



CITY OF NOVI CITY COUNCIL SEPTEMBER 28, 2026

SUBJECT: Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2027, of site plan approval for a 312-unit apartment project developed as a PD-1 Option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.

SUBMITTING DEPARTMENT: Community Development, Planning

KEY HIGHLIGHTS:

- Society Hill is a proposed 312-unit multiple-family development project subject to a 2001 Consent Judgment.
- The judgment allows the applicant to request annual extensions that have been granted by the City Council every year since 2006.
- The applicant is requesting an extension of the approved site plan until October 9, 2027 to allow time for continuing work on a revised site plan package.

BACKGROUND INFORMATION:

Attached is the request from E & M, Inc. for a one-year extension of site plan approval for Society Hill, along with a copy of the general plan. Society Hill is a proposed 312-unit multiple-family project located on about 24 acres of land on the west side of Novi Road, south of Twelve and One-Half Mile Road. The following summary of the 2001 Consent Judgment was provided previously by the applicant's attorney:

The site plan was approved in the normal course by the City and was later included as a part of a Consent Judgment, which resolved the City's condemnation of land to widen Novi Road, a dispute concerning a sewer special assessment district ("SAD 94"), and the City's request for easements along Arena Drive (Arena Drive area dedication was adjacent to property owned by the same developer). Under the terms of the Consent Judgment, E & M conveyed the Novi Road land to the City, agreed to complete the SAD 94 sewer line and granted easements to the City along Arena Drive. The Society Hill site plan approval was extended for five years with a provision for annual City Council extensions thereafter.

The Judgment further provides that, if the site plan approval is not extended, the obligations for E & M to complete the SAD 94 sewer line to Twelve and One-Half Mile Road shall be void, and the City shall be obligated to complete the sewer line as originally planned and routed. Since there is a large wetland complex in this area, a State Wetland Permit would be required.

Review of the status of SAD 94

The City's Engineering Division reviewed the Society Hill Consent Judgment and SAD 94 and associated costs for the construction of the sanitary sewer construction. Total project construction estimates for the remainder of the SAD 94 sanitary sewer would be approximately \$436,500. The City's review also noted that a major obstacle for the City to construct the remainder of the SAD 94 sanitary sewer is that the City does not appear to have any easements on the Society Hill parcels needed to construct the sewer.

The Engineering Division's review further notes that there have been a number of developments in the original SAD 94 service area. The attached map shows the original service area for SAD 94 and the location of the constructed SAD 94 sanitary sewer.

Since the time SAD 94 was first conceived, the following developments have taken place:

- Carlton Forest and Charneth Fen extended the sanitary sewer through those sites to 12-1/2 Mile Road,
- Bolingbrook was approved to extend sanitary sewer from Vista Hills to the area north of 12-1/2 Mile Road (including service to the existing residential parcels west of the development),
- The recent site developments along 12 Mile Road have extended the sanitary sewer to the west from SAD 94,
- Lotus Bank (acquired by Level One Bancorp) extended sanitary sewer from 12 Mile Road north on Dixon for future service to the southern half of Dixon Road, and
- Liberty Park has extended sanitary sewer to Dixon Road to ultimately serve the northern half of Dixon.

With the exception of a few parcels along Dixon Road, which no longer require the SAD 94 sanitary sewer for service, (and for which the Dixon Meadows rezoning with PRO was approved for several parcels), the developer of Society Hill is the only parcel that requires extension of the SAD 94. The sanitary sewer currently terminates at the southwest corner of the proposed development and is available for extension.

The attached map better illustrates the original SAD 94 service area, the existing sanitary sewer in the area, the parcels that are no longer served by SAD 94, and the location of Society Hill.

In short, it appears that the lack of recorded easements stands in the way of the City's construction of the sanitary sewer required under the consent judgment, and it is noted that at this point, the required sanitary sewer construction would primarily serve the

Society Hill Development, as the surrounding properties have provided alternative sanitary service.

Discussions to consider modifications to the approved site plan

In 2023, the applicant indicated that a review of the site plan would be appropriate. Over the last three years, the applicant made progress in developing an alternative site plan package that was granted approval by the City Council at their meeting on August 25, 2025. Since then, the amendment to the consent judgment and associated exhibits were being reviewed for final form and content prior to being entered for approval by the court.

However, the applicant has recently submitted new revisions to the 2025 site plan that are currently under review by the City's staff and consultants. The revised site plan will need to be presented to City Council for revised approval and changes to the Amended Consent Judgment. While the number of units and density remains the same as the plan approved in 2025, there are significant changes to the layout that will impact the list of deviations and potentially other conditions.

In the meantime, the applicant would like to secure an extension of the previous site plan approval at this time, to ensure that there will be adequate time to finalize the submittal packet and prepare a revision to the Consent Judgment for consideration by the City Council.

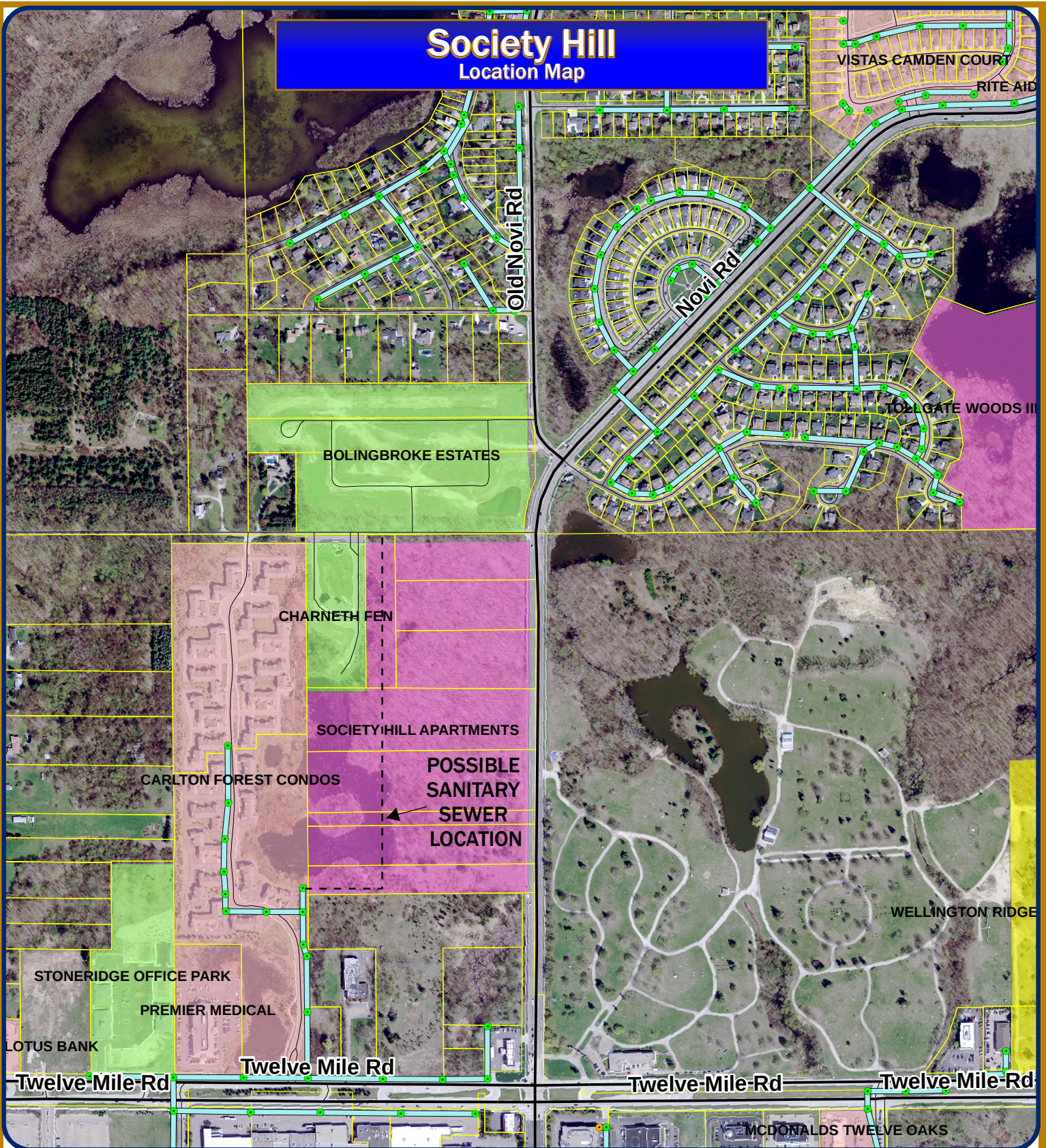
The City Council has granted one-year extensions of the site plan approval each year since 2006. The applicant is now requesting another one-year extension of the site plan approval as provided for in the terms of the Consent Judgment. The Consent Judgment does not provide any limit to the number of extensions that may be granted.

RECOMMENDED ACTION: Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2027, of site plan approval for a 312-unit apartment project developed as a PD-1 Option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.

**SOCIETY HILL
LOCATION MAP**

Society Hill

Location Map



Map Author: Mark Spencer and Dave Campbell
 Date: Sept. 8, 2011
 Project: SP 95-44
 Version #: 1.0

Map Legend

Sanitary Mains



City of Novi

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

Feet
 0 125 250 500 750 1,000

1 inch = 616 feet

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor 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.

**SAD 94
SANITARY SEWER
LOCATION MAP FOR AREA PROPERTIES**

SAD 94 Sanitary Sewer-Society Hill

Location Map

Proposed Bolingbrooke Development

City Parkland

Twelve 1/2 Mile Rd

Melanie Ln

Novi Rd

Carlton Way Dr

Twelve Mile Rd

Twelve Mile Rd

Twelve Mile Rd

Legend

— SAD 94 Sanitary Sewer

SAD 94 Service Area

Parcels No Longer Served by SAD 94

Society Hill Parcels

SanitaryMains

— 8.0"

— 10.0"

— 12.0"

Map Author: Brian Coburn
Date: 9/6/12
Project:
Version #:

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City of Novi

Engineering Division
Department of Public Services
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

0 95 190 380 570 760
Feet

1 inch = 458 feet

**E&M LETTER
REQUEST FOR SOCIETY HILL
FINAL SITE PLAN APPROVAL EXTENSION**

E&M

32605 West Twelve Mile Road, Suite 290
Farmington Hills, Michigan 48334
Telephone (248) 705-0911
Facsimile (248) 553-9594

09/8/2026

VIA EMAIL

Honorable Justin Fischer, Mayor and Members of the City Council
c/o Lindsay Bell, Community Development Department
City of Novi
45175 W. Ten Mile Road
Novi, Michigan 48375

Re: Extension of Society Hill (E&M Inc.) Final Site Plan Approval - Expiring October 9, 2026

Dear Mayor Fischer and Members of the City Council:

We are writing to request a one (1) year extension of the final site plan approval for the Society Hill project, which will be expiring October 9, 2026. This request is made in accordance with Paragraph 9.B of the Consent Judgement entered October 9, 2001 in the *City of Novi vs. To/tee Structures and E&M, Inc.* (Oakland Circuit Court No. 95-502489-CC) and follows a subsequent one (1) year extension approved by City Council at the August 25, 2025 City Council Meeting (excerpt from minutes attached).

E&M asks that the City Council place this request on the consent agenda at the upcoming City Council meeting on September 14, 2026. Your time in this matter is much appreciated. Should you require any additional information, I can be reached at 248.640.8720.

Sincerely,



Jordan Sasson

Enclosures

CC: Victor Cardenas, City Manager (c/o Barbara McBeth)
Charles Boulard, Community Development Director
Henry Sasson, E&M Holdings
Richard Guido, Sequel Companies
Alan Greene, Dykema Gossett
Tom Schultz, Rosati Schultz Joppich & Amtsbuechler

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, AUGUST 25, 2025, AT 7:00 P.M.**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith, Staudt, Thomas

ALSO PRESENT: Victor Cardenas, City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

Member Smith added under Mayor and Council issues for the Parks and Recreation Committee to develop a plan for Shawood Lake and Island.

CM 25-08-109 Moved by Casey, seconded by Thomas; MOTION CARRIED: 7-0

To approve the agenda as amended.

**Roll call vote on CM 25-08-109 Yeas: Casey, Gurumurthy, Heintz, Smith,
Thomas, Staudt, and Fischer
Nays: None**

PRESENTATIONS:

1. Public Safety Buildings Bond Next Steps - Plante Moran Realpoint, PFM, & Miller Canfield

Todd Fenton, Vice President Plante Moran Realpoint, said that the City designed a fantastic educational plan, implemented it, and now got it on the board to be discussed. He said he is going to go through a very brief summary of where they are at in terms of what the project is, the location of it, and then moving forward to the site due to diligent activities. He said they are going to be performing procurement with an architect, engineer, and construction manager. He said then, they will get into a preliminary design and a construction timeline, which will segue into a little bit of a discussion on the bond issuance. Which, he said, has been informative for the timing on a lot of this program. He said on August 5, 2025, Novi voters approved \$120 million public safety bond proposal. He said \$20 million of that money is a road project extending Lee Begole from Crescent to the North. He said they're building one public safety building, which comprises of a new police station and fire station, and is a \$72 million project in and of itself. He said Fire Stations 2 & 3 are approximately \$13 million; the sites are the same 14,500 square feet and then improvements are about \$2 million that haven't been programmed yet. He said that they will be building that into the budget as they move forward on Fire Station 4. He said that it's \$100 million for public safety facilities. He said the design and construction schedule that was presented in January and then reiterated in March is about 60 months. He said the majority of the \$80 million is 2028, and that's how they staggered a 60-month construction timeline. He said PFM will be discussing the possibility of how they could actually accelerate the timeline. He said they see pathways to be

will be well executed. She said she has a great deal of faith in the staff and fellow Council members. She said it's wonderful and would like to shout out the Novi residents who are students because they are the best.

Member Smith said he thinks this will be good. He said he thinks it will give students the opportunity to be passionate about a subject rather than just one project, and they can split it up and do other things. He said a person who comes to mind is a beekeeper who came in a while ago. He said that she was extremely passionate about it, this would be a great forum to take something like that and run with it. He said the students here are amazing wherever they are going to school and is looking forward to see what they come up with.

Roll call vote on CM 25-08-112

**Yeas: Smith, Thomas, Staudt, Fischer, Casey,
Gurumurthy, and Heintz**

Nays: None

3. Consideration of proposed Amendment to Consent Judgment in City of Novi v E&M Holdings case (2001) relating to a previously approved multi-family Page 2 development located at 12 Mile and Novi Roads in order to approve an alternate development plan under the terms and conditions of the Amendment.

City Manager Cardenas said this matter has been many years in the making. He said Society Hill is a proposed development that has been located at the northwest corner of 12 Mile and Novi Road originally approved in 1999. He said on their consent judgment entered in between the City and the developer back in 2001, the City last heard from the developer in July of last year. He said since that meeting, staff and the developer have been in regular conversations or negotiations to bring forth a draft version to the 2001 judgment before you this evening. He said the attorney's office and staff members have been on the front lines of these discussions for many months as well as countless meetings. He said that the applicant is also here to provide an update to the plan as presented.

Jordan Sasson, applicant, said he's a taxpayer in the City and his family has been taxpayers for the City for decades. He said they are supportive of the effort that the Council has embarked upon over the last year. He said he commends them for the level of detail and attention they put into the presentation tonight, because it is complicated. He said there is a lot that goes into it with a big project spend, a lot of variables, a lot that can go wrong, and it's hard to know things exactly. He said if the Council continues to put that type of detail and staff continues as well, hopefully all will go well. He said he was present at the meeting to give updates on Society Hill and for Council to consider the action. He said most of their presentation at the meeting has been presented to the Council in the past, but they are here for a project overview of the new plan. He said it is 500 units, 1580 rooms, roughly 2 units of two parking spaces per unit. He said the development consists of a variety of different building typologies ranging from 2 to 5 floors and includes extensive indoor and outdoor amenity programs. He said there will be a lot of preserved woodland and wetland areas, open space, a lot of biking and hiking trails,

amenity areas, swimming pools, and active amenities. He said other key components include garage parking, electric vehicle spaces, and outdoor spaces for the units. He said one of the things they are most excited about in addition to bringing the project to life is what it can also do to further encourage and stimulate additional economic redevelopment of a really robust commercial core in the City. He said hopefully through additional density in residential units within the City, they will encourage additional spend access for the businesses that call Novi their home. He said as a reminder, so yeah probably this is the site plan that is subject to the consent judgment today and it was approved back in 1999. He said it is a series of traditional garden style two- and three-story apartment buildings with a central clubhouse. He said the new site plan they presented last year has notable differences in terms of layout and building typologies. He said you can see what the left side of the plan or the southern part which more midrise apartments and the product of four and five stories with essential amenities in the middle. He said the smaller buildings on the north side along 12 Mile are a series of townhomes, 2.5 to 3 story townhomes with attached garages. He flipped through slides to give the Council an idea of architecture and design. He referenced the front lobby entrance, where the amenities, woodlands and wetlands, and playgrounds will be. He said the town homes will have black shingle roofs, and for the three-story town homes, the garages will be located in the back of the front entries. He said the two-and-a-half-story town homes will have a two-car garage. He said the indoor amenities would be all inclusive of all the customary amenities that you would see in a modern apartment including a fitness center, business center, dining lounge, game lounge, and one of the buildings would have a rooftop terrace. He said outdoor amenity Programs include swimming pools, sports courts, children's playgrounds, biking and running trails that connect throughout the sites, gazebo seats, plazas to overlook what needs, dog runs etcetera. He said to highlight the natural features in green space they're going to maximize the view corridors of the preserved wetlands noticeably on the West northeast corner of the sites. He said the overall site plan results in almost 7 acres of active open space. He said one of the things they focused on a lot is where they are located and what to do to try and enhance the things around them. He said there is a bus stop at 12 Mile and Novi Road, some existing sidewalks along the stretch of Novi Rd. that they will be improving as part of the redevelopment including along the city parcel. He said that they are improving the sidewalk connectivity and also the trails within their site. He said that they would provide good access in the north, southeast, and west directions to the parks and recreation space notably along Lakeshore Park. He said to the commercial core, the major hubs around the site are the mall, West Oak shopping center and Fountain Walk.

Mayor Fischer said this has been a long-standing discussion with a lot of complexities. He said he has some questions for the City Attorney to help give the framework of this project before discussing it with City Council. He said typically when the Council discusses developments in the city, they are proposed as rezonings, planned rezonings, overlays. He said obviously this case is very different it is a site plan that's already been approved under a consent judgment. He asked the City Attorney to give a little bit more context and clarify why this process is different than something they have dealt with since 2001 or 1999 with brief background.

City Attorney Shultz said this project definitely has a more convoluted history than any other project then he has seen his time. He said that this is mostly because of the consent judgment that's in place and was approved in 2001. He said the consent judgment kind of froze the property in time back in 1999. He said the development itself actually dates back to 1995, but the initial set of approvals came in 1996 when City Council rezoned the property from RA, which is essentially their least dense district, to RM1, which is multiple family along with a potential for a PD option. He said later that year and went to the Planning Commission and City Council approved. He said it was updated a few years later in 1998-1999 and that plan is the one in place today. Remember when he said the details of what the plan include are in the Council packet, and the planning review letter. He said they did get a number of reasons why that plan did not get developed. He said he thinks the most prominent tools are that starting in 1995, the City determined there was a need to widen Novi Road. He said that they ended up condemning some property along the frontage along this property, and there was a disagreement between the city and the property owner at the time about whether or not the city's compensation offer was sufficient. He said there was a pretty decent sized gap between what the city offered and what the developer thought it was worth. He said the other thing was that the city was trying to deal with the SAD 94 issue in 1999-2000. He said he knows they all know about it, but the City started an SAD project to bring sewer to the area, got partially completed but had not finished at all and didn't believe that it had enough money to be finished. He said those discussions were percolating at the same time. He said the developer was here in 1996-1999, but what ultimately happened in this city is they settled both of those issues with the 2001 consent judgment that they are looking at now. He said what that judgment does most importantly for tonight's discussion, it gave the developer basically a five-year extension on the 1999 plan which made it good until 2006. He said every year after that, they come in for extensions which they are permitted to ask for. He said the judgment also essentially says that the city would not have to pay any more for the eminent domain acquisition of the right of way along Novi Rd. He said importantly for tonight's discussion it also said the city would not have to build the rest of the said 94 sewer as long as it never denies one of those annual applications to extend the 1999 site plan. He said that is the general background history that everyone is and intimately familiar with. Mayor Fischer asked if since 2006, the City Council has approved the 1999 plan to avoid the obligation to build SAD 94 under the consent judgment. Mayor Fischer asked if that was an accurate Explanation in layman's non legal terms. City Attorney Schultz said he thinks that's generally fair. He said probably the most often discussed part of that conversation every year is that obligation, but also the idea that the sewer has already been extended everywhere around this property anyways. He said if the city wanted to try and deny it how much it would cost, who would it serve, how would it work period he said it's a generally fair statement to say that's the main consideration. He said he doesn't know that 20 years since the 1999 plan that everyone still loved the plan, but there were other issues. Mayor Fischer said part of the motion tonight is to extend the 1999 plan. He asked if they were to deny the 1999 plan in the past or at the meeting, what specific triggers kick in. City Attorney Schultz said if Council denies the extension of the 1999 plan whether it's at that meeting or a meeting after the trigger is the language and the 2001 consent judgment that essentially says the City "shall be obligated to complete

the SAD 94 sewer line to 12 ½ Mile Road as originally planned and routed." He said what that means exactly is probably a bit unclear. He said he thinks the original route was probably through some wetlands, which is probably more problematic today than it would have been then. He said he doesn't think the city spent a whole lot of time beyond speculative discussions about how they would actually do that. He said as it comes up every year there's a better conversation, but they haven't talked about exactly what would happen if the Council decided not to extend the plan. Mayor Fischer asked if there was an idea how much it would cost knowing some of the complications through wetlands and things like that. City attorney Schultz said the city did a recent project with similar length of sewer that cost about \$1.2 million. He said obviously where it's built, flatland or not, there are relative considerations such as whether you need to get easements and right-of-way. He said those things add to the cost. He said generally to build a sewer if you have an easy property, it was \$1.2 million or something similar length a year ago. Mayor Fischer said as far as the 1999 plan, his understanding is that the plan is still in effect and there would be no Council action right now, and the developer could go and build the 1999 plan as soon as tomorrow and asked if that was accurate. City attorney Schultz said yes, they have an extension on that plan through October of this year. He said if it gets extended, the annual extension, then yes. He said there are possibly minor details to sit down and iron out, but the idea is that it is a buildable plan with only some sitting down beforehand. Mayor Fischer said ignoring the 1999 plan and going back to the City building the sewer, the City was to build the sewer for the conservative investment of \$1.2 million; he asked what rights the developer will have to build under the RM1 and PD one option, which it is currently zoned for. City Attorney Schultz said yes, whatever is permitted under the RM designation, multiple families and certainly the PD option, the Council has approved 2 plans with the PD option meaning more height and density. He said they would probably look at RM1 with the PD option, he said meaning significant multiple family developments no matter what they do today. Mayor Fischer said he will hold his more opinion-oriented comments, but because of the long history of this item he wanted to get a couple of comments from the attorney that he is sure other Council members were questioning as well.

Member Smith said his history with this land goes back quite a ways. He said he rides bikes at Lakeshore and has ridden by that land or driven by that land on the way to Lakeshore many times. He said after they lost the land that is now Liberty Park to the Sandstone settlement, he was wondering why the City couldn't replace that with this land. He said that was the early 2000s. He said one of the first things he asked the City Manager after he got elected in 2021 was what was going on with that land. He said that's when he first heard about the consent agreement they were talking about tonight, and the one that's been in the forefront of business for the last couple of years. He said the way he sees it they have four options, and the City Attorney has laid those out pretty well. He said they can deny the request, the 2001 agreement is still valid until October, and they could start building that tomorrow. He said option 2 is the next time the 2001 agreement, if assuming they deny it the next time the 2001 agreement comes up, they could deny it and spend \$1.2 million or more to build a sewer that nobody wants and wouldn't really serve anyone anything. He said E&M holdings would still own the land and can come back with a new plan to build on it. He said neither of these options preserves the land as it is. He said

option 3 is they approve the matter that they have under consideration tonight to update the consent agreement to more modern designs that was presented. He said option four and this is probably the most highly unlikely one is they come up with an agreement to buy the land, he doesn't think either side would be willing. He said he doesn't think E&M wants to sell it and doesn't think the City can't afford to buy it. He said as a City, the only way they can truly preserve the land is to own it. He said reluctantly he is in favor of option 3, which is opening up the consent agreement and changing it. He said he thinks it preserves do you have a little more wetlands. He said the City uses the City-owned parcel just to the south of it for stormwater management. He said it is 4 modern mixes of units. He said he has used the term dead trees walking. He said the land is essentially developed as it sits, it just hasn't happened yet. He said if they're going to do it he wants to make it a good development that is going to be successful and make it worth the loss of the trees on the land. He said he doesn't want it to be something that is not going to bring value to Novi. He said this is preserving more open space on the site, it saves the city from building a sewer to nowhere as well. He said it does take out a few more trees, 276 is his believed net loss of trees, some of which will be replaced on site. He said the rest will go into the tree fund. He said they have a small net increase of trips based on the October 4th traffic study of 475 trips per day. He said the one thing he thinks is really going to help us with it is to provide some of that missing middle housing that the City needs. He said a lot of people are looking to move to different types of housing that provide senior housing, and give places for younger residents to come in. He said we are going to need to support the school system. He said things have changed since he moved to Novi 40-ish years ago, and we need to bring younger people in with kids to support the schools, which is why everyone moves to Novi. He said he will be in favor of this.

Member Thomas said this proposal makes her very sad. She said if we can look at the City land right now, they have a proposal to use City land for stormwater runoff. She said she was wondering if someone could give them background as far as how that came to be, make sure that all of that information is shared and that anyone watching understands how that came to be and what the value is, and how much land there is. City Manager Cardenas said the City acquired the parcel of three acres just south of this planned development through a tax sale under the old tax laws. He said the amount he believes it was purchased for \$30,000 in back taxes and maybe less. He said it was not a very big expenditure that the City shelled out for the parcel. He said the majority of it was wet. He said it was something that the City Council at the time was interested in terms of preserving or maintaining the wetland parcel. He said it then possibly assisting with this development back then in many different incarnations, even back in the day. Member Thomas asked what the current value of that particular property is. City Manager Cardenas said that we have not had that appraised at all but doubts it's much more than what they paid for it because it was not usable in terms of the wetlands. He said they have not looked at the land in terms of value. Member Thomas asked if there was any compensation for the use of the property. City Attorney Schultz said there is no cash payment or anything like that. He said it is a part of the project. Remember Thomas said that the City is then giving them that concession, but then as she looks through the proposal, she sees concessions after concessions to build this giant property that she doesn't think fits within the community where it's placed. She said nobody has a lot of

single-family residential homes, and these buildings are significantly larger than anything that would be allowed. She said the buildings are much larger than what they would normally allow to be built but they're allowing concessions and setbacks. She said significant setbacks for buildings and parking. She said we are to the best of her knowledge not meeting the city ordinance for wetland mitigation. She said she thinks this is an instance of very poor negotiation on the city's behalf. She said she was barely in favor of this with the lower units when they started and feels like it has just gotten worse since then. She said she doesn't feel as though this is in line with the community. She said when talking about PUD, there are instances where they don't give PUD's and where they do. She said she is not in favor of this and will not support it.

Mayor Pro Tem Casey asked City Attorney Schultz to talk a little about the process that they're going through right now. She said they're talking about amending a consent judgment. She said if approved there would be approving A preliminary site plan and asked if the City Attorney could talk about what comes next after that. She asked if there would be a continued negotiation. She asked if it would be put in front of a judge. She asked how the rest of the process looked. City Attorney Schultz said If the Council were to approve this tonight, a motion essentially tells the Manager's Office and the Attorney's Office to finalize the document pending minor changes. He said what needs to be done to get that document filed with the Oakland County Circuit Court, meaning pulling together all of the attachments and exhibits. He said once that gets entered that date starts some of the timelines ticking. He said the next big thing is a developer submitting a final site plan application that needs to be done and complete, within two years of the application. He said then there's obvious timelines and the consent judgment for how long the program's preliminary site plan is good. He said the actual approval and entry of the amendment is the approval of the preliminary site plan that also triggers some other dates. He said that's good for five years period he said the wetland permits and woodland permits will all be good for five years. He said at that point they do the regular administrative process to get their final site plan review. He said nothing comes back to City Council staff what does the normal review. He said hopefully within that five year. The preliminary site plan is good, and they will get their final site plan for a 2025 development. He said that triggers other things. Mayor Pro Tem Casey said what she was trying to make sure is that they understood the general steps they are taking and the fact that if it gets approved it's a preliminary site plan. She said it does get filed in the court and then there's other steps besides them just voting this evening. She said that is helpful. She asked the city attorney to talk a little bit more about why there is a five-year timeline for preliminary site plan, at the same time there's a requirement for the developer to submit for approval of a final site plan. She said we've got a two-year window and a five-year window, and they overlap. City Attorney Schultz said the normal process for any Development as they go to the Planning Commission, or in this case the City Council to get their preliminary site plan approval under the ordinance. He said that is good for two years, and then they were able to come in and ask for extensions essentially for the next three years. He said that's a recognizable 5-year period of time. He said the developer made the argument and negotiated this document to include A 5-year approval without having to come back those extra couple of times in terms of when they needed a final site plan. He said a developer can file that or wait to file it till last minute if they feel like it

will be approved. He said it takes a bit of time usually to get to the final site plan, because of all the drawings in construction plans. He said the reason why they said you have to do it two years from the approval is really to make sure they got this started earlier. He said then they might otherwise be obligated to show essentially that they're interested in doing for the development and it would include Council and other discussions to make sure the Council would like it. He said they think if they're going to do it, they want the plan to be passed and make sure they are expanding their effort and doing the things necessary to get the actual final site approval. Mayor Pro Tem Casey asked if there's any process that changes the preliminary site plan that can be requested before moving to the final. She asked if there is any process which changes to the final site plan could be requested after approval. City Attorney Schultz said there's a provision in the document, paragraph 21, which deals with the modifications. He said this lays out what the things our staff might be able to change. He said because of the preliminary site plan and final site plan There was a lot of detail and sometimes you figure out or realize that something was wrong. He said as long as it's relatively minor thing that doesn't change open space or the density or number of rooms the concept behind the document is that staff would normally review that and given the right to say they are comfortable and it's got to go to Council, or if it is a certain kind of change it would automatically come to Council. Mayor Pro Tem Casey asked if the applicants could ask for changes to go to Council. City Attorney Schultz said yes, he would hope that by this time they're not planning on doing too much before the final site plan. Mayor Pro Tem Casey said as she looked through the list of deviations, there were a couple of places, for instance 3, 8, 14, 17, and 20 where staff has some measure of where they don't support a particular piece of the deviation. She said she wants to support staff with those deviations and not accept them as presented but asked for those changes to be made. She asked if a motion was made tonight how does that works as she puts her comments on record that she wants staff's recommendation to be followed. City Attorney Schultz said the answer is a bit more convoluted, but he recommended she explore those with staff before putting that into motion, because he thinks the general answer is if there are things that aren't going to modify the plan as far as the units and layout the developer can accommodate. He said If there are things that are going to require the developer to move things around, lose units, or expend a significant amount of money he believes they would need to give the opportunity to the developer to say if they can or cannot make those changes. He said he's not sure which ones the mayor Pro Tem is looking at, but it depends on how significant they are and if they aren't that significant, they can probably talk through it tonight. Mayor Pro Tem Casey said she doesn't know if they would be significant. She said deviation #3 talks about building setbacks along the western property line. She said the general comment she would make in looking to the developer is to look to ensure appropriate screening and actually even probably going more than required if they are granting a deviation. She said when she looks at the maps, it looks like there are a couple places where the development is close to residence looking at 60-foot setbacks instead of 75. She said when there are multifamily adjacent to multifamily, they don't require fencing or berms. She asked City Planner Barb McBeth If it's 80% or 90% opacity and what the requirement is. City Planner Barb McBeth said for the most part between like uses berms are not required. She said if the property adjacent was altered also multiple family, they wouldn't require a berm or a screening if it is the same use. Mayor Pro Tem Casey

asked if they have anything in the consent judgment that talks about any requirements on screening for that particular northwestern side where the development abuts Charneth Fen. Barb McBeth said that it is also multiple family. She said there is something about the south property line that the consent judgment tries to address. She said that area would be adjacent to single family residential, so a berm would be required along the property line. She said in this case, the discussion between staff and the developer was that there could be a fence along that line. She said that is what the developer has requested just for the portion east of the maintenance building at the very west side of the site. She said that was one area that the consent judgment did discuss. Mayor Pro Tem Casey said it is not discussed in the westward where it was absolutely very close as close as 50-60 feet vs 75. City Planner Barb McBeth said they definitely need a variance for the dimensions. Mayor Pro Tem Casey said to Mr. Sasson that the map shows it is heavily wooded on the property. Mr. Sasson said It is worded on the property and also heavily wooded on Charneth Fen. He said Charneth Fen's entry road happens to run parallel to the property line, so the closest building is west of their road. He said there is also what looks like a wetland in terms of the color, but it's actually their detention basin. He said that the detention was also between the Society Hill property and the closest residential buildings on Charneth Fen's property. He said he doesn't know the distance between the Society Hill buildings and their buildings but it's actually quite far. Mayor Pro Tem Casey asked if in the design plans they did if they had what they are planning to do with the existing woods in the area. Mr. Sasson said there is thinning to accommodate greeting to get to the sidewalk and trails, the short answer is there is some there are also some trees that will continue to remain on the property in their property. Mayor Pro Tem Casey said she would encourage both staff and the developer to do whatever they can to keep as many trees as possible. She said even though there are no requirements, be very conscious of the residents that they are going to be abutting. She said for many of them it will be a front door, and a road in between. She said she would still ask that they do the most they can and that space. She said she's not putting any requirements she's just saying to do the most they can in that space to keep that screening as much as possible. Mr. Sasson said the Mayor Pro Tem asked in the last presentation to work with the staff to ensure there are no objections. He said that there are two landscape ones he will know in advance that they tried very hard to address. He said it's two different deviations that result by the same site condition to be aware of. He said this building has a row of garages along the backside. He said the code requires that you can have 15 consecutive parking spaces without a landscape median of 200 square feet based on the garages and the dimensions of the building. He said there was no way for them to get 200 square feet of landscape median in, but they were able to get a landscape median in it's just not 200 square feet. He said that condition within itself creates the deficiency of one too many parking spaces. He said in addition a shortage of overall building foundation landscaping, it's the same issue on the site. He said they couldn't get the space to work. He said that's a sight constraint more than a disagreement on trying to obviously not get their support. Mayor Pro Tem Casey said those were the other two deviations that she called out as wanting to have conversations on. She said she thinks that is deviation 17, the landscaped islands and parking areas, and deviation 20, the foundational landscaping. She asked City Planner McBeth if she was comfortable. She said if she looks at what's written for deviation 17, it is not supported by staff to have no

more than 15 parking spaces continuous, but landscaped island with the decades canopy tree. Ms. McBeth said that is correct. She said the diligent landscape architect was pushing for that and trying to make sure that we got something at that location. She said at this point they were talking about a conflict with probably a very important sidewalk to one of the main entrances of the building and not enough space in that area. She said planning staff believe that it would be a big modification to the plan and probably would be more difficult. She said they would like to continue to work with the applicant if given the chance maybe some sort of landscaping could be incorporated there some skinny landscaping. She said it is the same premise and conversation for foundation landscaping for deviation 20. Mayor Pro Tem Casey said if she looks at deviation 8, the number of parking spaces, there is a note that talks about A relatively minor deviation to reduce impervious surface area. She said there's a minor deviation to getting the number of spaces that are required and if she's reading it correctly, staff are comfortable with that piece of it. She said there's also a concept of adding carports, which are a plus, but there is a possibility of losing potentially one to two parking spaces for a max of 15. She asked how to get comfortable with that, because the language says attempts should be made to minimize the space lost. City Planner McBeth says staff were comfortable with the smaller deviation associated with the reduced parking overall period she said they were also happy to hear about the idea of carports or garages that might be placed there She said those might be taking up slightly larger space than parking spaces due. She said if given the chance they would want to try to work with the developer and see if there is a way that they can have the carports that would be slightly narrower or be able to accommodate regular parking spaces. She said if not it would be a deviation the City Council would be asked to grant. Mayor Pro Tem Casey said she will leave it with the city planner whom she supports to continue those conversations to do what she can to resolve those deviations as great as possible. Mayor Pro Tem Casey asked Mr. Sasson the number of townhome units with first floor living, AKA primary bedrooms, if there are 16 or 20. Mr. Sasson said there are 16 as of now, oriented in the east west direction. He said the greed falls off pretty hard at that location. He said when they get into their final engineering, if they're able to bring the bedrooms downstairs, it will be their preference too. He said they weren't able to make that floor plan work in that building and keep the dimension. He said it added almost 20 feet of building length, which put them in a tough precarious place with the way the grade fell. He said that is why the number is 16, but it is 2 1/2 story unit buildings that have those units on the ground floor with a primary bedroom. Mayor Pro Tem Casey said as it relates to deviation 14, her expectation is that they will build the fence. She said she thinks what she wants to make clear is the way the deviation is worded, and there is reference in the consent agreement to any possibility that the property they just purchased would be sold. She said why she approved the purchase of that property is to protect the trees, and there was a lovely wetland that she wanted to see US maintain. She said she has no interest and no intent to sell that property. She said she would oppose any decision to try and sell it. She said to understand her expectation is that deviation 14, the fence will be going up on the South side, because she doesn't have any intent to allow an RM to go in there because she is not willing to sell the property. She said when she looks at the plan, they're at maximum density, maximum height in maximum layout that is willing to be considered. She said she's hopeful that this is it, and they're not expecting to see any other material changes

that come in front of us them through the preliminary or final site plan. She said she is looking forward to seeing this as it is, as it stands and through the process. She said she's not expecting, hopefully, any changes to any of those items, but knows that is called out in the consent agreement. She said she believes this to be a better choice for the City than the 1999 plan, because it is a more modern development it's got more of the amenities that are suited to how people live today. She said it has tennis courts, pickleball, basketball, all the amenities that were not present in the 1999 planned. She said she thinks from that perspective it's a plus. She said she thinks the variation in housing styles, even 16 units as first floor living she loves, and even some of the taller buildings are elevator buildings. She said another big win is applying the 2025 current codes to this development in comparison to what was locked in in 1999. She said a great example of that is the 100-year storm detention basin, that matters a lot to her. She said she likes the language and appreciates the work that the city attorney did to get the language in section 21 E, which again eliminates the possibility of additional changes related to the number of units, number of buildings, material changes like that. She said she thinks well the design has a greater height and density than the 1999 plan, it is consistent with the underlying zoning. She said they are not putting anything in there that wouldn't be a possibility Under the current zoning today. City Planner McBeth said that is correct, with deviations. She said some of the buildings are longer than they would normally anticipate, some have parking issues or are a bit lower on parking. She said there are several issues that the Planning Commission or City Council would need to decide on. She said generally speaking they're at the max height and max density. Mayor Pro Tem Casey said she'll be happy to see the elimination of SAD 94 when that comes to pass. She said if they were asked to build that sewer, they're talking about a minimum \$1.2 million and probably much higher with increased construction costs and what else would be required. She said that prices would never go down and would only continue to rise.

Member Gurumurthy said this was one of the toughest agenda items, knowing that if they don't do anything right now, they can start building the 1999 plan. She said she has always been concerned about the number of units, the density in the room increases. She said she's glad to see that anything that changes during the approval process, whether preliminary or final, has to come back to Council. She said she was also happy to see the 16 primary units. She said if there are more opportunities to please go ahead and do a first floor. She said if there is any decrease to that number at all, to come back to Council. Just what the plan was in terms of submitting the final site plan approval. Mr. Sasson said if this gets approved, they will round up consultants who've been waiting to get going. He said it would take a handful of months at the minimum to do the fine engineering. He said one of the things they need to do, and the consent judgment, is to do new soil borings. He said they've got old ones, some new ones and need more. He said they've got a lot of third-party work between consultants and contractors to get going on in order to be in a position to submit to staff. He said it is not a submission that will go in this year because it takes a lot of time to put together, and we're coming into quarter four. He said the hope is to realistically be submitted no later than the end of next year. He said they obviously have up to two years, because there is a lot of variability and engineering cons in constraints they will need to work through. He's one of the good things is that nobody requires a very robust preliminary site plan that is not conceptual at all, so there

is a lot of work that has gone into this already. He said hopefully that gives them the ability to speed it up. He said they have to do engineering in the final site plan, which is engineering and landscaping exercise. He said they're looking to get started on the building architecture and bring everything together at the same time to put them in a position to start not just horizontal work but vertical construction too. He said it's very much like the work that Council is doing on the public safety bond and anyway. He said they have to build roads and do all the design in he needs to do that too. He said they have a lot of that done with there's a lot more detail than needs to go into it and it will take time. He said like the townhome buildings are similar to fire stations 2 and 3, they're smaller and they're easier. He said the bigger buildings are much more complicated and take a lot of effort. He said they need to round the troops and put a team together. He said it's more than a year, but less than two years of design and engineering work to submit and work with Novi to be in a position to get going. He said they are committed to starting tomorrow morning. She said she believes there are benefits that come out. She said in terms of the woodland mitigation, there's a lot of calculation going on. She said one request she has is to work with the city teams about not just going after credits but actually looking at places where they can plant off site in Novi, which would benefit the community. She said to do this instead of going after the credits or paying, because there is a lot of opportunity. She said she agrees with the comments regarding the deviations on islands and parking as well. She said she understands there are some issues with buildings, or they'll walk away or you're not able to plant trees, even though it can be fewer trees. She said her request is to look at other places within the parcel so that you can take a tree and plant it. She said if you're not able to plant trees, make sure it's done somewhere else within the parcel or off site. She said the next thing, that it was unclear how many parking spaces there were, and if it was based on bedrooms. She asked if everybody, even though there were fewer parking spots, got the right to a spot for their unit. Mr. Sasson said the parking count is a global site-wide count, but one of the big things they do is parking distribution so there is a sufficient number of spaces for the units around the building. He said this way you don't have to park a 5-minute walk away from your building, they look at that as guest parking. He said they are looking more granularly when they planned to make sure there's a reasonable expectation of the number of spaces outside and inside of each building, between garage parking and surface parking. Member Gurumurthy said in terms of carports, that is a good thing. She asked what the percentage was that they were planning. Mr. Sasson said they reference it as garage parking, detached garages, or car parts. He said it is their strong preference to include detached garages. He said the reason right now they're asking for the leniency to make the adjustment of the 15 spaces is that they've identified the drawing set that would be an exhibit four or five locations on the site they could do it. He said the reason they don't know at this point in time whether or not it can be done is because of the utilities in the roads. He said a part of the final site plan review is that there is coordination on where those utilities go. He said there's easement requirements in the city that have-to-have clear space on either side of utilities, and they need to work with the electrical company to get the electrical utilities in the road also. He said there is a lot of coordination they still need to do. He said if they put in a garage, detached garage or carport they also need to provide clearance around those utilities in order to provide that. He said he believes they will be able to provide some locations they've identified,

but until they get to that level of coordination they won't know. He said they were asking for the relief to be able to adjust up to 15 parking spaces to give them the flexibility to provide the amenity. He said if they are able to make it work with the ordinance standards and provide the clearances then that is one of the many items they need to embark upon over the next many months with the team. He said if they have the clearance, they're going to put detached garages in. He said if they require more space than carports, we'll be right with the officer they would fall back to carports. He said none of those are visible from Novi Rd, they are all on the back half of the site, the western half of the site, tucked backwards so they are not front facing and you're not staring at them as you drive by. Member Gurumurthy said in terms of the southern property, she would also like to see the fence installed, because the goal is that they want to preserve the properties of the wetland. She said she is glad that if anything changes, they will come back. She said she would like to request with the first-floor bedrooms that they don't reduce that number at all.

Member Heintz confirmed that they either approve this with 22 deviations or deny it. He said he previously did not support this and he didn't think it has moved in a direction to be a more thoughtful development. He said there was a discussion about carports but also there isn't space for trees in the parking areas so there is a deviation. He asked the developer to explain that. Mr. Sasson showed an image of the areas in question and explained there are parking spaces along the road opposite the building but when you cross the road there is an entry door. The dimensions required to make that landscape median with a tree would be much larger than the space allows. He said if they didn't need a sidewalk, they could fit the tree and meet the ordinance requirement, but since they had to have the sidewalk, there was no way to get the tree in the median. He said they preferred to protect the life safety aspect over a single tree at those 3 locations. Member Heintz asked if there were other vegetation options or tree varieties that could be used. Mr. Sasson said they will have shrubs, but the ordinance states a specific type of deciduous tree should be in those islands. He added the code requires 200 square feet of landscaped areas, but they would have to take out the sidewalk and that would not provide safe access to the building. Member Heintz said these deviations are not new requirements and you just aren't abiding by them. Mr. Sasson said every project has a list of deviations based on the design and they try their best. He said they have lowered the number of deviations over the past few years. He said the site is a challenge topographically. He said they think adding garage parking is critical, they have to use the grade and place the buildings in certain locations. Then based on how they need to surface park the site to have ample parking as well as access in more than one location. For safe passage for everyone on the site, when you cross a main road on the site, they need to have a safe entry. Member Heintz said in Mr. Sasson's opening remarks, he used the term "redevelopment" and that caught him off guard because the land is not currently developed. He asked what he meant. Mr. Sasson said they view this as an interesting opportunity to spur redevelopment and reinvestment into a commercial core that has existed for a long time. It's adjacent to three of the largest taxpayers in the city. They are seeing investment with Dick's Sporting Goods moving to the mall, but it's leaving Fountain Walk so there needs to be reinvestment. They hope this will give resources and continued optimism for those owners to continue to invest into the community and help

make those assets better for the next 40 years. When he said redevelopment, he meant reinvestment and redevelopment of a stimulation of encouraged investment into the stock of assets that already exist. Member Heintz said he understands that this property is planned to be developed. He said the important thing to him is to have thoughtful development and he didn't think that happened.

Member Staudt said the first speaker did a good job of encapsulating his views on this and he will support this. He said they overlook the types of investments that people like the Sasson family make in Novi. The taxable value on that property is roughly a million dollars and they have been paying taxes on that for more than 30 years. He asked the City Attorney to clarify that in the event this final site plan goes through the SAD will be dissolved. City Attorney Schultz said yes, when the 2025 final site plan is approved, the SAD 94 obligation goes away. Member Staudt said to give him an example of a \$1.2 million public benefit they've had in the past. City Attorney Schultz said that's never occurred. Member Staudt said he reads social media and people are asking what the benefit is to the City. He said one of the benefits is that we are not going to build a multi-million dollar sewer and that's a huge benefit to the community. He confirmed that the 1999 site plan would disappear also, so the antiquated 1999 plan and a multi-million dollar obligation to build a sewer to nowhere would be gone. He asked the developer about the pond next to the property and whether they intend to maintain water levels in it. He said it can be very shallow and sometimes looks nice but other times it's a big mud pond. Mr. Sasson said it has evolved over the years but was never a pond and only recently turned into a pond. That's the byproduct of all the surrounding developments discharging their storm water back into it. He said the 1999 plan discharged into that pond and one of the benefits of the current plan is that it doesn't discharge into the pond. It's an EGLE and city regulated wetland. They have obligations to control invasive species around it, but no ability to add or take out water from it. There are a lot of tree plantings around it that will remain and it's a big vast open space with a lot of beautiful wildlife. They hope it's viewed as an amenity. Member Staudt confirmed they are going to leave it in its natural habitat. Mr. Sasson said that was correct. Member Staudt asked if his family ever had interest in selling the property. Mr. Sasson said not that he knew of. Member Staudt said there is language in the agreement that talks about acquiring the 10 acres next to the property. The City recently acquired that and they have no interest in selling it. They acquired it to maintain the green space. He asked if they would be willing to remove that provision because it implies the City is willing to sell and we are not. We don't want to give the impression that we are willing to sell that property. Mr. Sasson said they are ok with putting the fence there and he didn't want there to be any expectation of anything. He asked for the right to not put in the fence or remove it if somehow that land turns into a multi-family project. He said the history is that his family has tried to buy that piece of property for 40 years, but the City had the first right of refusal because it was foreclosed. He said if they want to take it out, they can. Member Staudt said in his time on Council they have had to deal with things that have lingered for many years. This is closing the book on that and opening a new chapter for their development. He will support it.

Part I

Approve proposed Amendment to Consent Judgment in *City of Novi v E&M Holdings* case (2001) relating to a previously approved multi-family development located at 12 Mile and Novi Roads in order to approve an alternate development plan under the terms and conditions of the Amendment subject to:

- (1) The requirements of the staff and consultant review letters included herein, unless modified by the Amendment or the Exhibits**
- (2) Final review as to form and content, including the making of necessary modifications or revisions to the Amendment in the interest of the City and to carry out the requirements of any ordinances or other laws and the intent of the Council in approving the proposed Preliminary Site Plan, prior to entry by the Court, by the City Manager and City Attorney**
- (3) Final review and approval of the Exhibits to the Amendment in a manner satisfactory to the City Manager and City Attorney.**
- (4) Undertaking all actions necessary, as determined by the City Attorney's office, to secure entry of the proposed Amendment, including but not limited to submitting the proposed Amendment to the Court by appropriate motion.**
- (5) Entry of the Amendment by the Oakland County Circuit Court.**

This motion is made because the alternate proposed Preliminary Site Plan represents an improvement upon the 1999 Final Site Plan extended for the past 25 years under the Consent Judgment in that:

- (1) The plan contemplates a more modern development type than the 1999 plan.**
- (2) The design, architecture, and façade materials represent an upgrade to the 1999 plan;**
- (3) The proposed residential neighborhood would support healthy lifestyles through the provision of walking trails, sidewalk connections, and open space amenities within the development.**
- (4) The unit sizes and types help the City's goal of providing a wide range of housing options, some of which are not currently available in the City and could appeal to a variety of renters who prioritize minimal maintenance, smaller unit sizes, and natural surroundings.**

(5) The proposed project will protect and maintain areas of the City's woodlands, wetlands, and natural features in a manner that is consistent and not significantly different from the 1999 plan, or a plan that could otherwise be brought under the PD-1 option on this RM-1 multiple-family zoned property.

This motion is also made because the proposed Amendment addresses long-outstanding issues with respect to the sanitary sewer extension and eminent domain proceedings reflected in the 2001 Consent Judgment to the benefit of the City and the City Council believes its entry to be in the public interest. This motion is also conditioned on any language relating to the Developer having an option to acquire the adjacent property to the south (the former Bundoff property) being removed from the Amendment.

Part II

Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2026, of site plan approval for a 312-unit apartment project developed as a PD-1 Option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.

City Attorney Schultz said as the conversation has unfolded about changes from preliminary site plan to final, there may be some changes but the idea behind the language and the consent judgment is those are to be minor and normal. Any significant changes would have to come back to Council. They will be careful as they process the final site plan to make sure that if anything significant changes, they would come back to Council.

Mayor Fischer said everyone understood that language as part of the consent judgment. He said he was happy that it was included and would expect those items to come should staff feel they are substantial per the contract. Mayor Fischer said as he outlined in the beginning this has been a very long process, and complex issue. He said we have a 25-year-old site plan protected by a consent judgment, and if they don't build, then the city has to build, and if they don't approve the 1999 plan, the city has to build a sewer. He said member Smith did a good job of outlining the different ways and that is how he is viewing this proposal and project as well. He said Member Staudt alluded to this, but he will ask. He asked the applicant how much they expect the plan to pay in taxes this year on the property. Mr. Sasson said they pay about \$35,000 right now. Mayor Fischer said he is under no illusion that they will continue to pay that money as a gift to the City without anticipation of some type of return and development. He said he thinks there's some people that think Society Hill will just go away, and he doesn't think that's the reality. He said to Member Smith's point, they could continue to push forward the 1999 plan but that would be a disservice to the City of Novi and disservice to those around it. He said it is

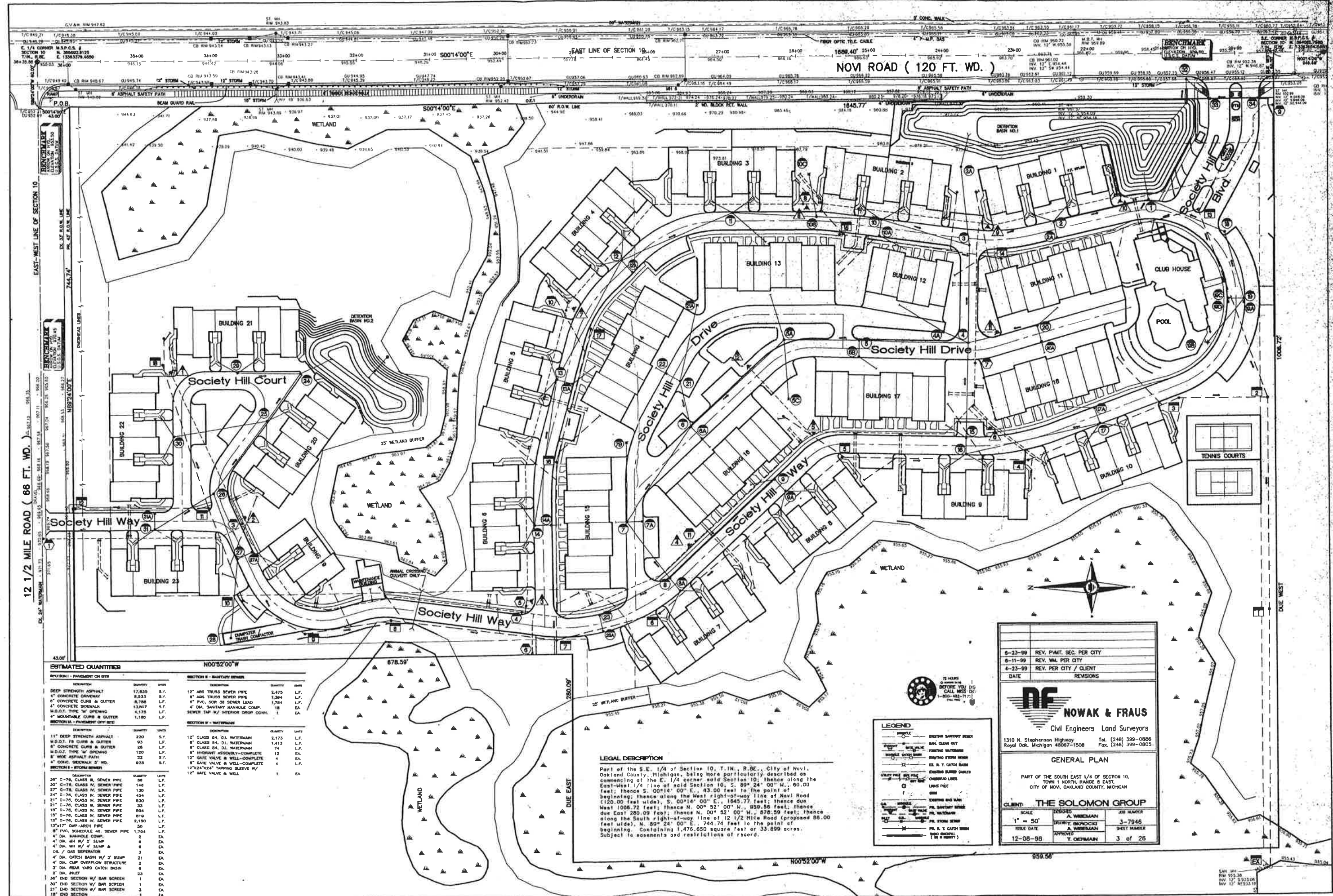
outdated and lacks the amenities of the current plan. He said what he finds ironic about some of the building discussions is that in that 1999 plan it is actually adding more housing stock to more affluent people as opposed to the 2025 plan which has a variety of housing stock including first floor living in master's for seniors. He said it had studio apartments, things that will attract some young professionals. He said they can push for the 1999 plan and continued to push for affluent families, or they could live what they mean about having different diversity in housing stock. He said his other opinion is to deny the plan, and just build the sewer, but he thinks it will cost way more than \$1.2 million. He said he's seen projects in the city escalate in the area they were talking about and would see that number going upwards of three or \$4 million. He said to pay 3 or \$4 million then have to come back with the same plan and get it approved through planning, because that's what's allowed under RM1, and PD doesn't make much sense. He asked why they would pay \$3 or \$4 million when the benefit here could be the savings, a large savings. He said he is in support of going forward with this plan. He said yes, this development has 500 units versus 312 in the 1999 plan, but again it's giving different house stock. He said the average unit goes from 1800 square feet per unit down to about 1200. He said additional amenities such as outdoor space, soccer fields, dog parks, walking trails and others they don't necessarily have in Novi. He said the comment was made that if they're going to lose some of the trees, it might as well be with a plan that is within the best interest of Novi and all who live here. He said one of the most important factors of the judgment is the removal of the 1999 plan, once they get final site plan approval, and the SAD 94. He said that is a big win, because there have been 20-some-odd Councils that have had to continuously approve the 1999 plan, just to avoid the SAD. He said he is very proud and thanks to this Council does not shield away from tough discussions. He said he thinks this is another situation of the Council stepping up and taking a messed-up plan from the 1999 Council that has lingered because of this consent judgment made back in 2001. He said they had a lot thrown at them that they've had no control over, but they were willing to step up, have conversations and negotiate with the City Attorney and city staff for the last two or three years to get to this point. He said it's frustrating when people say there have not been concessions or there haven't been negotiations, because it isn't true. He said that is not how local government and development works. He said he has been working with the staff, as a Council, for two or three years and they are not getting everything they want. He said he knows there are things whether it be in the 1999 plan, the SAD, that they are not happy that they are giving up, and there are setbacks that the city may not be happy with, and there are things that staff will still have some consternation with period he said at the end of the day between the developer, City Council, staff can only mostly get to where they can live with the same general and best interest of the city of Novi it makes him proud. He said he is proud to sit with many of the people at the meeting supporting the project, because it has been a long time coming and there has been a lot of work with it. He thanked the applicant for the efforts they've made.

Roll call vote on CM 25-08-113

Yeas: Staudt, Fischer, Casey, Gurumurthy, Smith

Nays: Heintz, Thomas

**SOCIETY HILL
GENERAL PLAN**



ESTIMATED QUANTITIES		SECTION 1 - PAVEMENT ON SITE	
DESCRIPTION	QUANTITY	DESCRIPTION	QUANTITY
DEEP STRENGTH ASPHALT	17,828	12" ABS TRUSS SEWER PIPE	2,475
6" CONCRETE DRIVEWAY	8,533	8" ABS TRUSS SEWER PIPE	1,364
6" CONCRETE CURB & GUTTER	8,788	6" PVC, SDR 35 SEWER LEAD	1,754
4" CONCRETE SIDEWALK	13,807	4" DIA. SANITARY MANHOLE COMP.	18
M.O.D.T. TYPE "W" OPENING	4,178	SEWER TAP W/ INTERIOR DROP CONN.	1
6" MOUNTABLE CURB & GUTTER	1,180		
SECTION 2 - PAVEMENT OFF SITE		SECTION 3 - WATERMAIN	
DESCRIPTION	QUANTITY	DESCRIPTION	QUANTITY
12" DEEP STRENGTH ASPHALT	320	12" CLASS 64, D.I. WATERMAIN	2,173
M.O.D.T. FR CURB & GUTTER	93	8" CLASS 64, D.I. WATERMAIN	1,413
6" CONCRETE CURB & GUTTER	28	8" CLASS 64, D.I. WATERMAIN	74
M.O.D.T. TYPE "W" OPENING	120	6" HYDRANT ASSEMBLY-COMplete	12
8" HOSE ASPHALT PATH	22	12" GATE VALVE & WELL-COMplete	4
6" CONG. SIDEWALK 3' WD.	925	8" GATE VALVE & WELL-COMplete	4
SECTION 4 - STORM SEWER		SECTION 5 - WATERMAIN	
DESCRIPTION	QUANTITY	DESCRIPTION	QUANTITY
24" C-76, CLASS III, SEWER PIPE	89	12" GATE VALVE & WELL	1
30" C-76, CLASS III, SEWER PIPE	148		
27" C-76, CLASS III, SEWER PIPE	130		
24" C-76, CLASS III, SEWER PIPE	424		
21" C-76, CLASS III, SEWER PIPE	830		
21" C-76, CLASS III, SEWER PIPE	35		
18" C-76, CLASS III, SEWER PIPE	804		
15" C-76, CLASS III, SEWER PIPE	819		
12" C-76, CLASS III, SEWER PIPE	2,150		
12" VIT. CIMP-ARCH PIPE	50		
8" PVC, SCHEDULE 40, SEWER PIPE	1,704		
4" DIA. MANHOLE COMP.	2		
4" DIA. W/ 2' SUMP	8		
4" DIA. W/ 4' SUMP &	6		
4" DIA. GAS SEPARATOR	3		
4" DIA. CATCH BASIN W/ 2' SUMP	21		
4" DIA. CUP OVERFLOW STRUCTURE	2		
3" DIA. REAR YARD CATCH BASIN	8		
2" DIA. RILEY	23		
30" END SECTION W/ BAR SCREEN	1		
30" END SECTION W/ BAR SCREEN	1		
21" END SECTION W/ BAR SCREEN	3		
18" END SECTION	1		

LEGAL DESCRIPTION

Part of the S.E. 1/4 of Section 10, T.1N., R.8E., City of Novi, Oakland County, Michigan, being more particularly described as commencing at the E. 1/4 corner of said Section 10; thence along the East-West 1/4 line of said Section 10, S. 89° 24' 00" W., 60.00 feet; thence S. 00° 14' 00" E., 43.00 feet to the point of beginning; thence along the West right-of-way line of Novi Road (120.00 feet wide), S. 00° 14' 00" E., 1645.77 feet; thence due West 1005.72 feet; thence N. 00° 52' 00" W., 959.56 feet; thence due East 280.09 feet; thence N. 00° 52' 00" W., 878.59 feet; thence along the South right-of-way line of 12 1/2 Mile Road (proposed 66.00 feet wide), N. 89° 24' 00" E., 744.74 feet to the point of beginning. Containing 1,476.650 square feet or 33.899 acres. Subject to assessments and restrictions of record.

LEGEND	
	12" SANITARY SEWER
	8" SANITARY SEWER
	6" SANITARY SEWER
	4" SANITARY SEWER
	12" WATERMAIN
	8" WATERMAIN
	6" WATERMAIN
	4" WATERMAIN
	12" STORM SEWER
	8" STORM SEWER
	6" STORM SEWER
	4" STORM SEWER
	12" GAS MAIN
	8" GAS MAIN
	6" GAS MAIN
	4" GAS MAIN
	12" WATER MAIN
	8" WATER MAIN
	6" WATER MAIN
	4" WATER MAIN
	12" STORM MAIN
	8" STORM MAIN
	6" STORM MAIN
	4" STORM MAIN

8-23-89 REV. PMT. SEC. PER CITY

8-11-89 REV. VAL. PER CITY

4-23-89 REV. PER CITY / CLIENT

DATE REVISIONS

NOVAK & FRAUS

Civil Engineers Land Surveyors

1310 N. Stephenson Highway Tel. (248) 399-0886
Royal Oak, Michigan 48067-1508 Fax. (248) 399-0805

GENERAL PLAN

PART OF THE SOUTH EAST 1/4 OF SECTION 10,
TOWN 1 NORTH, RANGE 8 EAST,
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

CLIENT: THE SOLOMON GROUP

SCALE: 1" = 50'

DESIGNED BY: A. WIREMAN

DRAWN BY: M. WIREMAN

CHECKED BY: T. GERMAN

DATE: 12-08-98

JOB NUMBER: 3-7946

SHEET NUMBER: 3 of 26