



CITY of NOVI CITY COUNCIL

Agenda Item D
July 25, 2016

SUBJECT: Approval of the request of Edward Rose and Sons for Rose Senior Living at Providence for the First Amended and Restated Planned Suburban Low-Rise (PSLR) Overlay Development Agreement application and revised Concept Plan. The property is located on the west side of Beck Road north of Eleven Mile Road. The applicant is proposing to add a seven-bay garage building to the west side of the property which is currently being developed as a 182 unit senior living facility with both congregate care and assisted living accommodations.

SUBMITTING DEPARTMENT: Community Development - Planning Division ^{Beck}

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

On May 19, 2014 the applicant received final approval from City Council for a Planned Suburban Low-Rise Overlay (PSLR) Development Agreement and Concept Plan for a 182 unit senior living facility. The facility will have both congregate care units as well as assisted living units. Recreation features for the residents are proposed along with associated site infrastructure and landscaping. An easement is being offered for the anticipated public trail connection from Beck Road through the site. Site development is underway. The applicant is now returning with a revised Concept and Preliminary Site Plan to convert a portion of a parking bay to a seven car garage.

PSLR Overlay Procedures

At its June 22, 2016 meeting, the Planning Commission held a public hearing, and reviewed the revised PSLR Overlay Concept Plan and other information relative to the revised PSLR Overlay Development Agreement Application. The Planning Commission received no letters from the public, nor was there any public comment concerning the project at the public hearing. The Planning Commission has provided a favorable recommendation to the City Council regarding the revised PSLR Overlay application and revised Concept Plan, subject to a number of conditions detailed in this motion sheet.

Staff Reviews and Ordinance Deviations

The City's professional staff and consultants have reviewed the revised concept plan and recommended approval having found the revised plan to generally be in compliance with the stated intent of the PSLR Overlay District which is to:

"Promote the development of high-quality uses, such as low-density multiple-family residential, office, quasi-public, civic, educational, and public recreation facilities that can serve as transitional areas between lower-intensity detached one-family residential and higher-intensity office and retail uses while protecting the character of neighboring areas by encouraging high-quality development with single-family residential design features that will promote a residential character to the streetscape."

Section 3.21.1.D permits deviations from the strict interpretation of the Zoning Ordinance within a PSLR Overlay agreement. These deviations can be granted by the City Council on the condition that *"there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District."* The applicant has provided a narrative document describing the proposed deviation request and substitute safeguards for the item as it does not meet the strict requirements of the Zoning Ordinance.

The following text details the proposed deviation from the Zoning Ordinance and other applicable ordinances as shown on the concept plan:

- **Setbacks:** The proposed seven-bay garage is located approximately 22 feet, 2 inches from the property line. The minimum required setback is 30 feet. The maneuvering aisle is currently 26 feet wide with an additional 4 foot wide area to transition between the garage and aisle. The Zoning Ordinance requires a 24 foot wide maneuvering aisle; however, the applicant states that the 26 foot wide drive aisle is necessary for fire truck access, and the additional 4 foot wide concrete strip is required in order to transition the cross-slope of the drive aisle to the flat garage entrance. The deviation of the required building setback is supported by staff.

PSLR Overlay Development Agreement, revised

Working with the City Attorney's office, the petitioner has now brought forward a revised Planned Suburban Low-Rise Overlay Concept Plan and Agreement. The applicant is seeking positive consideration of the above-noted Zoning Ordinance deviation, included in the revised PSLR Overlay Agreement, and as shown on the proposed PSLR Concept Plan.

RECOMMENDED ACTION:

Final approval of the request of Edward Rose and Sons for Rose Senior Living at Providence for the First Amended and Restated Planned Suburban Low-Rise (PSLR) Overlay Development Agreement application and revised Concept Plan based on the following findings, City Council deviations, and conditions, with final form and language to be modified as determined by the City Attorney's Office and City Manager:

- a. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community, *as the proposed garage building will provide additional service to the residents of development;*
- b. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of the use will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment, *as the proposed garage building is a minor addition to the development plan previously approved;*
- c. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties, *as the proposed garage building is not adjacent to any existing or planned development;*
- d. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of the PSLR regulations;

- e. City Council deviation for the following of the ordinance standards to reduce the setback of the proposed garage from the property line (30 feet required, approximately 22 feet 2 inches provided); and
- e. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with the approved PSLR Overlay Agreement and PSLR Overlay Concept Plan, Section 3.1.27, Section 4.19, Section 4.20, Section 4.70, Section 4.73, Article 5.0, Article 6.0, and all other applicable provisions of the Ordinance.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Burke				
Council Member Casey				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				


Maps
Location
Zoning
Future Land Use
Natural Features

Rose Senior Living at Providence JSP13-81

Location



Map Legend

 Subject Property



City of Novi
Planning Division
Community Development Dept.
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

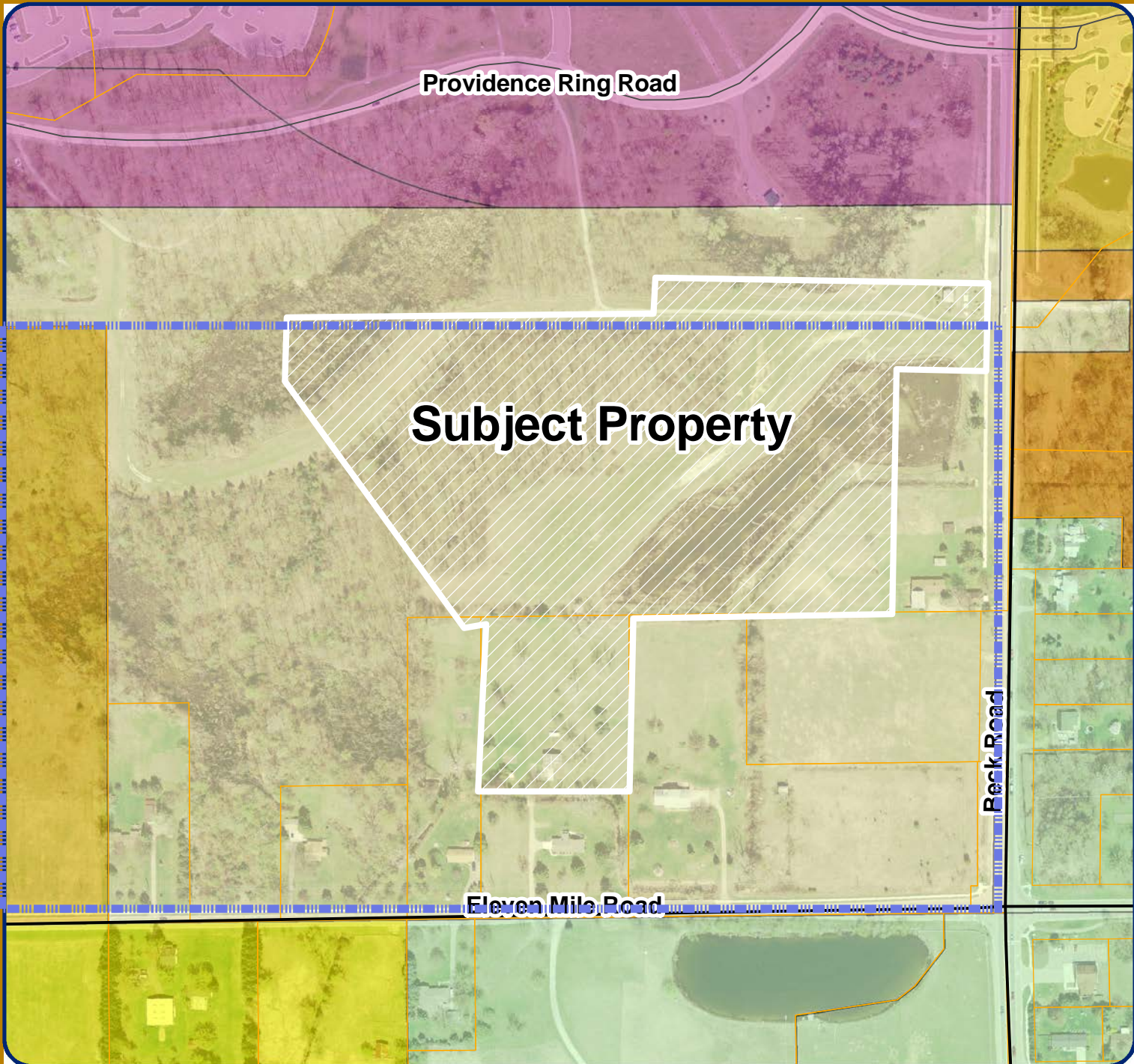
Map Author: Kristen Kapelanski
Date: 03-31-14
Project: Rose Senior Living JSP13-81
Version #: 1.0

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.

Rose Senior Living at Providence JSP13-81

Zoning



Map Legend

- Subject Property
- PSRLR Overlay
- R-A: Residential Acreage
- R-3: One-Family Residential District
- R-4: One-Family Residential District
- RM-1: Low-Density Multiple Family
- RM-2: High-Density Multiple Family
- OSC: Office Service Commercial



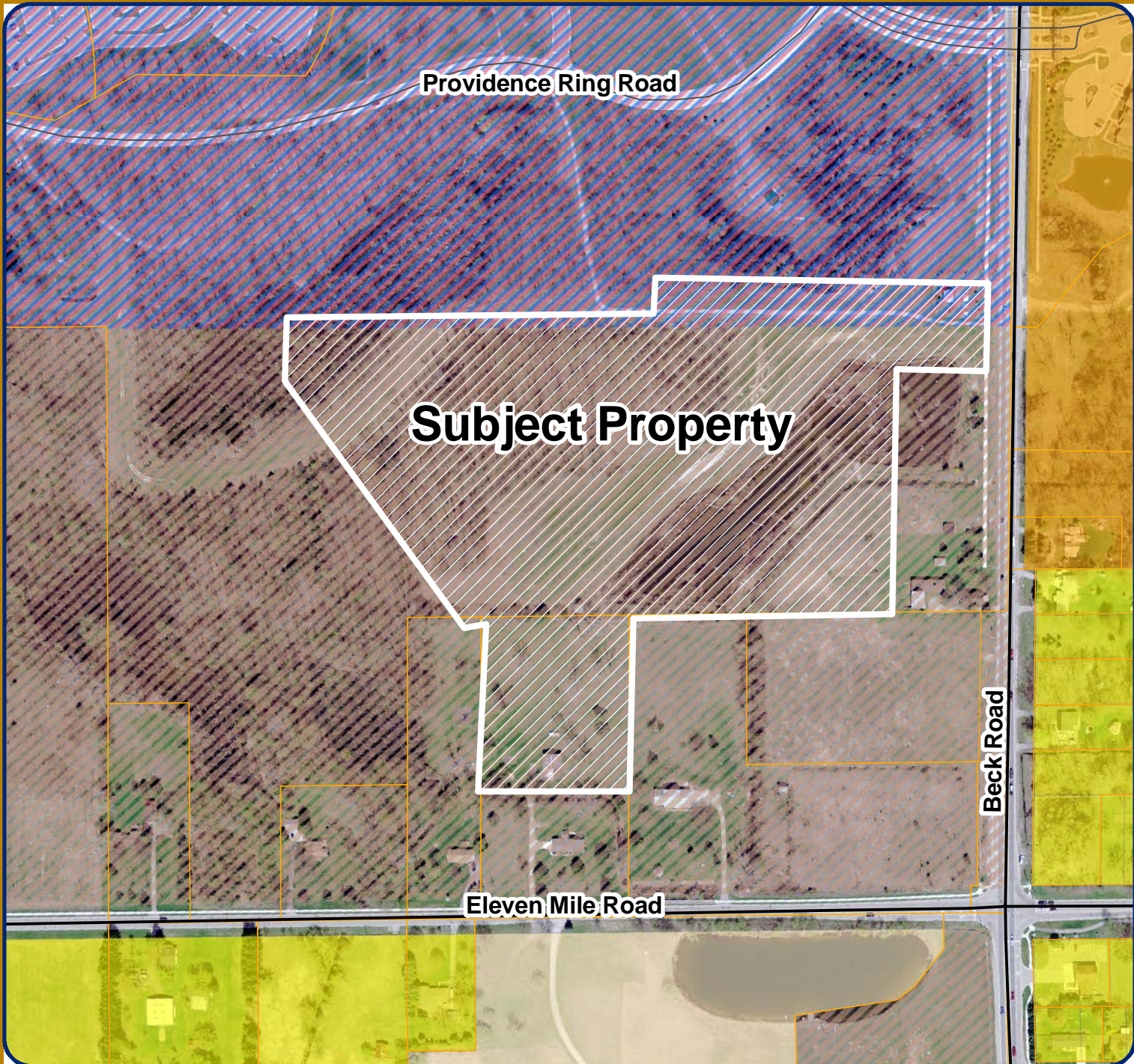
City of Novi
Planning Division
Community Development Dept.
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Novi, MI 48375
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Rose Senior Living at Providence JSP13-81

Future Land Use



Map Legend

- Subject Property
- Single Family
- Multiple Family
- PSLR
- Office Commercial
- Educational

Feet

0 87.5 175 350 525

1 inch = 318 feet

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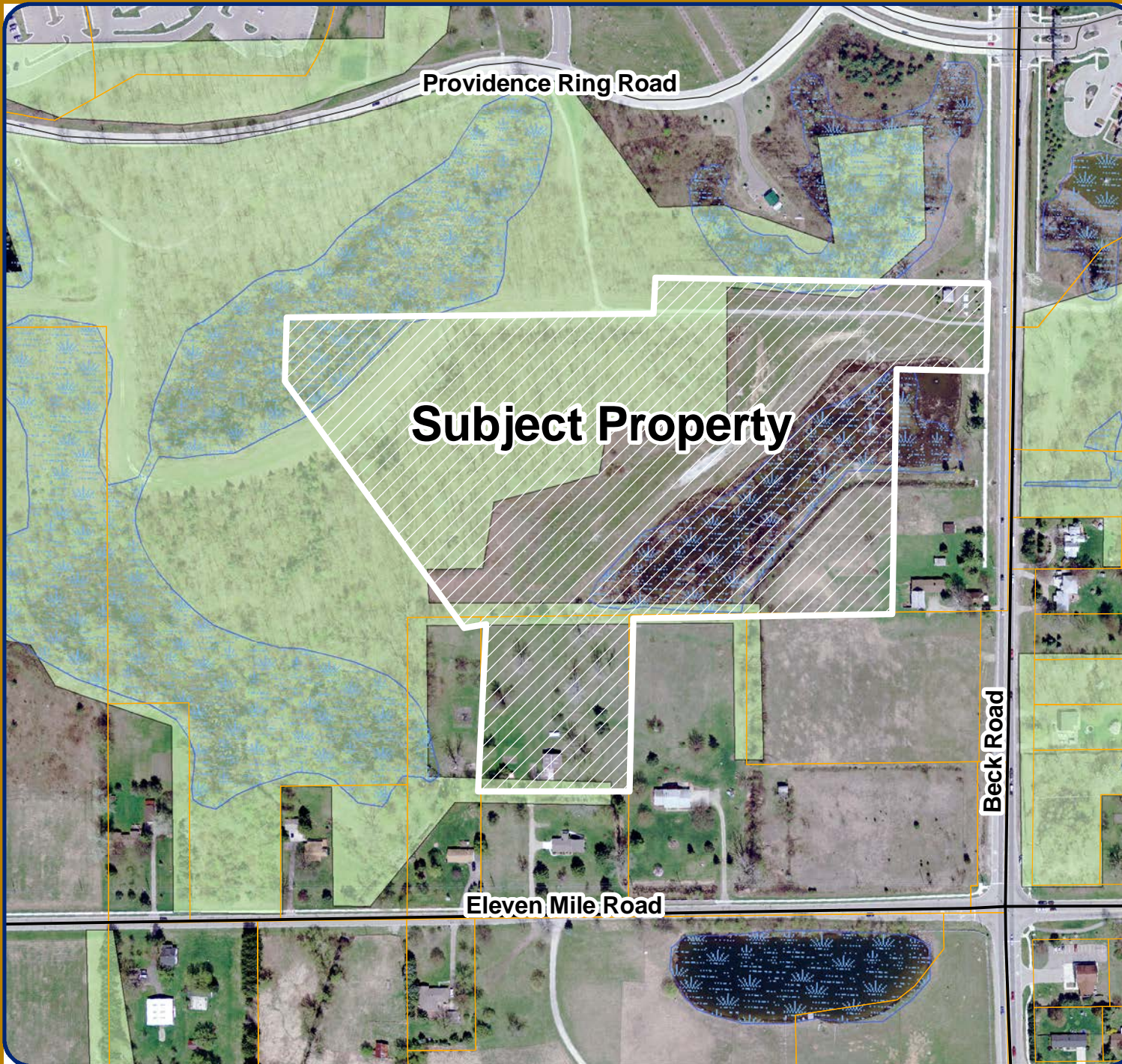
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Rose Senior Living at Providence JSP13-81

Natural Features



Map Legend

- Subject Property
- Wetlands
- Woodlands



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**FIRST AMENDED AND RESTATED PLANNED SUBURBAN
LOW-RISE (PSLR) OVERLAY DEVELOPMENT
AGREEMENT - ROSE SENIOR LIVING, LLC**

THIS FIRST AMENDED AND RESTATED PLANNED SUBURBAN LOW-RISE (PSLR) OVERLAY DEVELOPMENT AGREEMENT (this “Agreement”) is made as of the ___ day of _____, 2016, by and among ROSE SENIOR LIVING, LLC, whose address is 38525 Woodward Ave., Bloomfield Hills, MI 48304, (herein referred to as " Developer"), PROVIDENCE HOSPITAL AND MEDICAL CENTERS, INC., whose address is 47601 Grand River Avenue, Novi, MI 48374 (herein referred to as "Land Owner"), and the CITY OF NOVI, whose address is 45175 West Ten Mile Road, Novi, MI 48375-3024 ("City").

RECITATIONS:

- I. Land Owner is the fee owner of the “Land” described on Exhibit A, attached and incorporated herein.
- II. Land Owner and the City are parties to a Planned Rezoning Overlay (PRO) Agreement – Rose Senior Living, LLC, dated _____, recorded at Liber _____, Page _____, Oakland County Records .with respect to the Land (the “Original PRO Agreement”).
- III. Land Owner and City desire to amend the PRO Agreement to reflect an amended PRO Plan permitting the construction of a seven bay garage building in a location formerly proposed as a parking bay. The proposed amendment reflects a minor change to the PRO Plan previously approved. Except as to the addition of the seven bay garage and the corresponding deviation from the provisions in the City of Novi Zoning Ordinance, the PRO Plan and Agreement remain unchanged, as amended and restated herein.
- IV. The Land is one parcel of property approximately 20.71 acres in area as described in Exhibit A. Developer proposes to develop the Land, with the Land Owner's approval, as a senior living facility with a maximum size of 190,000 square feet and a maximum of 182 living units, including independent living/congregate care, assisted living, and memory care dwellings, plus two guest suites, with centralized dining, staff and facilities

spaces, common spaces, and accessory uses, including but not limited to a seven-bay garage building (herein referred to as “Facility”) as set forth in the PSLR Overlay Concept Plan, which has been submitted to the City for review and approval under applicable provisions of the City code, including the Zoning Ordinance. The Amended PSLR Overlay Concept Plan as hereby approved is a conceptual or illustrative plan for the potential development of the Land under the PSLR Overlay District that includes building elevations and site improvements. Such Amended Concept Plan approval is not an approval to construct any of the proposed improvements as shown.

- V. Developer is the lessee and the Land Owner is the lessor of a 99-year term ground lease for the Land. The Developer will construct and control the proposed development on the Land, including the proposed Facility.
- VI. For purposes of improving and using the 20.71-acre parcel for the Facility, Developer petitioned the City, with the Land Owner's authorization, to consider approval for the Facility under a PSLR Overlay Development Agreement application that included an amended PSLR Overlay Concept Plan, dated May 3, 2016, and on file in the Community Development Office, a community impact statement, a traffic generation analysis, and proposed deviations and waivers (The Amended PSLR Concept Plan”).
- VII The Land is zoned R-3 one-family residential, with a PSLR Overlay that covers the Land except for a small area on the north edge of the parcel. The PSLR Overlay zoning classification provides the Developer with certain material development options with respect to the Land that are not available under the R-3 one-family residential classification and that would be a distinct material benefit and advantage to the Developer. The PSLR Overlay zoning classification is consistent with the City’s Master Plan for Land Use showing the Land as part of the future Suburban Low-Rise use.
- VIII. The City has reviewed the Developer's proposed petition to consider a PSLR and Amended and Restated Overlay Development Agreement application under the terms of the PSLR Overlay District provisions of the City's Zoning Ordinance; has reviewed the Developer's proposed PSLR Amended Overlay Concept Plan, , and the Developer’s proposed deviations and waivers. The City has found that the Amended PSLR Overlay Concept Plan meets the intent of the PSLR Overlay District ordinance.
- IX. In petitioning for consideration of an amended PSLR Development Agreement Application, Developer and Land Owner have expressed as a firm and unalterable intent that Developer will develop and use the Land, including the area outside the PSLR Overlay District, on the north edge of the parcel, in conformance with the following conditions, (herein referred to as the "Conditions"):
 - A. Developer shall develop and use the Land solely for the operation of

the Facility. Developer and Land Owner shall forbear from developing and/or using the Land, including the area outside the PSLR Overlay District, on the north edge of the parcel, in any manner other than as authorized and/or limited by this Agreement.

- B. Subject to the terms and conditions of this Agreement and the PSLR Overlay District ordinance, Article 23B, *et seq.*, of the Zoning Ordinance, Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations of the City pertaining to such development required under the PSLR Overlay District, including all applicable height, area, and bulk requirements of the Zoning Ordinance as relates to the PSLR Overlay District, except as expressly authorized herein.

The Amended PSLR Overlay Concept Plan, is acknowledged and agreed by the City, Land Owner, and Developer to be a conceptual plan for the purpose of depicting the general area contemplated for development on the Land. The Developer will be required to obtain site plan approval for the development of the improvements to be constructed on the Land (i.e., the Facility) in accordance with the terms of the PSLR Overlay District ordinance.

Some deviations and waivers from the provisions of the City's ordinances, rules, or regulations as to the Facility are depicted in the Amended PSLR Overlay Concept Plan, as specifically described below, and are approved by virtue of this Agreement. However, except as to such specific deviations and waivers as enumerated herein, the development of the Land under the requirements of the PSLR Overlay District shall be subject to and in accordance with all applications, reviews, approvals, permits, and authorizations required under all applicable laws, ordinances, and regulations pertaining to such development, including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, facade approval, landscape approval, engineering plan approval and payment of review and inspection fees and performance guarantees pertaining to the proposed development of the Land.

The building design and layout, facade, and elevations shall be substantially similar to that submitted as part of the Developer's final approval request, as depicted in the Amended PSLR Overlay Concept Plan, or as the same shall be approved by the City in connection with the site plan approval for the improvements to be constructed on the Land, it being acknowledged and agreed that the Amended Concept Plan and final site plan may be modified if approved by the City.

Developer and Land Owner shall provide the following Public Benefits/Public Improvements in connection with the development of the Land:

(1) Woodland Replacement. Approximately 1,326 woodland replacement tree credits are required by the woodland ordinance. The Amended PSLR Overlay Concept Plan shows approximately 1,147 woodland replacement tree credits through plantings, a portion of which are located outside of the regulated woodland area as depicted on Exhibit B, Woodland Replacement Plan. Any remaining required tree credits not provided for through plantings will be addressed by placing the appropriate monies into the City of Novi tree fund. The replacement trees shall not be removed and shall be provided and maintained in accordance with the woodland ordinance and the requirements of the Zoning Ordinance and any City approvals. The exact number of woodland replacement credits and any changes to the site with regard to woodland replacement tree credits are subject to review and final determination and approval by the City in accordance with all applicable provisions of the City Code and Zoning Ordinance.

(2) Wetland Mitigation. The Amended PSLR Overlay Concept Plan shows 2.86 acres of proposed wetland mitigation as depicted on Exhibit C, Proposed Site Plan Overall. The exact locations of the proposed wetland mitigation will be as further determined and approved by the City during the site plan approval process. The wetland mitigation areas shall not be removed and shall be provided and maintained in accordance with the wetlands and watercourse protection ordinance and the requirements of the Zoning Ordinance. The exact amount of wetland mitigation and any changes to the site with regard to wetland mitigation areas are subject to review and final determination and approval by the City in accordance with all applicable provisions of the City Code and Zoning Ordinance.

(3) Creation of a Conservation Easement. Land Owner and Developer shall place 2.86 acres of wetland mitigation areas in a perpetual conservation easement, in a form to be determined by the City. The exact locations of the proposed wetland mitigation areas will be further approved by the City during the site plan approval process. Land Owner and Developer shall also place the woodland areas depicted on the attached Exhibit D in a perpetual conservation easement, in a form to be determined by the City. The exact locations of the proposed woodland conservation areas will be further approved by the City during the site plan approval process.

(4) Dedication of City Path Easement. Land Owner and Developer shall agree to provide a 20 foot wide city path easement, in a form to

be determined by the City, for the City to construct a path (the "City Path") through the Land that shall be open for public pedestrian use as shown on the Amended PSLR Concept Plan and as further approved by the City during the site plan approval process.

(5) Limitations on Use. Developer and Land Owner hereby agree that the use of the Land shall be limited to the operation of the Facility.

(6) Limitations on Size. Developer and Land Owner hereby agree that the size of the Facility shall be limited to 190,000 square feet in area, and a maximum of 182 units, plus two guest suites and seven-bay parking garage.

- X. The parties acknowledge that this Agreement contains terms and conditions, which are binding on Developer and Land Owner.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Each and every provision, representation, term, condition, right, and obligation set forth in Recitations I-Xis binding upon the parties of this Agreement and is incorporated as a part of this Agreement.

As provided in the PSLR Overlay District ordinance, Article 23B *et seq.* of the City's Zoning Ordinance:

- a. No use of the Land shall be allowed except the uses shown on the Amended PSLR Overlay Concept Plan for the operation of the Facility. Site plan review for the development of the Land is required in accordance with the terms of the City's ordinances; provided, however, that modifications to the improvements to be constructed on the Land shall be permitted subject to the City's approval;
- b. Developer and Land Owner and their successors, assigns, and/or transferees shall act in conformance with the Amended PSLR Overlay Concept Plan and Conditions, including the provision of the Public Benefits/Public Improvements, all as described above and incorporated herein;
- c. Developer and Land Owner and their successors, assigns, and/or transferees shall forbear from acting in a manner inconsistent with the Amended PSLR Overlay Concept Plan and Conditions, and the Public Benefits/Public Improvements, all as described in the Recitations above and incorporated herein; and
- d. Developer and Land Owner shall commence and complete all actions reasonably necessary to carry out the Amended PSLR Overlay Concept Plan and all of the Conditions and Public Benefits/Public

Improvements, all as described in the Recitations above and incorporated herein.

- e. Developer and Land Owner consent to an extension of the PSLR Overlay District, if required by the City, to the area of the Land on the north edge of the parcel not currently subject to the overlay.
2. The following deviations and waivers from the standards of the City's Zoning Ordinance with respect to the Land are hereby authorized pursuant to Section 2304B of the City's Zoning Ordinance and as shown on the Amended PSLR Overlay Concept Plan or final approved site plan:
- (a) the permitted maximum building length of 180 feet shall be increased to 471 feet;
 - (b) the permitted maximum building height of 35 feet shall be increased to 41 feet;
 - (c) the permitted maximum 60 foot spacing of ground floor pedestrian entrance doors on all building elevations shall be waived;
 - (d) the permitted maximum asphalt shingle area between the eave and peak of the roof shall be waived to address the overage of the maximum use of asphalt shingles;
 - (e) off-street parking shall be permitted in the front yard (south) and the exterior side yard (east);
 - (f) the carports shall be permitted in the interior side yard (southwest);
 - (g) the two on-premises signs shall be permitted; one on-premises entranceway ground sign at Beck Rd. and one on-premises business ground sign in front of the Facility;
 - (h) full-time access to Beck Rd., a section line road, shall be permitted;
 - (i) a two to five foot tall undulating berm shall be permitted between the eastern proposed parking area and the proposed roadway;
 - (j) a one and one-half foot minimum to five foot tall maximum decorative wall fronting Beck Rd. shall be permitted in lieu the required 3 foot minimum to 5 foot maximum undulating berm; and

(k) the requirement of a 4 foot wide landscape bed around the entire building foundation is hereby waived.

(l) a variance from the requirement of a 30' setback is hereby granted to permit the construction of the proposed seven bay garage 22'-2" from the property line.

3. Each of the provisions, requirements, deviations/waivers, and conditions in this Agreement and the features and components provided in the Amended PSLR Overlay Concept Plan meet the intent of the PSLR Overlay District.
4. Developer and Land Owner acknowledge that, at the time of the execution of this Agreement, the Facility has not yet obtained site plan, engineering, and other approvals required by ordinance or other regulation. Developer and Land Owner acknowledge that the Planning Commission and Engineering Division may impose additional conditions other than those contained in this Agreement during site plan reviews and approvals as authorized by law; provided, however, that such conditions shall not be inconsistent with the Amended PSLR Overlay Concept Plan and this Agreement and shall not change or eliminate any development right authorized thereby. Such conditions shall be incorporated into and made a part of this Agreement, and shall be enforceable against Developer and Land Owner, in the event Developer proceeds with development of the Facility.
5. In the event the Developer or its respective successors, assigns, and/or transferees attempt to proceed, or do proceed, with actions to complete any improvement of the Land, or any portion of it, in any manner other than for the development and operation of the Facility, as shown on the Amended PSLR Overlay Concept Plan, the City shall be authorized to revoke all outstanding building permits and any certificates of occupancy issued for such building and use on the Land. In addition, any material violation of the City's Code of Ordinances by Developer or Land Owner and/or any successor owners or occupants with respect to the Land shall be deemed a breach of this Agreement, as well as a violation of the City's Code of Ordinances. A breach of this Agreement shall constitute a nuisance *per se*, which shall be abated. Developer, the Land Owner, and the City therefore agree that, in the event of a breach of this Agreement by the Developer or Land Owner, the City, in addition to any other relief to which it may be entitled at law or in equity, shall be entitled under this Agreement to relief in the form of specific performance and an order of the court requiring abatement of the nuisance *per se*. The rights in this Paragraph 5 are in addition to the legal and equitable rights that the City has by statute, ordinance, or other law. In the event of a breach of under this Paragraph, the City shall notify Developer and Land Owner of the occurrence of the breach and shall provide the Developer and/or Land Owner, as applicable, with a reasonable period of time to cure any such default and Developer and/or Land Owner, as applicable, shall cure such default during such period; provided,

however, that in no event shall the notice period be less than 30 days.

6. By execution of this Agreement, Developer and Land Owner acknowledge that they have acted in consideration of the City approving the proposed use on the Land, and Developer and Land Owner agree to be bound by the provisions of this Agreement, including the recitals and all exhibits attached hereto, which are incorporated by this reference and made a part of this Agreement.
7. Developer and Land Owner acknowledge and agree that they have had the opportunity to have the Amended PSLR Concept Plan and this Agreement, reviewed by legal counsel. Developer and Land Owner have negotiated with City the terms of this Agreement and of the Amended PSLR Overlay Concept Plan, and such documentation represents the product of the joint efforts and mutual agreements of Developer, Land Owner, and City. Developer and Land Owner accept and agree to the final terms, conditions, requirements and obligations of the Agreement and the Amended PSLR Overlay Concept Plan, and Developer and Land Owner shall not be permitted in the future to claim that the effect of the Agreement and PSLR Overlay Concept Plan results in an unreasonable limitation upon uses of all or a portion of the Land, or claim that enforcement of the Agreement and Amended Concept Plan causes an inverse condemnation, other condemnation or taking of all or any portion of the Land. Developer and Land Owner and City agree that this Agreement and its terms, conditions, and requirements are lawful and consistent with the intent and provisions of local ordinances, state and federal law, and the Constitutions of the State of Michigan and the United States of America. Developer and Land Owner have offered and agreed to proceed with the undertakings and obligations as set forth in this Agreement in order to protect the public health, safety, and welfare and provide material advantages and development options for Developer and Land Owner, all of which undertakings and obligations Developer and Land Owner and City agree are necessary in order to ensure public health, safety, and welfare, to ensure compatibility with adjacent uses of land, to promote use of the Land in a socially, environmentally, and economically desirable manner, and to achieve other reasonable and legitimate objective of City and Developer and Land Owner, as authorized under applicable City ordinances and the Michigan Zoning Enabling Act, MCL 125.3101, *et seq.*, as amended. Furthermore, Developer and Land Owner fully accept and agree to the final terms, conditions, requirements, and obligations of this Agreement and the Amended PSLR Overlay Concept Plan, and Developer and Land Owner shall not be permitted in the future to claim that the effect of this Agreement or the Amended PSLR Overlay Concept Plan results in an unreasonable limitation upon use of all or any portion of the Land, or to claim that enforcement of this Agreement or the Amended PSLR Overlay Concept Plan causes an inverse condemnation or taking of all or any portion of such property. It is further agreed and acknowledged that the terms, conditions, obligations, and requirements of this Agreement and the Amended PSLR Overlay Concept Plan are clearly and substantially related to the burdens to be

created by the development and use of the Land under the approved Amended PSLR Concept Plan and this Agreement, and are, without exception, clearly and substantially related to City's legitimate interests in protecting the public health, safety and general welfare. Nothing in this paragraph however limits Developer and Land Owner right to seek enforcement of this Agreement for City's breach of any of its terms

8. This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees. This Agreement shall be recorded with the office of the Oakland County Register of Deeds as to all affected parcels, and the approval of the proposed use shall not become effective until such recording has occurred. Thereafter, any development of the Land shall be in accordance with this Agreement, the Amended PSLR Overlay Concept Plan, and any approved site plans.
9. This Agreement has been duly authorized by all necessary action of the Land Owner, Developer, and the City.
10. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement shall be taken and construed as cumulative; that is, in addition to every other remedy provided by law.
11. In the event that there is a failure in any material respect by the Developer or Land Owner to perform any obligations required by this Agreement, the City shall serve written notice thereof setting forth such default and shall provide the Developer and/or Land Owner, as applicable, with a reasonable period of time to cure any such default and Developer and/or Land Owner, as applicable, shall cure such default or take reasonable commercial steps to commence and pursue such a cure during such period; provided, however, in no event, shall the notice period be less than 30 days.
12. This Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. Any and all suits for any and every breach of this Agreement may be instituted and maintained in any court of competent jurisdiction in the County of Oakland, State of Michigan.
13. This Agreement is intended as the complete integration of all understandings among the parties related to the subject matter herein. No prior contemporaneous addition, deletion, or other amendment shall have any force or effect whatsoever, unless embodied herein in writing. Except for additional conditions imposed as part of the development approval process, as described in Section 4 above, this Agreement may be amended only as provided in the PSLR Overlay District ordinance, Article 23B *et seq.* of the City's Zoning Ordinance, including a writing signed by all parties to the Agreement.

14. The Zoning Board of Appeals shall have no jurisdiction over the Land or the application of this Agreement.
15. It is understood by Developer and Land Owner that construction of some of the improvements included in the Amended Concept Plan may require the approval of other governmental agencies, and that failure to obtain such approvals does not invalidate this Agreement or the Amended PSLR Overlay Concept Plan.
16. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between the Developer and Land Owner and the City.
17. The parties intend that this Agreement shall create no third-party beneficiary interest.
18. Where there is a question with regard to applicable regulations for a particular aspect of the development of the Facility, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of this Agreement that apply, the City, in the reasonable exercise of its discretion, shall determine the regulations of the City's Zoning Ordinance, as that Ordinance may have been amended, or other City Ordinances that shall be applicable, provided that such determination is not inconsistent with the nature and intent of the Amended Concept Plan and the this Agreement. In the event of a conflict or inconsistency between two or more provisions of the Agreement and Concept Plan, or between the Agreement and Amended Concept Plan and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of the City, shall apply.
19. This Agreement may be signed in counterparts.

THE UNDERSIGNED have executed this Agreement effective as of the day and year first written above.

ROSE SENIOR LIVING, LLC
a Michigan limited liability company

By:

WARREN ROSE
Its: Authorized Manager

CITY OF NOVI

By: _____

Printed Name:

Robert J. Gatt, Mayor

Printed Name:

By: _____

Printed Name:

Cortney Hanson, Clerk

Printed Name:

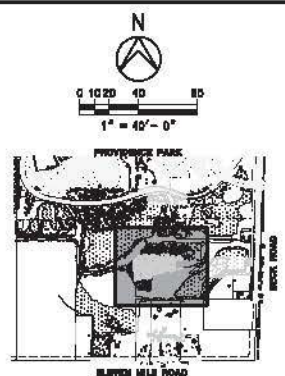
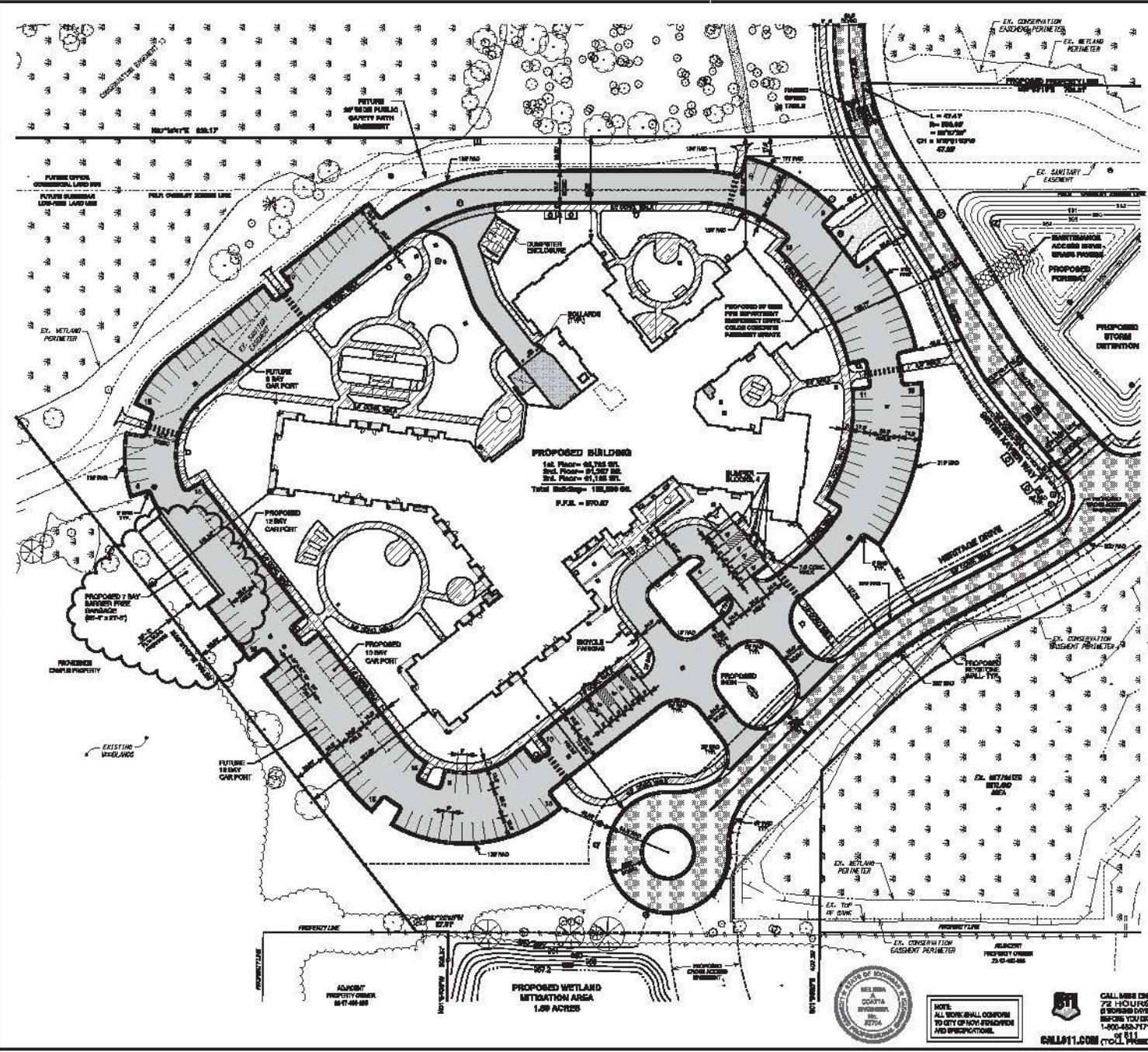
STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

On this _____ day of _____, 2016, before me appeared Robert J. Gatt, Mayor, and Cortney Hanson, Clerk, who each stated that they have signed this document of their own free will on behalf of the City of Novi in their respective official capacities.

Notary Public

[SIGNATURES CONTINUE ON NEXT PAGE]

DATE: 12/15/2014
 PROJECT: ROSE SENIOR LIVING AT PROVIDENCE PARK
 DRAWING: SITE PLAN - ENLARGED
 SHEET: 02 OF 08



UNIT MIX

90	CONDO/GRATE CARE / INDEPENDENT LIVING UNITS
78	ASSISTED LIVING UNITS (81 BEDS)
38	MEMORY CARE UNITS (20 BEDS)
166	TOTAL UNITS (PLUS 2 GUEST ROOMS)

REQUIRED PARKING

119	ASSISTED LIVING / MEMORY CARE BEDS PARKING SPACES REQUIRED
30	PARKING SPACES REQUIRED
69	CONDO/GRATE LIVING UNITS PARKING SPACES REQUIRED
65	PEAK NUMBER OF EMPLOYEES PARKING SPACES REQUIRED
147	TOTAL PARKING SPACES REQUIRED

PROPOSED PARKING

108	TOTAL PARKING SPACES PROVIDED
-----	-------------------------------

NOTE: DIMENSIONS OF PARKING STALLS ABUTTING A CURB, BUMPER BLOCK, OR A RAMPED SIDEWALK ARE TO THE REAR FACE OF CURB, BLOCK, OR WALK. ALL OTHER DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE INDICATED.

NOTE: EMERGENCY ACCESS GATE IS TO BE INSTALLED AND CLOSED PRIOR TO ENTRANCE OF TCD FOR THE PROPOSED BUILDING.

LEGEND

- [Symbol] EXISTING PARKING
- [Symbol] EXISTING DRIVE
- [Symbol] EXISTING BUILDING
- [Symbol] PROPOSED 3.0" CONCRETE SIDE AND CURB - 6" HIGH
- [Symbol] PROPOSED 3.0" CONCRETE SIDE AND CURB - 4" HIGH
- [Symbol] PROPOSED SIDEWALK
- [Symbol] PROPOSED RETAINING WALL
- [Symbol] PROPOSED CONCRETE PAVEMENT (EXCEPT PAD-1)
- [Symbol] PROPOSED CONCRETE SIDEWALK
- [Symbol] CITY OF HOV 3 STANDING STANDSTILL PARKING
- [Symbol] PROPOSED BITUMEN PAVEMENT
- [Symbol] PROPOSED GRASS PAVED
- [Symbol] PROPOSED CURB CONCRETE PAVEMENT (EXCEPT OR-1)
- [Symbol] PROPOSED CONCRETE PAVEMENT (EXCEPT PAD AND SIDEWALK AREA)
- [Symbol] 1" LEVEL, 4" HIGH YELLOW SUPER BLOCK

NOTE: ALL OTHER UTILITY BEHIND OR IN THE TERRITORY OF THE PROPERTY SHALL BE SHOWN FROM THE RECORD DRAWING AND AS SHOWN ON THE RECORD DRAWING. NO ASSURANCE IS MADE AS TO THE ACCURACY OF THE UTILITY BEHIND OR IN THE TERRITORY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND CONFLICTS PRIOR TO CONSTRUCTION.

CALL 801.238.72 HOURS 8 AM TO 5 PM MON-FRI BEFORE YOU DIAL 1-800-488-7771

CALL 801.238.72 HOURS

ROSE SENIOR LIVING AT PROVIDENCE PARK

PROPOSED SITE PLAN - ENLARGED

DATE: FEBRUARY 2014
 SCALE: 1" = 40'
 SHEET: 02 OF 08

ROSE SENIOR LIVING
 at Providence Park

HRC 100
 CONSULTING ENGINEERS SINCE 1914

03.03.2014	PROP. REVISION - CITY SUBMITTAL
04.04.2014	REVISION FOR UTILITY CONFLICTS
04.16.2014	PROP. REVISION - GRASSY WALKWAY
07.08.2014	FINAL APPROVED SET
07.08.2014	ELECTRICAL SCHEMATIC SET
08.03.2014	ELECTRICAL SCHEMATIC SET
08.07.2014	PROVISIONAL POST-FINAL REVIEW PLAN APPROVAL
08.08.2014	FINAL SUBMITTAL / FINISH
08.08.2014	FINAL UTILITY APPROVAL
08.08.2014	CONSTRUCTION
08.08.2014	PROVIDENCE PARK APPROVAL

DESIGNED: MGA
 DRAWN: RGA
 CHECKED: G.J.K.
 APPROVED: T.G.M.

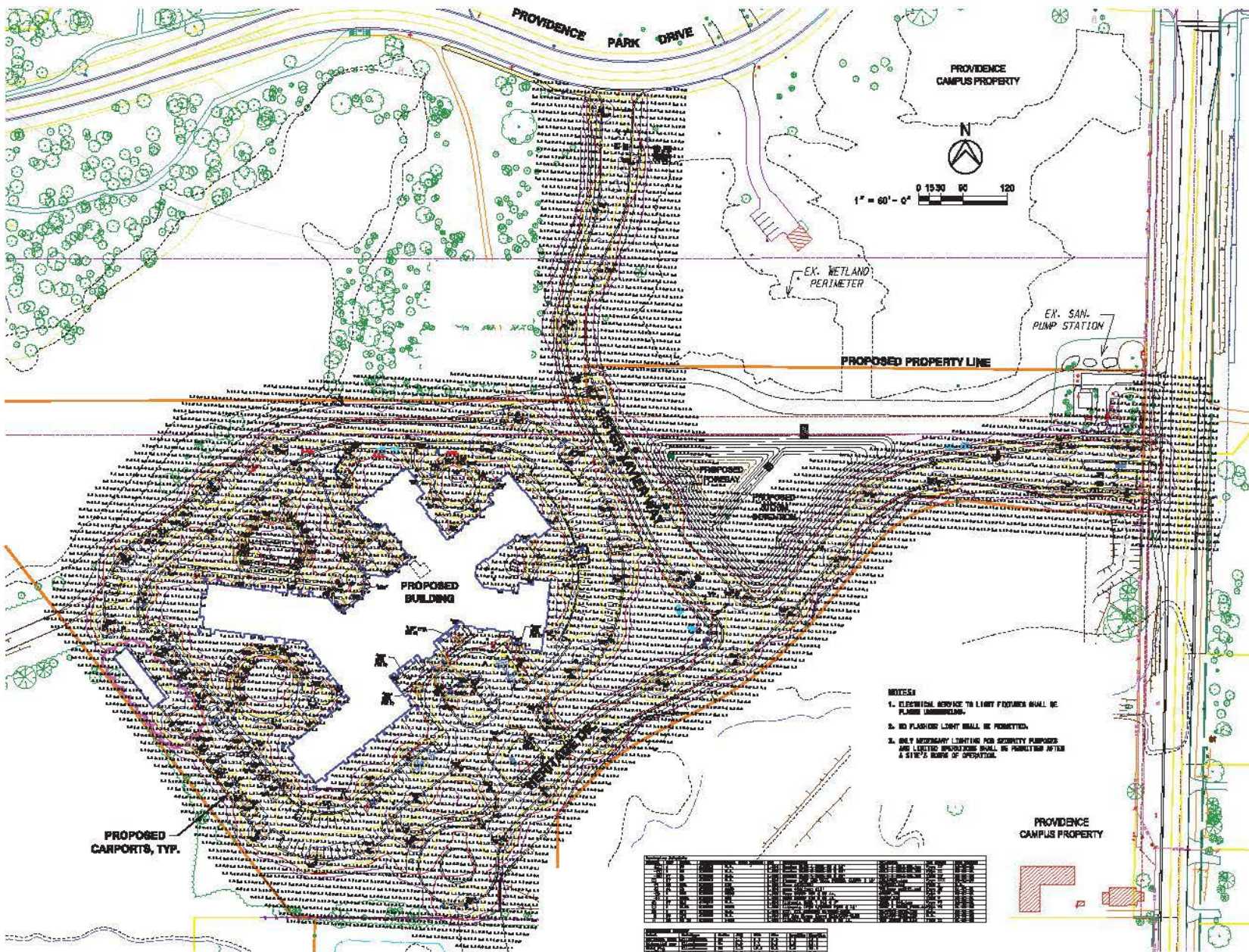
ROSE SENIOR LIVING AT PROVIDENCE PARK

CITY OF HOV 3

PROPOSED SITE PLAN - ENLARGED

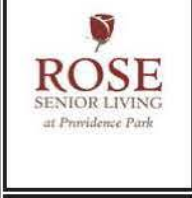
DATE: FEBRUARY 2014
 SCALE: 1" = 40'
 SHEET: 02 OF 08

DATE: 02/24/2014
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS
 PROJECT NO.: 14-0001
 SHEET NO.: 90 OF 105



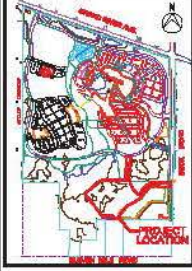
- NOTES**
1. ELECTRICAL SERVICE TO LIGHT FIXTURES SHALL BE PLUMB LUMBERLANS.
 2. ONLY NECESSARY LIGHTING FOR SECURITY PURPOSES AND LIMITED OPERATIONS SHALL BE PROVIDED AFTER A SITE'S NORMAL OPERATION.
 3. NO FLASHING LIGHT SHALL BE PERMITTED.

NO.	DESCRIPTION	AMOUNT	UNIT	TOTAL
1
2
3
4
5
6
7
8
9
10



HRC 100
 CONSULTING ENGINEERS SINCE 1919
 100 EAST 1000 WEST
 SALT LAKE CITY, UT 84119
 PHONE: 801-464-4400
 FAX: 801-464-4400
 WWW.HRC.UTAH.COM

DESIGNED BY	J. HARRIS
CHECKED BY	J. HARRIS
DATE	02/24/2014
PROJECT NO.	14-0001
SHEET NO.	90 OF 105



ROSE SENIOR LIVING AT PROVIDENCE PARK
 CITY OF IOWA
 CHALDRON CITY 52248

PHOTOMETRIC SITE PLAN - OVERALL
 DATE: FEBRUARY 2014
 SCALE: 1" = 60'
 SHEET: FC 1



CALL 801-226-7242
 724 HICKORY
 SALT LAKE CITY, UT 84119
 1-888-468-7771

NOTE: ALL DIMENSIONS LISTED ARE BASED ON THE INFORMATION PROVIDED IN THE CONTRACT AND THE INFORMATION ON THE LITERATURE ON THIS DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY AND COMPLETION PRIOR TO CONSTRUCTION.

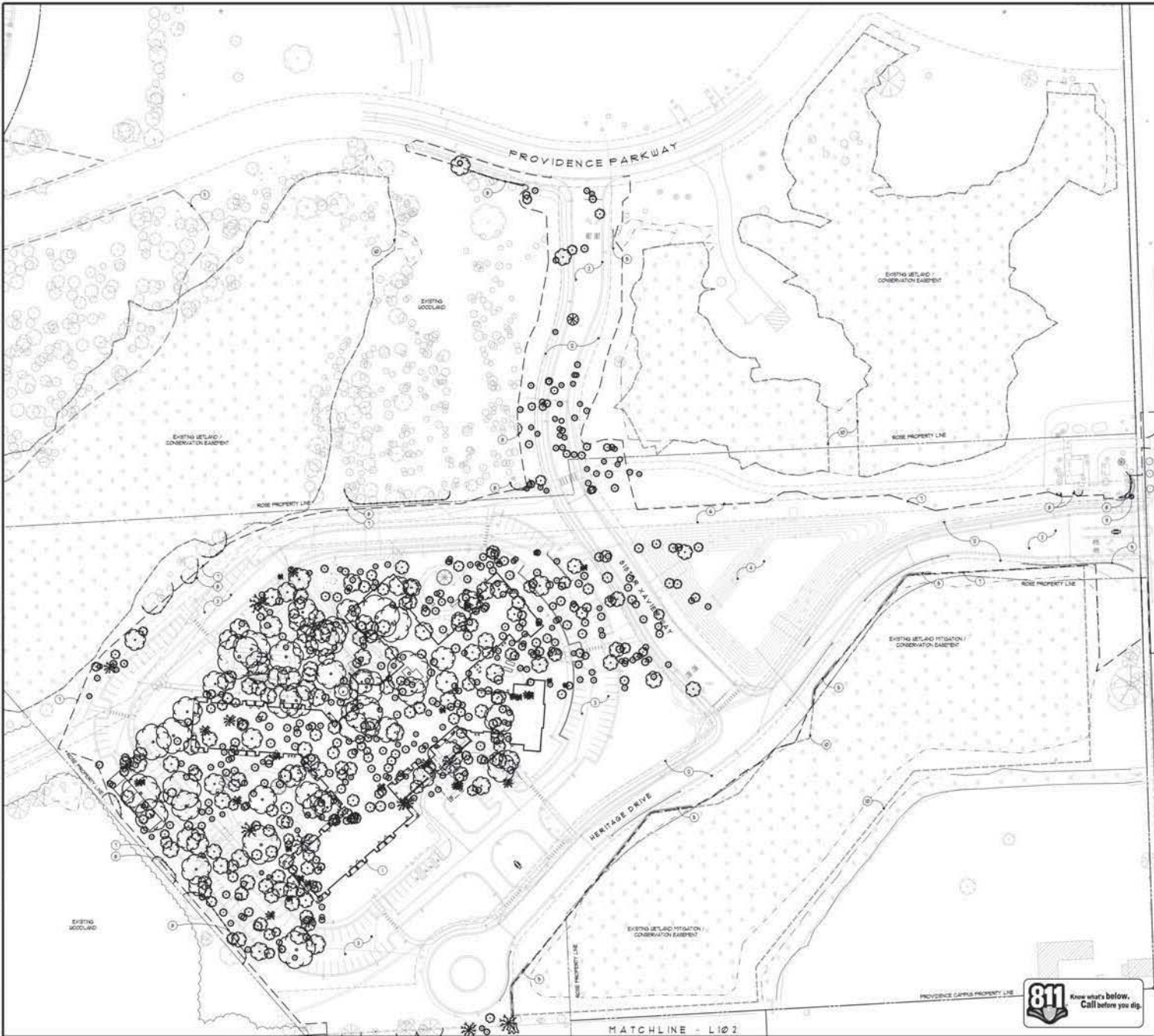


SHEET NO. 90 OF 105

5/2/2016 8:15 AM

04/10/16

N:\2016-12 (Providence Park St. Health)\City\2016-12-1101-1102_Woodland Impact_Plan.dwg
Noah Birmah



Ordinance Considerations:

Woodland Tree Replacement Chart
Requirements

1. Replace impacted trees within a City of Novi regulated area by planting 2.0" caliper shade trees (or eq. of other vegetation) 1/4" in and the City's tree fund or a combination of both.
2. Refer to Woodland Tree Replacement Chart below to quantify the number of replacement trees required.

PROPOSED

1. Approvals a permitting to remove 455 trees as part of the construction for the new Rose Senior Living at Providence Park. The size of the tree and its replacement value is as follows:

Tree Type	Quantity	Replacement Value
Large Trees (1.5" Caliper)	10	\$1,500
Medium Trees (1.0" Caliper)	100	\$300
Small Trees (0.75" Caliper)	345	\$103.50
Total	455	\$1,933.50

2. The Woodland Tree Replacement Plan (Items L103, L104 and L105) require to 100% Woodland Tree Replacement Chart. 2.0" caliper shade trees plus the additional 455 tree credits tree planting other woodland plant material - see below

Tree Type	Min. Size	Replacement Value	Min. Caliper
Large Trees	1.5" Caliper	\$1,500	1.5"
Medium Trees	1.0" Caliper	\$300	1.0"
Small Trees	0.75" Caliper	\$103.50	0.75"
Shrub	3" Caliper	\$15	3"
Perennial	1" Caliper	\$3	1"

Tree Type	Credits Conversion	Proposed Plant Credits	Amount of Tree Credits per Plant Type
Large Trees (1.5" Caliper)	1.0	10	10
Medium Trees	0.33	330	100
Small Trees	0.14	1365	40
Shrub	0.05	682.5	40
Perennial	0.02	368.25	200
Construction/Removal	0.00	0	0
Total	1.52	2,196.75	620

2.0" Caliper Trees Required: 455
Total Tree Credits Provided: 620

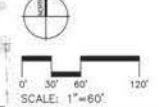
3. Any woodland plantings that are not required due to size or utility damage and/or removal at the site by planting names and the City Tree Fund.
4. Refer to Civil Drawings for Tree Survey.

Graphic Legend:

- EXISTING TREE TO BE REPAIR ACQUIRED
- EXISTING TREE TO BE REPAIR ACQUIRED
- EXISTING TREE TO BE REMOVED
- EXISTING DEAD TREE TO BE REMOVED
- EXISTING WETLAND
- PROPOSED WETLAND MITIGATION
- PROPOSED SUPERGRADE ELECTRICAL SERVICE - REFER TO ELECTRICAL DRAWING
- PROPOSED STORY BEAM LINE AND STRUCTURES - REFER TO CIVIL DRAWING
- PROPOSED WATER SERVICE - REFER TO CIVIL DRAWING
- PROPOSED FIRE HYDRANT - REFER TO CIVIL DRAWING
- PROPOSED SANITARY SEWER - REFER TO CIVIL DRAWING
- PROPOSED TELEPHONE / COMMUNICATION LINE - REFER TO CIVIL DRAWING
- WETLAND BOUNDARY

Note Key:

- ① PROPOSED BUILDING - REFER TO ARCHITECT DRAWING
- ② PROPOSED PRIVATE ROAD - REFER TO CIVIL DRAWING
- ③ PROPOSED PARKING AREA - REFER TO CIVIL DRAWING
- ④ PROPOSED STORY BEAM - REFER TO CIVIL DRAWING
- ⑤ PROPOSED RETAINING WALL - REFER TO CIVIL DRAWING
- ⑥ UTILITY SERVICE
- ⑦ PROPOSED GRADING LOTTS - REFER TO CIVIL DRAWING
- ⑧ PROPOSED TREE PROTECTION TYP. - REFER TO DETAIL (SHEET L101)
- ⑨ PROPOSED DISCONTINUOUS PRECAST RETAINING WALL - REFER TO DETAIL (SHEET L104)
- ⑩ WETLAND MITIGATION EASEMENT
- ⑪ WETLAND CONSERVATION EASEMENT
- ⑫ ROAD EASEMENT



SHEET NO. 52 OF 105



GRISSIM METZ ASSOCIATES ANDRIESE
300 East Gedy Street
Northville, MI 48167
Ph: 248-347-7010

HRC
HUBBELL, BETH & CLARK, INC.
Consulting Engineers
655 HOLEY DRIVE P.O. BOX 824
BLOOMFIELD HILLS, MI 48301-0824
PHONE: (248) 654-6500
FAX: (248) 654-6312
WEB SITE: http://www.hrc-engineers.com

10/02/16	PROP. GARAGE - CITY SUBMITTAL
11/02/16	FINAL STAMPING SET
03/09/17	ELECTRONIC STAMPING
05/10/17	RECEIVED CITY FINAL
10/02/16	FINAL SITE PLAN SUBMITTAL
01/02/17	OWNER REVIEW
03/02/17	PRELIMINARY SITE PLAN SUBMITTAL
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09/03/17	OWNER REVIEW
10/03/17	OWNER REVIEW
11/03/17	OWNER REVIEW
12/03/17	OWNER REVIEW
01/03/18	OWNER REVIEW
02/03/18	OWNER REVIEW
03/03/18	OWNER REVIEW
04/03	



MEMORY CARE COURTYARD (CONTROLLED ACCESS)
 GARDEN
 GARDENING RAISED TREES PLOTS
 PASSIVE SEATING
 PEOPLE WATCHING
 SALVING PLAZA
 TERRACE / PLAZA

EAST COURTYARD
 GARDENING RAISED TREES PLOTS
 PASSIVE SEATING
 PEOPLE WATCHING
 SALVING PLAZA

ACTIVITY COURTYARD
 BAR/BEVERAGE
 GARDENING
 GOLFING
 TERRACE DRING
 PASSIVE SEATING
 PEOPLE WATCHING
 SALVING PLAZA

WEST COURTYARD
 GARDENING RAISED TREES PLOTS
 PASSIVE SEATING
 PEOPLE WATCHING
 SALVING PLAZA
 TERRACE / PLAZA

ENTRY COURTYARD
 TERRACE DRING
 PASSIVE SEATING
 PEOPLE WATCHING
 SALVING PLAZA

Ordinance Consideration Notes:

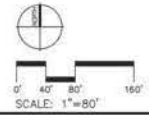
Lot Area Calculations

TYPE	Size	Percentage
LOT AREA	3871 AC	100%
BUILDING AREA	151 AC	3.9%
ROAD/PARKING AREA	54 AC	1.4%
SOCIAL/PLAZA AREA	123 AC	3.2%
OPEN SPACE AREA	1141 AC	29.5%

Graphic Legend:

- ROAD, PARKING AND ACCESS DRIVE AREA
- SOCIAL PLAZA AND ACTIVITY AREAS
- BUILDING AREA
- ROSE SENIOR LIVING AT PROVIDENCE PARK

NOTE: REFER TO LANDSCAPE REPLACEMENT PLAN AND LANDSCAPE PLANTING PLAN FOR PROPOSED PLANTING INFORMATION.



SHEET NO. 59 OF 105



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 Northville, MI 48167
 Ph: 248.347.7010

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 155 WILEY DRIVE, BIRMINGHAM, AL 35202
 PHONE: (205) 954-8000
 FAX: (205) 954-8312
 WEB SITE: www.hrc-cep.com

DATE	REVISIONS FOR ADDITIONS/REVISIONS
10/02/10	PROP. GARAGE - CITY SUBMITTAL
11/02/11	FINAL STAMPING SET
03/29/11	ELECTRICAL STAMPING
05/12/11	RE-DESIGN/REVISED FINAL
10/02/11	FINAL SITE PLAN SUBMITTAL
01/02/11	OWNER REVIEW
08/02/11	PRELIMINARY SITE PLAN SUBMITTAL



ROSE SENIOR LIVING AT PROVIDENCE PARK
 CITY OF NOVI
 SHELBY COUNTY, MICHIGAN

OPEN SPACE AND RECREATION PLAN
 HRC JOB NO. 20130648 SCALE: AS SHOWN
 DATE: JULY 2014 SHEET: L202

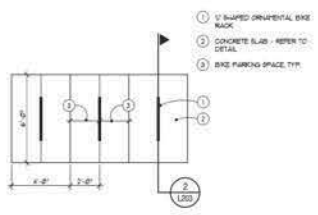
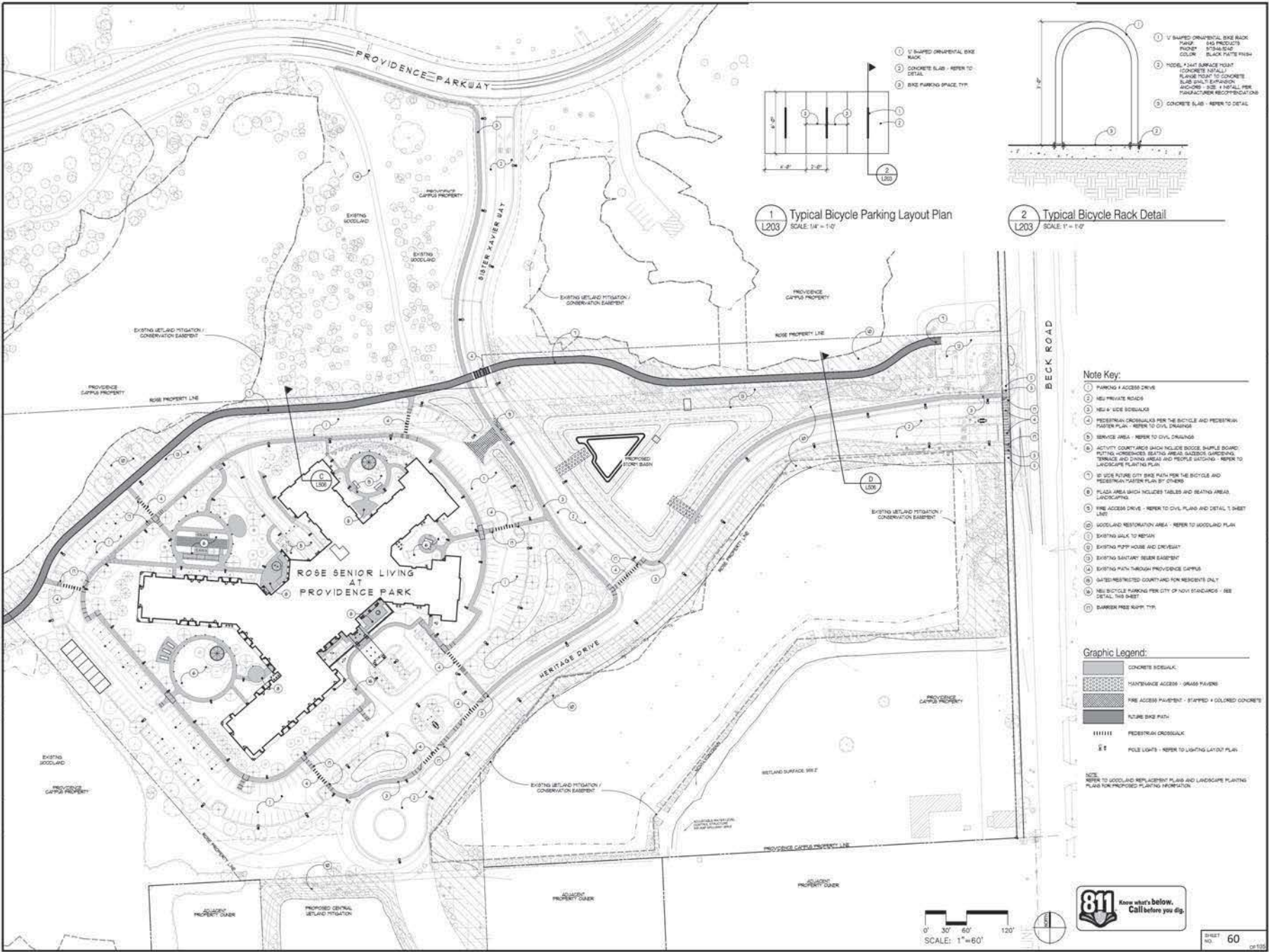
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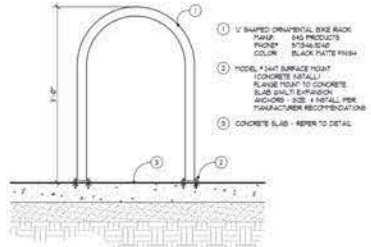
04/20

H:\V20-132 (Providence Park, St. Joseph)\Shea\2014-132_L203_Bicycle and Pedestrian Master Plan.dwg

Noah Berman



1 Typical Bicycle Parking Layout Plan
L203 SCALE: 1/4" = 1'-0"



2 Typical Bicycle Rack Detail
L203 SCALE: 1" = 1'-0"

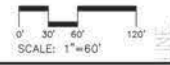
Note Key:

- ① PARKING + ACCESS DRIVE
- ② NEW PRIVATE ROAD
- ③ NEW + EXISTING SIDEWALKS
- ④ PEDESTRIAN CROSSWALKS PER THE BICYCLE AND PEDESTRIAN MASTER PLAN - REFER TO CIVIL DRAWINGS
- ⑤ SERVICE AREA - REFER TO CIVIL DRAWINGS
- ⑥ ACTIVITY COURT AREA WHICH INCLUDES BENCHES, SHUTTER BOARD, PUTTING GREENS, SEATING AREA, GARDENS, TERRACE AND DINING AREAS AND PEOPLE WATCHING - REFER TO LANDSCAPE PLANTING PLAN
- ⑦ 50' SIDE WALK PER CITY CODE WITH PER THE BICYCLE AND PEDESTRIAN MASTER PLAN BY OTHERS
- ⑧ PLAZA AREA WHICH INCLUDES TABLES AND SEATING AREAS, LANDSCAPING
- ⑨ FINE ACCESS DRIVE - REFER TO CIVIL PLAN AND DETAIL 1 SHEET LINE
- ⑩ WOODLAND RESTORATION AREA - REFER TO WOODLAND PLAN
- ⑪ EXISTING WALK TO NEIGHBOR
- ⑫ EXISTING PUPPY HOUSE AND DRIVEWAY
- ⑬ EXISTING SANITARY SEWER EASEMENT
- ⑭ EXISTING PATH THROUGH PROVIDENCE CAMPUS
- ⑮ SHARED RESTRICTED COURTYARD FOR RESIDENTS ONLY
- ⑯ NEW BICYCLE PARKING PER CITY OF NOV STANDARDS - SEE DETAIL 100 SHEET
- ⑰ SHARKER FREE SUPPLY TYP

Graphic Legend:

- CONCRETE SIDEWALK
- MAINTENANCE ACCESS - GRASS PAVEMENT
- FINE ACCESS PAVEMENT - STAMPED + COLORED CONCRETE
- FUTURE BIKE PATH
- PEDESTRIAN CROSSWALK
- POLE LIGHTS - REFER TO LIGHTING LAYOUT PLAN

NOTE: REFER TO WOODLAND REPLACEMENT PLAN AND LANDSCAPE PLANTING PLAN FOR PROPOSED PLANTING INFORMATION.



ROSE
SENIOR LIVING
at Providence Park

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ANDRIESE**
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48391-0824
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FAX (248) 454-4312
FAX (248) 454-4312
WEB SITE: http://www.hrc-rop.com

10/09/2014	PRIOR GARAGE - CITY SUBMITTAL
7/16/2015	FINAL STAMPING SET
4/23/2015	ELECTRONIC STAMPING
3/01/2015	ISSUE FOR PERMIT/FINAL SITE PLAN SUBMITTAL
7/30/2014	FINAL SITE PLAN SUBMITTAL
6/16/2014	OWNER REVIEW
4/28/2014	PRELIMINARY SITE PLAN SUBMITTAL
3/18/2014	PRELIMINARY CONCEPT PLAN SUBMITTAL
DATE	ISSUED FOR ADDITIONS/REVISIONS
DESIGNED: SG	
DRAWN: NS	
CHECKED: SG	
APPROVED: SG	



**ROSE
SENIOR LIVING
AT
PROVIDENCE
PARK**

CITY OF NOV
SARLAK COUNTY MICHIGAN
SHEET TITLE
BICYCLE AND PEDESTRIAN
MASTER PLAN

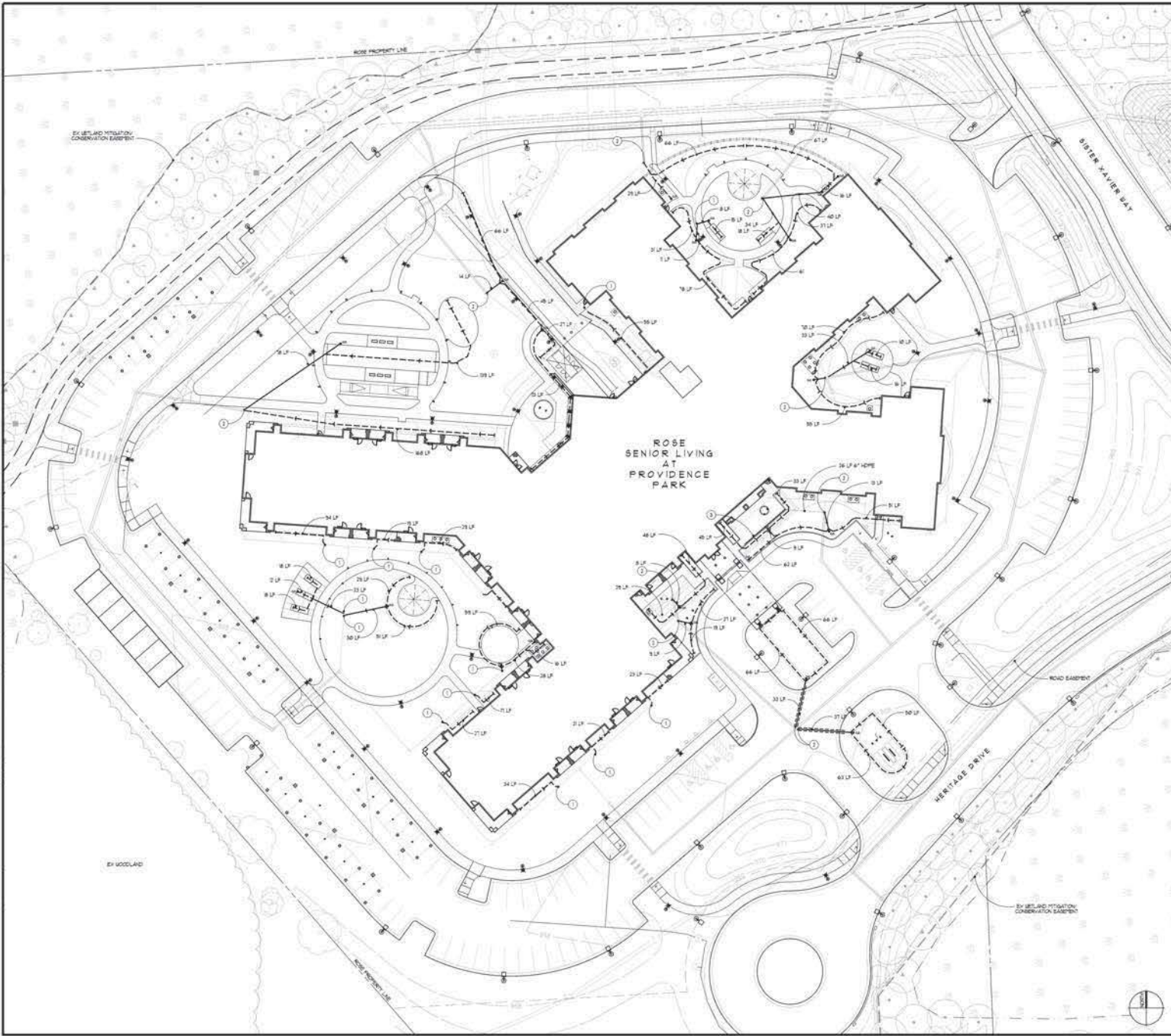
HRC JOB NO:	20130648	SCALE:	AS SHOWN
DATE:	JULY 2014	SHEET:	L203
SHEET NO.:	60	OF 105	

5/2/2016 8:16 AM

DRG 03

H:\V20-132 (Providence Park, Sr. Housing)\DWG\20-132_L401_Drainage_Plan.dwg

Noah Birman



Note Key:

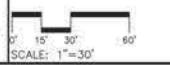
- ① CONNECT 4" DRAIN TILE SYSTEM TO ROOF DRAIN CONVEYANCE LINE TO CIVIL DRAINAGE FOR PIPE SIZE AND TYPICAL CONNECTIONS
- ② CONNECT 4" DRAIN TILE SYSTEM TO STORM INLET OR MANHOLE STRUCTURE - CORE DRILL CONNECTION IF NOT PRECISED TO AVOID CONFLICTS WITH EXISTING PIPES AND APPROPRIATE FINDER SLOPE AND COVER FOR EXISTING RUN OF DRAIN TILE - REFER TO CIVIL DRAINAGE FOR INVERT ELEVATIONS
- ③ TRENCH DRAIN - REFER TO DETAIL 9, SHEET L01

Grading General Notes

- 1. CROSS SLOPE ON ALL WALKS SHALL NOT EXCEED 2%
- 2. LONGITUDINAL SLOPE ON ALL WALKS SHALL NOT EXCEED 3%
- 3. VERIFY EXISTING CONDITIONS IN THE FIELD. CONTRACTOR SHALL NOTIFY OWNER IMMEDIATELY IF CONDITIONS THAT VARY FROM THOSE SHOWN.
- 4. CONTRACTOR TO COORDINATE PROPOSED STORM SYSTEM CONNECTIONS WITH OWNER'S REPRESENTATIVE.

Legend

- FINE HYDRANT
- ⊠ CATCH-BASIN OR MANHOLE
- ⊞ DECK DRAIN - REFER TO DETAIL 9 SHEET L01
- EXISTING WATER MAIN
- EXISTING STORY LINE
- ROAD CENTERLINE
- 4" S.O.D. PERFORATED DRAIN TILE SYSTEM - REFER TO DETAILS AND SPECIFICATIONS
- 4" S.O.D. PVC OR HDPE DRAIN CONVEYANCE LINE - CONNECT TO STORM SYSTEM - REFER TO DETAILS AND SPECIFICATIONS
- 4" S.O.D. PVC SLEEVE
- CLEAN OUT



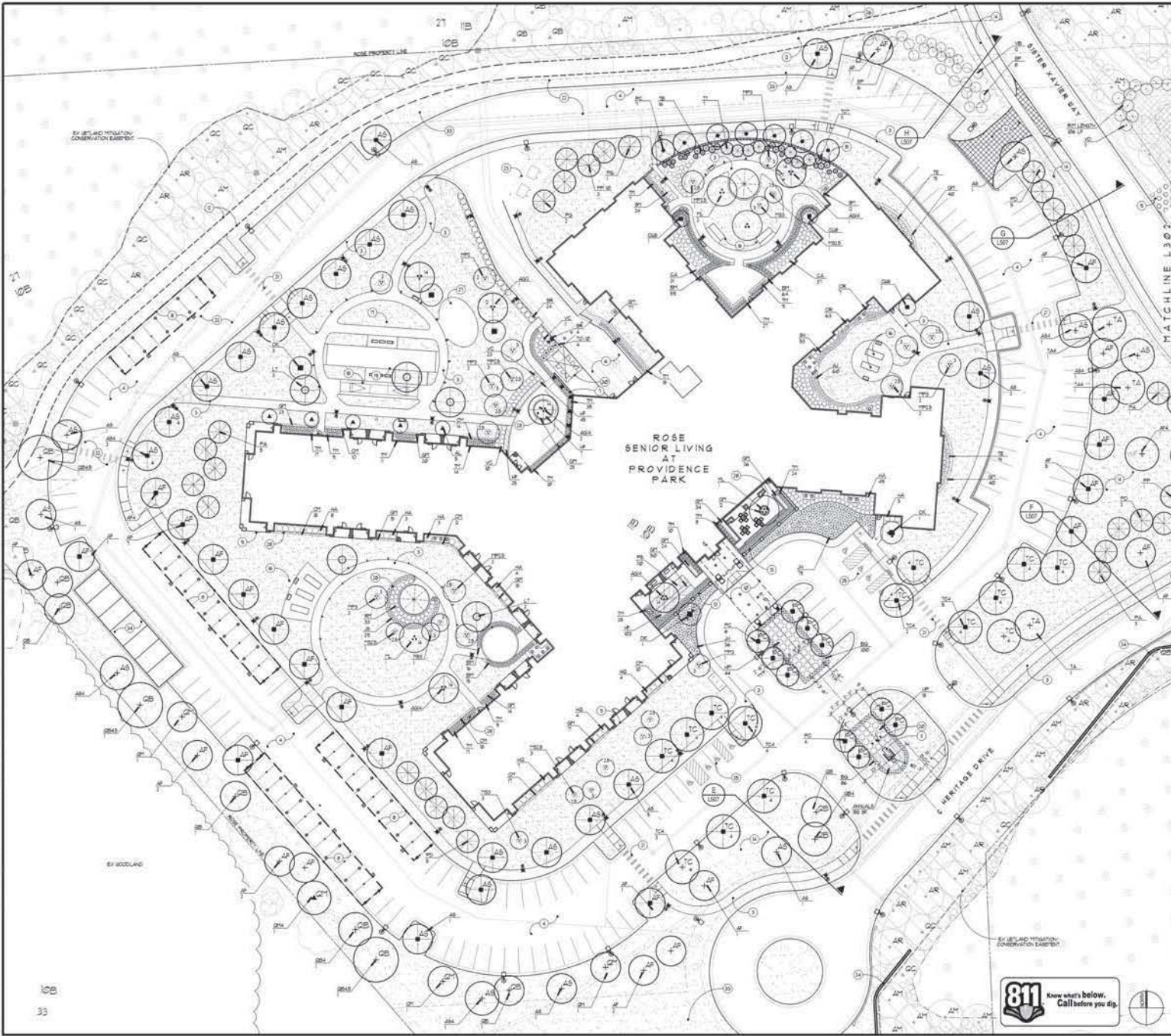
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 FAX (Ext. Phone): (248) 259-8989
 WEB SITE: http://www.hrc-ny.com

10/09/2014	PROJ. GARAGE - CITY SUBMITTAL
7/16/2015	FINAL STAMPING SET
4/23/2015	ELECTRONIC STAMPING
10/10/2015	ISSUE FOR PERMITS
10/30/2014	FINAL SITE PLAN SUBMITTAL
6/16/2014	OWNER REVIEW
4/26/2014	PRELIMINARY SITE PLAN SUBMITTAL
3/19/2014	OVERLAP CONCEPT PLAN SUBMITTAL
DATE	ISSUED FOR ADDITIONS/REVISIONS
DESIGNED BY	
DRAWN BY	
CHECKED BY	
APPROVED BY	



ROSE SENIOR LIVING AT PROVIDENCE PARK
 CITY OF NOVI
 OAKLAND COUNTY MICHIGAN
 SHEET TITLE
COURTYARD DRAINAGE PLAN
 HRC JOB NO: 20130648 SCALE: AS SHOWN
 DATE: JULY 2014 SHEET: L401
 SHEET NO. 63 OF 105



Note Key:

- EXISTING TREES TO REMAIN ADJUSTED; SOME BRANCHES ARE TO BE REMOVED. REMPT WITH LANDSCAPE ARCHITECT
- EXISTING POPLAR TREES
- CONCRETE WALL TYP
- PARKING LOT ACCESS DRIVE
- SURBER TREE SUMP TYP
- SURBER TREE SUMP TYP
- SURBER AREA - REFER TO CIVIL DRAWING
- SCREEN WALL TO SERVICE AREA
- CORNER TYP - REFER TO ARCHITECTURAL DRAWING
- GRASS PLANTING - REFER TO DETAIL 1 SHEET LAST
- POINTS COORDINATE - REFER TO ARCHITECTURAL DRAWING
- POPPLES/EMULGATUS - REFER TO LAND
- PLANTING AT SIDE CITY SIDE PAVEMENT BY OTHERS
- MASONRY GARDEN WALL WITH FINISH
- PLANTED BERRY SCREENING
- VINYL PRIVACY FENCE WITH GATE
- WOOD GARDEN PLATFORM
- HERBACEOUS LAWN
- RAILROAD BOARD WALKWAY
- BOULEVARD COURT
- FLAG POLE
- ORNBURGAL - REFER TO CIVIL DRAWING
- SALICARY GARDEN
- DUPPESTER ENCLOSURE - REFER TO ARCH DETAIL DRAWING
- RETAINING WALL WITH FOUNDATIONS REFER TO CIVIL DRAWING
- SURBER TREE PAVING
- EXISTING PATH
- SYNTHETIC PUTTING GREEN
- ORNBURGAL ABOVE CURB
- DECORATIVE PRECAST RETAINING WALL - REFER TO DETAIL LAST
- GENERATOR ON CONCRETE PAD - REFER TO CIVIL PLAN AND LANDSCAPE PLANTING TO BE A 1/2" OF 2" FOOT GENERATOR
- TREE ACCESS DRIVE AND SITS - REFER TO CIVIL PLAN AND DETAIL 1 SHEET LAST
- ORNBURGAL AT ABOVE TOP OF CURB
- LOCATION FOR BUSH DISPOSAL. BUSH THAT BE REMOVED SPECIFY AREA INDICATED ARE NOT SPECIFIED
- SHRUBS - REFER TO ARCHITECTURAL DRAWING

Soils Legend:

10002010	PROP GARAGE - CITY SUBMITTAL
11002013	FINAL STAMPING SET
03001919	ELECTRONIC STAMPING
10100118	RELIABLE/STANDARD FINAL SITE PLAN SUBMITTAL
10002014	FINAL SITE PLAN SUBMITTAL
01002014	OWNER REVIEW
00002014	PRELIMINARY SITE PLAN SUBMITTAL
01002011	OWNER IN CONCEPT PLAN SUBMITTAL
01002011	DATE REVISED FOR ADDITIONS/REVISIONS

Graphic Legend:

DESIGNED	SS
DRAWN	MS
CHECKED	SS
APPROVED	SS

PARKING LOT PERIMETER CANOPY TREES (SECTION 2000001)

10	ACER BACCHARIS FALL PERISTAL - REFER TO PLANT LIST
11	ACER RUBENI RED BANETT - REFER TO PLANT LIST
12	TILIA CONCORDATA - REFER TO PLANT LIST
13	HYDRANGEA GALLERIANA CLEVELAND SELECT - REFER TO PLANT LIST

PARKING LOT PERIMETER CANOPY TREES (SECTION 2000002)

10	ACER BACCHARIS FALL PERISTAL - REFER TO PLANT LIST
11	ACER RUBENI RED BANETT - REFER TO PLANT LIST
12	GENEGUS BOREALIS - REFER TO PLANT LIST
13	GENEGUS FRACIDICORNIS - REFER TO PLANT LIST
14	TILIA AMERICANA - REFER TO PLANT LIST
15	TILIA CONCORDATA - REFER TO PLANT LIST

WOODLAND REPLACEMENT CANOPY TREES AND SHRUBS - REFER TO WOODLAND REPLACEMENT PLAN SHEETS L61 - L69

GENERAL LANDSCAPE TREES - REFER TO PLANT LIST

SHRUBS AND GROUNDCOVER PLANTING BED - REFER TO PLANT LIST

1	IRRIGATED BERBER LAWN
2	DETENTION BASIN REED MIX
3	LOW PROFILE PRAIRIE REED MIX
4	SYNTHETIC TURF PUTTING GREEN
5	WOODLAND SEEDING AREA - REFER TO WOODLAND REPLACEMENT PLAN L61 - L69
6	ANNUAL FLOWERS AND SPRING BULBS NOTATION BY OWNER
7	FIRE ACCESS DRIVE - 8" STAMPED COLORED CONCRETE 8X12 RACKS
8	BENCH
9	PARKING LOT LIGHT - REFER TO LIGHTING DRAWING
10	RECREATION LIGHT - REFER TO LIGHTING DRAWING
11	WOODLAND LIGHT - REFER TO LIGHTING DRAWING
12	BUILDING LIGHTS - REFER TO LIGHTING DRAWING
13	TREE UP LIGHTS - REFER TO LIGHTING DRAWING
14	BARBER TREE SUFFY

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

SCALE: 1"=30'

SHEET NO. 71 OF 105

ROSE SENIOR LIVING
at Providence Park

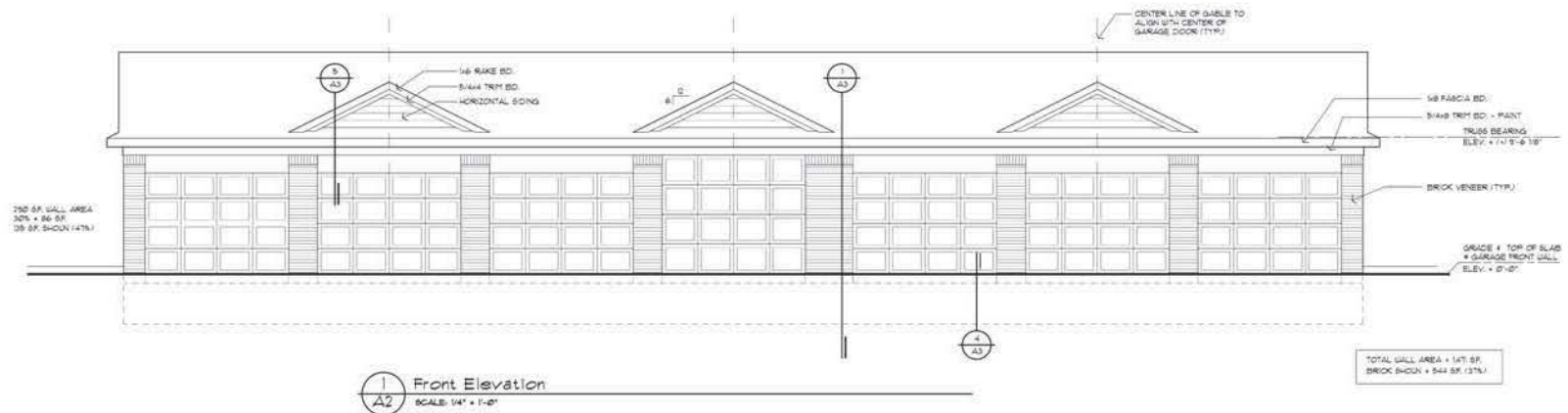
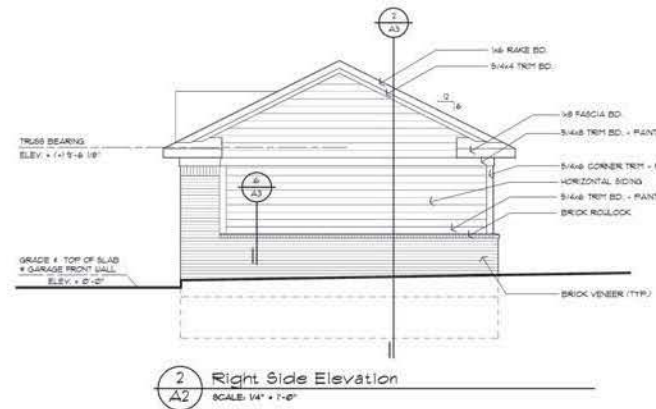
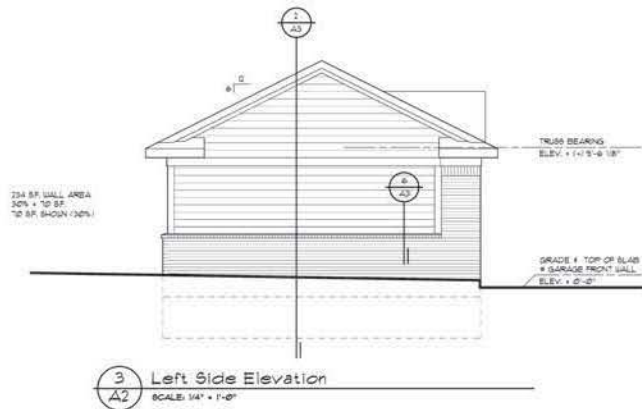
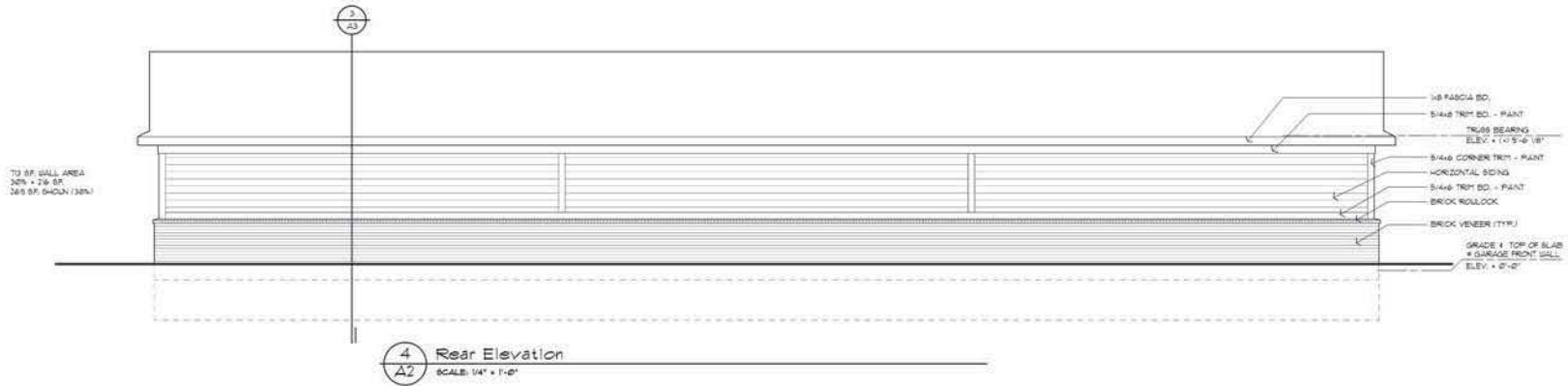
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FAX (Toll Free): (888) 654-8312
FAX (MI, FL, OH): (248) 259-0900
WEB SITE: WWW.HRC-ENG.COM

PROJECT LOCATION

ROSE SENIOR LIVING AT PROVIDENCE PARK
CITY OF NOVI
SHELBY COUNTY MICHIGAN
SHEET TITLE
LANDSCAPE PLANTING PLAN

HRC JOB NO. 20130648 SCALE AS SHOWN
DATE JULY 2014 SHEET L601
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date: 5-13-18
 5-13-18

issued for:
 Owner Review
 City Review

revisions:

drawn by:

checked by:

Project: Rose, Senior Living Parking Garages
 Novi, Michigan

Project: 7 Bay Barrier Free Garage Building Elevations

sheet title:

Dorchon-Martin Associates, Inc.
 Architects/Planners
 29805 Greenfield Rd., Suite 107
 Southfield, Michigan 48038
 (248) 557-1062
 Fax: (248) 557-1231

SB no. 16023
 sheet no. A2



ROOF: DIMENSIONAL ASPHALT SHINGLES
COLOR: WEATHERED WOOD



TRIM: COMPOSITE
COLOR: DOVER WHITE



SIDING: FIBER CEMENT
COLOR: KILIM BEIGE



SIGN
PRECAST STONE



MANUFACTURED STONE
COLOR: FAWN RIVER



BRICK
COLOR: SHADE 488

POPE
ARCHITECTS

POPE ARCHITECTS, INC.
1000 RANDOLPH BLVD. #200
ST. PAUL, MN 55108-3700
(612) 342-1000 | FAX (612) 342-1000
www.popearch.com

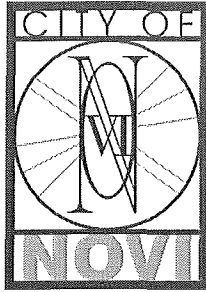
ROSE SENIOR LIVING
AT PROVIDENCE PARK
NOVI, MI



ECUMEN

**FACADE
COLOR
SAMPLE
BOARD**

Planning Review



PLAN REVIEW CENTER REPORT

June 13, 2016

Planning Review

Rose Senior Living Garage at Providence

JSP13-81

Petitioner

Edward Rose and Sons

Review Type

Revised Concept and Preliminary Site Plan

Property Characteristics

- Site Location: North side of Eleven Mile Road and west of Beck Road (Section 17)
- Site Zoning: R-3 with PSLR Overlay
- Adjoining Zoning: North: R-3, One-Family Residential; East: R-3 with PSLR Overlay; West: R-3 with PSLR; South (across Eleven Mile Road): RA, Residential Acreage
- Current Site Use: Single-Family Residential
- Adjoining Uses: North: Vacant and Providence Hospital Maintenance Building; East, West and South: Single-Family Residential/Vacant
- School District: Novi Community School District
- Proposed Site Size: 20.71 acres
- Plan Date: 05-03-16

Project Summary

On May 19, 2014 the applicant received final approval from City Council for a Planned Suburban Low-Rise Overlay (PSLR) Development Agreement and Concept Plan for a 182 unit senior living facility. The facility will have both congregate care units as well as assisted living units. Recreation features for the residents are proposed along with associated site infrastructure and landscaping. An easement is being offered for the anticipated public trail connection from Beck Road through the site. The applicant is now returning with a revised Concept and Preliminary Site Plan to convert a portion of a parking bay to a seven car garage.

Recommendation

Staff recommends approval of the Revised Concept and Preliminary Site Plan to allow for the development of a seven bay garage, and supports a variance to allow for a deviation from the minimum required setback of 30' from the property line. The City Council must approve the variance request.

Approved PSLR Development Agreement and Concept Plan

The City Council approved the PSLR Development Agreement and Concept Plan on May 19, 2014. The Planning Commission approved the Preliminary Site Plan, Woodland permit, Wetland permit, and Stormwater Management Plan on May 28, 2014. Amendments to the approved PSLR Agreement and Plan shall follow the same procedures as would a new application. This modification to add the garage will require review and approval by the Planning Commission and City Council.

PSLR Overlay Standards and Procedures

The PSLR Overlay District requires the approval of a PSLR Overlay Development Agreement and Concept Plan by the City Council following a public hearing and recommendation from the Planning Commission.

In making its recommendation to the City Council, the Planning Commission considered the following factors.

- a) The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a

recognizable and substantial benefit to the ultimate users of the project and to the community.

- b) In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment.
- c) In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties.
- d) The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of this Article [Article 23B].

The City Council on April 22, 2014, after review of the Planning Commission's recommendation, consideration of the input received at the public hearing, and review of other information relative to the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, indicated its tentative approval of the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, and directed the City Administration and City Attorney to prepare, for review and approval by the City Council, a PSLR Overlay Development Agreement. The City Council then approved the PSLR Overlay Development Agreement and Concept Plan on May 19, 2014.

The applicant then proceeded with the standard site plan review and approval procedures outlined in Section 6.1.

Ordinance Deviations

Section 3.21.1 permits deviations from the strict interpretation of the Zoning Ordinance within a PSLR Overlay agreement. These deviations can be granted by the City Council on the condition that *"there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District."* The applicant shall provide substitute safeguards for each item that does not meet the strict requirements of the Zoning Ordinance. For ordinance deviations related to this project, please reference earlier Planning review letters and the approved PSLR development agreement.

Ordinance Requirements

For this review letter, only the proposed seven bay garage was reviewed for conformance with Section 3.1.27 (Planned Suburban Low-Rise Overlay District), Section 3.21 (PSLR Required Conditions), Section 4.19 (Accessory Uses), Section 4.20 (Housing for the Elderly), Section 4.70 (Low-Rise Multiple-Family Residential Uses in the PSLR District), Section 4.73 (Accessory Buildings, Structures, and Uses in the PSLR District), Article 5.0 (Site Standards), Article 6.0 (Development Procedures) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant.

1. **Setbacks:** The proposed seven bay garage is located 22'-2" from the property line. The minimum required setback is 30'. Staff supports approval of a variance to allow for a deviation from the minimum required setback of 30' from the property line. The maneuvering aisle is currently 26' wide with an additional 4' wide area to transition between the garage and aisle. The Zoning Ordinance requires a 24' wide maneuvering aisle; however, the applicant states that the 26' wide drive aisle is necessary for fire truck access, and the additional 4' wide concrete strip is required in order to transition the cross-slope of the drive aisle to the flat garage entrance.

All department comments were received for the revised concept and preliminary site plan by June 13, 2016.

In a review letter dated May 19, 2016 the City Engineer recommends approval of the revised Concept and Preliminary Site Plan, and Preliminary Storm Water Management Plan for the seven bay garage.

In a review letter dated May 24, 2016 the City's Landscape Architect recommends approval of the revised Concept and Preliminary Site Plan. Review letter comments regarding transplantation of existing plantings are not applicable because no plantings have been installed.

In a review letter dated June 13, 2016 the City's Façade Consultant states that the applicant has revised the design to provide brick extending to the frieze line on the front façade, and that the design now achieves full compliance with the Façade Ordinance on all facades.

The City's Fire Marshal states in a letter dated May 20, 2016 that they recommend approval of the revised Concept and Preliminary Site Plan for the seven bay garage.

Pre-Construction Meeting

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

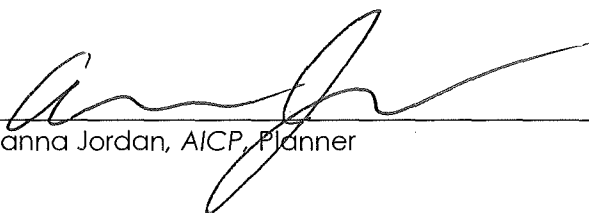
Chapter 26.5

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

Response Letter

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

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0586 or ajordan@cityofnovi.org.



Adrianna Jordan, AICP, Planner

Engineering Review



PLAN REVIEW CENTER REPORT

05/19/2016

Engineering Review

ROSE SENIOR LIVING AT PROVIDENCE PARK
JSP13-0081

Applicant

PROVIDENCE HOSPITAL

Review Type

Revised Concept and Preliminary Site Plan

Property Characteristics

- Site Location: S, of Grand River Ave. and W. of Beck Rd.
- Site Size: 20.71 acres
- Plan Date: 05/03/16

Project Summary

- Construction of an approximately 7 garages southwest of the building in place of parking spaces shown on the previously approved plan.

Recommendation

Approval of the Revised Concept and Preliminary Site Plan and Preliminary Storm Water Management Plan is recommended. No further engineering submittal is required.

Comments:

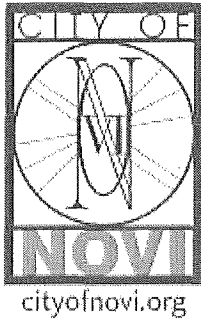
The Preliminary Site Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual.

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 Jeremy Miller at (248) 735-5694 with any questions.

cc: Adam Wayne, Engineering
Brian Coburn, Engineering
Adrianna Jordan, Community Development
Sabrina Lilla, Water & Sewer

Landscape Review



PLAN REVIEW CENTER REPORT
May 24, 2016
Revised Concept Plan Plan - Landscaping
Rose Senior Living

Review Type

Revised Concept Plan Landscape Review

Project Number

JSP13-0081

Property Characteristics

- Site Location: South of Providence Hospital, fronting on Beck Road
- Site Zoning: RM-4/PSLR
- Plan Date: 5-3-2016

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. This review is a summary and not intended to substitute for any Ordinance.

Recommendation

This project is **recommended for approval**.

The conversion of part of a parking bay to a covered garage does not require any additional landscaping. No existing trees are being removed or impacted by this project and the only change is some rearrangement of previously proposed trees near the garage. The proposed modifications are satisfactory.

If those plantings have already been installed in the originally proposed locations, please follow these guidelines during their transplanting to the new locations:

Transplanted material guidelines (from Landscape Design Manual)

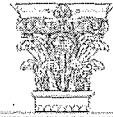
3.f. Collected or Transplanted Trees

1. All collected trees shall be from on-site and inspected by the City. Trees may be rejected for reasons of insect infestation, disease or standards set forth in this ordinance. Such plant material may be rejected either in full or in part.
2. All transplanted trees shall conform to standards set forth in Section 3c.
3. The root ball of any transplanted tree shall measure 1 foot for each inch of trunk diameter measured 12" above the ground.
4. If trees are to be stored, they shall be burlapped and heeled in with mulch in a pre-determined area approved by the City.
5. The trees shall be provided with a working irrigation system approved by the City to ensure their viability during storage.

If the applicant has any questions concerning the above review or the process in general, please do not hesitate to contact me at 248.735.5621 or rmeader rmeader@cityofnovi.org.

Rick Meader – Landscape Architect

Facade Review



June 13, 2016

Façade Review Status Summary:
Approved, qualifies for administrative approval.

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

Re: **FACADE ORDINANCE - Façade Review**
Rose Senior Living Garage Addition, PSP16-0053
 Façade Region: 1, Zoning District: R-3

Dear Ms. McBeth;

The following is the Façade Review for the above referenced project based on the drawings prepared by Dorchen Martin Architects, dated 6/13/16. This project is subject to the Façade Ordinance Section 5.15 as well as the Suburban Low-Rise Overlay Ordinance Section 3.21.C. The percentages of materials proposed for each façade are as shown in the tables below. Materials in non-compliance, if any, are highlighted in bold.

Garages	Front	Rear	Rt. Side	Lt. Side		Façade Ordinance Section 2520 Maximum (Minimum)
Brick	30%	30%	35%	35%		100% (30% Min)
Asphalt Shingles	50%	40%	0%	0%		25%
Wood Trim	10%	10%	15%	15%		15%
Horizontal Siding	20%	30%	50%	50%		50% (Note 11)

Section 2520 – The applicant has revised the design to provide brick extending to the frieze line on the front façade (see attached). A sample board has been provided that indicates that the materials will match those used on the primary building. With this revision the design is in full compliance with the Façade Ordinance on all facades. This application therefore qualifies for administrative approval in accordance with Section 6.1.1.c.x. of the Zoning Ordinance, provided that all other requirements for administrative approval are met.

Section 2305B - With respect to Ordinance 2305B, the design exhibits “single family residential character” and otherwise complies with all requirements of this Section.

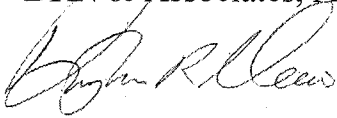
Notes to the Applicant:

1. Façade Ordinance requires inspection(s) for all projects. Materials displayed on the approved sample board will be compared to materials delivered to the site. It is the applicant's responsibility to request the inspection of each façade material at the appropriate time. Inspections may be requested using the Novi Building Department's Online Inspection Portal with the following link. Please click on "Click here to Request an Inspection" under "Contractors", then click "Façade".

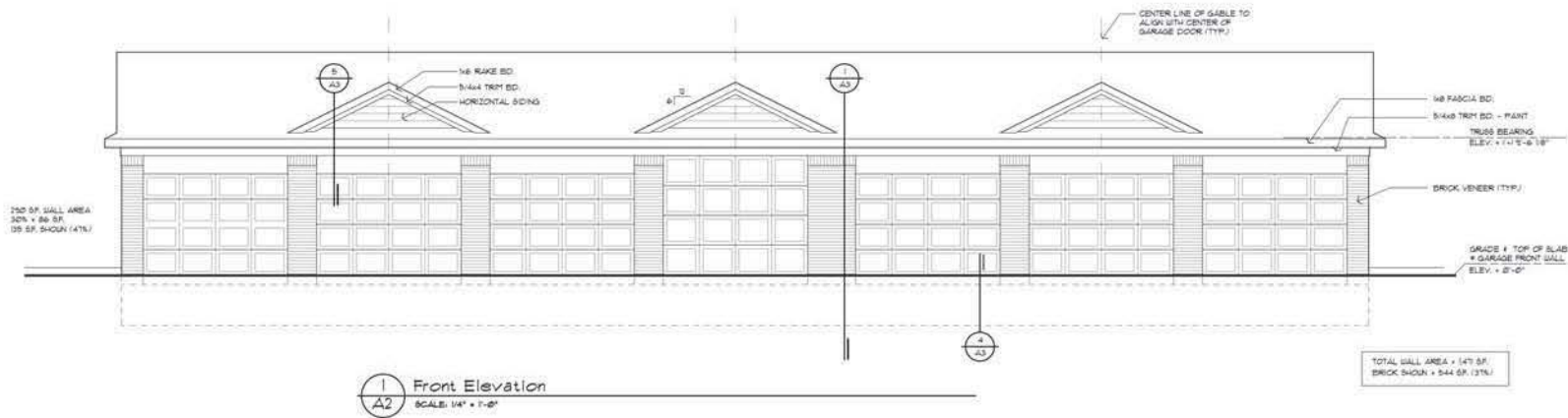
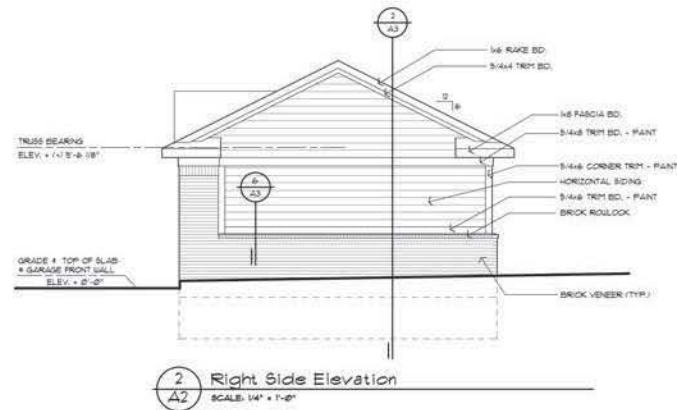
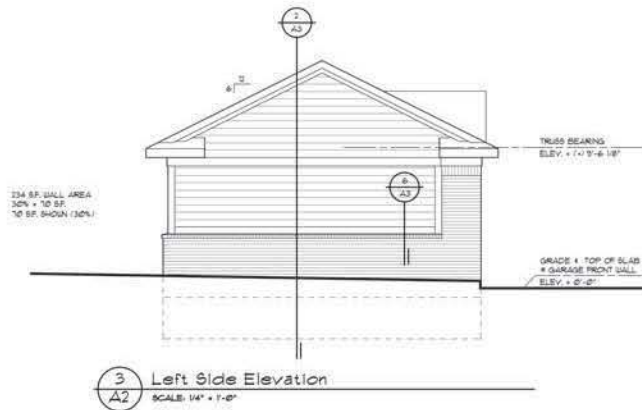
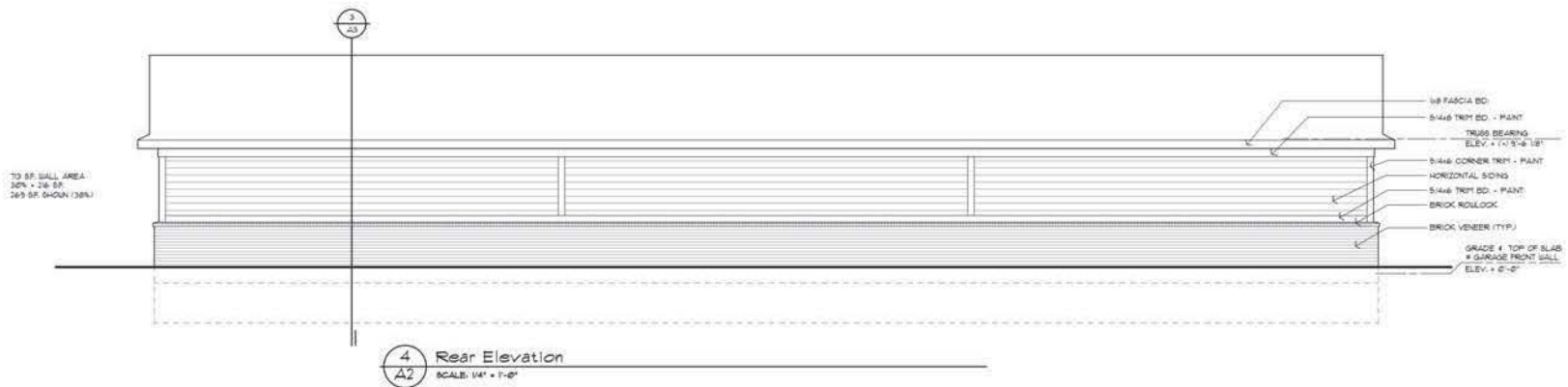
<http://www.cityofnovi.org/Services/CommDev/OnlineInspectionPortal.asp>

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

Sincerely,
DRN & Associates, Architects PC



Douglas R. Necci, AIA

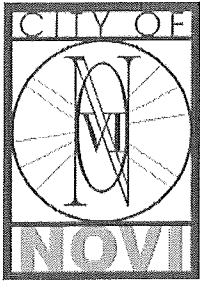


date	Issued for
5-13-18	Owner Review
8-13-18	City Review
revisions	

drawn by	checked by
project	sheet title
Rose Senior Living Parking Garages Novi, Michigan	7 Bay Barrier-Free Garage Building Elevations



Fire Review



May 20, 2016

TO: Barbara McBeth- City Planner
Adrianna Jordan- Plan Review Center

RE: Rose Senior Living, Garage addition

PSP#16-0053

CITY COUNCIL

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Bob Gatt

Mayor Pro Tem
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Chief of Police**
David E. Molloy

Director of EMS/Fire Operations
Jeffery R. Johnson

Assistant Chief of Police
Erick W. Zinser

Assistant Chief of Police
Jerrod S. Hart

Project Description: Addition of 7 bay garage on the west side of ring roadway.

Comments: Meets fire department standards

Recommendation: Approval

Sincerely,

Joseph Shelton- Fire Marshal
City of Novi – Fire Dept.

cc: file

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

cityofnovi.org

Applicant Response Letter



June 8, 2016

City of Novi – Community Development
Attn: Adrianna Jordan, AIC, Planner
45125 W. Ten Mile Road
Novi, MI 48375
(248) 347-0475

ISP13-0081 Rose Senior Living Garage at Providence – Response Letter

Ms. Jordan,

In response to the **Planning Review** letter dated May 27, 2016, we have looked further for options to minimize the encroachment into the 30-foot setback. However, the 26-foot drive isles are needed for fire truck access and the additional 4-foot wide concrete strip is required in order to transition the cross-slope of the drive isle to the flat garage entrance. Being a senior facility, we need to make all slopes as gradual as possible. All other comments have been noted.

As for the **Landscape Review** letter dated May 24, 2016, no planting have been installed in the immediate or adjacent areas to the proposed garage location. All other comments have been noted for future landscape installation.

A revised garage plan has been submitted along with this response to address Mr. Necci's concern in his **Façade Review** letter dated May 26, 2016. We have provided the minimum of 30% brick coverage on all four (4) sides of the proposed garage. In this case, a Section 9 Waiver will not be required. All other comments have been noted.

Both the **Engineering Review** and **Fire Marshal Review** comments have been noted.

Feel free to contact me with any questions.

Thank You,

Lindon K. Ivezaj, P.E.
General Project Manager