

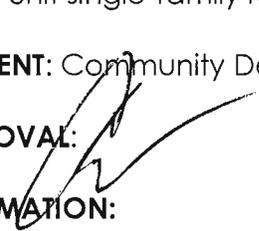
cityofnovi.org

## CITY of NOVI CITY COUNCIL

**Agenda Item 1**  
**March 26, 2012**

**SUBJECT:** Consideration of the request of Beck Ten Land, LLC for ZCM12-02 with Zoning Map Amendment 18.701 to rezone property in Section 20, on the northwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. The property totals 24.24 acres and the applicant is proposing a 38 unit single-family residential development.

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

**CITY MANAGER APPROVAL:** 

**BACKGROUND INFORMATION:**

The petitioner is requesting a Zoning Map amendment for a vacant 24.24-acre property located on the northwest corner of Ten Mile Road and Beck Road (Section 20) from R-1 (One-Family Residential, 1.65 Dwelling Units per net acre) to R-3 (One-Family Residential, 2.7 Dwelling Units per net acre) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow development with smaller and narrower lots, and slightly higher density, than is permitted within current R-1 zoning.

The PRO acts as a Zoning Map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. As part of the PRO, the underlying zoning is changed, in this case to R-3 as requested by the applicant, and the applicant enters into a PRO Agreement with the City, whereby the City and the applicant agree to any deviations to the applicable ordinances, use restrictions and tentative approval of a conceptual plan for development for the site. After a public hearing, the Planning Commission makes a recommendation to the City Council with regard to the rezoning and PRO Concept Plan and PRO Conditions. After final approval of the PRO Concept Plan and Agreement, the applicant would submit for Preliminary and Final Site Plan under the typical 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 years, the PRO Concept Plan expires, the zoning reverts back, and the agreement becomes void.

The applicant is proposing to rezone the property to R-3, with smaller and narrower lots than are permitted in R-1 (existing zoning); 38 total lots are proposed on the PRO concept plan. The PRO concept plan also shows an on-site retention pond in the site's southwest corner, open space in the site's northeast corner, a "pocket park" on the northwest corner of Ten Mile and Beck, and formal landscaping treatments along both the Ten Mile and Beck Road frontages. No new points of vehicular access are proposed onto either Beck or Ten Mile; the conceptual development would tie into the local road network via existing stub streets to the west and north of the subject parcel.

## **Public Benefit**

As part of the PRO, the applicant is required to provide a public benefit that would demonstrate more than just the usual benefits associated with the standard rezoning and development of the property. The applicant has offered the following benefits. Staff comments are in parentheses.

- Upgraded frontage landscaping (benefit above and beyond typical development)
- Pocket park feature at prominent intersection (benefit above and beyond typical development)
- Water main loop connection (required with any typical development)
- Pathway connections along perimeter roadways (required with any typical development)
- Housing style upgrade (enhancement over minimum ordinance requirements)
- Housing size upgrade - minimum 2,400 square feet and up to 3,500 square feet (enhancement over minimum ordinance requirements)
- Provide a platform for City-owned art (benefit above and beyond typical development)
- Provide funding toward the completion of a future major non-motorized pathway connection along Ten Mile Road to connect to the ITC corridor - not to exceed \$9,000 (benefit above and beyond typical development)
- Saving landmark maple tree located near the southeast corner of the site (benefit above and beyond typical development)
- Dedicate right-of-way along Beck Road and Ten Mile Road (benefit above and beyond typical development)

## **Ordinance Deviations Requested**

Included with the proposed PRO Concept Plan, the applicant is seeking positive consideration of several Zoning Ordinance deviations as listed in the Planning Review. The Zoning Ordinance permits deviations from the Ordinance provided that the City Council finds 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."*

Among the deviations requested are the following:

1. Design and Construction Standards (DCS) Waivers: DCS waivers are required for the lack of paved eyebrows, the location of proposed sidewalks and the skewed intersection. All are supported by staff. See the engineering review letter dated January 24, 2012 for additional information.

## **PRO Conditions**

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, the location of the proposed retention pond, setbacks from Ten Mile and Beck Roads, location of the proposed open space, and proposed landscaping throughout the development, including details for the "pocket park" on the northwest corner of Ten Mile and Beck Roads. Also included were conceptual renderings of housing styles and materials proposed for the development. The only "terms" or "conditions" within the submittal are the design elements illustrated on the conceptual plan and the public benefits outlined in the corresponding letter.

### **Public Hearing and Planning Commission Recommendation**

The public hearing for the rezoning request was held by the Planning Commission on February 22. At that meeting, the Planning Commission recommended approval of Zoning Map Amendment 18.701 to rezone the property from R-1 (One-Family Residential) to R-3 (One-Family Residential) utilizing the City's PRO option. There were a number of members of the public who either attended the meeting to voice their opinions or submitted written comments to be included in the record. Additionally, residents have sent questions or comments to staff and/or City Council. See the attached email sent on March 5 and the attached memo dated March 16 addressing questions received. Draft minutes from the Planning Commission meeting are attached.

### **Revisions to the PRO Concept Plan**

Since the Planning Commission meeting, staff met with the applicant to discuss some of the questions and concerns from the public. The applicant has agreed to the following revisions:

- Previous iterations of the concept plan showed additional landscaping in the open space on the northeast corner of the site. The applicant has agreed to include the same amount of landscaping in the northeast open space area as previously proposed.
- The applicant has agreed to propose a new name for the development that will not make any reference to the existing Greenwood Oaks subdivision.
- The applicant has submitted revised elevations and floor plans, which are attached, so as to provide a variety of models in the new development, as requested by the City's façade consultant, Doug Necci. The façade review letter (attached) has been updated to take these new materials into account. The applicant has agreed these could be attached to the PRO Agreement as representative of the elevations and floor plans that will be offered in the development.

Additionally, staff had requested a memo from the City's traffic consultant, Birchler Arroyo Associates, to address the advantages and disadvantages of providing an access point to the new development onto Beck Road or Ten Mile Road. The memo dated March 16 is attached and notes that a new access point is not needed or desirable.

### **Supplemental Letter form the Applicant**

The attached letter from Pinnacle Homes dated March 22, 2012 provides a narrative of the applicant's intentions toward creating a quality residential development on the property through considered site design. The applicant has indicated that three approaches were used in the development of the site plan: set the lots away from roads through an open space buffer and lot depths exceeding standards; visual shielding through the use of berms, landscaping and walls and fences; and traffic and noise calming by use of existing stub roads from the neighboring subdivisions. The applicant has indicated that "all three of these approaches were necessary in order to create the appropriate environment to market quality homes the city and the neighbors would want and require." Please see the attached letter from the applicant.

### **Staff and Consultant Comments and Recommendations**

The planning review letter recommends approval of the plan noting that the proposed density of 1.77 units per acre is very close to the master planned density of 1.65 units per acre and the proposed development is consistent with and comparable to surrounding developments. Additionally, the submittal and approval of a PRO Agreement and

concept plan provides assurances to the City of the manner in which the property will be developed.

The landscape review letter recommends approval. It is noted that the applicant submitted previous iterations of the concept plan showing additional landscaping in the open space area on the northeast portion of the plan. The applicant has agreed to include the same amount of landscaping in this area as shown on previous submittals.

The traffic review letter includes information on the amount of new trips expected to be generated by the proposed development and notes items to be addressed on the Preliminary Site Plan. No additional traffic impact studies are required because of the limited number of trips expected to be generated. See the attached traffic memo dated March 16, 2012 for information regarding an access point on Beck Road and/or Ten Mile Road.

The façade review letter was recently updated to consider the new elevations and floor plans submitted by the applicant at a meeting with staff on March 16, 2012. The applicant should still submit scaled elevations and floor plans so that material percentages and square footages can be verified.

The engineering review letter notes there will be a negligible impact on public utilities and both the engineering and fire review letters note items to be addressed on the Preliminary Site Plan submittal.

#### **City Council Action**

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

#### **RECOMMENDED ACTION:**

Tentative indication that Council may approve the request of Beck Ten Land, LLC ZCM12-02 with Zoning Map Amendment 18.701 to rezone the subject property from R-1 (One-Family Residential) to R-3 (One-Family Residential) with a Planned Rezoning Overlay Concept Plan and direction to the City Attorney to prepare a proposed PRO Agreement with the following ordinance deviations:

- a. Lack of a paved eyebrows;
- b. Location of proposed sidewalks in relation to the edge of the right-of-way; and
- c. Skewed intersection of Warrington Drive and Graham Lane;

*And subject to the following conditions:*

- a. Applicant providing scaled elevations and floor plans to confirm housing style and size, a noted public benefit; and
- b. Compliance with all conditions listed in the staff and consultant review letters;

For the following reasons:

- a. The proposed development meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments;
- b. The proposed density of 1.77 units per acre closely matches the master planned density of 1.65 units per acre; and
- c. The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns."

	1	2	Y	N
<b>Mayor Gatt</b>				
<b>Mayor Pro Tem Staudt</b>				
<b>Council Member Casey</b>				
<b>Council Member Fischer</b>				

	1	2	Y	N
<b>Council Member Margolis</b>				
<b>Council Member Mutch</b>				
<b>Council Member Wrobel</b>				

**LETTER FROM PINNACLE HOMES  
MARCH 22, 2012**



March 22, 2012

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

Sent via email: [bmcbeth@cityofnovi.org](mailto:bmcbeth@cityofnovi.org)

RE: The Estates at Greenwood Oak

Dear Ms. McBeth,

It has come to my attention that the City Council has heard from a number of neighbors that they would like a road connection to Beck road. The intent of this letter is to provide the City our opinion of the proposed project and resulting recommendations that have been made over the past seven (7) months from our collective professional engineers and planning consultants.

We first had a pre-planning meeting in August of 2011. At that meeting we had discussed developing a quality single family residential community on the corner of 10 mile and Beck road. Over the next seven months we worked with the staff to explore 1) straight rezoning, 2) Cluster option, and the Planned Residential Option (PRO). After multiple submittals, it was determined that the PRO would provide that best alternative for the city, the neighbors and for the eventual new homeowners.

The challenge for this parcel was to create a quality residential development on a parcel that had significant commercial characteristics. Specifically, there is approximately 2000 lineal feet of frontage on main arterial roads. Our approach was to develop a site plan that shielded the homes from the road and created an enclave that did not feel as though it were at a large intersection. By doing so we would be able to market homes that are of equal quality, if not better, than the adjacent neighborhood.

We were able to achieve this through three main approaches. First, we set the lots back from the roads. We did this by providing an open space buffer with a minimum of 50 feet from the right-of-way and lot depths exceeding standard lot sizes (170'). Secondly, we proposed visual shielding through the use of berms, landscaping and hardscaping (walls and fences). And lastly, for traffic and noise calming, we used the existing stub roads from the neighboring subdivisions. All three of these were necessary

in order to create the appropriate environment to market quality homes the city and the neighbors would want and require.

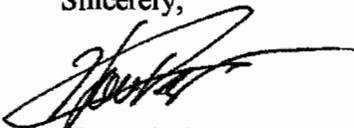
We truly believe that working over a long period of time with the Novi Staff and their consultants, that we have developed an excellent proposed project plan. It is imperative however, that in order to keep the feeling of an enclave we must preserve all three of the characteristics stated above. If we changed the connection points, we believe that we will completely change the feel of the development and will not be able to market the luxury homes that the City and the neighbors desire.

Adding a connection to Beck road for example, brings Beck road into the development. It breaks up the visual shielding which also provides noise reduction for the development. A connection would provide the opportunity for cut-through traffic especially during peak traffic hours. As the city's traffic consultant stated (in his March 16<sup>th</sup> letter), a connection to the Beck Road thoroughfare would be inconsistent with good access management. Perhaps most importantly, it changes the nature and feel of the development which is necessary to make this corner parcel a quality residential development.

I do not believe I stand alone when saying that we have collectively created an excellent residential site plan on this parcel. As you are aware, the city staff with the support of the consultants recommended approval to the Planning Commission for this plan. The Planning Commission having vocal opposition from a number of neighbors voted unanimously to approve the plan. We believe the current plan should be considered as a whole, and if a major point is changed, a quality residential concept will be significantly jeopardized.

Please let me know if I can provide any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Howard Fingerroot', written over a horizontal line.

Howard Fingerroot, Managing Partner

Xc: Clay Pearson, City Manager

**MAPS**  
**Location**  
**Zoning**  
**Future Land Use**  
**Natural Features**

# Rezoning 18.701 ZCM12-02

Location



Map Author: Kristen Kapelanski  
Date: 02/14/12  
Project: Rezoning 18.701  
Version #: 1.0

### Map Legend

 Subject Property

#### MAP INTERPRETATION NOTICE

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



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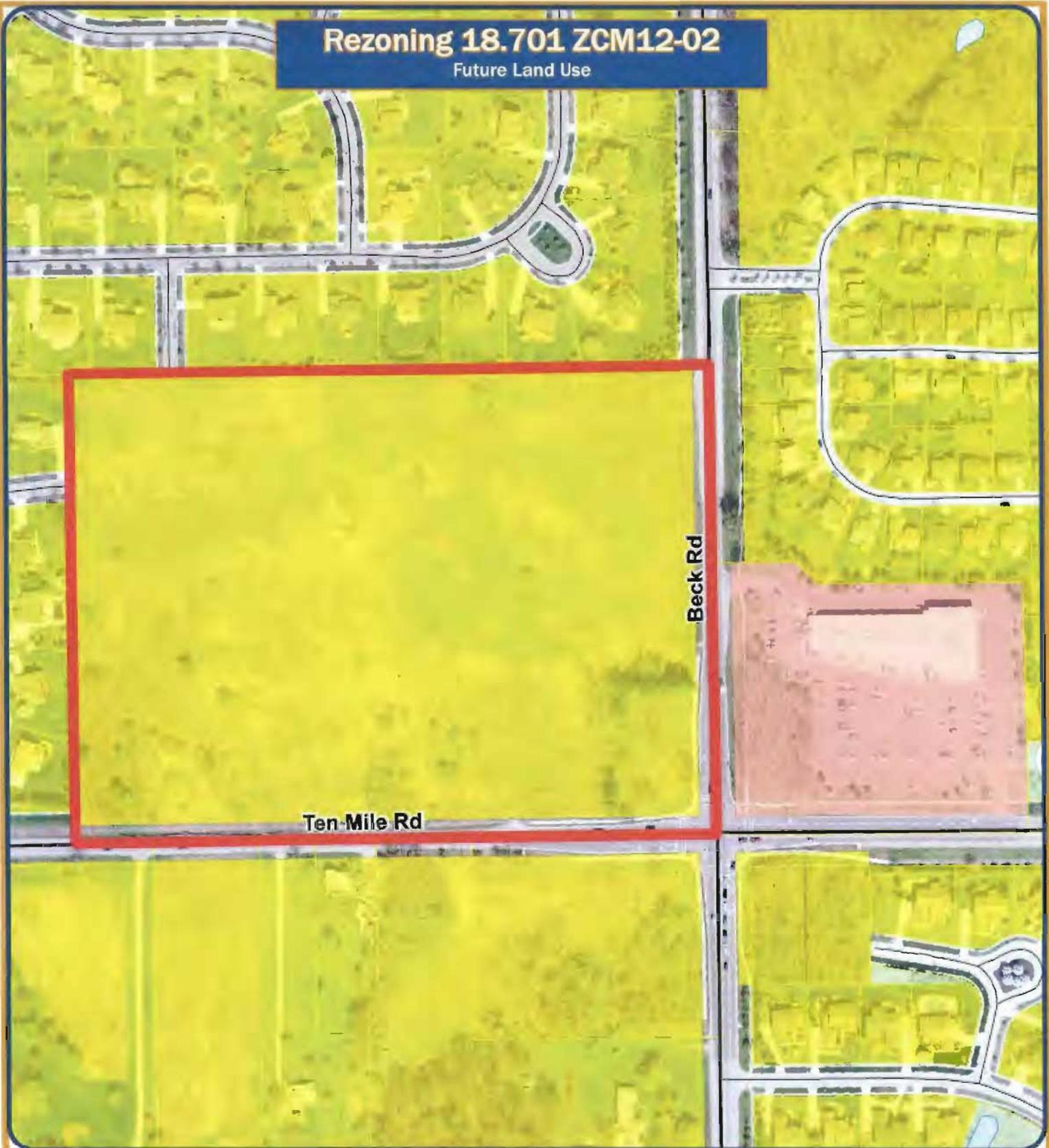
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City Hall / Civic Center  
45175 W Ten Mile Rd  
Novi, MI 48375  
cityofnovi.org



1 inch = 246 feet

# Rezoning 18.701 ZCM12-02

Future Land Use



Map Author: Kristen Kapelanski  
Date: 02/14/12  
Project: Rezoning 18.701  
Version #: 1.0

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#### Map Legend

- Subject Property
- Single Family
- Local Commercial
- Private Park



### City of Novi

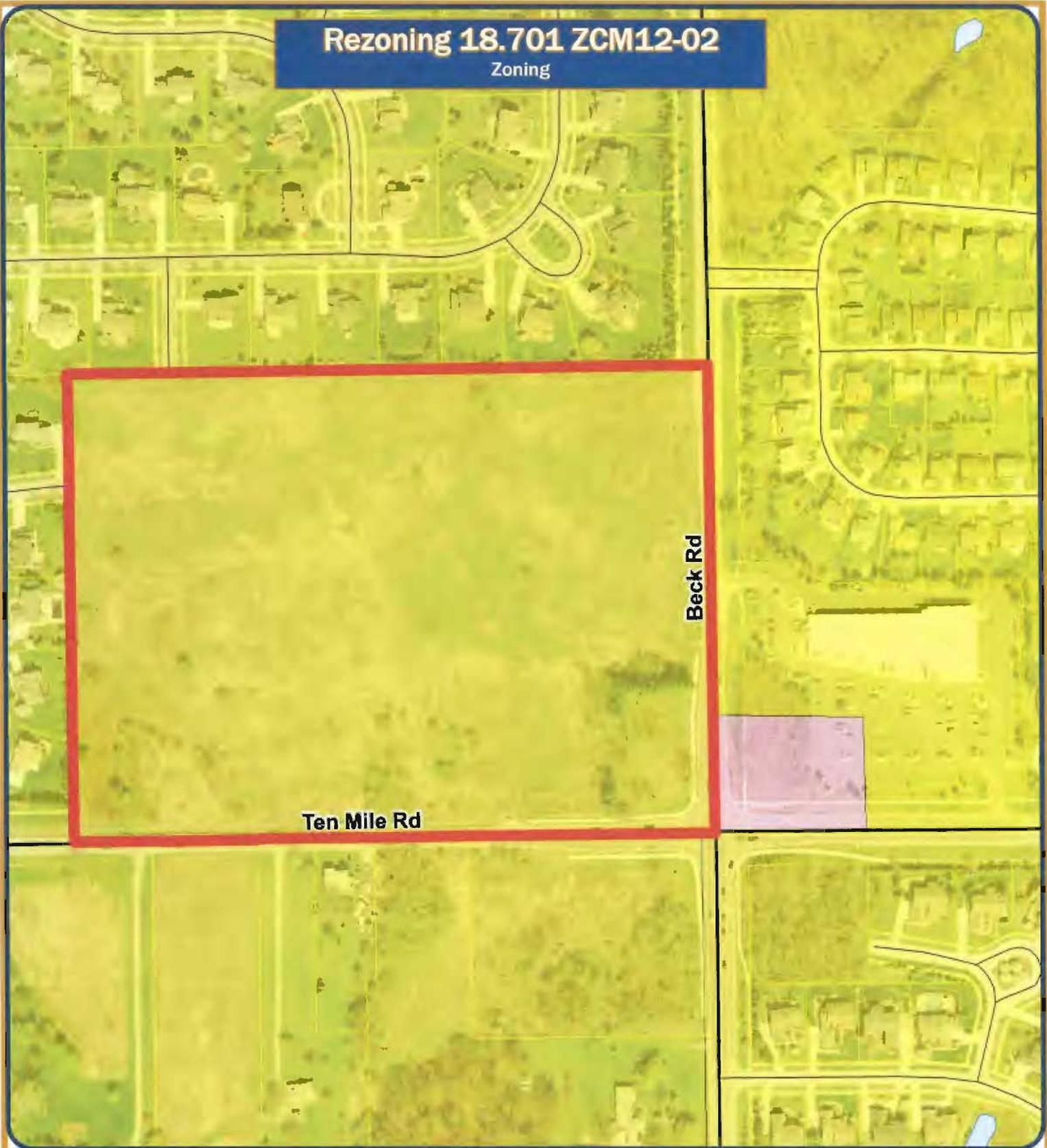
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1 inch = 248 feet

# Rezoning 18.701 ZCM12-02

Zoning



Map Author: Kristen Kapelanski  
Date: 02/14/12  
Project: Rezoning 18.701  
Version #: 1.0

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#### Map Legend

-  Subject Property
-  R-1: One-Family Residential District
-  R-4: One-Family Residential District
-  B-1: Local Business District



## City of Novi

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45175 W Ten Mile Rd  
Novi, MI 48375  
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1 inch = 246 feet

# Rezoning 18.701 ZCM12-02

Natural Features



Map Author: Kristen Kapelanski  
Date: 02/14/12  
Project: Rezoning 18.701  
Version #: 1.0

### Map Legend

-  Subject Property
-  Wetlands
-  Woodlands

#### MAP INTERPRETATION NOTICE

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## City of Novi

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



1 inch = 248 feet

**SITE PLAN**



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

Title:  
 Site Plan

Project:  
 The Estates at  
 Greenwood Oaks  
 Novi, Michigan

Prepared for:  
 Beck Top Link LLC  
 28500 Courtland Lane Road, Suite 200  
 Farmington Hills, MI 48334

Revision: \_\_\_\_\_ Issued: \_\_\_\_\_  
 Submission: \_\_\_\_\_ Date: December 22, 2011

Job Number:  
 11-020

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

- 4' Berm
- Existing White Pines
- Existing Deciduous Trees
- Masonry Piers and Walls
- New Walk
- See Sheet L-2 for Enlargement
- Benches
- Landmark Tree
- Shrub and Perennial Bed
- Public Art Display Area
- Center Landscaping to be Designed When Art is Determined

Retention Plantings will be Developed when Pond is Designed

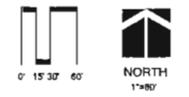
Walkway with Masonry Piers



**Site Summary**

Gross Site Area	2424 Acres
Less R.O.W.	278 Ac. -
Net Site Area	2146 Acres
Proposed Lots	
Lot Size	14,400 sq. ft. (90 x 160')
Lots Shown	38 Lots
Density Shown	1.77 Lots per Acre

Masonry Piers and Walls



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



**RESPONSES TO ADDITIONAL  
QUESTIONS AND COMMENTS FROM  
THE PUBLIC AND MEMBERS OF THE  
CITY COUNCIL**

**MEMORANDUM**

3/18/12  
To: Mayor and City Council members  
Our Community Development team prepared these answers to several questions that have cropped up with the forthcoming PRO consideration for vacant property at Ten Mile Road and Beck Road. Clay



**TO:** CLAY PEARSON, CITY MANAGER  
**FROM:** BARBARA MCBETH, AICP, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT  
**FROM:** KRISTEN KAPELANSKI, AICP, PLANNER  
**SUBJECT:** REZONING 18.701 WITH PLANNED REZONING OVERLAY  
**DATE:** MARCH 16, 2012

The Community Development Department received a request for a Zoning Map amendment for a vacant 24.24-acre property on the northwest corner of Ten Mile Road and Beck Road (Section 20) from R-1 (One-Family Residential, 1.65 dwelling units per net acre) to R-3 (One-Family Residential, 2.7 dwelling units per net acre) utilizing the City's Planned Rezoning Overlay (PRO) option. The subject property has long been a topic of interest for development as the properties around it have developed. The current PRO request is the first we recall in recent history for exclusively residential usage.

Attached is an email that was sent to all Council members last week answering a number of questions received after the off-week packet memo was sent on March 1. Staff has since received additional questions from both the City Council and residents. Please see the information below for a synopsis of the new questions received and responses to each.

**1. What is the history of master plan designations for the property?**

The northwest corner of Beck Road and Ten Mile Road has consistently been recommended for residential uses in the Master Plan since at least 1980:

1980 - 0.8 units/acre	2004 - 1.65 units/acre
1988 - 0.8 units/acre	2008 - 1.65 units/acre
1993 - 1.65 units/acre	2010 - 1.65 units/acre
1999 - 1.65 units/acre	

As a reminder, the noted theoretical maximum master plan density is not the same as the Zoning Ordinance regulatory standards that provided for minimum lot size, frontage requirements and house sizes. Frequently, the master plan density is not able to be achieved on a proposed site plan due to parcel configuration, natural features, frontage requirements, and other Zoning Ordinance standards. The Zoning Ordinance contains residential development options (in addition to a traditionally platted subdivision or site condominium) which allow for flexibility from ordinance standards in many cases, such as from the minimum lot size, frontage on a street and building setbacks, thereby allowing a site plan to be closer to the maximum density provided in the master plan.

There was an extensive review of the land uses in the "Southwest Quadrant" of the City in the Master Plan for Land Use Review prepared in February 2008, which included the northwest corner of Ten Mile Road and Beck Road. The recommended land uses in the quadrant remained residential on the 2008 Future Land Use Map at a maximum density of 1.65 units/acre.

One stated goal of the 2008 Master Plan is to continue to protect the character of the Southwest Quadrant of the City as this area is home to the majority of vacant land in Novi. One objective stated in the Plan is to provide legally defensible development options through Novi's Code of Ordinances that maintain the semi-rural character of the southwestern portion of the City, and to seek out additional development options that would optimize development without destroying natural features.

Another goal of the 2008 Plan is to review the residential Zoning Ordinance development options to permit greater flexibility for development of challenging properties (city staff prepared these ordinance amendments which were subsequently adopted by the City Council). The Plan further recommended maintaining the existing low density residential development and natural features preservation patterns of the Southwest Quadrant, with one strategy to continue to encourage the use of residential development options to further the preservation of open space and natural features within the southwest quadrant of the City. This parcel is at the corner of two busy thoroughfares, and was one of the parcels specifically considered to be affected by the 2008 Plan and intended to benefit from the flexibility of development options.

**2. What are the benefits and detriments of including an access point on Ten Mile Road and/or Beck Road and is it feasible to include an access point onto either street?**

Per the attached memo from the City's traffic consultant, Birchler Arroyo, it does not appear that another arterial connection is needed or is desirable. If one were provided, a Beck Road access point would be more effective than the Ten Mile Road access point in reducing impacts on the existing subdivision streets, but also more costly to implement.

Advantages to providing a new road from Beck Road (in addition to connections through the adjacent subdivisions) would be that there would be no new traffic expected on Cider Mill and Greenwich, and a potential reduction in new traffic on Lynwood and Warrington by 71% (down to 9 vehicles from 31 under the existing plan because residents in the existing subdivisions would use the new access point through the proposed developed instead of the existing access points for Greenwood Oaks). Some disadvantages to providing this new road connection to Beck Road would be that it would create a high number of entering left turns, requiring the widening of Beck Road; some existing traffic would cut through the subdivision; it could create an entering left-turn interlock

relative to the existing shopping center drive; and it is generally inconsistent with good access management.

Access management is the systematic design and control of land access along arterial and collector roads, aimed at reducing driveway-related conflicts, crashes, and congestion while maintaining safe and reasonable access to adjoining properties. Two of the more common forms of good access management (both of which are reflected in City standards) are to (1) maximize the spacing of same-side driveways and intersections, to provide through drivers more time to react to entering and exiting vehicles at consecutive access points, and (2) provide ample spacing between driveways on opposite sides of the road, to minimize conflicts in the two-way left-turn lane, especially important for opposing-direction entering left turns which would "interlock"; e.g., left turns into the potential Warrington extension relative to left turns into the shopping center.

Previous communication from staff indicated an access point on Beck Road would not meet the driveway spacing standards. However, a more thorough review indicated proper driveway spacing on Beck Road could be achieved.

Please see the attached memo for additional information and a thorough analysis of the advantages and disadvantages of providing no access point or providing an access point on either Beck Road or Ten Mile Road. An access point on Beck Road would result in the loss of open space on the northeast corner of the site and an access point on Ten Mile Road would bisect the proposed retention area and would likely not be possible given the fact the topography of the site generally dictates the location of the retention area.

### **3. How many lots could be developed under the existing R-1 zoning standards?**

Theoretical density is the number of lots that could be permitted under the density requirements in the Zoning Ordinance based on the net area of the property. The actual density that can be achieved is the number of lots that could be permitted under the density requirements while still meeting the frontage and lot area requirements for a particular district. The R-1 district would allow up to 35 lots on the property, with a minimum lot frontage of 120 feet, and a minimum lot size of 21,780 square feet. As stated above, it is often difficult to achieve the maximum allotted density due to site constraints.

In this case, the applicant has not prepared a parallel or bona fide plan showing the potential development under the existing R-1 density (the Zoning Ordinance does not require submittal of such a plan with this type of submittal). However, using the road layout provided by the applicant for the proposed PRO, staff was able to estimate that perhaps 25 single-family lots that meet the Zoning Ordinance standards for the R-1 District could be constructed on the property as it is currently zoned. In Planning staff's sketch of one potential plan under the R-1 zoning, the open space currently proposed at the northeast corner of the property would be eliminated. It is likely that if the property were to develop under R-1 zoning, a different road layout would be proposed to maximize the

number of lots available for construction. With an altered road layout, there is the potential to fit a few additional lots (beyond the 25 lots determined by staff) but no more than 35 lots as permitted in the R-1 district.

The applicant has not provided a plan showing development under the R-1 zoning as that is not a requirement of the PRO ordinance. The applicant's original submittal states that the subject property has no natural means of stormwater discharge, and that a significant portion of the property would be utilized by an on-site retention basin. The applicant has stated that the need for a retention basin will limit the portion of the property that will be developable regardless of the property's zoning.

**4. Did previous iterations of the plan show more landscaping than what is currently proposed?**

Previous submittals did show additional landscaping in the open space area provided on the northeast corner of the site. Although it is not required, staff would recommend the applicant alter the current landscape plan to include the landscaping previously shown in that area of open space. The applicant has agreed to provide the same number of trees as what was previously shown but not necessarily in the same configuration. The remainder of the landscaping proposed on site is identical to or substantially similar to what was previously proposed.

**5. Has the traffic study been reviewed to confirm the number of trips expected to be generated is accurate?**

The traffic study provided by the applicant has been reviewed by the City's traffic consultant, Birchler Arroyo. There are no concerns from either City staff or consultants regarding the validity of the traffic study or the data provided therein. Please see the table below from the traffic review letter detailing the number of trips expected to be generated as a result of the proposed development. Per the Site Plan Manual, development according to any of the scenarios identified in the above table would not require a more detailed traffic study as none of the forecasted volumes of the new peak-hour, peak-direction trips equals or exceeds 75. Given the minimal number of trips projected, the proposed development is not expected to have a detrimental impact on the intersection of Ten Mile Road and Beck Road.

**Table I. Trip Generation Comparison**

Zoning	No. of Homes	Weekday Trips	AM Peak-Hour Trips			PM Peak-Hour Trips		
			In	Out	Total	In	Out	Total
<b>Development per Maximum Densities Permitted by Zoning Ordinance</b>								
R-1	35	396	9	25	34	26	15	41
R-3	58	630	13	37	50	40	24	64
<b>Development Portrayed in Applicant's "Illustrative Concept" Plan</b>								
R-3	38	427	9	27	36	28	16	44

6. **If access to the proposed development is only through the existing subdivision, can a portion of the future homeowner's association fees for the development at Ten and Beck be allocated to the Greenwood Oak's homeowner's association to maintain the existing entrances?**

The applicant has not offered to arrange for the future homeowner's association to contribute towards any existing homeowner's associations in the adjacent subdivisions. The applicant has indicated they would not be opposed to merging the new Homeowner's Association with the existing Greenwood Oaks Homeowner's Association. This would need to be done through a private agreement between subdivision associations. Generally, the City does not comment on Homeowner's Association fees as a part of rezoning requests or site plan review requests.

7. **Is the developer willing to change the proposed name of "The Estates at Greenwood Oaks" to remove all references to Greenwood Oaks so as not to cause confusion between the two separate developments?**

City staff has passed this concern along to the applicant and the applicant has agreed to propose an alternate name. Names proposed by the applicant must be approved by the City to confirm they will not cause confusion for emergency response personnel.

8. **Could the proposed lot layout be shifted towards the existing roadways, eliminating the 50 foot buffer along the roads and instead providing that buffer between the proposed development and the existing homes at Warrington Manor and Greenwood Oaks?**

A minimum of a 40 foot landscape buffer is required along the frontages of Beck Road and Ten Mile Road. Since the applicant has proposed a 50 foot buffer (as a listed public benefit), the lots could only be shifted 10 feet to the north and to the west per the requirements of Section 2509 of the Zoning Ordinance. Deviations from the Zoning Ordinance are permitted to be included in the PRO Agreement. However, staff would not recommend a deviation from the Zoning Ordinance requirements in this case since the landscape buffer provides separation, landscape treatments to beautify the major road frontages and privacy of the homes backing up to major thoroughfares.

9. **Will there be a dedicated construction entrance?**

A temporary access drive located off of Beck Road or Ten Mile Road would be required for construction access. The applicant is required to show this construction access drive on the site plan for review by City staff. Construction traffic would be prohibited on all existing subdivision streets.

**10. Can any assurances be given that the proposed open space will be well kept by the future homeowner's association?**

The Landscape Ordinance already includes provisions for property owners to maintain landscaped areas. Section 2509.6.a states "Maintenance of required plantings by the owner shall be carried out so as to present a healthy, neat and orderly appearance, free from refuse and debris." The City can issue a violation if the landscaping is not maintained per the approved plan. These are the same rules for all existing subdivisions.

Additionally, Section 21-19 of the City Code requires the owner or any person (or association) having control of land to keep lawn areas below 8 inches in height.

It has been the experience of the Code Enforcement Division that residential developments generally maintain their open space areas and entrances.

**11. Does the PRO ensure the developer cannot construct something different from the proposed concept plan?**

The PRO provides more control and certainty than other development options. As part of the PRO, the underlying zoning is proposed to be changed (in this case from R-1 to R-3) 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 submitted site plan must match what is shown on the approved concept plan and as identified in the PRO agreement. If the site plan is substantially different, the applicant will need to return to the City Council for approval of a revised concept plan prior to proceeding with the site plan approval process. 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.

**12. How is the proposed development "...consistent with and comparable to surrounding developments..." as stated in the Planning Commission's recommendation for approval?**

Single-family residential properties in the southwest quadrant of the City are generally planned for densities of 0.8 units/acre (consistent with the RA District) or 1.65 units/acre (consistent with the R-1 District). The subdivisions adjacent to the proposed development were both developed at 1.65 units/acre. The density of the proposed development (1.77 units/acre) is closest to the permitted R-1 density. Maximum permitted density under the R-1 District would equal 35 lots, while maximum permitted density under the R-2 District (the next district "up" in terms of density permitted) would be 42 lots. The applicant is proposing 38 lots, which is closer to the number of lots permitted under R-1 zoning than the number permitted under R-2 zoning.

Additionally, the renderings provided show houses comparable in terms of both size and materials to houses within the adjacent subdivisions and the southwest quadrant as a whole.

**13. Can unpaid property taxes factor into land use decisions?**

The amount of and status of property taxes are not part of land use decisions. All property owners have a right to petition the City for a rezoning regardless of the status of the property taxes.

**14. What are the regulations for rezoning signs advertising a change in zoning?**

The Site Plan Manual requires applicants to install a rezoning sign on a property at least 15 days prior to the public hearing. Corner lots must have two rezoning signs, one on each frontage. Rezoning signs must be removed within 7 days of enactment or denial of the rezoning request by the City Council or 7 days of withdrawal of the rezoning application. A rezoning application is considered withdrawn if the applicant delays the request beyond four City Council meetings.

These provisions regulating the time a rezoning sign must be up and when it must be taken down were recently revised as part of the Site Manual update completed in 2011. Previous rezoning requests were under the provisions of the old Site Plan Manual, which did not include requirements for when a rezoning sign had to be removed if no City Council action was taken.

**15. If the property is not developed, can the City install sidewalks along the Beck Road and Ten Mile Road frontages?**

The two missing sidewalk segments are the proposed 935 feet of 6-foot wide sidewalk on the north side of Ten Mile Road from Beck Road to the Greenwood Oaks subdivision (segment No. 54) and the proposed 470 feet of 8-foot wide pathway on the west side of Beck Road between Ten Mile Road and the Greenwood Oaks subdivision (segment No. 55). These segments have received a shared ranking of 14 in the City's Pathway and Sidewalk Prioritization Analysis and Process list. The City's Capital Improvement Plan has both segments tentatively scheduled for construction in the fiscal year 2016-2017.

These sidewalk segments could be built sooner by a private developer. The proposed PRO concept plan shows these sidewalk segments will be constructed as part of the proposed development.

**16. Has the applicant provided the additional information requested by the City's façade consultant?**

The City's façade consultant noted the applicant would have a difficult time meeting the requirements of Section 303 of the Zoning Ordinance, the "Similar/Dissimilar Ordinance," which requires houses near one another to be similar to those immediately surrounding it but not exactly the same. Because of the limited number of elevations submitted by the applicant thus far, there was very little room for variation. The applicant has now submitted five floor plans, with three to five elevations provided for each floor plan (attached) that will be substantially similar to the models that will be offered in the proposed development. Staff recommends these elevations and floor plans be attached to any proposed PRO Agreement. The applicant has indicated all homes will be brick on the first floor on all four sides.

Residents also expressed concerns regarding housing styles and sizes, access points on Beck Road and/or Ten Mile Road and the influence of smaller lot sizes on the value of properties in the adjacent subdivisions. These issues are addressed as part of the original email sent to City Council (attached) or as part of the follow-up memo (attached) provided by the City's traffic consultant, Birchler Arroyo.

This matter will be scheduled for an upcoming City Council meeting. Please contact the Community Development Department's Planning Division at 248-347-0475 with any additional questions or concerns.

## Kapelanski, Kristen

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**Subject:** FW: FW: Questions related to the Beck and Ten Rezoning

**From:** Pearson, Clay

**Sent:** Monday, March 05, 2012 4:37:29 PM (UTC-05:00) Eastern Time (US & Canada)

**To:** Council Members

**Cc:** Cardenas, Victor; Cornelius, Maryanne; Schultz, Thomas; McBeth, Barb; Hayes, Rob; Boulard, Charles

**Subject:** Questions related to the Beck and Ten Rezoning

Good afternoon,

Staff received some follow-up additional City Council questions from the March 1 memorandum regarding the forthcoming (March 26 planned) consideration for PRO Rezoning at northwest corner of Ten Mile Road and Beck Road. That PRO seeks to bring new construction for an all-residential (previous development attempts on this corner had retail component) investment with 38 lots. The applicant developer is Beck/Ten Land, LLC (Howard Fingerroot, Pinnacle Homes). Following the public hearing, there was a positive recommendation from the Planning Commission and there is a positive staff recommendation.

Clay

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1. Has the applicant provided a bonafide plan for this property showing how many units could be developed under R-1 zoning standards?

The applicant has not provided a plan showing development under the R-1 zoning as that is *not* a requirement of the PRO ordinance. *Theoretically*, 35 lots could be built on the subject property but it is likely less than 35 could be constructed when Zoning Ordinance standards for lot size, etc. are taken into account. The applicant's original submittal states that the subject property has no natural means of stormwater discharge, and that a significant portion of the property would be utilized by an on-site retention basin. The applicant has stated that the need for a retention basin will limit the portion of the property that will be developable regardless of the property's zoning.

2. What other development options are available to the applicant under the R-1 zoning district?

The applicant has the option to pursue other residential development options offered by the City within the Zoning Ordinance, with the most applicable in this case being the Residential Unit Development (RUD) option. The RUD option would allow development under the existing R-1 zoning of 1.65 dwelling units per gross acre, or 39 single-family lots on 24.24 gross acres. At 24.24 gross acres, the parcel just exceeds the minimum 20-acre requirement to qualify for the RUD option. Furthermore, the reduction in lot area and lot width from the minimum required in the current R-1 district, when a "genuine variety of lot sizes" is provided, is supported by the following:

- The minimum lot width and lot area proposed meets the R-3 Requirements.
- The plan is compatible with the existing and planned uses in the area since the overall gross site density does not exceed the maximum permitted;
- Over 4 acres of open space areas (18% of the site) are preserved;
- Generally, adequate walkways are provided; and
- The size of the development would not create a burden on public services.

The applicant considered pursuing the RUD option but ultimately decided their plan did not meet the intent of this residential option as the plan does not offer a wide variety of lot sizes and the parcel in general does not lend itself to preservation of 'rural character' considering the adjacent developments.

3. How does the landscaping proposed along the frontage differ from what is required under section 2509?

A minimum of a forty (40') landscape buffer is required along the frontages of Ten Mile and Beck Road. **The Applicant has proposed a fifty foot (50') buffer which would be considered an enhancement that they are providing over the ordinance requirements.** Decorative brick walls and pillars have been proposed at access points for internal walkways and intermittently along both main frontages which would be considered a landscape feature and be an enhancement over the requirements of the Ordinance.

The proposed four foot berm along Ten Mile Road and Beck Road meets ordinance requirements. The Applicant has proposed a total of 277 Green Giant Arborvitae along the frontages of Ten Mile and Beck Road. These plantings are arranged in a single file row, closely placed along the edge of the sidewalk and right-of-way. When mature, these evergreen trees will provide a complete dense screen to a potential height of 50', effectively isolating the development from the roadways. The applicant may want to consider adding shrubs and perennials to create a variety of plantings to meet the requirement for visual interest as stated in the ordinance and/or to better integrate the development into the surrounding neighborhoods.

4. How is the housing styles proposed an enhancement over the minimum ordinance requirements?

See response to question 9.

5. Has any city department commented on the proposal to locate "City-owned art" on this site?

The Planning Division believes this is a benefit above and beyond the benefits associated with any typical development. The Parks Department was made aware of the proposal and they had no objections.

6. What length of a pathway connection can be constructed with \$9,000?

Between 50 and 100 feet of pathway could be constructed with the \$9,000 offered depending on the existing topography and excluding any costs for easement acquisition. Although the applicant did not call out a specific location for use of the funding, work toward the Ten Mile Road pathway and sidewalk system had been discussed as a benefit associated with the proposed PRO.

7. Where is the landmark tree located and how would it be impacted by the development if it was developed under the R-1 zoning district?

The landmark tree (a sugar maple) is located in the southeast corner of the site. The applicant will need to provide additional information on their Preliminary Site Plan regarding how the tree's critical root zone will be protected during construction. Impacts to the tree with development under R-1 zoning cannot be determined as it would depend on the site plan suggested by the applicant. The City would encourage any development on the site to preserve the tree but if the tree were removed with any development, a woodland permit and tree replacements would be required.

8. What single-family residential developments have not dedicated right-of-way as part of the development process?

Staff does not know of any recent single-family residential developments that have not voluntarily dedicated planned right-of-way. However, additional research would need to be done to determine if any older subdivisions elected not to dedicate right-of-way. It was indicated that dedication of ROW is not what happens with a typical development. The City cannot require property owners to dedicate right-of-way, so the proposed dedication of the right-of-way exceeds the minimum requirements of the ordinance and would be considered a minimal public benefit amongst the others offered.

9. The staff review indicated the including the housing style and size through the PRO confers a "noted public benefit". How do these constitute a public benefit?

**Housing Style:** Section 303.1.g.2 of the Ordinance requires that the type of materials used not be "grossly dissimilar" to those used in the surrounding area. The relative percentage of brick or stone is one measure of this. The average percentage of brick or stone on existing homes in Greenwood Oaks is approximately 65% on the front facades with brick extending to the second floor belt line on the side and rear facades. **The examples provided by the applicant appear to be 90% to 100% brick or stone on the front facades.** Examples of the side and rear facades were not provided. The proposed front facades include extensive use of upscale architectural features. These include full return Queen Ann cornices, stone window surrounds, decorative columns and balustrades, shutters, decorative brick coursing, brick quoins, decorative louvers and stone inserts. Of particular note is the continuous limestone sill-line used on several of the models. These architectural features represent an important aspect of the proposed quality of design and it is important that the type and extent of these features be maintained on the homes constructed. Assuming that all models will have brick extending to the second floor belt line on the side and rear facades (which the applicant has indicated will be the case), and that the extent and type of architectural features shown in the examples will be maintained on all models, the proposed materials and architectural features would be considered an "enhancement" over the minimum required by the Ordinance.

**Size:** Section 303.1.g.1 of the Ordinance requires that a proposed home's size be within 75% of the average square footage of homes within a 350 foot radius (measured lot line to lot line). The average square footage of homes in the adjacent Greenwood Oaks Subdivision was calculated to be approximately 2,950 square feet. Based on this the minimum square footage for the homes in the new PRO would need to be approximately 2,212 square foot (75% of 2,950). The exact figures may vary slightly depending on the particular lot's location. Approximately 40% of the lots in the PRO are located more than 350' from lots in Greenwood Oaks and would not be affected by this minimum square footage. **The applicant has stated that they "will agree to a minimum building size of 2,400 S.F, excluding the basement"** (the basement is always excluded). This proposed minimum square footage is approximately 8.5% greater than the required area. Therefore, the proposed minimum of 2,400 square foot would represent an "enhancement" compared to the minimum required by the Ordinance.

10. Are there any other subdivisions in Novi whose traffic is 100% routed through another subdivision or a subdivision without any direct access road when it was physically available.

There are at least three other subdivisions without access to a major thoroughfare that staff was able to identify with a quick review of aerial photos. Lenox Park (north of Thirteen Mile Road, west of M-5), Arden Glen (northeast of the intersection of Beck Road and Nine Mile Road) and Andover Pointe (southwest of the intersection of Ten Mile Road and Beck Road) all are subdivisions with access only provided through adjacent subs. However, none of these subdivisions are located on a major thoroughfare so access had to be through another subdivision. These subdivisions range in size from 25 homes to 94 homes.

11. After glancing at the traffic study I still was not able to determine if there was any safety/traffic concerns why a direct access road to 10 Mile or Beck or Both could not be included in the plan.

After looking at the plan and the ordinance, and as stated by the city's traffic consultant at the public hearing, staff notes that there would be no good place to locate an entrance on Beck Road, as any driveway along the Beck Road property frontage would not meet the driveway spacing standards of the ordinance due to the existing driveway location of the shopping center at the northeast corner of the intersection. While a driveway on Ten Mile Road might be feasible in terms of driveway spacing standards, constructing a new driveway on Ten Mile Road will lead to cut-through traffic into the Greenwood Oaks subdivision, and would present additional turning movements onto or from Ten Mile Road. (Drivers traveling east on Ten Mile Road could turn left into the proposed subdivision, make a right on Greenwich Drive in the Greenwood Oaks subdivision and a right on Cider Mill Boulevard to exit onto Beck Road and bypass the intersection of Beck Road and Ten Mile Road.)

While staff is not recommending a new road connection onto either RCOC's Ten Mile or Beck Road, even if a new road connection is proposed by the applicant, staff would say that the applicant provide a traffic queuing/stacking analysis to demonstrate whether traffic stopped at the intersection of Ten Mile and Beck Road could block any driveways proposed on either road frontage during peak traffic times.

**The matter is tentatively scheduled for the March 26<sup>th</sup> City Council meeting for review and discussion of the proposed tentative approval of the rezoning with PRO.**

**MEMO FROM BIRCHLER ARROYO  
ADDRESSING AN ACCESS POINT  
ON BECK ROAD OR TEN MILE ROAD**

# MEMORANDUM

DATE: March 16, 2012

TO: Barbara McBeth, AICP  
Deputy Director, Community Development  
City of Novi

FROM: Rodney L. Arroyo, AICP, Vice President  
William A. Stimpson, P.E., Director of Traffic Engineering

SUBJECT: Access for Residential Development on NW Corner of 10 Mile and Beck



BIRCHLER ARROYO  
ASSOCIATES, INC.

Per your request, we have evaluated vehicular access for the proposed 38-home development in the northwest quadrant of 10 Mile and Beck Roads. This memo documents our evaluation.

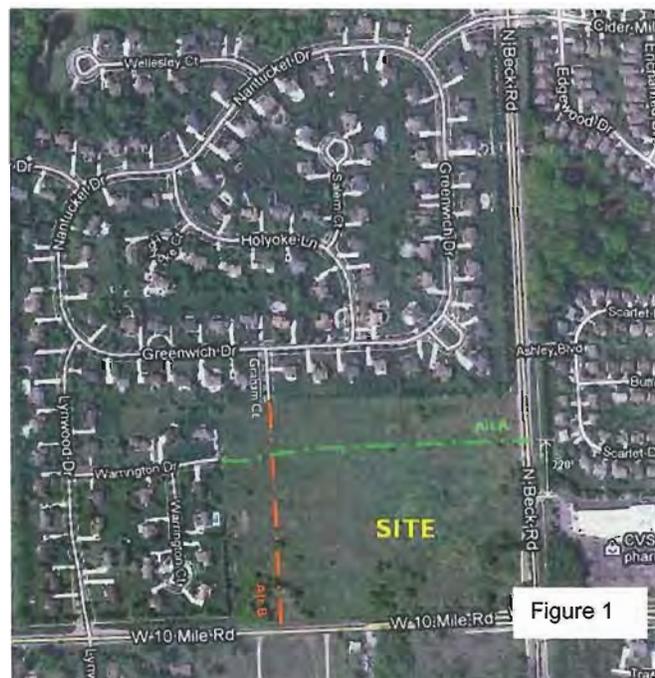
## Proposed Development Plan

The proposed PRO plan would provide all access via extensions of two existing stub streets: Warrington Drive from the west and Graham Court from the north (to be renamed Graham Lane). The applicant's rezoning traffic study (by Wilcox Professional Services, LLC and dated 9-15-11) forecasts that 38 single-family homes would generate some 427 one-way trips on an average weekday, 36 in the AM peak hour (9 in and 27 out) and 44 in the PM peak hour (28 in and 16 out); we previously checked this trip forecast and found it to be reasonable. Since the forecasted trip volumes do not meet warrants for a more comprehensive traffic study, the generated trips were not assigned to actual streets or points of access.

## Alternative Access Concepts

In addition to the existing plan without direct connections to 10 Mile or Beck, we have evaluated the two potentially feasible alternatives illustrated in Figure 1. Alternative A would extend Warrington directly east, along the south side of the northeast "Open Space," to an intersection with Beck that would be about 220 ft north of the driveway for Briar Pointe Plaza (center-to-center). Alternative B would extend Graham Lane directly south, through the middle of the southwest "Open Space," to an intersection with 10 Mile Road.

Our analysis focuses on the PM peak hour, since that is when the maximum entering left turns and opposing through traffic would occur, and potential improvements to the abutting roads may be most needed.



## Advantages and Disadvantages of Alternative Access Concepts

The following table summarizes the pros and cons of each access concept. Supporting analyses follow.

**Table 1. Three Access Concepts Compared**

Access Concept	Advantages	Disadvantages
Proposed Site Plan (no new connections to 10 Mile or Beck)	<ol style="list-style-type: none"> <li>1. New trips on Cider Mill, Greenwich, and Graham should not exceed 13 in busiest hour (8 in and 5 out, 30% of 5-6 p.m. trips).</li> <li>2. Balance of new trips, using Lynwood and Warrington, would pass fewer homes (16, versus 28 along northerly route).</li> <li>3. No traffic related to existing homes would cut through new development.</li> <li>4. No improvements to existing roads needed.</li> <li>5. Would result in fewer points of conflict on 10 Mile and Beck. Safer and more supportive of access management goals.</li> </ol>	<ol style="list-style-type: none"> <li>1. Potentially 31 new trips on Lynwood and Warrington in the busiest hour (20 in and 11 out, 70% of 5-6 p.m. trips).</li> <li>2. More indirect driving route for residents desiring to drive to and from nearby shopping center.</li> </ol>
Alternative A (Warrington extension to Beck)	<ol style="list-style-type: none"> <li>1. No new traffic on Cider Mill and Greenwich.</li> <li>2. Potentially reduces new traffic on Lynwood and existing Warrington by 71% (down to 9 vehicles from 31 under Existing Plan).</li> </ol>	<ol style="list-style-type: none"> <li>1. Would create the highest number of entering left turns, requiring the widening of Beck Rd.</li> <li>2. Some existing traffic would cut through.</li> <li>3. Creates new internal tee intersection.</li> <li>4. Could create entering left-turn interlock relative to shopping center (220' spacing), but meets minimum separation required by ordinance (200').</li> <li>5. Inconsistent with good access management.</li> </ol>
Alternative B (Graham extension to 10 Mile)	<ol style="list-style-type: none"> <li>1. Avoids new traffic on Lynwood / Warrington.</li> <li>2. No significant improvements to 10 Mile required.</li> </ol>	<ol style="list-style-type: none"> <li>1. No reduction in new trips on Cider Mill.</li> <li>2. Would require a fill through middle of open space, reducing desirable uses of that space.</li> <li>3. Some existing traffic would cut through.</li> <li>4. Creates new internal tee intersection.</li> </ol>

It does not appear that another arterial connection is needed or desirable. If provided, Alternative A (Beck access) would be more effective than Alternative B in reducing the minimal impacts on existing streets, but also more costly to implement.

### Supporting Analyses

**Trip Distribution** – According to a traffic study for a prior development proposal on this site, the PM peak hour on a weekday occurs between 5:00 and 6:00 p.m. Based on the 2008 volumes approaching the site that hour, the prevailing traffic patterns suggest that 29% of returning site trips would approach from the south, 27% would approach from the north, 23% would approach from the east, and 21% would approach

from the west. Departing site trips would reciprocate, returning to those directions by the same respective percentages. Assuming the most direct paths into and out of the site, the expected assignments of site-generated traffic would be as summarized in Table 2 (below).

The assumed directionality of site traffic would result in the Proposed Site Plan producing a maximum of 31 new trips using any one route through the existing subdivision – in this case, Lynwood and Warrington, adjacent to 16 existing homes – which would constitute 70% of all new PM peak-hour trips. The other 13 trips would use Cider Mill, Greenwich, and Graham, adjacent to 28 existing homes.

**Table 2. Assignments of PM Peak-Hour Site Trips under Alternative Access Concepts**

Access Concept	Streets Used (# Existing Homes Passed)	Entering Trips			Exiting Trips			Total Trips
		Left	Right	Total	Left	Right	Total	
Proposed Site Plan	Cider Mill, Greenwich, & Graham (28)	0	8	8	5	0	5 <sup>1</sup>	13
	Lynwood & Warrington (16)	6	14	20	8	3	11	31
	All	6	22	28	13	3	16	44
Alternative A	Cider Mill, Greenwich, & Graham (28)	0	0	0	0	0	0	0
	Lynwood & Warrington (16)	6	0	6	0	3	3	9
	Warrington from/to Beck (0)	14	8	22	5	8	13	35
	All	20	8	28	5	11	16	44
Alternative B	Cider Mill, Greenwich, & Graham (28)	0	8	8	5	0	5 <sup>1</sup>	13
	Lynwood & Warrington (16)	0	0	0	0	0	0	0
	Graham from/to 10 Mile (0)	6	14	20	8	3	11	31
	All	6	22	28	13	3	16	44

<sup>1</sup> Would constitute an 11% increase relative to the 45 eastbound vehicles counted, 5-6 p.m., in the May 2007 traffic signal warrant study.

Alternative A would produce a maximum of 9 new trips using any one route through the existing subdivision – again, Lynwood and Warrington – which would constitute 20% of all new PM peak-hour trips.

Alternative B would produce a maximum of 13 new trips using any one route through the existing subdivision – here, Cider Mill, Greenwich, and Graham – constituting 30% of all new PM peak-hour trips.

Delays and risks for *exiting left turns* would be roughly comparable between the three access plans. Such turns at unsignalized locations would be slightly greater in number for the Proposed Site Plan and Alternative B – 8, all onto 10 Mile – than for Alternative A – 5, all onto Beck. However, exposure to possible crashes would be more similar, since 10 Mile carries less traffic (about 16,000 vehicles per day) than does Beck (about 20,000 vehicles per day).

Greater differences would exist relative to the number of *entering left turns*. Alternative A would generate significantly more such turns – 20 versus 6 for the other two access plans – a factor to consider since

entering left turns typically impose a longer delay on motorists and put them at somewhat greater risk of an accident than entering right turns.

**Needed Improvements to Existing Roads** – Assuming that Beck now serves 20,000 vehicles per day adjacent to the site, a center left-turn or passing lane would be warranted if the peak-hour entering left-turn volume is 10 or more vehicles (per Figure IX.8 in the City's Design and Construction Standards). Hence, the forecasted 14 entering left turns into Alternative A's Warrington extension would warrant left-turn lane improvements.

Per Figure 2, Beck's existing center lane near the shopping center driveway would have to be extended approximately 100 ft further north (about 65 ft to reach the Warrington centerline, plus another 35 ft to satisfy DCS Figure IX.7). The taper north of the full-width center lane would occur all on the east side of the road; by accepted national standards, that taper should at least 270 ft long, as it now appears to be (for a 12-ft-wide offset tapered at a rate equal to half the speed limit, or 22.5:1).

Assuming that 10 Mile now serves about 16,000 vehicles per day adjacent to the site, a center left-turn or passing lane would be warranted if the peak-hour entering left-turn volume is 14 vehicles or more (per DCS Figure IX.8). Since Alternative B's Graham extension is forecasted to serve only 6 entering left turns, a passing lane would *not* be warranted (absent the diversion of 8 or more vehicles now turning left into Lynwood).

As noted above, it does not appear that another arterial connection is needed or desirable. If provided, Alternative A would be more effective than Alternative B in reducing the minimal impacts on existing streets, but also more costly to implement.



Figure 2. Beck Road North of Briar Pointe Plaza Driveway

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*Seville*

2,600 Square Feet



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248.363.0044



# Seville

2,600 Square Feet  
4 Bedroom ▲ 2-1/2 Bath  
2-Car Attached Garage

First Floor



Second Floor



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 **PINNACLE HOMES**  
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*Turnberry*

2,675 Square Feet



Birkdale Pointe

[www.PinnacleBuilt.com](http://www.PinnacleBuilt.com)

248.363.0044



5/11

# Turnberry

2,675 Square Feet  
4 Bedroom ▲ 2-1/2 Bath  
3-Car Attached Garage

First Floor



Second Floor



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BECKLO  
WITH SIDE ENTRY  
GARAGES



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*Springhaven*

2,860 Square Feet



Country Club Village

[www.PinnacleBuilt.com](http://www.PinnacleBuilt.com)

248.844.0004



# Springhaven

2,860 Square Feet  
4 Bedroom ▲ 2-1/2 Bath  
2-Car Attached Garage



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 **PINNACLE HOMES**  
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D



*Muirfield II*

3,050 Square Feet



Birkdale Pointe

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248.363.0044



5/11

# Muirfield II

3,050 Square Feet  
 4 Bedroom ▲ 2-1/2 Bath  
 3-Car Side Entry Garage



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Birkdale Pointe

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 **PINNACLE HOMES**  
*A Tradition of Luxury*



*Lorino II*

3,500 Square Feet



Kirkway Estates & Bella Terra

[www.PinnacleBuilt.com](http://www.PinnacleBuilt.com)

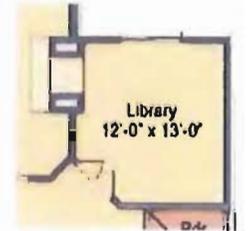
248.449.4000



# Lorino II

3,500 Square Feet  
 4 Bedroom ▲ 3-1/2 Bath  
 3-Car Attached Garage

First Floor



Optional Fireplace

Second Floor



Continuing a policy of constant research and improvement, Pinnacle Homes reserves the right to change price, plan or specifications without prior notice or obligation. The actual home and/or floor plan may vary from artist's representation. All measurements shown are approximate. Due to acceptable construction tolerances, room sizes may vary. This is not intended to be an exact depiction and is not intended to show specific detailing. Copyright © 2010 Pinnacle Homes. All rights reserved.



**PINNACLE HOMES**  
*A Tradition of Luxury*

**LETTER FROM NEARBY PROPERTY OWNER  
RECEIVED BY THE CITY CLERK'S OFFICE  
MARCH 22, 2012**

**We the property owners and taxpayers of Greenwood Oaks and Warrington Manor hereby petition the Novi City Council and strongly urge the Council Members to consider these modifications before acceptance of the residential rezoning proposal 18.701 ZCM 12-02**

**1. We insist upon two additional separate and permanent entrances, one each on 10 Mile Road and Beck Road.**

The only entrance to the proposed development is at the intersection of Warrington Drive and Graham Lane. In the event of a water main break, gas leak, or car accident at the intersection, there is no access to the other 38 homes in the neighborhood. In addition, each of these entrances would ease congestion, smooth ingress and egress, and keep our children safer with less traffic. In furtherance, we expect a separate, dedicated entrance for construction to be established before ground breaking.

**2. We insist that every house in the proposed development be a minimum of 2800 sq. ft.**

**3. To maintain some market distinction relative to housing sizes and values, we reject the proposed name of Estates at Greenwood Oaks and insist that the name Greenwood Oaks be omitted from any further proposed name of the development.**

Printed Name: Kim Hoag

Signature: Kim Hoag

Date: 3-19-12

Address: 24404 Salem Ct.

(Greenwood Oaks 1, 2, 3, 4, or Warrington): 3

**DRAFT PLANNING COMMISSION MINUTES  
FEBRUARY 22, 2012 - EXCERPT**



# PLANNING COMMISSION MINUTES

## Draft

CITY OF NOVI

Regular Meeting

**February 22, 2012 7:00 PM**

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

### CALL TO ORDER

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

### ROLL CALL

**Present:** Member Anthony, Member Baratta, Member Greco, Member Gutman, Chair Pehrson, Member Prince

**Absent:** Member Lynch (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Tom Schultz, City Attorney; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Brian Coburn, Engineer; Adam Wayne, Engineer; Rod Arroyo, Traffic Consultant

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Baratta:

### VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER BARATTA:

**Motion to approve the February 22, 2012 Planning Commission agenda. Motion carried 6-0.**

### AUDIENCE PARTICIPATION

No one from the audience wished to speak.

### CORRESPONDENCE

There was no correspondence.

### PUBLIC HEARINGS

#### 2. REZONING 18.701 ZCM 12-02

Public Hearing on the request of Beck Ten Land, LLC for Planning Commission's recommendation to the City Council for rezoning of property in Section 20, on the northwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. The subject property is approximately 24.24 acres.

Planner Kapelanski stated that the applicant is proposing the rezoning with PRO of an approximately 24.24 acre parcel located on the northwest corner of Beck Road and Ten Mile Road from R-1, One-Family Residential to R-3, One-Family Residential with a Planned Rezoning Overlay. To the north and west of the property are existing single-family homes. To the east, across Beck Road is an existing shopping center and to the south, across Ten Mile Road, are existing single-family homes and vacant land.

The subject property is currently zoned R-1. The site is bordered by R-1 zoning to the north and west with R-1 and B-1 zoning to the east across Beck Road and R-1 zoning to the south, across Ten Mile Road. The Future Land Use map indicates single family uses for the subject property and the majority of the surrounding properties. The natural features map does show a small area of regulated wetland near Ten Mile Road. Any regulated natural features will be addressed as part of the site plan review.

Planned Kapelanski noted the applicant is proposing 38 single-family lots. Planning staff has recommended approval of the proposed rezoning with PRO. Although the applicant has requested a rezoning to R-3, the concept plan only indicates 38 total lots, meaning the total density of the site is 1.77 units per acre, which is much closer to the planned R-1 density of 1.65 units per acre than it is to the permitted R-3 density of 2.7 units per acre. Additionally, the proposed plan is consistent with and comparable to the surrounding developments. A PRO requires the applicant propose a public benefit that is above and beyond the activities that would occur as a result of the normal development of the property. The applicant has proposed upgraded frontage landscaping along Beck Road and Ten Mile Road, a pocket park feature with a platform for City-owned art directly at the intersection and funding (not to exceed \$9,000) for additional sidewalk connections on Ten Mile Road. The applicant has included the required sidewalks along their property frontage on both Ten Mile Road and Beck Road. Additionally, the applicant has proposed housing style and size upgrades. Our façade consultant has reviewed the provided renderings and confirmed what has been proposed would be above the minimum requirements of the ordinance. However, the applicant will need to provide elevations and floor plans so that this can be confirmed. Ordinance deviations for the lack of paved eyebrows and the proposed skewed intersection have been requested by the applicant for inclusion in the PRO Agreement.

The Landscape Review noted the applicant has met the requirements of the ordinance and confirmed upgraded frontage landscaping has been proposed. The engineering, traffic and fire reviews noted items to be addressed on the Preliminary Site Plan submittal. The City's Traffic Consultant, Rod Arroyo of Birchler Arroyo is here this evening to address any questions regarding traffic.

Planner Kapelanski stated that just an additional note on the PRO, if this were to be approved by the City Council, the applicant would be held to this particular concept plan and if they would propose any changes, they would have to come back and go through the process again.

Howard Fingeroot with Beck Ten Land, LLC and Pinnacle Homes came forward to speak about the project and about its prior history. There was a prior applicant on this parcel for the last 6-10 years and he was proposing commercial. The property has about 2,000 feet of main frontage on Beck Road and Ten Mile Road. Mr. Fingeroot stated he approached the former applicant about 8 months ago and explained that he thought residential could work at this location.

Mr. Fingeroot explained that he worked with the prior applicant and the City to get a site plan submitted beginning in August. The road frontage makes this piece of land more difficult to develop as a residential property but by providing an adequate buffer and visual screening from the roads it will be a nice community. A 50 foot landscape buffer has been provided and included as part of the public benefit. The plan also includes brick walls, pillars and a variety of things to make the corner attractive and also provided visual screening to make residential possible for this corner.

Several options were contemplated for the subject property including a straight zoning, a PRO and even the RUD and cluster options. There were numerous submittals, meetings and discussions with the staff and after 6-8 months this plan is the plan that was developed. There is additional landscaping included on the plan as well as a pocket park at the intersection including an art platform for City-owned art as a nice public benefit when motorists pull up to the intersection.

Mr. Fingeroot indicated there are two stubs leading into this parcel right now and the new development would connect into both stubs. This will eliminate any cut through traffic because it goes right into the existing sub and help alleviate back-ups at Ten Mile and Beck as well as deter people from trying to cut through the sub.

Pathways are required as part of any development and will be provided along Ten Mile and Beck. In addition, west of the site is the ITC Corridor, which intersects with the Ten Mile Road pathways. As part of

the proposed public benefit \$9,000.00 has been offered to help complete the pathway along Ten Mile leading to the ITC corridor.

The plan proposes 90 foot lots with a density closer to the R-1 than to the R-3. There are side entrance garages and homes would range from 2,400 feet to 3,500 feet. Mr. Fingerroot anticipates the average house will be in the 3,000 – 3,100 sq. ft. range. Four sided brick on the first story will also be provided with the front being primarily brick with some accent materials added to make it more attractive.

Chair Pehrson asked if anyone in the audience wished to address the Planning Commission.

Dennis Ringvelski, 24359 Nantucket came forward and wanted to commend Mr. Fingerroot on his attempts to satisfy the local residents. Mr. Ringvelski has lived in Greenwood Oaks since 1992 and prior to that lived in Echo Valley. He is a 34 year resident and opposes the proposed project. He does want to see the northwest corners of Ten Mile and Beck developed as a subdivision. But although the proposed density of 1.77 units per acre is close to the 1.65 units per acre permitted under the R-1 zoning ( only a difference of 7%), all but 3 of the 13 lots that backup to Greenwood Oaks and Warrington Manor are about 14,400 sq. ft. and 21 out of the 38 lots are in the range of 14,400 sq. ft. and 14 more are in the 15,000 sq. ft. range. The average of all the lots in this proposed subdivision is only 14,712 sq. ft. and square footage often has an effect on how things look. If you look at the size of the lots in Greenwood Oaks and Warrington Manor and other accompanying subdivisions, there are no lots in either subdivision that are less than ½ acre which is 21,780 sq. ft. and many are larger. The homes in Greenwood Oaks that back up to this proposed subdivision are 21,780 sq. ft. The homes in Warrington that abut this proposed subdivision average 23,195 sq. ft. The density variance presented by the developer and the consultants was a mere 7% from the surrounding areas, but the lots are 33% smaller than the lots in the surrounding subdivisions. The figures presented are voodoo mathematics. Mr. Ringvelski has outlined other objections including concerns with the traffic situation and the lack of a separate entrance in a letter submitted to the Planning Commission.

Min Weng, 47577 Greenwich Drive came forward and his lot is connected to this property and he has lived there for the last 14 years. The lots proposed by this plan will be significantly smaller than Mr. Weng's lot. When the lot size is reduced, the homes will be worth significantly less than the homes in the Greenwood Oaks Sub. Additionally, the value of the houses in Greenwood Oaks that abut the new development will go down because they will now be adjacent to smaller lots. When this rezoning is approved, it will give a signal to all developers they can ignore the Master Plan and the loser will be the City of Novi.

Michael Boujoulian, 24282 Lynwood came forward and stated that he agrees with everything that has been said so far and with the comments in the Homeowners Association letter. The City has a Master Plan and I should follow the Master Plan and maintain the R-1 zoning and keep the 1.65 density. Mr. Boujoulian does have concerns with the traffic flow going through the neighborhoods and believes there will be more than the numbers in the traffic review letter show. Furthermore, how is a 3,000 sq. ft. home going to fit on a 90 ft. lot? The feel, the look and the character of the existing neighborhood should continue and this develop will only undermine the value of the existing neighborhoods.

Cathy Hapanowicz , 24254 Warrington Court came forward and explained how her lot backs up to the proposed subdivision. She has looked at the plans with an open mind hoping the developed would work with the existing residents. She did go into the tax database and found out that the property owner has not been paying their taxes.

John Holmstrom, 47701 Red Pine Court came forward from the Mocking Bird Glens Sub and agrees with the objections that have been stated already. Greenwood Oaks is going to be overwhelmed with extra traffic with the way the road system is laid out, and that is a major concern. Also, the size of the lot, compared to the size of the house seems like it is out of proportion. Packing the corner with houses so the

developer can come out with some money at the expense of the existing subdivisions around there is wrong. The only one who will benefit from this is the developer and not the City.

George Oommen, 47453 Greenwich came forward and lives in the Greenwood Oaks Sub. The residents have opposed this development for the last twelve years. In 1999 there was an opportunity to make money and to build homes that were similar to those in the existing subs and the developer did not want to do that. The developer should sit and wait until the market comes back and then build half acre lots at that time. The residents surrounding the subject property have been focused that the lots developed next to the existing subs will be ½ acre home sites. Past City officials have been very supportive and Mr. Oommen hopes that support will continue.

Larry Czekaj, 24383 Nantucket Drive came forward and commended the applicant for coming in with a residential proposal. He would like to clarify some of the facts. He has lived in the Greenwood Oaks Sub since 199 and there have been many parties that have come before the City regarding a rezoning or some type of development for the site. The most recent petitioner being Ten Beck LLC and they have come in with multiple variations of plans, some commercial, some quasi-commercial and some residential.

Mr. Czekaj suspects that the applicant does not have the property under contract and probably has a condition to close once the zoning of the property is approved. If the Commission denies the request the petitioner will not lose anything, other than the time and effort they have expended to date. The petitioner noted is it not economically feasible to develop the property under the existing zoning. But in order to make development under the existing zoning feasible, the petitioner would simply have to pay less for the property to begin with.

Additionally, it will be quite difficult for the developer to fit a 3,000 sq. ft. house on a 90 ft. wide lot and still meet all of the required setbacks. Lastly, the standard for approval of a PRO is that the benefits proposed must clearly outweigh the reasonably foreseeable detriment to the surrounding area. The detriments include the reduction in the perceived value not only to the existing houses but the integrity of the existing Master Plan. Of the 10 listed as public benefits, the staff knocked out approximately four of those as items that would be required. Mr. Czekaj is not sure how the residents, specifically the neighbors or residents nearby benefit from the additional landscaping. Who will maintain this new landscaping? Additionally, residents of the existing subs will not use the pocket park as it is at the corner of two major roads. And motorists will not be able to enjoy it as they will drive by too fast to see it. It won't have a perceived benefit, or a perceived benefit that would clearly outweigh the detriments of the plan.

No one else wished to speak and Member Greco read the correspondence into the record.

Dennis Ringvelski is opposed to the PRO and indicates that the benefits to the citizens are questionable. Also, he questions the traffic study by the traffic consultant and indicates that he believes that any subdivision on the site should have its own entryway, which is not provided. He also objects to the entryways in the plan.

Larry Czekaj objects to the PRO and indicates that he is encouraged that there is residential being proposed in the area given the property history. Mr. Czekaj does not find the variance for 38 home sites objectionable, but does have concerns about the traffic and utilities and how this plan will change the character of the area. He also questions the reduced lot sizes and the floor plans and believes as indicated in his public comments that the benefits clearly do not outweigh the detriments.

The Greenwood Oaks Phase 1 & 2 Homeowners Association Board (Elisa Endress, Mike Daraskavich, Tom Parrish, Inge Viehweber, Sabine Lucas, Helen Winship, Lindsay Boujoulian, Robert Smith) indicate they have reviewed the plans and have the following concerns. The proposed lot sizes are dramatically

smaller than the lot sizes in the existing neighborhoods. The proposed minimum home size is considerably smaller than the existing homes or adjacent homes in the neighborhoods. Also, the lack of direct access to Ten Mile and Beck is concerning. They respectfully request the following amendments to the proposal. No changes to the zoning or the net acre or the amount per acre that is outlined in the Master Plan. The lot sizes be equivalent to the existing average on the adjacent properties which they indicate is in excess of 23,000 sq. ft. The minimum home sizes be equivalent to the average of the existing adjacent properties, which they indicate is 31,000 sq. ft. They would like one direct access point to Ten Mile and Beck to avoid additional traffic in existing neighborhoods and the installation of sidewalks connecting the full intersection of Ten Mile and Beck.

The Feinstein family located at 47541 Greenwich Drive has lived in Novi since 1999 because of the many attributes of Novi, including a great location, low crime rate etc. They indicate that they object to the rezoning and that it will have a negative effect on the whole area and reduce property values and increase traffic. They also summarize some of the past history.

Norman & Nancy Powell at 47446 Greenwich Drive indicate they do not live within 300 feet of the rezoning, but do live in the Greenwood Oaks Sub. They believe they would be greatly affected by any development of the property. They were unable to attend this meeting and wish for their comments to be put into the record. They request that the Planning Commission follow the Master Plan and not allow this development because of the smaller lots. They believe this will greatly reduce the value of their home and also it will increase traffic.

Dennis and Gail Kline at 47527 Greenwich Drive believe the lot sizes should stay at a half acre. The proposed lots they presume will be attached to the existing subdivision. There are also concerned about the increased traffic they will see with 38 more homes. They do not want the houses to look cramped in the new subdivision. Their home backs up to the proposed homes.

No one else in the audience wished to speak and there was no additional correspondence. Chair Pehrson closed the public hearing.

Member Anthony asked the applicant to address the issue of the unpaid property taxes on the parcel.

Mr. Fingerroot could not speak to that question and staff noted that the status of property taxes is not generally a land use question.

Member Anthony then asked if there has been any calculation or estimate on the homeowner's fees that would be required to maintain the proposed landscaping.

Mr. Fingerroot envisioned that this would be an association separate from the Greenwood Oaks sub but he has not done the calculations yet to determine the fees. He has developed a number of sites this size with equivalent open spaces and always informs buyers if any fees. On average, the associations in his communities charge \$400 to \$1,000 a year to maintain the landscaping.

Member Anthony asked the staff what the required setbacks were.

Planner Kapelanski stated that the developer would be expected to meet the setbacks for the R-3 District if this rezoning were to be approved. They are similar to the setbacks in the R-1 District. The front yard being 30 feet, the rear yard 35 feet and the side yard a minimum of 10 feet with the 2 side yards together equaling 30 feet.

Member Anthony asked what the side yard setbacks would be in the R-1 District.

Planner Kapelanski answered a minimum of 15 feet.

Member Anthony stated that he lives here to and has the fear of the drop of property values. Ten Mile and Beck are thoroughfares and because of that there is always going to be pressure to make this corner commercial. There is already commercial at that intersection. The City has set the Master Plan as residential. The plan that has been presented before us is consistent with that and ensure the property is developed as residential.

Member Baratta asked Planner Kapelanski how many lots could be developed on the site under the current zoning.

Planner Kapelanski answered in saying with the R-1 density of the 1.65 units per acre up to 35 lots would be permitted. If this property were to develop as R-1, the lots would have to meet the R-1 standards, which is close to 22,000 sq. ft. per lot. If they laid out a subdivision with 22,000 square foot lots and ended up with 30 lots, then that is how many lots they could have on this property without seeking variances for lot size.

Member Baratta asked what are the sizes of the lots proposed under the new development?

Planner Kapelanski stated that the lot sizes vary and the average lot size is about 15,100 square feet.

Member Baratta asked if it was accurate that then that under the R-1 zoning, a 22,000 sq. ft. would be the minimum and under the R-3 zoning it would be 15,100 sq. ft..

Planner Kapelanski explained that if this would be rezoned to a straight R-3 zoning the lots would actually be smaller, but under this proposal some of the lots are about 14,000 sq. ft. and they average around 15,000 sq. ft.

Member Baratta asked if the applicant is locked into the lot sizes proposed.

Planner Kapelanski answered that was correct.

Member Baratta asked if they would have to maintain the setbacks required under the R-3 zoning.

Planner Kapelanski answered that was correct.

Member Greco said he was encouraged that it was residential. The proposal includes Greenwood Oaks backing up to 7 or 8 homes and under the existing zoning they would be backing up to 6 homes. Member Greco does not see how the proposal would change the character of the area. These are proud residents of these subdivisions and to them the lot sizes and the home sizes mean a lot and Member Greco suspects the people looking for those types of things in a home would look in Greenwood Oaks rather than the new subdivision. This looks like a plan that looks very acceptable and does not look out of character with that area and the southwest quadrant or the existing intersection. Pending additional comments from the Planning Commission, Member Greco is likely to support this.

Chair Pehrson asked Traffic Consultant Arroyo to step forward and give some comments on the Traffic Study he performed and wanted to know the basic difference in the traffic generated between the R-1 and R-3 zoning.

Traffic Consultant Arroyo explained that he did not do the Traffic Study, that he just reviews what the applicant has supplied and verifies to the City that the information is correct. The trip generation in the traffic review letter shows the difference between an R-1 and R-3 development under straight zoning and

then it shows the proposed development at 38 units. If the property were developed under R-1, 35 dwelling units, on a daily basis 396 trips would be expected with 41 trips during the PM peak hour. If it is bumped up to 38 units, which is what is proposed there will be 427 daily trips and the PM peak hour would have 44 trips with a difference of 3 trips with between the underlying zoning and under the proposed scenario.

Chair Pehrson asked if Traffic Consultant Arroyo saw any issues with which entrance potential residents may choose.

Traffic Consultant Arroyo explained that they are not required to submit a Full Traffic Study that evaluates other intersections given that there are less than 75 units proposed in this development but he thinks the Beck draw is greater than other directions for this particular development.

Chair Pehrson said that he lives near the intersection and does not know how people get in and out of Ten Mile now during peak traffic. He thinks Cider Mill is the only true exit they have and asked if there would be any advantage to having a second egress point onto or out to Ten Mile other than the one in connection with the existing subdivision to ease the traffic.

Traffic Consultant Arroyo regarding additional points of access, each one has their own challenges. If one looks at the way the site is laid out and extends the road out as a driveway coming directly across to Warrington a shortcut would be created for motorists to avoid the intersection of Beck and Ten Mile and it gets a lot shorter if there is a second point of access to Ten Mile and to Beck. If there is only the access to Ten Mile, that situation is lessened because a motorist would have to snake their way through the intersection. Turning left out of an access point on Ten Mile would be very challenging because there is not a signal at that location and it wouldn't warrant a signal. An access point to Ten and Beck is not a specific requirement of this project regardless if it develops as a PRO or a straight subdivision under the existing zoning.

Chair Pehrson asked if there would be any advantage to having an access point to the proposed sub.

Traffic Consultant Arroyo answered it would depend on where someone lives. A new access point could facilitate traffic from the existing subdivisions from Warrington and Greenwood Oaks to come through this project and go out to Ten Mile. If you don't have it, the new residents will be going through the other existing developments, which will happen with or without a new access point to some degree. An access point onto Beck would likely be the most problematic from a traffic perspective and could potentially have the most negative impact just because it would potentially be a cut through to avoid the intersection. No access point is required by the ordinance.

Chair Pehrson said his initial concern for any development on this corner is the traffic flow. The City is looking at what is the best application for this parcel and it has been zoned for and has been part of the Master Plan as single family residential. There have been other proposals that didn't fit well and the Planning Commission has looked at that in an unfavorable way waiting and hoping for some single family application for this property that would make sense. The applicant deserves some credit that he has kept the proposed density very close to the R-1 standards. One of the obligations under the PRO is for the applicant to come back to the City and make recommendations regarding different amenities and public benefits. The funding toward the major non-motorized pathway is a benefit as is the saving of the landmark Maple tree and possibly the platform for the City-owned piece of art. Everything else in that list, like the pocket park, the water main loop connection and housing style upgrade does not seem like a benefit to the City. Given the density we are looking at for this, the developer may need to go back and find some other public benefit opportunities. The applicant has gone out of his way to make this something that is workable.

Motion made by Member Baratta, seconded by Member Anthony:

**ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL TO REZONE THE SUBJECT PROPERTY FROM R-1 TO R-3 WITH A PLANNED REZONING OVERLAY:**

In the matter of the request of Beck Ten Land, LLC ZCM12-02 with Zoning Map Amendment 18.701 motion to recommend approval to the City Council to rezone the subject property from R-1 (One-Family Residential) to R-3 (One-Family Residential) with a Planned Rezoning Overlay with the following ordinance deviations:

- a. Lack of a paved eyebrows;
- b. Location of proposed sidewalks in relation to the edge of the right-of-way; and
- c. Skewed intersection of Warrington Drive and Graham Lane;

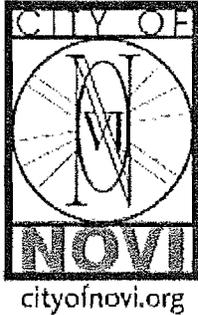
And subject to the following conditions:

- a. Applicant providing elevations and floor plans to confirm housing style and size, a noted public benefit; and
- b. Compliance with all conditions listed in the staff and consultant review letters;

For the following reasons:

- a. The proposed development meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments;
- b. The proposed density of 1.77 units per acre closely matches the master planned density of 1.65 units per acre; and
- c. The proposed development is consistent with a listed objective for the southwest quadrant of the City, "Maintain the existing low density residential development and natural features preservation patterns."
- d. Given the varying alternatives for the property, the proposal is clearly a good project for this corner. *Motion carried 6-0.*

**PLANNING REVIEW**



## PLAN REVIEW CENTER REPORT

January 24, 2012

### Planning Review

Rezoning 18.701, ZCM 12-02 (fka ZCM 11-39 and 11-40)  
Northwest Corner of Ten Mile and Beck Road  
Proposed Rezoning from R-1 to R-3 w/ *Planned Rezoning  
Overlay (PRO) Option*

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#### Petitioner

Beck Ten Land, LLC (Howard Fingerroot [Developer] and William Anderson [Engineer])

#### Review Type

Rezoning Request from R-1 (One-Family Residential) to R-3 (One-Family Residential) with Planned Rezoning Overlay (PRO) option

#### Property Characteristics

- Site Location: Northwest corner of Beck Road and Ten Mile Road (Section 20)
- Site Zoning: R-1, One-Family Residential
- Adjoining Zoning: North: R-1; East (across Beck Road): R-1, B-1; West: R-1;  
South (across Ten Mile Road): R-1
- Current Site Use: Vacant Land
- Adjoining Uses: North: Greenwood Oaks Subdivision; East (across Beck Road): Briar Pointe Plaza, Briarwood Village; West: Warrington Manor Subdivision;  
South (across Ten Mile Road): Single-Family Homes, Vacant
- School District: Novi Community School District
- Site Size: 24.24 gross acres, 21.46 net acres

#### Project Summary

The petitioner is requesting a Zoning Map amendment for a vacant 24.24-acre property on the northwest corner of Ten Mile Road and Beck Road (Section 20) from R-1 (One-Family Residential, 1.65 DU's per net acre) to R-3 (One-Family Residential, 2.7 DU's per net acre) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow development with smaller and narrower lots, and slightly higher density, than is permitted within current R-1 zoning. 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-1 to R-3) 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.

The subject parcel is 24.24 gross acres on the northwest corner of Ten Mile and Beck Roads (Section 20). It is currently zoned R-1, which would allow a maximum of 35 single-family lots based on the standards of the Zoning Ordinance and the net acreage of the site (21.46 acres). The applicant is proposing to rezone the property to R-3, with smaller and narrower lots than are permitted in R-1; 38 total lots are proposed on the PRO concept plan. The PRO concept plan also shows an on-site retention pond in the site's southwest corner, open space in the site's northeast corner, a "pocket park" on the northwest corner of Ten Mile and Beck, and formal landscaping treatments along

both the Ten Mile and Beck Road frontages. No new points of vehicular access are proposed onto either Beck or Ten Mile; the conceptual development would tie into the local road network via existing stubs to the west and north of the subject parcel.

### **Recommendation**

Provided the applicant submits additional housing styles, elevations for all facades and floor plans as described in the façade review letter dated January 23, 2012, staff **recommends approval** of the proposed PRO and concept plan to rezone property at the northwest corner of Ten Mile Road and Beck Road to R-3 with a Planned Rezoning Overlay for the following reasons:

- The property is designated for a maximum density of 1.65 units per acre in the City's *Master Plan for Land Use 2010*. The development proposed in the PRO concept plan shows a density of 1.77 units per net acre but otherwise meets the intent of the Master Plan to provide single-family residential uses on the property that are consistent with and comparable to surrounding developments, as noted in the listed objective of the Master Plan for the southwest quadrant of the City: "Maintain the existing low density residential development and natural features preservation patterns."
- Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.

### **Planning Commission Options**

The Planning Commission has the following options for its recommendation to City Council:

1. Recommend City Council conditionally approve the request to rezone the parcel R-3, One-Family Residential with a Planned Rezoning Overlay (*APPLICANT REQUEST and STAFF RECOMMENDATION*); OR
2. Recommend City Council deny the request to rezone the parcel R-3 with a PRO, with the zoning of the property to remain R-1; OR
3. Recommend City Council rezone the parcel to a zoning district other than R-1 or R-3; OR
4. Table the request for further study.

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

The Future Land Use Map (adopted Aug. 25, 2010) of the City of Novi Master Plan for Land Use 2010 designates this property, surrounding properties, and the general area as "Single Family". The lone exception in the vicinity is the small portion of the northeast corner of Beck and Ten Mile, which is master planned for "Local Commercial" and is occupied (with a consent judgment) by Briar Pointe Plaza.

The "Residential Density Map" (Figure 63, page 116) within the 2010 Master Plan includes specific residential density recommendations for all of the land planned for residential in the city, and the subject property is designated as 1.65 dwelling units per net acre. This planned density is consistent with the current R-1 zoning.

The City of Novi Master Plan for Land Use Review (adopted in 2008) included an extensive analysis of future land use within a geographic area deemed the "Southwest Quadrant", which included the subject property at the northwest corner of Beck and Ten Mile. This review and analysis, which included a significant level of public involvement, concluded that the Southwest Quadrant should continue to be composed of mostly low-density single-family residential uses. Substantial citizen input indicated that maintaining the low density residential character of the Southwest Quadrant is a high priority for residents.

A standard rezoning from R-1 to R-3 would be inconsistent with the Master Plan because of the density permitted within R-3 (2.7 dwelling units per net acre). The PRO concept plan calls for 38 single-family lots, where a maximum of 35 would be permitted under existing R-1 (so long as those 35 lots could meet the dimensional standards – lot area, width, etc. – required in R-1). With respect

to density, the PRO concept plan is much more consistent with existing R-1 zoning than with R-3 zoning, and is therefore much more consistent with the Master Plan than a standard rezoning to R-3 would be.

The rezoning request was presented to the Master Plan & Zoning Committee on October 5, 2011 as a standard rezoning from R-1 to R-3. The PRO option was not proposed at that time. The applicants presented their concept plan, including site layout and conceptual renderings of enhancements to the northwest corner of Ten Mile and Beck. It was noted during that meeting that the concept plan was not tied to the rezoning request. The members of the Committee were receptive to the concept plan, but concurred that the applicant should consider the PRO option or a residential option that includes a conceptual plan in order to make the concept plan binding.

**Existing Zoning and Land Use**

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

**Land Use and Zoning  
 For Subject Property and Adjacent Properties**

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property	R-1 (One-Family Residential)	Vacant	Single Family (1.65 DU/ net acre)
Northern Parcels	R-1	Greenwood Oaks Subdivision	Single Family (1.65 DU/net acre)
Southern Parcels (across Ten Mile Road)	R-1	Single-Family Homes, Vacant	Single Family (1.65 DU/net acre)
Eastern Parcels (across Beck Road)	R-1, B-1 (Local Business District)	Briar Pointe Plaza, Briarwood Village	Single Family (3.3 DU/ net acre), Local Commercial
Western Parcels	R-1	Warrington Manor Subdivision	Single Family (1.65 DU/net acre)

**Compatibility with Surrounding Land Use**

The surrounding land uses are shown on the above chart. The compatibility of the proposed PRO concept plan 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 with the PRO option. As discussed, the subject property under its current R-1 zoning could be developed with as many as 35 single-family lots (so long as those lots meet Zoning Ordinance standards for lot area and width). The PRO concept plan proposes 38 lots that meet dimensional standards for R-3.

The property to the north of the subject property is in the R-1, One-Family Residential zoning district and contains Greenwood Oaks Subdivision. Changing the zoning of the subject property to R-3 and developing 38 single-family lots will add more traffic to the local roads within that subdivision and to the adjacent arterial roads (Beck and Ten Mile). The difference between new traffic generated by the 38 lots proposed on the PRO concept plan and the maximum of 35 lots allowable under existing R-1 zoning is minimal; the applicant's rezoning traffic study forecasts a

difference of 31 additional daily one-way trips, 2 additional AM peak-hour one-way trips, and 3 additional PM peak-hour one-way trips.

Directly to the **south** of the subject property, across Ten Mile Road, are properties zoned R-1, One-Family Residential that have large lots with single-family homes situated on them. There are also a few residentially-zoned vacant parcels of land. These properties are designated in the Master Plan for Land Use as Single Family Residential. Changing the zoning of the subject property to R-3 and adding as many as 38 new single-family homes would impact these properties in terms of the volumes of traffic along Beck and Ten Mile Roads and at the Ten Mile and Beck Road intersection. Similar to above, there is forecasted to be a minimal difference in traffic volumes generated by 38 new homes compared to 35 new homes.

The property to the **west** of the subject property is in the R-1, One-Family Residential zoning district and contains Warrington Manor subdivision. The impacts to this subdivision would be consistent with the impacts described for the subdivision to the north, both in terms of local and arterial traffic.

The properties to the **east** of the subject parcel (across Beck Road) include Briar Pointe Plaza and Briarwood Village. Briar Pointe Plaza could experience an increase in patronage from the residents of homes developed on the subject property, however the difference in business generated by 38 homes compared to 35 homes is likely negligible. Briarwood Village is an existing residential development that – similar to the residential properties on the south side of Ten Mile Road - would experience greater traffic volumes along Beck and Ten Mile Roads.

**Comparison of Zoning Districts**

The following table provides a comparison of the current (R-1) and proposed (R-3) zoning classifications.

	<b>R-1 Zoning (Existing)</b>	<b>R-3 Zoning (Proposed)</b>
Principal Permitted Uses	<ol style="list-style-type: none"> <li>1. One-Family detached dwellings (1.65 DU's/net acre).</li> <li>2. Farms and greenhouses (subject to specific conditions).</li> <li>3. Publicly owned and operated parks, parkways and outdoor recreational facilities.</li> <li>4. Cemeteries.</li> <li>5. Home occupations, as set forth and regulated in Section 201 of this Ordinance.</li> <li>6. Accessory buildings and uses, customarily incident to any of the above uses.</li> <li>7. The keeping of horses and ponies (subject to specific conditions).</li> <li>8. Family Day Care Homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence.</li> </ol>	Same as R-1, but one-family detached dwellings may be developed at 2.7 DU's/net acre
Special Land Uses	<ol style="list-style-type: none"> <li>1. Churches (subject to specific conditions).</li> <li>2. Public, parochial and private elementary intermediate or secondary schools (subject to specific conditions).</li> <li>3. Utility and public service buildings and uses (subject to specific conditions).</li> <li>4. Group day care homes, day care centers and adult day care centers (subject to specific conditions).</li> <li>5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to specific conditions).</li> <li>6. Golf courses (subject to specific conditions).</li> <li>7. Colleges, universities and other such institutions of</li> </ol>	Same as R-1

	R-1 Zoning (Existing)	R-3 Zoning (Proposed)
	higher learning, public and private (subject to specific conditions). 8. Private pools shall be permitted as an accessory use (subject to specific conditions). 9. Cemeteries (subject to specific conditions). 10. Railroad right-of-way but not including terminal freight facilities, transfer and storage tracks. 11. Mortuary establishments (subject to specific conditions). 12. Bed and breakfasts subject to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses.	
Minimum Lot Size	21,780 square feet	12,000 square feet
Minimum Lot Width	120 feet	90 feet
Building Height	2.5 stories or 35 feet	Same as R-1
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Same as R-1

**Infrastructure Concerns**

An initial engineering review was done as part of the rezoning with PRO application to analyze the information that has been provided thus far (see attached letters from engineering dated January 24, 2012 and January 25, 2012). The engineering review indicated there would be a negligible increase in utility demands as a result of the proposed rezoning. A full scale engineering review would take place during the course of the Site Plan Review process for any development proposed on the subject property, regardless of the zoning. The engineering review notes that the proposed retention basin is a less desirable stormwater management method than detention with an outlet.

The City's traffic consultant has reviewed the Rezoning Traffic Impact Study and has no issues with its methodology. The traffic consultant does comment that the majority of new traffic generated by residential development on the subject property would likely enter and exit via the newly-signalized intersection of Beck Road and Cider Mill Drive. In reviewing the PRO concept plan, the traffic consultant notes that the design of the intersection of the two roads leading into the proposed development is inconsistent with the City's Design and Construction Standards; this is a deviation that could be approved as part of a PRO Agreement (discussed further below). There are some other road design issues on the concept plan which would need to be addressed if and when a preliminary site plan is submitted. See the traffic review letter dated November 10, 2011 for additional information.

**Natural Features**

There are no regulated woodlands or wetlands on the subject property, as determined by the City's environmental consultant in a prior assessment of the site. There are a number of trees on the site but these are not part of a regulated woodland. There is, however, at least one regulated tree on the site. Any proposed development would potentially impact a small, non-essential wetland and the associated natural features setback.

The applicant states in their submittal that the property has no natural means of stormwater discharge, and so a significant portion of the site will have to be committed to an on-site retention basin. The City's Engineering division typically provides detailed comments on stormwater management in their review of a preliminary site plan review, but their concerns with the proposed retention basin are outlined in their January 24, 2012 PRO review letter.

**Development Potential**

Development under the current R-1 zoning could result in the construction of as many as 35 single-family homes based on the density regulations of the district and the estimated net site area (21.46 acres). It is not known whether the site could be developed with 35 lots that meet the dimensional requirements of the R-1 zoning district. Development under R-3 zoning without a PRO option could result in as many as 58 single-family homes, so long as the residential lots could meet the minimum lot area and width standards for the R-3 district. The principal permitted uses and special land uses allowed within R-1 and R-3 are the same; the only difference between the development potential of the two zoning districts is the single-family residential density permitted, minimum lot size, and minimum lot width.

The applicant's original submittal states that the subject property has no natural means of stormwater discharge, and that a significant portion of the property would be utilized by an on-site retention basin. The applicant states that the need for a retention basin will limit the portion of the property that will be developable regardless of the property's zoning. The applicant's motivation in seeking the rezoning (based on the argument included in their original submittal) is to allow for smaller and narrower lots, and not to seek significantly higher density or more developable lots. However, the applicant also contends that the density proposed on the PRO concept plan (38 lots) is necessary to make the development economically feasible.

#### **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 (Article 34, Section 3402). 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, the location of the proposed retention pond, setbacks from Ten Mile and Beck Roads, location of the proposed open space, and proposed landscaping throughout the development, including details for the "pocket park" on the northwest corner of Ten Mile and Beck Roads. Also included were conceptual renderings of housing styles and materials proposed for the development. (See the façade review letter dated January 23, 2012 for additional information on the provided renderings.) The applicant's engineer drafted a letter describing the public benefits of the proposed rezoning. The only "terms" or "conditions" within the submittal are the design elements illustrated on the conceptual plan and the public benefits outlined in the corresponding letter.

#### **Ordinance Deviations**

Section 3402.D.1.c 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 inasmuch 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:

1. Design and Construction Standards (DCS) Waivers: **DCS waivers are required for the lack of paved eyebrows, the location of proposed sidewalks and the skewed intersection.** All are supported by staff. See the engineering review letter dated January 24, 2012 for additional information.

#### **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 3402.D.2 states the following:

1. *(Sec. 3402.D.2.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. 3402.D.2.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.*

#### **Public Benefit Under PRO Ordinance**

Section 3402.D.2.b 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 applicant's engineer submitted a cover letter with the rezoning application dated December 22, 2011 noting the following "public benefits":

- Upgraded frontage landscaping
- Pocket park feature at prominent intersection
- Water main loop connection
- Pathway connections along perimeter roadways
- Housing style upgrade
- Housing size upgrade (minimum 2,400 square feet and up to 3,500 square feet)
- Provide a platform for City-owned art
- Provide funding toward the completion of a future major non-motorized pathway connection along Ten Mile Road to connect to the ITC corridor (not to exceed \$9,000)
- Saving landmark maple tree located near the northeast corner of the site
- Dedicate right-of-way along Beck Road and Ten Mile Road

These proposed benefits should be weighed against the proposal to determine if they clearly outweigh any detriments of the proposed rezoning. Of the ten benefits listed, two - the pathway connections and water main loop connection - would be requirements of any conceivable residential subdivision development of the subject property under existing R-1 zoning. Two others - housing style and housing size upgrade - would be considered enhancements over the minimum requirements of the ordinance. (See the façade letter dated January 23, 2012.) The applicant should provide elevations and floor plans so that the proposed upgrades can be confirmed. The remaining benefits - upgraded frontage landscaping, the pocket park at the property's corner of Ten Mile and Beck with a display platform for public art, funding for the completion of a non-motorized pathway (See engineering review letter for additional information on proposed funding.), saving the existing landmark tree and right-of-way dedication along Beck Road and Ten Mile Road - are enhancements that would benefit the public that would not be required as part of a residential development under the existing R-1 zoning. However, it should be noted that the preservation of the landmark tree is something that would be encouraged as part of a development review and, although not required, the right-of-way dedication is typical of residential developments.

**Submittal Requirements**

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- Rezoning signs should be erected along the property's frontage of both Beck Road and Ten Mile Road in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request. The signs should be erected no later than 15 days prior to the scheduled public hearing.
- A rezoning traffic impact statement was submitted and reviewed by the City's Traffic Consultant.
- A written statement by the applicant's engineer has been submitted.



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Kristen Kapelanski AICP - Planner  
kkapelanski@cityofnovi.org or 248-347-0586

**ENGINEERING REVIEW**



## PLAN REVIEW CENTER REPORT

January 24, 2012

### Engineering Review

The Enclave at Greenwood Oaks  
ZCM12-0002

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#### Petitioner

Beck Ten Land, LLC (Howard Fingerroot)

#### Review Type

Concept/PRO, ZCM

#### Property Characteristics

- Site Location: Northwest corner of Ten Mile and Beck Road
- Site Size: 24.242 (Gross acreage)
- Plan Date: 12/19/11

#### Project Summary

- Construction of a 38-unit single family subdivision. The proposed concept plan would result in a utility demand of 38 residential equivalent units (REU), an increase of 3 REUs over the current R-1 zoning at build-out.
- Site access would be provided through use of two access points. One access point is from the west that would connect the subdivision to Warrington Manor via Warrington Drive. The other access point connects the subdivision to the north to Greenwood Oaks Subdivision no. 3 via Graham Lane.
- No modifications are proposed to Ten Mile Road or Beck Road.
- Water service details are not provided on the plan.
- Sanitary service details are not provided on the plan.
- Storm water is proposed to be managed using a retention pond. An area of approximately 4.2 acres is designated for the retention pond, however no calculations have been provided.

#### Comments:

This review was based on the site plan submitted, which is considered preliminary information provided for a conceptual review. Therefore, we have provided some general comments below to assist in the preparation of a preliminary site plan. Once the plan's concept has been approved through staff reviews and City Council acceptance, a more thorough engineering review will be conducted on subsequent and more detailed plan submittals to determine conformance with the

Design and Construction Standards and all other applicable ordinances. Any variances from City standards not specifically approved by City Council will be addressed during the site plan review process.

General

1. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, retention basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.

Community Benefit

Based on the material provided, it is difficult to differentiate between the engineering related improvements that are required for this development and those that benefit the community as a whole.

2. The letter submitted with the plans indicates that the developer is proposing to extend a public water main along Ten Mile Road (not shown on plans) to complete a significant City loop. The extension of water main along the frontage of the property is required by ordinance regardless of the PRO.
3. The connection of the pathways along the frontage of the property within the Ten Mile and Beck Roads rights-of-way is required by ordinance regardless of the PRO.
4. The applicant is proposing to offer \$9,000 toward the design and construction of the remaining 470 foot pathway gap on the north side of Ten Mile Road between this development and the ITC corridor. We note that the estimated design and construction cost for this sidewalk gap is approximately \$50,000, excluding easement acquisition for the three parcels along the route.

Water Main/Sanitary Sewer:

5. The project is located within the Intermediate Water Pressure District. Water service is currently available from the north on Beck Road and on 10 Mile Road just west of the site. The proposed rezoning would have minimal impact on available capacity, pressure and flows in the water system.
6. The project is located within the Simmons Sanitary Sewer District. Sanitary service is currently available to the site, located west on Beck Road. The proposed rezoning would have a minimal impact on the capacity of the downstream sanitary sewer.
7. Provide a utility plan that shows the layout and connections to the existing utilities.
8. Because of the size of the subject parcel, the rezoning request results in a small net increase in demand for the water system and in sanitary capacity needs. While the increase in demand is not accounted for in the Master Plan, it represents only a negligible impact on the utilities.

Storm Water Management Plan

9. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
10. The plan proposes to provide retention at the southwest corner of the site. There have been several discussions with the engineer regarding storm water management alternatives other than retention. The use of retention basins for storm water management is a less desirable option than detention and the City will expect the developer's engineer to review and exhaust detention alternatives before retention would be allowed. A possible alternative that will need to be studied by the developer's engineer would be on-site detention and an outflow to Thornton Creek. The feasibility of this alternative has not been studied or provided to the City. More efforts will be needed by the engineer to determine if this and other alternatives are feasible to provide detention on the site and not retention.
11. If retention is considered to be the only feasible method to treat and store the storm water, calculations and soil borings will need to be provided on the plan to show that the current area of land is adequate for the retention pond. This cannot be verified at this time based on the lack of information provided.

Paving & Grading

12. The plan has been revised to eliminate the "eyebrows" for the road at the 90-degree curves. The sidewalks should also be relocated from the edge of right-of-way to a standard distance from the curb. **Both the lack of a paved eyebrow and the location of the sidewalk require Design and Construction Standards variances from City Council—both are supported by Engineering.**
13. The proposed Warrington Drive extension intersects Graham Lane at an acute angle. **A design and construction standards variance will be required for the skewed intersection.**
14. At the Beck and Ten Mile intersection the proposed sidewalk connections shall be revised to provide a longer transition to the existing sidewalk near the intersection of Ten Mile and Beck Road, rather than the abrupt 90-degree bends as currently proposed.

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

15. 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:**

16. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with

construction of the building or any demolition work. **The cost estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

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

**\*Some of these items may not be necessary but are provided for guidance.**

17. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
18. Draft copies of any relevant easements for private ingress/egress, drainage, water main or sanitary sewer must be submitted to the Community Development Department.
19. 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.
20. Executed copies of any required on-site utility easements must be submitted to the Community Development Department.

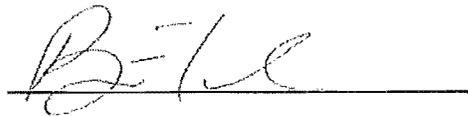
**The following must be addressed prior to construction:**

**\*Some of these items may not be necessary but are provided for guidance.**

21. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
22. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.
23. 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.
24. A permit for work within the right-of-way of Ten Mile and Beck Road must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
25. A permit for work within the right-of-way of Ten Mile must be obtained from the Road Commission for Oakland County. Please contact the RCOC (248-858-4835) directly with any questions. The applicant must forward a copy of

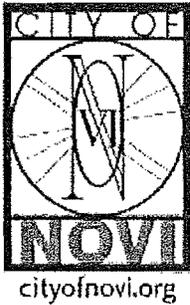
- this permit to the City. Provide a note on the plans indicating all work within the right-of-way will be constructed in accordance with the Road Commission for Oakland County standards.
26. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.
  27. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.
  28. A permit for work in the Thornton Creek must be obtained from the Oakland County Drain Commissioner's office.
  29. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
  30. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
  31. For the residential phases, an incomplete site work performance guarantee, equal to 1.5 times the amount required to complete the site improvements (excluding the storm water detention facilities) as specified in the Performance Guarantee Ordinance, must be posted at the Treasurer's Office.
  32. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.
  33. Permits for the construction of each retaining wall must be obtained from the Community Development Department (248-347-0415).

Please contact Brian Coburn, P.E. at (248) 735-5632 with any questions.



cc: Kristen Kapelanski, Community Development Department  
Tina Glenn, Water & Sewer Dept.

## MEMORANDUM



**TO:** BARB MCBETH, AICP; DEPUTY DIR. COMM. DEV.  
**FROM:** BRIAN COBURN, ENGINEERING MANAGER *B/C*  
**SUBJECT:** REVIEW OF REZONING IMPACT ON PUBLIC UTILITIES  
REZONING 18.701, THE ENCLAVE, TEN MILE & BECK  
**DATE:** JANUARY 25, 2012

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The Engineering Division has reviewed the planned rezoning overlay (PRO) request for the 24.242 acres located the northwest corner of Ten Mile and Beck Road. The applicant is requesting to rezone 24.242 acres (21.16 acres, net) from R-1 to R-3 as part of a planned rezoning overlay. The Master Plan for Land Use indicates a master planned density of 1.65 units per acre, equivalent to the current R-1 zoning on the property. While the applicant is proposing to rezone the property to R-3 (2.7 units per acre density), a concept plan has been provided as part of the PRO which includes 38 lots.

### Utility Demands

A residential equivalent unit (REU) equates to the utility demand from one single family home. If the area were developed under the current zoning, demand on the utilities for the site would be about 35 REUs. The proposed R-3 zoning would yield about 58 REUs, an increase of 23 REUs over the current zoning and the master plan utility demand. The proposed concept plan submitted as part of the proposed planned rezoning overlay indicates that 38 lots are proposed for a proposed utility demand of 38 REUs.

### Water System

The project is located within the Intermediate Water Pressure District. Water service is currently available from the north on Beck Road and on 10 Mile Road just west of the site. The proposed rezoning would have minimal impact on available capacity, pressure and flows in the water system.

### Sanitary Sewer

The project is located within the Simmons Sanitary Sewer District. Sanitary service is currently available to the site, located west on Beck Road. The proposed rezoning would have a minimal impact on the capacity of the downstream sanitary sewer.

### Summary

The concept plan provided with the PRO request proposes 38 lots which is roughly equivalent to the current zoning. Therefore, the plan would have negligible impact on the utilities.

**TRAFFIC REVIEW**

November 10, 2011

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



**SUBJECT: Amended Rezoning with Planned Rezoning Overlay (PRO),  
Northwest Corner of Ten Mile & Beck, SP#11-40, Traffic Review**

Dear Ms. McBeth:

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

**Recommendation**

If this rezoning with PRO is approved, the development plan should be revised as indicated below in our **bolded** comments prior to proceeding to subsequent review steps.

**Site Description**

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

1. The applicant, Beck Ten Land, LLC (Howard Fingeroot), has amended the previous rezoning request to include a specific PRO development plan “consistent with R-3 zoning.” The subject property, on the northwest corner of Ten Mile and Beck, is now vacant, consists of 24.242 gross acres and 21.4599 net acres, and is zoned R-1. Developed at the maximum densities permitted by the Zoning Ordinance, R-1 zoning would permit 35 homes and R-3 zoning would permit 58 homes. Developed according to the proposed PRO plan – which would include significant open space and retain storm water on-site – there would be 38 homes.
2. As can be seen in the attached aerial photo, neighboring land to the north and west is developed with single-family homes. Across Beck to the east are more single-family homes and a community shopping center. The land across Ten Mile to the south is largely undeveloped, containing only a few isolated single-family homes.
3. The development plan shows all vehicular access occurring via two existing street stubs in the northwest corner of the subject property: Graham Court to the north (to be renamed Graham Lane) and Warrington Drive to the west. A gated “fire access” to Beck Road, shown in the northeast corner of the concept plan included with the earlier rezoning request, is no longer proposed.

4. Beck Road is a 45-mph, two-lane arterial under the jurisdiction of the City of Novi. Both approaches to Ten Mile Road widen to include a left-turn lane, through lane, and right-turn lane. In 2010, the northbound approach served 11,000 vehicles per day (vpd) and the southbound approach served 9,060 vpd.
5. Ten Mile is a 45-mph, two-lane arterial under the jurisdiction of the Road Commission for Oakland County (RCOC). Both approaches to Beck Road widen to include a left-turn lane, through lane, and right-turn lane. In 2010, the eastbound approach served 8,030 vpd and the westbound approach served 7,930 vpd.
6. The intersections of Beck / Ten Mile and Beck / Cider Mill are controlled by fully-actuated (SCATS) traffic signals.

### Traffic Study and Trip Generation

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

7. The applicant's study was prepared by Wilcox Professional Services, LLC and is dated September 15, 2011. The study provides a brief description of area land uses and existing road conditions, which we have augmented above.
8. The Wilcox study also provides the trip generation comparison summarized in Table I below, which we have reviewed and found acceptable. (A trip is a one-way vehicular movement into or out of the site.)

**Table I. Trip Generation Comparison**

Zoning	No. of Homes	Weekday Trips	AM Peak-Hour Trips			PM Peak-Hour Trips		
			In	Out	Total	In	Out	Total
<b>Development per Maximum Densities Permitted by Zoning Ordinance</b>								
R-1	35	396	9	25	34	26	15	41
R-3	58	630	13	37	50	40	24	64
<b>Development Portrayed in Applicant's PRO Plan</b>								
R-3	38	427	9	27	36	28	16	44

9. According to the *City of Novi Site Plan and Development Manual*, development according to any of the scenarios identified in the above table would not require a more detailed traffic study, since none of the forecasted volumes of new peak-hour, peak-direction trips equal or exceed 75.
10. Preliminary review on our part suggests that a majority of the new trips generated by homes in the proposed development would likely use Greenwich Drive and Cider Mill Road to reach and return from Beck Road, given Beck's connection to employment and retail areas to the north and east (e.g., via I-96). Although not shown in our attached aerial photo, the intersection of Beck and Cider Mill is now signalized. Also, there are plans to

implement a signed bike route along Cider Mill both west and east of Beck (and ultimately connecting with the Civic Center via Taft and 10 Mile Roads).

## **PRO Development Plan**

Is the proposed layout of streets and pathways generally satisfactory?

### Vehicular Access and Circulation

11. The proposed street width (28 ft, back-of-curb to back-of-curb) is consistent with the City's Design and Construction Standards (DCS) Ordinance for a local street / residential road (see Table VIII-A and Figure VIII-A). Also, the proposed local street corner radii appear to meet the City's 25-ft back-of-curb standard.
12. The three proposed eyebrows have larger-than-standard (although undimensioned) curb radii. Consistent with DCS Section 11-194(a)(8), **the three eyebrows must be redesigned to include a 54-ft outside (back-of-curb) radius and a 25-ft inside (back-of-curb) radius, as illustrated in DCS Figure VIII-G** (note that the two arcs have different "radius" – or center – points).
13. The centerlines of Warrington Drive and Graham Lane (now Court) intersect at an angle of about 75 degrees. **Since DCS Figure IX.1 requires an intersecting angle of 90 degrees, the applicant will have to either redesign the street layout to have Warrington pass through this intersection in a perfectly east-west orientation (so as to intersect Graham at 90 degrees), or seek and obtain a waiver from City Council.**
14. There may be a need for eventually placing right-of-way control signs on one street or the other at the intersection of Warrington and Graham. However, we recommend waiting to evaluate this issue after the street alignment has been finalized, the corner lots have been graded, and traffic patterns to and from the new homes crystallize.

### Pedestrian Access

15. Neither the above pedestrian connection nor the one proposed west of lot 19 would adequately serve people wanting to use the Beck / 10 Mile signal to walk between lots in the southeast quadrant of the development and shopping center on the intersection's northeast corner. **To address this pedestrian desire line, another sidewalk connection should be proposed along the boundary between lots 12 and 13.**
16. The proposed transitions between the existing sidewalks near Beck and the new walks to be placed near the edges of the expanded right-of-way are too abrupt – involving a right-angle turn followed by a very small-radius curve – and will result in both pedestrians and bikes wearing more direct paths in the grass. **Longer and smoother sidewalk transitions should be provided, preferably using a larger-radius reverse curve.**

Sincerely,  
BIRCHLER ARROYO ASSOCIATES, INC.

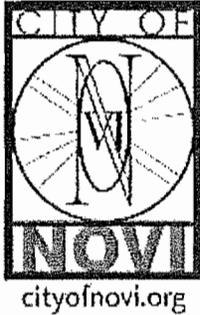


Rodney L. Arroyo, AICP  
Vice President



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

**LANDSCAPE REVIEW**



## PLAN REVIEW CENTER REPORT

January 6, 2012

### Revised Concept Landscape Review

Ten Mile & Beck

ZCM#12-02

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#### Petitioner

Beck Ten Land, LLC (Howard Fingerroot and William Anderson)

#### Review Type

Rezoning Request from R-1 (One-Family Residential) to R-3 (One-Family Residential) with Planned Rezoning Overlay (PRO) option

#### Property Characteristics

Site Location: Northwest corner of Beck Road and Ten Mile Road  
Site Zoning: R-1, One-Family Residential  
Adjoining Zoning: North: R-1; East (across Beck Road): R-1, B-1; West: R-1;  
South (across Ten Mile Road): R-1  
Current Site Use: Vacant Land  
Adjoining Uses: North: Greenwood Oaks Subdivision; East (across Beck Road): Briar Pointe Plaza, Briarwood Village; West: Warrington Manor Subdivision; South (across Ten Mile Road): Single-Family Homes, Vacant  
School District: Novi Community School District  
Site Size: 24.24 gross acres, 21.46 net acres  
Plan Date: 12/22/2012

#### Recommendation

**Approval of the Rezoning Plan for ZCM#12-02 The Estates at Greenwood Oaks is recommended.** The Applicant should address any outstanding concerns detailed below on any subsequent submittal.

#### Ordinance Considerations

##### Public Benefits as suggested by the Applicant

1. Upgraded Frontage Landscaping:
  - A forty (40') landscape buffer is required along the frontages of Ten Mile and Beck Road. The Applicant has proposed a fifty foot (50') buffer.
  - A four foot (4') tall berm is proposed along the frontage of Ten Mile and Beck Road. The berm meets ordinance requirements.
  - Trees have been proposed on the berms. No shrubs or perennials have been proposed, but could be added to meet the requirement for visual interest as stated in the ordinance.
  - The Applicant has proposed a total of 277 Green Giant Arborvitae along the frontages of Ten Mile and Beck Road. These plantings are arranged in a single file row, closely placed along the edge of the sidewalk and right-of-way. When mature, these evergreen trees will provide a complete dense screen to a potential height of 50', effectively isolating the development. *The Planning Commission may wish to discuss if this design is consistent with ordinance and/or Master Plan intent and their vision for the property.*

- Decorative brick walls and pillars have been proposed at access points for internal walkways and intermittently along both main frontages.
2. Pocket Park Feature:
    - Located at the intersection of Ten Mile and Beck Road, this space includes a walkway and benches. The Applicant's correspondence indicates that a platform will be provided in this space to allow for the placement of artwork by the City of Novi.
    - The Applicant intends to preserve all of the existing mature trees at the corner location. These plantings include large Walnuts, evergreens and one Landmark Maple. Please note these trees are proposed to be preserved on the plans.
    - A small plaza area was originally proposed on a previously submitted concept plan at an area overlooking the retention pond / wetland. This has been removed from the currently proposed plan. Staff considered the originally proposed feature a desirable amenity.
    - Considerably more landscape was shown on a previously submitted concept plan in the open space at the northeast corner of the site. These plantings have been reduced on the currently proposed plans.
  3. Water Main Loop Connection: No comment.
  4. Pathway Connections along Perimeter Roadways: The two proposed pathways would be good amenities. On an initial concept plan, these two walkways were curvilinear rather than straight. The curvilinear design is preferred by staff.
  5. Housing Style Upgrade: No comment.
  6. Housing Size Upgrade: No comment.

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

1. The project site is adjacent to residential uses. As such, no landscape buffer is required between this property and the properties to the north and west.

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

1. Both Ten Mile and Beck are major thoroughfares. A forty foot (40') landscape buffer is required along both frontages. A 50' buffer has been proposed.
2. A minimum 4' tall berm with a minimum 4' crest is required within the landscape buffer. The Applicant has met this requirement.
3. Calculations for buffer landscape requirements have been provided. A canopy or large evergreen tree is required at 1 per 35 linear feet; a sub-canopy tree is required at 1 per 20 linear feet. The Applicant has met this requirement.
4. Decorative brick piers and walls have been proposed at the pedestrian access points and corner pocket park.

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

1. One street tree is required at 1 per 35 linear feet both along the major frontages and along the proposed interior roads. The Applicant has met this requirement.

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

1. This section of the ordinance is not applicable as no parking lots are proposed.

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

1. This section of the ordinance is not applicable as no commercial / institutional buildings are proposed.

**Retention Basin Planting (LDM)**

1. Clusters of large native shrubs are required around the retention basin. The plantings are to be arranged densely and placed at and above the high water elevation of the basin. Clusters must cover 70 to 75% of the basin rim area. This requirement has not been met. Please refer to the Landscape Design Manual for all basin requirements.

**Plant List (LDM)**

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

**Planting Details & Notations (LDM)**

1. Planting Details and Notations meet the requirements of the Ordinance and Landscape Design Manual.
2. Please revise the planting details to specify only fabric guying material.

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

1. All general landscape areas are required to be irrigated. Please provide an Irrigation Plan upon subsequent submittals.

**General**

1. Final financial requirements will be verified upon subsequent submittals.

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



Reviewed by: David R. Beschke, RLA

**Financial Requirements Review**

To be completed at time of Final Site Plan Review.

Item	Amount	Verified	Adjustment	Comments
Full Landscape Cost Estimate	\$ 161,528			Includes street trees. Does not include irrigation costs.
Final Landscape Review Fee	\$ 2,422.92			1.5% of full cost estimate Any adjustments to the fee must be paid in full prior to stamping set submittal.

**Financial Requirements (Bonds & Inspections)**

Item	Required	Amount	Verified	Comments
Landscape Cost Estimate	YES	\$ 139,128		Does not include street trees. Includes irrigation.
Landscape Financial Guaranty	YES	\$ 208,692		This financial guarantee is based upon 150% of the verified cost estimate. For Commercial, this letter of credit is due prior to the issuance of a Temporary Certificate of Occupancy. For Residential this is letter of credit is due prior to pre-construction meeting.
Landscape Inspection Fee (Development Review Fee Schedule 3/15/99)	YES	\$ 8,347.68		For projects up to \$250,000, this fee is \$500 or 6 % of the amount of the Landscape cost estimate, whichever is greater.  This cash or check is due prior to the Pre-Construction meeting.
Landscape Administration Fee (Development Review Fee Schedule 3/15/99)	YES	\$ 1,252.15		This fee is 15% of the Landscape Inspection Fee. This cash or check is due prior to the Pre-Construction meeting.
Transformer Financial Guarantee	NO	\$ 0		\$500 per transformer if not included above. For Commercial this letter of credit is due prior to the issuance of a Temporary Certificate of Occupancy. For Residential this is letter of credit is due prior to pre-construction meeting.
Street Tree Financial Guaranty	YES	\$ 22,400		\$400 per tree.
Street Tree Inspection Fee	YES	\$ 1,344		6% of the Street Tree Bond as listed above.
Street tree Maintenance Fee	YES	\$ 1,400		\$25 per tree.
Landscape Maintenance Bond	YES	\$ 13,912.80		10% of verified cost estimate due prior to release of Financial Guaranty.

WOODLAND REVIEW



**Environmental Consulting & Technology, Inc.**

November 15, 2011

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

Re: Woodland Review for Estates at Greenwood Oaks Concept/PRO ZCM 11-39, 11-40

---

Environmental Consulting & Technology, Inc. (ECT) has reviewed the proposed Estates at Greenwood Oaks ZCM 11-39 and 11-40 Planned Rezoning Overlay (PRO), (Plan), prepared by Beck Ten Land LLC and A-Team Associates, LLC. The Plan is date-stamped by the engineer October 21, 2011 ECT previously visited the site in February 2010 for a Woodland Inspection revisited the site on November 8, 2011. The following is a summary of our findings.

***Site Comments:***

According to the City of Novi Official Woodlands Map, the site does not contain Regulated Woodlands. However, one sugar maple on the corner of Beck Road and Ten Mile Road exceeds the 36" dbh and is considered a landmark tree (see attached photo). Per the Woodland Protection Ordinance Sec. 37-4(b), this tree is regulated by virtue of its size, regardless of whether or not it occurs in regulated woodland. Several other large black walnuts, maples, and pines were observed on the property but were not large enough to be considered landmark trees.

***Proposed Impacts:***

The proposed site plan does not contain complete information regarding tree size and location. Located in the southeast corner of the property, the landmark sugar maple's critical root zone may be impacted by grading activities associated with other proposed site infrastructure. If the tree's critical root zone (area defined by longest drip line radius plus one foot) cannot be protected, then the Applicant may choose to leave the tree to see if it survives or remove the tree during construction. For either scenario, assuming the tree's critical root zone cannot be completely protected, the Applicant will be required to provide 4 woodland replacement credits.

Several items must be provided in the subsequent Preliminary Site Plan to comply with site plan standards outlined in the updated Chapter 37 Woodland Protection Ordinance. Currently, the Concept Plan does not provide a method for protecting the regulated maple tree if it is to remain during construction, the location & critical root zone/elevation at the base/condition of the regulated maple tree, the number of replacement credits that will be provided if the maple tree is proposed for removal, cost estimate for the provision of these replacement credits, and species/quantities/sizes of replacement materials.

Estates at Greenwood Oaks ZCM 11-39 and 11-40  
Woodland Review  
November 15, 2011  
Page 2

**Required Permits:**

Based on information provided on the Plan and field review of the site, the proposed project requires a City of Novi Woodlands Use Permit.

**Conclusion:**

ECT believes that one large sugar maple tree in the southeast corner of the property is regulated under the Woodland Protection Ordinance and requires a Woodland Use Permit if its critical root zone cannot be adequately protected. Additional information outlined above must be provided in the Preliminary Site Plan to meet the site plan standards of the Woodland Protection Ordinance. Since the tree occurs near the sidewalk at the edge of the property, ECT suggests that the effort is made to avoid impacting the critical root zone and save the tree. ECT recommends approval of the PRO Plan, conditional on the Applicant's satisfactory adoption of the recommendations described above in the Preliminary Site Plan.

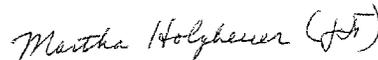
If you have questions, please contact us.

Respectfully,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**



John A. Freeland, Ph.D., PWS  
Environmental Scientist



Martha Holzheuer  
Certified Arborist

Estates at Greenwood Oaks ZCM 11-39 and 11-40  
Woodland Review  
November 15, 2011  
Page 3

Photo 1. Landmark maple tree at the corner of Beck Road and Ten Mile Road, facing south (ECT, February 2010)



**WETLAND REVIEW**



Environmental Consulting & Technology, Inc.

November 15, 2011

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

Re: Wetland Review for Estates at Greenwood Oaks Concept/PRO ZCM 11-39, 11-40

---

Environmental Consulting & Technology, Inc. (ECT) has reviewed the proposed Estates at Greenwood Oaks ZCM 11-39 and 11-40 Planned Rezoning Overlay (PRO), (Plan), prepared by Beck Ten Land LLC and A-Team Associates, LLC. The Plan is date-stamped by the engineer October 21, 2011 ECT previously visited the site in February 2010 for a wetland boundary verification and revisited the site on November 8, 2011. The following is a summary of our findings.

**Site Comments:**

The proposed project site is mostly idle field with scattered shrubs and a few trees. One small wetland (Figure 1) was found near 10-Mile Road in an area labeled on the Plan as "Retention Area." This small wetland is approximately 80-feet in diameter, or less than 5,000 square feet (0.12-acre) (Figure 2). Dominant vegetation includes reed canary grass (*Phalarus arundinacae*), common reed (*Phalarus arundinacae*), and a small clump of black willow (*Salix nigra*). Hydric soils consisted of mucky loam, containing high organic matter content, and oxidized roots met a primary wetland hydrology criterion.

**Regulatory Status**

The wetland identified in the field does not appear to be directly connected to or within 500 feet of a lake, stream or pond. Therefore, ECT does not believe the wetland is regulated by the Michigan Department of Environmental Quality (MDEQ). ECT believes it is City regulated on the basis of meeting one essentiality criterion: it provides a hydrologic (stormwater storage) function.

**Permits**

According to the Novi Wetland Ordinance (Ordinance), Section 12-171(a): "It shall be unlawful for any person to conduct any activities within a watercourse or wetland location without first having obtained a use permit upon proper application."

ECT believes impacts to the wetland described in this report would require a Minor Use Wetland permit and *Authorization to Encroach into the 25-foot Natural Features Setback*.

**Comments and Recommendation**

1. The wetland and 25-foot natural features setback should be mapped and shown on the Plan.

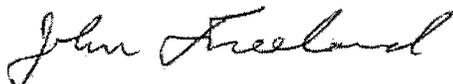
2. The proposed Novi Crossing project would potentially impact a small (approximately 0.12-acre) emergent wetland and surrounding 25-Foot Natural Features Setback, consisting mostly of shrubs and small trees, adjacent to 10-Mile Road. Based on the Plan submitted, it is not clear how much additional water would be added to the wetland area and what impacts, if any the additional volume might have on 10-Mile Road. It appears highly likely the additional volume would far exceed the current conditions. It is not clear how much would infiltrate the soil as opposed to ponding on the surface. This needs to be evaluated.
3. The wetland has no outlet but, according to the Plan, it is connected to another depression south of 10-Mile Road by way of a pipe beneath the road. The pipe appears to flow from south to north. The applicant needs to evaluate the potential for flooding of the wetland, its surrounding area, and the need for an off-site outlet to handle excess wetland flooding.
4. ECT believes the proposed project is permissible with respect to the City's Wetland Ordinance and the Natural Features Setback provisions of the Zoning Ordinance, provided the issues described in the above comments are addressed and satisfactorily resolved.

ECT's determination does not preclude the need for other applicable permits. Although we do not believe the subject wetland is state regulated, the MDEQ makes its own determination of what is or is not a regulated wetland the applicant is encouraged to contact that agency concerning the regulatory status of the wetland described in this report.

If you have questions or comments, please contact us.

Respectfully,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**

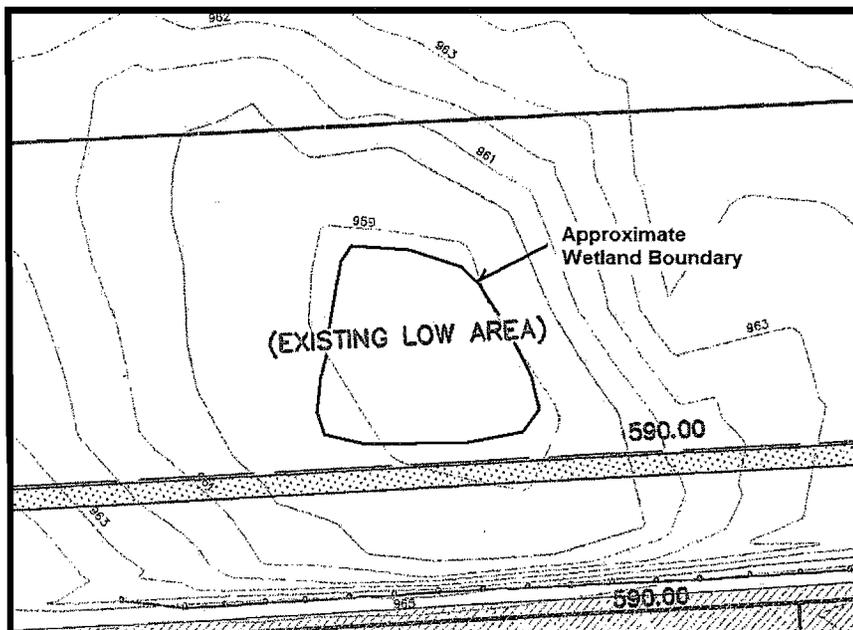


John A. Freeland, Ph.D., PWS  
Environmental Scientist.

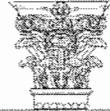
Figure 1. Wetland in the area designated as proposed "Retention" on the Plan. North of 10-Mile road, looking north (ECT, February 12, 2010).



Figure 2. Approximate wetland boundary in area designated as proposed "Retention" on the Plan. The boundary observed in 2010 was near the 959 topographic contour.



**FAÇADE REVIEW**



March 19, 2012

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

Re: The Estates at Greenwood Oaks – PRO Request (2<sup>nd</sup> Review)

Dear Ms. McBeth;

We have reviewed the applicant's letter dated December 22, 2011, specifically items 5 and 6 on page 3, that describe the additional public benefit offered by the proposed PRO Agreement. Our first review included six photographs referred to in the applicant's letter as "samples of specific home elevations that may accompany the PRO document." For this 2<sup>nd</sup> review those 6 photographs have been replaced with 4 models; "Torino II" (3,500 S.F.), Turnberry (2,675 S.F.), Seville (2,600 S.F.) and Springhaven (2,860 S.F.). Up to 5 alternate elevations are provided for each of the above models. The threshold for approval used for this review can be found in Section 3402.D.2.a of the City of Novi's Planned Rezoning Overlay (PRO) Ordinance, which reads;

*3402.D.2.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*

The subject property is bounded by to the Greenwood Oaks Subdivision on the north and west. Both the existing subdivision and the PRO property fall within the R-1 Zoning District. Homes constructed in the PRO would fall under the City's "Similar/Dissimilar" Ordinance, Section 303. This Ordinance sets minimum standards for size (square footage), quality of materials, and design diversity for single family detached dwellings. In order to meet the above threshold homes within the PRO would have to be considered an enhancement compared to the minimum requirements of the Similar Dissimilar Ordinance.

**Size (square footage)** - Section 303.1.g.1 of the Ordinance requires that a proposed home's size be within 75% of the average square footage of homes within a 350 foot radius (measured lot line to lot line). The average square footage of homes in the adjacent Greenwood Oaks Subdivision was calculated to be approximately 2,950 square feet. Based on this the minimum square footage for the homes in the PRO would be approximately 2,212 square foot. The exact figures may vary slightly depending on the particular lot's location. Approximately 40% of the lots in the PRO are located more than 350' from lots in Greenwood Oaks and would not be affected by this minimum square footage.

The applicant has stated that they “will agree to a minimum building size of 2,400 S.F, excluding the basement” (the basement is always excluded). It is assumed that this minimum has been increased by this submittal to 2,600 S.F., the size of the smallest model provided. This new proposed minimum square footage is approximately 17.5% greater than the minimum required area. **Therefore, the proposed minimum of 2,600 square foot would represent an enhancement compared to the minimum required by the Ordinance.** The applicant should provide scaled floor plans for the proposed buildings to clarify the actual square footage.

**Quality of Materials** – Section 303.1.g.2 of the Ordinance requires that the type of materials used not be “grossly dissimilar” to those used in the surrounding area. The relative percentage of brick or stone is one measure of this. The average percentage of brick or stone on homes in Greenwood Oaks is approximately 65% on the front facades with brick extending to the second floor belt line on the side and rear facades. The revised models appear to represent a reduction in the percentage of brick on the front facades as compared to the original submittal. The original examples were approximately 90% to 100% brick or stone on the front facades whereas the revised facades are on average approximately 80 % brick or stone. Examples of the side and rear facades were not provided. The revised facades show less extensive use of architectural features such as full return Queen Ann cornices, stone window surrounds, decorative columns, balustrades, decorative brick coursing. The continuous limestone sill that appeared on two prior models as noted in our prior review has been eliminated. A similar brick sill appears on the new “Seville” model. These architectural features represent an important aspect of the proposed quality of design and it is important that the type and extent of these features be maintained on the homes constructed. **Assuming that all models will have brick extending to the second floor belt line on the side and rear facades, and that the extent and type of architectural features shown in the examples will be maintained on all models, it is our recommendation that the proposed materials and architectural features would be considered an marginal enhancement over the minimum required by the Ordinance.** However, the degree of enhancement is less that that evidenced by the prior submittal. As with the prior submittal, side and rear elevations were not provided. The applicant should provide scaled elevations to clarify the percentage of brick on the side and rear facades.

**Design Diversity** (Similar Dissimilar Ordinance) - Section 303.2 of the Ordinance requires that nearby homes (two on the left, two on the right and any across the street that overlap by 50%) not be “substantially similar” in appearance to the proposed home. The applicant has provided four different floor plans, each with several alternate facades. A total of 20 facades are provided, of which approximately 13 would be considered dissimilar with respect to the Ordinance. These facades offer significantly greater diversity as compared to the prior submittal. We believe that compliance with the Ordinance could readily be achieved with these choices.

If a uniform distribution of ALL of the elevations were to occur this would represent a significant enhancement with respect to this aspect of the Ordinance. However, in reality uniform distribution is unlikely to occur due to the relative popularity of some models. Therefore, a minimum distribution must be assumed. If the applicant were to agree to a greater degree of distribution; for example three on the left, three on the right and any across the street that overlap by 50%, this would be considered an enhancement over the current Ordinance.

Summary – The proposed home models represent a marginal enhancement in 2 of the 3 criteria discussed above; size and quality of materials. With respect to design diversity, it is assumed that minimum ordinance requirements will be met. Given the large number of dissimilar facades provided, greater diversity can reasonably be expected. We would encourage that the applicant to consider assuring such a a greater degree of diversity; for example by modifying the Similar - Dissimilar Ordinance standards as describe herein and/or by master planning the entire subdivision.

**Recommendation – It is our recommendation that the proposed homes marginally meet the PRO's requirement of achieving a higher standard that would not otherwise be achieved under the current Ordinance Requirements.**

We recommend that definitive (less subjective) guidelines and standards for size, design diversity including the extent and type of architectural features, and quality of materials, including drawings and illustrations, be developed by the applicant and included in any PRO Agreement, as required by the PRO Ordinance.

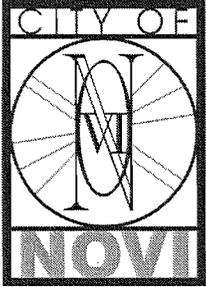
If you have any questions please do not hesitate to call.

Sincerely,  
DRN & Associates, Architects PC

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

Douglas R. Necci, AIA

## FIRE REVIEW



November 14, 2011

TO: Barbara McBeth, Deputy Director  
Community Development, City of Novi

RE: Estates at Greenwood Oaks, Ten Mile & Beck  
SP 11-39 & 11-40, Rezoning & PRO Plan

**CITY COUNCIL**

**Mayor**  
David B. Landry

**Mayor Pro Tem**  
Bob Gatt

Terry K. Margolis

Andrew Mutch

Dave Staudt

Justin Fischer

Wayne Wrobel

**City Manager**  
Clay J. Pearson

**Director of Public Safety**  
David Molloy

**Director of Fire and EMS**  
Jeffrey Johnson

Dear Ms. McBeth,

The above plan has been reviewed and it is **Recommended for Approval** with the revised name of Estates at Greenwood Oaks as approved by the Street Naming Committee on November 8, 2011.

Sincerely,

Michael W. Evans  
Fire Marshal

cc: file

**Novi Fire Department**  
45125 W. Ten Mile Rd.  
Novi, Michigan 48375  
248.349-2162  
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**APPLICANT RESPONSE LETTER**



February 15, 2012

Ms. Kristen Kapelanski, Planner  
City of Novi - Community Development Department  
45175 W. Ten Mile Road  
Novi, Michigan 48375

RE: The Estates at Greenwood Oaks (Beck Road & Ten Mile Road)  
Applicant: Beck Ten Land, LLC  
**PRO (Planned Rezoning Overlay) Request**

Dear Ms. Kapelanski,

We have reviewed the staff and consultant review comments on our PRO rezoning application and appreciate the positive recommendation for approval. As requested, we are hereby submitting thirteen (13) additional copies of the Site Plan (large & small format) and color rendering materials provided previously for your use.

We are pleased that the staff has recommended **Approval of the PRO rezoning** request, and obviously support and appreciate your findings. In response to the review comments provided us, we are providing the following;

- Planning Review – we concur with the general findings of the planning report, and understand that the proposed residential development will be consistent with what the City leader's desire for the property, as communicated in the Master Plan. We further understand, this parcel developed as residential, is consistent with the desires of the surrounding neighborhoods. In this economic environment, we are excited to be able to provide quality single family residential housing on this property corner.
- Engineering review – We concur with the general findings of the report. We are prepared to do the appropriate soils evaluation and engineering study to ensure the proposed storm water management system will function properly for our site. Those efforts will commence immediately following a positive indication that the city leaders are supportive of the proposed PRO project.

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- Public Utilities review - minimal impacts noted by the city.
- Concept Landscape Plan review – the review recommends approval of the conceptual plan, and we intend to finalize additional details of the plan as Site Planning efforts move forward.
- Home elevations review – the reviewer recommends that additional home plans and more specific information be provided (side & rear elevations) to ensure that building materials and similar/dissimilar ordinance matters are addressed. We are confident we can provide the additional housing product options and the architectural elevation details to alleviate these concerns.

With that, we look forward to the February 22 Public Hearing and discussing this matter further with your Planning Commission. Should you and your staff need any additional information on this matter, please feel free to contact me.

Sincerely,  
A-Team Associates, LLC

*William W. Anderson*

William W. Anderson, PE  
President

Attach.

XC: Howard Fingerroot, Beck Ten Land Applicant / Pinnacle Homes