



CITY of NOVI CITY COUNCIL

Agenda Item 1
November 25, 2013

SUBJECT: Approval of the request of The Medilodge Group for approval of the revised Planned Rezoning Overlay Agreement associated with Rezoning 18.695, a request to rezone from R-3, One-Family Residential to RM-1, Low Density, Low-Rise, Multiple-Family Residential with a Planned Rezoning Overlay (PRO). The subject property is 20.5 acres and is located on the north side of Eleven Mile Road between Beck and Wixom Roads in Section 17. The project consists of the development of a 120 bed, 78,560 square foot convalescent (nursing) home building. The applicant seeks to revise the PRO Agreement to remove the sanitary sewer originally proposed along the north side of Eleven Mile Road as it will be provided by a separate development along the south side of Eleven Mile Road.

SUBMITTING DEPARTMENT: Community Development Department - Planning

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The petitioner is requesting consideration of a revised Planned Rezoning Overlay (PRO) Agreement, in conjunction with rezoning request 18.695 for property located on the north side of Eleven Mile between Beck Road and Wixom Road. The applicant previously received approval for the proposed rezoning, associated concept plan and PRO Agreement showing a 120 bed, 78,560 square foot convalescent (nursing) home building. The approved PRO Agreement has been recorded and Stamping Sets have been approved by the Planning Division. Construction on the site is nearing completion.

As part of the original PRO proposal, Medilodge was required to extend the sanitary sewer main along the length of their property on the *north* side of Eleven Mile Road. Since the original approval of the plan, the proposed residential development, Oberlin, which is proposed to be located directly across Eleven Mile Road from the Medilodge site (plan attached) has proposed a sanitary sewer extension on the *south* side of Eleven Mile Road. The proposed sewer on the south side of Eleven Mile Road will be larger than that proposed on the Medilodge plan and will facilitate an increased sanitary service area along Eleven Mile Road.

Consistent with the subsequent Oberlin approval, and to avoid parallel sanitary sewer extensions on Eleven Mile Road, which the City would not favor, Medilodge has now proposed to remove the referenced sanitary sewer extension from their plan (see attached reference map). Staff does not object to this change in light of the Oberlin approval and because the installation of the public sewer on the south side of Eleven Mile improves the City's ability to serve parcels on Eleven Mile Road. Medilodge has extended the sanitary sewer south to Eleven Mile Road from the Providence Hospital property as a public utility to allow for future connections, approximately as shown on attached reference map).

The "First Amendment to the Planned Rezoning Overlay (PRO) Agreement Novi Real Estate, LLC" for Medilodge is included in the packet for consideration by the City Council. Given that it relates only to the location of the sewer, and further given the subsequent

approval by the Planning Commission of the Oberlin site plan, including the location of the sewer on the south side of Eleven Mile Road as an accommodation to that development but also as a benefit to the area, this PRO amendment is being presented directly to the City Council for review and approval.

The rezoning to RM-1, Low Density, Low-Rise, Multiple-Family Residential with a Planned Rezoning Overlay was approved by the City Council on July 18, 2011, along with approval of the PRO Agreement. The Planning Commission approved the Preliminary Site Plan on March 24, 2010 and the revised Preliminary Site Plan on July 27, 2011.

RECOMMENDED ACTION: Approval of the "First Amendment to the Planned Rezoning Overlay (PRO) Agreement Novi Real Estate, LLC" for Medilodge. The applicant seeks to revise the PRO Agreement to remove the sanitary sewer originally proposed along the north side of Eleven Mile Road as it will be provided by a separate development along the south side of Eleven Mile Road. This motion is made because the plan is otherwise in compliance with Article 6, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Zoning Ordinance and City Code.

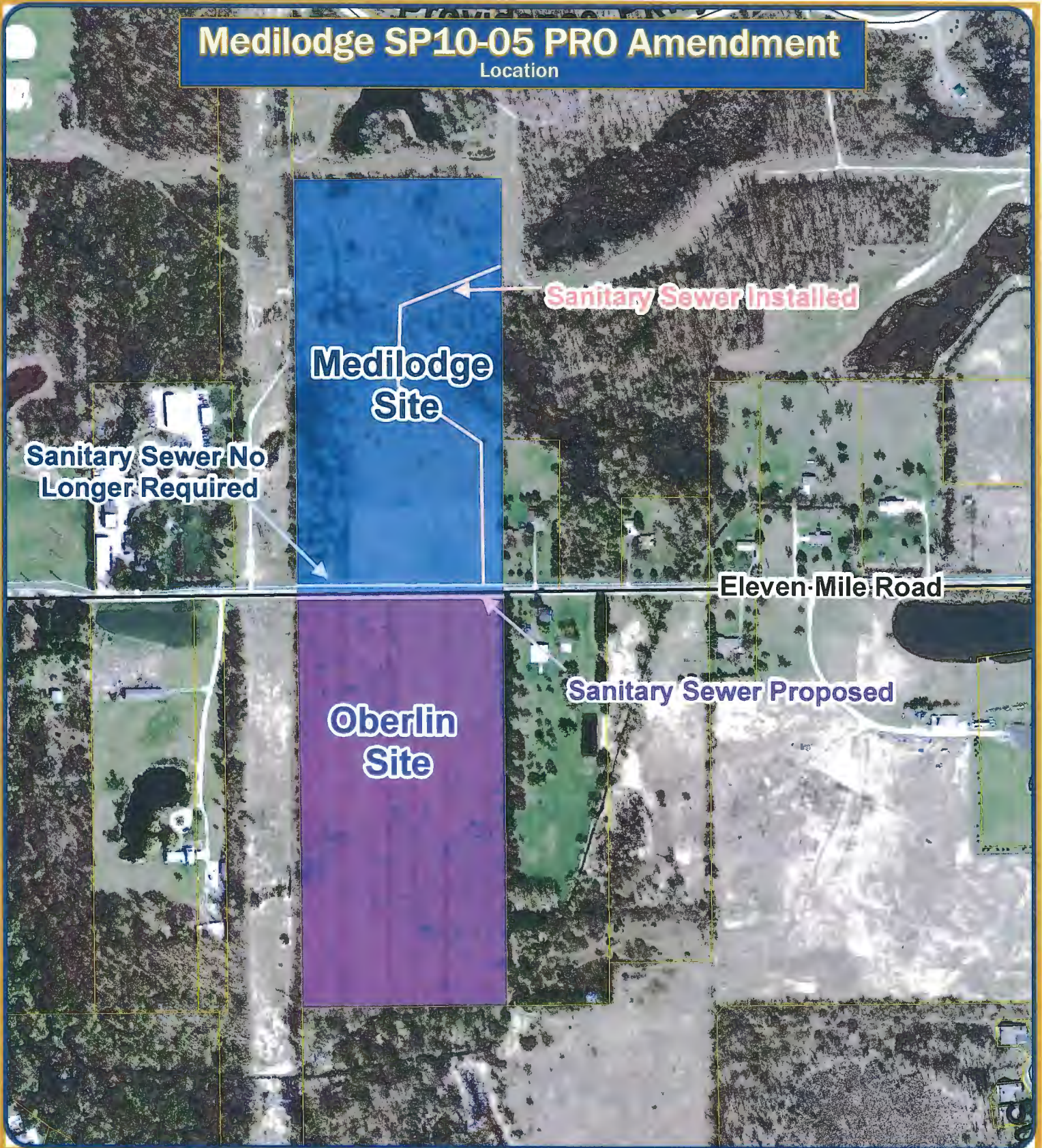
	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

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

Map
Location

Medilodge SP10-05 PRO Amendment

Location



Map Author: Kristen Kapelanski
Date: 11-18-13
Project: Medilodge SP10-05
Version #: 1.0

MAP INTERPRETATION NOTICE

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



City of Novi

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



1 inch = 417 feet



Medilodge Site Plan

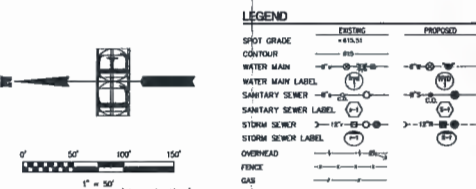
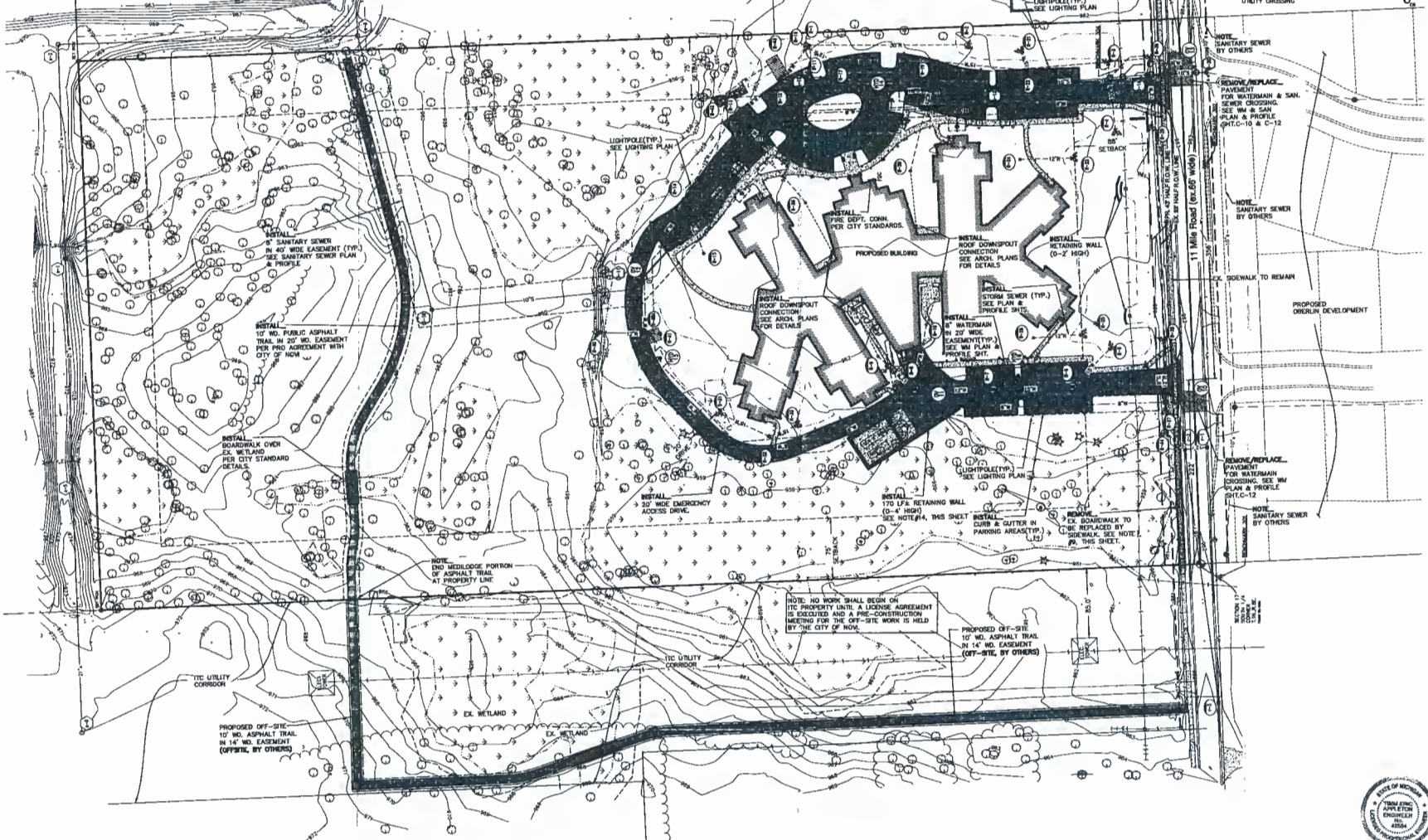
S.E.S.C. NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR GRADING AND STABILIZING DISTURBANCES DUE TO THE INSTALLATION OF PUBLIC UTILITIES.

LIBRARY CROSSING SCHEDULE									
Crossing		LIBRARY		Elev.		Elev.		distance	
No.	size (inches)	type	size (inches)	type	Elav.	Elav.	dlp	dlp	distance
1	12" R	inv. = 959.09	8" W	toppe = 955.10	-	-	-	-	4.0
2	0-0-1								
3	12" R	inv. = 958.04	8" W	toppe = 958.34	dlp = 1.7				
4	12" R	inv. = 958.45	4" W	toppe = 958.75	dlp = 1.7				
5	12" R	inv. = 958.77	8" W	toppe = 958.77	dlp = 1.7				
6	12" R	inv. = 957.38	8" W	toppe = 955.68	dlp = 1.7				
7	10" S	inv. = 943.31	8" W	toppe = 959.20	-	-	-	-	12.7
8	12" R	inv. = 943.75	12" R	toppe = 957.12	-	-	-	-	13.4
9	12" R	inv. = 957.06	8" W	toppe = 954.89	dlp = 2.2				
10	12" R	inv. = 944.28	8" W	toppe = 956.72	dlp = 1.7				
11	12" R	inv. = 956.07	8" W	toppe = 954.57	dlp = 1.7				
12	12" R	inv. = 957.71	8" W	toppe = 958.01	dlp = 1.7				
13	12" S	inv. = 944.85	12" R	toppe = 957.63	-	-	-	-	12.8
14	8" S	inv. = 953.80	8" W	toppe = 956.70	-	-	-	-	2.9
15	30" R	inv. = 957.63	8" W	toppe = 955.93	dlp = 1.7				
16	12" S	inv. = 945.45	30" R	toppe = 957.62	-	-	-	-	12.2
17	0-0-1								
18	12" R	inv. = 960.84	8" W	toppe = 957.30	-	-	-	-	3.5
19	12" S	inv. = 945.60	8" W	toppe = 957.10	-	-	-	-	11.8
20	12" S	inv. = 944.24	8" W	toppe = 955.80	-	-	-	-	11.8
21	10" S	inv. = 945.72	12" R	toppe = 960.74	-	-	-	-	15.0
22	12" S	inv. = 945.68	16" W	toppe = 958.03	-	-	-	-	12.1

GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE CURRENT CITY OF NOV STANDARDS AND SPECIFICATION.
- THE SITE PLAN SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF NOV DESIGN AND CONSTRUCTION STANDARDS (CHAPTER 11).
- A RIGHT-OF-WAY PERMIT FROM THE CITY OF NOVI IS REQUIRED PRIOR TO ANY WORK WITHIN THE 11 MILE ROAD RIGHT OF WAY.
- ALL WEATHER ACCESS ROADS CAPABLE OF SUPPORTING 25 TONS SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS PRIOR TO CONSTRUCTION ABOVE THE FOUNDATION.
- ALL WATER MAINS AND FIRE HYDRANTS SHALL BE INSTALLED AND BE IN-SERVICE PRIOR TO CONSTRUCTION ABOVE THE FOUNDATION.
- THE BUILDING ADDRESS IS TO BE POSTED FACING THE STREET THROUGHOUT CONSTRUCTION. THE ADDRESS IS AT LEAST 3-INCHES HIGH ON A CONTRASTING BACKGROUND.
- ALL TRAFFIC CONTROL SIGNS AND PAVEMENT MARKINGS SHALL BE INSTALLED PER THE CURRENT EDITION OF THE MICHIGAN MUTCD.
- TREE PROTECTION STRIP SHALL BE MAINTAINED AT ALL CRITICAL ROOT ZONE OF TREES TO BE SAVED THAT ARE ADJACENT TO UTILITY INSTALLATION AND GRADING LIMITS. FIELD LOCATION OF TREE PROTECTION FENCING SHALL BE REVIEWED AND APPROVED BY THE CITY OF NOV PRIOR TO INSTALLATION.
- BOUNDARIES ON THE NORTH END OF 11 MILE RD. TO BE REMOVED AND REPLACED WITH STANDARD SIDEWALK PER CITY STANDARDS. REMOVAL OF BOUNDARIES IS REQUIRED TO ACHIEVE REQUIRED SIGHT DISTANCE AT WESTERN SITE DRIVE APPROACH TO 11 MILE ROAD.
- COMPACTED SAND BACKFILL SHALL BE PROVIDED FOR ALL UNDERGROUND UTILITIES WITHIN THE INFLUENCE OF PAVED AREAS.
- IF DETERMINING IS ANTICIPATED OR ENCOUNTERED DURING CONSTRUCTION A Dewatering Plan MUST BE SUBMITTED TO THE CITY OF NOV ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- ALL DAMAGED SIDEWALKS/PATHWAYS DUE TO CONSTRUCTION ACTIVITIES SHALL BE FULLY RESTORED TO MEET CITY STANDARDS.
- SEE SHEET C-10 & C-11 FOR EX. SOR BORING INFO.
- A SEPARATE PERMIT FROM THE BUILDING DEPARTMENT IS REQUIRED PRIOR TO CONSTRUCTION OF THE RETAINING WALL.



LAYOUT & UTILITY PLAN
 SCALE: 1" = 60' 0"

Amended PRO Agreement



JOHNSON ROSATI SCHULTZ JOPPICH PC

34405 W. Twelve Mile Road, Suite 200 ~ Farmington Hills, Michigan 48331-5627
Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

www.johnsonrosati.com

November 8, 2013

Barb McBeth
Deputy Community Development Director
City of Novi
45175 Ten Mile Road
Novi, MI 48375-3024

RE: Medilodge of Novi SP10-05
First Amendment to Planned Rezoning Overlay (PRO) Agreement

Dear Ms. McBeth:

We have received and reviewed, and enclosed please find the proposed First Amendment to Planned Rezoning Overlay (PRO) Agreement. The First Amendment is being submitted for the purpose of modifying the approved PRO plan to eliminate the requirement for the developer to construct the sanitary sewer along the north side of Eleven Mile Road as the result of sewer being provided by the Oberlin Development.

Subject to Engineering review of the amended Layout and Utility Plan attached, we see no legal impediment to approval of the First Amendment to Planned Rezoning Overlay (PRO) Agreement.

Upon approval of the First Amendment to Planned Rezoning Overlay (PRO) Agreement, the original should be recorded by the City Clerk's Office in the usual manner.

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,


ELIZABETH K. SAARELA

EMK

cc: Maryanne Cornelius, Clerk

Barb McBeth, Deputy Community Development Director
City of Novi
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Page 2

Charles Boulard, Community Development Director
Sarah Marchioni, Building Permit Coordinator
Sue Troutman, City Clerk's Office
Kristen Kapelanski, Planner
Thomas R. Schultz, Esq.

**FIRST AMENDMENT TO
PLANNED REZONING OVERLAY (PRO) AGREEMENT
NOVI REAL ESTATE, LLC**

THIS FIRST AMENDMENT TO PLANNED REZONING OVERLAY (PRO) AGREEMENT, NOVI REAL ESTATE, LLC (this "Amendment"), is made this ___ day of November, 2013, by and among NOVI REAL ESTATE, LLC, a Michigan limited liability company, whose address is 30230 Orchard Lake Road, Suite 160, Farmington Hills, Michigan 48334 ("Owner/Developer"), and the CITY OF NOVI, a Michigan municipal corporation, whose address is 45175 W. Ten Mile, Novi, Michigan 48375 (the "City").

RECITALS:

A. Owner/Developer and the City are parties to a Planned Rezoning Overlay (PRO) Agreement, Novi Real Estate, LLC (the "PRO"), dated August 8, 2011, with respect to certain real property situated in the City of Novi, County of Oakland, State of Michigan, as more particularly described on Exhibit A attached hereto (the "Property"). Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the PRO.

B. On September 6, 2011, the PRO was recorded with the Oakland County Register of Deeds at Liber 43345, page 820.

C. Owner/Developer and the City desire to amend the PRO to reflect the agreement between the parties that Owner/Developer shall not be required to construct the required sanitary sewer along the north side of Eleven Mile Road as reflected in the PRO.

NOW, THEREFORE, Owner/Developer and the City agree as follows:

1. Recitation V.C.(5) of the PRO is hereby amended in its entirety to read as follows:

(5) Placement of Sanitary Sewer. As shown on Exhibit B attached hereto and as was approved by the City during the site plan approval process, Owner/Developer shall construct the required sanitary sewer from north to south across Eleven Mile Road, but shall not be required to construct the sanitary sewer from east to west along the north or south side of Eleven Mile Road.

2. Except as expressly modified by this Amendment, the PRO remains in full force and effect.

3. This Amendment shall be binding upon and inure to the benefit of the parties hereto and their successors and assigns. The rights and obligations contained in this Amendment shall run with the Property.


4. This Amendment has been duly authorized by all necessary action of Owner/Developer and the City.

5. This Amendment may be executed by the parties in counterparts.

IN WITNESS WHEREOF, the undersigned have executed this Amendment effective as of the day and year first written above.

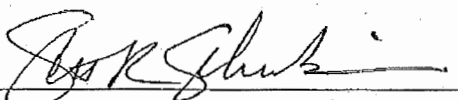
OWNER/DEVELOPER:

NOVI REAL ESTATE, LLC, a Michigan limited liability company

By: 
Frank M. Wronski, President

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

On this 7th day of November, 2013, before me, personally appeared Frank M. Wronski, in his capacity as President 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.


Scott R. Schubiner, Notary Public
State of Michigan, County of Oakland
My Commission Expires: 03/15/2014
Acting in Oakland County

CITY:

CITY OF NOVI, a Michigan municipal corporation

By: _____
Robert J. Gatt, Mayor

By: _____
Maryanne Cornelius, Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

On this ____ day of _____, 2013, before me appeared Robert J. Gatt, Mayor, and Maryanne Cornelius, Clerk, who 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
_____ County, Michigan
My Commission Expires:
Acting in _____ County

THIS INSTRUMENT DRAFTED BY:
Alan J. Schwartz, Esq.
2301 W. Big Beaver Rd., Suite 777
Troy, MI 48084

AND WHEN RECORDED RETURN TO:
Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Property situated in the City of Novi, Oakland County, Michigan, described as follows:

The West 1/2 of the Southwest 1/4 of the Southeast 1/4
of Section 17, Town 1 North, Range 8 East

Commonly known as: 48300 Eleven Mile Road
 Novi, Michigan 48374

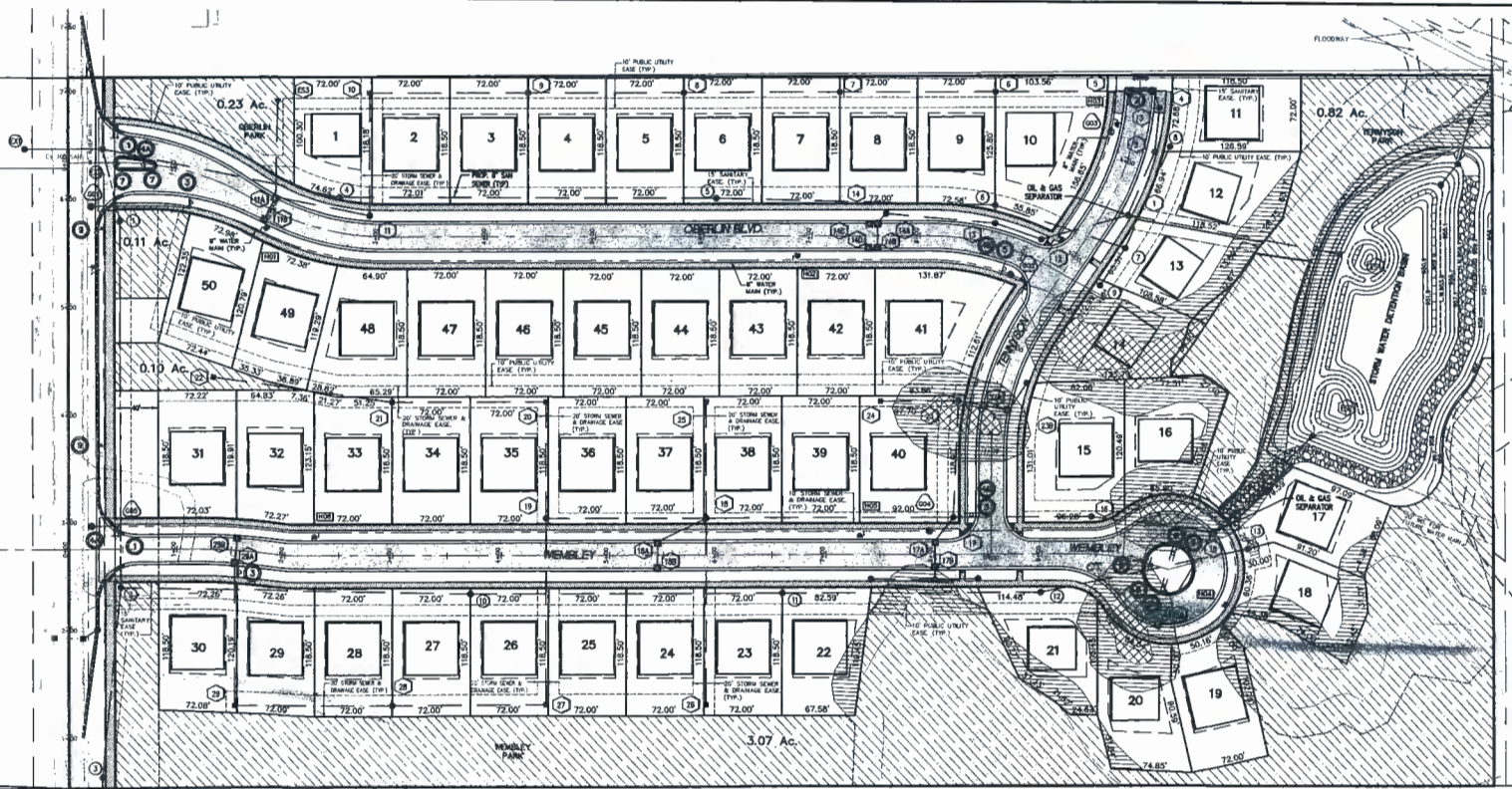
Tax Identification Number: 50-22-17-400-002

EXHIBIT B

LAYOUT AND UTILITY PLAN

See attached.

Oberlin Site Plan



- ### SIGN QUANTITIES TAE
- DESCRIPTION
- ON-SITE SIGNS
- 1 R1-1 30" "STOP" SIGN
 - 2 RM-4-3 END OF ROAD MARKER
 - 3 R2-1 (25) "25 MPH SPEED LIMIT" SI
 - 4 D3-1 STREET NAME 12" HIGH ATOP "STOP"
 - 5 D3-1 STREET NAME 6" HIGH ATOP "YIELD"
 - 6 R1-2 30" "YIELD" SIGN
 - 7 R4-7A "KEEP RIGHT" SIGN
 - 8 R4-7 "KEEP RIGHT" SIGN
 - 9 RB-3 "NO PARKING" SIGN 12" x 12"
 - 10 R3-7R RIGHT LANE MUST TURN RIGHT SI

- ### SYMBOL LEGEND
- 1 SANITARY SEWER
 - 2 STORM SEWER
 - 3 HYDRANT
 - 4 DATE VALVE & WELL ON T.S. & W.

NOTE: SIDEWALKS IN COMMON AREAS MUST BE BUILT PART OF UTILITY CONSTRUCTION

- ### SIGNAGE NOTES
- ALL SIGNAGE SHALL COMPLY WITH MANUFACTURED.
 - THE "STREET NAME" SIGNS SHALL BE PROVIDED ON EACH POST, LOCATED 4 FEET IN ADVANCE OF THE IMPLIED CORNER.
 - ALL SIGNAGE SHALL COMPLY WITH THE CITY OF HOUSTON SPECIFICATIONS.

- ### WATER MAIN NOTES:
- MECHANICAL JOINT RESTRAINT SHALL BE USED FOR ALL P SHALL BE MEDIA LOGS OR APPROVED EQUAL.
- RESTRAINT JOINT DESIGN SHALL BE PROVIDED TO THE RES PRIOR TO CONSTRUCTION AND SHALL BE PER DIPA STAIN EDITION.

- CONTRACTOR SHALL FIELD VERIFY LOCATION, SIZE & DEPTH MAIN AT POINT OF CONNECTION PRIOR TO START OF WARE COMPACTED SAND BACKFILL IS REQUIRED WITHIN A 1 ON 1 UNDER AND WITHIN 3 FEET OF PAVED AREAS.
- FIRE HYDRANTS SHALL BE PLACED NO LESS THAN 7 FEET

UNIT DATA

UNIT #	AREA (SQ FT)	WIDTH (FT)
1	8531	72.00
2	8531	72.00
3	8531	72.00
4	8531	72.00
5	8531	72.00
6	8531	72.00
7	8531	72.00
8	8531	72.00
9	8531	72.00
10	8531	72.00
11	8531	72.00
12	8531	72.00
13	8531	72.00
14	8531	72.00
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39	8531	72.00
40	8531	72.00
41	8531	72.00
42	8531	72.00
43	8531	72.00
44	8531	72.00
45	8531	72.00
46	8531	72.00
47	8531	72.00
48	8531	72.00
49	8531	72.00
50	8531	72.00

SANITARY SEWER BASIS OF DESIGN

CONNECTION TO EXISTING 10-INCH AT 11 MILE AND OBERLIN

NUMBER OF UNITS
50 units in Cluster
82 units east of Oberlin
8 units west of the ITC Caudill South of 11 Mile
15 units west of the ITC Caudill North of 11 Mile
132 Total Units

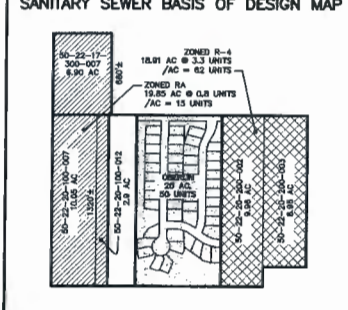
POPULATION
= 3.2 people/unit x 132 units
= 422.4 people

AVERAGE FLOW
= 422.4 people x 100 gal/person/day
= 42240 gal/day
= 0.00025 cfs

PEAK FACTOR
= (100-SQRT(1000)) / (100+SQRT(1000))
= 4.0108

PEAK FLOW
= PEAK FACTOR X AVERAGE FLOW
= 1.69215 cfs

CAPACITY OF A 10" PIPE @ 0.38 IN. S.D. IS 1.18 CFS
THEREFORE PIPE CAPACITY IS SUFFICIENT.



SITE DATA

ZONING: R-4

PARCEL SIZE = 19.95 AC (GROSS AREA)

NUMBER OF LOTS PROPOSED = 50 LOTS

MINIMUM LOT SIZE = 6,000 SQ.FT.

MINIMUM LOT WIDTH = 72.00 FEET

TYPICAL LOT SIZE = 72,00' x 118.5'

FRONT SETBACK = 30 FEET

REAR SETBACK = 35 FEET

SIDE YARD SETBACK = 10 FEET (MINIMUM)

SIDE YARD SETBACK = 20 FEET (AGGREGATE)

OPEN SPACE CALCULATIONS

MIN. LOT AREA

TOTAL SITE AREA NOT INCLUDING 43' R.O.W. = 19.29 AC.

OPEN SPACE AREA PROVIDED = 4.33 AC.

PERCENTAGE OF OPEN SPACE AREA = 4.33/19.29 = 22.45%

10,000 S.F. x (100-21.77) = 77,823 S.F.

MIN. LOT AREA PERMITTED IS 8,000 S.F.

MIN. LOT AREA PROPOSED IS 8,000 S.F.

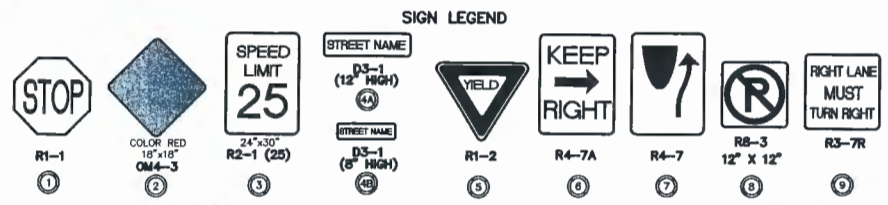
MIN. LOT WIDTH

PERCENTAGE OF OPEN SPACE AREA TO SITE AREA:
4.33 / 19.29 = 22.45%
0.2245 / 2 = 0.11225 = 11.22%

REDUCTION IN LOT WIDTH = 11.22% x 80 = 8.98

MIN. LOT WIDTH REQUIRED = 80 - 8.98 = 71.02'

MAX. LOT WIDTH PROVIDED = 72.00'



ESTIMATED QUANTITIES

MANHOLE

R MAIN DI. CL. 54	2434 L.F.
TE. VALVE AND BOX	6 SA.
VALVE AND BOX	2 SA.
APPROX. SEWER VALVE AND WELL	2 SA.
FOOTING FIRE HYDRANT	1 SA.

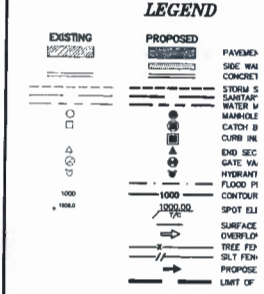
PIPE SEWER

18" SANITARY SEWER	1398 L.F.
18" SANITARY SEWER	400 L.F.
18" MANHOLE	13 SA.
1" LEAD PVC-308 11.5	2322 L.F.

SEWER

M SEWER C-76 CL. 4	354 L.F.
M SEWER C-76 CL. 4	350 L.F.
M SEWER C-76 CL. 4	350 L.F.
M SEWER C-76 CL. 4	375 L.F.
Integrated with existing existing AT&T F-99	140 L.F.
18" DI. 40' MIN. LEAD	1000 L.F.
TER INLET	8 SA.
PER MANHOLE	12 SA.
PER CATCH BASIN	72 SA.
RETE END SECTION	2 SA.
RETE END SECTION	1 SA.
RETE END SECTION	1 SA.
T MAIN STANDPIPE	1 EA.
PER OVERFLOW MANHOLE	1 EA.
H1 DRAIN	690 L.F.
DRAIN	4076 L.F.

CONTRACTOR SHALL FIELD VERIFY LOCATION, SIZE & DEPTH MAIN AT POINT OF CONNECTION PRIOR TO START OF WARE COMPACTED SAND BACKFILL IS REQUIRED WITHIN A 1 ON 1 UNDER AND WITHIN 3 FEET OF PAVED AREAS.



OBERLIN SITE CONDO.

SECTION 80, TOWN 1 NORTH, RANGE CITY OF HOUSTON, CLEVELAND COUNTY, TEXAS

REVISIONS

NO.	DATE	DESCRIPTION
1	07-26-19	DESIGNED BY: J.A. ZUM BRUNNEN, I
2	07-26-19	CHECKED BY: J.E. LEBLANC, P.E.

DATE: 07-26-19

COMPOSITE UTILITY, SIGNAGE & FIN

SEIBER, KEAST ENGINEERING, L.L.C.

CONSULTING ENGINEERS

7125 ORCHARD LAKE ROAD • SUITE 300 • WEST BLOOMFIELD, TX

PHONE: 281.952.7397

**City Council Minutes – Excerpt
July 18, 2011**

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JULY 18, 2011 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Landry, Mayor Pro Tem Gatt, Council Members Fischer, Margolis, Mutch, Staudt, Wrobel

APPROVAL OF AGENDA

CM-11-07-103 Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the Agenda as presented

Roll call vote on CM-11-07-103	Yeas:	Gatt, Fischer, Margolis, Mutch, Staudt, Wrobel, Landry
	Nays:	None

MATTERS FOR COUNCIL ACTION – Part I

- 1. Consideration of Zoning Map Amendment 18.695 to approve rezoning of an approximately 20.05-acre parcel of property, located on the north side of Eleven Mile Road between Beck and Wixom Roads in Section 17 from R-3, One-Family Residential to RM-1, Low Density, Low-Rise, Multiple-Family Residential pursuant to the Planned Rezoning Overlay provisions of the Zoning Ordinance, §3401, et seq., and to approve the corresponding Concept Plan and PRO Agreement between the City and the applicant for construction of a 120 bed, 78,560 square foot convalescent (nursing) home building.**

Mr. Pearson said this item was a PRO and Council had review of the site development. He said the Medilodge project was something Council had already seen in a few variations, this was the actual agreement. He said it had a positive recommendation and met the guidelines set. He said there was a public benefit; the applicant would build a pathway along the ITC corridor north of 11 Mile, across their property and through the PRO.

Mayor Landry said he was concerned about the following comment in the material: "As currently proposed, the conservation easement fails to provide long-term protection for woodland replacement credits and significant site natural features". He asked where they currently stood on that.

Ms. McBeth said there was a sizeable conservation easement proposed for the property but some of the woodland replacement trees would be located outside of the conservation easement. She said additionally, there was a gourd-shaped wetland not included in the conservation easement and some of the woodland replacement trees were outside the conservation easement. She said the question remained if Council was comfortable with the conservation easement as proposed, the 8.5 acres, or if they

would like to expand the conservation easement to include the additional woodland replacement trees and the gourd-shaped wetland.

Mayor Landry asked how comfortable the administration was with what was proposed by the applicant.

Ms. McBeth said through the environmental consultant there was some concern based on possible future development because just a portion of the site was being developed with the Medilodge facility. She said the applicant indicated that there could be further development to the north. Any further development would have to come back before the Planning Commission and City Council because of the PRO mechanism, however, the woodland replacement trees were supposed to be maintained in perpetuity and the best way to do that was through a conservation easement.

Mayor Landry asked how much larger the conservation easement would have to be if all the woodland replacement trees were included.

Dr. Freeland, ECT, Woodlands and Wetlands Consultant, said the gourd-shaped wetland was approximately half an acre. He said if, in the future, they were to fill it in it would require wetland mitigation. He said with the extent of the proposed development at the site and with the conservation easement of 8.5 acres he didn't think there would be room left for wetland mitigation. He said a rough estimate of the additional area for the replacement trees would be about an additional $\frac{1}{3}$ of an acre to include the gourd-shaped wetland and it would be about another $\frac{3}{4}$ of an acre to include the buffer around the woodland and the wetland itself.

Mayor Landry asked if they were being asked to approve an exception to the woodland mitigation requirements.

Mr. Schultz said the trees that were planted there would be required to remain there unless the City allowed them to be removed. He said the PRO agreement would cover the whole 20 acres; if anyone wanted to fill the wetland and mitigate or not mitigate they would have to come before City Council looking for approval of a different site plan.

Member Fischer confirmed with Mr. Pearson that the pathway had to be constructed within 12 months of the start of construction or prior to a temporary certificate of occupancy. He asked if the company would be required to post the required amount up front to ensure the City would be able to construct the path if necessary or if the City would go after the funds if the requirements weren't met.

Mr. Pearson said the City didn't want to tie up their money while in the process of building the pathway. If they didn't have it completed by the timeline they would have to post the money.

Member Fischer said he believed the public benefit was there and would support the motion.

CM-11-07-107 Moved by Fischer, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the Zoning Map Amendment 18.695 to approve rezoning of an approximately 20.05-acre parcel of property, located on the north side of Eleven Mile Road between Beck and Wixom Roads in Section 17 from R-3, One-Family Residential to RM-1, Low Density, Low-Rise, Multiple-Family Residential pursuant to the Planned Rezoning Overlay provisions of the Zoning Ordinance, §3401, et seq., and to approve the corresponding Concept Plan and PRO Agreement between the City and the applicant for construction of a 120 bed, 78,560 square foot convalescent (nursing) home building. As amended to include the comments of Member Mutch and Mr. Schultz.

Member Wrobel asked what the pathway would be made of.

Mr. Pearson said it was a 10 foot asphalt pathway.

Member Wrobel said it made perfect sense for a convalescent home to be on the perimeter edge of a fine medical facility and he would support the motion.

Member Mutch said he didn't see specific language in the agreement, in regards to the pathway across from the Medilodge property itself, which spoke to a public easement. He asked if it was implied within the discussion of a public pathway.

Mr. Schultz said the agreement covered the offsite improvements as a condition to the approval and the rest would be covered under the site plan.

Member Mutch stated that if replacement trees were planted in an area that wasn't covered by a conservation easement and at a future date an applicant wanted to expand buildings on the site into the area where the woodland replacement trees were planted, they would then be required to replace those trees. He asked if there was a formula to determine how many trees would have to be planted to replace each tree that was cut down.

Mr. Schultz said if they were removing trees that were required under the site plan it would be a violation calculation. The ordinance would determine the amount of trees that would have to be replaced. He said he looked at the PRO agreement as essentially the same thing as the conservation easement; it was recorded against the property and had all the requirements for what would need to be replaced to comply with the woodlands ordinance.

Member Mutch asked if it was appropriate within the PRO agreement to stipulate the number of woodland replacement trees that were required for the property so if at a future date they took out half of them they would have to replace at least half.

Mr. Schultz said we could come up with language with the applicant that addressed the issue.

Member Mutch said he understood Dr. Freeland's concern. He said if it was a typical development plan and they were planting replacement trees not covered by a conservation easement he wasn't sure if they would have the level of protection down the road that they had with the PRO agreement. He said if someone wanted to expand into an area not covered by the conservation easement, they would have a lot more control over what would happen in the area than they would have over a similar situated piece of property that was a straight site plan with no conservation easement. He said he was comfortable moving forward without the conservation easement, as long as the number of replacement trees required by the site was clarified in the agreement.

Member Margolis said the PRO included six ordinance deviations and they could approve them as long as they met the Master Plan and were compatible with the surrounding areas. She asked if the staff supported all of the deviation.

Ms. McBeth said staff did support the six deviations.

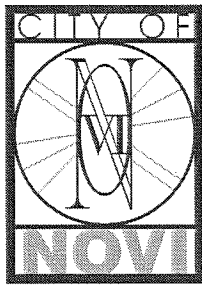
Member Margolis said the PRO, with the addition of the section that Member Mutch mentioned, covered the issue.

Roll call vote on CM-11-07-107

**Yeas: Staudt, Wrobel, Landry, Gatt, Fischer,
Margolis, Mutch**

Nays: None

Planning Commission Minutes – Excerpt
July 27, 2011



PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting
July 27, 2011 | 7 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Baratta, Member Greco, Member Gutman, Member Lynch, Member Prince

Also Present: Member Anthony (excused), Chair Pehrson (excused)

Absent: Barbara McBeth, Deputy Director of Community Development; Kristin Kolb, City Attorney; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Brian Coburn, Engineering Manager; Nathan Bouvy, Engineer

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Deputy Director McBeth stated the agenda originally sent out to the Planning Commission has been amended to include a phasing plan as part of the Catholic Central item for consideration.

Moved by Member Greco and seconded by Member Baratta.

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

Motion to approve the amended July 27, 2011 Planning Commission agenda. Motion carried 5-0.

PUBLIC HEARINGS

1. 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.

Planner Kapelanski stated the applicant is proposing a 78,000 square foot convalescent home 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 vacant land to the south and a single-family residential home to the east.

Planner Kapelanski stated that this matter previously appeared before the Planning Commission for a recommendation to the City Council for a rezoning with Planned Rezoning Overlay and approval of the Preliminary Site Plan and associated permits. The City Council did recently approve the rezoning and Planned Rezoning Overlay Agreement, rezoning the property to RM-1, Low Density Low-Rise Multiple Family Residential.

The natural features include on-site wetlands, mainly concentrated in the center of the site and extending down on the southwestern side. There are also high-quality woodlands on the site occupying the northern half of the property.

Planner Kapelanski explained that the applicant previously received approval of the Preliminary Site Plan in 2010. Since that time, revisions to the plan have taken place that require the Planning Commission to reconsider the Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan. These changes include the following: the sanitary sewer extension has been relocated from the south side of Eleven Mile to the north side of the road, an existing boardwalk near the southwest corner of the site will be removed and replaced with a sidewalk and the plans now include the pathway through the ITC corridor and extending onto the Medilodge property. The PRO Agreement included the ITC pathway as a significant public benefit and includes the most recent plan submittals showing the proposed pathway alignment. Staff is still working with ITC to confirm the details for the exact trail location and the exact alignment may shift slightly before the final design is in place.

Planning staff recommends approval of the revised Preliminary Site Plan with items for the applicant to address on the Final Site Plan. The woodland review, wetland review, engineering review and fire marshal all recommend approval of the plan noting items to be addressed on the Final Site Plan.

Chair Gutman asked if the applicant had anything to add.

Matt Brown of J.W. Design came forward and noted he was available for questions.

Chair Gutman opened the public hearing. As no one from the audience wished to speak and there was no correspondence, Chair Gutman closed the public hearing.

Member Lynch stated there did not appear to be any major changes to the plan and asked if staff had requested the sanitary sewer extension be moved to the north side of the street.

Planner Kapelanski stated that the applicant was originally proposing the sanitary sewer on the south side as a benefit to saving some of the wetlands on the site. It wasn't feasible to locate that on the south side and it was determined that the impacts to the wetlands on the north side would not be that significant.

Member Lynch said he recalled discussion on that item and he was looking forward to the project.

Motion made by Member Lynch and seconded by Member Prince.

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

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 recording 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) Applicant incorporating revised ITC pathway shown in Exhibit D of the PRO Agreement into the Final Site Plan submittal. This motion is made 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 5-0.

Motion made by Member Lynch and seconded by Member Prince.

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

In the matter of The Medilodge Group, SP 10-05B, motion to approve the revised Wetland Permit, subject to: a) Execution and recording 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. This motion is made because the plan is in compliance with Chapter 12 of the Code of Ordinances and all other applicable provisions of the

Ordinance. Motion carried 5-0.

Motion made by Member Lynch and seconded by Member Prince.

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

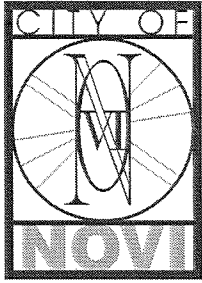
In the matter of The Medilodge Group, SP 10-05B, motion to approve the revised Woodland Permit, subject to: a) Execution and recording of the approved PRO Agreement; and b) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Lynch and seconded by member Prince.

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

In the matter of the Medilodge Group, SP 10-05B, motion to approve the Stormwater Management Plan, subject to the following: a) Execution and recording of the approved PRO Agreement; and b) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Planning Commission Minutes – Excerpt
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.*