



MEDILODGE OF NOVI SP10-05B

MEDILODGE OF NOVI, SP10-05B

Public Hearing of the request of The Medilodge Group for revised Preliminary Site Plan, revised Woodland Permit and revised Wetland Permit and Stormwater Management Plan approval. The subject property totals approximately 20.05 acres and is located in Section 17, north of Eleven Mile Road between Beck Road and Wixom Road, parcel 50-22-17-400-002. The applicant is proposing a 120 bed 78,560 square foot convalescent (nursing) home building.

REQUIRED ACTION

Approve or deny revised Preliminary Site Plan, revised Wetland Permit, revised Woodland Permit and Stormwater Management Plan.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	05/02/10	<ul style="list-style-type: none"> • Changes to the previously approved plan include the following: sanitary sewer extension along 11 Mile Road has been moved to the north side of the street, existing boardwalk near the southwest corner of the site replaced with sidewalk, ITC path shown. • ITC path has been revised per comments from ITC. Revised version will be part of Final Site Plan. • Items to be addressed on the Final Site Plan.
Engineering	Approval recommended	04/27/11	Items to be addressed on the Final Site Plan.
Wetlands	Conditional Approval recommended	04/28/11	Items to be addressed on the Final Site Plan.
Woodlands	Conditional approval recommended	04/29/11	Items to be addressed on the Final Site Plan.
Fire	Approval recommended	05/02/11	Items to be addressed on the Final Site Plan.

Approval – Revised Preliminary Site Plan

In the matter of The Medilodge Group, SP 10-05B, motion to **approve** the revised Preliminary Site Plan, subject to the following:

- a. Execution and recordation of the approved PRO Agreement;
- b. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan;
- c. Applicant incorporating revised ITC pathway shown in Exhibit D of the PRO Agreement into the Final Site Plan submittal; and
- d. *(additional conditions here if any)*

for the following reasons... (because the plan adheres to the approved concept plan and deviations included therein and is otherwise in compliance with Article 6, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.)

Denial – Revised Preliminary Site Plan

In the matter of The Medilodge Group, SP 10-05A, motion to **deny** the revised Preliminary Site Plan, for the following reasons... *(because it is not in compliance with the following sections of the Zoning Ordinance....)*

Approval – Revised Wetland Permit

In the matter of The Medilodge Group, SP 10-05B, motion to **approve** the revised Wetland Permit, subject to:

- a. Execution and recordation of the approved PRO Agreement;
- b. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and
- c. (additional conditions here if any)

for the following reasons...(because it is in compliance with Chapter 12 of the Code of Ordinances and all other applicable provisions of the Ordinance).

Denial– Revised Wetland Permit

In the matter of The Medilodge Group, SP 10-05A, motion to **deny** the revised Wetland Permit, for the following reasons...(because it is not in compliance with Chapter 12 of the Code of Ordinances).

Approval – Revised Woodland Permit

In the matter of The Medilodge Group, SP 10-05B, motion to **approve** the revised Woodland Permit, subject to:

- a. Execution and recordation of the approved PRO Agreement;
- b. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan;
- c. (additional conditions here if any)

for the following reasons...(because it is in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance).

Denial- Revised Woodland Permit

In the matter of The Medilodge Group, SP 10-05A, motion to **deny** the revised Woodland Permit, for the following reasons...(because it is not in compliance with Chapter 37 of the Code of Ordinances).

Approval – Stormwater Management Plan

In the matter of the Medilodge Group, SP 10-05B, motion to **approve** the Storm Water Management Plan, subject to the following:

- a. Execution and recordation of the approved PRO Agreement;
- b. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and
- c. (additional conditions here if any)

for the following reasons...(because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)

Denial– Stormwater Management Plan

In the matter of The Medilodge Group, SP 10-05B, motion to **deny** the Storm Water Management Plan, for the following reasons...(because it is not in compliance with Chapter 11 of the Ordinance.)

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

May 2, 2011

Planning Review

Medilodge of Novi

Revised Preliminary Site Plan SP10-05B

Petitioner

The Medilodge Group

Review Type

Revised Preliminary Site Plan and Special Land Use Permit

Property Characteristics

- Site Location: North side of Eleven Mile Road between Beck Road and Wixom Road (Section 17)
- Site Zoning: RM-1, Low Density, Low-Rise Multiple-Family Residential with a PRO
- Adjoining Zoning: North and East: R-3, One-Family Residential (OSC, Office Service Commercial further north); West: RA, Residential Acreage; South: R-1, One-Family Residential with a PRO (across Eleven Mile Road)
- Site Use: Vacant
- Adjoining Uses: North: Vacant, Providence Hospital Campus (further north); East: Vacant, Single-family Residential; West: ITC Easement, Wildlife Woods Park and Single-family Residential (further west); South: Existing Single-family Residential and approved but not built residential development
- Proposed Use: 120 bed convalescent home
- Site Size: 20 acres
- Plan Date: 03/31/11

Project Summary

The parcels in question are located on the north side of Eleven Mile Road, between Wixom Road and Beck Road in Section 17 of the City of Novi. The property totals 20 acres. The current zoning of the property is RM-1, Low Density, Low-Rise Multiple-Family Residential with a PRO. The applicant has proposed a 78,560 square foot, 120 bed convalescent home. The proposed convalescent home would include centralized dining and physical therapy facilities along with other ancillary features. This property was recently rezoned with a Planned Rezoning Overlay (PRO) from R-3 to RM-1. The Planning Commission gave a positive recommendation for approval of the concept plan and rezoning to City Council on February 24, 2010. The rezoning with PRO appeared before the City Council on March 8, 2010. At that meeting, City Council granted preliminary approval of the plan and rezoning. The applicant is currently working with the City Attorney on finalizing the Planned Rezoning Overlay Agreement which will appear before the City Council for their consideration at an upcoming meeting. The Planning Commission approved the Preliminary Site Plan (contingent on City Council approval of the PRO Agreement) on March 24, 2010.

The revised Preliminary Site Plan is generally consistent with the approved concept plan. However, there are several more minor differences that necessitated the revised review. The sanitary sewer extension along Eleven Mile Road was previously shown on the south side of the street to reduce impacts to natural features on the north side of the street. The applicant has determined the south location is not feasible and the plan now shows the sanitary sewer extension on the north side of the street. Additionally, an existing boardwalk near the southwest corner of the site will be removed and replaced with a sidewalk. Lastly, the applicant has shown the proposed path through the ITC corridor

and extending onto the Medlodge property. This was a significant part of the PRO public benefit offered by the applicant.

Recommendation

Approval of the revised *Preliminary Site Plan and Special Land Use Permit* is recommended contingent on the approval of the PRO Agreement by the City Council. The plan is in compliance with most Ordinance requirements and the conditions set forth in the Planned Rezoning Overlay agreement with planning related items to be addressed at the time of Final Site Plan submittal.

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to the Planned Rezoning Overlay Concept Plan, Article 6 (RM-1, Low Density, Low-Rise Multiple-Family Residential District), Article 24 (Schedule of Regulations), Article 25 (General Provisions), and any other applicable provisions of the Zoning Ordinance. Please see the attached charts for information pertaining to ordinance requirements. Items in bold below must be addressed by the applicant or Planning Commission before Preliminary Site Plan Approval may be granted.

1. Barrier Free Spaces: The plans do not provide details concerning the ramps or access for barrier free spaces along the main entrance. **The applicant should provide details showing whether these spaces will be flush with the adjacent sidewalk or whether ramps will be provided.**
2. Loading Space: Approximately 360 square feet of loading space has been provided. **The proposed loading zone should be clearly indicated with the appropriate striping.**
3. Dumpster Screening: Dumpster screening one foot taller than the proposed dumpster should be provided. Interior bumpers or posts must be shown. **The applicant should include the height of the dumpster on the screening details and indicate protective bollards.**
4. Photometric Plan – Required Notes: **The applicant should include the required notes on the photometric plan.**
5. Minimum/Maximum Illumination: Light levels seem particularly high at the borders of the parking on the eastern and western property lines. **The applicant may want to consider reducing light levels at these locations, particularly at the southeastern border of the parking lot due to the adjacent single-family residence.**
6. On-Site Sidewalk: The proposed plans show a sidewalk along the majority of the eastern side of the building. However, the sidewalk along the western side of the building does not extend the full length of the building or loop around the access drive. **The applicant should consider providing a sidewalk along the access drive and connecting the internal sidewalk system to the regional pathway proposed as part of the public benefit.**
7. Future Addition: Sheet A2 shows a future addition. No future additions have been proposed for approval as part of this plan submittal. **Unless the applicant would like to include this area as part of the PRO concept plan and site plan review process, references to future additions should be removed from the plans.**

8. **Facade:** The subject property is anticipated to be included in the new Suburban Low-Rise District as part of the Master Plan update. Buildings in this new district should have a residential character to their facade, including peaked roofs, dormers, covered porches, etc. The applicant has included some of these features as part of their proposal but per the City Council preliminary approval motion (March 8, 2010) the applicant should incorporate additional features of the proposed Suburban Low-Rise concept as stated in the Facade Consultant's review letter, dated February 16, 2010. The applicant should include and clearly identify these features on the Final Site Plan elevations.
9. **Conservation Easement:** The applicant should include the "gourd-shaped" wetland identified in the wetland review letter in the proposed conservation easement or otherwise explain why this regulated natural feature cannot be included.

Planned Rezoning Overlay

The rezoning with a Planned Rezoning Overlay was granted conceptual approval by City Council on March 8, 2010. The PRO acts as a zoning map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. As a part of the PRO, the underlying zoning is changed, in this case to RM-1 as requested by the applicant, and the applicant enters into a PRO Agreement with the City, whereby the City and applicant agree to any deviations to the applicable ordinances and tentative approval of a conceptual plan for development for the site. The following ordinance deviations were included in the PRO Agreement

1. The maximum permitted building length is 360 feet. The overall building length is proposed to be 492 feet. This ordinance deviation will be included in the PRO Agreement.
2. A building in the RM-1 District must be oriented at a minimum angle of 45 degrees to adjacent single-family residential zoning. The proposed structure is perpendicular to Eleven Mile Road with the rear half of the structure rotated 30 degrees. This ordinance deviation will be included in the PRO Agreement.
3. The required side yard building setback is 134 feet (based on the building length). The building is proposed to be setback 132 feet on the east side. This ordinance deviation will be included in the PRO Agreement.
4. The dumpster is required to be located in the rear yard. The proposed dumpster and dumpster enclosure is shown in the interior (western) side yard. This ordinance deviation will be included in the PRO Agreement.
5. A 4.5 foot to 6 foot high landscaped berm is required along the west, north and east property boundaries. No berm is provided in any of the aforementioned yards. These ordinance deviations will be included in the PRO Agreement.
6. The ordinance requires a minimum of 30 percent brick and a maximum of 25 percent asphalt shingles on each facade. The facade does not meet these standards. These deviations will be included in the PRO Agreement.

When a PRO is proposed, applicants are required to demonstrate a public benefit above and beyond what would be associated with the normal development of the site. This public benefit is included in the PRO Agreement. The public benefits associated with the subject property are as follows:

1. The list of permissible permitted uses, the number of beds and the permitted size of the facility will be limited as part of the PRO Agreement. *This will be included in the PRO Agreement and is reflected on the plans as noted above.*
2. The applicant has agreed to relocate the proposed floodplain mitigation as indicated in the PRO Concept Plan Woodland Review Letter. *The floodplain mitigation has been relocated accordingly.*
3. The applicant has agreed to locate the required sanitary sewer extension along the southern side of Eleven Mile Road. *The sanitary sewer extension on the south side of the road was not feasible and this extension has been relocated to the north side of the road.*
4. The applicant has agreed to a conservation easement totaling 8.5 acres located mostly in the rear of the property. *This will be included in the PRO Agreement.*
5. The developer agreed to provide a pathway through the adjacent ITC Utility Easement. *The pathway has been shown on the revised Preliminary Site Plan.*

6. The applicant has agreed to increase the landscape plantings on the east property line to assist in providing a buffer for the adjacent residential properties.

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 years, the PRO concept plan expires and the agreement becomes void.

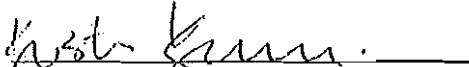
Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this, and in the other review letters, is requested **prior to the matter being reviewed by the Planning Commission**. Additionally, a letter from the applicant is requested to be submitted with the next set of plans submitted highlighting the changes made to the plans addressing each of the comments listed above.

Pre-Construction Meeting

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

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



Report by Planner Kristen Kapelanski (248) 347-0586

PLANNING REVIEW SUMMARY CHART
Revised Preliminary Site Plan SP10-05B
Project Name: MediLodge of Novi
Plan Date: 03/31/11

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Suburban Low-Rise	Multiple-Family Residential	No	Initial approval of the proposed rezoning with PRO was granted by the City Council on March 8, 2010. Once the PRO Agreement is drafted, it will be forwarded to the City Council for their approval.
Zoning	RM-1 with PRO	RM-1 with PRO		Use permitted in RM-1
Principal Uses Permitted (Sec. 601)	Single, two and multiple - family residential.		N/A	
Uses Permitted Subject to Special Conditions (Sec. 602)	<p>Convalescent homes, assisted living facilities, hospice care facilities and child care centers subject to:</p> <p>(1) Convalescent homes, assisted living facilities and hospice care facilities: 1,500 sq. ft. total land area per bed.</p> <p>(2) Child care centers: min. 100 sq. ft. outdoor play area per child and min. 2,800 sq. ft. and fenced and screened from any residential district.</p> <p>(3) Min. 40 ft. building setback.</p> <p>(4) Accessory buildings and uses customarily incident to any permitted use.</p>	<p>120 bed convalescent home – 7,260 sq. ft. of lot area per bed provided</p> <p>40' + building setback on all sides</p>	Yes	See more restrictive setback requirements listed below.
Building Height (Section 2400, Schedule of	35 ft. two stories Roof top	30 feet (to midpoint of roof) one story	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
Regulations & 2503.2.E)	appurtenances additional 5 ft.			
Building Length (Section 2400, footnote e)	180 ft. or up to 360 ft. If building setback increased 1 ft. for every 3 ft. building length when bordering a residential district or major thoroughfare	Maximum 492' length proposed	No	This deviation will be included in the PRO agreement.
Additional RM-1 Requirements (Section 2400, footnote e)	<ol style="list-style-type: none"> 1. Minimum setback of 150 ft. from shoreline 2. Must front on public or private road 3. Structure shall be oriented at a minimum angle of 45° to adjacent RA and R-3 properties. 4. Maximum 30% of setback areas parking, drives & loading area 5. Off-street parking and drives shall not be located closer than 25' to any wall of a dwelling structure which contains openings involving living areas nor closer than 8' to any wall that does not contain openings. 6. Sidewalk connectivity 7. Minimum distance between buildings $S = LA + LB + 2(HA + HB)$ 	<ol style="list-style-type: none"> 1. N/A 2. Fronts public road 3. Main building perpendicular to 11 Mile with the rear half rotated 30° 4. 8% setback coverage 5. Adequate setbacks provided 6. Provided 7. N/A 	No	A deviation for inadequate building orientation will be included in the PRO agreement.
Lot Coverage (Section 2400)	Maximum 25%	18% lot coverage	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
footnote e)				
Building Setback				
Front south (2400 & footnotes b, e & f)	75 ft. plus 1/3 ft. for every foot building length exceeding 180 ft. $(205-180 \times 0.33)+75 = 83$ ft.	88 feet	Yes	
Side interior east (2400 & footnotes b, c, e & f)	75 ft. plus 1/3 ft. for every foot building length exceeding 180 ft. $(360-180 \times 0.33)+75 = 134$ ft.	132 feet	No	This deviation will be included in the PRO agreement.
Side interior west (2400 & footnotes b, c, e & f)	75 ft. plus 1/3 ft. for every foot building length exceeding 180 ft. $(360 -180 \times 0.33)+75 = 134$ ft.	179 feet	Yes	
Rear north (2400 footnotes b, c, e & f)	75 ft. plus 1/3 ft. for every foot building length exceeding 180 ft. – North frontage does not exceed 180 ft. – 75 ft. required	400 feet +	Yes	
Parking Setback				
Front south (2400 footnote b)	75 ft. Must comply with building setback	80 feet	Yes	
Side interior east (2400 footnote b)	20 ft.	29 feet	Yes	
Side interior west (2400 footnote b)	20 ft.	145 feet	Yes	
Rear north (2400 footnote b)	20ft.	400 feet +	Yes	
Parking Requirements				
Number of Parking Spaces (2505)	One per 4 beds and one for each employee 120 beds/4 = 30 parking spaces 30 employees = 60 spaces required	116 provided	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
Parking Space Dimensions and Maneuvering Lanes (2506 & 2509.c.2.i)	9 ft. x 19 ft. parking space dimensions and 24 ft. wide two-way drives. 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping.	9 ft. x 19 ft. with 24 ft. wide drives	Yes	
Barrier Free Spaces (Barrier Free Code)	5 barrier free spaces required One of every six spaces must be van accessible Physical therapy uses require 20% of all parking provided to be barrier free	21 barrier free spaces provided – 16 standard and 5 van accessible	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8 ft. wide with a 5 ft. wide access aisle for standard barrier free spaces, and 8 ft. wide with an 8 ft. wide access aisle for van accessible spaces	Barrier free spaces sized correctly.	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One sign for each accessible parking space.	No signs provided.	No	Applicant should provide one sign for each barrier free space on the Final Site plan submittal.
Loading Spaces (Section 2507)	Five (5) square ft. per front foot of building up to a total area of three hundred sixty (360) square ft. per building = 360 sq. ft. required	360 sq. ft. loading space provided.	Yes	Applicant should provide striping for the loading zone.
Dumpster (Chapter II, Section 21-145 and Section 2503.2.F)	Screen wall or fence required for all dumpsters, must be at least five ft. in height, and provided on three sides.	Screening to be 6' in height and to match building.	Yes?	Applicant should indicate height of proposed dumpster/generators. Protective bollards should be shown.

Item	Required	Proposed	Meets Requirements?	Comments
	Enclosure to match building materials – Design must include protective features.			
Dumpster Enclosure (Sections 2503.2.F and 2520.1)	Dumpster enclosure to be located in rear yard, and set back from property line a distance equivalent to the parking lot setback. It is to be located as far from barrier free spaces as possible. Enclosure to match building materials	Dumpsters located in the interior (western) side yard setback equal to the parking lot.	No	This deviation will be included in the PRO agreement.
Roof top equipment and wall mounted utility equipment (Section 2503.2.E.(1))	All roof top equipment must be screened and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building	None Depicted	Yes?	Applicant should depict all roof top and wall mounted equipment if any or otherwise indicate no roof top or wall mounted equipment will be included.
Exterior lighting (Section 2511)	Photometric plan and exterior lighting details needed at time of Preliminary Site Plan submittal	Photometric plan submitted.		See attached lighting review chart for additional information.
Sidewalks (City Code Section 11-276(b)) Building Code	A 5 ft. -8 ft. wide sidewalk shall be constructed along all major thoroughfares as required by the City of Novi's Pedestrian and Bicycle Master Plan. Building exits must be connected to sidewalk system or parking lot.	5 ft. sidewalk proposed on Eleven Mile Rd. Sidewalks provided	Yes	
Design and Construction	Land description, Sidwell number	Provided	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
Standards Manual	(metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).			
Development and Street Names	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval			Contact Richelle Leskun at 248- 347-0631 to schedule a meeting with the Committee
Development/ Business Sign	Signage if proposed requires a permit.			For sign permit information contact Jeannie Niland at 248-735-5678.
Approval conditions of City Council Motion 03-08-10	Sanitary Sewer extension provided along Eleven Mile Road.			
	Floodplain mitigation relocated.			
	Applicant incorporating additional features of the Suburban Low-Rise District into the façade.			

Prepared by Kristen Kapelanski, AICP (248) 347-0586

Lighting Review Summary Chart

Medlodge

SP #10-05B

Item	Required	Meets Requirements?	Comments
Intent (Section 2511.1)	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties, reduce unnecessary transmission of light into the night sky	Yes	
Lighting plan (Section 2511.2.a.1)	Site plan showing location of all existing and proposed buildings, landscaping, streets, drives, parking areas and exterior lighting fixtures	Yes	
Lighting Plan (Section 2511.2.a.2)	Specifications for all proposed and existing lighting fixtures including: Photometric data Fixture height Mounting & design Glare control devices Type and color rendition of lamps Hours of operation Photometric plan	Yes	
Required conditions (Section 2511.3.a)	Height not to exceed maximum height of zoning district or 25 feet where adjacent to residential districts or uses.	Yes	
Required Notes (Section 2511.3.b)	<ul style="list-style-type: none"> - Electrical service to light fixtures shall be placed underground - No flashing light shall be permitted - Only necessary 	No	Applicant should include the required notes.

Item	Required	Meets Requirements?	Comments
	lighting for security purposes and limited operations shall be permitted after a site's hours of operation.		
Required conditions (Section 2511.3.e)	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1.	Yes	
Required conditions (Section 2511.3.f)	Use of true color rendering lamps such as metal halide is preferred over high and low pressure sodium lamps.	Yes	
Minimum Illumination (Section 2511.3.k)	<ul style="list-style-type: none"> - Parking areas- 0.2 min - Loading and unloading areas- 0.4 min - Walkways- 0.2 min - Building entrances, frequent use- 1.0 min - Building entrances, infrequent use- 0.2 min 	Yes	Light levels seem particularly high at the borders of the parking lot on the eastern and western property lines. The applicant may want to consider reducing light levels at these locations, particularly at the southeastern border of the parking lot due to the adjacent single-family residence.
Maximum Illumination adjacent to Non-Residential (Section 2511.3.k)	When site abuts a residential district, maximum illumination at the property line shall not exceed 0.5 foot candle	Yes	
Cut off Angles (Section 2511.3.1(2))	All cut off angles of fixtures must be 90 degrees when adjacent to residential districts	Yes	

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

April 27, 2011

Engineering Review

Medilodge of Novi
SP10-05B

Pellioner

The Medilodge Group

Review Type

Revised Preliminary Site Plan

Property Characteristics

- Site Location: North side of Eleven Mile Road, West of Beck Road
- Site Size: 20.05 acres
- Plan Date: 2-19-2010

Project Summary

- Construction of an approximately 78,560 square-foot single-story nursing home facility and associated parking. Site access would be provided by two drive approaches off of Eleven Mile Road.
- Water service would be provided by an 8-inch extension from the existing 16-inch water main along the north side of Eleven Mile Rd. A 2-inch domestic lead and a 6-inch fire lead would be provided to serve the building, along with three (3) additional hydrants on the site.
- Sanitary sewer service would be provided by extending an 8-inch sewer from the northeast corner of the site through the site and across the Eleven Mile Road frontage providing future service to the adjacent parcels.
- Storm water would be collected by two storm sewer collection systems, a north and south basin. The north basin system consists of two equalizer basins and the south basin system consists of three equalizer basins. All storm water will be detained on-site for the 100-year storm then discharged at two points through an existing wetland on the parcel, with ultimate discharge to the Novi Lyon Drain.
- The construction of a 10' wide asphalt pathway on the adjacent International Transmission Company property that continues through the site terminating at the east property line is proposed.
- The existing boardwalk north of Eleven Mile Road at the southwest corner of the site is planned for removal and replacement with an at-grade sidewalk to facilitate sight distance for the western drive approach.

Recommendation

Approval of the Revised Preliminary Site Plan and Preliminary Storm Water Management Plan is recommended.

Comments:

The Preliminary Site Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual with the following items to be addressed at the time of Final Site Plan submittal (further engineering detail will be required at the time of the final site plan submittal):

1. Address the comments submitted on the March 8, 2010 preliminary review letter at the time of final site plan submittal.

Additional Comments to the March 8, 2010 letter (to be addressed with Final Site Plan submittal):

Storm Sewer

2. Label all Inlet structures and provide rim and invert elevations.
1. Label all storm sewer outlet structures and provide Invert elevations.

Storm Water Management Plan

2. Provide brief narrative of the storm water management plan explaining the process of the overall system (suggested).

Paving & Grading

3. Provide pavement grades and a typical cross-section of the pathway.

The following must be provided at the time of Preliminary Site Plan resubmittal:

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

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

5. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. **The cost estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

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

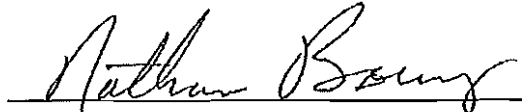
6. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
7. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.
8. A draft copy of the 40-foot wide easement for the sanitary sewer to be constructed on the site must be submitted to the Community Development Department.
9. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

The following must be addressed prior to construction:

10. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).
11. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
12. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.
13. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
14. A permit for work within the right-of-way of Eleven Mile Road must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
15. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.
16. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.

17. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
18. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
19. An incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted prior to TCO, at which time it may be reduced based on percentage of construction completed.
20. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.
21. Permits for the construction of each retaining wall must be obtained from the Community Development Department (248-347-0415).

Please contact Nathan Bouvy at 248-735-5648 with any questions.



cc: Ben Croy, Engineering
Brian Coburn, Engineering
Kristen Kapelanski Community Development Department
Tina Glenn, Water & Sewer Dept.

WETLANDS REVIEW



Environmental Consulting & Technology, Inc.

April 28, 2011

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

Re: Medilodge SP# 10-05B Wetland Review for the Revised Preliminary Site Plan

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the proposed Medilodge preliminary Site Plan (Plan) prepared and submitted by JW Design dated March 31, 2011. ECT has visited the site to verify wetland boundaries and discussed wetland aspects of the proposed project in letters sent to the City dated November 16, 2009 and February 2, 2010. What follows is a summary of our findings regarding the current Plan, which includes a revised sewer location, a walking trail, and additional minor wetland impacts.

Site Comments:

The entire site is approximately 20-acres with approximately 5.39 acres of wetland and 2.87-acres of Natural Features Setback. The proposed Plan would construct a 67,184 square foot, 120-bed rehabilitation facility and associated infrastructure. The parcel is about twice as long as it is wide, with the long dimension running north-south. The proposed development is mainly in the southern half of the property, near 11-Mile Road. Most of the northern half of the parcel would remain undeveloped and would include a walking trail accessible to the public.

The west side of the southern half of the property contains forested and scrub-shrub wetland. Additional forested and scrub shrub wetland occurs in the east-central portion of the property and in smaller areas in the northern half of the property. Approximately the northern 30-percent of the parcel adjacent to Providence Hospital contains some high-quality forested wetland and upland beech-maple-hickory woodland.

Proposed Impacts

The Plan proposes both permanent and temporary impacts to wetlands and the 25-foot natural features setback as shown in the following table.

Table 1. Existing natural features, proposed impacts, and conservation easement.

Natural Feature	Acres (Percent)
Total Wetland Area on Site	5.39
Proposed Permanent Wetland Impact	0.20 (3.71%)
Proposed Temporary Wetland Impact	0.20
Total 25-foot Natural Feature Setback (Buffer) on Site	2.87
Proposed Permanent Buffer Impact	0.44 (15.33%)
Proposed Temporary Buffer Setback	0.39
Proposed Conservation Easement	8.50

Conservation Easement

The permanent wetland impacts of 0.20-acre fall below the threshold of 0.25-acres at which the City of Novi Wetland Ordinance calls for compensatory wetland mitigation. Regardless, as compensation for permanent impacts to wetland and buffer, the applicant proposes to place 8.5-acres of the site into a permanent Conservation Easement (CE).

The proposed CE includes areas in the west, north, and east-central portions of the property but *excludes* a large "gourd-shaped" scrub-shrub wetland found in the northwest quadrant of the property.

Permits

The wetlands on the site appear to be regulated by the City of Novi and the MDEQ by virtue of their being within 500-feet of a tributary to Davis Creek and Island Lake. It is ECT's opinion that the proposed project would require an MDEQ Wetland Use Permit, a City of Novi Non-Minor Use Permit, and *Authorization to Encroach* into the 25-Foot Natural Features Setback.

1. ECT recommends that the "gourd-shaped" wetland be placed into the CE, or the applicant can provide an explanation as to why it needs to be excluded.
2. Location of silt fence used for soil erosion and sediment control should be included on the final site plan.
3. A cost estimate for restoration of temporary wetland and wetland buffer impacts should be included on the final Site Plan.
4. The areas of the CE need to be clearly shown on the Final Site Plan.
5. The Site Plan includes a wetland seed mixes that includes several species of wetland plants. ECT recommends that *Carex lupulliformis* be excluded from the mix because it is designated "State Threatened." Establishment of a threatened species in the wetland restoration sites may create future regulatory problems for the developer or the neighboring properties.

Novi Medilodge SP# 10-05B
Wetland Revised Preliminary Site Plan Review
April 28, 2011
Page 3

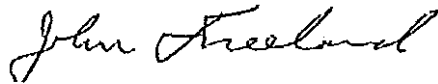
Recommendation

ECT recommends **conditional approval** of the Revised Preliminary Site Plan with the condition that the above comments be satisfactorily addressed.

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

Respectfully,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.

A handwritten signature in cursive script that reads "John A. Freeland".

John A. Freeland, Ph.D., PWS
Environmental Scientist

WOODLANDS REVIEW



Environmental Consulting & Technology, Inc.

April 29, 2011

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

Re: Medlodge of Novi
Woodland Review of the Revised Preliminary Site Plan (SP#10-05B)

Dear Ms. McBeth:

Environmental Consulting & Technology, Inc. (ECT) has reviewed the Revised Preliminary Site Plan (Plan) prepared and submitted by JWDesign dated March 31, 2011. The Plan and supporting documentation were reviewed for conformance with the City of Novi Woodland Protection Ordinance Chapter 37.

The proposed development is located north of Eleven Mile Road between Wixom and Beck Roads in Section 17. The proposed Plan would construct a 67,148 square foot, 120-bed licensed skilled nursing home and associated infrastructure, parking, and stormwater detention basins. The proposed development is mainly in the southern half of the property, near Eleven Mile Road. Most of the northern half of the parcel would remain undeveloped and would include a walking trail accessible to the public.

Onsite Woodland Evaluation

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on February 8, 2010. ECT found that the revised *Tree Survey* (Sheet L-1.1) now accurately depicts existing site conditions. In addition to the regulation-sized trees (dbh $\geq 8"$) within close proximity to the proposed development, the numerous regulation-size trees on the northern half of the property have been depicted and described on the Plan (Sheet L-1.1). The *Tree Removal and Preservation Plan* (Sheet L-2) has also been updated with the revised tree survey information. The surveyed trees have been marked with numbered metal tree tags.

The entire site is approximately 20 acres with 12.5 acres of regulated woodland dominating the northern and western two-thirds of the property. Approximately 5.4 acres of the regulated woodland consists of forested and scrub-shrub wetland on the west side of the southern half of the property, in the east-central portion of the property, and in four smaller areas on the northern half of the property. The regulated woodland onsite is unique due to the intactness of the mosaic of upland and wetland forest. This upland/lowland connectivity provides for excellent ecological functioning and diverse wildlife habitat.

Considering the site at a landscape scale, the regulated woodland onsite is associated with a tributary of Davis Creek in the northeast corner of the property and, therefore, ultimately drains to Island Lake to the southwest. It is contiguous with upland and lowland forest to the north, east, and west. In their Potential Conservation/Natural Areas Report (July 2002, updated April 2004) for Oakland County, Michigan Natural Features Inventory (MNFI) identified this swath of contiguous woodland as a Priority Three Area for conservation, based upon total size, core area size, stream corridor, landscape connectivity, restorability of surrounding lands, vegetation quality, parcel fragmentation, and element occurrences (rare species) criteria (see attached map). Separated by Eleven Mile Road, the onsite regulated woodland is adjacent to one of only three Priority Two Areas designated within the City of Novi. When considered with adjacent Priority Two and Priority Three Areas and additional regulated woodland, such as Wildlife Woods Park to the west, the onsite woodland serves as an important stepping stone

2200 Commonwealth
Boulevard, Suite 300
Ann Arbor, MI
48105

(734)
769-3004

FAX (734)
769-3164

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feature in the landscape connecting the only two Priority One Areas designated in the City, near Walled and Island Lakes, respectively (see attached map).

Based on historical aerial photographs, the property was predominantly farm field circa 1949, with woodland associated with only the northernmost wetlands. Reforestation of the property progressed throughout the following decades, first in association with the wetlands and later in the upland portions of the site. As a result, the northern and wetland portions of the site contain the highest quality, most mature woodland vegetation. In particular, the northern third of the parcel adjacent to the sanitary sewer right-of-way and Providence Hospital property contains high quality forested wetland and upland mesic southern forest.

During the February 8, 2010 field visit, ECT observed that the northern portion of the site was dominated by sugar maple, northern red oak, American elm, white ash, red maple, shagbark hickory, ironwood, American beech, and musclewood in the upland overstory and understory. The forested wetland areas were dominated by large-diameter eastern cottonwood, silver and red maple, red ash, and bur oak in the overstory and maple, ash, elm, musclewood, and silky dogwood in the understory. The woodland groundcover was intact, with a diverse composition of native tree seedlings, shrubs, forbs, and graminoids. The diversified age structure of the woodland is also noteworthy, ranging from seedlings and understory saplings to mature overstory trees with 20-inch dbh or more. The woodland understory contained relatively few invasive species and significant amounts of native tree advanced regeneration. Advanced regeneration consists of understory trees positioned to move into the overstory as mature trees die or blow over, opening gaps in the canopy. The upland southern two-thirds of the property were dominated by native pioneer species, including American elm, white ash, black cherry, and grey dogwood in the woodland areas and grey and silky dogwood, eastern redcedar, and ground juniper in the area that was cultivated the longest. This area also had low invasive species density, especially considering the past land use history of this portion of the property. See attached site photographs.

Woodland Impact Review

Per summary calculations in the lower right-hand corner of the revised *Tree Removal and Preservation Plan* (Sheet L-2), the Plan proposes the removal of 52 trees with dbh greater than or equal to 8 inches, requiring 73 replacement credits, all of which are to be provided onsite. ECT found the legibility of the revised *Tree Removal and Preservation Plan* (Sheet L-2) to be much improved and was able to complete a comparison of impacts depicted on the plan drawing to the impacts listed in the Tree Survey Schedule. During this comparison, ECT noted the following issues:

1. The trees depicted to be removed on the revised *Tree Removal and Preservation Plan* (Sheet L-2) now match those shown as being removed in the Tree Survey Table on the same sheet. However, based on the plan and table, ECT found that the 52 live regulation-size trees proposed for removal require 76 replacement credits, i.e. three more credits than shown in the lower right-hand corner of Sheet L-2.
2. Tree #45, requires one replacement credit, which should be added to the far right column (numbers shown in parentheses) of the Tree Survey Schedule on Sheet L-2. The remaining two credit discrepancy is likely due to an adding error.

In addition to the two issues noted above, ECT has the following concerns and requests for clarification related to regulated woodland impacts:

3. Although the approximate location of tree protection fencing is now depicted on the Plan (Sheet L-2), the limits of grading associated with the project and the critical root zones for all regulated trees within 50' of proposed grading or construction activities have not been depicted on the Plan, as required by Sec. 37-9(a)(1) of the Woodland Protection Ordinance. ECT is concerned that additional regulated woodland tree impacts may occur, if protective fencing cannot be field located at or beyond the critical root zones of trees at the time of construction.

4. ECT understands that the existing overhead electric utility running east-west across the south side of the property will be relocated underground per the utility company between the two entry drives (Sheet C-2). Relocation of this utility underground has the potential to impact numerous regulated trees and understory and groundcover vegetation in the forested wetland on the west side of the property. Therefore, ECT would like the point of transition from overhead to underground utility location to be clarified and depicted graphically on the Plan.

Woodland Replacement Review

Per landscape Sheets L-4, L-5, L-6, and L-8, ECT found that the Plan proposes 59 deciduous trees (59 woodland replacement credits), 14 evergreen replacement trees (9 woodland replacement credits), and 36 large shrubs (6 woodland replacement credits) to be placed onsite, for a total of 74 woodland replacement credits. Please note that eastern larch is a deciduous species with a 1:1 replacement ratio. ECT is concerned with the following issues relating to woodland replacement credits and regulated woodland restoration:

1. The woodland replacement credits depicted in the plan drawings and the woodland credits presented in the Woodland Reforestation Table on Sheet L-5 fall two credits short of the 76 credits required given regulated woodland tree impacts on Sheet L-2.
2. Some replacement material continues to be proposed too close to structures and/or underground utilities and their easements. ECT continues to encourage the placement of native woodland credits back into the forested wetland along the southwest side of the property, within the floodplain compensating cut area, outside of the driveway loop adjacent to remaining regulated woodland, and along the sewer line north of the development. Replacement material should not be located 1) within 10' of built structures or the edges of utility easements and 2) over underground utilities or within their associated easements. ECT understands that the sanitary sewer and sewer easement north of development will be ~20' deep and will be difficult to access within a 20' easement for maintenance. ECT asks that in this location, no replacement materials are located within 20' of either side of the sewer line (40' effective planting buffer). Specifically, the following planting locations are not appropriate for woodland replacement material:
 - a. Sheet L-5: two bur oaks 5'-6' from sidewalk in southwest corner of property; less than 20' available between this sidewalk and edge of sanitary sewer easement, so 10' setback from both not possible.
 - b. Sheet L-5: four of six trees around Basin N-1 only 5-6' from water main easement and future building addition.
 - c. Sheet L-5: tuliptree north of loop drive only 15' from sanitary sewer easement.
 - d. Sheet L-5: five trees only 5'-8' from stormwater pipe between Basins S-1 and S-2.
 - e. Sheet L-6: sugar maple only 6' from asphalt trail edge on east side of property.
3. No proposed conservation easement has been depicted in the Plan. A significant portion of the proposed woodland replacement credits are located outside of the conservation easement formerly submitted with the Preliminary Site Plan (see attached plan). ECT is very concerned that the "gourd-shaped" forested/scrub-shrub wetland and part of the buffer expansion area for the 25' natural features setback on the west side of the site, north-central adjacent upland forest, and floodplain compensating cut portions of the onsite regulated woodland are *not* proposed within the conservation easement. As currently proposed, the conservation easement fails to provide long-term protection for woodland replacement credits and significant site natural features. Future impacts to these natural features would result in significant fragmentation of the regulated woodland onsite, resulting in a loss of interior/core wildlife habitat and increase in lower quality edge habitat. Existing native vegetation in these areas should be left intact and undisturbed and be protected by a conservation easement.

4. ECT has a couple of concerns regarding native groundcover vegetation that will be used to restore regulated woodland areas impacted by floodplain compensating cut, sewer line installation, and temporary wetland impacts:
 - a. Sheet L-11: *Carex lupuliformis* specified in the Wetland Seed Mix is listed as a state threatened plant. To avoid introducing non-local genotypes of a rare species and regulatory concerns, ECT recommends substituting the more common *Carex lupulina*.
 - b. Sheet L-11: *Vernonia fasciculata* specified in the Wetland Seed Mix is not native to Michigan. ECT recommends substituting the native *Vernonia missurica*.
 - c. Sheet L-9: *Vinca minor* specified as part of the building foundation plantings is an invasive species known to outcompete native woodland groundcover species. Although this species is proposed in entrance planters, ECT is concerned landscape maintenance clippings may someday be dumped in or adjacent to the woodlands on the site and escape cultivation, as this species aggressively spreads by vegetative reproduction. Given the general lack of invasive species on the property and intact nature of the native woodland groundcover, ECT strongly recommends that a non-invasive groundcover species is used as a substitute for myrtle.

Site Plan Compliance with Ordinance Chapter 37 Standards

The Plan lacks several items necessary for compliance with the Site Plan standards. The following information must be provided in the Final Site Plan:

1. Graphic depiction of the limits of grading/disturbance on Sheet L-2 in relation to regulated woodland and regulation-size trees,
2. For regulated trees depicted as being saved within 50' of proposed grading or construction activity boundaries, graphic depiction of the trees' critical root zones to show impact will be avoided and correct placement of tree protection fence,
3. Corrected tree replacement values as outlined above,
4. Corrected replacement material locations and species as outlined above,
5. Corrected reforestation credit table as outlined above, and
6. Graphic depiction of the conservation easement relative to woodland replacement credits.

Recommendation

ECT recommends conditional approval of the Revised Preliminary Site Plan, contingent upon the Applicant satisfactorily addressing the comments outlined above. ECT understands that the Applicant intends to address these comments at the time of Final Site Plan submittal. Changes will be required to address the specific issues and corrections outlined above and bring the Plan into compliance with the City of Novi Woodland Protection Ordinance Chapter 37 standards. ECT recommends that a Final Site Plan be submitted once utility installation/relocation, grading impacts to onsite regulated woodland, and woodland protective fencing placement relative to critical root zones are better understood and can be depicted graphically. The location of some of the woodland replacement material should be revised to avoid built structures, underground utilities, and their easements. The existing regulated woodland to remain onsite is the preferred location for woodland replacement credits and should receive priority over locations in developed areas, as it provides an excellent opportunity for the long-term survival of the plant material.

ECT applauds the Applicant's use of a conservation easement to protect the important natural features of the site but is concerned that so many of the site's natural features, including the core portion of onsite regulated woodland and a forested/scrub-shrub wetland, have been excluded from the proposed easement. ECT strongly encourages the Applicant to expand the boundaries of the conservation easement to protect additional

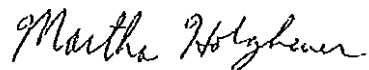
Medilodge of Novi (SP#10-05B)
Revised Preliminary Review for Woodlands
April 29, 2011
Page 5

forested/scrub-shrub wetland, high quality connected upland forest, and compensated floodplain and to prevent further loss of core/interior woodland habitat within a Priority Three Conservation Area.

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

Respectfully submitted,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.








Martha Holzheuer, ISA Certified Arborist, ESA Certified Ecologist
Landscape Ecologist

cc: Kristen Kapelanski
David Beschke
Angela Pawlowski

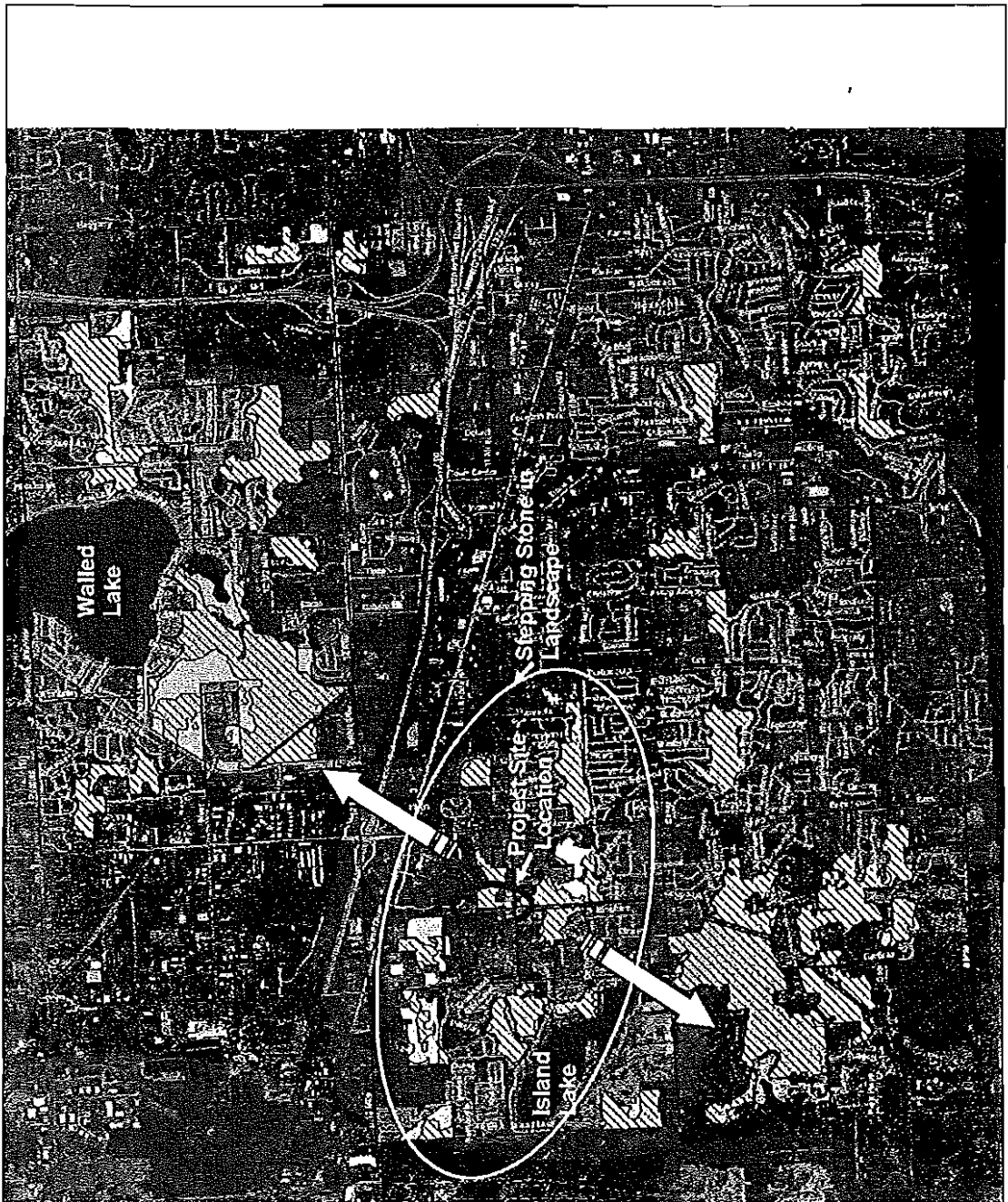


City of Novi
Natural Areas

-  Novi Woodland
-  Natural Areas 2004
-  Priority One
-  Priority Two
-  Priority Three



City of Novi, Michigan





Above: Forested/scrub shrub Welland A-B west side of property
Below: Forested/scrub shrub Welland A-B east side of property





Above: Low density woodland north of development, opportunity for planting replacement credits
Below: Low density woodland north of development, opportunity for planting replacement credits





Above: High quality mesic southern forest north end of property
Below: High quality forested wetland northeast corner of property, wetland C-D





Above: Large northern red oak in high quality mesic southern forest and forested wetland north end of property
Below: High quality mesic southern forest and forested wetland northeast corner of property, wetland C-D





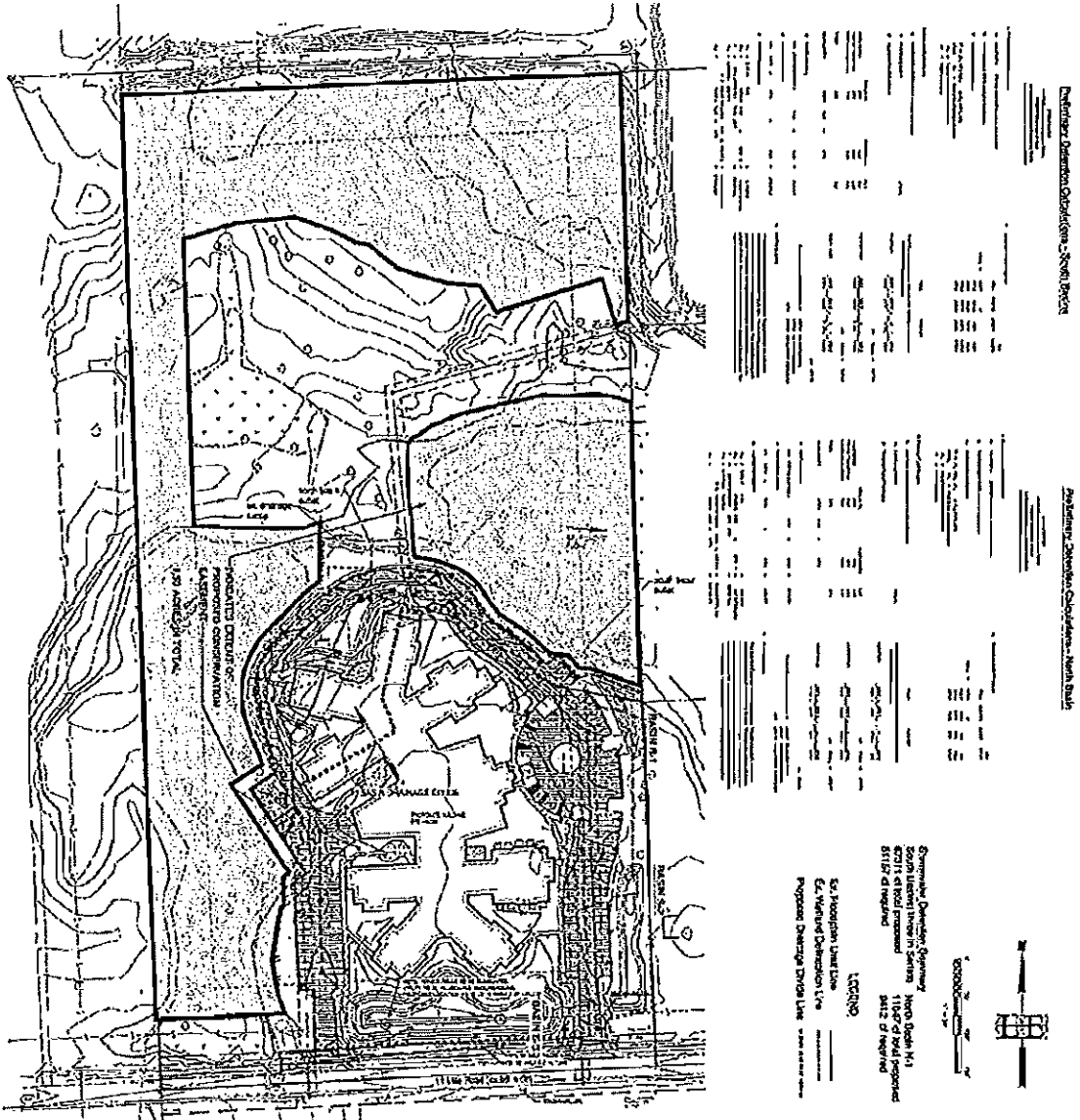
Above: High quality forested wetland northwest corner of property, wetland E
Below: High quality mesic southern forest northwest end of property





Above: High quality mesic southern forest to be impacted by east end of sewer line
Below: High quality mesic southern forest to be impacted by east end of sewer line





Proposed Building Footprint - North Side

Area	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
Proposed Building Footprint	11,847	11,847	11,847
Proposed Parking Areas	1,200	1,200	1,200
Proposed Driveway	1,000	1,000	1,000
Total	14,047	14,047	14,047

Proposed Building Footprint - South Side

Area	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
Proposed Building Footprint	11,847	11,847	11,847
Proposed Parking Areas	1,200	1,200	1,200
Proposed Driveway	1,000	1,000	1,000
Total	14,047	14,047	14,047

Proposed Building Footprint
 11,847 sq. ft. of total proposed
 11,847 sq. ft. of total proposed
 11,847 sq. ft. of total proposed

Proposed Parking Areas
 1,200 sq. ft. of total proposed
 1,200 sq. ft. of total proposed
 1,200 sq. ft. of total proposed

Proposed Driveway
 1,000 sq. ft. of total proposed
 1,000 sq. ft. of total proposed
 1,000 sq. ft. of total proposed

Legend

Symbol	Description
(Symbol)	Proposed Building Footprint
(Symbol)	Proposed Parking Areas
(Symbol)	Proposed Driveway
(Symbol)	Proposed Access Road
(Symbol)	Proposed Utility Lines
(Symbol)	Proposed Erosion Control
(Symbol)	Proposed Stormwater Management
(Symbol)	Proposed Landscaping
(Symbol)	Proposed Site Elevation
(Symbol)	Proposed Site Grading
(Symbol)	Proposed Site Drainage
(Symbol)	Proposed Site Utilities
(Symbol)	Proposed Site Access
(Symbol)	Proposed Site Erosion Control
(Symbol)	Proposed Site Stormwater Management
(Symbol)	Proposed Site Landscaping
(Symbol)	Proposed Site Elevation
(Symbol)	Proposed Site Grading
(Symbol)	Proposed Site Drainage
(Symbol)	Proposed Site Utilities
(Symbol)	Proposed Site Access

PROJECT INFORMATION

PROJECT NAME: MED LODGE OF NOVI
 PROJECT LOCATION: 11111 MED LODGE DRIVE, NOVI, MI 48240
 PROJECT OWNER: MED LODGE OF NOVI
 PROJECT ARCHITECT: [Firm Name]
 PROJECT ENGINEER: [Firm Name]

DESIGN INFORMATION

DESIGN DATE: [Date]
 DESIGN SCALE: [Scale]
 DESIGN STATUS: [Status]

REVISIONS

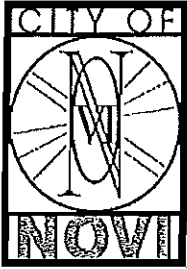
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	04/29/11
2	REVISIONS	04/29/11
3	REVISIONS	04/29/11
4	REVISIONS	04/29/11
5	REVISIONS	04/29/11

APPROVALS

DESIGNED BY: [Name]
 CHECKED BY: [Name]
 IN CHARGE: [Name]
 PROJECT ENGINEER: [Name]

DATE PLOTTED: 04/29/11
SCALE: AS SHOWN

FIRE REVIEW



May 2, 2011

TO: Barbara McBeth, Deputy Director of Community Development, City of Novi

RE: Medilodge of Novi

SP#: SP10-05B, Revised Preliminary Site Plan

Project Description:

67,148 S.F., Single Story, 90 Room, 100 Bed Skilled Nursing Facility

Comments:

The below comments are from my March 9, 2010 review letter of the Preliminary Site Plan submittal. These items have not been adequately addressed. However, the applicants reply letter states they will be addressed in the Final Site Plan submittal.

1. The fire code requires the location of the fire department connection to be located on the front/address side of the building, in an accessible location, within 100' of a hydrant. The applicant has shown the FDC on the rear of the building in the loading dock area. This location is not acceptable.
 - *The FDC shall be located near the front/main entrance. See the attached plan with the location indicated.*
2. The hydrant placements shall be adjusted in the following manner to provide better hydrant spacing and location. (See the attached plan):
 - *Hydrant #2 shall be moved 100' north and located in the island on the east (building) side of the drive.*
 - *Hydrant #3 shall be moved 50' northeast.*
 - *Hydrant #4 shall be moved 100' south in the end island on the west (building) side of the drive.*

Recommendation:

The plan is **Recommended for Approval** with the condition that the above items be corrected in the final site plan submittal.

Sincerely,

Michael W. Evans
Fire Marshal

cc: file

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Bob Gatt

Terry K. Margolis

Andrew Mutch

Dave Staudt

Justin Fischer

Wayne Wrobel

City Manager
Clay J. Pearson

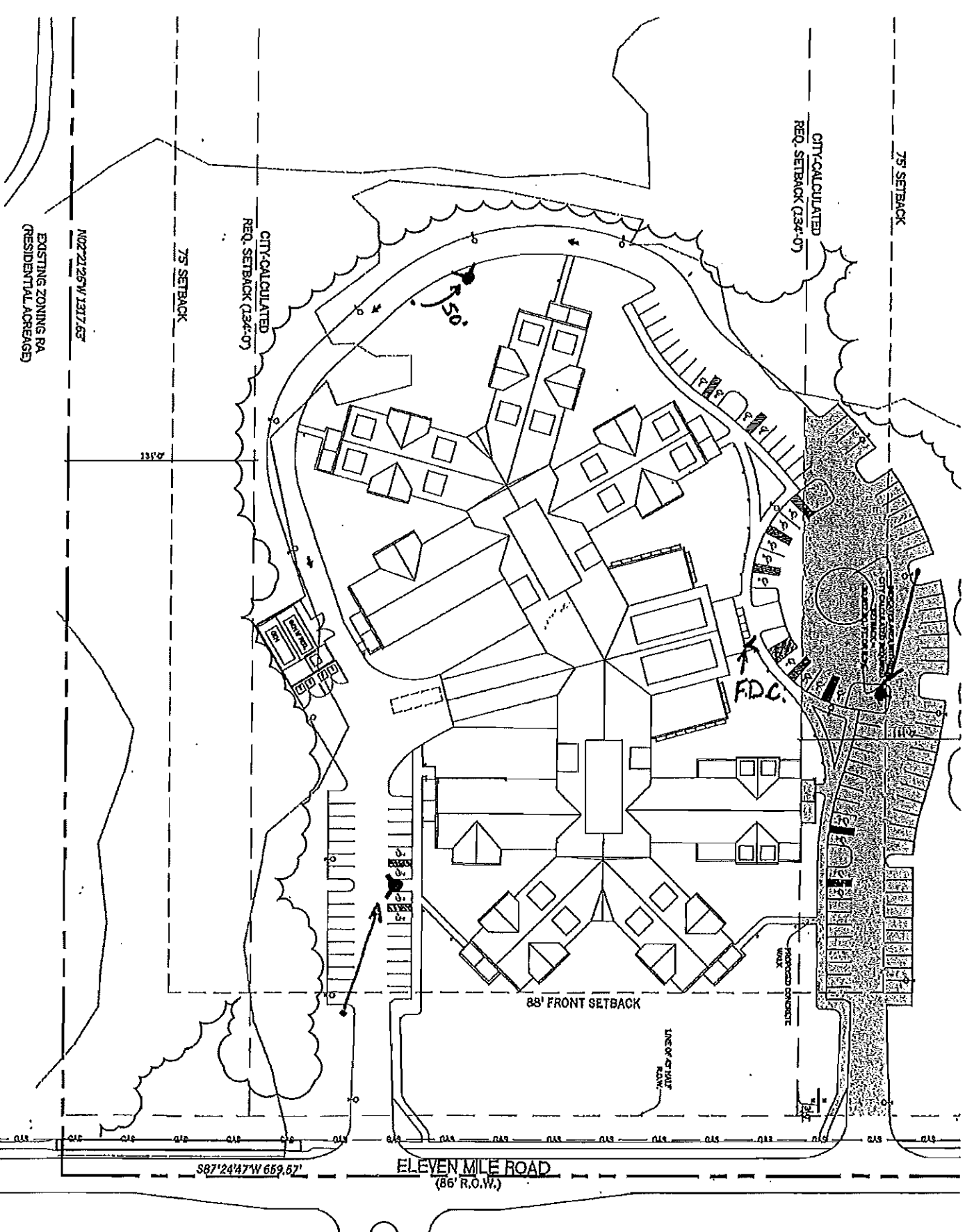
Director of Public Safety
David Molloy

Director of Fire and EMS
Jeffrey Johnson

Novi Fire Department
46125 W. Ten Mile Rd.
Novi, Michigan 48375
248.349-2162
248.347-0670 fax

cityofnovi.org

ABRUZZESE/ITALIAN CITE DI ANI



PROJECT:
 PROPOSED
 SITE CALCU

CLIENT:
 MEDILODGE

DATE:
 11/17/87

KEY PLAN

NO. 2125' W 1317.65'
 EXISTING ZONING RA
 (RESIDENTIAL ACREAGE)

CITY-CALCULATED
 REQ. SETBACK (134'-07")

CITY-CALCULATED
 REQ. SETBACK (134'-07")

75' SETBACK

75' SETBACK

88' FRONT SETBACK

ELEVEN MILE ROAD
 (66' R.O.W.)

S87°24'47"W 659.87'

LINE OF 42' PAINT
 REPAIR

PROPOSED CONCRETE
 WALK

F.D.C.

50'

APPLICANT RESPONSE LETTER



412 S. Washington Street Suite 100
Royal Oak, MI 48067-3824
Phone: (248) 336-2501
Fax: (248) 336-2107

Info@jwdstudio.com
www.jwdstudio.com

May 26, 2011

Proposed MediLodge of Novi Novi, Michigan

Response to Rezoning and Preliminary Site Plan review

PLANNING REVIEW

ORDINANCE REQUIREMENTS

1. Barrier Free Spaces: Per the Barrier Free Code, one of every six barrier free spaces must be van accessible. Twenty-one barrier free spaces have been provided but only one of those is van accessible. **The applicant should alter the plans so that four of the twenty-one barrier free spaces are van accessible. One sign should be provided for each barrier free space.** The plans do not provide details concerning the ramps or access for barrier free spaces along the main entrance. **The applicant should provide details showing whether these spaces will be flush with the adjacent sidewalk or whether ramps will be provided.**
These revisions will be incorporated as part of our final site plan submission.
2. Loading Space: Approximately 360 square feet of loading space has been provided. **The proposed loading zone should be clearly indicated with the appropriate striping.**
These revisions will be incorporated as part of our final site plan submission.
3. Dumpster Screening: Dumpster screening one foot taller than the proposed should be provided. Interior bumper or posts must be shown. **The applicant should include the height of the dumpster on the screening details and indicate protective bollards.**
These revisions will be incorporated as part of our final site plan submission.
4. Photometric Plan – Required Notes: **The applicant should include the hours of operation and required notes on the photometric plan.**
These revisions will be incorporated as part of our final site plan submission.

5. Minimum/Maximum Illumination: Light levels seem particularly high at the borders of the parking on the eastern and western property lines. **The applicant may want to consider reducing light levels at these locations, particularly at the southeastern border of the parking lot due to the adjacent single family residence.** When a site abuts a residential district, maximum illumination at the property line shall not exceed 0.5 foot candle. **The applicant should provide illumination levels at the property line.**

Item indicates that we meet the requirements. Comments mention to consider lowering lighting level in the southeastern border of the parking lot due to the adjacent single family residence. We recommend not changing the lighting layout because:

1. At the location indicated we are already between 0.0fc and 0.1fc which is far below the maximum allowed at a residential property line – 0.5 fc (per 2511.3.k).

2. Changing the layout will cause us to not meet the Average/Min requirements of 2511.3.e without adding additional fixtures.

6. On-Site Sidewalk: The proposed plans show a sidewalk along the majority of the eastern side of the building. However, the sidewalk along the western side of the building does not extend the full length of the building or loop around the access drive. **The applicant should consider providing a sidewalk along the access drive and connecting the internal sidewalk to the regional pathway proposed as part of the public benefit.**

These revisions will be incorporated as part of our final site plan submission.

7. Future Addition: Sheet A2 shows a future addition. No future additions have been proposed for approval as part of this plan submittal. **Unless the applicant would like to include this area as part of the PRO concept plan and site plan review process, references to future additions should be removed from the plans.**

These revisions will be incorporated as part of our final site plan submission.

8. Facade: The subject property is anticipated to be included in the new Suburban Low-Rise District as part of the Master plan update. Buildings in this new district should have a residential character to their façade, including peaked roofs, dormers, covered porches, etc. The applicant has included some of these features as part of their proposal but **per the City Council preliminary approval motion (March 8, 2010) the applicant should incorporate additional features of the proposed Suburban Low-Rise concept as stated in the Façade Consultant's review letter, dated February 16, 2010.**

Revisions have been made to address the Façade Consultant's comments in his review letter and have been included in this submittal.

9. Conservation Easement: The applicant should include the "gourd-shaped" wetland identified in the wetland review letter in the proposed conservation easement or otherwise explain why this regulated natural feature cannot be included.

The wetland area will be maintained at this time, but could be mitigated in the future to allow the use of the remaining buildable land.

ENGINEERING REVIEW

ADDITIONAL COMMENTS (to be addressed prior to the Final Site Plan submittal):

Comments:

The Preliminary Site Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual with the following items to be addressed at the time of final Site Plan submittal [further engineering detail will be required at the time of the final site plan submittal):

1. Address the comments submitted on the March 8, 2010 preliminary review letter at the time of final site plan submittal. Additional Comments to the March 8, 2010 letter (to be addressed with Final Site Plan submittal):

All of the March 8, 2010 comments will be addressed in the Final Site Plan Submittal.

Storm Sewer

2. Label all inlet structures and provide rim and invert elevations.

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

1. Label all storm sewer outlet structures and provide invert elevations. Storm Water Management Plan

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

2. Provide brief narrative of the storm water management plan explaining the process of the overall system [suggested].

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

Paving & Grading

3. Provide pavement grades and a typical cross-section of the pathway.
The following must be provided at the time of Preliminary Site Plan re-submittal:

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

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

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

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

5. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. *The cost estimate must be itemized for each utility (water, sanitary, storm sewer), on-site paving. Right-of-way paving [including proposed right-of-way], grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).*

The itemized cost estimate will be addressed in the Final Site Plan Submittal, as required.

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

6. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.

These items will be addressed in the Stamped Set Submittal, as indicated.

7. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.

These items will be addressed in the Stamped Set Submittal, as indicated.

8. A draft copy of the 40-foot wide easement for the sanitary sewer to be constructed on the site must be submitted to the Community Development Department.

These items will be addressed in the Stamped Set Submittal, as indicated.

9. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

These items will be addressed in the Stamped Set Submittal, as indicated.

The following must be addressed prior to construction:

10. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchloni in the Community Development Department to setup a meeting (248-347-0430).

These items will be addressed prior to construction, as indicated.

11. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.

These items will be addressed prior to construction, as indicated.

12. An NPDES permit must be obtained from the MDEQ because the site is over 5 acres in size. The MDEQ requires an approved plan to be submitted with the Notice of Coverage.

These items will be addressed prior to construction, as indicated.

13. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.

These items will be addressed prior to construction, as indicated.

14. A permit for work within the right-of-way of Eleven Mile Road must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.

These items will be addressed prior to construction, as indicated.

15. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.

These items will be addressed prior to construction, as indicated.

16. A permit for sanitary sewer construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.

These items will be addressed prior to construction, as indicated.

17. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.

These items will be addressed prior to construction, as indicated.

18. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.

These items will be addressed prior to construction, as indicated.

19. An incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted prior to TCO, at which time it may be reduced based on percentage of construction completed.

These items will be addressed prior to construction, as indicated.

20. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.

These items will be addressed prior to construction, as indicated.

21. Permits for the construction of each retaining wall must be obtained from the Community Development Department (248-347-0415).

These items will be addressed prior to construction, as indicated.

ETC (Onsite Woodland Evaluation):

All revisions from the ETC review will be incorporated as part of our final site plan submission.

City of Novi – Fire Marshall Review

Comments:

The below comments are from my March 9, 2010 review letter of the Preliminary Site Plan submittal. These items have not been adequately addressed. However, the applicants reply letter states they will be addressed in the Final Site Plan submittal.

1. The fire code requires the location of the fire department connection to be located on the front/address side of the building, in an accessible location, within 100' of a hydrant. The applicant has shown the FDC on the rear of the building in the loading dock area. This location is not acceptable.

- *The FOG shall be located near the front/main entrance. See the attached plan with the location indicated.*

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

2. The hydrant placements shall be adjusted in the following manner to provide better hydrant spacing and location. (See the attached plan):

- *Hydrant #2 shall be moved 100' north and located In the island on the east (building) side of the drive.*
- *Hydrant #3 shall be moved 50' northeast.*
- *Hydrant #4 shall be moved 100' south in the end island on the west (building) side of the drive.*

All of these additional comments will be addressed in the Final Site Plan Submittal, as required.

Thank you again for this review and comments. Please review these revisions and contact me should you have any additional comments.

Sincerely,



Daniel F. DeRemer AIA
Architect

JW Design Architectural Studio

**APPROVED PLANNED REZONING
OVERLAY AGREEMENT
(SIGNATURES REQUIRED)**



July 20, 2011

30901 Northwestern Highway
P.O. Box 3040
Farmington Hills, MI 48333-3040
Tel: 248-851-9500
Fax: 248-851-2158
www.secretwardle.com

KRISTIN BRICKER KOLB
Direct 248-539-2537
kbrb@secretwardle.com

Alan J. Schwartz, Esq.
Jacob & Weingarten, P.C.
2301 W. Big Beaver Road, Suite 777
Troy, Michigan 48084

Re: Medilodge Planned Rezoning Overlay Agreement

Dear Mr. Schwartz:

Enclosed please find two copies of the final version of the Medilodge Planned Rezoning Overlay Agreement, as approved by the Novi City Council this past Monday, July 18, 2011. Attached to the Agreement are the three exhibits as provided to us by the City Community Development Department. Please have your client sign both copies of the Agreement, and return to me. I will arrange for signatures from the appropriate City officials, and return to you a fully executed copy.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Kristin Bricker Kolb

KBK:jw

Enclosures

cc (w/out Enc.): Barbara McBeth, Deputy Community Development Director

1683621_1

PLANNED REZONING OVERLAY (PRO) AGREEMENT
NOVI REAL ESTATE, LLC.

THIS PLANNED REZONING OVERLAY (PRO) AGREEMENT (this "Agreement") is made as of the ___ day of _____, 2011, by and among NOVI REAL ESTATE, LLC, whose address is 64500 Van Dyke Road, Washington, Michigan 48095, (herein referred to as "Owner/Developer"), and the CITY OF NOVI, whose address is 45175 West Ten Mile Road, Novi, MI 48375-3024 ("City").

RECITATIONS:

- I. Owner/Developer is the fee owner of the "Land" described on Exhibit A, attached and incorporated herein. For purposes of this Agreement, the Land includes one parcel of property that is proposed to be developed with a maximum 120-bed convalescent (nursing) home with centralized dining and physical therapy facilities and customary accessory uses (sometimes referred to hereinafter as the "Facility"). The Land is approximately 20.05 acres in area, Parcel I.D. No. 50-22-17-400-002.
- II. For purposes of improving and using the 20.05 acre parcel for an approximately 79,000 square foot convalescent (nursing) home with centralized dining and physical therapy facilities and customary accessory uses, Owner/Developer petitioned the City for an amendment of the Zoning Ordinance to reclassify the Land from R-3, One Family Residential, to RM-1, Low-Density, Low-Rise, Multiple Family Residential. The R-3 classification shall be referred to as the "Existing Classification" and the RM-1 classification shall be referred to as the "Proposed Classification."
- III. The Proposed Classification would provide the Owner/Developer with certain material development options with respect to the Land that are not available under the Existing Classification, and that would be a distinct and material benefit and advantage to the Owner/Developer. The Proposed Classification is largely consistent with recently adopted amendments to the City's Master Plan for Land Use showing the Land as part of the proposed Suburban Low-Rise District. If finalized through Zoning Ordinance adoption, subject to regulations to be proposed.

SECRET WARDLE

- IV. The City has reviewed the Owner/Developer's proposed petition to amend the zoning district classification of the Land from the Existing Classification to the Proposed Classification under the terms of the Planned Rezoning Overlay (PRO) provisions of the City's Zoning Ordinance; has reviewed the Owner's proposed PRO Plan (including building façade, elevations, and design) attached hereto and incorporated herein as Exhibit B (the "PRO Plan"), which is a conceptual or illustrative plan for the potential development of the Land under the Proposed Classification, and not an approval to construct the proposed improvements as shown; and has reviewed the proposed PRO Conditions offered by the Owner/Developer described in Recital V immediately below.
- V. In petitioning for rezoning to the Proposed Classification, Owner/Developer has expressed as a firm and unalterable intent that Owner/Developer will develop and use the Land in conformance with the following conditions, referred to as the "PRO Conditions":
- A. Owner/Developer shall develop and use the Land solely for a maximum 79,000 square foot, maximum 120-bed convalescent (nursing) home with centralized dining and physical therapy facilities and customary accessory uses, as set forth on the PRO Plan. Owner/Developer shall forbear from developing and/or using the Land in any manner other than as authorized and/or limited by this Agreement.
- B. Subject to the terms and conditions of this Agreement and the PRO Ordinance, Section 3401, *et seq.*, of the Zoning Ordinance, Owner/Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations of the City pertaining to such development required under the Proposed Classification, including all applicable height, area, and bulk requirements of the Zoning Ordinance as relates to the Proposed Classification, except as expressly authorized herein.

The PRO Plan is acknowledged and agreed by both the City and Owner/Developer to be a conceptual plan for the purpose of depicting the general area contemplated for development on the Land. The owner of the Land will be required to obtain site plan approval for the development of the improvements to be constructed on the Land in accordance with the terms of the PRO Ordinance.

Some deviations from the provisions of the City's ordinances, rules, or regulations as to the convalescent/nursing home are depicted in the PRO Plan, as specifically described below, and are approved by virtue of this Agreement. However, except as to such specific deviations enumerated herein, the development of the Land under the requirements of the Proposed Classification shall be subject to and in accordance with all applications, reviews, approvals, permits, and authorizations required

under applicable laws, ordinances, and regulations pertaining to such development—including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, façade approval, landscape approval and engineering plan approval, and payment of review and inspection fees and performance guarantees pertaining to the proposed development of the Land.

The building design, façade, and elevations shall be substantially similar (as determined by the City) to that submitted as part of the Owner/Developer's final approval request, as depicted in Exhibit B, or as the same shall be approved by the City in connection with the site plan approval of the improvements to be constructed on the Land, it being acknowledged and agreed that the final site plan may be modified if approved by the City.

The PRO plan shows approximately 73 woodland replacement trees, many of which are located outside of the proposed Conservation Easement. The replacement trees shall not be removed and shall be provided and maintained on site in accordance with the woodland ordinance and the requirements of the zoning ordinance. Any changes to the site with regard to woodland replacement trees is subject to review and approval by the City in accordance with all applicable provisions of the City Code and zoning ordinance.

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

(1) Limitations on Use. Owner/Developer hereby agrees that the use of the Land shall be limited to convalescent (nursing), congregate care and assisted living facility with customary accessory uses.

(2) Limitations on Size. Owner/Developer hereby agrees that the size of the convalescent/nursing facility shall be limited to 79,000 square feet, and a maximum of 120 patient beds.

(3) Creation of a Conservation Easement. Owner/Developer shall place 8.5 acres of the Land located in the northern section of the Land in a perpetual conservation easement in a form to be determined by the City and reasonably satisfactory to Owner/Developer. A plan depicting the area of the conservation easement is attached as Exhibit C.

(4) Dedication of Public Pathway. Owner/Developer shall construct a path (the "Path") through the preserved area of the Land that shall be open for public pedestrian use as shown on Exhibit B and as further approved by the City during the site plan approval process. Owner/Developer will use its best efforts and work in good faith with representatives of the

adjacent Providence Park, the City and/or representatives from ITC to construct the Path and to connect the Path with the paths in the adjacent preserved areas and the adjacent Providence Park. Owner/Developer shall further construct a path on the adjacent International Transmission Company ("ITC") corridor which shall connect with the Path located on the Land. Unless ITC shall refuse to allow Owner/Developer access to the ITC corridor for purposes of constructing the ITC Path, Owner/Developer shall construct the ITC Path prior to issuance of a temporary certificate of occupancy ("TCO") for the Facility. The ITC Path shall be constructed in the location agreed to and in accordance with the requirements of both the City and ITC. If the ITC Path is not constructed prior to a request for a TCO, Owner/Developer shall pay to the City the estimated cost to construct the ITC Path, as determined by the detail attached hereto as Exhibit B as a condition to issuance of a TCO, and Owner/Developer shall have no further obligation with respect to the ITC Path.

To the extent permits are required for work in regulated wetlands or woodlands, as identified in the approved plans for the ITC Path, any costs associated with such permits shall be the responsibility of Owner/Developer; provided, however, that the party constructing the ITC Path shall be responsible for applying for such permits in conjunction with ITC. Notwithstanding the foregoing, issuance of a TCO shall not be contingent upon actual receipt of any required wetland or woodland permits, provided the necessary applications have been submitted to the governmental entity having jurisdiction.

(5) Placement of Sanitary Sewer. Owner/Developer shall construct the required sanitary sewer along the north side of Eleven Mile Road as shown on Exhibit B and as further approved by the City during the site plan approval process.

- VI. The parties acknowledge that this Agreement contains terms and conditions in addition to the PRO Conditions, all of which are binding on Owners/Developers.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

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

Upon the Proposed Classification becoming final following entry into this Agreement, and as otherwise provided in the PRO Ordinance, Section 3401 *et seq.* of the City's Zoning Ordinance:

- a. No use of the Land shall be allowed except the use shown on the PRO Plan, Exhibit B incorporated herein, for a maximum 120-bed, approximately 79,000 square foot convalescent (nursing), congregate care

and assisted living facility with centralized dining and physical therapy facilities and customary accessory uses. Site plan review for the development of the Land is required in accordance with the terms of the City's Ordinances; provided, however, that modifications to the improvements to be constructed on the Land shall be permitted subject to the City's approval;

- b. Owner/Developer and its successors, assigns, and/or transferees shall act in conformance with the PRO Plan and PRO Conditions, including the provision of the Public Benefits/Public Improvements, all as described above and incorporated herein;
 - c. Owner/Developer and its successors, assigns, and/or transferees shall forbear from acting in a manner inconsistent with the PRO Plan and PRO Conditions, and the Public Benefits/Public Improvements, all as described in the Recitations above and incorporated herein; and
 - d. Owner/Developer shall commence and complete all actions reasonably necessary to carry out the PRO Plan and all of the PRO Conditions and Public Benefits/Public Improvements, all as described in the Recitations above and incorporated herein.
2. The following deviations from the standards of the City's Zoning Ordinance with respect to the Land are hereby authorized pursuant to Section 3402.D.1.c of the City's Zoning Ordinance:
- (a) the permitted maximum building length of 360 feet shall be increased to 492 feet;
 - (b) the minimum exterior side yard setback of 134 feet shall be reduced to 123 feet on the east side of the building;
 - (c) the dumpster and dumpster enclosure shall be permitted in the interior (western) side yard;
 - (d) the required 4.5 – 6 foot high landscape berm along the west and north property lines is hereby waived due to an existing adequate natural boundary.
 - (e) the required 4.5 – 6 foot high landscape berm along the east property line is hereby waived, and Owner/Developer shall increase the landscape plantings along this property line to assist in providing a buffer for the adjacent residential property.
 - (f) the requirement that a multiple dwelling structure located along an outer perimeter property line adjacent to another residential district be

oriented at a minimum angle of forty-five (45) degrees to said property line is hereby waived.

(g) a façade waiver is hereby granted to address the underage in the required brick façade, and an overage in the maximum use of asphalt shingles on the convalescent (nursing) facility.

3. Owner/Developer acknowledges that the City has not required the submission of the PRO application, the PRO Plan, or the PRO Conditions, including the Public Benefits/Public Improvements. The PRO application, the PRO Plan, and the PRO Conditions, including the Public Benefits/Public Improvements, have been voluntarily offered by Owner in order to provide an enhanced use and value of the Land, to protect the public safety and welfare, and to induce the City to rezone the Land to the Proposed Classification so as to provide material advantages and development options for the Owner/Developer.
5. Each of the provisions, requirements, and conditions in this Agreement represents a necessary and reasonable measure, which, when considered with all other conditions and requirements, is roughly proportional to the burdens and increased impact that will be created by the uses allowed by the approved rezoning to the Proposed Classification, taking into consideration the changed zoning district classification and the specific use authorization granted.
6. In the event the Owner/Developer or its respective successors, assigns, and/or transferees attempt to proceed, or do proceed, with actions to complete improvement of the Land in any manner other than as a maximum 120-bed, approximately 79,000 square foot convalescent (nursing), congregate care and assisted living facility with centralized dining and physical therapy facilities and customary accessory uses, as shown on Exhibit B, the City shall be authorized to revoke all outstanding building permits and any certificates of occupancy issued for such building and use on the Land. The rights in this Paragraph 6 are in addition to the legal and equitable rights that the City has by statute, ordinance, or other law.
7. In addition to the provisions in Paragraph 6 above with respect to development of the Land, in the event the Owner/Developer, or its respective successors, assigns, and/or transferees proceed with a proposal for, or undertake any other pursuit of, development of the Land in a manner that is in material violation of the PRO Plan or the PRO Conditions, the City shall, following notice and a reasonable opportunity to cure, have the right and option to take action, using the procedure prescribed by law for the amendment of the Master Plan and Zoning Ordinance, to amend the Master Plan and/or zoning classifications of the Land to a reasonable classification determined appropriate by the City, and neither the Owner/Developer nor its respective successors, assigns, and/or transferees, shall have any vested rights in the Proposed Classification and/or use of the Land as permitted under the Proposed Classification. Owner/Developer and its respective

successors, assigns, and/or transferees shall be estopped from objecting to the rezoning and reclassification to such reasonable classification based upon the argument that such action represents a "downzoning" or based upon any other argument relating to the approval of the Proposed Classification and use of the Land; provided, however, that this provision shall not preclude Owner/Developer from otherwise challenging the reasonableness of such rezoning as applied to the Land.

9. By execution of this Agreement, Owner/Developer acknowledges that it has acted in consideration of the City approving the Proposed Classification on the Land, and Owner/Developer agrees to be bound by the provisions of this Agreement.
10. After consulting with an attorney, Owner/Developer understands and agrees that this Agreement is authorized by and consistent with all applicable state and federal laws and constitutions, that the terms of this Agreement are reasonable, that it shall be estopped from taking a contrary position in the future, and that the City shall be entitled to injunctive relief to prohibit any actions by the Owner/Developer inconsistent with the terms of this Agreement.
11. This PRO Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees. This Agreement shall be recorded with the office of the Oakland County Register of Deeds as to all affected parcels, and the rezoning to the Proposed Classification shall not become effective until such recording has occurred.
12. This Agreement has been duly authorized by all necessary action of the Owner/Developer and the City.
13. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement shall be taken and construed as cumulative; that is, in addition to every other remedy provided by law.
14. In the event that there is a failure by the Owner/Developer to timely perform any obligations undertaken required by this Agreement; the City shall serve written notice thereof setting forth such default and shall provide the Owner/Developer with a reasonable period of time to cure any such default.
15. This Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. Any and all suits for any and every breach of this Agreement may be instituted and maintained in any court of competent jurisdiction in the County of Oakland, State of Michigan.
16. If the rezoning of the Land becomes void in the manner provided in the Ordinance and this Agreement, or if this Agreement is held by a court of competent

jurisdiction to be void or of no force and effect, then the zoning classification pertaining to the Land shall revert to the Existing Classification.

- 17. This agreement may be amended only as provided in the Zoning Ordinance, Section 3401, *et seq.*
- 18. This Agreement may be signed in counterparts.

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

NOVI REAL ESTATE, LLC
a Michigan limited liability company

By: _____
FRANK M. WRONSKI
Its: Authorized Manager

SECRET WARDLE

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

On this ____ day of _____, 2011, before me appeared Frank M. Wronski, Authorized Manager of Novi Real Estate, LLC, a Michigan limited liability company, who states that he has signed this document of his own free will, duly authorized on behalf of Novi Real Estate, LLC.

Notary Public

[SIGNATURES CONTINUE ON NEXT PAGE]

CITY OF NOVI

Print Name:

By:

David B. Landry, Mayor

Print Name:

By:

Maryanne Cornelius, Clerk

Print Name:

Print Name:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

On this _____ day of _____, 2011, before me appeared David B. Landry, Mayor, and Maryanne Cornelius, Clerk, who each stated that they have signed this document of their own free will on behalf of the City of Novi in their respective official capacities.

SECRET WARDLE

Notary Public

Drafted by:

Kristin Bricker Kolb, Esq.
30903 Northwestern Highway
Farmington Hills, MI 48334

When recorded return to:

Maryanne Cornelius, Clerk
City of Novi
45175 West Ten Mile Road
Novi, MI 48375-3024

16B3513_1

EXHIBIT-A

LEGAL DESCRIPTION:

LEGAL DESCRIPTION (LAWYERS TITLE INSURANCE CORPORATION
TITLE COMMITMENT N-104744) Effective date April 22, 2009

The land referred to in this Commitment is located in the City of Novi,
County of Oakland, State of Michigan, and is described as follows:

**THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION
17, TOWN 1 NORTH, RANGE 8 EAST.**

Tax Identification No. 50-22-17-400-002

SCHEDULE B-SECTION 2 EXCEPTIONS

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon by this Commitment.

2. Taxes and assessments that become a lien against the property after date of closing. The Company assumes no liability for tax increases occasioned by retroactive revaluation, changes in the land usage or loss of any principal residence exemption status for the Insured premises.

3. Rights of the public and of any governmental unit in any part of the land taken, used or deeded for street, road or highway purposes.

4. Any provision contained in any Instruments of record, which provisions pertain to the transfer of divisions under Section 109 (3) of the Subdivision Control Act of 1967, as amended.

5. Rights of tenants now in possession of the land under unrecorded leases or otherwise.

6. Such state of facts as would be disclosed by an accurate survey and personal inspection of the premises.

7. Interest of S. Virginia Kaluzny U/A/O March 8, 1989, as disclosed by Mineral Deeds recorded in Liber 10849, Page 349; Liber 11008, Page 428; and Liber 21765, Page 140. And now held by Paul R. Raney, John F. Raney and Michael Raney as disclosed in Mineral Deed recorded in Liber 39855, Page 390 and terms, conditions and provisions therein. (AFFECTS ALL OF THE SUBJECT PARCEL AND OTHER LAND)

8. Oil, Gas and Mineral Lease in favor of Somoco, Inc., as disclosed by Instrument recorded in Liber 9086, Page 489, and Instruments pertaining to Oil and Gas Lease as disclosed by Instruments recorded in Liber 9439, Page 184; Liber 9689, Page 178; Liber 9767, Page 371; Liber 9767, Page 372; Liber 9767, Page 373; Liber 9767, Page 374; Liber 9767, Page 375; Liber 9767, Page 376; Liber 9767, Page 377; Liber 9767, Page 378; Liber 9767, Page 379; Liber 9767, Page 380; Liber 9767, Page 381; Liber 9767, Page 382; Liber 9767, Page 383; Liber 9767, Page 384; Liber 9767, Page 385; Liber 9767, Page 386; Liber 9767, Page 387; Liber 9767, Page 388; Liber 9767, Page 389; Liber 9767, Page 390; Liber 9767, Page 391; Liber 9767, Page 392; Liber 9767, Page 393; Liber 10206, Page 193; Liber 10265, Page 537; Liber 10265, Page 543; Liber 10265, Page 549; Liber 10265, Page 556; Liber 10290, Page 297; Liber 10460, Page 568; Liber 10546, Page 387; Liber 10754, Page 341; Liber 10785, Page 69; Liber 10864, Page 761; Liber 10864, Page 767; Liber 10886, Page 50; Liber 11022, Page 187; Liber 11314, Page 266; Liber 11325, Page 311; Liber 11686, Page 576; Liber 12918, Page 326; Liber 12967, Page 767; Liber 13456, Page 830; Liber 16895, Page 433; Liber 16943, Page 426; and Liber 24666, Page 542. (AFFECTS ALL OF THE SUBJECT PARCEL AND OTHER LAND)

SURVEY NOTES

1. Overhead power lines cross the subject parcel. There is no record of an easement for these power lines provided in the Title Commitment.
2. Underground gas line appears to cross the subject parcel. There is no record of an easement for these gas lines provided in the Title Commitment Information.
3. Water lines run along the south side of Eleven Mile Road
4. A Sanitary Sewer line runs off the north side and East side of the subject parcel as shown on the survey. There was no record of a sanitary sewer easement provided in the Title Commitment Information.
5. The subject parcel is vacant.



CONSULTANTS

ENVIRONMENTAL ENGINEERING
 10000 W. GRAND AVENUE, SUITE 1000
 DENVER, COLORADO 80231
 PHONE: 303.733.1234
 FAX: 303.733.1235
 WWW: JWDESIGNSTUDIO.COM

ENGINEERING
 10000 W. GRAND AVENUE, SUITE 1000
 DENVER, COLORADO 80231
 PHONE: 303.733.1234
 FAX: 303.733.1235
 WWW: JWDESIGNSTUDIO.COM

LANDSCAPE ARCHITECTURE
 10000 W. GRAND AVENUE, SUITE 1000
 DENVER, COLORADO 80231
 PHONE: 303.733.1234
 FAX: 303.733.1235
 WWW: JWDESIGNSTUDIO.COM

STRUCTURAL ENGINEERING
 10000 W. GRAND AVENUE, SUITE 1000
 DENVER, COLORADO 80231
 PHONE: 303.733.1234
 FAX: 303.733.1235
 WWW: JWDESIGNSTUDIO.COM

	NORTH
	SCALE
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	LEGEND
	LEGEND

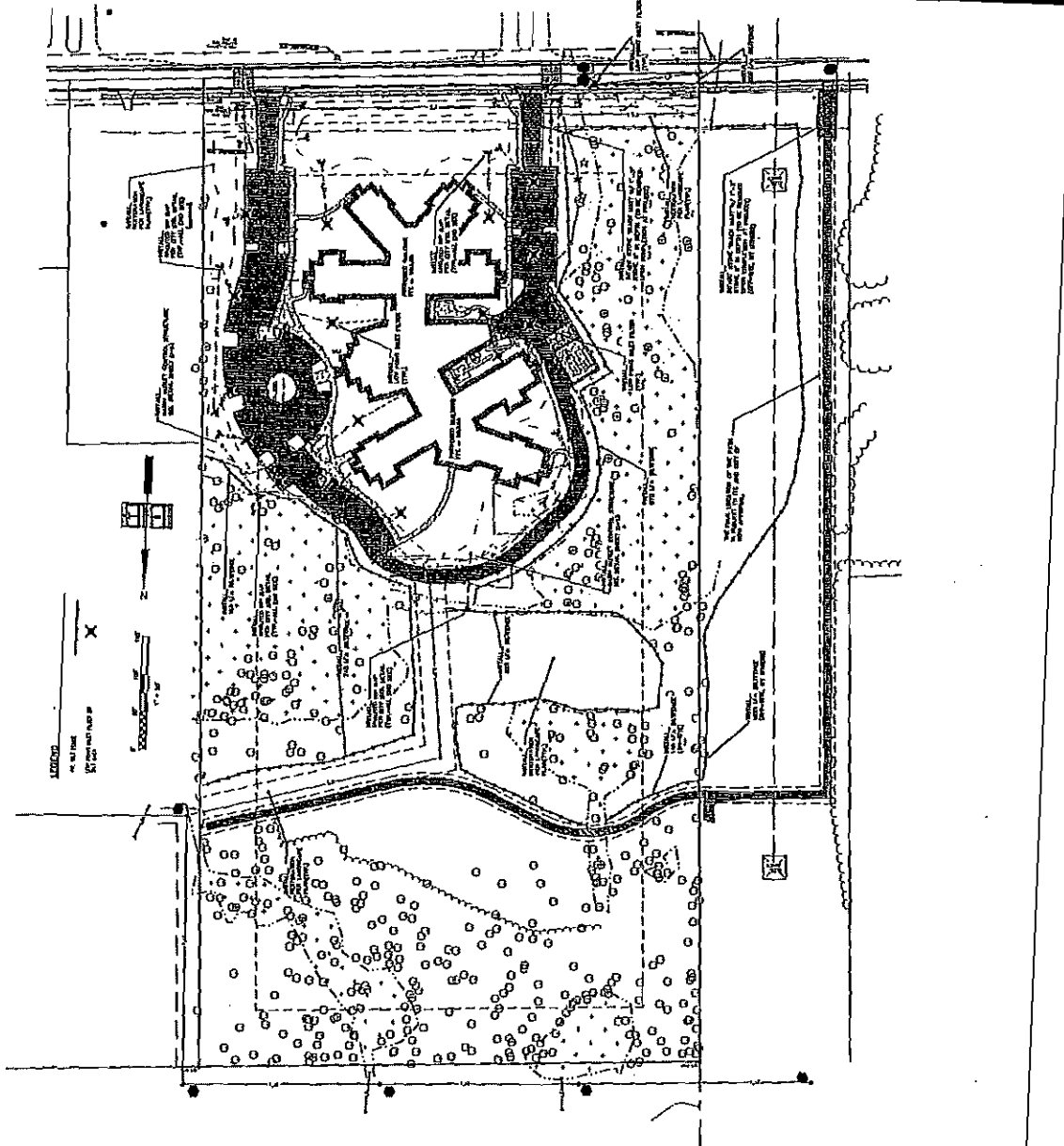


EXHIBIT 'B'

DATE: 09/01/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]
 SHEET NO: 01



ARCHITECTURAL STUDIO
 1000 W. UNIVERSITY BLVD., SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817.339.1111
 FAX: 817.339.1112
 WWW.JWDESIGN.COM

CONSULTANTS
 CIVIL ENGINEERING
 GEOTECHNICAL ENGINEERING
 STRUCTURAL ENGINEERING
 MECHANICAL ENGINEERING
 ELECTRICAL ENGINEERING
 PLUMBING ENGINEERING
 ENVIRONMENTAL ENGINEERING

ROBERT BROWN
 ARCHITECT

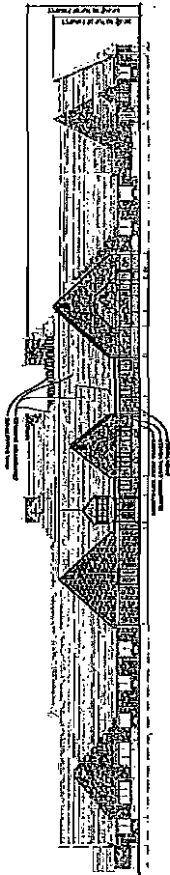
ANGIE MCGREGOR DVM, INC.
 1000 W. UNIVERSITY BLVD., SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817.339.1111
 FAX: 817.339.1112
 WWW.AMGREGOR.COM

ENVIRONMENTAL ENGINEERING
 CIVIL ENGINEERING, INC.
 1000 W. UNIVERSITY BLVD., SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817.339.1111
 FAX: 817.339.1112
 WWW.CIVILINC.COM

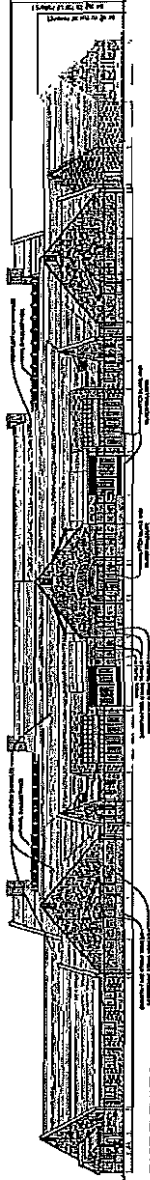
SELLINGER ASSOCIATES INC.
 1000 W. UNIVERSITY BLVD., SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817.339.1111
 FAX: 817.339.1112
 WWW.SELLINGER.COM

E.A. WROTHCO, INC.
 1000 W. UNIVERSITY BLVD., SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817.339.1111
 FAX: 817.339.1112
 WWW.EAWROTHCO.COM

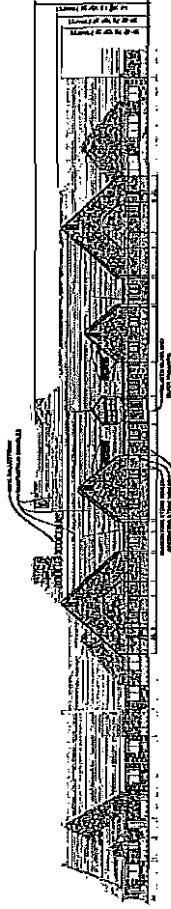
DESIGNERS CONSULTING
 1000 W. UNIVERSITY BLVD., SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817.339.1111
 FAX: 817.339.1112
 WWW.DESIGNERSCONSULTING.COM



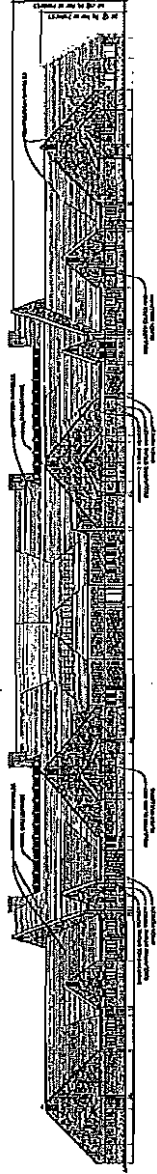
NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



EAST ELEVATION
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"

NOV 14 2008

MEMORANDUM OF NOV 14 2008

NOV 14 2008

MEMORANDUM OF NOV 14 2008

NOV 14 2008

MEMORANDUM OF NOV 14 2008

NOV 14 2008

MEMORANDUM OF NOV 14 2008

NO.	REVISION	DATE
1	ISSUE FOR PERMITTING	11/14/08
2	ISSUE FOR PERMITTING	11/14/08
3	ISSUE FOR PERMITTING	11/14/08
4	ISSUE FOR PERMITTING	11/14/08
5	ISSUE FOR PERMITTING	11/14/08
6	ISSUE FOR PERMITTING	11/14/08
7	ISSUE FOR PERMITTING	11/14/08
8	ISSUE FOR PERMITTING	11/14/08
9	ISSUE FOR PERMITTING	11/14/08
10	ISSUE FOR PERMITTING	11/14/08

09011 A-3

Exhibit B

PRELIMINARY OPINION OF PROBABLE CONSTRUCTION COSTS
PROJECT DESCRIPTION

ITC Pathway - Phase 3 Asphalt Pathway (From Eleven Mile Rd to West Medlodge Boundary)

DATE: May 27, 2011

No.	Description	Unit	Estimated Quantity	Unit Price	Total
1	Soil Erosion Control	LF	1644	\$ 3.00	\$ 4,932.00
2	Tree Removal	EA	30	\$ 500.00	\$ 15,000.00
3	Clearing and Grubbing	ACRE	0.38	\$ 6,000.00	\$ 2,264.46
4	Pathway Grading	LF	822	\$ 13.00	\$ 10,686.00
5	21AA Aggregate Base (4")	SY	1005	\$ 5.00	\$ 5,023.33
6	Undercutting of Soils	CY	200	\$ 24.00	\$ 4,800.00
7	Asphalt (3")	SY	913	\$ 15.00	\$ 13,700.00
8	Boardwalk	LF	400	\$ 175.00	\$ 70,000.00
9	Restoration	SY	1461	\$ 6.00	\$ 8,766.00
10	Mobilization (5%)	LSUM	1	\$ 6,758.69	\$ 6,758.69
CONSTRUCTION TOTAL					\$ 141,932.49
Engineering, Legal and Administrative (25%)					\$ 35,483.12
Contingency (25%)					\$ 35,483.12
BUDGET TOTAL					\$ 212,898.73

NOTES:

This estimate was based on the City GIS drawings/aerial photography. Cost may be strongly affected by soil types, existing water courses, etc.
Estimate established using best cost information at the time. Cost of pavement and construction may increase.
All pathways were estimated as 10' in width using a 3" bituminous over 4" aggregate cross section in the ITC easement
Boardwalk is 14' wide per AASHTO

Cost per LF \$ 174.22

By: Brian Coburn

Exhibit B

Total Length	1222
Path Width (ft)	10
Path Length (ft prvmt)	822
Boardwalk (lf)	400
Trees (Removal)	0

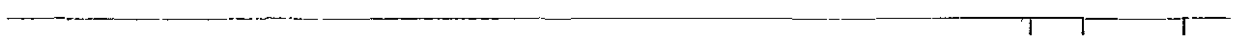
Notes:

Multipled the linear feet of pathway by two to come up with the quantity

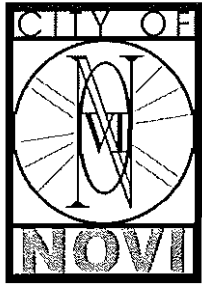
Based on 11' wide section to include 6" section on both side of path
Took 20% of the pathway length and multiplied by 11' of width by 2' feet of length.

Ten feet on each side of the pathway length was calculated for restoration.
5% of total construction cost

\$ 7,096.82



**PLANNING COMMISSION MEETING
MINUTES - March 24, 2010**



PLANNING COMMISSION MINUTES

Approved
CITY OF NOVI

Regular Meeting

Wednesday, March 24, 2010 | 7 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

cityofnovi.org

CALL TO ORDER

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

ROLL CALL

Present: Members Baratta, Cassis, Larson, Lynch, Meyer (arrived 7:08 PM.), Pehrson, Prince

Absent: Members Greco (excused), Gutman (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Mark Spencer, Planner; Lindon Ivezaj, City Engineer; David Beschke, City Landscape Architect; Doug Necci, Façade Consultant; Martha Holzheuer, ECT; Kristin Kolb, City Attorney

PLEDGE OF ALLEGIANCE

Member Cassis led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Cassis:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER CASSIS:

Motion to approve the March 24, 2010 Planning Commission Agenda. *Motion carried 7-0.*

PUBLIC HEARINGS

1. MEDILODGE OF NOVI, SP10-05A

Public Hearing of the request of The Medilodge Group for Preliminary Site Plan, Woodland Permit, Wetland Permit, Stormwater Management Plan and Special Land Use Permit approval. The subject property totals approximately 20.05 acres and is located in Section 17, north of Eleven Mile Road between Beck Road and Wixom Road. The applicant is proposing a 120 bed 78,560 square foot convalescent (nursing) home building.

Planner Kapelanski stated that the applicant was proposing a 78,560 square foot convalescent home located on the north side of Eleven Mile Road between Beck Road and Wixom Road. The site is bordered by vacant land and the Providence Hospital Campus to the north, the ITC utility easement to the west, existing single family residential and the approved but not built Oberlin residential development to the south and single family homes to the east.

This matter was recently brought to the Planning Commission for a recommendation to the City Council for a Rezoning with Planned Rezoning Overlay. The subject property is currently zoned R-3, as indicated by the Zoning Map. The City Council conceptually approved the proposed rezoning with PRO, which rezones the property to RM-1. The City Attorney and applicant will now work on the PRO Agreement which will have to be brought back to the City Council for their approval.

Planner Kapelanski stated that there are wetlands on the site, mainly concentrated in the center of the site and extending down on the southwestern side. There are high quality woodlands on the site occupying the northern half of the property.

The Planning Staff is recommending approval of the Preliminary Site Plan contingent on approval of the finalized PRO Agreement by the City Council. There are some minor planning related items for the applicant to address on the Final Site Plan. A convalescent home is also a Special Land Use in the RM-1 District.

The Landscape Review recommends approval of the plan noting that the applicant should clearly demonstrate that the adjacent residence to the east will be effectively screened. The Ordinance requires a berm in that area that was waived as part of the PRO Agreement. Additional plantings maybe necessary on the eastern side to screen that residence. The Wetland Review, Engineering Review, Fire Marshall and Traffic Review all recommended approval of

the plan noting items to be addressed on the Final Site Plan.

The original Woodland Review recommended denial of the proposed plan, as the tree removal and replacement plans could not be clearly read and the plans did not include a tree survey of the entire property. Specifically, the survey was omitting trees on the north area of the site. After receiving the Woodland Review letter, the applicant was able to address the major items in time for the City's Woodland Consultant to review the revised tree removal and replacement plans. The updated Woodland Review Letter recommends conditional approval of the plan provided the applicant addresses the remaining items on the Final Site Plan. The City's Woodland Consultant, Martha Holzheuer is here this evening to address any questions.

A condition of City Council approval was that the applicant incorporate more features of the proposed suburban low-rise concept into the facade and overall design. Initially, the applicant proposed a facade and design very similar to the original concept. However, within the last week, the applicant and the City's Façade Consultant were able to work together and come up with a design that was acceptable to the City and incorporated additional features of the suburban low-rise concept. The City's Façade Consultant is here this evening to answer any questions.

In the interest in the applicant's timeframe, staff and consultants were able to address the outstanding woodland and facade issues and maintain this meeting date for the consideration of the preliminary site plan. The Staff does appreciate the Planning Commission's flexibility in reviewing this information in a timely manner.

Mark Russell of Russell Design and John Winzell of J.W. Design represented the applicant and stated Medilodge is happy to be in Novi and wants to be in Novi. Medilodge is grateful that the City staff and consultants were able to review the revised submissions in a timely manner and appreciates their flexibility in working with the design team, specifically regarding the woodland and facade issues. Medilodge is committed to this project and would like to see it go forward in a manner that speaks to the quality of Novi.

Mr. Russell has been working closely with the City's Woodland Consultant and will continue to do so through the development of the plans. The neighbor immediately to the east of the subject property would like a berm to be installed. Unfortunately, a berm will not fit in that location. The applicant will continue to work with Landscape Architect Beschke and the adjacent property owner to specifically address their concerns and add to the landscaping along that property line. The neighbors concerns are understandable regarding the visual and potential light infiltration onto their property. The foot-candle levels will be shown in the final site plan with a full photometric plan which will show foot-candle levels at the property line.

Member Cassis read the public hearing correspondence into the record. Alan and Helen Burton of 48100 West Eleven Mile Road would like to see a berm along their property line to help keep down the lights and noise from the parking lot.

No one from the audience wished to speak so Chair Pehrson closed the public hearing.

Member Lynch stated that it looks like all the open issues have been resolved and commended both staff and the applicant for working to revise some of the details. The primary issues were the wetlands and the woodlands and everyone seems to be happy with the resolution of those issues. The only open issue is with the neighbor and the applicant should work with Landscape Architect Beschke and the neighbor to address their concerns, perhaps with some evergreens. The Planning Commission has reviewed this project in detail and Member Lynch is happy with where the project is at and welcomes Medilodge to Novi.

Member Cassis inquired as to the status of the pathway along the western side of the property requested by the City Council.

Deputy Director McBeth stated that staff has had discussions with the applicant and representatives from ITC regarding that trail and staff also plans to have a meeting with Providence representatives to discuss those issues. Staff is hoping to have those outstanding issues resolved in the near future and ready when the PRO Agreement goes back to City Council for final consideration.

Member Cassis asked if the applicant was working with the City to determine the appropriate pathway location.

The applicant indicated the design team has met with Deputy Director McBeth and her staff to discuss the Walkable Novi Committee's recommendations for putting a path in along the ITC Corridor and connecting that path up with a path system that would lead up to Grand River through, and beyond, the Providence property. The path will be an ITC path, but Medilodge will participate in the development of a pathway that leads from somewhere along with west side of the Medilodge property connecting up with the existing sidewalk along Eleven Mile Road and then proceeding to the north to connect with a spur that Providence will provide.

Member Cassis feels this will be a positive thing for that area. Member Cassis asked Façade Consultant Necci for his opinion of the façade design.

Façade Consultant Necci stated it is an excellent design. The applicant's façade board shows mostly masonry materials, very well selected and Façade Consultant Necci was impressed with the way the colors blended together. There was a minor issue with the overage of asphalt shingles on the roof but on any building with a sloped roof, the asphalt shingle area gets to be more than what the façade chart allows. That is a typical waiver that occurs with buildings of this size. In this case, the roof is well articulated and the shape of the building is a complicated shape where each of the projections have their own roof line which breaks up the roof. The applicant has gone so far as to add dormers and different roof features. One of the things the staff and consultants asked for recently was that the applicant look at incorporating a roof balustrade, which is shown on one of the renderings. The balustrade could also hide the rooftop equipment. The applicant will need to clarify that the rooftop equipment will be screened. Overall, the balustrade is an excellent addition. Balustrades have also been incorporated into some of the covered porches which will be visible as one is driving around the ring road. It is an excellent design and well executed for such a large single story building.

Member Cassis appreciated the applicant's willingness to work with the City. This will be the first project incorporating some of the features of the new suburban low-rise designation that is part of the Master Plan update recommendations and the design will fit nicely into the area and complement the existing neighborhood.

Member Meyer agreed with Member Lynch and Member Cassis that the detail provided by the applicant is well thought out and very thorough. The design is beautiful and Member Meyer will be voting for approval.

Motion made by Member Lynch, seconded by Member Larson:

ROLL CALL VOTE ON SPECIAL LAND USE APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER LARSON:

In the matter of the request of The Medilodge Group, SP 10-05A, motion to approve the Special Land Use Permit, subject to the following: (a) Planning Commission finding under Section 2516.2.c for the Special Land Use permit whether, relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on existing thoroughfares due to the fact that per the approved Traffic Study, the proposed development will generate less traffic than development under the original R-3 zoning; The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood due to the fact that the applicant has provided residential architectural elements and a design with a residential character; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff and consultant's review letters; (b) Contingent on approval of the PRO Agreement by the City Council and any additional provisions contained in that agreement being addressed on the Final Site Plan; and (c) Compliance with all conditions and requirements listed in the staff and consultant review letters because the plan adheres to the approved concept plan and deviations included therein and is otherwise in compliance with Article 6, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 7-0.*

Motion made by Member Lynch, seconded by Member Larson:

ROLL CALL VOTE ON PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER LARSON:

In the matter of The Medilodge Group, SP 10-05A, motion to approve the Preliminary Site Plan, subject to the following: (a) The applicant adequately addressing the Woodland Consultant's concerns on the Final Site Plan; (b) Additional plantings being provided along the eastern property line to buffer the adjacent residential; (c) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and (d) Contingent on approval of the PRO Agreement by the City Council and any additional provisions contained in that agreement being addressed on the Final Site Plan because the plan adheres to the approved concept plan and deviations included therein and is otherwise in compliance with Article 6, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 7-0.*

Motion made by Member Lynch, seconded by Member Larson:

ROLL CALL VOTE ON WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER LARSON:

In the matter of The Medilodge Group, SP 10-05A, motion to approve the Wetland Permit, subject to: (a) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and (b) Contingent on approval of the PRO Agreement by the City Council and any additional provisions contained in that agreement being addressed on the Final Site Plan because it is in compliance with Chapter 12 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Voice Roll Vote. Motion carried 7-0.*

Motion made by Member Lynch to approve the Woodland Permit, seconded by Member Larson:

ROLL CALL VOTE ON WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER LARSON:

In the matter of The Medilodge Group, SP 10-05A, motion to approve the Woodland Permit, subject to: (a) The applicant adequately addressing the woodland consultant's concerns on the Final Site Plan; (b) Contingent on approval of the PRO Agreement by the City Council and any additional provisions contained in that agreement being addressed on the Final Site Plan; and (c) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan because it is in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

Motion made by member Lynch, seconded by Member Larson:

ROLL CALL VOTE ON STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER LARSON:

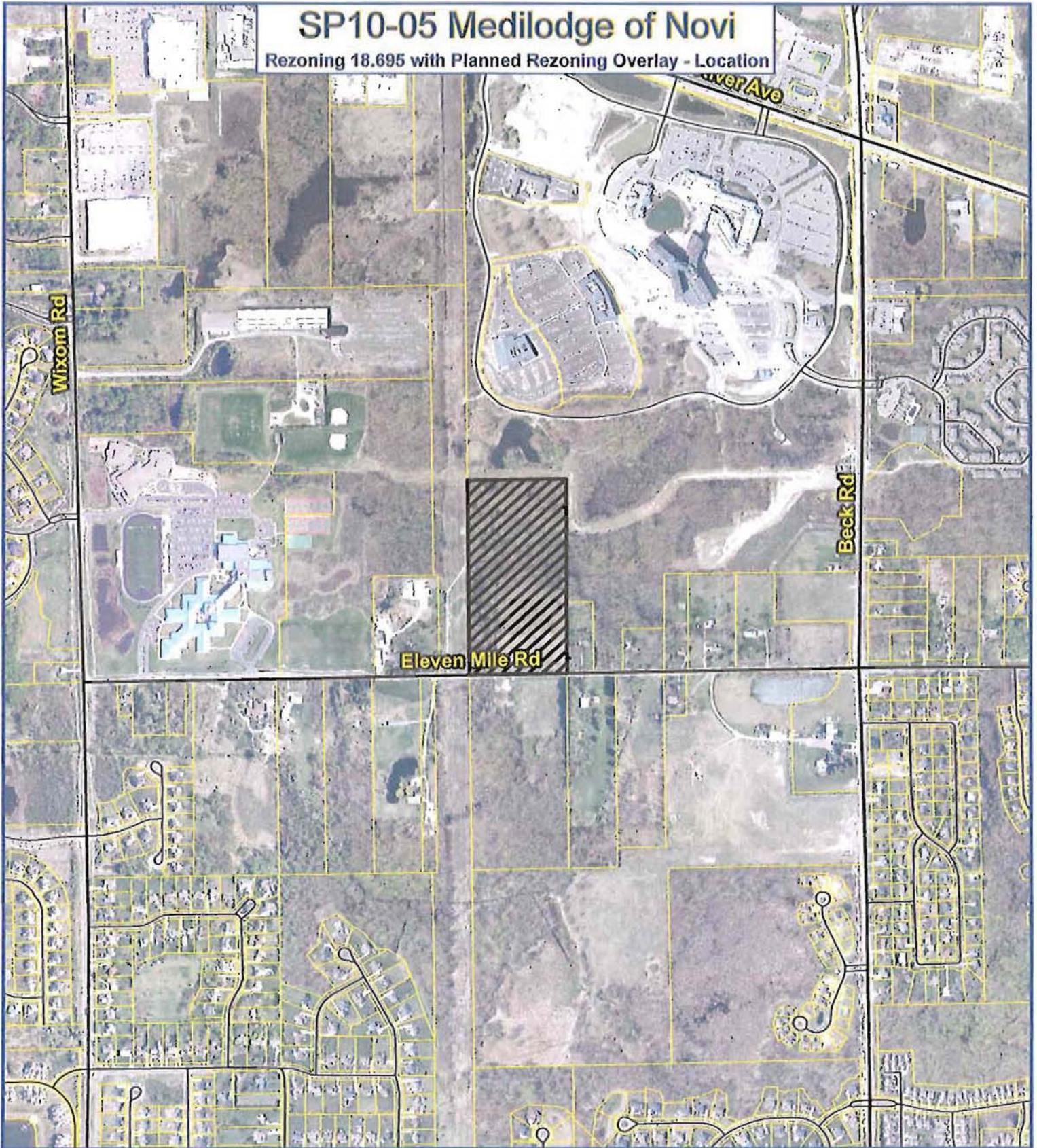
In the matter of the Medilodge Group, SP 10-05A, motion to approve the Storm Water Management Plan, subject to the following: (a) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan; and (b) Contingent on approval of the PRO Agreement by the City Council and any additional provisions contained in that agreement being addressed on the Final Site Plan because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

REVISED PRELIMINARY SITE PLAN

MAPS
Location
Zoning
Future Land Use
Natural Features

SP10-05 Medilodge of Novi

Rezoning 18.695 with Planned Rezoning Overlay - Location



Map Author: Kristen Kopolanski
Date: February 16, 2010
Project: Medilodge of Novi PRO
Version #: 1.0

Map Legend

 Subject Property

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 332 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



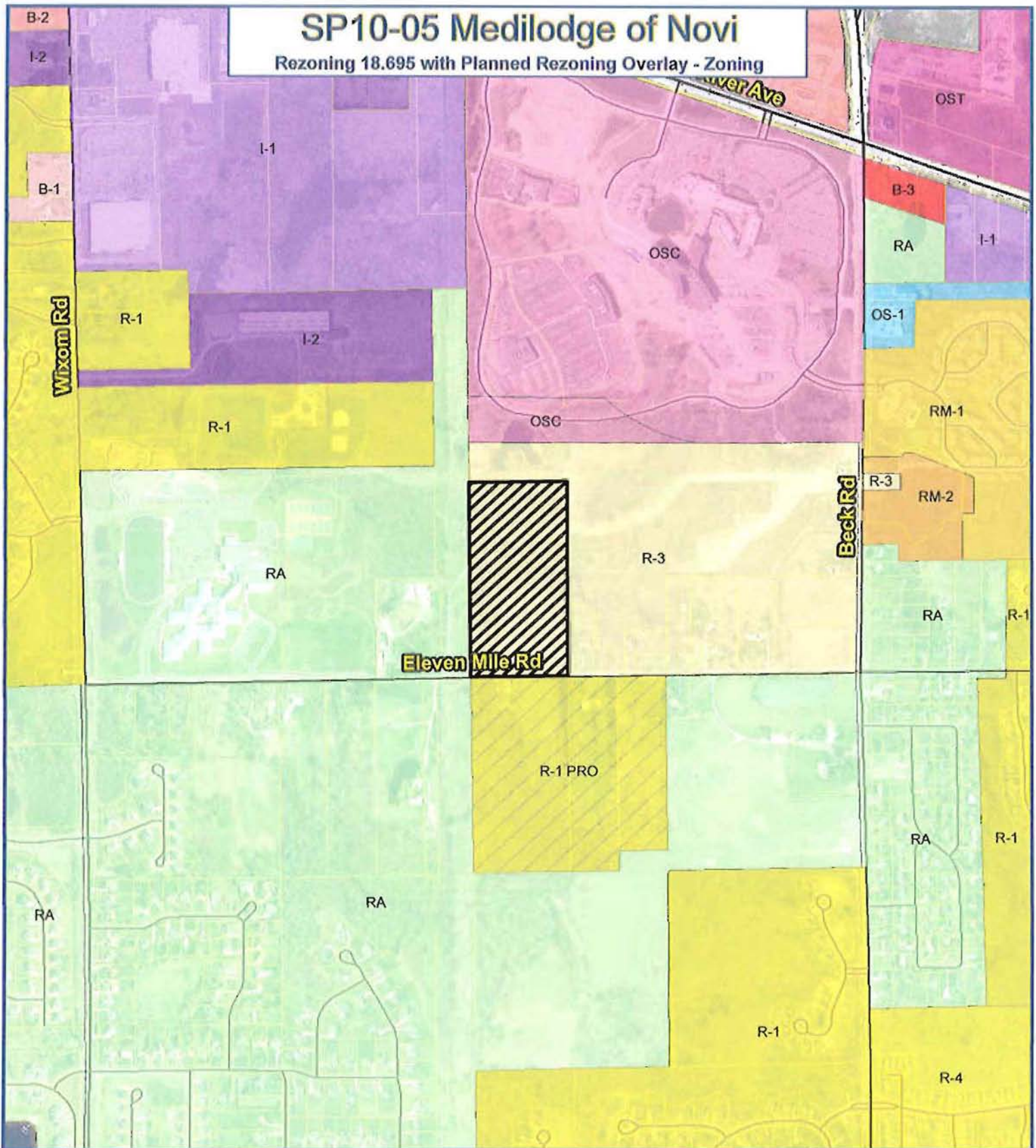
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Department Division
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org



1 inch = 881 feet

SP10-05 Medilodge of Novi

Rezoning 18.695 with Planned Rezoning Overlay - Zoning





Map Author: Kristen Kopelanski
 Date: February 16, 2010
 Project: Medilodge of Novi PRO
 Version #: 1.0

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Zoning

-  R-A: Residential Acreage
-  R-1: One-Family Residential District
-  R-1 PRO: R-1 With Planned Rezone Overlay (PRO)
-  R-3: One-Family Residential District
-  R-4: One-Family Residential District
-  RM-1: Low-Density Multiple Family
-  RM-2: High-Density Multiple Family

Map Legend

-  B-1: Local Business District
-  B-2: Community Business District
-  B-3: General Business District
-  I-1: Light Industrial District
-  I-2: General Industrial District
-  OS-1: Office Service District
-  OSC: Office Service Commercial
-  OST: Office Service Technology
-  Subject Property



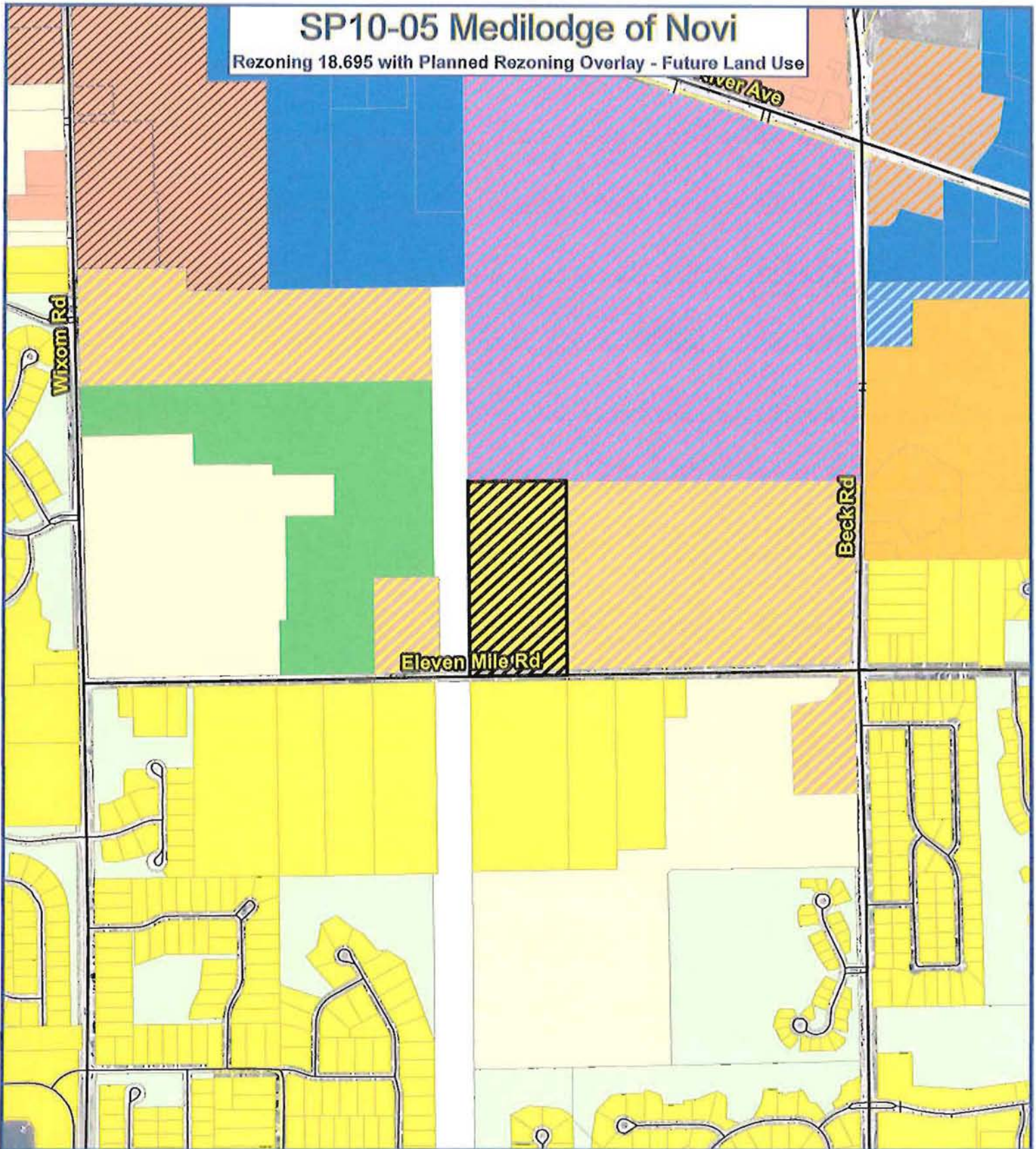
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 Department Division
 45175 W Ten Mile Rd
 Novi, MI 48375
 cityofnovi.org



1 inch = 881 feet

SP10-05 Medilodge of Novi

Rezoning 18.695 with Planned Rezoning Overlay - Future Land Use



Map Author: Kristen Kapelanski
 Date: February 16, 2010
 Project: Medilodge of Novi PRO
 Version #: 1.0

Amended By: Kristen Kapelanski
 Date: October 29, 2010
 Department: Community Development

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Map Legend

- | | | | |
|---|-------------------|---|------------------|
|  | Subject Property |  | RETAIL OVERLAY |
|  | SINGLE FAMILY |  | LOCAL COMMERCIAL |
|  | MULTIPLE FAMILY |  | COM. COMMERCIAL |
|  | SUBURBAN LOW-RISE |  | ED. FACILITY |
|  | COMMUNITY OFFICE |  | PUBLIC PARK |
|  | OFFICE RD TECH |  | PRIVATE PARK |
|  | OFFICE COMMERCIAL |  | UTILITY |

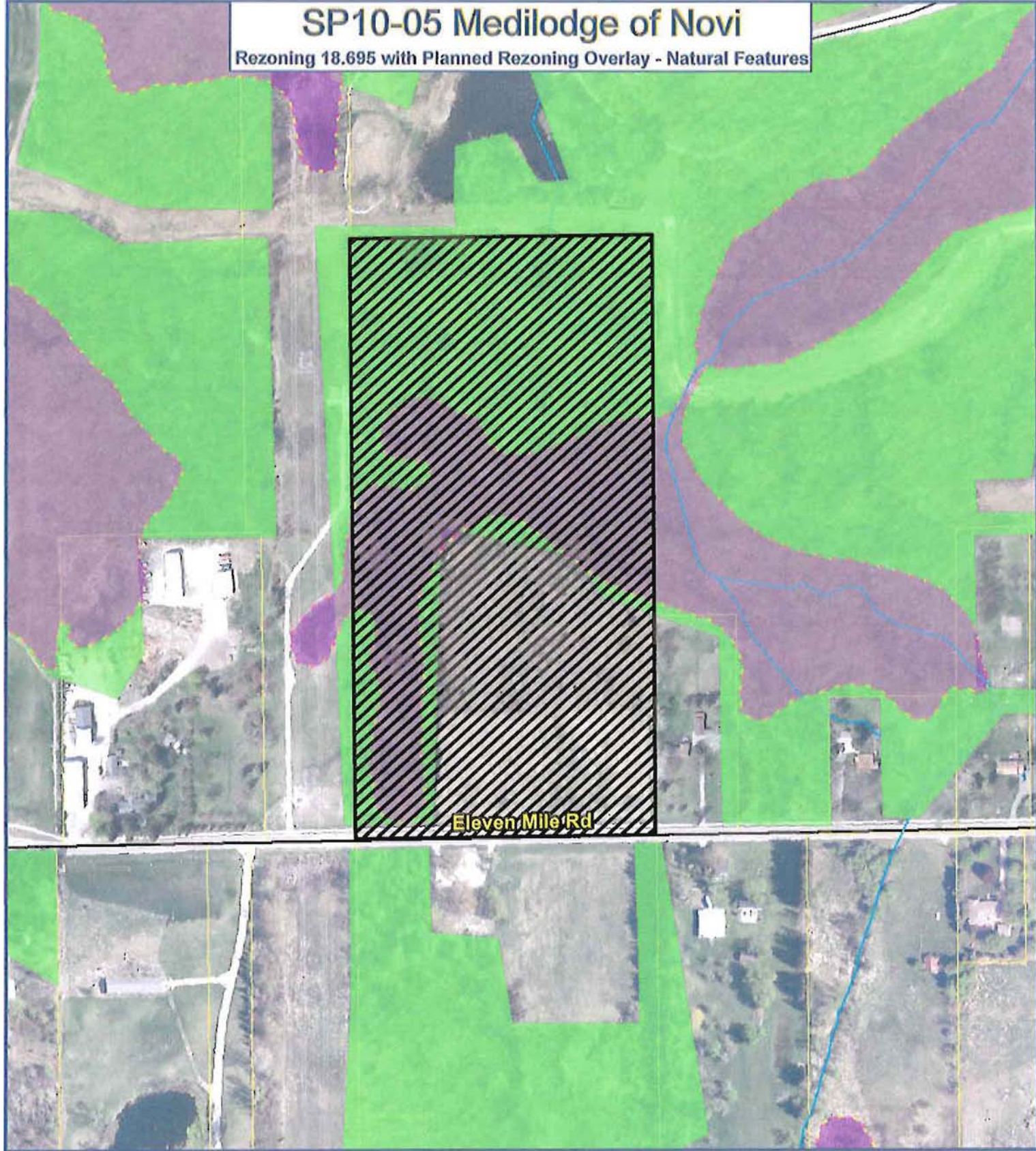


City of Novi
 Department Division
 Department Name
 45175 W Ten Mile Rd
 Novi, MI 48375
 cityofnovi.org



SP10-05 Medilodge of Novi

Rezoning 18.695 with Planned Rezoning Overlay - Natural Features



Eleven Mile Rd

Map Author: Kristen Kapelanski
 Date: February 16, 2010
 Project: Medilodge of Novi PRO
 Version #: 1.0

Map Legend

- Wetland Areas
- Woodlands
- Subject Property

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 Department Division
 Department Name
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1 inch = 269 feet