPACE SHALL BE THE WIDTH OF A TYPICAL SPACE DIMENSIONED TO THE FACE OF CURB, MINUS (3) FEET FOR A STANDARD PARKING SPACE AND (3) FEET FOR A BARRIER-FREE SPACE.  
IF DIMENSION IS ANTIQUATED OR UNCHANGED DURING CONSTRUCTION, A DIMENSIONING PLAN MUST BE SUBMITTED TO THE ENGINEERING DIVISION FOR REVIEW.

**BUILDING DEPT. NOTE**  
ALL ACCESSIBLE ROUTES INCLUDING RAMPS, SPLICES, COUNTERS AND ELEVATORS ARE TO BE FINISHED OUT BY ADDITION THE GRAPHS IN THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CODE SECTION 407.5 C.F.R. 1111.  
MAX RAMP SLOPE SHALL NOT EXCEED 1:12 OR 8.33%.  
MAX RUNNING SLOPE WALK SURFACE SHALL NOT EXCEED 1:20 OR 5%.  
MAX CROSS SLOPE WALK SURFACE SHALL NOT EXCEED 1:48 OR 2.08%.

**SITE DATA - PARCEL B**

TOTAL AREA: 84,855.57 SQ. FT. OR 1.956 ACRES	
CONG. PROPOSED	B-3, B-4
SITE AREA	81,100.00 SQ. FT. 100.0%
BUILDING FOOTPRINT	14,246.44 SQ. FT. 17.6%
PARKING SPACES	23,710.00 SQ. FT. 29.0%

**RETRACT REQUIREMENTS REQUIRED:** PROPOSED  
 RETRACT: 15'-0" (0'-0" MIN)  
 RETRACT: 15'-0" (0'-0" MIN)  
 RETRACT: 15'-0" (0'-0" MIN)

**SITE DATA - PARCEL C**

TOTAL AREA: 28,782.81 SQ. FT. OR 0.658 ACRES	
CONG. PROPOSED	B-3, B-4
SITE AREA	28,782.81 SQ. FT. 100.0%
BUILDING FOOTPRINT	7,926.92 SQ. FT. 27.5%
PARKING SPACES	23,433.00 SQ. FT. 81.5%
EXISTING RETRACTIONS	1,086.96 SQ. FT. 3.8%

**RETRACT REQUIREMENTS REQUIRED:** PROPOSED  
 RETRACT: 15'-0" (0'-0" MIN)  
 RETRACT: 15'-0" (0'-0" MIN)  
 RETRACT: 15'-0" (0'-0" MIN)

**PARKING DATA - PARCELS B & C**

RETRACT: SINGLE-FAMILY: 2 SPACES/PER UNIT \* 12 = 24  
 PROPOSED: SINGLE-FAMILY: 24 GARAGE SPACES

**PAVING LEGEND**

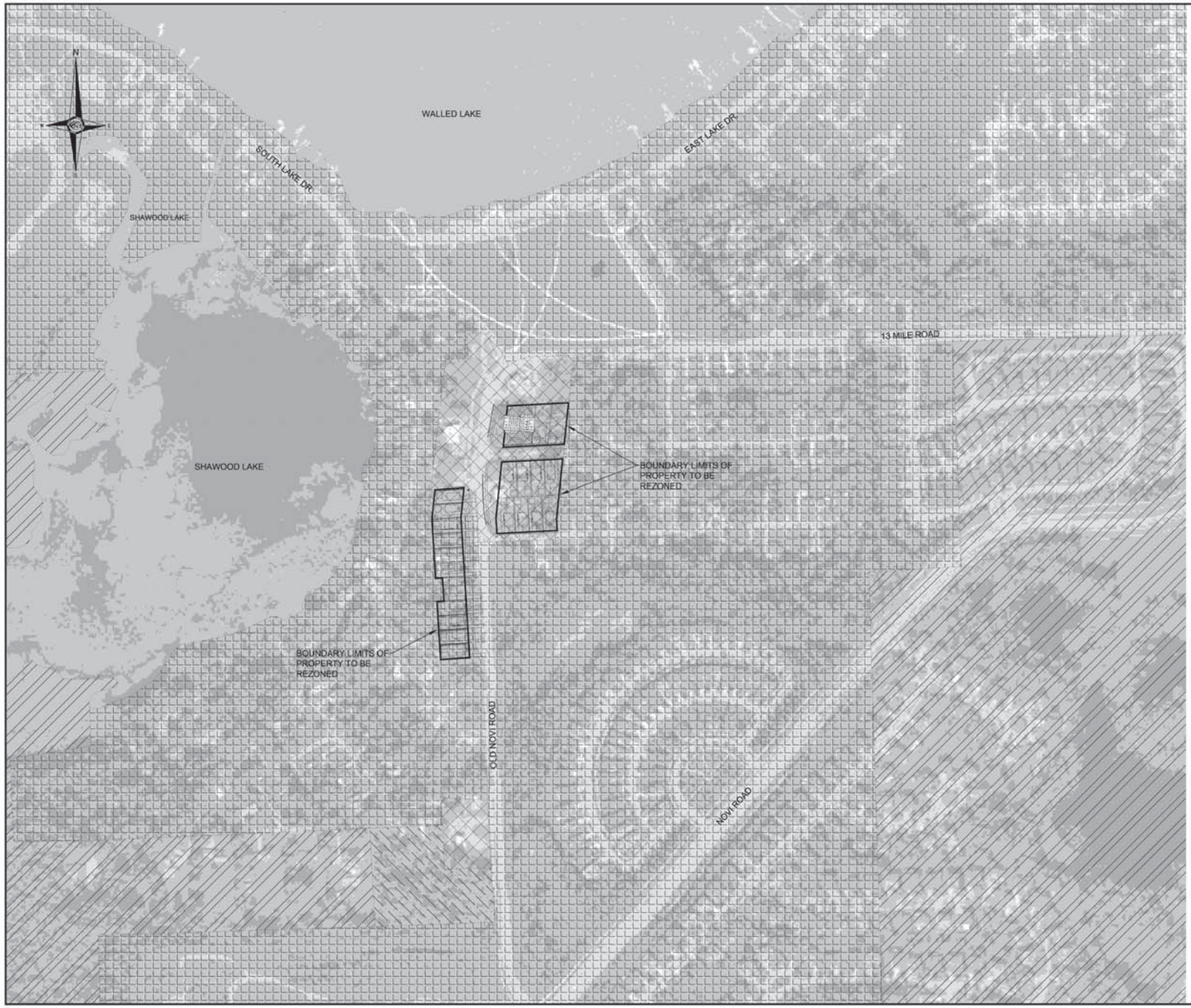
[Symbol]	PROPOSED CONCRETE PAVEMENT
[Symbol]	PROPOSED ASPHALT PAVEMENT

**LEGEND**

MANHOLE	EXISTING SANITARY SEWER
HYDRANT	SAN CLEAN OUT
GATE VALVE	EXISTING WATERMAIN
MANHOLE CATCH BASIN	EXISTING STORM SEWER
UTILITY POLE	EX. 4" CATCH BASIN
OUT WIRE	EXISTING BURIED CABLES
SON	OVERHEAD LINES
CO. MANHOLE	EXISTING GAS MAIN
HYDRANT	PR. SANITARY SEWER
CE	PR. WATER MAIN
PR. SANITARY SEWER	PR. STORM SEWER
PR. 6" CATCH BASIN	PR. 6" CATCH BASIN
PROPOSED LIGHT POLE	







**ZONING LEGEND**

	ZONED R-4 ONE-FAMILY RESIDENTIAL
	ZONED B-3 GENERAL BUSINESS
	ZONED R-1 ONE-FAMILY RESIDENTIAL
	ZONED R-A RESIDENTIAL ACREAGE
	PLANNED REZONING OVERLAY R-4 ONE-FAMILY RESIDENTIAL

**NF ENGINEERS**  
 CIVIL ENGINEERS  
 LAND SURVEYORS  
 LAND PLANNERS

NOWAK & FRAUS ENGINEERS  
 46777 WOODWARD AVE.  
 PONTIAC, MI 48342-5032  
 TEL. (248) 332-7931  
 FAX. (248) 332-8237



**PROJECT**  
 Lakeview  
 Single-Family Development

**CLIENT**  
 Robertson Brothers Homes  
 6905 Telegraph Road,  
 Suite 200  
 Bloomfield Hills, MI 48301

Contact: Tim Loughrin  
 248.282.1428 - Phone  
 248.282.1432 - Fax

**PROJECT LOCATION**  
 Part of the NE 1/4  
 of Section 10 and Part of the  
 NW 1/4 of Section 11  
 T.1N., R.8E,  
 City of Novi,  
 Oakland County, Michigan

**SHEET**  
 Rezoning Plan



**REVISIONS**

10-23-17	PRE-APPLICATION MEETING
09-22-18	ISSUED FOR PLAN REVIEW
08-25-18	ISSUED FOR SITE PLAN REVIEW
08-27-18	REVISED FOR CITY REVIEW

**DRAWN BY:**  
 R. JOHNSON  
**DESIGNED BY:**  
 B. BRICKEL  
**APPROVED BY:**  
 B. BRICKEL  
**DATE:**  
 September 2017

**SCALE:** 1" = 150'

**NFE JOB NO.:** J955      **SHEET NO.:** SP3

PLANNING COMMISSION MINUTES - DRAFT  
ON JSP 18-16 WITH ZONING MAP AMENDMENT 18.723  
September 26, 2018

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**1. LAKEVIEW JSP18-16 AND ZONING MAP AMENDMENT 18.723**

Public hearing at the request of Robertson Brothers Homes for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan associated with a Zoning Map amendment, to rezone from R-4 (One Family Residential) and B-3 (General Business) to RM-2 (High-Density, Mid-Rise Multiple Family). The subject property is approximately 3.15 acres and is located south of 13 Mile Road on the east and west sides of Old Novi Road (Section 10 and 11). The applicant is proposing 21 single family homes and a storm water detention pond.

Planner Bell said as you just stated, the applicant is proposing 21 single family homes along Old Novi Road, south of Thirteen Mile. The surrounding properties are single family neighborhoods to the south, east, and west. There are business uses north of the area: the Lakeview Bar & Grill, a Veterinary office, and Lakeview grocery store. These areas are zoned B-3, and the surrounding residential neighborhoods are zoned R-4.

The Future Land Use Map identifies this property and parcels to the north as Pavilion Shore Village, which is called out in the Master Plan as a Redevelopment Site. To quote the Master Plan: "It is envisioned that redevelopment of this area could establish a unique sense of place at the corner of Old Novi Road and Thirteen Mile Road by providing housing and commercial uses that are inspired by the natural and recreational features of the park and lake."

The City is working with a consultant to develop Zoning Ordinance language for a new overlay or its own district to address the goals of the Master Plan based on comments received from a public workshop that was held last month. That new district or overlay has not been completed and the applicant desires to move forward. Therefore, they've applied for adapting an existing zoning district to the site through the use of the Planned Rezoning Overlay option.

The applicant has held meetings with community members and with staff over the past year. Based on feedback received, the applicant has modified their proposal to reduce the density and rework the design a couple of times. Originally the plans proposed all townhomes with a density of 18 du/ac, which was later reduced to 32 townhomes and 6 single family homes for an overall density of 12 du/ac. A concept plan was submitted in May, and went before the Master Planning and Zoning Committee, largely because the density proposed by the applicant at that time (9.9 du/ac) conflicted with the residential density map in the Master Plan, which calls for 7.3 du/ac. The applicant has further scaled back their proposal to 21 single family lots, which results in an overall density of 6.67 du/ac, and is within the Master Plan guidelines.

Planner Bell said the PRO Concept Plan before you shows 10 single family homes on the east side of Old Novi Road with driveways off Linhart and Wainwright Streets. Eleven single family homes are proposed to front on the west side of Old Novi Road. Each single family home has a two-car garage, either attached or detached. The Concept Plan also includes pedestrian walks along Old Novi Road to connect the existing and proposed homes to the Pavilion Shore Park to the north on Walled Lake. A storm water detention pond is shown just south of the existing Lakeview Bar & Grill.

Rezoning to the RM-2 category requested by the applicant would accommodate the single family housing density proposed, with individual lots evaluated by R-4 standards. The applicant is requesting 6.67 dwelling units per acre, which is under the maximum density allowed with RM-2 for 3-bedroom units (maximum 15.6 DUA). A high density multi-family residential district is not the logical extension to single family residential. However, with the PRO process the conditions and requirements placed on the development could make it compatible with the existing area. Many deviations to the R-4 standards are requested due to the depth of the lots and fitting the density into the area available. The proposed layout creates a moderately dense development in order to maximize the number of units on site. However there is little room to provide transitions to the commercial uses to the north, as well as leaving little space for some elements, such as driveways.

Erma Street on the north side of the proposed development west of Old Novi Road was previously vacated. However, the City Council motion from June 5, 2000 shows that the City reserved an easement over the entire width of the vacated area, so this area is not buildable. The applicant has formally requested this 50' easement be abandoned by the City, and a new 20' easement over the proposed utility locations would be established. If the City does not agree to abandon the easement, the home on lot 11 would not be able to be built as currently shown on the plans.

The ordinance requires a 6 to 8 foot berm or wall as a buffer between residential and commercial uses. The applicant has proposed a 6 foot vinyl fence as an alternate way to provide a buffer. City staff believe a solid masonry wall would provide a more appropriate visual and noise buffer between the proposed lot on the west side of Old Novi Road and the convenience store to the north. However either a fence or wall would conflict with the easement required over the utilities in this area.

Planner Bell said a vinyl fence would be acceptable to provide at the rear lot line adjacent to the existing homes, and perhaps north of the stormwater detention basin to provide visual screening of the existing bar & grill.

The applicant has submitted public benefits being offered to meet the objective of the benefits to the public for PRO. Staff comments on those are included in the packet and addressed in the motion sheet.

Staff and consultants are recommending approval of the Concept Plan. Additional information has been provided by the applicant to address specific requests in the review letters. The proposal helps fulfill objectives contained in the Master Plan for Land use, as well as other positive outcomes, such as the following: providing an update to the visual aesthetic in a unique area of the City; removing non-conforming structures from the Right-of-Way; the proposed single family homes are consistent with the surrounding residential neighborhoods; the density proposed is within the density recommended in the Master Plan; the traffic impacts have been evaluated to be less than what would be expected if the properties were to develop under the current B-3 and R-4 zoning; submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and the City Council of the manner in which the property will be developed, and offers benefits that would not be likely be offered under standard development options.

Planner Bell said although staff recommends approval of the Concept Plan to move forward, we still have unanswered questions about certain details of the plan, which will need to be worked out before Final Site Plan approval. These include: how the necessary screening on the west side of Old Novi Road can be accomplished given the need for utility easements; a full delineation of the wetland area on the rear side of Lots 20 and 21, as well as a pre- and post-construction analysis to ensure the existing and planned homes that are adjacent to the wetland area are not negatively impacted in a severe storm event; related to that are concerns with the Stormwater Management Plan details, which Darcy can further address, especially if the Commissioners have questions. Further detailed analysis would need to be reviewed to determine whether the stormwater plan will work adequately; driveways are supposed to observe a three foot setback from the property line, which does not appear to be the case on many of the proposed lots. The applicant has not requested this as a deviation, however it has been added to the motion sheet.

Tonight the Planning Commission is asked to hold the scheduled public hearing and make a recommendation for approval or denial to the City Council.

The applicant, Tim Loughrin, is here from Robertson Brothers to tell you more about their proposal. Staff and the City's consultants are also here to answer any questions you may have. Thank you.

Tim Loughrin, the Land Acquisition Manager for Robertson Brothers Homes, said thank you for being here tonight. I'm a fellow Planning Commissioner so I know that you don't get thanked too often, so thank you. I'll try to be as brief as possible, I'd much rather answer your questions.

Just quickly, the history of Robertson Brothers. It's a family owned company, professionally run organization that's been in business for about 70 years. We've actually pulled the second most permits in Oakland County to date this year. We've won HBA awards both for builder and developer of the year in the past couple of years. We have not done too much in Novi, you may have known that we did the Charneth Fen development – that was a failed condominium project that we came in and we finished it up nicely with townhomes at Twelve and a Half Mile just west of Novi Road.

I don't really want to belabor the fact, but we have worked very diligently with staff and the surrounding property owners and we're excited to bring a quality development that everybody will be proud of. The site, as Lindsay had mentioned, is just over three acres on both sides of Old Novi Road just south of Thirteen Mile. 21 single family lots, just under the 7 dwelling units per acre, I think it's 7.3 in the Master Plan, so we're under that Master Plan density designation. Homes will be ranging between 2,100 and 2,900 square feet. We are proposing a Planned Residential Option, and specifically the proposed project is unique in that it represents an opportunity to improve an area that has been identified by the City as a potential redevelopment area, as well as a site – the fact that the western parcels are only 100 feet in depth – which really requires a creative approach to development, given the nature of single family lots rather than townhomes or stacked apartments. We will be constructing a pond in large to accommodate the historic stormwater flows from the City's roadway, and an established HOA will be maintaining all of the common open space areas.

The Pavilion Shore plan identifies a need for housing in the redevelopment area specifically as cottage court style homes, which we are proposing that style. We believe the proposed use will provide for single transition from existing residential to commercial that are envisioned in the area plan to be located closer to the park and the lake. We feel this is appropriate land use, this is clearly demonstrated and conveyed from several meetings with surrounding property owners, as well as the Master Planning and Zoning Committee which was a couple of months ago.

Mr. Loughrin said we have addressed all Staff comments. We did follow up, as Lindsay had mentioned, we do realize and recognize that there will be further follow-up if we do get passed tonight as we go toward Final Site Plan. We feel the site plan as proposed will be in the best interest of the City, as it addresses most of the concerns of the neighboring properties while still meeting the intent of the Pavilion Shore Village overlay and the Master Plan provisions. Further, the plan will clean up several dilapidated buildings and stabilize home prices in an improving neighborhood.

So, in closing, there are several public benefits to the project, such as development of an otherwise undevelopable property under current zoning regulations; development of a unique site configuration with significant development challenges; meeting the intent of the City's Pavilion Shore Village planning area; meeting the maximum density requirements of the City's Masters Plan; inclusion of ADA accessible sidewalks to provide for neighborhood access to the Pavilion Shore Park; public parking spaces along Old Novi Road for overflow park parking; landscape and amenity improvements to an oversized Right-of-Way; new housing options for residents that are currently underserved; the elimination of several non-conforming buildings and uses that are in disrepair; storm detention in an area that currently has no structured storm system and a combination of road water stormwater flow; and quality architecture and design that will provide a catalyst for retail amenities in the Pavilion Shore Village area. So with that, again I want to be brief, I'm happy to answer any questions, as I'm sure they'll be many.

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

Rachel Sines, 2219 Austin Drive, said my house just happens to back up to this development. And first, I want to thank you all for listening to us over the past year. I know you're just as tired of hearing from us as we are of being up here. Everything we've been saying and doing has led to this moment right now.

First, I want to mention that my frustration and displeasure about the situation lies with the City of Novi and not necessarily Robertson Brothers. Back in July of 2017, the City approved changes to the Master Plan which increased the density of our area from 3.3 units per acre to 7.3 without informing or including the residents. However, Robertson Brothers was informed and involved in that process and you can see from this letter, they were asking for approval of the Master Plan. Obviously, they were playing a game that we didn't know we were involved in, and they played it well. And unfortunately for us, we were told about the game too late. As a community, we gathered signatures from over 70% of the residents living within 100 feet of Pavilion Shore Village and presented our petition against the City to the City Council. Yet, here we are today.

The City has recently held a workshop asking residents for their vision of Pavilion Shore

Village. Overwhelmingly, the vision of the community was the country cottage concept that would blend in and enhance existing neighborhoods. The same Master Plan that granted the increased density also mentioned preserving the feel of the area. Robertson Brothers originally submitted plans that had over 70 three-story units on just a little over three acres of land. With the outrage of the community, the City and Robertson listened, so we have the plan submitted tonight of 21 single-family homes. While this is much better, there are still some issues. The largest one for me is that on the west side of Parcel A is 1.3 acres, and under the 7.3 units per acre, only nine homes should be permitted. Yes, 21 homes is the correct number for each parcel if it's treated as individual, which they are. They are separated by streets and not contiguous. It is less expensive to build an above-water detention pond than the underground water system originally discussed. My neighbors and I shouldn't have to take on the burden of extra houses because it's less expensive for the developer. The City of Novi has even stated that the houses per acre in this area is five. At 7.3 units, this is already a significant increase but Robertson Brothers is suggesting 8.5 homes per acre on the west side.

I truly want to support this project and I want Robertson Brothers to do it, but it needs to be done correctly. The amount of deviations would be greatly reduced if nine houses were built instead of eleven. Put the other two houses back on Parcel C, so there will still be 21 homes. Here are some of the things that I would like to see happen. I would like to see attached, front-entry garages. This would be possible if the appropriate number of nine houses were permitted. At the very least, I would like front-entry garages at least six feet from the property line.

Ms. Sines said and most importantly, I would like to see one or one-and-a-half story houses on the west side. This would satisfy a number of issues listed in the Master Plan, such on page 8 and 10 for the aging population and young professionals, both seeking smaller homes and smaller lots; pages 40, 55, and 114, the preservation of existing neighborhoods and the way of life; and what the residents want to see as part of the results from the Pavilion Shore workshop. I would even be willing to compromise the number of homes if one or one-and-a-half stories would be ensured. This would be less invasive to the homes impacted by this development. I know that some of the neighbors support this plan and for that, I am happy. We have come a long way from 70 plus units. But as someone this directly affects because it is literally happening in my backyard, I cannot and do not support the plan as it is now.

Gary Zack, 359 South Lake Drive, said I'd like to echo several comments that the previous speaker just made from a little bit different angle. I think when you drive down Old Novi Road, this is going to be primarily what you see is what's on the west side. And it has a little bit of a look of a barracks, with a bunch of homes that are all very similar, although nice. But I'd like to see a little bit more changing it up and as the previous speaker mentioned, if the density were reduced over there then perhaps you could do that. Maybe some single story, I like the idea of single story. Most of the homes in the Shawood area, a lot of them are single story. But the one thing that is there is there's a lot of variety, so you've got some that are tall, some that aren't so tall, some that are wider lots, some that aren't so wider lots – it's not this regimented, where everything looks like a cookie cutter.

I also believe that we should look at the density separately in the separate segments, and consider that this side is getting a little overbuilt. The other concerns I have are the stormwater management, just to make sure. We've got two lakes right there, we've had

issues recently from the development going on down the street, which is not Robertson, with sediment getting into the lake and a lot of issues there. So we have to be cognizant that we have the proper control of the runoff from all the lawns and the fertilizer and all this from this area.

My last point I'd like to make is not with Robertson, it's really with the City. I don't understand why we have a system where we have to go to a density that's twice what even the Master Plan is and then reduce it with a PRO, rather than coming up from R-4 and increasing the density. It's just a little unnerving as a citizen. And I hope that the way this is written, is that this PRO and this rezoning only applies to these properties that Robertson has, not anything else in this Pavilion Shores Village area. And if something were to happen to this development and Robertson can't complete it, this is all undone so that somebody doesn't come in and build a five-story apartment building, which is what the RM-2 zoning is really there for. Now I understand the PRO and I don't know all the details of how that works, but I would rather see R-4 with an exception to say there can be more density, because then you may not miss something that you might miss like a 65-foot tall building. Thank you very much.

Michael Davis, 2345 Austin Drive, said I but up to lot number 1 there, the one that is sitting on the angle. My grade at the back of that house and to where that proposed garage sits is 12.6 foot above grade. They're above me, twelve feet above me. And they're going to cut into that hill, they're going to have to to make that livable or buildable, and my fear is flooding. You're going to flood me out. Oh no, Mr. Davis, we won't, we're engineering. Yeah well the house beside me, on the north side of me, the City allowed that to be built and they built into that hill, and it flooded me. And the City required the homeowner to put a trench down through there and he failed to do that and I flooded again. So they put a drain on Old Novi Road that drains across the street into the creek.

We're going to fight water, and I can't do it. I'm a disabled vet, 100% disabled vet and you're going to force me to sell. I built that home in '99, I've been in Novi for a long time. We followed every building code that they had and my home had to be similar dissimilar. You guys held my feet to the fire on that, and look now what you're building – the barracks as the one man alluded to. And it's no doubt they're going to build, and we know that in Novi. But that Twelve and a Half Mile, that building, the water just ran down Old Novi Road and just flooded into the radiator shop, and right in into the attorney's office there. And it's going to happen to me, beyond a doubt. And so you're going to force me either to sell at a reduced price, move – where am I going to move to? Where am I going to go at my age and 100% disabled? What am I going to do?

So I ask that you guys really take a look at the elevation and the water, the water runoff, and my god I can't get down Old Novi Road to get to CVS Pharmacy to get a prescription filled anymore. The traffic is just horrendous. And this really needs to be thought out about the traffic pattern. And Robertson Brothers has indicated that on-street parking on Old Novi Road, have you people been down Old Novi Road? You can't on-street park, there's no way in the world. A fire truck will never get down through there. If my home starts on fire and I need an ambulance to come and resuscitate me from a heart attack, they'll never get down through there. So I just ask that you guys really take a look at this configuration. Thank you.

Michel Duchesneau, 1191 South Lake Drive, said I've submitted a letter to the Planning

Commission as well as to the builder and I would like to have that as part of the record for this meeting minutes. Not to go and read it to you tonight, but I support the concept plan with one recommendation. You just heard a gentleman talk about the drainage, and my recommendation pertains to the drainage. Basically, there's many advantages to this development, it does minimize the traffic compared to other alternatives and that has been our concern, my personal concern.

And then the second item was the three-story townhouses, those are gone. That was our second biggest concern. The appearance of a townhouse would not fit in this neighborhood. This proposal does remove poorly maintained rental houses and rental buildings. It brings City water to areas that are on wells. And it does have the potential to improve the water, runoff and drainage. And since this is a Concept Plan, not a Preliminary Site Plan, I want you to consider that. If you look at the drainage plan that they have, basically for the west side of the property, going through the back half of five through eleven, water drains to the west towards the houses and the backyards on Austin, and then it goes north to divert to the retention pond. One of the variances requested by the developer is to make that five foot rear yard setback for the accessory buildings – the garages – as opposed to six that our Ordinance requires. My recommendation is that we hold them to six. However, I'm in support if that means moving all the houses east towards Old Novi Road and giving them a six foot setback to the property line as opposed to seven. I support that. It will help, especially since their drainage is a swale behind the houses, behind the garages. This is basically a swale. People tend to push snow down the driveways to the backyards toward the property line, at least that's what I would do. And I know there's an HOA that has to be incorporated as far as the maintenance of that swale in the agreement, the PRO agreement that the City has to present with them. There's also a short list of other items that might support not giving them the six foot variance.

I recognize this is a lengthy plan, the developer has met with the residents in a manner that I would hope that other developers do. They were very proactive, seeking to meet our recommendations and expectations. I'm good with 21 houses, I don't have issue with that. I may have some other recommendations, but this is a lengthy process and this is a Concept Plan, not a Preliminary Site Plan. The letter that I have that I've asked to include in the minutes basically says my one remaining area of recommendations is drainage, which you just heard the gentleman who spoke before me has an exceptionally bad condition. He is at the bottom of a hill and the houses on this side drain down the hill, he lives out in this area. This plan proposes drainage to go down the hill to a retention pond in the corner to get back to the retention pond, so those areas need to be looked at very carefully when this thing gets to Preliminary Site Plan. So basically that's the main thing that I have, and just so you know these are not off the cuff comments and particularly my letter talks about how I have looked at the reviews of the drawings many times, I've looked at the narratives, the physical site, the Master Plan, the tax records, the Novi Zoning Ordinances, the similar developments that Robertson Brothers have done in other locations, as well as presented. So I hope that you can consider my recommendation, but I do support the Concept Plan to move forward.

Letter from Michel Duchesneau, 119 South Lake Drive, to the Planning Commission:

Attn: Novi Planning Commission

Re: JSP18-0016 Lakeview Concept Plan Review – Public Hearing

I support the Lakeview concept plan with one recommendation, per the following:

As you know, many residents have expressed interest in having input on what is

developed in Pavilion Shore Village. In my opinion, the major concerns on the development direction are addressed with the concept plan.

The concept plan:

1. Minimizes the traffic increase to the hundreds of people living on South Lake, East Lake, Thirteen Mile, Wainwright, and Old Novi roads. These are all residential areas with a strong preference for single family detached homes.
2. Does not add townhomes, apartments, or commercial businesses to a traditional residential community.
3. Supports the three existing businesses with badly needed additional parking.
4. Removes poorly maintained rental houses and vacant buildings.
5. Brings city water to an area on wells.
6. Has the potential to reduce water runoff and standing water for adjacent homeowners.

Thus, I support the concept plan with one recommendation based on reviews of the drawings, narratives, physical site, master plan, tax records, Novi zoning ordinances, similar developments by Robertson Brothers, and resident input.

Novi has very stringent zoning ordinances when it comes to building setbacks. Specifically, accessory buildings (garages and sheds) require a minimum six feet setback to the property line in an R-4 district (4.19.1.G). The concept plan reduces this to five feet. I support the setback reduction for structures within the boundaries of the development. I recommend maintaining the six feet rear yard setback for the new garages to the western property line (lots 1 thru 11). Novi property owners expect a minimum ten feet side yard setback to a new house in an R-4 district and a minimum six feet setback to any garage or shed.

I also propose reducing the minimum front yard setback for the houses on lots 1 to 11 from seven feet to six feet to make up for the reduced rear yard. All houses, garages and drives can move one foot closer to Old Novi Road to compensation. Please consider this.

Maintaining the six feet minimum rear yard setback for the garages has other mutual benefits. The drainage plan has the water from the northern half of lot 5 all the way to lot 11 flowing west towards the rear yard property line and then north to a storm drain via a swale. The extra foot will allow this to be a more viable plan with fewer maintenance issues for the swale and fewer complaints from adjacent property owners.

The extra foot will allow vehicles to more easily use the driveway 'T' to turn around when side entry garages are built.

There are few places to stack snow on site and people with side entry garages will push the snow to the end of the driveway. It will sit there until the "great thaw" occurs. Hopefully the drainage design carries it north.

High voltage power lines and fiber optic cables run over the western property line of lots 6 to 11 and there may be easements or other restrictions.

Surveyors for these 1920's subdivisions made lots of mistakes and the current property line can vary significantly based on who does the surveying.

People have over the years built sheds, garages, and houses on or beyond the property lines. The Novi Land Records Map shows multiple potential conflicts for the subject property perimeter and existing accessory buildings.

Thank you,

Michel Duchesneau

Dorothy Duchesneau, 125 Henning, said Robertson has to be given credit for being up front and meeting with the residents back in February with their intention to develop and even to let the residents see what was being proposed at that time. I give them a lot of



credit for revising the first plan and even finally dropping the three-story townhomes options. Meeting with all the residents early on, with or without someone from Planning, should be a requirement for the developers in the future. It could save time, money, and effort from being wasted and this may involve making some changes in how certain plans go through the development process.

I, too, support the Concept Plan, but I have a couple little minor beefs and tweaks. I totally disagree with the side entry garages on the west side of Old Novi Road. They make absolutely no sense from a security standpoint – you're in the house, how do you know when the garage door is open? How do you know what is happening in your garage? As was said earlier, where is somebody going to push snow? Right to the end of that driveway. I understand the object is to be able to turn around the car and head nose out, but if you look at other plans and other options that Robertson has in other communities, you drive straight into the garage. No headlights for the person behind you. You have a big backyard. Yes, you can make your T-return and come back out so that you have your nose facing out. I don't know why many of Robertson's developments are nose-in garages and this one ended up being side entry. But Old Novi Road is 25 miles per hour.

My second comment is with regards to the sidewalk. According to the plans, it looks like the sidewalk is going to be totally relocated from where that sidewalk currently is along Old Novi Road. There's nothing wrong with it as close to the road as that sidewalk is now. It does not have to be set that much farther west. Give these people some front yards, move the houses a little farther east if you have to. But where the sidewalk is now is perfectly fine for a 25 mile per hour road. It doesn't need to be 30 feet away from the road. Those are my comments, thank you.

Todd Keene, 2300 Austin Drive, I've lived here for about 25 years. I also appreciate Robertson Brothers, they seem like they're doing a pretty good job and are definitely getting better with the residents. My thing is that I still think it's too dense. I think if they removed houses 15 and 16 from the east side and spread those out, and then 10 and 11 on the west side and spread that out, I think that would definitely improve things. I don't understand, as we read over the agenda for tonight, I was looking at a lot of stuff and I still don't understand the RM-2 high density. I don't understand why we can't just keep it R-4 and do variances to try to accommodate some of the stuff that's going on here.

In my neighborhood – I live in Shawood Heights subdivision – I'm just throwing a number out there but it's probably pretty close, somewhere between 70 and 80 percent of the homes in that area are on double lots. And this doesn't really fit in with our community and keeping with that style of neighborhood. So I think, like I said, if we took off 10 and 11 or persuaded Robertson Brothers to do that, and 15 and 16 and spread things out, and tried to make it less like a cookie cutter situation. But we're moving in the right direction. I'm proud of them and I'd like to support them to build something. I just hope they can get with our needs.

Jerilynn Meldrum, 2027 Austin Drive, said if you look at the illustration, I'm adjacent to 11 and flooding is my major concern. The field behind my house is elevated higher than my house and on the downslope of the hill, flooding and stormwater is a really big concern of ours. In my opinion, it's still a little bit too dense. If you look at the houses that are backing up the development, there's like three houses for six or seven houses. We do have nice yards, nice kind of like laid back country feel, which is why everyone really wanted the

country style court buildings. The majority of our homes are one level ranches, and they're modest. So for them to stack three houses for each one of our modest homes really just gives you some perspective of how tight these will be.

I agree with the people before me in saying that these driveways and the garages – I'm right on the property line so that's going to be like headlights right into my living room making that turn. And if they are pushing the snow back, it will add to the runoff that I'm already going to have to face. So thank you, Robertson Brothers, actually, for scaling it back from that first rude awakening at 57 condominiums being proposed. This is a nice concept, but it's still too dense. And it still has a long of things to factor for us existing people who have a great community, and to put this cookie cutter, high density housing into our little neat sprawling neighborhood doesn't conform. So thank you for hearing us.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission at this time. When no one else responded, he said I think we have some other correspondence.

Member Lynch said yes we do, and everything will be put into the public record. We've got letters from Michel Duchesneau, 1191 South Lake Drive, and Dorothy Duchesneau; we've got an objection from Kelly Butherford, 125 Austin; an objection from Greg Baber, 115 Linhart Street; objection from Patricia Keene, 2300 Austin Drive; objection from Todd Keene, 2300 Austin Drive; objection from Brian Damron, 129 Wainwright Street, and another from the same person; an objection from Jane Vaiciunas, 2214 Austin Drive; an objection from Daniel Kevin Toma and Kayla Melinda Toma, 2154 Austin Drive; an objection from Susan Cova, 111 Austin Drive; an objection from Michael Davis, 2345 Austin Drive; an objection from Terry Davis, 2345 Austin Drive. And a support from Mark Robbins, 2230 Old Novi Road; a support from Mark Robbins, 2293 Austin Drive; and two more from the same person.

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

Member Lynch said just briefly, I did drive out to the site and I spent some time out there. One thing that I was concerned about was right now, the drainage seems to be a prevalent issue. I think that on the east side, that section on the east side, will help because especially the person who lives next to Lot 21, it looks like everything drains down in there and it's all asphalt, so I think this may help. But it's unclear to me on the west side of Old Novi Road, and I guess for the developer – how are we going to handle the stormwater? Let me finish for a second because I looked at it and it looks like, we don't have lawns there and it's not absorbing although this may absorb some. Is the plan to slope towards Old Novi for Lots 1-11 or is there some sort of drainage strategy behind that development that it's not going to make a made condition? Because right now, it does look bad. I was out there when it was raining and I did see flooding, but it wasn't raining all that hard. But I can see how the water, especially down Austin Drive, kind of flows and then from Old Novi Road it looks like there already is an issue. My question is, is there some kind of strategy that you guys have that you're going to mitigate some of that drainage issue that we're currently having?

Mr. Loughrin said through the Chair, so I'm looking at the grading plan right now and it's similar to what the gentleman had mentioned before about the northern lots through the

back going towards the north. So we have the same proposal to have a storm drain on the west side where the property line is in structured storm pipe that would then go to a drainage structure, so a catch basin if you will, and then that would bring everything out to a catch basin right along Old Novi Road. Right now, there is nothing. So it's a combination of two things, so we will be grading what you see today – obviously we're going to need to grade and tabletop in some respects. So we will control the drainage that way. And then again everything will go down to basically the bottom corner and then out to the east to a pipe.

Member Lynch said so what you're doing, and it doesn't exist now, is putting in a drain pipe?

Mr. Loughrin said that's correct.

Member Lynch said that's going to collect the water runoff, granted you're adding some asphalt or concrete, and you have the rooftops too. It's probably a wash on drainage, what's there now to what you're going to put in there. So you're going to guide it to a drain pipe, ok.

Mr. Loughrin said and just to follow up on that, we don't just build the houses and walk away. So we don't want to have drainage issues any more than anyone else. We come and fix them anyway, so it's in our best interest to make sure we don't have any issues for homeowners, nor our neighbors. We fix that, as well. We stand by our product, we have a good reputation and we're not going to create a situation where it's just going to be a continual headache for us or homeowners.

Member Lynch said I did look at the drainage plan, my purpose was to have that on the record. Also, if you guys walk away, my understanding – to the counsel – is that once this PRO agreement is signed if this gets approved, if for some reason the developer decides they don't want to do it anymore, is it true that it all goes back to the way that it was? In other words, one of the gentleman came up and said they're worried about changing the zoning with the PRO agreement and what happens if Robertson for some reason decides to walk away? Does that nullify the PRO Agreement or does the Agreement stay with that property in perpetuity?

City Attorney Schultz said so the PRO, I believe, it's two years without development then it would expire or terminate of its own accord. But just to clarify, this is a PRO approval for this development only. So whether it expires or the parties walk away from it, nobody can come in and say they're going to just amend this agreement to do something more intense. It's just for this project, and if this project isn't built, then they have to move on to a different plan and a different approval process.

Member Lynch said ok. And I only spent about 25 minutes out there because I didn't want somebody shooting at me because I'm looking in the houses, but I was looking at the diversity of housing and I was trying to picture in my mind – if we were to leave it as General Business, does that make sense? And my opinion is no, it doesn't make sense. And I don't see how a business would survive.

And then the second question is, looking at the neighborhood, will this fit into the character of the neighborhood? And I guess my opinion is, I think it will based on the

diversity of housing in various other neighborhoods where they have anything from townhomes to million dollar homes. I think this will be a good addition, in my opinion, to this neighborhood. I wasn't out on Old Novi Road that much, but I didn't see a lot of traffic. Maybe I was there at the wrong time, but Old Novi Road looks like a nice residential area. My opinion, I've seen this in other places, is by putting residential there instead of commercial, it will calm the road and calm the traffic. I think that Thirteen Mile might be a traffic issue, but this isn't going to change that.

But overall, I like this idea better than what I've heard of the other plans. This is the first time I've had a chance to actually look at this plan and I know there are some issues that need to be ironed out, but I do see that fitting into the character of that neighborhood. I do think that based on my assessment of the engineering drawings, I think that the water problem should improve if it's built to those prints. The drain pipe goes in, I think it might not resolve all of the water problems because there's a lot of other reasons for the water problems, but I think that for the most part this will fit into that particular area. And I appreciate you working with the homeowners, it becomes very personal. It's difficult for everyone, it's difficult for the homeowners, certainly difficult for you, and I appreciate you spending the time and doing that. Based on where we were to where we are now, I think this is a pretty good plan.

Member Avdoulos said I'd like to echo the previous comments about having all of the residents involved and keeping us informed for this long, it's been a long time. When we were first hearing of this at audience participation, we had no clue what anybody was talking about. And then slowly the story became a little bit more evident and so we actually spoke to a lot of the residents and kept encouraging them to participate and keep us informed and have their voices be heard. And low and behold, here we are, this is real now. And the developer has done a great job in taking the time to meet with the residents and try to iron out as many of the concerns as possible.

Member Lynch had touched base on a few of the concerns I had, one with the flooding. And I would even be in favor of some of the adjustments that were recommended by Mr. Duchesneau about if there's some additional setbacks that can be bargained with in order to maybe alleviate some flooding concerns or drainage concerns, especially around that Lot 1. I think that would be something that we like to see, anything that would not create a hardship for the neighbors is something that I think would be really important.

The other question that was brought up and keeps being brought up is the cookie cutter façade. I saw elevations that were presented, different types of variations. If I could have our consultant, Doug, come up and maybe walk through what you've seen. It was mentioned by one of the residents, the similar dissimilar. And Novi really does take a look at that, although you can only do so much. I think some of these are taking the same plan but being a little bit more unique. But if you could walk through what you've been seeing and how the applicant has been responding to your comments, that would be helpful.

Façade Consultant Necci said the applicant submitted I think nine models with a total of 36 different front elevations, and the City Similar Dissimilar Ordinance prohibits cookie cutter type architecture. It actually requires that adjacent homes have a different front façade, it even goes so far as requiring rear façades that are visible from the main road be dissimilar as well, although that doesn't apply to this project. So essentially, adjacent homes and the second house, so two on the left and two on the right, have to be

different facades. In addition, any ones across the street have to be different. So the theory is that if you're standing in any one spot, all the homes within plain sight have to have differing façade. And that's a review that's done on every single house in Novi.

So we looked at the elevations that they had provided, those have been in the package for quite some time now. I don't know if they're all still in the package but with 36 elevations, they can meet the Similar Dissimilar Ordinance readily. There shouldn't be any issue with it whatsoever. There's always a tendency for a few models to be more popular, so that happens, but we watch over that pretty well.

Member Avdoulos said I appreciate it. The concerns with the detached garages or the garages in the rear – when I look at it, if you put a garage up front of a house and then you have a house, it actually makes the house look bigger. I think the way the houses are set and designed as in the image keeps them a little bit more downscale to sort of work with the rest of the area, being a little bit more contextual with the site and giving it more of a neighborhood character along Novi Road and the area to the east. So personally, I don't have an issue. I do understand the concern, especially the residents along the west side of Old Novi Road 1-11, where lights may be shining into their homes. That one, if Robertson Brothers could take a look at maybe offsetting the garages instead of side entry to maybe have them straight in similar to 12-16 where you can drive right in. If you could take a look at possibly doing that, although I know at the same time that it affects drainage and grading.

Mr. Loughrin said if I can answer, really the only reason why it's different than any of the other ones that we've done is really just because we figured Old Novi Road functions more as a collector street than residential, we were just concerned that there might be concern from the City's standpoint of having cars back onto that. That's the only reason – by putting it on the side orientation, you're able to back out and then go out front. So that was the sole reason. For us, frankly, it really doesn't matter too much. We will get bigger backyards, which is great. And it would reduce any kind of impacts to our neighbors. So we're okay if that's the decision, to go front-in. It's really just if there's any concern with backing out onto Old Novi, that was our only reason of doing that.

Member Avdoulos said okay, and maybe take that into consideration and walk it through with the City to see what the balance is.

Mr. Loughrin said we're also fine with the six foot rear setback, particularly if we could go six feet in the front just to justify that and make sure we have enough space. We would be okay with that.

Member Avdoulos said my concern is to have enough room to allow the grading to do what it needs to do, so if we have to sacrifice a little bit on the setbacks I have no issue with that. I think right now, that answers some my questions. I appreciate it.

Member Maday said you guys pretty much covered what I was going to ask but I just wanted to restate that with the side entry garages, I know it doesn't seem like a big deal in the grand scheme of things to a lot of us, but those few houses that are affected, it's a huge deal going in and out as many times as somebody might every day. So if you could work with the City, that would be great. I just wanted to extend my appreciation and thank you's to the citizens of the community, as well as to the developer. You guys

showed your voice and did what makes our country and the City great, and your voices were heard. I think this is going to be a great development for this area. It gets rid of some unsightly buildings and it may very well be able to bring some businesses that you local residents have been hoping for. It might draw some people that want to come in there. So I am encouraged by what I see, when I think about where we were before to where we are now and just seeing you guys happy and the developer happy and the City happy – it's a huge accomplishment. I'm just really happy with everything that has been done.

Member Greco said I just have a question for the Staff. Does the Staff have a position or has considered any issue regarding the positioning of the garages? Because that is an issue, and I know that we do have in the requirements a screening fence or landscaping should be provided along the rear lot lines of the properties on the west side of Old Novi Road, which I assume is to address that. But the headlights issue is definitely an issue, just in my experience being a lawyer dealing with other communities and with commercial and residential issues. It becomes kind of maddening for some of the individuals that are trying to watch a movie on Netflix and they keep getting lit up. So does the City have a position on that? We heard from the applicant about why they addressed it.

Planner Bell said our Traffic Consultant wasn't able to be here tonight, but I don't recall that being a major issue that they were concerned with.

Member Greco said okay, thank you. With regard to a screening fence or landscaping, what's the position of the applicant with regards to that?

Mr. Loughrin said we've already agreed to that. That was a follow up with Staff as far as the western perimeter and putting up a fence of some sort. And we're open to that, yes.

Member Greco said and that, of course, is something that needs to be kept up once it is put in, right?

Mr. Loughrin said yes.

Member Greco said thank you.

Chair Pehrson said Lindsay and Darcy, if we give up a little bit on the front yard setback and move things a little bit further to the east, is there concern for the current position shown on the rendering of the sidewalk relative to Novi Road if we move that closer?

Staff Engineer Rechten said I don't think there's any concern with it being closer to the roadway. The existing sidewalk is closer. I'm not sure exactly how it was placed where it's shown there, but I don't see any concern.

Chair Pehrson said I don't see any dimensions on it, I'm just assuming that if we go further to the east with the setback we still have the option to move the sidewalk a little bit forward and still maintain safety. Okay, great. I agree that I am in support of the proposal as it stands right now. I think we've come a long way from what we did want and what has been now worked out. I think this will be a great change to that area for the positive. I'll look for someone to make a motion.

Member Greco said I can make a motion, and I think with regard to the motion sheet concerning what we're approving today, some of the issues regarding the screening and the positioning of the garages, and the sidewalk, we can deal with at the time of site plan. So with that, I will make a motion.

Motion made by Member Greco and seconded by Member Avdoulos.

**ROLL CALL VOTE TO RECOMMEND APPROVAL OF REZONING MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER AVDOULOS.**

In the matter of Lakeview JSP18-16 with rezoning 18.723, motion to recommend approval to the City Council to rezone the subject property from R-4 (One Family Residential) and B-3 (General Business) to RM-2 (High-Density, Mid-Rise Multiple Family) with a Planned Rezoning Overlay Concept Plan, based on the following:

1. The recommendation shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:
  - a. Planning Deviations for Single-Family (R-4 standards):
    - i. Reduction of minimum lot area by 5,000 square feet (10,000 sf required, 5,000 sf provided);
    - ii. Reduction of minimum lot frontage by 32 feet (80 ft required, 48 ft provided);
    - iii. Reduction of the minimum required building front setback by 23 feet (Required 30 feet, provided 7 feet);
    - iv. Reduction of the minimum required building principal side setback by 5 feet (Required 10 feet, provided 5 feet);
    - v. Reduction of the minimum required building side total setback by 10 feet (Required 25 feet, provided 15 feet);
    - vi. Reduction of the minimum required building rear setback by 15 feet (Required 35 feet, provided 20 feet);
    - vii. Reduction of the exterior side yard required building setback by 20 feet (Required 30 feet, provided 10 feet);
    - viii. Reduction of the side and rear yard setback for accessory buildings (Section 4.19.1.G) by 1 foot (Required 6 feet, providing 5 feet);
    - ix. Exceeding the maximum lot coverage percentage by 20% (25% allowed, 45% provided);
  - b. Engineering DCS deviation for the width of storm sewer easements (10 feet requested);
  - c. Engineering DCS deviation for the driveways less than 3 feet from the property line;
  - d. Traffic deviation for driveway width of 10 feet (16 feet standard) which is within the acceptable range and may be granted administratively;
  - e. Landscape deviation for no screening berm provided between the B-3 commercial district and the residential properties to the south on both sides of Old Novi Road (6-8 feet tall landscaped berm required) with alternative screening with fence/wall and/or landscaping to be provided;
  - f. Landscape deviation for street trees located in front yards of single family homes on Wainright and Linhart, rather than within the right-of-way due to the presence of utilities;

- g. Landscape deviation for subcanopy trees used as street trees due to the presence of overhead power lines on Old Novi Road;
  - h. Landscape deviation for fewer subcanopy trees substituted for canopy street trees than required, due to the number of driveways and the 10 foot spacing requirement from driveways;
  - i. Landscape deviation for landscaping and decorative fence proposed within the right-of-way due to the width of Old Novi Road right-of-way;
  - j. Façade waiver under Section 5.15.9 for underage of brick and overage of horizontal siding on certain elevations;
  - k. Subdivision Ordinance deviation for site condominium unit boundaries extending into wetland area for lots 20 and 21; and
  - l. Planning deviations for lots 50-22-10-231-019 and 50-22-10-231-008 (remainder of lots fronting on Austin maintaining R-4 zoning designation) as follows:
    - i. 21 foot rear setback where 35 foot is required;
    - ii. Lot area of 6,500 square feet where 10,000 sf is required;
    - iii. Lot coverage of 30% where 25% is permitted.
2. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be requirements of the Planned Rezoning Overlay Agreement:
- a. A homeowner's association shall be established as part of the development and the City shall review the Master Deed and Bylaws prior to recordation. A separate maintenance agreement to be assigned to the homeowner's association is proposed to meet the intent of this provision.
  - b. The use of the property will be for single family homes meeting the standards spelled out in the development agreement.
  - c. The maximum number of single family units shall be 21.
  - d. The maximum density of the development shall be 6.67 DUA.
  - e. Use easement extending 15 feet into the Old Novi Road ROW for the parcels along the west side of the road. The use easement would be used as front yard space for the homes, including landscaping features and decorative fences to be maintained by the home owners association established in a Master Deed.
  - f. The small wetland area on the northeast corner of the site shall be minimally impacted only as permitted by MDEQ and City Wetland Permit, and the applicant has indicated that the Master Deed for Lakeview will provide for a conservation easement for these two properties such that the wetlands will not be disturbed.
  - g. Screening fences and/or landscaping shall be provided along the rear lot lines of the properties on the west side of Old Novi Road.
  - h. On both sides of Old Novi Road, in lieu of the required berm separating the residential uses from the non-residential uses to the north, the applicant shall provide alternate screening in the form of a fence or wall and/or landscaping to be approved by the City's landscape architect. Consideration shall be given to limiting noise and visual impacts for the residents, as well as impacts to wetlands and buffer areas.
  - i. The two lots north of Wainwright, east of Old Novi Road, shall have front entry garages due to the presence of the wetland in the rear yards that shall be preserved. The remaining 19 lots shall be constructed with detached or rear attached garages.
  - j. The applicant shall provide 10 on-street parking spaces along the east side of Old Novi Road, as recommended by the Master Plan.



- k. The city shall abandon the 50 feet of the utility easement within the previously vacated Erma Street, but shall require a 20 foot water main easement.
- l. Applicant complying with the conditions listed in the staff and consultant review letters.

This motion is made because:

1. The proposed plan meets several objectives of the Master Plan, as noted in the review letter, including:
  - a. *The Pavilion Shore Village area is identified in the Master Plan for redevelopment with a vision for a cohesive mixed use village that complements the surrounding neighborhood.* (Bringing additional residents and investment into the area could drive development interest in the other areas of Pavilion Shore Village, and the community has strongly expressed single family uses are preferred on these parcels).
  - b. *Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities* (Pedestrian improvements are proposed along Old Novi Road including building a segment of planned sidewalk on the east side of the road, which includes a bench seating area with landscaping).
  - c. *Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments.* (The homes are set in a walkable context with sidewalks leading to the nearby parks.)
  - d. *Provide a wide range of quality 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 homes include characteristics of the "missing middle" housing option with medium density, well-designed units with smaller footprints that will appeal to many types of demographic groups.)
2. The proposed detention pond provides improved management of storm water in an area not currently detained.
3. The redevelopment of this site provides an update to the visual aesthetic in a unique area of the City with underutilized parcels.
4. The redevelopment of the subject parcels will remove non-conforming structures from the Right-of-Way.
5. The proposed single family homes are consistent with the surrounding residential neighborhoods.
6. The topography and parcel configuration are such that single family home development under the existing zoning would not be possible without similar variances for lot depth, lot area, lot coverage and setbacks.
7. The density proposed is within the density recommended in the Master Plan.
8. Submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and the City Council of the manner in which the property will be developed, and offers benefits that would not be likely to be offered under standard development options.

*Motion carried 5-0.*

## PLANNING REVIEW



## PLAN REVIEW CENTER REPORT

September 7, 2018

### Planning Review

Lakeview

JSP18-16 with Rezoning 18.723

#### PETITIONER

Robertson Brothers Homes

#### REVIEW TYPE

Rezoning Request from B-3 (General Business) and R-4 (One Family Residential) to RM-2 (High Density, Mid-Rise Multi-Family Residential) with a Planned Rezoning Overlay (PRO)

#### PROPERTY CHARACTERISTICS

<b>Section</b>	10 and 11	
<b>Site Location</b>	East & West of Old Novi; South of Thirteen Mile Road; Parcel Id's: 22-10-231-021, -006, -020, -025, -026, -027; 22-11-101-002; 22-11-103-001, -002, -005, -006, -007, -008, -009, -020 and part of 22-10-131-008	
<b>Site School District</b>	Novi Community School District	
<b>Site Zoning</b>	B-3 General Business and R-4 One Family Residential	
<b>Adjoining Zoning</b>	North	B-3 General Business
	East	R-4 One Family Residential
	West	R-4 One Family Residential
	South	R-4 One Family Residential
<b>Current Site Use</b>	Vacant Land/Single Family Homes/Vacant Businesses	
<b>Adjoining Uses</b>	North	Convenience Store/Restaurant
	East	Single Family Residences
	West	Single Family Residences
	South	Single Family Residences
<b>Site Size</b>	3.13 Acres	
<b>Plan Date</b>	August 7, 2018	

#### PROJECT SUMMARY

The petitioner is requesting a Zoning Map amendment for 3.15 acres of property east and west of Old Novi Road and south of Thirteen Mile Road (Section 10 and 11) from B-3 (General Business) and R-4 (One Family Residential) to RM-2 (High Density, Mid-Rise Multi-Family Residential) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow the development of a 21-unit single-family residential development that would be in line with the redevelopment goals for the Pavilion Shore Village area envisioned in the City's Master Plan. Ordinance standards to implement the plan have not yet been developed, so the applicant has chosen to use the PRO option.

The applicant has proposed a 21-unit single-family for-sale residential development with frontage and access to Old Novi Road, Linhart and Wainwright. The PRO Concept Plan shows 10 homes on the east side of Old Novi Road. A two-car garage for each unit is accessed by driveways off Linhart Street and Wainwright Street. Eleven single family homes are proposed to front on the west side of Old Novi Road. Each single family home has a two-car garage, attached or detached behind the homes. The concept plan also includes pedestrian walks along Old Novi Road to connect the existing and proposed homes to the Pavilion Shore Park to the north on Walled Lake. A detention

pond on the north side of Wainwright Street, east of Old Novi Road, would manage stormwater for the project.

The project area is currently partially developed and undeveloped land. It proposes to split one through-lot from Old Novi Road to Austin Road to allow the preservation of the house fronting on Austin. Two existing homes and accessory structures on the west side of Old Novi Road would be demolished. On the east side of Old Novi Road, four homes and one business as well as accessory structures would be demolished. The removal of the buildings would resolve a number of existing nonconformities including setback deficiencies, and buildings located within the right of way.

## PROJECT REVIEW HISTORY

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The applicant submitted for Pre-Application Meetings on two different occasions, which were held on November 9, 2017 and April 13, 2018. In response to feedback received from staff and meetings the applicant held with community members, the applicant revised their plans to reduce the density and design of the proposed development. Originally the plans showed 70 townhome units with a density of 18 DUA, which was reduced to 32 townhomes and 6 single family homes for an overall density of 12 DUA. The applicant submitted a PRO concept plan in May that further reduced the proposal to 14 townhomes and 17 single family homes. That concept plan went to the Planning Commission's Master Plan & Zoning Committee for informal review on June 27, 2018. Following that meeting, the applicant again revised the plan based on feedback from staff, committee members and concerned residents and have now submitted a revised Concept plan which proposes 21 single family homes.

## PRO Option

Consistent with Section 503 of the Michigan Zoning Enabling Act (MZEA), 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 B-3 and R-4 to RM-2) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

## RECOMMENDATION

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The density requested by the applicant is supported by the Master Plan, which recommends a residential density not to exceed 7.3 dwelling units per acre (DUA) for this area. The applicant's proposal is under this density at 6.67 DUA overall, which fits within the RM-2 District in terms of density for 3-bedroom units. Approval of the **PRO Concept plan is recommended for conditional approval, provided the following are sufficiently addressed in the applicant's response letter, before the Planning Commission meeting** (which are further expanded in the letter):

1. **Incomplete Application:** The submittal does not meet the application requirements found in the Site and Development Manual. The following items were missing from this PRO Concept Plan submittal:
  - a. **Sign Location Plan:** Rezoning requests must include a sign location plot plan in accordance with Section 1 of the Site Plan and Development Manual. *The applicant has provided an acceptable plan as of September 5.*
  - b. **Rezoning Traffic Impact Study:** At the time of the Pre-application Meetings, it was not clear that a PRO development option was being sought, so the traffic review did not include a request for the RTIS. **However this is a required item for rezoning requests.**

- c. Development Potential: A written statement describing potential development under the current zoning. The applicant is asked to provide this written statement with the response letter.
2. **Clarification of Variance Requests**: There are outstanding items that should be clarified in order to determine whether certain variance requests should be included in the PRO agreement. The applicant is asked to provide clarification in the response letter to the following (further details provided in the letter):
- a. **Wetland Impacts**: Wetland impacts have not been clearly stated, but the applicant’s project narrative indicates they plan to “include most of the wetland area as undeveloped in two single family backyards.” **These lots should be redesigned to exclude the wetland area, or request a deviation from Section 12-174 of the City Code of Ordinances, which does not permit platted lot boundaries to extend into wetland or watercourse areas.**
  - b. **Lot Splits for Existing Homes on Austin Street**: Two existing single family homes will be located on lots partially split from parcels to be rezoned. The lots will be non-conforming with R-4 zoning. **The applicant is asked to clarify the intention for these lots and detail the variances needed for the creation of those lots.**
  - c. **Easement on Vacated Erma Street**: An easement over the 50 foot width of Erma Street was retained by the City when the road was vacated in 2000. **The applicant is asked to formally request to reduce the easement width to accommodate utilities in the area.**
3. **Applicant Burden Under PRO**: The applicant has not proposed site specific regulations that are, in material respects, “more strict or limiting than the regulations that would apply to the land under the proposed new zoning district,” as required under Section 7.13.2.c. In the absence of such regulations and conditions, it cannot be determined whether, compared to the existing zoning it would be in the public interest to grant the rezoning with PRO or whether the benefits of the proposal can be found to clearly outweigh the reasonably foreseeable detriments thereof. The applicant may wish to reevaluate and reconsider the conditions offered to provide more substantial benefits that would serve the purpose of this PRO requirement. Several stakeholders that attended a public workshop regarding the Pavilion Shore Village area mentioned the desire for additional amenities within Pavilion Shore Park. Refer to additional notes regarding the specific benefits proposed by the applicant on Page 13.

**COMPARISON OF ZONING DISTRICTS**

The following table provides a comparison of the current (B-3 and R-4) and proposed (R-4 and RM-1) zoning classifications. The applicant is requesting a change of use from General Business and One Family Residential uses to High Density Multi-Family Residential. The types of uses allowed in these districts are entirely different from each other, although the proposed use would still be single family detached dwellings which are still subject to the same standards and regulations as the existing R-4 zoning. The proposed use would be somewhat higher density than the existing zoning.

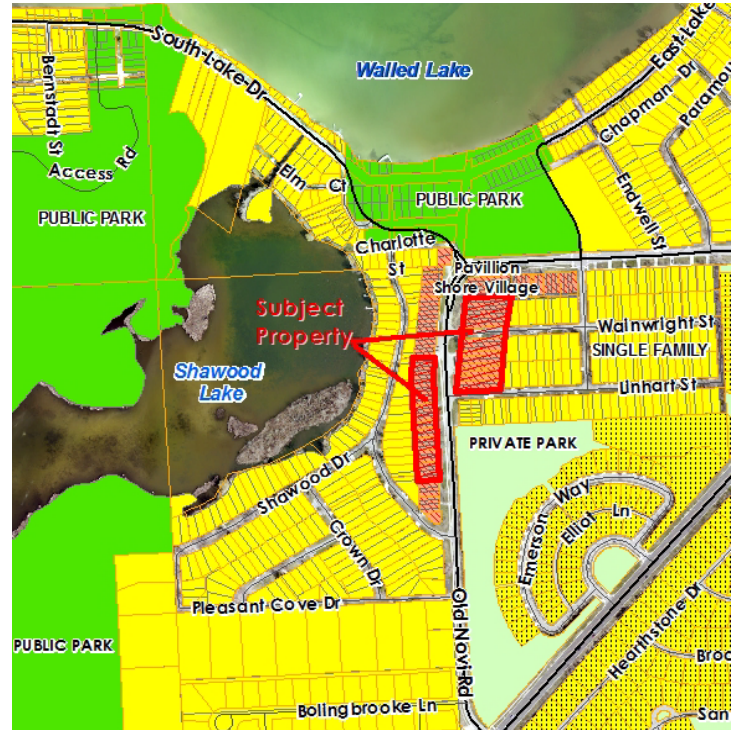
	B-3 Zoning (Existing)	R-4 Zoning (Existing)	RM-2 Zoning, *One-Family Detached Dwellings subject to R-4 Standards (Proposed)
<b>Principal Permitted Uses</b>	See attached copy of Section 3.1.12.B	See attached copy of Section 3.1.5.B	See attached copy of Section 3.1.7.B Single-Family Development, as proposed, is a permitted use
<b>Special Land Uses</b>	See attached copy of Section 3.1.12.C	See attached copy of Section 3.1.5.C	See attached copy of Section 3.1.7.C

	<b>B-3 Zoning (Existing)</b>	<b>R-4 Zoning (Existing)</b>	<b>RM-2 Zoning, *One-Family Detached Dwellings subject to R- 4 Standards (Proposed)</b>
<b>Minimum Lot Size</b>	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.	10,000 sq ft (80 ft lot width)	*10,000 sq ft (80 ft lot width)
<b>Maximum Lot Coverage</b>		25%	*25%
<b>Building Height</b>	30 feet	2.5 stories or 35 feet whichever is less	*2.5 stories or 35 feet whichever is less
<b>Building Setbacks</b>	Front: 30 feet Side: 15 feet Rear: 20 feet	Front: 30 feet Side: 25 feet total two sides, 10 ft min each Rear: 35 feet	*Front: 30 feet Side: 25 feet total two sides, 10 ft min each Rear: 35 feet
<b>Usable Open Space</b>	Not Applicable	Not Applicable	*Not Applicable
<b>Minimum Square Footage</b>	Not Applicable	1000 sq ft	*1000 sq ft

**COMPATIBILITY WITH SURROUNDING LAND USE**

The surrounding land uses are shown in the below chart. The compatibility of the proposed rezoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request. The following table summarizes the zoning and land use status for the subject property and surrounding properties.

	<b>Existing Zoning</b>	<b>Existing Land Use</b>	<b>Master Plan Land Use Designation</b>
<b>Subject Property</b>	B-3 and R-4	Vacant lots, Vacant commercial buildings, One Single Family Home	Pavilion Shore Village
<b>Eastern Parcels</b>	R-4 One Family Residential	Howell's Walled Lake (Single family residential development)	Single Family Residential (uses consistent with R Zoning Districts)
<b>Western Parcels</b>	R-4 One Family Residential	Shawood Walled Lake Heights (Single family residential development)	Single Family Residential (uses consistent with R Zoning Districts)
<b>Northern Parcels</b>	B-3 General Business	Convenience store, Veterinary Office, Lakeview Bar & Grill	Pavilion Shore Village
<b>Southern Parcels</b>	R-4 One Family Residential	Single Family homes, Vacant land	Pavilion Shore Village (West), Single Family Residential (East)



Zoning Map

Future Land Use Map

The subject parcels are currently zoned B-3 (General Business) and R-4. Many of the lots are currently vacant, others have existing nonconforming buildings. There are 5 single family homes, a vacant business, and several accessory structures. Some of the existing buildings are located within the Old Novi Road right of way.

The Lakeview Grocery convenience store is located on the property directly **north** of the subject property on the west side of Old Novi Road. On the east side of Old Novi Road the Lakeview Bar & Grill is located directly north of the subject area. The future uses for these properties are unlikely to change, but they do fall within the Pavilion Shore Village designation on the Future Land Use Map.

The property to the **south** on the west side of Old Novi Road is developed with single family homes. The property to the south on the east side of Old Novi Road is currently vacant and could be developed with single family homes.

The property to the **west** of the subject properties is an existing single family neighborhood known as Shawood Walled Lake Heights. Many of the residents of the neighborhood have objected to aspects of the proposed development including building heights, traffic and stormwater impacts.

The property to the **east** of the subject properties is an existing single family community of Howell's Walled Lake. Many of the residents of the neighborhood have objected to aspects of the proposed development including building heights, parking, and wetland impacts.

Impacts to the surrounding properties as a result of the proposal would be expected as part of the construction of any development on the subject property and could include construction noise and additional traffic. The loss of a portion of the wetland area and trees on the property would present an aesthetic change but that would also happen with development under the current zoning.

## DEVELOPMENT POTENTIAL AND DENSITY PROPOSED

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The site plan proposes a development of 21 single family units with a density of 6.67 DUA, which is below the maximum density allowed for three bedroom units under RM-2 zoning (up to 15.6 DUA allowed). The master plan designation imagines the Pavilion Shore Village area to be developed with a mix of housing and commercial uses. Development under the current B-3 and R-4 zoning could result in the construction of a number of different retail or commercial uses as well as single family homes, however site constraints have limited the interest of developers in this area for some time. Development under the proposed RM-2 zoning without a PRO option could result in up to 49 three-bedroom units, based on the acreage provided.

As is evident, the existing, proposed, and possible uses are much different from each other. The Master Plan for Land Use provides a density guideline of up to 7.3 DUA for this area. Staff analyzed the impacts of the proposed rezoning in the following sections.

The applicant submitted a narrative that assesses and supports their request for change of use. However, staff suggests the applicant consider the comments made under the review concerns section below to make the proposed development more compatible with the surroundings.

## REVIEW CONCERNS

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- 1. Change the proposed rezoning to RM-2:** The applicant is proposing a desirable single family housing product in a location recommended by the 2016 Master Plan for redevelopment. The R-4 district allows a maximum of 3.3 DUA and the RM-1 maximum density for 3-bedroom units is 5.4 DUA. Deviations from density requirements cannot be requested, even within the PRO agreement, which means the R-4 and RM-1 Districts are not able to accommodate the density proposed given that the units will primarily be 3-bedroom homes. The maximum density for 3-bedroom units within the RM-2 district is 15.6 DUA. RM-2 zoning would accommodate the density being requested in the proposal (6.67 DUA), but the single family homes proposed would still be subject to standards and regulations outlined in the R-4 district. This density also fits with the Master Plan's recommendation of 7.3 DUA. Regardless of the district that is requested, the concept plan would remain as shown, if the request is approved as proposed. Once an overlay district for the Pavilion Shore Village area is developed that is in line with the type of development envisioned and the specific conditions of the area, the City could choose to apply the district to the entire area as identified in the Master Plan for consistency.
- 2. Compatibility with the Surroundings:** Existing land use patterns reflect a concentration of single family homes in this area of the City, with a few existing community-serving commercial uses to the north of the subject property on Old Novi Road and 13 Mile Road. The RM-2 District would not be strictly compatible with the single family residential and commercial uses here on its own, but if the request is approved by the City Council, development would be restricted by the terms of the PRO Agreement developed with the applicant to include the PRO Concept Plan. RM-2 zoning would allow the density of single-family homes proposed by the applicant that are similar to the existing community. Overall density as well as number and type of units could be conditions within the PRO Agreement.
- 3. Design and Layout Concerns:** The proposed layout plans a moderately dense development that is in keeping with the surrounding community of single family homes. The applicant has revised the layout to address many of the previous concerns, which results in a residential development that is more compatible with the existing neighborhoods. However, the following concerns are still valid:



- a. **Erma Street, on the north side of the proposed development west of Old Novi Road, was previously vacated. However, the City Council motion from June 5, 2000 shows that the City reserved an easement over the width of the vacated area for utilities, so this area is not buildable at this time. There is an existing water main within the easement area. The plans show a home and garage being built in the easement area, and the water main to be relocated onto the property to the north. The applicant should provide documentation that would prove the area is buildable, or revise the plans to avoid the easement area. Alternatively, the applicant could request revision of the easement boundaries from City Council as part of the PRO process. Any changes to the easement should adequately accommodate the utility needs in the area.**
  - b. Additional landscaping can be provided between the existing homes and the proposed homes to create additional screening. **Screening fences should also be added to the rear yards of the western parcels to limit any negative impacts to the existing neighbors, and to the north property line to buffer the new home from the existing commercial uses.**
  - c. Parcels 4 and 8 (SP8) contain existing homes and are not proposed to be rezoned to RM-2, but the lot dimensions will be altered by the platting of the proposed development. The rear setback of parcel 4 will be reduced and the lot area will be less than the 10,000 square feet required in the R-4 district. Parcel 8 will gain additional rear yard setback and area. Both of these parcels are labeled "Parcel D" on SP1. **The applicant is asked to clarify the intent for these parcels and identify any variances from Ordinance requirements that would be needed for their creation.**
4. **Development Specific Conditions:** It is staff's opinion that the applicant has not proposed site specific regulations that are, in material respects, "more strict or limiting than the regulations that would apply to the land under the proposed new zoning district," as required under Section 7.13.2.c. In the absence of such regulations and conditions, it cannot be determined whether, compared to the existing zoning it would be in the public interest to grant the rezoning with PRO or whether the benefits of the proposal can be found to clearly outweigh the reasonably foreseeable detriments thereof. The applicant should reevaluate and reconsider any specific conditions to be offered. Most of the conditions offered by the applicant are considered incidental benefits of any development or requirements of the City's ordinances. There is opportunity to provide more substantial benefits that would serve the purpose of this PRO requirement. Several stakeholders that attended a public workshop regarding the Pavilion Shore Village area mentioned the desire for additional amenities within Pavilion Shore Park. Refer to additional notes regarding the specific benefits proposed by the applicant on Page 13.
  5. **Ownership Model:** The applicant is asked to clarify the whether the property will be developed under site condominium or property splits.
  6. **Mailboxes:** Further consideration of the mailbox types and locations is needed. This does not have to be a condition within the PRO agreement and can be worked out during Preliminary Site Plan review.
  7. **Right of Way Agreement:** The applicant is proposing partial use within the existing right of way for fences and landscape features on the west side of Old Novi Road. A license agreement or another type of agreement will be needed. Further discussion with the City Attorney's Office is needed to determine the best way to address this question.
  8. **Traffic:** A Rezoning Traffic Impact Study was not provided in this submittal. An RTIS is required when a proposal to rezone property is being reviewed. The City's Traffic consultant has requested additional information to determine the impacts of the proposed rezoning as compared to existing land use. Refer to the traffic review letter for additional information. Lindsay – please update this section.
  9. **Wetlands:** The site contains a wetland, approximately 0.15 acre, along the northeastern portion of the property. The Concept plan proposes "minimal impacts" but does not

quantify the wetland or wetland buffer impact. The applicant is asked to provide calculations of these impacts. The City's threshold for the requirement of wetland mitigation is 0.25-acre, so mitigation is not likely to be required. Please refer to the wetland review letter for additional information. The applicant should be aware that the Subdivision Ordinance states "the boundaries of platted lots shall not extend into a wetland or watercourse." Likewise, if the development is a site condominium "the boundaries of building sites...shall not extend into a wetland or watercourse." **As currently designed, the site boundaries of two lots extend into the wetland. These lots should be redesigned to exclude the wetland area, or the applicant may request a deviation from Section 12-174 of the City Code of Ordinances.**

10. **Woodlands:** The proposed site does not contain areas noted as City Regulated Woodlands, but does contain 3 trees that are 36 inches diameter at breast height (DBH), which are regulated. The Woodland Review letter indicates that the regulated woodland trees on the site are proposed to be removed, and will require 8 replacement credits. The applicant is encouraged to consider preserving Tree #131. The plans propose woodland replacement credits would be fulfilled by planting 4 downy serviceberry trees and 8 white spruce.
11. **Façades:** To be considered a benefit to the public, the architectural design is evaluated against meeting and exceeding the ordinance requirements. As currently proposed, the designs do not qualify as an enhanced feature of the development.
12. **Landscaping:** Landscape review has identified several deviations from the ordinance requirements. While some minor deviations may be supported by staff, the major items cannot be supported.
13. **Fire:** All fire issues have been adequately addressed at this time.

### MASTER PLAN FOR LAND USE

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property and parcels to the north as Pavilion Shore Village, which is called out as a Redevelopment Site. "It is envisioned that redevelopment of this area could establish a unique sense of place at the corner of Old Novi Road and Thirteen Mile Road by providing housing and commercial uses that are inspired by the natural and recreational features of the park and lake." Properties to the west and east are designated for single family uses.

Specific to the style of housing envisioned in Pavilion Shore Village, the Master Plan states: "Given the proximity to the lake and residential nature of the area, housing is envisioned in either two- to three-story mixed-use buildings oriented to W. Thirteen Mile and Old Novi Roads or as one-story 'cottage court' style homes. Smaller, market-rate housing units, either for sale or rent will offer unique housing for young professionals and empty-nesters."



Adopted by the Planning Commission in July of 2017, the 2016 Master Plan calls for "the creation of a simple form-based district that defines building forms and architectural elements should be considered to encourage redevelopment of this area as envisioned." The City has not yet created

this new zoning district, and the applicant desires to move forward, which necessitates adapting an existing zoning district to the site through the use of the Planned Rezoning Overlay option.

The proposal would partly follow objectives listed in the Master Plan for Land Use including the following. If additional information is provided per staff's comments, the proposal would have the ability to meet the full intent of the objectives:

### 1. Infrastructure

- a. Objective: Provide and maintain adequate water and sewer service for the City's needs.
- b. Objective: Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities.

**Staff Comment:** Public water main exists on Old Novi Road and Austin Drive. Public sanitary sewer exists in Old Novi Road. On-site detention is proposed for storm water management. The proposed concept plan indicates pedestrian improvements along Old Novi Road including building a segment of planned sidewalk on the east side of the road. The 2016 Master Plan recommends prioritizing connections with nearby parks in the implementation of the Non-Motorized Plan in this area.

### 2. Quality and Variety of Housing

- a. Objective: Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments.
- b. Objective: Maintain safe 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
- c. Objective: Maintain existing housing stock and related infrastructure.
- d. Objective: 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.

**Staff Comment:** Per applicant's narrative letter, the proposed homes are geared towards millennials and active adults looking to enjoy what the Pavilion Shore Park area has to offer along with a quality school district. The housing type is said to serve the demand for the "missing middle" option that 2016 Master Plan aims to encourage. Missing middle characteristics include homes set in a walkable context, medium density, smaller, well-designed units, smaller footprints and blended densities.

### 3. Community Identity

- a. Objective: Pavilion Shore Village. Develop a cohesive mixed use village that complements the surrounding neighborhood.
- b. Objective: Maintain quality architecture and design throughout the City. Set high standards and promote good examples for use of public property through the City's actions.
- c. Objective: Create a stronger cultural presence and identity for the City by working with the Novi Historical Commission and other groups to preserve historic structures and creating gathering places for residents and community activity.
- d. Objective: Ensure compatibility between residential and non-residential developments.

**Staff Comment:** In their narrative, the applicant indicates that quality architecture and design is one of the benefits to the public proposed, which will provide a catalyst for more retail amenities in the Pavilion Shore Village area. The façade review suggests that it does not currently meet the higher standard for attractive housing than required by the ordinance.

#### 4. Environmental Stewardship

- a. Objective: Protect and maintain the City's woodlands, wetlands, water features, and open space.
- b. Objective: Increase recreational opportunities in the City.
- c. Objective: Encourage energy-efficient and environmentally sustainable development through raising awareness and standards that support best practices.

**Staff Comment:** The applicant has not quantified the wetland impacts proposed. The project narrative indicates most of the wetland area present would be undeveloped. The applicant should clarify whether the wetland will be protected under a Conservation Easement, or whether some other form of conservation is proposed.

#### MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT

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 completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the driveways and lots, and a general layout of landscaping throughout the development. The applicant has provided a narrative describing the proposed public benefits. At this time, staff can identify some conditions to be included in the agreement if the current design moves forward.

1. The use of the property will be for single family homes meeting the standards spelled out in the development agreement.
2. The maximum number of units shall be 21.
3. The maximum density of the development shall be 6.67 DUA.
4. Use easement extending 15 feet into the Old Novi Road ROW for the parcels along the west side of the road. The use easement would be used as front yard space for the homes, including landscaping features and decorative fences.
5. The small wetland area on the northeast corner of the site should be minimally impacted only as permitted by MDEQ and City Wetland Permit, and the remaining wetland maintained in its natural state with a conservation easement to be dedicated to the city in order to preserve this natural feature in perpetuity.
6. A homeowner's association will be established as part of the development and the City will review the Master Deed and Bylaws prior to recordation. A separate maintenance agreement to be assigned to the homeowner's association is proposed to meet the intent of this provision.
7. Screening fences and landscaping should be provided along the rear lot lines of the properties on the west side of Old Novi Road.
8. On the west side of Old Novi Road, in lieu of a berm separating the residential uses from the non-residential uses to the north, the applicant shall provide alternate screening in the form of a fence or wall to be approved by the City's landscape architect.
9. The two lots north of Wainwright, east of Old Novi Road, will have front entry garages due to the presence of the wetland in the rear yards that will be preserved. The remaining 19 lots will be constructed with detached or rear attached garages.

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 applicant should submit a list of conditions that they are seeking to include with the PRO agreement. The applicant's narrative does not specifically list any such PRO conditions at this time. The current submittal did not include a response letter or a revised narrative that would have addressed this issue.**

**Staff Comment:** Additional conditions will be determined as the rezoning request moves forward. While reconsidering the rezoning category requested, staff suggests that the applicant provide additional comments that may be included in the agreement.

## **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. The proposed PRO agreement would be considered by City Council 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 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 following are deviations from the Zoning Ordinance and other applicable ordinances shown on the concept plan.

The applicant has submitted a narrative describing some, but not all the deviations present in the proposed plans. **The applicant is asked to revise the list based on staff's comments provided in this letter and the other review letters. The applicant is asked to be specific about the deviations requested in a response letter and provide a justification to explain how if each deviation "...were not granted, [it would] 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."**

### 1. Planning Deviations for Single-Family (R-4 standards):

- a. Reduction of minimum lot area by 5,000 square feet (10,000 sf required, 5,000 sf provided)
- b. Reduction of minimum lot frontage by 32 feet (80 ft required, 48 ft provided)
- c. Reduction of the minimum required building front setback by 23 feet (Required 30 feet, provided 7 feet)
- d. Reduction of the minimum required building principal side setback by 5 feet (Required 10 feet, provided 5 feet)
- e. Reduction of the minimum required building side total setback by 10 feet (Required 25 feet, provided 15 feet)
- f. Reduction of the minimum required building rear setback by 15 feet (Required 35 feet, provided 20 feet)
- g. Reduction of the exterior side yard required building setback by 20 feet (Required 30 feet, provided 10 feet)
- h. Reduction of the side and rear yard setback for accessory buildings by 1 foot (Required 6 feet, providing 5 feet)
- i. Exceeding the maximum lot coverage percentage by 20% (25% allowed, 45% provided)  
– **Applicant to provide detailed calculations to verify**

2. Engineering DCS Deviations:
  - a. Width of storm sewer easements (clarify reduction to be requested).
3. Traffic Deviations:
  - a. Not providing the required Rezoning Traffic Impact Study
  - b. Driveway width of 10' rather than the standard 16'
4. Landscape Deviations:
  - a. No screening berm is provided between the B-3 district and the residential properties to the south (6-8 feet tall landscaped berm is required) on both sides of Old Novi Road.
  - b. Street trees are located in front yards of single family homes on Wainright and Linhart, not the ROW.
  - c. Subcanopy trees used as street trees.
  - d. Landscaping in addition to street trees is proposed within right-of-way.
5. Subdivision Ordinance:

Deviation for platted lot boundaries extending into wetland area for lots 20 and 21 (or change lot boundaries to meet ordinance requirements).
6. "Parcel D" Lots:

Identify any deviations that will be needed for the existing single family homes fronting on Austin Drive, which will be located on lots partially split from parcels to be rezoned. The lots will be non-conforming with R-4 zoning standards. **The applicant is asked to clarify the intention for these lots and detail the variances needed for the creation of those lots.**
7. Facade Deviations:

Facade review indicates that the proposed elevations would require waivers to Section 5.15.9 for underage of brick and overage of horizontal siding on certain elevations. **The applicant shall provide additional information, if the deviations are requested as part of the PRO agreement or bring the design into conformance with the code.** Refer to additional comments for the proposed public benefits.

**Staff Comment:** Refer to other review letters for more details on additional information being requested. Further deviations may be identified once more clarification is provided.

#### **APPLICANT BURDEN UNDER PRO ORDINANCE**

The Planned Rezoning Overlay ordinance 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) Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. *(Sec. 7.13.2.D.ii.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which 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; provided, 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:

The following are the benefits detailed by the applicant with the concept plan:

1. Redevelopment Potential of Property: Development of an otherwise undevelopable property under current zoning regulations. **There is a redevelopment potential for the property even if the property is developed according to existing zoning, but perhaps not as likely. Variances for setbacks and lot sizes would be expected for any residential development due to the shape and depth of the lots, which would make it difficult to design in compliance with the regulations. Removing vacant and nonconforming buildings can be considered as a public benefit.**
2. Fulfilling the Master Plan's Redevelopment Strategy: Meeting the intent of the City's Pavilion Shore Village planning area. **Staff acknowledges that the proposed development aims to fulfill the redevelopment vision laid out in the Master Plan. The Master Plan talks about a mix of uses, however, and this plan only addresses the housing uses. There are existing commercial uses in the area, but the result is not necessarily a cohesive development that ties the uses together and expands the commercial options available to the local community. The applicant's position that additional residents and investment in the area could drive development interest is valid, and the single family uses are appropriate in the proposed area.**
3. Public Parking: Public parking spaces along Old Novi Road for overflow park parking. **Ten on-street parking spaces are proposed along the east side of Old Novi Road. These would be available for the general public including local residents, customers of local businesses, and visitors of the Pavilion Shore Park. The Master Plan does recommend on-street parking along Old Novi Road, so the spaces could be counted as a benefit to the public.**
4. Providing Alternative Housing: Housing options for residents that are currently underserved. **Single family homes at the price point proposed by the applicant do not specifically address the underserved market of the area. Staff agrees that there is a demand for the proposed type of housing within the City, but it does not necessarily represent a benefit to the public.**
5. Enhanced Architectural Design: Quality architecture and design that will provide a catalyst for more retail amenities in the Pavilion Shore Village area. **The single family elevations provided lack the architectural features that would achieve a higher standard than would otherwise be provided in a development. Unless the architectural designs are modified to enhance the architectural details, the facades do not represent a benefit to the public.**

6. Pedestrian Enhancement on Old Novi Road: Inclusion of ADA accessible sidewalks to provide for neighborhood access to the Pavilion Shore Park. **The applicant would be required to provide accessible sidewalks in any site plan review or rezoning process. Staff does not agree can be included as a public benefit.**

#### **SUMMARY OF OTHER REVIEWS:**

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**Planning, Engineering, Landscape, Wetlands, and Fire are currently not recommending approval.**

- a. Engineering Review (dated 9-3-18): Engineering recommends approval of the Concept plan and Concept Stormwater Management Plan, with additional items to be addressed during detailed design review.
- b. Landscape Review (dated 8-27-18): Landscape review has identified four deviations that may be required. Staff supports two of them, and encourages the applicant to make revisions to address the other two. Refer to review letter for more comments. Landscape recommends approval.
- c. Wetland Review (dated 8-27-18): A City of Novi Wetland Non-Minor Use Permit and an authorization to encroach into 25 foot buffer setback are required for this site plan at the time of Preliminary Site Plan review. Additional information is needed in a revised Concept Plan submittal. **Wetlands does not recommend approval at this time.**
- d. Woodland Review (dated 8-27-18): A City of Novi woodland permit is required for the proposed plan at the time of Preliminary Site Plan review. Additional comments to be addressed with revised Concept Plan submittal. Woodlands is recommending approval.
- e. Traffic Review (dated 8-29-18): A few deviations are identified in the letter. Additional comments are to be addressed in subsequent submittals. Traffic recommends approval.
- f. Traffic Impact Study Review: The applicant is required to provide a Rezoning Traffic Impact Study.
- g. Facade Review (dated 06-22-18): The architectural design of the single family homes are the same models that were previously submitted, so the comments from the previous review still apply. The applicant has indicated the architectural quality and design of the buildings will be an enhancement, which would be unlikely to be achieved if it were not a Planned Rezoning Overlay. **Staff recommends that the applicant make changes to the architectural designs in order to bring the buildings up to the ordinance standards and provide additional design details in order to be considered a higher standard and counted as a benefit of the PRO project.** See façade review letter for additional details.
- h. Fire Review (dated 8-14-18): Fire recommends approval.

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

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**Some of the reviews are currently not recommending approval at this time. There are a number of items that still need to be clarified and further information is requested for additional review.** However, the PRO Concept Plan is scheduled to go before Planning Commission for public hearing on September 26, 2018 based on applicant's request. Please provide the following by **noon on September 19, 2018**. Staff reserves the right to make additional comments based on additional information received.

1. Concept Plan submittal in PDF format. *Staff has received this item with the initial submittal.*
2. A response letter addressing ALL the comments from ALL the review letters and **a request for deviations as you see fit based on the reviews.**
3. A color rendering of the Site Plan, if any to be used for presentation purposes. *This has been received.*
4. Rezoning Traffic Impact Study: This is a required item for rezoning requests.
5. Development Potential: A written statement describing potential development under the current zoning.



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 – Planner

Attachments: Planning Review Chart  
Section 3.1.5.B – R-4 Permitted Uses  
Section 3.1.5.C – R-4 Special Land Uses  
Section 3.1.8.B – RM-2 Permitted Uses  
Section 3.1.8.C – RM-2 Special Land Uses  
Section 3.1.12.B – B-3 Permitted Uses  
Section 3.1.12.C – B-3 Special Land Uses

# R-4 One-Family Residential District

3.1.5

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>(a)</sup>: 10,000 sq ft  
 Minimum lot width<sup>(a)</sup>: 80 ft

### Lot Coverage<sup>(a)</sup>

Maximum lot coverage: 25%

### Setbacks<sup>(a)</sup>

Minimum front yard setback: 30 ft  
 Minimum rear yard setback: 35 ft  
 Minimum side yard setback: 10 ft one side  
 25 ft total two sides

### Building Height<sup>(a)</sup>

Maximum building height: 35 ft or 2.5 stories, whichever is less

### Floor Area<sup>(a)</sup>

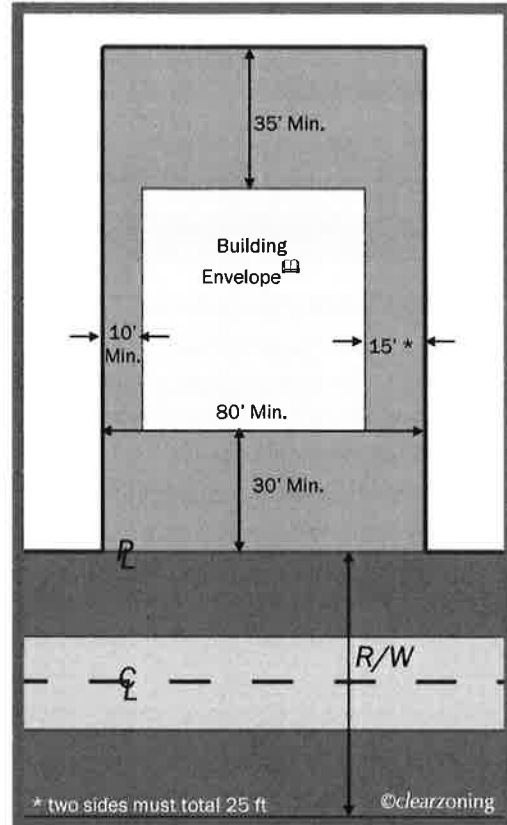
Minimum floor area per unit<sup>(a)</sup>: 1,000 sq ft

### Dwelling Unit Density

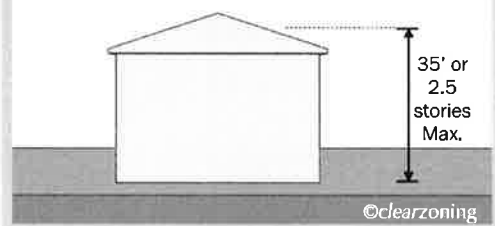
Maximum density  
 DU's/Net Site Area: 3.3

### NOTES

- For additions to the above requirements, refer to Section 3.6.2 Notes to District Standards: A, B, C, and M
- See *Selected References* below for applicability



### How do I calculate height?



The above drawings are not to scale.

### SELECTED REFERENCES

#### 3. Zoning Districts

- RA, R-1, R-2, R-3, and R-4 Required Conditions § 3.7
- One-Family Clustering Option § 3.28
- Open Space Preservation Option § 3.30

#### 4. Use Standards

- Keeping of Cats and Dogs § 4.83
- Uses Not Otherwise Included § 4.86
- Unlisted Use Determination § 4.87

#### 5. Site Standards

- Commercial and Recreational Vehicle Parking § 5.1
- Off-street Parking Requirements § 5.2
- Off-street Parking Layout, Standards... § 5.3
- Off-street Loading and Unloading § 5.4
- Landscape Standards § 5.5
- Signs § 5.6
- Exterior Lighting § 5.7
- Residential Entryways § 5.8
- Corner Clearance § 5.9
- Additional Road Design § 5.10

- Fences § 5.11
- Frontage on a Public Street § 5.12
- Performance Standards § 5.14
- Exterior Building Wall Facade Materials § 5.15
- Bike Parking Facility Requirements § 5.16

#### 6. Development Procedures

- Site Plan Review § 6.1
- Public Hearing § 6.2

#### 7. Admin. and Enforcement

- Nonconformities § 7.1
- Planned Rezoning Overlay § 7.13.2

1 Purpose and Introduction

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# RM-2 High Density, Mid-Rise Multiple-Family District 3.1.8

## D. DEVELOPMENT STANDARDS\*

- Lot Size**  
 Minimum lot area<sup>(1)</sup>: See Section 3.8.1  
 Minimum lot width<sup>(1)</sup>: See Section 3.8.1
- Lot Coverage<sup>(1)</sup>**  
 Maximum lot coverage: 45%
- Usable Open Space<sup>(1)</sup>**  
 Minimum usable open space per dwelling unit: 200 sq ft
- Setbacks<sup>(1)</sup>**  
 Minimum front yard setback: 75 ft  
 Minimum rear yard setback: 75 ft  
 Minimum side yard setback: 75 ft
- Building Height<sup>(1)</sup>**  
 Maximum building height: 65 ft or 5 stories, whichever is less
- Floor Area<sup>(1)</sup>**  
 Minimum floor area per unit<sup>(1)</sup>:  
 One bedroom unit: 500 sq ft  
 Two bedroom unit: 750 sq ft  
 Three bedroom unit: 900 sq ft  
 Four bedroom unit: 1,000 sq ft  
 Efficiency unit: 400 sq ft

Dwelling Unit Density				
Permitted Stories	Dwelling Unit Size (Bedrooms)	Room Count	Maximum Density DU's/Net Site Area	Maximum % of Dwelling Units
1-5	Efficiency	1	-	10%
(65' max)	1 BR	2	31.1	33%
	2 BR	3	20.7	-
	3+ BR	4	15.6	-

### NOTES

- For additions to the above requirements, refer to Section 3.6.2 Notes to District Standards: A, B, C, and M
- See *Selected References* below for applicability

\*The Development Standards of the R-4 One-Family Residential District, shall apply as minimum standards when one-family detached dwellings are erected.

### SELECTED REFERENCES

#### 3. Zoning Districts

- RM-1 and RM-2 Regulations and Requirements § 3.8

#### 4. Use Standards

- Keeping of Cats and Dogs § 4.83
- Uses Not Otherwise Included § 4.86
- Unlisted Use Determination § 4.87

#### 5. Site Standards

- Commercial and Recreational Vehicle Parking § 5.1

- Off-street Parking Requirements § 5.2

- Off-street Parking Layout, Standards... § 5.3

- Off-street Loading and Unloading § 5.4

- Landscape Standards § 5.5

- Signs § 5.6

- Exterior Lighting § 5.7

- Residential Entryways § 5.8

- Corner Clearance § 5.9

- Additional Road Design § 5.10

- Fences § 5.11

- Frontage on a Public Street § 5.12

- Performance Standards § 5.14

- Exterior Building Wall Facade Materials § 5.15

- Bike Parking Facility Requirements § 5.16

#### 6. Development Procedures

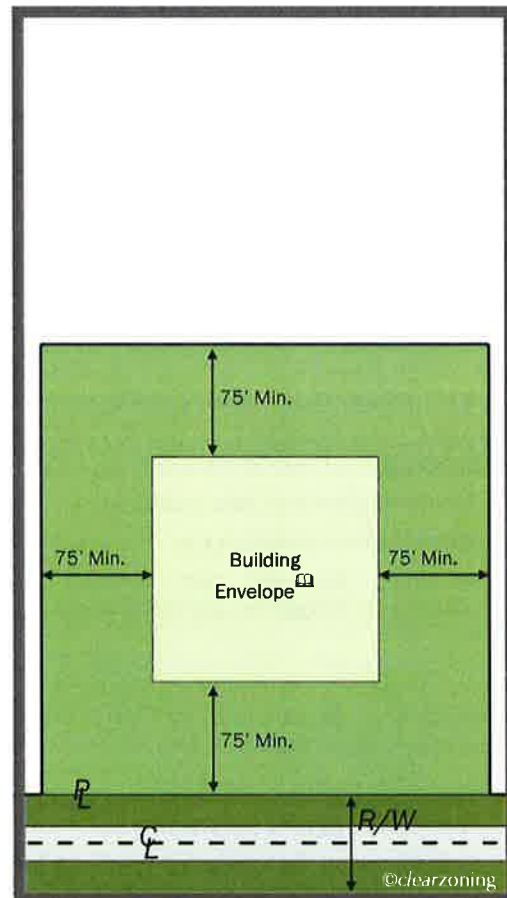
- Site Plan Review § 6.1

- Public Hearing § 6.2

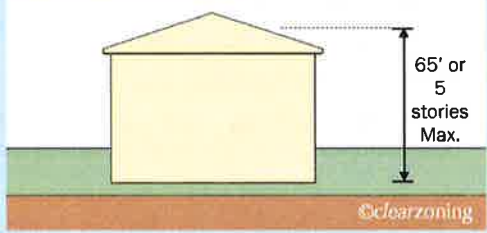
#### 7. Admin. and Enforcement

- Nonconformities § 7.1

- Planned Rezoning Overlay § 7.13.2



#### How do I calculate height?



The above drawings are not to scale.

1 Purpose and Introduction

2 Definitions

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3.1.12
















B-3 General Business District

A. INTENT

















The B-3, General Business district is designed to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the Local Business district or the Community Business district.

 **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PRINCIPAL PERMITTED USES

- i. Retail businesses use 
- ii. Retail business service uses 
- iii. **Dry cleaning establishments, or pick-up stations, dealing directly with the consumer**  §4.24
- iv. Business establishments which perform services on the premises
- v. Professional services 
- vi. **Retail business  or retail business service  establishments**  §4.27
- vii. Professional and medical offices, including laboratories
- viii. **Fueling station**  §4.29
- ix. **Sale of produce and seasonal plant materials outdoors**  §4.30
- x. **Auto wash**  §4.32
- xi. Bus passenger stations
- xii. New and used car salesroom, showroom, or office
- xiii. Other uses similar to the above uses
- xiv. Tattoo parlors 
- xv. Publicly owned and operated parks, parkways and outdoor recreational facilities
- xvi. **Accessory structures and uses**  §4.19 customarily incident to the above permitted uses
- xvii. **Public or private health and fitness facilities and clubs**  §4.34
- xviii. **Microbreweries**  §4.35
- xix. **Brewpubs**  §4.35

C. SPECIAL LAND USES

- i. **Outdoor space for exclusive sale of new or used automobiles, campers, recreation vehicles, mobile homes , or rental of trailers or automobiles**  §4.36
- ii. **Motel**  §4.28
- iii. **Business in the character of a drive-in or open front store**  §4.37
- iv. **Veterinary hospitals  or clinics **  §4.31
- v. **Plant materials nursery**  §4.6
- vi. **Public or private indoor and private outdoor recreational facilities**  §4.38
- vii. **Mini-lube or oil change establishments**  §4.39
- viii. **Sale of produce and seasonal plant materials outdoors**  §4.30
- ix. **Restaurant in the character of a fast food carryout , drive-in , fast food drive-through,  or fast food sit-down **  §4.40

## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>sq</sup>: See **Section 3.6.2.D**  
 Minimum lot width<sup>sq</sup>: See **Section 3.6.2.D**

### Lot Coverage<sup>sq</sup>

Maximum lot coverage: See **Section 3.6.2.D**

### Setbacks<sup>sq</sup>

Minimum front yard setback: 30 ft  
 Minimum rear yard setback: 20 ft  
 Minimum side yard setback: 15 ft

### Building Height<sup>sq</sup>

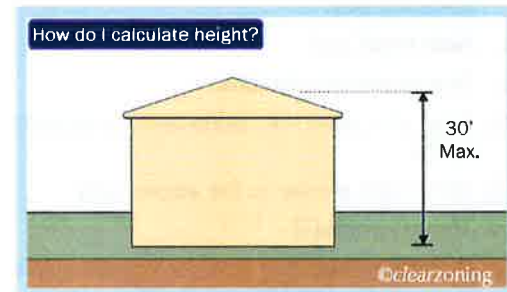
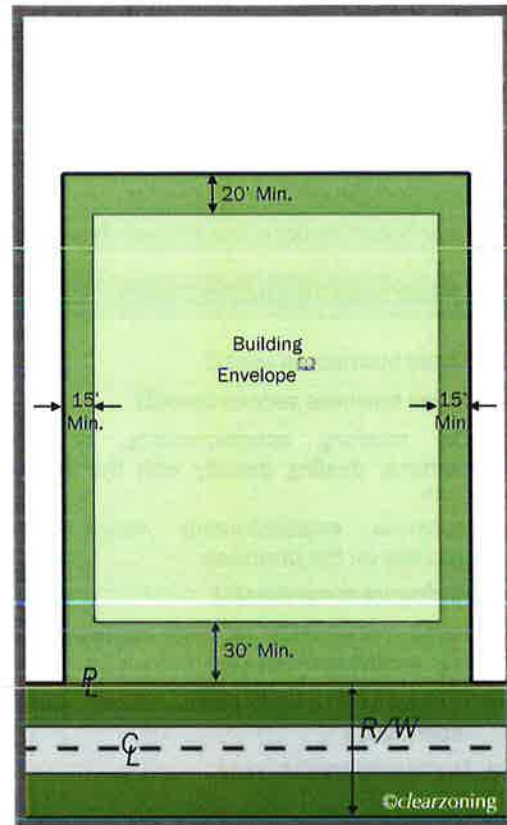
Maximum building height: 30 ft

### Parking Setbacks

Minimum front yard setback: 20 ft  
 Minimum rear yard setback: 10 ft  
 Minimum side yard setback: 10 ft

### NOTES

- For additions to the above requirements, refer to **Section 3.6.2 Notes to District Standards: C, D, E, L, M, P, and Q.**
- See *Selected References* below for applicability



The above drawings are not to scale.

### SELECTED REFERENCES

#### 3. Zoning Districts

- B-1, B-2, and Required Conditions §3.10

#### 4. Use Standards

- Uses Not Otherwise Included § 4.86
- Unlisted Use Determination § 4.87

#### 5. Site Standards

- Off-street Parking Requirements § 5.2
- Off-street Parking Layout, Standards... § 5.3
- Off-street Loading and Unloading § 5.4
- Landscape Standards § 5.5
- Signs § 5.6
- Exterior Lighting § 5.7
- Corner Clearance § 5.9
- Additional Road Design § 5.10
- Fences § 5.11
- Frontage on a Public Street § 5.12
- Access to Major Thoroughfares § 5.13

- Performance Standards § 5.14
- Exterior Building Wall Facade Materials § 5.15
- Bike Parking Facility Requirements § 5.16

#### 6. Development Procedures

- Site Plan Review § 6.1
- Public Hearing § 6.2

#### 7. Admin. and Enforcement

- Nonconformities § 7.1
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## PLANNING REVIEW CHART

**Review Date:** August 31, 2018  
**Review Type:** Planned Rezoning Overlay - Revised Concept Plan  
**Project Name:** JSP 18-16 Lakeview (18.723)  
**Plan Date:** August 7, 2018  
**Prepared by:** Lindsay Bell, Planner  
**E-mail:** lbell@cityofnovi.org; **Phone:** (248) 347-0484

Items in **Bold** need to be addressed by the applicant and/or the Planning Commission Public hearing for the PRO Concept Plan. Underlined items need to be addressed on the Preliminary Site Plan.

Item	Required Code	Proposed	Meets Code	Comments
<b>Zoning and Use Requirements</b>				
<b>Master Plan</b> <i>(adopted July 26, 2017)</i>	Pavilion Shore Village; Residential density of 7.3 du/ac	21 unit single family residential development with PRO overlay	Yes	<b>Planning Commission recommendation &amp; City Council approval PRO Concept Plan – City Council approval PRO agreement – Site Plan or Plat normal approval process</b>
<b>Area Study</b>	Pavilion Shore Village Redevelopment Area: 2-3 story homes and mixed use buildings, cottage court style homes	2 story single family homes	Yes	
<b>Zoning</b> <i>(Effective December 25, 2013)</i>	B-3 General Business and R-4 One-Family Residential	PRO with R-4 One-Family Residential	<b>No</b>	<b><u>RM-2 zoning would allow the proposed density. R-4 zoning is limited to 3.3 DUA. Show RM-2 on plans as the proposed zoning district on sheets SP1 and SP2</u></b>
<b>Uses Permitted</b> (Sec 3.1.5.B & C) (Sec 3.1.12.B & C)	Retail, office, restaurants etc Sec. 3.1.12.B. - Principal Uses Permitted. Sec. 3.1.12.C. – Special Land Uses Permitted.	Single Family Residential	Yes	<b>Rezoning to RM-2 District would allow single-family residential with density proposed; R-4 standards and regulations would still apply to one-family detached dwellings</b>
<b>Phasing</b>		The applicant indicated only 1 phase	Yes	
<b>Planned Rezoning Overlay Document Requirements (SDM: <u>Site development Manual</u>)</b>				
<b>Written Statement</b> <i>(Site Development Manual)</i>	Potential development under the proposed zoning and current zoning	Information not provided	<b>No</b>	<b>Refer to review letter for staff determination of potential development</b>
<i>The statement should describe the following</i>	Identified benefit(s) of the development	Public benefits are identified in the narrative	Yes	<b>Refer to review letter for staff comments on the proposed benefits</b>
	Conditions proposed for	Zoning deviations are	Yes	<b>Refer to review letter for</b>

Item	Required Code	Proposed	Meets Code	Comments
	inclusion in the PRO Agreement (i.e., Zoning Ordinance deviations, limitation on total units, etc)	listed in the narrative, but not the conditions		Staff suggestions for conditions and list of deviations
<b>Sign Location Plan</b> (Page 23,SDM)	Installed within 15 days prior to public hearing Located along all road frontages	Required, not provided	No	Refer to PRO requirements in the Site Plan Dev Manual
<b>Traffic Impact Study</b> (Site development manual)	A Traffic Impact Study as required by the City of Novi Site Plan and Development Manual.	Required, not provided	No	Refer to PRO requirements in the Site Plan Dev Manual
<b>Community Impact Statement</b> (Sec. 2.2)	<ul style="list-style-type: none"> <li>- Over 30 acres for permitted non-residential projects</li> <li>- Over 10 acres in size for a special land use</li> <li>- All residential projects with more than 150 units</li> <li>- A mixed-use development, staff shall determine</li> </ul>	Applicant has provided a CIS	Yes	Refer to review letter for staff comments on the CIS
<b>The RM-2 District determines density, but R-4 Standards and Regulations apply to Single Family Dwellings</b>				
<b>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 Old Novi Road, Linhart and Wainwright	Yes	
<b>Minimum Zoning Lot Size</b> for each Unit: in Acres (Sec 3.1.5)	R-4 Required Conditions Lot Size: 10,000 sf	Single Family: 5,000 sf	No	<u>Deviation: 5,000 sf</u>
<b>Minimum Zoning Lot Size</b> for each Unit: Width in Feet (Sec 3.1.5)	Lot frontage: 80 ft	Single Family: 50 feet	No	<u>Deviation: 30 feet</u>
<b>Open Space Area</b> (Sec 3.1.8.D)	200 sf of Minimum usable open space per dwelling unit For a total of 14 MF dwelling units, <u>required Usable Open Space: 2800 SF</u>	Not required for single family	NA	
<b>Maximum % of Lot Area Covered</b> (By All Buildings)	SF: 25%	SF: 45%	No	<u>Deviation: 20%</u>
<b>Building Height</b> (Sec. 3.1.5.D)	SF: 2.5 stories/35'	SF: 2.5 stories/35 feet	Yes	
<b>Minimum Floor Area per Unit</b>	Efficiency	400 sq. ft.	NA	<b>No Multiple Family Units proposed</b>
	1 bedroom	500 sq. ft.	NA	

Item	Required Code		Proposed	Meets Code	Comments
(Sec. 3.1.8.D)	2 bedroom	750 sq. ft.		NA	
	3 bedroom	900 sq. ft.		NA	
	4 bedroom	1,000 sq. ft.		NA	
<b>Maximum Dwelling Unit Density/Net Site Area</b> (Sec. 3.1.8.D)	Efficiency	Max 5%	Not proposed	Yes	
	1 bedroom	31.1 du/ac Max 20%	Not proposed		
	2 bedroom	20.7 du/ac	Not Proposed		
	3+ bedroom	15.6 du/ac	21 units 7 DUA on 3 acres  Total site area: 3.15 Acres Wetlands: 0.159 Acres Net Site Area: 3.0 Acres		
<b>Residential Building Setbacks R-4 (Sec 3.1.5.D)</b>					
Front	30 ft.		7 ft.	No	<u>Deviations for all setbacks</u>  See page 7 for detached garage notes
Rear	35 ft.		20 ft.	No	
Side	10 ft. one side 25 ft total two sides		5 ft. one side 15 ft. total two sides	No	
<b>Parking Setback (Sec 3.1.8.D) (Sec 3.1.12.D) Refer to applicable notes in Sec 3.6.2</b>					
Front	50 ft.			NA	
Rear	20 ft.			NA	
Side	20 ft.			NA	
<b>Note To District Standards (Sec 3.6.2)</b>					
<b>Area Requirements</b> (Sec 3.6.2.A)	No irregularly shaped flag lots		Not proposed	Yes	
<b>Building Setbacks</b> (Sec 3.6.2.B)	Setback for buildings other than single or two-family residential			NA	
<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 setback equal to front yard.			Yes	<u>Exterior side yard setback applies to 2 lots (12 and 19) on the east side of Old Novi Rd. Deviation from 30 ft front yard setback should be considered.</u>
<b>Off-Street Parking in Front Yard</b> (Sec 3.6.2.E)	Off-street parking is allowed in front yard			NA	
<b>Distance between buildings</b> (Sec 3.6.2.H)	It is governed by sec. 3.8.2 or by the minimum setback requirements, whichever is greater			NA	



Item	Required Code	Proposed	Meets Code	Comments
<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 on northeast corner of the site. Minimal impacts are proposed	Yes	<b>Quantify area of impact and describe mitigation</b>
<b>Parking setback screening</b> (Sec 3.6.2.P)	Required parking setback area shall be landscaped per sec 5.5.3.	Parking lots are not proposed	NA	
<b>Modification of parking setback requirements</b> (Sec 3.6.2.Q)	The Planning Commission may modify parking setback requirements based on its determination according to Sec 3.6.2.Q	None required	NA	
<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)	For building less than four stories: Total No. of rooms < Net site area in SF/2000  40,671 SF/2000 = 20.33	Not applicable since only single family homes are proposed.	NA	
<b>Public Utilities</b> (Sec. 3.8.1)	All public utilities should be available	All public utilities are available	Yes	
<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	NA	
<b>Room Count per Dwelling Unit Size</b> (Sec. 3.8.1.C) <i>*An extra room such as den count towards an extra room</i>	<b>Dwelling Unit Size</b>	<b>Room Count *</b>	Not applicable	NA
	Efficiency	1		
	1 bedroom	2		
	2 bedroom	3		
	3+ bedroom	4		
<b>Setback along natural shore line</b> (Sec. 3.8.2.A)	A minimum of 150 feet along natural shore line is required.	No natural shore line exists within the property	NA	
<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 public streets	Yes	
<b>Maximum length of the buildings</b>	A single building or a group of attached		Yes	

Item	Required Code	Proposed	Meets Code	Comments
(Sec. 3.8.2.C)	buildings cannot exceed 180 ft.			
<b>Modification of maximum length</b> (Sec. 3.8.2.C)	Planning Commission may modify the extra length up to 360 ft. if	Not applicable	NA	
	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.	Not applicable	NA	
<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	Not applicable	NA	
<b>Off-Street Parking or related drives</b> (Sec. 3.8.2.F)  Off-street parking and related drives shall be...	No closer than 25 ft. to any wall of a dwelling structure that contains openings involving living areas or	Not applicable	NA	
	No closer than 8 ft. for other walls or		NA	
	No closer than 20 ft. from ROW and property line		NA	
<b>Pedestrian Connectivity</b> (Sec. 3.8.2.G)	5 feet concrete sidewalks and convenient pedestrian access.		Yes	
	Where feasible sidewalks shall be connected to other pedestrian features abutting the site.	The plan proposes sidewalks on both sides of Old Novi Road connecting to existing sidewalk and Pavilion	Yes	

Item	Required Code	Proposed	Meets Code	Comments
		Shore Park to the north		
	All sidewalks shall comply with barrier free design standards	Unable to determine	Yes	<b>Add a note to the plan to verify conformance.</b> Further review by the Building Department will take place prior to issuance of building permits
<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	Not applicable	NA	
<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.	Not applicable	NA	
<b>Number of Parking Spaces</b> Residential, Single-family (Sec.5.2.12.A)	Two (2) for each dwelling unit  <b>For 21 units * 2 = 42 spaces</b>	Garage Spaces: 42 <b>TOTAL PROVIDED: 42</b>	Yes	<b>Correct parking calculations on sheet SP2 to reflect 10 units, not 12, east of ONR</b>
<b>Single Family Parking Configuration</b> (Sec. 5.2.4)	Required off-street parking for single- and two family dwellings may be provided in a stacking configuration in a driveway or garage or combination thereof.	Garage and driveway parking proposed	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	Does not apply	NA	
<b>Barrier Free Spaces</b> <i>Barrier Free Code</i>		Residential area	NA	

Item	Required Code	Proposed	Meets Code	Comments
<b>Barrier Free Space Dimensions</b> <i>Barrier Free Code</i>	- 8' wide with an 8' wide access aisle for van accessible spaces - 5' wide with a 5' wide access aisle for regular accessible spaces			
<b>Barrier Free Signs</b> <i>Barrier Free Code</i>	One sign for each accessible parking space.			
<b>Minimum number of Bicycle Parking</b> <i>(Sec. 5.16.1)</i>	One (1) space for each five (5) dwelling units	Not required for single family homes	NA	
<b>Bicycle Parking General requirements</b> <i>(Sec. 5.16)</i>	No farther than 120 ft. from the entrance being served	Not applicable	NA	
	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			
<b>Bicycle Parking Lot layout</b> <i>(Sec 5.16.6)</i>	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	Not applicable	NA	
<b>Accessory and Roof top Structures</b>				
<b>Accessory Buildings (Detached Garages)</b> <i>Sec 4.19.1</i>	- Total floor area less than 25% of required rear yard - Not exceed 850 sf - Side entry garages are encouraged - Not located closer than 10 feet from main building - Not closer than 6 ft from interior or rear lot line	Appears to be less than 25% in most cases?  400 sf proposed; Side entry garages proposed for 19 lots; More than 10 feet from main building  Some appear to be less than 6 feet from lot lines	Yes?	<b>Verify detached garages are less than 25 of rear yard, or seek deviation</b>  <b>Verify all are min of 6 feet from side and rear lot lines, or seek a deviation</b>
<b>Dumpster</b> <i>Sec 4.19.2.F</i>	- Located in rear yard - Attached to the building or - No closer than 10 ft. from building if not	Individual Refuse pick up is being proposed for this residential development	NA	<b>Contact DPS regarding refuse pick up.</b>

Item	Required Code	Proposed	Meets Code	Comments
	<ul style="list-style-type: none"> <li>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>			
<b>Dumpster Enclosure</b> <i>Sec. 21-145. (c)</i> <i>Chapter 21 of City Code of Ordinances</i>	<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>	Not proposed	NA	
<b>Roof top equipment and wall mounted utility equipment</b> <i>Sec. 4.19.2.E.ii</i>	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	Not Applicable	NA	
<b>Roof top appurtenances screening</b>	Roof top appurtenances shall be screened in accordance with applicable facade regulations, and shall not be visible from any street, road or adjacent property.	Not Applicable	NA	
<b>Sidewalks and Other Requirements</b>				
<b>Non-Motorized Plan</b>	Proposed Off-Road Trails and Neighborhood Connector Pathways.  Major sidewalk/pathway planned along the east side of ONR; Already existing on west side of Old Novi Road	Pathways along both sides of Old Novi Road proposed	Yes	
<b>Sidewalks</b> <i>(Subdivision Ordinance: Sec. 4.05)</i>	Sidewalks are required on both sides of proposed drives	Sidewalks are proposed along all public streets	Yes	

Item	Required Code	Proposed	Meets Code	Comments
<b>Public Sidewalks</b> (Chapter 11, Sec.11-276(b), Subdivision Ordinance: Sec. 4.05)	A 5 foot sidewalk is required along Old Novi Road	Sidewalks existing and proposed	Yes	
<b>Entryway lighting</b> Sec. 5.7.3.N.	One street light is required per residential development entrance.	No new street lighting proposed; front porch lights will be provided	NA	
<b>Building Code and Other Requirements</b>				
<b>Building Code</b>	Building exits must be connected to sidewalk system or parking lot.	All exits are connected to sidewalks	Yes	
<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).	Provided	Yes	
<b>Economic Impact</b>	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied, if known)	No permanent jobs created, however building an average SF home creates 2.97 jobs	NA	
<b>Other Permits and Approvals</b>				
<b>Development/ Business Sign</b>  (City Code Sec 28.3)  <i>Sign permit applications may be reviewed an part of Preliminary Site Plan or separately for Building Office review.</i>	The leading edge of the sign structure shall be a minimum of 10 ft. behind the right-of-way.  Entranceway shall be a maximum of 24 square feet, measured by completely enclosing all lettering within a geometric shape.	None indicated	No	Provide tentative location of signs to identify any conflicts with landscape, utilities, and corner clearances.

Item	Required Code	Proposed	Meets Code	Comments
	Maximum height of the sign shall be 5 ft.			
<b>Development and Street Names</b>	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval	No new street names proposed. "Lakeview" must be approved by the committee.	<b>No</b>	<b>Contact Hannah Smith at 248.347.0579 for more details on approval of development name</b>
<b>Property Split</b>	Assessing Department for approval of lot splits/combinations may be required.			<u>Property combination and splits will be required. Applicant to provide clarification of ownership arrangement proposed.</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, which shall incorporate the PRO Concept Plan and set forth the PRO Conditions imposed		NA	<u>PRO Agreement shall be approved by Novi City Council after the Concept Plan is tentatively approved</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	NA	<u>A Master Deed draft shall be submitted prior to Stamping Set approval.</u>
<b>Conservation easements</b>	Conservation easements may be required for wetland impacts	Not applicable at this moment	NA	<u>The following documents will be required during Site Plan review process after the Concept PRO approval:</u> <b>Wetland Conservation Easement</b>

**NOTES:**

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

## ENGINEERING REVIEW





# PLAN REVIEW CENTER REPORT

09/03/2018

## Engineering Review

Lakeview  
JSP18-0016

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### Applicant

ROBERTSON BROTHERS COMPANY

### Review Type

PRO revised Concept Plan

### Property Characteristics

- Site Location: West of Old Novi Road, east of Austin Drive, and East of Old Novi Road, south of Thirteen Mile Road
- Site Size: 1.8 acres west of Old Novi Road, 1.34 acres east of Old Novi Road
- Plan Date: 08/07/2018
- Design Engineer: Nowak & Fraus Engineers

### Project Summary

- A development of single family homes with addition of pathways and on-street parking on Old Novi Road.
- Public water main exists in Old Novi Road and in Austin Drive.
- Public sanitary sewer exists in Old Novi Road.
- On-site detention is required for storm water management.

### Recommendation

**The Concept site plan and Concept Storm Water Management can be recommended for approval with items to addressed during detailed design.**

### Comments:

The Concept Plan meets the general requirement of Chapter 11 of the Code of Ordinances. The Concept Storm Water Management Plan requires some revision to meet the Storm Water Management Ordinance and the Engineering Design Manual. Runoff from the entire development must be captured and detained prior to discharge to the adjacent wetlands.

**Additional Comments (regarding PRO Concept deviations):**

1. Storm sewer is required to have a minimum 20-foot wide easement centered over the utility. A 10-foot wide storm sewer easement has been shown on the plans. This variance is supported by the Engineering Division.

**Additional Comments (to be addressed with future submittals):**

**General**

2. A full engineering review was not performed due to the limited information provided in this submittal. Further information related to the utilities, easements, etc. will be required to provide a more detailed review. The site plan shall be designed in accordance with the Design and Construction Standards (Chapter 11).
3. A right-of-way permit for work within Old Novi Road, Linhart Street, Wainwright Street, and any City easement must be obtained from the City of Novi.
4. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the printed Stamping Set submittal. They can be found on the City website ([www.cityofnovi.org/DesignManual](http://www.cityofnovi.org/DesignManual)).
5. The plan set must be tied in to at least one city established benchmark. An interactive map of the City's established survey benchmarks can be found under the 'Map Gallery' tab on [www.cityofnovi.org](http://www.cityofnovi.org). Refer to Benchmark ID's 1111 and 1112 on the map and verify corresponding elevation on plan. Show and label these benchmarks on the plans.
6. A portion of the development is proposed within the area of vacated Erma Street right-of-way. The applicant would need to formally request abandoning the easement which is reserved for public utilities and drainage purposes. At a minimum, a 20-foot water main easement would be required along the existing water main, or any relocated water main; and a 20-foot storm sewer easement would also be required.
7. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan submittal highlighting the changes made to the plans addressing each of the comments in this review.

**Water Main**

8. A tapping sleeve, valve in well is required at the tap on Old Novi Road north of Wainwright.
9. Show 20-foot wide easements or portion thereof centered on proposed water main where it is located on private property or less than 10 feet within R.O.W.
10. Hydrant leads in excess of 25 feet shall be 8-inch.

**Sanitary Sewer**

11. Provide a note on the construction materials table that 6-inch sanitary leads shall be a minimum SDR 23.5, and mains shall be SDR 26.

12. Cleanouts must be shown at bends.
13. Include a sanitary sewer basis of design on the plans.

#### Storm Sewer

14. An easement is required over the storm sewer accepting and conveying off-site drainage. Refer to comment 1.
15. A minimum cover depth of 3 feet shall be maintained over all storm sewers.
16. Provide a drainage area map and all storm sewer sizing calculations.

#### Storm Water Management Plan

17. The Storm Water Management Plan (SWMP) shall comply with the Storm Water Ordinance and Chapter 5 of the Engineering Design Manual (refer to the runoff coefficients, 1V:4H allowable basin slopes, etc.).
18. The SWMP must detail the storm water system design, calculations, details, and maintenance as stated in the ordinance. The SWMP must address the discharge of storm water off-site, and evidence of its adequacy must be provided. This should be done by comparing pre- and post-development discharge rates. The area being used for this off-site discharge should be delineated and the ultimate location of discharge shown.
  - a. Provide drainage area map indicating ultimate location(s) of discharge for the entire development. All runoff from developed areas must be captured and treated for storm water quality and quantity control in accordance with the Ordinance.
  - b. Provide additional information regarding overflow route northeast of the open water.
19. Provide manufacturers details and sizing calculations for the pretreatment structure(s) within the plans. Provide drainage area and runoff coefficient calculations specific to the area tributary to each treatment structure. The treated flow rate should be based on the 1-year storm event intensity and higher flows shall be bypassed.
20. An adequate maintenance access route to the basin outlet structure and any other pretreatment structures shall be provided (15 feet wide, maximum slope of 1V:5H, and able to withstand the passage of heavy equipment). Verify the access route does not conflict with proposed landscaping.
21. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).
22. A runoff coefficient of 0.35 shall be used for all turf grass lawns (mowed lawns).
23. A 25-foot vegetated buffer shall be provided around the perimeter of each storm water basin. This buffer cannot encroach onto adjacent lots or property.

#### Paving & Grading

24. Driveway depth in the R.O.W., including crossing sidewalks shall be 6-inch.

25. Provide minimum swale slope of 2.0% along side and rear property lines.
26. Show locations of poured retaining wall and boulder retaining wall, and provide detail of poured retaining wall with fence.
27. Refer to Figure IX.5 of the Design and Construction Standards for standard residential driveway dimensions. The standard width is 16 feet. An administrative variance can be considered for driveway widths within the allowable range shown in Figure IX.5.

#### Off-Site Easements

28. Any off-site utility easements anticipated must be executed **prior to final approval of the plans**. Drafts of the easements and a recent title search shall be submitted to the Community Development Department as soon as possible for review, and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.
  - a. Temporary construction permits surrounding the site appear to be necessary.
  - b. The proposed water main relocation within the vacated Erma Street area requires off-site water main easement.
  - c. Water main extension on Wainwright may require additional off-site easement if the water main is located less than 10 feet inside the right-of-way.

#### **The following must be provided at the time of Preliminary Site Plan submittal:**

29. 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.

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

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

Department for review and approved by the Engineering Division and the City Attorney prior to getting executed.

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

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

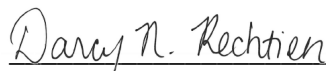
**The following must be addressed prior to construction:**

37. A pre-construction meeting shall be required prior to the commencement of any site work. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).
38. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. There is no fee for this permit.
39. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
40. A right-of-way permit for work within Old Novi Road, Linhart Street, Wainwright Street, and any City easement must be obtained from the City of Novi. The application is available from the City Engineering Division and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Division at 248-347-0454 for further information.
41. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the Water and Sewer Senior Manager after the water main plans have been approved.
42. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the Water and Sewer Senior Manager after the sanitary sewer plans have been approved.
43. Construction Inspection Fees, to be determined once the construction cost estimate is submitted, must be paid prior to the pre-construction meeting.

44. A storm water performance guarantee, equal to 1.2 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at Community Development.
45. An incomplete site work performance guarantee, equal to 1.2 times the amount required to complete the site improvements (excluding the storm water detention facilities) as specified in the Performance Guarantee Ordinance, must be posted with Community Development.
46. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at Community Development.
47. Permits for the construction of each retaining wall must be obtained from the Community Development Department (248-347-0415).

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

Please contact Darcy Rechten at (248) 735-5695 with any questions.



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Darcy N. Rechten, P.E.

cc: George Melistas, Engineering  
Lindsay Bell, Community Development  
Ben Croy, Water and Sewer

## LANDSCAPE REVIEW



# PLAN REVIEW CENTER REPORT

August 27, 2018

## Revised PRO Concept Plan - Landscaping

### Lakeview

#### Review Type

Revised PRO Concept Plan Landscape Review

#### Job #

JSP18-0016

#### Property Characteristics

- Site Location: Old Novi Road and Wainright
- Site Acreage: 8.2 acres
- Site Zoning: R4 and RM-1 with PRO
- Adjacent Zoning: R4 and B-3
- Plan Date: 4/7/2017

#### 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 Preliminary Site Plan submittal. Underlined items need to be included in Final Site Plans. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review and the accompanying Landscape Chart are summaries and are not intended to substitute for any Ordinance.

#### Recommendation

This project is **recommended** for approval. There is one significant deviation that the applicant would need to resolve but it could be resolved without any change in configuration of the project. The remaining issues can be resolved in preliminary and final site plans.

#### **LANDSCAPE DEVIATIONS – see discussions below for details behind deviations:**

1. No screening berm or other alternative is provided between the B-3 district and the residential properties to the south (6-8 feet tall landscaped berm is required), on both sides of Old Novi Road. *This significant deviation is not supported by staff.*
2. Street trees of single family homes on north sides of Wainright and Linhart, are located in front yards, not the ROW. *This deviation is supported by staff.*
3. Subcanopy trees are used as street trees. *This deviation is not supported by staff. Subcanopy trees should only be used as street trees where overhead wires do not allow larger trees. In that case, they should be provided at a rate of 1.5 subcanopy trees per canopy tree.*
4. Landscaping in addition to street trees is proposed within right-of-way. *This deviation is supported by staff, with a condition described below.*

#### Ordinance Considerations

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

Provided.

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

1. Provided.



2. Please clearly show and label all overhead power lines on the site on the landscape plans.
3. Please add all existing and proposed light poles to the landscape plan.

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

1. Tree fencing is shown around all trees to be saved.
2. **Please clearly indicate on Sheets S8 and S9 which trees are being removed.**
3. Per the calculations/tables on Sheets L-3 and L-4, 110 trees will be removed. Only 2 are shown as requiring replacement due to their 36" dbh. A total of 8 credits are required and 8 credits (4 deciduous canopy and 6 evergreen trees) are being planted on site.
4. Four woodland replacements are being planted on Lot 12. This is not allowed.
5. The remaining woodland replacements are proposed as being planted within the right-of-way. This is not a desirable location for replacement trees, which are supposed to be in locations with a good potential for long-term growth.
6. **Please find other locations for replacement trees outside of the right-of-way and off of private lots.**
7. **Please see the ECT review for a full discussion of woodland replacements.**

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

1. Property abuts B-3 zoning/commercial properties on the north end so 6-8' landscaped berms are required at the property line. These are not provided. If the berms are not provided, alternate screening that provides similar visual and audible buffering is required.
2. No buffering of any kind is proposed between Lot 11 and the business just north of it or the detention pond and the restaurant to the north.
3. Not providing sufficient requires a landscape deviation. *This deviation, for a lack of berm or suitable alternate screening, is not supported by staff.*
4. **Please provide significant buffering alternatives for both frontages.**
5. **While residential abutting residential doesn't normally require buffering, the applicant should provide some sort of visual buffers between the project and the existing residential properties immediately abutting them. Please show these on the plan and include standard details for them.**

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

1. As only single-family lots are proposed along existing roads, no right-of-way greenbelt is required, nor the berm or landscaping within it.
2. The proposed greenbelt trees proposed for the lots may be removed from the plan.

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

1. Each lot requires 1 deciduous canopy tree to be planted as a street tree.
2. A landscape deviation is required to use subcanopy trees instead of canopy trees for street trees where overhead wires are not present. *This deviation is not supported by staff.*
3. When overhead lines do exist, 1.5 subcanopy trees should be used for each canopy tree required instead of the 1 tree proposed.
4. A landscape deviation is required to locate a total of 6 street trees in the front yard of a single family lot instead of in the right-of-way, as is proposed on Wainright and Linhart. *This deviation is supported by staff, but the applicant needs to be aware that they would not be maintained by city staff.*

Parking Lot Landscaping and Parking Lot Perimeter Canopy Trees (Zoning Sec. 5.5.3.C.)

There are no parking lots included as part of this project.

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

No loading zone screening is required as part of this project.

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

1. Provided.
2. The diversity of species complies with the Landscape Design Manual guidelines.
3. **67% of the plant list is composed of plants native to Michigan.**

Planting Notations and Details (LDM)

Provided.

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

The above-ground detention basin is landscaped as required.

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

The proposed landscaping must be provided with sufficient water to become established and survive over the long term. Please note how this will be accomplished if an irrigation plan is not provided.

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

Provided.

Snow Deposit (LDM.2.q.)

Provided.

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

1. No regulated woodlands exist on the site.
2. The trees to be saved and removed are clearly noted on L-3 and L-4, but not on SP8 and SP9.

Corner Clearance (Zoning Sec 5.9)

Provided.

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



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Rick Meader – Landscape Architect

## LANDSCAPE REVIEW SUMMARY CHART

**Review Date:** August 27, 2018  
**Project Name:** JSP18 – 0016: LAKEVIEW  
**Plan Date:** August 7, 2018  
**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 – see discussions below for details behind deviations:

1. No screening berm or other alternative is provided between the B-3 district and the residential properties to the south (6-8 feet tall landscaped berm is required), on both sides of Old Novi Road. *This significant deviation is not supported by staff.*
2. Street trees of single family homes on north sides of Wainright and Linhart, are located in front yards, not the ROW. *This deviation is supported by staff.*
3. Subcanopy trees are used as street trees. *This deviation is not supported by staff. Subcanopy trees should only be used as street trees where overhead wires do not allow larger trees. In that case, they should be provided at a rate of 1.5 subcanopy trees per canopy tree.*
4. Landscaping in addition to street trees is proposed within right-of-way. *This deviation is supported by staff, with a condition described below.*

Item	Required	Proposed	Meets Code	Comments
<b>Landscape Plan Requirements (LDM (2))</b>				
<b>Landscape Plan</b> (Zoning Sec 5.5.2, LDM 2.e.)	<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> <li>▪ Consistent with plans throughout set</li> </ul>	Scale: 1"=50' Details : 1"=20' & 1" = 10'	Yes	
<b>Project Information</b> (LDM 2.d.)	Name and Address	Only on cover sheet	No	<ol style="list-style-type: none"> <li>1. Provide on landscape plan.</li> <li>2. Please copy location map to landscape plan.</li> </ol>
<b>Owner/Developer Contact Information</b> (LDM 2.a.)	Name, address and telephone number of the owner and developer or association	Yes	Yes	
<b>Landscape Architect contact information</b>	Name, Address and telephone number of	Yes	Yes	

Item	Required	Proposed	Meets Code	Comments
(LDM 2.b.)	RLA/LLA			
<b>Sealed by LA.</b> (LDM 2.g.)	Requires original signature	Yes		<u>Required for Final Site Plan.</u>
<b>Miss Dig Note</b> (800) 482-7171 (LDM.3.a.(8))	Show on all landscape plan sheets	Yes	Yes	
<b>Zoning</b> (LDM 2.f.)	Include all adjacent zoning	Site: R4/B-3 Proposed: PRO East, West, South: R4 North: B-3	Yes	
<b>Survey information</b> (LDM 2.c.)	<ul style="list-style-type: none"> <li>▪ Legal description or boundary line survey</li> <li>▪ Existing topography</li> </ul>	<ul style="list-style-type: none"> <li>▪ Descriptions on Cover sheet, SP10</li> <li>▪ Topographical/ Tree survey on Sheets SP8-10</li> </ul>	Yes	
<b>Existing plant material</b> <b>Existing woodlands or wetlands</b> (LDM 2.e.(2))	<ul style="list-style-type: none"> <li>▪ Show location type and size. 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 on Sheets SP8-9</li> <li>▪ Tree chart on Sheet SP10</li> <li>▪ Replacement Calculations on Sheets L-3, L-4</li> <li>▪ Trees to remain are protected with tree fence</li> </ul>	Yes	<ol style="list-style-type: none"> <li>1. Please clearly mark on Sheets SP8 and SP9 the trees that will be removed and are shown on the tables on L-3 and L-4</li> <li>2. Please see ECT review for detailed coverage of woodlands and wetlands.</li> </ol>
<b>Soil types</b> (LDM.2.r.)	<ul style="list-style-type: none"> <li>▪ As determined by Soils survey of Oakland county</li> <li>▪ Show types, boundaries</li> </ul>	<ul style="list-style-type: none"> <li>▪ Types noted on Sheet SP1.</li> <li>▪ Soil boring charts on Sheet SP11</li> </ul>	Yes	
<b>Existing and proposed improvements</b> (LDM 2.e.(4))	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Yes	Yes	
<b>Existing and proposed utilities</b> (LDM 2.e.(4))	Overhead and underground utilities, including hydrants	Proposed utilities included on landscape plan	Yes	<ol style="list-style-type: none"> <li>1. Please clearly label all overhead and underground utility lines on the landscape plans.</li> <li>2. Please add proposed light posts to the landscape plan if there are any to help avoid conflicts with trees.</li> </ol>
<b>Proposed grading. 2' contour minimum</b>	Provide proposed contours at 2' interval	<ul style="list-style-type: none"> <li>▪ Proposed spot elevations on</li> </ul>	Yes	

Item	Required	Proposed	Meets Code	Comments
(LDM 2.e.(1))		Sheets SP-4, SP-5. ▪ Detention pond grading shown on Sheet SP5		
<b>Snow deposit</b> (LDM.2.q.)	Show snow deposit areas on plan	NA		1. As the proposal only includes single family homes located along existing roads, no snow deposit areas need to be shown. 2. <b>Snow plowed from the driveways must remain on the lots. Please add a note to this effect on the plans and in the Master Deed.</b>
<b>LANDSCAPING REQUIREMENTS</b>				
<b>Parking Area Landscape Requirements LDM 1.c. &amp; Calculations (LDM 2.o.)</b>				
<b>General requirements</b> (LDM 1.c)	<ul style="list-style-type: none"> <li>▪ Clear sight distance within parking islands</li> <li>▪ No evergreen trees</li> </ul>	No parking lot is proposed.		
<b>Name, type and number of ground cover</b> (LDM 1.c.(5))	As proposed on planting islands	NA		
<b>General (Zoning Sec 5.5.3.C.ii)</b>				
<b>Parking lot Islands</b> (a, b. i)	<ul style="list-style-type: none"> <li>▪ A minimum of 300 SF to qualify</li> <li>▪ 6" curbs</li> <li>▪ Islands minimum width 10' BOC to BOC</li> </ul>	No on-street parking or parking lots are proposed		
<b>Curbs and Parking stall reduction</b> (c)	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7 ft.	NA		
<b>Contiguous space limit</b> (i)	Maximum of 15 contiguous spaces	NA		
<b>Plantings around Fire Hydrant</b> (d)	<ul style="list-style-type: none"> <li>• No plantings with matured height greater than 12' within 10 ft. of fire hydrants</li> <li>• No trees shall be planted within 5 feet of underground utility lines.</li> </ul>	It appears that all trees are at least 10 feet from hydrants and utility structures.	Yes	

Item	Required	Proposed	Meets Code	Comments
Landscaped area (g)	Areas not dedicated to parking use or driveways exceeding 100 sq. ft. shall be landscaped	NA		
Clear Zones (LDM 2.3.(5))	25 ft corner clearance required. Refer to Zoning Section 5.9	All driveways have required 10 foot clearance		
<b>Berms, Walls and ROW Planting Requirements</b>				
<b>Berms</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 of loam with a 6" top layer of top soil.</li> </ul>				
<b>Residential Adjacent to Non-residential (Zoning Sec 5.5.3.A and LDM 1.a)</b>				
Berm requirements (Zoning Sec 5.5.A)	<ul style="list-style-type: none"> <li>▪ Adjacent Zoning is B-3 on the north sides of the north multifamily and the north single family lot.</li> <li>▪ Required screening between B-3 and residential is a landscaped berm 6-8' tall with a 5' wide crest.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No berms are proposed to buffer the site from the businesses to the north.</li> <li>▪ No buffer of any kind is proposed between the single family residence and the business in the northwest corner.</li> </ul>	No	<ol style="list-style-type: none"> <li>1. If a berm is not provided, a <u>landscape deviation</u> will be required, and <b>an alternate means of providing the same visual and audible buffering must be proposed.</b></li> <li>2. <b>Please provide a section drawing of the proposed alternate screening for both areas.</b></li> <li>3. <i>The landscape deviation for a lack of suitable screening is not supported by staff.</i></li> </ol>
Planting requirements (LDM 1.a.)	LDM Novi Street Tree List	None	No	<ol style="list-style-type: none"> <li>1. While screening is not strictly required between residential housing projects, significant screening vegetation or other buffering between the new lots and existing residential properties is required to minimize the impact on existing neighbors. <b>Screening of the existing lots from headlights is especially important.</b></li> <li>2. <b>Please provide</b></li> </ol>

Item	Required	Proposed	Meets Code	Comments
				screening along the rear property line for the houses on the west side of Old Novi road. 3. Please provide some sort of fencing or other screening along the east property lines of the lots abutting existing residential east of Old Novi Road. 4. Please provide screening between the detention pond and the bar and grill. 5. Please provide details for the proposed screening.
<b>Adjacent to Public Rights-of-Way (Zoning Sec 5.5.3.A and LDM 1.b)</b>				
<b>Cross-Section of Berms (Zoning Sec 5.5.3.B and LDM 2.j)</b>				
Slope, height and width (Zoning Sec 5.5.3.A.v)	<ul style="list-style-type: none"> <li>▪ Label contour lines</li> <li>▪ Maximum 33% slope</li> <li>▪ Min. 2 feet wide crest</li> <li>▪ Min 3 feet tall, variable height in front of multi-family buildings.</li> <li>▪ Constructed of loam with 6" top layer of topsoil</li> </ul>	No	No	Please add detail if a berm is provided showing the required height, crest, slope, materials and representative landscaping.
Type of Ground Cover		Sod is indicated as the groundcover in areas without other plantings	Yes	If other groundcovers will be used, please show them on the plans.
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	No	No	<b>Please show any overhead utilities – existing or proposed, and dimension closest trees.</b>
<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 poured retaining wall with fence along the west line of Lots 1 -3 is shown on the site plan.	TBD	1. Please clearly show wall on landscape plan. 2. Please provide standard details for wall/fence, including height of fence as measured from adjacent property.

Item	Required	Proposed	Meets Code	Comments
				3. Please provide detail for any fence or wall that might be proposed as screening between residential/business and between this project and existing residences or any other walls that may be proposed.
Walls greater than 3 ½ ft. should be designed and sealed by an Engineer		TBD		
<b>ROW Landscape Screening Requirements (Sec 5.5.3.B. ii)</b>				
Greenbelt width (2)(3) (5)	Only single family homes are proposed along existing roads so no greenbelt is required.	NA		
Min. berm crest width	No berm is required	NA		
Minimum berm height (9)	No berm is required	NA		
3' wall (4) (7)	NA	None		
Canopy deciduous or large evergreen trees	Only single family homes are proposed along existing roads so no greenbelt is required.	NA		1. While the provided canopy trees in the front yard are not required (except for lots 12-15, 20 and 21), they may be provided if desired. 2. They should be entirely within the lot, not on the property line.
Sub-canopy deciduous trees	Only single family homes are proposed along existing roads so no greenbelt is required.	NA		
Street trees	<ul style="list-style-type: none"> <li>▪ <u>R4: Single Family Lots: 1 tree per 35 lf</u></li> <li>▪ 21 lots * 1 tree = 21 canopy trees</li> <li>▪ Where subcanopy trees are proposed near overhead wires, 1.5 subcanopy trees per canopy required must be provided.</li> </ul>	<u>Wainright/Linhart:</u> 1 tree per lot for a total of 10 trees. <u>Old Novi Road:</u> Lots 1-4, 7-10: 2 subcanopy trees Lot 5: 2 subcanopy trees Lot 11: <b>0 trees</b>	No	1. Unless overhead lines prevent the use of full-sized trees, street trees should be deciduous canopy trees with a minimum mature height of at least 30 feet and canopy width of at least 20 feet. 2. A landscape



Item	Required	Proposed	Meets Code	Comments
				<p><b>deviation is required to locate street trees in front yards of lots 12-15, 20 and 21.</b> <i>This deviation can be supported if it is understood that the trees will not be maintained as part of the city's street tree maintenance program.</i></p> <p><b>3. A landscape deviation is required to use subcanopy trees as street trees, unless they are being used under power lines.</b> <i>If that is the case, 1.5 subcanopy trees per 1 canopy tree are required but only 1 tree per canopy tree is proposed. The deviation to not use canopy trees where possible is not supported by staff.</i></p>
<p><b>Other landscaping in right-of-way</b></p>	<p>None required</p>	<p>Flower/shrub plantings with decorative fences are proposed between the sidewalk and the lots along Novi Road.</p>	<p>No</p>	<p><b>1. Locating the detail plantings and fences within the right-of-way is a landscape deviation.</b></p> <p><b>2.</b> <i>As the right-of-way is unlikely to be needed for road expansion, and they don't create any visual hazards, this deviation is supported by staff, however the applicant would need provide a license agreement to the city for the fences and plantings within the right-of-way.</i></p>
<p><b>Transformers/Utility</b></p>	<p>▪ A minimum of 2ft.</p>	<p>None shown</p>	<p>TBD</p>	<p><b>1. When the locations</b></p>

Item	Required	Proposed	Meets Code	Comments
<b>boxes</b> (LDM 1.e from 1 through 5)	separation between box and the plants <ul style="list-style-type: none"> <li>▪ Ground cover below 4" is allowed up to pad.</li> <li>▪ No plant materials within 8 ft. from the doors</li> </ul>			of transformer/utility boxes are determined, add landscaping per city requirements. 2. Add note to the plan stating that all utility boxes shall be screened.
<b>Detention/Retention Basin Requirements (Sec. 5.5.3.E.iv)</b>				
<b>Planting requirements</b> (Sec. 5.5.3.E.iv)	<ul style="list-style-type: none"> <li>▪ Clusters of large native shrubs (min 3 ft tall) shall cover 70-75% of the basin rim area</li> <li>▪ 10" to 14" tall grass along sides of basin</li> <li>▪ Refer to wetland for basin mix</li> </ul>	Detention pond landscaping is proposed as required.	Yes	
<b>Phragmites Control</b> (Sec 5.5.6.C)	<ul style="list-style-type: none"> <li>▪ Any and all populations of <i>Phragmites australis</i> on site shall be included on tree survey.</li> <li>▪ Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site.</li> </ul>		TBD	1. Please survey the site for any populations of <i>Phragmites australis</i> and submit plans for its removal. 2. If none is found, please indicate that on the survey.
<b>Woodland Replacements (Chapter 37 Woodlands Protection)</b>				
<b>Woodland Replacement Calculations – Required/Provided</b>	<ul style="list-style-type: none"> <li>▪ Show calculations based on existing tree chart.</li> <li>▪ Indicate boundary of regulated woodland on plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ Tree survey and chart are provided.</li> <li>▪ 4 woodland replacement evergreens are located on lot 12 and 8 replacement trees are in the street right-of-way</li> </ul>	Yes/No	1. Please see ECT review for woodlands and wetlands. 2. No replacement trees should be on private lots and it would be preferable to keep them out of the right-of-way. 3. Street trees are not required in front of the detention pond on Wainright. Those swamp white oaks could count as replacement trees.
<b>LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS</b>				
<b>Landscape Notes – Utilize City of Novi Standard Notes</b>				
<b>Installation date</b> (LDM 2.I. & Zoning)	Provide intended date	Summer 2019	Yes	

Item	Required	Proposed	Meets Code	Comments
Sec 5.5.5.B)				
<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>	2 year maintenance note	Yes	
<b>Plant source</b> (LDM 2.n & LDM 3.a.(2))	Shall be northern nursery grown, No.1 grade	Yes	Yes	
<b>Irrigation plan</b> (LDM 2.s.)	A fully automatic irrigation system or a method of providing sufficient water for plant establishment and survival is required on Final Site Plans.	No		<ol style="list-style-type: none"> <li>1. <u>Please add irrigation plan or information as to how plants will be watered sufficiently for establishment and long- term survival.</u></li> <li>2. <u>If xeriscaping is used, please provide information about plantings included.</u></li> </ol>
<b>Other information</b> (LDM 2.u)	Required by Planning Commission	NA		
<b>Establishment period</b> (Zoning Sec 5.5.6.B)	<b>2 yr. Guarantee</b>	Yes	Yes	
<b>Approval of substitutions.</b> (Zoning Sec 5.5.5.E)	City must approve any substitutions in writing prior to installation.	Yes	Yes	
<b>Plant List (LDM 2.h.) – Include all cost estimates</b>				
Botanical and common names	Refer to LDM suggested plant list	Yes	Yes	
Quantities and sizes		Yes	Yes	
Root type		Yes	Yes	
Botanical and common names		Yes	Yes	
Breakdown of genus/species diversity (LDM 4)	Break down proposed plantings by genus and species	Yes	Yes	8 of 12 (67%) species used, not including seed mixes, are native to Michigan.
Type and amount of lawn		Sod	Yes	
Cost estimate (LDM 8.u)	For all new plantings, mulch and sod as listed on the plan	Yes	Yes	<u>Need for Final Site Plan</u>
<b>Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details</b>				

Item	Required	Proposed	Meets Code	Comments
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes	Yes	
Multi-stem Tree		Yes	Yes	
Evergreen Tree		Yes	Yes	
Shrub		Yes	Yes	
Perennial/ Ground Cover		Yes	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		Yes	Yes	
Tree protection fencing	Located at Critical Root Zone (1' outside of dripline)	Yes	Yes	
<b>Other Plant Material Requirements (LDM 3)</b>				
<b>General Conditions</b> (LDM 3.a)	Plant materials shall not be planted within 4 ft. of property line	No	Yes	<b>Please add note near property lines.</b>
<b>Plant Materials &amp; Existing Plant Material</b> (LDM 3.b)	Clearly show trees to be removed and trees to be saved.	Yes	Yes	
<b>Landscape tree credit</b> (LDM3.b.(d))	Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA. Refer to Landscape tree Credit Chart in LDM	None		
<b>Plant Sizes for ROW, Woodland replacement and others</b> (LDM 3.c)	Refer to Chapter 37, LDM for more details	Yes	Yes	
<b>Plant size credit</b> (LDM3.c.(2))	NA			
<b>Prohibited plants</b> (LDM 7.c)	No plants on City Prohibited Species List may be used.	No prohibited species are used.	Yes	
<b>Recommended trees for planting under overhead utilities</b> (LDM 3.e)	Label the distance from the overhead utilities			<b>Please dimension distance from proposed trees close to overhead lines</b>
<b>Collected or Transplanted trees</b> (LDM 3.f)		NA		
<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> </ul>	Yes	Yes	

Item	Required	Proposed	Meets Code	Comments
	<ul style="list-style-type: none"> <li>▪ Specify natural color, finely shredded hardwood bark mulch. Include in cost estimate.</li> <li>▪ Refer to section for additional information</li> </ul>			

**NOTES:**

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

WETLAND REVIEW



ECT Project No. 180371-0300

September 21, 2018

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

Re: Lakeview (JSP18-0016)  
Wetland Review of the Revised PRO Concept Plan (PSP18-0124)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised PRO Concept Plan for the proposed Lakeview project prepared by Nowak & Fraus Engineers dated August 7, 2018 and stamped "Received" by the City of Novi Community Development Department on August 10, 2018 (Plan). The Plan was reviewed for conformance with the City of Novi Wetland and Watercourse Protection Ordinance and the natural features setback provisions in the Zoning Ordinance.

**ECT currently recommends approval of the Revised PRO Concept Plan for Wetlands. ECT recommends that the Applicant consider the items noted in the *Wetland Comments* section of this letter prior to the submittal of the Preliminary Site Plan.**

The following wetland related items are required for this project:

Item	Required/Not Required/Not Applicable
Wetland Permit (specify Non-Minor or Minor)	Required (Non-Minor)
Wetland Mitigation	Not Required (Impacts currently 0.07-acre < 0.25-acre wetland mitigation threshold)
Wetland Buffer Authorization	Required
MDEQ Permit	To Be Determined. It is the applicant's responsibility to contact the MDEQ in order to determine the need for a wetland use permit.
Wetland Conservation Easement	Required

The proposed development is located east of Shawood Lake in Sections 10 and 11. The proposed development would be located both east and west of Old Novi Road, east of Austin Drive and north and south of Wainwright Street. Previous plan submittals included a *Wetland Delineation and Determination of Jurisdiction* report prepared by BWA Consulting dated October 3, 2017.

The Plan proposes the construction of eleven (11) single-family residential houses west of Old Novi Road, and ten (10) single-family lots east of Old Novi Road. The project is divided between three (3) separate parcel areas (Parcels A, B, and C).

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Based on our review of the Plan, Novi aerial photos, Novi GIS, the City of Novi Official Wetlands and Woodlands Maps (see Figure 1, attached) and our on-site evaluation, it appears as if the overall development site contains City-Regulated Wetlands. The BWA *Wetland Delineation and Determination of Jurisdiction* report dated October 3, 2017 notes that one (1) wetland area is present on the parcel and it has been determined that the wetland is subject to regulation by the Michigan Department of Environmental Quality (MDEQ) and the City of Novi. Permits will likely be required by the MDEQ and the City of Novi for construction activities involving this regulated wetland area. It should be noted that this existing wetland area is located on the subject parcel (Parcel C) located east of Old Novi Road and north of Wainwright Street (just south of the existing Lakeside Bar & Grill). This is the only wetland area observed on the proposed parcels being developed.

### **City of Novi Wetland Ordinance Requirements**

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

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

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

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

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



(10) *The site provides sources of nutrients in water food cycles and nursery grounds and sanctuaries for fish.*

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

The on-site wetland appears to meet one or more of the essentiality criteria and is therefore likely City regulated (i.e., wildlife habitat and flood and storm water control).

### **On-Site Wetland Evaluation**

ECT reviewed the site for the presence of regulated wetlands as defined in the City of Novi Wetland and Watercourse Protection Ordinance. The goal of this review was to verify the location of on-site wetland resources identified by BWA Consulting and assess their regulatory status. ECT's investigation was completed on June 19, 2018. Pink and blue wetland boundary flagging was in place at the time of this site inspection. ECT reviewed the flagging and agrees that the wetland boundaries were accurately flagged in the field. It should be noted that the applicant has provided a wetland flagging map that indicates the approximate locations of the wetland flagging/staking on site (see Figure 2, Wetland Sketch). Based on the existing vegetation and topography, it is ECT's assessment that the on-site wetlands have been accurately delineated at this time.

Although not indicated on the City of Novi's Regulated Wetland Map (see Figure 1), ECT identified one wetland area within the subject property at the time of the site inspection. This wetland was identified by BWA Consulting as Wetland B and wetland flag numbers are indicated as B-1 through B-14 (see Figure 2). The Plan notes that the on-site acreage of this wetland is 6,926 square feet (0.159-acre). The wetland area is an isolated forested/scrub-shrub wetland that contains an emergent depression. Vegetation observed within the wetland included silver maple (*Acer saccharinum*), cottonwood (*Populus deltoides*), box elder (*Acer negundo*), green ash (*Fraxinus pennsylvanica*), nodding beggar-ticks (*Bidens cernua*), and highbush cranberry (*Viburnum trilobum*). Surface water was present at the time of our inspection as well as water stained leaves which are an indicator of wetland hydrology. The applicant's wetland consultant noted that soils pits dug on-site revealed wetland (hydric) soils within the wetland area.

### **Proposed Wetland Impacts**

As noted above, the Plan indicates the presence of one (1) area of existing wetland on the subject site (Parcel 'C', east of Old Novi Road and north of Wainwright Street). The previously-submitted pre-application plans indicated a proposed wetland fill of 895 square feet in this area. The current Plan does not specifically indicate or quantify the currently proposed wetland impacts. The Plan appears to propose impact to a portion of the wetland for the purpose of constructing the rear yards of single-family houses No. 20 and No. 21 as well as the proposed stormwater detention basin.

This wetland area appears to be regulated by the City of Novi and may also likely be regulated by the Michigan Department of Environmental Quality (MDEQ). The DEQ must determine the following before a permit can be issued:

- The permit would be in the public interest.
- The permit would be otherwise lawful.
- The permit is necessary to realize the benefits from the activity.

- No unacceptable disruption to aquatic resources would occur.
- The proposed activity is wetland dependent **or** no feasible and prudent alternatives exist.

With regard to the 25-foot wetland setbacks, the Plan appears to propose encroachment into existing 25-foot wetland buffer area. The Applicant shall indicate, quantify (square feet or acres of fill or excavation within the wetland limits, if applicable) and label all proposed impacts to wetlands and 25-foot wetland buffers on subsequent plan submittals. The City of Novi regulates a 25-foot buffer surrounding all wetlands and watercourses.

### **Wetland Permits & Regulatory Status**

Based on the criteria set forth in The City of Novi Wetlands and Watercourse Protection ordinance (Part II-Code of Ordinances, Ch. 12, Article V.), the wetlands to be impacted appear to meet the definition of a City-regulated wetland and meets one or more of the essentially criteria (i.e., wildlife habitat, storm water control, etc.). A wetland use permit would be required for any proposed activities within City regulated wetlands.

It appears as though a City of Novi **Non-Minor** Use Wetland Permit would be required for the proposed impacts. The granting or denying of a Nonresidential *Minor* Use Permit shall be the responsibility of the Community Development Department. A Nonresidential *Minor* Use Permit is for activities consisting of no more than one (1) of the following activities which have a minimal environmental effect:

- a. Minor fills of three hundred (300) cubic yards or less and not exceeding ten thousand (10,000) square feet in a wetland area, providing the fill consists of clean, nonpolluting materials which will not cause siltation and do not contain soluble chemicals or organic matter which is biodegradable, and providing that any upland on the property is utilized to the greatest degree possible. All fills shall be stabilized with sod, or seeded, fertilized and mulched, or planted with other native vegetation, or riprapped as necessary to prevent soil erosion.
- b. Installation of a single water outfall provided that the outlet is riprapped or otherwise stabilized to prevent soil erosion.
- c. Watercourse crossings by utilities, pipelines, cables and sewer lines which meet all of the following design criteria:
  - i) The method of construction proposed is the least disturbing to the environment employable at the given site;
  - ii) The diameter of pipe, cable or encasement does not exceed twenty (20) inches;
  - iii) A minimum of thirty (30) inches of cover will be maintained between the top of the cable or pipe and the bed of the stream or other watercourse on buried crossings; and
  - iv) Any necessary backfilling will be of washed gravel.
- d. Extension of a wetland/watercourse permit previously approved by the planning commission.
- e. Replacement of a culvert of an identical length and size, and at the same elevation. If the proposed culvert is of a greater length or size than the existing culvert, or is a new culvert altogether, it must meet the conditions of subpart c., above, to qualify for a nonresidential minor use permit.
- f. Temporary impacts where the encroachment into protected areas is less than five hundred (500) feet.

The proposed impacts appear to include a storm water outfall as well as the direct impact (fill) to wetland for the proposed site development described above. Therefore, the project as proposed will require Non-Minor Use Wetland Permit that will require approval by Planning Commission.

A City of Novi *Authorization to Encroach the 25-Foot Natural Features Setback* would be required for any proposed impacts to on-site 25-foot wetland buffers.

It should be noted that the City's threshold for the requirement of wetland mitigation is 0.25-acre of proposed wetland impact. Wetland mitigation does not appear to be requirement for this proposed project.

It appears as though a MDEQ Wetland Permit would be required for the proposed impacts to on-site wetlands. It should be noted that it is the Applicant's responsibility to contact MDEQ in order to determine the need for a permit from the state. In 1979, the Michigan legislature passed the Geomare-Anderson Wetlands Protection Act, 1979 PA 203, which is now Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The MDEQ has adopted administrative rules which provide clarification and guidance on interpreting Part 303.

In accordance with Part 303, wetlands are regulated if they are any of the following:

- Connected to one of the Great Lakes or Lake St. Clair.
- Located within 1,000 feet of one of the Great Lakes or Lake St. Clair.
- Connected to an inland lake, pond, river, or stream.
- Located within 500 feet of an inland lake, pond, river or stream.
- Not connected to one of the Great Lakes or Lake St. Clair, or an inland lake, pond, stream, or river, but are more than 5 acres in size.
- Not connected to one of the Great Lakes or Lake St. Clair, or an inland lake, pond, stream, or river, and less than 5 acres in size, but the DEQ has determined that these wetlands are essential to the preservation of the state's natural resources and has notified the property owner.

The law requires that persons planning to conduct certain activities in regulated wetlands apply for and receive a permit from the state before beginning the activity. A permit is required from the state for the following:

- Deposit or permit the placing of fill material in a wetland.
- Dredge, remove, or permit the removal of soil or minerals from a wetland.
- Construct, operate, or maintain any use or development in a wetland.
- Drain surface water from a wetland.

#### **Wetland Comments**

ECT recommends that the applicant address the items noted below in subsequent site plan submittals:

1. ECT encourages the Applicant to minimize impacts to on-site wetlands and wetland setbacks to the greatest extent practicable. The Applicant should consider modification of the proposed site design to preserve wetland and wetland buffer areas. Based on a response letter from the applicant's engineer dated September 18, 2018, the current layout has taken the existing wetland and 25-foot wetland setback into consideration. It is noted that buildings with front-entry garages have now been provided in order to further minimize impacts to environmental features. Specifically, redesign of the proposed

stormwater detention basin on Parcel C as well as Lots 20 and 21 should be considered in order to minimize wetland and wetland buffer impacts to the greatest extent practicable.

The preservation of the 25-foot buffer areas is important to the overall health of the existing wetlands as the existing buffers serve to filter pollutants and nutrients from storm water before entering the wetlands, as well as provide additional wildlife habitat. The City regulates wetland buffers/setbacks. Article 24, Schedule of Regulations, of the Zoning Ordinance states that:

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

2. The applicant shall show the following information on subsequent site plans:
  - a) The area of all existing wetland areas (square feet or acres) and their boundaries;
  - b) The area of all existing 25-foot wetland buffer (square feet or acres) and their boundaries;
  - c) Area (square feet) and volume (cubic yards) of all wetland/watercourse impacts (both permanent and temporary);
  - d) Area (square feet) of all wetland buffer impacts (both permanent and temporary).

Based on a response letter from the applicant’s engineer dated September 18, 2018, the information above has been calculated and will be provided on the next site plan submittal. Specifically, the existing wetland area is listed as 6,926 square feet and the existing wetland buffer area is listed as 8,528 square feet. The ‘proposed’ wetland is listed as 2,737 square feet and the ‘proposed’ wetland buffer is listed as 3,598 square feet. As such, please indicate on the Plan what the proposed wetland and wetland buffer impacts are (i.e., current wetland impact is 4,189 square feet or 0.10-acre and the current wetland buffer impact is 4,930 square feet or 0.11-acre).

3. The Plan proposes to construct a storm water outfall to the wetland from the proposed stormwater detention basin. The applicant shall quantify any permanent and/or temporary impacts to wetlands or wetland buffers in this area (i.e., square feet/acreage and cubic yards). The applicant is encouraged to locate any proposed outside of the wetland and 25-foot wetland buffer boundaries in order to provide an additional element of sediment and nutrient removal as the water outlets through a vegetated buffer as opposed to directly into the existing wetland.
4. It appears as though a MDEQ Wetland Permit and a City of Novi *Wetland Non-Minor Use Permit* would be required for any proposed impacts to site wetlands. A City of Novi *Authorization to Encroach the 25-Foot Natural Features Setback* would be required for any proposed impacts to on-site 25-foot wetland buffers.
5. It should be noted that it is the Applicant’s responsibility to confirm the need for a Permit from the MDEQ for any proposed wetland impact. Final determination as to the regulatory status of each of the on-site wetlands shall be made by MDEQ. The Applicant should provide a copy of the MDEQ Wetland Use Permit application to the City (and our office) for review and a copy of the approved permit upon issuance. A City of Novi Wetland Permit cannot be issued prior to receiving this information.

6. The Plan should address how any temporary impacts to wetland buffers shall be restored, if applicable. A seed mix consisting of acceptable native plant species shall be indicated on the Plan if necessary. Sod or common grass seed is not acceptable for site restoration within areas of existing wetland or 25-foot wetland buffers. The applicant shall provide information for any proposed seed mixes that will be used to restore any areas of temporary wetland and wetland buffer impacts. ECT would like to ensure that the proposed plant/seed material contains native plants as opposed to invasive or threatened plant types.
7. If applicable, the Applicant shall provide wetland conservation easements as directed by the City of Novi Community Development Department for any areas of remaining wetland as well as for any proposed wetland mitigation areas (if necessary). A Conservation Easement shall be executed covering all remaining wetland areas on site as shown on the approved plans. 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 and Watercourse permit.

**Recommendation**

ECT currently recommends approval of the Revised PRO Concept Plan for Wetlands. ECT recommends that the Applicant consider the items noted in the *Wetland Comments* section of this letter prior to the submittal of the Preliminary Site Plan.

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

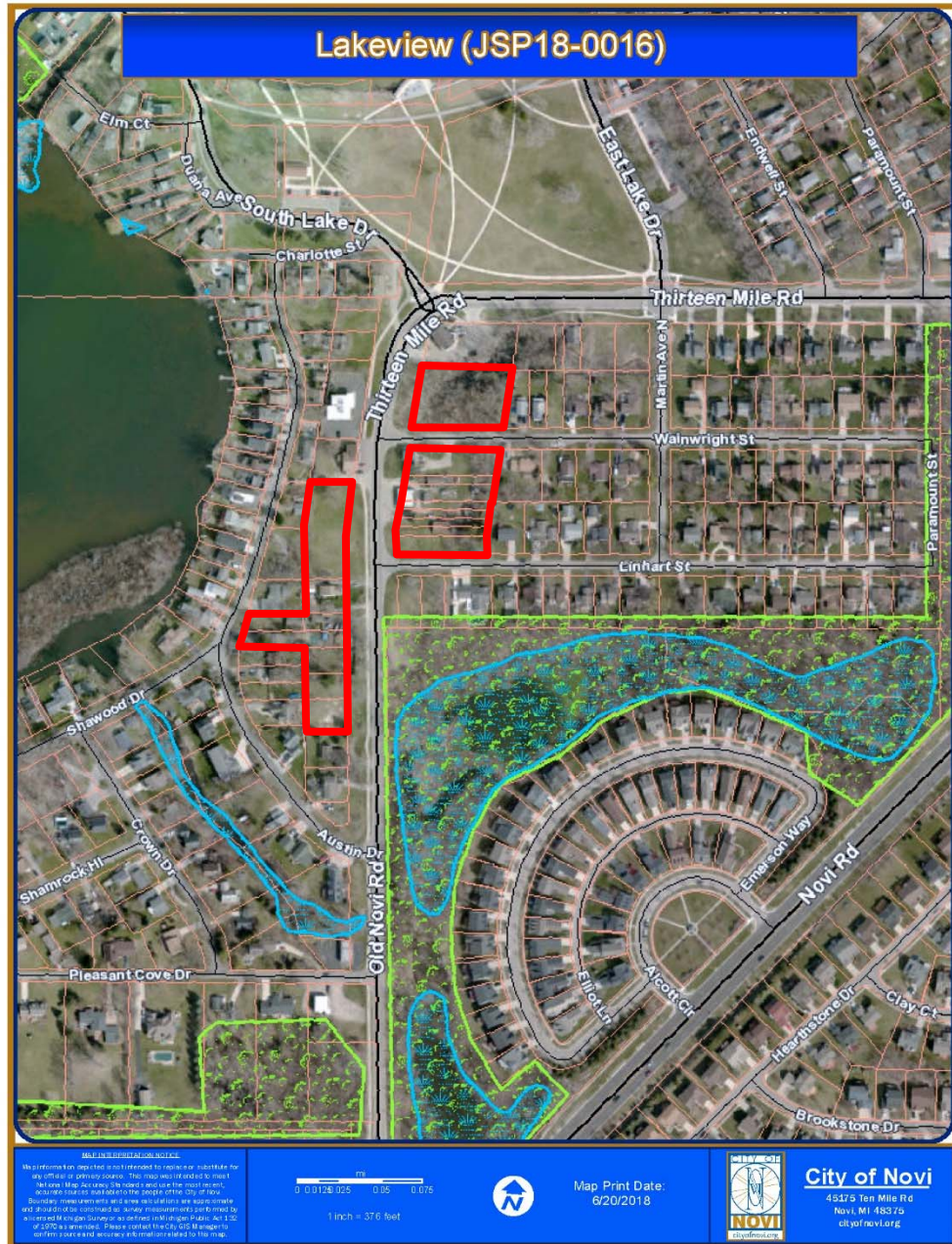
Respectfully submitted,  
**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**



Pete Hill, P.E.  
Senior Associate Engineer

cc: Lindsay Bell, City of Novi Planner  
Sri Komaragiri, City of Novi Planner  
Rick Meader, City of Novi Landscape Architect  
Hannah Smith, City of Novi Planning Assistant

Attachments: Figure 1 – City of Novi Regulated Wetland and Woodland Map  
Figure 2 – Wetland Sketch (BWA Consulting)  
Site Photos



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



Figure 2. Wetland Sketch (BWA Consulting, October 2017). Approximate location of wetland boundaries.

*Site Photos*



**Photo 1.** Looking northwest at existing wetland area. Wetland is located southeast for the existing Lakeview Bar & Grill (ECT, June 19, 2018).



**Photo 2.** Pink and blue wetland flagging tape present on-site from the September 18, 2017 wetland delineation performed by BWA (ECT, June 19, 2018).



WOODLAND REVIEW



ECT Project No. 180371-0400

August 27, 2018

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

Re: Lakeview (JSP18-0016)  
Woodland Review of the Revised PRO Concept Plan (PSP18-0124)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised PRO Concept Plan for the proposed Lakeview project prepared by Nowak & Fraus Engineers dated August 7, 2018 and stamped "Received" by the City of Novi Community Development Department on August 10, 2018 (Plan). The Plan was reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37.

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

The following woodland related items are required for this project:

Item	Required/Not Required/Not Applicable
Woodland Permit	Required
Woodland Fence	Likely Required
Woodland Conservation Easement	Not Required

The proposed development is located east of Shawood Lake in Sections 10 and 11. The proposed development would be located both east and west of Old Novi Road, east of Austin Drive and north and south of Wainwright Street. The Plan proposes the construction of eleven (11) single-family residential houses west of Old Novi Road, and ten (10) single-family lots east of Old Novi Road. The project is divided between three (3) separate parcel areas (Parcels A, B, and C).

Based on our review of the Plan, Novi aerial photos, Novi GIS, the City of Novi Official Wetlands and Woodlands Maps (see Figure 1, attached) and our on-site evaluation, it appears as if the overall development site contains City-Regulated Wetlands but does not appear to contain areas mapped as City-Regulated Woodlands.

The current Plan does include a *Tree Survey* (Sheets SP8 and SP9) as well as a *Tree Inventory List* (Sheet SP10). The *Tree Inventory List* provides the Tree#, common and botanical names, diameter, condition, and comments for the surveyed, on-site trees. The *Tree Preservation Plan* (Sheets L-3 and L-4) also contain

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48105

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769-3004

FAX (734)  
769-3164

Tree Survey information that includes the removal status of the existing trees. It should be noted that the purpose of the City of Novi Woodland Protection Ordinance (Chapter 37) is to:

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

**Woodland Evaluation/Woodland Impact Review**

ECT's in-office review of available materials included the City of Novi Regulated Woodland map and historical aerial photographs. The site does not include areas indicated as City-regulated woodland on the official City of Novi Regulated Woodland Map (see Figure 1), however three (3) trees 36-inches diameter-at-breast-height (DBH) are found on the site and are indicated on the Plan. These trees are:

- Tree No. 131 (36" silver maple) located in the rear yard of single family Unit #21 (north of Wainright Street). This tree is listed as 'Good' condition;
- Tree No. 1995/193 (36" box elder) located within the limits of disturbance of proposed single-family Unit #16 (south of Wainright Street). This tree is listed as 'Poor' condition with 'rot' noted in the Comments section of the *Tree Inventory List*;
- Tree No. 161 (36" box elder) located in the rear yard of single-family Unit #5 (west of Old Novi Road). This tree is listed in 'Poor' condition.

A Woodland Permit from the City of Novi would be required for proposed impacts to any trees 8-inch diameter-at-breast-height (DBH) or greater and located within an area designated as City Regulated Woodland, or any tree 36-inches DBH regardless of location on the site. Such trees shall be relocated or replaced by the permit grantee. All deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and count at a 1-to-1 replacement ratio and all coniferous replacement trees shall be six (6) feet in height (minimum) and count at a 1.5-to-1 replacement ratio. All Woodland Replacement trees shall be species that are listed on the City's Woodland Tree Replacement Chart (attached).

**Proposed Woodland Impacts and Replacements**

These three (3) regulated trees are proposed for removal. The City of Novi requires Woodland Replacement trees according to the following ratios:

<b>Replacement Tree Requirements</b>	
Removed Tree D.B.H. (In Inches)	Ratio Replacement/ Removed Tree
$\geq 8 \leq 11$	1

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

Tree #131 (36" silver maple) is listed as 'Good' condition and is proposed to be removed. The City therefore requires four (4) Woodland Replacement Tree Credits should this tree be removed. In addition, Tree #161 (36" box elder) is listed in 'Poor' condition, however the Plan does not note that the tree is diseased or dying. As such the City requires four (4) Woodland Replacement Tree Credits should this tree be removed.

Tree#1995/193 (36" box elder) however is listed in 'Poor' condition and tree rot was observed by the applicant's consultant. As such, replacement credits for an existing tree in this condition will not be required. ECT of the City of Novi (Landscape Architect or Forestry Asset Manager) will confirm the condition of this tree (i.e., the presence of rot) prior to Final Site Plan approval and the required Woodland Replacement Credits will be modified accordingly (if necessary).

Sheet L-1 (Overall Landscape Plan) notes that the following Woodland Replacement Trees will be provided for near the proposed seating plaza to be located west of Lots 12 & 19:

- 4 – Downy serviceberry (at 1-to-1 replacement ratio = 4 Woodland Replacement Credits);
- 8 – White spruce (at 1.5-to-1 replacement ratio = 5.3 Woodland Replacement Credits).

Therefore the current Plan meets the required Woodland Replacement Credit requirement of 8 credits.

**Woodland Review Comments**

ECT recommends that the Applicant address the items noted below in subsequent site plan submittals:

1. ECT encourages the Applicant to minimize impacts to on-site woodlands and City-Regulated to the greatest extent practicable. The applicant should attempt to preserve Tree #131 (City-Regulated 36-inch diameter silver maple, located on proposed single-family Unit #21) by incorporating it into the development Plan and excluding it from the proposed limits of disturbance.
2. A Woodland Permit from the City of Novi would be required for proposed impacts to any trees 8-inch diameter-at-breast-height (DBH) or greater and located within an area designated as City Regulated Woodland, **or any tree 36-inches DBH regardless of location on the site.** Such trees shall be relocated or replaced by the permit grantee. All deciduous replacement trees shall be two and one-half (2 ½) inches caliper or greater and all coniferous replacement trees shall be six (6) feet in height (minimum). All Woodland Replacement trees shall be species that are listed on the City's Woodland Tree Replacement Chart (attached).

Currently, the Plan appears to require a total of eight (8) Woodland Replacement tree credits. A total of 9.3 Woodland Replacement Credits are being proposed through the planting of 4 downy serviceberry trees (4 Woodland Replacement Credits at 1-to-1 replacement ratio) and 8 white spruce (5.3 Woodland Replacement Credits at 1.5-to-1 replacement ratio).

3. A Woodland Replacement financial guarantee for the planting of replacement trees will be required. This financial guarantee will be based on the number of on-site woodland replacement trees (credits) being provided at a per tree value of \$400. The Woodland Replacement Financial Guarantee will be \$3,200 (8 Woodland Replacement Credits Required x \$400/Credit).
4. Based on a successful inspection of the installed on-site Woodland Replacement trees, the Woodland Replacement financial guarantee will be returned to the Applicant. A Woodland Maintenance financial guarantee in the amount of twenty-five percent (25%) of the original Woodland Replacement financial guarantee will then be provided by the applicant. This Woodland Maintenance financial guarantee will be kept for a period of 2-years after the successful inspection of the on-site woodland replacement tree installation. The Woodland Maintenance Financial Guarantee will be \$1,000 (as the City's minimum is \$1,000).
5. Should the applicant not be able to provide on-site Woodland Replacement plantings, a total of \$400 per Woodland Replacement Credit required shall be paid to the City of Novi Tree Fund.
6. The Applicant shall provide preservation/conservation easements as directed by the City of Novi Community Development Department for any areas of proposed woodland replacement trees. The applicant shall demonstrate that all proposed woodland replacement trees will be guaranteed to be preserved as planted with a conservation easement or landscape easement to be granted to the city. This language shall be submitted to the City Attorney for review. The executed easement must be returned to the City Attorney within 60 days of the issuance of the City of Novi Woodland permit.

Recommendation

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

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

Respectfully submitted,

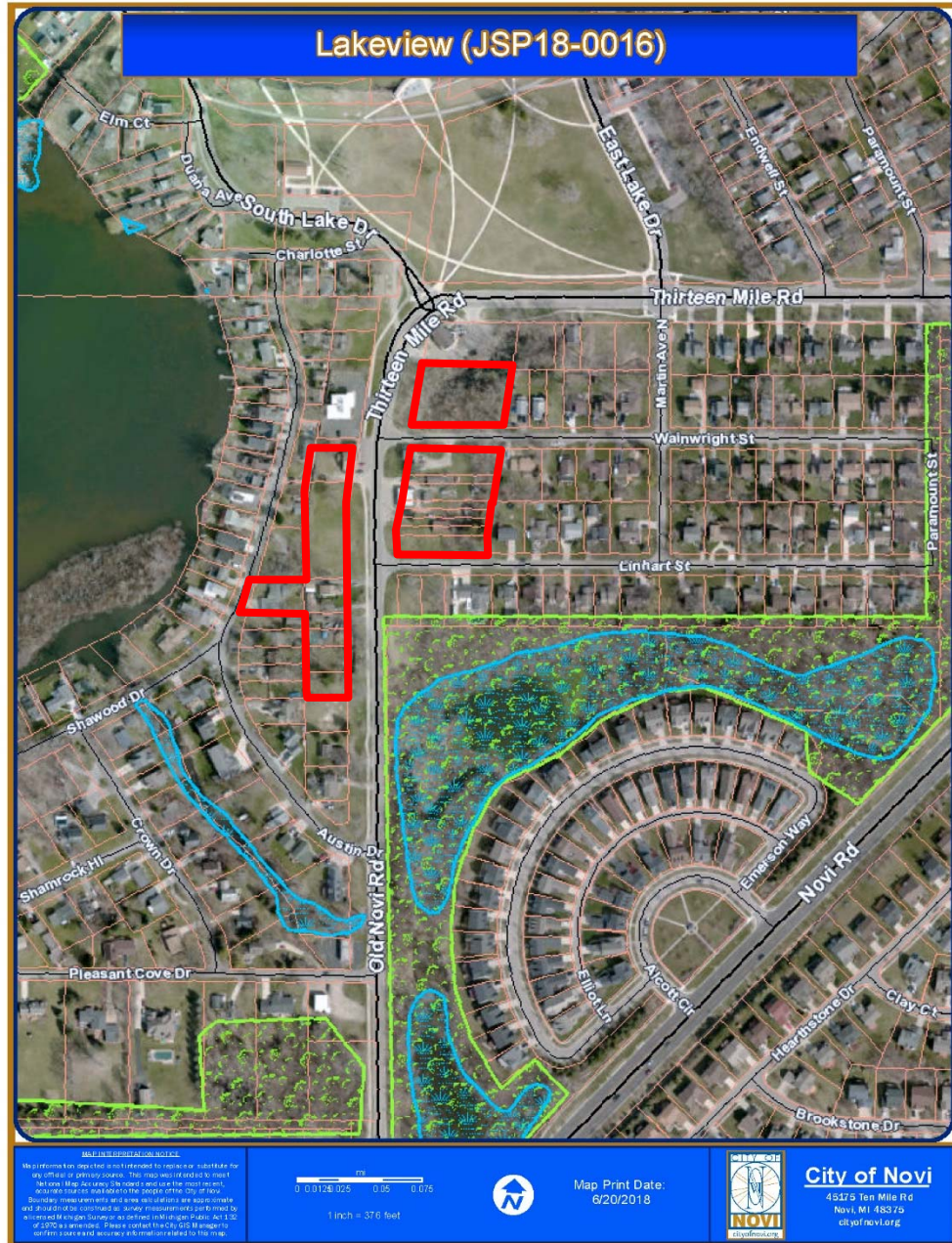
**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**



Pete Hill, P.E.  
Senior Associate Engineer

cc: Lindsay Bell, City of Novi Planner  
Sri Komaragiri, City of Novi Planner  
Rick Meader, City of Novi Landscape Architect  
Hannah Smith, City of Novi Planning Assistant

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



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

### Woodland Tree Replacement Chart

(from Chapter 37 Woodlands Protection)

(All canopy trees to be 2.5" cal or larger, evergreens as listed)

Common Name	Botanical Name
Black Maple	Acer nigrum
Striped Maple	Acer pennsylvanicum
Red Maple	Acer rubrum
Sugar Maple	Acer saccharum
Mountain Maple	Acer spicatum
Ohio Buckeye	Aesculus glabra
Downy Serviceberry	Amelanchier arborea
Yellow Birch	Betula alleghaniensis
Paper Birch	Betula papyrifera
American Hornbeam	Carpinus caroliniana
Bitternut Hickory	Carya cordiformis
Pignut Hickory	Carya glabra
Shagbark Hickory	Carya ovata
Northern Hackberry	Celtis occidentalis
Eastern Redbud	Cercis canadensis
Yellowwood	Cladrastis lutea
Beech	Fagus sp.
Thornless Honeylocust	Gleditsia triacanthos inermis
Kentucky Coffeetree	Gymnocladus dioica
Walnut	Juglans sp.
Eastern Larch	Larix laricina
Sweetgum	Liquidambar styraciflua
Tuliptree	Liriodendron tulipifera
Tupelo	Nyssa sylvatica
American Hophornbeam	Ostrya virginiana
White Spruce_(1.5:1 ratio) (6' ht.)	Picea glauca
Black Spruce_(1.5:1 ratio) (6' ht.)	Picea mariana
Red Pine	Pinus resinosa
White Pine_(1.5:1 ratio) (6' ht.)	Pinus strobus
American Sycamore	Platanus occidentalis
Black Cherry	Prunus serotina
White Oak	Quercus alba
Swamp White Oak	Quercus bicolor
Scarlet Oak	Quercus coccinea
Shingle Oak	Quercus imbricaria
Burr Oak	Quercus macrocarpa
Chinkapin Oak	Quercus muehlenbergii
Red Oak	Quercus rubra
Black Oak	Quercus velutina
American Bladdernut	Staphylea trifolia
Bald Cypress	Taxodium distichum
American Basswood	Tilia americana
Hemlock (1.5:1 ratio) (6' ht.)	Tsuga canadensis

*Site Photos*



**Photo 1.** Looking north towards northeast corner of development (north of Wainright Street). Regulated Tree #131 (36" silver maple) is located near existing shed on the right of the photo (ECT, June 19, 2018).



TRAFFIC REVIEW



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

**Project name:**  
 JSP18-0016 Lakeview Revised PRO Concept  
 Traffic Review

**From:**  
 AECOM

**Date:**  
 September 6, 2018

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

**CC:**  
 Sri Komaragiri, Lindsay Bell, George Melistas, Darcy  
 Rechten, Hannah Smith

# Memo

**Subject: JSP18-0016 Lakeview Revised PRO Concept Traffic Review**

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

## GENERAL COMMENTS

1. Robertson Brothers Homes is proposing a PRO rezoning for vacant parcels on Old Novi Road south of 13 Mile Road.
2. The development is planned to include:
  - a. 11 single-family detached homes on the west side of Old Novi Road
  - b. 10 single-family detached homes on the east side of Old Novi Road
3. Old Novi Road, Wainwright and Linhart Roads are under the jurisdiction of the City of Novi.
4. Summary of critical non-compliant items (may not be inclusive of all requirements contained herein):
  - a. The applicant shall provide additional dimensions for residential driveways to review compliance with in compliance with Section 11-216(e).

## TRAFFIC IMPACTS

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

ITE Code: 210 (Single-family Detached Housing)  
 Development-specific Quantity: 21  
 Zoning Change: B3 and R-4 to PRO

Trip Generation Summary				
	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
AM Peak-Hour Trips	20	15	100	No

<b>PM Peak-Hour Trips</b>	23	14	100	No
<b>Daily (One-Directional) Trips</b>	247	N/A	750	No

2. The number of trips does not exceed the City’s threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour. AECOM recommends performing the following traffic impact study in accordance with the City’s requirements. The applicant has submitted a trip generation study with the PRO Concept plan.

<b>Trip Impact Study Recommendation</b>	
<b>Type of Study:</b>	<b>Justification</b>
<b>Rezoning Traffic Impact Study (RTIS)</b>	While the trip generation estimates do not exceed the City’s requirements for a traffic impact study, <b>the PRO concept requires a RTIS to be completed.</b> The applicant has provided a trip generation study which indicated that projected trips are below the City’s threshold for a traffic impact study. The trip generation study does not meet the requirements of the RTIS and is not applicable to the current rPRO concept plan.

## EXTERNAL SITE ACCESS AND OPERATIONS

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

1. The applicant is proposing 21 single-family home driveways along Old Novi Road, Wainwright Street and Linhart Street.
  - a. The applicant has indicated the northernmost driveway along Old Novi Road to have a proposed width for of 10’ does not meet the City’s standard dimension of 16’; however, it is within the allowable range shown in Figure IX.5 of the City’s Ordinance.
    - i. The applicant could consider increasing the width to the standard 16’.
    - ii. The applicant should confirm that the 10’ width is the typical width and/or confirm which units it is applicable to.
    - iii. The applicant shall provide additional dimensions for the proposed residential driveway taper widths and depths, in accordance with Figure IX.5.
  - b. For homes with side entrance garages, the applicant should indicate the driveway width measured perpendicular to the garage entrance to ensure that it is a minimum of 22 feet, and in compliance with Section 11-216(e)(3).
  - c. The applicant should provide dimensions to confirm that the driveways are located at least three feet from the side lot line, as required by Section 11-216(e)(4).
2. The applicant is proposing 10 parallel parking spaces along Old Novi Road. The applicant should provide dimensions for the 8.2’ and 8.5’ wide parallel parking spaces to be 23 feet long.
3. Based on ADT and projected left and right-turning volumes, the applicant is not required to provide left- or right-turn lanes or tapers for this development, nor would additional left and right turn lanes be warranted onto Wainright Street and Linhart Street as a result of the development.

## INTERNAL SITE OPERATIONS

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

1. Parking Facilities

- a. The applicant has provided two parking spaces for each of the single-family detached homes via garages, which is in compliance with the Zoning Ordinance.
2. Sidewalk Requirements
  - a. The applicant is proposing eight foot wide sidewalk along the west side of Old Novi Road, which is in compliance with the Non-motorized Master Plan.
  - b. The applicant is proposing a six foot wide sidewalk along the east side of Old Novi Road north of Linhart Street, which is in compliance with the Non-motorized Master Plan.
  - c. The applicant is proposing a five foot wide sidewalk along the north and south side of Wainwright Street and along the north side of Linhart Street.
  - d. The applicant should indicate additional details with respect to sidewalk/pathway facility locations and design to ensure compliance with the City's Engineering Design Manual, Section 7.4.
  - e. All sidewalk facilities shall be designed in accordance with the Americans with Disabilities Act.
3. There are two (2) mail kiosk locations on the site plan rendering. More detail needs to be provided in regards to the kiosks and how they will operate, particularly if accessed by vehicles stopping in the adjacent roadways to gather mail. Additionally, the applicant should identify how mail delivery services will be handled from a mail delivery vehicle parking perspective.
4. The applicant should remove the "CURB NOTE" on sheet SP1, as it is no longer applicable.

## SIGNING AND STRIPING

1. All on-site signing and pavement markings shall be in compliance with the Michigan Manual on Uniform Traffic Control Devices (MMUTCD). The following is a discussion of the proposed signing and striping.
  - a. The applicant has not provided signing and striping details, and should do so as early as possible on future submittals, at a minimum by the final site plan submittal.
  - b. The applicant should review existing signs along Old Novi Road, Wainwright Street and Linhart Street to ensure that signing that is in conflict with proposed driveways or site amenities are relocated.

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

Sincerely,

**AECOM**



Maureen N. Peters, PE  
Senior Traffic/ITS Engineer



Paula K. Johnson, PE  
Senior Traffic Engineer

REZONING TRAFFIC IMPACT STUDY  
TIS REVIEW

# MEMO

---

**To:** Mr. Tim Loughrin  
Robertson Brothers Homes

---

**From:** Julie M. Kroll, PE, PTOE  
Jacob Swanson, EIT  
Fleis & VandenBrink

---

**Date:** September 11, 2018

---

**Re:** Proposed Lakeview Townes Residential Development  
City of Novi, Michigan  
Rezoning Traffic Study

---

## INTRODUCTION

This memorandum presents the results of the Rezoning Traffic Study (RTS) for the proposed Lakeview Townes Residential Development in the City of Novi, Michigan. The project site is located on approximately 3.15 acres adjacent to Old Novi Road, in the vicinity of the Old Novi Road and Linhart Street intersection in Novi, Michigan. The proposed development includes 21 single family homes. The proposed development is located on property that is currently zoned B-3 (General Business) and R-4 (One Family Residential). As part of this development project, property is proposed to be rezoned to RM-2 (High Density, Mid-Rise Multi-Family Residential) with a Planned Rezoning Overlay (PRO) 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: background information, description of the requested use, trip generation analysis, and available traffic counts (peak hour and daily) within one mile of the subject property.

## BACKGROUND INFORMATION

The project is located adjacent to Old Novi Road, in the vicinity of the Old Novi Road and Linhart Street intersection. Old Novi Road runs generally in the north and south directions and is under the jurisdiction of the City of Novi. Additional roadway information<sup>1</sup> is summarized in the table below.

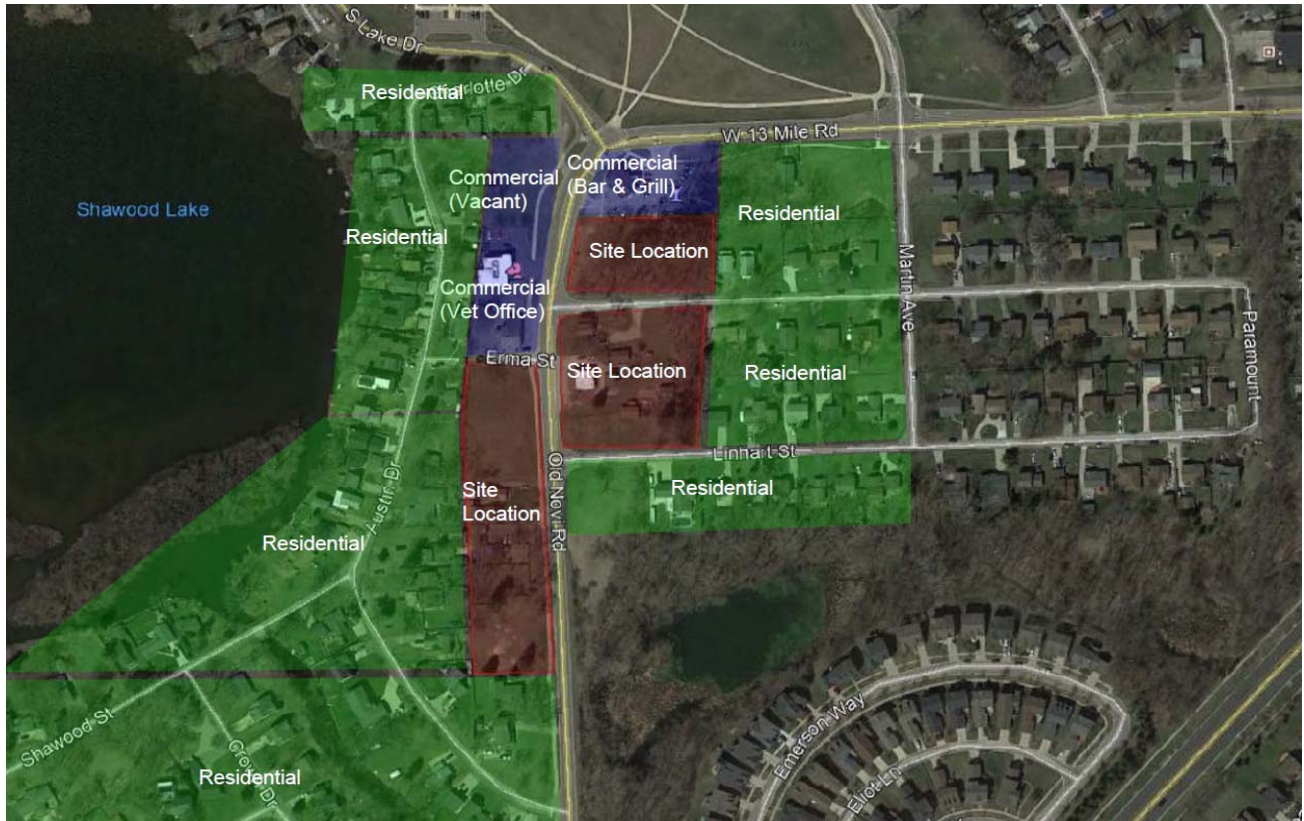
**Table 1: Adjacent Land Use Map**

Roadway Segment	Old Novi Road (Novi Road to S. Lake Drive)
Number of Lanes	2 (1-lanes each direction)
Functional Classification	Major Collector
Posted Speed Limit	25/30 mph
Traffic Volumes (2016)	2,500 vpd
Short Range Transportation Improvement Projects	None
Long Range Transportation Improvement Projects	None

<sup>1</sup> Source: Southeast Michigan Council of Governments (SEMCOG)

The majority of land uses adjacent to the project site are residential, with some commercial land uses. There are no additional proposal developments in the vicinity of this project that is expected to impact the proposed site operations. The adjacent land uses are shown below on **Figure 1**.

**FIGURE 1: ADJACENT LAND USE MAP**



**DESCRIPTION OF REQUESTED USE**

A residential development of 21 single family homes is proposed to be developed at this site location. The proposed site location property is currently zoned B-3 (General Business) and R-4 (One Family Residential) and is proposed to be rezoned to a PRO with an underling RM-2 (High Density, Mid-Rise Multi-Family Residential) zoning classification. The project area includes undeveloped property and several vacant buildings; all existing structures on this property will be razed. The PRO Concept Plan shows 11 homes on the west side of and 10 homes on the east side of Old Novi Road. Each unit on the west side of Old Novi Road will be accessed by driveways off Old Novi Road. The units on the east side of Old Novi Road will each have driveway access off Linhart Street or Wainwright Street.

**Table 2: Proposed Land Use Summary**

Proposed Operations	Lakeview Townes Residential
Number of Units	21 Single Family
Project Phasing	None
Future Expansion	None

**TRIP GENERATION**

The City Zoning Ordinance describes the land uses permitted by-right under the existing B-3 and R-4 and proposed RM-2 zoning classifications. 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, 10<sup>th</sup> Edition*. ITE publishes trip generation data by Dwelling units (D.U.) and square feet (SF) for various uses. Therefore, the maximum allowable density for these uses was determined based on information provided by Robertson Brother Homes.

The Ordinance definition of uses permitted under B-3 zoning includes retail businesses, professional services, fitness centers, professional office buildings, veterinarian clinic, fast food restaurant, and more. Review of the ITE land use descriptions indicates that the Shopping Center (#820) and Fast-food Restaurant with Drive-Through (#934) uses best match the uses defined by Ordinance. Other applicable ITE land uses such as Medical Office (#720) were reviewed but have lesser trip generation rates. Additionally, the Ordinance definition of uses permitted under R-4 zoning includes single family dwellings, family day care homes, and places of worship. Review of the ITE land use descriptions indicates that the Single Family Detached (#210) land use best match the uses defined by Ordinance.

Ordinance definition of uses permitted under RM-2 zoning includes single family dwellings, multiple-family dwelling, and congregate elderly living facilities. Review of the ITE land use descriptions indicates that the Single Family Detached (#210) and Multifamily Housing, Mid-Rise (#221) uses best match the uses defined by Ordinance. Other applicable ITE land uses such as Congregate Care Facility (#253) were reviewed but have lesser trip generation rates.

The proposed development includes 21 single family dwelling units. Review of the ITE land use descriptions indicates that the Single Family Detached (#210) use best match the proposed land uses.

The number of AM peak hour, PM peak hour, and Weekday vehicle trips was calculated based on the rates and equations published by ITE in *Trip Generation, 10<sup>th</sup> Edition*. The maximum trip generation potential of the subject site was forecast for the existing B-3 and R-4 zoning and proposed RM-2 zoning classifications and was compared to the projected trips generated by the proposed development. The trip generation forecasts are shown in Table 2.

**Table 3: Site Trip Generation Comparison**

Zoning	Land Use	ITE Code	Amount	Units	Average Daily Traffic	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
Existing B-3	Shopping Center	820	14,300	SF	1,602	99	60	159	62	67	129
	Fast-food w/ Drive Thru	934	2,500	SF	1,177	51	49	100	43	39	82
Existing R-4	Single Family Detached	210	4	D.U.	54	2	6	8	3	2	5
<i>Max for existing zoning (B-3 &amp; R-4)</i>						101	66	167	65	69	134
Proposed RM-2	Single Family Detached	210	48	D.U.	539	10	29	39	32	18	50
	Multifamily Housing (Mid-Rise)	221	48	D.U.	265	4	13	17	13	9	22
<i>Max for proposed zoning (RM-2)</i>						10	29	39	32	18	50
Proposed Development PRO	Single Family Detached	210	21	D.U.	247	5	15	20	14	9	23
	<i>Total Proposed Development (PRO)</i>						5	15	20	14	9

The results of the trip generation comparison indicate that there will be a decrease in trips during the AM and PM peak hour with the proposed development and the PRO rezoning. As compared to the potential trip generation associated with the existing B-3 and R-4 zoning and proposed RM-2 zoning, the PRO will generate less traffic and therefore has less of an impact on the adjacent roadway system.

Any questions related to this memorandum should be addressed to Fleis & VandenBrink.

**Attached:** SEMCOG Data  
 Traffic Count Data

JJS2:



# Crash and Road Data

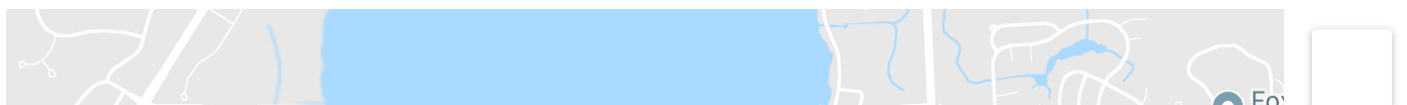
## Road Segment Report

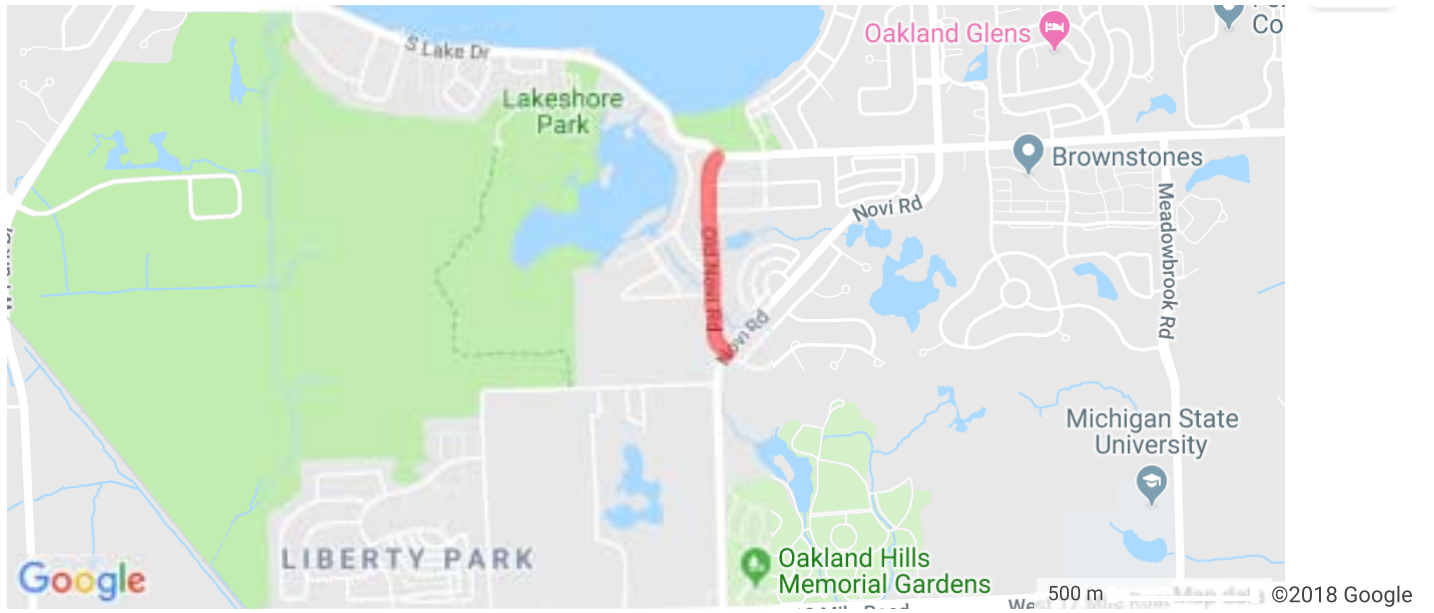
### Old Novi Rd, (PR Number 621910)

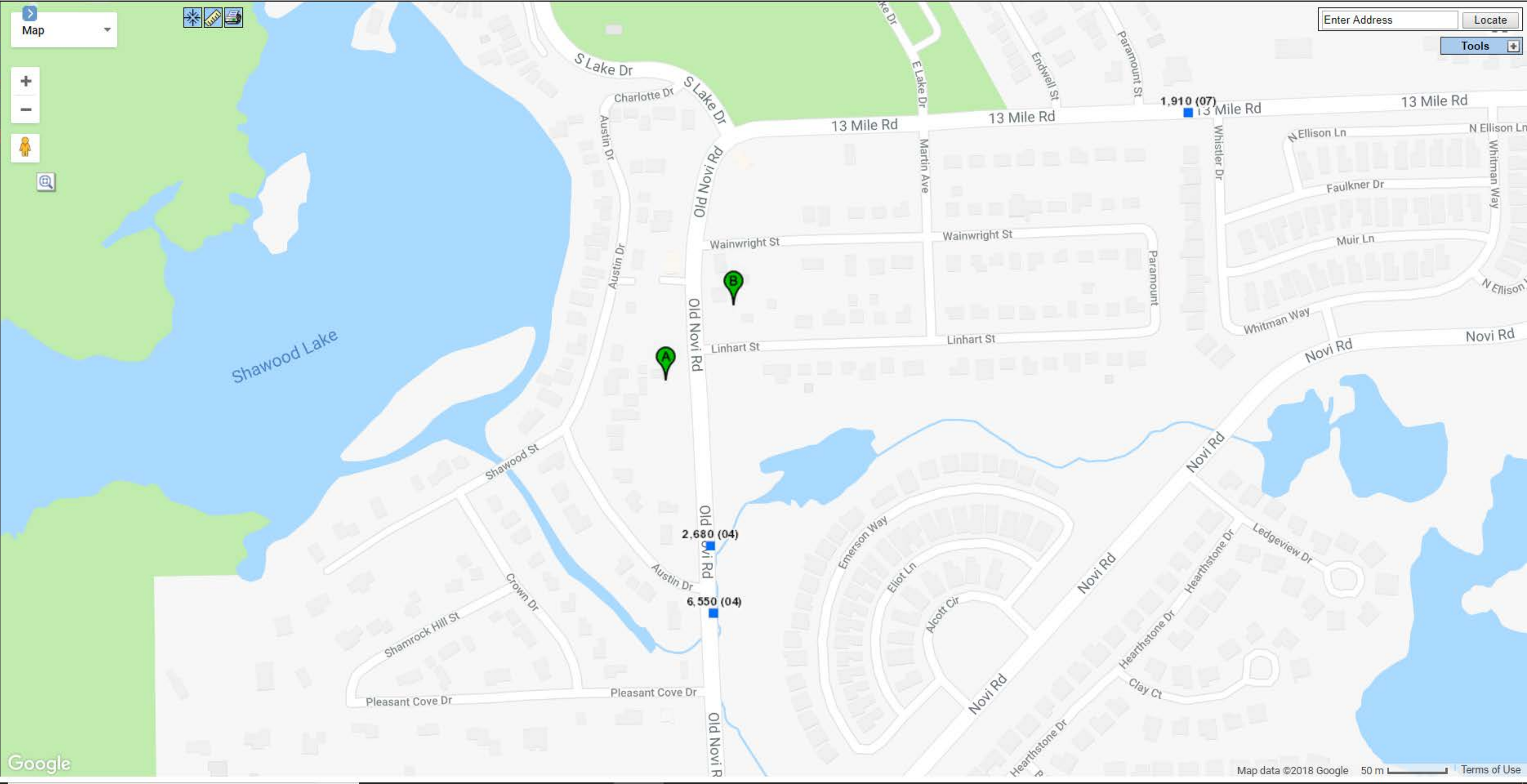
<b>From:</b>	Lake Dr S 0.000 BMP
<b>To:</b>	Novi Rd 0.445 EMP
<b>FALINK ID:</b>	451
<b>Community:</b>	City of Novi
<b>County:</b>	Oakland
<b>Functional Class:</b>	5 - Major Collector
<b>Direction:</b>	1 Way
<b>Length:</b>	0.445 miles
<b>Number of Lanes:</b>	2
<b>Posted Speed:</b>	40 (source: MSP)
<b>Route Classification:</b>	M-1
<b>Annual Crash Average 2013-2017:</b>	<u>1</u>
<b>Traffic Volume (2016)*:</b>	2,500 (Observed AADT)
<b>Pavement Type (2016):</b>	Asphalt
<b>Pavement Rating (2016):</b>	Fair
<b>Short Range (TIP) Projects:</b>	No TIP projects for this segment.
<b>Long Range (RTP) Projects:</b>	No long-range projects for this segment.

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

### Street View









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

**Project name:**  
JSP18-0016 Lakeview Rezoning Traffic Impact  
Study Review

**From:**  
AECOM

**Date:**  
September 21, 2018

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

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

# Memo

**Subject:** Lakeview Rezoning Traffic Impact Study (RTIS) Review

The rezoning traffic impact study was reviewed to the level of detail provided and AECOM **recommends approval** for the RTIS, with the condition that the supplemental information requested within this letter is provided and deemed acceptable by the City and AECOM.

## GENERAL COMMENTS

1. The applicant consulted Fleis and VandenBrink to perform a rezoning traffic impact study for the proposed Lakeview Townes site located on Old Novi Road near Linhart Street, which includes 21 single-family detached units.
2. Old Novi Road is under the jurisdiction of the City of Novi and experiences an average traffic volume of 2,500 vehicles per day.
3. The site is currently zoned B-3, General Business, and R-4, One Family Residential. The applicant is requesting a RM-2, High Density, Mid-Rise Multi-Family Residential, planned rezoning overlay (PRO).

## TRIP GENERATION

1. The study examines the trip generation under both existing and proposed zoning classifications.
2. The City of Novi Zoning Ordinance allows retail businesses, professional services, fitness centers, veterinary clinics, fast-food restaurants, etc. within the B-3 zoning; and single-family dwellings, family day care homes, places of worship, etc. under R-4 zoning. Under the proposed RM-2 zoning, the Ordinance permits multi-family dwellings, independent and congregate living facilities and single-family dwellings.
3. The estimated maximum number of trips was calculated for existing zoning (B-3) using three land uses:
  - a. Shopping Center (14,300 SF) – B-3
  - b. Fast-food restaurant with Drive Thru (2,500 SF) – B-3
  - c. Single Family Detached (4 dwelling units) – R-4
  - d. The preparer indicated that the maximum density calculations were based on information provided by Robertson Brothers Homes; however, such information was not included within the RTIS and should be submitted as a supplement for review and acceptance.

4. Based on the assumed building sizes/number of units, the maximum number of trips that would result under existing zoning are:
  - a. 1,656 daily trips (shopping center and single-family homes)
  - b. 167 AM peak-hour trips (shopping center and single-family homes)
  - c. 134 PM peak-hour trips (shopping center and single-family homes)
5. The estimated maximum number of trips was calculated for proposed zoning (RM-2) using two land uses:
  - a. Single Family Detached (48 dwelling units)
  - b. Multifamily Housing (Mid-Rise) (48 dwelling units)
6. Based on the assumed building sizes, the maximum number of trips that could result under proposed RM-2 zoning are:
  - a. 539 daily trips (48 single family detached)
  - b. 39 AM peak-hour trips (48 single family detached)
  - c. 50 PM peak-hour trips (48 single family detached)
7. The estimated number of trips produced by the proposed Lakeview Townes are:
  - a. 247 daily trips
  - b. 20 AM peak-hour trips
  - c. 23 PM peak-hour trips

## CONCLUSIONS AND RECOMMENDATIONS

1. As indicated in the RTIS, the proposed rezoning from B-3 and R-4 is expected to result in a decrease in the number of expected trips during the peak periods.
2. The proposed Lakeview Townes development would be expected to generate fewer trips than what *could* be built under the existing B-3 and R-4 zoning as well as fewer trips than is allowable under RM-2 zoning; however, the applicant should provide the supplemental information that was used to determine the maximum densities for each of the land uses compared.

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

Sincerely,

**AECOM**



Maureen N. Peters, PE  
Senior Traffic/ITS Engineer

## FAÇADE REVIEW

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June 22, 2018

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

Attn: Ms. Barb McBeth – Director of Community Development

Re: FACADE ORDINANCE – PRO Conceptual Plan  
**Lakeview Townhomes and Detached Residences, JSP18-0016**  
 Façade Region: 1, Zoning District: R-4 & B-3

Dear Ms. McBeth:

The following is the Façade Review for the above referenced project based on the drawings provided by Alexander Bogaerts Architects, dated 11/8/16. This project is subject to the Façade Ordinance Section 5.15, the Similar / Dissimilar Ordinance Section 3.7, and the Planned Rezoning Overlay Ordinance (PRO) Section 7.13. The percentages of materials proposed for each façade are as shown in the tables below. Materials in non-compliance are highlighted in bold.

**Multiple Dwelling Units (Townhomes)**

<b>5-Unit Building Zoning District: R-4, Façade Region: 1</b>	Front West	Left South	Right North	Rear East	Ordinance Maximum (Minimum)
Brick	31%	<b>20%</b>	30%	<b>0%</b>	100% (30% Minimum)
Siding, Horizontal	24%	<b>65%</b>	40%	50%	50% (Note 10)
Siding, Simulated Shake	9%	5%	20%	0%	25%
Columns & Trim	15%	4%	4%	15%	15%
Asphalt Shingles	21%	6%	6%	35%	50% (Note 14)

<b>5-Unit Building Zoning District: R-4, Façade Region: 1</b>	Front West	Left South	Right North	Rear East	Ordinance Maximum (Minimum)
Brick	31%	<b>20%</b>	30%	<b>0%</b>	100% (30% Minimum)
Siding, Horizontal	24%	<b>65%</b>	40%	50%	50% (Note 10)
Siding, Simulated Shake	9%	5%	20%	0%	25%
Columns & Trim	15%	4%	4%	15%	15%
Asphalt Shingles	21%	6%	6%	35%	50% (Note 14)

**Façade Ordinance Section 5.15 (Townhomes)** – The multiple dwelling units are subject to the Façade Ordinance Section 5.15. As shown above the minimum percentage of Brick is not provided on the rear and left façades, and the percentage of Horizontal Siding exceeds the maximum amount allowed by the Ordinance on the left facade. It is assumed that the siding is wood or fibrous cement type; vinyl siding is not permitted in any Façade Region. Waivers in accordance with Section 5.15.9 of the Ordinance would be required for the underage of Brick and overage of Horizontal Siding. As a minimum, 30% Brick should be provided on the left façade and Brick extending to the second floor belt line should be provided on the rear façade.

**Similar Dissimilar Ordinance Section 3.7 (Detached Units)** – The single family units will be subject to the Similar Dissimilar Ordinance (Section 3.7). This Ordinance requires a variation in appearance in the front elevations of adjacent homes (Sec.3.7.2), and requires that homes within the larger development be consistent in design quality based on certain criteria; size (square footage), types of material, and overall architectural design character (Sec. 3.7.1). The applicant has provided 9 models with a total of 36 front elevations. The array of models and elevations represent significant design diversity. Based on our experience on similar projects we believe that compliance with the Similar / Dissimilar Ordinance can readily be achieved assuming approximately equal distribution of these models and elevations.

**Planned Rezoning Overlay Ordinance (PRO) Section 7.13 (Townhomes & Detached Units)** – Both the multiple and single family units are subject to the PRO Ordinance. Section 7.13.2.D.ii.a of said Ordinance requires that “Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council.....result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a PRO.”



## **Recommendations;**

Townhomes - Compliance with this Section would require that the proposed facades for the Townhomes exceed the requirements of Section 5.15, *It is our recommendation that the multiple units do not comply with section 5.15 and therefore do not achieve a higher standard than would otherwise be provided in the absence of the PRO Agreement.*

Detached Units – Many of the models exhibit well defined front entrances, decorative columns, and multiple gables. However, a majority of the models have brick or stone extending only to the first floor window sill line. Architectural features such as full return cornices, brick soldier courses, arched windows and shutters are general lacking on all models. By comparison many of the homes in the nearby neotraditional neighborhood, Saratoga Circle project have extensive architectural features such as covered front porches with decorative railings and columns, cornices with crown and dentil moldings, shutters, dormers, and other features. The average square footage of the proposed homes (2,270) is slightly below the average square footage in Saratoga Circle (2,320). *In comparing the proposed elevations to these and other homes recently constructed in the nearby area, we find that of the 36 front elevations provided the majority do not achieve a higher standard than would otherwise be provided in the absence of the PRO Agreement.*

It should be noted that the review of the detached units was based on conceptual renderings that lacked notations as to the proposed materials. This review is based on our understanding of the materials as depicted pictorially. In the future submittals, all materials should be clearly indicated with drawing notations. Additionally, a façade material sample board should be provided in accordance with Section 5.15.4.D of the Ordinance.

If you have any questions regarding this project please do not hesitate to call. We will be happy to discuss and make suggestions as to how compliance with the City's Ordinance may be achieved.

Sincerely,  
DRN & Associates, Architects PC



Douglas R. Necci, AIA

**FIRE REVIEW**



August 14, 2018

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

RE: Lakeview Townes

**CITY COUNCIL**

**Mayor**  
Bob Gatt

**Mayor Pro Tem**  
Dave Staudt

Andrew Mutch

Wayne Wrobel

Laura Marie Casey

Gwen Markham

Kelly Breen

**City Manager**  
Peter E. Auger

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

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

**Assistant Chief of Police**  
Erick W. Zinser

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

PSP# 18-0078

**PSP# 18-0124**

**Project Description:**

**Build 21 single family homes off of Old Novi Rd south of Thirteen Mile Rd (Linhart and Wainwright streets).**

**Comments:**

- **CORRECTED 8/14/18**-Turning radius from the east to the north and south to the structures off of Linhart and Wainwright Streets do not meet city standards. **(50' outside turning radius and 30' inside turning radius)**
- **All fire hydrants MUST** in installed and operational prior to any building construction begins.
- **CORRECTED 8/14/18**-Fire hydrants and water-main sizes need to be added to the site plans for review. Fire hydrant spacing is 300' from fire hydrant to fire hydrant **NOT** as the crow flies. Novi City Ordinance 11-68(F)(1)c.

**Recommendation:**

**Approved**

Sincerely,

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

cc: file

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

cityofnovi.org

APPLICANT RESPONSE LETTER



September 19, 2018

City of Novi  
Planning Department  
45175 Ten Mile Road  
Novi, MI 48375

Re: PRO Site Plan Submittal Project Narrative  
Lakeview  
Old Novi Road Properties  
Novi, MI

Robertson Brothers Homes is pleased to resubmit a PRO Rezoning and Site Plan application for vacant properties on Old Novi Road just south of 13 Mile Road, within the newly defined Pavilion Shore Village area. Robertson has been working with city staff and the neighborhood to prepare a plan that will bring an exciting new option for homebuyers in the area. The Lakeview project proposes 21 brand new single family homes that will provide new housing in a unique area of the city. Lakeview will cater to those that are looking to enjoy all that the Pavilion Shore Park area has to offer along with a quality school district. The homes will range in size between approximately 2100 and 2900 square feet. Over the past decades, Robertson Brothers has had success with this mix of homes and is confident the project will be well received in Novi. All homes offered in the development will be offered for-sale to prospective homebuyers.

The townhome portions have been completely removed from the plan and replaced with a single family home development plan. Most of the homes feature detached garages reminiscent of post-war housing developments that convey a stronger sense of community than the garage prominent plans of today. These homes also feature front porches and have an attractive street presence, which can be experienced at several other projects that Robertson Brothers is building in nearby communities.

The development consists of several parcels of land under contract with three separate owners, totaling 3.15 acres. The community will be located along both sides of Old Novi Road, just south of Walled Lake at the vicinity of 13 Mile Road. The property is mostly vacant and the remaining structures will be removed as part of the development. There



is an area of wetlands that serves as the runoff from Old Novi Road, which will be mostly preserved in the backyards of single family lots. There will be an established homeowner's association to maintain all open space areas.

Onsite wetlands have been analyzed by BWA and provided with this submittal package. There is one wetland location identified as regulated under the Novi Ordinances, which is less than one acre but located within 500 feet of a water source. The plan submitted proposes to mitigate the wetland location and include most of the wetland area as undeveloped in two single family backyards.

A Planned Residential Option zoning district is proposed for the site. The purpose of the PRO district is intended to establish set criteria for a given property based on the unique characteristics of the land. Specifically, the proposed project is unique in that it represents an opportunity to transform an area that has been identified by the City as a potential redevelopment area. Part of the uniqueness of the site is due to the fact that the western parcels are only 100 feet in depth, which requires a creative approach to development given the nature of building single family lots rather than townhomes or stacked apartments. Due to the fact that Old Novi Road is wider than the City acknowledges it needs to be, and a right-of-way vacation is not feasible, the PRO option provides a mechanism to enable usable single family lots in this location which will include a well landscaped frontage design that will be maintained by homeowners in the Lakeview project, rather than a weed-infested right-of-way that the City would need to continue to maintain in perpetuity.

The plan identifies the need for housing in the Pavilion Shore Village Redevelopment Area, specifically as cottage court style homes. The proposed plan further meets the intent of the Pavilion Shore Village area plan through the use of landscape and hardscape elements that provide connectivity to Pavilion Shore Park and mimic the design of the park itself. Additionally, the plan provides for the construction of on street parking to serve a public benefit by adding overflow parking to the park.

The proposed use of the land will provide for a seamless transition from existing residential to commercial uses that are envisioned in the area plan to be located closer to the park and lake. The project's future residents will provide a critical mass of customers that will drive the creation of desired commercial, such as outdoor cafes and ice cream shops.



Comments from City Staff were received on September 7, 2018. Robertson's responses to each item follow below. Additional responses from the project engineer, Nowak and Fraus Engineering, and the project Landscape Architect, Land Design Studio, are provided in separate letters.

**1. Incomplete Application:** The submittal does not meet the application requirements found in the Site and Development Manual. The following items were missing from this PRO Concept Plan submittal:

- a. Sign Location Plan: Rezoning requests must include a sign location plot plan in accordance with Section 1 of the Site Plan and Development Manual. *The applicant has provided an acceptable plan as of September 5.*

**Robertson Brothers Comment: Noted. The site was properly noticed for the public hearing.**

- b. Rezoning Traffic Impact Study: At the time of the Pre-application Meetings, it was not clear that a PRO development option was being sought, so the traffic review did not include a request for the RTIS. **However this is a required item for rezoning requests.**

**Robertson Brothers Comment: An RTIS has now been provided as part of the resubmittal.**

- c. Development Potential: A written statement describing potential development under the current zoning. The applicant is asked to provide this written statement with the response letter.

**Robertson Brothers Comment: The current zoning for the properties consists of B-3 and R-4. Uses allowed under these categories include medium to high density commercial uses in the B-3 district (local business or community business uses), which is located on both sides of Old Novi Road. This includes uses that would be incompatible with the neighboring properties, such as gas stations, dry cleaners, tattoo parlors, and brewpubs.**

**The R-4 zoning district would permit the same single family homes as proposed. However, development standards within this zoning district are**



not feasible due to the configuration of the parcels of land on the west side of Old Novi Road, and as such, the project requests to utilize the PRO overlay district.

**2. Clarification of Variance Requests:** There are outstanding items that should be clarified in order to determine whether certain variance requests should be included in the PRO agreement. The applicant is asked to provide clarification in the response letter to the following (further details provided in the letter):

- a. Wetland Impacts: Wetland impacts have not been clearly stated, but the applicant's project narrative indicates they plan to "include most of the wetland area as undeveloped in two single family backyards." **These lots should be redesigned to exclude the wetland area, or request a deviation from Section 12-174 of the City Code of Ordinances, which does not permit platted lot boundaries to extend into wetland or watercourse areas.**

Robertson Brothers Comment: Robertson Homes is requesting a deviation from Section 12-174 of the City Code of Ordinances to allow for two homes to extend into a wetland area. Specifically, the site has been thoughtfully designed with front entry garage homes for these two lots in order for the wetlands to be located in the backyards of the lots. The Master Deed for Lakeview will provide for a conservation easement on these two properties such that the wetlands will not be disturbed per Novi and MDEQ Ordinances governing such wetlands. The wetland exists in part from stormwater from Old Novi Road that historically drained to this area and created a wetland. By reserving this area as undevelopable on the Master Deed for these two lots, there is a public benefit in keeping a historical drainage pattern and alleviating an issue that would otherwise require City funds.

- b. Lot Splits for Existing Homes on Austin Street: Two existing single family homes will be located on lots partially split from parcels to be rezoned. The lots will be nonconforming with R-4 zoning. **The applicant is asked to clarify the intention for these lots and detail the variances needed for the creation of those lots.**

Robertson Brothers Comment: The required variances needed for these two homes are called out on the provided exhibit. The intent at these homes are to provide for a minimum 21' rear setback, which will require the





removal of the garage accessed from Old Novi Road for 2293 Austin, and the pool from 2295 Austin. Vehicular access will be provided at the front of both homes rather than access from a dual frontage lot. In addition to the rear setback deviation (21' from 35'), a variance is necessary from the lot area requirement of 10,000 square feet (to 6,500 square feet) and lot coverage requirement of 25% (to 30%). The variances are needed in order to remove access from Old Novi Road and allow for lot 5 within the Lakeview development.

- c. Easement on Vacated Erma Street: An easement over the 50 foot width of Erma Street was retained by the City when the road was vacated in 2000. **The applicant is asked to formally request to reduce the easement width to accommodate utilities in the area.**

**Robertson Brothers Comment:** Robertson Homes is formally requesting a reduction in the easement from 50' to that shown on Sheet SP4 and as further described in the engineering comment response letter. There is no longer a need for 50' of easement and the request is to center the easement on the existing and proposed utilities on lot 11 accordingly.

**3. Applicant Burden Under PRO:** The applicant has not proposed site specific regulations that are, in material respects, "more strict or limiting than the regulations that would apply to the land under the proposed new zoning district," as required under Section 7.13.2.c. In the absence of such regulations and conditions, it cannot be determined whether, compared to the existing zoning it would be in the public interest to grant the rezoning with PRO or whether the benefits of the proposal can be found to clearly outweigh the reasonably foreseeable detriments thereof. The applicant may wish to reevaluate and reconsider the conditions offered to provide more substantial benefits that would serve the purpose of this PRO requirement. Several stakeholders that attended a public workshop regarding the Pavilion Shore Village area mentioned the desire for additional amenities within Pavilion Shore Park. Refer to additional notes regarding the specific benefits proposed by the applicant on Page 13.

**Robertson Brothers Comment:** The project as currently designed provides for several public benefits that would not otherwise be required under the current zoning. These include the following:



- Appropriate land use as clearly demonstrated and conveyed from several meetings with surrounding property owners and the Master Planning and Zoning Committee. Previous plans which appeared to meet the intent of the Lakeshore Pavilion Plan had proposed three times the density currently proposed. In a desire to be harmonious with the existing neighborhood and through discussions with City leaders, the plan has been drastically reduced in density to provide a better transition, which will in effect provide a benefit for the community.
- The development will accommodate existing offsite storm water drainage flow from Old Novi Road, requiring more detention volume and less area for development, providing a public benefit that will eliminate the need for the City to purchase land for appropriate storm detention.
- Additional onstreet parking will be developed on Old Novi Road to serve the Lakeshore Park overflow and future retail uses at the intersection of Old Novi Road and 13 Mile.
- ROW amenities and upgraded landscaping along the east side of Old Novi Road to be maintained by the HOA.
- ROW landscaping along the west side of Old Novi Road to be maintained by the homeowners rather than the City.
- The plan provides for significant investment in an area that has experienced little recent economic investment.
- The project will eliminate several non-conforming buildings and uses that are in disrepair.

### **COMPARISON OF ZONING DISTRICTS**

The following table provides a comparison of the current (B-3 and R-4) and proposed (R-4 and RM-1) zoning classifications. The applicant is requesting a change of use from General Business and One Family Residential uses to High Density Multi-Family Residential. The types of uses allowed in these districts are entirely different from each other, although the proposed use would still be single family detached dwellings which are still subject to the same standards and regulations as the existing R-4 zoning. The proposed use would be somewhat higher density than the existing zoning.

**Robertson Brothers Comment: The proposed deviations from the R-4 zoning district are provided as follows:**



**Lakeview Schedule of Regulations and Modifications**

	<b>R4</b>	<b>Proposed Single Family</b>	<b>Deviations</b>
<b>Min. Lot Area</b>	10,000 sf	5,000 sf	5,000 sf
<b>Lot Frontage</b>	80'	48'	32'
<b>Principal Building Height to Midpoint</b>	2.5 stories/35 feet	2.5 stories/35 feet	None
<b>Min. Building Setbacks</b>			
Front Setback	30'	7'*	23'
Side Min. Principal	10'	5'	5'
Side Total Principal	25'	15'	10'
Rear Setback Principal	35'	21'**	14'
Rear/Side Garage Setback	5'	5'	In Conformance
<b>Minimum Floor Area</b>	1,000 sf	1,000 sf	In Conformance
<b>Maximum Dwelling Unit Density</b>	3.3 du/ac	6.67 du/ac	3.37 du/ac
<b>Maximum Lot Coverage Percentage</b>	25%	45%	20%
<b>Parking Requirement</b>	2 spaces per home	2 spaces per home	In Conformance

\* Lots 1-11 shall have a 7' min. front setback due to the oversized width of the Old Novi Road right-of-way requiring a use easement for the frontage. Lots 12-21 shall have a 20' min. front setback.

\*\* Lots 1-11 shall have a 25' min. rear setback with the exception of Lot 5 having a 21' min. rear setback. Lots 12-21 shall have a 35' min. rear setback. Attached rear garages shall meet the detached garage setback requirements.



## REVIEW CONCERNS

1. **Change the proposed rezoning to RM-2:** The applicant is proposing a desirable single family housing product in a location recommended by the 2016 Master Plan for redevelopment. The R-4 district allows a maximum of 3.3 DUA and the RM-1 maximum density for 3-bedroom units is 5.4 DUA. Deviations from density requirements cannot be requested, even within the PRO agreement, which means the R-4 and RM-1 Districts are not able to accommodate the density proposed given that the units will primarily be 3-bedroom homes. The maximum density for 3-bedroom units within the RM-2 district is 15.6 DUA. RM-2 zoning would accommodate the density being requested in the proposal (6.67 DUA), but the single family homes proposed would still be subject to standards and regulations outlined in the R-4 district. This density also fits with the Master Plan's recommendation of 7.3 DUA. Regardless of the district that is requested, the concept plan would remain as shown, if the request is approved as proposed. Once an overlay district for the Pavilion Shore Village area is developed that is in line with the type of development envisioned and the specific conditions of the area, the City could choose to apply the district to the entire area as identified in the Master Plan for consistency.

**Robertson Brothers Comment: The plans will be revised to show the request to RM-2 with a PRO zoning overlay.**

2. **Compatibility with the Surroundings:** Existing land use patterns reflect a concentration of single family homes in this area of the City, with a few existing community-serving commercial uses to the north of the subject property on Old Novi Road and 13 Mile Road. The RM-2 District would not be strictly compatible with the single family residential and commercial uses here on its own, but if the request is approved by the City Council, development would be restricted by the terms of the PRO Agreement developed with the applicant to include the PRO Concept Plan. RM-2 zoning would allow the density of single family homes proposed by the applicant that are similar to the existing community. Overall density as well as number and type of units could be conditions within the PRO Agreement.

**Robertson Brothers Comment: Understood. Robertson Homes is proposing to build 21 single family homes rather than uses in the RM-2 zoning district as further defined by the Lakeview Schedule of Regulations and Modifications. As such, the PRO concept plan would govern the development of the property.**



3. **Design and Layout Concerns:** The proposed layout plans a moderately dense development that is in keeping with the surrounding community of single family homes. The applicant has revised the layout to address many of the previous concerns, which results in a residential development that is more compatible with the existing neighborhoods. However, the following concerns are still valid:

- a. **Erma Street, on the north side of the proposed development west of Old Novi Road, was previously vacated. However, the City Council motion from June 5, 2000 shows that the City reserved an easement over the width of the vacated area for utilities, so this area is not buildable at this time. There is an existing water main within the easement area. The plans show a home and garage being built in the easement area, and the water main to be relocated onto the property to the north. The applicant should provide documentation that would prove the area is buildable, or revise the plans to avoid the easement area. Alternatively, the applicant could request revision of the easement boundaries from City Council as part of the PRO process. Any changes to the easement should adequately accommodate the utility needs in the area.**

**Robertson Brothers Comment: As indicated previously above, Robertson Homes is formally requesting a reduction in the easement from 50' to 10' as shown on SP4 and as further described in the engineering comment response letter. Comments from the Engineering Department have indicated support for this request. There is no longer a need for 50' of easement and the request is to center the easement on the existing and proposed utilities on lot 11 accordingly.**

- b. Additional landscaping can be provided between the existing homes and the proposed homes to create additional screening. **Screening fences should also be added to the rear yards of the western parcels to limit any negative impacts to the existing neighbors, and to the north property line to buffer the new home from the existing commercial uses.**

**Robertson Brothers Comment: Robertson will provide screening fences along the rear yards of the western parcels and the north property line to buffer to commercial uses, outside of any wetland area.**



c. Parcels 4 and 8 (SP8) contain existing homes and are not proposed to be rezoned to RM-2, but the lot dimensions will be altered by the platting of the proposed development. The rear setback of parcel 4 will be reduced and the lot area will be less than the 10,000 square feet required in the R-4 district. Parcel 8 will gain additional rear yard setback and area. Both of these parcels are labeled "Parcel D" on SP1. **The applicant is asked to clarify the intent for these parcels and identify any variances from Ordinance requirements that would be needed for their creation.**

**Robertson Brothers Comment: As indicated previously above, the required variances needed for these two homes are called out on the provided Variance Exhibit. The intent at these homes is to provide for a minimum 21' rear setback, which will involve the removal of the garage accessed from Old Novi Road for 2293 Austin, and the pool from 2295 Austin. Vehicular access will be provided at the front of both homes rather than access from a dual frontage lot. In addition to the rear setback deviation (21' from 35'), a variance is necessary from the lot area requirement of 10,000 square feet (to 6,500 square feet) and lot coverage requirement of 25% (to 30%). The variances are needed in order to remove secondary access from Old Novi Road and allow for lot 5 within the Lakeview development.**

**4. Development Specific Conditions:** It is staff's opinion that the applicant has not proposed site specific regulations that are, in material respects, "more strict or limiting than the regulations that would apply to the land under the proposed new zoning district," as required under Section 7.13.2.c. In the absence of such regulations and conditions, it cannot be determined whether, compared to the existing zoning it would be in the public interest to grant the rezoning with PRO or whether the benefits of the proposal can be found to clearly outweigh the reasonably foreseeable detriments thereof. The applicant should reevaluate and reconsider any specific conditions to be offered. Most of the conditions offered by the applicant are considered incidental benefits of any development or requirements of the City's ordinances. There is opportunity to provide more substantial benefits that would serve the purpose of this PRO requirement. Several stakeholders that attended a public workshop regarding the Pavilion Shore Village area mentioned the desire for additional amenities within Pavilion Shore Park. Refer to additional notes regarding the specific benefits proposed by the applicant on Page 13.



**Robertson Brothers Comment:** Robertson Homes has spent considerable time and resources to work with staff and the surrounding community representatives to arrive at a plan that both meets the intent of the City's master plan and will be cohesive with the surrounding neighborhood. As such, the plan has been significantly altered and represents a balance between being economically viable, meeting municipal desires, and addressing the needs of the community.

Because of the reduction in units and the change to single family lot ownership, there is much less opportunity to provide for amenities as compared to previous plans. However, the plan does provide for amenities that would otherwise not be required under the existing zoning requirements, such as onstreet parking for park event overflow and upgraded landscaping and seating areas in the ROW along Old Novi Road, which will be maintained by the new HOA.

5. **Ownership Model:** The applicant is asked to clarify the whether the property will be developed under site condominium or property splits.

**Robertson Brothers Comment:** The proposal is to develop the property as a site condominium which will establish a homeowner's association to maintain all common landscaping and amenities. Each individual lot will be offered for-sale and the homebuyers will have a choice of several plans and elevations as previously submitted for review.

6. **Mailboxes:** Further consideration of the mailbox types and locations is needed. This does not have to be a condition within the PRO agreement and can be worked out during Preliminary Site Plan review.

**Robertson Brothers Comment:** Please refer to the Landscape Plans for detail regarding the placement and style of mailboxes. Per USPS requirements, all new developments require a gang-box style configuration to be placed within the development.

7. **Right of Way Agreement:** The applicant is proposing partial use within the existing right of way for fences and landscape features on the west side of Old Novi Road. A license agreement or another type of agreement will be needed. Further discussion with the City Attorney's Office is needed to determine the best way to address this question.



**Robertson Brothers Comment:** Due to the existing width of Old Novi Road, the lots on the west side of the road are only 100' in depth. In order to establish appropriate front yard conditions, the proposal is to provide for fencing and landscape details within the ROW for these 11 lots. It is our understanding that due to the fact that the roadway is included in the adjacent neighborhood plat, it is likely infeasible to vacate a portion of the right-of-way for purposes of creating adequate lot depth. Therefore, it is imperative that a portion of the right-of-way become a use easement to allow for adequate front yard space, and it is requested that this be part of a development agreement for the property.

Further, the ROW will be landscaped on both sides of the street and will be fully maintained by the new homeowners and homeowners association. Ideally, these lots would be useable through a more appropriate width of Old Novi Road. In lieu of a ROW vacation to accomplish this, it is Robertson's intent to beautify the area which leads into the Lakeshore Pavilion Park.

8. **Traffic:** A Rezoning Traffic Impact Study was not provided in this submittal. An RTIS is required when a proposal to rezone property is being reviewed. The City's Traffic consultant has requested additional information to determine the impacts of the proposed rezoning as compared to existing land use. Refer to the traffic review letter for additional information.

**Robertson Brothers Comment:** An RTIS prepared by Fleis & Vandenbrink has been provided with this plan resubmittal.

9. **Wetlands:** The site contains a wetland, approximately 0.15 acre, along the northeastern portion of the property. The Concept plan proposes "minimal impacts" but does not quantify the wetland or wetland buffer impact. **The applicant is asked to provide calculations of these impacts.** The City's threshold for the requirement of wetland mitigation is 0.25-acre, so mitigation is not likely to be required. Please refer to the wetland review letter for additional information. The applicant should be aware that the Subdivision Ordinance states "the boundaries of platted lots shall not extend into a wetland or watercourse." Likewise, if the development is a site condominium "the boundaries of building sites...shall not extend into a wetland or watercourse." **As currently designed, the site boundaries of two lots extend into the wetland. These lots should be redesigned to exclude the wetland area, or the applicant may request a deviation from Section 12-174 of the City Code of Ordinances.**





**Robertson Brothers Comment:** The amount of impact has been provided on the revised plan. As stated above, Robertson Homes is requesting a deviation from Section 12-174 of the City Code of Ordinances to allow for two homes to extend into a wetland area. Specifically, the site has been designed with front entry garage homes for these two lots in order for the wetlands to be located in the backyards of the lots. The Master Deed for Lakeview will provide for a conservation easement on these two properties such that the wetlands shall not be disturbed per Novi and MDEQ Ordinances governing such wetlands. The wetland exists in part from stormwater from Old Novi Road that historically drained to this area and created a wetland.

10. **Woodlands:** The proposed site does not contain areas noted as City Regulated Woodlands, but does contain 3 trees that are 36 inches diameter at breast height (DBH), which are regulated. The Woodland Review letter indicates that the regulated woodland trees on the site are proposed to be removed, and will require 8 replacement credits. The applicant is encouraged to consider preserving Tree #131. The plans propose woodland replacement credits would be fulfilled by planting 4 downy serviceberry trees and 8 white spruce.

**Robertson Brothers Comment:** The landscape plans will be revised to address this comment.

11. **Façades:** To be considered a benefit to the public, the architectural design is evaluated against meeting and exceeding the ordinance requirements. As currently proposed, the designs do not qualify as an enhanced feature of the development.

**Robertson Brothers Comment:** It is important to note that the design review from DRN & Associates dated June 22, 2018 was provided prior to the change in plans to eliminate all townhomes from the project. As such, the majority of comments involve the townhome elevation review. Comments from the consultant relating to the single family homes describe the models as having well defined front entrances, decorative columns and multiple gables. Additional brick and architectural features are suggested and nearby homes are referenced, however, the majority of the homes in the immediate vicinity simply do not provide for more enhanced architecture than what is proposed.

It is Robertson's belief that the two dimensional elevations provided simply do not provide enough detail and that the homes once constructed convey high



quality design. Photos have been provided of the same proposed homes from communities Robertson is currently building in the Village of Milford and the City of Royal Oak. While additional architectural elements can be added, the addition of “decorative railings and columns, cornices with crown and dentil moldings, shutters, dormers, and other features” simply for the sake of adding elements would be counterproductive to the overall theme as designed by TK Design, an award winning local architect. As such, the elevations have not been revised but Robertson is willing to engage with the Planning Commission regarding the design of the homes.

12. **Landscaping:** Landscape review has identified several deviations from the ordinance requirements. While some minor deviations may be supported by staff, the major items cannot be supported.

**Robertson Brothers Comment:** The landscaping comments have been addressed under separate cover.

13. **Fire:** All fire issues have been adequately addressed at this time.

**Robertson Brothers Comment:** Noted.

## **MASTER PLAN FOR LAND USE**

The proposal would partly follow objectives listed in the Master Plan for Land Use including the following. If additional information is provided per staff’s comments, the proposal would have the ability to meet the full intent of the objectives:

### **1. Infrastructure**

a. Objective: Provide and maintain adequate water and sewer service for the City’s needs. b. Objective: Provide and maintain adequate transportation facilities for the City’s needs. Address vehicular and non-motorized transportation facilities.

**Staff Comment:** Public water main exists on Old Novi Road and Austin Drive. Public sanitary sewer exists in Old Novi Road. On-site detention is proposed for storm water management. The proposed concept plan indicates pedestrian improvements along Old Novi Road including building a segment of planned sidewalk on the east side of the road. The 2016 Master Plan recommends prioritizing connections with nearby parks in the implementation of the Non-Motorized Plan in this area.



**Robertson Brothers Comment: Noted.**

## **2. Quality and Variety of Housing**

a. Objective: Provide residential developments that support healthy lifestyles. Ensure the provision of neighborhood open space within residential developments. b. Objective: Maintain safe 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 c. Objective: Maintain existing housing stock and related infrastructure. d. Objective: 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.

**Staff Comment.** Per applicant's narrative letter, the proposed homes are geared towards millennials and active adults looking to enjoy what the Pavilion Shore Park area has to offer along with a quality school district. The housing type is said to serve the demand for the "missing middle" option that 2016 Master Plan aims to encourage. Missing middle characteristics include homes set in a walkable context, medium density, smaller, well-designed units, smaller footprints and blended densities.

**Robertson Brothers Comment: No comment.**

## **3. Community Identity**

a. Objective: Pavilion Shore Village. Develop a cohesive mixed use village that complements the surrounding neighborhood. b. Objective: Maintain quality architecture and design throughout the City. Set high standards and promote good examples for use of public property through the City's actions. c. Objective: Create a stronger cultural presence and identity for the City by working with the Novi Historical Commission and other groups to preserve historic structures and creating gathering places for residents and community activity. d. Objective: Ensure compatibility between residential and non-residential developments.

**Staff Comment.** In their narrative, the applicant indicates that quality architecture and design is one of the benefits to the public proposed, which will provide a catalyst for more retail amenities in the Pavilion Shore Village area. The façade review suggests that it does not currently meet the higher standard for attractive housing than required by the ordinance.



**Robertson Brothers Comment:** As mentioned previously, the façade review was primarily focused on the townhome product elevations, which is no longer part of the rezoning request. Photos have been provided of the proposed homes from communities Robertson is currently building in the Village of Milford and the City of Royal Oak. The addition of architectural elements simply for the sake of adding elements would be counterproductive to the overall theme. However, Robertson is willing to engage with the Planning Commission regarding the design of the homes.

#### **4. Environmental Stewardship**

a. Objective: Protect and maintain the City's woodlands, wetlands, water features, and open space. b. Objective: Increase recreational opportunities in the City. c. Objective: Encourage energy-efficient and environmentally sustainable development through raising awareness and standards that support best practices.

***Staff Comment:*** The applicant has not quantified the wetland impacts proposed. The project narrative indicates most of the wetland area present would be undeveloped. The applicant should clarify whether the wetland will be protected under a Conservation Easement, or whether some other form of conservation is proposed.

**Robertson Brothers Comment:** Additional information regarding the impact to the wetland are provided in the engineering comments. The master deed and bylaws will provide for an easement in order to protect the wetland from disturbance in perpetuity.

#### **MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT**

At this time, staff can identify some conditions to be included in the agreement if the current design moves forward.

1. The use of the property will be for single family homes meeting the standards spelled out in the development agreement.
2. The maximum number of units shall be 21.
3. The maximum density of the development shall be 6.67 DUA.
4. Use easement extending 15 feet into the Old Novi Road ROW for the parcels along the west side of the road. The use easement would be used as front yard space for the homes, including landscaping features and decorative fences.



5. The small wetland area on the northeast corner of the site should be minimally impacted only as permitted by MDEQ and City Wetland Permit, and the remaining wetland maintained in its natural state with a conservation easement to be dedicated to the city in order to preserve this natural feature in perpetuity.
6. A homeowner's association will be established as part of the development and the City will review the Master Deed and Bylaws prior to recordation. A separate maintenance agreement to be assigned to the homeowner's association is proposed to meet the intent of this provision.
7. Screening fences and landscaping should be provided along the rear lot lines of the properties on the west side of Old Novi Road.
8. On the west side of Old Novi Road, in lieu of a berm separating the residential uses from the non-residential uses to the north, the applicant shall provide alternate screening in the form of a fence or wall to be approved by the City's landscape architect.
9. The two lots north of Wainwright, east of Old Novi Road, will have front entry garages due to the presence of the wetland in the rear yards that will be preserved. The remaining 19 lots will be constructed with detached or rear attached garages.

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 applicant should submit a list of conditions that they are seeking to include with the PRO agreement. The applicant's narrative does not specifically list any such PRO conditions at this time. The current submittal did not include a response letter or a revised narrative that would have addressed this issue.**

**Staff Comment:** Additional conditions will be determined as the rezoning request moves forward. While reconsidering the rezoning category requested, staff suggests that the applicant provide additional comments that may be included in the agreement.

**Robertson Brothers Comment: A line by line response was not provided with the previous resubmittal as the majority of the comments involved the townhome component and the plan had been significantly revised from the prior version. The conditions listed above by staff adequately establish the conditions of the PRO agreement in order to develop the property as currently designed, in addition to the Lakeview Schedule of Regulations and Modifications as provided herein.**



## **ORDINANCE DEVIATIONS**

The applicant is asked to revise the list based on staff's comments provided in this letter and the other review letters. The applicant is asked to be specific about the deviations requested in a response letter and provide a justification to explain how if each deviation "...were not granted, [it would] 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."

### 1. Planning Deviations for Single-Family (R-4 standards):

- a. Reduction of minimum lot area by 5,000 square feet (10,000 sf required, 5,000 sf provided)
- b. Reduction of minimum lot frontage by 32 feet (80 ft required, 48 ft provided)
- c. Reduction of the minimum required building front setback by 23 feet (Required 30 feet, provided 7 feet)
- d. Reduction of the minimum required building principal side setback by 5 feet (Required 10 feet, provided 5 feet)
- e. Reduction of the minimum required building side total setback by 10 feet (Required 25 feet, provided 15 feet)
- f. Reduction of the minimum required building rear setback by 15 feet (Required 35 feet, provided 20 feet)
- g. Reduction of the exterior side yard required building setback by 20 feet (Required 30 feet, provided 10 feet)
- h. Reduction of the side and rear yard setback for accessory buildings by 1 foot (Required 6 feet, providing 5 feet)
- i. Exceeding the maximum lot coverage percentage by 20% (25% allowed, 45% provided)

– **Applicant to provide detailed calculations to verify**

**Robertson Brothers Comment: The requested deviations are set forth in the Lakeview Schedule of Regulations and Modifications provided herein.**

### 2. Engineering DCS Deviations:

- a. Width of storm sewer easements (clarify reduction to be requested).

**Robertson Brothers Comment: The development engineer (Nowak & Fraus) has provided a separate response letter outlining the reduction to the storm sewer**



easement. Comments from the Engineering Department have indicated support for this request. 50' is not an appropriate easement width and was held over from the previous Irma Road full right-of-way width.

3. Traffic Deviations:

- a. Not providing the required Rezoning Traffic Impact Study

**Robertson Brothers Comment:** The RTIS has been provided with this submittal.

- b. Driveway width of 10' rather than the standard 16'

**Robertson Brothers Comment:** The 10' driveway width is requested for the rear detached garage lots only, and is adequate as it is meant for access from a single car at a time. The two front entry garage homes will meet the standard requirement.

4. Landscape Deviations:

- a. No screening berm is provided between the B-3 district and the residential properties to the south (6-8 feet tall landscaped berm is required) on both sides of Old Novi Road.

**Robertson Brothers Comment:** There is not enough room in the proposed plan to incorporate the required berm, and therefore an alternative method of screening is going to be proposed. At this time, the proposed alternate screening method is a 6' ht. vinyl screen fence. This fence will be placed along the northern property line on the east side of Old Novi Rd. and +/- 3' off of the northern property line on the west side of Old Novi Rd. This distance should place the fence midway between existing and proposed utilities in this area.

- b. Street trees are located in front yards of single family homes on Wainwright and Linhart, not the ROW.

**Robertson Brothers Comment:** The proposed street trees along Wainwright and Linhart are located in the front yards due to the presence of existing and proposed utilities in the small right-of-ways associated with each street. It is understood that these trees, if located in the front yards of the lots, would not be maintained by city staff but rather the newly created HOA.

- c. Subcanopy trees used as street trees.



**Robertson Brothers Comment:** The proposed subcanopy trees were intended to be additional landscape for the purpose of reducing the visual expanse of lawn that would exist in the right-of-way if nothing was planted there, and to add seasonal color and interest along Old Novi Rd.

d. Landscaping in addition to street trees is proposed within right-of-way.

**Robertson Brothers Comment:** It is understood that Robertson Brothers will need a landscape deviation for the planting and fencing within the ROW on the west side of Old Novi Rd. It is also understood that a license agreement to the city will be needed regarding these elements.

5. Subdivision Ordinance: Deviation for platted lot boundaries extending into wetland area for lots 20 and 21 (or change lot boundaries to meet ordinance requirements).

**Robertson Brothers Comment:** Robertson Homes is requesting a deviation from Section 12-174 of the City Code of Ordinances to allow for two homes to extend into a wetland area. Specifically, the site has been designed with front entry garage homes for these two lots in order for the wetlands to be located in the backyards of the lots. The Master Deed for Lakeview will provide for a conservation easement on these two properties such that the wetlands shall not be disturbed per Novi and MDEQ Ordinances governing such wetlands. The wetland exists in part from stormwater from Old Novi Road that historically drained to this area and created a wetland. By reserving this area as undevelopable on the Master Deed for these two lots, there is a public benefit in keeping a historical drainage pattern.

6. "Parcel D" Lots: Identify any deviations that will be needed for the existing single family homes fronting on Austin Drive, which will be located on lots partially split from parcels to be rezoned. The lots will be nonconforming with R-4 zoning standards. **The applicant is asked to clarify the intention for these lots and detail the variances needed for the creation of those lots.**

**Robertson Brothers Comment:** The required variances needed for these two homes are called out on the provided exhibit. The intent at these homes is to provide for a minimum 21' rear setback, which will require the removal of the garage accessed from Old Novi Road for 2293 Austin, and the pool from 2295





Austin. Vehicular access will be provided at the front of both homes rather than access from a dual frontage lot. In addition to the rear setback deviation (21' from 35'), a variance is necessary from the lot area requirement of 10,000 square feet (to 6,500 square feet) and lot coverage requirement of 25% (to 30%). The variances are needed in order to remove access from Old Novi Road and allow for lot 5 within the Lakeview development.

7. Façade Deviations: Façade review indicates that the proposed elevations would require waivers to Section 5.15.9 for underage of brick and overage of horizontal siding on certain elevations.

**The applicant shall provide additional information, if the deviations are requested as part of the PRO agreement or bring the design into conformance with the code.** Refer to additional comments for the proposed public benefits.

**Robertson Brothers Comment:** While Robertson believes that the current elevation of the homes as proposed will be an enhancement of the surrounding area, we are willing to engage with the Planning Commission regarding the design of the homes.

**Staff Comment:** Refer to other review letters for more details on additional information being requested. Further deviations may be identified once more clarification is provided.

**Robertson Brothers Comment:** Noted.

### **APPLICANT BURDEN UNDER PRO ORDINANCE**

The Planned Rezoning Overlay ordinance 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) Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such*



*enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*

**Robertson Brothers Comment:** The properties are currently zoned both B-3 and R-4, and the request to rezone as a PRO overlay will provide a cohesive development that would otherwise not be feasible under the existing zoning districts. The topography and parcel configuration are such that single family home development under existing would not be possible without significant variances for lot depth, lot area, lot coverage and setbacks. The site conditions and location are ideal for a medium density attached townhome type of development. However, through the planning process it has become clear that the area would prefer single family homes, which is only possible through the PRO process with the deviations as requested.

*2. (Sec. 7.13.2.D.ii.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which 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; provided, 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.*

**Robertson Brothers Comment:** The site plan as proposed would be in the best interest of the city as it addresses most of the concerns of the neighboring properties while still meeting the intent of the Pavilion Shore Village overlay and Master Plan provisions. Further, the plan will clean up several dilapidated buildings and stabilize home prices in a transitioning neighborhood.

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

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:

The following are the benefits detailed by the applicant with the concept plan:

*1. Redevelopment Potential of Property:* Development of an otherwise undevelopable property under current zoning regulations. **There is a redevelopment potential for the property even if the property is developed according to existing zoning, but perhaps not as likely. Variances for setbacks and lot sizes would be expected for any residential development due to the shape and depth of the lots, which would make it difficult to design in compliance with the regulations. Removing vacant and nonconforming buildings can be considered as a public benefit.**

**Robertson Brothers Comment: The property consists of several non-conforming lots with dimensional deficiencies that clearly limit the potential of development without a PRO plan approval, as described above.**

*2. Fulfilling the Master Plan's Redevelopment Strategy:* Meeting the intent of the City's Pavilion Shore Village planning area. **Staff acknowledges that the proposed development aims to fulfill the redevelopment vision laid out in the Master Plan. The Master Plan talks about a mix of uses, however, and this plan only addresses the housing uses. There are existing commercial uses in the area, but the result is not necessarily a cohesive development that ties the uses together and expands the commercial options available to the local community. The applicant's position that additional residents and investment in the area could drive development interest is valid, and the single family uses are appropriate in the proposed area.**

**Robertson Brothers Comment: The vertical integration of uses in buildings is nearly non-existing in the Southeast Michigan market except for highly urbanized pedestrian areas. The plan proposes to utilize the areas furthest from the intersection of 13 Mile and Old Novi Road for residential use, and preserving the parcels nearest the intersection for more appropriate commercial uses, thereby creating an overall mixed-use area.**

*3. Public Parking:* Public parking spaces along Old Novi Road for overflow park parking. **Ten on-street parking spaces are proposed along the east side of Old Novi Road. These would be available for the general public including local residents, customers of local businesses, and visitors of the Pavilion Shore Park. The**



Master Plan does recommend on-street parking along Old Novi Road, so the spaces could be counted as a benefit to the public.

**Robertson Brothers Comment:** Due to the nature of single family development, the on-street parking spaces are not necessary to the success of the project. However, the spaces are proposed in order to provide overflow parking for the park and visitors to the area.

4. *Providing Alternative Housing:* Housing options for residents that are currently underserved.

**Single family homes at the price point proposed by the applicant do not specifically address the underserved market of the area. Staff agrees that there is a demand for the proposed type of housing within the City, but it does not necessarily represent a benefit to the public.**

**Robertson Brothers Comment:** Little investment of new housing product has been seen in the Lakeshore Pavilion area, and the addition of 21 high-quality single family homes provide an option for those looking to be near the lake and park not easily found in the area.

5. *Enhanced Architectural Design:* Quality architecture and design that will provide a catalyst for more retail amenities in the Pavilion Shore Village area.

**The single family elevations provided lack the architectural features that would achieve a higher standard than would otherwise be provided in a development. Unless the architectural designs are modified to enhance the architectural details, the facades do not represent a benefit to the public.**

**Robertson Brothers Comment:** Photos have been provided of the proposed homes from communities Robertson is currently building in the Village of Milford and the City of Royal Oak. The addition of architectural elements simply for the sake of adding elements would be counterproductive to the overall theme. However, Robertson is willing to engage with the Planning Commission regarding the design of the homes.

6. *Pedestrian Enhancement on Old Novi Road:* Inclusion of ADA accessible sidewalks to provide for neighborhood access to the Pavilion Shore Park.



The applicant would be required to provide accessible sidewalks in any site plan review or rezoning process. Staff does not agree can be included as a public benefit.

**Robertson Brothers Comment:** Specifically, Robertson is proposing to provide ADA sidewalks in conjunction with a public seating plaza on the Old Novi Road frontage, which would not be otherwise required under a traditional zoning category. The purpose is to provide a thought out connection for pedestrians walking to the park from the south.

#### **SUMMARY OF OTHER REVIEWS:**

**Planning, Engineering, Landscape, Wetlands, and Fire are currently not recommending approval.**

a. Engineering Review (dated 9-3-18): Engineering recommends approval of the Concept plan and Concept Stormwater Management Plan, with additional items to be addressed during detailed design review.

**Robertson Brothers Comment:** Noted, and engineering comments have been addressed under separate letter from Nowak and Fraus Engineering.

b. Landscape Review (dated 8-27-18): Landscape review has identified four deviations that may be required. Staff supports two of them, and encourages the applicant to make revisions to address the other two. Refer to review letter for more comments. Landscape recommends approval.

**Robertson Brothers Comment:** Noted, and landscape comments have been addressed under separate letter from Land Design

c. Wetland Review (dated 8-27-18): A City of Novi Wetland Non-Minor Use Permit and an authorization to encroach into 25 foot buffer setback are required for this site plan at the time of Preliminary Site Plan review. Additional information is needed in a revised Concept Plan submittal.

**Wetlands does not recommend approval at this time.**

**Robertson Brothers Comment:** Additional information regarding the wetland impacts has been provided under separate letter from Nowak and Fraus Engineering. The request to encroach into the 25' setback is due to the unique site configuration and constraints, and the fact that the development will be



**providing for additional detention for the Old Novi Road historical drainage pattern, which is a public benefit of the development.**

d. Woodland Review (dated 8-27-18): A City of Novi woodland permit is required for the proposed plan at the time of Preliminary Site Plan review. Additional comments to be addressed with revised Concept Plan submittal. Woodlands is recommending approval.

**Robertson Brothers Comment: No additional comment.**

e. Traffic Review (dated 8-29-18): A few deviations are identified in the letter. Additional comments are to be addressed in subsequent submittals. Traffic recommends approval.

**Robertson Brothers Comment: No additional comment.**

f. Traffic Impact Study Review: The applicant is required to provide a Rezoning Traffic Impact Study.

**Robertson Brothers Comment: A Rezoning Traffic Impact Study prepared by Fleis & Vandenbrink has been provided with the resubmittal.**

g. Facade Review (dated 06-22-18): The architectural design of the single family homes are the same models that were previously submitted, so the comments from the previous review still apply. The applicant has indicated the architectural quality and design of the buildings will be an enhancement, which would be unlikely to be achieved if it were not a Planned Rezoning Overlay.

**Staff recommends that the applicant make changes to the architectural designs in order to bring the buildings up to the ordinance standards and provide additional design details in order to be considered a higher standard and counted as a benefit of the PRO project.** See façade review letter for additional details.

**Robertson Brothers Comment: As mentioned previously, Robertson is willing to engage with the Planning Commission regarding the design of the homes.**

h. Fire Review (dated 8-14-18): Fire recommends approval.

**Robertson Brothers Comment: No additional comment.**



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

**Some of the reviews are currently not recommending approval at this time. There are a number of items that still need to be clarified and further information is requested for additional review.**

However, the PRO Concept Plan is scheduled to go before Planning Commission for public hearing on September 26, 2018 based on applicant's request. Please provide the following by **noon on September 19, 2018. Staff reserves the right to make additional comments based on additional information received.**

1. Concept Plan submittal in PDF format. *Staff has received this item with the initial submittal.*

**Robertson Brothers Comment: A disk with the current site and landscape plans is provided with this resubmittal.**

2. A response letter addressing ALL the comments from ALL the review letters and a **request for deviations as you see fit based on the reviews.**

**Robertson Brothers Comment: Comments are included in the above response. Additional engineering and landscape comments have been provided as separate letters from Nowak and Fraus Engineering and Land Design Studio in addition to responses to the Planning Review Chart dated August 31, 2018. A table of deviations has been provided in response to the review comments.**

3. A color rendering of the Site Plan, if any to be used for presentation purposes. *This has been received.*

**Robertson Brothers Comment: Provided.**

4. Rezoning Traffic Impact Study: This is a required item for rezoning requests.

**Robertson Brothers Comment: Provided.**

5. Development Potential: A written statement describing potential development under the current zoning.

**Robertson Brothers Comment: A statement describing the potential development under current zoning is described in the above analysis.**



In closing, there are several public benefits to the project overall, such as:

- Development of an otherwise undevelopable property under current zoning regulations
- Development of a unique site configuration with significant development challenges
- Meeting the intent of the City's Pavilion Shore Village planning area
- Meeting the maximum density requirements of the City's Master Plan
- Inclusion of ADA accessible sidewalks to provide for neighborhood access to the Pavilion Shore Park
- Public parking spaces along Old Novi Road for overflow park parking
- Landscape and amenity improvements to an oversized right-of-way
- Housing options for residents that are currently underserved
- Storm detention in an area that currently has no structured storm system
- Quality architecture and design that will provide a catalyst for more retail amenities in the Pavilion Shore Village area

Robertson Brothers Homes is pleased to present the Lakeview site plan for PRO consideration by the City. We believe the development will ultimately become a point of pride for responsible development in an improving area and will provide for a housing need in the community.

Please let me know if any additional information is required at this time.





Thank you.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Tim Loughrin'. The signature is fluid and cursive, with a prominent initial 'T'.

**Tim Loughrin | Manager of Land Acquisition and Development**

Robertson Brothers Homes

6905 Telegraph Rd, Suite 200, Bloomfield Hills, MI 48301

Direct Dial: 248.282.1428 | Mobile: 248.752.7402

[tloughrin@robertsonhomes.com](mailto:tloughrin@robertsonhomes.com)



## PLANNING REVIEW CHART

**Review Date:** August 31, 2018  
**Review Type:** Planned Rezoning Overlay - Revised Concept Plan  
**Project Name:** JSP 18-16 Lakeview (18.723)  
**Plan Date:** August 7, 2018  
**Prepared by:** Lindsay Bell, Planner  
**E-mail:** lbell@cityofnovi.org; **Phone:** (248) 347-0484

Items in **Bold** need to be addressed by the applicant and/or the Planning Commission Public hearing for the PRO Concept Plan. Underlined items need to be addressed on the Preliminary Site Plan.

Item	Required Code	Proposed	Meets Code	Comments <b>RB Comments in Red</b>
<b>Zoning and Use Requirements</b>				
<b>Master Plan</b> (adopted July 26, 2017)	Pavilion Shore Village; Residential density of 7.3 du/ac	21 unit single family residential development with PRO overlay	Yes	Planning Commission recommendation & City Council approval PRO Concept Plan – City Council approval PRO agreement – Site Plan or Plat normal approval process  <b>Noted</b>
<b>Area Study</b>	Pavilion Shore Village Redevelopment Area: 2-3 story homes and mixed use buildings, cottage court style homes	2 story single family homes	Yes	
<b>Zoning</b> (Effective December 25, 2013)	B-3 General Business and R-4 One-Family Residential	PRO with R-4 One-Family Residential	<b>No</b>	<b><u>RM-2 zoning would allow the proposed density. R-4 zoning limited to 3.3 DUA. Show RM-2 on plans as the proposed zoning district on sheets SP1 and SP2</u></b>  <b><u>This will be noted on all future plan submittals.</u></b>
<b>Uses Permitted</b> (Sec 3.1.5.B & C) (Sec 3.1.12.B & C)	Retail, office, restaurants etc Sec. 3.1.12.B. - Principal Uses Permitted. Sec. 3.1.12.C. – Special Land Uses Permitted.	Single Family Residential	Yes	Rezoning to RM-2 District would allow single-family residential with density proposed; R-4 standards and regulations would still apply to one-family detached dwellings  <b>Noted</b>
<b>Phasing</b>		The applicant indicated only 1 phase	Yes	
<b>Planned Rezoning Overlay Document Requirements (SDM: <u>Site development Manual</u>)</b>				
<b>Written Statement</b> (Site Development Manual)  The statement should describe the following	Potential development under the proposed zoning and current zoning	Information not provided	<b>No</b>	Refer to review letter for staff determination of potential development <b>The requested information has been provided in the staff letter response</b>
	Identified benefit(s) of the development	Public benefits are identified in the narrative	Yes	Refer to review letter for staff comments on the proposed benefits <b>Noted</b>
	Conditions proposed for	Zoning deviations are	Yes	Refer to review letter for

Item	Required Code	Proposed	Meets Code	Comments
	inclusion in the PRO Agreement (i.e., Zoning Ordinance deviations, limitation on total units, etc)	listed in the narrative, but not the conditions		Staff suggestions for conditions and list of deviations <b>Provided in Response Letter</b>
<b>Sign Location Plan</b> (Page 23,SDM)	Installed within 15 days prior to public hearing Located along all road frontages	Required, not provided	<b>No</b>	Refer to PRO requirements in the Site Plan Dev Manual <b>The Site was properly noticed</b>
<b>Traffic Impact Study</b> (Site development manual)	A Traffic Impact Study as required by the City of Novi Site Plan and Development Manual.	Required, not provided	<b>No</b>	Refer to PRO requirements in the Site Plan Dev Manual <b>A RTIS has been provided with this resubmittal</b>
<b>Community Impact Statement</b> (Sec. 2.2)	<ul style="list-style-type: none"> <li>- Over 30 acres for permitted non-residential projects</li> <li>- Over 10 acres in size for a special land use</li> <li>- All residential projects with more than 150 units</li> <li>- A mixed-use development, staff shall determine</li> </ul>	Applicant has provided a CIS	Yes	Refer to review letter for staff comments on the CIS <b>Specific comments were not received for the CIS provided</b>
<b>The RM-2 District determines density, but R-4 Standards and Regulations apply to Single Family Dwellings</b>				
<b>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 Old Novi Road, Linhart and Wainwright	Yes	
<b>Minimum Zoning Lot Size</b> for each Unit: in Acres (Sec 3.1.5)	R-4 Required Conditions Lot Size: 10,000 sf  Lot frontage: 80 ft	Single Family: 5,000 sf	<b>No</b>	<b>Deviation: 5,000 sf</b> <b>Noted in Schedule of Regulations and Modifications</b>
<b>Minimum Zoning Lot Size</b> for each Unit: Width in Feet (Sec 3.1.5)		Single Family: 50 feet	<b>No</b>	<b>Deviation: 30 feet</b> <b>Noted in Schedule of Regulations and Modifications</b>
<b>Open Space Area</b> (Sec 3.1.8.D)	200 sf of Minimum usable open space per dwelling unit For a total of 14 MF dwelling units, <u>required Usable Open Space:</u> <u>2800 SF</u>	Not required for single family	<b>NA</b>	
<b>Maximum % of Lot Area Covered</b> (By All Buildings)	SF: 25%	SF: 45%	<b>No</b>	<b>Deviation: 20%</b> <b>Noted in Schedule of Regulations and Modifications</b>
<b>Building Height</b> (Sec. 3.1.5.D)	SF: 2.5 stories/35'	SF: 2.5 stories/35 feet	Yes	
<b>Minimum Floor Area per Unit</b>	Efficiency	400 sq. ft.	NA	<b>No Multiple Family Units proposed</b>
	1 bedroom	500 sq. ft.	NA	

Item	Required Code		Proposed	Meets Code	Comments
(Sec. 3.1.8.D)	2 bedroom	750 sq. ft.		NA	
	3 bedroom	900 sq. ft.		NA	
	4 bedroom	1,000 sq. ft.		NA	
<b>Maximum Dwelling Unit Density/Net Site Area</b> (Sec. 3.1.8.D)	Efficiency	Max 5%	Not proposed	Yes	
	1 bedroom	31.1 du/ac Max 20%	Not proposed		
	2 bedroom	20.7 du/ac	Not Proposed		
	3+ bedroom	15.6 du/ac	21 units 7 DUA on 3 acres  Total site area: 3.15 Acres Wetlands: 0.159 Acres Net Site Area: 3.0 Acres		
<b>Residential Building Setbacks R-4 (Sec 3.1.5.D)</b>					
Front	30 ft.	7 ft.	No	<b>Deviations for all setbacks</b>  <b>Noted in Schedule of Regulations and Modifications</b>	
Rear	35 ft.	20 ft.	No		
Side	10 ft. one side 25 ft total two sides	5 ft. one side 15 ft. total two sides	No		
<b>Parking Setback (Sec 3.1.8.D) (Sec 3.1.12.D) Refer to applicable notes in Sec 3.6.2</b>					
Front	50 ft.		NA		
Rear	20 ft.		NA		
Side	20 ft.		NA		
<b>Note To District Standards (Sec 3.6.2)</b>					
<b>Area Requirements</b> (Sec 3.6.2.A)	No irregularly shaped flag lots	Not proposed	Yes		
<b>Building Setbacks</b> (Sec 3.6.2.B)	Setback for buildings other than single or two-family residential		NA		
<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 setback equal to front yard.		Yes	<u>Exterior side yard setback applies to 2 lots (12 and 19) on the east side of Old Novi Rd.</u> <u>Deviation from 30 ft front yard setback should be considered.</u> <b>Noted in Schedule of Regulations and Modifications</b>	
<b>Off-Street Parking in Front Yard</b> (Sec 3.6.2.E)	Off-street parking is allowed in front yard		NA		
<b>Distance between buildings</b> (Sec 3.6.2.H)	It is governed by sec. 3.8.2 or by the minimum setback requirements, whichever is greater		NA		

Item	Required Code	Proposed	Meets Code	Comments
<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 on northeast corner of the site. Minimal impacts are proposed	Yes	Quantify area of impact and describe mitigation  <b>Described in Engineering Response Letter from NFE</b>
<b>Parking setback screening</b> (Sec 3.6.2.P)	Required parking setback area shall be landscaped per sec 5.5.3.	Parking lots are not proposed	NA	
<b>Modification of parking setback requirements</b> (Sec 3.6.2.Q)	The Planning Commission may modify parking setback requirements based on its determination according to Sec 3.6.2.Q	None required	NA	
<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)	For building less than four stories: Total No. of rooms < Net site area in SF/2000  40,671 SF/2000 = 20.33	Not applicable since only single family homes are proposed.	NA	
<b>Public Utilities</b> (Sec. 3.8.1)	All public utilities should be available	All public utilities are available	Yes	
<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	NA	
<b>Room Count per Dwelling Unit Size</b> (Sec. 3.8.1.C) <i>*An extra room such as den count towards an extra room</i>	<b>Dwelling Unit Size</b>	<b>Room Count *</b>	Not applicable	NA
	Efficiency	1		
	1 bedroom	2		
	2 bedroom	3		
	3+ bedroom	4		
<b>Setback along natural shore line</b> (Sec. 3.8.2.A)	A minimum of 150 feet along natural shore line is required.	No natural shore line exists within the property	NA	
<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 public streets	Yes	
<b>Maximum length of the buildings</b>	A single building or a group of attached		Yes	

Item	Required Code	Proposed	Meets Code	Comments
(Sec. 3.8.2.C)	buildings cannot exceed 180 ft.			
<b>Modification of maximum length</b> (Sec. 3.8.2.C)	Planning Commission may modify the extra length up to 360 ft. if	Not applicable	NA	
	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.	Not applicable	NA	
<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	Not applicable	NA	
<b>Off-Street Parking or related drives</b> (Sec. 3.8.2.F)  Off-street parking and related drives shall be...	No closer than 25 ft. to any wall of a dwelling structure that contains openings involving living areas or	Not applicable	NA	
	No closer than 8 ft. for other walls or		NA	
	No closer than 20 ft. from ROW and property line		NA	
<b>Pedestrian Connectivity</b> (Sec. 3.8.2.G)	5 feet concrete sidewalks and convenient pedestrian access.		Yes	
	Where feasible sidewalks shall be connected to other pedestrian features abutting the site.	The plan proposes sidewalks on both sides of Old Novi Road connecting to existing sidewalk and Pavilion	Yes	

Item	Required Code	Proposed	Meets Code	Comments
		Shore Park to the north		
	All sidewalks shall comply with barrier free design standards	Unable to determine	Yes	<b>Add a note to the plan to verify conformance.</b> Further review by the Building Department will take place prior to issuance of building permits  <b>Plans will be updated accordingly</b>
<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	Not applicable	NA	
<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.	Not applicable	NA	
<b>Number of Parking Spaces</b> Residential, Single-family (Sec.5.2.12.A)	Two (2) for each dwelling unit  <b>For 21 units * 2 = 42 spaces</b>	Garage Spaces: 42 <b>TOTAL PROVIDED: 42</b>	Yes	Correct parking calculations on sheet SP2 to reflect 10 units, not 12, east of ONR  <b>Plans will be updated accordingly</b>
<b>Single Family Parking Configuration</b> (Sec. 5.2.4)	Required off-street parking for single- and two family dwellings may be provided in a stacking configuration in a driveway or garage or combination thereof.	Garage and driveway parking proposed	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	Does not apply	NA	
<b>Barrier Free Spaces</b> <i>Barrier Free Code</i>		Residential area	NA	

Item	Required Code	Proposed	Meets Code	Comments
<b>Barrier Free Space Dimensions</b> <i>Barrier Free Code</i>	- 8' wide with an 8' wide access aisle for van accessible spaces - 5' wide with a 5' wide access aisle for regular accessible spaces			
<b>Barrier Free Signs</b> <i>Barrier Free Code</i>	One sign for each accessible parking space.			
<b>Minimum number of Bicycle Parking</b> <i>(Sec. 5.16.1)</i>	One (1) space for each five (5) dwelling units	Not required for single family homes	NA	
<b>Bicycle Parking General requirements</b> <i>(Sec. 5.16)</i>	No farther than 120 ft. from the entrance being served	Not applicable	NA	
	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			
<b>Bicycle Parking Lot layout</b> <i>(Sec 5.16.6)</i>	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	Not applicable	NA	
<b>Accessory and Roof top Structures</b>				
<b>Accessory Buildings (Detached Garages)</b> <i>Sec 4.19.1</i>	- Total floor area less than 25% of required rear yard - Not exceed 850 sf - Side entry garages are encouraged - Not located closer than 10 feet from main building - Not closer than 6 ft from interior or rear lot line	Appears to be less than 25% in most cases?  400 sf proposed; Side entry garages proposed for 19 lots; More than 10 feet from main building  Some appear to be less than 6 feet from lot lines	Yes?	Verify detached garages are less than 25 of rear yard, or seek deviation  Verify all are min of 6 feet from side and rear lot lines, or seek a deviation  <b>Noted in Schedule of Regulations and Modifications</b>
<b>Dumpster</b> <i>Sec 4.19.2.F</i>	- Located in rear yard - Attached to the building or - No closer than 10 ft. from building if not	Individual Refuse pick up is being proposed for this residential development	NA	Contact DPS regarding refuse pick up.  <b>Noted</b>



Item	Required Code	Proposed	Meets Code	Comments
	attached - Not located in parking setback - If no setback, then it cannot be any closer than 10 ft, from property line. - Away from Barrier free Spaces			
<b>Dumpster Enclosure</b> <i>Sec. 21-145. (c)</i> <i>Chapter 21 of City Code of Ordinances</i>	- Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery	Not proposed	NA	
<b>Roof top equipment and wall mounted utility equipment</b> <i>Sec. 4.19.2.E.ii</i>	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	Not Applicable	NA	
<b>Roof top appurtenances screening</b>	Roof top appurtenances shall be screened in accordance with applicable facade regulations, and shall not be visible from any street, road or adjacent property.	Not Applicable	NA	
<b>Sidewalks and Other Requirements</b>				
<b>Non-Motorized Plan</b>	Proposed Off-Road Trails and Neighborhood Connector Pathways.  Major sidewalk/pathway planned along the east side of ONR; Already existing on west side of Old Novi Road	Pathways along both sides of Old Novi Road proposed	Yes	
<b>Sidewalks</b> <i>(Subdivision Ordinance: Sec. 4.05)</i>	Sidewalks are required on both sides of proposed drives	Sidewalks are proposed along all public streets	Yes	

Item	Required Code	Proposed	Meets Code	Comments
<b>Public Sidewalks</b> (Chapter 11, Sec.11-276(b), Subdivision Ordinance: Sec. 4.05)	A 5 foot sidewalk is required along Old Novi Road	Sidewalks existing and proposed	Yes	
<b>Entryway lighting</b> Sec. 5.7.3.N.	One street light is required per residential development entrance.	No new street lighting proposed; front porch lights will be provided	NA	
<b>Building Code and Other Requirements</b>				
<b>Building Code</b>	Building exits must be connected to sidewalk system or parking lot.	All exits are connected to sidewalks	Yes	
<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).	Provided	Yes	
<b>Economic Impact</b>	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied, if known)	No permanent jobs created, however building an average SF home creates 2.97 jobs	NA	
<b>Other Permits and Approvals</b>				
<b>Development/ Business Sign</b>  (City Code Sec 28.3)  <i>Sign permit applications may be reviewed an part of Preliminary Site Plan or separately for Building Office review.</i>	The leading edge of the sign structure shall be a minimum of 10 ft. behind the right-of-way.  Entranceway shall be a maximum of 24 square feet, measured by completely enclosing all lettering within a geometric shape.	None indicated	<b>No</b>	Provide tentative location of signs to identify any conflicts with landscape, utilities, and corner clearances.  <b>No signs proposed</b>

Item	Required Code	Proposed	Meets Code	Comments
	Maximum height of the sign shall be 5 ft.			
<b>Development and Street Names</b>	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval	No new street names proposed. "Lakeview" must be approved by the committee.	<b>No</b>	Contact Hannah Smith at 248.347.0579 for more details on approval of development name  <b>Noted</b>
<b>Property Split</b>	Assessing Department for approval of lot splits/combinations may be required.			Property combination and splits will be required. Applicant to provide clarification of ownership arrangement proposed.  <b>The project will be a site condo with individual home sales</b>
<b>Other Legal Requirements</b>				
<b>PRO Agreement (Sec. 7.13.2.D(3))</b>	A PRO Agreement shall be prepared by the City Attorney and the applicant (or designee) and approved by the City Council, which shall incorporate the PRO Concept Plan and set forth the PRO Conditions imposed		NA	<u>PRO Agreement shall be approved by Novi City Council after the Concept Plan is tentatively approved</u>  <b>Noted</b>
<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	NA	A Master Deed draft shall be submitted prior to _____ Stamping Set approval.  <b>Noted</b>
<b>Conservation easements</b>	Conservation easements may be required for wetland impacts	Not applicable at this moment	NA	The following documents will be required during Site Plan review process after the Concept PRO approval: <u>Wetland Conservation Easement</u>  <b>Noted</b>

**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.



CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS

September 18, 2018

City of Novi  
Community Development Dept.  
45175 West Ten Mile Road  
Novi, MI 48375

Attn: Barbara McBeth  
Deputy Comm. Develop. Dir.

Re: **Lakeview**  
**JSP 18-16**  
Novi, Michigan

Dear Ms. McBeth:

Please find attached the following documentation for PRO Concept Submittal for the above referenced project.

- An NFE written response to the City of Novi Engineering review letter received from your office on September 7, 2018.

Sincerely,

**NOWAK & FRAUS ENGINEERS**

A handwritten signature in blue ink that reads 'Brad Brickel'.

Brad W. Brickel, P.E.  
Senior Associate

Enclôures

cc: Robertson Brothers, Mr. Tim Loughrin, (6905 Telegraph Rd., Ste. 200, Bloomfield Hills, MI 48301)  
Nowak & Fraus Engineers, Mr. Timothy L. Germain, P.E., Managing Partner  
Project Files: J955

NOWAK & FRAUS ENGINEERS

# PLAN REVIEW CENTER REPORT

## ENGINEERING REVIEW OF PRO CONCEPT

### Additional Comments (regarding PRO Concept deviations):

1. Storm sewer is required to have a minimum 20-foot wide easement centered over the utility. A 10-foot wide storm sewer easement has been shown on the plans. This variance is supported by the Engineering Division.

**We will request a 10-foot easement.**

### Additional Comments (to be addressed with future submittals):

#### General

2. A full engineering review was not performed due to the limited information provided in this submittal. Further information related to the utilities, easements, etc. will be required to provide a more detailed review. The site plan shall be designed in accordance with the Design and Construction Standards. (Chapter 11).

**Additional detailed engineering will be provided during the engineering process.**

3. A right-of-way permit for work within Old Novi Road, Linhart Street, Wainwright Street, and any City easement must be obtained from the City of Novi.

**This will be obtained during the engineering review.**

4. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the printed Stamping Set submittal. They can be found on the City website ([www.cityofnovi.org/DesignManual](http://www.cityofnovi.org/DesignManual)).

**The detail sheets will be provided I the final stamping set.**

5. The plan set must be tied in to at least one city established benchmark. An interactive map of the City's established survey benchmarks can be found under the 'Map Gallery' tab on [www.cityofnovi.org](http://www.cityofnovi.org). Refer to Benchmark ID's 1111 and 1112 on the map and verify corresponding elevation on plan. Show and label these benchmarks on the plans.

**The plan set utilizes a city established benchmark.**

6. A portion of the development is proposed within the area of vacated Erma Street right-of-way. The applicant would need to formally request abandoning the easement which is reserved for public utilities and drainage purposes. At a minimum, a 20-foot water main easement would be required along the existing water main, or any relocated water main; and a 20-foot storm sewer easement would also be required.

**The vacation of the easement will be requested for the portion on the proposed development. A 20-foot wide easement would be maintained on the newly relocated water main. We would request that a 10' storm easement be required because the only storm sewer would be servicing the development.**

7. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan submittal highlighting the changes made to the plans addressing each of the comments in this review.

NOWAK & FRAUS ENGINEERS

**This is included with the submission.**

Water Main

8. A tapping sleeve, valve in well is required at the tap on Old Novi Road north of Wainwright.

**A tapping sleeve will be proposed.**

9. Show 20-foot wide easements or portion thereof centered on proposed water main where it is located on private property or less than 10 feet within R.O.W.

**An additional easement has been shown on the plans where the 20-foot easement would encroach onto private property.**

10. Hydrant leads in excess of 25 feet shall be 8-inch.

**This will be provided where necessary.**

Sanitary Sewer

11. Provide a note on the construction materials table that 6-inch sanitary leads shall be a minimum SDR 23.5, and mains shall be SDR 26.

**This will be provided on the revised plans.**

12. Cleanouts must be shown at bends.

**This will be provided on the revised plans.**

13. Include a sanitary sewer basis of design on the plans.

**This will be provided on the revised plans.**

Storm Sewer

14. An easement is required over the storm sewer accepting and conveying off-site drainage. Refer to comment 1.

**An easement will be provided on the revised plans.**

15. A minimum cover depth of 3 feet shall be maintained over all storm sewers.

**The minimum depth will be provided.**

16. Provide a drainage area map and all storm sewer sizing calculations.

**This will be provided on the Final Site Plan drawings.**

Storm Water Management Plan

17. The Storm Water Management Plan (SWMP) shall comply with the Storm Water Ordinance and Chapter 5 of the Engineering Design Manual (refer to the runoff coefficients, 1V:4H allowable basin slopes, etc.).

**The plans shall comply with the Storm Water Ordinance with respect to slope and runoff coefficients.**

18. The SWMP must detail the storm water system design, calculations, details, and maintenance as stated in the ordinance. The SWMP must address the discharge of storm water off-site, and evidence of its adequacy must be provided. This should be done by comparing pre- and post-development discharge rates. The area being used for this off-site discharge should be delineated and the ultimate location of discharge shown.
- a. Provide drainage area map indicating ultimate location(s) of discharge for the entire development. All runoff from developed areas must be captured and treated for storm water quality and quantity control in accordance with the Ordinance.

**This will be provided during on the Final Site Plan drawings.**

- b. Provide additional information regarding overflow route northeast of the open water.

**This will be provided during the Final Site Plan drawings.**

19. Provide manufacturers details and sizing calculations for the pretreatment structure(s) within the plans. Provide drainage area and runoff coefficient calculation specific to the area tributary to each treatment structure. The treated flow rate should be based on the 1-year storm event intensity and higher flows shall be bypassed.

**All required details and sizing calculations shall be provided for the pretreatment structures that comply with the City requirements.**

20. An adequate maintenance access route to the basin outlet structure and any other pretreatment structures shall be provided (15 feet wide, maximum slope of 1V:5H, and able to withstand the passage of heavy equipment). Verify the access route does not conflict with proposed landscaping.

**The maintenance access route will be proposed as required.**

21. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).

**These calculations shall be provided on the Final Site Plan.**

22. A runoff coefficient of 0.35 shall be used for all turf grass lawns (mowed lawns).

**The runoff coefficient has been updated to utilize 0.35 for lawn areas.**

23. A 25-foot vegetated buffer shall be provided around the perimeter of each storm water basin. This buffer cannot encroach onto adjacent lots or property.

**A variance will be requested for the 25-foot vegetated buffer around the detention basin.**

#### Paving & Grading

24. Driveway depth in the R.O.W., including crossing sidewalks shall be 6-inch.

**The driveway depth shall be proposed as 6-inch.**

25. Provide minimum swale slope of 2.0% along-side and rear property lines.

**The minimum slopes will be designed at 2%. We requested that this be reviewed on the plot plans because the type of house is unknown at this time. Detailed grading for each lot will be provided on the individual plot plan.**

#### NOWAK & FRAUS ENGINEERS

26. Show locations of poured retaining wall and boulder retaining wall and provide detail of poured retaining wall with fence.

**This has been revised on the submitted drawings.**

27. Refer to Figure IX.5 of the Design and Construction Standards for standard residential driveway dimensions. The standard width is 16 feet. An administrative variance can be considered for driveway widths within the allowable range shown in Figure IX.5.

**The minimum width proposed is 10 feet wide. An administrative variance will be required.**

Off-Site Easements

28. Any off-site utility easements anticipated must be executed **prior to final approval of the plans**. Drafts of the easements and a recent title search shall be submitted to the Community Development Department as soon as possible for review and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.
- a. Temporary construction permits surrounding the site appear to be necessary.
  - b. The proposed water main relocation within the vacated Erma Street area requires off-site water main easement.
  - c. Water main extension on Wainwright may require additional off-site easement if the water main is located less than 10 feet inside the right-of-way.

**All required easements will be submitted to the City prior to final approval.**



## ENVIRONMENTAL REVIEW OF PRO CONCEPT

### Wetlands Comments

ECT recommends that the applicant address the items noted below in subsequent site plan submittals:

1. The Applicant should demonstrate that alternative site layouts that would reduce the overall impacts to wetlands and 25-foot wetland setbacks have been reviewed and considered.

**The layouts provided have taken in consideration the existing wetland impact. A different product is being proposed with front entry garages in order to minimize the disruption.**

2. ECT encourages the Applicant to minimize impacts to the greatest extent practicable. The Applicant should consider modification of the proposed site design to preserve wetland and wetland buffer areas. Specifically, resign of the proposed stormwater detention basin on Parcel C as well as Lots 20 and 21 should be considered.

**The layouts provided have taken in consideration the existing wetland impact. A different product is being proposed with front entry garages in order to minimize the disruption. The detention pond is in the most applicable location due to the site elevations and discharge point.**

The preservation of the 25-foot buffer areas is important to the overall health of the existing wetlands as the existing buffers serve to filter pollutants and nutrients from storm water before entering the wetlands, as well as provide additional wildlife habitat. The City regulates wetland buffers/setbacks. Article 24, Schedule of Regulations, of the Zoning Ordinance states that:

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

**A 25' buffer will be installed around the reduced wetland and will be planted per the City regulations.**

3. The Applicant shall show the following information on subsequent site plans:
  - a) The area of all existing wetland areas (square feet or acres) and their boundaries;  
**This will be shown on the revised drawings. The existing wetland is 6,926 S.F.**
  - b) The area of all existing 25-foot wetland buffer (square feet or acres) and their boundaries;  
**This will be shown on the revised drawings. The existing buffer is 8,528 S.F.**
  - c) Area (square feet) and volume (cubic yards) of all wetland/watercourse impacts (both permanent and temporary);  
**This will be shown on the revised drawings. The proposed wetland is 2,737 S.F.**
  - d) Area (square feet) of all wetland buffer impacts (both permanent and temporary).  
**This will be shown on the revised drawings. The proposed buffer is 3,598 S.F.**

The information on Sheet SP2 (*PRO Concept Plan – East*) does not appear to be correct that quantifies the existing/proposed wetland buffer areas. This information notes that the existing wetland area is 1,558 square feet and the proposed wetland area is 2,737 square feet. The Plan

shall clearly indicate and quantify the existing areas of wetland and wetland buffer as well as the proposed impacts.

**The plans did incorrectly show the impacts. Please refer to the response in item 3 that outlines the corrected areas.**

4. The Plan proposes to construct a storm water outfall to the wetland from the proposed stormwater detention basin. The applicant shall quantify any permanent and/or temporary impacts to wetlands or wetland buffers in this area (i.e., square feet/acreage and cubic yards). The applicant is encouraged to locate any proposed outside of the wetland and 25-foot wetland buffer boundaries in order to provide an additional element of sediment and nutrient removal as the water outlets through a vegetated buffer as opposed to directly into the existing wetland.

**The design will be modified to reduce any impacts to the wetland as much as feasible to provide the required detention.**

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

**Any required permits will be applied for during the Final Site Plan review process.**

6. It should be noted that it is the Applicant's responsibility to confirm the need for a Permit from the MDEQ for any proposed wetland impact. Final determination as to the regulatory status of each of the on-site wetlands shall be made by MDEQ. The Applicant should provide a copy of the MDEQ Wetland Use Permit application to the City (and our office) for review and a copy of the approved permit upon issuance. A City of Novi Wetland Permit cannot be issued prior to receiving this information.

**Any required permits will be confirmed during the Final Site Plan review process. If deemed necessary, all permits will be applied for at that time.**

7. The Plan should address how any temporary impacts to wetland buffers shall be restored, if applicable a seed mix consisting of acceptable native plant species shall be indicated on the Plan if necessary. Sod or common grass seed is not acceptable for site restoration within areas of temporary wetland and wetland buffer impacts. ECT would like to ensure that the proposed plant/seed material contains native plants as opposed to invasive or threatened plant types.

**The revised Landscape Plans will provide the necessary information as outlined above.**

8. If applicable, the Applicant shall provide wetland conservation easements as directed by the City of Novi Community Development Department for any areas of remaining wetland as well as for any proposed wetland mitigation areas (if necessary). A Conservation Easement shall be executed covering all remaining wetland areas on site as shown on the approved plans. 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 and Watercourse permit.

**A conservation easement will be provided on the two properties as shown of the revised plans.**



September 14, 2018  
Re: Lakeview PRO, Novi, MI

## **Response to Novi Landscape Review Letter dated August 27, 2018**

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

2. *Please clearly show and label all overhead power lines on the site on the landscape plans.*

- The requested information will be included in the next set of landscape plans submitted for review

3. *Please add all existing and proposed light poles to the landscape plan.*

- All existing light poles, that were picked up in the survey, are included in the landscape plans. There are no additional light poles being proposed.

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

2. *Please clearly indicate on Sheets S8 and S9 which trees are being removed.*

- The requested information will be coordinated with the project Civil Engineers and included on the specified sheets for future submissions.

6. *Please find other locations for replacement trees outside of the right-of-way and off of private lots.*

- The proposed woodland replacement trees shall be relocated and clustered around the proposed detention pond.

7. *Please see the ECT review for a full discussion of woodland replacements.*

- The comments included in the referenced ECT review will be addressed in a later portion of this Response Letter

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

1. *Property abuts B-3 zoning/commercial properties on the north end so 6'-8' landscaped berms are required at the property line. These are not provided. If the berms are not provided, alternate screening that provides similar visual and audible buffering is required.*

2. *No buffering of any kind is proposed between Lot 11 and the business just north of it or the detention pond and the restaurant to the north.*

3. *Not providing sufficient buffering required a landscape deviation. This deviation, for a lack of berm or suitable alternate screening, is not supported by staff.*

*4. Please provide significant buffering alternatives for both frontages.*

- This is a collective response to points 1-4 of this portion of the review letter. There is not enough room in the proposed plan to incorporate the required berm, and therefore an alternative method of screening is going to be proposed. At this time, the proposed alternate screening method is a 6' ht. vinyl screen fence. This fence will be placed along the northern property line on the east side of Old Novi Rd. and +/- 3' off of the northern property line on the west side of Old Novi Rd. This distance should place the fence midway between existing and proposed utilities in this area.

*5. While residential abutting residential doesn't normally require buffering, the applicant should provide some sort of visual buffers between the project and the existing residential properties immediately abutting them. Please show these on the plan and include standard details for them.*

- It is intended that the same 6' ht. vinyl screen fence used to buffer the commercial districts north of the project will be used to buffer the proposed residential from existing residential on both sides of the road. Locations and details will be developed and included for future submissions.

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

*2. A landscape deviation is required to use subcanopy trees instead of canopy trees for street trees where overhead wires are not present. This deviation is not supported by staff.*

*3. When overhead lines do exist, 1.5 subcanopy trees should be used for each canopy tree required instead of the 1 tree proposed.*

- This is a collective response to points 2 and 3 of this portion of the review letter. It was intended that, by utilizing the same landscape deviation referenced in point 4 of this portion of the review letter, the required street trees for lots 1-11 would be placed in the front yards instead of within the right-of-way. The proposed subcanopy trees were intended to be additional landscape for the purpose of reducing the visual expanse of lawn that would exist in the right-of-way if nothing was planted there, and to add seasonal color and interest along Old Novi Rd. in this area. Additionally, placing the required street trees in the front yard of the proposed lots will further remove them from existing overhead power lines and ensure greater health and longevity in the future. Currently, no trees are being proposed on Lot 11 due to the presence of existing and proposed utilities (including a fire hydrant) and the required distance that a tree can be planted from them. Additional trees have been planted on the adjacent lots to account for this.

4. A landscape deviation is required to locate a total of 6 street trees in the front yard of a single family lot instead of in the right-of-way, as is proposed on Wainwright and Linhart. This deviation is supported by staff, but the applicant needs to be aware that they would not be maintained by city staff.

- The proposed street trees along Wainwright and Linhart are located in the front yards due to the presence of existing and proposed utilities in the small right-of-ways associated with each street. It is understood that these trees, if located in the front yards of the lots, would not be maintained by city staff.

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

*The proposed landscaping must be provided with sufficient water to become established and survive over the long term. Please note how this will be accomplished if an irrigation plan is not provided.*

- It is intended that the proposed landscape elements shall be irrigated to establish them and ensure long term health into the future. An irrigation system shall be designed and installed by a design-build entity.

#### Items in Landscape Review Summary Chart not addressed above:

##### *Landscape Plan Requirements*

- *Project Information:* Project name, address, and location map shall be included on the landscape plan in addition to the cover sheet
- *Sealed by LA.:* Final Site Plan approval documents shall be wet sealed by project Landscape Architect
- *Snow Deposit:* A note will be added to the Landscape Plans stating that all snow plowed from the driveways shall remain on the associated lot.

##### *Walls*

- *Material, height, and type of construction footing:* Wall location, standard details, height, and materials shall be included on the Landscape Plan for future submissions

##### *ROW Landscape Screening Requirements*

- *Other landscaping in right-of-way:* It is understood that Robertson Brothers will need a landscape deviation for the planting and fencing within the ROW on the west side of Old Novi Rd. It is also understood that a license agreement to the city will be needed regarding these elements.

#### *Detention/Retention Basin Requirements*

- *Phragmites Control:* A survey will be completed on the site to identify any locations of existing *Phragmites australis*. If found, a plan will be developed for removal and eradication from the project site.

#### *Other Plant Material Requirements*

- *General Conditions:* A note stating that no plant material shall be planted within 4' of the property line will be added near the property lines.
- *Recommended trees for planting under overhead utilities:* Trees proposed close to overhead lines shall be dimensioned related to distance from power line.



September 14, 2018  
Re: Lakeview PRO, Novi, MI

## **Response to ECT Woodland Review Letter dated August 27, 2018**

### Woodland Review Comments

1. *ECT encourages the Application to minimize impacts to on-site woodlands and City-Regulated to the greatest extent practicable. The application should attempt to preserve Tree #131 (City-Regulated 36-inch diameter silver maple, located on proposed single-family Unit #21) by incorporating it into the development Plan and excluding it from the proposed limits of disturbance.*
  - Due to its proximity to the Wetland Natural Features Setback limit, and its distance from the proposed home on Lot 21, the design team will attempt to preserve Tree #131.
  
3. *A Woodland Replacement financial guarantee for the planting of replacement trees will be required. This financial guarantee will be based on the number of on-site woodland replacement trees (credits) being provided at a per tree value of \$400. The Woodland Replacement Financial Guarantee will be \$3,200 (8 Woodland Replacement Credits Required x \$400/Credit)*
  - Robertson Brothers is aware of the required Woodland Replacement financial guarantee and will remit the required amount at the required time
  
4. *Base on a successful inspection of the installed on-site Woodland Replacement trees, the Woodland Replacement Financial Guarantee will be returned to the Applicant. A Woodland Maintenance financial guarantee in the amount of twenty-five percent (25%) of the original Woodland Replacement financial guarantee will then be provided by the applicant. This Woodland Maintenance financial guarantee will be kept for a period of 2-years after the successful inspection of the on-site woodland replacement tree installation. The Woodland Maintenance Financial Guarantee will be \$1,000 (as the City's minimum is \$1,000).*
  - Robertson Brothers is aware of the required Woodland Maintenance Financial Guarantee and will remit the required amount at the required time.

5. *Should the Applicant not be able to provide on-site Woodland Replacement plantings, a total of \$400 per Woodland Replacement Credit required shall be paid to the City of Novi Tree Fund.*

- It is intended that all required Woodland Replacement Credits shall be provided in the form of on-site Woodland Replacement plantings.

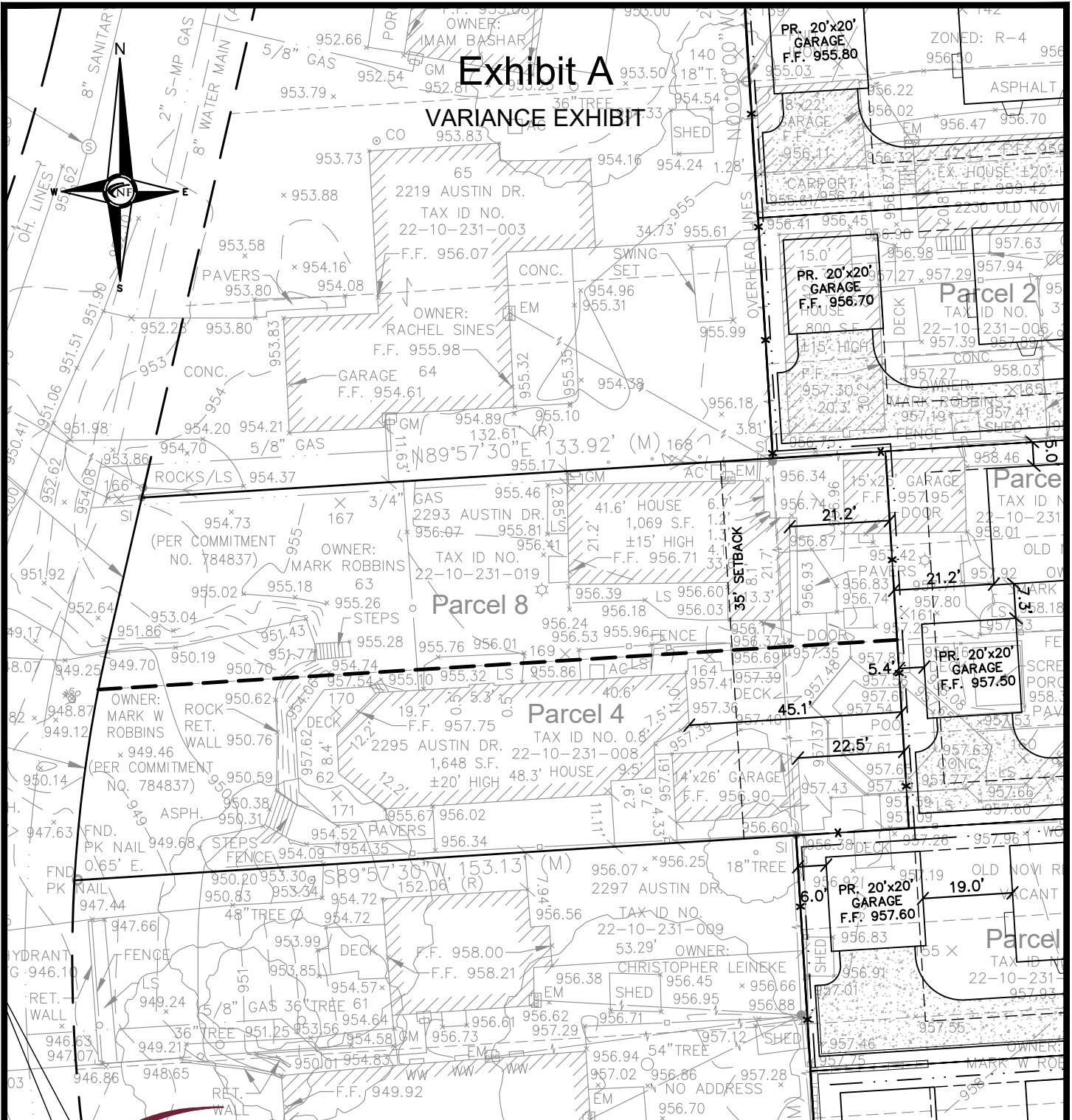
6. *The Applicant shall provide preservation/conservation easements as directed by the City of Novi Community Development Department for any areas of proposed woodland replacement trees. The applicant shall demonstrate that all proposed woodland replacement trees will be guaranteed to be preserved as planted with a conservation easement or landscape easement to be granted to the city. This language shall be submitted to the City Attorney for review. The executed easement must be returned to the City Attorney within 60 day of issuance of the City of Novi Woodland permit.*

- Plans pursuant to the location and configuration of the required easements, related to Woodland Replacement Trees, shall be developed and pursued through the remainder to the approvals process.



# Exhibit A

## VARIANCE EXHIBIT



**ENGINEERS**  
**NOWAK & FRAUS ENGINEERS**

46777 WOODWARD AVE.  
 PONTIAC, MI 48342-5032

TEL. (248) 332-7931

FAX. (248) 332-8257

<b>2295 AUSTIN DR.</b>		<b>2293 AUSTIN DR.</b>	
LOT SIZE	6,950.23 SF.	LOT SIZE	6,549.14 SF.
LOT COVERAGE (HOUSE/ GARAGE)	2,018.15 SF.	LOT COVERAGE (HOUSE/ GARAGE)	1,069.00 SF.
LOT COVERAGE %	29.04	LOT COVERAGE %	16.32
REAR SETBACK REQUIRED	35.00 FT	REAR SETBACK REQUIRED	35.00 FT
REAR SETBACK PROVIDED	22.50 FT	REAR SETBACK PROVIDED	21.20 FT

PREPARED FOR:  
 ROBERTSON BROTHERS HOMES

SCALE      DATE      DRAWN      JOB NO.      SHEET  
 1" = 30'      09-18-18      J. LAWREY      A116-22      1 of 1

ARCHITECTURAL DRAWINGS







# *The Princeton* Elevations



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or  
discontinue models without notice or obligation





# *The Franklin*

## **Elevations**



All information herein was accurate at the time of publication. We reserve the right to make changes in price, specification, or materials, or to change or discontinue models without notice or obligation.





# *The Lakewood*

## **Elevations**



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or discontinue models without notice or obligation





# The Addington

## Elevations



All information herein was accurate at the time of publication.  
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discontinue models without notice or obligation







# *The Winchester*

## **Elevations**



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or discontinue models without notice or obligation





# *The Charleston*

## *Elevations*



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or discontinue models without notice or obligation



## *The Concord* Elevations



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or  
discontinue models without notice or obligation

# *The Richmond* Elevations



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or  
discontinue models without notice or obligation



# *The Yorktown*

## Elevations



All information herein was accurate at the time of publication.  
We reserve the right to make changes in price, specification, or materials, or to change or discontinue models without notice or obligation



APPLICANT LETTER  
TO COUNCIL MEMBERS

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October 8, 2018

Novi City Council Members  
45175 Ten Mile Road  
Novi, MI 48375

Re: Lakeview PRO Development Proposal  
Old Novi Road Properties

Honorable Council Members,

Robertson Brothers Homes is pleased to present a PRO Rezoning and Site Plan application for vacant properties on Old Novi Road just south of 13 Mile Road, within the newly defined Pavilion Shore Village area. The Novi Planning Commission considered the request at a September 26<sup>th</sup> public hearing and voted unanimously to recommend approval of the plan to build 21 brand new single family homes that will provide new housing in a unique area of the city. At this meeting, several topics were discussed with the planning commission members. While we are amenable to amending the plan per the discussions, it appeared that much of what was discussed was left for input from the City Council. Therefore, the plans were not changed from the September 19<sup>th</sup> submittal package in order to gain direction first from the Council. Specific items that were discussed are explained as follows:

- One member from the public had mentioned increasing the rear setback for detached garages along the western perimeter of the development from 5' to 6'. We are amenable to this change and will revise the plans accordingly. However, we request that the front setback for the western 11 lots be correspondingly reduced from 7' to 6'. These particular lots front onto an oversized right-of-way for Old Novi Road and a use easement will be required as part of the development plan in order to provide for an adequate front yard.
- The plan has been designed for side oriented detached garages for the 11 lots located on the west side of Old Novi Road. This was intended to allow for vehicles to be able to turn around before coming back out to Old Novi Road when exiting a home. The unintended result is that front headlights may be an issue for neighboring properties on Austin Lane. We had proposed adding a fence at the rear property line to address this concern, but we are flexible in reorienting the plan for head-in garages to match the lots on the east side of Old



Novi Road, thus eliminating the need for a fence. The City Council will need to provide direction on allowing cars to back directly onto this roadway.

- The new sidewalk along the west side of Old Novi Road is proposed to be detached in order to protect pedestrians walking to the park. A neighbor had requested that the sidewalk be moved farther from the homes and potentially remain attached to the curb. Moving the sidewalk may involve moving the trees proposed to be installed between the curb and sidewalk to the west of the sidewalk. We are not in favor of attached sidewalks but will defer to Council.
- Staff has pointed out that an additional deviation is required to allow a driveway to be located at the side property line as 3' is currently required. It is requested that this be added to the Schedule of Regulations and Modifications.
- The location of the common mailbox kiosks was mentioned as a potential concern by a neighbor. Robertson will work with the Post Office to follow their new development standards while still providing for convenient access for homeowners while not infringing on neighboring properties. Due to the length of time this may involve, it is requested that Robertson work with staff for a best approach during the final improvement plan review stage.

As mentioned in our submittal package, Robertson Brothers Homes is pleased to present the Lakeview site plan for PRO consideration by the City. We believe the development will ultimately become a point of pride for responsible development in an improving area and will provide for a housing need in the community.

Please let me know if any additional information is required at this time.

Thank you.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Tim Loughrin', is written over a light blue horizontal line.

**Tim Loughrin | Manager of Land Acquisition**

Robertson Brothers Homes

6905 Telegraph Rd, Suite 200, Bloomfield Hills, MI 48301

Direct Dial: 248.282.1428 | Mobile: 248.752.7402

[tloughrin@robertsonhomes.com](mailto:tloughrin@robertsonhomes.com)





### Lakeview Schedule of Regulations and Modifications

	R4	Proposed Single Family	Deviations
<b>Min. Lot Area</b>	10,000 sf	5,000 sf	5,000 sf
<b>Lot Frontage</b>	80'	48'	32'
<b>Principal Building Height to Midpoint</b>	2.5 stories/35 feet	2.5 stories/35 feet	None
<b>Min. Building Setbacks</b>			
Front Setback	30'	6'*	23'
Side Min. Principal	10'	5'	5'
Side Total Principal	25'	15'	10'
Rear Setback Principal	35'	21'***	14'
Rear/Side Garage Setback	5'	5'***	In Conformance
<b>Minimum Floor Area</b>	1,000 sf	1,000 sf	In Conformance
<b>Maximum Dwelling Unit Density</b>	3.3 du/ac	6.67 du/ac	3.37 du/ac
<b>Maximum Lot Coverage Percentage</b>	25%	45%	20%
<b>Parking Requirement</b>	2 spaces per home	2 spaces per home	In Conformance
<b>Driveway Setback to Property Line</b>	3'	0'	3'

\* Lots 1-11 shall have a 6' min. front setback due to the oversized width of the Old Novi Road right-of-way requiring a use easement for the frontage. Lots 12-21 shall have a 20' min. front setback.

\*\* Lots 1-11 shall have a 25' min. rear setback with the exception of Lot 5 having a 21' min. rear setback. Lots 12-21 shall have a 35' min. rear setback. Attached rear garages shall meet the detached garage setback requirements.

\*\*\* Lots 1-11 shall have a 6' min. rear setback for detached garages.