

CITY of NOVI CITY COUNCIL

Agenda Item K August 28, 2017

SUBJECT: Approval of a request from Etkin, LLC for a variance from Chapter 5, Section 2.2.4 (B)(7) of the Engineering Design Manual to allow the construction of a permanent storm water pump station to service drainage for the proposed Fountain Office Park (A123 Systems) development located south of 12 Mile Road and west of Cabaret Drive, subject to the applicant meeting requirements of said section of the Engineering Design Manual.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

The applicant, Etkin, LLC, is requesting a variance from Chapter 5, Section 2.2.4 (B)(7) of the Engineering Design Manual (which is adopted by reference in Section 11-93(a) of the Novi Code of Ordinances) to allow a pumped outlet for storm water for the development site. The applicant has submitted a site plan which proposes to provide onsite detention for 100-year flood events.

The topography of the southern portion of the site, the area being developed, currently discharges storm water via sheet flow along the southwestern and southern boundaries to the CSX railway ditch. Changing the characteristics of the site discharge and releasing it to the CSX railway ditch requires a drainage easement from the railroad company. With support from the Engineering Division and Community Development Department, an alternative storm water management system is being proposed to pump the discharge to a catch basin in Cabaret Drive in the interest of time with the expectation and experience that it is not feasible to receive accommodation from a railroad company.

The Engineering Design Manual states that pumped outlets are not permitted absent a variance from City Council, which shall require demonstration that it is in the public interest and no feasible alternative exists. The applicant has demonstrated in their variance request that draining the site via gravity is not feasible due to the challenges to obtain an easement from the railroad company.

There are several other requirements in the Engineering Design Manual that the applicant has agreed to provide as part of the variance application (see attached excerpt of the Engineering Design manual for the requirements). Among those requirements are a redundant pump, a back-up generator, a maintenance plan and a maintenance agreement with the City that will be recorded.

The variance requests were reviewed by Community Development, the Landscape Architect, DPS Field Operations, DPS Engineering, City Attorney and Fire using the criteria stated for this section of the Engineering Design Manual and Section 11-10 of the

ordinance (attached). Staff takes no exception to this request because the applicant has demonstrated that no feasible alternative exists for the conveyance of storm water from the site. Given the lack of alternatives, Engineering is willing to support the request as long as the applicant meets all the requirements under this section of the Engineering Design Manual to protect the public should the system fail to function.

RECOMMENDED ACTION: Approval of a request from Etkin, LLC for a variance from Chapter 5, Section 2.2.4 (B)(7) of the Engineering Design Manual to allow the construction of a permanent storm water pump station to service drainage for the proposed Fountain Office Park (A123 Systems) development located south of 12 Mile Road and west of Cabaret Drive, subject to the applicant meeting requirements of said section of the Engineering Design Manual.



CITY OF NOVI Engineering Department

MEMORANDUM

To:

Charles Boulard, Community Development

Rick Meader, Landscape Architect

Beth Saarela, Attorney

Kevin Pierce, Fire Department Matt Wiktorowski, Field Ops

From:

Charles Anthony, Engineering

Date:

August 21, 2017

Re:

Variance from Design & Construction Standards

Etkin, LLC.

Attached is a request for a Variance from the Chapter 5 Section 2.2.4 (B)(7) of the Engineering Design Manual for the City of Novi. Please review for a future City Council Agenda. In accordance with Section 11-10 of the Ordinance, the following three conditions *must be met* for a variance to be granted by Council:

- 1) A literal application of the substantive requirement would result in exceptional, practical difficulty to the applicant;
- 2) The alternative proposed by the applicant would be adequate for the intended use and would not substantially deviate from the performance that would be obtained by strict enforcement of the standards; and,
- 3) The granting of the variance would not be detrimental to the public health, safety or welfare, nor injurious to adjoining or neighboring property.

Following review of the variance, check the appropriate box below and provide your signature. If you have no basis for recommending either approval or denial, please check the "No Exceptions Taken" box. If you are recommending approval or denial of the request, please also complete the matrix on the reverse of this form. Please return to my attention by Tuesday, August 22, 2017.

ROUTING

Delivered To	Returned On	RECOMMENDED ACTION			Signature
		Approval*	Denial*	No Exceptions Taken	
George Melistas (Engineering)	821.17			V	The company that the property of the company of the
Charles Boulard (Comm Dev.)	8/21/17			V	Goud
Rick Meader (Landscape Arch)	3/2117				MI MIL
Beth Saarela (City Attorney)	August 21, 2017			Per Review Letter dated August 2017	
Teff Johnson Kevin Pierce (Fire Department)	8/22/17			\	Caypungol

Matt Wiktorowski (Field Ops) 8/21/17

* SEE REVERSE

If recommending approval or denial, please complete the following:

1.	Would a literal application of the substantive requirement of the ordinance result in an exceptional, practical difficulty to the application? Yes No
Expla	in:
-	
2.	Would the alternative proposed by the applicant be adequate for the Intended use and not deviate from the performance that would be obtained by strict enforcement of the standards? Yes No
Expla	iin:
3.	Would granting the variance not be detrimental to public health, safety, or welfare, and not injurious to adjoining or neighboring property?
Expla	in:

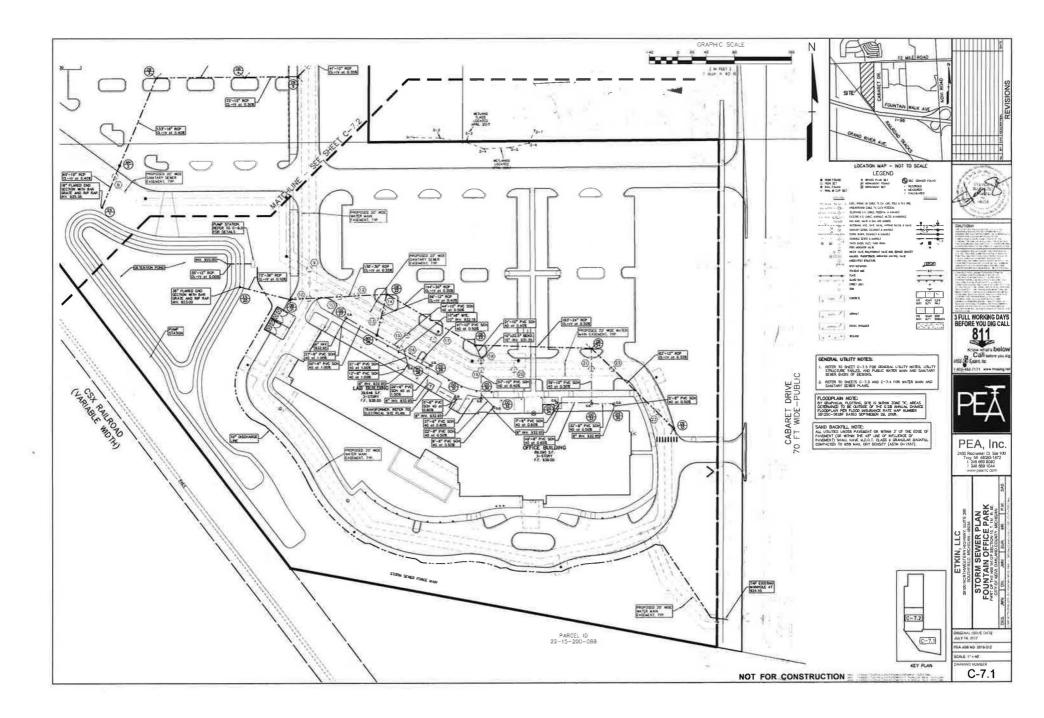


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Request for Variance Design and Construction Standards

Applicant informati		Engineer information		
Name: Etkin (Acting as Development Manager) Address: 200 Franklin Center 29000 Northwestern Southfield, MI 48034		Name: PEA (Steve Sorensen)		
		Address: 2430 Rochester Court, Suite 100		
		Troy, MI 48083		
Phone No: _248.358.0	800	Phone No:		
Applicant Status (p	lease check one):			
Property Owner	Developer	Developer / Owner Representative		
Other				
Project Name A123 S	Systems			
Project Address/Loc	cationSouth Side of 12 Mile	Road, West of Cabaret Drive		
•				
Variance Request	Pumped Storm Water Outlet			
	n additional pages if ne	acessan/)		
discharges storm water via s Changing the characteristics from the railroad company. U	sheet flow along the southwestern of the site discharge and releasing Joon discussion with the City, an a	coximately 23 feet from North to South and currently and southern boundaries to the CSX railway ditch. and it to the CSX railway ditch requires a drainage easement alternative storm water management system has been brive consistent with the storm water master plan for regional		
demonstration that it is in the	public interest and no feasible al	ent a variance from City Council, which shall require ternative exists. It is not feasible to drain the site via gravity arilroad company. Therefore a pumped outlet is being		
	INTERNA	L USE		
Date Submitted:				
Code Section from wh	ich variance is sought:			
		on 8.5 x 11 size paper		
		ee for driveway width variance requests)		
Request Status:	□ APPROVED □ D	PENIED		
Authorized By:				
Authorization Date:		3		



- perimeter of the riser between the elevation of the permanent water and the 100-year storm event. The riser will not function to restrict flow but will prevent clogging of the internal restrictive device.
- b. Hoods or trash racks shall be installed on the riser to prevent clogging.
- c. The riser shall be placed near or within the embankment, to provide for ready maintenance access. Where the outlet structure is not located near enough to the bank to facilitate visual inspection of the structure, a stone bridge with a minimum top width of five (5) feet shall be provided.
- d. The riser pipe shall be a minimum of three (3) feet in diameter and constructed of materials that will reduce future maintenance requirements.
- 6. Backwater on the outlet structure from the downstream drainage system will be evaluated when designing the outlet.
- 7. Pumped outlets are not permitted absent a variance from City Council, which shall require demonstration that it is in the public interest and no feasible alternative exists. IF City Council grants a variance to allow a pumped outlet, the following documentation shall be standards shall apply:
 - a. The pump(s) shall be designed to meet the maximum discharge rate and time requirements for the 100-year and bankfull flood events. Minimum and maximum system head curves and pump curves shall be provided to verify the operating duty points of the pump(s).
 - b. Pumps shall be of appropriate construction for conveying storm water.
 - c. A redundant pump shall be provided.
 - d. A generator shall be provided for the pump station. A permanent on-site generator shall be provided or a generator receptacle in combination with a portable generator shall be provided.
 - e. A mechanism for determining failure of the pumps (alarm lights, water depth indicator, etc.) shall be provided. The mechanism shall be of a nature that ensures the ultimate property owner (filed with the Register of Deeds) will easily be able to identify a pump failure.
 - f. An operation and maintenance plan shall be provided and a maintenance agreement shall be in place with the ultimate property owner (filed with the Register of Deeds).

C. Overflow

1. An emergency spillway with a defined downstream drainage path or a secondary standpipe must be provided at an elevation 6-inches above the 100-year elevation to allow discharge from the basin when the flows exceed the capacity of the outlet structure. Provisions for preventing erosion of the spillway shall be provided. The emergency spillway or secondary standpipe shall have sufficient capacity to convey the peak flow associated with a 100-year design storm. Methods for determining the 100-year storm peak flows are outlined in Section 5.5.1.



JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331 Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela esaarela@jrsjlaw.com

www.jrsjlaw.com

August 22, 2017

Darcy Rechtien, Plan Review Engineer City of Novi Public Services Field Services Complex 26300 Lee BeGole Drive Novi, MI 48375

Re:

A123 Systems

Variance from Design and Construction Standards Pumped Storm Water Outlet

Dear Ms. Rechtien:

Our office has reviewed the proposed request for a variance from the City's Stormwater Management Design Standards as set forth in the Engineering Design Manual for the purpose of constructing a detention pond with a pumped outlet. The property owner has requested a waiver from Section 2.2.4.B.7 of the Engineering Design Manual, which states in relevant part:

- 7. Pumped outlets are not permitted absent a variance from City Council, which shall require demonstration that it is in the public interest and no feasible alternative exists. If City Council grants a variance to allow a pumped outlet, the following documentation shall be standards shall apply:
 - a. The pump(s) shall be designed to meet the maximum discharge rate and time requirements for the 100-year and bankfull flood events. Minimum and maximum system head curves and pump curves shall be provided to verify the operating duty points of the pump(s).
 - b. Pumps shall be of appropriate construction for conveying storm water.
 - c. A redundant pump shall be provided.
 - d. A generator shall be provided for the pump station. A permanent on-site generator shall be provided or a generator receptacle in combination with a portable generator shall be provided.

- e. A mechanism for determining failure of the pumps (alarm lights, water depth indicator, etc.) shall be provided. The mechanism shall be of a nature that ensures the ultimate property owner (filed with the Register of Deeds) will easily be able to identify a pump failure.
- f. An operation and maintenance plan shall be provided and a maintenance agreement shall be in place with the ultimate property owner (filed with the Register of Deeds).

The Engineering Design Manual requires that all variances from the standards must be requested and are approvable in accordance with the procedure and standards set forth in the City of Novi Code of Ordinances. Section 11-10 of the Ordinance Code permits the City Council to grant a variance from the Design and Construction Standards when a property owner shows all of the following:

- (b) A variance may be granted when all of the following conditions are satisfied:
 - (1) A literal application of the substantive requirement would result in exceptional, practical difficulty to the applicant;
 - (2) The alternative proposed by the applicant shall be adequate for the intended use and shall not substantially deviate from the performance that would be obtained by strict enforcement of the standards; and
 - (3) The granting of the variance will not be detrimental to the public health, safety or welfare, nor injurious to adjoining or neighboring property.

The applicant indicates that draining the site via gravity is not feasible due to inability to obtain a drainage easement from the railroad company.

In the event that City Council finds that the standards for a variance or waiver have been met, our office sees no legal impediment to granting the variance, subject to the condition that the Engineering Division finds that the alternative proposed by the applicant is adequate for the intended use, will not substantially deviate from the performance of a gravity system, and that the variance is subject to the conditions set forth in Section 2.2.4.B.7(a)-(f), above.

We would recommend that if the variance is granted by City Council, that it be conditioned upon the Applicant providing a Storm Drainage Facility Maintenance Easement Agreement for the site that addresses the conditions for maintaining the pumped outlet, as set forth above. A sample Storm Drainage Facility Maintenance Easement Agreement has been enclosed. Darcy Rechtien, Plan Review Engineer August 22, 2017 Page 3

Please feel free to contact me with any questions or concerns in regard to this matter.

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.

Ælizabeth Kudla Saarela

EKS

Enclosures

C:

Cortney Hanson, Clerk (w/Enclosures)

Charles Boulard, Community Development Director (w/Enclosures)

Barb McBeth, City Planner (w/Enclosures) Kirsten Mellem, Planner (w/Enclosures)

Sri Komaragiri, Planner (w/Enclosures)

Angie Pawlowski, Community Development Bond Coordinator (w/Enclosures)

George Melistas, Senior Engineering Manager (w/Enclosures)

Theresa Bridges, Construction Engineer (w/Enclosures)

Sarah Marchioni, Community Development Building Project Coordinator (w/Enclosures)

Sue Troutman, City Clerk's Office (w/Enclosures)

Thomas R. Schultz, Esquire (w/Enclosures)

STORM DRAINAGE FACILITY MAINTENANCE AGREEMENT

	THIS EASEMENT AGREEMENT is made thisday of, 2017, by and
betwee	en, a Michigan
whose	address is, Michigan 48 (hereinafter the
"Owne	er"), and the City of Novi, its successors, assigns, or transferees, whose address is 45175 Ten
Mile R	oad, Novi, MI 48375 (hereinafter the "City").
RECI	TATIONS:
Α.	Owner is the owner and developer of a certain parcel of land situated in Section 15 of the City of Novi, Oakland County, Michigan, described on the attached and incorporated Exhibit A (the "Property"). Owner has received final site plan approval for construction of an office lab space/assembly building development on the Property.
В.	The office/lab space/assembly building development, shall contain certain storm drainage, detention facilities, including but not limited to, a detention/sedimentation basin, for the collection, conveyance, storage, treatment and/or discharge of storm water from the Property in accordance with all approved plans, and all applicable ordinances, laws and regulations.
В.	Based on the topography of the site, the storm drainage detention basin elevation prohibits drainage by gravity and shall require storm drainage facilities, consisting of a pumped outlet from the basin, with a redundant pump and a backup generator (the basin, the redundant pump and a backup generator are hereinafter identified as the "Storm Drainage Facilities") to discharge of storm water in accordance with all approved plans, and all applicable ordinances, laws and regulations.
C.	Owner obtained a variance to operate and maintain the pumped outlet in accordance with the terms and conditions of the City's Engineering Design Manual, as amended from time to

time.

NOW, THEREFORE, the Owner hereby covenants and agrees that the Owner shall, at its own expense, perpetually preserve, maintain, and repair the Storm Drainage Facilities which are part of the system, to insure that the same continue to function as intended. The Owner shall establish a regular and systematic program of maintenance (the "Maintenance Plan") for such facilities and areas to insure that the physical condition and intended function of such areas and facilities shall be preserved and maintained. The Maintenance Plan is described in the attached and incorporated Exhibit B.

In the event that the Owner shall at any time fail to carry out the responsibilities specified within this agreement, and/or in the event of a failure to preserve and/or maintain the Storm Drainage Facilities in reasonable order and condition, the City may serve written notice upon the Owner setting forth the deficiencies in maintenance and/or preservation along with a demand that the deficiencies be cured within a stated reasonable time period, and the date, time and place for a hearing before the City for the purpose of allowing Owner an opportunity to be heard as to why the City should not proceed with the correction of the deficiency or obligation which has not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. If, following such hearing, the person conducting the hearing shall determine that the obligation has not been fulfilled or failure corrected within the time specified in the notice, as determined by the City in its reasonable discretion, the City shall thereupon have the power and authority, but not the obligation, to enter upon the Property, or cause its agents or contractors to enter the Property through the Ingress/Egress Easement Area as described and depicted in Exhibit C and perform such obligation or take such corrective measures as reasonably found by the City to be appropriate or necessary with respect to the Storm Drainage Facilities described and depicted in Exhibit D, for the purposes described above. The cost and expense of making and financing such actions by the City, including notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in an amount equivalent to twenty-five (25%) percent of the total of all such costs and expenses incurred, shall be paid by Owner within thirty (30) days of a billing to the Owner. All unpaid amounts may be placed on the delinquent tax roll of the City as to the Property, and shall accrue interest and penalties, and shall be collected as, and deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. In the discretion of the City, such costs and expenses may be collected by suit initiated against the Owner, and, in such event, the Owner shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.

The Owner shall defend, indemnify and hold the City harmless from and against any claims, demands, actions, damages, injuries, costs or expenses of any nature whatsoever, fixed or contingent, known or unknown, including costs, expenses and attorneys' fees incurred by the City arising out of or in any way connected with the design, construction, use, maintenance, repair or operation of the Storm Drainage Facilities described in Exhibit D.

The parties hereto make this Agreement on behalf of themselves, their heirs, successors, assigns and transferees, and hereby warrant that they have the authority and capacity to execute this Agreement and bind the property as described in the terms and conditions of this agreement.

Invalidation of any of these covenants or conditions by Judgment or Court Order shall in no way affect the validity of any other provision which shall remain in full force and effect.

This agreement shall run with the land and be binding upon all owners, their agents, heirs, successors, assigns and transferees.

IN WITNESS WHEREOF, Owner has executed this Agreement as of the day and year first above set forth.

	OWNER
	By:
STATE OF MICHIGAN)) ss. COUNTY OF OAKLAND)	
,	edged before me thisday of, 201_, eof
	Notary Public Acting in Oakland County, Michigan My Commission Expires:
Drafted by: Elizabeth Kudla Saarela Johnson, Rosati, Schultz & Joppich, P.C. 27555 W. Twelve Mile Road, Suite 250 Farmington Hills, MI 48331	And when recorded return to: Cortney Hanson, City Clerk City of Novi 45175 Ten Mile Rd Novi, MI 48375



PLAN REVIEW CENTER REPORT

August 2, 2017

Engineering Review

A123 Systems JSP17-0021

Applicant

Etkin, LLC

Review Type

Final Site Plan

Property Characteristics

Site Location:

South of 12 Mile Road, West of Cabaret Drive

Site Size:

30 +/- acres

Plan Date:

July 14, 2017

Design Engineer:

PEA, Inc.

Project Summary

- Construction of 89,290 square-foot office building, 39,646 square-foot laboratory building, 53,469 square-foot assembly building, and associated parking. Site access would be provided off of Cabaret Drive, a public street.
- Water service would be provided by an 8-inch extension from the existing 8-inch water main stub at the north property line of proposed site adjacent to hotel site at Cabaret Drive and by an 8-inch extension from the existing 12-inch water main stub on the southeast corner of proposed site that crossed Cabaret Drive.
- Sanitary sewer service would be provided from the existing 12-inch sanitary sewer adjacent to the west property line of the proposed site.
- Storm water would be collected by multiple storm sewer collection systems that drain into a single detention basin.

Recommendation

Approval of the Final Site Plan is NOT recommended until the following items are addressed.

Comments:

The Final Site Plan does <u>not</u> meet the general requirements of Chapter 11 of the Code of Ordinances, the Storm Water Management Ordinance and/or the Engineering Design Manual. The following must be addressed prior to resubmittal:

General

- 1. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal. They can be found on the City website (www.cityofnovi.org/DesignManual).
- 2. Provide the City's standard detail sheets for water main (5 sheets-March 2014), sanitary sewer (3 sheets-March 2014), storm sewer (2 sheets-June 2012), and pathway and board walks (1 sheet-May 2012) at the time of the Stamping Set submittal. These details are available on the City's website (www.cityofnovi.org/DesignManual).
- 3. The Non-domestic User Survey form shall be submitted to the City so it can be forwarded to Oakland County. This form was included in the original site plan package.
- 4. Provide sight distance measurements for the Cabaret Drive entrances in accordance with Figure VIII-E of the Design and Construction Standards.
- 5. Label "FUTURE ROW" as "PROPOSED ROW" and the said right-of-way may be dedicated to the City at this time to conform with the City's Master Road Plan.
- 6. Provide a traffic control plan for the proposed road work activity along Cabaret Drive.
- 7. Where the minimum 18-inch clearance at utility crossings cannot be achieved, provide a prominent note stating the substandard clearance and that proper bedding/encasement will be determined by the inspecting engineer. There appears to be at least four crossings (Crossings 2, 5, 8, 12).
- 8. There appears to be a couple typos in the utility crossing inverts. The top of sanitary for crossing #5 has an elevation of 834.55, which seems low. The top of sanitary for crossing #14 has an elevation 827.50, which also seems low.
- 9. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Division for review.
- 10. Generally, all proposed trees shall remain outside utility easements. Where proposed trees are required within a utility easement, the trees shall maintain a minimum 5-foot horizontal separation distance from any existing or proposed utility. All utilities shall be shown on the landscape plan, or other appropriate sheet, to confirm the separation distance.
- 11. Show the locations of all light poles on the utility plan and indicate the typical foundation depth for the pole to verify that no conflicts with utilities will occur. Light poles in a utility easement will require a License Agreement.

Water Main

12. A majority of the proposed water main is proposed to be installed beneath pavement. Whenever possible, water main should be installed outside of the influence of the pavement.

- 13. Note and show the existing off-site water main easement near the northwest corner of the site. Note liber and page numbers. If the existing off-site easement doesn't not extend to the property line, an additional off-site easement for the proposed work will be required.
- 14. Provide water main modeling calculations demonstrating that the required water supply of 2,000/4,000 gpm will be available.
- 15. Provide a profile for all proposed water main 8-inch and larger.
- 16. Three (3) sealed sets of revised utility plans along with the MDEQ permit application (1/07 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Division for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

Sanitary Sewer

- 17. Note and show the existing easement of the sanitary sewer adjacent to the west property line of the proposed site that it is connecting to. Note the liber and page numbers on plan. If the existing off-site easement doesn't not extend to the property line, an additional off-site easement for the proposed work will be required.
- 18. Provide a sanitary sewer monitoring manhole, unique to this site, within a dedicated access easement. Provide a 20-foot wide access easement to the monitoring manhole from the Cabaret Drive right-of-way via one of the 2 drive entrances (rather than a public sanitary sewer easement).
- 19. For 8-inch and larger extensions Provide a testing bulkhead immediately upstream of the sanitary connection point. Additionally, provide a temporary 1-foot deep sump in the first sanitary structure proposed upstream of the connection point, and provide a secondary watertight bulkhead in the downstream side of this structure.
- 20. Seven (7) sealed sets of revised utility plans along with the MDEQ permit application (04/14 rev.) for sanitary sewer construction and the Streamlined Sanitary Sewer Permit Certification Checklist should be submitted to the Engineering Division for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets. Also, the MDEQ can be contacted for an expedited review by their office.

Storm Sewer

- 21. A storm water agreement/detention basin agreement is required.
- 22. Match the 0.80 diameter depth above invert for pipe size increases.
- 23. Sheet C-5.1: The existing curb-type pavement catch basin located on the proposed south drive approach must be replaced by a non-curb type cover.
- 24. Sheet C-7.1: Note the length, material, class/type of the proposed 10" discharge line.

25. Sheet 8.1: Note on profile: Grade must be built up to approximate proposed elevation prior to installation of storm sewer between Structures ES10 and CB12. The same applies to storm sewer between Structures ES1 and CB4.

Storm Water Management Plan

- 26. Provide calculations verifying the post-development runoff rate directed to the proposed receiving drainage course does not exceed the predevelopment runoff rate for the site.
- 27. Provide release rate calculations for the three design storm events (first flush, bank full, 100-year).
- 28. Provide a soil boring in the vicinity of the storm water basin to determine soil conditions and to establish the high water elevation of the groundwater table.
- 29. Provide supporting calculations for the runoff coefficient determination.
- 30. A 4-foot wide safety shelf is required one-foot below the permanent water surface elevation within the basin.
- 31. Sheet C-5.1: Per Section 11-93 of Chapter 11 of the City of Novi Codified Ordinance, underground drainage facilities will be required for storm water disposal system; i.e., the runoff directed into the 4 spillways in the south side must be caught by storm structures. The same applies for the other 2 spillways to the north of the detention pond. These 2 spillways can potentially erode the north bank of the basin.
- 32. Sheets C-5.1 & 5.2: Note the length and slope of proposed swales to the north and south of the detention basin. The swale drainage must be caught by a storm structure. Overland runoff into the detention basin will not be allowed because of potential bank erosion.
- 33. Sheet C-7-2: End Section ES10 must be connected to the detention basin. Limit number of inlets to the basin by combining End Section ES10 and ES1 to just one inlet.
- 34. Sheets C-8.1 and 8.2: Note and show the riprap for the Inlet and outlet at the detention basin. Include detail on the plans.

Paving & Grading

- 35. Detectable warning plates are required at all barrier free ramps, hazardous vehicular crossings and other areas where the sidewalk is flush with the adjacent drive or parking pavement. The barrier-free ramps shall comply with current MDOT specifications for ADA Sidewalk Ramps. Provide the latest version of the MDOT standard detail for detectable surfaces.
- 36. A proposed ADA ramp with detectable warning plates must be provided at the sidewalk on northwest corner of Cabaret Drive and Fountain Walk Avenue.
- 37. Sheets C-1.1, 2.1, 3.1 & 4.1: Note and show the existing west right-of-way line of Cabaret Drive across the existing site to the north of proposed site. The proposed sidewalk replacement, which is wider than the existing sidewalk to be removed, must be within the existing right-of-way.

- 38. Additional easement or ROW must be dedicated for the portion of existing Cabaret Drive radius encroaching onto the southeast corner of the proposed site.
- 39. There is a paved access driveway on the existing hotel site to the north extended at the property line of the proposed site. It appears that the intent of this driveway is to be connected to the proposed site for shared use of drive entries. If so, show proposed paved connection to this existing driveway on the plans and a cross-access easement would be required.
- 40. Label specific ramp locations on the plans where the detectible warning surface is to be installed.
- 41. Specify the product proposed and provide a detail for the detectable warning surface for barrier free ramps. The product shall be the concrete-embedded detectable warning plates, or equal, and shall be approved by the Engineering Divsion. Stamped concrete will not be acceptable.
- 42. Additional spot grades along the ingress/egress routing to the building from the barrier-free stalls to ensure compliance with Michigan Barrier-Free regulations.
- 43. The grade of the drive approach shall not exceed 2-percent within the first 25 feet of the intersection. Provide spot grades as necessary to establish this grade.
- 44. Provide additional spot grades as necessary to demonstrate that a minimum 5-percent slope away from the building is provided for a minimum distance of ten feet around the perimeter of the building.
- 45. The end islands shall conform to the City standard island design, or variations of the standard design, while still conforming to the standards given in Section 2506 of Appendix A of the Zoning ordinance (i.e. 2' minor radius, 15' major radius, minimum 8' wide, 3' shorter than adjacent 19' stall).
- 46. The City standard straight-faced curb (MDOT F-4 curb detail) shall be provided. Revise details accordingly.
- 47. Provide additional top of curb/walk and pavement/gutter grades to indicate height of curb adjacent to parking stalls or drive areas.
- 48. Curbing and walks adjacent to the end of 17-foot stalls shall be reduced to 4-inches high, rather than the standard 6-inch height to be provided adjacent to 19-foot stalls. Provide additional details and notes as appropriate.

Soil Erosion and Sediment Control

- 49. A SESC permit is required. A full review has not been done at this time. The review checklist detailing all SESC requirements is attached to this letter. Please address the comments below and submit a SESC permit application under a separate cover. The application can be found on the City's website at http://cityofnovi.org/Reference/Forms-and-Permits.aspx.
- 50. Sheet C-6.3: Include a S.E.S.C. timing schedule on the plans.
- 51. Sheet C-6.3: Note the ultimate drainage outlet on the plans.
- 52. Sheet C-6.3: Note the soil type on the proposed plans.

Off-Site Easements

- Any off-site utility easements anticipated must be executed **prior to final** approval of the plans. If you have not done so already, drafts of the easements and a recent title search shall be submitted to the Community Development Department as soon as possible for review, and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.
- 54. Approval from the neighboring property owner for the work associated with the possible off-site water main, sanitary sewer, and cross access easements shall be forwarded to the Engineering Division **prior to site plan approval**.

The following must be submitted with the Revised Final Site Plan:

- 55. A letter from either the applicant or the applicant's engineer must be submitted with the Stamping Set highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved. Additionally, a statement must be provided stating that all changes to the plan have been discussed in the applicant's response letter.
- 56. An itemized construction cost estimate must be submitted to the Community Development Department 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 estimate must be itemized* for each utility (water, sanitary, storm sewer), on-site paving (square yardage), 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 with the Stamping Set:

(Please note that all documents must be submitted together as a package with the Stamping Set submittal with a legal review transmittal form that can be found on the City's website. Partial submittals will <u>not</u> be accepted.)

- 57. A draft copy of the Storm Drainage Facility Maintenance Easement Agreement, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds. This document is available on our website.
- 58. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department. This document is available on our website.
- 59. A draft copy of the 20-foot wide easement for the sanitary sewer and monitoring manhole to be constructed on the site must be submitted to the Community Development Department. This document is available on our website.
- 60. Executed copies of approved off-site utility easements.

The following must be addressed prior to construction:

- 61. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).
- 62. 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 (no application required). No fee is required for this permit.
- 63. Material certifications must be submitted to Spalding DeDecker for review prior to the construction of any utilities on the site. Contact Ted Meadows at 248-844-5400 for more information.
- 64. Construction inspection fees (Amount TBD) must be paid to the City Treasurer's Office.
- Legal escrow fees (Amount TBD) must be deposited with the City Treasurer. Unused escrow will be returned to the payee at the end of the project. This amount includes engineering legal fees only. There may be additional legal fees for planning legal documents.
- 66. A storm water performance guarantee (Amount TBD)(equal to 150% of the cost required to complete the storm water management facilities) as specified in the Storm Water Management Ordinance must be posted at the City Treasurer's Office.
- 67. Storm Water Detention Fees (Amount TBD) must be paid at the City Treasurer's Office.
- 68. Water and Sanitary Sewer Fees must be paid prior to the pre-construction meeting. Contact the Water & Sewer Division at 248-347-0498 to determine the amount of these fees.
- 69. A street sign financial guarantee in the amount of \$19,600.00 (\$400 per traffic control sign proposed) must be posted at the City Treasurer's Office. Signs must be installed in accordance with MMUTCD standards.
- 70. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department, Building Division (248-347-0430) for forms and information. The financial guarantee and inspection fees will be determined during the SESC review.
- 71. A permit for work within the right-of-way must be obtained from the City of Novi. The application is available from the City Engineering Division or on the City website and may be filed once the Final Site Plan has been submitted. Please contact the Engineering Division at 248-347-0454 for further information. Only submit the cover sheet, standard details and plan sheets applicable to the permit.
- 72. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Englneer after the

- water main plans have been approved. Only submit the cover sheet, overall utility sheet, standard details and plan/profile sheets applicable to the permit.
- 73. 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. Only submit the cover sheet, overall utility sheet, standard details and plan/profile sheets applicable to the permit.
- 74. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ may require an approved SESC plan to be submitted with the Notice of Coverage.
- An inspection permit for the sanitary sewer tap must be obtained from the Oakland County Water Resource Commissioner.

The following must be addressed prior to issuance of a Temporary Certificate of Occupancy approval for the development:

- 76. The amount of the incomplete site work performance guarantee for any outstanding site improvement items, limited to top course of pavement and other minor items, at 1.2 times the amount required to complete the site improvements as specified in the Performance Guarantee Ordinance.
- 77. All easements and agreements referenced above, with the exception of the warranty deed for Cabaret Drive to be dedicated as public, must be executed, notarized and approved by the City Attorney and City Engineer.
- 78. A Bill of Sale for the utilities conveying the improvements to the City of Novi must be submitted to the Community Development Department. This document is available on our website.
- 79. Spalding DeDecker will prepare the record drawings for this development. The record drawings will be prepared in accordance with Article XII, Design and Construction Standards, Chapter 11 of the Novi Code of Ordinances.
- 80. Submit to the Community Development Department, Waivers of Lien from any parties involved with the installation of each utility as well as a Sworn Statement listing those parties and stating that all labor and material expenses incurred in connection with the subject construction improvements have been paid.
- 81. Submit a Maintenance Bond to the City Treasurer's Office (Amount TBD) (equal to 25 percent of the cost of the construction of the utilities to be accepted). This bond must be for a period of two years from the date that the Utility Acceptance Permit is issued by the City of Novi Engineering Division. This document is available on our website.
- 82. Submit an up-to-date Title Policy (dated within 90 days of City Council consideration of acceptance) for the purpose of verifying that the parties

signing the Easement and Bill of Sale documents have the legal authority to do so. Please be sure that all parties of interest shown on the title policy (including mortgage holders) either sign the easement documents themselves or a Subordination Agreement. Please be aware that the title policy may indicate that additional documentation is necessary to complete the acceptance process.

83. Provide a warranty deed for the additional right-of-way along Cabaret Drive for acceptance by the City.

<u>Prior to preparing stamping sets</u>, the Applicant is advised to provide any revised sheets directly to the Engineering Division for an informal review and approval.

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

Please contact Noel Santos at (248) 844-5400 with any questions.

Noel Y. Santos, P.E. Senior Project Engineer

Meely. Sout

cc: Angela Pawlowski, Community Development

Tina Glenn, Treasurers
Kristin Pace, Treasurers
Ben Croy, Water and Sewer
Theresa Bridges, Engineering
Darcy Rechtien, Engineering
George Melistas, Engineering
D. Richmond, Spalding DeDecker

B. Allen, Spalding DeDecker

FINAL SITE PLANS FOR

FOUNTAIN OFFICE PARK

PART OF THE NORTHWEST 1/4 OF SECTION 15

CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

OWNER/APPLICANT/DEVELOPER:

ETKIN
29100 NORTHWESTERN HIGHWAY, SUITE 200
SOUTHFIELD, MICHIGAN 48034
CONTACT: JOSH SUARDINI
PHONE: (248) 358-0800 FAX: (248) 358-2180 JSUARDINIGETKINLLC.COM

ARCHITECT:

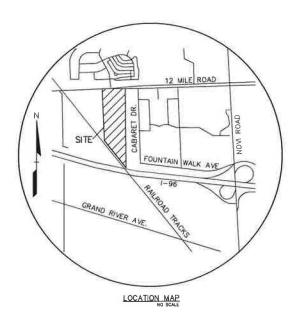
FAUDIE ARCHITECTURE 26261 EVERGREEN ROAD, SUITE 123 SOUTHFIELD, MICHIGAN 48076 CONTACT: BRIAN LIMING PHONE: (248) 519-2354 BLIMING@FAUDIEARCHITECTURE.COM

CIVIL ENGINEER:

PEA, INC. 2430 ROCHESTER CT, SUITE 100 TROY, MI 48083 CONTACT: STEVEN A SORENSEN, P.E. PHONE: (248) 689–9090 FAX: (248) 689–1044

LANDSCAPE ARCHITECT:

PEA, INC. 7927 NEMCO WAY, SUITE 115 BRIGHTON, MI 48116 CONTACT: JANET EVANS, P.L.A. PHONE: (517) 546-8583 FAX: (517) 546-8973



INDEX	OF DRAWINGS:
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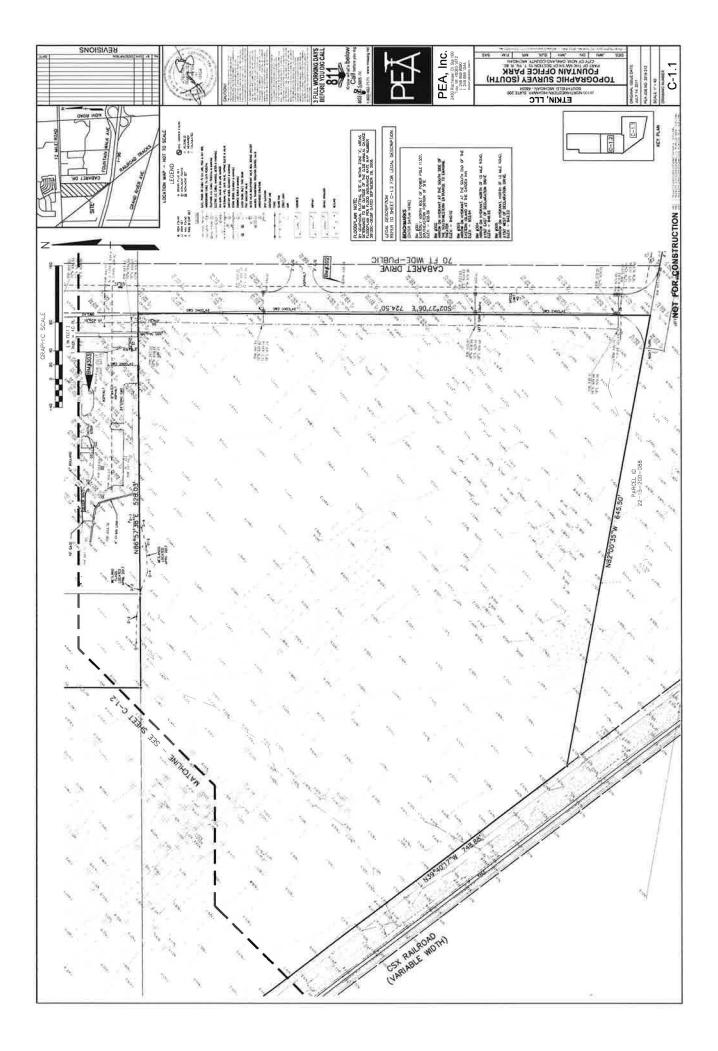


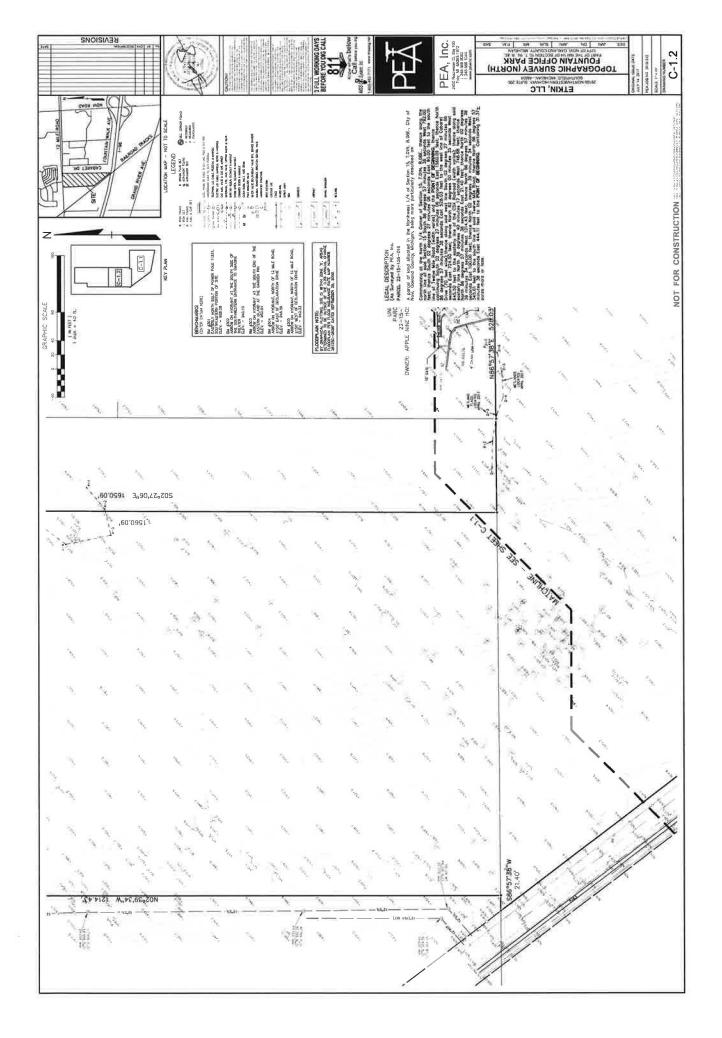
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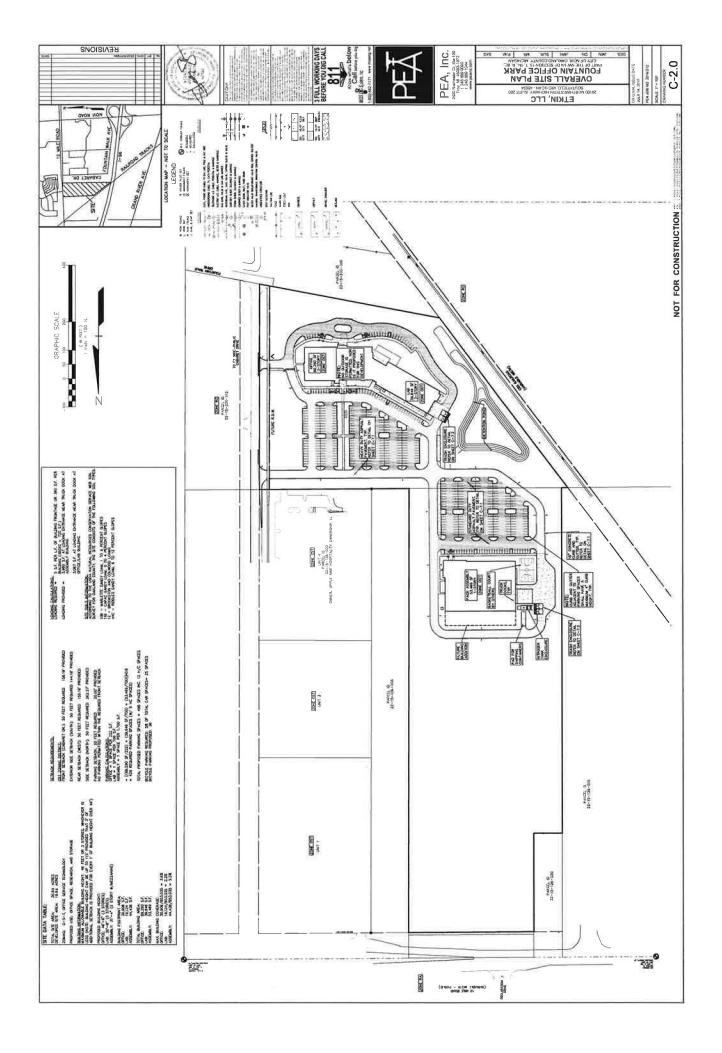


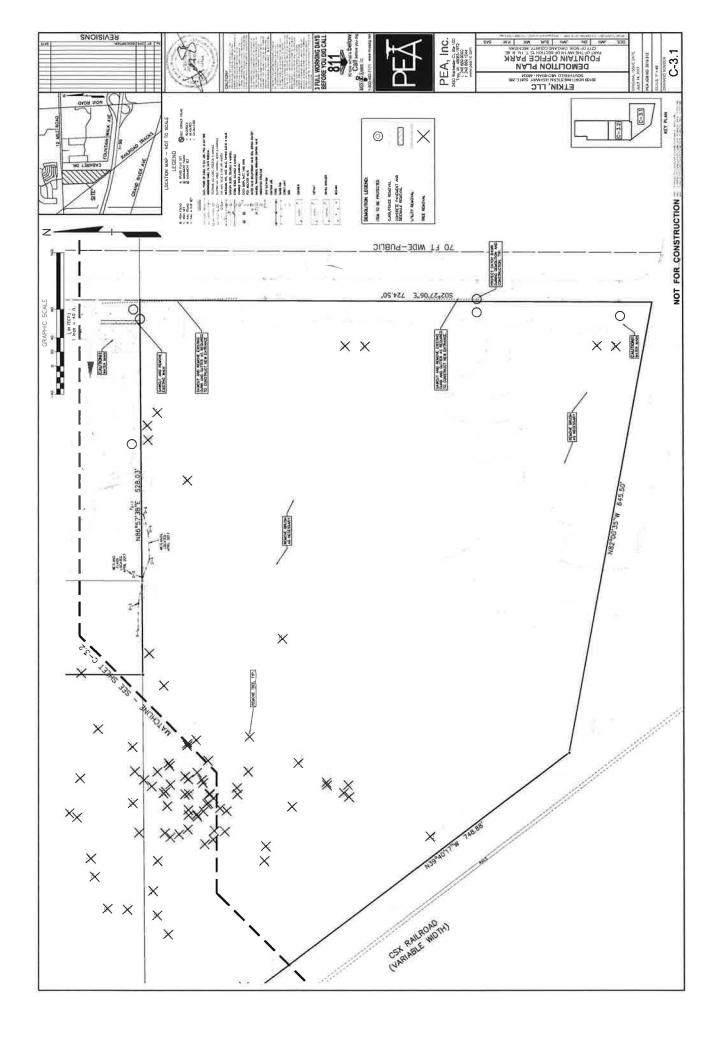
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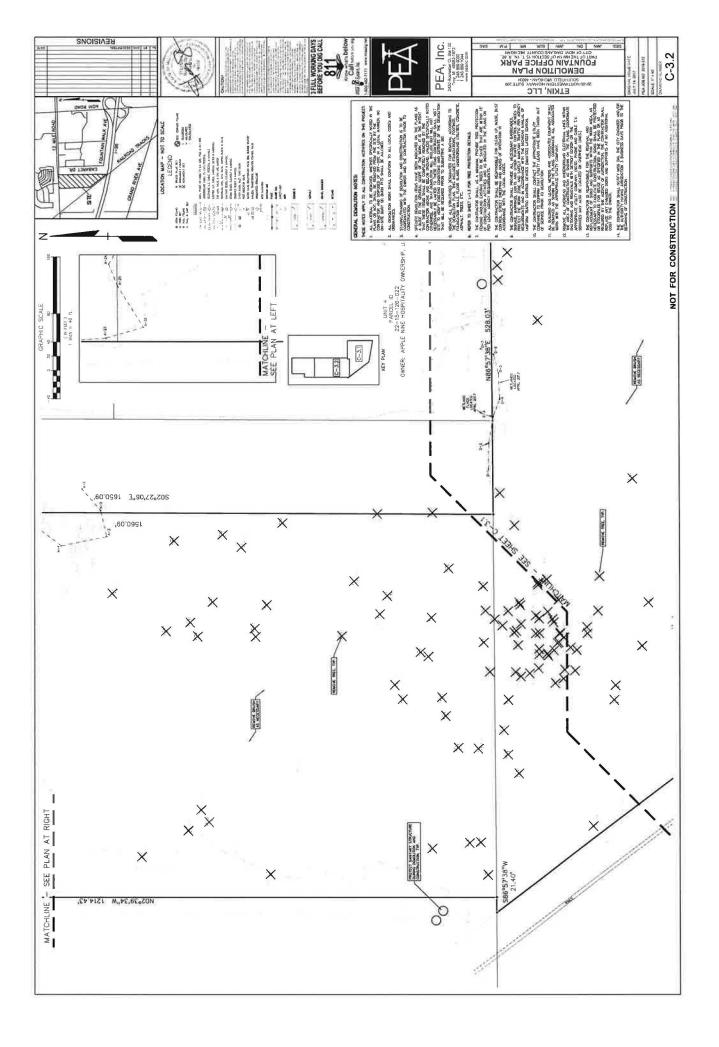
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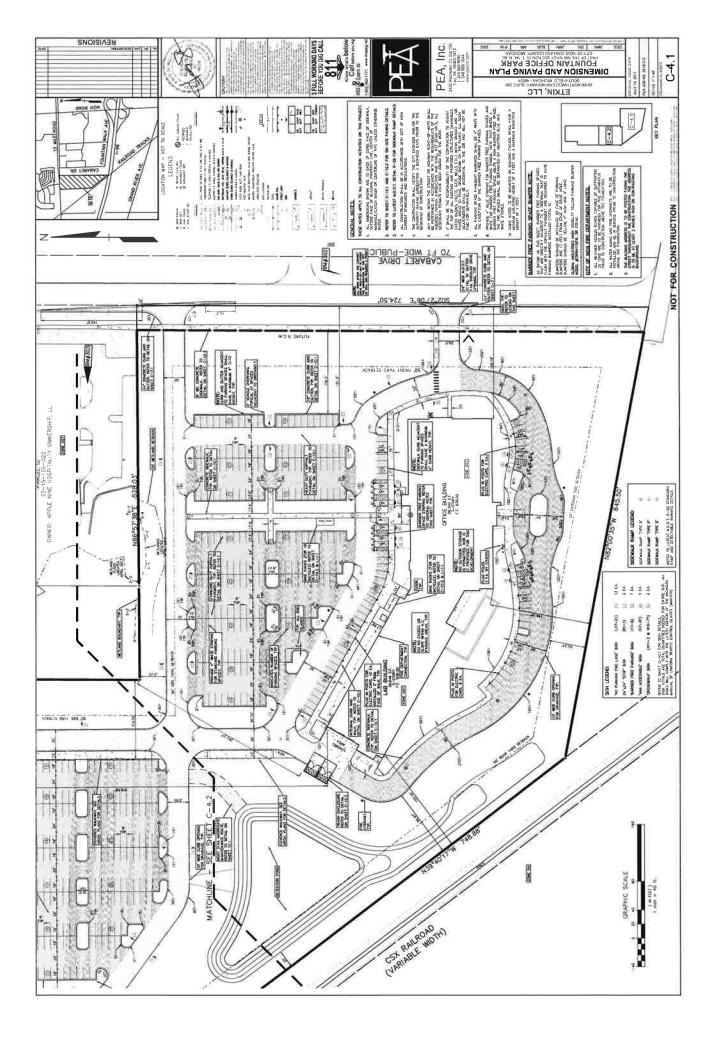


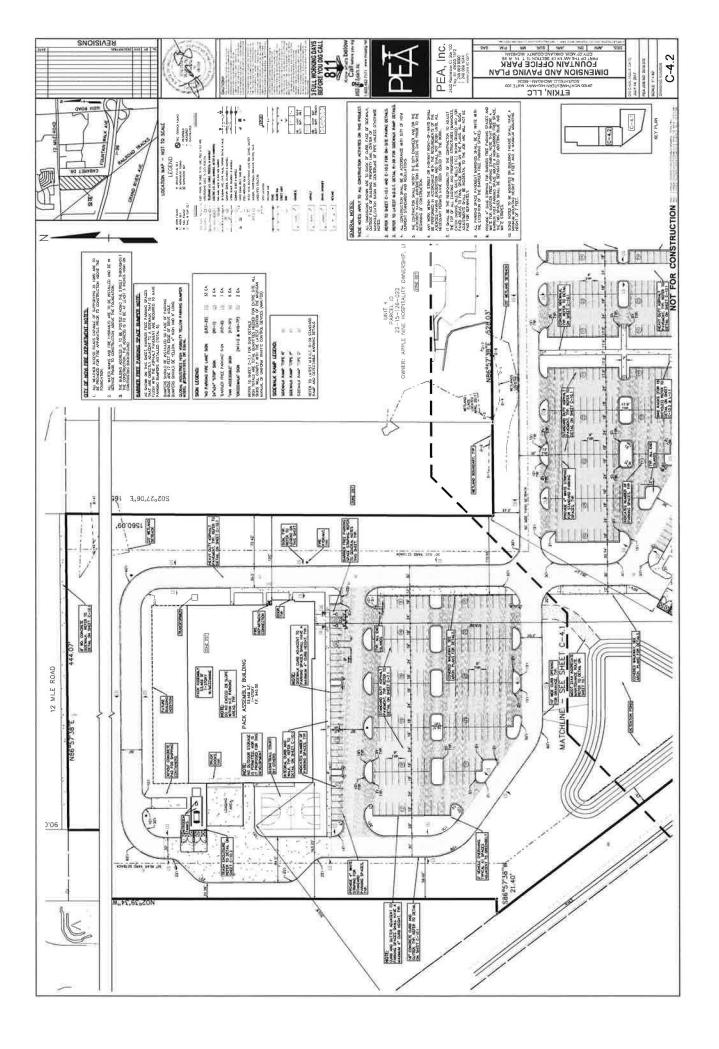


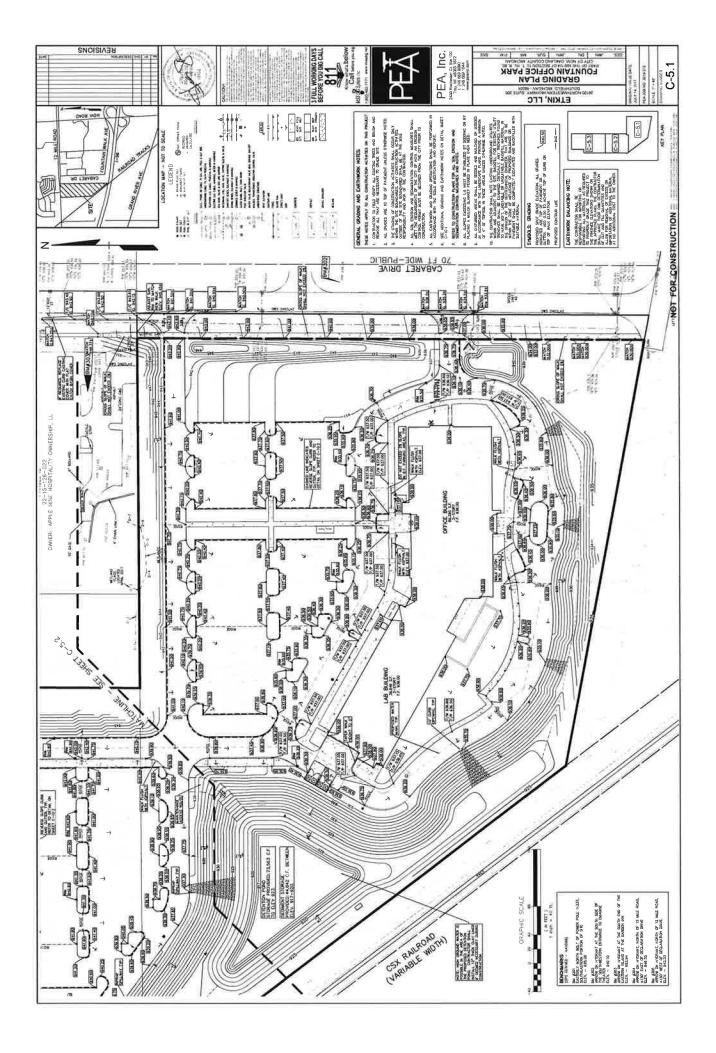


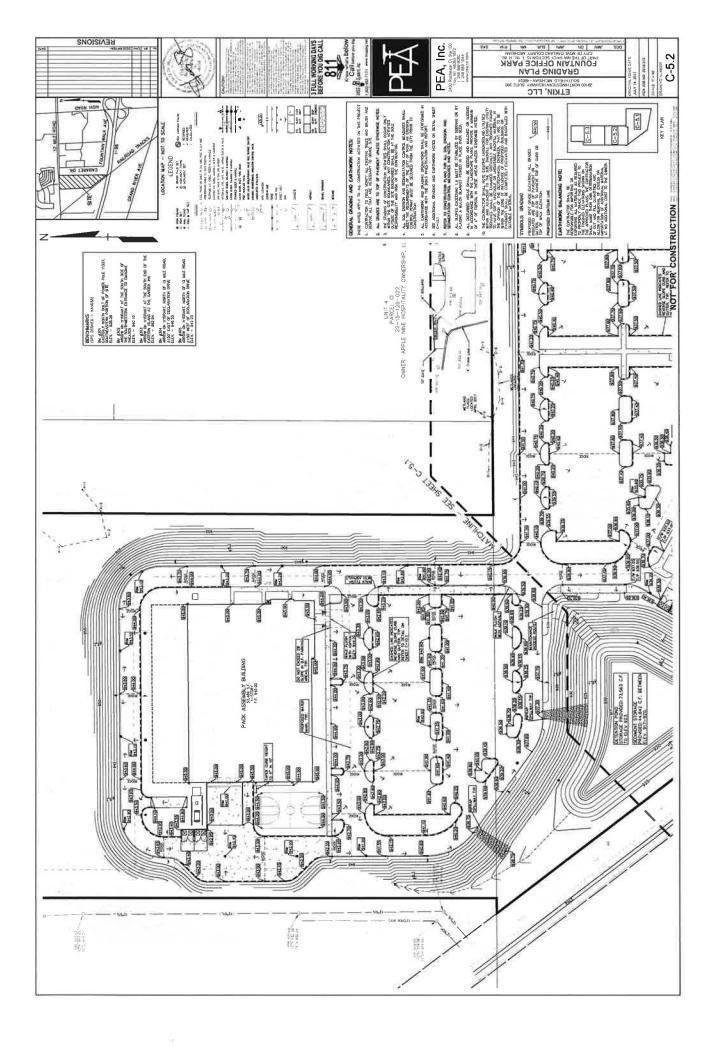


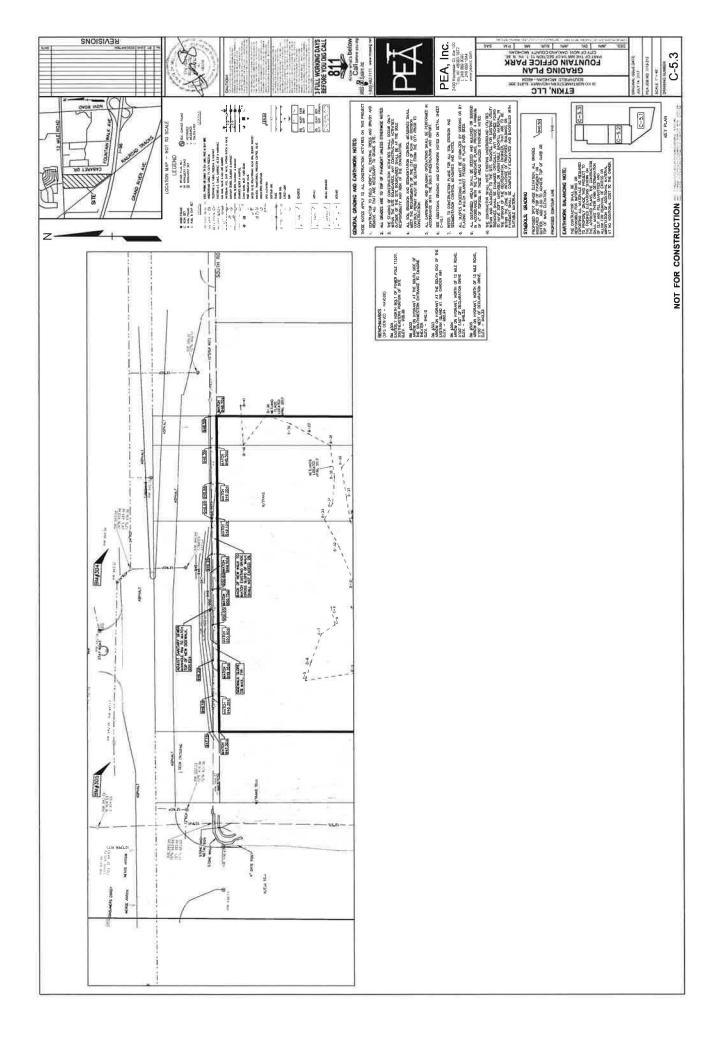


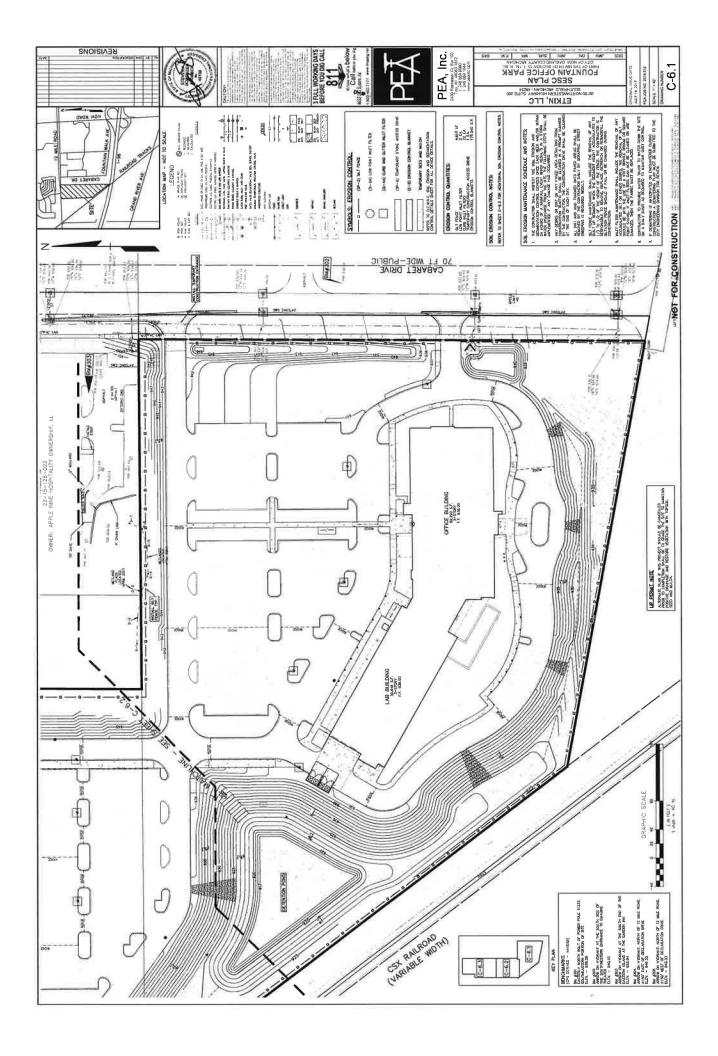


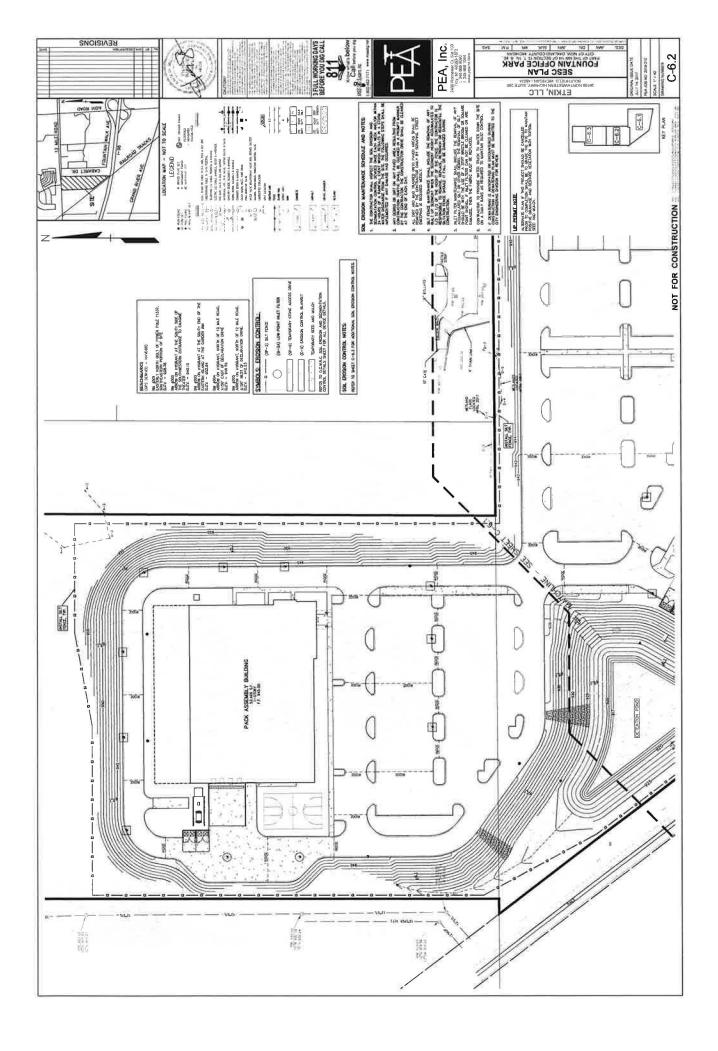


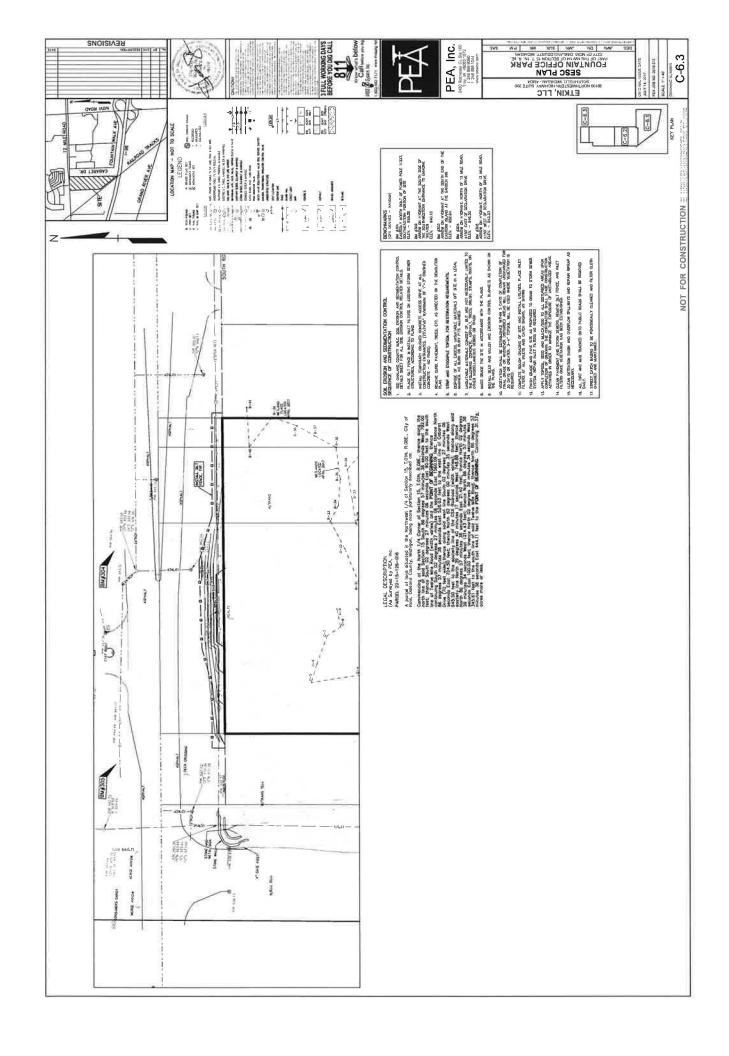


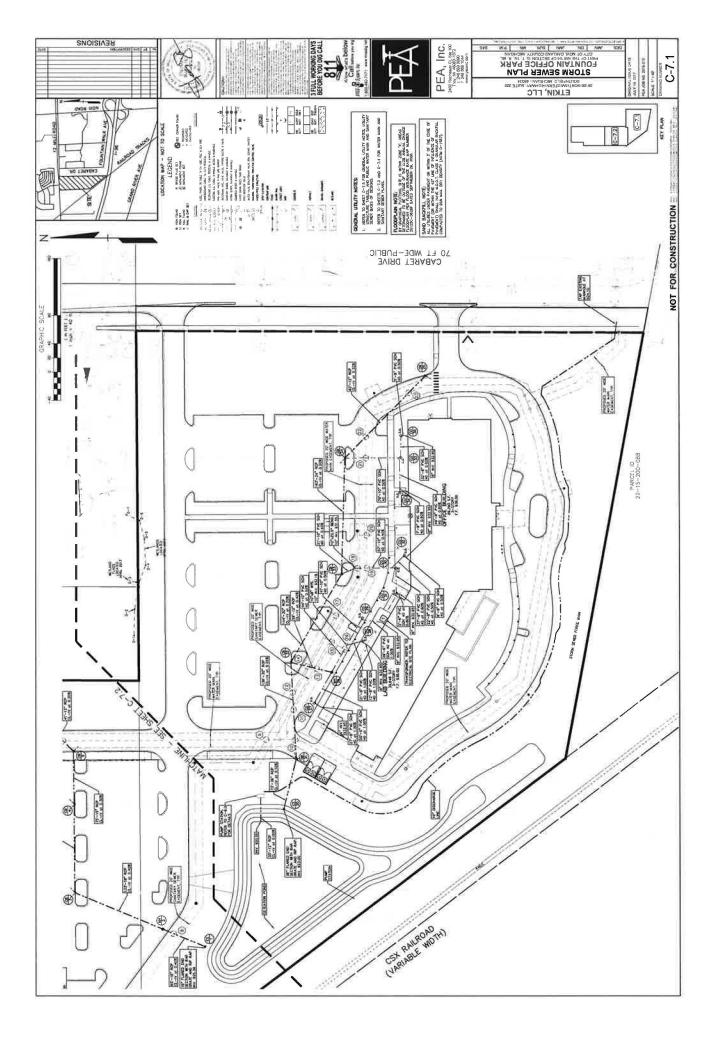


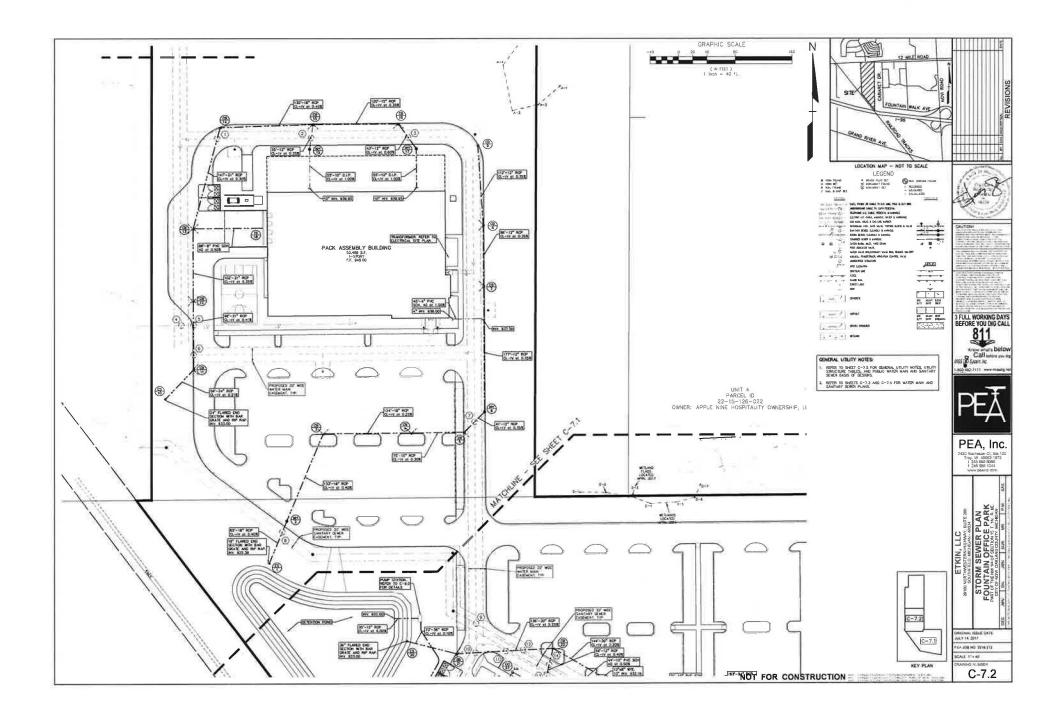


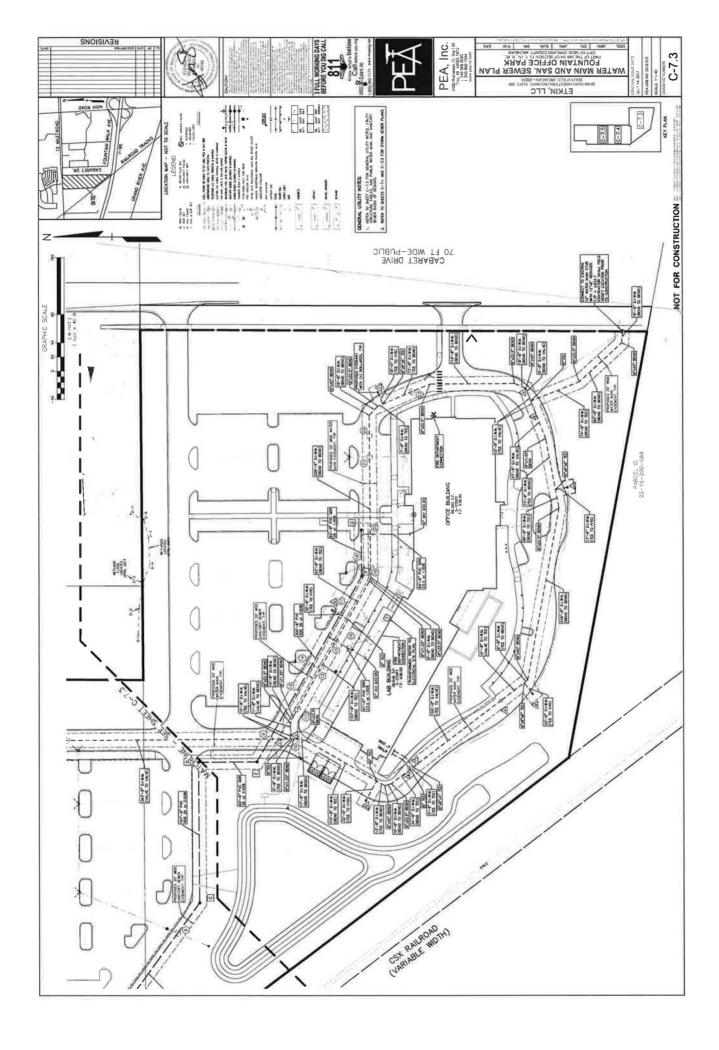


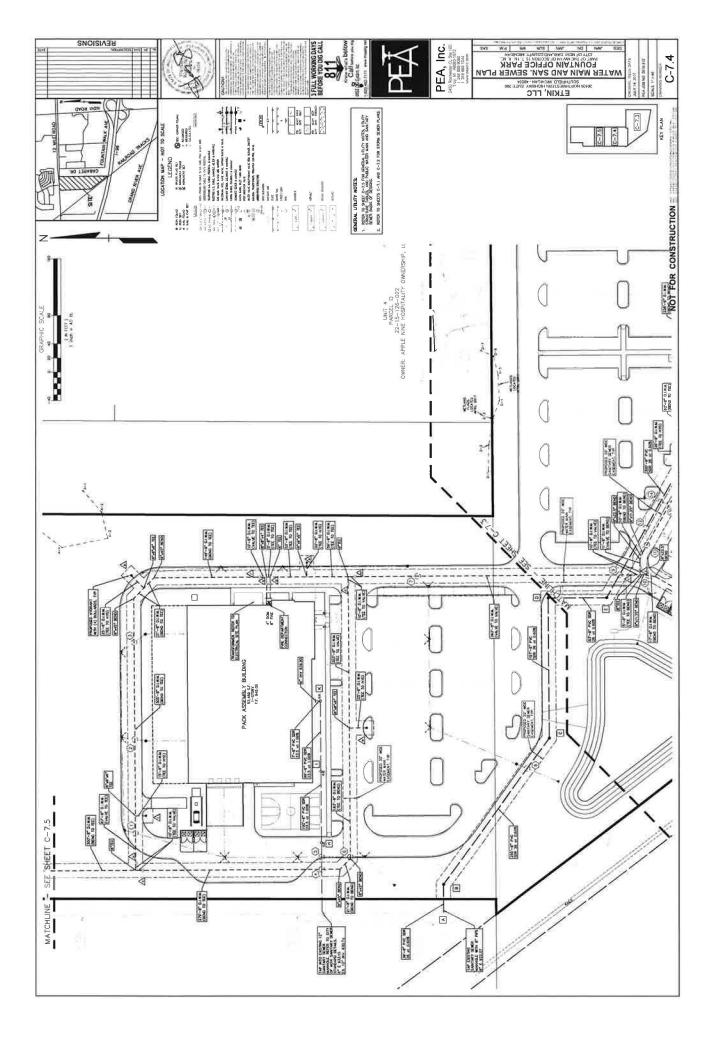


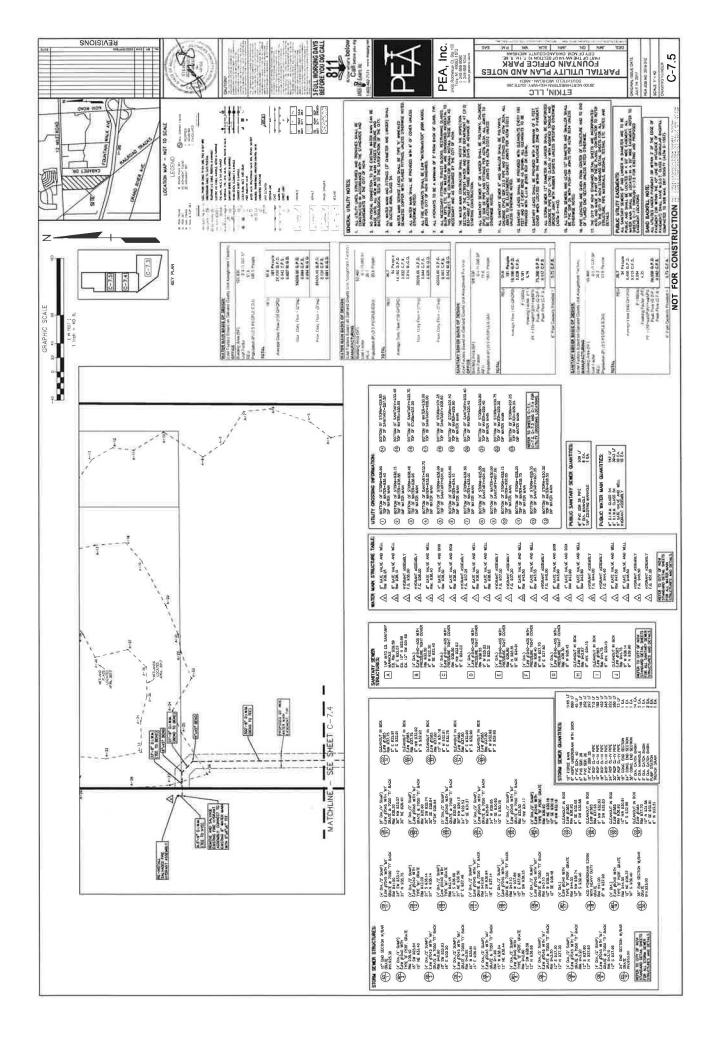


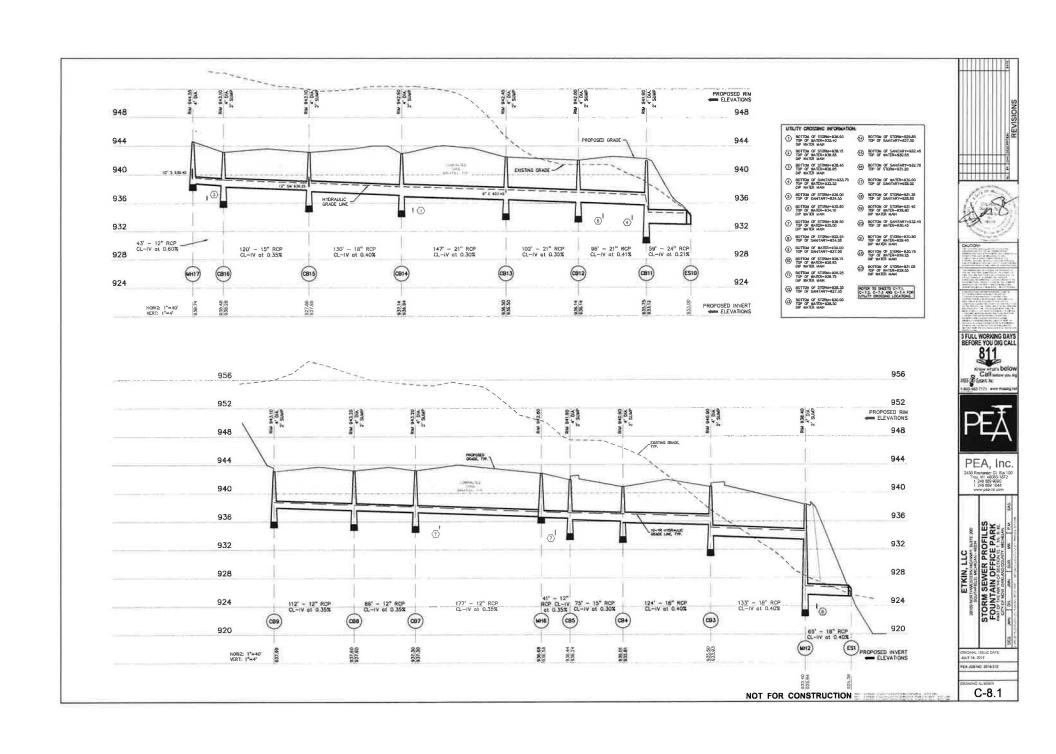


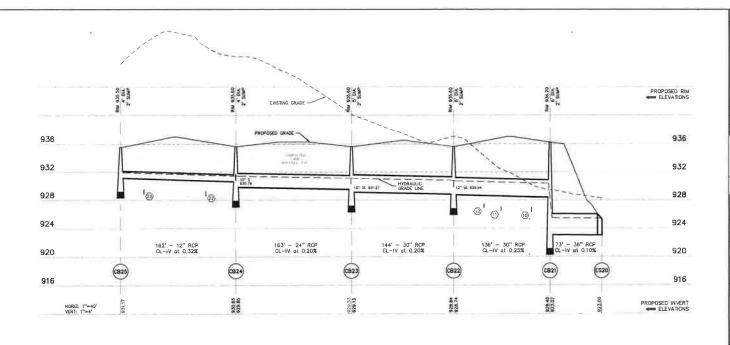












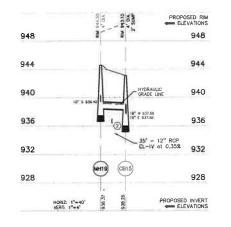
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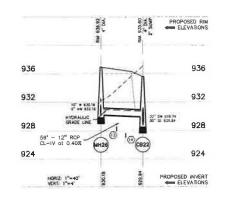
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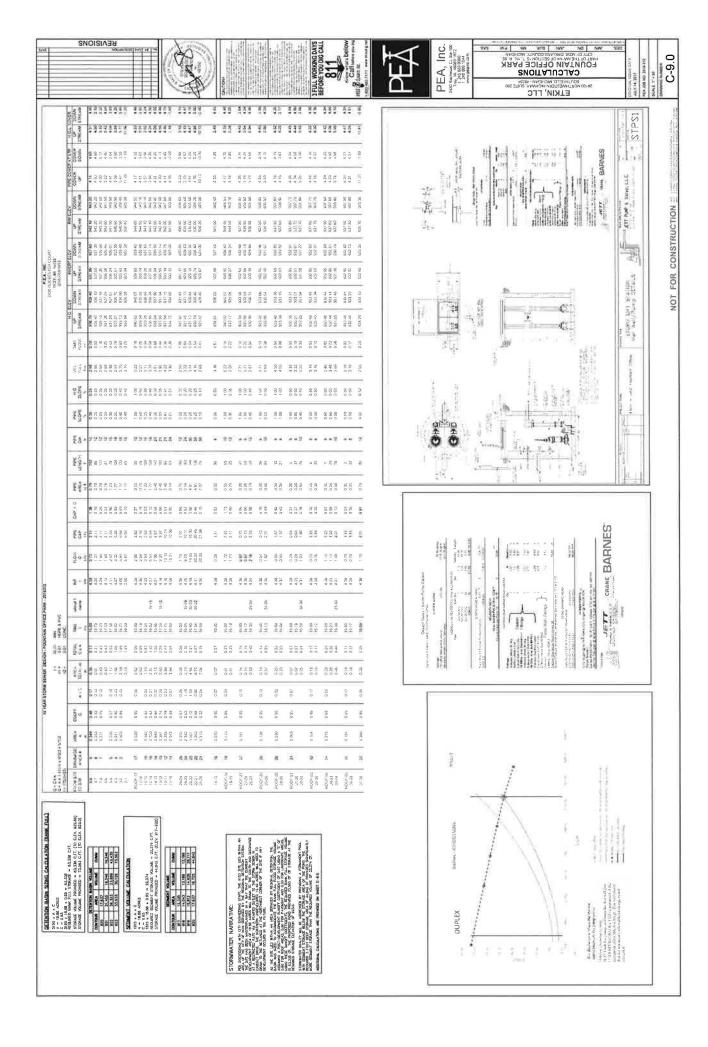
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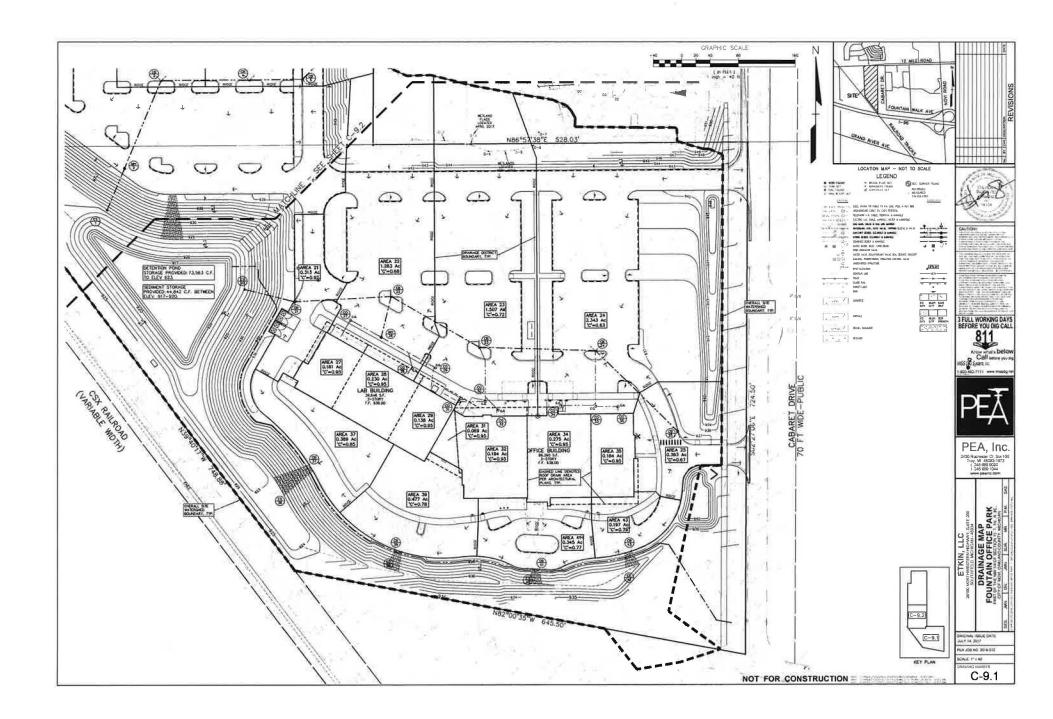
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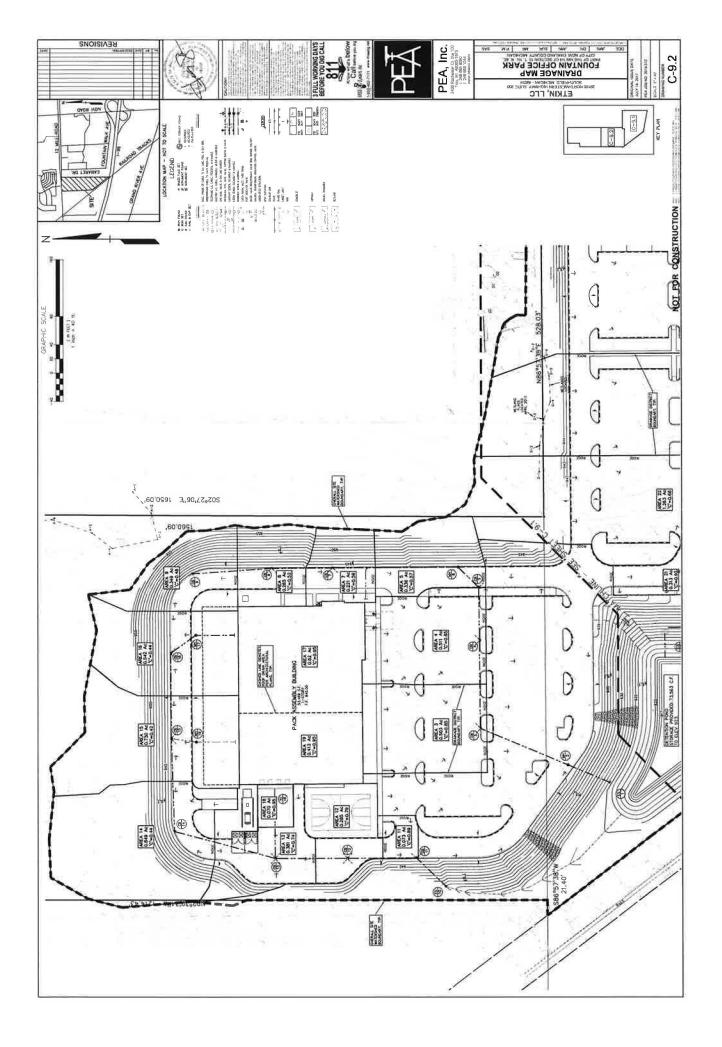
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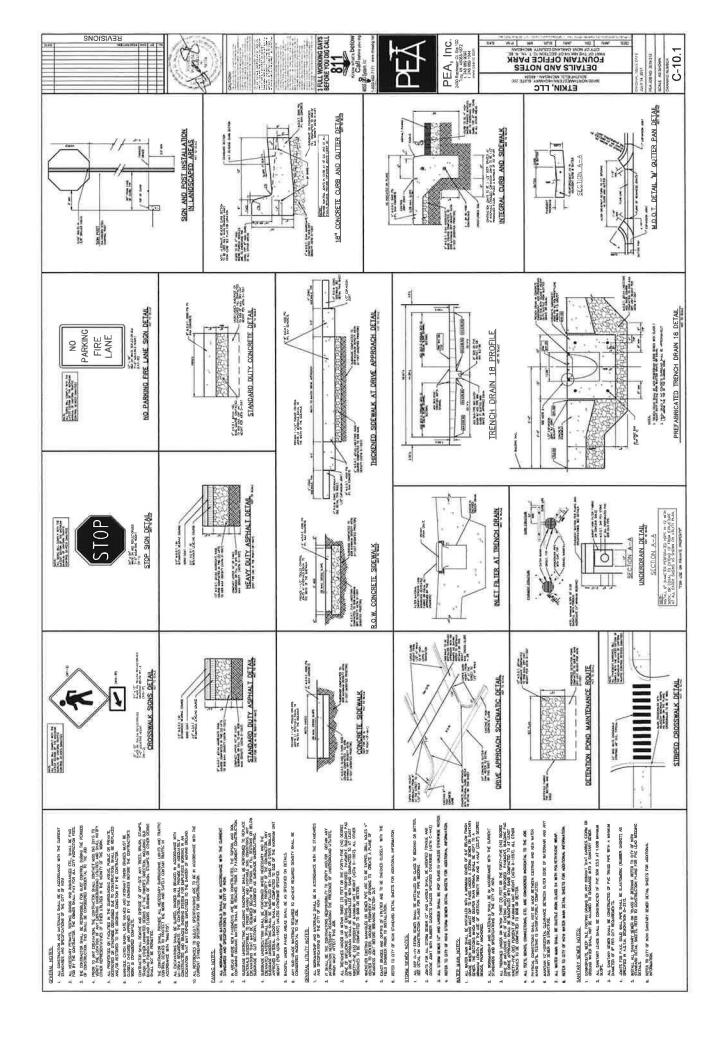
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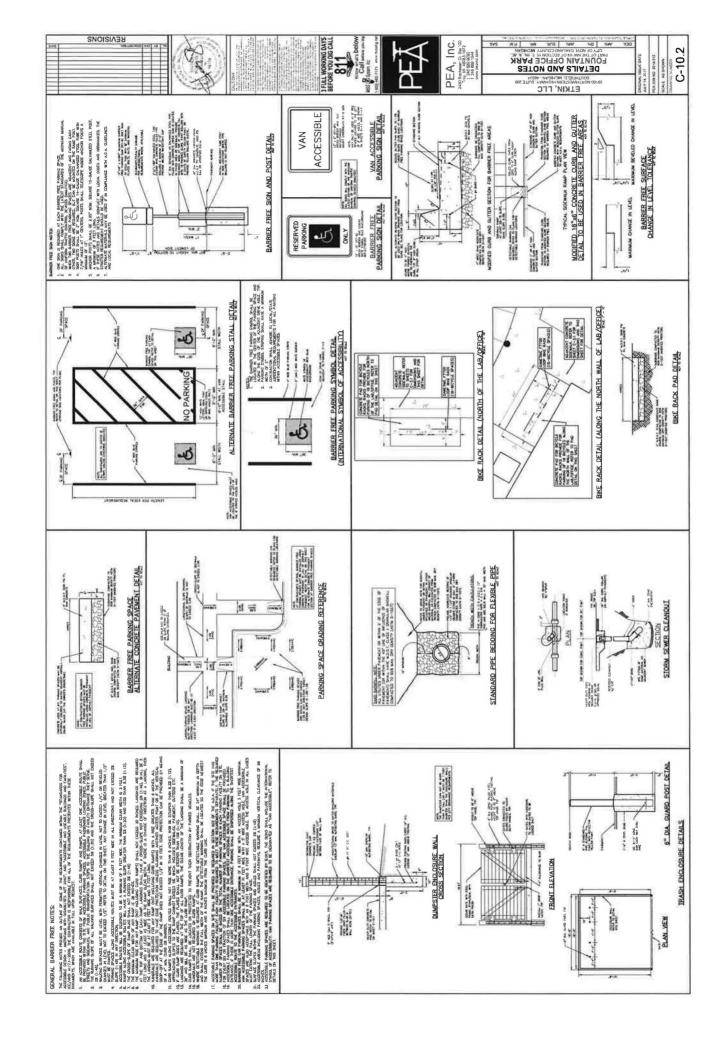
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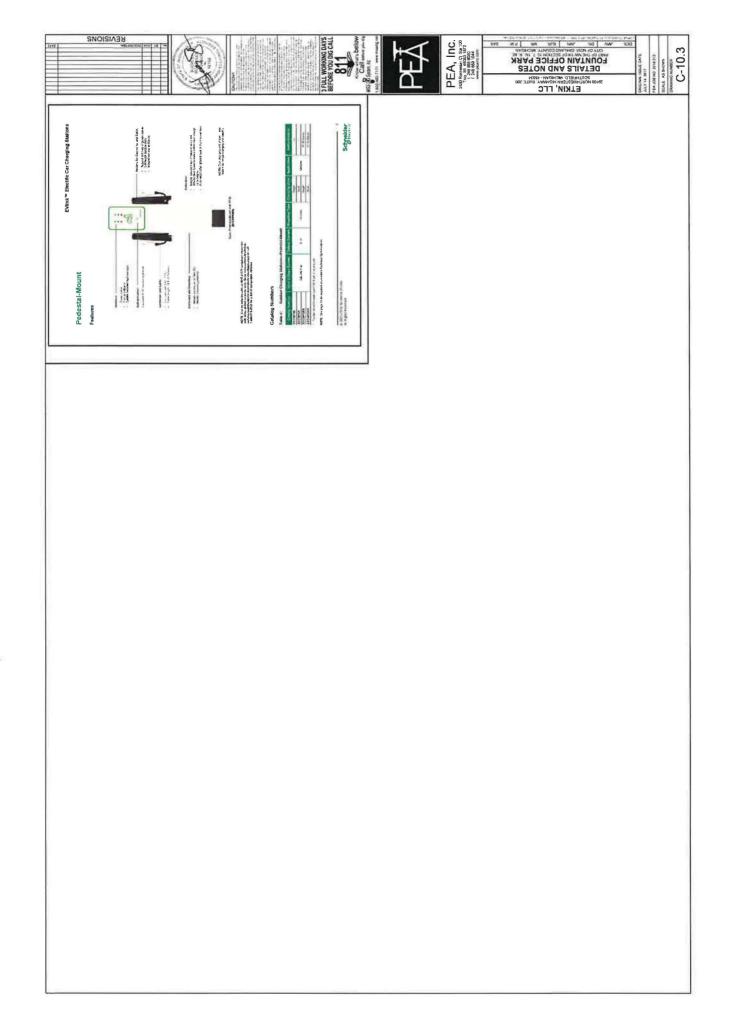


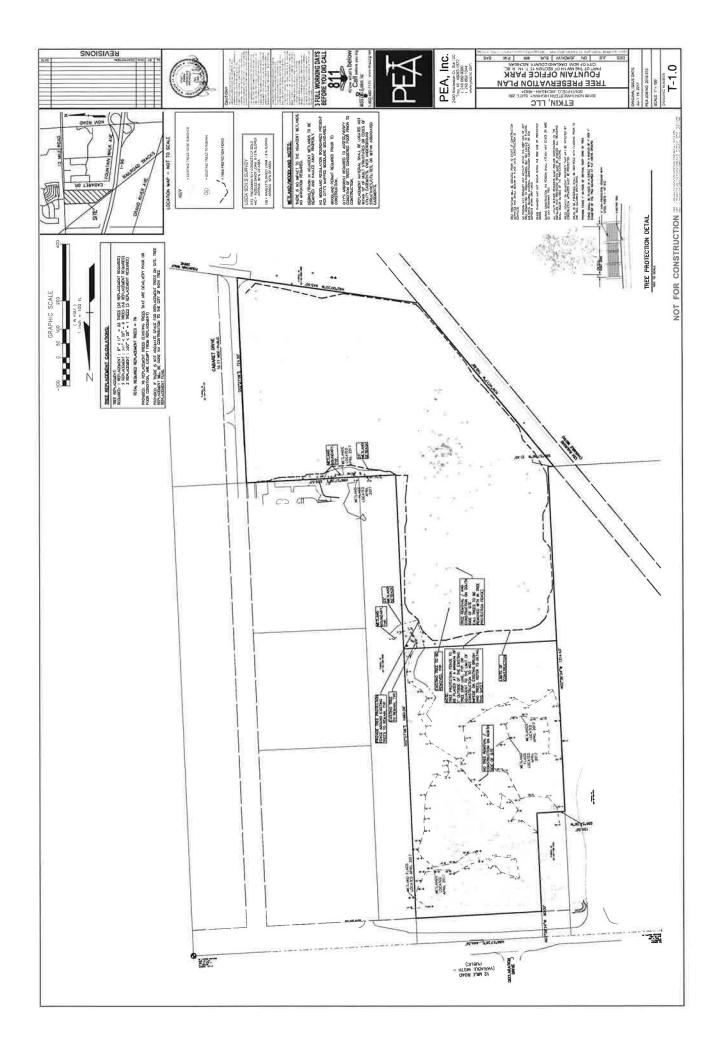


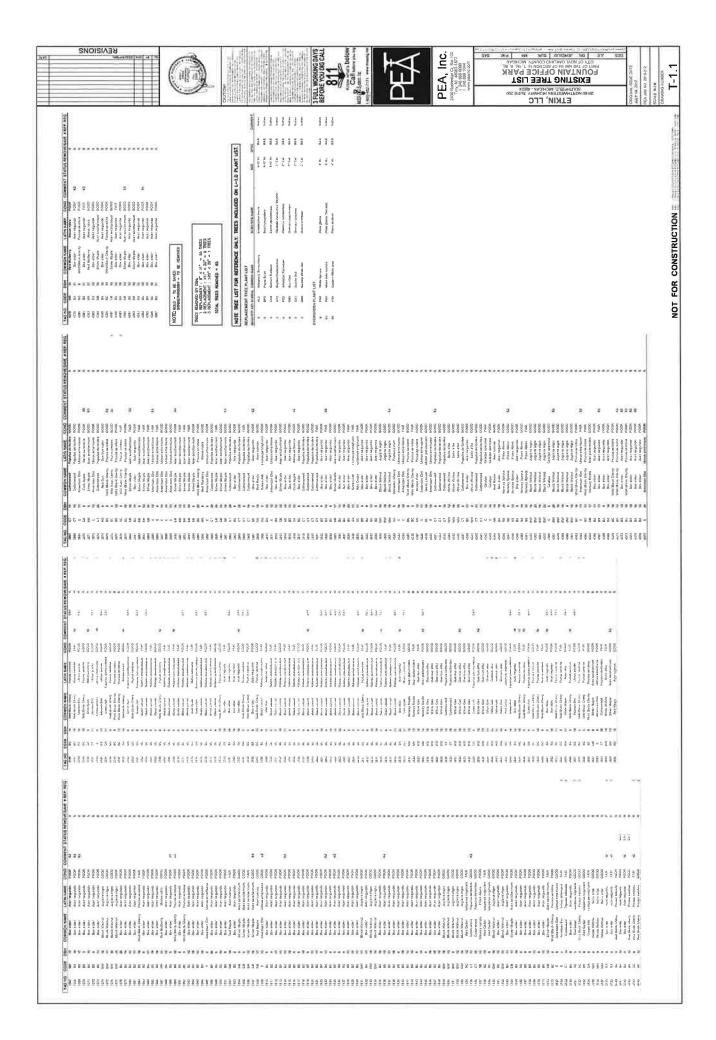


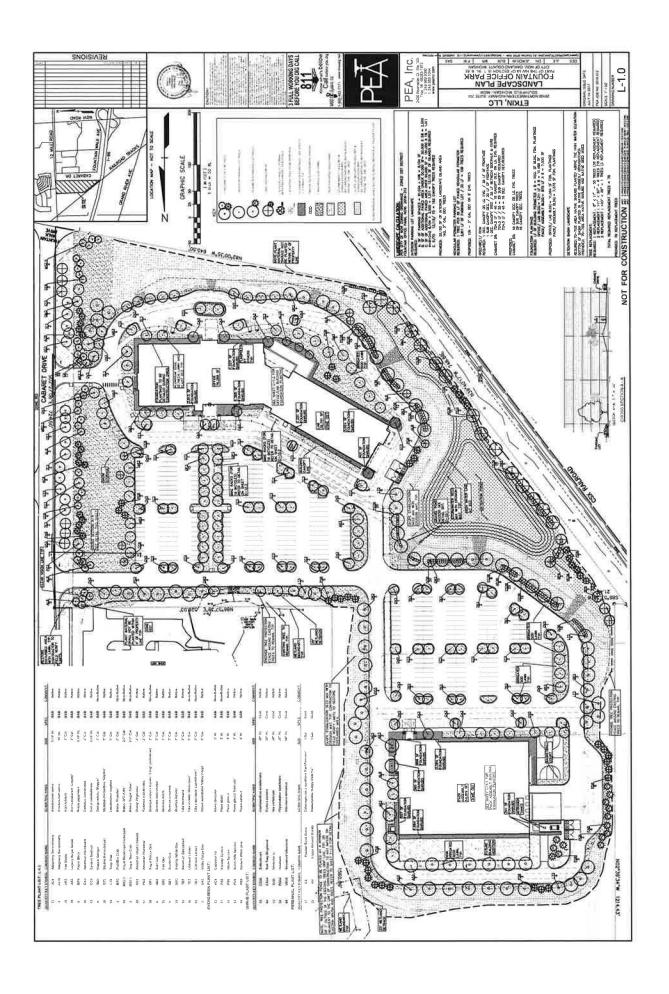


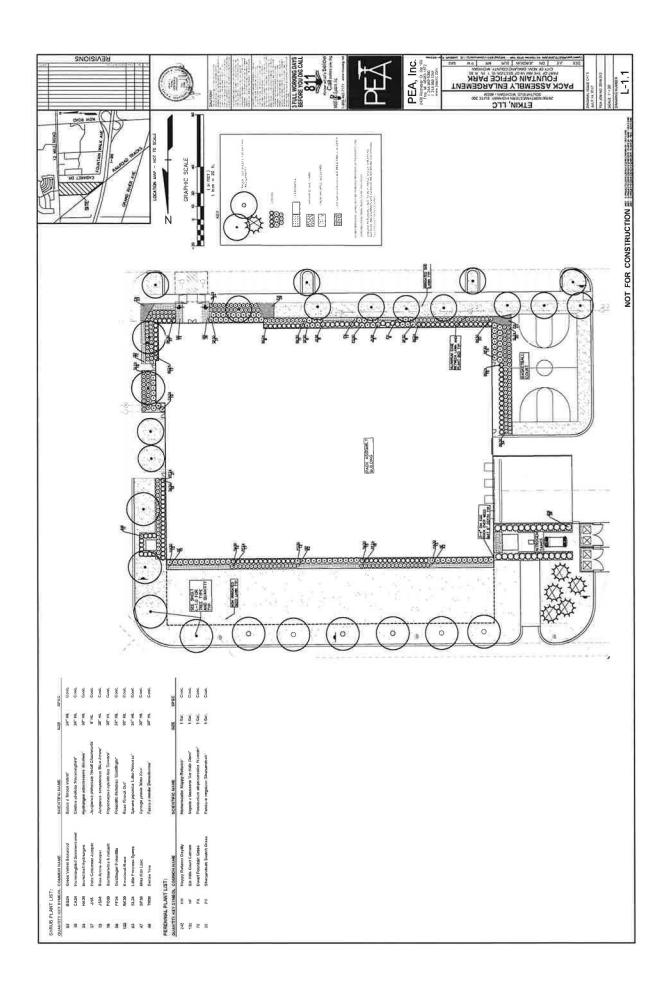


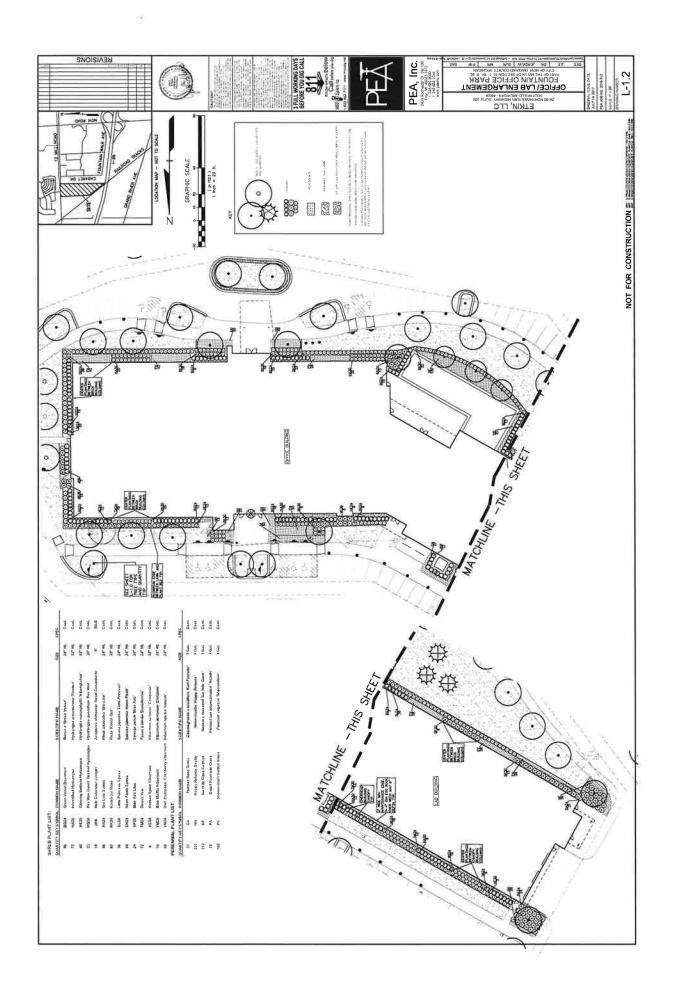


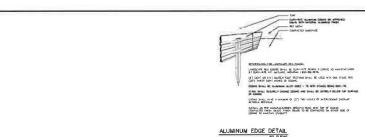












GENERAL PLANTING NOTES:

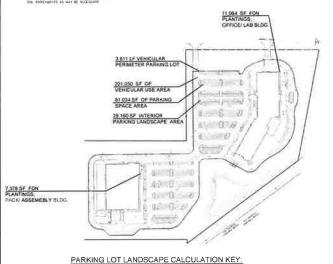
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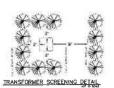
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- 13 ANY SUBSTITUTIONS OR DEVIADONS FROM THE LANDSCAPE PLAN MUST BE APPROVED IN WRITING BY THE CITY OF NOVI PRIOR TO INSTALLATION.
- 16 ALL TREE WRAP, STANES, AND GUYS WUST BE RENOVED BY ALLY 1ST, FOLLOWING THE FIRST HINTER SEASON AFTER INSTALL ADDI.
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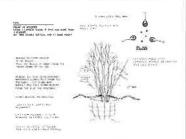
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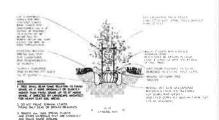




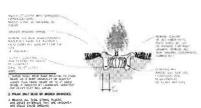
TREE PROTECTION DETAIL



MULTI-STEM TREE PLANTING DETAIL



EVERGREEN TREE PLANTING DETAIL



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13 GOUTT ABBROOK	 Section and entail plants what mean the requirements for spread and height indicated as the drawings. 		A7.2 Place congress only to prime from a derayed branches.	A house two too too to see a solden grade out, or generally, and it is considered to it is now to sold the control to the control out to the control of the control out to the control of the control out to the control out	SNO
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12.5 Provide Spanisses' parts with a speak height, despe, as describes at greeff. Leadening Mannessyste N to lang applications from an extent of the nexts of Antry. The terrenant Mannessystems with height of pieces	 Shape attentions or this plants will not be excepted. Side branches shad be commons, will beloast, and the plant can o whole 			we write, white, agest wasse, agety brack-land, Anaphida, hamedidas and vessel unit o hall unitarity, estadibly clarat of each is brilliant to be appeal, and compiled by the Languages Architect on his or her proposed, and compiled by the Languages Architect on his or her	(
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). The some of weight by ignition and molesture absorption capacity what he Lasted for part mome.	2.16 France series A. A. Series Series plouded shall shall be o	3.54 Mann Shrub Bade / Madge Bade	d. It is the responsibility of the Landscape Subscarturator to make the artition request for improcion of hetafoldon in a threst familiar.	Contacts deather of the Court Representation and record the	
1.3.2 Submit the following notating managem to Landacape Architect. 1. Description or product products between the material products are	And foreign for X and Y to parties mixture per month	Commands marking and its 'of mages war market that date and armount and the control of the contr	of there is part activity and the to the terminal following the activity against the terminal activities of the terminal activities	No. of Mills	***************************************
prove surrayers Averagloism, and plant prefigures.	2.1.2 Personal printers Type S for personal feature, grandware Switz, 000 strategy strategy personal personal seed for a residence of 1/2 second total N. 1/2 second seed 1/2 sets. At substitute and state the secondware and	Commission quarter parties makes type "X". \$2.5 Annual frame basis	substituted and these continuously are not considered to be the respirate man (1) comparement of them print content by the continuous because the same that the new (1) and position respective	NUTS. The version may be then update each to utuan a target than sometime to the fine of a General Centractor for all medium pertaining to them spendiochines and the file arts.	3 PULL WORKING DAYS
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1.4.1 Dubye furthers notwice to explore unspense and underrugat containers	Austral to several plus in sentance. 2.130 Post Indian Top A to be "Dringue" coding on monitorium	on 8° dapta with premised plotting mixture Type 8°. Le militariantes	the formers Controlled's Representation and Lectocote Antificial product ment offered for translation to company, beautiful productions on requirements.		
*6		3.4.1 Placifing shall be performed only by experiment sorthmen lamitor with planting properties under the expendent of a qualified expendent.	 For each to be leapenful for partial acceptions, the Landscape Substantingues and provise a strategy authority, each completed and supply 		California parag
NALE folder dat personal comes augmentery in spend traces precision in proporting parties for relevance, waterstranding that Inflat Lo ment the Alginnat standards will be rejected.		3.4.2 Planting pile shall be round, with vertical sides and 6xt bottoms, and shows in accordance with outlines and dimensions shown on the planting distalts.	-		MOST Disputer
14.3 Sproy declasous plants in totage with an opproved "Anti-Damkcont" innovated and of digital to prevent alergatestion.		3.4.3 Sam develops for plenting details.	The Project secretly Period begins again written professional and the complexes		
1.44 Dig, pools, transpart, and handle plants with over its majors protection against highly	Lindbottle Anthinet. 2.1.14 Sand to be steen, caserer, ungraded conforming to ASTIM-C-1 for flow	As a first controller on the emerginal to the control of the forecasts and proceedings of proceedings of the control of the co	of the project hathfollow by the Lindbouge Articlest, and denoted Contractor's representative.		
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or in o many complete to the General Contractor's representation.	Sevential point much princip to 6 deckale promised, dark principal reproduced Brit. their is dean, two of darket and sticken, inclusives shall be undersor by allow impay, and frame. Advant for extra the confirming to the formation by collection of the collection	 See plant material as it is flush to finall grade sizes witting or 1-2* bytes to proviy distinct each or on effection by Londonce Architect. 	3.1.3 stabilizarios Durlog Com (1) Year Project Morrority 1. To heave cucromian efondance, by stabilizarion minimum or complaine for		,
	hunga, or depression. 2.177 Weign: free of substances formful to older, orderly. House or other methods	A. No filting will be permitted cround the breaks or identa.	18		- 4
1.49 Cover plants transported an open vehicles with a protective country to prove jaryon with lawn.		2. Sectiff of why specifing misture. Do not use frozen or mudoty missures	Approximate the second of the resonance for any one (3) and (3		PEA, Inc.
1,410 Frozen or mudoy Lopace Is not complicates			A Life to expectation which is expectating a figure of expectation of the company		Copy an excess (47)
			the Print to any equipments, tendences Salanotrates and refer		9 ugs 54865 ann
	strength equal to that all the who. Turthoolide apering shall be at least, 5". 2.1.27 Stating and Guylog Haper two-pily, rehistored block govern have not been	3.4.7 Namon all bartos, ropus, one when from top 1/3 or boths.	Comment for party designs and comment of comment		SVI
P.	than of damades. 2.1.22 Two ents: standard wolarprooted from eropolog paper, 2-1/2" eiths mode of	manify to recommeny to entity Mill planting has also influented quantity of practical proof to edition 10° of transa and decision and to edition 6° of practical printing land.	and it the specifications, in quality against of speciments and the by		SI
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Motorburder's square. (A6 De Lemange Salesmenter will begand making and terrellime to all your	normal positions as indicates on Develops or Pearl Lief. 22.2. The measurements hat height shall be taken from the ground level to the	recommendational before mistahly. 3.5 Mall.Critics	A The Landman Laboration what he empended the schools of the Landman Laboration for the land that the content award and shall have due that that the		CIL COL CIL
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			 Rejecting plants and materials shall be remained prantition. Resistance at state the made during the idiosite normal aboutton. 		HUNDS
E.I. MATDAAS		23.4 Plant ground co-ey brough mildh.			I do III
	2.2.7 Rich ordertals larger than those specified may be supplied, with prior written approved of Londandpa Architect, and:	14.1 happer trees for highy to tracks, evidences of hearts inhesistless and improper printing before entoping.	the ophion of the Landange Architect, it is otherwise to extend Project Wormsty Period for but growing Security.		ANI PANI BANI BANI BANI BANI BANI BANI BANI B
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A Product form speciment that matter at helights over 221–02" with a subgle, matter transl, from that have her matter formst arriving a "f" single are not acceptable.	3.1.1 Laudenge Acellact or Seneral Controller's representative must operers proposed pirolling area and conditions of helioticies. Do not stort plenting	MAG All ones and the completion to the Landscope Armitist's representation.			DRAWING NUMBER
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