

cityofnovi.org

## CITY of NOVI CITY COUNCIL

**Agenda Item 5**  
**May 19, 2014**

**SUBJECT:** Consideration for approval of the request of Edward Rose and Sons for Rose Senior Living at Providence JSP13-81, for a Planned Suburban Low-Rise (PSLR) Overlay Development Agreement and Concept Plan. The subject property is 23.61 acres in Section 17 of the City of Novi and located on the north side of Eleven Mile Road and west of Beck Road. The applicant is proposing a 182 unit senior living facility.

**SUBMITTING DEPARTMENT:** Community Development Department - Planning *Bach*

**CITY MANAGER APPROVAL:** *[Signature]*

### **BACKGROUND INFORMATION:**

The applicant is proposing a Planned Suburban Low-Rise Overlay (PSLR) Concept Plan for a 182 unit senior living facility. The proposed 20.71 acre parcel would be split off from the larger Providence Hospital parcel located north of Eleven Mile Road and west of Beck Road. The facility would have both congregate care units as well as assisted living units. Recreation features for the residents are proposed along with associated site infrastructure and landscaping. An easement is being offered for the anticipated public trail connection from Beck Road through the northern portion of the site to the existing trail across the Medilodge property to the west.

#### **PSLR Overlay Procedures and Previous City Council Consideration**

At its April 9<sup>th</sup> meeting, the Planning Commission held a public hearing, and reviewed the PSLR Overlay Concept Plan and other information relative to the PSLR Overlay Development Agreement Application. The Planning Commission provided a favorable recommendation to the City Council of the PSLR Overlay application and Concept Plan, subject to a number of conditions. Relevant meeting minutes are attached.

The City Council considered the project on April 22, 2014 and indicated its tentative approval of the PSLR Overlay Development Agreement Application and PSLR Overlay Concept Plan, and in doing so directed the City Administration and City Attorney to prepare a PSLR Overlay Development Agreement. Relevant meeting minutes are attached.

#### **PSLR Overlay Agreement**

The petitioner is requesting approval of a concept plan and associated agreement using the PSLR Overlay District. The applicant states that the request is necessary to allow the development of a 182-unit senior living facility. The City Council has tentatively approved the application and concept plan and the petitioner has now brought forward the Planned Suburban Low-Rise Overlay Agreement.

Included with the proposed PSLR Concept Plan, the applicant is seeking positive consideration of the following Zoning Ordinance deviations included in the PSLR Overlay Agreement. All are supported by staff.

- **Front Yard Parking:** Per Section 2305B.1.d of the Zoning Ordinance, developments utilizing the PSLR Overlay option cannot have parking in the front yard and parking in side and rear yards must be screened by a 3 to 5 foot tall undulating berm. The applicant has proposed front yard parking in the southern yard and a minimum berm height of 2 feet.
- **Maximum Building Length:** The maximum building length permitted in the PSLR Overlay is 360 feet. The total proposed building length is 471 feet.
- **Maximum Building Height:** The PSLR Overlay Ordinance limits the building height to 35 feet or 2.5 stories. The applicant has proposed a building totaling 41 feet at the midpoint of the roof.
- **Façade Design:** The applicant has proposed a façade that does meet all of the requirements noted in the PSLR Overlay Ordinance. In particular, the proposed façade has pedestrian entrances spaced more than 60 feet apart and exceeds the maximum percent allowed of asphalt shingles (70%). The City Council may permit building designs that do not meet the Ordinance requirements with a finding that the design meets the intent of the ordinance.
- **Accessory Carports:** The applicant has proposed carports in both the northern and western yards. Accessory structures are permitted in the rear (northern) yard only. The carports proposed in the interior side (western) yard would require a deviation from the ordinance requirements.
- **Signage:** Per the Sign Code, a business ground sign or an entranceway sign are permitted for this development. The applicant has proposed both a business sign and an entranceway sign.
- **Access Points:** Section 2305B.2 of the Zoning Ordinance states that access drives for new building sites should be connected only to non-section line roads. An access drive has been proposed on Beck Road, a section line road.
- **Landscape waivers:** The applicant is requesting three waivers to be included in the PSLR Overlay Agreement. The waiver to permit a 2 foot tall berm height for the required parking screening as opposed the required 3 foot height is supported by staff. The Ordinance also requires a 3 to 5 foot tall berm within the proposed greenbelt along Beck Road. The applicant has proposed a 1.5 to 5 foot high wall where installation of a berm is not feasible. A 4 foot wide landscape bed is required around the entire building foundation and the applicant has elected to request a waiver of this item.

Section 2304B permits deviations from the strict interpretation of the Zoning Ordinance within a PSLR Overlay agreement. These deviations can be granted by the City Council on the condition that *"there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District."* The applicant previously provided a narrative document describing each deviation request and substitute safeguards for each item that does not meet the strict requirements of the Zoning Ordinance.

### **Minor Changes to the Concept Plan**

In the course of further developing the plans, the applicant has made some minor changes to the proposed concept plan as follows:

- The proposed east wetland mitigation area shown in the previously submitted concept plan has been removed and the central wetland mitigation area in the attached concept plan has been expanded. The total proposed wetland mitigation area (2.86 acres) will be the same as the previously submitted concept plan. The location of the mitigation is what has changed. The City's environmental consultant and City staff do not object to the revision.

- The property lines have been pulled back towards the proposed east/west drive and the south property line has been extended to Eleven Mile Road to incorporate the expanded proposed central wetland mitigation area. The proposed site size in the attached concept plan is 20.71 acres and the proposed site size in the tentatively approved concept plan was 23.61 acres. Staff does not have any concerns with this revision.

**City Council Action**

Because the PSLR Overlay Agreement is consistent with the request tentatively approved by the City Council at the April 22<sup>nd</sup> meeting, the City Council is now asked to consider the actual text of the Planned Suburban Low-Rise Overlay Agreement and give final approval of the agreement and the concept plan. Following final approval of the PSLR Overlay Concept Plan and Agreement the applicant would proceed with the standard site plan review and approval procedures outlined in Section 2307B and Section 2516.

**RECOMMENDED ACTION:**

**Final approval** of the Planned Suburban Low-Rise (PSLR) Overlay Development Agreement and Concept Plan based on the following findings and conditions:

- The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community;
- In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of the use will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment as indicated in the applicant's Community Impact Statement;
- In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties as the proposed building has been substantially buffered by existing and created natural features and should minimally impact the surrounding properties;
- The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of Article 23B as the proposed development meets the stated intent of the PSLR Overlay District to encourage transitional uses between higher intensity office and retail uses and lower intensity residential uses while maintaining the residential character of the area as outlined in the planning review letter; and
- The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Preliminary Site Plan.

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

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

Maps  
Location  
Zoning  
Future Land Use  
Natural Features



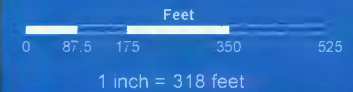
# Rose Senior Living at Providence JSP13-81

Location



## Map Legend

Subject Property



## City of Novi

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

Map Author: Kristen Kapelanski  
Date: 03-31-14  
Project: Rose Senior Living JSP13-81  
Version #: 1.0

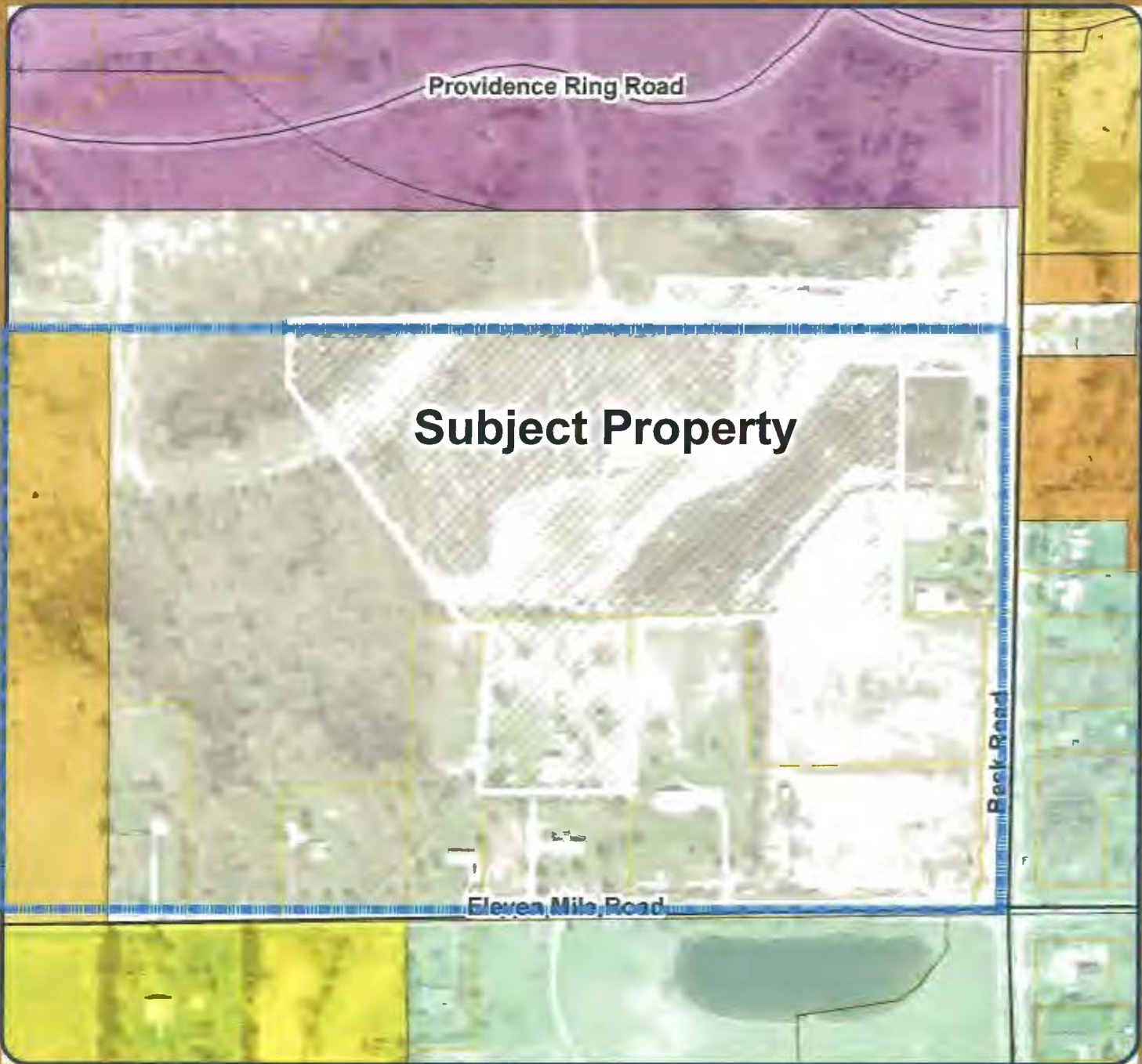
### MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute any official or approved source. This map was intended to be used in conjunction with the National Map Accuracy Standards and use the most recent accurate sources available to the people. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



# Rose Senior Living at Providence JSP13-81

Zoning



## Map Legend

- Subject Property
- PSLR Overlay
- R-A: Residential Acreage
- R-3: One-Family Residential District
- R-4: One-Family Residential District
- RM-1: Low-Density Multiple Family
- RM-2: High-Density Multiple Family
- OSC: Office Service Commercial



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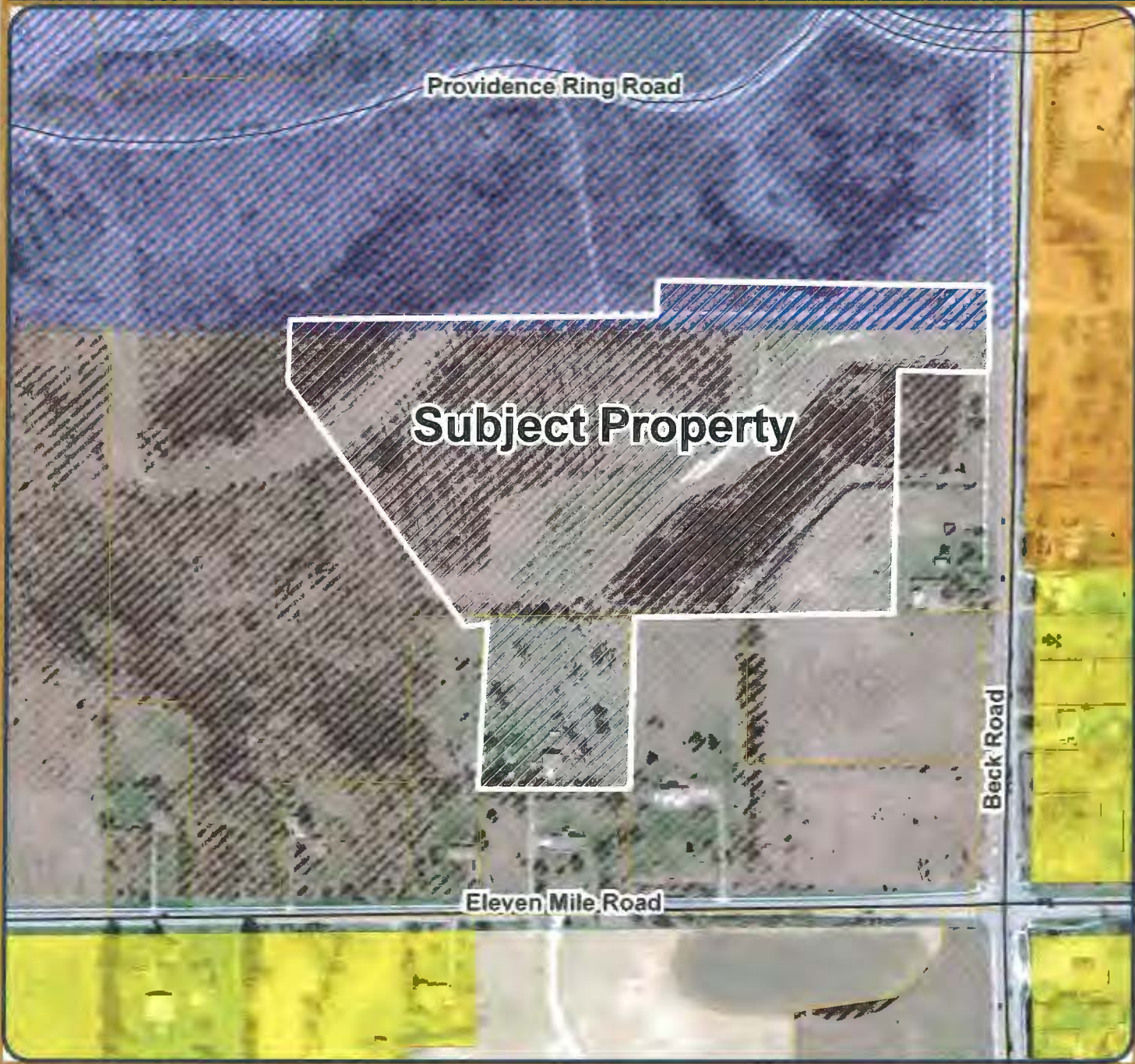
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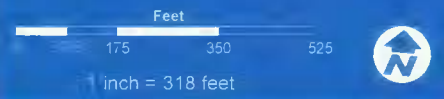
# Rose Senior Living at Providence JSP13-81

Future Land Use



### Map Legend

- Subject Property
- Single Family
- Multiple Family
- PSLR
- Office Commercial
- Educational



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# Rose Senior Living at Providence JSP13-81

Natural Features



## Map Legend

Subject Property

 Wetlands

 Woodlands



1 inch = 318 feet



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**PSLR Overlay Agreement and Exhibits**

**PLANNED SUBURBAN LOW-RISE (PSLR) OVERLAY  
DEVELOPMENT AGREEMENT - ROSE SENIOR  
LIVING, LLC**

**THIS PLANNED SUBURBAN LOW-RISE (PSLR) OVERLAY DEVELOPMENT AGREEMENT** (this "Agreement") is made as of the \_\_\_ day of \_\_\_\_\_, 2014, by and among ROSE SENIOR LIVING, LLC, whose address is 38525 Woodward Ave., Bloomfield Hills, MI 48304, (herein referred to as "Developer"), PROVIDENCE HOSPITAL AND MEDICAL CENTERS, INC., whose address is 47601 Grand River Avenue, Novi, MI 48374 (herein referred to as "Land Owner"), and the CITY OF NOVI, whose address is 45175 West Ten Mile Road, Novi, MI 48375-3024 ("City").

**RECITATIONS:**

- I. Land Owner is the fee owner of the "Land" described on Exhibit A, attached and incorporated herein. The Land is one parcel of property approximately 20.71 acres in area as described in Exhibit A. Developer proposes to develop the Land, with the Land Owner's approval, as a senior living facility with a maximum size of 190,000 square feet and a maximum of 182 living units, including independent living/congregate care, assisted living, and memory care dwellings, plus two guest suites, with centralized dining, staff and facilities spaces, common spaces, and accessory uses (herein referred to as "Facility") as set forth in the PSLR Overlay Concept Plan, which has been submitted to the City for review and approval under applicable provisions of the City code, including the Zoning Ordinance. The PSLR Overlay Concept Plan as hereby approved is a conceptual or illustrative plan for the potential development of the Land under the PSLR Overlay District that includes building elevations and site improvements. Such Concept Plan approval is not an approval to construct any of the proposed improvements as shown. .
- II. Developer is the lessee and the Land Owner is the lessor of a 99-year term ground lease for the Land. The Developer will construct and control the proposed development on the Land, including the proposed Facility.
- III. For purposes of improving and using the 20.71-acre parcel for the Facility, Developer petitioned the City, with the Land Owner's authorization, to consider approval for the Facility under a PSLR Overlay Development



Agreement application that included a PSLR Overlay Concept Plan, dated February 18, 2014 and on file in the Community Development Office, a community impact statement, a traffic generation analysis, and proposed deviations and waivers.

- IV. The Land is zoned R-3 one-family residential with a PSLR Overlay. The PSLR Overlay zoning classification provides the Developer with certain material development options with respect to the Land that are not available under the R-3 one-family residential classification and that would be a distinct material benefit and advantage to the Developer. The PSLR Overlay zoning classification is consistent with the City's Master Plan for Land Use showing the Land as part of the future Suburban Low-Rise use.
- V. The City has reviewed the Developer's proposed petition to consider a PSLR Overlay Development Agreement application under the terms of the PSLR Overlay District provisions of the City's Zoning Ordinance; has reviewed the Developer's proposed PSLR Overlay Concept Plan, the Developer's community impact statement and traffic generation analysis, and the Developer's proposed deviations and waivers. The City has found that the PSLR Overlay Concept Plan meets the intent of the PSLR Overlay District ordinance.
- VI. In petitioning for consideration of a PSLR Development Agreement Application, Developer and Land Owner have expressed as a firm and unalterable intent that Developer will develop and use the Land in conformance with the following conditions, (herein referred to as the "Conditions"):
  - A. Developer shall develop and use the Land solely for the operation of the Facility. Developer and Land Owner 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 PSLR Overlay District ordinance, Article 23B, *et seq.*, of the Zoning Ordinance, Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations of the City pertaining to such development required under the PSLR Overlay District, including all applicable height, area, and bulk requirements of the Zoning Ordinance as relates to the PSLR Overlay District, except as expressly authorized herein.

The PSLR Overlay Concept Plan, is acknowledged and agreed by the City, Land Owner, and Developer to be a conceptual plan for the purpose of depicting the general area contemplated for development on the Land. The Developer will be required to obtain site plan approval for the development of the improvements to be constructed

on the Land (i.e., the Facility) in accordance with the terms of the PSLR Overlay District ordinance.

Some deviations and waivers from the provisions of the City's ordinances, rules, or regulations as to the Facility are depicted in the PSLR Overlay Concept Plan, as specifically described below, and are approved by virtue of this Agreement. However, except as to such specific deviations and waivers as enumerated herein, the development of the Land under the requirements of the PSLR Overlay District shall be subject to and in accordance with all applications, reviews, approvals, permits, and authorizations required under all 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, facade approval, landscape approval, engineering plan approval and payment of review and inspection fees and performance guarantees pertaining to the proposed development of the Land.

The building design and layout, facade, and elevations shall be substantially similar to that submitted as part of the Developer's final approval request, as depicted in the PSLR Overlay Concept Plan, or as the same shall be approved by the City in connection with the site plan approval for the improvements to be constructed on the Land, it being acknowledged and agreed that the Concept Plan and final site plan may be modified if approved by the City.

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

(1) Woodland Replacement. Approximately 1,326 woodland replacement tree credits are required by the woodland ordinance. The PSLR Overlay Concept Plan shows approximately 1,147 woodland replacement tree credits through plantings, a portion of which are located outside of the regulated woodland area as depicted on Exhibit B, Woodland Replacement Plan. Any remaining required tree credits not provided for through plantings will be addressed by placing the appropriate monies into the City of Novi tree fund. The replacement trees shall not be removed and shall be provided and maintained in accordance with the woodland ordinance and the requirements of the Zoning Ordinance and any City approvals. The exact number of woodland replacement credits and any changes to the site with regard to woodland replacement tree credits are subject to review and final determination and approval by the City in accordance with all applicable provisions of the City Code and Zoning Ordinance.



(2) Wetland Mitigation. The PSLR Overlay Concept Plan shows 2.86 acres of proposed wetland mitigation as depicted on Exhibit C, Proposed Site Plan Overall. The exact locations of the proposed wetland mitigation will be as further determined and approved by the City during the site plan approval process. The wetland mitigation areas shall not be removed and shall be provided and maintained in accordance with the wetlands and watercourse protection ordinance and the requirements of the Zoning Ordinance. The exact amount of wetland mitigation and any changes to the site with regard to wetland mitigation areas are subject to review and final determination and approval by the City in accordance with all applicable provisions of the City Code and Zoning Ordinance.

(3) Creation of a Conservation Easement. Land Owner and Developer shall place 2.86 acres of wetland mitigation areas in a perpetual conservation easement, in a form to be determined by the City. The exact locations of the proposed wetland mitigation areas will be further approved by the City during the site plan approval process.

(4) Dedication of City Path Easement. Land Owner and Developer shall agree to provide a 20 foot wide city path easement, in a form to be determined by the City, for the City to construct a path (the "City Path") through the Land that shall be open for public pedestrian use as shown on the PSLR Concept Plan and as further approved by the City during the site plan approval process.

(5) Limitations on Use. Developer and Land Owner hereby agree that the use of the Land shall be limited to the operation of the Facility.

(6) Limitations on Size. Developer and Land Owner hereby agree that the size of the Facility shall be limited to 190,000 square feet in area, and a maximum of 182 units, plus two guest suites.

VII. The parties acknowledge that this Agreement contains terms and conditions, which are binding on Developer and Land Owner.

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

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

As provided in the PSLR Overlay District ordinance, Article 23B *et seq.* of the City's Zoning Ordinance:

- a. No use of the Land shall be allowed except the uses shown on the PSLR Overlay Concept Plan for the operation of the Facility. 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. Developer and Land Owner and their successors, assigns, and/or transferees shall act in conformance with the PSLR Overlay Concept Plan and Conditions, including the provision of the Public Benefits/Public Improvements, all as described above and incorporated herein;
  - c. Developer and Land Owner and their successors, assigns, and/or transferees shall forbear from acting in a manner inconsistent with the PSLR Overlay Concept Plan and Conditions, and the Public Benefits/Public Improvements, all as described in the Recitations above and incorporated herein; and
  - d. Developer and Land Owner shall commence and complete all actions reasonably necessary to carry out the PSLR Overlay Concept Plan and all of the Conditions and Public Benefits/Public Improvements, all as described in the Recitations above and incorporated herein.
2. The following deviations and waivers from the standards of the City's Zoning Ordinance with respect to the Land are hereby authorized pursuant to Section 2304B of the City's Zoning Ordinance and as shown on the PSLR Overlay Concept Plan or final approved site plan:
- (a) the permitted maximum building length of 180 feet shall be increased to 471 feet;
  - (b) the permitted maximum building height of 35 feet shall be increased to 41 feet;
  - (c) the permitted maximum 60 foot spacing of ground floor pedestrian entrance doors on all building elevations shall be waived;
  - (d) the permitted maximum asphalt shingle area between the eave and peak of the roof shall be waived to address the overage of the maximum use of asphalt shingles;
  - (e) off-street parking shall be permitted in the front yard (south) and the exterior side yard (east);
  - (f) the carports shall be permitted in the interior side yard (southwest);



(g) the two on-premises signs shall be permitted; one on-premises entranceway ground sign at Beck Rd. and one on-premises business ground sign in front of the Facility;

(h) full-time access to Beck Rd., a section line road, shall be permitted;

(i) a two to five foot tall undulating berm shall be permitted between the eastern proposed parking area and the proposed roadway;

(j) a one and one-half foot minimum to five foot tall maximum decorative wall fronting Beck Rd. shall be permitted in lieu the required 3 foot minimum to 5 foot maximum undulating berm; and

(k) the requirement of a 4 foot wide landscape bed around the entire building foundation is hereby waived.

3. Each of the provisions, requirements, deviations/waivers, and conditions in this Agreement and the features and components provided in the PSLR Overlay Concept Plan meet the intent of the PSLR Overlay District.
4. Developer and Land Owner acknowledge that, at the time of the execution of this Agreement, the Facility has not yet obtained site plan, engineering, and other approvals required by ordinance or other regulation. Developer and Land Owner acknowledge that the Planning Commission and Engineering Division may impose additional conditions other than those contained in this Agreement during site plan reviews and approvals as authorized by law; provided, however, that such conditions shall not be inconsistent with the PSLR Overlay Concept Plan and this Agreement and shall not change or eliminate any development right authorized thereby. Such conditions shall be incorporated into and made a part of this Agreement, and shall be enforceable against Developer and Land Owner, in the event Developer proceeds with development of the Facility.
5. In the event the Developer or its respective successors, assigns, and/or transferees attempt to proceed, or do proceed, with actions to complete any improvement of the Land in any manner other than for the development and operation of the Facility, as shown on the PSLR Overlay Concept Plan, 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. In addition, any material violation of the City's Code of Ordinances by Developer or Land Owner and/or any successor owners or occupants with respect to the Land shall be deemed a breach of this Agreement, as well as a violation of the City's Code of Ordinances. A breach of this Agreement shall constitute a nuisance *per se*, which shall be abated. Developer, the Land Owner, and the City therefore agree that, in the event of a breach of this Agreement by the Developer or Land Owner, the City, in addition to any other relief to which it

may be entitled at law or in equity, shall be entitled under this Agreement to relief in the form of specific performance and an order of the court requiring abatement of the nuisance *per se*. The rights in this Paragraph 5 are in addition to the legal and equitable rights that the City has by statute, ordinance, or other law. In the event of a breach of under this Paragraph, the City shall notify Developer and Land Owner of the occurrence of the breach and shall provide the Developer and/or Land Owner, as applicable, with a reasonable period of time to cure any such default and Developer and/or Land Owner, as applicable, shall cure such default during such period; provided, however, that in no event shall the notice period be less than 30 days.

6. By execution of this Agreement, Developer acknowledges that it has acted in consideration of the City approving the proposed use on the Land, and Developer agrees to be bound by the provisions of this Agreement, including the recitals and all exhibits attached hereto, which are incorporated by this reference and made a part of this Agreement.
7. Developer and Land Owner acknowledge and agree that they have had the opportunity to have the PLSR Concept Plan and this Agreement, reviewed by legal counsel. Developer and Land Owner have negotiated with City the terms of this Agreement and of the PLSR Overlay Concept Plan, and such documentation represents the product of the joint efforts and mutual agreements of Developer, Land Owner, and City. Developer and Land Owner accept and agree to the final terms, conditions, requirements and obligations of the Agreement and the PLSR Overlay Concept Plan, and Developer and Land Owner shall not be permitted in the future to claim that the effect of the Agreement and PLSR Overlay Concept Plan results in an unreasonable limitation upon uses of all or a portion of the Land, or claim that enforcement of the Agreement and Concept Plan causes an inverse condemnation, other condemnation or taking of all or any portion of the Land. Developer and Land Owner and City agree that this Agreement and its terms, conditions, and requirements are lawful and consistent with the intent and provisions of local ordinances, state and federal law, and the Constitutions of the State of Michigan and the United States of America. Developer and Land Owner have offered and agreed to proceed with the undertakings and obligations as set forth in this Agreement in order to protect the public health, safety, and welfare and provide material advantages and development options for Developer and Land Owner, all of which undertakings and obligations Developer and Land Owner and City agree are necessary in order to ensure public health, safety, and welfare, to ensure compatibility with adjacent uses of land, to promote use of the Land in a socially, environmentally, and economically desirable manner, and to achieve other reasonable and legitimate objective of City and Developer and Land Owner, as authorized under applicable City ordinances and the Michigan Zoning Enabling Act, MCL 125.3101, *et seq.*, as amended. Furthermore, Developer and Land Owner fully accept and agree to the final terms, conditions, requirements, and obligations of this Agreement and the PLSR Overlay Concept

Plan, and Developer and Land Owner shall not be permitted in the future to claim that the effect of this Agreement or the PLSR Overlay Concept Plan results in an unreasonable limitation upon use of all or any portion of the Land, or to claim that enforcement of this Agreement or the PLSR Overlay Concept Plan causes an inverse condemnation or taking of all or any portion of such property. It is further agreed and acknowledged that the terms, conditions, obligations, and requirements of this Agreement and the PLSR Overlay Concept Plan are clearly and substantially related to the burdens to be created by the development and use of the Land under the approved PLSR Concept Plan and this Agreement, and are, without exception, clearly and substantially related to City's legitimate interests in protecting the public health, safety and general welfare. Nothing in this paragraph however limits Developer and Land Owner right to seek enforcement of this Agreement for City's breach of any of its terms

8. This 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 approval of the proposed use shall not become effective until such recording has occurred. Thereafter, any development of the Land shall be in accordance with this Agreement, the PLSR Overlay Concept Plan, and any approved site plans.
9. This Agreement has been duly authorized by all necessary action of the Land Owner, Developer, and the City.
10. 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.
11. In the event that there is a failure in any material respect by the Developer or Land Owner to perform any obligations required by this Agreement, the City shall serve written notice thereof setting forth such default and shall provide the Developer and/or Land Owner, as applicable, with a reasonable period of time to cure any such default and Developer and/or Land Owner, as applicable, shall cure such default or take reasonable commercial steps to commence and pursue such a cure during such period; provided, however, in no event, shall the notice period be less than 30 days.
12. 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.
13. This Agreement is intended as the complete integration of all understandings among the parties related to the subject matter herein. No prior

contemporaneous addition, deletion, or other amendment shall have any force or effect whatsoever, unless embodied herein in writing. Except for additional conditions imposed as part of the development approval process, as described in Section 4 above, this Agreement may be amended only as provided in the PLSR Overlay District ordinance, Article 23B *et seq.* of the City's Zoning Ordinance, including a writing signed by all parties to the Agreement.

14. The Zoning Board of Appeals shall have no jurisdiction over the Land or the application of this Agreement.
15. It is understood by Developer and Land Owner that construction of some of the improvements included in the Concept Plan may require the approval of other governmental agencies, and that failure to obtain such approvals does not invalidate this Agreement or the PLSR Overlay Concept Plan.
16. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between the Developer and Land Owner and the City.
17. The parties intend that this Agreement shall create no third-party beneficiary interest.
18. Where there is a question with regard to applicable regulations for a particular aspect of the development of the Facility, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of this Agreement that apply, the City, in the reasonable exercise of its discretion, shall determine the regulations of the City's Zoning Ordinance, as that Ordinance may have been amended, or other City Ordinances that shall be applicable, provided that such determination is not inconsistent with the nature and intent of the Concept Plan and the this Agreement. In the event of a conflict or inconsistency between two or more provisions of the Agreement and Concept Plan, or between the Agreement and Concept Plan and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of the City, shall apply.
19. This Agreement may be signed in counterparts.

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

[SIGNATURES NEXT PAGE]]



**ROSE SENIOR LIVING, LLC**  
a Michigan limited liability company

By:

\_\_\_\_\_  
WARREN ROSE

Its: Authorized Manager

STATE OF MICHIGAN    )  
                                  ) ss.  
COUNTY OF OAKLAND    )

On this, \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me appeared Warren Rose, Authorized Manager of Rose Senior Living, LLC, a Michigan limited liability company, who states that he has signed this document of his own free will, duly authorized on behalf of Rose Senior Living, LLC.

\_\_\_\_\_  
Notary Public

[SIGNATURES CONTINUE ON NEXT PAGE]

CITY OF NOVI

\_\_\_\_\_  
Printed Name:

By: \_\_\_\_\_  
Robert J. Gatt, Mayor

\_\_\_\_\_  
Printed Name:

\_\_\_\_\_  
Printed Name:

By: \_\_\_\_\_  
Maryanne Cornelius, Clerk

\_\_\_\_\_  
Printed Name:

STATE OF MICHIGAN    )  
  ) ss.  
COUNTY OF OAKLAND    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me appeared Bob Gatt, 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.

\_\_\_\_\_  
Notary Public

[SIGNATURES CONTINUE ON NEXT PAGE]

**PROVIDENCE HOSPITAL AND  
MEDICAL CENTERS, INC.**  
a Michigan not-for-profit corporation

By:

\_\_\_\_\_

Name:

\_\_\_\_\_

Its:

\_\_\_\_\_

STATE OF MICHIGAN    )  
                                  ) ss.  
COUNTY OF OAKLAND    )

On this, \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me appeared \_\_\_\_\_,  
\_\_\_\_\_ of Providence Hospital and Medical Centers, Inc., a Michigan not-for-  
profit corporation, who states that he has signed this document of his own free will, duly  
authorized on behalf of Providence Hospital and Medical Centers, Inc.

\_\_\_\_\_

Notary Public

Drafted by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When recorded return to:

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

Exhibit A – Legal Description of Land

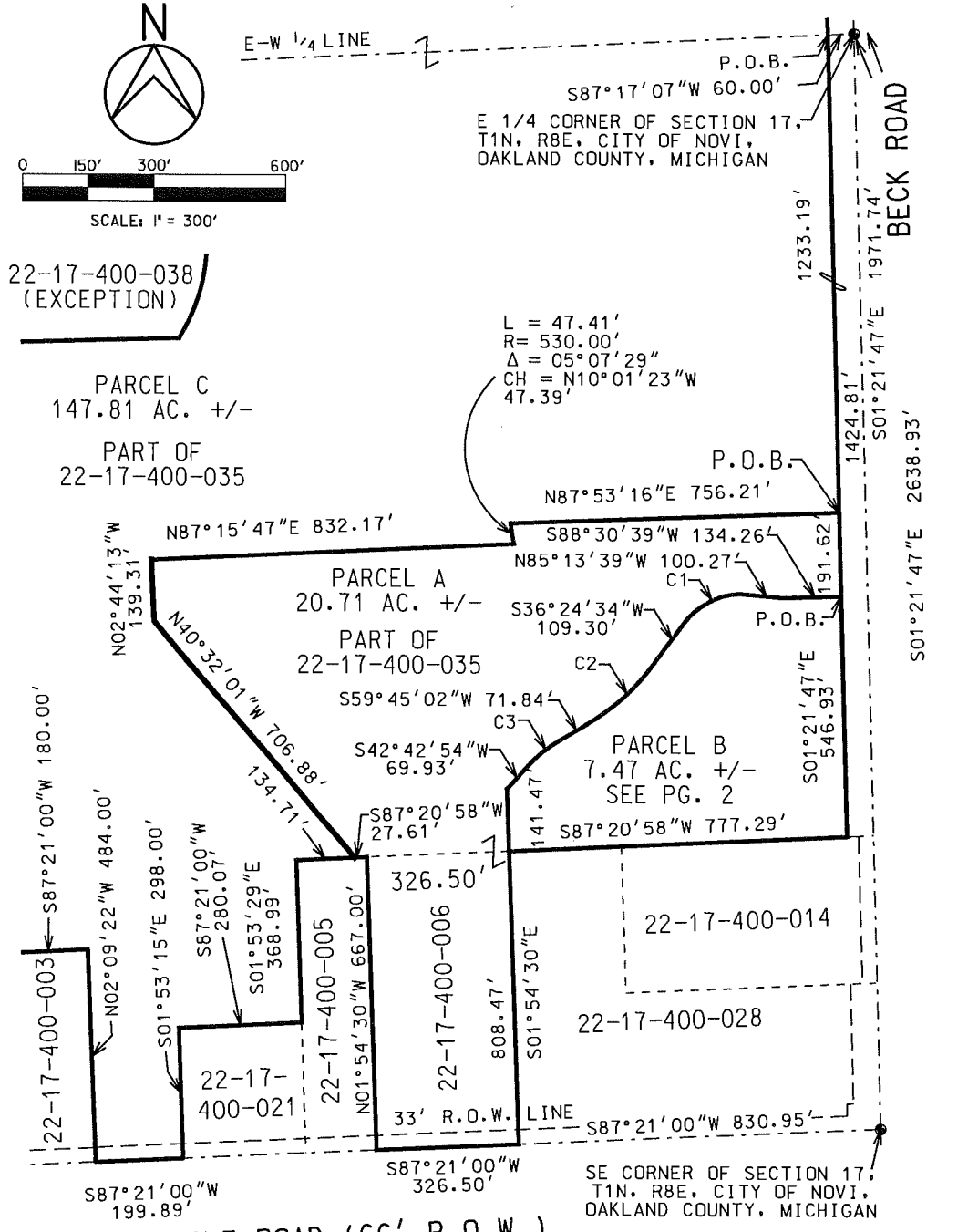
Part of the Southeast  $\frac{1}{4}$  of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as: Beginning at a point distant South 87 degrees 17 minutes 07 seconds West 60.00 feet along the East-West  $\frac{1}{4}$  line to the west right of way line of Beck Road (variable right of way) and South 01 degrees 21 minutes 47 seconds East 1,233.19 feet along said right of way line from the East  $\frac{1}{4}$  corner of said Section 17 and the POINT OF BEGINNING; thence continuing along said right of way line South 01 degrees 21 minutes 47 seconds East 191.62 feet; thence South 88°30'39" West 134.26 feet; thence North 85°13'39" West 100.27 feet; thence along a curve to the left 148.13 feet; said curve having a radius of 168.00 feet, a central angle of 50°31'12", and a chord bearing South 61°40'10" West 143.38 feet; thence South 36°24'34" West 109.30 feet; thence along a curve to the right 215.91 feet, said curve having a radius of 530.00 feet, a central angle of 23°20'28", and a chord bearing South 48°04'48" West 214.42 feet; thence South 59°45'02" West 71.84 feet; thence along a curve to the left 95.14 feet, said curve having a radius of 320.00 feet, a central angle of 17°02'08", and a chord bearing South 51°13'58" West 94.79 feet; thence South 42°42'54" West 69.93 feet; thence South 01°54'30" E 808.47 feet thence South 87°21'00" West 326.50 feet; thence North 01°54'30" West 667.00 feet; thence South 87 degrees 20 minutes 58 seconds West 27.61 feet; thence North 40 degrees 32 minutes 01 seconds West 706.88 feet; thence North 02 degrees 44 minutes 13 seconds West 139.31 feet; thence North 87 degrees 15 minutes 47 seconds East 832.17 feet; thence along a curve to the right 47.41 feet, said curve having a radius of 530.00 feet, a central angle of 05 degrees 07 minutes 29 seconds and a chord bearing North 10 degrees 01 minutes 23 seconds West 47.39 feet; thence North 87 degrees 53 minutes 16 seconds East 756.21 feet to the POINT OF BEGINNING. Said description contains 902,305 square feet, or 20.71 acres, more or less.



Exhibit A - Legal Description of Land

# SKETCH OF DESCRIPTION

USER NAME = dthbert  
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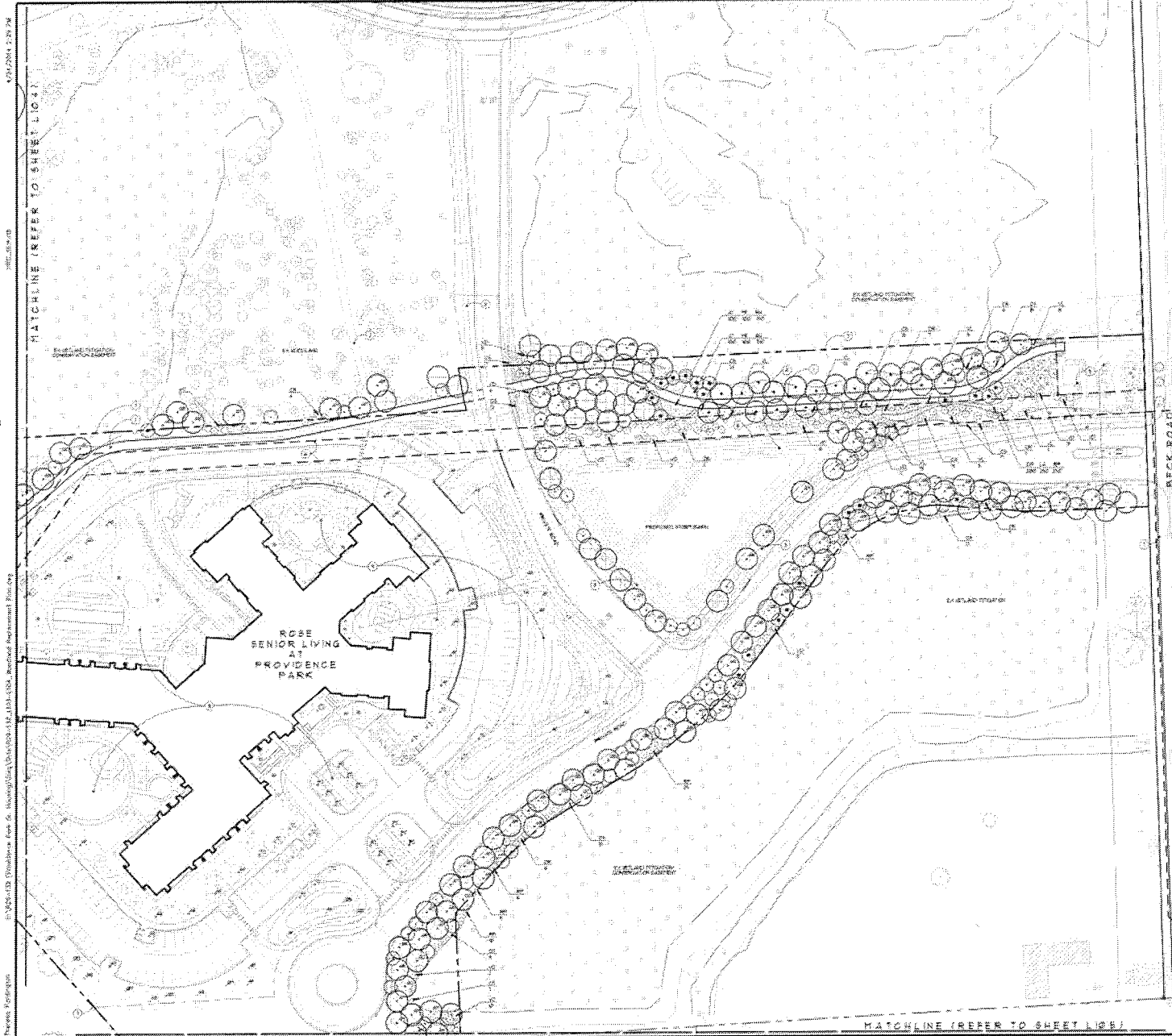


REV. 04-15-14  
REV. 04-11-14

JOB NO. 20130648	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	P.O. BOX 824 48303-0824
DATE 04-09-14		

SHEET NO.  
**2**  
OF 5

Exhibit B - Woodland Replacement Plan



#### Ordinance Consideration Notes:

**Woodland Replacement:**

- The applicant is proposing a Woodland Replacement Plan for the removal of 4.2 acres of woodland within the subject area in accordance with the provisions of the City of Novi Ordinance 11047.
- The applicant has not obtained the approval of the City of Novi for the removal of the woodland within the subject area in accordance with the provisions of the City of Novi Ordinance 11047.

Species	Quantity	Replacement Ratio	Planting Date
American Sycamore	25	1:1	2025
Bald Cypress	25	1:1	2025
Basswood	25	1:1	2025
Bittersweet	25	1:1	2025
Bitter Peach	25	1:1	2025
Buckeye	25	1:1	2025
Black Gum	25	1:1	2025
Black Birch	25	1:1	2025
Black Willow	25	1:1	2025
Blue Gum	25	1:1	2025
Black Cherry	25	1:1	2025
Boxelder	25	1:1	2025
Boxwood	25	1:1	2025
Bur Oak	25	1:1	2025
Butternut	25	1:1	2025
Chestnut	25	1:1	2025
Chickadee	25	1:1	2025
Chokecherry	25	1:1	2025
Cottonwood	25	1:1	2025
Cornus	25	1:1	2025
Crabapple	25	1:1	2025
Cucumber Tree	25	1:1	2025
Dogwood	25	1:1	2025
Downy Woodpecker	25	1:1	2025
Eastern Red Cedar	25	1:1	2025

**Notes Key:**

- (1) Actual City Ordinance Listed
- (2) Existing Road Through Woodland
- (3) Proposed Road
- (4) Proposed Drive
- (5) Existing Utility Property Line
- (6) Existing Utility and Drive
- (7) Existing Utility
- (8) Proposed Utility
- (9) Proposed Utility
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- (50) Proposed Utility

**Graphic Legend:**

- (1) EXISTING WOODLAND
- (2) PROPOSED WOODLAND
- (3) EXISTING ROADWAY
- (4) PROPOSED ROADWAY
- (5) PROPOSED DRIVEWAY
- (6) EXISTING LOT LAYOUT
- (7) PROPOSED LOT LAYOUT
- (8) EXISTING UTILITY
- (9) PROPOSED UTILITY
- (10) EXISTING UTILITY PROPERTY LINE
- (11) PROPOSED UTILITY PROPERTY LINE
- (12) EXISTING UTILITY AND DRIVEWAY
- (13) PROPOSED UTILITY AND DRIVEWAY
- (14) EXISTING UTILITY AND DRIVEWAY
- (15) PROPOSED UTILITY AND DRIVEWAY
- (16) EXISTING UTILITY AND DRIVEWAY
- (17) PROPOSED UTILITY AND DRIVEWAY
- (18) EXISTING UTILITY AND DRIVEWAY
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- (49) PROPOSED UTILITY AND DRIVEWAY
- (50) EXISTING UTILITY AND DRIVEWAY

**Scale:** 1"=50'

**North Arrow:** [North Arrow]

**Sheet Info:** SHEET NO. 45 OF 1103



**GRISSIM METZ ANDRIESE ASSOCIATES**

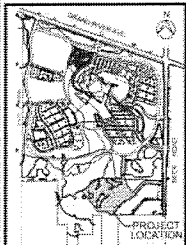
300 East Cobble Street  
Northville, MI 48162

Ph: 248-347-7810

**HRC CONSULTING GROUP**

1115 WEST BERRY AVE  
ANN ARBOR, MI 48106

Ph: 734-973-8822  
Fax: 734-973-8823  
Web: www.hrcgroup.com



**RDSE SENIOR LIVING AT PROVIDENCE PARK CITY OF NOVI**

**CENTRAL WOODLAND REPLACEMENT PLAN**

DATE: FEBRUARY 2016

SHEET NO. 45 OF 1103

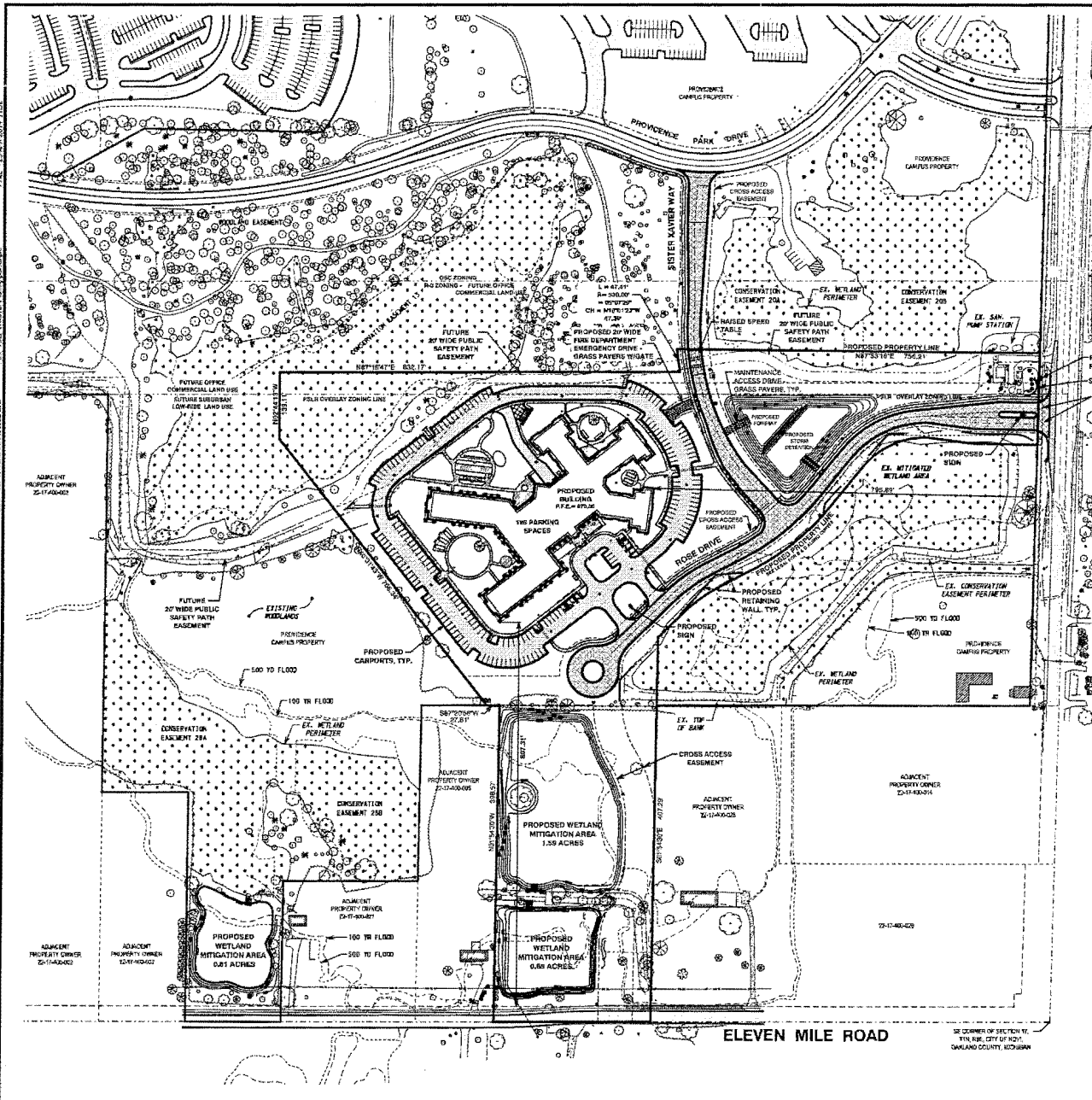
© 2016 HRC CONSULTING GROUP, GRISSIM METZ ANDRIESE ASSOCIATES







Exhibit C- Proposed Site Plan Overall



**PARCEL KA**  
**DESCRIPTION OF SPLIT/COMBINATION (PART OF 22-11-460605 AND PART OF 22-11-460609)**

Part of the Southeast 1/4 Section 17, Town 1 North, Range 8 East, T21N R8E, Oakland County, Michigan, described as beginning at a point (Corner South 87 degrees 17 minutes 37 seconds W 94.9200 feet along the East-West line to the west right-of-way line of Beck Road (concrete right-of-way South 88 degrees 21 minutes 47 seconds E 123.17 feet along said right-of-way line from the East to corner of said Section 17 and the POINT OF BEGINNING, thence continuing along said right-of-way line South 88 degrees 21 minutes 47 seconds East 191.02 feet (Corner South 85 degrees 39' 59" W and 134.26 feet (Corner South 85 degrees 39' 59" West 194.21 feet, thence along a curve to the left 148.13 feet, said curve having a radius of 162.80 feet, a central angle of 50°51'12", and a chord bearing South 67°40'00" West 142.58 feet (Corner South 30°22'34" West 109.39 feet, thence along a curve to the right 215.81 feet, said curve having a radius of 530.40 feet, a central angle of 23°20'28", and a chord bearing South 56°48'00" West 216.42 feet (Corner South 59°49'00" West 71.84 feet, thence along a curve to the left 95.18 feet, said curve having a radius of 120.00 feet, a central angle of 17°07'00", and a chord bearing South 51°13'54" West 84.75 feet (Corner South 47°32'34" West 162.93 feet (Corner South 51°52'30" E 804.47 feet (Corner South 87°12'00" West 226.50 feet (Corner North 51°34'30" West 467.40 feet (Corner South 87 degrees 20 minutes 28 seconds East 21.81 feet (Corner North 48 degrees 10 minutes 30 seconds West 796.56 feet (Corner North 42 degrees 44 minutes 13 seconds East 179.31 feet (Corner North 87 degrees 15 minutes 47 seconds East 832.17 feet, thence along a curve to the right 47.41 feet, said curve having a radius of 570.00 feet, a central angle of 60 degrees 17 minutes 24 seconds and a chord bearing North 10 degrees 01 minutes 23 seconds West 47.20 feet (Corner North 47 degrees 53 minutes 16 seconds East 736.21 feet to the POINT OF BEGINNING. Said description contains 902,345 square feet, or 20.71 acres, more or less.

**PROPOSED LANDSCAPE RETAINING WALL**  
 501'2" X 12" HIGH  
 FLAT SLOPE TABLE

**PROPOSED WETLAND AREA**  
 1.55 ACRES

**PROPOSED WETLAND MITIGATION AREA**  
 0.81 ACRES

**PROPOSED WETLAND MITIGATION AREA**  
 0.68 ACRES

**YOU TO STATE PLAIN COORDINATES AT EACH CORNER SECTION OF PROPERTY OR AT POINT OF BEGINNING FOR CORNER AND ACCESSORIES ESTABLISHED TO PERFECTLY LOCATE THE POSITION OF THE CORNER.**

**YOU TO STATE PLAIN COORDINATES AT EACH CORNER SECTION OF PROPERTY OR AT POINT OF BEGINNING FOR CORNER AND ACCESSORIES ESTABLISHED TO PERFECTLY LOCATE THE POSITION OF THE CORNER.**

**YOU TO STATE PLAIN COORDINATES AT EACH CORNER SECTION OF PROPERTY OR AT POINT OF BEGINNING FOR CORNER AND ACCESSORIES ESTABLISHED TO PERFECTLY LOCATE THE POSITION OF THE CORNER.**

DATE	DESCRIPTION	BY
02/24/2014	PRELIMINARY SITE PLAN APPROVAL	ST/ELN/SJH
02/24/2014	OVERLAY CONCEPT PLAN SUBMITTAL	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH

**PARCEL SIZE = 20.71 ACRES**

**ASSISTED LIVING BUILDING**  
 First Floor = 65,858 S.F.  
 Second Floor = 61,361 S.F.  
 Third Floor = 61,060 S.F.  
**TOTAL BUILDING = 188,279 S.F.**

**OWNER: ST. JOHN/PROVIDENCE HEALTH SYSTEM**  
**DEVELOPER: EDWARD ROSE and SONS, INC.**  
**PEAK NUMBER OF EMPLOYEES: 68 PEOPLE**

Note: See Enlarged Site Plan For Detailed Dimensions of Building and Parking Spaces.

**LEGEND**

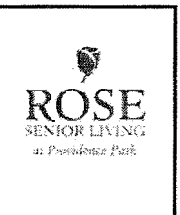
[Symbol]	EXISTING EASEMENT	[Symbol]	PROPOSED RETAINING WALL
[Symbol]	EXISTING DRAINAGE	[Symbol]	PROPOSED CONCRETE PAVEMENT (CONCRETE PAV)
[Symbol]	EXISTING BUILDINGS	[Symbol]	PROPOSED CONCRETE SIDEWALK
[Symbol]	PROPOSED 2.0' CONCRETE CURB AND GUTTER - 6" HIGH	[Symbol]	CITY OF NOVI STANDARD BITUMENOUS PAVEMENT
[Symbol]	PROPOSED 3.0' CONCRETE CURB AND GUTTER - 6" HIGH	[Symbol]	PROPOSED BITUMENOUS PAVEMENT
[Symbol]		[Symbol]	PROPOSED DRAINAGE

**311** CALL 311 OR 72 HOURS (9:00AM-5:00PM) BEFORE VISITING 1-800-482-7111 CALL811.COM (TOLL FREE)

**NOTES:**  
 ALL EXISTING UTILITIES SHOWN ON THIS PLAN THROUGH THIS PLAN HAVE BEEN LOCATED FROM PUBLIC RECORDS AND FIELD SURVEY RECORDS. APPROXIMATE LOCATIONS ARE SHOWN FOR INFORMATION ONLY. ACCURACY OF THE UTILITIES SHOWN ON THIS PLAN IS NOT GUARANTEED. THE CITY OF NOVI IS NOT RESPONSIBLE FOR THE ACCURACY OF THE UTILITIES SHOWN ON THIS PLAN. THE CITY OF NOVI IS NOT RESPONSIBLE FOR THE ACCURACY OF THE UTILITIES SHOWN ON THIS PLAN. THE CITY OF NOVI IS NOT RESPONSIBLE FOR THE ACCURACY OF THE UTILITIES SHOWN ON THIS PLAN.

30 CORNER OF SECTION 16, T1N, R8E, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

DATE: FEBRUARY 2014  
 SHEET NO. 02 OF 24  
 SCALE: 1" = 100'

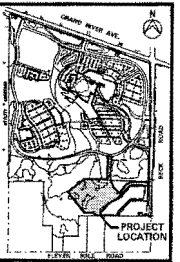


**HRC 100 YEARS**

535 HULETT DRIVE  
 BLOOMFIELD HILLS, MICH. P.O. BOX 224  
 48304-0224

CALL: (248) 868-8800  
 FAX: (248) 868-8800  
 WEB: www.roseliving.com

DATE	DESCRIPTION	BY
02/24/2014	PRELIMINARY SITE PLAN APPROVAL	ST/ELN/SJH
02/24/2014	OVERLAY CONCEPT PLAN SUBMITTAL	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
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02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH
02/24/2014	SCHEMATIC PLAN	ST/ELN/SJH



**ROSE SENIOR LIVING**  
 AT PROVIDENCE PARK  
 CITY OF NOVI

**PROPOSED SITE PLAN - OVERALL**

DATE: FEBRUARY 2014  
 SHEET NO. 02 OF 24  
 SCALE: 1" = 100'

**City Council Draft Meeting Minutes – Excerpt**  
**April 22, 2014**

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
TUESDAY, APRIL 22, 2014 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Fischer, Markham, Mutch, Wrobel

**ALSO PRESENT:** Victor Cardenas, Interim City Manager  
Thomas Schultz, City Attorney

**APPROVAL OF AGENDA:**

**CM 14-04-069 Moved by Casey, seconded by Wrobel; CARRIED UNANIMOUSLY:**

**To approve the Agenda as presented.**

**Roll call vote on CM 14-04-069**                      **Yeas: Staudt, Casey, Fischer, Markham,  
Mutch, Wrobel, Gatt**  
**Nays: None**

**MATTERS FOR COUNCIL ACTION**

1. Consideration for tentative approval of the request of Edward Rose and Sons for Rose Senior Living at Providence JSP13-81, for a Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan. The subject property is 23.61 acres in Section 17 of the City of Novi and located on the north side of Eleven Mile Road and west of Beck Road. The applicant is proposing a 182 unit senior living facility.

Interim City Manager Cardenas said this is a three story multi-service residence and explained the applicant wished to make a presentation.

Richard Abbott, representing St. John/Providence Health System, spoke about the 180 units of housing which is a nice fit within the transitional zoning. It will help make that transition from the single family residential south of 11 Mile to the OSC zoning of the hospital. Paul Mott, Land Acquisition Manager/Landscape Architect with Edward Rose & Sons, said there is a big demand for senior housing in Novi. They are proposing 182 units with 70 units of independent living, 65 assisted living, and 37 units of memory care units. He displayed the subject property. The existing zoning is an R3. He displayed the wetland mitigation areas and the woodland habitat they will create with about 1,200 trees. There will be trails they will create. He showed an overview of the structure showing the integration with the Providence Hospital campus. The interior design revolves around a central corridor with many amenities. A traffic study was done and it was recommended to use trail blazing signage to direct traffic. Dan Neudecker, Pope

Architects, spoke about the material for facades and landscaping. The size of the building is necessary. There will be raised garden plots and covered parking.

Member Mutch asked about how density applies to the proposed project. Barb McBeth, Deputy Community Development Director, explained this is the first plan under the Planned Suburban Low Rise Ordinance. It has its own set of standards. The density is not considered for this project and is based on the number of units that would be consistent with the Low Rise Multi-Family Residential. Member Mutch noted that if the concept is agreed upon, the level of density is agreed upon. They have requested a number of deviations and asked how would they impact the size of the building. Ms. McBeth said they requested 3 stories that may affect the density. Member Mutch asked about the Plan of Natural Features and said the woodland report talked about the potential impact but saw nothing about the quality of the woodlands that are being removed. He asked if it was the nature of what we are asking for at this point and if something more detailed would be provided. Ms. McBeth said the way the ordinance was set up is that the applicant could provide a certain amount of information for this level for approval. Then, if this is approved with the development agreement that would go along with it, then the plan would proceed to preliminary site plan in front of the Planning Commission and then the woodland and wetland permits would be evaluated in more detail. Member Mutch was concerned about approving a concept at this level, that would give the Planning Commission the idea that this is what Council is comfortable with approving. Ms. McBeth said they have worked extensively with this applicant and advised that if they could provide more detail, then it will be expected on a concept plan and it would be appreciated. She said they have done a great deal of work in terms of the woodland and wetland evaluation so far. Member Mutch said that in trying to understand the various pieces of this project, that was the area that seemed lacking to him on the woodland impact. He said it doesn't tell him the quality of the woodlands that is being moved and he is trying to predetermine something that is not within our preview. Council could not expect someone to review this once approved. Member Mutch noted he appreciated the architectural views Mr. Mott provided because he was concerned of the size of the building. He thought they did a very good job. He asked about the overall site with the access road from the Providence Campus and Beck Road that ran along the south side of the property, that it looked like it ends in a cul-de-sac but will actually continue to 11 Mile Road if he knew the intent of it. Mr. Mott said that would be future development. It would be an access point to property to the west that may be developed in the future. Member Mutch said it shows wetland mitigation area south of the cul-de-sac and asked where he would see that development being done. Mr. Mott said the area directly west of the proposed facility. Mr. Abbot explained they would want access to that in the future but there is enough width within the 5 acre parcel that reaches down to 11 Mile to fit a roadway through it. Member Mutch liked the proposed plan, but had a concern with the location of the development. He explained Providence has, at the least 200 acres, but it would be hard pressed to find an area with as many environmental features as this does and once approved it will potentially open up another area for development within woodlands not covered by a conservation easement. He said that in all the years he has been on Council and Planning Commission, he didn't recall a development that would remove a significant

amount of woodlands with large trees and jeopardizing woodlands to the west with potential development. He understood there would be a buffer separating the residential to the south. The woodland replacement plan is not really replacing what they are removing. The woodland habitat created would not compare to what will be lost. He would like to see the building shifted to the east and get rid of the access road. He could not support it as currently presented.

Member Markham pointed out the Beck Road access that it talked as if it was a secondary entrance and to discourage people to use it with the expectation people will use the northern entrance. She thinks this would realistically be the main access to the building because it is in front of the building. She would like to make sure it is well-lighted, significant signage, with acceleration and deceleration tapers for those going south on Beck. She asked the location of the signs in the proposed plan. Ms. McBeth said there would be one at the proposed new drive and in the median at the entrance and on the approach to the new building. Member Markham confirmed there would only be a short monument sign on Beck. She asked Ms. McBeth if she thought it was enough. Ms. McBeth said she thought it would be enough to provide notice that the building is there. The building will be tucked in from the road. She thought once people realized they are approaching it they will find the entrance and turn in. She said if they miss it, they could go further north to enter on the Providence ring road. Member Markham had a problem because it is hard to find where you are going in this town. She noted Beck Road is 45 mph that carries a lot of traffic. She didn't like trying to divert traffic north to where the light is. It is unrealistic for anyone coming from the south and the trail blazing signs would add confusion. She would like to consider the entrance as the main entrance and make it good, beautiful, easily accessed entrance so everyone knows where it is. She thinks this is a good development and adds to the Community. She does agree with Member Mutch with the woodland impact but was mainly concerned about the entryway being very well designed with more signage and not less.

Mayor Pro Tem Staudt said he didn't have the Planning Commission experience of the previous speakers but he was a business man and believed it was a good business project for the City of Novi. Some of the woodland issues are something to consider as it is built out, however, this project has been well vetted by staff and Planning Commission.

**CM 14-04-071            Moved by Staudt, seconded by Wrobel; MOTION CARRIED: 6-1**

**Tentative approval of the Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan based on the following findings, City Council deviations, and conditions:**

- a. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community as noted in the planning review letter;**

- b. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of the use will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment as indicated in the applicant's Community Impact Statement and the wetland and woodland review letters;
- c. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties as the proposed building has been substantially buffered by existing and created natural features and should minimally impact the surrounding properties;
- d. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of Article 23B as the proposed development meets the stated intent of the PSLR Overlay District to encourage transitional uses between higher intensity office and retail uses and lower intensity residential uses while maintaining the residential character of the area as outlined in the planning review letter;
- e. City Council deviations for the following as the Concept Plan provides substitute safeguards for each of the regulations and there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District as stated in the planning review letter:

  - a. City Council deviations to allow front yard parking (southern yard) and a minimum berm height of 2 feet (min. 3 feet required);
  - b. City Council deviation to allow a proposed building length of 467 feet (maximum building length of 360 feet is permitted);
  - c. City Council deviation to allow a maximum bldg. height of 41 feet (maximum height 35 feet is permitted);
  - d. City Council deviation to allow carports in the interior side yard;
  - e. City Council deviation to allow a business sign and entranceway sign;
  - f. City Council deviation to allow an access drive on a section line road;
  - g. City Council deviations to allow a 2 foot tall berm for parking lot screening (3 feet required), to allow a 1.5



- foot to 5 foot tall wall in lieu of the required berm and for the lack of a 4 foot wide landscape bed around the entire building foundation; and
- h. City Council deviations to allow pedestrian entrances more than 60 feet apart and an overage of asphalt shingles;
  - f. The applicant revising the plan to relocate the proposed stormwater detention basin so that it does not cover the existing sanitary sewer easement or relocate the sanitary sewer accordingly;
  - g. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Preliminary Site Plan;
  - h. The applicant continuing to integrate sites into the landscaping and design of the entire Providence Campus; and
  - i. The applicant shall follow the recommendations of the City's Traffic Consultant to not impose turn restrictions at the Beck Road Drive, but instead require the use of "trail-blazing" markers to identify the existing Beck Road traffic signal at Providence Park Drive as an alternative for motorists wishing to travel north on Beck Road.

**The applicant should work with the City Attorney's Office to prepare the required Planned Suburban Low-Rise Overlay Agreement. This motion is made because the plan is otherwise in compliance with Article 23B, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.**

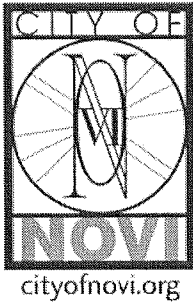
Member Fischer asked Rod Arroyo, traffic consultant, to give a brief description of what he saw in reviewing the plans. Mr. Arroyo said the plan is under the threshold for a formal impact study because of the number of trips anticipated. After the action of the Planning Commission, the applicant submitted some follow-up traffic information. They were asked to review that information and submitted a supplemental letter. Essentially, they made a recommendation that the access to Beck is going to be full access. It does have a center turn lane where left turns would be addressed there. There will be deceleration and acceleration tapers to provide for turns in and out and boulevard access. From an emergency access standpoint, they like two points of access to a facility like this. Fire station #4 is the closest to service this facility. The direct turn off of Beck is a positive. Most of the challenges will be leaving the facility during peak hours especially going to the expressway. That is why they recommended the trail blazing signs to the ring road access at the signalized access. The left turn will not be difficult during peak hours. Member Fischer asked if the trail blazing signs primarily send traffic to the Beck Road or Grand River access. Mr. Arroyo said there would be a set of signs advising traffic to the signalized approach. It could be expanded beyond those, but that was the primary goal was to move traffic to the signal for outbound left turns.

Member Fischer asked what will be the peak times of traffic for the building. Mr. Arroyo said these types of facilities do not have a peak hour that corresponds with the adjacent street peak hours. They don't have the normal rush hour because of meal service with changing of shifts because they are before or after the meal service, but the applicant would be able to give the details about when their shift changes are. Dena Meyer, representative of Ecumen that manages and operates Rose Senior Living, stated the typical type of resident that will move into this community will be those residents that are independent, needs some assistance, and those that need memory care. Currently, they are going for approval for 69 congregant or independent living units. Generally, those residents will have a car and the rest of the 75 units possibly may have a car or not. The facility provides transportation. The other 38 units will not have cars. The facility has restaurants for the residents to eat within the community. Most residents in the facility usually try to drive during non-peak hours because they are not working. She didn't have any concern with the proposal. It is always a question about this type of community, but there is not much impact at all. Member Fischer asked about the employee population. Ms. Meyer said they have 24 hour on-sight staff with 3-4 different shifts during the day. Those shifts are generally 7 a.m. to 3 p.m., 3 p.m. to 11 p.m. and 11 p.m. to 7 a.m. Member Fischer said the peak hours on Beck Road will be 5 p.m. to 6 p.m. or 7 a.m. to 8 a.m. and it sounds like to and from work for this facility. He agreed with the Mayor Pro Tem Staudt and would not have a problem supporting it as it stands. Member Wrobel asked about the distance between the main entrance and the Providence ring road. The only thing he thought was during peak traffic, for those individuals making a left turn into the ring road heading north, if they would interfere with any of the people turning left into the main entrance and whether there is a backup in the morning or afternoon turning into Providence. Mr. Arroyo said they did take a look at that. The signal to the north is 650 feet from the proposed access and the one from 11 mile was over 1200 feet. There is a good separation and should not be any overlapping conflict between the two roads.

**Roll call vote on CM 14-04-071**

**Yeas: Fischer, Markham, Wrobel, Gatt, Staudt,  
Casey  
Nays: Mutch**

**Planning Commission Meeting Minutes – Excerpt**  
**April 9, 2014**



## PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**April 9, 2014 7:00 PM**

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

### CALL TO ORDER

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

### ROLL CALL

**Present:** Member Anthony, Member Baratta, Member Giacometti, Member Lynch, Chair Pehrson

**Absent:** Member Greco (excused), Member Zuchlewski (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Sara Roediger, Planner; Kristen Kapelanski, Planner; Adam Wayne, Engineer; David Beschke, Landscape Architect; Tom Schultz, City Attorney; Pete Hill, City's Environmental Consultant.

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Baratta:

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

**Motion to approve the April 9, 2014 Planning Commission Agenda. Motion carried 5-0.**

### PUBLIC HEARINGS

#### 2. ROSE SENIOR LIVING AT PROVIDENCE, JSP13-81

Public hearing at the request of Edward Rose and Sons for recommendation to City Council for approval of a Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan. The subject property is 23.61 acres in Section 17 of the City of Novi and located on the north side of Eleven Mile Road and west of Beck Road. The applicant is proposing a 182 unit senior living facility.

Planner Kapelanski said the applicant is proposing to develop a 182 unit senior living facility on 23.6 acres of property near the northwest corner of Eleven Mile Road and Beck Road adjacent to the Providence Hospital ring road. The new parcel would be created from the existing Providence Hospital property and the land is currently vacant. The proposed parcel is surrounded mostly by vacant land and the existing hospital grounds with single-family residential uses to the south. The subject property is currently zoned for the Planned Suburban Low Rise Overlay District with an underlying zoning of R-3. The applicant is utilizing the provisions in the PSLR Overlay District for the development. The site is bordered by R-3 zoning to the north, RM-2 zoning on the east side of Beck Road and R-3 zoning with a PSLR Overlay to the west and south. The future land use map indicates PSLR Overlay uses for the proposed parcel and the properties to the east, west and south with multiple-family uses planned on the east side of Beck Road and office/commercial uses planned to the north. There are significant woodland and wetland areas on the site that cover a majority of the property. The applicant is proposing woodland and wetland impacts and mitigation as part of the project.

The applicant is proposing a 182 unit senior living facility with both congregate care and assisted living units using the PSLR Overlay District provisions. Recreation features for the residents along with associated landscaping and infrastructure are also proposed. Additionally, the applicant has offered a pathway easement for the anticipated public trail connection from Beck Road through the site. This district was put in place within the last few years to act as a transitional zoning between the higher-intensity hospital

uses to the north and the lower-intensity single-family residential uses to the south. Uses that would not be allowed in the underlying single-family zoning are permitted provided they meet the required design standards intended to maintain the residential character of the area.

Planner Kapelanski continued stating the planning review recommends approval of the concept plan as the plan meets the intent of the PSLR Overlay District for the reasons outlined in the review letter. The applicant is requesting several deviations from the PSLR Overlay provisions. Deviations may be granted by City Council and included in the PSLR Overlay Agreement provided "there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District." The applicant has provided a thorough narrative describing the need for each deviation and the proposed safeguards. Deviations are needed for the following: to allow front yard parking and a minimum berm height of 2 feet, to exceed the maximum building length and height, to allow carports in an interior side yard, to allow both a business sign and entranceway sign and a deviation to allow an access drive on a section line collector road. Staff supports or does not object to all of the noted deviations.

The engineering review recommends approval of the concept plan noting a deviation would be required to allow construction of a stormwater detention basin over an existing sanitary sewer easement. Staff does not support this deviation and the applicant has agreed to revise the plan to comply with ordinance requirements. The landscape review recommends approval of the plan. Deviations have been requested to allow a screen wall in lieu of the required berm and for the lack of a four foot landscape bed around the entire building foundation. Staff supports these requests. The wetland review recommends approval of the plan stating an MDEQ Permit, a City of Novi Non-Minor Use Wetland Permit and an Authorization to Encroach into the 25 Foot Natural Features Setback will be required. As previously noted wetland mitigation is proposed and appears to meet the standards of the ordinance. The woodland review recommends approval of the plan noting a Woodland Permit is required. The applicant has proposed tree removals and plantings as part of the plan, which will be more closely examined during the site plan review process. The façade review recommends approval and finds that the proposed façade meets the intent of the district which is to maintain a residential character. The applicant has requested deviations to allow pedestrian entrances more than 60 feet apart and for an overage of asphalt shingles, both of which are supported. The traffic and fire reviews both recommend approval of the proposal.

Planner Kapelanski concluded noting similar to the PRO process, an applicant using the PSLR Overlay provisions is required to submit a concept plan for consideration by the Planning Commission and City Council following the public hearing. The City Council then tentatively approves the plan and the applicant must work with the City Attorney's office to draft an agreement outlining the proposal and any identified ordinance deviations. City Council would then approve the agreement and the applicant would proceed with the regular site plan review process. Future plan submittals would need to match the approved concept plan and PSLR Overlay Agreement provisions. There are several factors outlined in the PSLR Overlay Ordinance and included in the planning review letter that the Planning Commission should consider in making its recommendation. The Planning Commission is asked to hold the public hearing and make a recommendation to the City Council.

Peter Karadjoff, representing the applicant said we're excited about this opportunity to develop this assisted living and independent living program on our campus. It's been a part of the hospitals plan for a long time. We thoughtfully went out and did a market assessment to determine the need for a facility like this and it was demonstrated to be very strong. We're doing this project in concert with the Edward Rose company as we're developing this program and we've very thoughtfully selected a partner that met the standards that we had. We're very focused on the quality of the buildings that would be built and we looked closely at the program offerings and the way they took care of the people that were in their facilities. We flew to Minnesota and Tennessee to look at a couple other projects that they had. We

talked to the residents and staff, and we came away with a very strong indication that this is going to be a great project led and managed by a great firm on our property.

Paul Mott, of Edward Rose and Sons, said we're pretty excited about this project. It's not very often you get an opportunity to work with a regional hospital like Providence Park. This is something that we've really enjoyed doing as well as working with the City of Novi and providing our services to the seniors in our community. We spend a lot of time ourselves looking for consultants. A major consultant, as far as operations, is Ecumen Associates out of Minneapolis. They've been working on providing the management services for this project. The lead consultant on this project has been HRC, our engineers. Pope Architects has worked extensively with Ecumen Associates in designing and developing a large number of senior assisted living facilities. Brooks Williamson is our wetlands consultant. King and Macgregor are our woodland consultants. It's been a team project all the way through.

We think that the project that we're proposing here is actually a perfect for this PSLR Overlay zoning. The nature of the building has to have a residential feel to it just so that the residents will be comfortable. We think this is a real nice transition from the fairly massive architecture that you find on the Providence Park Campus to the single family residential that you find to the south. We're doing some extensive landscaping and we have quite a few recreational areas that we're going to provide to the residents. We are impacting quite a few trees, over 600 of them on the site. We've sited the property as far to the east as we can to minimize the amount of impact that we do have on the existing trees. There's a sewer easement that we had to deal with and then we had to bring it south because of the sewer easement. So we're very limited as to where we can locate this project on the site. In recognizing that, we have a number of wetland impacts that we have to deal with. We're planning some wetland mitigation. As far as the woodland impacts, a lot of the replacement trees are going to be provided along the future City path. We're kind of excited about this because what we're doing is recreating a forest edge which is really a habitat. We're doing some really unusual things and some exiting things that we think the City of Novi will really appreciate.

Dan Neudecker, of Pope Architects, said this is our third building with Edward Rose so it's been a good partnership. We did a little 3D flyby that I wanted to show everybody. We spent some time with staff and the design consultant working through the exterior façade, trying to meet the City's ordinances. They said we are asking for a deviation on the asphalt shingles, but we have added quite a bit of gable to the roof to give it more of a residential feel to try to help breakup the scale of the building. The majority of the exterior materials are a mixture of stone and brick. There is some cement board siding, limited to the third floor and portions of the second floor. As you can see, the building has quite a few wings and the wings themselves are within the 180 feet that we talked about. The overall building length wasn't an issue at 470 feet. It does have quite a bit of turning in and out and it doesn't really appear to be that big of a building at one time. I think it has a very residential feel. We've been spending some time looking at some of the other buildings in the Providence Park development and trying to match it and work with those materials to make it fit in with that development. So I think in general we're really pleased with the way this turned out. I think the changes that have been made through our discussions with staff and with the façade consultant have improved the building quite a ways.

Mr. Mott said we certainly think that what we're proposing will be an asset to the community. There is quite a strong need for this in the City of Novi.

Chair Pehrson opened the public hearing.

No one in the audience wished to speak and Member Lynch read the correspondence.

David Hatycki, of Staybridge Suites, supports the project.



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

Member Baratta asked if there were signs proposed on Beck Road and on the Providence Parkway entrance.

Mr. Mott said that the Providence Parkway sign would be just a directional sign. It would be in unity with the existing signage.

Member Baratta asked who would own the property.

Mr. Mott said the property is going to be owned by Edward Rose and Sons. Rose Senior Living is the corporate entity that actually owns it.

Member Baratta asked if that is a non-profit or for-profit.

Mr. Mott said for-profit. It's going to be operated by Ecumen and Associates and we've been working with the hospital staff and their organization in taking a look at some of the things that they need and what they think will be needed for seniors in the community.

Member Baratta said well I think the design that you presented today is outstanding. It looks like a great project. It looks like you had well thought-out landscaping and amenities to the facilities. I think it's a great project and well located. I wish you luck; I'm fully in support of it.

Member Anthony said this does meet what our intent was with the overlay district, so I very much do like that. Where the road connects with Providence Parkway, I assume that that section of the property north of the property boundary here is owned by Providence Park, is that correct?

Mr. Mott said yes.

Member Anthony asked who will be financially responsible with the long-term maintenance of that road.

Mr. Mott said the property is not going to be an ownership; it's going to be a lease with Providence Park. But the long-term maintenance of the roadways that are on the property are going to be the responsibility of Rose Senior Living.

Richard Abbott, Director of Real Estate, Design and Construction for Providence Parkway, said for the campus we have a declaration recorded with Oakland County describing how the developers of the parcels on this site; the hospitals, hotels, medical office buildings and now Edward Rose, and how they'll participate in the costs of maintaining the roadways and the common areas of lawn that are not on their site.

Member Anthony said I noticed with how the property is configured with the ring at the end of the road, there's another rectangular shape piece of property that looks perfect for something in the future. Do you guys have anything in mind for what may happen in the future? If you look directly at the south, there is a smaller piece of property there.

Mr. Abbott said there is a five-acre parcel with a home on it. We are going to look at wetland mitigation and move wetland mitigation into that area and demolish that house.

Member Anthony said part of why I would ask that is that when I look at the road configuration, obviously the neighbors will be thrilled because it creates low traffic on the main roadways but does the traffic study incorporate that there may be a future development there and that the roads are adequate?

Mr. Abet said the traffic study did include development on that site.

Engineer Wayne said Community Development would have the traffic consultant determine whether or not an additional traffic study would be required for future phases of development.

Member Anthony said I love this development I just want to make sure we have all these smaller pieces accounted for.

Chair Pehrson said, I too, agree that this is probably the best use of land and thank you to the City for working to make this type of zoning ordinance available for this kind of application. Two things come to my mind. One, was what Member Anthony spoke about, which is traffic. While this is not an intensive use, I sometimes feel that the traffic studies don't often consider or take into account the real peak hours of when people are trying to get in and out of here. My one concern, relative to traffic, is the entrance back out onto Beck Road. I think this would be better served with the entrance being solely from the ring road. If you've ever been on Beck Road trying to head north early in the morning, it's clogged from Eleven Mile to Grand River and I just can see that as potential problem. We have the potential now to make a change that won't make an impact for the residents in this community. I would much rather steer drivers towards the ring road and have them access the signal that is already existing.

The other point is, when Providence Park came to us many years ago, there was a new lexicon that was placed into my brain called the greensward The entire Providence Park element had a greensward that as they did the fly over and the overview of the elevation of the hospital, you got the sense that this particular feature for the City was breaking every rule established with building a first class campus and keeping the natural features of that particular area. So as you go forward, and what you have here is great, I'd like the developer to remember that word because that has to be part of this entire development. I don't really want to see Providence Park become a chopped up bit of a stand of trees and a building and a stand of trees and a building. This has to flow. So, why I think you've got the design of this particular feature for the zoning ordinance, I want to make sure that we encapsulate that greensward space, that flow. So for what it's worth, take those two pieces of advice but I'm in complete agreement with Member Anthony and Member Baratta. I think this is a wonderful addition but I think we can refine this and make it even better.

Moved by Member Anthony and seconded by Member Baratta:

**ROLL CALL VOTE ON THE PLANNED SUBURBAN LOW-RISE OVERLAY DEVELOPMENT AGREEMENT APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER BARATTA:**

**In the matter of Rose Senior Living at Providence, JSP13-81, motion to recommend approval of the Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan based on the following findings, City Council deviations, and conditions:**

- a. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community as noted in the planning review letter;**
- b. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of the use will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment as indicated in the applicant's Community Impact Statement and the wetland and woodland review letters;**
- c. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties**

as the proposed building has been substantially buffered by existing and created natural features and should minimally impact the surrounding properties;

- d. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of Article 23B as the proposed development meets the stated intent of the PSLR Overlay District to encourage transitional uses between higher intensity office and retail uses and lower intensity residential uses while maintaining the residential character of the area as outlined in the planning review letter;
- e. City Council deviations for the following as the Concept Plan provides substitute safeguards for each of the regulations and there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District as stated in the planning review letter:
  - 1. City Council deviations to allow front yard parking (southern yard) and a minimum berm height of 2 ft. (min. 3 ft. required);
  - 2. City Council deviation to allow a proposed building length of 471 ft. (max. bldg. length 360 ft. permitted);
  - 3. City Council deviation to allow a maximum bldg. height of 41 ft. (max. height 35 ft. permitted);
  - 4. City Council deviation to allow carports in the interior side yard;
  - 5. City Council deviation to allow a business sign and entranceway sign;
  - 6. City Council deviation to allow an access drive on a section line road;
  - 7. City Council deviations to allow a 2 ft. berm for parking lot screening (3 ft. required), to allow a 1.5 ft. to 5 ft. wall in lieu of the required berm and for the lack of a 4 ft. wide landscape bed around the entire building foundation; and
  - 8. City Council deviations to allow pedestrian entrances more than 60 ft. apart and an overage of asphalt shingles;
- f. The applicant revising the plan to relocate the proposed stormwater detention basin so that it does not cover the existing sanitary sewer easement or relocate the sanitary sewer accordingly;
- g. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Preliminary Site Plan;
- h. Continue to integrate sites into the landscaping and design of the entire Providence Campus; and
- i. The main access to the site is to be off of the Providence Ring Road and the Beck Road entrance shall be limited to right in/right out only, or some acceptable alternative.

This motion is made because the plan is otherwise in compliance with Article 23B, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*