

# **CITY of NOVI CITY COUNCIL**

## Agenda Item 2 May 6, 2019

**SUBJECT:** Consideration of the request of Orville Properties, LLC for Tentative Approval of the First Amendment to the previously-approved Planned Rezoning Overlay (PRO) Plan and Agreement, JZ18-24, Adell Center PRO. The subject property is approximately 23 acres and is located on Expo Center Drive (now Adell Center Drive), north of Grand River Avenue and south of I-96 in Section 15. The applicant seeks to revise the PRO Agreement to amend the approved layout for Units 6 and 7, common landscape areas, building signage, and location of accessory units.

## ליארק SUBMITTING DEPARTMENT: Community Development Department - Planning

## CITY MANAGER APPROVAL:

#### **BACKGROUND INFORMATION:**

The applicant has received rezoning approval on October 22, 2018 for a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The development is referred to as Adell Center. The development, as approved, is a mix of two hotels, one fitness center, two restaurants, one indoor recreational facility, an off-street parking lot/permanent open space, and an unlisted use similar to automobile sales facility. The existing water tower on site will remain on a separate unit.

The applicant is currently seeking to amend the PRO plan and agreement to revise unit lines and parking lot layout changes to the approved layout for the restaurant sites (Unit 6 & 7). The current plan also proposes minor changes to common landscape areas, building signage for Unit 2 and 7, and the permitted locations of accessory units (such as dumpster enclosures and transformers). This request is considered the 'First Amendment' to the approved PRO agreement. The approved PRO Agreement states that an amendment to PRO is required if the applicant proposes "[a]ny material changes to building and parking layout from approved PRO Plan,"as well as any new deviations. The current site plan requires an amendment to the approved PRO Agreement for the following reasons:

- a. The following material changes are proposed to the approved PRO Plan:
  - i. Lot lines are different from the approved PRO Concept plan.
  - ii. Lot acreage for Unit 7 is proposed to be increased from 1.5 acres to 2.55 acres. Unit 6 is proposed to be correspondingly smaller.
  - iii. Shared parking between Units 6 and 7 is no longer proposed.
  - iv. Western entry drive from Adell Drive is relocated to south.
  - v. Curb cuts along Adell Drive for Units 6, 7 and 5 are relocated.

- vi. Building footprint is revised for Unit 7.
- vii. Minor changes to parking layout for Unit 5
- viii. Major changes to parking layout for Units, 6 & 7.
- b. The following deviations from ordinance requirements were not requested/approved in the PRO. Please refer to list of deviations on Page 6.
- c. The applicant is also requesting a reduction of established minimum parking count below the maximum 5 percent reduction described in the PRO Agreement. With the current plan, 196 spaces are required for Unit 7, and 169 spaces are proposed. (A reduction of 10 spaces would be allowed using the 5 percent standard, a reduction of 27 spaces is proposed).

The applicant is not proposing a phased construction. The applicant has submitted a narrative and a Community Impact Statement with the original submittal. For this review, the applicant submitted an initial submittal (dated 01-03-19, a response letter before the planning commission meeting (dated 03-04-19), and a revised submittal (dated 03-29-19) following the Planning Commission meeting. Along with the current response letter, the applicant has provided an updated complete packet on April 29, 2019 that includes all relevant and latest sheets from all the submittals listed above. The Council packet includes the latest set. Please note that staff did not get an opportunity to verify the completeness of the materials submitted. Staff will work with the applicant to compile a proper set prior to the return of a proposed First Amendment to the PRO Plan and Agreement, should the City Council grant tentative approval.

## PRO Plan

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from EXPO to TC) and the applicant enters into a PRO agreement with the City, whereby the applicant submits a conceptual plan for development of the site. The City Council reviews the Concept Plan, and if the plan may be acceptable, it directs for preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi and property owner. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

## Planning Commission Action

On March 13, 2019, the Planning Commission considered the PRO Concept Plan for the requested First Amendment to the PRO Agreement, and recommended approval to the City Council. **A copy of Planning Commission's Action Summary is included in the packet**. At the time of the Planning Commission meeting, the motion indicated the following items were required to be submitted for staff review prior to the Council meeting.

- 1. The applicant shall provide a formal revised submittal to provide sufficient time for staff and consultants to review the revised layout for Unit 6 dated 03-07-19, as submitted with the response letter dated 03-07-2019. Additional comments may be warranted since Unit 6 has been reduced in size from the approved PRO Plan and detailed information was not provided in time for a complete review by staff). The applicant has submitted drawings for Unit 6 for review. Plan review chart and letter are updated accordingly.
- 2. The applicant shall provide necessary information to identify the necessary deviations from Chapter 28, Signs from City Code of Ordinances for Unit 2 –Planet Fitness prior to the City Council's consideration for tentative approval of PRO Concept plan. **Refer to sign permit reviews for more detail.**
- 3. The applicant shall provide an overall lighting and photometric plan for the entire development for staff to verify overall light levels. The plan shall include the following:
  - a. Location of light fixtures within individual parking lots and along Adell Drive
  - b. Specification sheets
  - c. Height of the fixtures
  - d. Foot candle values along lot lines
  - e. Average to minimum ratio per each unit

The applicant has provided an overall lighting and photometric plan as required. Additional comments provided in the Planning Review letter

- 4. The applicant shall provide revised building elevations for unit 7, Texas Roadhouse that address the following:
  - a. The applicant shall reduce the proposed Split Faced CMU on the north (I-96 Exposure) façade that are not to exceed 10% of the façade materials on that elevation by substituting brick or stone on the dumpster enclosure portion of the building façade, as noted in the façade review letter;
  - b. The applicant shall screen all roof top equipment from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance

# Updated elevations are provided as requested. The City's façade consultant confirmed that the revised elevations address the comments provided in the previous letter.

- 5. In lieu of a continuous decorative brick wall along the Adell Drive Frontage, as noted in the approved PRO Agreement, the applicant shall provide a combination of decorative brick wall and decorative railing as shown in the revised plans. This modification is proposed to create interesting aesthetic along Adell Drive, and is supported by staff. Updated overall Concept plans are not included in the revised submittal. However, the applicant's initial submittal of the revised PRO Plan reflects staff comments. Fully-compliant plans should be required before approval of the First Amendment to the PRO Plan and Agreement.
- 6. The applicant is encouraged to address the sign ordinance deviations required and provide information showing how each Zoning Ordinance provision sought to be

deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and would be consistent with the Master Plan and the surrounding area. **Sign ordinance deviations as noted later in this memo are requested for Unit 2 (Planet Fitness) and Unit 7 (Texas Roadhouse).** 

#### Ordinance Deviations Requested

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

The following ordinance deviations were not included in the Planning Commission recommended motion. These items were identified as part of the review that was completed based on supplemental information provided after the Planning Commission meeting.

- a. <u>Unit 6: The required loading zone is p</u>artly located in the interior side yard and partly in the exterior side yard. Information is not provided for Unit 6. Staff would **not support** a deviation for the loading zone not accommodating the largest vehicle expected unless vehicle paths are provided to show it will not impact traffic.
- b. <u>Sign Deviations for Planet Fitness:</u> Three deviations are required for Planer Fitness are requested
  - A maximum of one wall sign is allowed; a deviation is requested to allow for an additional wall sign.
  - Front elevation sign is over sized by 152.4 square feet based on the distance from the Adell Drive. A maximum of 86 square feet is permitted;
  - Side elevation sign is oversized by 105.8 square feet based on the distance from Adell Drive. A maximum of 86 square feet is permitted;
- c. <u>Deviations for Unit Accessory Unit Location</u>: Unit 5 is added to the list previously included as part of Planning Commission recommended motion due to double frontage.

#### **Signage Deviations**

The applicant has requested deviations for larger signs for the proposed Texas Roadhouse building. The request also includes a request for larger signs and an additional building sign for the approved Planet Fitness building. A letter requesting the deviations for Texas Roadhouse and Planet Fitness are included in the packet. The primary reason noted refers to consistency with the brand identity and improved visibility from I-96 freeway.

## Future Changes to PRO Concept Plan

The proposed development is an ambitious project that would require a carefully laid out implementation plan. There is no tentative timeline indicated for completion of all units. Until all units are completed, the impacts of construction traffic to the surrounding areas/businesses are hard to contemplate.

Construction of proposed Adell Drive and related utilities within the access easement are currently under construction. Individual users will build within the respective unit boundaries shown on the plan. Site plan for Individual users are currently under review at different stages. A summary of current status of site plans is included in page 3 of the Planning review letter.

Based on on-going discussions with the applicant, staff understands that the applicant also intends to make revisions to users for Unit 4 which would require another amendment. Staff recommended that the applicant should consider combining all possible amendments into one request for efficient review and process. The applicant chose to move forward with the current request as the other future changes are not finalized yet. Review of future changes to PRO Concept Plan are subject to the conditions listed in the approved PRO Agreement.

Due to the nature of unknown factors at this time, the suggested motion also recommends deferring certain deviations from the Ordinance to be subject to approval by the Planning Commission at the time of individual site plan review.

Deviations from the Sign Ordinance that are not identified as part of the current review are subject to Zoning Boards of Appeals approval pursuant to Section 5.6 of the Zoning Ordinance at the time of individual site plan review.

#### Benefits to the Public under PRO Ordinance

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and the benefits to public of the proposed PRO rezoning would clearly outweigh the detriments. **No additional conditions are offered with this review. The development is subject to conditions of the approved PRO agreement.** 

#### **PRO Conditions**

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

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general site layout. **Recommended conditions to be included in the PRO Agreement are provided in the suggested motion.** 

#### **City Council Action**

If the City Council is inclined to approve the request for the amendment at this time, the City Council's motion would be to indicate its *tentative* approval and direct the City Attorney to prepare a First Amendment to PRO Agreement to be brought back before the City Council for approval with specified PRO Conditions. Tentative approval does not guarantee final approval of either the PRO Plan or a PRO Agreement.

#### **RECOMMENDED ACTION:**

Tentative approval at the request of Orville Properties, LLC for Tentative approval of the First Amendment to the previously-approved Planned Rezoning Overlay (PRO) Plan and Agreement, JZ18-24 Adell Center PRO, based on the following findings, City Council deviations, and conditions, with the direction that the City Attorney's Office shall prepare the required First Agreement and work with the applicant to return to the City Council for Final Consideration pursuant to the PRO Ordinance:

- 1. This approval is subject to all conditions listed in the original PRO Agreement dated October 26, 2018, unless otherwise amended with this approval;
- 2. The applicant shall submit a complete PRO Concept Plan packet with all corrected information that was submitted at different times in different formats, as noted in the Planning review letter into one prior to Council's final approval of the First Amendment to the PRO Plan and Agreement.
- 3. The current amendment is required as changes are proposed to the approved layout for Unit 6 and 7, minor changes to common landscape areas, building signage and location of accessory units.
- 4. The agreement shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:
  - Planning deviation from Section 5.12 for not meeting the minimum required parking Unit 7 (A minimum of 196 spaces are required, a total of 166 spaces are proposed);
  - b. Planning deviation from Section 4.19.2 to allow a dumpster enclosure within the interior side yard off the building for Unit 7;
  - c. Planning deviation from Section 5.4.1 to allow the loading area within the interior side yard as shown on the Concept Plan for Unit 7;
  - Planning deviation from Section 5.4.1 to allow the loading area within the interior side yard and partly in the exterior side yard as shown on the Concept Plan for Unit 6;
  - e. Planning deviation from Section 5.4.2. to allow for a reduction in the size of the proposed Loading Area for Unit 7 (847 square feet minimum required, 786 square feet proposed);
  - f. Façade deviation from Section 5.15 to allow exceeding the maximum allowable percentages for standing seam metal for the building on Unit 7 (A maximum of 25% standing seam metal roof is allowed, 35% on East elevation and 29% on west elevation is proposed);
  - g. Landscape deviation from Section 5.5.3 for lack of undulations in the landscape berm with a 3-foot height along the I-96 frontage.
  - h. Planning deviation to allow placement of transformers in alternate locations instead of required rear yard, provided proposed locations conform to other code requirements and appropriate screening will be provided at the time of

Preliminary Site Plan review, subject to review and approval by the Planning Commission. This is applicable for Units 1, 2, 3, 5, 6 and 7.

- i. Planning deviation from Section 3.1.25.D to allow reduction of minimum required exterior side parking setback of 20 feet for Unit 6 (A minimum of 20 feet is required, 13 feet is proposed along the northeast property boundary indentation for approximately 50 feet as shown on the plans;
- j. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two wall signs and the window sign proposed for **Unit 7 Texas Roadhouse** as listed below (Not recommended by staff since the applicant has not demonstrated that the provisions sought to be deviated from would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest and would be consistent with the Master Plan and the surrounding area);
  - i. A variance of from code Section 28-7(a)(9) for an oversized illuminated window sign 14.6 square feet over allowable size (3.5 square feet) for illuminated window sign
  - ii. A variance from code Section 28-5(b)(1)b for front and rear building wall signs as noted below:
    - a. Front elevation sign is oversized by 171 square feet based on the distance of 120 feet from the centerline of the I-96 off-ramp. A maximum of 60 square feet is permitted;
    - b. Rear elevation sign is oversized by 94.5 square feet based on 273 feet from the centerline of Adell Center Drive; a maximum of 136.5 square feet is permitted;
- k. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two wall signs and the window sign proposed for Unit 2 Planet Fitness as listed below (Not recommended by staff since the applicant has not demonstrated that the provisions sought to be deviated from would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest and would be consistent with the Master Plan and the surrounding area):
  - i. A maximum of one wall sign is allowed; a deviation is requested to allow for an additional wall sign.
  - ii. A variance from code Section 28-5(b)(1)b for front and rear building wall signs as noted below:
    - a. Front elevation sign is oversized by 152.4 square feet based on the distance from the Adell Drive. A maximum of 86 square feet is permitted;
    - b. Side elevation sign id oversized by 105.8 square feet based on the distance from Adell Drive. A maximum of 86 square feet is permitted;
- 5. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:
  - a. Future use for Unit 6 shall be updated to "Restaurant" in order to be consistent with the approved PRO Agreement.
  - b. Unit 6 shall have only one primary access off of Adell Drive, which is currently shown as shared with Unit 7 on the revised PRO plan.

- c. Unit 6 is currently approved on the PRO Plan as a restaurant. The minimum parking requirement for Unit 6 is calculated based on gross leasable area since the end user is unknown. The applicant shall note that the number of seats for future restaurant shall be dependent on the available parking.
- *d.* Lighting and Photometric plans for all site plans related with the Adell Center development shall be in general conformance with the light levels indicated in the overall photometric plan and related deviations included in the PRO agreement.
- e. Other items as the City Attorney's office and staff determine shall be addressed during the drafting of the revised PRO Agreement, in light of the complexity of the above, to be presented to the City Council with the final approval of the PRO Agreement.

This motion is made because the proposed amendment is proposing chances that are consistent with the intent of the original PRO plan and Agreement with additional modification as noted.

#### MAPS

Location Zoning Future Landuse Natural Features



# JZ 18-24 ADELL CENTER PRO

Zoning





**City of Novi** 

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



#### 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.





## PRO CONCEPT PLAN

Multiple sets submitted at different time all compiled into one set































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| Tag No. DBH Common Name<br>141 11 Austrian Pine   | Botanical Name<br>Pinus nigra  | Condition<br>Good   | Remark                 | 8 Replacement<br>Exempt    | Tag No. DBH<br>267 8  | Common Name<br>Box Elder   | Botanical Name<br>Acer negundo   | Condition<br>Good  | Remarks<br>Save                              | Replacement | Tag No.<br>393<br>394                         | DBH<br>15  | Common Name<br>Bur Oak<br>Box Elder   | Botanical Name<br>Quercus macrocarpa   | Condition                      | Remarks Replacement                     |  |   |
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| 169 9 Box Elder<br>170 12 Box Elder   | Acer negundo   | Good  | Save                   | Credit                     | 295 13  | Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder  | Acer negundo   | Good   | Save   |             | 420<br>421<br>422                             | 16         | Eastern Cottonwood  | Populus deltoides<br>Populus deltoides   | Gcod<br>Gcod                   |   |  |   |
| 164         14         Eastern 2010/model           165         99         Box Elder           166         9         Black Clerry           167         3         Box Elder           168         12         Box Elder           169         9         Box Elder           169         9         Box Elder           170         12         Box Elder           171         1014         Box Elder           172         16         Box Elder           173         144         Sugar Majbe           174         16         Box Elder           175         16         Box Elder   | Acer negundo<br>Acer negundo<br>Acer saccharum   | Good  | Save                   |                            | 291         10           292         8           293         10           294         10           295         13           296         17           297         14           299         11           300         17           301         11  | Box Elder<br>Box Elder   |  | Good   | Save   |             | 422<br>423<br>424<br>425<br>426               | 8          | Eastern Cottonwood  | Populus deitoides  | Gcod                           | Save -<br>Save -                        |  |   |
| 173 14 Sugar Maple  | Aker saccharum   | Good<br>Poor<br>Good<br>Good<br>Good  | Save<br>Save<br>Save   |                            | 299 11  | Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good<br>Good<br>Good                                 | Save   |             | 424 425                                       | 16         | Eastern Cottonwood<br>Eastern Cottonwood  | Populus deltoides<br>Populus deltoides<br>Populus deltoides  | Gcod<br>Gcod<br>Gcod           | Save -                                  |  | C ule   |
| 172         18         Box Elder           173         14         Sugar Maple           174         16         Box Elder           175         16         Box Elder           175         16         Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo   | Good  | Save                   | -                          | 300 17<br>301 11  | Box Elder  |  |  | Save   |             |   | 8          | Box Elder   | Acer negundo<br>Acer negundo<br>Jugtans nigra<br>Populus deltoides<br>Ulmus americana  | Gcod                           | Save -<br>Save -                        |  |   |
| 176 10 Box Elder  | Acer negundo   | Good<br>Good<br>Good  | Save<br>Save           |                            | 302 17<br>303 17  | Box Elder  | Acer negundo   | Good   | Save   |             | 428 429                                       | 8          | Black Walnut<br>Eastern Cottonwood  | Juglans nigra<br>Populus deltoides   | Gcod<br>Gcod                   | Cause .                                 |  | 1   |
| 177 3 Box Elder<br>178 3 Box Elder<br>179 13 Box Elder<br>180 3 Box Elder<br>181 3 Box Elder  | Acer negundo<br>Acer negundo   | Good  | Save<br>Save<br>Save   |                            | 301 17<br>302 17<br>303 17<br>304 14<br>305 10<br>306 32<br>307 12  | Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo   | Good<br>Poor   | Save<br>Save                                 |             | 430<br>431                                    | 8          | American Elm<br>Bur Oak   | Ulmus americana<br>Quercus macrocarpa<br>Acer negundo  | Gcod<br>Gcod<br>Ptor           | Save -<br>Save -<br>Save -              |  |   |
| 180         3         Box Elder           181         3         Box Elder           182         3         Box Elder   | Aver negundo<br>Aver negundo<br>Pisea pungens<br>Pisea pungens   | Good<br>Good<br>Good<br>Good  | Save                   |                            | 306 32<br>307 12  | Box Eller<br>Box Eller<br>Box Eller<br>Box Eller<br>Box Eller<br>Box Eller<br>Box Eller<br>Box Eller   | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good<br>Good<br>Poor<br>Good<br>Good<br>Good<br>Good | Save   |             | 427<br>428<br>429<br>430<br>431<br>432<br>433 | 12<br>23   | Eastern Cottonwood<br>Box Elder<br>Black Walnut<br>Eastern Cottonwood<br>American Elm<br>Bur Oak<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Socton Pine<br>Back Willow   |  | Gcod                           | Save -                                  |  | NS  |
| 182 3 Box Elder<br>183 10 Box Elder<br>184 11 Box Elder   | Acer negundo<br>Acer negundo   | Good  | Save                   |                            | 308 14<br>309 10,14   | Box Elder<br>Box Elder   |  | Good<br>Good<br>Good   | Save<br>Save                                 |             |   | 11         | Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo   | Gcod<br>Gcod<br>Gcod           | Save -<br>Save -<br>Save -              | Woodland Summary   |   |
| Ib2         8         EXX Elder           183         10         Box Elder           184         11         Box Elder           185         9         Green Succe           186         10         Green Succe           187         11         Green Succe           188         9         Austrian Pine           189         11         Austrian Pine           199         11         Austrian Pine           190         9         Austrian Pine           190         12         Come Surce   | Acer negundo<br>Picea pungens  | Good<br>Good<br>Good  | Save<br>Save<br>Remove |                            | 308         14           309         '0.14           310         9.10           311         13           312         '0.10           313         '4.22           314         15           315         16           316         14           317         12  | Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good   | Save   |             | 435<br>436<br>437                             | 14<br>15   | Box Elder<br>Scotch Pine  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Pinus sylverstris  | Utility Out                    | Save -                                  |  |   |
| 185 9 Green Saruce<br>186 10 Green Saruce<br>187 11 Green Saruce  | Picea pungens<br>Picea pungens   | Good  | Remove                 | Exempt<br>Exempt           | 312 0,10<br>313 4,22  | Box Elder<br>Box Elder   |  | Good<br>Good   | Save<br>Save<br>Save                         |             | 438<br>439<br>440<br>441                      | 10         | Black Willow<br>Bur Oak<br>Box Elder<br>American Elm<br>Bur Oak<br>Bur Oak<br>Bur Oak   | Salix nigra  | Gcod<br>Gcod<br>Gcod           | Save -<br>Save -                        | Total Trees 312 Trees<br>Less Non - Regulated Trees: <u>32 Trees</u>         | l m   |
| 188 9 Austrian Pine<br>189 11 Austrian Pine   | Picea pungens<br>Pinus nigra<br>Pinus nigra  | Good<br>Good<br>Good  | Remove                 | Exempt                     | 314 15  | Box Elder<br>Box Elder   | Acer negundo   | Good   | Save   |             | 440   | 11         | Box Elder   | Acer negundo   | Gcod                           | Save -                                  | Total Regulated Trees 280 Trees  | 811   |
| 188         9         Austrian Pine           189         11         Austrian Pine           190         9         Austrian Pine           191         12         Green Struce  |  | Good  | Remove                 | Exempt                     | 316 14  | Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo                         | Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Poor<br>Poor | Save   |             | 441<br>442<br>443<br>444                      | 12,32      | Bur Oak   | Quercus macrocarpa<br>Acer negundo<br>Ulmus americana<br>Quercus macrocarpa<br>Quercus macrocarpa  | Gcod<br>Gcod<br>Gcod           | Save -<br>Save -                        | Regulated Trees Removed 2 Trees<br>Regulated Trees Preserved 278 Trees (99%) |   |
| 190         3         Fusicilar Fine           191         12         Green Szuce           192         3         Austrian Pine           193         12         Pin Oak  | Picea pungens<br>Pinus nigra<br>Quercus palustris  | Good  | Remove                 | Exempt                     | 318 19  | Box Elder<br>Box Elder   | Acer negundo   | Poor   | Save   |             | 44-3  |            |   | Juglans nigra  | Gcod                           | Save -<br>Save -                        |  | Know what's below<br>Call before you dig.   |
|   | Acer negundo   | Good<br>Good<br>Poor<br>Good<br>Poor<br>Fair<br>Good<br>Good<br>Good<br>Good  | Save                   | Exempt                     | 318 19<br>319 11<br>320 0,17<br>321 17  | Box Elder  | Acer negundo   | Good   | Save   |             | 445<br>446<br>447                             | 18         | Sugar Maple<br>Box Elder  | Juglans nigra<br>Acer saccharum<br>Acer negundo<br>Acer negundo  | Gcod<br>Gcod                   | Save -<br>Save -                        | Replacement Required<br>Trees 8" - 11" 0 trees x 1= 0 Trees                  | Gall before you dig.  |
| 195 10 Box Elder<br>196 12 Box Elder<br>197 10 Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo   | Good  | Save                   |                            | 321 17  | Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good<br>Good   | Save<br>Save                                 |             | 448   | 8          | Box Elder<br>Box Elder  |  | Good                           | Save -<br>Save -<br>Save -              | Trees 11" - 20" 0 trees x 2= 0 Trees<br>Trees 20" - 30" 0 trees x 3= 0 Trees |   |
| 197 10 Box Elder<br>198 13 Box Elder<br>199 12 Box Elder  | Acer negundo<br>Acer negundo   | Fair  | Save<br>Save<br>Save   |                            | 323 12<br>324 12  |  | Acer negundo<br>Acer negundo   | Good   | Save<br>Save                                 |             | 449<br>450                                    | 10         | Common Apple<br>Common Apple  | Malus spp.<br>Malus spp.   | Gcod<br>Gcod<br>Gcod<br>Gcod   | Save -                                  | Trees 30"+ 0 trees x 4= 0 Trees  | 056   |
| 200 11 Box Elder  | Acer negundo<br>Acer negundo   | Good  |                        |                            | 325 11<br>326 8   | Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo<br>Acer negundo   | Poor   | Save   |             | 450<br>451<br>452                             | 10         | Black Cherry<br>Common Pear   | Prunus serotina<br>Pyrus spp.  | Gcod<br>Gcod                   | Save -<br>Save -                        | Multi-Stemmed Trees <u>2 Trees</u><br>Credit for Saved Trees 2 Trees         |   |
| 201 10 10 Box Elder<br>202 15 Eastern Cottonwood  | Proulus deltoides  | Good  | Save<br>Save<br>Save   |                            | 327 14<br>328 1,13,16   | Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo   | Good<br>Good   | Save<br>Save                                 | -           |   |            |   |  |                                |   | Replacement Required • 7 Trees   | 476   |
| 203 10 Box Elder<br>204 1616 Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo   | Good  | Save                   |                            | 321         17           322         9           323         12           324         12           325         11           326         8           327         14           328         1:13:16           329         17           330         11           331         37   | Box Elfer<br>Box Elfer<br>Box Elfer<br>Box Elfer<br>Box Elfer<br>Box Elfer<br>Box Elfer<br>Box Elfer   | Acer negundo<br>Acer negundo   | Good   | Save   |             |   |            |   |  |                                |   | Note: Tree Survey Work was Conducted In October, 2017                        | <b>∠</b>  , <sup>1</sup> / <sub>2</sub> <sup>∞</sup>  |
| 198         13         Box Elder           199         13         Box Elder           200         11         Box Elder           201         10.10         Box Elder           202         15         Eastern Cottorwood           203         10.0         Box Elder           203         10.0         Box Elder           204         16.16         Box Elder           205         11         Box Elder           206         9         Pin Cake           207         11         Greenspre Linden  | Acer negundo<br>Quercus palustris<br>Til a cordata 'Greenspire'  | Good<br>Good<br>Good<br>Good<br>/ Good<br>Good<br>Good  | Save<br>Remove         | -<br>Exempt                | 331 37<br>332 12  |  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Populus deltoides<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Desche albaldes | Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Good | Save   |             |   |            |   |  |                                |   | <ul> <li>REFER TO LANDSCAPE PLANS<br/>FOR REPLACEMENT TREE</li> </ul>        | PLAN  |
| 208 16 Box Elder  | Acer negundo   | Good Good   | Save                   |                            | 331 37<br>332 12<br>333 15<br>334 8,10<br>335 11<br>336 25<br>337 8   | Box Elder<br>Box Elder<br>White Mulberry<br>Eastern Cottorwood   | Acer negundo<br>Morus alba   | Good<br>Good   | Save   | -           |   |            |   |  |                                |   | LCCATIONS (TO BE PROVIDED IN<br>A CONSERVATION EASEMENT)                     | 2 2   |
| 209 18 Box Elder<br>210 10 Box Elder<br>211 8 Box Elder   | Acer negundo<br>Acer negundo   |   | Remove<br>Save         | Exempt                     | 335 11<br>336 25  | Eastern Cottorwood<br>Eastern Cottorwood   | Populus deltoides<br>Populus deltoides   | Goot   | Save<br>Save                                 |             |   |            |   |  |                                |   |  | .  ¥  |
| 212 11 Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good<br>Good<br>Good<br>Poor<br>Good<br>Good  | Save                   |                            | 337         8           338         10           339         23           340         18           341         12           342         13           343         17           344         9           345         11           346         20           345         14           347         14   | Eastern Cottorwood<br>Box Elder<br>Box Elder   | Populus dettoides<br>Populus dettoides<br>Acer negundo<br>Acer negundo<br>Populus dettoides<br>Acer negundo<br>Acer negundo                          | Good<br>Good<br>Poor   | Save   | -           |   |            |   |  |                                |   |  |   |
| 213 13 Box Elder<br>214 18 Box Elder  | Acer negundo<br>Acer negundo   | Good<br>Poor  | Save<br>Save           |                            | 339 <u>23</u><br>340 18   | Eastern Cottorwood<br>Box Elder  | Populus deltoides<br>Acer negundo  | Good<br>Good   | Save   | -           |   |            |   |  |                                |   |  | CENTER<br>VTORY<br>PARCEL<br>PARCEL<br>NOW<br>COUNTY  |
| 213         13         Box Elder           214         18         Box Elder           215         14         Box Elder           216         10         Box Elder   | Acer negundo<br>Acer negundo   | Good  | Remove<br>Save         | Exempt                     | 341 12<br>342 13  |  |  | Good<br>Good<br>Good<br>Good                                 |  |             |   |            |   |  |                                |   |  |   |
| 210         10         Box Education           217         11         American Elm           218         11         Box Elder           219         11         Box Elder  | Acer negundo<br>Ulmus americana<br>Acer negundo  | Good<br>Good<br>Good  | Save<br>Save           |                            | 343 17<br>344 9   | Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo   | Good   | Save<br>Save<br>Save                         |             |   |            |   |  |                                |   |  |   |
|   | Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good  | Save                   |                            | 345 11 346 20   |  | Acer negundo<br>Acer negundo   | Good   | Save   | -           |   |            |   |  |                                |   |  | ADELL C<br>ADELL C<br>INVEN<br>DRIVE - I<br>TOWNSHIP<br>CONCLAND C<br>OAKLAND C<br>MICHIG   |
| 221 17 Box Elder<br>222 11 Box Elder  | Arer negundo   | Good<br>Good<br>Good  | Save                   |                            | 347 14  | Box Elder<br>Box Elder   | Acer negundo   | Good   | Save<br>Save                                 |             |   |            | 1   | 1  | T                              | 0/                                      |  | ≤ ≝ °   |
| 221         17         Box Edw           222         11         Box Edw           224         13         Box Edw           225         13         Box Edw           226         13         Box Edw           227         12         Box Edw           228         13         Box Edw           229         10         Box Edw           229         12         Box Edw           220         7.12         Box Edw           220         7.12         Box Edw           231         14         Box Edw           233         14         Box Edw           234         12         Commor Appe           235         10         Box Edw           236         7.12         Box Edw           237         10         Box Edw           238         10         Box Edw           239         10         Box Edw | Acer negundo<br>Acer negundo   | Good  | Save<br>Save           |                            | 348 17<br>349 1,15<br>350 9<br>351 14<br>352 12   | Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer saccharum<br>Prunus serolina<br>Prunus serolina                 | Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Good | Save<br>Save<br>Save                         |             |   |            |   | Regulated W  | oodland                        |   |  |   |
| 224 13 Box Elder<br>225 11 Box Elder<br>226 13 Box Elder<br>227 21 Easter Obtowood<br>228 10 Box Elder<br>229 10 Box Elder<br>230 7.12 Box Elder<br>231 14 Box Elder<br>231 21 Box Elder  | Acer negundo   |   | Save<br>Save           |                            | 351 14  | Sugar Maple<br>Black Cherry<br>Black Cherry  | Acer saccharum   | Good   | Save<br>Save                                 |             |   |            |   | City of Novi, M  |                                |   |  | L CENTER  |
| 227 21 Eastern Cottonwood   | Populus deltoides  | Goor<br>Goor<br>Goor<br>Goor<br>Goor<br>Goor<br>Goor  | Save                   |                            | 353 13  | Black Cherry<br>Super Maple  | Prunus serotina<br>Prunus serotina<br>Acer saccharum   | Good   | Save   |             |   |            | 1   | LEGEND   |                                |   |  |   |
| 229 10 Box Elder  | Aker negundo   | Good  | Save                   |                            | 353         13           354         11           355         1.11           355         15           357         13           359         9           360         15           361         12           362         12           363         12           363         12           363         12           363         12           364         15           366         12           367         12,26 | Sugar Maple<br>Sugar Maple<br>Sugar Maple<br>Black Cherry  | Acer saccharum<br>Acer saccharum<br>Acer saccharum   | Good<br>Good<br>Good<br>Good                                 | Save   |             |   |            | ~:  | meany Moutants   | Partiel<br>City of Nov         | 1                                       |  |   |
| 230 7,12 Box Elder<br>231 14 Box Elder<br>232 21 Box Elder  | Aker negundo   | Good  | Save                   |                            | 357 13  | Black Cherry   |  | Good   | Save   |             |   |            | $\sim$  | Ager Road<br>Anar Road<br>Stream or S  | ain i Nod Toars                | ~                                       |  | ₹   |
| 233 3 Box Elder   | Acer negundo   | Good<br>Good  | Save                   |                            | 359 9   | American Elm   | Malus spp.<br>Ulmus americana<br>Acer negundo  | Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Good         | Save<br>Save                                 |             |   |            |   |  |                                | -                                       |  | 43700   |
| 232         21         Box Elder           233         8         Box Elder           234         12         Commor Apple           235         10         Box Elder           236         11         Sugar Maple           237         10         Box Elder           238         10         Box Elder           239         10         Box Elder   | Acer negundo<br>Acer saccharum   | Good<br>Good<br>Good  | Save<br>Save           |                            | 360 15<br>361 12  | Box Elder  | Acer negundo   | Good   | Save   | -           |   |            | -   | - 11-  | - 0                            |   |  | 4 <u>3</u>  |
| 230 11 Sugar Maple<br>237 10 Box Elder  | Aker saccharum<br>Aker negundo   | Goor<br>Poor<br>Goor  | Save<br>Save<br>Save   |                            | 362 12<br>363 12  | Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter<br>Box Eliter   | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo   | Good   | Save   |             |   |            | C. DOSELLOS   |  | Andread on Designation of      | 111111 B                                | La Jama Aria 201 ) I - 1   | 5   |
| 238 10 Box Elder<br>239 10 Box Elder  | Acer negundo<br>Acer negundo   | Good  | Save<br>Save<br>Save   |                            | 364 15<br>365 15  | Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo   | Good<br>Good   | Save<br>Save                                 |             |   |            | /   | Al face Mile Mel<br>el 196 496275<br>(c) 2167-01423  | ACUTA Ten March                | 1                                       |  | BEIARED   |
| 240 14 Box Elder<br>241 9 Box Elder   | Acer negundo<br>Acer negundo   | Good<br>Poor<br>Good<br>Good<br>Poor  | Save                   |                            | 366 12<br>367 2,12  | Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good<br>Good<br>Good<br>Good                         | Save   |             |   |            |   | NOVI   |                                | mine mine                               |  | REVISED<br>2019-1-14 REVISED  |
| 242 12 Eastern Cottonwood<br>243 10 13 Box Elder  | Acer negundo   | Good<br>Poor  | Save                   |                            | 367 2,12<br>368 10<br>369 10<br>370 10<br>371 0,12<br>372 11<br>373 9<br>374 11   | Box Elder<br>Box Elder   |  | Good<br>Good   | Save<br>Save                                 |             |   |            | 2000  | A REAL IN THE REAL OF THE REAL |                                |   |  | 2019-3-6 PER REVIEW<br>2019-3-7 PER DISCUSSION  |
| 244         10 11         Box Elder           245         10         Box Elder           246         11         Box Elder   | Acer negundo<br>Acer negundo   | Poor<br>Good<br>Good  | Save<br>Save<br>Save   |                            | 370 10<br>371 10,12   | Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good   | Save   |             |   |            | Contracting of  |  | the Partner Line of            | 144 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |  | 2019-4-29 PER CITY REVIEW   |
| 246 11 Box Elder<br>247 13 Black Willow   | Acer negundo<br>Salix nigra  | Good  | Save                   |                            | 372 11<br>373 9   | Box Elder<br>Box Elder<br>Box Elder  | Acer negundo<br>Acer negundo   | Good<br>Good   | Save   |             |   |            |   |  |                                |   |  |   |
| 244         101         Box Elder           245         101         Box Elder           246         10         Box Elder           247         13         Black Willow           248         10         Box Elder           249         11         Box Elder           249         11         Box Elder           250         1113         Box Elder  | Acer negundo<br>Acer negundo | Good<br>Good<br>Good<br>Fair  | Save<br>Save<br>Save   |                            |   | Box Elder  | Acer negundo<br>Acer negundo<br>Acer negundo   | Good<br>Good<br>Good<br>Good<br>Good<br>Good<br>Good         | Save   |             |   |            | 1   |  | -                              | 2                                       |  |   |
| 250 11 13 Box Elder<br>251 14 15 Box Elder  | Acer negundo<br>Acer negundo   | Fair<br>Good  | Save                   |                            | 376 19<br>377 24  | Box Elder<br>Box Elder   | Acer negundo<br>Acer negundo   | Good   | Save   |             |   |            | 1   |  |                                | 1                                       |  |   |
| 250         11 13         Box Elder           251         14 15         Box Elder           252         13         Box Elder           253         16         Box Elder           254         12         Box Elder           255         24         Box Elder           256         11         Box Elder           256         224         Eastern Cottorwood   | Acer negundo<br>Acer negundo   | Good<br>Good<br>Good  | Save                   |                            | 378 15 379 23   | Bur Oak<br>Box Elder   | Quercus macrocaipa   | Good<br>Good<br>Good   | Save   |             |   |            | Tereth  | arban M  | City of Waxen                  | The                                     |  |   |
| 254 12 Box Elder<br>255 24 Box Elder  | Aker negundo   | Good  | Save                   |                            | 380 10  | Sugar Maple<br>Box Elder   | Acer saccharum<br>Acer pegundo   | Good   | Save<br>Save<br>Save                         |             |   |            | allu (  | - M  | 1                              |   |  | DATE: 1-3-2019  |
| 256 11 Box Elder<br>257 2224 Eastern Cottonwood   | Acer negundo   | Good<br>Good<br>Good  | Save<br>Save<br>Save   |                            | 382 19  | Box Elder<br>Box Elder   | Acer negundo   | Good   | Save   |             |   |            | SP.   | and a second   |                                | - mer                                   | PROJECTI<br>LOCATION   | DRAWN BY: RMS   |
| 2.56         12         Dox Elder           255         24         Box Elder           256         11         Box Elder           257         22.24         Eastern Zottorwood           258         11         Box Elder           259         9         Box Elder           259         11         Box Elder           269         11         Box Elder           260         11         Box Elder  | Acer negundo   | Good  | Save                   | <u> </u>                   | 384 9   | Box Eller  | Acer negundo   | Good<br>Good<br>Good<br>Good<br>Good                         | Save   |             |   |            | -11:  | PL =   | 14                             |   |  | CHECKED BY: DJL/JMF   |
| 260 11 Box Elder  | Aker negundo   | Good<br>Good  | Save                   |                            | 386 19  | Box Elder  | Acer negundo   | Good   | Save   |             |   |            | 00  |  | -                              |   |  | 0 25 50   |
| 261 12 Box Elder<br>262 10 Box Elder<br>263 9 Box Elder   | Acer negundo   | Good<br>Good  | Save<br>Save<br>Save   |                            | 387 9<br>388 18   | Eastern Cottorwood   | Populus deltoides  | Good   | Save<br>Save                                 |             |   |            | 100   | IF IN  |                                | 17 B - S                                |  | ня: 16  |
| 264 12.13 Box Elder   | Aker negundo<br>Aker negundo<br>Aker negundo<br>Populus deticides<br>Aker negundo<br>Aker negundo  | Good<br>Good<br>Good<br>Good  | Save                   | <u> </u>                   | 389 10<br>390 15  | Box Elser<br>Box Elser<br>Bur Oak<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Box Elser<br>Eastern Cottorwood<br>Box Elser<br>Eastern Cottorwood<br>Box Elser<br>Eastern Cottorwood<br>Box Elser | Populus deltoides  | Good   | Save<br>Save<br>Save<br>Save<br>Save<br>Save | -           |   |            |   |  | -                              |   |  | CHF: 0  |
| 265 8,8,8 Box Elder<br>266 21 Eastern Cottonwood  | Acer negundo<br>Pcoulus deltoides  | Good  | Save                   |                            | 391 13,18,18<br>392 12  | Eastern Cottonwood<br>Box Elder  | Populus deltoides  | Good   | Save   |             |   |            | and the second  |  |                                |   |  | SCALE HOR 1 = 50 FT.<br>VER 1 = FT. 17-334  |
|   |  |   |                        |                            |   |  |  |  |  |             |   |            |   |  |                                |   |  | PRO AMENOMENT   |

















| Plant | List |
|-------|------|
|       |      |

|           |      |  |                      |         |          |      | Total    |           | \$<br>21,226,00 |
|-----------|------|--|----------------------|---------|----------|------|----------|-----------|-----------------|
| Irrigatio | n    |  |                      |         |          |      |          |           | \$<br>8,000.00  |
|           |      | Sod (s.y.)                                     |                      |         |          |      |          | \$6/ s.y. | \$<br>2,436.00  |
|           | 68   | 4" Deep Shredded Hardwood Bark Mulch           |                      |         |          |      |          | \$35/s.y. | \$<br>2,380.00  |
| Mulch     |      |  |                      |         |          |      |          |           |                 |
|           |      |  |                      |         |          |      |          |           |                 |
| TH        | 34   | Taxus . Media 'Hicksii'                        | Hicks Juniper        |         | as shown | B&B  | 36"-40"  | \$ 50.00  | \$<br>1,700.00  |
| RF        | 25   | Rudbeckia fulgida speciosa 'Goldsturm'         | Black Eyed Susan     |         | as shown |      | #2 cont. | \$ 15.00  | 375.00          |
| PS        | 3    | Pinus strobus                                  | White Pine           |         | as shown | B&B  | 12'-14'  | \$ 400.00 | \$<br>1,200.00  |
| PA        | 66   | Pennisetum alopecuroides 'Hameln'              | Dwarf Fountain Grass |         | as shown |      | #2       | \$ 15.00  | \$<br>990.00    |
| KF        | 23   | Calamagrostis x. a. 'Karl Forester'            | Karl Forester Grass  |         | as shown |      | #3       | \$ 15.00  | \$<br>345.00    |
| JC        | 29   | Juniperus ch. "Keteleer"                       | Keteleer Juniper     |         | as shown | B&B  | 8'       | \$ 50.00  | \$<br>1,450.00  |
| BX        | 17   | Buxus x. Green Velvet'                         | Green Velvet Boxwood |         | as shown |      | 24*      | \$ 50.00  | \$<br>850.00    |
| AC        | 6    | Amelanchier x. grandifolia 'Autumn Brilliance' | Serviceberry         | 2.5"    | as shown | B&B  |          | \$ 250.00 | 1,500.00        |
| sym.      | qty. | botanical name                                 | common name          | caliper | spacing  | root | height   | price     | total           |

Focal Areas and Sign Areas Above Shall be installed as Part of the Roads and Utilities Construction Phase





#### ALLEN DESIGN 557 CARPENTER + NORTHVILLE, MI 48167 248.467.4668 + Fax 248.349.0559 Emal: ica





Title: Landscape Plan Phase 1

Project: Adell Center Novi, Michigan

Orville Properties, LLC 51147 West Ten Mile Southfield, Michigan 48075

Prepared for:

#### Wetland Buffer Restoration Seed Mix

| Low-profile Prairie Seed I              | Mix                    |             |          |            |
|---|------------------------|-------------|----------|------------|
|   |                        | PLS         |          |            |
| Botanical Name                          | Common Name            | Ounces/Acre | Seeds/Oz | Seeds/SQ F |
|   |                        |             |          |            |
| Permanent Grasses:                      |                        |             |          |            |
| Carex spp.                              | Prairie Carex Mix      | 4.00        | 33422    | 3.0        |
| Elymus canadensis                       | Canada Wild Rye        | 32.00       | 4258     | 3.1        |
| Elymus virginicus                       | Virginia Wild Rye      | 10.00       | 9375     | 2.1        |
| Koeleria cristata                       | June Grass             | 1.00        | 150000   | 3.4        |
| Panicum virgatum                        | Switch Grass           | 1.00        | 28356    | 0.6        |
| Schizachyrium scoparium                 | Little Bluestern       | 32.00       | 8800     | 6.4        |
|   | T                      | otal 80.00  |          | 18.9       |
|   |                        |             |          |            |
| Temporary Cover:                        |                        |             |          |            |
| Avena sativa                            | Common Oat             | 360.00      | 8125     | 67.1       |
| Lolium multiflorum                      | Annual Rye             | 100.00      | 14188    | 32.5       |
|   | т                      | otal 460.00 |          | 99.7       |
| Forbs                                   |                        |             |          |            |
| Forbs:<br>Anemone cylindrica            | ThimbleWeed            | 0.50        | 20938    | 0.2        |
| Anemone cylinanca<br>Asclepias tuberosa | Butterfly MilkWeed     | 2.00        | 20938    | 0.2        |
| Asciepias tuberosa<br>Aster ericoides   | Heath Aster            | 2.00        | 140000   | 0.1        |
|   |                        |             |          |            |
| Aster laevis                            | Smooth Blue Aster      | 0.75        | 48000    | 0.8        |
| Aster novae-angliae                     | New England Aster      | 0.25        | 76000    | 0.4        |
| Chamaecrista fasciculata                | Partridge Pea          | 14.00       | 3800     | 1.2        |
| Coreopsis lanceolata                    | Sand Coreopsis         | 5.00        | 12500    | 1.4        |
| Coreopsis tripteris                     | Tall Coreopsis         | 3.00        | 13100    | 0.9        |
| Dalea candida                           | White Prairie Clover   |             | 26250    | 0.9        |
| Desmodium canadense                     | Showy Tick Trefoil     | 1.50        | 20000    | 0.6        |
| Euphorbia corollata                     | Flowering Spurge       | 8.00        | 7542     | 1.3        |
| Euthamia graminifolia                   | Grass-leaved Goldenrod | 2.50        | 8000     | 0.4        |
| Lespedeza capitata                      | Round-Head Bush Clover | 2.00        | 10000    | 0.4        |
| Liatris aspera                          | Rough Blazing Star     | 0.50        | 13000    | 0.1        |
| Lupinus perennis                        | Wild Lupine            | 2.00        | 1000     | 0.0        |
| Monarda fistulosa                       | Wild Bergamot          | 0.75        | 78000    | 1.3        |
| Parthenium integrifolium                | Wild Quinine           | 1.00        | 6800     | 0.1        |
| Penstemon digitalis                     | Foxglove Beard Tongue  | 0.50        | 115000   | 1.3        |
| Pycnanthemum virginianum                |                        | 1.00        | 331250   | 7.6        |
| Ratibida pinnata                        | Yellow Coneflower      | 4.00        | 25250    | 2.3        |
| Rudbeckia hirta                         | Black-Eyed Susan       | 5.00        | 110000   | 12.6       |
| Symphyotrichum ericoides                | Heath Aster            | 3.00        | 4000     | 0.2        |
| Silphium terebinthinaceum               | Prairie Dock           | 0.50        | 1100     | 0.0        |
| Solidago nemoralis                      | Old-Field Goldenrod    | 0.50        | 240000   | 2.7        |
| Solidago rigida                         | Stiff Goldenrod        | 1.00        | 46000    | 1.0        |
| Tradescantia ohiensis                   | Common Spiderwort      | 0.75        | 8000     | 0.1        |
| Vemonia spp.                            | Ironweed (Various Mix) | 1.75        | 24000    | 0.9        |
| Veronicastrum virginianum               | Culvers Root           | 0.25        | 750000   | 4.3        |
|   | T                      | otal 63.75  | 1        | 44.9       |
|   |                        |             |          |            |

Revision: Issued: Submission Revised April 16, 2018 April 30, 2018 May 30, 2018 June 5, 2018 June 5, 2018 July 19, 2018 August 30, 2018 October 10, 2018 November 27, 2018 December 4, 2018 January 8, 2019

| Job Number: |  |
|-------------|--|
| 17-058      |  |

Drawn By: Checked By: jca jca



Sheet No. s belov Callbe ore you dig.

L-3



Γ






A.201







EXTERIOR NORTH COLOR ELEVATION
 1/8" = 1'-0"

|       | FINISH SCHEDULE - EXTERIOR  |  |  |  |             |              |  |  |  |
|-------|---|--|--|--|-------------|--------------|--|--|--|
| MARK  | MFR   | MODEL/SERIES                                     | DESCRIPTION  | COLOR  | CONTACT     | PHONE        |  |  |  |
|       |   |  |  |  |             |              |  |  |  |
|       | ALLURA CEDAR 8" GROOVE FIBER CEMENT VERTICAL SIDING MAPLE STAINED - PRODUCT NOT PREFINISHED |  |  |  |             |              |  |  |  |
| EX-2  | METAL SALES   | 5V-CRIMP   | METAL ROOFING  | GALVALUME  |             |              |  |  |  |
| EX-4  | SHERWIN WILLIAMS  | ACRYLIC OR ENAMEL GLOSS BASE (DTM)               | 8" SPLIT FACE CMU. COLOR TO MATCH PRE-STAINED FIBER CEMENT | *LEATHER BOUND* SW6118 ROADSIDE  |             |              |  |  |  |
| EX-5  | GENERAL SHALE BRICK CO  | OVERSIZE   | BRICK VENEER   | *PHOENIX #143  |             | 800-277-2700 |  |  |  |
| EX-5A | PALMETTO BRICK  | QUEEN SIZE                                       | THING BRICK VENEER (ALTERNATE)                             | LONDON BALLAST   |             |              |  |  |  |
| EX-6  | HENRY POOR LUMBER   | TWO COATS- TWP STAIN FORMULA                     | WESTERN RED CEDAR  | AMTECO #1501 CEDARTONE   | DOUG MILLER | 800-255-7913 |  |  |  |
| EX-7  | ALLURA  | TRIM   | TRIM- PAINTED  | GREEN - (R2 MAROON 1/32, N1 RAW UMBER 16/32, W1<br>WHITE 22/32, B1 BLACK 44/32, Y3 DEEP GOLD 2 OX<br>85/32, G2 NEW GREEN 4 OZ & 54/32) (DTM UD SEMI) |             |              |  |  |  |
| EX-8  | SHERWIN WILLIAMS  | ACRYLIC OR ENAMEL GLOSS BASE (DTM)               | DOWNSPOUT & LOUVERS  | *LEATHER BOUND* SW6118 ROADSIDE  |             |              |  |  |  |
| EX-9  | SHERWIN WILLIAMS  | ENAMEL, OIL OR ACRYLIC BASE- TWO FINISH<br>COATS | GUTTERS/ COPING CAP  | GREEN - (R2 MAROON 1/32, N1 RAW UMBER 16/32, W1<br>WHITE 22/32, B1 BLACK 44/32, Y3 DEEP GOLD 2 OX<br>85/32, G2 NEW GREEN 4 OZ & 54/32) (DTM UD SEMI) |             |              |  |  |  |
| EX-10 | INC.  |  | DOORS  | E603 PROVINICAL FINISH   | JOSH NOLES  | 270-441-7171 |  |  |  |
| EX-11 | ALLURA  | TRIM   | TRIM- STAINED  | MAPLE STAINED  |             |              |  |  |  |
|       |   |  | METAL DOORS & FRAMES                                       | GLOSS BLACK  |             |              |  |  |  |
| EX-13 | UPCHURCH KIMBROUGH  | CHOPPED  | LIMESTONE  | *ALAMO GOLD*   |             |              |  |  |  |



TEXAS ROADHOUSE I-96 & NOVI ROAD NOVI, MICHIGAN

EXTERIOR ELEVATIONS

















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|---|---|--|--|
| Q         EX. UNITY FOLE           Q         EX. UNITY FOLE           B         EX. CATCH MASH           C         EX. STOKE MANNEL           C         EX. CATCH MASH           C         EX. TRELIA  | ARTE MAN<br>GAS MAN<br>OKERHEO LINES<br>DATE OF A CONSTRUCTION<br>DATE OF A CONSTRUCTION<br>RETAINED BALL<br>CONTONS I 17. INCR.<br>CONTONS I 17. INC  | NS(129'37"W<br>24.St1(M)<br>8.15(M)  | LOCATION MAP<br>Solar H-MORE<br>Solar H-MORE<br>So |
| EX POST     EX LECTRE CHARGEORMER     SOL BORNO      CLECTRE CHARGEORMER      SOL BORNO      CENERAL UTILITY NOTES.      ALL UTILITY UNES, STRUCTURES AND TRENCHES SHALL BE CAC      ACCORANCE WITH THE STANDARS AND REQUIREMENTS OF THE      ALL STOM STRUCT CONCENTRY CONCENTRY OF THE      ALL STOM STRUCT CONCENTRY OF STRUCTURE AND      INFORM STRUCTURE AND      INFORM STRUCTURE AND      INFORMATION STRUCTURE AND      INFORMATION      SUBJECTION UNLESS NOTE OTHERWSEL      ALL STOM STRUCT CONCENTRY OF STRUCTURE AND      INFORMATION       INFORMATION   | NSTRUCTED IN<br>OPEC ON<br>MCC ON |  | 4' CATCH BASIN 3 EACH<br>MECHANICAL FILTRATION 1 EACH  |
| SAND BACKFILL NOTE:<br>ALL UTLES UNREP PACENT OR WITH 3' OF THE DOE OF<br>PACING UNREP PACENT OR WITH 3' OF THE DOE OF<br>PACENT OF THE UNREP WAS TO CARE TO AN OF THE<br>COMPACTED TO BE MALE AND THE OBSTRUCT OF THE OFFICE<br>COMPACTED TO BE MALE RESTORE AREAS DISTURBED<br>FROM HIG CONTRACTOR STALL RESTORE AREAS<br>RECOMPORE AREASTORY TO THE OWNER. LANDSCAPE AREAS<br>RECOMPORE AREASTORY TO THE OWNER LANDSCAPE AREAS<br>RECOMPORE AREASTORY OF THE OWNER LANDSCAPE AREAS<br>RECOMPORE AREASTORY OF THE OWNER LANDSCAPE AREAS<br>THE ORDINAL CONTON, WITH THE APPLICABLE<br>CONSTRUCTION OF DESTING.<br>ELEVATIONS SHOWN ON THE APPROVED FLANS. THE<br>CONTRACTOR SHALL BE RESPONSED FOR MORTING<br>OF EXPERIMENTAL ALL AREASTORY OF DISTURBATION OF<br>DISTURBED AND ON THE APPROVED FLANS. THE<br>CONTRACTOR SHALL BE RESPONSED FOR MORTING<br>OF EXPERIMENTAL AND AND THE APPROVED FLANS. THE<br>CONTRACTOR SHALL BE RESPONSED FOR MORTING<br>OF EXPERIMENTAL ALL BE RESPONSED FOR THE APPROVED FLANS. THE<br>CONTRACTOR SHALL BE RESPONSED FOR MORTING<br>OF EXPERIMENTAL AND   | ADELL CENTER DRIVE<br>(PRIVATE)(VARIABLE WIDTH)<br>UNIT 5   |  | DITUTION DEFINITION OF THE AND ADDREED OF THE AND ADDREED OF THE A   |
| ECCESS OR MACRETAINO OF ADDITIONAL MATERIAL AT NO<br>ADDITIONAL COST TO THE OWNER.<br><b>NOTE:</b><br>THE LOCATIONS OF EXISTING UNDERGROUND UTUITES ARE<br>SHOWN IN AN APPROVATE WAY ONLY AS IDSCLOED BY<br>MEDIAL OF A APPROVATE WAY ONLY AS IDSCLOED BY<br>BEEN INCOMENT. YORFITE BY THE COMPANY. NO<br>QUARATIEE IS ETHER EXPRESSED OF MUELD AS TO THE<br>CONTRACTOR SILL OF RESPONSE FOR ANY AND ALL<br>CONTRACTOR'S FALLOWER TO EXACTLY AND ALL<br>CONTRACTOR'S FALLOWER TO EXACTLY UNDER THE COMPANY.<br>CONTRACTOR'S FALLOWER TO EXACTLY UNDER THE<br>CONTRACTOR'S FALLOWER TO EXACTLY UNDER THE OFFER THE | I=         175/(1*25)         C=         0.85         T=         15         MIN.           PRDJECT:         ADEL/CENTER         JOB NO.         37:334         COMMUNITY:   | Min HG HG for Time of H.G. Elev GROUND ELEV. INVERT ELEV. HG COVE  | 10 RIM COVER   |









Seal:

Title:

Project:

Unit 6

Novi, Michigan

Prepared for: Greentech Engineering 51147 W. Pontlac Trall Wixom, Michigan 48393

Landscape Plan



| Existing Zoning  | PRO  |
|--|--|
| Greenbelt<br>Street Frontage Adjacent to Pkg.<br>Trees Required<br>Trees Provided<br>Ornamental Trees Required<br>Ornamental Trees Provided                        | 48'<br>1.9 Trees (48' / 25')<br>0 Trees<br>3.2 Trees (48' / 15')<br>3 Trees  |
| Street Frontage Not Adjacent to Pkg.<br>Trees Required<br>Trees ProvIded<br>Ornamental Trees Required<br>Ornamental Trees ProvIded                                 | 101'<br>3.3 Trees (101' / 30')<br>0 Trees<br>5.1 Trees (101' / 20')<br>5 Trees                                       |
| Parking Lot Landscaping<br>Vehicular Use Area<br>VUA up to 50,000 s.f.<br>Landscape Area Required<br>Landscape Island Provided<br>Trees Required<br>Trees Provided | 15,183 s.f.<br>1,139 s.f. (15,183 s.f. x 7.5%<br>1,139 s.f.<br>1,393 s.f.<br>5.6 Trees (1,139 s.f. / 200)<br>6 Trees |
| Parking Lot Perimeter Length<br>Trees Required<br>Trees Provided   | 267 l.f.<br>7.6 Trees (267' / 35')<br>11 Trees   |
|  | 217 l.f.<br>1,736 s.f. (217' x 8')<br>1,745 s.f.   |

Including Hydrants.
 Trees Shall not be Planted within 4' of Property Lines.
 Utility Boxes Shall be Screened per Detail on Sheet L-2.

## Plant List

| sym. qty.                        |  | botanical name  | common name  | caliper | apacing  | root        | height                                     | Price  | Tetal         |  | Percentage |       |
|----------------------------------|--|---|--|---------|--|-------------|--|--|---------------|--|------------|-------|
|                                  |  | bocanicas hame  | common name  | casper  | spacing  | POOR        | neight                                     | PIER   |               | 100 M  | Species    | Genus |
| AL                               | 3  | Amelanchier laevis  | Shadblow   | 2.5"    | as shown   | 888         |  | \$ 250.00  | \$            | 750.00   | 17%        | 17%   |
| AR                               | 2  | Ager rubrum 'October Glory'   | October Glory Maple  | 3.0"    | as shown   | 888         |  | \$ 400.00  | \$            | 800.00   | 11%        | 11%   |
| ĆK.                              | 2  | Comus kousa   | Kousa Dogwood  | 2.5"    | as shown   | 888         |  | \$ 250.00  | \$            | 500.00   | 11%        | 11%   |
| CO                               | 3  | Celtis occidentalis   | Northern Hackberry   | 3.0"    | as shown   | 888         |  | \$ 400.00  | \$            | 1,200.00   | 17%        | 17%   |
| GT                               | 3  | Gleditaia triacanthos Var. Inermia  | Honevlocust  | 3.0*    | as shown   | 888         |  | \$ 400.00  | 15            | 1.200.00   | 17%        | 17%   |
| LT                               | 2  | Liriodendron tulipifera   | Tulp Tree  | 3.0"    | as shown   | B&B         |  | \$ 400.00  | Ϊŝ            | 800.00   | 11%        | 11%   |
| MS                               | 3  | Malus 'Sentinal'  | Sentinal Crab  | 2.5"    | as shown   | 888         |  | \$ 250.00  | \$            | 750.00   | 17%        | 17%   |
|                                  | 18   | Total Landscape Trees   |  |         |  |             |  |  |               |  |            |       |
|                                  |  | Perannials  |  |         |  |             |  |  |               |  |            |       |
| 3hrub                            |  |   |  |         |  |             |  |  |               |  |            |       |
| sym.                             | qty.   | botanical name  | common name  | caliper | spacing  | root        | height                                     | _  | È             |  |            |       |
| sym.<br>BX                       | qty.   | Buxus x. Green Velvet'  | Green Velvet Boxwood   | calipar | as shown   | root        | 24*  | \$ 50.00   | \$            | 2,200.00   |            |       |
| BX<br>EA                         | qty.   | Buxus x. Green Velvet"<br>Euonymus alata 'Compacta'   | Green Velvet Boxwood<br>Burning Bush   | calper  | as shown<br>as shown   |             | 24*<br>24*                                 | \$ 50.00   |               | 800.00   |            |       |
| BX<br>EA<br>HB                   | qty.<br>44<br>16<br>10                               | Bucus x. Green Velwi'<br>Euonymus alata 'Compacta'<br>Hydrangea paniculate 'Wobo'   | Green Velvet Boxwood<br>Burning Bush<br>Bobo Hydrangea   | calpar  | as shown<br>as shown<br>as shown   | B&B         | 24*<br>24*<br>36*                          | \$ 50.00<br>\$ 50.00   | 0 00 00       | 800.00<br>500.00   |            |       |
| BX<br>EA<br>HB<br>HL             | qty.<br>44<br>16<br>10<br>105                        | Buzus x. Green Velvel'<br>Euonymus alata 'Compacta'<br>Hydrangea periculate 'Ivobo'<br>Hemerocallis 'Fragrant Returns'  | Grean Velvet Boxwood<br>Burning Bush<br>Bobo Hydrangea<br>Fragrant Returns Daytilly  | caliper | as shown<br>as shown   |             | 24*<br>24*                                 | \$ 50.00   |               | 800.00<br>500.00<br>1,575.00   |            |       |
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Revision: Issued:

Submission April 2, 2019

Drawn By: Checked By: jca jca







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**ORIGINAL APPROVAL PRO PLAN** 









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APPROVED PRO AGREEMENT

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## PLANNED REZONING OVERLAY (PRO) AGREEMENT ADELL CENTER

**THIS AGREEMENT** (the "**Agreement**"), dated October <u>26</u>, 2018, is made and entered into by and between Orville Properties, LLC, a Delaware limited liability company whose address is 30733 W. Ten Mile, Southfield, MI 48075 (referred to as "**Developer**"), and the **CITY OF NOVI**, 45175 Ten Mile Road, Novi, MI 48375-3024 ("**City**").

## **RECITATIONS:**

- A. Developer is the owner and developer of a vacant parcel of property located on the west side of Novi Road, south of the I-96 freeway, approximately 21.48-acres in area, hereinafter called the "Property" and described on **Exhibit A**, attached and incorporated herein.
- B. For purposes of improving and using the Property for a 9-unit commercial site condominium, with general common elements, that is not permitted under the City's Zoning Ordinance, as amended, in the EXPO (Exposition) District within the City, Developer petitioned the City for an amendment of the City's Zoning Ordinance so as to reclassify the Property from the EXPO District to the TC (Town Center) District. The EXPO classification shall be referred to in this Agreement as the "**Existing Classification**" and the TC classification shall be referred to as the "**Proposed Classification**."
- C. The Proposed Classification would provide the Developer with certain material development options not available under the Existing Classification and would be a distinct and material benefit and advantage to the Developer.
- D. The City has reviewed the Developer's proposed petition to amend the zoning district classification of the Property from the Existing Classification to the Proposed Classification under the terms of the Planned Rezoning Overlay (PRO) provisions of the City's Zoning Ordinance; has reviewed the Developer's proposed PRO Plan (including building façade, some elevations, and design) attached hereto and incorporated herein as **Exhibit B** (the "PRO Plan"), which is a conceptual or illustrative plan for the potential development of the Property under the Proposed Classification, and not an approval to construct the proposed improvements as shown; has further reviewed the proposed deviations requested by the Developer from the strict terms of the City's land use ordinances and regulations, and has determined that the proposed Conditions constitute an overall

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public benefit that outweighs the deviations and that, if the deviations were not granted, enhancements to the development that are in the public interest would not be made, and that approving the deviations would be consistent with the City Master Plan and compatible with the surrounding area; and has determined to approve the rezoning subject to, and only in light of, the terms and conditions of this Agreement.

- E. The City desires to ensure that all of the Property that is depicted on the PRO Plan is developed and/or re-developed in accordance with, and used for the purposes permitted by, the approved PRO Plan, the related documents and undertakings of the Developer, and all applicable laws, ordinances, regulations, and standards. The Developer desires to proceed with obtaining the site plan and engineering approval and the issuance of permits required to re-develop the Property in accordance with the approved PRO Plan. Set forth herein are the terms and conditions of the agreement between the City and the Developer, which such agreement is to be recorded with the Register of Deeds for the County of Oakland following execution by the parties.
- F. In proposing the Proposed Classification to the City, the Developer has expressed as a firm and unalterable intent that the Developer and its successors and assigns will develop and use the Property in conformance with the following undertakings by the Developer, as well as the following forbearances by the Developer (each and every one of such undertakings and forbearances shall together be referred to as the "Undertakings"):
  - 1. **Uses Permitted**. The Developer shall develop and use the Property solely for a commercial site condominium of 9 units, including general common elements, under the Proposed Classification (the "Development") as shown on the PRO Plan. The Development shall be a mix of uses that includes two hotels, a fitness center, an indoor recreational facility for simulated skydiving, an off-street parking lot, a "vending machine fulfillment center" for motor vehicle sales, two restaurant uses, a separate unit to house the existing water tower, an open area/parking lot with no building improvements, and an area of undeveloped wetlands with a trail system, subject to State of Michigan (MDEQ) approval.
  - 2. **Site Improvements.** The Developer has indicated its intention to undertake the necessary site improvements for the utilities (water, sewer, storm water) and the private road that will serve as access to the proposed units, but to sell and convey the individual units to others with the possible exception of Unit 9, which will house the existing water tower and Unit 4, which will be an open area/parking lot. The Developer and its successors and assigns shall forbear from developing and/or using the Property in any manner other than as authorized and/or limited by this Agreement.

The Developer shall develop the Property in accordance with all applicable laws, ordinances, and regulations, except as expressly authorized herein. The PRO Plan is acknowledged by both the City and the Developer to be a conceptual plan for the purpose of depicting the area contemplated for development. Some deviations from the provisions of the City's ordinances, rules, or regulations are depicted in the PRO Plan and are approved by virtue of this Agreement. Except

as to those specific deviations as enumerated herein, the Developer's right to develop the 9-unit commercial site condominium under the requirements of the Proposed Classification shall be subject to and in accordance with all applications, reviews, approvals, permits, and authorizations required under applicable laws, ordinances, and regulations, including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, façade approval, landscape approval, and engineering plan approval, except as expressly provided in this Agreement.

Because the Development is located on a prominent thoroughfare in the City, the City has an interest in ensuring that the architecture of the buildings is of high quality. The buildings shall be of good and workmanlike construction and constructed of quality materials. The facades and elevations will be as approved by the City at the time of preliminary or final site plan approval. The City retains, and the Developer expressly acknowledges that the City retains, full authority under the Zoning Ordinance to approve, deny, or require alterations to the façade and elevations of all buildings within the Project at the time of final site plan approval for any parcel within the Project, including the grant of waivers/deviations therefrom as further provided herein.

3. **Developer Responsibilities.** In addition to any other ordinance requirements, as the entity responsible to make the road and utilities improvements, the Developer shall comply with all applicable ordinances for (i) storm water and soil erosion requirements and measures throughout the site, including all individual units, during the design and construction phases, and subsequent use, of the Development contemplated in the Proposed Classification and shall be the sole responsible entity under such permit until the Development is complete (that is, even as improvements and buildings on individual units are constructed following conveyance by the Developer); (ii) final site plan for the roads and utilities to be approved by the City in accordance with the Zoning Ordinance and Code of Ordinances; and (iii) engineering construction plan review and approval by the City and/or its consultants for the roads and utilities, which plans have been or shall be submitted by the Developer in accordance with all applicable laws, ordinances, regulations and standards.

Development of the individual units with buildings, parking lots, and any other internal improvements, shall also be subject to all requirements for preliminary and final site plan review, engineering review, and all other required permitting, which may be submitted by individuals or entities other than the Developer.

- 4. **PRO Conditions.** The following PRO Conditions shall apply to the Property and/or be undertaken by Developer unless otherwise specified herein:
  - a. **Restoration/Enhancement of Wetlands.** The Developer shall restore and enhance the wetlands on the southerly portion of the site pursuant to a plan to be approved by the City at the time of final site plan approval, which such plan shall include the requirement to remove unwanted and invasive species and various dumped materials. The wetlands shall

remain undeveloped and in their natural state, subject to State of Michigan and City wetlands law and regulations, except that a trail system shall be established in locations set forth in the final site plan for the roads and utilities. No development shall be authorized in the wetlands area. Securing appropriate permits from the City and the State (MDEQ) shall be the responsibility of the Developer. The wetlands restoration and enhancement described herein shall be completed by the Developer within twelve (12) months of the date of this Agreement, provided that the City may, in its reasonable discretion, accept a performance guarantee in a form and manner to be approved by the Community Development Department and the City Attorney's office from the Developer to assure its completion by a different date.

b. **Uses to be developed; Uses Prohibited at any Time.** Notwithstanding any notes on any plan, or any correspondence or other writing to the contrary, the Development shall be limited to 9 units of the size and location indicated on the PRO Plan, to be used as follows:

| Unit<br>No. | End Users                        | Use Category   |
|-------------|----------------------------------|--|
| Unit 1      | I-Fly                            | Indoor Commercial Recreation<br>Facilities             |
| Unit 2      | Planet Fitness                   | Indoor Commercial Recreation<br>Facilities             |
| Unit 3      | Fairfield Inn & Suites           | Hotel  |
| Unit 4      | Off-street<br>parking/Open Space | Off-street Parking Lot<br>See Note about changes below |
| Unit 5      | <b>Drury Inn &amp; Suites</b>    | Hotel  |
| Unit 6      | Restaurant                       | End user to be determined                              |
| Unit 7      | Restaurant                       | End user to be determined                              |
| Unit 8      | Carvana                          | Unlisted Use approved by Council                       |
| Unit 9      | Water Tower                      | Existing Structure                                     |

Units 6 and 7 may be developed for restaurant uses, provided that the buildings and improvements located thereon meet all requirements of the Zoning Ordinance, as amended, and the City Code, as amended, except as expressly provided in this Agreement (in particular, Section 2 below relating to permitted deviations). And notwithstanding anything else in this Agreement, the PRO Plan, the City of Novi Zoning Ordinance, currently or as amended, or the City Code, currently or as amended, no unit may at any time be used for any of the following:

- i. Gas Stations
- ii. Sexually-oriented businesses

- iii. Medical/Recreational Marijuana Uses of any kind
- iv. Hookah bar/lounges or similar uses
- v. Vape shops or similar uses
- vi. Convenience Stores
- vii. Fast-food restaurants
- viii. Fast food restaurants with a drive-through
- ix. Tattoo parlors/businesses
- c. **Ring Road and Related Improvements.** The Developer shall not interfere with or object to the City's improvement and construction of the Ring Road and related improvements as proposed and designed by the City and shall cooperate with such improvement and construction with regard to coordination of on-site construction and related activities. If required by the City, the Developer shall revise or otherwise address the legal and/or property description of the Property to reflect the road rights-of-way for the Ring Road and related improvements in the PRO Plan, this PRO Agreement, and any other required documents.
- d. **Modifications; Required Amendments.** Minor modifications to the approved PRO Plan can be approved administratively if the Zoning Ordinance would otherwise allow an administrative site plan review and approval, so long as the City Planner determines that the modifications (i) are minor, (ii) do not deviate from the general intent of the PRO Plan, and (iii) result in reduced impacts on the surrounding development and existing infrastructure. The Planning Commission shall also be permitted to authorize amendments to the PRO Plan in its review of the preliminary site plans for individual units, with regard to parking-related, landscaping-related, and façade-related requirements, provided it would otherwise have that authority under the Zoning Ordinance.

Notwithstanding the foregoing, however, the following will require amendment of this PRO Agreement:

- i. Any material changes to building and parking layout from the approved PRO Plan.
- ii. Any deviations from ordinance requirements that are not requested/approved at this time.
- iii. Any change of use of, or redevelopment of any improvements on, for any of the units other than as described in this Agreement and shown on the PRO Plan.
- iv. A reduction of established minimum parking count below the maximum 5 percent reduction described in this Agreement, absent a shared parking study acceptable to the Planning Commission.
- e. Unit 4 Open/Parking Area. Unit 4 shall remain as permanent green space and park area, with parking improvements as shown on the PRO Plan, subject to final approval of the site improvements at the time of

preliminary site plan approval. Use of Unit 4 shall be subject to the following:

- i. The principal use of Unit 4 shall be and permanently remain open space and parking.
- ii. The unit may be used for purposes that are accessory to other uses in other units within the Development. However, the unit is not intended to be a public gathering space or assembly area for the public generally.
- iii. Any use occurring on the unit other than parking shall comply with all requirements and conditions of the City's Zoning Ordinance, as amended, and its Code of Ordinances, as amended.
- iv. Uses of the unit that adversely affect pedestrian or vehicular traffic within or outside the Property, that cause congestion within or outside the Property, or that cause impacts that are detrimental to the public health, welfare, and safety as determined by the City shall be prohibited.
- v. No use of the unit other than parking shall be made between dusk and 9:00 a.m.
- vi. Outdoor gatherings, as defined in the City Code, shall be limited to no more than 6 per year, and the owner of the unit shall apply for all required permits for same and comply with all conditions of such permit.
- vii. Any use of the unit shall comply with all ordinance requirements regarding noise, and all other ordinance performance standards set forth in the Code of Ordinances or the Zoning Ordinance.
- f. **Unit 9 Water Tower.** Due to its small size, use of Unit 9 shall be restricted to housing the existing water tower. The Developer shall provide in the Master Deed for access to the water tower and for its maintenance. Any signage on the tower shall comply with City ordinances or relief granted by the Zoning Board of Appeals.
- g. **Unit 6 and 7; Enhanced Pedestrian Features.** When either Unit 6 or Unit 7 is proposed for development, the Developer or its successor shall incorporate enhanced pedestrian flow elements with pedestrian crossings, to be approved by the City at the time of preliminary site plan review.
- h. **Signage.** Signage that has not been granted a deviation in this Agreement shall comply with Chapter 28, Signs, of the City's Code of Ordinances, subject to Zoning Boards of Appeals review and variance upon application at the time of individual site plan review. For consistency with the intent of the TC District regulations, no off-premises (billboard) signs shall be permitted on any portion of the Property.
- i. **Secondary Access.** The Developer shall obtain all necessary off-site easements for connecting secondary emergency access to the west before final site plan approval for roads and utilities.

- j. Access at Unit 2. Notwithstanding the temporary deviation granted below in Section 2, the Developer or its successors or assigns shall pave the temporary gravel secondary access shown at Unit 2 within 18 months of the date of this Agreement.
- k. **Road Cross Section.** The Developer shall provide a three-lane crosssection for the road improvements to further accommodate left-turning activities and provide a wider "buffer zone" for large vehicles entering/exiting the various facilities without entering into the opposing traffic through lane, no later than the time of final site plan approval for roads and utilities.
- I. **Decorative Brick Wall; Sidewalks; Street Trees.** The Developer shall be responsible to ensure the construction of the decorative brick wall on either side of the proposed "Adell Center Drive" as shown on the PRO Plan. The wall may be constructed in phases or sections as each individual unit is improved; however, the Developer shall be responsible to ensure that the entire wall is completed within two years of the date of this Agreement, even if all units have not yet been completed. All sidewalks and street trees shall also be completed no later than two (2) years from the date of this Agreement. Developer shall post performance guarantees in accordance with the provisions and conditions for performance guarantees as set forth City's Code of Ordinances to guarantee the installation of such improvements.
- m. **Unit 5 Secondary Access.** The Developer shall provide a secondary access point to the parking lot for Unit 5 at the time of preliminary site plan review for Unit 5.
- n. **Parking Bay Requirements.** All site plans for the individual units within the Development shall comply with the maximum 15 bay parking requirement.
- o. **Unit 5 Drive Aisle Requirements.** The drive aisle in the southeastern parking lot in Unit 5 shall be no longer than 150 feet, to conform to the fire code requirements.
- p. **Irrigation.** An irrigation plan, together with any necessary easements, for site-wide irrigation (including the use of the water tower on Unit 9) shall be submitted with the final site plan for demonstrates the applicant's intent will be required at the time of the approval of the Roads and Utilities plan.
- q. **Traffic Mitigation.** The applicant acknowledges that the City may propose and undertake certain mitigation measures as a result of the region-wide traffic impact study; however, by such acknowledgement the Developer does not waive any rights it may have to object to same.

r. **Road and Utilities – Single Phase; timing.** The Developer shall install the road and utilities in a single phase, and such improvements shall be completed and improved no later than two (2) years from the date of this Agreement. The road and utilities shall be built in accordance with the following:

<u>Road</u>. The road depicted on the approved PRO Plan within or necessary to serve all or any part of the Development shall be completed and approved (except top coat) prior to issuance of building permits for the construction of any building or structure on any unit.

However, the Developer shall be entitled to post security in the form of cash or an irrevocable and automatically renewing letter of credit approved by the City and issued by an institution doing business in Oakland County, in an amount equal to 125% of the estimated cost of construction as specified in a bona fide contract for construction of all such improvements, approved by the City Engineer, together with an agreement with the City, approved by the City Attorney, authorizing the City to, at its option, install the road if the Developer has failed to do so within the time specified therein. In such case, building permits shall be issued subject to installation and maintenance of an adequate gravel subsurface base for all entranceways and internal drive areas to provide access for construction traffic, City personnel, and emergency and fire fighting equipment; and further, the aforementioned agreement for completion shall provide that the paving of the road referenced shall be completed and approved (including topcoat) before issuance of any certificate of occupancy within the Developer, and in any event within twelve (12) months after the issuance of the first building permit for any unit. In the event a structure is entirely eligible otherwise for issuance of a certificate of occupancy and the top coat of paving cannot be installed due to the onset of winter and the resulting closing of asphalt plants, the City may issue a temporary certificate of occupancy subject to the aforementioned financial guarantee remaining in place with a firm commitment by the Developer for completion on or before June 15 of the following year. Any purchase agreement or lease agreement for any building within the Development, or any portion thereof, shall provide that a final certificate of occupancy will not be issued until the paving of such improvements has been completed (including topcoat).

The road within the Development is private. Both the City and the Developer expressly disclaim any intention for such road to be public at any point in the future. The Developer agrees, on its behalf and on behalf of its successors and assigns, to maintain the road within the Development in good condition and repair and fit for travel in a manner consistent with the standards and requirements for public streets within the City of Novi. At a minimum, "good condition and repair and fit for travel" shall mean assuring the continued structural integrity of the

traveled portion of the roadway, repairing pot holes and cracks, assuring adequate drainage for the streets once constructed, undertaking the regular removal of snow, debris, and other obstacles, and undertaking any and all such other activities as are required to ensure that the condition and repair or the streets is comparable to the condition and repair of typical, well-maintained public streets within the City of Novi.

<u>Water and Sewer</u>. The Developer shall, at its sole expense, construct and install improvements and/or connections tying into the municipal water and sewage systems.

All water and sewer improvements shall be designed and constructed in accordance with the approved PRO Plan and all applicable City, State, and County standards, codes, regulations, ordinances, and laws. Such water and sanitary sewer facilities, including any on-site and off-site facilities, extensions, and easements to reach the area to be served, shall be provided by and at the sole expense of the Developer and shall be completed and approved before issuance of any building permits for any building in the Development. As-built plans shall also be completed by and at the sole expense of Developer and shall be submitted to and subject to approval by the City in accordance with City ordinance requirements, before issuance of any building permits for any building in the Development.

However, Developer shall be entitled to post security as provided by the Development Agreement in the form of cash or an irrevocable and automatically renewing letter of credit approved by the City and issued by an institution doing business in Oakland County, in an amount equal to 125% of both the cost of construction as specified in a bona fide contract for construction of such water and sanitary sewer system improvements to serve each such Development phase, which estimate has been approved by the City Engineer, and the cost of as-built plans for water and sanitary sewer system improvements as required under this Section, together with an agreement with the City, approved by the City Attorney, authorizing the City, at its option, to install the water system and/or sanitary sewer system and complete the as-built plans, if the Developer has failed to do so within the time specified in the Agreement. Notwithstanding the foregoing, and before any building permit may be issued, the Developer shall be obligated to provide water to the site (the Development) that is sufficient to provide for the public health, safety, and welfare of those working on the site and to ensure adequate water for fire protection as determined in the discretion of the City's Fire Marshal; any authority to begin construction of a building improvement under a building permit prior to installation and acceptance of water and sewer improvements shall be subject to this limitation and requirement. All fire hydrants must be installed and operational before any building construction is commenced.

In such case, the aforementioned agreement shall also provide that the water and sanitary system facilities and the as-built plans for such facilities shall be completed and approved for the Development prior to issuance of any certificate of occupancy, and in any event within twelve (12) months after issuance of the first building permit for any unit.

The Developer shall assume all risks associated with any non-availability of water and/or sanitary sewer service to serve the structures within the Development, including without limitation, uninhabitable buildings and fire protection risks, and shall release, indemnify, and hold harmless the City from and against any claims arising by reason of any such nonavailability.

The Developer shall, immediately upon completion of installation and prior to the issuance of any certificates of occupancy therein, do the following: (1) convey and dedicate all interest in such water and sewer facilities to the City by providing and executing documents and title work in a form and manner acceptable to the City and in accordance with all applicable City ordinances and requirements; and (2) deposit funds with the City in an amount or amounts determined to be sufficient by the City's DPW Director, which shall be used by the City for purposes of paying all fees and costs incurred by the City in the course of preparing, reviewing, approving, and recording such conveyance and dedication documents, including without limitation, administrative fees and costs, attorney fees and costs, engineering fees and costs, and any associated title work. Upon final City acceptance of the dedication and conveyance documents, any amounts remaining after the City has paid all such costs and fees shall be refunded to the party that deposited the funds, unless the City receives a written direction from such party to pay such refund amount to a designated third party.

<u>Storm Water</u>. Storm water shall be released from the Development in a manner to be approved by the City as part of final engineering plan review for the Roads and Utilities Plan. In general, the storm water collection, pre-treatment, storage, and transportation facilities shall be included as part of the final engineering plan approved for the roads and utilities within the Development. The Development shall be constructed to achieve a storm water management system by which the Developer, and the successors of the Developer, and shall assure that the quality and quantity of storm water shall, be in accordance with all applicable ordinances, regulations, and laws.

Any storm water basins and facilities serving the Property shall be designed and constructed by the Developer, and subject to approvals and inspection by the City, in accordance with all applicable City, County of Oakland, and State of Michigan ordinances, codes, regulations, and laws, except as otherwise specifically noted herein. The drainage conveyance facilities, which shall constitute a part of the overall storm water
management system on the Property, shall conform with all applicable City, County of Oakland, and State of Michigan ordinances, codes, regulations, and laws.

- s. **Performance Guarantees.** In addition to any performance guarantees discussed above with regard to roads and utilities, the City shall require the Developer to provide reasonable performance and financial guarantees for the completion of improvements, including, without limitation, right-of-way improvements, water mains, sanitary sewers, storm drains, and landscaping and tree-planting activities. Such financial guarantees may include cash deposits or letters of credit as allowed by the current provisions of the City's Code of Ordinances as determined by the City, or surety bonds if permitted by the City in its discretion. The Developer acknowledges the need for such performance and financial guarantees given the prominent location of the Project and its impact upon the City. Deposit and administration of financial guarantees shall be subject to the requirements and conditions of Chapter 26.5 of the City of Novi Code and any other related rules or regulations.
- t. **Application fees; connection fees.** The Developer shall be responsible to pay all application and review fees required under the City's Zoning Ordinance and/or the City's Code of Ordinances. In addition, the Developer shall pay all required water and sewer connection and tap charges and fees, without reduction, as provided in the City Code. Such fees may be timely paid by others in connection with the development of individual unit owners.
- u **Other City Authority.** Nothing in this Agreement shall prevent the City from exercising its regulatory and other authority with respect to the Property and the Development in a manner not inconsistent with the PRO Plan and this Agreement.
- v. **Creation of Condominium; Master Deed.** The Developer shall have the obligation and responsibility to legally organize a single condominium association for the Development. The Master Deed and Bylaws for the condominium shall prescribe the responsibilities of the condominium association; set forth the manner, method and timing of transferal of maintenance responsibilities for common areas and facilities to the association; provide a feasible method of funding maintenance activities, such as annual dues and/or assessments; and reserve rights to the City to enforce or undertake maintenance related to the common areas after notice and opportunity to cure is first provided to the association.

The Master Deed and Bylaws shall provide that common areas located on that portion of the Property described in **Exhibit B**, including the wetlands on the southerly portion of the property, shall remain vacant in perpetuity and shall be used and developed only as provided in the approved PRO Plan, unless the PRO Plan and this Agreement are amended by the City.

The Developer shall be responsible for maintenance of open space areas and maintenance of drains until the Developer assigns and the association accepts such responsibilities to the condominium associations to be organized.

The restrictions and obligations set forth in the Master Deed and Bylaws shall be binding upon the owner(s) and the Property and shall run with the land described in this Agreement as the "Property." Each reference to "owner(s)" in this Section shall include the following: The Developer so long as the Developer maintains any ownership interest in any portion of the Property and the PRO has not been fully developed in accordance with the PRO Documents; and thereafter the condominium association established for the Development. The Master Deed and Bylaws shall include provisions obligating the owner(s) to maintain and preserve the road, landscaping, lighting, signage, greenbelts, open areas, pedestrian walkways and open area amenities, setbacks, storm drainage, detention and retention facilities and easements, woodlands, wetlands, and any other private common elements and improvements for or within the Development in good working order and appearance at all times and in accordance with the PRO Documents.

References to the requirements and regulations applicable to the Property under the PRO Plan, PRO Conditions, and this Agreement shall also be included within the master deed for the Development in a manner reviewed and approved by the City Attorney and Director of Community Development, including the City's enforcement rights as provided herein. The Master Deed and Bylaws shall be recorded at the Oakland County Records at all times as a condition of this PRO.

w. **Staff and Consultant Review letters.** Developer shall comply with all conditions listed in the staff and consultant review letters not inconsistent with the terms of this Agreement.

#### NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

- **Developer Obligations.** Upon the Proposed Classification becoming final following entry into this Agreement:
  - a. The Property shall be developed only in accordance with the Undertakings, the PRO Plan, the PRO Conditions, the City of Novi Zoning Ordinance (as amended), the City of Novi Code of ordinances (as amended), and this Agreement (which together may be referred to as the PRO Documents);
  - b. The Developer shall act in conformance with the Undertakings;

- c. The Developer shall forbear from acting in a manner inconsistent with the Undertakings; and
- d. The Developer shall commence and complete all actions necessary to carry out all of the Undertakings and the PRO Conditions and shall at all times comply with this Agreement.
- 2. **Ordinance/Regulation Deviations.** The following deviations from the standards of the Zoning Ordinance are hereby authorized pursuant to §3402.D.1.c of the City's Zoning Ordinance.
  - a. Planning deviation from section 3.1.26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, for the following units only as shown in the PRO Plan, provided they conform to the 2015 International Building Code standards for High-Rise (Type I or Type II) construction:
    - i. Unit 5 Drury Hotel (84'-5", 7 stories);
    - ii. Unit 8 Carvana (75'-10", 8 "tiers"); and
    - iii. Unit 1 I-fly (70 feet).
  - b. Planning deviation from section 5.12 to allow lack of required frontage on a public road, for Units 1 through 8. Frontage for such units shall be on the private drive as shown in the PRO Plan, which shall be built to City standards.
  - c. Planning deviation from section 5.12 to allow lack of required frontage on public road for Unit 9. Frontage shall be on a private access/secondary emergency access drive as shown in the PRO Plan.
  - d. Planning deviation from the minimum requirements for exterior side yard building setback of 50 feet from I-96 Rights-of-way set forth in section 3.27.1.C, for Unit 1 only. A minimum setback of 32.5 ft. as shown in the PRO Plan shall be permitted.
  - e. Traffic deviation from section 11-194(a)(7) of the Design and Constructions Standards Manual limiting the maximum allowable length of the proposed cul-desac street length to 800 feet, from the centerline intersection of Crescent Boulevard to the center of the bulb of the proposed Adell Center Drive cul-desac. A maximum of 1,540 feet as shown in the PRO Plan shall be permitted.
  - f. Planning deviation from the minimum required front parking setback of 20 ft, from the proposed access easement as required in section 3.1.25.D. A minimum of 18 feet shall be permitted.
  - g. Planning deviation from minimum required interior side parking setback of 20 ft. as required by section 3.1.25.D for the following units (because shared access is proposed between parking lots), with the following setbacks allowed as shown in the PRO Plan:

- i. Unit 1: minimum14 ft. along West, 0 ft. along South
- ii. Unit 2: minimum 15 ft. along South
- iii. Unit 3: minimum 15 ft. along West and 5 ft. along South
- iv. Unit 4: minimum 5 ft. along East
- v. Unit 5: minimum 10 ft. along West
- vi. Unit 6: minimum 0 ft. along West
- vii. Unit 7: minimum 0 ft. along East and 10 ft. along West
- viii. Unit 8: minimum 10 ft. along East
- h. Planning deviation from section 3.1.25.B& C to allow the water tower to remain on its own separate site (Unit 9), even though it is not either a principal permitted use or an accessory use, subject to the requirements of this Agreement.
- i. Planning deviation from requirement in section 4.19.2.F that dumpsters be located in a rear yard, to allow alternate location for dumpsters on Units 1, 5, 6, 7, and 8, such alternate locations to be determined at the time of preliminary site plan approval for such units, provided that the proposed location does not impact traffic circulation and appropriate screening is provided as determined by the City.
- j. Planning deviation from the requirement in section 4.03A of the Subdivision Ordinance precluding required rear yards from being located in a floodplain, to allow parts of the required rear yards for Units 3, 4 and 5 to be located within the floodplain, on the basis of the uses as shown in the PRO Plan.
- k. Planning deviation from the requirement in section 5.4.2 for a loading area, for Unit 9 only.
- I. Planning deviation from the requirement in section 5.4.2 that loading areas be in a required rear yard or interior side yard for double frontage lots, to allow alternate locations for the units listed below, with the alternate location to be determined at the time of preliminary site plan review and provided the alternate locations do not conflict with traffic circulation and appropriate screening is provided:
  - i. Unit 1: exterior side yard
  - ii. Unit 2: interior side yard (no double frontage)
  - iii. Unit 3: interior side yard (no double frontage)
  - iv. Unit 4: interior side yard (no double frontage)
  - v. Unit 5: exterior side yard or front yard under canopy
  - vi. Unit 6: exterior side yard
  - vii. Unit 7: exterior side yard
  - viii. Unit 8: exterior side yard
- m. Planning deviation to allow the applicant to provide supporting data to justify proposed loading area square footages at the time of preliminary site plan

review, such amounts to be finally determined by the Planning Commission at such time.

- n. Planning deviation from the minimum parking requirements in section 5.12 (to be established by staff after reviewing the calculations provided for each unit) to allow for a reduction of up to 5% for each unit within the development, subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of each unit's respective site plan approval.
- o. Façade deviation to allow the following allowable percentages of materials set forth in section 5.15 of Zoning Ordinance, only for the buildings listed below, provided that such deviations shall be the maximum amount authorized, and the City may require a lesser deviation at the time of site plan approval if deemed appropriate:
  - i. Unit 1 I-fly (provided that no EIFS is proposed):
    - (1) The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's review and consideration for approval of Section 9 waiver at the time of preliminary site plan review;
  - ii. Unit 2 Planet Fitness
    - (1) The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's approval of Section 9 waiver at the time of preliminary site plan review;
  - iii. Unit 5 Drury Inn:
    - (1) Underage of Brick and Stone combined (50% minimum required, 46% on right, 46% on left and 36% on rear proposed);
    - Overage of EIFS (25% maximum allowed, 43% on front facade, 47% on right, 47% on left facade and 58% on rear facade proposed);
  - iv. Unit 8 Carvana:
    - (1) Underage of brick (30% minimum required, 7% proposed on front facade)
    - (2) Underage of combined brick and stone (50% minimum required, 7% on front, 30% on right facade, 30% on left and 39% on rear facade proposed)
    - (3) Overage of display glass (25% maximum allowed, 80% on front facade, 63% on right facade, 63% on left façade and 57% on rear facade proposed).
- p. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two development signs for the Adell Center Development as listed below, provided that such deviations shall be the maximum amount authorized, and the

City may require a lesser deviation at the time of site plan approval if deemed appropriate:

- i. Entranceway Sign Area [Section 28-1 & 28-5(b)(2)a] to allow for an increased sign area of 60 square feet. A deviation of 20 square feet is permitted.
- ii. Entranceway Sign Height [Section 28-5(a)] to allow for a 15' high monument sign. A deviation of 9 feet is permitted.
- iii. Ground Sign Area [Section 28-1 & 28-5(b)(2)a] to allow for an increased sign area of 265 square feet. A deviation of 165 square feet is permitted.
- iv. Ground Sign Height [Section 28-5(a)] to allow for a 15' high monument sign. A deviation of 9 feet is permitted.
- v. To allow two ground signs on Unit 6. A maximum of one sign is permitted.
- vi. To allow for seven additional wall signs for Unit 8: Carvana. Nine are requested for the entire unit: eight signs on the tower and one canopy sign at the front entrance. Two wall signs are allowed.
- vii. To allow for a total of three wall signs for Unit 5: Drury. The three wall signs allowed with the following deviations:
  - a. North Elevation a size deviation of 182.34 square feet (117.5 square feet allowed, 299.84 square feet proposed)
  - b. South Elevation a size deviation of 182.34 square feet (117.5 square feet allowed, 299 .84 square feet proposed)
  - c.East Elevation a size deviation of 103.97 square feet (82.5 square feet allowed, 186.47 square feet provided)
  - viii. To allow for four additional wall signs for Unit 1: iFly. Five are requested for the entire unit. One wall sign is allowed. The wall signs allowed with the following deviations:
    - a. Side Elevations: a size deviation of 88.75 square feet (65 square feet allowed, 153.75 square feet proposed) for two signs.
    - b. Front and Back Elevations: a size deviation of 244 square feet (65 square feet allowed, 309 square feet proposed) for two signs.
- q. Planning deviation from the requirement in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances that side lot lines be perpendicular or radial to the road, for the lines between Units 6 and 7, Units 4 and 5, and Units 1 and 2, only;
- r. Planning deviation from the required minimum of 15% of total site area to be designed as permanently landscaped open areas and pedestrian plazas in section 3.27.1.F(A), to allow the minimum required open space for each Unit to be part of the common element spread within the development boundaries as shown in the Open Space Plan, provided that the Developer restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements to be submitted and approved at the time of Wetland permit/preliminary site plan approval, and further that the Developer provides the pedestrian walkway through the open space as shown in the Open

Space Plan.

- s. Traffic deviation from section 7.13.1.D., to waive the requirement for a Traffic Impact Study, because the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City.
- t. Planning deviation from the maximum 1 foot-candle spillover in section 5.7.3.K., along the interior side property lines internal to the development, provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4:1.
- u. Planning deviation from the maximum 1 foot-candle spillover in section 5.7.3.K., along access easements adjacent to Adell Drive, to allow an increase of the average to minimum light level ratio above the maximum allowable 4:1 within the Adell Drive pavement areas, such amounts to be determined at the time of preliminary site plan review for the individual units;
- v. Engineering deviation from section 4.04, Article IV, Appendix C-Subdivision Ordinance of City Code of Ordinances requiring a stub street at intervals of 1,300 feet intervals along the property boundary.
- w. Engineering deviation from Section 11-194(a)19 of the Design and Construction Standards, to allow a gravel surface for the secondary emergency access road within the boundaries of Unit 2 until the site improvements for Unit 2 are constructed.

#### 3. **General Provisions**:

- a. Except with respect to appeals from the applicable standards of the City's Sign Ordinance, the Zoning Board of Appeals (ZBA) shall have no jurisdiction over the Property or the application of this Agreement until after site plan approval and construction of the development as approved therein with regard to the roads and utilities. In no event shall the ZBA be permitted to vary any terms or conditions of this Agreement.
- b. Except as may be specifically modified by this Agreement, the City Code and all applicable regulations of the City shall apply to the Property. Any substantial violation of the City Code by Developer and/or any successor owners or occupants with respect to the Property shall be deemed a breach of this Agreement, as well as a violation of the City Code.
- c. A breach of this Agreement shall constitute a nuisance *per se*, which shall be abated. The Developer and the City therefore agree that, in the event of a breach of this Agreement by the Developer, the City, in addition to any other relief to which it may be entitled at law or in equity, or any other provisions of this Agreement, 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*. In the event of a breach of this Agreement, the City may notify

the Developer of the occurrence of the breach and issue a written notice requiring the breach be cured within thirty (30) days; provided, however, that if the breach, by its nature, cannot be cured within thirty (30) days, the Developer shall not be in the breach hereunder if the Developer commences the cure within the thirty (30) day period and diligently pursues the cure to completion. Failure to comply with such notice shall, in addition to any other relief to which the City may be entitled in equity or at law, render the Developer liable to the City in any suit for enforcement for actual costs incurred by the City including, but not limited to, attorneys' fees, expert witness fees and the like.

- d. This Agreement may not be amended except in writing signed by the parties and recorded in the same manner as this Agreement. In the event Developer desires to propose an amendment, an application shall be made to the City's Department of Community Development, which shall process the application in accordance with the procedures set forth in the Zoning Ordinance.
- e. Both parties understand and agree that if any part, term, or provision of this Agreement is held by a court of competent jurisdiction, and as a final enforceable judgment, to be illegal or in conflict with any law of the State of Michigan or the United States, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provisions held to be invalid.
- f. The 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.
- g. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. A delay in enforcement of any provision of this Agreement shall not be construed as a waiver or estoppel of the City's right to eventually enforce, or take action to enforce, the terms of this Agreement. All remedies afforded in this Agreement shall be taken and construed as cumulative; that is, all remedies afforded in this Agreement are in addition to every other remedy provided by law.
- h. The signers of this Agreement warrant and represent that they have the authority to sign this Agreement on behalf of their respective principals and the authority to bind each party to this Agreement according to its terms. Further, each of the parties represents that the execution of this Agreement has been duly authorized and is binding on such parties.
- i. This Agreement shall run with the land described herein as the Property and bind the parties, their heirs, successors, and assigns. This Agreement shall be recorded in the Oakland County Register of Deeds by the City. The parties acknowledge that the Property is subject to changes in ownership and/or control at any time, but that heirs, successors, and assigns shall take their interest

subject to the terms of this Agreement, and all references to "Developer" in this Agreement shall also include all heirs, successors, and assigns of the Developer, and all future owners of any parcels created by the proposed land division.

j.

The Developer has negotiated with the City the terms of the PRO Plan, PRO Conditions, and this Agreement, and such documentation represents the product of the joint efforts and mutual agreements of the Developer and the City. The Developer fully accepts and agrees to the final terms, conditions, requirements and obligations of the PRO Documents, and the Developer shall not be permitted in the future to claim that the effect of the PRO Concept Plan and PRO Agreement results in an unreasonable limitation upon uses of all or a portion of the Property, or claim that enforcement of the PRO Plan and Agreement causes an inverse condemnation, other condemnation or taking of all or any portion of the Property. The Developer and the 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. The Developer has 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 the Developer, all of which Undertakings and obligations the Developer and the 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 Property in a socially, environmentally, and economically desirable manner, and to achieve other reasonable and legitimate objective of the City and the Developer, as authorized under applicable City ordinances and the Michigan Zoning Enabling Act, MCL 125.3101, et seq., as amended.

The Developer fully accepts and agrees to the final terms, conditions, requirements, and obligations of this Agreement, and Developer shall not be permitted in the future to claim that the effect of this Agreement results in an unreasonable limitation upon use of all or any portion of the Property, or to claim that enforcement of this Agreement 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 are clearly and substantially related to the burdens to be created by the development and use of the Property under the approved PRO Plan, and are, without exception, clearly and substantially related to the City's legitimate interests in protecting the public health, safety and general welfare.

k. The Developer acknowledges that, at the time of the execution of this Agreement, the Developer has not yet obtained final site plan or engineering approvals for the Project, nor has the Developer received a land division to create any separate parcel from the Property as described herein. The Developer acknowledges that the Planning Commission and Engineering staff/consultants may impose additional conditions other than those contained in this Agreement during site plan and engineering reviews and approvals as authorized by law; provided, however, that such conditions shall not be inconsistent with the PRO Plan 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 the Developer.

- I. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between the Developer and the City.
- m. The Recitations contained in this Agreement and all exhibits attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part of this Agreement. Headings are descriptive only.
- n. This Agreement is intended as the complete integration of all understandings between 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. No subsequent notation, renewal, addition, deletion or other amendment shall have any force or effect unless embodied in a written amendatory or other agreement executed by the parties required herein, other than additional conditions which may be attached to site plan approvals as stated above.
- o. The parties intend that this Agreement shall create no third-party beneficiary interest except for an assignment pursuant to this Agreement. The parties are not presently aware of any actions by them or any of their authorized representatives which would form the basis for interpretation construing a different intent and expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.
- p. Where there is a question with regard to applicable regulations for a particular aspect of the Development, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PRO Plan and this Agreement which 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 PRO Plan and does not change or eliminate any development right authorized by the PRO Plan. In the event of a conflict or inconsistency between two or more provisions of the PRO Plan (including notes thereto) and/or this Agreement, or between such documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of the City, shall apply.
- q. Both parties acknowledge and agree that they have had the opportunity to have the PRO Plan, PRO Conditions, and this Agreement, reviewed by legal counsel.
- r. This Agreement may be signed in counterparts.

{Signatures begin on following page}

#### **DEVELOPER**

**ORVILLE PROPERTIES, LLC, a Delaware limited** liability company

un BV Its:

Manager

STATE OF MICHIGAN

COUNTY OF OAKLAND

lath of OCTODE this day 2018, before appeared On me , Manager of Orville Properties, LLC, a Delaware limited liability Kenin company, who states that he has signed this document of his own free will duly authorized on behalf of the Fee Developer.

JULIE KARNES Notary Public, State of Michigan County of Oakland My Commission Expires 07-03-2019 Acting In the County of California

) ) SS

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Public lota County, Michigan Acting in Dakland County, Michigan My Commission Expires: 7131

CITY OF NOVI By: Robert J. Gatt Its: Mayor By: Cortney Hanson Its: Clerk

STATE OF MICHIGAN ) ) ss COUNTY OF OAKLAND )

On this <u>26</u> day of <u>0 CTUBLER</u>, 2018, before me appeared Robert J. Gatt and Cortney Hanson, who stated that they had signed this document of their own free will on behalf of the City of Novi in their respective official capacities, as stated above.

with

Notary Public <u>AKLAND</u> County, Michigan Acting in <u>OAKLAND</u> County, Michigan My Commission Expires: <u>OG, 13, 2024</u>

Drafted by:

Elizabeth Kudla Saarela Johnson, Rosati, Schultz & Joppich 27555 Executive Drive, Suite 250 Farmington Hills, MI 48331-5627

When recorded return to: Cortney Hanson, Clerk City of Novi 45175 Ten Mile Road Novi, MI 48375 MARILYN S. TROUTMAN NOTARY PUBLIC, STATE OF MI COUNTY OF OAKLAND MY COMMISSION EXPIRES OCI 13, 2024 ACTING IN COUNTY OF CAKLAND **BUILDING ELEVATIONS** 







EXTERIOR NORTH COLOR ELEVATION
1/8" = 1'-0"

|       | FINSH SCHEDULE - EXTERIOR |  |  |  |             |              |  |
|-------|---------------------------|--|--|--|-------------|--------------|--|
| MARK  | MFR                       | MODEL/SERIES                                     | DESCRIPTION  | COLOR  | CONTACT     | PHONE        |  |
|       |                           |  |  |  |             |              |  |
|       | ALLURA                    | CEDAR 8" GROOVE                                  | FIBER CEMENT VERTICAL SIDING                               | MAPLE STAINED - PRODUCT NOT PREFINISHED  |             |              |  |
| EX-2  | METAL SALES               | 5V-CRIMP   | METAL ROOFING  | GALVALUME  |             |              |  |
| EX-4  | SHERWIN WILLIAMS          | ACRYLIC OR ENAMEL GLOSS BASE (DTM)               | 8" SPLIT FACE CMU. COLOR TO MATCH PRE-STAINED FIBER CEMENT | *LEATHER BOUND* SW6118 ROADSIDE  |             |              |  |
| EX-5  | GENERAL SHALE BRICK CO    | OVERSIZE   | BRICK VENEER   | *PHOENIX #143  |             | 800-277-2700 |  |
| EX-5A | PALMETTO BRICK            | QUEEN SIZE                                       | THING BRICK VENEER (ALTERNATE)                             | LONDON BALLAST   |             |              |  |
| EX-6  | HENRY POOR LUMBER         | TWO COATS- TWP STAIN FORMULA                     | WESTERN RED CEDAR  | AMTECO #1501 CEDARTONE   | DOUG MILLER | 800-255-7913 |  |
| EX-7  | ALLURA                    | TRIM   | TRIM- PAINTED  | GREEN - (R2 MAROON 1/32, N1 RAW UMBER 16/32, W1<br>WHITE 22/32, B1 BLACK 44/32, Y3 DEEP GOLD 2 OX<br>85/32, G2 NEW GREEN 4 OZ & 54/32) (DTM UD SEMI) |             |              |  |
| EX-8  | SHERWIN WILLIAMS          | ACRYLIC OR ENAMEL GLOSS BASE (DTM)               | DOWNSPOUT & LOUVERS  | *LEATHER BOUND* SW6118 ROADSIDE  |             |              |  |
| EX-9  | SHERWIN WILLIAMS          | ENAMEL, OIL OR ACRYLIC BASE- TWO FINISH<br>COATS | GUTTERS/ COPING CAP  | GREEN - (R2 MAROON 1/32, N1 RAW UMBER 16/32, W1<br>WHITE 22/32, B1 BLACK 44/32, Y3 DEEP GOLD 2 OX<br>85/32, G2 NEW GREEN 4 OZ & 54/32) (DTM UD SEMI) |             |              |  |
| EX-10 | INC.                      |  | DOORS  | E603 PROVINICAL FINISH   | JOSH NOLES  | 270-441-7171 |  |
| EX-11 | ALLURA                    | TRIM   | TRIM- STAINED  | MAPLE STAINED  |             |              |  |
| EX-12 | SHERWIN WILLIAMS          | PRIMER WITH TWO ENAMEL FINISH COATS              | METAL DOORS & FRAMES                                       | GLOSS BLACK  |             |              |  |
| EX-13 | UPCHURCH KIMBROUGH        | CHOPPED  | LIMESTONE  | *ALAMO GOLD*   |             |              |  |



TEXAS ROADHOUSE I-96 & NOVI ROAD NOVI, MICHIGAN

EXTERIOR ELEVATIONS



FAÇADE BOARD

## TEXAS ROADHOUSE EXTERIOR MATERIALS





EX-1





EX-4

EX-2

SIGN PERMIT DRAWINGS







160 th. Carmet Drive, Suite 236 Carmel, IN 46032 [317] 591-7790 Fax [317] 581-7783

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| Office Locations<br>Occurrentity - Las Viegas - Lasginia - Lasha Field<br>El Ana - Jan Sonyar - Houston - San Antonia<br>Curbas Childh - Carton - Mana Anno |                                    | Pryster Manago | , S. Maeser    | 1 10 / 10 / 10                      | Dete SEPT     | EMBER 12, 2018 | and a not to be exhibited,<br>copied or reproduced<br>without the written               |
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Installation: • By UkewPoint • Note: Power by Others • This sign is intended to be installed in accordance with the requirements of Article 600 of the National Be betting Codes (LEC) mod/or other applicable Location and howflow of the sign modes proper grounding and howflow of the sign modes. and bonding of the sign. • No exposed conduits or junction boxes on building fascia is permitted Non-corrosive fastners Non-corrosive pipe sleeve set in sealant for each attachment into the fascia
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Pernove & dispose of existing channels
Patch existing holes
Repaint faacta Planet Fitness colors



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Rendering Elevation View: Proposed

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| Novi÷ MI       | PF NoviMI north channels la plt | Pete Rivera    |            |            |  |

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PLANNING REVIEW



### PLAN REVIEW CENTER REPORT

April 25, 2019

### Planning Review

Adell Center PRO (First Amendment) JZ 18-24 with Rezoning 18.724

**PETITIONER** Orville Properties, LLC

#### **REVIEW TYPE** 1st Revision: First Amendment to Adell PRO

#### **PROPERTY CHARACTERISTICS**

| Section          | 15                                    |  |  |
|------------------|---------------------------------------|--|--|
| Site Location    |                                       | 43700 Expo Center Drive; Parcel Id: 50-22-15-476-045<br>Grand River Avenue and south of I-96 in Section 15 |  |
| Site School      | Novi Community School District        |  |  |
| Current Site     | TC with a PRO                         |  |  |
| Adjoining Zoning | North                                 | C: Conference (across I-96)  |  |
|                  | East                                  | TC: Town Center  |  |
|                  | West                                  | I-2: General Industrial  |  |
|                  | South                                 | I-1: Light Industrial  |  |
| Current Site Use | Vacant;                               |  |  |
|                  | North                                 | Novi Oaks Hotels   |  |
| Adjoining Uses   | East                                  | Retail/Restaurants   |  |
| Aujoining uses   | West                                  | Industrial Office  |  |
|                  | South                                 | Industrial Office  |  |
| Site Size        | Approximately 21.8 Acres (950,073 SF) |  |  |
| Plan Date        | 03-29-19                              |  |  |

#### PROJECT SUMMARY

The applicant has received rezoning approval to develop the property as a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The development as approved a mix of two hotels, one fitness center, two restaurants, one indoor recreational facility, an off-street parking lot/permanent open space and an unlisted use similar to automobile sales facility. The existing water tower on site will remain on a separate unit.

The current amendment is required as changes are proposed primarily to the approved layout for the restaurant sites (Unit 6 & 7). There are also minor changes to common landscape areas, building signage and location of accessory units.

The applicant is not proposing a phased construction; however, the applicant is proposing to build the roads and the utilities first. Individual users will build within the respective unit boundaries shown on the plan. The applicant submitted a narrative and a Community Impact Statement with the original submittal.

#### CHANGES WITH THE CURRENT AMENDMENT

The subject property is part of a Planned Rezoning Overlay request for the Adell Center Development, which was approved by City Council at their October 22, 2018 meeting. The following changes are proposed from the approved layout to date.

- Lot lines are different from approved Concept plan.
- Lot acreage for Unit 7 is increased from 1.5 acres to 2.55 acres. Unit 6 is smaller.
- Changes to end users for Unit 5 and 6 are indicated.
- Shared parking with Unit 6 is no longer proposed.
- Western entry drive from Adell Drive is relocated to south.
- Curb cuts along Adell Drive for Units 6, 7 and 5 are relocated.
- Building footprint is revised for Unit 7.
- Minor changes to parking layout for Unit 5
- Major changes to parking layout for Units, 6 & 7.

#### AMENDMENT TO THE PRO AGREEMENT:

Approved PRO agreement states that an amendment to PRO is required if the applicant proposes revisions as stated below in italics. Staff comments are provided in **bold**. The current site plan requires an amendment to the approved PRO Agreement for the following reasons:

- a. Any material changes to building and parking layout from approved PRO Plan. Please refer to Changes with Current submittal on Page 2.
- b. Any deviations from ordinance requirements that are not requested/approved at this time. Please refer to list of deviations on Page 6.
- c. A reduction of established minimum parking count below the maximum 5 percent reduction described in the Agreement, absent a shared parking fully acceptable to the Planning Commission. With the current plan, 196 spaces are required on the basis of information provided so far for Unit 7, and 169 spaces are proposed.

#### **PROJECT REVIEW HISTORY**

On May 14, 2018 a Pre-Application Meeting was held for the rezoning request.

The proposed rezoning category requested by the applicant was not supported by the Future Land Use Map. The applicant has requested to waive the requirement to attend Master Planning and Zoning Committee with a letter dated June 11, 2018

On July 11, 2018, the Planning Commission held a public hearing and postponed the recommendation to Council until a later time.

On August 22, 2018, the Planning Commission considered the revised Concept Plan and recommended approval to the City Council of the rezoning request with Concept Plan.

On September 24, 2018, the City Council tentatively approved the PRO Concept plan, and directed the City Attorney's Office to prepare a draft PRO Agreement.

On October 22, 2018, the City Council approved the PRO Concept Plan and the agreement.

On October 29, 2018, the PRO agreement was recorded. The agreement refers to certain improvements to be completed or certain items to be addressed with a certain time period from the date of the agreement. The applicant should note that the date of the agreement is October 22, 2018.

On March 13, 2019, the Planning Commission considered the Concept Plan for First Amendment and recommended approval to the City Council. Action Summary provided at the end of the letter.

#### **PROJECT REVIEW HISTORY**

As of the date of this review letter, below is the list of current status for each of the site plans reviews that are subject to the PRO agreement. Some of the changes to common areas should be reflected in corresponding site plans. The applicant should inform the individual users about the changes.

| UNIT                             | JSP       | Meeting dates  | Next Step/Current Review   |
|----------------------------------|-----------|--|--|
| Roads and Utilities Site<br>Plan | JSP 18-27 | PC approved PSP on 1 09-12-18<br>CC approved PSP on 1 10-22-18 | Under Construction   |
| Unit 1: iFly                     | JSP 18-49 | Pre-App Waived<br>PC approved PSP on 10-24-18                  | Stamping sets under review   |
| Unit 2: Planet Fitness           | JSP 18-57 | Pre-App 11-15-18<br>PC Approved 01-23-18                       | Revised Final Site plan under<br>review  |
| Unit 3: Fairfield                | JSP 18-66 | Pre-App on 11-30-18  | PC Meeting tentatively scheduled for May 08, 2019  |
| Unit 4: Open Space               | JSP 19-07 | Pre-App on 02-15-18  |  |
| Unit 5: Hotel                    |           |  |  |
| Unit 6:                          | JSP 19-02 | Pre-App on 01-22-19  | Another Pre-app is required,<br>as the user and layout<br>changed from previous<br>review                                |
| Unit 7: Texas Road<br>House      | JSP 18-62 | Pre-App on 11-28-18  | PC Meeting tentatively<br>scheduled for May 08, 2019.<br>If approved, approval will be<br>contingent on PRO<br>Amendment |
| Unit 8: Carvana                  | JSP 18-47 | Pre-App Waived<br>PC approved PSP on 112-12-18                 | Stamping sets under review   |
| Unit 9: Water Tower              | JSP 19-03 | Pre-App on 01-22-19  | Preliminary Site Plan  |
| 1 <sup>st</sup> PRO Amendment    | JZ 18-24  | PC recommended approval on March 13, 2019                      | Revised Concept Plan review  |

#### PRO OPTION

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is changed (in this case from EXPO to TC) and the applicant enters into a PRO agreement with the City, whereby the applicant submits a conceptual plan for development of the site. The City Council reviews the Concept Plan, and if the plan may be acceptable, it directs for preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City. If the

development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void. In this case, the development has already commenced.

#### RECOMMENDATION

Approval is recommended for the revised Concept Plan for the 1<sup>st</sup> Amendment to the Adell PRO Concept Plan subject to City Council approval of all the deviations and conditions listed. **REVIEW COMMENTS** 

- 1. CURRENT SUBMITTAL: We have received information at three different times.
  - 1. The applicant submitted a Concept plan for first amendment to Adell PRO. The plans were dated 01-03-19. Planning Commission recommended approval based on staff review of plans dated 01-03-19.
  - 2. A revised PRO overall plan was provided in PDF format along with the response letter dated 03-04-19.
  - 3. The current submittal was provided in response to PC recommendation listed in item 2 below. The current submittal is in addition to the previous, not in place of.

Comments provided in this submittal refer to all three items listed above, provided at different times and different formats (hard copy vs PDF), we made our best attempt to provide comments based on latest information. The applicant should compile all the current and correct sheets from listed above into one set in PDF format prior to City Council meeting for staff record. A PDF submittal is required along with the response letter as noted in NEXT STEP on Page 11.

- 2. **ITEMS REQUIRED PRIOR TO COUNCIL MEETING:** At the time of PC meeting, the following items were required to be submitted for staff review prior to the Council meeting.
  - 1. The applicant shall provide a formal revised submittal to provide sufficient time for staff and consultants to review the revised layout for Unit 6 dated 03-07-19, as submitted with the response letter dated 03-07-2019. Additional comments may be warranted since Unit 6 has been reduced in size from the approved PRO Plan and detailed information was not provided in time for a complete review by staff); The applicant has submitted drawings for Unit 6 for review. Plan review chart and letter are updated accordingly.
  - 2. The applicant shall provide necessary information to identify the necessary deviations from Chapter 28, Signs from City Code of Ordinances for Unit 2 –Planet Fitness prior to the City Council's consideration for tentative approval of PRO Concept plan; Refer to sign permit reviews for more detail.
  - 3. The applicant shall provide an overall lighting and photometric plan for the entire development for staff to verify overall light levels. The plan shall include, but not limited to, the following:
    - a. Location of light fixtures within individual parking lots and along Adell Drive
    - b. Specification sheets
    - c. Height of the fixtures
    - d. Foot candle values along lot lines
    - e. Average to minimum ratio per each unit

# The applicant has provided an overall lighting and photometric plan as required. Additional comments provided later in the review.

- 4. The applicant shall provide revised building elevations for unit 7, Texas Roadhouse that address the following:
  - a. The applicant shall reduce the proposed Split Faced CMU on the north (I-96 Exposure) façade that are not to exceed 10% of the façade materials on that elevation by substituting brick or stone on the dumpster enclosure portion of the building façade, as noted in the façade review letter;
  - b. The applicant shall screen all roof top equipment from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance

Updated elevations are provided as requested. They did not warrant a revised façade review. However, our façade consultant confirmed that they address the comments provided in the previous letter.

- 5. In lieu of a continuous decorative brick wall along the Adell Drive Frontage, as noted in the approved PRO Agreement; The applicant shall provide a combination of decorative brick wall and decorative railing as shown in the revised plans This is proposed to create interesting aesthetic along Adell Drive and is supported by staff; Updated overall Concept plans are not included in the revised submittal. However, original submittal reflects staff comments.
- 6. The applicant is encouraged to address the sign deviations required and provide information showing how each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and would be consistent with the Master Plan and the surrounding area; An updated narrative is provided as part of the response letter. Additional comments provided later in the review.
- 3. **PREVIOUS APPROVALS:** As noted on Page 3, there are multiple site plans that resulted from the Concept Plan approval. The current changes refer to changes to Unit 6 and 7 primarily. The applicant should note that rest of the improvements is subject to respective site plan approvals, unless otherwise noted in the approved PRO agreement dated 10-29-18.
- 4. ALTA/SURVEY: The Alta survey included in 01-03-19 submittal refers to legal description prior to site condominium. The site condominium is processed and each Unit has a separate lot numbers. Please include the current ALTA/SURVEY.
- 5. **EXISING CONDITION SHEETS:** Roads and Utilities for entire development are under construction. Staff understands that the existing conditions are constantly changing. The sheets included refer to site conditions prior to start of construction.
- 6. AMENDMENTS TO PRO: Based on on-going discussions with the applicant, staff understands that the applicant also intends to make revisions to users for Unit 4 which would require another amendment. Staff recommended that the applicant should consider combining all possible amendments into one request for efficient review and process. The applicant chose to move forward with the current request as the other future changes are not finalized yet.
- 7. END USERS: The table below lists the prospective users for each unit based on the information provided by the applicant on sheet 2. The current revised submittal made revisions to uses for Unit 4, 5 and 6. Previously, Unit 4 referred to off-street parking lot, Unit 4 referred to Drury Inn and Unit 6 referred to a restaurant. The current plan refers to Unit 6 as to be determined. Identifying the right uses is important to assess Traffic impacts. At the time of original application, the applicant has provided trip generation information for the development that will be incorporated into the region-wide traffic impact study. AECOM supported a variance for lack of a full traffic impact study as part of the plan review process such that the applicant understands that they may be requested to provide additional traffic-related data and information during the review at the City's discretion. The applicant should provide revised trip generation information as changes to users are proposed from what is shown below.

| Unit No. | End Users      | Proposed Height              | Proposed Use Category        |  |
|----------|----------------|------------------------------|------------------------------|--|
| Unit 1   | I-Fly          | 70 ft.                       | Indoor Commercial            |  |
| Unit     | т-гту          | 7011.                        | <b>Recreation Facilities</b> |  |
| Unit 2   | Planet Fitness | 40 ft. to 50 ft. (2 stories) | Indoor Commercial            |  |
| Unit 2   |                | 40 ft. to 50 ft. (2 stolles) | Recreation Facilities        |  |

| Unit 3 | Fairfield Inn &<br>Suites | 63 ft. (5 stories)     | Hotels                       |
|--------|---------------------------|------------------------|------------------------------|
| Unit 4 | Kevin Adell<br>Park       | Not provided           | Off-street Parking Lot       |
| Unit 5 | Home2Suites               |                        | Hotels                       |
| Unit 6 | Restaurant                |                        |                              |
| Unit 7 | Restaurant                | 20 ft30ft. (1 story)   | End user to be<br>determined |
| Unit 8 | Carvana                   | 75'-10" (8 tiers)      | Unlisted Use                 |
| Unit 9 | Water Tower               | 120 ft. Existing tower | Existing Structure           |

- 8. UNIT 6: Unit 6 is currently shown as proposed tenant. Please change it to restaurant. Parking calculations on sheet 4 refer to a retail use. Please revise the calculations to a restaurant use. The developer should contact Planning Department to confirm the final parking counts once a final user is determined
- 9. **DEVIATIONS:** Please refer to list of deviations identified on Page 6 through 8 and provide the information requested.
- 10. ITEMS THAT CAN BE APPROVED BY PLANNING COMMISSION: As noted in the approved PRO agreement, the Planning Commission shall also be permitted to authorize amendments to the PRO Plan in its review of the preliminary site plans for individual units, with regard to parking-related, landscaping related, and façade related requirements, provided it would otherwise have that authority under the Zoning Ordinance. Some of the deviations noted in this review can be reviewed and approved by Planning Commission as part of Preliminary site plan approval for Unit 6 and 7. However, due to major changes to parking layout, the PRO Concept plan and PRO Agreement will be required to be amended and all requested deviations at this time are reviewed as part of amendment to the PRO plan.
- 11. MASTER DEED: A recorded Master Deed was provided for review as part of Adell Development Roads and Utilities Plan under separate cover. In response, staff has provided additional comments to be addressed in a revised submittal. The applicant should note that even though the Master Deed was recorded, it is not approved yet. Any changes to off-site and on-site easements as shown on the current concept plan should be updated with the draft Master Deed which is currently under review.
- 12. PLAN REVIEW CHART: Planning review chart provides additional comments and requests clarification for certain items. Please address them in addition to the comments provided in this letter.
- 13. PLAN REVIEW AND CONSTRUCTION CO-ORDINATION: As noted in the original reviews, staff continues to note that the proposed development is an ambitious project that requires a carefully laid out implementation plan. The applicant, who is also the current land owner, is proposing to build the roads and the utilities and divide the land into individual condominium units. Each future buyer will then be responsible for getting necessary site plan and other permit approvals, and be responsible for each unit's construction. There is no tentative timeline indicated for completion of all units. Until all units are completed, the impacts of construction traffic to the surrounding areas/businesses are hard to contemplate. Most of the units have started the review process as noted in Page 3.
- 14. LIGHTING AND PHOTOMETRIC: At the time of initial PRO approval, the applicant was not able to provide sufficient information to identify light levels across the units and Adell Drive frontage.

Following two deviations were included to account for possible scenarios at that time with an assumption that information will be clarified at the time of individual site plan reviews.

- Planning deviation from Section 5.7 .3.K. to allow exceeding the maximum spillover of I foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4: 1;
- Planning deviation to allow exceeding the maximum spillover of I foot candle and approvable increase of the average to minimum light level ration from 4: I within the Adell Drive pavement areas as listed in Section 5.7.3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units;

# The applicant has submitted an Overall lighting and photometric plan for review. The following information is shown at a conceptual level on the plans.

- o Location of light fixtures within individual parking lots and along Adell Drive,
- o Specification sheets,
- o Height of the fixtures,
- Foot candle values along lot lines and
- o Average to minimum ratio per each unit.

#### Based on a preliminary review, we offer the following comments:

- 1. Overall light levels appear to be acceptable levels.
- 2. Light levels exceed the maximum 1 foot candle at the internal property lines. However, it is expected all individual lots are envisioned as one development.
- 3. Light levels on public right-of-ways and property lines abutting adjacent neighbors.
- 4. Details will be reviewed at the time of individual site plan. Plans will be expected to be in general conformance with the light levels indicated in the overall photometric plan leaving some flexibility to actual location of light poles.

#### MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT

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

The PRO conditions must be in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. Development and use of the property shall be subject to the more restrictive requirements shown or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement. The applicant should submit a list of conditions that they are seeking to include with the amended PRO Agreement. The applicant's narrative does not specifically list any such PRO Conditions at this time. The current submittal did not include a response letter or a revised narrative that would have addressed this issue.

# The development is subject to all conditions of the approved PRO agreement dated 10-29-18 and approved site plan approval.

#### **ORDINANCE DEVIATIONS**

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

surrounding areas." Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. A proposed PRO agreement would be considered by City Council only after tentative approval of the proposed concept plan and rezoning.

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

The applicant has provided a list of deviations in the cover letter that is not complete or accurate. The applicant is asked to revise the list based on staff's comments provided in this letter and the other review letters. The applicant is asked to be specific about the deviations requested and provide a justification to explain how if each deviation "...were not granted, [it would] prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."

The following items does not conform with the either the zoning ordinance or the conditions of the proposed amendment to the PRO agreement. The site plan should be revised accordingly or request the following deviations through the amended PRO Agreement. Planning Commission has recommended approval for most of the deviations listed below. Items listed in blue are not part of the request that was presented to Planning Commission. They were identified as part of the current review.

2. <u>Minimum Parking for Texas Roadhouse:</u> A total of 196 parking spaces are required. A total of 164 are proposed. The applicant has provided parking data at similar locations, a floor plan that indicates maximum occupancy to justify the proposed parking. Planning Commission recommended approval of the proposed number of spaces.

Total number of Employees (E): <u>40</u> Total number of customers allowed under Maximum Capacity:

- Dining: 286
- Waiting Benches: 25
- Waiting outside benches: 28
- Waiting Non-Concentrated: 13

Total: Occupancy ( $\mathbf{O}$ )= 286+25+28+13= 352

Total Minimum Parking required: (E+O)/2 = (40+352)/2 = 196Total Parking Proposed: 166 Total Deviation requested: 30

3. <u>Parking setback:</u> A minimum of 20 feet is required for Unit 6, a minimum of 13 feet along the northeast property boundary indentation is proposed for approximately 50 feet as shown on the plans;

- 4. <u>Façade:</u> Proposed building elevations do not conform to Façade Ordinance. A Section 9 Waiver is recommended for the overage of Standing Seam Metal, contingent upon the percentage of Split Faced CMU on the north façade being reduced to below 10% by substituting Brick or Stone on the dumpster enclosure portion of the façade.
- 5. <u>Loading Area square footage:</u> Loading area does not meet the minimum required (847 square feet is required, 786 square feet proposed).
- 6. <u>Bicycle Parking:</u> Based on updated calculations provided for Texas Roadhouse, a total of bike racks are required for Unit 7. Currently the plan indicates 8 spaces. The applicant can either add two more spaces at the time of Preliminary site plan or request a deviation at this time. Staff recommends the former option.
- 7. Loading Area Location:
  - a. Unit 6: Partly located in interior side yard and partly in exterior side yard. Information is not provided for Unit 6. Staff would not support a deviation for the loading zone not accommodating the largest vehicle expected unless vehicle paths are provided to show it will not impact traffic.
  - b. **Unit 7**: Loading area is partly located in interior side yard and partly in the front yard. Traffic circulation patterns were provided as part of the response letter dated 03-05-19. Staff **supports** this deviation.
- 8. <u>Sight Distance:</u> The applicant should provide sight distance measurements at the driveways along Adell Center Drive based on the proposed 25 MPH speed limit. If the sight distance requirements are not met, the applicant may be required to seek a deviation. Refer to Figure VIII-E in the City's Code of Ordinances for more information. Staff is unable to identify the deviation due to lack of information. Provide an exhibit indicating sight distance for all entry drives.
- 9. <u>Wall along Adell Drive:</u> Original PRO agreement refers to a decorative brick wall along Adell Drive. Site plans for Road & Utilities approval indicated a combination of decorative brick wall, wrought iron fence and a berm. A combination of wall and fence without the berm is acceptable. If the applicant choses to propose the combination, a request can be made to amend the agreement to include this update. Revise the landscape plans to remove berm along Adell Drive frontage. This deviation is <u>supported</u> by staff as noted.
- 10. <u>I-96 Berm:</u> Lack of undulations on I-96 berm across entire frontage. This deviation is supported by staff as there is insufficient space in the greenbelt to add the vertical or horizontal undulations. This deviation is <u>supported</u> by staff.
- 11. <u>Deviations from landscape requirements for Unit Accessory Unit Location:</u> The applicant has not provided information about accessory units at the time of original PRO approval. Staff has reviewed site plans for individual site plans and noted accessory structures such as transformers do not meet the code requirement for location and would require a deviation. Staff recommends that the applicant address this item at this time by providing necessary information. The applicant requested that alternate location for Units1, 2, 3, 5, 6 and 7 to be subject to Planning Commission approval at the time of Site plan review. PC recommended motion did not include Unit 5. Applicant requested to add Unit 5 to be added with this submittal.

#### 12. <u>Sign Ordinance:</u> Two deviations are required for Texas Roadhouse

- Front elevation sign is over sized by 171 square feet based on the distance of 120 feet from the centerline of the I-96 off-ramp. A maximum of 60 square feet is permitted;
- Rear elevation sign is over sized by 94.5 square feet based on 273 feet from the centerline of Adell Center Drive; A maximum of 136.5 square feet is permitted;

Three deviations are required for Planer Fitness are requested

- A maximum of one wall sign is allowed; a deviation is requested to allow for an additional wall sign.
- Front elevation sign is over sized by 152.4 square feet based on the distance from the Adell Drive. A maximum of 86 square feet is permitted;
- Side elevation sign id oversized by 105.8 square feet based on the distance from Adell Drive. A maximum of 86 square feet is permitted;

It is unclear whether signage deviations (City Code) are appropriate as part of the PRO process (Zoning Ordinance). Supporting reasoning for Unit 7 is provided. Information for Unit 2 is not provided at this time.

Some of the deviations listed above may or may not be required, such as sight distance and bike parking. The applicant is asked to provide clarification whether it is their intent to meet the Ordinance requirements at the time of Preliminary site plan submittal or whether any of those deviations are requested at this time. If any deviations are requested at this time, the applicant is asked to submit additional information for review. **Staff** <u>does not support</u> deviations without reasonable justification provided.

#### APPLICANT'S BURDEN UNDER PRO ORDINANCE/ PUBLIC INTEREST/ BENEFITS TO PUBLIC UNDER PRO ORDINANCE

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

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

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and the benefits to public of the proposed PRO rezoning would clearly outweigh the detriments. <u>The applicant has not provided any additional information with the current request.</u>

#### SUMMARY OF OTHER REVIEWS

1. <u>Engineering Review:</u> A majority of review is being completed with Roads and Utilities site plan and individual site plans. It meets the general requirements on Chapter 11, Storm water

Planning Review: Revised Concept Plan (1st Revision)

management ordinance or Engineering design manual. Engineering recommends approval.

- 2. <u>Landscape Review</u>: Landscape review has identified deviations that may be required. Staff supports only a few. Refer to review letter for more comments. Landscape is **recommending** approval. A copy of the previous review is also attached as some of the comments still apply.
- 3. <u>Wetland & Woodland Review:</u> No changes to previously approved plans are proposed with the amendment. Wetlands and Woodlands did not review the current submittal.
- 4. <u>Traffic Review:</u> Traffic requested additional information to verify conformance. Traffic is currently recommending approval.
- 5. <u>Facade Review:</u> There appear to be significant deviations on the proposed elevations for Unit 7: Texas Roadhouse. Refer to façade review for additional information requested
- 6. <u>Fire Review :</u> Fire recommends approval

### NEXT STEP: CITY COUNCIL MEETING

The plan is tentatively scheduled for City Council meeting on May 6, 2019. Please provide the following by <u>April 29, 2019</u>.

- 1. Entire Concept Plan submittal in PDF format. Please note this set will be included as an attachment to the PRO agreement.
  - a. Revised submittal dated 03-29-19
  - b. Original submittal dated 01-03-19 with the following replacements
    - i. ALTA/SURVEY as noted in this letter
    - ii. PRO Overall Plan, North and South dated 03-04-19 (attached to this letter for reference)
- 2. A response letter addressing ALL the comments from ALL the review letters and primarily **a** request for waivers as you see fit based on the reviews.
- 3. A color rendering of the Site Plan, if any to be used for presentation purposes.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or <u>skomaragiri@cityofnovi.org</u>

Sri Ravali Komaragiri – Planner
#### 03-13-19 PLANNING COMMISSION MEETING ACTION SUMMARY

In the matter of the request of Orville Properties, LLC, for the Adell Center JZ18-24 with Zoning Map Amendment 18.724, motion to recommend approval to the City Council for an amendment to previously approved Planned Rezoning Overlay (PRO) plan, based on following conditions:

- 1. This approval is subject to all conditions listed in the original PRO agreement dated October 26, 2018, unless otherwise amended with this approval;
- 2. The current amendment is required as changes are proposed to the approved layout for Unit 6 and 7, minor changes to common landscape areas, building signage and location of accessory units.
- 3. The recommendation includes the following ordinance deviations with this revision for consideration by the City Council:
  - a. Planning deviation from Section 5.12 for not meeting the minimum required parking Unit 7 (A minimum of 196 spaces are required, a total of 166 spaces are proposed);
  - b. Planning deviation from Section 4.19.2 to allow a dumpster enclosure within the interior side yard off the building for Unit 7;
  - c. Planning deviation from Section 5.4.1 to allow the loading area within the interior side yard for Unit 6 and 7;
  - d. Planning deviation from Section 5.4.2. to allow for a reduction in the size of the proposed Loading Area for Unit 7 (847 square feet minimum required, 786 square feet proposed);
  - e. Façade deviation from Section 5.15 to allow exceeding the maximum allowable percentages for standing seam metal for the building on Unit 7 (A maximum of 25% standing seam metal roof is allowed, 35% on East elevation and 29% on west elevation is proposed);
  - f. Landscape deviation from section. 5.5.3 for lack of undulations in the landscape berm with a 3' height along I-96 frontage.
  - g. Planning deviation to allow placement of transformers in alternate locations instead of required rear yard, provided proposed locations conform to other code requirements and appropriate screening will be provided at the time of Preliminary Site Plan review. This is applicable for Units 1, 2, 3, 6 and 7.
  - h. Planning deviation from Section 3.1.25.D to allow reduction of minimum required exterior side parking setback of 20 feet for Unit 6 (A minimum of 20 feet is required, a minimum of 13 feet along the northeast property boundary indentation is proposed for approximately 50 feet as shown on the plans;
  - i. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two wall signs and the window sign proposed for Unit 7 Texas Roadhouse as listed below (Not recommended by staff since the applicant has not demonstrated that the provisions sought to be deviated from would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest and would be consistent with the Master Plan and the surrounding area);
    - **a.** A variance of from code Section 28-7(a)(9) would be required for an oversized illuminated window sign 14.6 square feet over allowable size (3.5 square feet) for illuminated window sign
    - **b.** A variance from code Section 28-5(b)(1)b. would be required for front and rear building wall signs as noted below:
      - i. Front elevation sign is over sized by 171 square feet based on the distance of 120 feet from the centerline of the I-96 off-ramp. A maximum of 60 square feet is permitted;
      - ii. Rear elevation sign is over sized by 94.5 square feet based on 273 feet from the centerline of Adell Center Drive; A maximum of 136.5 square feet is permitted;

The following items shall be addressed in the PRO Concept Plan prior to City Council consideration of Planned Rezoning Concept Plan, and/or items listed above based on Planning Commission's determination:

- 7. The applicant shall provide a formal revised submittal to provide sufficient time for staff and consultants to review the revised layout for Unit 6 dated 03-07-19, as submitted with the response letter dated 03-07-2019. Additional comments may be warranted since Unit 6 has been reduced in size from the approved PRO Plan and detailed information was not provided in time for a complete review by staff);
- 8. The applicant shall provide necessary information to identify the necessary deviations from Chapter 28, Signs from City Code of Ordinances for Unit 2 –Planet Fitness prior to the City Council's consideration for tentative approval of PRO Concept plan;
- 9. The applicant shall provide an overall lighting and photometric plan for the entire development for staff to verify overall light levels. The plan shall include, but not limited to, the following:
  - a. Location of light fixtures within individual parking lots and along Adell Drive
  - b. Specification sheets
  - c. Height of the fixtures
  - d. Foot candle values along lot lines
  - e. Average to minimum ratio per each unit
- 10. The applicant shall provide revised building elevations for unit 7, Texas Roadhouse that address the following:
  - a. The applicant shall reduce the proposed Split Faced CMU on the north (I-96 Exposure) façade that are not to exceed 10% of the façade materials on that elevation by substituting brick or stone on the dumpster enclosure portion of the building façade, as noted in the façade review letter;
  - b. The applicant shall screen all roof top equipment from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance
- 11. In lieu of a continuous decorative brick wall along the Adell Drive Frontage, as noted in the approved PRO Agreement; he applicant shall provide a combination of decorative brick wall and decorative railing as shown in the revised plans This is proposed to create interesting aesthetic along Adell Drive and is supported by staff;
- 12. The applicant is encouraged to address the sign deviations required and provide information showing how each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and would be consistent with the Master Plan and the surrounding area;

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

- 1. Future use for Unit 6 shall be updated to "Restaurant" in order to be consistent with the approved PRO Agreement, since information has not been provided with this submittal to address any proposed change in use.
- 2. Unit 6 shall have only one primary access off of Adell Drive, which is currently shown as shared with Unit 7 on the plan.
- 3. Unit 6 is currently approved as a restaurant. Minimum parking requirement for Unit 6 is calculated based on gross leasable area since the end user is unknown. The applicant shall note that the number of seats for future restaurant shall be dependent on the available parking.

This motion is made because the proposed amendment is proposing chances that are consistent with the intent of the original PRO plan and Agreement with additional modification as noted.



# PLANNING REVIEW CHART: TC - Town Center District

Review Date:April 24, 2019Review Type:PRO Concept plan-1st Amendment, First ReProject Name:18-24 ADELL PRO (First Amendment): 1st Revised SubmittalPlan Date:March 29, 2019Prepared by:Sri Ravali Komaragiri, Planner<br/>E-mail: skomaragiri@cityofnovi.orgPhone: 248.735.5607

- **Bold**: Items that need to be addressed by the applicant with next submittal
- Bold and Underline: Does not conform to the code. If not revised, a deviation would be required
- Italics: Notes to be noted

| Item   | Required Code  | Proposed   | Meets<br>Code | Comments  |
|--|--|--|---------------|---|
| Zoning and Use Requi   | rements  |  |               |   |
| <b>Master Plan</b><br>(adopted July 26,<br>2017)                   | Office Research<br>Development<br>Technology   | Restaurants,<br>recreational facilities,<br>hotels, off-street parking<br>and a unlisted use | Yes           | Outdoor seating is not<br>proposed  |
| Town Center Area<br>Study  | This site is in close<br>proximity to study area<br>boundary for Town<br>Center Area study<br>adopted in 2014  | TC with a PRO  | Yes           |   |
| <b>Zoning</b><br>(Effective Dec. 25,<br>2013)                      | EXPO   | TC: Town Center with a PRO   | Yes           | The subject property is part<br>of a Planned Rezoning<br>Overlay request for Adell<br>Center Development, which<br>was approved by City<br>Council at their October 22,<br>2018 meeting.<br>An amendment to PRO<br>agreement is required prior<br>to approval of this plan due<br>to items that does not<br>conform the code or the<br>agreement. |
| <b>Density</b><br>Future Land Use<br>Map(adopted July<br>26, 2017) | Not Applicable   | Residential<br>development not<br>proposed   | NA            |   |
| Phasing  | Show proposed phasing<br>lines on site plan.<br>Describe scope of work<br>for each phase.<br>Each phase should be<br>able to stand on its own<br>with regards to utilities | Phasing is not proposed.   | NA?           |   |

| Item   | Required Code  | Proposed  | Meets<br>Code | Comments   |
|--|--|---|---------------|--|
|  | and parking  |   |               |  |
| Proposed Uses  |  |   |               |  |
|  |  | <b>Unit 1: I-Fly</b><br>Indoor Commercial<br>Recreation Facilities          | Yes           | Permitted Use  |
| Sec. 3.1.25.C. – Specia<br>Sec. 4.87 Unlisted Use  | al Land Uses Permitted.  | <b>Unit 2: Planet Fitness</b><br>Indoor Commercial<br>Recreation Facilities | Yes           | Permitted Use  |
| Where a proposed use<br>building is not contem<br>Ordinance, or where t  | e of land or use of a<br>nplated or specified by this<br>the Planning Division has a                       | Unit 3: Fairfield Inn &<br>Suites<br>Hotels                                 | Yes           | Permitted Use  |
| involves other feature<br>contemplated or spec   | cified by this Ordinance,  | Unit 4: Off-street Parking<br>Lot and Open Space                            | Yes           | Use on Unit 4 is regulated by the conditions of the PRO agreement  |
| the Planning Division shall request a<br>determination from the City Council, after<br>review and recommendation from the Planning<br>Commission, as to what district or districts, if any,<br>in which the proposed use may be appropriate<br>as a special land use. In acting upon the<br>request, the City Council shall take into<br>consideration the spirit, purpose and intent of<br>the Ordinance and the Master Plan for Land<br>Use.<br>If the City Council determines that: |  | Future building of up to 7,000 sq. ft.                                      |               | agreement  |
|  |  | Unit 5: Hotels<br>Home2Suites   | Yes           | The end user changed from<br>Drury Inn to Home2Suites  |
|  |  | Unit 6: Undefined   | No?           | All previous discussions and<br>a revised PDF dated 03-07-<br>2019 refers to Unit 6 as a<br>Restaurant. It is not defined<br>in the current revised<br>submittal. Please clarify |
| <ol> <li>Such use does not a<br/>authorized in the zonir<br/>principal permitted us</li> </ol>   | appear to be expressly<br>ng ordinance as a<br>se or a principal use                                       | Unit 7: Texas Roadhouse<br>Sit-down restaurant, no<br>outdoor seating       | Yes           | Permitted Use if a sit-down<br>restaurant. More<br>information is requested.   |
| permitted subject to s<br>2. Such use does not a<br>contemplated by this<br>permitted use or a prin  | appear to have been<br>Ordinance as a principal  | Unit 8: Carvana<br>Unlisted Use   | Yes           | Council approved the<br>unlisted use on October 224,<br>2018   |
| subject to special conditions, or<br>3. Such use involves features which do not<br>appear to have been contemplated by the<br>zoning ordinance as features of a principal<br>permitted use or a principal permitted use<br>subject to special conditions, the City Council<br>shall specify what district or districts, if any, in<br>which the proposed use may be appropriate as<br>a special land use.  |  | Unit 9: Water Tower   | Yes           | Use on Unit 4 is regulated by<br>the conditions of the PRO<br>agreement  |
| as a special land use i  | ay file an application<br>2 for approval of the use<br>in a district in which the<br>rmined the use may be |   |               |  |

| Item   | Required Code   | Proposed  | Meets<br>Code | Comments   |
|--|---|---|---------------|--|
| Height, bulk, density a  | nd area limitations   |   |               |  |
| Frontage on a Public<br>Street<br>(Sec. 5.12)<br>(Sec. 6.3.2.A           | Frontage upon a public street is required   | Frontage and access<br>from the proposed<br>private drive.  | No            | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
| Access To Major<br>Thoroughfare<br>(Sec. 5.13)                           | Access to major<br>thoroughfare is required,<br>unless the property<br>directly across the street<br>between the driveway<br>and major thoroughfare<br>is either multi-family or<br>non-residential | Master site has access<br>to Crescent Boulevard,<br>individual parcels have<br>access to internal<br>private drive; No single<br>family residential zoning<br>in the vicinity                                 | NA            | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
| <b>Open Space Area</b><br>(Sec. 3.27.1.F)                                | 15% (permanently<br>landscaped open areas<br>and pedestrian plazas).  | Required open space is<br>provided at a central<br>location within Adell<br>Center development.<br>A small pocket park is<br>proposed as agreed to<br>allow for pedestrian<br>crossing across Adell<br>Center | Yes           | Open space is subject to<br>conditions listed in the PRO<br>agreement  |
| Maximum % of Lot<br>Area Covered<br>(By All Buildings)<br>(Sec. 3.6.2 D) | No Maximum  | Total site area: unknown<br>Pervious Area: unknown<br>Impervious Area:<br>unknown<br>Building foot print 8,127<br>SF  | Yes?          | Provide the missing information  |
| Building Height<br>(Sec.3.1.26.D)  | 5 stories or 65 ft,<br>whichever is less  | Unit 1:70 ft (I-fly)  | No            | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
|  | Provisions for additional<br>height only applies for<br>TC-1, not TC district   | Unit 2: 40 ft. to 50 ft. (2<br>stories)   | Yes           | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
|  | Buildings in excess of 55'<br>may need to conform to  | Unit 3: 63 ft. (Fairfield)  | No            | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
|  | the 2015 International<br>Building Code standards<br>for High-Rise (Type I or   | Unit 4: Off-street<br>parking/Open Space  | NA            |  |
|  | Type II) construction.  | Unit 5:<br>84'-5:, 7 stories  | Yes?          | This deviation is approved<br>as part of the Adell Center<br>PRO request. However, the<br>deviation was approved<br>specifically for Drury Inn &<br>Suites. Deviation will not |

| Item | Required Code | Proposed  | Meets<br>Code | Comments   |
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|      |               |   |               | apply to other users.  |
|      |               | Unit 6: Unknown   | Yes           | Since information is not specified, it is expected to comply             |
|      |               | Unit 7: 20 ft30ft.<br>(1 story)   | Yes           |  |
|      |               | Unit 8: 75'-10" and 8 tiers<br>(Carvana)                                | No            | This deviation is approved<br>as part of the Adell Center<br>PRO request |
|      |               | Unit 9:120 ft. Existing<br>tower (Non-conforming<br>existing structure) | NA            |  |

#### 6.3 SITE CONDOMINIUMS

The applicant proposes to complete improvements for roads and utilities, Unit 1 and Unit 4, public trails along middle rouge river and develop a site condominium in one phase as indicated on the PRO concept plan. Each individual user is responsible for site plan review and approvals and construction of each unit at respective schedules. There is no tentative timeline indicated for completion of all the units.

Please refer to Section 6.3 Site Condominiums and Section 6.1.E. for requirements for Roads and Utilities plan.

| Lot Depth to Width<br>Ratio            | A depth-to-width ratio of<br>3 to 1 shall normally be<br>considered a maximum.                                      | All units meet the requirement  | Yes |  |
|--|---|---|-----|--|
| Frontage on street<br>Sec 4.02.B.1     | Every lot shall front or abut on a street   | All units front a private street except for Unit 9                      | No  | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
| Side lot lines<br>Sec 4.02.B.2         | Side lot lines shall be at<br>right angles or radial to<br>the street lines, or as<br>nearly as possible<br>thereto | Units 1, and 9 do not<br>meet the code                                  | Yes | This deviation is approved<br>as part of the Adell Center<br>PRO request<br>A deviation was approved<br>for lot line for Unit 7.<br>However, new lot lines<br>conform to the code. |
| Floodplains in the lots<br>Sec. 4.03.A | Lots cannot be created<br>within floodplain that<br>increase danger to<br>health, life or property                  | Units 3, 4 and have<br>flood plain in part of<br>their rear yards       | No  | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
| Streets<br>Sec. 4.04. A.1.b            | Stub street required at<br>every 1,300 feet along<br>property boundary<br>unless the extension is<br>impractical    | None proposed.  | No? | This deviation is approved<br>as part of the Adell Center<br>PRO request   |
| Secondary Access<br>Sec. 4.04.A. 1.h   | A secondary access is required  | One is provided for<br>entire development<br>from Unit 9 to parking lot | Yes |  |

| Item  | Required Code  | Proposed   | Meets<br>Code | Comments   |
|---|--|--|---------------|--|
|   |  | to the west.   |               |  |
| PRO Concept Plan Sub  | mittal: Additional requirem  | nents  |               |  |
| Written Statement<br>(Site Development<br>Manual)                 | Potential development<br>under the proposed<br>zoning and current<br>zoning  | The applicant has<br>addressed this item in<br>the narrative at the time<br>of original submittal  | Yes           |  |
| The statement should<br>describe the items<br>listed to the right | Identified benefit(s) of the development   | Public benefits are not proposed at this time.   | No?           |  |
|   | Conditions proposed for<br>inclusion in the PRO<br>Agreement (i.e., Zoning<br>Ordinance deviations,<br>limitation on total units,<br>etc.)   | List of deviations are included in the narrative   | No?           | List of deviations is not<br>comprehensive. The<br>applicant is asked to<br>consider the additional<br>conditions as suggested in<br>the Planning review letter. |
| <b>Sign Location Plan</b><br>(Page 23,SDM)                        | Installed within 15 days<br>prior to public hearing<br>Located along all road<br>frontages   | One is not required at this time   | No            | No change to approved<br>rezoning category is<br>proposed at this time   |
| <b>Traffic Impact Study</b><br>(Site development<br>manual)       | A Traffic Impact Study as<br>required by the City of<br>Novi Site Plan and<br>Development Manual.  | The site falls under the<br>study boundaries for<br>Comprehensive Traffic<br>study which is ongoing  | Yes?          | Refer to Traffic review letter for more comments.  |
| Community Impact<br>Statement (CIS)<br>(Sec. 2.2)                 | <ul> <li>Over 30 acres for<br/>permitted non-<br/>residential projects</li> <li>Over 10 acres in size<br/>for a special land use</li> <li>All residential projects<br/>with more than 150<br/>units</li> <li>A mixed-use<br/>development, staff<br/>shall determine</li> </ul> | It appears to be a<br>mixed-use<br>development, based on<br>the number of different<br>uses.<br>A CIS is provided at the<br>time of original submittal | Yes?          | One is not required at this<br>time  |
| Building Setbacks (Sec  | : 3.1.26 D) and (Sec. 3.27.1   | .C)  | 1             |  |

| ltem                                  | Required Code   | Proposed   | Meets<br>Code | Comments   |
|---------------------------------------|---|--|---------------|--|
| Front (South along<br>Adell Drive)    | 50 feet minimum from all<br>lot lines for exterior lot<br>15 feet minimum for<br>front side, for interior lot<br>lines<br>15 feet between<br>separate buildings on<br>same side | All units conform to the code  | Yes           |  |
| Exterior Side<br>Yard(along I-96)     | Has frontage on I-96. A<br>minimum of 50 ft. is<br>required.<br>Unit 1: 32.5 ft. minimum<br>per PRO agreement   | All units conform to the code;   | Yes           |  |
| Side Yard (east)<br>Side yard (west)  | 50 feet exterior<br>15 feet interior<br>Exterior: lot lines located<br>abutting non-TC district<br>lots.<br>Interior: lot lines abutting<br>TC district lots.                   | All units conform to the code  | Yes           |  |
| Parking Setback (Sec                  | c 3.1.25.D)   | I  | <b>I</b>      | I  |
| Front<br>Parking Setback              | 18 ft. from access<br>easement for private<br>roads <b>as per the Adell</b><br><b>Center PRO Agreement</b>  | 18 feet  | Yes           | Parking setback line should<br>be from access easement,<br>not the sidewalk. |
| Exterior Side Yard<br>Parking Setback | 20 ft. unless otherwise<br>noted below  | Appear to conform with<br>the ordinance or the<br>PRO agreement<br>Unit 6 has 15 feet for a<br>small stretch as shown<br>on the plans. | Yes?          | This deviation is approved as<br>part of the Adell Center PRO<br>request     |
| Side Yard<br>Parking Setback          | 20 ft. unless otherwise<br>noted below  | Appear to conform with<br>the ordinance or the<br>PRO agreement  | Yes?          |  |
| Rear Yard<br>Parking Setback          | 10 ft. from side lot line<br>unless otherwise noted<br>below  | Appear to conform with<br>the ordinance or the<br>PRO agreement  | Yes?          |  |

| Item   | Required Code   | Proposed  | Meets<br>Code | Comments                                    |
|--|---|---|---------------|---|
| Planning deviation from minimum required interior side parking setback of 20 ft. as required by section 3.1.25.D<br>for the following units (because shared access is proposed between parking lots), with the following setbacks<br>allowed as shown in the PRO Plan:<br>i. Unit 1: minimum14 ft. along West, 0 ft. along South<br>ii. Unit 2: minimum 15 ft. along South<br>iii. Unit 3: minimum 15 ft. along West and 5 ft. along South<br>iv. Unit 4: minimum 5 ft. along East<br>v. Unit 5: minimum 10 ft. along West<br>vi. Unit 6: minimum 0 ft. along West<br>vii. Unit 7: minimum 0 ft. along East<br>viii. Unit 8: minimum 10 ft. along East |   |   |               |   |
| Note To District Standa<br>Exterior Side Yard<br>Abutting a Street<br>(Sec 3.6.2.C)  | rds (Sec 3.6.2)<br>All exterior side yards<br>abutting a street shall be<br>provided with a setback<br>equal to front yard.   | Not applicable  | NA            |   |
| Minimum lot area<br>and width<br>(Sec 3.6.2.D)   | Except where otherwise<br>provided in this<br>ordinance, the minimum<br>lot area and width,<br>maximum percentage<br>of lot coverage shall be<br>determined by the<br>requirements set forth. | Lot area and dimension<br>are consistent with the<br>Site Condominium and<br>PRO for Adell Center | Yes           |   |
| Yard setbacks<br>(Sec 3.6.2.H&L)   | If site abuts a residential<br>zone, buildings must be<br>set back at least 3' for<br>each 1' of building<br>height, but in no case<br>can be less than 20'<br>setback                        | Does not abut<br>residential zoning   | NA            |   |
| Wetland/Watercourse<br>Setback (Sec 3.6.2.M)   | A setback of 25 ft. from<br>wetlands and from high<br>watermark course shall<br>be maintained   | No additional impacts<br>to wetlands and<br>woodlands are<br>proposed                             | NA            |   |
| Parking setback<br>screening<br>(Sec 3.6.2.P)  | Required parking<br>setback area shall be<br>landscaped per sec<br>5.5.3.   | Landscape plan is<br>included   |               | Refer to Landscape review for more details. |
| Modification of<br>parking setback<br>requirements<br>(Sec 3.6.2.Q)  | The Planning<br>Commission may modify<br>parking<br>setback requirements<br>based on its<br>determination<br>according to Sec<br>3.6.2.Q.   | Parking setbacks are<br>regulated by PRO<br>agreement   | No            | Refer to parking setback<br>comments        |

| Item   | Required Code   | Proposed  | Meets<br>Code | Comments   |
|--|---|---|---------------|--|
| TC District Required Co                                    | onditions (Sec 3.27)  |   |               |  |
| Site Plans<br>(Sec. 3.27.1.A.)                             | Site area under 5 acres:<br>Requires Planning<br>Commission approval;<br>Site area over 5 acres:<br>Requires City Council<br>approval upon Planning<br>Commission<br>recommendation   | The subject parcel is less<br>than 5 acres  | Yes           | Site plan approval for<br>individual lots less than<br>require Planning<br>Commission approval                       |
| Parking Setbacks and<br>Screening<br>(3.27.1 D)            | 20 ft. from ROW (access<br>easement for private<br>roads)   | A setback for 18 feet is<br>being considered as<br>part of the PRO request  | Yes           |  |
|  | Surface parking areas<br>must be screened by<br>either a 2.5 ft. brick wall,<br>semitransparent<br>screening or a<br>landscaped berm from<br>all public ROW (access<br>easement for private<br>roads)                                       | A combination of brick<br>wall and a semi-<br>transparent screening is<br>provided on both side of<br>proposed Adell drive    | Yes           | <u>Staff can support the</u><br><u>deviation if the applicant</u><br><u>choses to keep the</u><br><u>combination</u> |
|  | For TC-1, No front yard or side yard parking on any non-residential collector.  | Not applicable  | NA            |  |
| Architecture/Pedestri<br>an Orientation<br>(3.27.1 E)      | No building in the TC-1<br>district shall be in excess<br>of one-hundred twenty-<br>five (125) feet in width,<br>unless pedestrian<br>entranceways are<br>provided at least every<br>one-hundred twenty-<br>five (125) feet of<br>frontage. | Not applicable  | NA            |  |
| Façade materials<br>(Sec. 3.27.1 G)                        | All sides of the building<br>and accessory buildings<br>must have the same<br>materials. Façade<br>materials may deviate<br>from brick or stone with<br>PC approval.  | Proposed elevations for<br>Unit 7 do not conform to<br>Façade Ordinance<br>Unit 6 elevations are not<br>provided at this time | No            | Refer to façade review for more details.   |
| Parking, Loading,<br>Signs, Landscaping,<br>Lighting, Etc. | All loading shall be in rear yards.   | A loading zone is<br>provided, but does not<br>meet the requirements  | No            | Refer to Planning review<br>letter for more details  |
| (Sec. 3.27.1 H)  | Off-street parking counts<br>can be reduced by the<br>number of on-street   | On-street parking is not<br>proposed  | NA            |  |

| Item   | Required Code  | Proposed   | Meets<br>Code | Comments  |
|--|--|--|---------------|---|
|  | parking adjacent to a<br>use   |  |               |   |
|  | PC may allow parking<br>requirement reduction<br>when parking areas<br>serve dual functions.   | Proposed parking<br>appears to be short of<br>17 spaces for Unit 7                           | No            | Up to 5 percent reduction is<br>allowed per PRO<br>agreement, subject to<br>supporting documentation<br>and Planning Commission<br>approval |
|  | Special assessment<br>district for structured<br>park  | Not proposed   | NA            |   |
| Sidewalks required<br>(Sec. 3.27.1 l)  | For TC-1 only, Sidewalks<br>required along non-<br>residential collector to<br>be 12.5 ft. wide.   | Not Applicable   | NA            |   |
|  | Direct pedestrian<br>access between all<br>buildings and adjacent<br>areas   | A pedestrian<br>connection from<br>building to sidewalks<br>along Adell Drive is<br>provided | Yes           |   |
| Bicycle Paths<br>(Sec. 3.27.1 J)   | Bike paths required to<br>connect to adjacent<br>residential & non-<br>residential areas.  | Not required   | NA            |   |
| Development<br>amenities<br>(Sec. 3.27.1 L)  | All sites must incorporate<br>amenities such as<br>exterior lighting, outdoor<br>furniture, and safety<br>paths in accordance<br>with Town Center Study<br>Area. | Amenities are provided<br>as part of the Site<br>Condominium project<br>for Adell Center     | Yes           |   |
| Combination of use<br>groups within a single<br>structure<br>(Sec. 3.27.1 M)<br>(Sec.3.27.2.B) | - Additional regulations<br>per Sec. 3.27.1.M and<br>3.27.2.B apply if<br>combination of uses<br>proposed in same<br>building                                    | Each building stands on its own with a single use  | NA            |   |
| Street and Roadway<br>Rights-Of-Way<br>(Sec. 3.27.1 N)   | Nonresidential collector<br>and local streets shall<br>provide ROWs consistent<br>with DCS standards   | Roadway width: 36 feet<br>Access Easement: 70<br>feet  | Yes           |   |
|  | Roadway width: 36 feet<br>ROW/Access Easement:<br>70 feet  |  |               |   |
| Parking, Handicap Par  | king and Bike Requiremen   | ts   |               |   |

| Item   | Required Code  | Proposed   | Meets<br>Code | Comments  |
|--|--|--|---------------|---|
|  | no changes to parking co<br>ers to parking calculations  |  | other th      | an Unit 7.  |
| Required Parking<br>Calculation<br>(Sec. 5.2.12)<br>(Sec. 4.82.2)  | Unit 6:<br>Retail: 1 space per 200<br>Sf = 12 spaces<br>Restaurant: 1 per 70 GLA<br>34 spaces max (Gross<br>leasable unknown, used<br>gross square footage at<br>this time)  | 35 spaces are proposed   | Yes?          | Previous discussions refer to<br>restaurant use, current plans<br>refer to calculations for<br>retail. The applicant should<br>clarify the use.<br>The owner should contact<br>Planning to confirm the final<br>parking counts once a final<br>user is determined |
|  | 1 per 70 GLA or<br>1 per 2 employees + 1<br>per 2 customer<br>max capacity including<br>waiting areas<br>196 spaces required   | 164 spaces   | No?           | <u>This deviation is subject to</u><br><u>City Council approval</u>   |
| Barrier Free Spaces<br>Barrier Free Code<br>*No deviations since<br>this is a Michigan<br>Building Code<br>requirement | Six spaces are required<br>for 151-200 regular<br>spaces   | Unit 6 and 7 conform to the code   | Yes?          |   |
| Minimum number of<br>Bicycle Parking<br>(Sec. 5.16.1)  | Unit 6:<br>5% of 35 spaces – 2<br>spaces<br>Unit 7:<br>5% of 196 = 10 Spaces   | Unit 6:<br>2 spaces proposed<br>Unit 7:<br>8 spaces proposed   | No?           | Add two additional bike<br>racks for Texas Roadhouse  |
| Parking Lot Design Rec   | quirements (Sec. 5.3.2.)   |  | <u> </u>      |   |
| Parking Space<br>Dimensions and<br>Maneuvering Lanes<br>(Sec. 5.3.2)   | <ul> <li>90° Parking: 9 ft. x 19 ft.</li> <li>24 ft. two way drives</li> <li>9 ft. x 17 ft. parking<br/>spaces allowed as<br/>long as detail indicates<br/>a 4" curb at these<br/>locations</li> <li>60° 9 ft. x 18 ft.</li> </ul> | All appear to be 9 ft. x<br>19 ft.<br>- 9 ft. x 17 ft. parking<br>spaces allowed as<br>long as detail indicates<br>a 4" curb at these<br>locations | Yes           |   |
| Parking lot entrance<br>offset<br>(Sec. 5.3.6)   | Parking lot entrances<br>must be set back 25'<br>from any single-family<br>residential district.   | Subject property does<br>not abut single-family<br>residential district.   | NA            |   |

| Item   | Required Code  | Proposed   | Meets<br>Code | Comments                                 |
|--|--|--|---------------|--|
| End Islands<br>(Sec. 5.3.12)   | <ul> <li>End Islands with<br/>landscaping and<br/>raised curbs are<br/>required at the end of<br/>all parking bays that<br/>abut traffic circulation<br/>aisles.</li> <li>The end islands shall<br/>generally be at least 8<br/>ft. wide, have an<br/>outside radius of 15 ft.,<br/>and be constructed 3<br/>ft. shorter than the<br/>adjacent parking stall</li> </ul>                        | Requires additional<br>dimensions  | No?           | Refer to Traffic Comments                |
| Parking stall located<br>adjacent to a parking<br>lot entrance<br>(public or private)<br>(Sec. 5.3.13) | <ul> <li>Shall not be located<br/>closer than twenty-five<br/>(25) feet from the<br/>street right-of-way<br/>(ROW) line, street<br/>easement or sidewalk,<br/>whichever is closer</li> </ul>   | Not applicable   | NA            |  |
| Barrier Free Space<br>Dimensions<br>Barrier Free Code  | <ul> <li>- 8' wide with an 8' wide access aisle for van accessible spaces</li> <li>- 8' wide with a 5' wide access aisle for regular accessible spaces</li> </ul>  | Two van accessible and<br>four car spaces are<br>proposed  | Yes           |  |
| <b>Barrier Free Signs</b><br>Barrier Free Code   | One sign for each<br>accessible parking<br>space.  | Signs indicated  | Yes           | Refer to traffic review for more details |
| Bicycle Parking<br>General requirements<br>(Sec. 5.16)   | <ul> <li>No farther than 120 ft.<br/>from the entrance<br/>being served</li> <li>When 4 or more<br/>spaces are required<br/>for a building with<br/>multiple entrances, the<br/>spaces shall be<br/>provided in multiple<br/>locations</li> <li>Spaces to be paved<br/>and the bike rack shall<br/>be inverted "U" design</li> <li>Shall be accessible via<br/>6 ft. paved sidewalk</li> </ul> | Appears to be farther<br>than 120 ft.<br>Spaces are divided in<br>two locations based on<br>applicants response<br>letter<br>Dimension the width of<br>the sidewalk to verify<br>conformance<br>Inverted U racks | No            |  |
| Bicycle Parking Lot<br>layout<br>(Sec 5.16.6)  | Parking space width: 6<br>ft.<br>One tier width: 10 ft.  | Not indicated  | No            | Please provide the required layout       |

| Item   | Required Code  | Proposed  | Meets<br>Code | Comments   |
|--|--|---|---------------|--|
|  | Two tier width: 16 ft.<br>Maneuvering lane<br>width: 4 ft.<br>Parking space depth: 2<br>ft. single, 2 ½ ft. double   |   |               |  |
| Loading Space<br>(Sec. 5.4.2.)   | Loading area required<br>for all uses in Town<br>Center  | Unit 7: A loading zone is<br>provided, but does not<br>meet the requirements  | No            | Refer to Traffic review for more details.  |
| Loading Space<br>location (Sec. 5.4.2)   | <ul> <li>rear yard only for TC districts</li> <li>Exterior side yard per Adell PRO agreement</li> </ul>  | Unit 6: Partly located in<br>interior side yard and<br>partly in exterior side<br>yard<br>Unit 7: Partly located in<br>interior side yard and<br>partly in front yard<br>Meets parking setbacks | No            | Loading area in exterior<br>side yard per Adell PRO<br>agreement<br><u>This deviation is subject to</u><br><u>City Council approval of First</u><br><u>amendment to PRO</u><br><u>Agreement</u>                |
| Loading Space Area<br>(Sec. 5.4.2)<br>In the ratio of 10 sq. ft.<br>per front foot of<br>building. | Unit 6:<br>57 feet = 570 square<br>feet<br>Unit 7:<br>For 84 feet, 840 square<br>feet of loading area is<br>required   | Unit 6: 608 square feet<br>Unit 7: Response letter<br>dated 03-05-19 notes<br>that the area is<br>increased to 786 square<br>feet   | Yes           | Current plan indicating the<br>right loading area<br>calculations should be<br>included in the final packet  |
| <b>Loading Space</b><br>Screening<br>(Sec. 5.4.2 B)  | Loading area must be<br>screened from view<br>from adjoining<br>properties and from the<br>street.   | It appears to be<br>screened  | Yes?          |  |
| <b>Dumpster</b><br>Sec 4.19.2.F  | <ul> <li>Located in rear yard</li> <li>Attached to the<br/>building or no closer<br/>than 10 ft. from<br/>building if not<br/>attached</li> <li>Not located in parking<br/>setback</li> <li>Rear lot abuts ROW, 50<br/>ft. setback required.</li> <li>Away from Barrier free<br/>Spaces</li> </ul> | Unit 6: attached to the<br>building<br>Unit 7: exterior side yard   | No            | Dumpster locations are<br>subject to conditions listed<br>in the PRO agreement.<br><u>This deviation is subject to</u><br><u>City Council approval of First</u><br><u>amendment to PRO</u><br><u>Agreement</u> |

| Item  | Required Code   | Proposed   | Meets<br>Code                            | Comments   |
|---|---|--|--|--|
| <b>Dumpster Enclosure</b><br>Sec. 21-145. (c)<br>Chapter 21 of City<br>Code of Ordinances   | <ul> <li>Screened from public view</li> <li>A wall or fence 1 ft. higher than height of refuse bin</li> <li>And no less than 5 ft. on three sides</li> <li>Posts or bumpers to protect the screening</li> <li>Hard surface pad.</li> <li>Screening Materials: Masonry, wood or evergreen shrubbery</li> </ul> | Unit 6: unable to<br>determine<br>Unit 7: attached to<br>building  | No?                                      | Unit 6 incorrectly refers to<br>dumpster enclosure on<br>sheet 9.  |
| Accessory Structures<br>Sec. 4.19   | - Accessory structures,<br>except where<br>otherwise permitted<br>and regulated in this<br>Ordinance, shall be<br>located in the rear<br>yard and shall meet<br>the setback<br>requirements of an<br>accessory building.  | Not able to determine  | Yes?                                     | Please indicate if and where<br>accessory structures such as<br>but not limited to<br>transformer, flagpoles etc.<br>are proposed. |
| Lighting and Photomet   | tric Plan (Sec. 5.7)  | ł  |  |  |
| <ol> <li>Planning devia<br/>along interior si<br/>that the averagistic<br/>2. Planning devia<br/>increase of the<br/>listed in Sectior</li> </ol> | ge to minimum light level ration to allow exceeding th  | o allow exceeding the ma<br>I the applicant submits a p<br>atio is kept the maximum a<br>e maximum spillover of 1 fe<br>t level ration from 4:1 withir | hotome<br>allowab<br>oot car<br>n the Ac | etric plan that demonstrates<br>le 4:1;<br>ndle and approvable<br>dell Drive pavement areas as                                     |
| Intent (Sec. 5.7.1)   | Establish appropriate<br>minimum levels, prevent<br>unnecessary glare,<br>reduce spill-over onto<br>adjacent properties &<br>reduce unnecessary<br>transmission of light into<br>the night sky  | An overall lighting and<br>photometric plan is<br>submitted  | Yes                                      | Please refer to Plan review<br>letter for more details.  |
| Lighting Plan<br>(Sec. 5.7.2 A.i)   | Site plan showing<br>location of all existing &<br>proposed buildings,<br>landscaping, streets,<br>drives, parking areas &  |  |  |  |

| Item   | Required Code  | Proposed   | Meets<br>Code | Comments   |
|--|--|--|---------------|--|
|  | exterior lighting fixtures   |  |               |  |
| Building Lighting<br>(Sec. 5.7.2.A.iii)        | Relevant building<br>elevation drawings<br>showing all fixtures, the<br>portions of the walls to<br>be illuminated,<br>illuminance levels of<br>walls and the aiming<br>points of any remote<br>fixtures.  | Not applicable   |               | It is being reviewed with<br>individual site plans |
| Lighting Plan<br>(Sec.5.7.2 A.ii)              | Specifications for all<br>proposed & existing<br>lighting fixtures   | Provided general<br>information for the<br>scope of current review | Yes           | Details reviewed with<br>individual site plans     |
|  | Photometric data   |  |               |  |
|  | Fixture height   |  |               |  |
|  | Mounting & design  |  |               |  |
|  | Glare control devices  |  |               |  |
|  | Type & color rendition of lamps  |  |               |  |
|  | Hours of operation   |  |               |  |
|  | Photometric plan<br>illustrating all light<br>sources that impact the<br>subject site, including<br>spill-over information<br>from neighboring<br>properties   |  |               |  |
| Required Conditions<br>(Sec. 5.7.3.A)          | Light pole height not to<br>exceed maximum<br>height of zoning district<br>(65 ft. for TC)   | 20 to 25 feet pole height  | Yes           |  |
| <b>Required Conditions</b><br>(Sec. 5.7.3.B&G) | <ul> <li>Electrical service to<br/>light fixtures shall be<br/>placed underground</li> <li>Flashing light shall not<br/>be permitted</li> <li>Only necessary lighting<br/>for security purposes &amp;<br/>limited operations shall<br/>be permitted after a<br/>site's hours of<br/>operation</li> </ul> | Not applicable   |               | It is being reviewed with<br>individual site plans |
| Security Lighting<br>(Sec. 5.7.3.H)            | - All fixtures shall be<br>located, shielded, and  | Not applicable   |               | It is being reviewed with individual site plans    |

| Item   | Required Code   | Proposed                                 | Meets<br>Code | Comments   |
|--|---|--|---------------|--|
| Lighting for security<br>purposes shall be<br>directed only onto<br>the area to be<br>secured. | aimed at the areas to<br>be secured.<br>- Fixtures mounted on<br>the building and<br>designed to illuminate<br>the facade are<br>preferred.   |  |               |  |
| Required Conditions<br>(Sec.5.7.3.E)   | Average light level of<br>the surface being lit to<br>the lowest light of the<br>surface being lit shall not<br>exceed 4:1  | Light levels                             |               |  |
| <b>Required Conditions</b><br>(Sec. 5.7.3.F)   | Use of true color<br>rendering lamps such as<br>metal halide is preferred<br>over high & low pressure<br>sodium lamps   | LED                                      | Yes           |  |
| Min. Illumination (Sec.  | Parking areas: 0.2 min  | Appears to be in<br>general conformance  | Yes           | Details reviewed with<br>individual site plans           |
| 5.7.3.K)   | Loading & unloading<br>areas: 0.4 min   |  |               |  |
|  | Walkways: 0.2 min   |  |               |  |
|  | Building entrances,<br>frequent use: 1.0 min  |  |               |  |
|  | Building entrances,<br>infrequent use: 0.2 min  |  |               |  |
| Max. Illumination<br>adjacent to Non-<br>Residential<br>(Sec. 5.7.3.K)                         | When site abuts a non-<br>residential district,<br>maximum illumination at<br>the property line shall<br>not exceed 1 foot<br>candle  | Does not exceed 1 foot<br>candle         | Yes           |  |
| Cut off Angles (Sec.<br>5.7.3.L)   | <ul> <li>When adjacent to<br/>residential districts:</li> <li>All cut off angles of<br/>fixtures must be 90°</li> <li>maximum illumination<br/>at the property line<br/>shall not exceed 0.5<br/>foot candle</li> </ul> | Not adjacent to<br>residential districts | NA            |  |
| Building Code and Oth  | ner Requirements  |  |               |  |
| Roof top equipment<br>and wall mounted<br>utility equipment Sec.<br>4.19.2.E.ii                | All roof top equipment<br>must be screened and<br>all wall mounted utility<br>equipment must be<br>enclosed and   | Information not<br>provided              | No            | Refer to Façade review for<br>more information requested |

| Item   | Required Code  | Proposed  | Meets<br>Code | Comments   |
|--|--|---|---------------|--|
|  | integrated into the<br>design and color of the<br>building   |   |               |  |
| Building Code  | Building exits must be<br>connected to sidewalk<br>system or parking lot.  | Sidewalks shown on the plans  | Yes           |  |
| Design and<br>Construction<br>Standards Manual                                 | Land description, Sidwell<br>number (metes and<br>bounds for acreage<br>parcel, lot number(s),<br>Liber, and page for<br>subdivisions).  | Insufficient information  | No            | Provide the most current<br>sidwell numbers. ALTA<br>survey refers to parent<br>parcel |
| General layout and<br>dimension of<br>proposed physical<br>improvements        | Location of all existing<br>and proposed buildings,<br>proposed building<br>heights, building layouts,<br>(floor area in square<br>feet), location of<br>proposed parking and<br>parking layout, streets<br>and drives, and indicate<br>square footage of<br>pavement area<br>(indicate public or<br>private). | Mostly provided.<br>Additional information<br>requested in this and<br>other review letters | No            | Provide additional<br>information as requested in<br>all reviews                       |
| Economic Impact  | <ul> <li>Total cost of the<br/>proposed building &amp;<br/>site improvements</li> <li>Number of anticipated<br/>jobs created (during<br/>construction &amp; after<br/>building is occupied, if<br/>known)</li> </ul>   | Not applicable  | Yes           | Required at the time of site<br>plan review  |
| Signage<br>See link below<br><u>(Chapter 28, Code of</u><br><u>Ordinances)</u> | <ul> <li>Signage if proposed<br/>requires a permit.</li> <li><u>Signage is not</u><br/>regulated by the<br/><u>Planning Commission</u><br/>or Planning Division.</li> </ul>  | Additional deviations for<br>Unit 2 and 7 are<br>requested at this time                     | NA            | Information not reviewed at<br>this time. Refer to Sign<br>permit review               |
| Property Address   | The applicant should<br>contact the Building<br>Division for an address<br>prior to applying for a<br>building permit.   | One is not required at this time.   | No            | Submit address application<br>after Final Site Plan<br>approval.                       |
| Project and Street<br>Naming Committee   | Some projects may<br>need approval from the<br>Street and Project  | Not applicable  |               |  |

| Item             | Required Code  | Proposed   | Meets<br>Code | Comments  |
|------------------|--|--|---------------|---|
|                  | Naming Committee.  |  |               |   |
| Future Easements | - A 60 feet ROW with<br>additional 10 feet<br>access easement or 70<br>feet access easement<br>is required for<br>proposed Adell drive | A 70 feet access<br>easement is provided<br>Cross access/parking<br>easements are required | No?           | Any changes to off-site and<br>on-site easements as shown<br>on the approved Master<br>Deed or the recorded<br>easements shall be<br>amended, as needed, and<br>according to the current site<br>layout, prior to final<br>stamping set approval. |

#### NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.

2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4, and 5 of the zoning ordinance for further details.

3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

SIGN PERMIT REVIEWS



March 6, 2019 SignPermit Review TEXAS ROADHOUSE Permit Number

### APPLICANT: ALLIED SIGN SITE LOCATION: City of Novi parcel # 50-22-15-478-012

#### 1. TYPE OF SIGN: WALL SIGN

Code requirement: 28-5 - Permanent signs permitted according to district Proposed: 2 wall signs – 1 facing each thoroughfare Staff Comments: <mark>2 wall signs are permitted at this location</mark>.

2. NUMBER OF SIGNS:

Code requirement: 28-5(d)(7) - 2 wall signs are permitted Proposed: 2 wall signs Staff Comments: 2 wall signs are permitted

3. SIGN LOCATION:

Code requirement: 28-5(d)(7) allowing 2 wall signs because the parcel is situated on two thoroughfares

Proposed: 1 wall sign facing the 196 expressway. 1 sign facing Adell Center Drive

Staff Comments:

#### 4. SIGN AREA:

Code requirement: 1 sq. ft. of sign area is permitted for every 2 feet of setback from the centerline of the nearest adjacent thoroughfare.

Proposed: Front elevation sign size is 231 sq. ft.

Rear elevation sign size is 231 sq. ft.

Staff Comments: Front elevation sign is over sized by 171 sq. ft. feet based on 120 feet from centerline of 196 off ramp.

Rear elevation sign is over sized by 94.5 sq. ft. based on 273 feet front the centerline of Adell Center Drive

A variance from code section 28-5(b)(1)b. would be required for each oversized sign

5. OTHER:

Code requirement: Proposed: Staff Comments:

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or <u>munderhill@cityofnovi.org</u>.



March 6, 2019 SignPermit Review TEXAS ROADHOUSE Permit Number

#### APPLICANT: ALLIED SIGN SITE LOCATION: City of Novi parcel # 50-22-15-478-012

#### 1. TYPE OF SIGN: Window SIGN

Code requirement: 28-7 (Signs) Allowed in All Districts (a) no permit required Proposed: 1 illuminated window sign Staff Comments: illuminated window signs are allowed

2. NUMBER OF SIGNS:

Code requirement: Proposed: Staff Comments:

3. SIGN LOCATION: inside window glass – LEFT elevation

Code requirement: Proposed: Staff Comments:

4. SIGN AREA:

Code requirement: 28-7(a)(9) - illuminated window signs can measure up to 3-1/2 sq. ft. in area

Proposed: 18.1 sq. ft. illuminated window sign

Staff Comments: A variance of from code section 28-7(a)(9) would be required for an oversized illuminated window sign. 14.6 sq. ft. over allowable size for illuminated window sign

5. OTHER: Code requirement: Proposed: Staff Comments:

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or <u>munderhill@cityofnovi.org</u>.

Maureen Underhill, Code Compliance Officer



March 27, 2019 SignPermit Review Planet Fitness

#### APPLICANT: ALLIED SIGN SITE LOCATION: City of Novi parcel # 50-22-15-478-002

#### 1. TYPE OF SIGN: WALL SIGNS

Code requirement: 28-5 (a)

Proposed: 2 wall signs. One east elevation and one north elevation Staff Comments: 1 wall sign is permitted for a single tenant business

#### 2. NUMBER OF SIGNS:

Code requirement: One (1) wall sign is permitted for a single tenant building

Proposed: Two (2) signs

Staff Comments: A variance from 28-5(a) would be required for a second wall sign Note: The building does not directly abut the 196 freeway

#### 3. SIGN LOCATION: One east elevation and one north elevation

Code requirement: Proposed: Staff Comments:

#### 4. SIGN AREA:

<u>Code requirement</u>: 28-5 (b)(1)b. <u>Sign area regulations</u> Allows one sq. foot of sign area for each 2 feet of setback from the centerline of the nearest adjacent thoroughfare

<u>Proposed</u>: A 238.4 sq. ft. sign is proposed over the main entrance (east elevation) facing Adell Center Drive based on 172 feet from centerline of Adell Center Drive A 191.8 sq. ft. sign is proposed on the north elevation.

Staff Comments: A variance of 152.4 feet would be required to allow a 238.4 sq. ff. sign

In addition to a variance for a second wall sign, and based on 172 feet of setback from the centerline of Adell Center Drive, <mark>a variance of 105.8 sq. ft. would be required to allow a 191.8 sq. ft. sign</mark>

<u>Note</u>: The applicant provided the distance of the 191 sq. ft. wall sign as 172 feet from the centerline of Adell Drive but did not draw the distance on the plan submitted. The plan included the distance from the 196 off ramp but as indicated above, the building does not directly abut the freeway.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5602 or <u>munderhill@cityofnovi.org</u>.

Maureen Underhill, Code Compliance Officer

**ENGINEERING REVIEW** 



April 25, 2019

# **Engineering Review**

Adell Center PRO JZ18-0024

# <u>Applicant</u>

Orville Properties, LLC

# <u>Review Type</u>

PRO Revised Concept Plan

# **Property Characteristics**

- Site Location: South of I-96, West of Novi Road
- Site Size: 22.48 acres
- Plan Date: 03/29/2019
- Design Engineer: GreenTech Engineering, Inc.

# Project Summary (Unit 6)

- Construction of an approximately 2,375 square-foot restaurant and associated parking. Site access would be provided via Adell Center Drive.
- Water service would be provided by a 6-inch extension from the existing 8-inch water main along the north side of Adell Center Drive. A 2-inch domestic lead and an 8-inch fire lead would be provided to serve the building, along with an additional hydrant.
- Sanitary sewer service would be provided by a 6-inch lead from the existing 8-inch sanitary sewer on the south side of Adell Center Drive.
- Storm water would be collected by a single storm sewer collection system and discharged to an underground detention basin proposed by the overall development.

# **Recommendation**

The Concept Site Plan and Concept Storm Water Management Plan are recommended for approval with items to be addressed at the time of Preliminary Site Plan submittal.

### Comments:

- 1. The Adell Center PRO Revised Concept Plan shall match what is shown on the stamped Adell Center Roads and Utilities plan.
- 2. The construction of the pedestrian bridge is subject to the Pedestrian Bridge Agreement.
- 3. All offsite easements are currently in place.

# Additional Comments:

The Concept Site Plan meets the general requirements of Chapter 11 of the Code of Ordinances, the Storm Water Management Ordinance and the Engineering Design Manual with the following exceptions, which can be addressed at time of the Preliminary Site Plan submittal:

### <u>General</u>

- 1. A full engineering review was not performed due to the submittal of a concept plan. Comments shall be addressed during the Preliminary Site Plan submittal. The site plan shall be designed in accordance with the Design and Construction Standard (Chapter 11).
- 2. Provide a minimum of two ties to established section or quarter section corners.
- 3. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
- 4. The Non-domestic User Survey form shall be submitted to the City so it can be forwarded to Oakland County.
- 5. Address the conflicting number of 4-foot catch basins on the construction materials table on sheet 7 and the storm sewer profiles on sheet 8.
- 6. If applicable, provide a utility crossing table indicating that at least 18-inch vertical clearance will be provided, or that additional bedding measures will be utilized at points of conflict where adequate clearance cannot be maintained.
- 7. Indicate the typical foundation depth for the light poles to verify that no conflicts with utilities will occur. Light poles in a utility easement will require a License Agreement. Identify the easement that the northern light pole encroaches on.
- 8. The City standard detail sheets are not required for the revised 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).

### <u>Water Main</u>

9. At the time of Preliminary Site Plan submittal it will be determined if a MDEGLE water main permit is necessary. If it is required, three (3) sealed sets of revised utility plans along with the MDEGLE permit application (06/12 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

- 10. Provide a sanitary sewer monitoring manhole, unique to this site, within a dedicated access easement or within the road right-of-way. If not in the right-of-way, provide a 20-foot wide access easement to the monitoring manhole from the right-of-way (rather than a public sanitary sewer easement).
- 11. Provide a sanitary sewer basis of design for the development on the utility plan sheet.
- 12. Provide a note on the Utility Plan stating the sanitary leads will be buried at least 5 feet deep where under the influence of pavement.

### <u>Storm Sewer</u>

- 13. Review storm sewer calculations on sheet 7 for any errors in the equivalent area column and subsequent errors in related calculations.
- 14. Provide a four-foot deep sump in the last storm structure upstream of the treatment unit.
- 15. Ensure an oil/gas separator is a part of the treatment unit or is in the last storm structure prior to discharge to the underground detention basin.
- 16. Provide a schedule listing the casting type and other relevant information for each proposed storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures.
- 17. Show and label all roof conductors, and show where they tie into the storm sewer.

# Storm Water Management Plan

- 18. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
- 19. 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.
- 20. Provide a 20-wide access easement for maintenance over the pretreatment structure.
- 21. Provide manufacturer's details and sizing calculations for the pretreatment structure within the plans.

# Paving & Grading

- 22. Revise the sidewalk cross-section to indicate a <u>maximum</u> cross-slope of 2%.
- 23. Label specific ramp locations on the plans where the detectable warning surface is to be installed.

- 24. Verify the slopes along the ingress/egress routing to the building from the barrier-free stalls. All barrier-free stalls shall comply with Michigan Barrier-Free regulations.
- 25. 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.
- 26. The end islands shall conform to the City standard island design, or variations of the standard design, while still conforming to the standards as outlined 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).
- 27. Provide a line designation representing the effective 19-foot stall length for 17-foot perimeter stalls.
- 28. Paving the entrance between Unit 6 and Unit 7 must be coordinated between both tenants. Whoever occupies their unit first should pave the drive. A temporary construction easement must be obtained by whoever becomes responsible for paving.

# Soil Erosion and Sediment Control

29. A SESC permit is required. A full review has not been completed at this time. Please address the comments below and submit a SESC permit application under separate cover. The application can be found on the City's website at <u>http://cityofnovi.org/Reference/Forms-and-Permits.aspx</u>.

### Off-Site Easements

30. Any permanent or temporary off-site easements anticipated between units 6 and 7 must be executed **prior to final approval of the plans**. If you have not already done so, 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.

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

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

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

- 32. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan highlighting the changes made to the plans addressing each of the comments listed above <u>and indicating the revised sheets involved</u>.
- 33. 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. <u>The estimate must be itemized</u> 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, pre-treatment structure and restoration).

34. Draft copies of any off-site easements must be submitted to the Community Development Department for review and approved by the Engineering Division and the City Attorney prior to being executed.

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

- 35. A draft copy of the Storm Drainage Facility Maintenance Easement Agreement (SDFMEA), 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.
- 36. 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 (if applicable).
- 37. A draft copy of the 20-foot wide easement for the sanitary sewer monitoring manhole to be constructed on the site must be submitted to the Community Development Department.
- 38. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

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

- 39. 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).
- 40. 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.
- 41. Material certifications must be submitted to Spalding DeDecker for review prior to the construction of any onsite utilities. Contact Ted Meadows at 248-844-5400 for more information.
- 42. Construction inspection fees in an amount that is to be determined must be paid to the Community Development Department.
- 43. Legal escrow fees in an amount that is to be determined must be deposited with the Community Development Department. All 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.

- 44. A storm water performance guarantee in an amount equal to 120% of the cost required to complete the storm water management facilities, as specified in the Storm Water Management Ordinance, must be posted at the Community Development Department.
- 45. 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.
- 46. A street sign financial guarantee in the amount of \$2,000 (\$400 per traffic control sign proposed) must be posted at the Community Development Department. Signs must be installed in accordance with MMUTCD standards.
- 47. 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.
- 48. If applicable, a permit for water main construction shall be obtained from the MDEGLE. This permit application must be submitted through the Engineering Division after the water main plans have been approved. Please submit the cover sheet, overall utility sheet, standard details and plan/profile sheets applicable to the permit.
- 49. If necessary, an inspection permit for the sanitary sewer tap shall be obtained from the Oakland County Water Resource Commissioner (OCWRC).

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 Kate Richardson at (248) 347-0586 with any questions.

Kate Richardson, EIT Plan Review Engineer

cc: Sri Komaragiri, Community Development George Melistas, Engineering Darcy Rechtien, PE, Engineering LANDSCAPE REVIEW



April 5, 2019

**Revised PRO - Landscaping** 

Adell Center

Review Type

**PRO Amendment Landscape Review** 

Job # JZ18-0024

### Property Characteristics

- Site Location: •
- Site Zoning: •
  - TC
- Adjacent Zoning: •
- Plan Date:

#### East, South, West: TC, North: I-96 4/2/2019

Unit 6 - Adell Center

# Ordinance Considerations

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

NOTE: As the plan provided included only Unit 6, these comments are directed to that unit only. All previous comments in prior review letters related to the PRO still apply.

### Recommendation

The PRO Amendment is recommended for approval for Preliminary Site Plan, except for one deviation, which is the lack of the previously proposed wall/decorative fence that matches the rest of the site (a line of decorative grasses is proposed instead). That deviation is not supported by staff.

### LANDSCAPE DEVIATION:

Lack of wall and/or decorative fence as proposed on original PRO.

Note: The full extent of Parcel 6 to the south along Adell Drive is not shown. Please show the rest of the parcel and include it in the calculations.

### **Ordinance Considerations**

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

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

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

- 1. No trees exist on the site.
- 2. The trees along the berm will be installed with the Roads and Utilities construction and are noted as such.

Adjacent to Residential - Buffer (Zoning Sec. 5.5.3.B.ii and iii) Property is not adjacent to Residential.

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

- 1. The required berm along I-96 will be built by the overall site developer prior to construction of this site.
- 2. Please show the berm contours as existing, not bold, so the Unit 6 contractors won't be confused. Only contours that will actually be built with the development of this site should be printed heavy.
- 3. The wall/fence shown on the original PRO is not proposed on this plan, only a line of ornamental grasses. This represents a deviation to the PRO that would need to be approved. It is not supported by staff as the wall/fence would present a more cohesive look to the overall development. The grasses could be placed in front of the wall if desired, and wouldn't need to be continuous.
- 4. Please remove the crabapples from the end of the east parking lot and show the fire access lane with grass pavers in that area. The street tree will need to be relocated as well, to provide clear access to Adell Drive.
- 5. Please show the calculations for the I-96 frontage. The trees being provided along the berm meet the requirement for the I-96 frontage.
- 6. Based on the Adell Drive frontage and the fact that only the canopy or subcanopy requirement needs to be met, not both, it appears that there are more trees proposed along the Adell Drive frontage, including the street trees, than are required, but the entire parcel doesn't appear to be included in the calculations as it extends southward along Adell Drive beyond the scope of the plan view. Please show the entire site frontage and include it in the calculations.

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

- 1. Based on the vehicular use areas, 1,139 sf of islands and 6 trees are required. 1,393 sf of islands and 6 trees are provided.
- 2. Please verify the greenspace area of the island at the northeast corner of the building. It doesn't appear to be 200sf. If it isn't, please enlarge that island to at least 200sf.

Parking Lot Perimeter Canopy Trees (Zoning Sec. 5.5.3.C.(3) Chart footnote)

- Please re-measure the perimeter, including all greenspace around the outer edges of the parking lot, except on the west property line, including the east side of the drive and the eastern parking lot but not the inner perimeter between the parking and the building. I measured it as about 360lf, not 267lf. Show the "rubber band" line used to calculate it.
- 2. Based on 360lf, 10 trees are required. Including the trees along the berm within 15 feet of the parking lot, 10 trees are provided.

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

- 1. The proposed loading zone is screened from I-96 by the berm and berm/interior parking lot trees.
- 2. The loading zone is screened from Adell Drive by the building and foundation landscaping.

Building Foundation Landscape (Zoning Sec 5.5.3.D.)

- 3. Based on the building perimeter, 1736sf of foundation landscape area is required, and 1745sf is provided.
- 4. Greater than 60% of both frontages (I-96 and Adell Drive) are landscaped at the foundation.

5. If walks are required from the rear (Adell Drive entrances to the parking lot, please locate it away from the building enough that the required foundation landscaping can be installed at the foot of the building.

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

- 1. Provided
- 2. 7 of 14 species used (50%) are native to Michigan. This is acceptable.
- 3. The tree diversity meets the standards of Landscape Design Manual Section 4. As there will already be 7 honeylocusts along the berm, please use a different species than honeylocusts in the new plantings.

Planting Notations and Details (LDM)

Provided

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

The site's stormwater will be treated by an underground detention system.

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

- 1. The proposed landscaping must be provided with sufficient water to become established and survive over the long term.
- 2. Please provide an irrigation plan or note how this will be accomplished if an irrigation plan is not provided on Final Site Plans.

#### Snow Deposit (LDM.2.q.)

Please provide areas where trees won't be damaged by piled up snow.

Corner Clearance (Zoning Sec 5.9)

Provided

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

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Rick Meader - Landscape Architect



<del>February 20, 2019</del> April 26, 2019

PRO Concept Site Plan: First Amendment

Adell Center PRO

#### Review Type

First Amendment Rezoning Concept Plan Landscape Review

<u>Job #</u> JZ18-0024

#### Property Characteristics:

- Site Location: Northwest of Novi Road/Crescent Drive.
- Site Zoning:
- Expo Proposed rezoning to TC with PRO
- Adjacent Zoning:
- Plan Date:

North: I-96, East: TC, South: TC/I-1, West: I-2 January 24, 2019

Recommendation:

This revised concept plan, which covers the internal drive and 1.96 frontage, is **not** recommended for approval, due to issues with Unit 7 that were raised in the site plan for Texas Roadhouse, under separate cover. The deviations proposed with this plan related to Adell Drive and the 1-96 frontage are supported by staff, but not the deviations that were revealed for Unit 7. Since the original letter was written, the applicant has agreed to revise the plan to remove all unsupported landscape deviations, so the plan is **now recommended for approval**.

As with the original PRO, no detailed unit plans were included with this PRO concept revision submittal. Therefore, it is assumed that all units' landscape plans will conform to the city ordinances. If any landscape deviations are requested, the applicant will need to request landscape waivers from the Planning Commission. The only deviations now requested are supported by staff.

### LANDSCAPE DEVIATIONS NOTED ON OVERALL PLAN:

- 1. Unit 4 has a parking bay with more than 15 contiguous spaces shown on the overall concept plan. This deviation is not supported by staff. Applicant has agreed to comply.
- 2. Lack of undulations on I-96 berm across entire frontage. This deviation is supported by staff as there is insufficient space in the greenbelt to add the vertical or horizontal undulations
- 3. Use of walls, fences and berms along Adell Drive instead of walls only. This deviation is supported by staff.
- 4. The layout for Unit 7 on the PRO plan is conceptual in nature and includes no calculations or landscaping. The Texas Roadhouse (Unit 7) site plans submitted separately as part of its site plan approval process revealed a number of deviations in interior and parking lot perimeter landscaping that are driven by the unit's site and utility layout. Those deviations are avoidable and are not supported by staff. Applicant has agreed to remove all deviations.

### Ordinance Considerations:

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below and on the accompanying Landscape Chart must be either granted deviations by City Council or be addressed and incorporated as part of the revised PRO concept plan. This review and the accompanying landscape chart are summaries and are not intended to substitute for any Ordinance.

Existing Soils (Preliminary Site Plan checklist #10, #17) Provided Existing and proposed overhead and underground utilities, including hydrants.(LDM 2.e.(4))

- 1. Provided.
- 2. Please add all proposed lighting fixtures to the landscape plans to help avoid conflicts.

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

- 1. A tree survey is provided.
- 2. It appears that all but two non-regulated trees, north of the stream, will be removed. Two trees within the regulated woodland are shown as being removed and will be replaced with nine trees.

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

- 1. Conceptual berms along Adell Drive are shown on the landscape plans.
- 2. A berm is also proposed along the I-96 frontage. That berm should undulate in height, with a minimum height of 36". No berm is required for Unit 1, where the building fronts directly on the I-96 right-of-way or in front of the sign at the east end of the site.

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

- 1. Street trees are not required along I-96, or in the TC district.
- 2. The area between the sidewalk and curb has been widened to 8 feet. Thank you.
- 3. 57 of the required greenbelt trees along Adell Drive are proposed as street trees. This is acceptable and appreciated.

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

<u>I-96.</u>

- 1. The required 20 foot minimum greenbelt for areas adjacent to parking is provided along the entire I-96 frontage.
- 2. A 36" berm is proposed for all of the frontage except between the cul-de-sac and the I-96 right-of-way, where a wall is proposed
- 3. The required berm undulations aren't provided because there is insufficient room in the 20' required greenbelt for the undulations above the minimum height. *This deviation is supported by staff.*
- 4. Please add a note stating that the cul-de-sac wall should be at least 36" high as measured from the cul-de-sac top of pavement to screen headlights from reaching I-96, and match the appearance of the existing walls at the corner of Crescent and Expo Center Drive.

Adell Drive.

- 1. The PRO agreement stated that the entire Adell Drive frontage should have brick walls, not a mix of treatments.
- 2. A mix of berm, 2.5' tall brick wall and 2.5' brick pilasters and ornamental fencing, as requested in the Town Center Study, is provided along both sides of Adell Drive. This arrangement of greenbelt treatments requires a landscape deviation. It would be supported by staff.
- 3. The 18 foot greenbelt approved in the original PRO starts at the back edge of the sidewalk. The unit lines are drawn to the back of curb, not 1' behind the sidewalk as is typically the case.
- 4. 58 canopy trees are provided along Adell Drive. The remainder of the greenbelt landscaping requirements must be planted on the units' greenbelts.

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

As only underground storm water detention is proposed, no detention landscaping is required.
#### Plant List (LDM 2.h. and t.)

- 1. Plant lists for the I-96 and Adell Drive greenbelts, and the focus areas, are provided.
- 2. The species comply with the Landscape Design Manual.

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

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Rick Meader – Landscape Architect

#### LANDSCAPE REVIEW SUMMARY CHART – Revised PRO

| Review Date:  |  |
|---------------|--|
| Project Name: | JZ18 – 0024: ADELL CENTER PRO AMENDMENT – UNIT 6   |
| Plan Date:    | April 2, 2019  |
| Prepared by:  | Rick Meader, Landscape Architect E-mail: <u>rmeader@cityofnovi.org;</u><br>Phone: (248) 735-5621 |

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

NOTE: As the plan provided included only Unit 6, these comments are directed to that unit only. All previous comments in prior review letters and charts related to the PRO still apply.

Note: The full extent of Parcel 6 to the south along Adell Drive is not shown. Please show the rest of the parcel and include it in the calculations.

| Item   | Required  | Proposed   | Meets<br>Code | Comments                  |
|--|---|--|---------------|---------------------------|
| Landscape Plan Requir                                    | ements (LDM (2)   |  |               |                           |
| Landscape Plan<br>(Zoning Sec 5.5.2,<br>LDM 2.e.)        | <ul> <li>New commercial or residential developments</li> <li>Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less.</li> <li>1" = 20' minimum with proper North. Variations from this scale can be approved by LA</li> <li>Consistent with plans throughout set</li> </ul> | Scale 1"=20'   | Yes           |                           |
| Project Information (LDM 2.d.)                           | Name and Address  | Yes  | Yes           |                           |
| Owner/Developer<br>Contact Information<br>(LDM 2.a.)     | Name, address and<br>telephone number of<br>the owner and<br>developer or<br>association  | Yes  | Yes           |                           |
| Landscape Architect<br>contact information<br>(LDM 2.b.) | Name, Address and telephone number of RLA   | Yes  | Yes           |                           |
| Sealed by LA.<br>(LDM 2.g.)                              | Requires original signature   | Yes  | Yes           | Need for Final Site Plans |
| Miss Dig Note<br>(800) 482-7171<br>(LDM.3.a.(8))         | Show on all plan sheets   | Yes  | Yes           |                           |
| Zoning (LDM 2.f.)  | Include all adjacent zoning   | <u>Parcel:</u> TC<br><u>East, South, West:</u><br>TC | Yes           |                           |

| Item  | Required   | Proposed  | Meets<br>Code | Comments   |
|---|--|---|---------------|--|
|   |  | North: 1-96   |               |  |
| Survey information (LDM 2.c.)   | <ul> <li>Legal description or<br/>boundary line survey</li> <li>Existing topography</li> </ul>                                       | Sheet 3   | Yes           |  |
| Existing plant material<br>Existing woodlands or<br>wetlands<br>(LDM 2.e.(2)) | <ul> <li>Show location type<br/>and size. Label to be<br/>saved or removed.</li> <li>Plan shall state if none<br/>exists.</li> </ul> | Only street trees<br>and entry area<br>plantings to be<br>planted along Adell<br>Drive will be<br>existing.                         | Yes           | Please indicate whether<br>monument sign on east<br>end of site and<br>accompanying<br>plantings will also be<br>installed with Roads and<br>Utilities construction.   |
| Soil types (LDM.2.r.)   | <ul> <li>As determined by Soils<br/>survey of Oakland<br/>county</li> <li>Show types,<br/>boundaries</li> </ul>                      | Sheet 2   | Yes           |  |
| Existing and<br>proposed<br>improvements<br>(LDM 2.e.(4))                     | Existing and proposed<br>buildings, easements,<br>parking spaces,<br>vehicular use areas, and<br>R.O.W                               | Yes   | Yes           |  |
| Existing and<br>proposed utilities<br>(LDM 2.e.(4))                           | Overhead and<br>underground utilities,<br>including hydrants   | <ul> <li>A note indicates<br/>no overhead<br/>lines exist</li> <li>Existing and<br/>proposed utilities<br/>are provided.</li> </ul> | Yes           | Please add proposed<br>light posts to the<br>landscape plan.   |
| Proposed grading. 2'<br>contour minimum<br>(LDM 2.e.(1))                      | Provide proposed<br>contours at 2' interval  | Sheet 5   | Yes           | <ol> <li>The berm along I-96<br/>will be built and<br/>landscaped during<br/>Roads &amp; Utilities<br/>Construction.</li> <li>Please only show any<br/>additions to that<br/>berm with heavy<br/>(proposed) contours.</li> </ol> |
| <b>Snow deposit</b><br>(LDM.2.q.)   | Show snow deposit<br>areas on plan   | No  | No            | <ol> <li>The area shown<br/>would be bad for the<br/>tree.</li> <li>Please indicate snow<br/>deposit areas that<br/>won't harm<br/>landscaping.</li> </ol>   |
| LANDSCAPING REQUIRE   | EMENTS   |   |               |  |
| Parking Area Landscap   | e Requirements LDM 1.c. &  | Calculations (LDM 2.0.  | .)            |  |
| <b>General requirements</b> (LDM 1.c)   | <ul> <li>Clear sight distance<br/>within parking islands</li> <li>No evergreen trees</li> </ul>                                      | Provided  |               |  |
| Name, type and number of ground   | As proposed on planting islands  | Yes   | Yes           | Sod is indicated on islands.   |

| Item   | Required  | Proposed  | Meets<br>Code | Comments  |
|--|---|---|---------------|---|
| cover (LDM 1.c.(5))  |   |   |               |   |
| General (Zoning Sec 5.   | 5.3.C.ii)   | 1   |               |   |
| <b>Parking lot Islands</b><br>(a, b. i)  | <ul> <li>A minimum of 200 SF<br/>to qualify</li> <li>A minimum of 200sf<br/>unpaved area per<br/>tree planted in an<br/>island</li> <li>6" curbs</li> <li>Islands minimum width<br/>10' BOC to BOC</li> </ul> | Yes   | TBD           | <ol> <li>Please dimension<br/>widths of islands.</li> <li>Please check the<br/>area of the island at<br/>the northeast corner<br/>of the building. It<br/>doesn't appear to be<br/>200sf in size.</li> <li>Please increase area<br/>of islands as<br/>necessary.</li> </ol> |
| Curbs and Parking stall reduction (C)  | Parking stall can be<br>reduced to 17' and the<br>curb to 4" adjacent to a<br>sidewalk of minimum 7<br>ft.  | Yes   | Yes           |   |
| Contiguous space<br>limit <i>(i)</i>   | Maximum of 15<br>contiguous spaces  | 14 spaces is<br>maximum bay<br>length   | Yes           |   |
| Plantings around Fire<br>Hydrant ( <i>d</i> )  | No plantings with<br>matured height greater<br>than 12' within 10 ft. of<br>fire hydrants   | <ul> <li>None</li> <li>The tree in the center island northwest of the building is too close to the storm line.</li> </ul> | Yes           | <ol> <li>No new or existing<br/>plantings are shown<br/>near existing<br/>hydrants.</li> <li>Please shift the tree<br/>to be at least 5 feet<br/>from the storm line<br/>(and at least 3 feet<br/>behind the curb)</li> </ol>   |
| Landscaped area (g)  | Areas not dedicated to<br>parking use or driveways<br>exceeding 100 sq. ft.<br>shall be landscaped  | Yes   | Yes           |   |
| <b>Clear Zones</b> (LDM 2.3.(5))   | 25 ft corner clearance<br>required. Refer to<br>Zoning Section 5.5.9  | Provided  | Yes           |   |
|  | OS-2, OSC, OST, B-1, B-2, B-3   |   | C-1, RC, S    | pecial Land Use or non-   |
| A = Total square<br>footage of vehicular<br>use areas up to<br>50,000sf x 7.5%   | <ul> <li>district (Zoning Sec 5.5.3.C.)</li> <li>A = x sf * 7.5 % = A sf</li> <li>15,183 * 7.5% = 1139 sf</li> </ul>  | 1393 sf   | Yes           |   |
| B = Total square<br>footage of additional<br>paved vehicular use<br>areas (not including<br>A or B) over 50,000 SF)<br>x 1 % | <ul> <li>B = x sf * 1% = B sf</li> <li>(xxx - 50000) * 1% = xxx sf</li> </ul>   | NA  |               |   |
| Category 2: For: I-1 and   | d I-2 (Zoning Sec 5.5.3.C.iii)  |   |               |   |

| Item   | Required   | Proposed   | Meets<br>Code | Comments   |  |
|--|--|--|---------------|--|--|
| A. = Total square<br>footage of vehicular<br>use area up to 50,000<br>sf x 5%                      | A = x sf * 5% = A sf   | NA   |               |  |  |
| B = Total square<br>footage of additional<br>paved vehicular use<br>areas over 50,000 SF x<br>0.5% | B = 0.5% x 0 sf = B SF   | NA   |               |  |  |
| All Categories   |  |  |               |  |  |
| C = A+B<br>Total square footage<br>of landscaped islands   | 1139 + 0 = 1139 SF   | 1393 sf  | Yes           | Please verify the area of<br>the island at the<br>northeast corner of the<br>building and increase it<br>to 200sf if the area is<br>deficient. |  |
| D = C/200<br>Number of canopy<br>trees required  | • 1139/200 = 6 Trees   | 6 trees  | Yes           |  |  |
| Perimeter Green<br>space   | <ul> <li>1 Canopy tree per 35 lf</li> <li>368/35 = 11 trees</li> </ul>   | 11 trees provided  |               |  |  |
| Accessway perimeter  | <ul> <li>1 canopy tree per 35 lf<br/>on each side of road,<br/>less widths of access<br/>drives.</li> <li>xxx/35</li> </ul>  | Included in overall perimeter  | Yes           |  |  |
| Parking land banked  | ■ NA   | No   |               |  |  |
| Berms, Walls and ROW   | Planting Requirements  |  |               |  |  |
| Berms  |  |  |               |  |  |
| <ul> <li>Berm should be locat</li> </ul>   | a maximum slope of 33%. G<br>ed on lot line except in cor<br>structed with 6" of top soil.   |  | ouraged. Sh   | now 1ft. contours  |  |
| Residential Adjacent to  | Non-residential (Sec 5.5.3.  | A) & (LDM 1.a)   |               |  |  |
| Berm requirements<br>(Zoning Sec 5.5.A)  | Site is not adjacent to residential so this berm is not required.  | None   | Yes           |  |  |
| Planting requirements (LDM 1.a.)   | LDM Novi Street Tree List  | NA   |               |  |  |
| Adjacent to Public Righ  | ts-of-Way (Sec 5.5.B) and (  | LDM 1.b)   |               |  |  |
| Berm requirements<br>(Zoning Sec<br>5.5.3.A.(5))   | <ul> <li>An undulating berm a minimum of 3 feet high with a 3 foot wide crest is required south along I-96 frontage</li> <li>No berm is required along Adell Drive.</li> </ul> | Required I-96 berm<br>will be provided as<br>part of Roads &<br>Utilities<br>construction. | Yes           |  |  |
| Cross-Section of Berms   |  |  |               |  |  |

| Item   | Required   | Proposed  | Meets<br>Code | Comments  |
|--|--|---|---------------|---|
| Slope, height and<br>width   | <ul> <li>Label contour lines</li> <li>Maximum 33%</li> <li>Min. 3 feet flat<br/>horizontal area</li> <li>Minimum 3 feet high</li> <li>Constructed of loam<br/>with 6' top layer of<br/>topsoil.</li> </ul> | NA  |               |   |
| Type of Ground<br>Cover  |  | NA  |               |   |
| Setbacks from Utilities  | Overhead utility lines<br>and 15 ft. setback from<br>edge of utility or 20 ft.<br>setback from closest<br>pole   | There are no<br>overhead utilities<br>on the site.  |               |   |
| Walls (LDM 2.k & Zoning  | g Sec 5.5.3.vi)  |   |               |   |
| Material, height and<br>type of construction<br>footing                          | Freestanding walls<br>should have brick or<br>stone exterior with<br>masonry or concrete<br>interior   | <ul> <li>No walls are proposed.</li> <li>A line of ornamental grasses is proposed along the front of the site.</li> </ul> |               | Please provide the<br>wall(s) or fence(s) per<br>the original PRO plan. It<br>should be consistent<br>with the rest of the site.  |
| Walls greater than 3<br>½ ft. should be<br>designed and sealed<br>by an Engineer |  | No details provided   |               |   |
|  | ning Requirements (Sec 5.5.  | 3.B. ii)  |               |   |
| Greenbelt width<br>(2)(3) (5)  | 18 feet to parking per<br>PRO agreement  | 18 ft   | Yes           |   |
| Min. berm crest width  | Not required   | None  | Yes           |   |
| Minimum berm height<br>(9)   | Not required   | None  | Yes           |   |
| 3' wall  | (4)(7)   | No  |               |   |
| <b>Canopy deciduous or</b><br><b>large evergreen trees</b><br>Notes (1) (10)     | <u>Adell Drive</u><br>• Parking: 1 tree per 25 lf<br>• 48/25 = 2 trees<br>• No Pkg: 1 per 30 ft<br>• 101/30 = 3 trees  | 5 street trees  | Yes           | <ol> <li>In the TC district, only<br/>the canopy or<br/>subcanopy<br/>requirement needs<br/>to be met, not both.</li> <li>Please also show the<br/>calculations for the I-<br/>96 frontage.</li> <li>It is not clear if the<br/>entire parcel's<br/>frontage along Adell<br/>Drive is used in the<br/>calculations. Please<br/>use the entire parcel</li> </ol> |

| Item  | Required   | Proposed  | Meets<br>Code | Comments  |
|---|--|---|---------------|---|
|   |  |   |               | <ul> <li>frontage in the calculations.</li> <li>4. The emergency fire access lane is blocked by crabapple trees and a street tree along Adell Drive. That lane needs to be clear for fire vehicles. Please remove those trees and show the grass pavers.</li> </ul> |
| Sub-canopy<br>deciduous trees<br>Notes (2)(10)  | Adell Drive<br>• Parking: 1 tree per 15 lf<br>• 48/15 = 3 trees<br>• No Pkg: 1 per 20 ft<br>• 101/20 = 5 trees   | 8 trees   | Yes           | See above   |
| Canopy deciduous<br>trees in area between<br>sidewalk and curb<br>(Novi Street Tree List) | <ul> <li>Street trees are not<br/>required in TC district.</li> <li>5 canopy trees<br/>provided along Adell<br/>Drive can count<br/>toward greenbelt<br/>requirements.</li> </ul>  | xx trees  | Yes           |   |
| <b>Building Foundation La</b>   | ndscape Requirements (Sec  | c 5.5.3.D)  |               |   |
| Interior site<br>landscaping SF   | <ul> <li>Equals to entire<br/>perimeter of the<br/>building x 8 with a<br/>minimum width of 4 ft.</li> <li>A: 217 If x 8ft = 1736 SF</li> </ul>                                    | A: 1745 sf  | Yes           |   |
| Zoning Sec 5.5.3.D.ii.<br>All items from (b) to<br>(e)                                    | If visible from public<br>street a minimum of 60%<br>of the exterior building<br>perimeter should be<br>covered in green space   | It appears that 90%<br>of the building<br>frontages facing<br>Adell Drive will be<br>landscaped.              | Yes           |   |
| Detention/Retention Ba  | sin Requirements (Sec. 5.5.)   | 3.E.iv)   |               |   |
| Planting requirements<br>(Sec. 5.5.3.E.iv)  | <ul> <li>Clusters shall cover 70-<br/>75% of the basin rim<br/>area</li> <li>10" to 14" tall grass<br/>along sides of basin</li> <li>Refer to wetland for<br/>basin mix</li> </ul> | The site's storm<br>water will be<br>treated by<br>underground<br>detention systems.                          |               |   |
| Phragmites Control<br>(Sec 5.5.6.C)   | <ul> <li>Any and all<br/>populations of<br/>Phragmites australis on<br/>site shall be included<br/>on tree survey.</li> <li>Treat populations per</li> </ul>                       | The Phragmites<br>discovered on the<br>overall site will be<br>removed by the<br>overall site's<br>developer. |               |   |

| Item  | Required  | Proposed   | Meets<br>Code | Comments  |  |  |
|---|---|--|---------------|---|--|--|
|   | MDEQ guidelines and<br>requirements to<br>eradicate the weed<br>from the site.  |  |               |   |  |  |
| LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS                     |   |  |               |   |  |  |
| -   | ize City of Novi Standard No  | otes   | T             |   |  |  |
| Installation date<br>(LDM 2.1. & Zoning<br>Sec 5.5.5.B)                 | Provide intended date   | Between Mar 15<br>and Nov 15, 2019   | Yes           |   |  |  |
| Maintenance &<br>Statement of intent<br>(LDM 2.m & Zoning<br>Sec 5.5.6) | <ul> <li>Include statement of<br/>intent to install and<br/>guarantee all<br/>materials for 2 years.</li> <li>Include a minimum<br/>one cultivation in<br/>June, July and August<br/>for the 2-year warranty<br/>period.</li> </ul> | Yes  | Yes           |   |  |  |
| Plant source<br>(LDM 2.n & LDM<br>3.a.(2))                              | Shall be northern nursery grown, No.1 grade.  | Yes  | Yes           |   |  |  |
| Irrigation plan<br>(LDM 2.s.)   | A fully automatic<br>irrigation system or a<br>method of providing<br>sufficient water for plant<br>establishment and<br>survival is required on<br>Final Site Plans.   | No   | No            | <ol> <li><u>Please add irrigation</u><br/><u>plan or information</u><br/><u>as to how plants will</u><br/><u>be watered</u><br/><u>sufficiently for</u><br/><u>establishment and</u><br/><u>long- term survival.</u></li> <li><u>If xeriscaping is used,</u><br/><u>please provide</u><br/><u>information about</u><br/><u>plantings included.</u></li> </ol> |  |  |
| Other information<br>(LDM 2.u)  | Required by Planning<br>Commission  | NA   |               |   |  |  |
| Establishment period<br>(Zoning Sec 5.5.6.B)                            | 2 yr. Guarantee   | Yes  | Yes           |   |  |  |
| Approval of<br>substitutions.<br>(Zoning Sec 5.5.5.E)                   | City must approve any substitutions in writing prior to installation.   | Yes  | Yes           |   |  |  |
| Plant List (LDM 2.h.) - In  | clude all cost estimates  |  |               |   |  |  |
| Quantities and sizes  |   | Yes  | Yes           |   |  |  |
| Root type   |   | Yes  | Yes           |   |  |  |
| Botanical and<br>common names   | Refer to LDM suggested plant list   | <ul> <li>7 of 14 species<br/>(50%) are native<br/>to Michigan.</li> <li>Tree diversity is<br/>acceptable.<br/>See note.</li> </ul> | Yes           | Please change the<br>honeylocusts to some<br>other species since<br>there are already 7<br>honeylocusts on the<br>berm.   |  |  |

| Item   | Required   | Proposed         | Meets<br>Code | Comments  |
|--|--|------------------|---------------|---|
| Type and amount of lawn  |  | Sod              | Yes           |   |
| Cost estimate<br>(LDM 2.t)   | For all new plantings,<br>mulch and sod as listed<br>on the plan   | Yes              | Yes           |   |
| Planting Details/Info (LI  | DM 2.i) – Utilize City of Novi   | Standard Details |               |   |
| Canopy Deciduous<br>Tree   |  | Yes              | Yes           |   |
| Evergreen Tree   |  | Yes              | Yes           |   |
| Shrub  | Refer to LDM for detail  | Yes              | Yes           |   |
| Perennial/<br>Ground Cover   |  | No               | No            | Please add to plan  |
| Tree stakes and guys.<br>(Wood stakes, fabric<br>guys)                     |  | Yes              | Yes           |   |
| Tree protection<br>fencing   | Located at Critical Root<br>Zone (1' outside of<br>dripline)   | No               | No            | Please add to plan -<br>ideally on Grading Plan               |
| Other Plant Material Re  | quirements (LDM 3)   | 1                |               |   |
| General Conditions<br>(LDM 3.a)  | Plant materials shall not<br>be planted within 4 ft. of<br>property line   | Yes              | Yes           |   |
| Plant Materials &<br>Existing Plant Material<br>(LDM 3.b)                  | Clearly show trees to be<br>removed and trees to<br>be saved.  | Yes              | Yes           |   |
| Landscape tree<br>credit (LDM3.b.(d))                                      | Substitutions to<br>landscape standards for<br>preserved canopy trees<br>outside woodlands/<br>wetlands should be<br>approved by LA. Refer<br>to Landscape tree<br>Credit Chart in LDM | No               |               | No trees outside of<br>woodlands/wetlands<br>are being saved. |
| Plant Sizes for ROW,<br>Woodland<br>replacement and<br>others<br>(LDM 3.c) | 2.5" canopy trees<br>6' evergreen trees  | Yes              | Yes           |   |
| Plant size credit<br>(LDM3.c.(2))  | NA   | No               |               |   |
| Prohibited Plants<br>(LDM 3.d)   | No plants on City<br>Invasive Species List   | None             | Yes           |   |
| Recommended trees<br>for planting under<br>overhead utilities<br>(LDM 3.e) | Label the distance from the overhead utilities   | NA               |               |   |
| Collected or<br>Transplanted trees<br>(LDM 3.f)                            |  | None             |               |   |

| Item  | Required  | Proposed | Meets<br>Code | Comments |
|---|---|----------|---------------|----------|
| Nonliving Durable<br>Material: Mulch (LDM<br>4) | <ul> <li>Trees shall be mulched<br/>to 3" depth and shrubs,<br/>groundcovers to 2"<br/>depth</li> <li>Specify natural color,<br/>finely shredded<br/>hardwood bark mulch.<br/>Include in cost<br/>estimate.</li> <li>Refer to section for<br/>additional information</li> </ul> | Yes      | Yes           |          |

#### NOTES:

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

TRAFFIC REVIEW

## ΑΞϹΟΜ

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

Project name: JZ18-0024 – Adell Center PRO Amendment Traffic Review

From: AECOM

Date: April 26, 2019

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

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

# Memo

Subject: JZ18-0024 Adell Center PRO Amendment Traffic Review

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

## **GENERAL COMMENTS**

- 1. The applicant, Orville Properties, LLC, is proposing a multi-use development located on the west side of Novi Road, south of I-96, with one point of access to Crescent Blvd. The applicant is proposing nine (9) individual units within the project:
  - a. IFLY indoor skydiving
  - b. Planet Fitness
  - c. Fairfield hotel
  - d. Park
  - e. Home 2 Suites
  - f. Restaurant
  - g. Texas Roadhouse
  - h. Carvana
  - i. Water Tower
- 2. Crescent Blvd is under the jurisdiction of the City of Novi.
- 3. The parcel is currently zoned EXPO, and the applicant is proposing to rezone to TC (Town Center District) with a Planned Rezoning Overlay (PRO).
- 4. Additional traffic review comments on the proposed Adell Center Drive and sidewalk were discussed in the "Roads and Utilities" submittal under a separate cover letter.
- 5. Summary of traffic-related waivers/variances:
  - a. At the time of the PRO Amendment, the applicant is requesting the following traffic-related waivers or variances. Notes (*in italics*) following each proposed deviation include AECOM's agreement or disagreement with the deviation.
    - i. Deviation 1. Planning Deviation for construction of a dumpster enclosure within the interior side yard, allowing it to be constructed away from the EB I-96 on-ramp for Unit 7. *AECOM would support this deviation provided that normal operations does not impede traffic.*
    - ii. Deviation 2. Planning Deviation for Parking, Loading, Signs, Landscaping, etc. to locate the loading area within the interior side yard, allowing it to be constructed away from the EB I-96 on-ramp for Units 6 and 7.

This deviation refers to section 3.27.1 of the City of Novi code of ordinances. *AECOM would support the deviation to relocate the loading zone, provided its use will not impede traffic flow through the site.* 

- iii. Deviation 3. Planning Deviation (Section 3.27.1) for Parking, Loading, Signs, Landscaping, etc. to reduce the size of the proposed loading areas for Unit 7 from 847' to 786'. Per the applicant, deliveries occur only outside of business hours for the restaurant and be scheduled to avoid conflicts with garbage removal times. AECOM would support the deviation to reduce the loading zone sizes for the proposed facility due to off-peak hour deliveries and coordination with trash pickup.
- iv. Deviation 7. Planning Deviation (Section 3.1.25.D) to allow for the reduction of the minimum required exterior side parking setback of 20 ft for Unit 6, 13' along the Northeast side.
- v. Deviation 8. Planning Deviation (Section 5.12) to allow a 30 space reduction in minimum required parking for Unit 7. Total required, 196 spaces. Total proposed, 166 spaces. The applicant has indicated other similarly sized facilities have approximately 160 parking spaces as justification for the 30 space reduction. AECOM would support the reduction due to the case studies of other locations and the nature of the Adell Center development, with two hotels adjacent to the property, connected via pedestrian facilities.
- b. In the plans for Unit 6 submitted with the PRO Amendment, the following deviations may be required for Unit
   6:
  - i. Loading zone deviation may be required if the largest truck anticipated to be delivering to the site cannot fit in the loading zone without impacting traffic. The applicant has indicated a 70' truck is the largest expected vehicle. However, the loading zone is only 35' long.
  - ii. Sight distance for the driveways has not been provided. It is not anticipated to require a deviation; however, it should be checked for compliance.

## **TRAFFIC IMPACTS**

- The applicant provided a trip generation analysis, prepared by Bergmann, which outlines the anticipated number of daily, AM peak and PM peak trips that each of the various land uses may be expected to generate. AECOM reviewed the trips generation estimates and accepts the calculations as provided.
- 2. The number of new trips expected to be generated by the entire development are shown in the following table. It should be noted that these values reflect the uses from the original submittal. The applicant should provide revised trip generation information as changes to users are proposed.

| Trip Generation Summary           |                 |                                    |                           |                  |  |  |
|-----------------------------------|-----------------|------------------------------------|---------------------------|------------------|--|--|
|                                   | Estimated Trips | Estimated Peak-<br>Direction Trips | City of Novi<br>Threshold | Above Threshold? |  |  |
| AM Peak-Hour Trips                | 188             | 102                                | 100                       | Yes              |  |  |
| PM Peak-Hour Trips                | 334             | 186                                | 100                       | Yes              |  |  |
| Daily (One-<br>Directional) Trips | 3,988           | N/A                                | 750                       | Yes              |  |  |

a. The development trip generation estimates exceed the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour. The applicant been granted a variance for the completion of a traffic impact study because the development will be included in the region-wide TIS that is underway by AECOM. Reference item 4.a.vi under General Comments for further potential conditions related to a traffic impact study and/or mitigation measures that may be required. The applicant should provide revised trip generation information as changes to users are proposed.

b. Additionally, AECOM performed a preliminary analysis to assess roadway capacity impacts of the proposed Adell Center development. The initial results of that analysis indicate that the intersection of Novi Road and Crescent Boulevard is expected to be able to accommodate the additional traffic during the AM and PM peak periods. The intersection of Novi Road and Grand River operates under existing congested conditions and may worsen with the added traffic demand of the development, specifically the eastbound and southbound left turn movements.

## **EXTERNAL SITE ACCESS AND OPERATIONS**

The following comments relate to the external interface between the proposed development and the surrounding roadway(s). It should be noted that each commercial driveway interface with Adell Center Drive is also considered an external access point for purposes of this review letter.

- The applicant shall indicate same side driveway spacing for commercial driveways proposed along Adell Center Drive. Commercial drive approaches must be spaced according to the minimum requirements indicated in Section 11-216(d)(1)d for a speed limit of 25 MPH, thereby indicating a required driveway spacing of 105 feet. The driveway spacing for Units 6 and 7 have been address in a drawing provided by the applicant and meets the standard.
- 2. Pedestrian connections are proposed between Units 2 and 8, Units 4 and 7, and Units 5 and 7.

### **INTERNAL SITE OPERATIONS**

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

### **General Traffic Flow**

- 1. The applicant has proposed seven (7) trash receptacle locations throughout the development.
  - a. The applicant has a deviation to show the location of receptacles on individual site plans and not on the PRO. The applicant should be aware that locations shown on the individual site plans are subject to the deviations approved on the PRO.
  - b. The applicant should review the locations of the trash receptacles and make note that they are positioned in locations that block parking spaces and may disrupt the flow of traffic during times of trash collections, which deviates from the Zoning Ordinance requirements listed in Section 5.4.4. If alternative locations that reduce the impact to parking spaces or traffic flow are available, it is recommended that they be relocated. If alternative locations are not available, a deviation may be required.

### **Parking Facilities**

- 1. The applicant should reference the Planning review letter for information on parking quantity requirements. It should be noted that parking calculations were not provided with the revised PRO concept submittal.
- 2. The applicant has not provided a shared parking study at the time of the revised PRO concept submittal; however, based on the results of deviation approvals and other City requirements regarding parking counts, landscape island requirements every 15 spaces, bicycle parking, loading zones, trash receptacles, a shared parking study may be beneficial, if the proposed sites are not expected to have overlapping parking needs throughout the day.
- 3. Bicycle parking throughout the development will be reviewed under submittal for each unit.

### Sidewalk Requirements

- 1. The applicant is proposing sidewalk along both sides of Adell Center Drive.
- 2. The location of the sidewalk along Adell Center Drive is proposed to be located such that the outside edge is 15 feet from the back of curb, which meets City standards.
- 3. The applicant is proposing a sidewalk width of six (6) feet along Adell Center Drive which is in accordance with the City's Master Plan for Bicycle and Pedestrian Paths.
- 4. Sidewalk requirements were reviewed under the road and utilities submittal under a separate cover letter.

### SIGNING AND STRIPING

- 1. All on-site signing and pavement markings shall be in compliance with the Michigan Manual on Uniform Traffic Control Devices (MMUTCD). The following is a discussion of the proposed signing and striping.
  - a. Signing and pavement markings were reviewed under the roads and utilities submittal under a separate cover letter.

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

Sincerely,

AECOM

on Bouh

Josh A. Bocks, AICP, MBA Senior Transportation Planner/Project Manager

Patricia a Thompson

Patricia Thompson, EIT Traffic Engineer

FAÇADE REVIEW





February 20, 2019

Façade Review Status Summary: Approved, Contingent Section 9 Waiver Recommended

50850 Applebrooke Dr., Northville, MI 48167

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

#### Re: FACADE ORDINANCE REVIEW Adell Center PRO, First Amendment JSP19-24 Facade Region: 1, Zoning District: EXPO

Dear Ms. McBeth;

The following is the Facade Review for the above referenced project based on the drawings prepared by BDG Architects, submitted on 1/4/19. The percentages of materials proposed for each façade are as shown on the table below. The maximum and minimum percentages required by Ordinance Section 5.15 are shown in the right hand column. Materials that are in noncompliance with the Ordinance, if any, are identified in bold. The sample board as required by Section 5.15.3.D was not provided at the time of this review.

|                          | East<br>(Front) | South | North<br>(I-96 ramp) | West | Ordinance Maximum<br>(Minimum) |
|--------------------------|-----------------|-------|----------------------|------|--------------------------------|
| Brick                    | 35%             | 30%   | 45%                  | 44%  | 100% (30% Minimum)             |
| Limestone                | 15%             | 20%   | 12%                  | 18%  | 50%                            |
| Combined Brick and Stone | 50%             | 50%   | 57%                  | 62%  | 50% (Sec. 3.27.G)              |
| Patterned Siding         | 9%              | 17%   | 11%                  | 9%   | 25%                            |
| Standing Seam Metal Roof | 35%             | 25%   | 10%                  | 29%  | 25%                            |
| Split Faced CMU          | 6%              | 8%    | 22%                  | 0%   | 10%                            |

The proposed design has several deviations from the Façade Ordinance Section 5.15 as follows; the east and west facades has an overage of Standing Seam Metal, the north façade has an overage of Split Faced CMU. The south facade has less than 50% combined Brick and Stone and is therefore in non-compliance with the Town Center Ordinance Section 3.27.G, which required that "exterior building facades shall be primarily of brick and stone."

In this case we believe that the Standing Seam Metal roof enhances the overall design, harmonizes well with the other façade materials and is consistent with the intent and purpose of the Ordinance. The overage of Split Faces CMU on the north (I-96 ramp exposure) can be readily corrected by using Brick and/or Stone in lieu of Split Faced CMU on the dumpster enclosure portion of the façade. The sample board provided indicates carefully coordinated colors that are consistent with Ordinance.

**Recommendation** – A Section 9 Waiver is recommended for the overage of Standing Seam Metal, <u>contingent upon the percentage of Split Faced CMU on the north (I-96 Exposure)</u> façade being reduced to below 10% by substituting Brick or Stone on the <u>dumpster enclosure portion of the façade</u>. Please note that the north elevation appear to me mislabeled as the west elevation on sheets A-1 and A-2.

#### Notes to the Applicant:

1. It should be noted that all roof top equipment must be concealed from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance.

2. It should be noted that all proposed signs are not regulated by the Façade Ordinance and must comply with the City's Sign Ordinance.

4. Inspections – The Façade Ordinance requires inspection(s) for all projects. Materials displayed on the approved sample board (in this case the adjacent existing material) will be compared to materials to be installed. 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". <u>http://www.cityofnovi.org/Services/CommDev/OnlineInspectionPortal.asp</u>.

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

Sincerely, DRN & Architects PC

Douglas R. Necci, AIA

**FIRE REVIEW** 



April 8, 2019

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

PSP# 19-0056

Project Description: Build a 2375 S.Q. F.T. structure on Unit #6 Adell Property.

#### Comments:

- All fire hydrants MUST in installed and operational prior to any building construction begins.
- All water mains **MUST** be put on the plans for review.
- **MUST** show fire and domestic water leads on the plans for review.

#### Recommendation:

APPROVED WITH CONDITIONS

Sincerely,

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

cc: file

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

cityofnovi.org

#### CITY COUNCIL

Mayor Bob Gatt

Mayor Pro Tem Dave Staudt

Andrew Mutch

Laura Marie Casey

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Peter E. Auger

#### Director of Public Safety

Chief of Police David E. Molloy

Director of EMS/Fire Operations Jeffery R. Johnson

Assistant Chief of Police Erick W. Zinser

Assistant Chief of Police Scott R. Baetens



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Assistant Chief of Police Scott R. Baetens

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

cityofnovi.org

January 14, 2019

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

RE: Adell Center (Old Expo Property), 43700 Expo Center Drive

JZ # 18-0024 JSP# 18-27 PSP# 18-0065 PSP# 18-0111 **PSP# 19-0005** 

#### Project Description:

Large commercial entertainment development, multi-use, and multibuildings. Demolishing existing open vacant parking lot and redevelopment with 8 new commercial buildings. Redevelopment of main access driveway into new complex.

#### Comments:

- <u>CORRECTED 1-14-19 KSP-</u>Site plan shall provide more than one point of external access to the site. A boulevard entranceway shall not be considered as providing multiple points of access. Multiple access points shall be as remote from one another as is feasible. <u>The requirement for secondary access may be satisfied by access through adjacent property where an easement for such access is provided. Secondary access drive MUST be added to the site plans for review. IFC 503.1.2. Access lane MUST be at least 20' wide.
  </u>
- 2. <u>CORRECTED 1-14-19 KSP-</u>MUST provide a secondary access point to the parking lot for Unit 5.
- 3. The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet. (Fire Prevention Ord.)
- 4. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire</u> apparatus access drives to and from buildings through parking lots shall have a minimum fifty (50) feet outside turning radius and designed to support a minimum of thirtyfive (35) tons. (D.C.S. Sec 11-239(b)(5)) – <u>Plans show turning</u> <u>radii measured at 44', this will need to be re-designed for</u> <u>50'outside and 30' inside turning</u>. Unit 7, Unit 5, on plan 4, in parking lot in front of unit 4 and on the south side of Unit 3,

Secondary access road near water tower. MUST have 50' outside turning radius and 30' inside turning radius.

- 5. CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire access road MUST not exceed 150' in length. If the access road is longer than 150' you MUST provide some type of turn around. By Unit 5 on the east side of building.
- 6. <u>CORRECTED 1-14-19 KSP-</u>The distribution system in all developments requiring more than eight hundred (800) feet of water main shall have a minimum of two (2) connections to a source of supply and shall be a looped system. *(D.C.S. Sec. 11-68(a))*
- <u>CORRECTED 1-14-19 KSP-</u>For interior fire protection systems a separate fire protection line shall be provided in addition to a domestic service for each building. Individual shutoff valves for interior fire protection shall be by post indicator valve (P.I.V.) or by valve in well and shall be provided within a public water main easement. (D.C.S. Sec.11-68(a)(9))
- <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u> Hydrants shall be installed in a manner to be in compliance with the City of Novi "Design and Construction Standards", Chapter 11 of the Code of Ordinances. Hydrant spacing is 300' from fire hydrant to fire hydrant. Not as the crow flies. 11-68(F)(1)c. MUST put fire hydrant location on pg13 or put buildings with parking lot plans on the Utility plans for review.
- <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire</u> hydrants location per the International Fire Code 2012 (IFC), you MUST have a fire hydrant within 600' from ALL portions of the exterior of the ground floor of the structure. (Not as the crow flies). IFC 507.5.1.
- Hydrant outlets shall be eighteen (18) inches above final grade, measured from final grade to bottom of outlet. (D.C.S. Sec. 11-68 (f)(1)c.4)
- 11. No parking shall be allowed within fifteen (15) feet of a hydrant. (D.C.S. Sec. 11-68 (f)(1)c.4)
- <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u> Additional hydrants may be required, depending on the specific hazard or use, to protect the structure. (D.C.S. Sec. 11-68 (f)(1)c.6)
- All hydrants shall have two 2-1/2 inch male outlets and one 4-1/2 inch male steamer connection. Threads shall be National Standard. (D.C.S. Sec. 11-68 (f)(2))

- 14. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-Fire</u> department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the code official. (International Fire Code)
- 15. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u> Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other object for a minimum of 3 feet (914 mm). (International Fire Code)
- 16. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u> Proximity to hydrant: In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant. (Fire Prevention Ord. Sec. 15-17)
- 17. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u> <u>Maximum Building heights will need to be addresses, as the</u> <u>Novi Fire Department has only 1 - 100' aerial apparatus,</u> <u>and is limited to approx.. 55' height Emergency Access.</u> <u>Proposed buildings in access of 55' may need to conform</u> <u>to the 2015 International Building Code standards for High-Rise (Type I or Type II) construction.</u>

#### <u>GENERAL</u>:

To facilitate fire protection during site preparation and construction of buildings, the following are required:

- 18. Water mains and fire hydrants shall be installed prior to construction above the foundation. Note this on all plans.
- 19. The building address is to be posted facing the street throughout construction. The address is to be at least 3 inches high on a contrasting background. Note this on all plans.
- 20. Street names on suitable poles shall be established and installed prior to construction above the foundation. Note this on all plans.
- 21. Prior to construction above the foundation of nonresidential buildings, an all-weather access road capable of supporting 35 tons shall be provided. Note this on all plans.
- 22. Free access (unobstructed) from the street to fire hydrants and to outside connections for standpipes, sprinklers or other fire suppression equipment, whether permanent or temporary, shall be provided and maintained at all times.

- 23. Fire prevention practice during construction shall be in accordance with the adopted Building Code and Fire Prevention Code
- 24. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u>The installation of security gates across a fire apparatus access road shall be approved by the fire marshal. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200
- 25. <u>CORRECTED 1-14-19 KSP-</u>Correct the scale on plan A1.2 (1/16" = 1').
- 26. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u> MUST provide the height clearance dimensions on plans A-202. MUST have 14' of clearance.
- 27. <u>CORRECTED SEE EACH UNIT PLANS FOR REVIEW 1/14-19-</u>On plan A-101, is there storage in the stairwell?

Recommendation: APPROVAL

Sincerely,

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

cc: file

APPLICANTS RESPONSE LETTER



April 29, 2019

Sri Komaragiri, Planner City of Novi – Planning Department 47175 10 Mile Road Novi, MI 48375

For: Response Letter to City of Novi 43700 Expo Center Drive, Novi Parcel ID: 22-15-476-045

Dear Sri:

Please find this letter in response to the April 25, 2019 review package. This submittal package consolidates the plan submittal information that was presented to staff in three separate partial submittals and summarizes the proposed deviations. It should be noted that a conceptual layout for Unit 6 was submitted for staff review. As of the date of this letter, the final user for Unit 6 has not been selected, therefore, minor changes to the conceptual layout for Unit 6 may be required.

Our responses to the review letters are as follows:

#### Plan Review Center Report dated April 25, 2019:

Item 2 - Items Required prior to Council Meeting:

- 1. Conceptual drawings for Unit 6 have been submitted for staff review.
- 2. The updated deviation list is attached to this response letter.
- 3. Comment noted. An overall lighting and photometric plan has been submitted to staff.
- 4. Comment noted.
- 5. Comment noted
- 6. The updated narrative is included herein

*Item 3 – Previous Approvals:* 

We concur that the proposed improvements to the individual units with in the Adell Center development are subject to site plan approval unless otherwise noted in the approved PRO agreement.

*Item 4 – ALTA survey* 

The current submittal package includes an updated non-certified ALTA survey. Since the time of the original PRO approval, several of the units within the development have been sold to the current owners. The previously approved ALTA survey has been updated to include the new unit dimensions, owners and new parcel ID numbers. It should also be noted that as of the date of this submission, the roads and utilities portion of the site is currently under construction.

#### Item 7 – End Users

The Unit User Table has been revised to reflect the current end users. As of the date of this submission, the end user for Unit 6 has not been selected, therefore, we kindly request that an updated trip generation study be deferred until the end user for this unit is selected.

#### *Item* 8 – *Unit* 6

The use listed for Unit 6 has been changed to restaurant as requested. As noted above, the end user for this unit has not been selected. See our response to Item 7 above.

#### Item 10 – Items that can be approved by planning commission

We concur with the staff comment and have included several additional deviation requests in the PRO amendment request and have received a recommendation for approval by the planning commission

#### Item 11 – Master Deed

We do not anticipate any further on-site or off-site easements from those indicated on the current master deed that is under staff review.

*Item 14 – Lighting and Photometric* Comments noted.

#### **Major Conditions of Planned Rezoning Overlay Agreement**

The list of conditions as previously approved by city council is attached to this submission. We are not proposing any additional conditions from what was previously approved by city council. We acknowledge that the development is subject to all conditions of the approve PRO agreement dated 10-29-18 and approved site plan approval.

#### **Ordinance Deviations**

Attached to this letter is a revised list of additional deviations that have come to light during the site plan approval process for several of the individual units.

- 6. Bicycle Parking: The PRO concept plan has been revised to include two additional bike parking spaces to Unit 7. No deviations are being requested for a reduction in the total number of bicycle parking spaces for Unit 7.
- 7. Loading Area Location:
  - a. Unit 6. The PRO concept plan has been revised to show the vehicle paths for the largest expected vehicle. We are requesting an ordinance deviation to allow for a loading area within both the exterior side yard and interior side yard for Unit 6. It should be noted that due to the layout configuration of the Adell Center development, Unit 6 has two exterior side yards and one interior side yard. This unit does not have a rear yard by ordinance.
  - b. Unit 7. The PRO concept plan has been revised to show the vehicle paths for the largest expected vehicle. We are requesting an ordinance deviation to allow for a loading area within both the interior side yard and front yard for Unit 7. It should be noted that due to the layout configuration of the Adell Center development,

Unit 7 has two exterior side yards and one interior side yard. This unit does not have a rear yard by ordinance.

- 8. Sight Distance: The PRO amendment submittal package has been revised to include a sight distance plan. See sheet 18.
- 11. The PRO concept plan has been revised to show the anticipated locations for the proposed transformers for each unit within the Adell Center development. The anticipated transformer location for Unit 5 has been added to the PRO concept plan.
- 12. Sign Ordinance: Supporting reasoning from the owners of Units 2 and 7 have submitted supporting reasoning to staff for the proposed signage deviations.

Applicant's Burden under PRO Ordinance: The justification for the additional deviation requests are consistent with the justification presented for the deviation requests that were presented as part of the original PRO agreement. The justification for the newly requested deviations is included with the deviation request as submitted separately but with this package.

#### Plan Review Chart April 24, 2019:

- Zoning: We concur that an amendment to the PRO agreement is required to approve the proposed concept plan adjustments, additional deviation requests and PRO agreement.
- Proposed Uses:
  - Unit 4 We concur. The use of Unit 4 is regulated by the conditions of the PRO agreement. We agree that any change is uses for Unit 4 will require an additional amendment to the PRO agreement.
  - Unit 6 The use of Unit has been revised to include a restaurant. Note that Unit 6 has not been sold as of the date of this letter.
  - Unit 9 We concur. The use of Unit 4 is regulated by the conditions of the PRO agreement. We agree that any change is uses for Unit 9 will require an additional amendment to the PRO agreement.
- Open Space Area: We concur. The use of the Open Space area is regulated by the conditions of the PRO agreement. We agree that any change is uses for the open space areas would require an additional amendment to the PRO agreement. Note that the open space areas are currently being constructed as planned and there are no plans to change the use of the open space areas.
- Max % of Lot Area Covered: The Lot coverage area information has been updated with this submittal.
- Building Height:
  - Unit 5: A revision to the previously approved deviation is currently being requested for Unit 5 to allow for Home2 as a user vs. the previously approved Drury Inn. In addition, a deviation change is requested to allow for a "maximum height of 84'-5: 7 Stories. At this time, the height of the proposed Home 2 building has not been confirmed.
  - Unit 6: We concur. Since the end user for this site is not known, it is expected that the building height will comply with ordinance, or an amendment to the PRO agreement will be required.

- Written Statement: A list of new deviations is included with this submittal package.
- Sign Location Plan: We concur
- Traffic Impact Study: We concur
- Community Impact Statement: We concur
- Front Parking Setback: We concur. The front parking setback line is measured from the access easement. Not the sidewalk.
- Parking Setbacks and Screening: The additional deviation requested as part of this PRO amendment includes the use of a combination of brick wall and semi-transparent screening along Adell Drive.
- Parking , Loading, Signs etc.: The current PRO amendment includes a request for additional reduction in the minimum required parking spaces for Unit 7, Texas Road House.
- Required Parking Calculation:
  - Unit 6 The parking calculations have been revised to reflect a restaurant use for unit 6 to be consistent with the requested use.
  - $\circ$  Unit 7 We concur and kindly request this deviation from city council.
- Minimum number of Bicycle Parking: Two additional bicycle parking spaces have been added to the PRO concept plan. We are not seeking an additional deviation for this item.
- Bicycle Parking Layout: The typical bicycle parking layout detail is indicated on sheet 10 of the plans. Further details are to be submitted with the site plan submittal package for each unit.
- Loading Space Location: A loading space deviation has been requested as part of this PRO amendment for both units 6 and 7.
- Dumpster: The dumpster location deviation has been requested as part of this PRO amendment for units 6 and 7.
- Dumpster Enclosure: The concept plan illustrates a dumpster enclosure area located within the exterior side yard of Unit 6.
- Accessory Structures: At this point, we do not anticipate any further accessory structures other than what is currently shown on the PRO concept plan.
- Design and Construction Standards Manual: The most current sidwell numbers have been added to the modified ALTA survey drawing.
- Future Easements: All anticipated easements are shown on the master deed documents that are currently under review with staff. We do not anticipate any further on-site or off-site easements are necessary.

#### **Engineering Review:** (dated April 25, 2019)

We acknowledge all of the comments outlined in the Engineering Review letter. It is expected that each individual site plan will be required to meet each of the listed requirements prior to final site plan approval for the applicable unit. It is also noted that the roads and utilities portion of the overall Adell Center project has been approved and is currently under construction.

#### Landscaping Review: (dated April 5, 2019)

As indicated in the review letter, the landscape review included in the review packet provided only refers to Unit 6. In response to the landscape review comments, we offer the following:

- All Adell Center frontage walls will shown on the individual site plans as a mixture of walls, fences and piers.
- All Crabapple trees will be removed from the fire access lane. (Unit 6)

Recommendation: We acknowledge that staff does not support the use of a line of decorative grasses in lieu of the proposed wall/decorative fence. We are not requesting a deviation for this item and note that we will use a combination of decorative walls, fences and piers as part of the site plans for each individual unit.

We acknowledge all of the comments outlined in the Engineering Review letter. It is expected that each individual site plan will be required to meet each of the listed requirements prior to final site plan approval for the applicable unit. It is also noted that the roads and utilities portion of the overall Adell Center project has been approved and is currently under construction.

Please feel free to contact our office with any questions or concerns, regarding the response letter or updated plans.

Sincerely,

Vand / Lellari

Daniel LeClair, P.E. GreenTech Engineering, Inc.
















#### APPLICANT'S LETTER REQUESTING DEVIATIONS



April 29, 2019

Ms. Sri Ravali Komaragiri City of Novi – Planning Department 45175 Ten Mile Road Novi, MI 48375

# Subject: Additional Conditions and Deviation Requests for the Amendment No. 1 to the Adell Center Planned Rezoning Overlay (PRO) Expo Center Drive, Novi

Dear Ms. Komaragiri:

Please find the herein our revised list of conditions and requested additional deviations. These revisions are based on the review date of April 25<sup>th</sup>, 2019. These requested deviations are in addition to those deviations previously requested as part of the originally approved Adell Center development. The following deviations from the City of Novi zoning ordinances are requested as part of the amendment to the Adell Center PRO development.

# Conditions

- 1. The development is subject to all conditions from the previously approved by the City of Novi or as amended for the Adell Center PRO agreement.
- 2. The current discussions for appearance along the drive and as previously discussed prior to the original PRO agreement included a combination of brick wall and ornamental fence without berm. This condition would align the PRO agreement with the esthetic that was originally developed for the Adell Center.

# **Additional Deviations**

- 1. Planning Deviation (Sec. 3.1.26.D) to allow for a Home2 hotel to be located on Unit 5 in lieu of the previously approved Drury Inn. In addition, this deviation request is to allow for a maximum building height of 84' or 7 stories for the Home2 hotel. This deviation request is for Unit 5.
- 2. Planning Deviation (Sec 4.19.2) to allow for construction of a dumpster enclosure within the interior side yard off the building. This deviation is being requested to allow the dumpster enclosure to be constructed in the interior side yard so that is not directly visible from the I-96 expressway. This deviation request is for Unit 7.
- 3. Planning Deviation (Sec 4.19.2) to allow for construction of a dumpster enclosure within the exterior side yard off the building. This deviation is being requested to allow the dumpster enclosure to be constructed in the exterior side yard on the EB I-96 off-ramp side of the building. This deviation request is for Unit 6.
- 4. Planning Deviation (Sec 5.4.1) for Parking, Loading, Signs, Landscaping, etc. to locate the loading area within the interior side yard. This deviation is being requested to allow the

loading area to be constructed in an orientation and location such that is less visible from the EB I-96 expressway. This deviation request is for Unit 6 and 7.

- 5. Planning Deviation (Sec 5.4.1) for Parking, Loading, Signs, Landscaping, etc. to locate the loading area within the interior side yard. This deviation is being requested to allow the loading area to be constructed in a location is not directly visible from the EB I-96 side of the proposed building. This deviation request is for Unit 6 & 7.
- 6. Planning Deviation (Sec 5.4.1) for Parking, Loading, Signs, Landscaping, etc. to locate the loading area within the exterior side yard. This deviation is being requested to allow the loading area to be constructed in a location that's relatively out of site from the EB I-96 side of the proposed building. This request would allow the loading area to extend from the interior side yard into the exterior side yard area. This deviation request is for Unit 6.
- 7. Planning Deviation (Sec 5.4.2) for Parking, Loading, Signs, Landscaping, etc. to allow for a reduction in the size of the proposed Loading Area as follows:

| Unit | Building   | Required Loading | Requested Loading | Deviation      |
|------|------------|------------------|-------------------|----------------|
|      | Front Foot | Area (sf)        | Area (sf)         | Requested (sf) |
| 7    | 84'        | 840              | 786               | 54 sf          |

Per the applicant, the only time that delivery vehicles visit are during non-open times of the day which are generally in the morning before the restaurant opens for business. Deliveries will also be scheduled as not to conflict with garbage removal periods of time.

- 8. Landscape Deviation (5.5.3.B.ii & iii) to allow for the construction of a mix of walls, piers and fences along the Adell Center Drive frontage in lieu of a continuous wall. The walls shall match the existing walls at Crescent Boulevard and Adell Center Drive. This revision pertains to Units 1-8 of the Adell Center PRO.
- Façade deviation to allow the following allowable percentages listed in section 5.15 of Zoning Ordinance for the building on Unit 7 as listed below
  - a. A maximum of 25% standing seam metal roof id allowed, 35% on East elevation and 29% on west elevation proposed;



3 EAST ELEVATION



- 10. Landscape deviation (Sec. 5.5.3) from the requirement that there shall be a minimum 3' high undulating berm in the landscape berm along the I-96 frontage. This request will allow for an undulating berm with a total 3' height. This deviation is being requested due to the insufficient space in the greenbelt to add the vertical and horizontal undulations.
- 11. Landscape deviation (Sec 5.5.3.C.(3)) requiring one perimeter parking lot for each 35 lineal feet of parking lot perimeter. This deviation request is to allow the placement a hedgerow of shrubs in lieu of the required parking lot perimeter trees over the proposed underground detention system. This deviation pertains only to the westerly portions of Units 2 & 3.
- 12. Planning Deviation (Sec 4.19.2) is being requested to allow the transformers to be constructed in the interior side yard away from the EB I-96 on-ramp and/or along adjacent interior shared access. This deviation request is for Unit 1, 2, 3, 5, 6, and 7.

- 13. Planning deviation from section 3.1.25.D to allow reduction of minimum required exterior side parking setback of 20 ft. for the following unit is proposed;
  - a. Unit 6: 13 ft. along Northeast (50' at property boundary indentation)
- 14. Planning deviation from standards of Sec. 5.12 a 30 space reduction in minimum required parking (calculations provided) for unit 7 within the development.

Total number of Employees (E): <u>40</u>

Total number of customers allowed under Maximum Capacity:

- Dining: 286
- Waiting Benches: 25
- Waiting outside benches: 28
- Waiting Non-Concentrated: 13

Total: Occupancy (**O**)= 286+25+28+13= 352

Total Minimum Parking required: (E+O)/2 = (40+352)/2 = 196Total Parking Proposed: 166 Total Deviation requested: 30

These deviations are requested to allow the end user an opportunity to maintain their national brand look for the building. This deviation refers to section 9 of the City of Novi code of ordinances.

- 15. City Council Deviation from the existing sign ordinance 25-5(b)(1)b to allow for a deviation of 152.4 sf, for a total front elevation sign area of 238.4. This deviation request is for Unit 2 (Planet Fitness).
- 16. City Council deviation for second building wall mounted sign on the north side of the building of 105.8 sf, for a total sign area of 191.8 sf. This deviation is requested so that the applicant can install a building sign along the North Side of the building to gain the necessary visibility to the proposed building. Adell Center road side of the building and a second sign along the I-96 side of the building. This deviation request is for Unit 2 (Planet Fitness).
- 17. City Council deviation for wall mounted sign on the building of 105.8 sf, for a total sign area of 171 sf. This deviation is requested so that the applicant can install a building sign along the North Side of the building to gain the necessary visability to the proposed building. Adell Center road side of the building and a second sign along the I-96 side of the building. This deviation request is for Unit 2 (Planet Fitness).
- City Council Deviation from the existing sign ordinance 25-5(b)(1) to allow for an enlarged front elevation sign that is over sized by 171 square feet for a total sign area of 231 square feet. This deviation request is for Unit 6 Texas Road House)
- City Council Deviation from the existing sign ordinance 25-5(b)(1)b to allow for sn enlarged real elevation sign that is over sized by 94.5 sf, for a total sign area of 231 square feet. This deviation request is for Unit 6 Texas Road House).

On behalf of the applicant and based on the above description and attachments, we kindly request positive consideration by the City of Novi on this matter.

If you have any questions, please do not hesitate to contact me.

Sincerely, GreenTech Engineering, Inc.

Daniel J LeClair, PE Project Manager

# **RESPONSE LETTER FOR SIGN DEVIATIONS**



Texas Roadhouse- Adell Town Center

Honorable Council Members,

On behalf of our client, Texas Roadhouse; please consider this memorandum as supplemental details to the signage deviation request.

Based in Louisville, Kentucky, Texas Roadhouse opened its doors in 1993 in Clarksville, IN and has more than 525 locations in 49 states and seven countries. The family-friendly restaurant is famous for hand-cut steaks, made-from-scratch sides, fresh-baked bread, and a lively atmosphere.

Their continued success is largely due to the consistency with their brand identity (the building and signage). Statistically, they have found that deviations from their prototype, whether it's to the wall signage or exterior elevations has been linked to lower performing stores within their portfolio. If customers can't recognize the facility as a Texas Roadhouse, customers won't come.

Their stores rely heavily on network marketing, "a boots on the ground" campaign. Their managing partners (managers) are tasked with actively being a part of the community they are calling home. Whether it is to sponsor a clean up at a local park or having their mascot Andy the Armadillo attend a local boy scout event, the managing partners relying on this style of marketing to bring in customers. Historically, Texas Roadhouse has not advertised through typical media outlets such as print and TV ads versus their direct competitors. Despite the age of social media, the stores do not have "influencer's" on staff, the preferred marketing method is being a visible presence in their respective communities. The Managing Partner at each Texas Roadhouse has an ownership interest in their restaurant. In exchange for 10% of the profits, Managing Partners are required to put down a \$25,000 deposit and sign a five-year employment contract.

Their philosophy is to replicate the customer experience regardless of the store location. The sensory experiences when you enter the store, the smell of fresh bread, seeing the hand cut steaks you can order for dinner or the friendly greeting by the hostess is the same whether, you are in Novi, MI or Miami, FL.

Consistency in their brand is seen in the details. The walls of each Texas Roadhouse are adorned with murals that are created specifically for each restaurant. The paintings are designed to reflect the local community. Each mural is still approved by Kent Taylor, the founder and chairman of Texas Roadhouse. The only mural that is provided to each restaurant is of an older, distinguished Native American that is created by the Texas Roadhouse artist. There are several versions of the painting, which honors the Native American culture.

Each Texas Roadhouse restaurant employs a butcher and a baker. The butchers, or meat cutters, hand cut each steak that they serve. Their meat cutters work in 34-degree coolers and cut an average of \$1 million of meat a year per store. Their bakers are responsible for making our yeast rolls from scratch every day. Their legendary bread is baked fresh every five minutes and served piping hot along with homemade cinnamon butter to guests as they are seated.

Texas Roadhouse is a dinner-only concept during the week. Although the restaurants are open for lunch on the weekends, the dinner-only philosophy ensures our managers of a better lifestyle. The dinner-only hours make it a compatible use when they construct within a larger developer.

The modification to the size and placement does not affect nor jeopardize the public's health, safety, and welfare. Rather the mindful placement of the sign will increase visibility to the passing motorists alleviating potential traffic safety issues. By allowing an increase (in size) to the wall signs would allow Texas Roadhouse's channel letters and elevated logo to be consistent with the Registered Trademark I.D. used throughout the country. It should be noted that the store controls the lighting to the signage and turns it off 1-1/2 after closing and it will not remain on all night.

Additionally, the request will not alter the essential character of the neighborhood/district in which this property resides. Nor does it substantially or permanently impair the appropriate use or development of the adjacent properties. The proposed buffer around the perimeter of the property limits the adjacent property owners/patron's visibility of this site. Therefore, an increase in number and size will not have an adverse effect on the adjacent property owners.

Therefore, we respectively request the Council consider granting a signage deviation to allow for and to accommodate Texas Roadhouse's wall signage at Adell Town Center.

With Kind Regards

Brilly Bernahl

Emily M. Bernahl Director of Development Services BDG Architects

# robert g. lyon + associates, inc.

April 02, 2019

City of Novi 45175 Ten Mile Road Novi, MI 48375 248.735.5607

Planet Fitness - Adell Town Center

Honorable Council Members,

On behalf of our client. Planet Fitness, please consider the support information below for the signage deviation request.

Planet Fitness is one of the largest and fastest-growing franchisors and operators of fitness centers in the United States by number of members and locations, with a highly recognized national brand. Their mission is to enhance people's lives by providing a high-quality fitness experience in a welcoming, non-intimidating environment, which they call the Judgement Free Zone, where anyone can feel they belong.

Planet Fitness's continued success is largely due to the consistency with their brand identity and the visibility of signage which plays an integral role and direct correlation to the number of members their facilities support.

It is due to this that Planet Fitness is seeking approval on three signage variances: one for the use of an additional sign on the building and two additional variances for the enlargement of the proposed two building signs.

We are proposing a 238.4 sq. ft. sign over the main entrance (east elevation) facing Adell Center Drive based on 172 feet from centerline of Adell Center Drive. A variance of 152.4 feet would be required to allow a 238.4 sq. ft. sign where an 86 sq. ft. sign is permitted per the signage ordinance.

Similarly, on the north elevation we are proposing a 191.8 sq. ft. sign. Based on 172 feet of setback from the centerline of Adell Center Drive, a variance of 105.8 sq. ft. would be required to allow a 191.8 sq. ft. sign. where an 86 sq. ft. sign is allowed if a second sign is allowed per ordinance.

Additionally, the modification to the size and number does not affect nor jeopardize the public's health, safety, and welfare, Rather the signs will increase visibility to the passing motorists alleviating potential traffic safety issues. The request also won't deviate from the overall character of the development or impair the use of the development or the adjacent properties. This is due to the building placement and clear area around the building supporting visibility.

We respectively request the Council's consideration for the signage deviation to accommodate and support Planet Fitness in the Adell Town Center.

Best Regards,

David Hiedtke Senior Architect RGLA Solutions, Inc. 5100 River Road, Suite 125 Schiller Park, IL 60176 847.916.2710

# CITY COUNCIL MEETING MINUTES EXCEPRT

September 24, 2018

# REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI MONDAY, SEPTEMBER 24, 2018 AT 7:00 P.M. COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD

#### Mayor Gatt called the meeting to order at 7:00 P.M.

#### PLEDGE OF ALLEGIANCE

| ROLL CALL:    | Mayor Gatt, Mayor Pro Tem Staudt, Council Members Breen,<br>Casey, Markham, Wrobel (absent, excused) |
|---------------|--|
| ALSO PRESENT: | Alan Weber, Economic Development Director<br>Thomas Schultz, City Attorney                           |

#### APPROVAL OF AGENDA:

CM 18-09-137 Moved by Casey, seconded by Markham; MOTION CARRIED: 6-0

Roll call vote on CM 18-09-137 Yeas: Staudt, Breen, Casey, Markham, Mutch, Gatt Nays: None Absent: Wrobel

#### INTERVIEWS FOR PLANNING COMMISSION

- 1. Domenic Policicchio Absent
- 2. Willie White

Willie White said she submitted the application because it would be a way for her to become involved in the inner workings of the City government. Member Breen didn't have any questions at that time. She thanked her for stepping up. She said she hoped no matter the outcome that we could find a place for her to volunteer. Member Casey said she believed Council spoke with Ms. White a few months ago. She wondered if she has seen anything in Novi in the last couple of months that makes her more interested. Ms. White said her interest has not diminished. She noticed that the City is growing and has potential to grow even more. She stated she would like to be part of that growth as a resident and also on the government side of it. Mayor Pro Tem Staudt noted that the Planning Commission is one of the more difficult Boards and Commissions to get on. He asked what other things she was interested in. He wondered what her primary focus in Novi would be. Ms. White replied that housing would be her focus. She would be interested in either the Planning Commission or something to do with housing. She does have experience in housing. She owned a non-profit in Detroit. She noted that she is very interested in the building of houses, specifically low income housing, and mentioned the Manchester project. She stated the starting rent is \$1,400 and she questioned how that was considered low income. She said the median income is rising, but seniors have steady income. She wondered what provisions are being made for seniors and low income. Member Mutch followed up on her experience with housing in Detroit. He said there are different needs in Novi, but many of the same challenges, especially low income. He asked from her experience what the key needs were for On August 24th, the surveyor stakes went in and the path is about 20 feet from properties. A number of residents have contacted the Mayor and City Manager and had discussions with PRCS. Basically nothing has happened as far as the location of the trail. They felt totally ignored and blocked from having any say. He didn't know where the decision was made on where the trail would be. There is no record of voting or discussion on the exact location of the trail. He felt as far as the information provided to them was incorrect.

# CONSENT AGENDA REMOVALS AND APPROVALS:

- A. Approve Minutes of:1. September 17, 2018 Regular meeting
- B. Approval of the Traffic Camera License and Use Agreement, for viewing real time intersection traffic conditions, between Oakland County and the City of Novi.
- C. Approval of the purchase of one (1) Verity Central Unit in the amount of \$88,155.00 from Hart InterCivic, Inc. through the State of Michigan contract.
- D. Approval to purchase an unmarked vehicle from Galeana's Van Dyke Dodge/Ram for the Novi Police Department in the amount of \$25,823.50 through the Oakland County Cooperative purchasing contract.
- E. Adoption of Oakland County Hazard Mitigation Plan.
- F. Approval of Claims and Accounts Warrant No. 1020

#### CM 18-09-138 Moved by Mutch, seconded by Markham; MOTION CARRIED: 6-0

#### To approve the Agenda as presented.

| Roll call vote on CM 18-09-138 Yes | s: Breen, Casey, Markham, Mutch, Gatt,<br>Staudt |
|------------------------------------|--|
| Nay                                | s: None  |
| Abse                               | it: Wrobel                                       |

#### MATTERS FOR COUNCIL ACTION

1. Consideration of the request of Orville Properties, LLC for Tentative Approval of Zoning Map Amendment 18.724 for a Planned Rezoning Overlay (PRO) Concept Plan associated with a rezoning from Expo (EXPO) to TC (Town Center). If the City Council determines that it may approve the rezoning with PRO, the City Council shall specify tentative conditions and direct the City Attorney to work with the applicant in the development of a proposed PRO Agreement. Upon completion of the PRO Agreement, the City Council shall make a final determination to approve, approve with conditions, or deny the rezoning with PRO. The subject

property is approximately 21.48 acres and is located at 43700 Expo Center Drive, north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development consisting of nine units accessed by a proposed private drive. The PRO Concept plan includes a request for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance.

Kevin Adell said he was the owner of the property on Novi Road and I-96 where the water tower is that has the Adell name on it. A picture is worth 1,000 words, so he showed a video presentation showing what the development would like in 30 days and then at final completion a year from now if given the opportunity. They would take concrete out and foundation October 1st. Second, they would start road and utilities in winter. In the spring construction would start. He explained they are tenants. Each person buys into it at \$1 million to \$3 million per acre. They are putting a \$20 million building on each property. They have skin in the game. It will not be like 12 Oaks Mall. This will spark redevelopment along Grand River. He said there are no guarantees in business. He owns the Word Network. He can tell you this will spark redevelopment along Grand River. He humbly asked Council that they approve this project.

Member Casey asked the City Attorney how the development will proceed since this was not a typical PRO. She asked if they will see the sale of individual units, clear lot delineation, then the maintenance of roads, common elements, and pedestrian crosswalk will be part of a condominium association. She wanted confirmation that the units will maintain their lots and all of the other amenities will be maintained by a condominium association. City Attorney Schultz replied yes, that is what we expect as part of PRO agreement. If it reached the next phase, they would outline that process in the agreement. Typically a site condo works that way. Member Casey asked if any of the unit owners wish to sell, that sale needs to be for a purpose that meets existing approved per the Town Center district. Mr. Schultz said any sale has to be in accordance with the PRO agreement. He did mention one issue would be dealing with subsequent users. They will have to wait and see what the proponent proposes. Member Casey had a question for the traffic consultant. Member Casey understood that the City was undertaking a traffic study on Grand River as a whole and was looking for an update. The traffic consultant said they have looked at Grand River from Meadowbrook to Novi Road. They also looked from Novi Road from Ten Mile to 12 Oak Mall and Novi Road. They submitted a draft study to the City for review. The general findings of the study are regarding the existing conditions and projected out to 2028 with some assumptions built in. Examples such as the Ring Road which was built into the CIP they assumed would be built by 2028. So that is what their analysis took into consideration. Under existing conditions there are issues at Novi Road and Grand River in terms of meeting the level of service deemed acceptable. Adding traffic to that in the year 2028 was showing progressively worse at certain locations. They proposed some mitigations. It is in the City's hand and they are reviewing. Member Casey said she works for General Motors and because Carvana is a proposed use, she wanted to state that she does not receive any benefits since Carvana is likely to sell used General Motors vehicles. She can be objective. She thought this was an interesting opportunity to have this development brought to them. Some of the questions she had were about

unique special buildings, like Carvana and iFly. She said they are very unique facilities and specifically built for this. She was curious what it would look like 30 years down the road. Generally speaking, she was comfortable with this project. She would like to see, since this is tentative approval, more info on traffic study. She said understanding that a significant development was going in, they need to understand traffic and mitigation opportunities. Going forward she didn't see any specifics about signage deviation. She wanted to see that for the monument signs. Those are her outstanding questions. Mr. Adell mentioned that this would bring in \$3.4 million in tax revenue and right now it brings in zero. With all of these users that will bring \$3.4 million plus personal property. They figure about \$4 million additional tax revenue.

Member Mutch said he had a chance to review the packet and at this step in process with PRO he has three key issues that he was focused on. He said he would like to have more information to give him a level of comfort to move forward. First off would be the traffic issue. He drives through that intersection every day. He commutes to Waterford. The longest part of his commute is getting off M-5 and onto I-96 at Novi Road and taking Novi Road south past this site to Grand River. This is always the most congested part of his drive. He knows news articles and mailings have gone out, and the residents complain about traffic, traffic, traffic. That's a key issue. One concern is the traffic review provides some information about trip generation. This will generate 4,000 trips per day, plus peak hour, on top of what's going on already. He felt this was something that they need to have a conversation about. When he looks at this development and location there is only one access point off of Novi Road. All traffic goes through that intersection. Right now it gets hardly any traffic, but if this development is successful it will generate traffic and have significant impact on corridor. He understands the City is doing a traffic study. Before we get to final approval, he wants to see that study. For any development at that location, he needs to know how traffic will be addressed. That location is seven lanes wide. Grand River is five lanes wide and there is no room to put any more lanes. He said related to that is the site plan proposing a single entrance with a long cul-de-sac design. He felt that was longer than what was permitted by ordinance. He has a concern about what would happen if Police and Fire need to respond and that primary access is blocked off or inaccessible. The ordinance requires a secondary access point so emergency response folks can get into developments; especially developments of this size with hotels. From what information was provided, that aspect of the plan hasn't been nailed down in terms of secondary access and having it secured in place. He said before he would give final approval that would have to be addressed. His final piece is that they still have questions regarding which uses are going to be in place. He said he knew that Mr. Adell has lined up several companies such as Carvana, iFly, Fairfield, Planet Fitness and Texas Roadhouse. Mr. Adell said they have purchase agreements with 10% escrow. Mr. Adell said he is also talking to HopCat about a proposed restaurant there. Member Mutch wants to see more detail from a planning and traffic perspective what the impact will be. He was looking to staff to provide additional information from those applicants providing detail of what they have proposed. He understood that Mr. Adell will be selling these properties and the City will deal with each applicant. Mr. Adell said Sears, Denny's, and Toys R Us are going out of business, so there is less traffic. He sat on I-96 due to many reasons such as road construction, union problems, freeways that aren't built,

etc. His father bought the property 51 years for \$150,000 before the growth. Growth is positive, more development, and open for business. This is the gateway to Novi. This is what you see. He is offering the opportunity to have these Fortune 500 companies. This will spark redevelopment. He didn't create the traffic problems. These are executed purchase agreements. They are committing to spending real money. He doesn't know what more he needs to show. Member Mutch appreciated that. He isn't holding him responsible for traffic. Every development generates traffic. He wants to understand what the City needs to do, taking into account all developments that they are reaching gridlock and chocked from traffic. It's congested and the number one complaint. When people heard about this proposal, the complaint was regarding traffic. Mr. Adell said that wasn't true. Member Mutch said he listed his concerns. At this point in the process, there are no specifics in the plan that would prevent him from moving forward, but those need to be addressed before final approval.

Member Markham thought that using the TC zoning as the underlying zoning is a good idea. That's the right choice of all of the zoning districts and it makes sense with the right kinds of uses. She thought that was a move in the right direction. She echoed previous comments on the traffic situation. It is their job as Council to represent the residents. Novi residents, she included, and anyone else who drives through the Novi Road, I-96, Grand River intersection knows that it is a problem. Even though she felt this is the right kind of development, she saw serious issues on how we will move people through. We need to see the plan that the City has and how it incorporates with his proposal to avoid worsening traffic. She said they were all good uses, but if we don't do something different with how we move people through there, it won't work. A discussion needs to take place and they need more detail on how we will handle that. She asked if where the road terminates was big enough for the car haulers to turnaround. Our traffic consultant replied yes, it meets the standards. Member Markham said she would like more information about signage and why the deviations are required. She typically thinks it's hard to find businesses. She felt that our sign ordinance is restrictive. She is not against signage deviations as long as they make sense. Dan LeClair from Green Tech Engineering said they are asking for several signage deviations for the development as well as for some of the users. This property does not lie right on Novi Road so they have to get people in and out smoothly and efficiently. He explained they are asking for two deviations with respect to monument signs, one out near the intersection of the eastbound off ramp at Novi Road and one at Crescent Boulevard where it goes into the current Expo Center Drive, just for monument signage to identify the center. Member Markham wondered if they will say the Adell Center, they aren't welcome signs, they really identify development. Mr. Adell said regarding traffic, these are destination places, like iFly. Member Markham understood that, but stated that they need to look at things comprehensively when a big development comes forward. Council needs to ask questions. She also agreed certain locations have a lot of traffic, but they talk about that also because it is a problem for the residents and the subject needs to be discussed. Member Markham questioned City staff about the process. She stated that our development manual requires concept approval from Council and then it goes to site plan approval at the Planning Commission. This proposal has already gone through site plan approval at the Planning Commission before they saw it. She wondered how that worked and wondered if they wanted to change something,

#### Regular Meeting of the Council of the City of Novi Monday, September 24, 2018 Page 8

would they be able to. City Attorney Schultz stated that at the beginning of conversations with applicant one of the questions raised to the City Manager and Community Development was if it was possible and permissible to do the site plan concurrent with PRO concept plan. He said they researched the issue and wrote a letter to them saying there is no prohibition or absolute limitation on doing that. The developer had to understand they were doing it at their own risk. Essentially it said it was a gamble for the developer. From Council's perspective that was their choice and their risk to go to the Planning Commission before they had the concept approval. Mr. Schultz stated if the concept changes between now and whenever they would actually do something with their site plan approval then that's Council's ability to do so. Mr. Adell stated he was not changing it. Mr. Schultz said this was not a back and forth with the developer unless there was a direct question. Member Markham wondered if Mr. Adell had given any thought to public transit as something that might service the development. Mr. Adell said Uber and Lyft were available. He said he contacted the different malls about having trolleys taking people back and forth. Member Markham said she was thinking a little more broadly. The facilities would have employees and patrons. She asked if he had given any thought to accommodating some type of transit like a bus stop. Mr. Adell said he knew something was proposed with SMART, but he didn't know if anything had been approved. He considered that the City's obligation, same as infrastructure. Mr. Adell said he has the property and is trying to find the best use for the property.

Member Breen said she didn't have any questions for the developer or staff at that time. She also wanted to echo the same concerns. She said traffic was a big concern. She lives on north end and her only option is to go south and it was terrible. It's not looking any better. She would like to see what can be done to alleviate those concerns. She would like to review the pending traffic study. She thought a lot of things are different with this plan and it sounded fun. She worried about the viability of Carvana and adding more hotels. She didn't know what the capacity would be. There are concerns from the Fire Marshal though it appears those will be addressed. There is nothing finalized for secondary access. She felt those things need to be address before final approval.

Mayor Pro Tem Staudt said there have been a lot of proposals over the years for the property including a flea market. One of the beauties of this particular plan is that it is a pretty finite program of development. He thought that was a huge benefit to this community. Everybody has an opinion on traffic. He works a block away from that area and he drives it on a regular basis. He agreed that traffic is horrible during rush hour. During the day there isn't a significant traffic problem in Novi. This is something we have to, as a community, figure out how to fix. This isn't a one development issue; Twelve Oaks Mall, Fountain Walk and Walmart aren't going anywhere. He said he does not hold a developer responsible to fix the traffic problem, which is strictly Council's responsibility to figure out. Our success has bred more traffic. He didn't think the applicant should be penalized because he chose to take a slightly difference process for the development process. He said he has attended a couple of the meetings and the Planning Commission did a tremendous job of holding this applicant accountable for the many variances required to pull off something like this. He understood there are

concerns for following the process. This was a City decision; we could have said no and held it up. We allowed it to happen because of a commitment that was made by our City Manager to this applicant. He thought that Mr. Adell has a tremendous passion for this property. This is a small part of his financial empire. He wants to see that it is successful. He hopes they can move this forward.

# CM 18-09-139 Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

Tentative approval at the request of Orville Properties, LLC for a Zoning Map Amendment 18.724 for Planning Commission's recommendation to City Council for a Planned Rezoning Overlay Concept Plan (PRO) associated with a zoning map amendment, to rezone from Expo (EXPO) to TC (Town Center), based on the following findings, City Council deviations, and conditions, with the direction that the City Attorney's Office shall prepare the required Planned Rezoning Overlay Agreement and work with the applicant to return to the City Council for Final Consideration pursuant to the PRO Ordinance:

The agreement shall include the following ordinance deviations and additional information requested by staff for consideration by the City Council:

1. Planning deviation from section 3.1.26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, for the following, provided they conform to the 2015 International Building Code standards for High- Rise (Type I or Type II) construction:

a. Unit 5 Drury Hotel (84'-5", 7 stories proposed), b. Unit 8 Carvana (75'-10", 8 tiers proposed), and c. Unit 1 I-fly (70 feet)

- Planning deviation from section 5.12 to allow lack of required frontage on public road for Units 1 through 8. Frontage is proposed via a proposed private drive, built to City standards;
- 3. Planning deviation to allow lack of required frontage on public road as listed in section 5.12 for Unit 9. Frontage is proposed on a private access/secondary emergency access drive;
- Planning deviation from section 3.27.1.C to allow for not meeting the minimum requirements for exterior side yard building setback of 50 feet from 1-96 Rights-of- way for Unit 1. A minimum setback of 32.5 ft. is requested;

- 5. Traffic deviation from section 11-l 94(a)(7) of Design and Constructions Standards Manual to allow exceeding the maximum allowable length of the proposed cul-de- sac street length of 800 feet, from the centerline intersection of Crescent Boulevard to the center of the bulb of the Adell Center Drive cul-de-sac. A maximum of 1,540 feet is proposed;
- Planning deviation from section 3.1.25.D to allow reduction of minimum required front parking setback of 20 ft., from the proposed access easement. A maximum of 18 feet is requested;
- 7. Planning deviation from section 3.1.25.D to allow reduction of minimum required interior side parking setback of 20 ft. for the following units as shared access is proposed between parking lots;
  - a. Unit 1: 14 ft. along West, 0 ft. along South
  - b. Unit 2: 15 ft. along South
  - c. Unit 3: 15 ft. along West and 5 ft. along South
  - d. Unit 4: 5 ft. along East
  - e. Unit 5: 10 ft. along West
  - f. Unit 6: 0 ft. along West
  - g. Unit 7: 0 ft. along East and 10 ft. along West
  - h. Unit 8: 10 ft. along East
- 8. Planning deviation from section 3.1.25.B& C to allow the water tower to remain on its own separate site (Unit 9). This is not a principal permitted use of a site. It is also not considered an accessory use, since its proposed use is not detailed; provided that the creation of a new, separate legal parcel of limited size for the purpose of housing the tower on its own shall be addressed in the PRO Agreement including, but not limited to, the prohibition of future uses in the event the tower is removed and requirements relating to maintenance obligations;
- 9. Planning deviation from section 4.19.2.F to allow alternate location for dumpsters, instead of required rear yard for units 1, 5, 6, 7 and 8, provided the proposed location does not impact traffic circulation and appropriate screening is provided at the time of preliminary site plan. The applicant requests dumpsters to be allowed in exterior/interior side yards;
- 10. Planning deviation to allow partial rear yards for Units 3, 4 and 5 to be located within the floodplain, as listed in section 4.03A of Subdivision Ordinance, provided there is

no danger to health, life or property are proposed. There appears to be no impacts proposed for Units 3 and 5. A pedestrian bridge is proposed on Unit 4;

- 11. Planning deviation to allow lack of required loading areas, as listed in section 5.4.2., for unit 9 as requested by the applicant;
- 12. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review
  - a. Unit 1: exterior side yard
  - b. Unit 3: interior side yard (no double frontage)
  - c. Unit 4: interior side yard (no double frontage)
  - d. Unit 5: exterior side yard or front yard under canopy
- 13. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review:
  - a. Unit 2: interior side yard (no double frontage)
  - b. Unit 6: exterior side yard
  - c. Unit 7: exterior side yard
  - d. Unit 8: exterior side yard
- 14. The applicant shall provide supporting data to justify the proposed loading area square footages, to be reviewed and approved by Planning Commission at the time of Preliminary site plan approval;
- 15. Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking(to be established by staff after reviewing the calculations provided) for each unit within the development subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of respective site plan approval;
- 16. Façade deviation to allow the following allowable percentages listed in section 5.15 of Zoning Ordinance for the buildings listed below:
  - a. Unit 1 I-fly (based on the assumption that no EIFS is being proposed):

Regular Meeting of the Council of the City of Novi Monday, September 24, 2018 Page 12

- The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's review and consideration for approval of Section 9 waiver at the time of Site Plan approval;
- b. Unit 2 Planet Fitness
  - The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's approval of Section 9 waiver at the time of Site Plan approval;
- c. Unit 5 Drury Inn:
  - i. Underage of Brick and Stone combined (50% minimum required, 46% on right, 46% on left and 36% on rear proposed);
  - ii. Overage of EIFS (25% maximum allowed, 43% on front facade, 47% on right, 47% on left facade and 58% on rear facade proposed)
- d. Unit 8 Carvana:
  - iii. Underage of brick (30% minimum required,7% proposed on front façade)
  - iv. Underage of combined brick and stone (50% minimum required, 7% on front, 30% on right façade, 30% on left and 39% on rear façade proposed)
  - v. Overage of display glass (25% maximum allowed, 80% on front façade, 63% on right façade, 63% on left façade and 57% on rear façade proposed).
- 17. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two development signs proposed for Adell Center as listed below:

- a. Entranceway Sign Area (Section 28-1 & 28-5(b) (2)a) to allow for an increased sign area of 60 square feet. A deviation of 20 square feet is requested.
- Entranceway Sign Height (Section 28-5(a) to allow for a 15' high monument sign. A deviation of 9 feet is requested.
- c. Ground Sign Area (Section 28-1 & 28-5(b) (2)a) to allow for an increased sign area of 265 square feet. A deviation of 165 square feet is requested.
- d. Ground Sign Height (Section 28-5(a) to allow for a 15' high monument sign. A deviation of 9 feet is requested.
- e. To allow two ground signs on Unit 6. A maximum of one sign is allowed.
- Planning deviation to allow Side Lot lines between Units 6 and 7, 4 and 5, 1 and 2 for not being perpendicular or radial to the road, as listed in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances;
- 19.Planning deviation to allow proposing the minimum required Open Space for each Unit as Common element spread within the development boundaries as shown in the Open Space Plan, provided the applicant restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements is submitted and approved at the time of Wetland permit/preliminary site plan approval, and provides the pedestrian walkway through the open space as proposed. (A minimum of 15% of total site area designed as permanently landscaped open areas and pedestrian plazas is required per section 3.27.1.F.);
- 20. Traffic deviation from section 7.13.1.D.to waive the requirement for required Traffic Impact Study as the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City;
- 21. Planning deviation from Section 5.7.3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4:1;
- 22. Planning deviation to allow exceeding the maximum spillover of I foot candle and approvable increase of the average to minimum light level ration from 4:1 within the

Adell Drive pavement areas as listed in Section 5.7.3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units;

- 23. Engineering deviation from section 4.04, Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances for absence of a stub street required at 1,300 feet interval along the property boundary to provide connection to the adjacent property boundary;
- 24. Engineering deviation from Section I I-I 94(a) 19 of the Design and Construction Standards for allowing gravel surface for the secondary emergency access road within Unit 2 lot boundaries until construction of Unit 2 site improvements or until an agreed upon timeline provided in the PRO agreement;

The following revisions shall be made to the PRO Concept plan prior to City Council final approval of the PRO Concept Plan

- 1. A note shall be added to on Sheet 2, PRO Concept Plan, that each of the uses is subject to Use Standards in Article 4 of Zoning Ordinance;
- 2. The following notes shall be removed from the PRO Concept Plan
  - a. A note on sheet 02 that refers to "The Users are as of 08-29-18 and will be updated as new users are determined".
  - b. A note on sheet 03 and 04 that refers to "Internal lot lines within the Adell Center Development are subject to move".
  - c. Building and Parking setbacks provided in a small inset on Sheet 2 as they conflict with the suggested deviations at August 22nd Planning Commission meeting;
- 3. The applicant shall remove the parking reference summary from sheet 02 as the Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking will address the counts at the time of respective site plan approval as indicated earlier in this motion sheet;
- 4. The applicant shall add a note on PRO Concept Plan under Allowable uses that each of the uses is subject to Use Standards in Article 4 of Zoning Ordinance;

- 5. The applicant shall provide a list of restricted uses on the PRO Concept plan, to be included in the agreement to ensure a quality development. Some of the staff recommended uses are as follows:
  - j. Gas Stations
  - k. Sexually-oriented businesses
  - I. Medical/Recreational Marijuana Uses
  - m. Hookah bar/lounges or similar uses
  - n. Vape shops or similar uses
  - o. Convenience Stores
  - p. Fast-food restaurants
  - q. Fast food restaurants with a drive-through
  - r. Tattoo parlors

The items outlined by the Planning Commission should be addressed in the drafting of the PRO agreement prior to final approval by City Council:

- The applicant shall conform to the maximum 15 bay parking requirement at the time of Site plan approval for individual units;
- 2. The applicant shall revise and include the accurate legal description of the subject parcel and the road rights-of-way for the Ring Road in the PRO Concept plan and PRO Agreement;
- 3. The applicant shall provide a secondary access point to the parking lot for Unit 5 at the time of Preliminary Site Plan review
- 4. The applicant shall submit additional information as to be reviewed at this time;
- 5. The applicant shall revise the length of the drive aisle in the southeastern parking lot in Unit 5 to be no longer than 150 feet to conform to the fire code requirement at the time of site plan review for Unit 5
- 6. The creation of a new, separate legal parcel of limited size for the purpose of housing the water tower on its own is a required deviation that will need to be addressed in the PRO Agreement. No other use than the existing tower shall be permitted, maintenance of this Unit must be addressed in the PRO agreement;

- 7. A irrigation plan and any necessary easements that demonstrates the applicant's intent will be required at the time of the approval of the Roads and Utilities plan;
- 8. The applicant shall indicate the proposed decorative brick wall on Sheet 2, PRO Concept Plan;
- 9. The applicant shall develop the road with a threelane cross-section to further accommodate leftturning activities and provide a wider "buffer zone" for large vehicles entering/exiting the various facilities without entering into the opposing traffic through lane, at the time of Preliminary Site Plan approval;
- 10. The applicant shall confirm understanding that they may be subject to certain off-site and/or on-site mitigation measures as a result of the region-wide traffic impact study. Any mitigation measures that are determined as part of the region-wide traffic impact study shall consider existing congestion and network deficiencies absent this project, as well as the proportion of existing versus future traffic, in evaluation and determination of responsibility of such measures;
- 11. The applicant shall provide an approvable wetland/woodland restoration plan for the southerly portion of the site at the time of Wetland permit/Preliminary Site Plan approval for Roads and Utilities;
- 12. The applicant shall stake the trail proposed on the south part of the site prior to construction to allow for the City of Novi's staff and consultants to approve the alignment prior to the applicant's construction of the trail;
- 13.The timeline for paving the temporary gravel secondary access in the event Unit 2 is not

completed within a certain period of time shall be addressed in the PRO agreement;

- 14. The applicant shall obtain all necessary off-site easements for connecting secondary emergency access to the west prior to Final Site Plan approval for Roads and Utilities;
- 15. The applicant shall note that the following would possibly require an amendment to the PRO agreement, unless otherwise agreed upon:
  - a. Any major changes to building and parking layout from the approved PRO plan
  - b. Any deviations from ordinance requirements that are not requested/approved at this time
  - c. Any change of use for any of the units that are not listed as part of the allowable uses
  - d. Reduction of established minimum parking count, below the offered maximum of five percent reduction. A shared parking study may be required at that time
  - e. Any future redevelopment for any of the units, other than what is shown on the Concept Plan
- 16.Unit 4 remains green space and park area along with parking and the applicant shall work with staff on the layout and design at the time of Preliminary Site Plan approval for Unit 4;
- 17.The applicant should incorporate enhanced pedestrian flow and shared parking elements for Units
  6 & 7 with pedestrian crossings at the time of Preliminary Site Plan review of the individual unit which will be reviewed first;
- 18. Deviations from the Chapter 28, Signs, from City Code of Ordinances that are not identified as part of the current review are subject to Zoning Boards of Appeals approval at the time of individual site plan review;
- 19. Other items as the City Attorney's office and staff determine need to be addressed during the drafting

# of the agreement, in light of the complexity of the above;

This motion is made because the proposed Town Center zoning district is a reasonable alternative to the Master Plan for Land Use, because the development will improve a property that is blighted, and because the likelihood of alternative development is unknown and the potential for less favorable development exists.

Mayor Gatt stated that he wasn't going to comment, but he felt compelled after listening to his colleagues. He wondered what the Detroit City Council said when Joe Louis or Comerica were being built. He believed that traffic is a sign of vibrancy. Novi is a vibrant city and we need to celebrate it. Those of us in the City know ways around Novi Road and Grand River because we live here. Yes, traffic is a problem in Novi. He would rather have a traffic problem than a blight problem. He didn't want to turn down development because it will bring traffic. That's what we want. We want people to come to Novi. According to Money Magazine Novi is the number one City in the State of Michigan and it's because we are vibrant and growing. He echoed what Mayor Pro Tem Staudt said about the traffic and said this is the City's problem and he couldn't agree more. We have to figure it out. Someone was the Mayor when Twelve Oaks was being proposed and traffic was a big deal. We built the property anyway and look at where we are. He didn't think we should hold up a multi-million dollar project because of traffic. He mentioned Member Markham mentioned transit, and he agreed with her, transit will resolve itself. He said our City Manager is looking into SMART. If SMART doesn't work, they are committed to doing something. He is sure there would be a stop in front of this project when it becomes a reality. He thought it was a good deal. He didn't agree with the tactics that have been used in the past several months. This is America and we can all do what we want to do and move forward that way. He said he was in favor. This is something that will bring acclaim to the City. He said he was the only one who can say he had met Mr. Adell's father when he was an officer and he would be very proud of what's happening there. We have to look out for the residents and we have to do it in a professional, smart, educated manner. He applauded his colleagues for their dialogue. Everyone is thinking. He is in favor 100 percent. He thought we should move forward. He said nothing that has been proposed bothers him. The City has a burden now to make traffic better. He isn't an engineer or planner, but knows we have them on staff that can do that. It isn't Mr. Adell's problem.

Member Mutch had a few questions for City Attorney Schultz regarding the motion we are approving that is on page 15. He said the language included is confusing. He assumed the businesses listed such as; hookah bar, tattoo, and the others listed are uses that we would not want to see allowed under the PRO, is that the intent? Mr. Schultz replied yes, that was their intent. Member Mutch asked if that will be drafted more clearly in the final PRO. Mr. Schultz said yes, the idea is that those uses are not

permitted in the district. The document gets recorded and this property will not have those listed uses. They will be limited to TC uses, but also whatever happens in the future, unless there is an amendment to the agreement, those uses will not be permitted. Member Mutch noted on that same page that the very last point talks about the secondary access point. It references Unit 5, which appears to be the first unit in development. He was not sure how that functions as secondary access point. City Planner McBeth said yes, Unit 5 is the first unit coming into site. The intent actually was that the secondary access could be at that location or potentially at the very northwest corner of the development that goes into adjacent property. To make the secondary access at Unit 5 something else would have to be done to connect that unit to the other units through driveway connections. Member Mutch wasn't clear how that becomes a secondary access point if the primary access point is right there. Ms. McBeth stated that it hasn't been resolved. Initially they thought that the secondary access would be at the northwest corner of the development. Member Mutch said that was in the motion and he wanted to know the intent. He wanted to hear from the Fire Department about the usefulness of that. His primary concern that he raised previously can be addressed between now and a future date when they vote on PRO agreement. He will support the motion to move forward because there is enough information to start the process of drafting the PRO. He put his concerns on the record. He tried to make it clear. He doesn't expect the applicant to solve traffic problems on Novi Road. We as a City have to get a handle on traffic in that area. Every development has an impact, whatever the use is. We have to be cognizant of that, and how we as a City are going to manage that. We may be 23rd best City in the country, and number one in Michigan. The Number one concern of our residents is quality of life which is negatively impacted by traffic. He believed it was Councils' job to mitigate that as much as we can. He is looking for City administration to provide more information before we take a final vote so that they can have clarity on how that will be addressed.

Mayor Pro Tem Staudt didn't think there is any doubt that we will have some level of transit in the City. He thought that was really important when developing the PRO that we take that into consideration. Whether its internal buses, trolleys, whatever it may be someday, we are going to have something. It's important as they are thinking about it, roads aren't wide, and we need good spots to drop people. We will have something.

City Attorney Schultz wanted to make a clarification on a comment that was made earlier that we might see some activity out there shortly. Just to clarify that this is a twostep process. This is a tentative approval. This will come before Council at a meeting in the future. The applicant may have some approvals under separate review and approval to do some demolition, maybe move some dirt. If you see anything it is not because of the motion that evening, it is other stuff.

| Roll call vote on CM 18-09-139 | Yeas: Casey, Markham, Mutch, Gatt, Staudt,<br>Breen |        |
|--------------------------------|---|--------|
|                                | Nays:   | None   |
|                                | Absent:   | Wrobel |

Mr. Adell presented a shovel to Council for the development that represents \$3.4 million in additional tax revenue, plus another \$500,000 personal property.

2. Consideration of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District.

#### CM 18-09-140 Moved by Staudt, seconded by Gatt; MOTION CARRIED: 6-0

Tentative approval of the request of Carvana for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance, for the use of a Vending Machine Fulfillment Center as a Special Land Use in the TC, Town Center District, subject to final approval of the Planned Rezoning Overlay (PRO) rezoning of the property on which the development is to be located, and subject to the recommended conditions as noted in staff's memo. This motion is made for the following reasons:

- a. Carvana is not expressly authorized or contemplated in the City of Novi Zoning Ordinance as a principal permitted use or a principal permitted use subject to special conditions;
- b. The proposed use is an appropriate use in the TC District but only in the location and as part of the development proposed at 43700 Expo Center Drive, and not in other locations in the TC District, and therefore this determination is subject to and contingent upon the City Council's final approval of the proposed PRO rezoning for the property as a whole;
- c. A trip generation report or any additional information as required by the City's Traffic Consultant, will be submitted at the time of Special Land Use Consideration.

Arwa Lulu, Project Manager for Carvana on this project. Carvana is an online car company. The customer has two options to fulfill their order, pickup or delivery. She said what they are proposing is a pickup option which is the Vending Machine Fulfillment Center. The customer goes through the transaction process online, finishes the paper work and they decide what they want to do. If they are near a Vending Machine Fulfillment Center they can pick that option at the end of their transaction. They schedule the customer to go to the Vending Machine for pickup within 24-48 hours. It takes approximately 15 minutes to pick up vehicle. They only sell used vehicles. The City has been great to work with. They are excited. **ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 8:50 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: October 8, 2018

PLANNING COMMISSION MEEING MINUTES EXCERPT 03-13-19 In the matter of Fox Run Neighborhood 3, JSP18-19, motion to recommend approval to the City Council of the Stormwater Management Plan, subject to 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 Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0*.

# 2. <u>ADELL CENTER PRO FIRST AMENDMENT JZ18-24 AND ZONING MAP AMENDMENT</u> <u>18.724</u>

Public hearing at the request of Orville Properties, LLC for Zoning Map Amendment 18.724 for Planning Commission's recommendation to the City Council for an amendment to the previously approved Planned Rezoning Overlay (PRO) Plan and Agreement. The subject property is approximately 23 acres and is located on Expo Center Drive (now Adell Center Drive), north of Grand River Avenue and south of I-96 in Section 15. The applicant is proposing to develop the property as a multi-unit commercial development. The current amendment is requested as changes are proposed to the approved layout for Units 6 and 7, common landscape areas, building signage, and location of accessory units.

Planner Komaragiri said the subject property is referred to as Adell Center and is located on the west side of Crescent Boulevard and south of I-96 expressway ramp. It is currently zoned TC, Town Center, with a PRO and is surrounded by industrial uses to the south and west, Town Center to the east, and Conference district to the north across the expressway.

There is an existing water tower which is proposed to remain and be located on its own unit. There are regulated wetlands and woodlands along the southern side of the property, but those are not impacted with this current revision.

As you know, the applicant has received rezoning approval to develop this property as a multi-unit commercial development by City Council at their October 22 meeting in 2018. The approved plan proposed a mix of hotels, indoor recreational centers, restaurants, and an unlisted use. As the applicant indicated earlier tonight, the roads and utilities site plan has received final approval and are under construction at the moment.

We have presented parts of this overall development in phases as the individual units are trying to get their site plan approvals. The current amendment is requested as changes are being proposed to the approved layout, primarily for Units 6 and 7, common landscape areas, building signage, and location of accessory units. The change is a result of the size of Unit 7 was increased from 1.5 acres to 2.55 acres, which made Unit 6 smaller. The end user for Unit 7 is Texas Roadhouse, so the building size was increased from 6,000 to 7,163 square feet. There was shared parking between Units 6 and 7 as part of the approved PRO plan. Shared parking is not proposed at this time, each unit stands on its own with regards to parking needs. The current revised plan will be subject to all conditions listed in the original PRO Agreement unless otherwise amended with this approval.

Staff reviews have identified multiple deviations with the revisions that were not part of the original submittal, as noted in the motion sheet. Most of the deviations have to do with the

Texas Roadhouse plan with Unit 7 itself. Deviations to location of dumpsters, transformer locations, loading space, berm and wall along Adell Drive are all Staff supported and minor. Staff recommends that transformer locations be deferred subject to Planning Commission approval at the time of site plan, as the final locations are not yet identified at this time. We also recommend including Unit 5 and 8 for alternate locations, as those units also have multiple frontages.

Planner Komaragiri said the applicant has requested a deviation from minimum parking for Texas Roadhouse, Unit 7. A minimum of 196 spaces are required, 166 spaces are provided. The applicant has provided floor plans and maximum occupancy counts. Per the applicant, it is typical for Texas Roadhouse facilities with the same square footage or greater with less parking spaces to have around 164 spaces. They included site plans of restaurants at other locations for reference. An updated review letter provided by the applicant is provided as part of the printed set you have received today. The applicant will expand on this as part of his presentation. The Planning Commission should note that the additional parking on site cannot be achieved unless the building size is reduced or the site size increased.

Texas Roadhouse building plans were provided, and our consultant identified one deviation which is supported by us. A façade sample board is provided. The applicant has agreed to revise the elevations based on our consultant's suggestions at the time of Final Site Plan.

Sample motions are included in the packet either to approve, deny, or postpone. The applicant has been working with Staff closely for the past two weeks to identify and address major issues prior to this meeting. Staff provided input to our best ability for many updates provided in a short period of time, but additional time would have resulted in more thorough reviews. The motion to postpone addresses three primary pending Staff comments at this moment. Staff believes that these comments can be addressed satisfactorily provided additional time for review.

Item 1: The initial submittal has indicated an undetermined use and vacant lot for Unit 6. Even though the amendment is primarily for Unit 7, the expansion of the site size resulted in a smaller and unique-shaped lot for Unit 6 and Staff wanted to make sure that the size of Unit 6 results in a feasible development. The applicant has worked with Staff, primarily with Planning and Fire Department, to make sure that they can come up with a layout that would work for a 2,300 square foot restaurant. However, the plan was not distributed for review for Landscape, Engineering, or Traffic reviews. The applicant states that it will most likely change once the end user is determined and would like to defer further review for a later time.

Item 2: At the time of initial PRO approval, the applicant was not able to provide sufficient information to identify light levels across the units and Adell Drive frontage because at that time, most of the information was not determined. Two deviations with regards to spillover across Adell Drive and units were included to account for possible scenarios at that time with an assumption that information will be clarified at the time of individual site plan reviews. We have reviewed site plans for most of the units – 1, 2, 3, 6, 7, 8 – but Staff is unable to determine the light levels for the overall development because they were coming in in bits and pieces and we were not able to figure out when a new one comes in how that would affect the other current ones. So we asked the applicant to provide an

overall lighting and photometric plan for the entire development in this round, so that we can identify if any light poles have to be moved or reduced in height or considered differently.

Item 3: The applicant has requested three deviations from the Sign Ordinance in their cover letter. Two of them refer to Unit 7, Texas Roadhouse, and one for Unit 2, Planet Fitness. However, sign permit applications as requested in the review letter were provided in the last two weeks. Staff was able to identify the deviations quantitatively as noted in the motion sheet, but are not clear as for the reason for the request. The applicant stated that it is to comply with their national branding.

Planner Komaragiri said there are no impacts to wetlands or woodlands proposed at this time. All reviewers are recommending approval with additional items to be addressed with the Preliminary Site Plan.

The Planning Commission is asked tonight to hold the public hearing, review the presented proposal, and make a recommendation to City Council. The Planning Commission can either postpone so that they can reconsider additional information requested, or direct the applicant to work with Staff to address these pending items prior to City Council meeting. Staff is available tonight if you have any questions. We have our Traffic consultant, Josh Bocks, and ECT consultant, Pete Hill, here. And we have representatives from Texas Roadhouse with the project engineer, Dan LeClair, who would like to expand a little bit on these issues we've discussed so far. Thank you.

Dan LeClair, with GreenTech Engineering, said thank you Sri for your presentation, I'm just going to reiterate a few things here. As Sri mentioned earlier tonight in one of her previous slides, the focus tonight is primarily on the Texas Roadhouse site which is Unit 7. When we were helping Mr. Adell bring the original PRO through the process, he was at that point in time talking to Texas Roadhouse and working out some of the details as far as where they wanted to be, what they're looking for for the area and the size of their project, but weren't finalized to the point that we were able to bring this plan through to Planning Commission and to City Council in line with the rest of the project. So that's partly the reason why we knew we were going to have to come back and amend the PRO for this site specifically.

Fortunately, there's been a little bit of time between then and now and we've gone through the site plan approval process for some of the individual units and we are able to now, instead of going to concept plans, go to real plans and site plans. And we're able to determine that there are a couple more deviations that we need. The transformers, for instance, are one. There have been some loading areas that as we go through the site plan process, it just makes common sense to make some changes and deviation requests to accommodate those from a practical standpoint.

On the screen, this is just a blow-up of the Texas Roadhouse site. They sit on Unit 7 and in addition to that, we did kind of modify the plan for Unit 6. I can tell you, and Mr. Adell is here and is probably not objective to me saying that he's looking at some smaller users. For Unit 6, it would be something like an ice cream store or a smoothie operation, something that kind of blends and jives with the rest of the development. And then a couple of hotels having activities, work out activities, he's looking for users that would blend and fit into this development, yet also fit on the smaller site because the site is

compact and it's got some constraints because of the shape of the property. But the layout that you have in front of you here, I suspect when we do come back with a user for Unit 6, it is probably going to look very similar to this because now we're at the point where we can cater the user to the site at this point.

Mr. LeClair said staying on this slide here, what I do want to do is address the couple of deviations that were talked about. I'll use my pen to point, and right at the tip of my pen, there's a little jog. When I-96 was dedicated to the public for the creation of the expressway, one of the parcels of land exempted or given to the State created a little jog in our property line right there. And as small as it is, I think from the straight line it's about 8 feet that it sticks into the site. So to be harmonious with the remainder of the site, one of our deviation requests was to continue the side yard parking lot setback to be consistent so that everything is harmonious and runs across that line. You cannot tell a difference out in the field looking at it, when you're driving along the freeway or even when you are sitting in one of these parking lots. So that was one of the deviations that we were looking at.

With respect to parking, I'm going to ask Emily Bernahl, the project architect representing Texas Roadhouse. We brought a couple of exhibits with us just to talk about Texas Roadhouse and their operations with respect to parking and how it pertains to the Ordinance. But we run into this in a lot of situations, especially with the national retailers or restaurants, where they have built hundreds of restaurants across the country, they have their models and what they use and what they have to fulfill their needs. They don't want to over-park a site when they know exactly what they need. And this happens to be one of those situations. So if I may, I'll ask Emily to step up and talk a little bit more about their operations.

Emily Bernahl, with BDG Architects, said my firm will be the architect of record for the Texas Roadhouse project. Presented before you is just a list of some active under construction projects, projects that are in permitting, and existing stores that are currently open and have been operating for fifteen, twenty years. Essentially what this is showing is that when Texas Roadhouse approaches a market and approaches a parcel of land, they have created a formula based on their tables, the number of barstools in their stores, their anticipated customers in terms of driving one car to the site, that kind of thing. So they have this pretty detailed formula that they apply to every location and ultimately include the wait time and turnover into that as well. Historically, city to city anywhere in the US, they consistently target 160 to 165 spaces, give or take based on the parcel of land they are able to use. A couple of these locations that are listed here, those in Kentucky, are well established stores and are over the square footage that we are requesting here in Novi and actually are their highest performing stores in their portfolio. So they have above average sales and particularly Somerset, that's one of their higher performing stores, it's larger in square footage and actually has significantly less parking.

Essentially, what I'm trying to demonstrate here is that, to Dan's point, when they approach a community, they are really looking to find a parcel of land that really accommodates their customers. They have a really detailed methodology to how they approach it, and they arrive consistently for their stores and their facilities to function properly around 160 to 165 spaces. So overall that's really kind of a summary of the comparable sites that we have given you today. If you have any other questions related to the parking, I'd be happy to answer.

Mr. LeClair said just to expand on what Emily had also indicated, one of the things that all of the users are looking at is the interaction between units within the site. This development has two hotels, with 160 to 180 rooms I believe in each of the rooms. So there are probably 350 to 400 people on a daily basis that are going and looking for someplace to eat. This restaurant happens to sit within easy walking distance, even two weeks ago in the cold weather, from those hotels to the front door. We did not do a shared parking study on this property yet because the parking requirements, or the user requirements, match what they need on standalone sites throughout the country. So we're thinking that this site may actually be a little bit over-parked, given the fact that we're going to have a lot of walking customers coming across the road and eliminating the need for additional parking.

One of the other items that Sri had mentioned was the signage. Sri, could you pull up the slide with the elevations? With this slide and Emily may be able to expand on this, the north elevation on this slide is almost a mirror image of the south elevation because this site, similar to the Carvana site, has frontage on the freeway as well as on the interior road. So one of our deviation requests is to actually put the Texas Roadhouse sign on both sides because we think there is going to be a significant amount of traffic and recognition obviously along the freeway and off-ramp, but in addition now that Crescent Boulevard is being expanded and lengthened down to Grand River, we feel that the signage on both sides of this building are going to help us get exposure from both directions. So it does two things - one, it generates more notoriety or more publicity from the travelling public up and down on 96, bringing customers not only to this site but to the whole development as well. And in conjunction to the additional signs that City Council has granted deviations for - certain increased signs, additional signs, that will help bring that attention to this site, this kind of follows right in. So the signs that we're asking the deviation for is basically an additional sign, as shown, that would be on the freeway side of the building. The applications are with Staff now, they were not able to get them in time for you to review, but they're in and we're hoping that you can give us some flexibility to have Staff review those and give their review to us prior to City Council.

The third item that Sri mentioned was with respect to the site lighting. The site lighting issue may actually kind of linger around with us for a while. We've done a photometric plan as part of the Roads and Utilities and the overall PRO that you folks approved and City Council approved. Now, while each of the sites are going through the site plan approval process, the photometric plans for each of the individual sites are being reviewed and approved. As the engineer for the overall development, we have requested that each of the users – iFly, Carvana, as well as the two hotels – bring us their photometric plans so that we can present it to Staff so they can review for site light levels. We're working on that. Our office is also doing the Planet Fitness site, we're working with Kevin, as well, for the water tower site and Unit 6. So some of this is going to continue to come in as pieces as the site plans are put together, and we certainly will be working with Sri on that. So she will be getting an updated plan here probably in the next week with the site lighting levels, as we take the site lighting levels from the individual sites and project on top of the overall site.

Mr. LeClair said with that, I think with a little bit of consideration to allow us to be able to take the signage to City Council, I think that we can certainly meet all the requests of Staff to be able to push this site forward through the process. If you have any questions, we're

happy to answer them. Thank you.

Chair Pehrson asked if there was anyone that wished to address the Planning Commission regarding this project. Seeing no one, he asked do we have any correspondence?

Member Greco said we do have one letter addressed to the Community Development Department from John Gasaway, 44669 Kerri Court, dated February 22. Mr. Gasaway is writing in reference to the public hearing scheduled for the Adell Center tonight. He understands that the City looks favorably on this for the additional tax revenue and services. He indicates that personally he will use the Planet Fitness on the site to save drive time for the Planet Fitness that he currently uses. The major issue he sees with the development is traffic at Novi Road and Grand River, as he believes it is already over capacity. He thinks this development may make things worse and should only be allowed if a road development project is included. New development must have direct access to Grand River so that all of its traffic does not end up on Novi Road.

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

Member Avdoulos said I think we had talked about this in a meeting prior to this meeting related to the deviations and I know we went through a lot of deviations and gymnastics in order to get to the plan that was finally approved. I had an understanding that we would probably get into situations like this where once something has been identified and is final, we're going to have some push and pull. I do appreciate the architect from BDG explaining the parking and I'm sure that, because of what they showed and the model used around the country, you know your own business. I appreciate that. The question I had is on the approved development, were we looking at shared parking between all of the sites?

Planner Komaragiri said not with regards to numbers, but they always indicated that people will be sharing, like they will be cross parking but not sharing the amount of parking spaces. But with regards to Unit 6 and Unit 7, there was supposed to shared parking between the units.

Member Avdoulos said I think there's access at least to get from Unit 7 to Unit 8, and then you can get from Unit 7 to Unit 8. The big concern we have, and the project that we were looking at earlier that is going to come to Planning Commission in about a month, is when sites are tight and you need to get from one side to the other, I don't like seeing somebody having to get on a main road to have to get to the property right next to them. So if we at least maintain interconnectivity, I think that that's good. I do like having the ability that if one area is overpopulated to be able to get to the other side. Unit 8 is Carvana, so there wouldn't necessarily be a need to go back and forth, if we just wanted to do some kind of pedestrian link. But I think a lot of the questions have been answered.

So there's an undetermined use for Unit 6, my concern was that it was being squeezed out to being something practical. But I think the explanation given as to what may be the possible use, that sort of fits the overall concept of the site. So with what has been presented so far, there's many items as you're going through the report that Staff wasn't supporting, some due to insufficient information. From what you see now and what you know now, are you a little bit more comfortable than what was previously reviewed? Planner Komaragiri said when we were given the first review letter, which was included in our packet, our biggest concern was Unit 6 was vacant. And we weren't sure what kind of use would fit there because it's such a small site. But then they did provide a layout, Jason worked with me and the Fire Marshal to make sure that secondary access points and the fire safety was addressed. But there were some minor pending comments left, like how does the loading zone work and the loading truck come in and out. And those are the items that I think we would benefit from our Traffic consultant looking at the plan, which they didn't get a chance to do. Other than those little details to be clarified, I think we have a better sense of how Unit 6 can be developed as a 2,000 square foot restaurant with parking. However, the parking calculations for that is based on the square footage, so when they come in with the restaurant and they may require additional parking based on the seating, the applicant should note that it will be restricted based on parking that's available.

Member Avdoulos said right, because it seemed like the original one was about 1.5 acres so this is 2.5, so an acre was taken away. And I guess what we don't want to see is what has been there, and I think it's still unoccupied, the building there on Novi Road by Wendy's that's been empty for maybe ten years, maybe more. So we don't want to create a hardship like that, and I'm sure being the business person that you are, you're not going to put this development or yourself in a hole and get something that is not going to work.

Mr. Adell said I can answer on Unit 6, if you want.

Member Avdoulos said if you could expand on that, it would be appreciated.

Mr. Adell said I've been talking to Wahlburgers, so something new, unique, like a little hamburger joint. I was talking to Wahlburgers about developing that site. If not, I have a concept called Novi City Pops, so it would be kind of like a little ice cream store. So if Wahlburgers doesn't take it, it's been rolling around in my head that I would actually put like a little ice cream store. It would fit with iFly possibly, with entertainment, hotels. It would be a cute little thing about Novi and the history of Novi. I also bought the Novi Special, the actual racecar, so I could put the front end of the Novi Special hanging in the little ice cream store. It would be about 2,000 square feet and it's simply just to help the area. I'd probably put a little fire pit out there, so you could have ice cream. So while you enjoy yourself at Texas Roadhouse, the kids could have ice cream.

Member Avdoulos said ok, and again, in all projects that I get involved in, I don't like seeing over-parking. So I was looking at the size of what Texas Roadhouse was, how the property grew – maintaining the number at 160 and it working with the business model, I think that's fine. So if that's going to work with what you have, that's great. I have no issues, but I would like just a continued effort between the development and the City to constantly work because it's only going to make it better for everybody.

Mr. Adell said and we have sidewalks, so a lot of people will be using those. There's not going to be barriers in the parking, so it looks open even though there's designated spots. You're going to have sidewalks if you want to go from the hotel, to Planet Fitness, to iFly. So it's going to be user friendly, I'm big on landscaping obviously and beautification so it will be very nice. And the last lot, it's not going to be a fast food – I've turned down many

fast food restaurants. I don't want a Culver's or anything fast food, like Krispy Kreme. I've turned down offers like that. And so if I do do something, it would be a 1,500-1,800 square foot building that I would put up, which would be a little ice cream store. It's not going to be a big parking issue. I'll make sure that I make it a great site.

Member Avdoulos said thank you, those are my comments.

Member Anthony said I'll make my comments quick. Initially when I looked, I thought there were a lot of deviations as well which made me lean towards the original recommendation of postponement. But after listening to the discussion, they all make sense. If it also helps with parking, I quickly used the wonders of Google Earth to look up one of their stores and counted up the parking spaces and they really do have substantially less parking spaces than we require and it seems to work, at least in the aerial photo. I know we're coming up on construction season and a lot of work can be done, so I would lean towards approval with the requirement to work with Staff to finalize.

Member Greco said with that, I would like to make a motion.

Motion made by Member Greco and seconded by Member Avdoulos.

Member Anthony said does motion have in it the requirement to work with Staff? Or did we need to insert that as an additional condition?

Planner Komaragiri said there is a list of items recommended in the motion sheet that they need to provide to us prior to the Council meeting.

# ROLL CALL VOTE TO RECOMMEND APPROVAL OF PRO AMENDMENT MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER AVDOULOS.

In the matter of the request of Orville Properties, LLC, for the Adell Center JZ18-24 with Zoning Map Amendment 18.724, motion to recommend approval to the City Council for an amendment to previously approved Planned Rezoning Overlay (PRO) plan, based on following conditions:

- 1. This approval is subject to all conditions listed in the original PRO agreement dated October 26, 2018, unless otherwise amended with this approval;
- 2. The current amendment is required as changes are proposed to the approved layout for Unit 6 and 7, minor changes to common landscape areas, building signage and location of accessory units.
- 3. The recommendation includes the following ordinance deviations with this revision for consideration by the City Council:
  - a. Planning deviation from Section 5.12 for not meeting the minimum required parking Unit 7 (A minimum of 196 spaces are required, a total of 166 spaces are proposed);
  - b. Planning deviation from Section 4.19.2 to allow a dumpster enclosure within the interior side yard off the building for Unit 7;
  - c. Planning deviation from Section 5.4.1 to allow the loading area within the interior side yard for Unit 6 and 7;
  - d. Planning deviation from Section 5.4.2. to allow for a reduction in the size of the proposed Loading Area for Unit 7 (847 square feet minimum required, 786 square feet proposed);

- e. Façade deviation from Section 5.15 to allow exceeding the maximum allowable percentages for standing seam metal for the building on Unit 7 (A maximum of 25% standing seam metal roof is allowed, 35% on East elevation and 29% on west elevation is proposed);
- f. Landscape deviation from section. 5.5.3 for lack of undulations in the landscape berm with a 3' height along I-96 frontage.
- g. Planning deviation to allow placement of transformers in alternate locations instead of required rear yard, provided proposed locations conform to other code requirements and appropriate screening will be provided at the time of Preliminary Site Plan review. This is applicable for Units 1, 2, 3, 6 and 7.
- Planning deviation from Section 3.1.25.D to allow reduction of minimum required exterior side parking setback of 20 feet for Unit 6 (A minimum of 20 feet is required, a minimum of 13 feet along the northeast property boundary indentation is proposed for approximately 50 feet as shown on the plans;
- i. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two wall signs and the window sign proposed for Unit 7 Texas Roadhouse as listed below (Not recommended by staff since the applicant has not demonstrated that the provisions sought to be deviated from would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest and would be consistent with the Master Plan and the surrounding area);
  - a. A variance of from code Section 28-7(a)(9) would be required for an oversized illuminated window sign 14.6 square feet over allowable size (3.5 square feet) for illuminated window sign
  - b. A variance from code Section 28-5(b)(1)b. would be required for front and rear building wall signs as noted below:
    - Front elevation sign is over sized by 171 square feet based on the distance of 120 feet from the centerline of the I-96 off-ramp. A maximum of 60 square feet is permitted;
    - Rear elevation sign is over sized by 94.5 square feet based on 273 feet from the centerline of Adell Center Drive; A maximum of 136.5 square feet is permitted;

The following items shall be addressed in the PRO Concept Plan prior to City Council consideration of Planned Rezoning Concept Plan, and/or items listed above based on Planning Commission's determination:

- The applicant shall provide a formal revised submittal to provide sufficient time for staff and consultants to review the revised layout for Unit 6 dated 03-07-19, as submitted with the response letter dated 03-07-2019. Additional comments may be warranted since Unit 6 has been reduced in size from the approved PRO Plan and detailed information was not provided in time for a complete review by staff);
- The applicant shall provide necessary information to identify the necessary deviations from Chapter 28, Signs from City Code of Ordinances for Unit 2 –Planet Fitness prior to the City Council's consideration for tentative approval of PRO Concept plan;
- 3. The applicant shall provide an overall lighting and photometric plan for the entire development for staff to verify overall light levels. The plan shall include, but not

limited to, the following:

- a. Location of light fixtures within individual parking lots and along Adell Drive
- b. Specification sheets
- c. Height of the fixtures
- d. Foot candle values along lot lines
- e. Average to minimum ratio per each unit
- 4. The applicant shall provide revised building elevations for unit 7, Texas Roadhouse that address the following:
  - a. The applicant shall reduce the proposed Split Faced CMU on the north (I-96 Exposure) façade that are not to exceed 10% of the façade materials on that elevation by substituting brick or stone on the dumpster enclosure portion of the building façade, as noted in the façade review letter;
  - b. The applicant shall screen all roof top equipment from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Ordinance
- 5. In lieu of a continuous decorative brick wall along the Adell Drive Frontage, as noted in the approved PRO Agreement; he applicant shall provide a combination of decorative brick wall and decorative railing as shown in the revised plans This is proposed to create interesting aesthetic along Adell Drive and is supported by staff;
- 6. The applicant is encouraged to address the sign deviations required and provide information showing how each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and would be consistent with the Master Plan and the surrounding area;

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

- 1. Future use for Unit 6 shall be updated to "Restaurant" in order to be consistent with the approved PRO Agreement, since information has not been provided with this submittal to address any proposed change in use.
- 2. Unit 6 shall have only one primary access off of Adell Drive, which is currently shown as shared with Unit 7 on the plan.
- 3. Unit 6 is currently approved as a restaurant. Minimum parking requirement for Unit 6 is calculated based on gross leasable area since the end user is unknown. The applicant shall note that the number of seats for future restaurant shall be dependent on the available parking.

This motion is made because the proposed amendment is proposing chances that are consistent with the intent of the original PRO plan and Agreement with additional modification as noted. *Motion carried 5-0.* 

# MATTERS FOR CONSIDERATION

# 1. iFLY NOVI JSP18-49

Consideration at the request of SkyGroup investments, LLC for JSP 18-49 iFly Novi for approval of a Section 9 waiver. The applicant is proposing a 6,713 square foot indoor recreational facility; popularly known as iFly that provides an indoor skydiving experience. The applicant is requesting a revised Section 9 waiver for changing the color of flat metal panels.