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CITY of NOVI CITY COUNCIL

Agenda Item 2
September 16, 2013

SUBJECT: Consideration of the request of Ivanhoe Companies for JSP 13-47 with Zoning Map Amendment 18.704 to rezone property in Section 18, on the west side of Wixom Road south of Grand River Avenue from B-2, Community Business and I-2, General Industrial to RM-1, Low Density Low-Rise Multiple-Family Residential with a Planned Rezoning Overlay. The property totals 29.20 acres and the applicant is proposing an 86 unit single-family residential development.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Baugh*

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The petitioner is requesting a Zoning Map amendment for a 29.20-acre property on the west side of Wixom Road, south of Grand River Avenue (Section 18) from B-2 (Community Business) and I-2 (General Industrial) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow the development of an 86-unit single-family site condominium.

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 B-2 and I-1 to RM-1) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

The applicant has proposed an 86-unit single-family development. The PRO concept plan shows an on-site detention pond on the north side of the site, open space and the preservation of a large wetland area along the site's northern property line. Two access points (one boulevarded) are proposed off of Wixom Road.

The applicant has also included a 'parallel plan' showing how the site could be developed as a multiple-family attached condominium development under the proposed RM-1 zoning. The applicant has termed this the 'zoning plan' and it shows a development of 116 units using the same road layout as the proposed concept plan and including the same features and amenities and preservation of the existing wetlands. The applicant has indicated they intend to proceed with the proposed 86 unit concept plan at this time. That would be the plan attached to any approved PRO Agreement.

Staff and Consultant Comments and Recommendations

Staff and consultants have completed a review of the rezoning and concept plan.

The planning review letter recommends approval of the plan noting that the applicant has presented a reasonable alternative to the proposed Master Plan designation of Community Commercial and that the proposed zoning provides a reasonable transitional use between the commercial properties to the north and east and the school uses to the south and west. Additionally, the submittal and approval of a PRO Agreement and concept plan provides assurances to the City of the manner in which the property will be developed.

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

The original traffic review noted several concerns with the Traffic Study and the proposed access drive shown on the concept plan. The applicant has since submitted a slightly revised configuration for the access drive and an updated Traffic Study and the updated traffic review letter notes minor changes that should be on the Preliminary Site Plan.

The landscape review notes several minor changes to be addressed in subsequent submittals upon the submission of a full landscape plan. The applicant has requested waivers for the lack of a berm along the north, south, west and some portions of the east property frontages. Staff would only support the waivers in areas of existing vegetation to be preserved.

The wetlands and woodlands review letter notes there are significant natural features on the site. The applicant has completed the woodland and wetland surveys. Additional items to be addressed on the Preliminary Site Plan submittal are included in the review letter.

The façade review letter states that the “type and quantity of materials and architectural features indicated on the façade elevations...represent an enhancement to what may otherwise be constructed in the absence of the PRO.” Additional facades will need to be presented as the process moves forward in order to meet the standards of the Section 303.2.

Public Benefit

As part of the PRO, the applicant is required to provide a public benefit that would demonstrate more than just the usual benefits associated with the standard rezoning and development of the property. The applicant has offered the following benefits as part of their application materials.

- Less traffic when compared to the current zoning
- Limited density (The concept plan shows 86 single-family site condominiums with a maximum of 116 attached units shown on the parallel plan or 'zoning plan')
- Protection of undisturbed environmental features (Approximately 3 acres)
- Fewer access points when compared to the current zoning
- Improved aesthetics along Wixom Road
- Diversity of housing options in the City
- Removal of potentially incompatible land uses

- Improved non-motorized options including a nature trail along the northern property line, sidewalks along the Wixom Road frontage and a sidewalk connection to connect internal sidewalks to the 12 Mile Road right-of-way
- Emergency access to the adjacent property
- Units not less 28 feet wide
- Garages shall not protrude more than 6 feet from the development
- Brick shall be installed on all 4 sides of the building up to the belt line

Providing a sidewalk along the Wixom Road frontage and an emergency access connection would be requirements of any conceivable development of the subject property under the existing zoning. The items detailing the proposed facades – conceptual renderings, minimum brick, etc. – would be considered enhancements over the minimum requirements of the ordinance. The remaining benefits – the nature trail, the connection to the 12 Mile Road right-of-way, the pocket parks, the preservation of environmental features, the density limitation and right-of-way dedication along Wixom Road – are enhancements that would benefit the public that would not be required as part of a development under the existing zoning. However, it should be noted that the preservation of environmental features is something that would be encouraged as part of a development review and, although not required, the right-of-way dedication is typical of developments.

Following the review of the application materials, the applicant has elected to slightly alter the proposed benefits by removing the nature path from the proposal and instead offering a ‘Welcome to Novi’ sign along the Wixom Road frontage, comparable to the public benefit offered with the Maple Manor development. Staff feels this Welcome to Novi Sign is a comparable benefit to the nature path. The change is detailed in the applicant response letter. As with any PRO request, the City Council may explore other possible public benefit options with the applicant.

Ordinance Deviations Requested

Included with the proposed PRO Concept Plan, the applicant is seeking positive consideration of several Zoning Ordinance deviations as listed in the Planning Review. The Zoning Ordinance permits deviations from the Ordinance provided that the City Council finds that *“each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas.”*

The deviations requested are the following:

1. Lot Size and Width: Per Section 501.1 of the Zoning Ordinance, one-family detached dwellings are to be reviewed against the regulations for the R-4 Zoning District. The minimum lot size is 10,000 square feet and the minimum lot width is 80 feet. The applicant has proposed a minimum lot size of 5,400 square feet and a minimum width of 45 feet.
2. Setbacks: The minimum side yard setback for a single-family dwelling in this district is 10 feet with an aggregate of 25 feet. The minimum rear yard setback is 35 feet. The applicant has proposed a minimum 5 foot side yard setback (with an aggregate of 10 feet) and a minimum 30 foot rear yard setback.
3. Landscape waivers: The applicant has not shown the required landscape berm along the south and west frontages. The applicant has not shown the required berm along the north frontage. The applicant has not shown the required berm in all areas along the east frontage. The applicant should consider providing

the required berm in areas where there is not existing vegetation to be preserved.

PRO Conditions

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the internal roads and lots, the location of the proposed detention pond, location of the proposed open space and pocket parks and the preservation of a large area of natural features. Also included were conceptual renderings of housing styles and materials proposed for the development. The only "terms" or "conditions" within the submittal are the design elements illustrated on the conceptual plan and the public benefits outlined in the corresponding letter.

Public Hearing and Planning Commission Recommendation

The public hearing for the rezoning request was held by the Planning Commission on August 28, 2013. At that meeting, the Planning Commission recommended approval of Zoning Map Amendment 18.704 to rezone the property from B-2, Community Business and I-2, General Industrial to RM-1, Low Density Low-Rise Multiple-Family Residential utilizing the City's PRO option. Relevant draft minutes from the Planning Commission meeting are attached.

City Council Action

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

RECOMMENDED ACTION:

Tentative indication that Council may approve the request of Ivanhoe Companies JSP13-47 with Zoning Map Amendment 18.704 to rezone the subject property from B-2 (Community Business) and I-2 (General Industrial) to RM-1 (Low Density Low-Rise Multiple-Family Residential) with a Planned Rezoning Overlay Concept Plan and direction to the City Attorney to prepare a proposed PRO Agreement with the following ordinance deviations:

- a. Reduction in minimum lot size from 10,000 square feet (required) to 5,400 square feet (proposed);
- b. Reduction in minimum lot width from 80 feet (required) to 45 feet (proposed);
- c. Reduction in minimum side yard setback from 10 feet with an aggregate of 25 feet (required) to 5 feet with an aggregate of 10 feet (proposed);
- d. Reduction in minimum rear yard setback from 35 feet (required) to 30 feet (proposed);
- e. Lack of berms along the south, north and west frontages and lack of a berm along portions of the east frontage only in areas where existing vegetation is to be preserved;

Subject to the following conditions:

- a. Applicant providing additional elevations or renderings to comply with the similar/dissimilar Ordinance provisions;
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and items listed in those letters begin addressed on the Preliminary Site Plan;

For the following reasons:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of Community Commercial as outlined in the planning review letter;

- b. The proposed multiple-family zoning provides a reasonable transitional use between the commercial properties to the north and east and the school uses to the south and west and would accommodate the removal of the incompatible I-2 zoning;
- c. The site will be adequately served by public utilities and the proposed zoning and proposed use represents fewer peak hour trips than the current zoning would require;
- d. The proposed concept plan shows the preservation and enhancement of wetlands on the site.

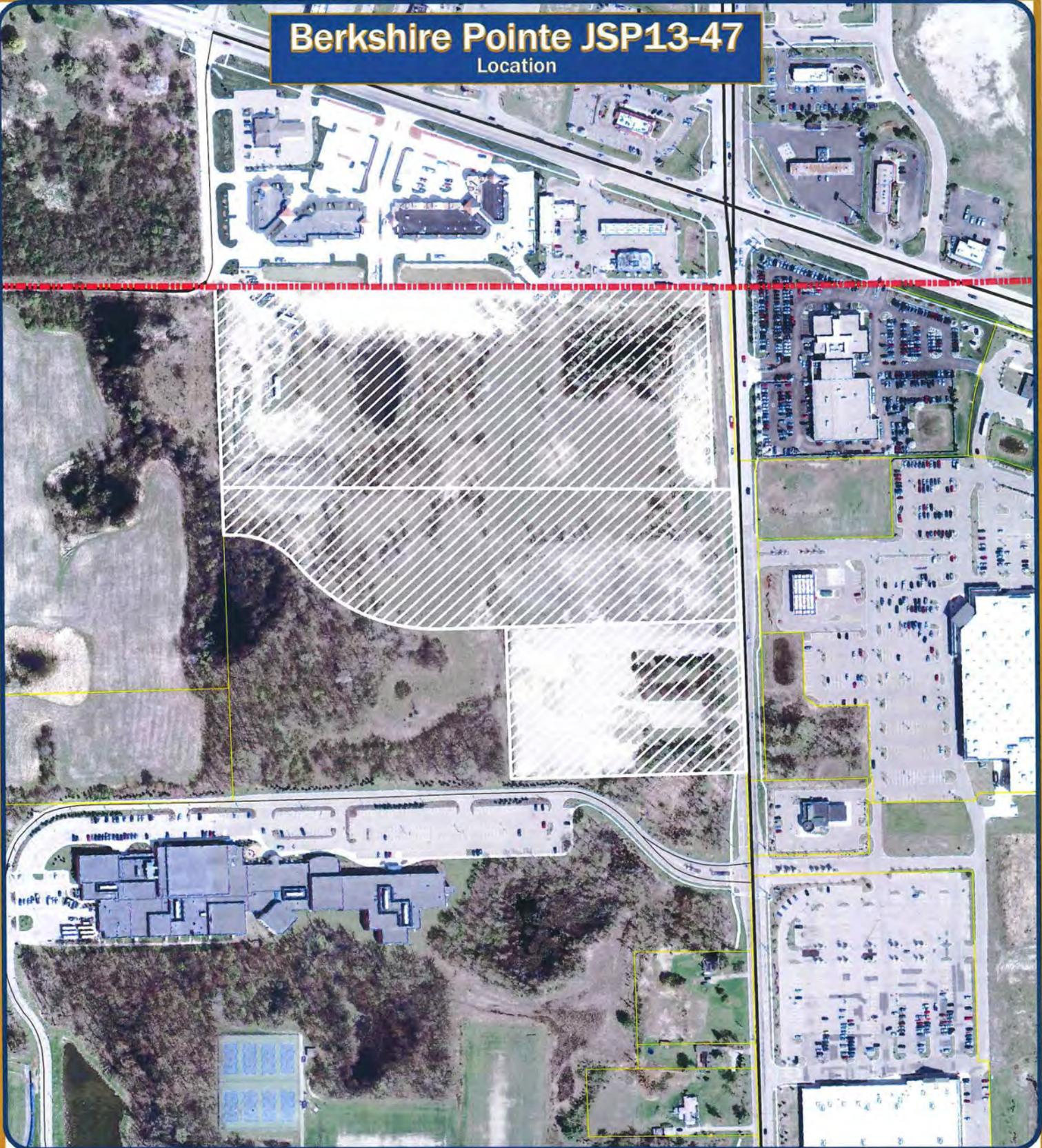
	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

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

MAPS
Location
Zoning
Future Land Use
Natural Features

Berkshire Pointe JSP13-47

Location



Map Author: Kristen Kapelanski
Date: 08/21/13
Project: Berkshire Pointe JSP13-47
Version #: 1.0

Map Legend

Subject Property



City of Novi

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

MAP INTERPRETATION NOTICE

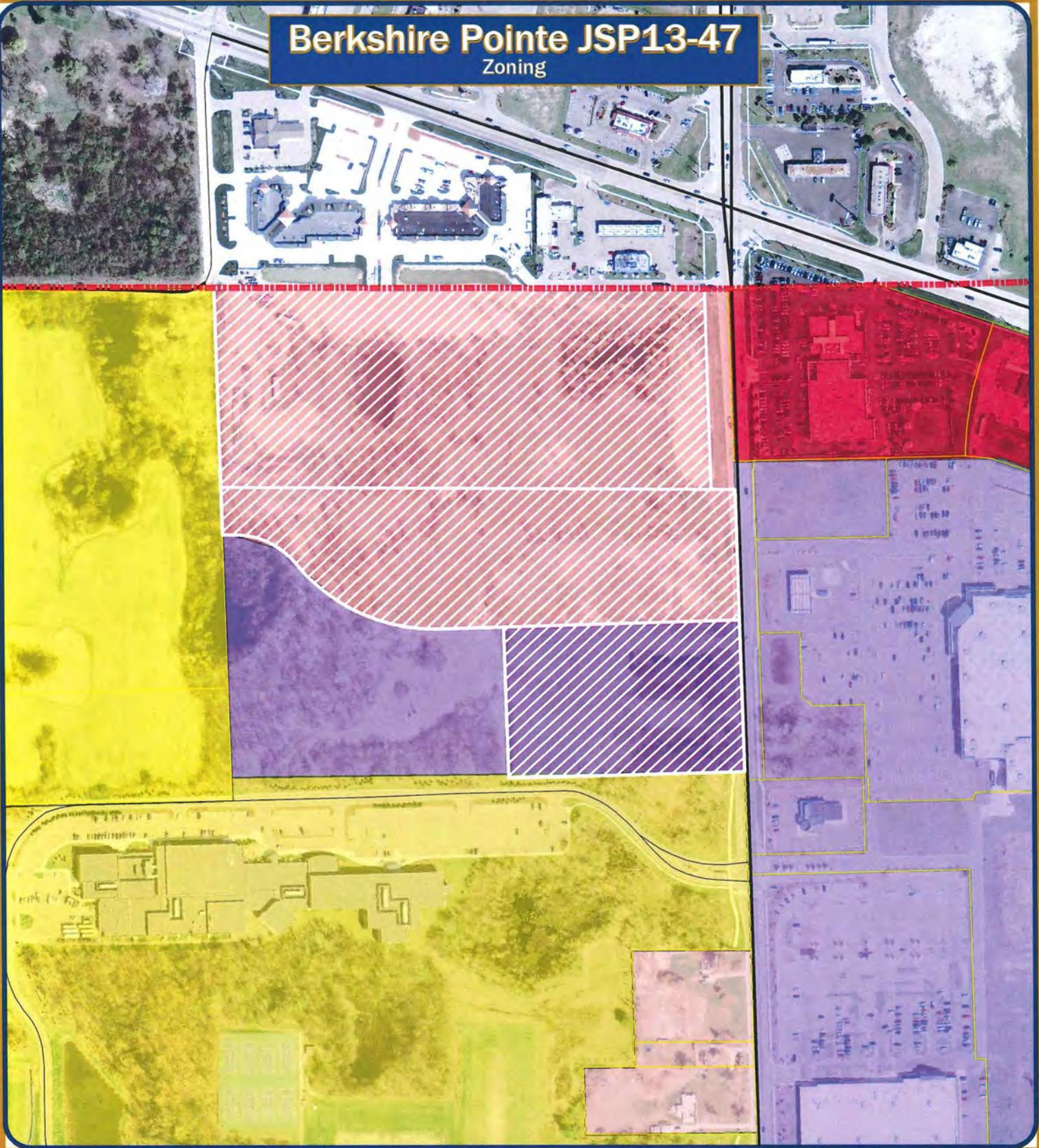
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1 inch = 333 feet

Berkshire Pointe JSP13-47

Zoning



Map Author: Kristen Kapelanski
 Date: 08/21/13
 Project: Berkshire Pointe JSP13-47
 Version #: 1.0

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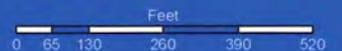
Map Legend

 R-1: One-Family Residential District	 B-2: Community Business District
 R-4: One-Family Residential District	 B-3: General Business District
 B-1: Local Business District	 I-1: Light Industrial District
	 I-2: General Industrial District



City of Novi

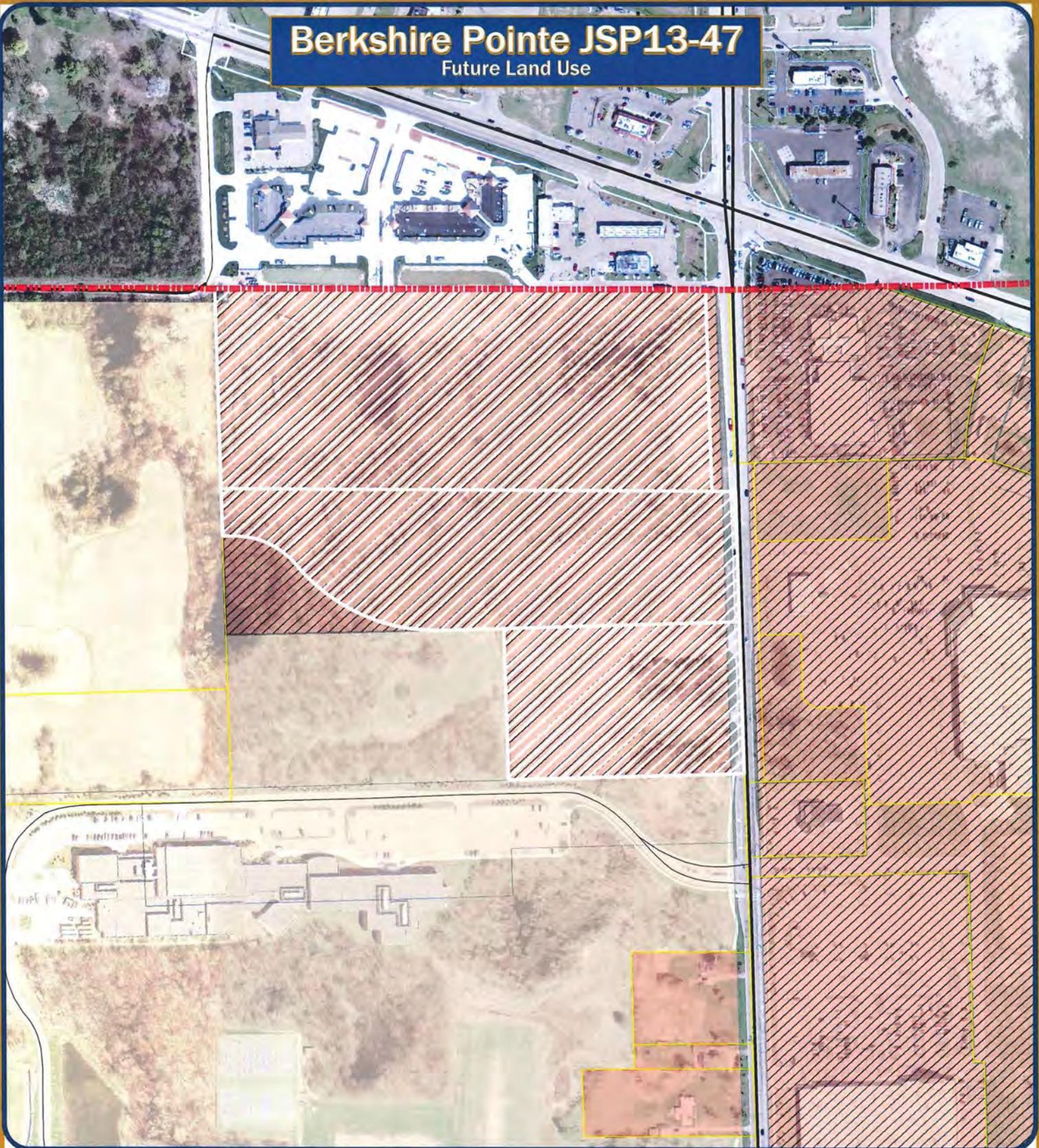
Planning Division
 Community Development
 45175 W Ten Mile Rd
 Novi, MI 48375
cityofnovi.org



1 inch = 333 feet

Berkshire Pointe JSP13-47

Future Land Use



Map Author: Kristen Kapelanski
Date: 08/21/13
Project: Berkshire Pointe JSP13-47
Version #: 1.0

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Map Legend

- Subject Property
- Local Commercial
- Community Commercial
- Educational Facility



City of Novi

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



1 inch = 333 feet

CONCEPT PLAN

FPA
 FELINO & PASCUAL
 ARCHITECTS ASSOCIATES
 Community Land Planner and
 Registered Landscape Architect
 15000 N. 75th Road, Suite 101
 Southfield, Michigan 48071
 ph. (248) 557-5566
 fax. (248) 557-5416



Client:
IVANHOE COMPANIES
 6649 Orchard Lake Road,
 Suite 314
 West Bloomfield, Michigan
 48322
 ph. (248) 426-6124

Project:
Berkshire Pointe

Project location:
 City of Novi, Michigan
 12-Mile Road & Wixom Road

Sheet title:
**detached single family
 concept site plan**

Job No./Project/Revision date:
 LP13.039.04 City 4-29-2013
 LP13.039.04 City 7-26-2013

Drawn by:
JP
 Checked by:
FP
 Date:
4-8-2013

Scale:
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 All other scale drawings in related documents apply.
 Project No.:
LP13.039.04
 Sheet No.:

LP-1



program-concept plan

TOTAL AREA OF THE SITES	48.28
LOT AREA	3888
RESIDENTIAL	3888
SCHOOL	11.88
OPEN SPACE	7.12
LOT COVERAGE	38.88
LOT AREA	3888
LOT COVERAGE	3888
TOTAL BUILDING FOOTPRINT	11.88
TOTAL LOT AREA	3888
TOTAL LOT AREA	3888
TOTAL LOT AREA	3888

conceptual site plan study for:
"Berkshire Pointe"
 a planned residential community
 City of Novi, Michigan

note:

proposed residential building location is approximate and is not to be used as a basis for any construction or other purposes.

scale: 1" = 40'



**SELECTED CONCEPTUAL PLAN SHEETS
(FULL PLAN SUBMITTAL PROVIDED LATER IN PACKET)**











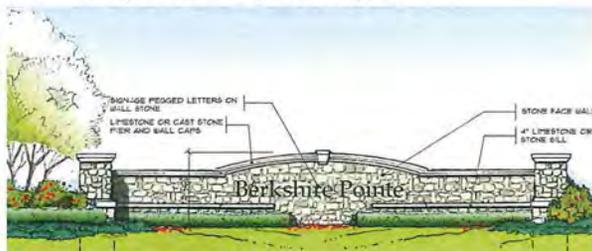
Client:
IVANHOE COMPANIES
 6005 Orchard Lake Road,
 Suite 314
 West Bloomfield, Michigan
 48322
 ph. (248) 626-6114

Project:
Berkshire Pointe

conceptual entrance monument view for:
“Berkshire Pointe”
 a planned residential community
 City of Novi, Michigan



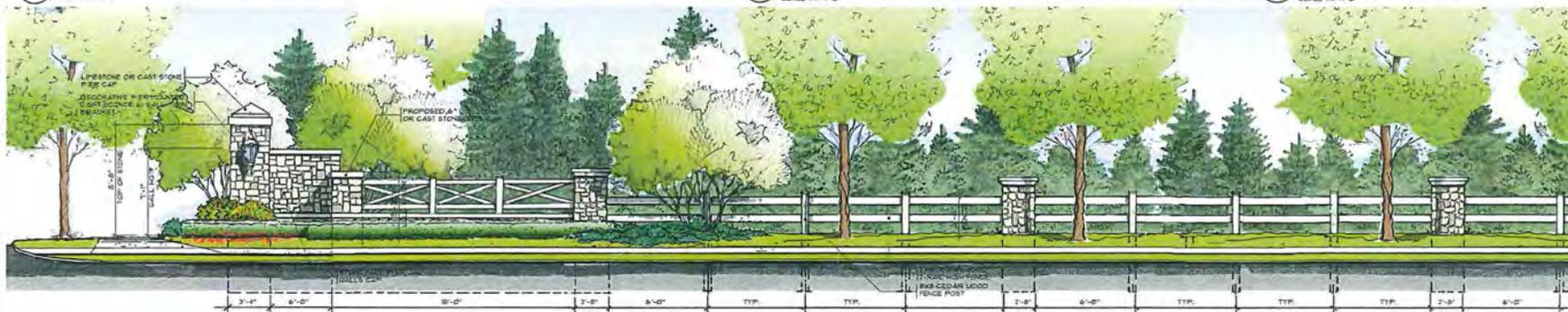
A Wixom Road (west entrance wall elevation view)



B boulevard island signage monument elevation view



C City of Novi welcome signage



D Wixom Road (east side entrance wall elevation view)



E Wixom Road (wall elevation view)

Project location:
 City of Novi
 Wixom Road and 12-Mile
 Road

Sheet title:
**entry stone walls,
 piers and signage
 plan**

Job no./issue/revision date:
 LS13.039.07 Revise. 7-25-2013
 LS13.039.07 Revise. 7-30-2013

Drawn by:
 JP, CZ
 Checked by:
 FP
 Date:
 4-5-2013

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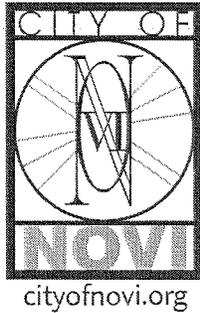
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Do Not Scale Drawings, the figure dimensions only
 project no:
 LS13.039.04

sheet no:



DRAFT PLANNING COMMISSION MINUTES
August 28, 2013 - EXCERPT



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

August 28, 2013 7:00 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Baratta, Member Giacometti, Member Greco, Member Lynch, Chair Pehrson, Member Zuchlewski

Absent: Member Anthony

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Elizabeth Saarela, City Attorney, Erica Morgan, Staff Engineer, Pete Hill, Environmental Consultant, Matt Carmer, Environmental Consultant, David Beschke, Landscape Architect, Rod Arroyo, Traffic Consultant.

APPROVAL OF AGENDA

Moved by Member Greco, seconded by Member Baratta:

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

Motion to approve the August 28, 2013 Planning Commission Agenda. Motion carried 6-0.

PUBLIC HEARINGS

1. BERKSHIRE POINT, JSP13-47 with REZONING 18.704

Public Hearing of the request of Ivanhoe Companies for Planning Commission's recommendation to City Council for rezoning of property in Section 18, on the west side of Wixom Road, south of Grand River Avenue from B-2, Community Business and I-2, General Industry to RM-1, Low Density, Low-Rise Multiple-Family Residential with a Planned Rezoning Overlay. The subject property is approximately 29.20 acres.

Planner Kristen Kapelanski said the applicant is proposing to rezone with a Planned Rezoning Overlay or PRO a 29.2 acre site on the west side of Wixom Road south of Grand River. The parcels are currently made up of vacant land and vacant industrial property. To the north in the City of Wixom is an existing shopping center. To the east across Wixom Road are a car dealership and a shopping center. And to the west and south is property owned by Catholic Central High School that includes the school building, athletic fields and vacant land.

The subject property is currently zoned B-2, Community Business and I-2, General Industrial and the proposed zoning is RM-1, Low Density, Low-Rise Multiple-Family Residential. The site is bordered by B-3 and FS zoning to the north in the City of Wixom, B-3 and I-1 zoning to the east, R-4 zoning to the west and R-1 and I-1 zoning to the south. The future land use map indicates Community Commercial uses for the subject property and the properties to the east. The properties to the north are planned for Village Center Area on the City of Wixom's Future Land Use Map. The properties to the west and south are planned for Educational Facilities. The proposed rezoning would be contrary to the current recommendations of the Future Land Use map.

The applicant's concept plan shows an 86 unit detached single-family development. As you will recall, a PRO essentially creates a "floating district" with a conceptual plan and any ordinance deviations attached to the rezoning of the subject property via a PRO Agreement. In this case, the applicant has also included what they have termed the "Zoning Plan." This plan shows an attached residential development totaling 116 units. Staff has not reviewed the "Zoning Plan" against the standards of the

Ordinance but the applicant would like this plan included in the proposed PRO Agreement as a layout plan showing the not-to-exceed 116 attached units they have proposed. Should the applicant move forward with the "Zoning Plan", revisions to any approved PRO Agreement and Concept Plan would be required. Staff and consultant reviews are focused on the 86 unit single-family plan termed the "Development Concept Plan."

Planner Kapelanski continued saying the applicant has proposed a public benefit, as required by the PRO Ordinance. The application materials and staff review indicate a reduced density over what would typically be allowed in the RM-1 District, protection of natural features via a conservation easement, several pocket parks to be located throughout the development, upgraded facades and a proposed nature path. At the suggestion of staff and other Novi officials, the applicant is now proposing a "Welcome to Novi" sign to be located at the entrance to the City along Wixom Road in lieu of the proposed nature path. It is the staff's opinion that the proposed public benefits go above and beyond the benefits associated with a typical development. The planning review recommends approval of the proposed rezoning with PRO. The applicant has presented a reasonable alternative to the proposed Master Plan designation of Community Commercial. The proposed RM-1 zoning would provide a reasonable transition between the commercial properties to the north and east and the school uses to the west and south. It would also allow for the removal of the incompatible I-2 zoning currently in place. The proposal is also in compliance with several goals and objectives of the Master Plan as noted in the planning review letter. The applicant has made the argument that the proposed lots sizes are meeting a need for a development style that has not been fully addressed in the City which would meet an objective of the Master Plan to provide a full range of quality housing opportunities. The proposed lot sizes would complement other developments with similarly sized lots in the area including Knightsbridge Gate and the proposed Andelina Ridge. Deviations from the Zoning Ordinance can be approved as part of the PRO Agreement. The applicant has requested deviations to permit a smaller lot size and width than what would be required and also to permit deficient side and rear yard setbacks.

Planner Kapelanski also said comments from all City staff and consultants on the proposed rezoning and PRO concept plan have been provided. The engineering review notes there are no utility concerns with the proposed rezoning and lists items to be addressed on the Preliminary Site Plan submittal. The traffic review includes several modifications to the concept plan and traffic study that will need to be addressed before the matter can proceed to the City Council. The applicant has been working with the City's traffic consultant and both are confident these issues can be resolved. The City's Traffic Consultant Rod Arroyo is here to address any traffic questions. The landscape review recommends approval noting ordinance deviations are required and supported for the lack of berms along most frontages. The wetland and woodland reviews recommend approval noting items to be addressed on the Preliminary Site Plan submittal. The City's wetland and woodland consultant is here this evening to address any environmental questions or concerns. The façade review states that the proposed renderings would be considered enhancements over what would typically be required by the ordinance. Additional elevations would be required to meet the City's similar/dissimilar ordinance provisions. The applicant has indicated these will be provided and has also noted in their response letter that the exact materials for the facades are still in flux but the ultimate design will include quality materials that will be above the minimum ordinance requirements. The fire review does not list any concerns with the proposed concept plan.

Gary Shapiro of Ivanhoe companies said he was glad to appear before the Planning Commission. He has been working with the current property owner on acquiring the property for several years and has worked with staff over the last year as well. The first option was a commercial development but that was problematic because of the environmental features. The second was industrial but that seemed like spot zoning. The next consideration was RM-2 zoning which would allow upwards of 500 units. That was a serious consideration because it would be a lower price point; something that Novi doesn't have and it would be right on the boarder of Wixom but the planners and consultants drove us in a different

direction. RM-1 seemed like the logical choice. Originally the plan was laid out as a multi-family for either condos for sale or apartments but staff felt that was too dense. This site plan was revised numerous times.

Based on market studies the concept plan was ultimately determined which is a single-family, detached site condominium with a neighborhood design. Every single site backs up to an open space. We reduced the density dramatically to do something really unique. We're proposing a really walkable community with pocket parks and public roads which really give a good curb appeal. We proposed a pool and clubhouse area. We worked with consultants to make sure the parking requirements are correct. The road configuration are in a developmental stage. This is something that Novi does not have that is very unique. The original goal was to limit the development to 116 units so that there was some flexibility if the economy changed. The city attorney felt that should be dealt with in the PRO Agreement. The concept plan that is being proposed is an 86 unit detached single-family home development.

Brad Strader, the applicant's consultant, of LSL Planning said they have worked with Gary Shapiro and his firm for over 15 years now on a number of projects. He has an excellent track record as a good developer. He's assembled a good team and he's a really passionate and a very hands-on developer. The key thing about this site is that it's zoned B-2 and part of it is zoned I-2, the former Cadillac Asphalt Plant. The original plan for this site was commercial. We laid out different things and found the site configuration and the wetlands didn't lend itself very well to commercial but more importantly, Gary met with a lot of different retailers and commercial developers to try to gain interest and found that it doesn't work. It's sort of a dead end for commercial because it's behind a shopping center. This doesn't feel like commercial. It's next to a high school. If there's a need for commercial in this facility, it really should be up closer to the interchange.

Residential seemed like a more viable option and the PRO provides a win-win for the developer and the community by having higher quality development and getting some of the information upfront. We came up with an attached plan with four units per building and basically the same road configuration and as we continued to study the market we found that that real demand was for high quality, detached single-family. So we used the same road layout but came up with the 86 unit plan. Amenities that would be over and above the typical development of a parcel include property combination and eliminating an industrial parcel. The high school has submitted a letter stating that this is a better use than the existing zoning or what would be allowed by the Master Plan. This is a good land use transition that would generate about 10% of the traffic that would be generated by the current zoning. Staff has been great to work with as were the consultants. The team is here to answer any questions you have and we look forward to your favorable recommendation to the City Council so we can move the project forward.

Chair Pehrson opened the public hearing. No one in the audience wished to speak.

Member Lynch read the correspondence. Mike Stanford, General Manager of Varsity Lincoln, said this letter serves as a letter in support of the proposed Ivanhoe Companies known as Berkshire Pointe. We've been in communication with Mr. Shapiro to form his goal to eliminate the industrial zoning at Cadillac Asphalt. We support the condominium community that will be across the street from our property. We believe that the construction of this residential area will improve the community by strengthening the relationship between the residents, businesses, developers, schools and churches. We appreciate Ivanhoe Companies stated objective to construct a development that is both compatible and beneficial to all adjoining property owners.

There was no additional correspondence and Chair Pehrson closed the public hearing.

Member Greco said he had a question regarding the 86 units versus the 116 units. He asked the applicant to explain how that fit into the request.

Mr. Shapiro said the concept plan going along with the rezoning is the 86 unit plan. The idea of doing multiple-family zoning was to make things a little more flexible so that if we did need to go to the 116 units, it would be a little easier to address later. If any changes to the 86 unit plan are made, including a change in the number of units, it would need to come back before the Planning Commission.

Member Lynch confirmed the units were detached.

Mr. Shapiro said that's correct.

Member Lynch said the PRO is the way to go. The development looks good and will fit in there nicely. Obviously the industrial and the high density commercial wouldn't be a good use for that property, mainly because of the traffic. It doesn't have the visibility that most commercial people want. It looks like these houses are in a lower price point than a lot of the homes in the area so I believe it does fill that need. The traffic study that had a marginal impact on the traffic on Wixom Road but that study was done when Catholic Central was on a summer break. Will the traffic study be revised?

Mr. Shapiro said the traffic generated would be dramatically less than commercial or industrial would be.

Mr. Strader said the traffic study will be revised based on the 86 unit plan. Because the counts were taken after school let out when they had a summer camp going on, we checked with the City's traffic consultant and the traffic engineers had a trip generation rate for a high school so we took the actual counts and removed the summer camp counts and replaced them with what the estimates would be for the high school.

Member Lynch asked if there was any consideration given to an access point on Twelve Mile Road.

Mr. Strader said we looked at a number of options to connect it with Twelve Mile but that didn't work.

Mr. Shapiro said we looked at it and the consensus was that Twelve Mile is more of a beauty road in that area and we didn't want to create a cut through for that area. Right now it's not a paved road, I think there was a push at one time to make it a beauty road. We felt that would be a negative impact of cut through traffic and not be good for the school or the community as a whole.

Member Lynch said it seemed like a good marketing opportunity. Certainly if you had people coming into the site and they get caught in traffic on Wixom Road, it may hurt you. But if you're comfortable that it's not going to hurt the marketing of your property then that's fine.

Mr. Strader said there has been an emergency access provided as a third means of access to the property.

Member Lynch asked if Wixom Road will be a four or five-lane road in the future.

Planner Kapelanski said she didn't think it was planned for the very near future at this point, at least it didn't factor into the review of this development. So it may be in the Capital Improvement Plan, but it's probably quite a ways off.

Member Lynch asked if the developer would be donating right-of-way to the City.

Mr. Strader said we're donating the right-of-way and we're building the bike safety path that is in the proper place if further expansion occurs.

Member Lynch said this seems similar to the Knightsbridge Gate development.

Mr. Shapiro said yes but more upscale. The driveways are longer, there is more open space and additional sidewalks.

Member Baratta said the traffic study is a concern because there is a project that's under construction over at Ten Mile and Wixom. You've also got Catholic Central. Are there going to be traffic issues?

Traffic Consultant Arroyo said there are a couple things to look at. As they indicated in their study, comparing what could go there to the current zoning this could be a significantly smaller traffic generator. The biggest concern that we've had regarding the review of this actual plan and the site is the access point to Wixom Road and the fact that it lines up with another boulevard. So we've made some comments, they've already provided us with a concept for a modified approach which works a lot better. So we feel that's resolvable. But I'm not going to tell you that it's going to work perfect. It's going to be difficult to getting out during the peak hour. We are looking to the revised traffic study to get all those numbers verified and check to make sure that everything is going to work the way it should, but it certainly is going to be less traffic coming out of there than commercial would be overall. It's just the differences with residential, you're going to have leaving in the morning whereas with retail, most of that would be PM peak hour traffic, which generally could be the worst in terms of congestion in this area.

We would of preferred an access point to Twelve Mile, a secondary access point because at least if you're having a hard time getting out to Wixom Road, you could go to Twelve Mile and there's better access to Grand River that way, but this is somewhat challenging because they don't actually have full frontage on Twelve Mile and there's not really the type of access to Twelve Mile that would even lend itself to a full access point.

Member Baratta said leaving Island Lake in the morning is an extremely difficult left turn. And to your point, if this were commercial, I think while the number of trips may be a little less with this plan versus commercial, I think as you indicated the timing of those trips will be a lot different. I don't think you'll have the same utilization of the roads at those peaks hours. Where would you have moved that access point to Wixom?

Traffic Consultant Arroyo said well it's always better to have an access point that doesn't align with another. So it would be using that southern access point and not having a north access point.

Member Baratta asked is there a light there?

Traffic Consultant Arroyo said no.

Member Baratta asked if there was a light in front of Target.

Traffic Consultant Arroyo said yes.

Chair Pehrson said relative to the overall concept, it's not too often that we've gone through a PRO process where we've seen the kind of generosity relative to visualizing what the space could be, where it might have gone, and I'm glad that we're not sitting here looking at five hundred units. Density is huge in this City relative to all the things that come with that such as traffic so I'm very much pleased with the 86 units. Some of the more important benefits that probably weren't listed include the environmental impacts and the sensitivity that you've put forward there and getting rid of that heavy industrial next to the school zone. The only concern that I would have would be the traffic. We know Wixom Road is going to become a very clogged, if it isn't already, roadway. So I will be supporting it.

Moved by Member Lynch and seconded by Member Greco:

ROLL CALL VOTE ON THE ZONING MAP AMENDMENT 18.704 APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:

In the matter of Berkshire Point, JSP13-47 with Zoning Map Amendment 18.704 motion to recommend approval to the City Council to rezone the subject property from B-2 (Community Commercial) and I-2 (General Industrial) to RM-1 (Low Density Low-Rise Multiple-Family Residential) with a Planned Rezoning Overlay with the following ordinance deviations:

- a. Reduction in minimum lot size from 10,000 square feet (required) to 5,400 square feet (proposed);
- b. Reduction in minimum lot width from 80 feet (required) to 45 feet (proposed)
- c. Reduction in minimum side yard setback from 10 feet with an aggregate of 25 feet (required) to 5 feet with an aggregate of 10 feet (proposed);
- d. Reduction in minimum rear yard setback from 35 feet (required) to 30 feet (proposed);
- e. Lack of berms along the south, north and west frontages and lack of berm along portions of the east frontage;

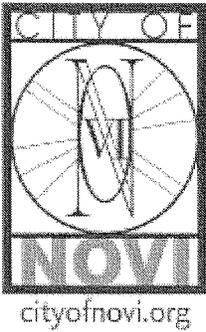
And subject to the following conditions:

- a. Applicant providing additional elevations or renderings to comply with the similar/dissimilar Ordinance provisions;
- b. Applicant revising the concept plan and traffic study in accordance with the recommendations in the traffic review letter prior to consideration by the City Council; and
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and items listed in those letters being addressed on the Preliminary Site Plan.

This motion is made because:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of Community Commercial as outlined in the planning review letter;
 - b. The proposed multiple-family zoning provides a reasonable transitional use between the commercial properties to the north and east and the school uses to the south and west and would accommodate the removal of the incompatible I-2 zoning;
 - c. The site will be adequately served by public utilities and the proposed zoning and proposed use represents fewer peak hour trips than the current zoning would require; and
 - d. The proposed concept plan shows the preservation and enhancement of wetlands on the site.
- Motion carried 6-0.*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

August 19, 2013

Planning Review

Berkshire Pointe

JSP13-47 Rezoning 18.704 with a PRO

Petitioner

Ivanhoe Companies

Review Type

Rezoning Request from B-2 (Community Business) and I-2 (General Industrial) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) with Planned Rezoning Overlay (PRO)

Property Characteristics

- Site Location: West side of Wixom Road, south of Grand River Avenue(Section 18)
- Site Zoning: B-2, Community Commercial and I-2, General Industrial
- Adjoining Zoning: North (City of Wixom): B-3, General Business and FS, Freeway Service; East (across Wixom Road): B-3, General Business and I-1, Light Industrial; West: R-4, One-Family Residential; South: R-1 and I-1
- Current Site Use: Vacant land and vacant industrial site
- Adjoining Uses: North (City of Wixom): existing shopping center; East (across Wixom Road): car dealership, shopping center; West: vacant school property and athletic fields; South: school
- School District: Novi Community School District
- Site Size: 29.20 gross acres NET ACRES COULD NOT BE CALCULATED (APPLICANT SHOULD PROVIDE ACREAGE OF ALL WETLANDS)

Project Summary

The petitioner is requesting a Zoning Map amendment for a 29.20-acre property on the west side of Wixom Road, south of Grand River Avenue (Section 18) from B-2 (Community Business) and I-2 (General Industrial) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) utilizing the City's Planned Rezoning Overlay (PRO) option. The applicant states that the rezoning request is necessary to allow the development of an 86-unit single-family site condominium.

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 B-2 and I-1 to RM-1) and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to tentative approval of a conceptual plan for development of the site. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

The applicant has proposed an 86-unit single-family development. The PRO concept plan shows an on-site detention pond on the north side of the site, open space and the preservation of a large wetland area along the site's northern property line, five "pocket parks" located throughout the site and a nature path through the preserved wetland area. Two access points (one boulevarded) are proposed off of Wixom Road.

The applicant has also included a 'parallel plan' showing how the site could be developed as a multiple-family attached condominium development under the proposed RM-1 zoning. The applicant has termed this the 'zoning plan' and it shows a development of 116 units using the same road layout as the proposed concept plan and including the same features and amenities and preservation of the existing wetlands. This and the attached reviews are based on the proposed concept plan as that is the plan the applicant has indicated they intend to proceed with at this time.

Recommendation

Staff **recommends approval** of the proposed PRO and concept plan for the 86-unit detached residential development to rezone property on the west side of Wixom Road, south of Grand River Avenue to RM-1 with a Planned Rezoning Overlay for the following reasons:

- The applicant has presented a reasonable alternative to the proposed Master Plan designation of Community Commercial uses as outlined in this review letter.
- The proposed multiple family zoning provides a reasonable transitional use between the commercial properties to the north and east, and the school uses to the south and west, and would accommodate the removal of the incompatible I-2 zoning at this location.
- The site will be adequately served by public utilities and the proposed zoning and proposed use represents fewer peak hour trips than the current zoning would require.
- Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed.
- The proposed concept plan shows the preservation and enhancement of wetlands on the site, which will assist in providing a buffer for the proposed detached homes from the commercial properties to the north and to the east.

Please note, the 116-unit concept plan was not reviewed and is not recommended for approval at this time. It is staff's understanding that the 116-unit plan will be referenced in the PRO Agreement for possible further review at a later time. The applicant should submit a revised concept plan and traffic study for review addressing the items in the traffic review letter prior to the City Council meeting.

Planning Commission Options

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

1. Recommend City Council conditionally approve the request to rezone the parcel to RM-1 Low Density, Low-Rise Multiple-Family Residential with a Planned Rezoning Overlay (*APPLICANT REQUEST* and **STAFF RECOMMENDATION**); OR
2. Recommend City Council deny the request to rezone the parcel to RM-1 with a PRO, with the zoning of the property to remain B-2 and I-2; OR
3. Recommend City Council rezone the parcel to a zoning district other than B-2, I-1 or RM-1 (an additional public hearing may be required); OR
4. Postpone consideration of the request for further study.

Master Plan for Land Use

The Future Land Use Map (adopted Aug. 25, 2010) of the City of Novi Master Plan for Land Use 2010 designates this property as "Community Commercial". The property to the south and west, which is owned by Catholic Central High School, is designated as Educational Use. The property to the north in the City of Wixom is designated on the Wixom Future Land Use map as VCA, Village Center Area. The property to the east, the existing shopping center, is designated as Community Commercial.

In the City's most recent history, the Master Plan for Land Use has designated this property for commercial, office and industrial uses. The property has not been designated for residential uses

since 1988, as outlined in the applicant's development proposal. A small portion of the study area was specifically studied along with the properties to the west as part of the 2008 Master Plan update. The area was termed the "Twelve Mile, Napier and Wixom Roads Study Area." As part of that review and Master Plan update the subject property was designated for Community Commercial uses mainly due to the property's proximity to the existing commercial uses on the east side of Wixom Road. The review and analysis of the entire study area resulted in designations of Educational Use and Single-Family Residential for the remainder of the study area. It could be argued that multiple-family zoning would act as a good transitional use between the existing and planned residential and school uses to the west and the existing commercial uses to the north and on the east side of Wixom Road.

The proposal would also follow several goals, objectives and implementation strategies listed in the Master Plan for Land Use including the following:

Objective: Encourage the use of functional open space in new residential developments. *(The applicant has proposed preservation of quality wetland areas and several pocket parks.)*

Implementation Strategy: Educate the public and developers on the benefits of making residential developments more walkable and bikeable and encourage developers to build walkable and bikeable residential developments that are connected to the City's non-motorized transportation system where possible. *(The conceptual plan proposes a pathway along Wixom Road, sidewalks along both sides of the street within the development, and non-motorized connections to Twelve Mile Road and the commercial shopping center to the north.*

Objective: Maintain quality architecture throughout the City. *(The proposed architectural renderings included in the applicant's proposal represent upgraded facades in terms of materials and designs over what would typically be required by the Ordinance. See the façade review letter for additional information.)*

Goal: Protect Novi's remaining woodlands and wetlands. *(The applicant has proposed the preservation of a large wetland area on the north side of the site.)*

Objective: Attract new residents to the City by providing a full range of quality housing opportunities that meet the housing needs of all demographic groups including but not limited to singles, couples, first time home buyers, families and the elderly. *(The proposal would include smaller-lot single-family dwelling units, which is a product that is not typically represented in the City.)*

The rezoning request was presented to the Master Plan & Zoning Committee on May 15, 2013. The PRO option was not proposed at that time. The applicants presented their concept plan, including site layout and conceptual renderings. The members of the Committee were receptive to the concept plan, but concurred that the applicant should consider the PRO option or a residential option that includes a conceptual plan in order to make the concept plan binding.

Density proposed

The applicant is proposing 86 units on the 29 acre property, resulting in approximately 3.05 units/acre. The applicant is asked to further clarify the amount of land encompassed by wetlands per the Environmental Consultant's review letter, and to allow Planning Staff to further identify the density proposed. The Master Plan for Land Use does not anticipate residential uses of this property, so no density guidelines are provided on the plan. The proposed density of 3.05 units/acre is most consistent with the R-4 zoning district, but the applicant is seeking RM-1 Zoning in order to allow smaller lot sizes than the R-4 zoning district allows, and to allow the submittal of the

alternative parallel plan (aka 'zoning plan') that would accommodate 116 attached residential units. The Andelina Ridge development, located on the south side of Twelve Mile Road, east of Napier Road is currently being developed under the R-4 zoning district.

Existing Zoning and Land Use

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

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

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property	B-2 (General Business) and I-2 (General Industrial)	Vacant and Former Industrial	Community Commercial
Northern Parcels (City of Wixom)	B-3 (General Business) and FS (Freeway Service)	Shopping Center	Village Center Area
Southern Parcels	R-1 (One-Family Residential) and I-1 (Light Industrial)	Vacant and Catholic Central High School	Educational Use
Eastern Parcels (across Wixom Road)	B-3 (General Business) and I-1 (Light Industrial)	Shopping Center	Community Commercial
Western Parcels	R-4 (One-Family Residential)	Vacant	Educational Use

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the proposed PRO concept plan with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request with the PRO option.

The properties to the **north** of the subject property are in the City of Wixom in the B-3, General Business and FS, Freeway Service Zoning Districts and contain a shopping center. The shopping center could experience an increase in patronage from the residents of homes developed on the subject property.

Directly to the **south and west** of the subject property is Catholic Central High School and properties owned by the school. These properties are zoned R-1, R-4 and I-1 and are designated in the Master Plan for Land Use as Educational Use. Changing the zoning of the subject property to RM-1 would likely be more compatible with the school use.

The properties to the **east** of the subject parcel (across Wixom Road) include a shopping center. These properties are zoned B-3, General Business and I-1, Light Industrial and master planned for Community Commercial uses. The shopping center could experience an increase in patronage from the residents of homes developed on the subject property.

Comparison of Zoning Districts

The following table provides a comparison of the current (B-2 and I-1) and proposed (RM-1) zoning classifications.

	B-2 Zoning (Existing)	I-1 Zoning (Proposed)	RM-1 Zoning (Proposed)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. Any use permitted in B-1 2. All retail and service businesses 3. Day care centers and adult day care centers (subject to conditions) 4. Private clubs, fraternal organizations and lodge halls 5. Hotels and motels 6. Office buildings 7. Other uses similar to the above 8. Accessory uses and structures 	<ol style="list-style-type: none"> 1. Office buildings 2. Accessory buildings 3. Publicly owned and operated parks, parkways and outdoor recreational facilities 4. Health and fitness facilities (up to 2,000 square feet) 5. Medical offices 	<ol style="list-style-type: none"> 1. All uses as regulated in the RT District 2. Multiple-family dwellings 3. Independent and congregate elderly living facilities 4. Accessory buildings and uses
Special Land Uses <i>(Italics denotes a special land use only when adjacent to residential)</i>	<ol style="list-style-type: none"> 1. Fueling station (subject to conditions) 2. Outdoor sale of produce and plant material (subject to conditions) 3. Vet hospitals and clinics (subject to conditions) 	<ol style="list-style-type: none"> 1. <i>Research and development and technical training activities</i> 2. <i>Data processing and computer centers</i> 3. <i>Warehousing and wholesale</i> 4. <i>Manufacturing*</i> 5. <i>Industrial office sales, service and industrial office related uses*</i> 6. <i>Trade or industrial schools</i> 7. <i>Laboratories – experimental, film or testing</i> 8. <i>Greenhouses</i> 9. <i>Public utility buildings*</i> 10. <i>Public or private indoor recreation facilities greater than 2,000 sq. ft. and private outdoor recreation facilities*</i> 11. <i>Pet boarding facilities*</i> 12. <i>Veterinary hospitals or clinics*</i> 13. <i>Motion picture, television, radio and photographic production facilities*</i> 14. <i>Metal plating, buffing, polishing and molded rubber products*</i> 15. <i>Uses which serve the limited needs of an industrial district: banks, industrial trade schools or industrial clinics, industrial tool and equipment sales, service, storage and distribution, eating and drinking establishments and motels*</i> 16. <i>Automobile service establishments*</i> 17. <i>Self-storage facilities*</i> 18. <i>Retail sales activities when ancillary to an otherwise permitted use*</i> 	<ol style="list-style-type: none"> 1. Convalescent homes (subject to conditions) 2. Accessory buildings and uses

	B-2 Zoning (Existing)	I-1 Zoning (Proposed)	RM-1 Zoning (Proposed)
		19. Central dry cleaning plants or laundries* 20. Railroad transfer, classification and storage yards 21. Tool, die, gauge and machine shops 22. Storage facilities* 23. Municipal uses 24. Motion picture, television, radio and photographic production facilities	
Minimum Lot Size	2 acres	Determined by off-street parking, loading, greenbelt screening, yard setback or usable open space requirements	Determined by off-street parking, loading, greenbelt screening, yard setback or usable open space requirements (10,000 sq. ft. for single-family dwellings)
Minimum Lot Width	Determined by off-street parking, loading, greenbelt screening, yard setback or usable open space requirements		Determined by off-street parking, loading, greenbelt screening, yard setback or usable open space requirements (80 feet for single-family dwellings)
Building Height	2 stories -or- 30 feet	40 feet	2 stories -or- 35 feet (2.5 stories permitted for single-family dwellings)
Building Setbacks	Front: 40 feet Side: 30 feet Rear: 30 feet	Front: 40 feet Side: 20 feet Rear: 20 feet	Front: 50 feet Side: 75 feet Rear: 75 feet (For Single-Family Dwellings): Front: 30 feet Side: 10 feet (aggregate 25 feet) Rear: 35 feet

Infrastructure Concerns

An initial engineering review was done as part of the rezoning with PRO application to analyze the information that has been provided thus far (see attached letters from engineering dated August 15, 2013). The engineering review indicated there would be a decrease in utility demands as a result of the proposed rezoning. A full scale engineering review would take place during the course of the Site Plan Review process for any development proposed on the subject property, regardless of the zoning.

The City's traffic consultant has reviewed the Traffic Study and has several issues with the proposed methodology that will need to be addressed prior to the City Council meeting via a revised Traffic Study. Even with the noted concerns, the traffic consultant does agree that the proposed concept plan would generate less traffic than the current zoning or master plan designation. There are some other road design issues on the concept plan which will need to be addressed prior to the City Council meeting as well, via a revised concept plan. See the traffic review letter dated August 19, 2013 for additional information.

Natural Features

There are regulated woodlands on the site as indicated in the application materials. The applicant has proposed woodland impacts and has agreed to plant woodland replacement trees and contribute money to the tree fund to account for said impacts. Please refer to the woodland review letter for additional information.

There are regulated wetlands on the site and based on the concept plan, it appears there will be wetland impacts and wetland buffer impacts. Further detail will be needed at the time of Preliminary Site Plan submittal. Please refer to the wetland review letter for additional information.

Development Potential

Development under the current B-2 and I-1 zoning could result in the construction of up to 186,000 square feet of general commercial and 45,000 square feet of industrial space. If the whole property were developed under the Master Plan's commercial designation, up to 200,000 square feet of commercial space could be constructed. Development under the proposed RM-1 zoning without a PRO option could result in as many as 158 three bedroom units or 214 two bedroom units. Up to 20% of the units are permitted to be one bedroom which would result in additional density on the site.

Major Conditions of Planned Rezoning Overlay Agreement

The Planned Rezoning Overlay process involves a PRO concept plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Article 34, Section 3402). Within the process, which is completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the internal roads and lots, the location of the proposed detention pond, location of the proposed open space and preserved natural features, and proposed landscaping throughout the development. Also included were conceptual renderings of housing styles and materials proposed for the development. (See the façade review letter dated August 15, 2013 for additional information on the provided renderings.) The applicant drafted a letter describing the public benefits of the proposed rezoning. Additional terms include the following:

- a maximum density of 116 units as shown on the parallel plan ('zoning plan') with a conceptual density of 86 units
- land to be donated to complete the Wixom Road right-of-way
- nature path to be installed along the north property boundary
- attached or detached units shall not be more than 4 units per building
- units shall not be less than 28 feet wide
- garages shall not protrude more than 6 feet from a unit
- brick will be installed on all 4 sides of buildings to not less than knee wall height

Ordinance Deviations

Section 3402.D.1.c permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by City Council that "each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas." Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. The proposed PRO agreement would be considered by City Council after tentative approval of the proposed concept plan and rezoning.

The concept plan submitted with an application for a rezoning with a PRO is not required to contain the same level of detail as a preliminary site plan. Staff has reviewed the concept plan inasmuch detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance, or may proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement. The following are deviations from the Zoning Ordinance (Section 501.1) and other applicable ordinances shown on the concept plan:

1. Lot Size and Width: Per Section 501.1 of the Zoning Ordinance, one-family detached dwellings are to be reviewed against the regulations for the R-4 Zoning District. The minimum lot size is 10,000 square feet and the minimum lot width is 80 feet. The applicant has proposed a minimum lot size of 5,400 square feet and a minimum width of 45 feet. These deviations should be included in the PRO Agreement. For reference, the lots in Phase 1 of Liberty Park (located on the north side of Twelve Mile Road, west of Novi Road) are similarly sized.
2. Setbacks: The minimum side yard setback for a single-family dwelling in this district is 10 feet with an aggregate of 25 feet. The minimum rear yard setback is 35 feet. The applicant has proposed a minimum 5 foot side yard setback (with an aggregate of 10 feet) and a minimum 30 foot rear yard setback. These deviations should be included in the PRO Agreement.
3. Landscape waivers: The applicant has not shown the required landscape berm along the south and west frontages. This deviation should be included in the PRO Agreement. The applicant has not shown the required berm along the north frontage. This deviation should be included in the PRO Agreement. The applicant has not shown the required berm in all areas along the east frontage. This deviation should be included in the PRO Agreement. See the landscape review letter for additional details.

Applicant Burden under PRO Ordinance

The Planned Rezoning Overlay ordinance requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 3402.D.2 states the following:

1. *(Sec. 3402.D.2.a) Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. *(Sec. 3402.D.2.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay; provided, in determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also*

*taking into consideration the special knowledge and understanding of the City
by the City Council and Planning Commission.*

Public Benefit Under PRO Ordinance

Section 3402.D.2.b states that the City Council must determine that the proposed PRO rezoning would be in the public interest and the public benefits of the proposed PRO rezoning would clearly outweigh the detriments: The application materials dated July 30, 2013 note the following "public benefits":

- Less traffic when compared to the current zoning
- Limited density (The concept plan shows 86 single-family site condominiums with a maximum of 116 attached units shown on the parallel plan or 'zoning plan')
- Protection of undisturbed environmental features (Approximately 3 acres)
- Fewer access points when compared to the current zoning
- Improved aesthetics along Wixom Road
- Diversity of housing options in the City
- Removal of potentially incompatible land uses
- Improved non-motorized options including a nature trail along the northern property line, sidewalks along the Wixom Road frontage and a sidewalk connection to connect internal sidewalks to the 12 Mile Road right-of-way
- Emergency access to the adjacent property
- Units not less 28 feet wide
- Garages shall not protrude more than 6 feet from the development
- Brick shall be installed on all 4 sides of the building up to the belt line

These proposed benefits should be weighed against the proposal to determine if they clearly outweigh any detriments of the proposed rezoning. Providing a sidewalk along the Wixom Road frontage and an emergency access connection would be a requirements of any conceivable development of the subject property under the existing zoning.

The items detailing the proposed facades – conceptual renderings, minimum brick, etc. – would be considered enhancements over the minimum requirements of the ordinance. (See the façade letter dated August 15, 2013.) The remaining benefits – the nature trail, the connection to the 12 Mile Road right-of-way, the pocket parks, the preservation of environmental features, the density limitation and right-of-way dedication along Wixom Road – are enhancements that would benefit the public that would not be required as part of a development under the existing zoning. However, it should be noted that the preservation of environmental features is something that would be encouraged as part of a development review and, although not required, the right-of-way dedication is typical of developments.

Submittal Requirements

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



Kristen Kapelanski, AICP – Planner
kkapelanski@cityofnovi.org or 248-347-0586
Attachments: Planning Review Chart

Planning Review Summary Chart

Berkshire Pointe JSP13-47

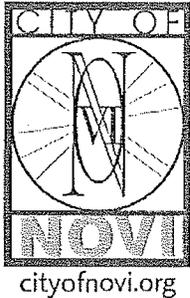
Plan Date: 07-23-13

Concept Plan Review

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Community Commercial	Single Family	No	Applicant has applied for a rezoning with Planned Rezoning Overlay. The following review is under the proposed RM-1 Zoning District.
Zoning (Art. 6)	RM-1, Low Density Low-Rise Multiple-Family Residential	RM-1		Single-family homes are to be reviewed under the R-4 standards.
Use	Use permitted per Article 6 of the Zoning Ordinance	Single-Family Site Condominium	Yes	
Min. Lot Size and Width (Sec. 2400)	10,000 sq. ft. and 80 ft. wide	Min. 5,400 sq. ft. and 45 ft. wide	No	These deviations would need to be included in the PRO Agreement.
Building Setbacks (Sec. 2400)				
Front	30 feet	36 feet	Yes	
Side	10 feet (aggregate 25 feet)	5 feet (aggregate 10 feet)	No	These deviations would need to be included in the PRO Agreement.
Rear	35 feet	30 feet	No	
Lot Depth Abutting a Secondary Thoroughfare (Sec. 4.02.A.5 of the Sub. Ord.)	Lots abutting a major or secondary thoroughfare must have a depth of at least 140'	No lots abutting a major thoroughfare	Yes	
Streets (Sec. 4.04.A.1.b of the Sub. Ord.)	Extend streets to boundary to provide access intervals not to exceed 1,300 ft. unless one of the following exists: <ul style="list-style-type: none"> • Impractical difficulties because of topographic conditions or natural features • Would create undesirable traffic patterns 	No connections to adjacent properties provided	Yes?	Connections to the adjacent property, the site of Catholic Central High School would result in undesirable traffic patterns. In addition, there is a large woodland area that would be impacted. See the engineering review letter for additional information.

Item	Required	Proposed	Meets Requirements?	Comments
Wetland and Watercourses (City Code Sec. 12-174(a)(4))	Lots cannot extend into a wetland or watercourse	A small portion of wetland appears to extend onto lots 56, 55, 27, 25, 24 and 23. Wetland buffer extends onto several lots.	No	The applicant should slightly adjust the site layout so no lots extend into a regulated wetland area.
Development in the Floodplain (Sec. 4.03 of the Sub. Ord.)	Areas in a floodplain cannot be platted	Lots do not extend into floodplain	Yes	
Master Deed/ Covenants and Restrictions	Applicant is required to submit this information for review with the Final Site Plan submittal			Master Deed will be reviewed at the time of Final Site Plan submittal
Exterior Lighting (Section 2511)	<p>Photometric plan required at the time of Preliminary Site Plan submittal</p> <p>A residential development entrance light must be provided at the entrance to the development off of Wixom Road.</p>	No lighting provided at this time.		Lighting details should be provided with the Preliminary Site Plan submittal.
<p>Sidewalks (Sec. 2405.9)</p> <p>Bicycle & Pedestrian Master Plan and Non-Motorized Plan</p>	<p>Five (5) foot wide concrete sidewalks are required on both sides of all internal streets</p> <p>An 8' pathway is required along Wixom Road</p>	<p>Five foot sidewalks proposed along internal streets</p> <p>sidewalk proposed</p>	Yes?	The applicant should confirm the proposed pathway along Wixom Road is 8 feet in width.

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

August 15, 2013

Engineering Concept Review

Berkshire Pointe

Petitioner

The Ivanhoe Companies (Gary Shapiro)

Review Type

Concept/PRO

Property Characteristics

- Site Location: W. of Wixom Rd. and S. of Grand River Ave.
- Site Size: 29.20 acres
- Plan Date: July 23, 2013

Project Summary

- Construction of an 86-unit detached unit condominium. The proposed concept plan would result in a utility demand of 86 residential equivalent units (REU), a decrease of 46 REUs over the current B-2 and I-2 zoning at build-out.
- Site access would be provided by two access points off of Wixom Road. The northern access point serve as a boulevard style main entrance way. Emergency access would be provided by an access point to the Retail Development to the north of the property in the City of Wixom.
- No modifications are proposed to Wixom Road.
- Water service details are not provided on the plan.
- Sanitary service details are not provided on the plan.
- Storm water details are not provided on the plan outside of the detention pond locations (1.50 net acres).

Comments:

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

standards not specifically approved by City Council will be addressed during the site plan review process.

General

1. A full engineering review was not performed due to the limited information provided in this submittal. Further information related to the utilities, easements, etc. will be required to provide a more detailed review.
2. The site plan shall be designed in accordance with the Design and Construction Standards (Chapter 11).
3. Any variance from the Novi City Code not specifically approved by City Council will require an amendment to the Planned Rezoning Overlay (PRO).
4. Revise the site plan to indicate whether the proposed roads are private or will be publically dedicated.
5. Provide a stub street to the subdivision boundary for every 1,300 feet of perimeter or include a separate narrative listing the hardships/impracticalities of extending the streets to the subdivision boundaries at intervals along the subdivision boundary not exceeding one thousand three hundred (1,300) feet.
6. All sidewalks and pathways shall be placed within a public easement. A minimum twelve (12) foot wide easement is required for a six (6) foot wide sidewalk.
7. Provide a note stating that all sidewalks within common elements must be constructed with the site plan work.
8. Differentiate between project and non-project details by use of shading, notation, etc.
9. Soil borings shall be provided for a preliminary review of the constructability of the proposed development (roads, basin, etc.). Borings identifying soil types, and groundwater elevation should be provided at the time of Preliminary Site plan.
10. Add a note to the plan stating that the emergency access gate is to be installed and closed prior to the issuance of the first TCO in the subdivision.
11. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan submittal highlighting the changes made to the plans addressing each of the comments in this review.

Utilities

12. Show the existing utilities on the plans and the proposed connection to each.
13. Extend water main to the proposed development as a public utility and provide a stub on the property frontage adjacent to Twelve Mile Rd.
14. Extend sanitary sewer to the proposed development as a public utility and provide a stub on the property frontage adjacent to Twelve Mile Rd.

Paving & Grading

15. Provide the proposed topography in 2-foot contours extending at least 100 feet past the site boundary. Any off-site drainage entering this site shall be identified.

16. Designate whether the Novi Nature Path will be a public pathway or part of the site condominium. If the pathway will be dedicated as public, revise the pathway material from wood chips to concrete.

Storm Water Management Plan

17. Provide a sheet or sheets titled "Storm Water Management Plan" (SWMP) that complies with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual (refer to the runoff coefficients, 1V:4H allowable basin slopes, etc.).
18. The SWMP must detail the storm water system design, calculations, details, and maintenance as stated in the ordinance. The SWMP must address the discharge of storm water off-site, and evidence of its adequacy must be provided. This should be done by comparing pre- and post-development discharge rates and volumes. The area being used for this off-site discharge should be delineated and the ultimate location of discharge shown.
19. An adequate maintenance access route to the basin outlet structure and any other pretreatment structures shall be provided (15 feet wide, maximum slope of 1V:5H, and able to withstand the passage of heavy equipment). Verify the access route does not conflict with proposed landscaping.
20. A 25-foot vegetated buffer shall be provided around the perimeter of each storm water basin. This buffer cannot encroach onto adjacent lots.

Off-Site Easements

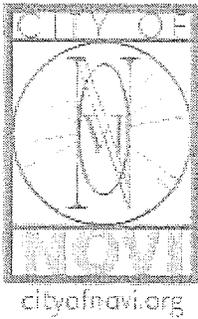
21. All off-site easements must be executed prior to final approval of the plans. Drafts shall be submitted at the time of the Preliminary Site Plan submittal.

Please contact Adam Wayne at (248) 735-5648 with any questions.



cc: Ben Croy, Engineering
Brian Coburn, Engineering
Kristen Kapelanski, Community Development Department

MEMORANDUM



TO: KRISTEN KAPELANSKI, AICP, CITY PLANNER
FROM: ADAM WAYNE, STAFF ENGINEER AW
SUBJECT: REVIEW OF REZONING IMPACT ON PUBLIC UTILITIES
REZONING 18.704, BERKSHIRE POINTE
DATE: AUGUST 14, 2013

The Engineering Division has reviewed the planned rezoning overlay (PRO) request for the 29.20 acres located on the west side of Wixom Rd, south of Grand River Avenue. The applicant is requesting to rezone 29.20 acres to RM-1 under a PRO from commercial (B-2) and industrial (I-2). The Master Plan for Land Use does not indicate an allowable residential density due to the Community Commercial future land use designation. The applicant is proposing a maximum unit count of 116 attached or detached residential units at 4.11 units per acre.

Utility Demands

A residential equivalent unit (REU) equates to the utility demand from one single family home. If the subject area were developed under the current zoning, demand for utilities would be approximately 132 REUs. The proposed PRO to RM-1 zoning would potentially yield approximately 91 REUs, a decrease of 41 REUs from the current zoning and master plan utility demand.

Water System

The project is located within the Intermediate Water Pressure District. Water service is currently available to the east across Wixom Road from the site. The proposed rezoning would have minimal impact on available capacity, pressure, and flows in the water system. The applicant would be required to extend the water main to and through the development, leaving a stub adjacent to Twelve Mile Road. This stub serves to allow future connections to the water main which would eventually eliminate a dead end extension and improve the overall operations of the water system in this area.

Sanitary Sewer

The project is located within the Lannys Road District. Sanitary service is currently unavailable to the site. The closest sanitary sewer system located within a public right-of-way is directly south of the proposed development on Wixom Road at the southern entrance to the Catholic Central facilities. The applicant would be required to extend the sanitary sewer to and through the development limits.

Summary

The concept plan provided with the PRO requests proposes a maximum of 116 attached or detached residential units which are less than the utility demand if the property were to be developed under the current zoning. Aside from the required sanitary sewer extension to the proposed development, the plan would have negligible impact on the utilities.

cc: Brian Coburn, P.E.; Engineering Manager
Tim Kuhns, P.E.; Water & Sewer Senior Engineer

UPDATED TRAFFIC REVIEW LETTER

September 4, 2013

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

SUBJECT: Berkshire Pointe, JSP13-0047; Traffic Reviews of Revised Conceptual PRO Plan, PSP13-0147 and Revised Traffic Impact Study, PSP13-0148

Dear Ms. McBeth:

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

Recommendations

1. We recommend approval of the revised concept plan, subject to the issues shown below in **bold** being satisfactorily addressed on the preliminary site plan.
2. We recommend approval of the revised (but undated) traffic impact study.

Site Description

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

3. The applicant is proposing a conceptual PRO plan for developing a 28-acre site residentially, with either 116 attached condominium units or 86 detached condominium units. The site is on the west side of Wixom Road immediately south of the Novi/Wixom City Limit.
4. Surrounding land uses include Wixom Road and Novi Promenade Shopping Center to the east; Detroit Catholic Central High School (DCCHS) to the south and west; and strip commercial development to the north (facing Grand River in the City of Wixom). A closed industrial facility on the site (the former Cadillac Asphalt plant) will be removed.
5. Wixom Road is a 35-mph minor arterial under City of Novi jurisdiction. Along most of the site frontage, Wixom Road includes two lanes northbound, a two-way left-turn lane, and one lane southbound. The nearby intersection of Wixom and the DCCHS driveway/opposing shopping center drive is controlled by a traffic signal, served in part by a southbound right-turn lane starting near the subject site's southeast corner (see our attached aerial photo).
6. Recent counts by the applicant's traffic consultant at the DCCHS signal show a total of 1,178 north-plus southbound vehicles on Wixom Road in the 5:00-6:00 p.m. peak hour. In a November 2012 signal warrant study we did for the City at Wixom/Glenwood, it was found that 9.35% of the daily through traffic occurred in the preceding hour. Hence, we estimate that the current average daily traffic (ADT) volume on Wixom near the site is about $(1,178/0.0935=)$ 12,600 vehicles.

Traffic Study and Trip Generation

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

Trip Generation Forecasts

7. Based on analyses by both the applicant’s planning consultant (LSL) and CZ, we present the following trip generation comparison:

Trip Generation Comparison

Land Use	ITE Use Code	Size	Daily Trips ¹	AM Peak-Hour Trips ¹			PM Peak-Hour Trips ²		
				In	Out	Total	In	Out	Total
Existing Zoning									
Shopping Center	820	186,600 s.f.	10,178	111	68	179	288	313	601
Gen'l Light Industrial	110	45,000 s.f.	234	36	5	41	5	39	44
Total As Zoned			10,412	147	73	220	293	352	645
Proposed Conceptual PRO Plan									
Residential Condos (attached)	230	123 d.u.	770	10	51	61	48	23	71
Single-Family Detached (condos)	210	86 d.u.	914	18	52	70	58	34	92
		% of As Zoned	9%	12%	71%	32%	20%	10%	14%

¹ Since ITE presents no pass-by rates for an average day or the AM peak hour, it is common practice to not assume a rate for those periods. Interestingly, the applicant’s traffic study presents IN and OUT trips for the shopping center in the AM peak hour assuming a 34% pass-by rate (an assumption we have dropped here), but gives a total (179) reflecting *no* deduction of pass-by trips.

² Presents only shopping center “new” trips, assuming the ITE average pass-by rate for the PM peak hour of 34%. The applicant’s study tables the same IN and OUT numbers but gives a total (910) reflecting *no* pass-by deduction (which we have discounted here to 601 to reflect the deduction of pass-by trips).

8. The traffic study does not explain the basis for the amount of shopping center and light industrial floor space that potentially could be developed on the site under existing zoning.

Trip Distribution

9. Based on current traffic patterns at existing access points and intersections along Wixom Road, the study assumed that 77% of the site traffic would be to/from the north and 23% would be to/from the south.
10. It should be noted that the site traffic assignments referred to in comment 9 indicate percentages varying from the overall (77:23) trip distribution assumption as follows:
- a. Exiting in the AM peak hour, 54% to the north, 15% to the east (cutting through Sam’s Club), and 31% to the south. Returning that hour, 70% from the north and 30% from the south.
 - b. Entering in the PM peak hour, 75% from the north, 2% from the east (Sam’s Club), and 23% from the south. Leaving that hour, 65% to the north, 5% to the east, and 30% to the south.

11. The revised traffic study assumes that about 75% of site traffic approaching from the north would enter via the north driveway. In contrast, the study assumes that 67% departing to the north would use that driveway – after residents have learned that exiting delays are less at the south drive where there is no opposing driveway traffic to deal with. *(We are hopeful that residents learn the benefits of exiting to the north via the south drive.)*

Future Background Traffic

12. The revised report retains the assumption that none of the retail outlots in the vicinity will develop within the three-year build-out assumed for Berkshire Pointe. Now, however, it has been assumed that overall background traffic will increase 1% per year over each of those three years.

Site Access Improvements

13. The revised study found that neither site access drive warrants a right-turn (deceleration) lane. The analysis of applicable City warrants is not documented, with the revised report simply stating that “tapers are provided at all approaches.” In a subsequent email received this date, LSL changed that to read “tapers will be provided on Wixom Road at the main entrance only.” Since our review found that the projected traffic volumes at the south drive are borderline with respect to the City’s taper warrant, and since the entering right-turn volume there may have been a bit overestimated, we concur with the finding that a deceleration taper at that location is unwarranted.

Level-of-Service Analyses

14. These analyses have been revised in response to the issues we raised in our letter of 8-20-13. Left turns from the north drive are expected to operate at level of service D in the AM peak hour and F in the PM peak hour. The average delay associated with that LOS F was predicted to be 89.1 sec. While the model’s prediction of exiting left-turn delay may well be longer with differing assumptions regarding the peaking of traffic within the hour, we do acknowledge that that model does not reflect the gaps in northbound traffic created by the signal at Catholic Central / Target.
15. Not to be overlooked is the LOS and delays for left turns from the Sam’s Club driveway. While the existing LOS in the PM peak hour of F can not (by definition) deteriorate further, we note that the average delay for that movement is expected to change from 67.0 sec now to 126.2 sec after being opposed by traffic exiting the north drive of Berkshire Pointe. *This doubling of delay would be a significant adverse traffic impact.* In reality, there may be somewhat less of an impact as motorists destined for points south learn to divert to the signalized driveway to the south.

Other Egress and Ingress Concerns

16. The relatively long exiting left-turn delay predicted at the site’s north access drive could encourage some drivers to attempt a two-stage left turn, wherein they first exit to the two-way left-turn lane and wait for a gap before proceeding northbound. This, of course, would be very hazardous in the face of the southbound left turns into Sam’s Club (118 vehicles in the PM peak hour).
17. In our pre-application comments, we expressed concern over the potential for interlocking entering left turns given the fact that opposing boulevard-style drives were being proposed. This concern has been addressed in the conceptual PRO plan by offsetting the site’s boulevard slightly south of

the Sam's Club boulevard, setting the island further back from Wixom Road than normal, and replacing the island's customary semicircular (east) end with a bullet nose.

Vehicular Access Locations

Do the proposed "driveway" locations meet City spacing standards?

18. Relative to same-side driveway spacings, it appears that there would be about 334 ft between the two site drives and roughly 287 ft between the south drive and the DCCHS drive (all near-curb to near-curb, versus a City minimum of 150 ft for the 35-mph speed limit).
19. Assuming retention of the boulevard design for the north site drive and some amount of offset to mitigate our concern over entering left-turn interlock, **a technical waiver by the Planning Commission of the City's minimum opposite-side driveway spacing requirements will likely be required at the preliminary site plan review stage.**

Vehicular Access Improvements

Will there be any improvements to the abutting road(s) at the proposed access point(s)?

20. Yes. City-standard deceleration and acceleration tapers are proposed at the north access drive. In this location, **these tapers should transition smoothly (tangentially) into and out of the curb return radii (those returns will therefore not span a full 90 degrees).**

Access Drive Design and Control

Are the proposed design, pavement markings, and signage satisfactory?

21. The interior design of the proposed boulevard entrance now generally complies with City design standards (per DCS Figure IX.3). The bullet nose on the first island in Berkshire Drive was specifically suggested by CZ so as to further decrease the potential for conflicts between Wixom Road vehicles attempting to turn left from opposite directions at the same time. **It appears that the nose offset of that first island may not fall in the 6-18-ft range allowed by Figure IX.3, however, and we recommend that Council waive any discrepancy in that regard.**
22. **The preliminary site plan should include a larger-scale rendition of access conditions and improvements along the site's Wixom Road frontage. That new plan sheet should include the existing lane markings (establishing striping locations through field-expedient measurements would be acceptable).**
23. **A City-standard emergency access gate (detailed in DCS Figure VIII-K) should be proposed at one or both ends of the emergency access drive shown at the north end of the cul-de-sac.**

Pedestrian Access

Are pedestrians safely and reasonably accommodated?

24. The internal sidewalks and proposed path connections to 12 Mile Road and the northern commercial development are appropriate. With respect to the latter connection, **the design of the emergency access gate(s) required at (and/or near) the north property line should provide for pedestrians to bypass the gate(s) without difficulty.**

Circulation

Can vehicles safely and conveniently maneuver through the site?

25. The Berkshire Drive cul-de-sac scales approximately 700 ft long, referenced to its west intersection with Berkshire Circle. This length is acceptable as it is 100 ft less than the City maximum. **The preliminary site plan should provide stationing or a dimension along the street centerline confirming this cul-de-sac length.**

Sincerely,
CLEARZONING, INC.



Rodney L. Arroyo, AICP
President



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

TRAFFIC REVIEW

August 20, 2013

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

SUBJECT: Berkshire Pointe, JSP13-0047; Traffic Reviews of Conceptual PRO Plan, PSP13-0134 and Traffic Impact Study, PSP13-0135

Dear Ms. McBeth:

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

Recommendations

1. We recommend that the concept plan dated 7-23-13, be revised to address items 23-30 below.
2. The traffic impact study needs to be revised to address comments 8-21 below.
3. If the Planning Commission recommends approval, a revised traffic study and revised Concept Plan should be submitted for our review prior to action by the City Council.

Site Description

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

4. The applicant is proposing a conceptual PRO plan for developing a 28-acre site residentially, with either 116 attached condominium units or 86 detached condominium units. The site is on the west side of Wixom Road immediately south of the Novi/Wixom City Limit.
5. Surrounding land uses include Wixom Road and Novi Promenade Shopping Center to the east; Detroit Catholic Central High School (DCCHS) to the south and west; and strip commercial development to the north (facing Grand River in the City of Wixom). A closed industrial facility on the site (the former Cadillac Asphalt plant) will be removed.
6. Wixom Road is a 35-mph minor arterial under City of Novi jurisdiction. Along most of the site frontage, Wixom Road includes two lanes northbound, a two-way left-turn lane, and one lane southbound. The nearby intersection of Wixom and the DCCHS driveway/opposing shopping center drive is controlled by a traffic signal, served in part by a southbound right-turn lane starting near the subject site's southeast corner (see our attached aerial photo).
7. Recent counts by the applicant's traffic consultant at the DCCHS signal show a total of 1,178 north-plus southbound vehicles on Wixom Road in the 5:00-6:00 p.m. peak hour. In a November 2012 signal warrant study we did for the City at Wixom/Glenwood, it was found that 9.35% of the daily through traffic occurred in the preceding hour. Hence, we estimate that the current average daily traffic (ADT) volume on Wixom near the site is about $(1,178/0.0935=)$ 12,600 vehicles.

Traffic Study and Trip Generation

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

Type of Study

- The applicant’s submission states that it includes a traffic impact assessment (TIA). Since the off-site intersection of Wixom and the DCCHS driveway/ opposing shopping center drive was evaluated, however, the study is – in fact – a full traffic impact statement (TIS) rather than an impact assessment (the latter addresses only site access points). Additionally, the daily trip generation forecasts (770-914 trips) exceed the City threshold for a TIS (750 trips per *Site Plan and Development Manual*); hence, **the study should be accurately referred to as a TIS rather than a TIA.**

Trip Generation Forecasts

- We are in general agreement with the residential trip generation forecasts tabled on the second page of the applicant’s study. Since it is customary to list peak-hour entering and exiting trips separately, however, we developed the following summary table for our ITE-based forecasts:

Residential Trip Generation Forecasts

Land Use	ITE Use Code	Size (d.u.)	Daily Trips	AM Peak-Hour Trips			PM Peak-Hour Trips		
				In	Out	Total	In	Out	Total
Residential Condos (attached)	230	123	770	10	51	61	48	23	71
Single-Family Detached (condos)	210	86	914	18	52	70	58	34	92

- The submission states that “this proposal would reduce traffic counts by up to 90% as compared to uses allowed under current zoning.” The study does not document the assumptions it made in forecasting the trip generation potentially associated with commercial or industrial development under existing zoning ..

Total Site Traffic

- On the fourth and fifth pages of the applicant’s traffic study, site traffic is supposedly added to existing traffic to show “projected traffic.” **The assignments of future site traffic total exactly twice the values indicated in the above table. This needs to be explained and corrected.**

Trip Distribution

- Based on current traffic patterns at existing access points and intersections along Wixom Road,” the study assumed that 77% of the site traffic would be to/from the north and 23% would be to/from the south.
- It should be noted that the site traffic assignments referred to in comment 10 indicate percentages varying from the overall (77:23) trip distribution assumption as follows:

- a. Exiting in the AM peak hour, 54% to the north, 15% to the east (cutting through Sam's Club), and 31% to the south. Returning that hour, 70% from the north and 30% from the south.
 - b. Entering in the PM peak hour, 75% from the north, 2% from the east (Sam's Club), and 23% from the south. Leaving that hour, 65% to the north, 5% to the east, and 30% to the south.
14. Both the AM and PM traffic assignments include notes reading: "Projected volumes for the proposed development were created using only the north access drive as a 'worst-case scenario,' assuming the south access drive will accommodate approximately 1/6 of these movements." **Since the use of the two access drives will likely depend in large measure on the relative exiting delays, and since that delay at the south drive will inherently be less due to the fact that there will be no opposing westbound driveway traffic, the revised study should reasonably distribute site traffic between the two drives and conduct level-of-service analyses at both.**

Site Access Improvements

15. A key part of a traffic impact study is the evaluation of applicable warrants for the addition of auxiliary (turn) lanes based the projected movements of new traffic entering a site. The study under review is silent on this issue. Obviously, Wixom Road already has a left-turn lane. However, the conceptual PRO plan indicates that the west side of the road would be widened to include a continuous right-turn lane serving both site access points (but stopping without connecting to the existing right-turn lane serving DCCHS). **After finalizing its assignments of entering right-turn traffic at both site access points, the revised traffic study should evaluate the City warrant for a right-turn lane and/or taper (Figure IX.10 in the Design and Construction Standards) and make specific design recommendations related to such.**

Level-of-Service Analyses

16. In reviewing the HCS+ capacity analysis printouts, **we are unable to reconcile the volumes input to the program with those diagrammed earlier in the report.** For example, input for the existing PM peak hour at the Sam's Club driveway shows northbound volumes of 595 vehicles through and 23 vehicles right; southbound volumes of 115 vehicles left and 825 vehicles through; and westbound volumes of 10 vehicles left and 117 vehicles right. The corresponding diagram in the body of the report shows, respectively, volumes of 804 and 41 northbound; 218 and 1,218 southbound; and 20 and 240 westbound.
17. Since HCS+ models the busiest 15 minutes of traffic within the peak hour, it is important to input realistic "Peak-Hour Factors," which reflect the extent to which the highest 15-minute volumes vary from the average 15-minute volumes. Standard practice (and MDOT policy) calls for computing a PHF for each approach and hour, based on actual traffic counts (or in the case of a future approach, a reasonable default value). **The revised study should compute and apply actual PHFs in this manner, rather than run the software with its unrealistic default value of 1.00 (done in all unsignalized cases but one). The latter has the effect of underestimating peak flows and delays.**
18. We also note that the LOS analyses assumed a southbound right-turn lane at the site's proposed north access drive. **While this assumption may be reasonable, it should be preceded by the analysis discussed in comment 15 above.**

Level of Documentation

19. The following miscellaneous concerns should be addressed in revising the study:
- a. There is no mention of general background traffic growth over the site's anticipated three-year build-out period, only the assumption that no commercial out-lots in the area would likely develop. Given widespread evidence of traffic volume increases related to the recovering economy, **we believe that the study should have assumed some general traffic growth.**
 - b. **The assumptions made in forecasting trips for alternative commercial and industrial uses (i.e., percent land coverage and resulting square feet of building space) may be reasonable but should be documented.**
 - c. **Trips forecasted for residential site development should be tabled by direction (entering v. exiting), and the diagrammed traffic assignments must be consistent with both the tabled values and the volumes input to the capacity analysis program.**
 - d. **The traffic count table (first page of "Technical Appendix") should be expanded to show the associated Peak-Hour Factors (and experience-based, approach-specific values should be input to the capacity analyses for existing approaches).**
 - e. **In summarizing the LOS results, separate values should be provided for individual movements (not just approaches), at least for those shown to experience LOS E or F. All ratings of E or F should also be accompanied by the associated average vehicular delay.**

Other Egress and Ingress Concerns

20. The relatively long exiting left-turn delays predicted at the site's north access drive could encourage some drivers to attempt a two-stage left turn, wherein they first exit to the two-way left-turn lane and wait for a gap before proceeding northbound. This, of course, would be very hazardous in the face of the southbound left turns into Sam's Club (118 vehicles in the PM peak hour). **The study should address this concern and suggest appropriate steps to ensure adequate traffic safety.**
21. In our pre-application comments, we expressed concern over the potential for interlocking entering left turns given the fact that opposing boulevard-style drives were being proposed. This concern was addressed in the conceptual PRO plan by offsetting the site's boulevard slightly south of the Sam's Club boulevard and setting the island back much further than normal from Wixom Road. **However, the traffic study would have been well-advised to include a graphical analysis demonstrating that the proposed design adjustments would – in fact – be effective in eliminating our interlock concern.**

Vehicular Access Locations

Do the proposed "driveway" locations meet City spacing standards?

22. Relative to same-side driveway spacings, it appears that there would be about 334 ft between the two site drives and roughly 287 ft between the south drive and the DCCHS drive (all near-curb to near-curb, versus a City minimum of 150 ft for the 35-mph speed limit).

23. Assuming retention of the boulevard design for the north site drive and some amount of offset to mitigate our concern over entering left-turn interlock, **a technical waiver by the Planning Commission of the City's minimum opposite-side driveway spacing requirements will likely be required at the preliminary site plan review stage.**

Vehicular Access Improvements

Will there be any improvements to the abutting road(s) at the proposed access point(s)?

24. The conceptual PRO plan appears to show Wixom Road's long southbound taper from two lanes to one lane being replaced by a continuation of the outside lane south to the site's south drive, in order to provide a right-turn lane at both site access points. Preliminarily, we are of the opinion that a right-turn lane is likely appropriate at only the north (main) drive, and abruptly terminating a long outside lane at either drive would be less safe than retaining most of the existing lane-drop taper. **Pending the findings of the revised traffic study, we are inclined to recommend an average length (75-ft) deceleration lane preceded by a minimum length (75-ft) entry taper north of the north drive (retaining about 450 ft of the existing lane-drop taper), and no deceleration lane at the south drive.** Providing a deceleration lane at the north drive, whether technically warranted or not, would have the advantage of removing right-turn traffic from the through lane and signaling exiting traffic as to which southbound vehicles are an issue for exiting and which are not.
25. **No acceleration taper should be proposed at the south drive**, as it would end where the existing taper for the DCCHS drive begins. The City's Design and Construction Standards (DCS) prohibit tapers within 100 ft of each other.

Access Drive Design and Control

Are the proposed design, pavement markings, and signage satisfactory?

26. Only the proposed design is being reviewed at this stage, and:
- We remain unconvinced that the proposed offset and island setback for the new boulevard-style drive would effectively eliminate our concern over entering left-turn interlocks (see b. below).**
 - We do not see much benefit from the large island nose offset, in this case some 20 ft larger than the 12-ft City standard (which would require a Council waiver).** Use of a bullet-nose island feature meeting City offset requirements would better address these conflicts.
 - The Conceptual PRO plan should further explore and detail the most appropriate location and design for the east end of the proposed north access drive.** We would be amenable to discussing this key issue more with the applicant's engineer prior to plan re-submittal.
27. The interior design of the proposed boulevard entrance does not comply with City design standards, as follows:
- The proposed 100-ft wide right-of-way for the boulevard exceeds the 86-ft City standard (per DCS Table VIII-A) and would require a Council variance.**
 - Each one-way roadway scales 28 ft wide and will have to be reduced to no more than the 27-ft maximum permitted by DCS Figure IX.3 (24 ft is standard).**

- c. The easterly boulevard island scales 104 ft long and will have to be shortened to no more than the 100-ft maximum permitted by DCS Figure IX.3.
- d. The offset of the easterly boulevard island from Wixom Road will have to be both justified and waived by the Council if greater than the maximum of 18 ft permitted by DCS Figure IX.3.
- e. The island width should be narrowed to the City standard 10 feet in width. This will reduce the left turn conflict with the drive on the other side.

Pedestrian Access

Are pedestrians safely and reasonably accommodated?

- 28. The internal sidewalks and proposed path connections to 12 Mile Road and the northern commercial development are appropriate. With respect to the latter connection, **the design of the emergency access gate that will be required at the north property line should provide for pedestrians to bypass the gate without difficulty.**

Circulation

Can vehicles safely and conveniently maneuver through the site?

- 29. The Berkshire Drive cul-de-sac scales approximately 700 ft long, referenced to its west intersection with Berkshire Circle. This length is acceptable as it is 100 ft less than the City maximum. **The preliminary site plan should provide stationing or a dimension along the street centerline confirming this cul-de-sac length.**

Sincerely,
CLEARZONING, INC.

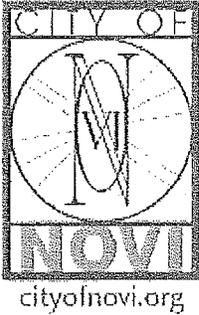


Rodney L. Arroyo, AICP
President



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

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

August 19, 2013

Concept Landscape Review

Berkshire Pointe - JSP13-47

Petitioner

Ivanhoe Companies

Review Type

Rezoning Request from B-2 (Community Business) and I-2 (General Industrial) to RM-1 (Low Density, Low-Rise Multiple-Family Residential) with Planned Rezoning Overlay.

Property Characteristics

Site Location: West side of Wixom Road, south of Grand River Avenue (Section 18)
Site Zoning: B-2, Community Commercial and I-2, General Industrial
Adjoining Zoning: North (City of Wixom): B-3, General Business and FS, Freeway Service; East (across Wixom Road): B-3, General Business and I-1, Light Industrial; West: R-4, One-Family Residential; South: R-1 and I-1
Current Site Use: Vacant land and vacant industrial site
Adjoining Uses: North (City of Wixom): existing shopping center; East (across Wixom Road): car dealership, shopping center; West: vacant school property and athletic fields; South: school
School District: Novi Community School District
Site Size: 29.20 gross acres

Please note that no Landscape Plan has been submitted at this time. A full review will be provided with the submittal of a Landscape Plan per the Ordinance.

Ordinance Considerations

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

1. The site is adjacent to residentially zoned property to the south and west. These adjacent properties are utilized for a school and athletic fields. A 4'-6" to 6' high landscape berm is required along both of these frontages. The Applicant may seek a waiver in locations where existing healthy vegetation or wetlands currently exist.
2. Existing commercial uses are located to the north of the site. Although the property is in the City of Wixom, a 6' to 8' high berm is normally required between residential and commercial uses. The Applicant may wish to seek a waiver from the Planning Commission for a decorative wall in lieu of the berm.

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

1. A 40' wide greenbelt is required along the Wixom Road frontage.
2. One canopy tree is required for every 35' of frontage.
3. One subcanopy tree is required for every 20' of frontage.

Street Tree Requirements (Sec. 2509.3.b.)

1. One street tree is required per 35 l.f. of road frontage.

Building Foundation Landscape (Sec. 2509.3.d.)

1. Foundation landscape will be required around the proposed cabana building. A 4' wide landscape bed and a total landscape area of 8' x the foundation will be required.

Multi-family Attached Dwelling Requirements (Sec. 2509.3.e.)

1. Three (3) canopy trees are required for each first floor unit.

Plant List (LDM)

1. Please provide a plant list meeting the requirements of the ordinance. Please provide standard costs for all materials.

Planting Details & Notations (LDM)

1. Please provide planting details and notations per the requirements of the Ordinance and Landscape Design Manual.

Storm Basin Landscape (Sec. 2509.3.e.(4)) & LDM)

1. A total of 70% to 75% of storm basin rims are required to have a landscape buffer and maintained in a natural state.

General

1. Please provide details for any planned amenities within the parks and commons.
2. Please see woodland and wetland reviews for additional comments.

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

Reviewed by: David R. Beschke, RLA

WETLANDS AND WOODLANDS REVIEW



Environmental Consulting & Technology, Inc.

August 15, 2013

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

Re: Berkshire Pointe
Wetland & Woodland Review of the Concept Plan
JSP13-0047/PSP13-0134

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Concept Plan Submittal for the proposed Berkshire Pointe project prepared and by The Ivanhoe Companies dated July 30, 2013. This includes the Conceptual Site Plan (Development Concept Plan – Detached Condominium Homes) prepared by Zeimet Wozniak & Associates dated July 23, 2013 and the Existing Conditions plan also prepared by Zeimet Wozniak & Associates dated May 18, 2012 (see attached).

The submittal was reviewed for conformance with the City of Novi Wetland and Watercourse Protection Ordinance and the natural features setback provisions in the Zoning Ordinance. The Plan and supporting documentation were also reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37.

The proposed development is located near the southwest corner of Wixom Road and Grand River Avenue in Section 18. The proposed project involves the construction of a (detached) condominium development (totaling 86 units), associated roads and utilities and several storm water detention basins.

Wetlands

ECT previously visited the site on Tuesday, June 25, 2013 with the Applicant's wetland consultant (King & MacGregor Environmental) for the purpose of a Wetland Boundary Verification.

During the Wetland Boundary Verification, ECT (Matt Carmer) and King & MacGregor Environmental (Woody Held) agreed to make several revisions to the wetland delineation flags in the field, and represent the changes on the proposed Plan. The following are the changes discussed, as summarized by King & MacGregor Environmental. These changes do not appear to have been incorporated into the Existing Conditions Plan prepared by Zeimet Wozniak & Associates (Plan is attached):

- 1) Extended BB line further west with flags 14-16;
- 2) Moved flags BB8-10 south;
- 3) Added flag R7 close to flag R6. Connected R7 to W14;
- 4) Moved flags W12-13 south. Added flag W13.1;
- 5) Added flag W7.5 east of W8;
- 6) Moved flag T35 west. Connected T35 to T36 and T9 to T35;
- 7) Moved flag T34 west and T10 south. Connected T 33 to T34 and T10 to T34 to create small upland break in T line;
- 8) Moved flags T15-18 east;
- 9) Added flag E41.5 west of E42;
- 10) Added flags E14.1, E14.2 and moved E15 north.

In addition there appear to be several inconsistencies shown on the Existing Conditions Plan, including:

- Text indicating Wetland X (0.02-acre) – the location of this wetland is not clear;
- Text indicating Wetland C (0.04-acre) – the location of this wetland is not clear;
- There are several areas of wetland hatching that appear to be located outside of any existing wetland boundaries.

In summary, these changes need to be clarified and incorporated into any future site plan submittals.

Existing Wetlands & Regulatory Status

A number of wetland areas are located on the project site. As stated above the existing wetland boundaries appear to need revision on the Existing Conditions Plan. The majority of the existing wetlands appear to be regulated by the City of Novi, but not by the MDEQ. With the exception of Wetland B/BB, which is located on the southwest portion of the site. This wetland appears to be MDEQ regulated as well as regulated by the City of Novi.

<i>Wetland Area</i>	<i>Wetland Area (acres)</i>	<i>City Regulated?</i>	<i>MDEQ Regulated?</i>	<i>Impact Area (acre)</i>	<i>Impact Volume (cubic yards)</i>
B	Not Provided	City Regulated /Essential	Yes	Unknown	Information Not Provided
BB	Not Provided	City Regulated /Essential	Yes	Unknown	Information Not Provided
C	0.04	City Regulated /Essential	No	Unknown	Information Not Provided
CD	0.70	City Regulated /Essential	No	Unknown	Information Not Provided
E	2.20	City Regulated	No	Unknown	Information

		/Essential			Not Provided
F	0.04	City Regulated /Essential	No	0.04	Information Not Provided
T	0.40	City Regulated /Essential	No	0.40	Information Not Provided
U	0.05	City Regulated /Essential	No	0.05	Information Not Provided
W	Not Provided	City Regulated /Essential	No	Unknown	Information Not Provided
Y	0.01	City Regulated /Essential	No	0.01	Information Not Provided
Total	--	--	--	0.50	--

Based on the essentiality criteria outlined in the City of Novi's Wetland and Watercourse Protection Ordinance, ECT believes that all of the on-site wetlands appear to be City-essential wetlands.

Proposed Wetland Impacts

Although not specifically noted on the Plan, the following wetland impacts appear to be proposed on the Plan:

- The filling of a portion of Wetland CD for the purpose of constructing a "Pocket Park" on the north side of the site;
- The filling of a portion of Wetland E for the purpose of constructing a detention basin on the north side of the site;
- The filling of a Wetlands F, T, U and Y for the purpose of constructing individual lots and associated roads.

The associated acreages have not been provided for all on-site wetlands. In addition, the applicant does not appear to have provided an estimate of the proposed impact areas and fill volumes within all anticipated wetland impact locations. This information should be provided on subsequent site plan submittals.

It appears as if 0.50-acre of impacts to City Regulated wetland is proposed. The City's threshold for compensatory wetland mitigation is 0.25-acre. The Plan currently shows several areas of proposed wetland mitigation. As such, the applicant shall provide proposed wetland mitigation at a ratio of 1.5 acres of proposed wetland mitigation for every 1 acre of proposed wetland impact (1.5 to 1 mitigation ratio). The proposed wetland mitigation areas shall be summarized and clearly noted on the Preliminary Site Plan.

In addition to wetland impacts, the Plan also appears to include impacts to the 25-foot natural features setbacks. The current Plan does not indicate the impact areas associated with the proposed disturbance to the 25-foot wetland setbacks. The Applicant should provide the

acreages of existing wetland buffer for all on-site wetlands and graphically show the wetland buffer boundaries on subsequent Plans.

Wetland Comments

1. Revisions to the existing wetland boundaries as discussed with the applicant's wetland consultant shall be incorporated into the Preliminary Site Plan;
2. Inconsistencies with regard to existing wetlands and wetland boundaries as discussed above shall be corrected on the Preliminary Site Plan;
3. The acreages of all existing on-site wetlands shall be shown on the Preliminary Site Plan;
4. The applicant shall provide an estimate of the area (square feet) and volume (cubic yards) associated with each proposed wetland impact location.
5. The proposed wetland impacts appear to require wetland mitigation. The applicant shall provide proposed wetland mitigation at a ratio of 1.5 acres of proposed wetland mitigation for every 1 acre of proposed wetland impact (1.5 to 1 mitigation ratio). The proposed wetland mitigation areas shall be summarized and clearly noted on the Preliminary Site Plan.
6. The Plan does not appear to currently indicate the impact areas associated with proposed disturbances to the 25-foot wetland setbacks. The impact areas should be noted and quantified on the Plan.
7. ECT encourages the applicant to avoid impacts of on-site wetland and wetland buffers to the greatest extent practicable.

Wetland Permits

A City of Novi *Wetland Non-Minor Use Permit* as well as an *Authorization to Encroach the 25-Foot Natural Features Setback* appear to be required for development. An MDEQ wetland permit will also likely be required if the applicant is proposing any impacts to Wetland B/BB.

Woodlands

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on June 25, 2013 at the time of the Wetland Boundary Verification. ECT found that the information provided on the tree list (provided on Existing Conditions Plan) appears to accurately depict the location, species composition and the size of the existing trees. ECT took numerous diameter-at-breast-height (d.b.h.) measurements and found that the data provided in the tree list was consistent with the field measurements. On-site woodland is dominated by cottonwood, silver maple, peachleaf willow, red pine and several other species.

Woodland Impact Review

Per the information provided with this submittal, the applicant proposes the removal of approximately 128 total trees. The applicant states that approximately 142 replacement credits

will be required for the project for the removal of living regulated trees 8-inch and greater diameter-at-breast-height (d.b.h.).

Woodland Comments

1. A Woodland Permit from the City of Novi would be required for proposed impacts to any trees 8-inch d.b.h. or greater. Such trees shall be relocated or replaced by the permit grantee. All replacement trees shall be two and one-half (2 ½) inches caliper or greater.
2. The Applicant will be required to pay the City of Novi Tree Fund at a value of \$400/credit for any Woodland Replacement tree credits that cannot be placed on-site.
3. The Applicant shall report the number of trees that are proposed to be removed within the following categories and indicate how many Woodland Replacement are required for each removed tree:

Replacement Tree Requirements

Removed Tree D.B.H. (In Inches)	Ratio Replacement/ Removed Tree
8 < 11	1
>11 < 20	2
> 20 < 29	3
> 30	4

Recommendation

ECT recommends approval of the Concept Plan and suggests that the wetland and woodland-related comments listed above be satisfactorily addressed in the Preliminary Site Plan submittal.

If you have any questions regarding the contents of this letter, please contact us.

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



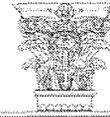
Pete Hill, P.E.
Senior Associate Engineer

Berkshire Pointe
Wetland & Woodland Review of the Concept Plan (JSP13-0047/PSP13-0134)
August 15, 2013
Page 6 of 6

cc: David Beschke, City of Novi, Licensed Landscape Architect
Kristen Kapelanski, AICP, City of Novi Planner
Angela Pawlowski, City of Novi, Senior Customer Service

Attachments: Existing Conditions Plan

FAÇADE REVIEW



August 15, 2013

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

Attn: Ms. Barb McBeth – Director of Community Development

Re: **FACADE ORDINANCE – Concept Plan**
Berkshire Pointe PRO, PSP13-0134
Façade Region: 1, Zoning District: B-2, Building Size: 500 S.F.

Dear Ms. McBeth:

The following is the Façade Review for the above referenced project based on the Development Plan provided by The Ivanhoe Companies, including conceptual façade elevation renderings prepared by Alexander Bogaerts & Associates, dated July 30, 2013. This project consists of 86 detached single family condominium units. A “cabana” is also indicated adjacent to the community pool. Façade drawings of the cabana were not provided. The detached residential units are subject to Ordinance Section 303, the Similar / Dissimilar Ordinance. The cabana, once submitted, will be subject to Ordinance Section 2520, the Façade Ordinance. The overall project is also subject to the Planned Rezoning Overlay (PRO) Ordinance.

The package includes two different site plans, one showing 86 detached residential units, the other showing 116 attached units grouped in 4 units per building. This review is based on the 86 unit plan. In the event that any attached units are included, these will be subject to Ordinance Section 2520 in lieu of Section 303. Additional façade reviews will be required for any attached units as well as the cabana.

Similar / Dissimilar Ordinance, Section 303 - The Similar / Dissimilar Ordinance requires a variation in appearance in the front elevations of adjacent homes (Sec. 303.2), and requires that homes within the larger development be consistent in design quality based on certain criteria; size (square footage), types of material, and overall architectural design character (Sec. 303.1).

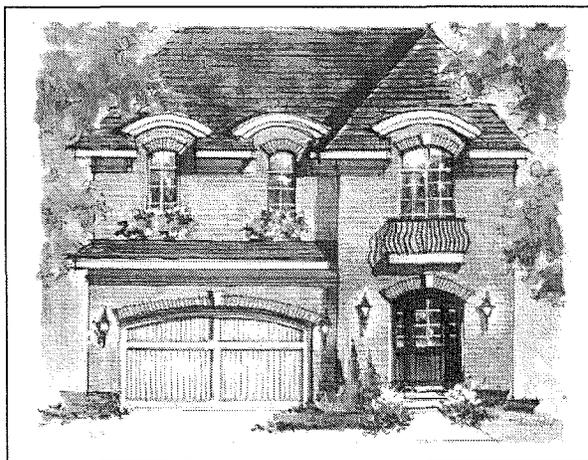
With respect to Section 303.2, all nearby homes (two on the left, two on the right and any across the street that overlap by 50%) must not be “substantially similar” in appearance to the proposed home. Specific criteria for compliance can be found in the Ordinance. The applicant has provided four renderings, all of which appear to be derived from the same or similar floor plans. End-to-end reversal is not considered a dissimilarity. Therefore elevations C & D would be considered “substantially similar” under this section. Only 3 of the elevations provided would be considered dissimilar. It is our experience that compliance with the Similar / Dissimilar Ordinance typically requires a minimum of 5 dissimilar facades or models within a given development. Considering the specific layout of this site plan, as many as 10 elevations may be included in the comparison for a given units (for example unit 82). For this reason and to account for uneven sales popularity and to allow greater flexibility, a greater number of elevations would be desirable. We believe that compliance with the Similar / Dissimilar Ordinance could not be achieved given the quantity of models provided. *It is recommended that the applicant provide additional façade examples to more adequately demonstrate how compliance with Section 303.2 will be achieved.*



ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D

With respect to Section 303.1 of the Ordinance, the applicant's narrative states that "brick shall be installed on 4 sides of buildings, to not less than knee wall height" (we interpret this as approximately 3.5' above grade). The example facades however indicate a significantly greater amount of brick (or stone), extending to the second floor line on elevations A & B, and to the roof line on elevations C & D. Side and rear elevations are not provided. Aside from this inconsistency the façade renderings appear to utilize high quality materials and exhibit pleasing proportions and architectural details. The features include full return Queen Ann cornices, stepped trim and fascia, tapered columns, wrought iron balustrades, decorative shutters, brick soldier coursed arches at windows and entrances, roof louvers, window flower boxes and divided light windows. Given the close spacing of units (+- 40') and relatively narrow front facades, the front facing garage doors represent a significant percentage of the front facades. The renderings indicate interesting detailing of the garaged doors including soldier coursed arched headers, carriage house style elevations, and both square and arched transom window top panels. *Based on the type and quantity of materials and architectural features indicated on these examples it is our recommendation that the façade elevations provided to date are consistent with Section 303.1 of the Similar / Dissimilar Ordinance.*

Planned Rezoning Overlay Ordinance - The PRO Ordinance requires that the development "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." *It is our recommendation that type and quantity of materials and architectural features indicated on the façade elevations provided to date represent an enhancement to what may otherwise be constructed in the absence of the PRO.* This assumes that the additional facades required to meet Section 303.2 are of equal design quality to those provided to date.

It should be noted that the renderings are defined as "conceptual" and lack notations as to the proposed materials. This review is based on our understanding of the materials as depicted artistically. Notations should be added to all elevations to clearly identifying all façade materials and side and rear elevations should be provided. It should be noted that the type and quantity architectural features and materials is key to compliance with the City Ordinances, particularly the PRO Ordinance. It is anticipated that the type and extent of these materials and features will be maintained on all elevations, including side and rear elevations, as well as on the drawings eventually submitted for Building Permits.

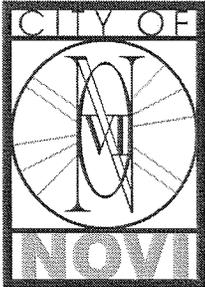
If you have any questions regarding this project please do not hesitate to call.

Sincerely,
DRN & Associates, Architects PC



Douglas R. Necci, AIA

FIRE REVIEW



August 7, 2013

TO: Barbara McBeth, Deputy Director of Community Development

RE: Berkshire Pointe / Wixom Rd

SP#: JSP13-0047

CITY COUNCIL

Mayor

Bob Gatt

Mayor Pro Tem

Dave Staudt

Terry K. Margolis

Andrew Mutch

Justin Fischer

Wayne Wrobel

Laura Marie Casey

City Manager

Clay J. Pearson

Director of Public Safety

Chief of Police

David E. Molloy

Director of EMS/Fire Operations

Jeffery R. Johnson

Assistant Chief of Police

Victor C.M. Lauria

Assistant Chief of Police

Jerrold S. Hart

Project Description:

Possible 86 unit detached condo

Comments:

No comments at this time due to lack of detail on roadway and water mains.

Recommendation:

None

Sincerely,

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

cc: file

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

cityofnovi.org

APPLICANT RESPONSE LETTER

The Ivanhoe Companies

August 21, 2013

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

Re: Berkshire Pointe

Dear Ms. Kapelanski:

Thank you for your Plan Review Center Report and the accompanying letters regarding the rezoning with a PRO for Berkshire Pointe. We appreciate the staff and consultants collaborative effort over the last year as we analyzed and developed an exciting, appropriate use, and proposed community for the site.

We have reviewed the review comments provided to us and per your request we have enclosed:

- 1) A combined PDF of the original PRO submittal along with 7 hard paper copies.
- 2) A PDF and 7 copies of letters from Zeimet-Wozniak, LSL Planning, and TR Design Group responding to staff and consultant comments.

The following elements of the plan are still being refined and clarified per your review letters:

- 1) **Traffic review.** We have redesigned the entry per the city's consultants comments and will work with them and our traffic engineer to update the traffic analysis for submittal prior to the City Council meeting on this request.
- 2) **Wetland and Woodland review.** Additional information, verification and clarification will be submitted with the Preliminary Site Plan.
- 3) **Facade review.** Address applicable similar/dissimilar ordinance; additional elevations and material criteria are in process.
- 4) **Landscape review.** Per direction from city staff and officials, a new 'Novi Welcomes You' sign and easement is now included in our plans in lieu of the trail. We will show relocated pedestrian access along the north property line on the Preliminary Site Plan.

We look forward to your comments, and again, appreciate the collaborative efforts throughout this process.

Sincerely,



Gary Shapiro

Z EIMET W OZNIAK & ASSOCIATES

Civil Engineers & Land Surveyors

55800 Grand River Avenue, Suite 100
New Hudson, Michigan 48165-9318
248.437.5099 · 248.437.5222 fax
www.zeimetwozniak.com

August 21, 2013

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

RE: Berkshire Pointe, Rezoning with a PRO
Response to City staff and consultants review letters

Dear Ms. Kapelanski:

We are pleased to receive a favorable response from the staff and consultants. We have reviewed the Plan Review Center Report, dated August 19, 2013, and offer the following responses to the staff and consultant review letters;

Engineering Review

Rezoning Impact on Public Utilities

We appreciate the comments of the engineering staff and agree that the proposed development will have "negligible impact on the utilities". Specific comments pertain to the water system and sanitary sewer connections and extensions. The water system will be extended to and through the development, leaving a stub adjacent to Twelve Mile Road to allow for future connections. We are planning to extend the existing sanitary sewer, which is located in the Wixom Road public right-of-way just north of the Catholic Central southern entrance, to service this project.

Engineering Concept Review

We appreciate the engineering staff conceptual review which provided some general comments. We will incorporate these comments in the Preliminary Site Plan package. It should be noted that we are proposing public roads located within a 60' wide right-of-way. This will allow for a minimum driveway length of 36.5' which will provide better curb appeal.

Wetland and Woodland Review

We appreciate the consultant's recommendation of the Concept Plan approval to the Planning Commission and will incorporate the review comments in the Preliminary Site Plan package. Specifically, the existing wetland conditions will be updated to reflect revisions made in the field; the impact to the existing wetlands and natural features buffer will be determined and mitigated at a ratio of 1.5 acres of proposed wetland mitigation for every 1 acre of proposed wetland impact.

Landscape Review

As noted, a Landscape Plan was not submitted for review at this time. We will incorporate the Ordinance Considerations, noted in the review, in the Preliminary Site Plan package. We are requesting waivers for the required berms along the north, south and west property lines as part of the PRO agreement.

Fire Department Review

We appreciate the review from the Fire Department. We will include roadway and water main details in the Preliminary Site Plan package.

Again, we appreciate your support on this project. Should you need any additional information please don't hesitate to contact us.

Very truly yours,



Andrew J. Wozniak



LSL Planning, Inc.
Community Planning Consultants

August 21, 2013

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

RE: Berkshire Pointe
Rezoning to RM-1 with a Planned Rezoning Overlay
Response to City staff and consultants review letters

Dear Ms. Kapelanski:

We are pleased to hear the Berkshire Pointe development proposal has received preliminary support from city staff and consultants. In response to the Plan Review Center Report dated August 19, 2013, we are happy to provide the following responses for the Planning Commission's consideration at their August 28, 2013 meeting.

Planning Review. We agree with Community Development staff that this site will provide a reasonable transitional use for this site that sits in an area that contains multiple uses. We appreciate staff's comments and will address relevant comments in the Preliminary Site Plan package. At the suggestion of the staff and other Novi officials, we are proposing to install a "Welcome to Novi" sign at the northeast corner of the property adjacent to Wixom Road and eliminate the proposed nature path along the north property line. In addition, we will adjust the layout of the lots to stay out of the wetland and buffer areas or mitigate these areas.

We will incorporate all deviations, including those mentioned in the Planning Review report, in the final PRO Agreement. We will be presenting a revised Development Concept Plan that includes these changes, and additional wetland detail, for consideration by the City Council.

Traffic Review. We appreciate Clearzoning's comments regarding the submitted Traffic Impact Assessment. Members of our development team have contacted the consultant and are working with them to address items 23-30 in their report. We will continue to work with the city's consultant and our traffic engineer to update the Traffic Impact Study for resubmittal prior to City Council review.

Thank you again for your considerate comments. We look forward to reviewing these and any other comments with the Planning Commission. Please let us know if you need any additional information.

Sincerely,

LSL PLANNING, INC.

Sherrin S. Hood, AICP
Senior Planner



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August 21, 2013

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

Re: Berkshire Pointe

Dear Ms. Kapelanski:

The TR Design Group is pleased to be working with the Ivanhoe Companies on architectural design and concepts and creative neighborhood design for the proposed Berkshire Pointe community. We have partnered with the Ivanhoe Companies and Mr. Shapiro in multiple award winning communities over the past 20 years.

We are happy to respond to Mr. Necci's letter and are in the process of revising our architectural scheme to address the comments received. To clarify, the elevations contained in the original submittal are designed for 35 foot wide homes representing options of a typical theme we selected for the development. A community of this type typically has three models with not less than nine elevations at inception and usually contain up to 16 elevations or more as the community progresses.

In our recent sessions in design development, we have advised the developer and he has agreed to delete the brick on four sides, as criteria for the community. In our experience with communities of this nature, we believe that brick on four sides is a non-beneficial cost and constraint. It is better that the 8-12 inches of space utilized for material such as brick or stone, is better utilized within the plan, and most importantly adds to better function and better diversity from the width gained in the floor plan space. We have been informed that Ivanhoe has elected to offer less density in favor of public roads which adds an additional 16 ½ feet of driveway, allowing the home designs to be further from the street, to offer more green space, and better visual impact on the front of the homes.

It is Ivanhoe's intention to diversify the architecture, and subsequent architectural control criteria to be a part of the community restrictions, to reflect the general intent of the Similar/Dissimilar Ordinances, as well as create a competitive price point to the consumer. In our most recent meetings with Ivanhoe, we were instructed to proceed with six more elevation sketches to augment the four that were submitted to date; to better represent the range of diversity planned for Berkshire Pointe.

Respectfully,

A handwritten signature in dark ink, appearing to read 'J.R. Ruthig', written in a cursive style.

J.R. Ruthig
Principal

TR Design Group, LLC

The Ivanhoe Companies

July 30, 2013

Planning Commission
City of Novi

Re: Berkshire Pointe
29.2 Gross Acres

Project Team:	Ivanhoe Companies	Gary Shapiro - developer
	LSL Planning	Brad Strader, Zoning, Planning and Traffic
	Allen Design	Jim Allen, Land Planner
	Calvin Hall & Associates	Joel Pascual, Land Planner
	Zeimet-Wozniak & Assoc.	Andy Wozniak, Engineer
	King MacGregor	Jeff King/Woody Held, Westland Consultants
	Alexander Bogaerts	Alexander Bogaerts & Associates
	Progressive AE	Pete LaMourie, Traffic Engineer
	The Chesapeake Group	Howard Kohn, Market Specialist
	TR Design Group, LLC	J.R. Ruthig, Designer

Dear Planning Commission Members:

This submittal updates our prior materials for this development delivered to you on May 24, 2013.

The Ivanhoe Companies prides itself on well-designed developments that respect natural features, for which we have won multiple planning awards from the Michigan Association of Planning and the Michigan Homebuilders Association. The Ivanhoe Companies look forward to bringing one of our high quality developments to the City of Novi.

Our project involves three parcels, the northernmost two are zoned commercial (B-2) and have long been vacant. These parcels were part of a larger 200 plus acre parcel that the Master Plan had once designated for multifamily residential. The third parcel is a five acre parcel zoned industrial (I-2) that abuts Detroit Catholic Central High School. Until recently, this parcel was used as an industrial operation. Our property is sandwiched between commercial development to the north and east, and the School to the west.

We concluded that commercial is not a reasonable economic use for the property, and began evaluating a variety of residential options to downzone the property, including but not limited to RM-2 zoning that would permit a density up to 20.7 units per acre (537 units); and RM-1 zoning that would permit a density up to 7.3 units per acre (189 units). Together with our planning advisors, LSL Planning, we concluded that RM-1 zoning was more appropriate than RM-2. At a preliminary conceptual meeting with City staff, we presented, a multi-family plan under RM-1 zoning that had 189 units. As a result of that meeting, we modified our plan to a lower density and presented the new plan with 123 units to the Master Plan and Zoning Subcommittee. Based on their valuable input, encouragement to submit our project as a Planned Rezoning Overlay (PRO), and also input received from the City Mayor and other officials at informal meetings, we again revised our plan to utilize the City's PRO. This PRO process includes providing sketches and other drawings that illustrate the high quality architecture and design that will apply to our project. Our PRO also includes a number of amenities offered "above and beyond" the typical RM-1 requirements and design features more of a residential fashion. That plan was presented for discussion at a Pre-Application meeting, where city staff provided additional comments. The PRO Plan we are submitting shows yet another density reduction to 116 attached condominium homes, with similar amenities. We have also considered other development options as described below.