



cityofnovi.org

## CITY of NOVI CITY COUNCIL

**Agenda Item E**  
**September 12, 2011**

**SUBJECT:** Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2012, of site plan approval for a 312-unit apartment project developed as a PD-1 option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.

**SUBMITTING DEPARTMENT:** Community Development – Planning Division <sup>Bach</sup>

**CITY MANAGER APPROVAL:** 

### **BACKGROUND INFORMATION:**

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

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

The Judgment further provides that, if the site plan approval is not extended, the obligations for E & M to complete the SAD 94 sewer line to Twelve and One-Half Mile Road shall be void, and the City shall be obligated to complete the sewer line as originally planned and routed. Since there is a large wetland complex in this area, a State Wetland Permit would be required, and the costs to the City would be higher than installing a sewer in dry land (ballpark estimate of \$350,000 for 1600 linear feet of sanitary sewer construction at this time).

Previously, the City Council approved one-year extensions of the site plan approval in 2006, 2007, 2008, 2009 and 2010. The applicant is now requesting another one year extension of the site plan approval. The Consent Judgment does not provide for any limits to the number of extensions that may be granted.

**RECOMMENDED ACTION:** Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2012, of site plan approval for a 312-unit apartment project developed as a PD-1 option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.

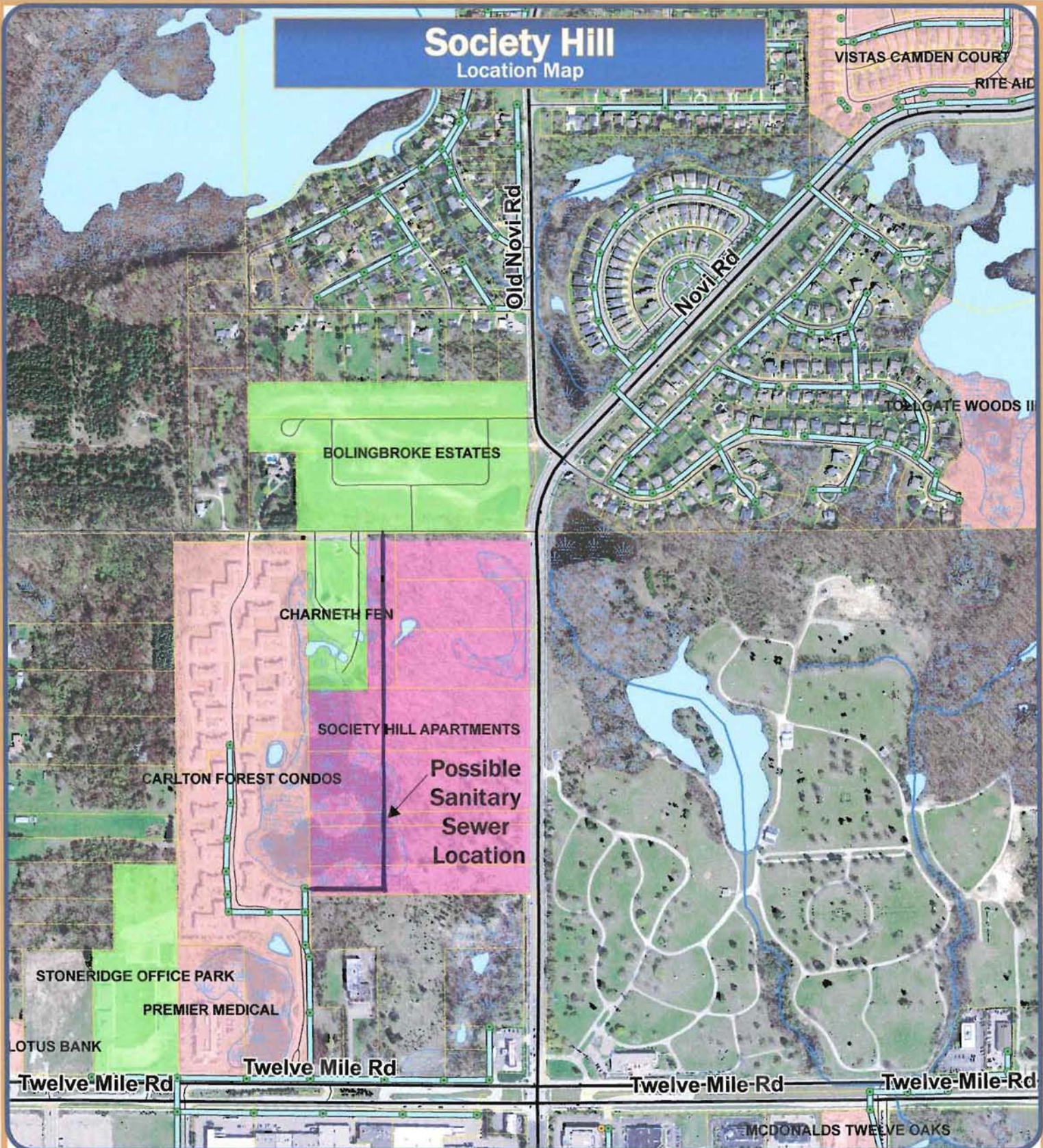
	1	2	Y	N
<b>Mayor Landry</b>				
<b>Mayor Pro Tem Gatt</b>				
<b>Council Member Fischer</b>				
<b>Council Member Margolis</b>				

	1	2	Y	N
<b>Council Member Mutch</b>				
<b>Council Member Staudt</b>				
<b>Council Member Wrobel</b>				



# Society Hill

## Location Map



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

### MAP INTERPRETATION NOTICE

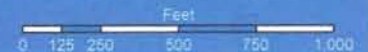
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most current accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1979 as amended. Please contact the City GIS Manager for further source and accuracy information related to this map.

Map Legend	
	LIFT STATION
	Manhole
	End Cap
	Future Connection
	Sanitary Mains
	Wetlands
	Lake or Pond
	Waterways
<b>Project/Development Status Updates</b>	
	PLAN SUBMITTED
	PLAN APPROVED
	UNDER CONSTRUCTION
	PROJECT BUILT



## City of Novi

Planning Division  
 Community Development  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)



1 inch = 516 feet



**E & M Letter  
July 27, 2011  
Request for Society Hill  
Final Site Plan Approval Extension**

E & M

32605 West Twelve Mile Road, Suite 290  
Farmington Hills, Michigan 48334  
Telephone (248) 553-9225  
Facsimile (248) 553-9594

July 27, 2011

Honorable David Landry, Mayor and Members of the City Council  
c/o Barbara McBeth, Community Development Department  
City of Novi  
45175 W. Ten Mile Road  
Novi, Michigan 48375

Re: Extension of Society Hill (E&M Inc.) Final Site Plan Approval - Expiring October 9, 2011

Dear Mayor Landry and Members of the City Council:

Due to the continuing market conditions, we write to request a one (1) year extension of the final site plan approval for the Society Hill project, which will be expiring October 9, 2011. This request is made in accordance with Paragraph 9.B of the Consent Judgement entered October 9, 2001 in the *City of Novi vs. Toltec Structures and E&M, Inc.* (Oakland Circuit Court No. 95-502489-CC) and follows a subsequent one (1) extension approved by City Council at the August 23, 2010 City Council Meeting (excerpt from minutes attached). I enclose a copy of the Consent Judgement along with prior correspondence sent to the City at the time of our last request for extension which provides some historical background of Society Hill and the Consent Judgement.

E&M asks that the City Council place this request on its agenda. Please let us know the date this request will be heard. Your time in this matter is much appreciated. Should you require any additional information, I can be reached at 248.553.9225 ext. 123.

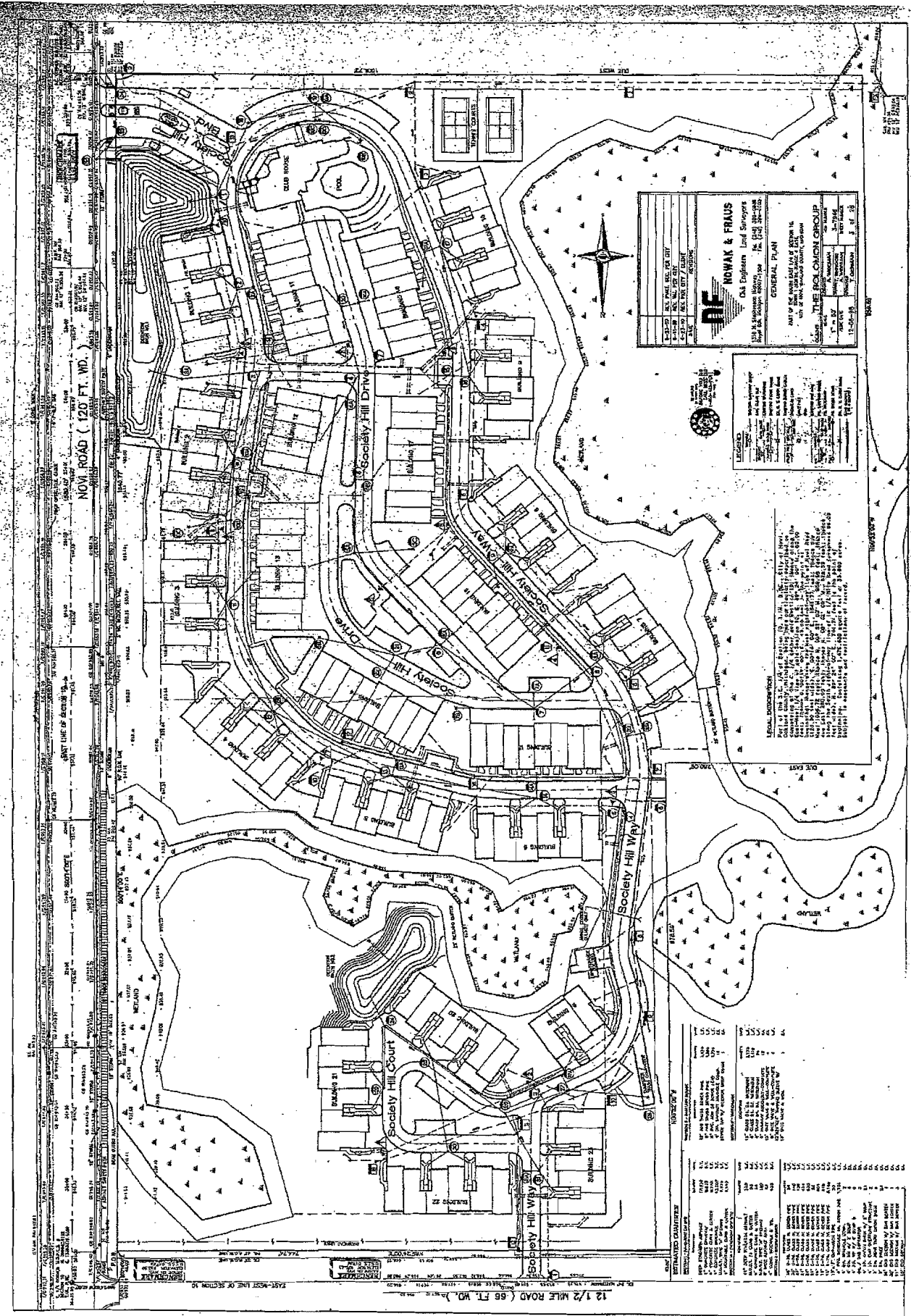
Sincerely,

  
Mary Ann Szwabowski

Enclosures

cc: City Manager (c/o Barbara McBeth)

# **Society Hill Site Plan**



NOVI ROAD (120 FT. WD.)

12 1/2 MILE ROAD (66 FT. WD.)

**NF**  
**NOWAK & FRAUS**  
 Civil Engineers and Surveyors  
 1115 N. Michigan Highway, P.O. Box 1200, East Lansing, Michigan 48823  
 Phone: (517) 335-1200  
 Fax: (517) 335-1201

**GENERAL PLAN**

DATE OF PREPARATION: 10/15/88  
 SHEET NO. 1 OF 1  
 PROJECT NO. 88-001

**THE ROCK CHURCH GROUP**  
 1115 N. Michigan Highway, P.O. Box 1200, East Lansing, Michigan 48823  
 Phone: (517) 335-1200  
 Fax: (517) 335-1201

**LEGEND**

1. EXISTING BUILDINGS  
 2. PROPOSED BUILDINGS  
 3. EXISTING DRIVEWAYS  
 4. PROPOSED DRIVEWAYS  
 5. EXISTING PAVEMENT  
 6. PROPOSED PAVEMENT  
 7. EXISTING SIDEWALKS  
 8. PROPOSED SIDEWALKS  
 9. EXISTING CURBS  
 10. PROPOSED CURBS  
 11. EXISTING UTILITIES  
 12. PROPOSED UTILITIES  
 13. EXISTING TREES  
 14. PROPOSED TREES  
 15. EXISTING LANDSCAPE  
 16. PROPOSED LANDSCAPE

**LOCAL JURISDICTIONS**

City of East Lansing, Michigan  
 Township of East Lansing, Michigan  
 County of East Lansing, Michigan

**NOTES**

1. THIS PLAN IS A GENERAL PLAN AND DOES NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**PROPOSED UTILITIES**

NO.	DESCRIPTION	DATE
1	EXISTING WATER MAIN	10/15/88
2	EXISTING SEWER MAIN	10/15/88
3	EXISTING GAS MAIN	10/15/88
4	EXISTING ELECTRIC MAIN	10/15/88
5	EXISTING TELEPHONE MAIN	10/15/88
6	EXISTING CABLE MAIN	10/15/88
7	EXISTING FIBER OPTIC MAIN	10/15/88
8	EXISTING SANITARY MAIN	10/15/88
9	EXISTING RAINWATER MAIN	10/15/88
10	EXISTING FIRE MAIN	10/15/88
11	EXISTING NATURAL GAS MAIN	10/15/88
12	EXISTING DISTRICT HEATING MAIN	10/15/88
13	EXISTING COOLING WATER MAIN	10/15/88
14	EXISTING CONDENSATE MAIN	10/15/88
15	EXISTING GREASE TRAP MAIN	10/15/88
16	EXISTING SLOTTED DRAIN MAIN	10/15/88
17	EXISTING FLOOR DRAIN MAIN	10/15/88
18	EXISTING WALL DRAIN MAIN	10/15/88
19	EXISTING ROOF DRAIN MAIN	10/15/88
20	EXISTING CURB DRAIN MAIN	10/15/88
21	EXISTING STREET DRAIN MAIN	10/15/88
22	EXISTING GUTTER DRAIN MAIN	10/15/88
23	EXISTING DOWNSPOUT DRAIN MAIN	10/15/88
24	EXISTING FOUNDATION DRAIN MAIN	10/15/88
25	EXISTING BASEMENT DRAIN MAIN	10/15/88
26	EXISTING CRAWLSPACE DRAIN MAIN	10/15/88
27	EXISTING ATTIC DRAIN MAIN	10/15/88
28	EXISTING ROOF DRAIN MAIN	10/15/88
29	EXISTING GUTTER DRAIN MAIN	10/15/88
30	EXISTING DOWNSPOUT DRAIN MAIN	10/15/88
31	EXISTING FOUNDATION DRAIN MAIN	10/15/88
32	EXISTING BASEMENT DRAIN MAIN	10/15/88
33	EXISTING CRAWLSPACE DRAIN MAIN	10/15/88
34	EXISTING ATTIC DRAIN MAIN	10/15/88
35	EXISTING ROOF DRAIN MAIN	10/15/88
36	EXISTING GUTTER DRAIN MAIN	10/15/88
37	EXISTING DOWNSPOUT DRAIN MAIN	10/15/88
38	EXISTING FOUNDATION DRAIN MAIN	10/15/88
39	EXISTING BASEMENT DRAIN MAIN	10/15/88
40	EXISTING CRAWLSPACE DRAIN MAIN	10/15/88
41	EXISTING ATTIC DRAIN MAIN	10/15/88
42	EXISTING ROOF DRAIN MAIN	10/15/88
43	EXISTING GUTTER DRAIN MAIN	10/15/88
44	EXISTING DOWNSPOUT DRAIN MAIN	10/15/88
45	EXISTING FOUNDATION DRAIN MAIN	10/15/88
46	EXISTING BASEMENT DRAIN MAIN	10/15/88
47	EXISTING CRAWLSPACE DRAIN MAIN	10/15/88
48	EXISTING ATTIC DRAIN MAIN	10/15/88
49	EXISTING ROOF DRAIN MAIN	10/15/88
50	EXISTING GUTTER DRAIN MAIN	10/15/88