



ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department
(248) 347-0415

Case No. PZ14-0063 Providence Hospital Campus and Kidney Centers of Michigan

Location: 47601 Grand River Ave.

Zoning District: OSC, Office Service Commercial

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, a dimensional/non-use variance from the requirement of Section 2517 of the Zoning ordinance that a lot or parcel to front on a public street unless specifically provided by ordinance, for all parcels, whether existing or to be established in the future as approved by the City, remaining to be developed adjacent to and utilizing the so-called Providence Ring Road as their primary access, as depicted on the attached drawing and currently part of Parcel 22-17-400-039. The property is located on the south of Grand River, west of Beck Road, west side Novi Road, and south of 12 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES; Section 2517, "Frontage on a Public Street", states that no lot or parcel of land shall be used for any purpose permitted by this Ordinance unless said lot or parcel shall front directly upon a public street, unless otherwise provided for in this Ordinance..

City of Novi Staff Comments:

The applicant is requesting a dimensional/non-use variance from the requirement of Section 2517 of the Zoning ordinance that a lot or parcel to front on a public street unless specifically provided by ordinance, for all parcels, whether existing or to be established in the future as approved by the City, remaining to be developed adjacent to and utilizing the so-called Providence Ring Road as their primary access.

The Campus currently front directly on a private road "Providence Parkway", a permanent ring road establish for the use of all owners and occupants of Providence Park Campus. Previously, variances were filed by Providence Hospital and Medical Centers Inc to allow for three separate developments to front on a "private ring road" established for the use of all owners and occupants of the development, rather than a public road. These developments were: the Novi Orthopedic Center properties, LLC (ZBA 06-086), Staybridge (JW Hotels) (ZBA 06-087) and Providence Medical Office Building Development (ZBA 06-088). A public hearing was held in November of 2006 and the variances were approved. Staff is in support of this variance, as the private road serves to provide access to developments on the Providence Park Campus, and the declaration will insure that the access to the site from the public street is maintained.

Standards for Granting Dimensional Variances:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty because_____.
- The need is not self-created because_____.
- Strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome because_____.
- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district because_____.
- The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because_____.

Standards for Denying Dimensional Variances:

Petitioner has **not** established a practical difficulty because:

- Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by_____.
- The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.
- The need for the variance is self-created because Petitioner _____.
- Conforming to the ordinance would not (either):
 - be unnecessarily burdensome because _____, or,
 - unreasonably prevent petitioner from using the property for _____, because_____.
- A lesser variance consisting of _____ would do substantial justice to Petitioner and surrounding property owner's because_____.
- The proposed variance would have adverse impact on surrounding property because_____.



45175 Ten Mile Road
 Novi, MI 48375
 (248) 347-0415 Phone
 (248) 735-5600 Facsimile
 www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

REVISED

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: _____	
PROJECT NAME / SUBDIVISION St. John Providence Park Novi				Meeting Date: <u>2/10/15</u>	
ADDRESS 47601 Grand River Ave. (refer to attached legal description)		LOT/SIUTE/SPACE #		ZBA Case #: PZ <u>14-00063</u>	
SIDWELL # 50-22-17 - 400 - 039		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS john.yagerlener@ascensionhealth.org		CELL PHONE NO.	
NAME John Yagerlener				TELEPHONE NO. (248) 798-8919	
ORGANIZATION/COMPANY Providence Hospital & Medical Centers, Inc.				FAX NO.	
ADDRESS 47601 Grand River Ave.		CITY Novi	STATE MI.	ZIP CODE 48374	
B. PROPERTY OWNER <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS john.yagerlener@ascensionhealth.org		CELL PHONE NO.	
NAME John Yagerlener				TELEPHONE NO. (248) 789-8919	
ORGANIZATION/COMPANY Providence Hospital & Medical Centers, Inc.				FAX NO.	
ADDRESS 47601 Grand River Ave.		CITY Novi	STATE MI.	ZIP CODE 48374	
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER <u>OSC</u>					
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>2517</u>		Variance requested		<u>A dimensional/non-use variance from the requirement of Section 2517 (refer to attachment)</u>	
2. Section _____		Variance requested		_____	
3. Section _____		Variance requested		_____	
4. Section _____		Variance requested		_____	
IV. FEES AND DRAWINGS					
A. FEES					
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input checked="" type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600					
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF					
<input type="checkbox"/> Dimensioned Drawings and Plans <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Number & location of all on-site parking, if applicable			<input type="checkbox"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Floor plans & elevations <input type="checkbox"/> Any other information relevant to the Variance application		



ZONING BOARD OF APPEALS APPLICATION

REVISED

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign ten-(10) days** before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Mark Gopalan
Applicant Signature

1-8-2015
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

Mark Gopalan
Property Owner Signature

1-8-2015
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date

PROVIDENCE HOSPITAL AND MEDICAL CENTERS, INC.
& GSJV-Novii II, LLC
Sidwell #5022-17-400-039
Novi Zoning Board of Appeals Application

REVISED

Variance Requested

1. **Background.** The Subject Property is a 176 acre parcel of land zoned OSC (refer to attached legal description) that comprises the entire St. John Providence Park Development (the "Parent Parcel"). The requested variance would apply to all the parcels that rely upon access from Providence Parkway as illustrated on the color coded drawing attached herewith.

Separately, the owner of the Parent Parcel, Providence Hospital and Medical Centers, Inc., a Michigan nonprofit corporation ("Providence"), will file an Application for Land Division with the Novi Assessor's office requesting that the proposed Kidney Centers of Michigan, LLC/ Total Renal Care, Inc project be designated as a separate parcel of land with its own Sidwell number. GSJV-Novii II, LLC (GSJV) is the tenant of the Subject Property pursuant to a long-term Ground Lease executed by the parties. Providence intends to continue to own the Subject Property after the land division is administered.

2. **Variance Requested.** A dimensional/non-use variance from the requirement of Section 2517 of the Zoning ordinance that a lot or parcel to front a public street unless specifically provided by ordinance, for all parcels, whether existing or to be established in the future as approved by the City, remaining to be developed adjacent to and utilizing the so-called Providence Ring Road as their primary access, as depicted on the attached drawing and currently part of Parcel 22-17-400-039.

Sec 2517. Frontage on a Public Street.

No lot or parcel shall be used for any purpose permitted by this Ordinance unless said lot or parcel shall front directly upon a public street, unless otherwise provided for in this Ordinance.

The Subject Properties do not currently front directly on a public road. However, the Subject Properties do front directly on "Providence Parkway", a permanent ring road established for the use of all owners and occupants of the St. John Providence Park Development. Providence Parkway will provide all the properties within the Parent Parcel, with access to all public roads in the vicinity of the St. John Providence Park Development. Providence Parkway was engineered and designed in accordance with Novi's engineering and design standards as well as standards established by the American Association of Highway and Transportation Officials ("AASHTO"). Providence Parkway will meet all applicable standards and specifications for public roads in Novi. A survey and legal description for Providence Parkway is attached hereto. Providence Parkway was established pursuant to a Declaration recorded with the Oakland County Register of Deeds on October 12, 2006.

20130648

07-30-14

22-17-400-039

DESCRIPTION OF PROPERTY (22-17-400-039)

Part of the Northeast ¼ and Southeast ¼ of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as: Commencing at the East ¼ corner of said Section 17; thence South 87 degrees 17 minutes 07 seconds West 60.00 feet along the East-West ¼ line to the west right of way line of Beck Road (variable right of way) and the POINT OF BEGINNING; thence South 01 degrees 21 minutes 47 seconds East 1,971.74 feet along said right of way line; thence South 87 degrees 20 minutes 58 seconds West 777.29 feet; thence South 01 degrees 54 minutes 30 seconds East 667.00 feet to the South line of said Section 17 and centerline of Eleven Mile Road (33 foot right of way); thence South 87 degrees 21 minutes 00 seconds West 326.50 feet along said South line and centerline; thence North 01 degrees 54 minutes 30 seconds West 667.00 feet; thence South 87 degrees 20 minutes 58 seconds West 162.32 feet; thence South 01 degrees 53 minutes 29 seconds East 368.99 feet; thence South 87 degrees 21 minutes 00 seconds West 280.07 feet; thence South 01 degrees 53 minutes 15 seconds East 298.00 feet to the South line of said Section 17 and centerline of Eleven Mile Road (33 foot right of way); thence South 87 degrees 21 minutes 00 seconds West 199.89 feet along said South line and centerline; thence North 02 degrees 09 minutes 22 seconds West 484.00 feet; thence South 87 degrees 21 minutes 00 seconds West 180.00 feet; thence North 02 degrees 09 minutes 22 seconds West 834.05 feet; thence South 87 degrees 19 minutes 01 seconds West 666.08 feet to the North-South ¼ line of said Section 17; thence North 02 degrees 25 minutes 16 seconds West 1317.63 feet along said North-South ¼ line to the center of said Section 17; thence North 02 degrees 46 minutes 41 seconds West 1816.04 feet to the southerly right-of-way line of Grand River Avenue (120 feet wide); thence along said southerly right of way line the following three (3) courses: (1) South 73 degrees 26 minutes 47 seconds East 1593.03 feet, (2) South 72 degrees 01 minutes 36 seconds East 605.22 feet, and (3) South 73 degrees 27 minutes 18 seconds East 600.00 feet to the west right of way line of said Beck Road; thence along said west right of way line the following three (3) courses: (1) South 02 degrees 00 minutes 50 seconds East 210.90 feet, (2) North 87 degrees 59 minutes 10 seconds East 5.00 feet, and (3) South 02 degrees 00 minutes 50 seconds East 667.73 feet to the East-West ¼ line of said Section 17 and the POINT OF BEGINNING. Except Beginning at a point distant South 87 degrees 17 minutes 07 seconds West 2688.65 feet along the East-West ¼ line to the Center of said Section 17 and North 02 degrees 46 minutes 41 seconds West 613.96 feet and North 89 degrees 25 minutes 44 seconds East 93.26 feet from the East ¼ corner of said Section 17 and the POINT OF BEGINNING; thence along a curve to the right 241.87 feet, said curve having a radius of 770.00 feet, a central angle of 17 degrees 59 minutes 51 seconds, and a chord bearing North 09 degrees 49 minutes 50 seconds East 240.88 feet; thence North 18 degrees 49 minutes 46 seconds East 54.21 feet; thence South 73 degrees 26 minutes 40 seconds East 710.49 feet; thence along a curve to the left 122.13 feet, said curve having a radius of 925.89 feet, a central angle of 07 degrees 33 minutes 28 seconds, and a chord bearing South 00 degrees 35 minutes 16 seconds East 122.04 feet; thence South 86 degrees 55 minutes 32 seconds West 424.54 feet; thence North 76 degrees 07 minutes 44 seconds West 207.70 feet; thence North 85 degrees 37 minutes 51 seconds West 115.68 feet to the POINT OF BEGINNING, Except Beginning at a point distant South 87 degrees 17 minutes 07 seconds West 2392.55 feet along the East-West ¼ line from the East ¼ corner of said Section 17 and the POINT OF BEGINNING; thence along a curve to the left 275.98 feet, said curve having a radius of 447.00 feet, a central angle of 35 degrees 22 minutes 29 seconds, and a chord bearing South 00 degrees 00 minutes 10 seconds East 271.62 feet; thence along a curve to the right 630.07 feet, said curve having a radius of 753.00 feet, a central angle of 47 degrees 56 minutes 33 seconds, and a chord bearing South 23 degrees 43 minutes 08 seconds East 611.85 feet; thence South 58 degrees 58 minutes 03 seconds West 101.95 feet; thence along a curve to the right 66.88 feet, said curve having a radius of 1470.00 feet, a central angle of 02 degrees 36 minutes 25 seconds, and a chord bearing North 82 degrees 45 minutes 09 seconds West 66.88 feet; thence North 81 degrees 26 minutes 57 seconds West 141.71 feet; thence along a curve to the right 504.69 feet, said curve having a radius of 320.00 feet, a central angle of 90 degrees 21 minutes 51 seconds, and a chord bearing North 36 degrees 16 minutes 01 seconds West 453.98 feet; thence North 08 degrees 54 minutes 54 seconds East 423.03 feet; thence along a curve to the left 123.31 feet, said curve having a radius of 480.00 feet, a central angle of 14 degrees 43 minutes 08 seconds, and a chord bearing North 01 degrees 33 minutes 19 seconds East 122.97 feet; thence North 78 degrees 20 minutes 12 seconds East 35.17 feet; thence along a curve to the left 25.25 feet, said curve having a radius of 515.00 feet, a central angle of 02 degrees 48 minutes 33 seconds, and a chord bearing North 07 degrees 36 minutes 29 seconds West 25.25 feet; thence North 78 degrees 20 minutes 12 seconds East 54.39 feet; thence South 11 degrees 48 seconds East 129.26 feet; thence along a curve to the left 5.09 feet, said curve having a radius of 447.00 feet, a central angle of 00 degrees 39 minutes 08 seconds, and a chord bearing South 11 degrees 59 minutes 21 seconds East 5.09 feet to the POINT OF BEGINNING. Except Beginning at a point distant South 87 degrees 17 minutes 07 seconds West 1725.19 feet along the East-West ¼ line from the East ¼ corner of said Section 17 to the POINT OF BEGINNING; thence South 36 degrees 19 minutes 21 seconds East 50.59 feet; thence South 23 degrees 36 minutes 07 seconds East 528.27 feet; thence along a curve to the right 249.45 feet, said curve having a radius of 409.50 feet, a central angle of 34 degrees 54 minutes 08 seconds, and a chord bearing South 14 degrees 46 minutes 03 seconds West 245.61 feet; thence South 88 degrees 27 minutes 41 seconds West 372.84 feet; thence South 58 degrees 58 minutes 03 seconds West 106.02 feet; thence along a curve to the left 630.07 feet, said curve having a radius of 753.00 feet, a central angle of 47 degrees 56 minutes 33 seconds, and a chord bearing North 23 degrees 43 minutes 08 seconds West 611.85 feet; thence along a curve to the right 281.07 feet, said curve having a radius of 447.00 feet, a central angle of 36 degrees 01 minutes 37 seconds, and a chord bearing North 29 degrees 40 minutes 36 seconds West 276.46 feet; thence North 11 degrees 39 minutes 48 seconds West 129.26 feet; thence South 78 degrees 20 minutes 12 seconds West 54.39 feet; thence along a curve to the right 25.25 feet, said curve having a radius of 515.00 feet, a central angle of 02 degrees 48 minutes 33 seconds, and a chord bearing South 07 degrees 36 minutes 29 seconds East 25.25 feet; thence South 78 degrees 20 minutes 12 seconds West 35.17 feet; thence along a curve to the left 71.80 feet, said curve having a radius of 480.00 feet, a central angle of 08 degrees 34 minutes 13 seconds, and a chord bearing North 10 degrees 05 minutes 21 seconds West 71.73 feet; thence North 78 degrees 20 minutes 12 seconds East 617.95 feet; thence South 36 degrees 19 minutes 21 seconds East 313.24 feet to the POINT OF BEGINNING. Said description contains 7,666,398 square feet, or 175.99 acres, more or less.

0214-0063

47601 GRAND RIVER AVE NOVI MI 48374-1233



beds / full baths / half baths / sq ft

Residential Property Profile

22-17-400-039

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

Owner Information

Owner(s) : PROVIDENCE HOSPITAL & ST JOHN HEALTH
Postal Address : 18000 W 9 MILE RD STE 1200 SOUTHFIELD MI 48075-4009

Location Information

Site Address : 47601 GRAND RIVER AVE NOVI MI 48374-1233
PIN : 22-17-400-039 Neighborhood Code :
Municipality : City of Novi
School District : 180 NOVI COMMUNITY SCHLS
Class Code : 415 RP REFER (REF/SPLIT) (Real Property Reference Parcel)



Property Description

T1N, R8E, SEC 17 PART OF NE 1/4 & SE 1/4 BEG AT PT DIST S 87-17-07 W 60 FT FROM E 1/4 COR, TH S 01-21-47 E 1971.74 FT, TH S 87-20-58 W 777.29 FT, TH S 01-54-30 E 667 FT, TH S 87-21-00 W 326.50 FT, TH N 01-54-30 W 667 FT, TH S 87-20-58 W 162.32 FT, TH S 01-53-29 E 368.99 FT, TH S 87-21-00 W 280.07 FT, TH S 01-53-15 E 298 FT, TH S 87-21-00 W 199.89 FT, TH N 02-09-22 W 484 FT, TH S 87-21-00 W 180 FT, TH N 02-09-22 W 834.05 FT, TH S 87-19-01 W 666.08 FT, TH N 02-25-16 W 1317.63 FT, TH N 02-46-41 W 1816.04 FT, TH S 73-26-47 E 1593.03 FT, TH S 72-01-36 E 605.22 FT, TH S 73-27-18 E 600 FT, TH S 02-00-50 E 210.90 FT, TH N 87-59-10 E 5 FT, TH S 02-00-50 E 667.73 FT TO BEG EXC BEG AT PT DIST S 87-17-07 W 2688.65 FT & N 02-46-41 W 613.96 FT & N 89-25-44 E 93.26 FT FROM E 1/4 COR, TH ALG CURVE TO RIGHT, RAD 770 FT, CHORD BEARS N 09-49-50 E 240.88 FT, DIST OF 241.87 FT, TH N 18-49-46 E 54.21 FT, TH S 73-26-40 E 710.49 FT, TH ALG CURVE TO LEFT, RAD 925.89 FT, CHORD BEARS S 00-35-16 E 122.04 FT, DIST OF 122.13 FT, TH S 86-55-32 W 424.54 FT, TH N 76-07-44 W 207.70 FT, TH N 85-37-51 W 115.68 FT TO BEG, ALSO EXC BEG AT PT DIST S 87-17-07 W 2392.55 FT FROM E 1/4 COR, TH ALG CURVE TO LEFT, RAD 447 FT, CHORD BEARS S 30-00-10 E 271.62 FT, DIST OF 275.98 FT, TH ALG CURVE TO RIGHT, RAD 753 FT, CHORD BEARS S 23-43-08 E 611.85 FT, DIST OF 630.07 FT, TH S 58-58-03 W 101.95 FT, TH ALG CURVE TO RIGHT, RAD 1470 FT, CHORD BEARS N 82-45-09 W 66.88 FT, DIST OF 66.88 FT, TH N 81-26-57 W 141.71 FT, TH ALG CURVE TO RIGHT, RAD 320 FT, CHORD BEARS N 36-16-01 W 453.98 FT, DIST OF 504.69 FT, TH N 08-54-54 E 423.03 FT, TH ALG CURVE TO LEFT, RAD 480 FT, CHORD BEARS N 01-33-19 E 122.87 FT, DIST OF 123.31 FT, TH N 78-20-12 E 35.17 FT, TH ALG CURVE TO LEFT, RAD 515 FT, CHORD BEARS N 07-36-29 W 25.25 FT, DIST OF 25.25 FT, TH N 78-20-12 E 54.39 FT, TH S 11-39-48 E 129.26 FT, TH ALG CURVE TO LEFT, RAD 447 FT, CHORD BEARS S 11-59-21 E 5.09 FT, DIST OF 5.09 FT TO BEG, ALSO EXC BEG AT PT DIST S 87-17-07 W 1725.19 FT FROM E 1/4 COR, TH S 36-19-21 E 50.59 FT, TH S 23-36-07 E 528.27 FT, TH ALG CURVE TO RIGHT, RAD 409.50 FT, CHORD BEARS S 14-46-03 W 245.61 FT, DIST OF 249.45 FT, TH S 88-27-41 W 372.84 FT, TH S 58-58-03 W 106.02 FT, TH ALG CURVE TO LEFT, RAD 753 FT, CHORD BEARS N 23-43-08 W 611.85 FT, DIST OF 630.07 FT, TH ALG CURVE TO RIGHT, RAD 447 FT, CHORD BEARS N 29-40-36 W 276.46 FT, DIST OF 281.07 FT, TH N 11-39-48 W 129.26 FT, TH S 78-20-12 W 54.39 FT, TH ALG CURVE TO RIGHT, RAD 515 FT, CHORD BEARS S 07-36-29 E 25.25 FT, DIST OF 25.25 FT, TH S 78-20-12 W 35.17 FT, TH ALG CURVE TO LEFT, RAD 480 FT, CHORD BEARS N 10-05-21 W 71.73 FT, DIST OF 71.80 FT, TH N 78-20-12 E 617.95 FT, TH S 36-19-21 E 313.24 FT TO BEG 176 A 7-25-14 FR 006 & 035

Split/Combination Information

Added Status : Added Parcel
Added Date : 07/25/2014 Added From : FROM 2217400006 2217400035

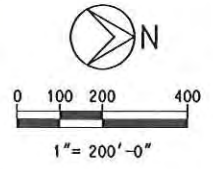
No Sales Since 1994

Tax Information

Taxable Value	:	State Equalized Value	:
Current Assessed Value	:	Capped Value	:
Effective Date For Taxes	:	Principal Residence Exemption	: 0%
Taxes		Taxes	
Summer	:	Summer	:
Winter	:	Winter	:
Village	:	Village	:

Lot Information

Description	:	Area	: 176 ACRES
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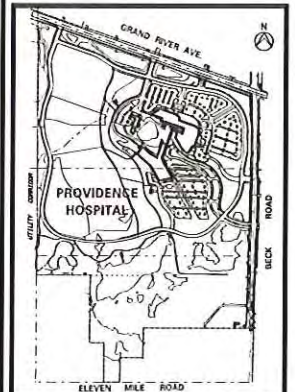


HRC
 HUBBELL, ROTH & CLARK, INC.
 Consulting Engineers

555 HULET DRIVE P.O. BOX 824
 BLOOMFIELD HILLS, MICH. 48303 - 0824

PHONE: (248) 454-8300
 FAX (1st Floor): (248) 454-8312
 FAX (2nd Floor): (248) 338-2592
 WEB SITE: <http://www.hrc-engr.com>

2014.10.23	ISSUED FOR OWNER'S REVIEW
DATE	ADDITIONS AND/OR REVISIONS
DESIGNED	R.C.H.
DRAWN	R.C.W.
CHECKED	G.J.T.
APPROVED	T.E.B.



PROVIDENCE HOSPITAL
 AND
 MEDICAL CENTERS
 NOVI CAMPUS

CITY OF NOVI
 OAKLAND COUNTY MICHIGAN

EXHIBIT "A"
PROVIDENCE PARK
DEVELOPABLE LAND AREAS

HRC JOB NO. 20130648	SCALE 1" = 200'
DATE FEBRUARY 2013	SHEET NO. 1 OF



REVISED

NOTE:
 PROPOSED CONGREGATE LIVING AND ASSISTED LIVING ARE ONLY PERMITTED IN PSLR OVERLAY ZONING AREAS.

POSSIBLE DEVELOPABLE LAND AREAS

LOCATION	ZONING	ACREAGE	LOCATION	ZONING	ACREAGE
1	R-3 / PSLR	0.91 Ac.	7	R-3 / OSC	0.53 + 1.72 = 2.25 Ac.
2	R-3 / PSLR	15.33 Ac.	8	OSC	5.25 Ac.
3	R-3 / PSLR	1.90 Ac.	9	OSC	8.20 Ac.
4	R-3 / OSC	0.43 + 0.36 = 0.79 Ac.	10	OSC	1.00 Ac.
5	OSC	0.55 Ac.	11	R-3 / PSLR	4.24 Ac.
6	OSC	1.03 Ac.	12	R-3 / OSC	1.33 + 1.49 = 2.82 Ac.

WETLAND DATA:

TOTAL IMPACTED WETLANDS ON LAND AREA 2 = 1.43 Ac.
 TOTAL WETLAND CONSERVATION EASEMENT AREA ON CAMPUS = 19.09 Ac.
 TOTAL AREAS OF WETLANDS, WOODLANDS AND EAST BRANCH OF SHAW CREEK CONSERVED UNDER EASEMENTS = 34.23 Ac.

LEGEND

	EXISTING PAVEMENT		EXISTING WOODLAND EASEMENT AREA
	EXISTING WETLAND CONSERVATION EASEMENT		VACANT R-3 ZONING AREAS (Single Family residential)
	100 - YEAR FLOOD PLAIN ELEV. = 961.00		VACANT OSC ZONING AREAS (Office Service Commercial)
	PROVIDENCE PARK CAMPUS BOUNDARY		VACANT R-3 WITH PLANNED SUBURBAN LOW RISE (PSLR) OVERLAY ZONING AREAS
	CONSERVATION EASEMENT FOR EAST BRANCH OF SHAW CREEK		VACANT AREA IN FLOOD PLAIN

USER NAME: rnerdin
 DESIGN FILE: V:\200800\200808\200808\CAD\2008Master_Site.dwg
 PLOT: V:\mapinfo
 CUR_TBL: I:\MS\GIS\template\mxd\2008.dwg
 PEN_TBL: I:\MS\GIS\template\mxd\2008.dwg
 TIME: 23:00:2014 15:10

20050605
Providence Parkway
09-26-06
10-04-06 revised

DESCRIPTION OF PROVIDENCE PARKWAY

A parkway of varying width (60 feet, 72 feet, 88 feet, and 91 feet), described as:

Commencing at the East ¼ corner of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan;

thence South 87 degrees 17 minutes 07 seconds West 60.00 feet along the East- West ¼ line of said Section 17;

thence South 01 degrees 21 minutes 47 seconds East 130.46 feet to the POINT OF BEGINNING and the centerline of a 88 foot wide parkway;

thence along said centerline, South 88 degrees 38 minutes 20 seconds West 108.32 feet to the centerline of a 60 foot wide parkway;

thence along said centerline the following three (3) courses:

- (1) South 01 degrees 21 minutes 40 seconds East 34.84 feet,
- (2) thence along a curve to the right 367.19 feet, said curve having a radius of 500.00 feet, a central angle of 42 degrees 04 minutes 37 seconds, and a chord bearing South 19 degrees 40 minutes 38 seconds West 359.00 feet, and
- (3) South 40 degrees 42 minutes 57 seconds West 141.79 feet to Point "A" and the centerline of a 91 foot wide parkway;

thence along said centerline the following two (2) courses:

- (1) along a curve to the left 335.93 feet, said curve having a radius of 550.00 feet, a central angle of 34 degrees 59 minutes 42 seconds, and a chord bearing South 73 degrees 51 minutes 49 seconds East 330.73 feet, and
- (2) North 88 degrees 38 minutes 20 seconds East 16.81 feet to a POINT OF ENDING;

thence continuing from Point "A", along the centerline of said 60 foot wide parkway the following twenty-three (23) courses:

- (1) South 40 degrees 42 minutes 57 seconds West 175.99 feet,
- (2) along a curve to the right 414.68 feet, said curve having a radius of 350.00 feet, a central angle of 67 degrees 53 minutes 00 seconds, and a chord bearing South 74 degrees 39 minutes 27 seconds West 390.84 feet,
- (3) North 71 degrees 24 minutes 03 seconds West 90.82 feet,
- (4) along a curve to the left 278.65 feet, said curve having a radius of 400.00 feet, a central angle of 39 degrees 54 minutes 50 seconds, and a chord bearing South 88 degrees 38 minutes 32 seconds West 273.05 feet,
- (5) South 68 degrees 41 minutes 07 seconds West 181.83 feet,
- (6) along a curve to the right 781.86 feet, said curve having a radius of 1500.00 feet, a central angle of 29 degrees 51 minutes 54 seconds, and a chord bearing South 83 degrees 37 minutes 06 seconds West 773.04 feet,
- (7) North 81 degrees 26 minutes 57 seconds West 141.71 feet,
- (8) along a curve to the right 552.00 feet, said curve having a radius of 350.00 feet, a central angle of 90 degrees 21 minutes 51 seconds, and a chord bearing North 36 degrees 16 minutes 01 seconds West 496.55 feet,
- (9) North 08 degrees 54 minutes 54 seconds East 423.03 feet,
- (10) along a curve to the left 240.85 feet, said curve having a radius of 450.00 feet, a central angle of 30 degrees 39 minutes 57 seconds, and a chord bearing North 06 degrees 25 minutes 05 seconds West 237.98 feet,
- (11) North 21 degrees 45 minutes 03 seconds West 92.44 feet,
- (12) along a curve to the right 566.61 feet, said curve having a radius of 800.00 feet, a central angle of 40 degrees 34 minutes 49 seconds, and a chord bearing North 01 degrees 27 minutes 39 seconds West 554.84 feet,
- (13) North 18 degrees 49 minutes 46 seconds East 80.30 feet,
- (14) along a curve to the left 146.65 feet, said curve having a radius of 300.00 feet, a central angle of 28 degrees 00 minutes 30 seconds, and a chord bearing North 04 degrees 49 minutes 31 seconds East 145.19 feet,
- (15) North 09 degrees 10 minutes 44 seconds West 192.15 feet,
- (16) along a curve to the right 134.75 feet, said curve having a radius of 300.00 feet, a central angle of 25 degrees 44 minutes 04 seconds, and a chord bearing North 03 degrees 41 minutes 18 seconds East 133.62 feet,
- (17) North 16 degrees 33 minutes 20 seconds East 185.01 feet to Point "B",
- (18) North 16 degrees 33 minutes 20 seconds East 155.67 feet to a POINT OF ENDING,
- (19) continuing from Point "B", South 73 degrees 26 minutes 40 seconds East 480.95 feet,
- (20) along a curve to the right 127.12 feet, said curve having a radius of 500.00 feet, a central angle of 14 degrees 34 minutes 02 seconds, and a chord bearing South 66 degrees 09 minutes 39 seconds East 126.78 feet,
- (21) South 58 degrees 52 minutes 39 seconds East 63.78 feet,
- (22) along a curve to the left 314.44 feet, said curve having a radius of 1000.00 feet, a central angle of 18 degrees 00 minutes 58 seconds, and a chord bearing South 67 degrees 53 minutes 08 seconds East 313.15 feet, and
- (23) South 76 degrees 53 minutes 37 seconds East 249.22 feet to Point "C" and the centerline of a 72 foot wide parkway;

thence along said centerline the following three (3) courses:

REVISED

- (1) North 13 degrees 06 minutes 23 seconds East 64.86 feet,
- (2) along a curve to the right 61.51 feet, said curve having a radius of 1006.00 feet, a central angle of 03 degrees 30 minutes 12 seconds, and a chord bearing North 14 degrees 51 minutes 29 seconds East 61.50 feet, and
- (3) North 16 degrees 36 minutes 36 seconds East 76.94 feet to a POINT OF ENDING;

thence continuing from Point "C", along the centerline of said 60 foot wide parkway three (3) courses:

- (1) South 76 degrees 53 minutes 37 seconds East 161.86 feet,
- (2) along a curve to the left 269.57 feet, said curve having a radius of 2500.00 feet, a central angle of 06 degrees 10 minutes 41 seconds, and a chord bearing South 79 degrees 58 minutes 59 seconds East 269.44 feet, and
- (3) South 83 degrees 04 minutes 20 seconds East 229.11 feet to Point "D" and the centerline of a 91 foot wide parkway;

thence along said centerline and a curve to the right 111.64 feet, said curve having a radius of 500.00 feet, a central angle of 12 degrees 47 minutes 34 seconds, and a chord bearing North 08 degrees 58 minutes 37 seconds East 111.41 feet to a POINT OF ENDING;

thence continuing from Point "D", along the centerline of said 60 foot wide parkway the following seven (7) courses:

- (1) South 83 degrees 04 minutes 20 seconds East 146.22 feet,
- (2) along a curve to the right 707.38 feet, said curve having a radius of 500.00 feet, a central angle of 81 degrees 03 minutes 36 seconds, and a chord bearing South 42 degrees 32 minutes 31 seconds East 649.85 feet.
- (3) South 02 degrees 00 minutes 43 seconds East 239.53 feet,
- (4) along a curve to the right 56.30 feet, said curve having a radius of 300.00 feet, a central angle of 10 degrees 45 minutes 11 seconds, and a chord bearing South 03 degrees 21 minutes 52 seconds West 56.22 feet,
- (5) South 08 degrees 44 minutes 28 seconds West 178.22 feet,
- (6) along a curve to the left 52.90 feet, said curve having a radius of 300.00 feet, a central angle of 10 degrees 06 minutes 09 seconds, and a chord bearing South 03 degrees 41 minutes 24 seconds West 52.83 feet,
- (7) South 01 degrees 21 minutes 40 seconds East 63.08 feet to the POINT OF ENDING.

Said parkway contains 13.27 acres, more or less.

Note: Error of closure is 0.02 feet (precision of .02 per 10,000 feet)

PROVIDENCE PARKWAY

TIME -05-DEC-2014 11:31

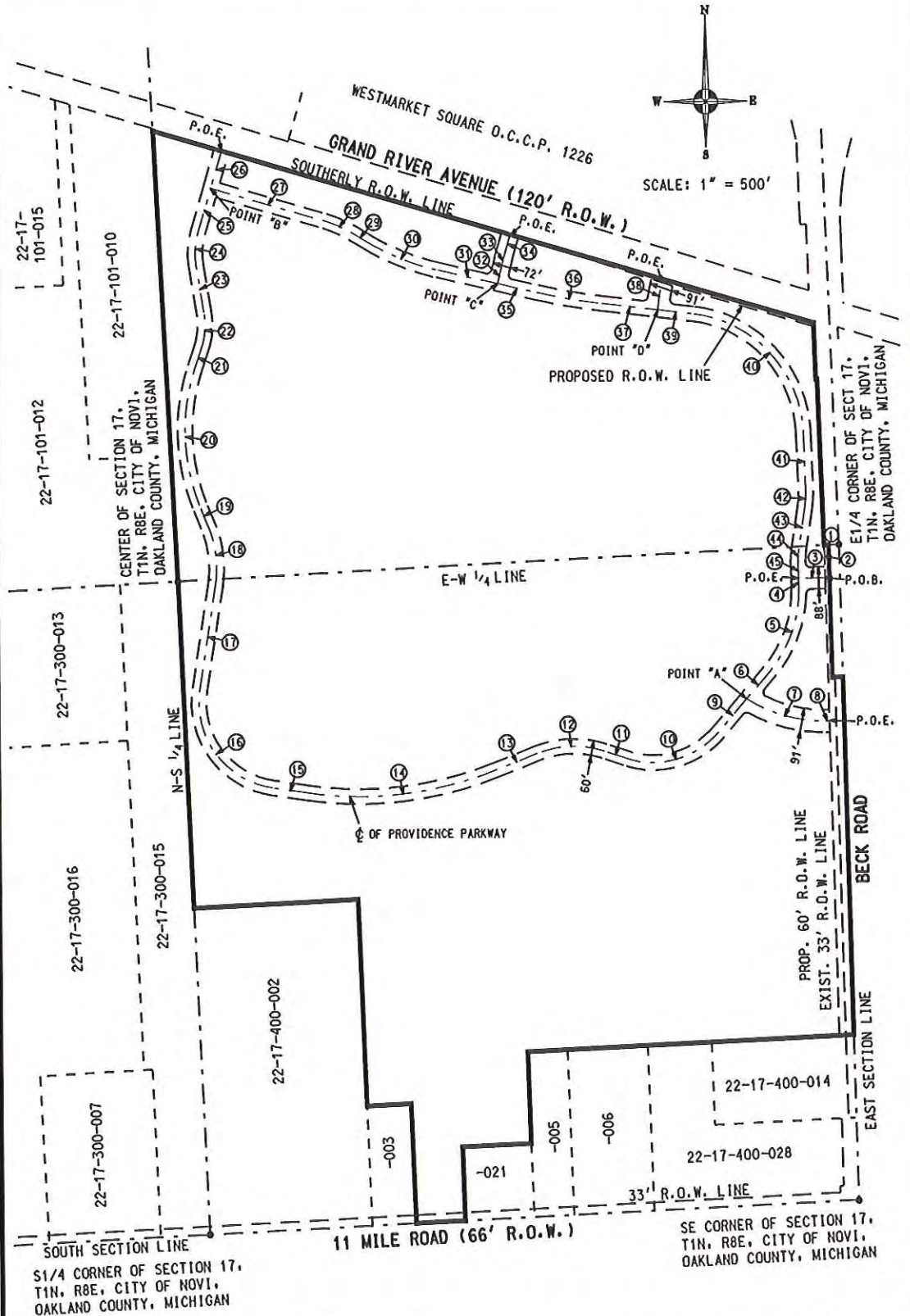
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USER NAME - gpatilca



10-03-06 REVISED PARKWAY

JOB NO. 20050605	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH. P.O. BOX 824 48303-0824	SHEET NO. 2
DATE 09-26-06		OF 5

PROVIDENCE PARKWAY

TIME - 05-DEC-2014 11:33

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USER NAME - gabilca

- ① South 87 degrees 17 minutes 07 seconds West 60.00 feet
- ② South 01 degrees 21 minutes 47 seconds East 130.46 feet
- ③ South 88 degrees 38 minutes 20 seconds West 108.32 feet
- ④ South 01 degrees 21 minutes 40 seconds East 34.84 feet
- ⑤ L=367.19 feet
R=500.00 feet
Δ=42 degrees 04 minutes 37 seconds
CH=South 19 degrees 40 minutes 38 seconds West 359.00 feet
- ⑥ South 40 degrees 42 minutes 57 seconds West 141.79 feet
- ⑦ L=335.93 feet
R=550.00 feet
Δ=34 degrees 59 minutes 42 seconds
CH=South 73 degrees 51 minutes 49 seconds East 330.73 feet
- ⑧ North 88 degrees 38 minutes 20 seconds East 16.81 feet
- ⑨ South 40 degrees 42 minutes 57 seconds West 175.99 feet
- ⑩ L=414.68 feet
R=350.00 feet
Δ=67 degrees 53 minutes 00 seconds
CH=South 74 degrees 39 minutes 27 seconds West 390.84 feet
- ⑪ North 71 degrees 24 minutes 03 seconds West 90.82 feet
- ⑫ L=278.65 feet
R=400.00 feet
Δ=39 degrees 54 minutes 50 seconds
CH=South 88 degrees 38 minutes 32 seconds West 273.05 feet
- ⑬ South 68 degrees 41 minutes 07 seconds West 181.83 feet
- ⑭ L=781.86 feet
R=1500.00 feet
Δ=29 degrees 51 minutes 54 seconds
CH=South 83 degrees 37 minutes 06 seconds West 773.04 feet
- ⑮ North 81 degrees 26 minutes 57 seconds West 141.71 feet
- ⑯ L=552.00 feet
R=350.00 feet
Δ=90 degrees 21 minutes 51 seconds
CH=North 36 degrees 16 minutes 01 seconds West 496.55 feet
- ⑰ North 08 degrees 54 minutes 54 seconds East 423.03 feet
- ⑱ L=240.85 feet
R=450.00 feet
Δ=30 degrees 39 minutes 57 seconds
CH=North 06 degrees 25 minutes 05 seconds West 237.98 feet
- ⑲ North 21 degrees 45 minutes 03 seconds West 92.44 feet
- ⑳ L=566.61 feet
R=800.00 feet
Δ=40 degrees 34 minutes 49 seconds
CH=North 01 degrees 27 minutes 39 seconds West 554.84 feet
- ㉑ North 18 degrees 49 minutes 46 seconds East 80.30 feet
- ㉒ L=146.65 feet
R=300.00 feet
Δ=28 degrees 00 minutes 30 seconds
CH=North 04 degrees 49 minutes 31 seconds East 145.19 feet
- ㉓ North 09 degrees 10 minutes 44 seconds West 192.15 feet
- ㉔ L=134.75 feet
R=300.00 feet
Δ=25 degrees 44 minutes 04 seconds
CH=North 03 degrees 41 minutes 18 seconds East 133.62 feet
- ㉕ North 16 degrees 33 minutes 20 seconds East 185.01 feet
- ㉖ North 16 degrees 33 minutes 20 seconds East 155.67 feet
- ㉗ South 73 degrees 26 minutes 40 seconds East 480.95 feet
- ㉘ L=127.12 feet
R=500.00 feet
Δ=14 degrees 34 minutes 02 seconds
CH=South 66 degrees 09 minutes 39 seconds East 126.78 feet
- ㉙ South 58 degrees 52 minutes 39 seconds East 63.78 feet
- ㉚ L=314.44 feet
R=1000.00 feet
Δ=18 degrees 00 minutes 58 seconds
CH=South 67 degrees 53 minutes 08 seconds East 313.15 feet
- ㉛ South 76 degrees 53 minutes 37 seconds East 249.22 feet
- ㉜ North 13 degrees 06 minutes 23 seconds East 64.86 feet
- ㉝ L=61.51 feet
R=1006.00 feet
Δ=03 degrees 30 minutes 12 seconds
CH=North 14 degrees 51 minutes 29 seconds East 61.50 feet
- ㉞ North 16 degrees 36 minutes 36 seconds East 76.94 feet
- ㉟ South 76 degrees 53 minutes 37 seconds East 161.86 feet
- ㊱ L=269.57 feet
R=2500.00 feet
Δ=06 degrees 10 minutes 41 seconds
CH=South 79 degrees 58 minutes 59 seconds East 269.44 feet
- ㊲ South 83 degrees 04 minutes 20 seconds East 229.11 feet
- ㊳ L=111.64 feet
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- ㊴ South 83 degrees 04 minutes 20 seconds East 146.22 feet
- ㊵ L=707.38 feet
R=500.00 feet
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CH=South 42 degrees 32 minutes 31 seconds East 649.85 feet
- ㊶ South 02 degrees 00 minutes 43 seconds East 239.53 feet
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- ㊸ South 08 degrees 44 minutes 28 seconds West 178.22 feet
- ㊹ L=52.90 feet
R=300.00 feet
Δ=10 degrees 06 minutes 09 seconds
CH=South 03 degrees 41 minutes 24 seconds West 52.83 feet
- ㊺ South 01 degrees 21 minutes 40 seconds East 63.08 feet

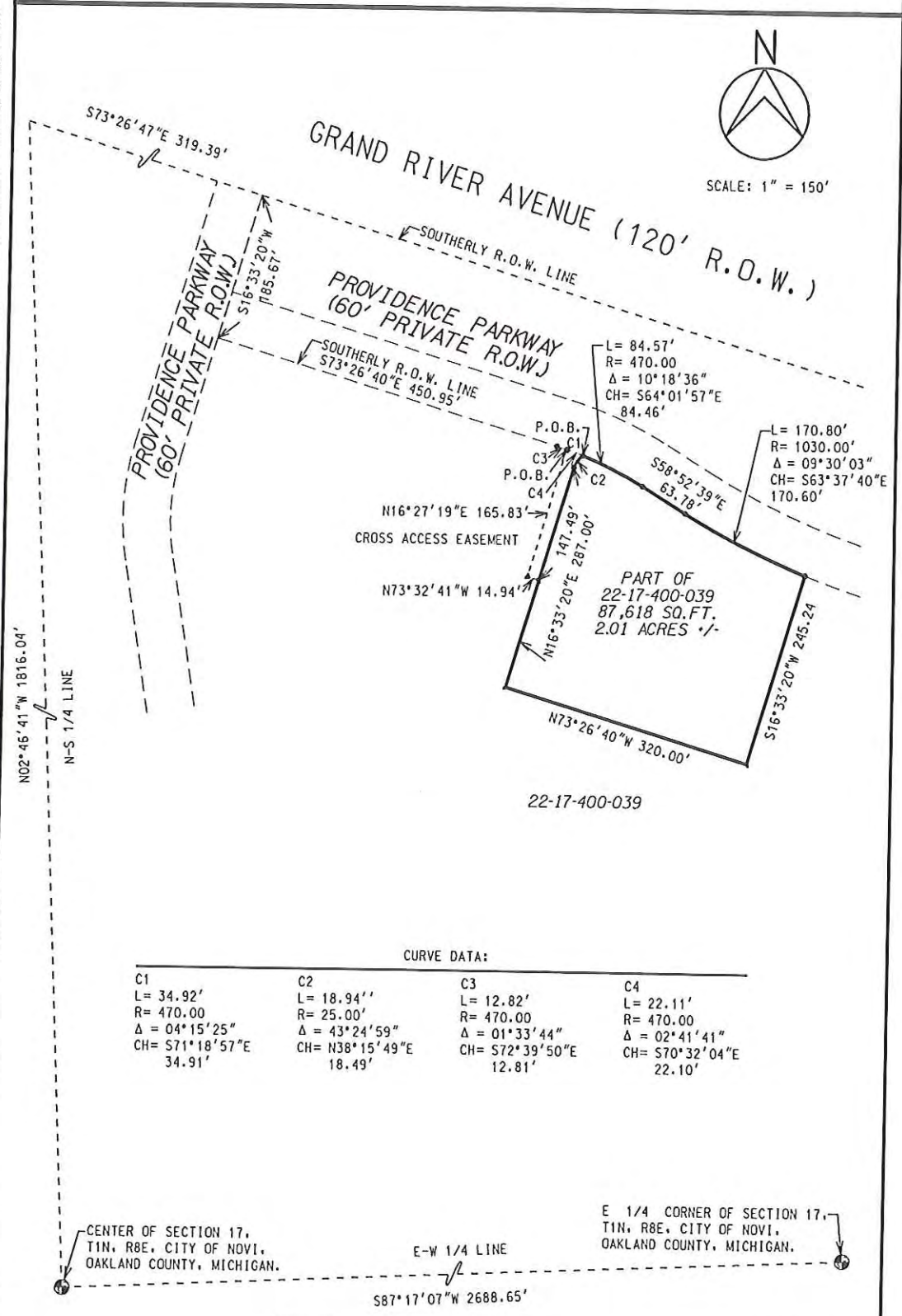
10-03-06 REVISED PARKWAY

JOB NO. 20050605	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 09-26-06		3 OF 5

SKETCH OF DESCRIPTION



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REV. 12-08-14

JOB NO. 20130978	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 09-15-14		1 OF 4

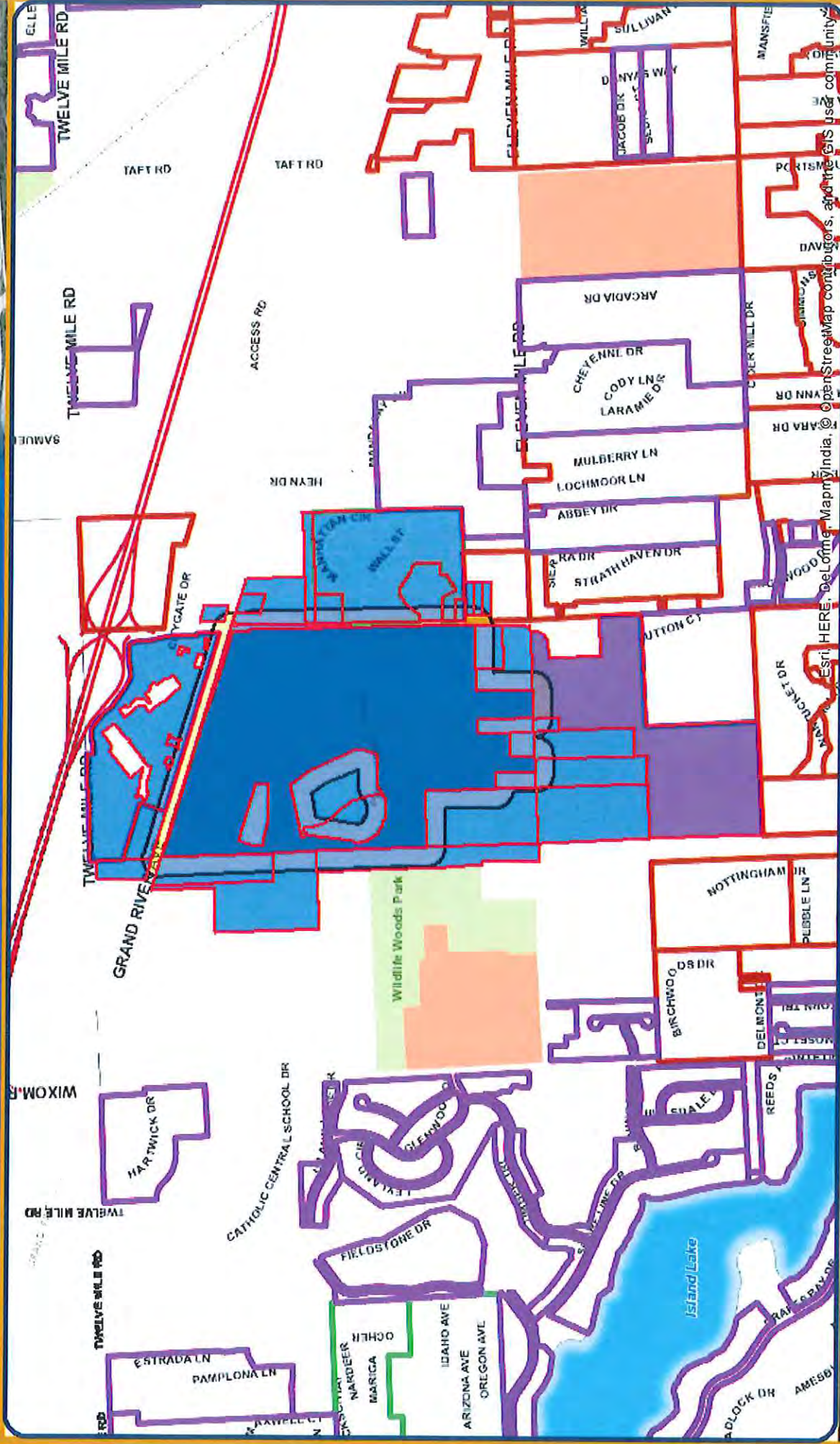
09-12-14
2013978
2.01 AC Parcel

DESCRIPTION OF LEASE PARCEL

Part of the Northeast ¼ of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as: Commencing at the East ¼ corner of said Section 17; thence South 87 degrees 17 minutes 07 seconds West 2688.65 feet along the East-West ¼ line to the Center of said Section 17; thence North 02 degrees 46 minutes 41 seconds West 1816.04 feet to the Southerly right of way line of Grand River Avenue (120 foot wide right of way); thence along said right of way line South 73 degrees 26 minutes 47 seconds East 319.39 feet to the Easterly right of way line of Providence Parkway (60 foot wide private right of way); thence along said right of way line South 16 degrees 33 minutes 20 seconds West 185.67 feet to the Southerly right of way line of said Providence Parkway; thence along said right of way line South 73 degrees 26 minutes 40 seconds East 450.95 feet and along a curve to the right 34.92 feet, said curve having a radius of 470.00 feet, a central angle of 04 degrees 15 minutes 25 seconds and a chord bearing South 71 degree 18 minutes 57 seconds East 34.91 feet to the POINT OF BEGINNING; thence continuing along said curve to the right 84.57 feet, said curve having a radius of 470.00 feet, a central angle 10 degrees 18 minutes 36 seconds and a chord bearing South 64 degrees 01 Minutes 57 seconds East 84.46 feet; thence South 58 degrees 52 seconds 39 minutes East 63.78 feet; thence along a curve to the left 170.80 feet, said curve having a radius of 1,030.00 feet, a central angle of 09 degrees 30 minutes 03 seconds and a chord bearing South 63 degrees 37 minutes 40 seconds East 170.60 feet; thence South 16 degrees 33 minutes 20 seconds West 245.24 feet; thence North 73 degrees 26 minutes 40 seconds West 320.00 feet; thence North 16 degrees 33 minutes 20 seconds East 287.00 feet; thence along a curve to the right 18.94 feet, said curve having a radius of 25.00 feet, a central angle 43 degrees 24 minutes 59 seconds and chord bearing North 38 degrees 15 minutes 49 seconds East 18.49 feet to the POINT OF BEGINNING. Said description contains 87,618 square feet, or 2.01 acres, more or less.

Novi, MI

Kidney Centers Providence



CITY OF NOVI

NOVI
cityofnovi.org

Map Produced Using the City of Novi, Michigan Internet Mapping Portal

Author: Esri HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community
Date: 1/20/2015

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Scale: 0 1,100 2,200 4,400 Feet
 1 inch = 2,199 feet

1 ROBIN WORKING: Motion passes
2 six-zero.

3 UNIDENTIFIED SPEAKER: I've
4 never been turned down so politely.

5 MEMBER SANGHVI: (Unintelligibl
6 e) (interposing.)

7 Thank you.

8

9 Okay. Let's move on to the
10 next one. Case Number: 06-086, filed by
11 Providence Hospital and Medical Centers,
12 Incorporated, LLC, and Novi Orthopaedic
13 Center Properties, LLC, located at 47601
14 Grand River Avenue, 48201.

15 Thank you.

16 Is the applicant here?

17 MEMBER KRIEGER: Mr. Chair, I'm
18 sorry. I work for Providence Hospital, but I do
19 not work out here (unintelligible) and I don't
20 believe I would have a reason, just as Justin,
21 (unintelligible) and put it regarding
22 (unintelligible) recuse myself.

23 MEMBER BAUER: No, stay.

24 MEMBER SANGHVI: No problem why

1 you should be (unintelligible) here.

2 MEMBER KRIEGER: Okay, thank
3 you.

4 MEMBER SANGHVI: Please stay.

5 Thank you.

6 Please identify yourself.

7 MR. ADAMS: Mike Adams

8 appearing on behalf of the Petitioner, the
9 applicant, Providence Hospital and Medical
10 Centers, Inc., and we also have some
11 representatives from some other interested
12 parties in the complex here this morning;
13 namely, one of the doctors' groups that are
14 going to occupy one of the office buildings.

15 MEMBER SANGHVI: Are you an
16 attorney?

17 MR. ADAMS: Yes, I am, sir.

18 MEMBER SANGHVI: Okay. You -- I
19 don't know why, but you don't need to be sworn
20 in.

21 MR. ADAMS: Can I ask a little
22 assistance in being able to use this fancy
23 technology here to get the whole picture on
24 the screen.

1 I have a very large picture of
2 the site plan, but I don't have like -- or
3 see an easel (unintelligible.)

4 Good evening. I'm on behalf
5 of Providence Novi here, and the ground
6 tenants that will be occupying this
7 development. Providence has filed three
8 applicants for zoning variances, which are
9 essentially all identical. And I believe
10 Council person Shroyer mercifully agreed to
11 consolidate the three; is that appropriate
12 if we proceed as if we're talking about one;
13 because they are all identical for all
14 parcels.

15 The issue here tonight is Novi
16 Ordinance 2517, requires each lot to be
17 fronted on a public road. And what we have
18 here on this development is a private ring
19 road that basically handles all the ingress
20 and egress for all people coming in and out
21 of this development. There is no public
22 road here.

23 And all three lots have
24 received final site plan approve; subject to

1 this variance and a few other minor issues
2 to be worked out with the Planning
3 Department.

4 Coincidentally or currently
5 Providence has filed an application for land
6 division with Ron Lemon, the City Assessor.
7 And Mr. Lemon's office confirmed today that
8 he has approved our land division, to move
9 them over to Oakland County for final
10 process.

11 So the lot splits are
12 finalized. The Ordinance is the last issue
13 that came up that we need to overcome to
14 continue our development of the parcel. I
15 had like to give just a few more details
16 regarding this development.

17 May I hand out a couple of
18 items that probably didn't get in your packs
19 -- I know didn't get in your packs.

20 What's the easiest way to do
21 it, just walk around hand them to you?

22 MEMBER FISCHER: Just give them
23 to me, and I'll pass them along.

24 MR. ADAMS: Okay, thanks.

1 The first one is an article
2 from the Novi News that just talks a little
3 bit about what this project's going to do
4 for the community.

5 MEMBER SHROYER: Take the hand
6 mic if you're going to continue talking.

7 MR. ADAMS: Can you hear me
8 now, again?

9 Okay. The first document is
10 an article from the Novi News that talks a
11 little bit about what this project is going
12 to do, including an estimate of over a
13 million people per year are going to
14 ultimately visit this development for health
15 care purposes once it's completed.

16 Also, I gave you a copy -- a
17 complex declaration, which is kind of an
18 equivalent to the condominium bylaws for
19 this project. It's a simple -- it's a
20 document that governs the rights and
21 responsibilities of the parties; and there
22 are some other -- there's some easements in
23 that document that you may find interesting
24 that actually increase the ability of all

1 the parties in this project to use each
2 others' lots to gain access to the ring
3 road. You didn't get that, because it was
4 reported the day we filed our application.

5 I thought you might find it of
6 interest.

7 St. John Providence Hospital
8 here is going to take up the majority of
9 this development. There's also going to be
10 a hotel parcel, which we're going to --
11 we've applied for a variance for; a medical
12 office building, and then also the Novi
13 Orthopedic Center, is the third parcel
14 that's effected by these -- these easement
15 requests.

16 The development of these three
17 parcels is critical to the development of
18 this whole complex; while the hospital is
19 dependent on these two medical office
20 buildings to help free up space in the
21 hospital. There's going to be people that
22 are going to be moving into these offices,
23 and it's going to allow the hospital to
24 expand.

1 It's very important.

2 And the doctors that are going
3 to be owning and occupying these two medical
4 office buildings are going refer and admit
5 patients to the hospital. So it's going to
6 benefit everybody.

7 I'd like to move into the
8 details of the application, if I may. The
9 application's detailed, I think, quite well.
10 The legal reasons why we're -- these
11 variances are justified -- and I'd like to
12 just kind of hit key points on them, if I
13 might again.

14 As I mentioned before, the
15 assessor's approved our land division. He's
16 satisfied that we have fulfilled all the
17 requirements of the land division Ordinance,
18 which are very similar to the Zoning
19 Ordinance when it comes to this access
20 issue. The only difference is that the land
21 division Ordinance says we can have indirect
22 access to a public road; but the Ordinance
23 -- the Zoning Ordinance says we just have --
24 we have to have direct access to a public

1 road.

2 Now, it's important to note
3 that Providence Parkway will meet all Novi's
4 engineering and design standards, as well as
5 standards that were established by the
6 American Association of Highway and
7 Transportation Officials, known as ASTRO.

8 So in other words, this
9 private road is going to have all the
10 attributes and design features the public
11 road would have.

12 Now Providence and the ground
13 lessees that are going to occupy these sites
14 have demonstrated unnecessary hardship under
15 Novi's ZBA Rules of Procedure. Number one,
16 the land can't be reasonably used without
17 these variances being granted. This ring
18 road is such an integral part of the
19 development that unless we can make an
20 exception here, we're going to have to
21 rework this whole site plan. It's going to
22 cause tremendous hardship.

23 The parcel's plight is due to
24 unique circumstances. This 198 acre

1 self-contained parcel is very unusual,
2 particularly because it's going to be a
3 healthcare complex. And it's design is
4 unique. There's nothing quite like it in
5 the City of Novi.

6 The use that we're asking here
7 for will not alter the essential character
8 of the area. The Planning Department and
9 the owners and the occupants have been
10 working for almost two years on this, and
11 this slight variance is not going to halter
12 much that's going on in this complex.

13 The problem is not self-created.
14 The parties went through almost two years of
15 planning working as partners, before this issue
16 up at the very last minute; and this is the most
17 efficient, least intrusive way to resolve it. It
18 simply makes good sense to do this. This campus
19 is designed for healthcare, serving the public
20 good. And allowing these variances are going to
21 allow us to do just that.

22 In addition to meeting all the
23 Novi rules, we've met all the applicable State
24 laws, rules, as women. There's peculiar or

1 exceptional practical difficulties here. We're
2 trying to develop a 198 acre self-contained health
3 care parcel, with a fully usable private road.
4 This is the type of issue that you can expect.

5 Once again, to try to change
6 this plan and strictly enforce your Ordinance is
7 going to require a complete redesign of the site
8 plan; which, it might scrap the whole project.
9 It's just going to be an enormous task to try to
10 overcome that. There is no substantial detriment
11 to the public good here. In fact, the public is
12 going to benefit by having a thriving health care
13 center.

14 No substantial impairment of
15 intent and purpose of the Novi Ordinance.
16 Really, the only issue here is that we have a
17 private road that's going to function exactly
18 like a public road. It's going to meet the same
19 specifications. It's going to have the
20 same material. It's going to have the same
21 safety features. It's going to be maintained and
22 operated in the same way.

23 In fact, the City's going to
24 save a lot of money because my client's going to

1 maintain the road and save the taxpayers all that
2 money. So there really is no substantial
3 detriment to the public. No foreseeable impact
4 on other property owners. There really are no
5 other property owners within this complex.
6 There's some tenants, some long-term rental
7 tenants, but no one in this whole facility is
8 going to notice any difference because of these
9 variances.

10 This is the least intrusive
11 means to resolve this project, to resolve this
12 problem. In fact, it may be the only way to
13 resolve it, and it's a -- it's very simple. It's
14 going to -- if you just treat this ring road as
15 a -- the same way you would treat a public road
16 for purpose of this access issue.

17 One again, this wasn't a
18 self-created problem. It was just oversight that
19 nobody anticipated when they were looking at --
20 the parties looked at the best way to create a
21 functioning health care campus, and didn't
22 foresee that this issue would be a problem until
23 the very end.

24 The way this is structured

1 through that declaration and private agreements
2 of the parties, it's a very simplified method of
3 allocating rights and responsibilities outside
4 the Condominium act.

5 And in fact, if we had of gone
6 under the site condo Ordinance in the Michigan
7 Condominium Act, we probably wouldn't have
8 required this application. So, it doesn't seem
9 fair to -- it isn't fair to punish the owner for
10 trying to develop a streamline efficient way to
11 manage this complex, which would be -- it would
12 look exactly the same under a site condominium
13 scheme.

14 And so, to summarize we
15 respectfully ask that you grant this Ordinance on
16 all three parcels; allow us to treat Providence
17 Parkway -- which is going to be a wonderful
18 private road -- just like you would if it was a
19 public road; and allow the access to it to count,
20 you know, for purposes of the Ordinance.

21 I wanted to clear up one issue.
22 In some of the Planning Department documents,
23 there was a discussion about -- if you can see
24 this little -- this is not the best -- this

1 little neck up here, there was always some
2 concern that this access for this particular
3 neuro medical office building was a little bit
4 narrower than the Planning Department would like.
5 I believe it's 45 feet at its narrowest point.

6 And there was some concern that
7 might create a big of a logjam in getting access
8 to the ring road. Well, declaration which was
9 filed, I believe, October 16th -- right about the
10 same date we filed our application here --
11 provides that there's another easement down here
12 at the bottom, so that the neuro MOB -- I mean,
13 ASC medical office building will have access down
14 here for the ring road. So this area down here
15 -- which is a limited common area -- is open.

16 The declaration, as I said
17 before, frees up and makes more access for people
18 using this complex. There's going to be plenty
19 of access.

20 That's not an issue at all.

21 So, thank you very much.

22 MEMBER SANGHVI: Thank you.

23 Well, Mr. Schmidt?

24 MR. SCHMIDT: Thank you,

1 Mr. Chair.

2 This is a fairly rare
3 circumstance in the City of Novi
4 (unintelligible) project in front of you.
5 Building and Planning Department Staff
6 frankly on a weekly basis tell people that
7 you can't split your lot front to back and
8 provide a driveway to the rear property.
9 The only circumstances in which we can
10 support this type of situation is that the
11 road is built to public standards, and
12 usually it involves condominiums, because
13 it's a residential project.

14 Frankly, we would refer that
15 Providence did a condominium in this case,
16 but it was well within their right with some
17 180 acre parcel, they have more than enough
18 splits to accommodate the needs of the
19 property. But, I do need to point out the
20 they will be back in the future for at least
21 two more of these variances. Because as you
22 can see there is property between the hotel
23 site and the MOB site that's not yet split.

24 And there's a potential site

1 between the hotel and the ring road to the
2 north that's not split yet. We fully expect
3 this property will develop and have a
4 similar problem in the future. However, I
5 can state with some certainty that Staff has
6 been told in no uncertain terms
7 (unintelligible) private roads are obviously
8 (unintelligible) because it does
9 (unintelligible) the City of future
10 maintenance and snow removal burden.

11 And obviously on a site such
12 as this, that (unintelligible) user public
13 mile roadway, there would be some concern of
14 the City taking over public road
15 (unintelligible.)

16 This is essentially the same
17 circumstance (unintelligible) Twelve Oaks
18 Mall in 1978. Twelve Oaks Mall does, in
19 fact, have seven different parcels crossing
20 onto the ring road, (unintelligible)
21 frontage. This is a little bit different
22 circumstance in that, you know, the
23 hospital's a much larger user, but it is a
24 very similar circumstance.

1 Staff, they only support this
2 because it is a public road on the grounds,
3 built to public standards (unintelligible.)
4 If necessary, the road could be dedicated,
5 and we would not have this concern. But
6 we'd prefer that it not be dedicated to the
7 public.

8 If this road was not built and
9 someone was coming in with this split
10 request, we would not support it. If the
11 road was not built to public standards, we
12 would not support it.

13 It's a singular circumstance,
14 and frankly in my research I was unable to
15 come up with another circumstances, because
16 to be perfectly honest, Twelve Oaks
17 (unintelligible) public standards, so if
18 that came in today, we'd have some concerns
19 with it. But, Staff can support this at
20 this point. The plans are sitting right
21 next to my desk.

22 Should the Zoning Board of
23 Appeals choose to grant this this evening,
24 we will issue final sign off, and I believe

1 the (unintelligible) actually planning on
2 pouring the foundation sometime in the next
3 couple weeks here.

4 That's all I have. I'll be
5 happy to answer any questions on the site
6 plan, in general, as I reviewed all three of
7 them or the process of how we got here.

8 Thank you.

9 MEMBER SANGHVI: Thank you very
10 much.

11 I haven't opened it to the
12 Board yet.

13 Anything coming from the
14 Building Department?

15 MR. SAVEN: I have a question,
16 but I might have to direct them to
17 (unintelligible.) Certainly in the planning
18 process, there were issues regarding easements
19 and splits; is that correct?

20 MR. ADAMS: Yes.

21 MR. SAVEN: Okay.

22 MR. ADAMS: We believe we
23 resolved them all.

24 MR. SAVEN: Very well.

1 Number one.

2 Number two, is that -- is
3 there a need to have some type of user
4 agreement for the road to insure that there
5 is always access there for these particular
6 projects that are going on.

7 MR. SCHMIDT: My understanding
8 is that the Planning Department required a cross
9 access (unintelligible) entire ring road at the
10 time of approval of the ring road. The ring road
11 actually came in as its own site plan at the
12 first part of the project.

13 The second part was
14 (unintelligible) construction; third part
15 was the hospital itself. So there is
16 easement covering the entire roadway for
17 cross-access (unintelligible) various
18 parcels and for public access.

19 MEMBER SANGHVI: Thank you.

20 MR. ADAMS: That's correct.

21 That's part of the
22 declaration, too. There's a broad blanket
23 easement (unintelligible) for the ring road.

24 MEMBER SANGHVI: One moment.

1 Is there anybody in the
2 audience that would like to make any
3 comments about this cases, all three. Now
4 is the time to do it.

5 Seeing none, yes, Mr. Schultz?

6 MR. SCHULTZ: Through the Chair
7 to respond to Mr. Saven's question, I appreciate
8 the copy of the declaration today. I'm not sure
9 that our office has seen and reviewed that. I
10 suspect not. I'm not sure where -- with regard
11 to Mr. Schmidt's comments that that easements
12 were submitted when the ring road came in as its
13 own site plan, which is certainly permitted under
14 the Ordinance.

15 And if easements were
16 submitted for (unintelligible) agreements --
17 hopefully our office has reviewed it. If
18 the Board determines to grant the variance
19 here -- which, you know, Mr. Schmidt has
20 said is not -- would not be unexpected -- we
21 would still like the condition attached to
22 any approval that says confirmation through
23 the City Attorney's office that all of the
24 necessary and appropriate cross-access

1 easements are in place.

2 I suspect they are, but we
3 would just like to confirm it.

4 MEMBER SANGHVI: Thank you.

5 Now, (unintelligible) sent 48
6 notices; and zero approvals and zero
7 objections, and that's true for all three
8 cases.

9 (Unintelligible) for us, I
10 just have a couple of comments, and one of
11 them was, is the hospital going into the
12 hotel business?

13 MR. ADAMS: No, not
14 necessarily, but there's going to be some
15 people that are going to have to need to
16 stay in that hotel for this complex to work
17 properly; places to stay when they're
18 visiting their relatives --

19 MEMBER SANGHVI: I understand
20 that. I just wanted to know if they're going to
21 run the hotel, as well.

22 MR. ADAMS: No.

23 MEMBER SANGHVI: Okay. Number
24 two question I had was, do you (unintelligible)

1 any point in time handing over these roads to the
2 City for maintenance or doing other things?

3 MR. ADAMS: Well, I'd have to
4 defer to Rich Abbott, the director of
5 facility planning on that issue, if I might?

6 MR. ABBOTT: Hi. I'm Rich
7 Abbott for Providence Hospital.

8 No, it's not our intent to --

9 MEMBER SANGHVI: You need to be
10 sworn in.

11 MEMBER BAUER: Do you swear to
12 tell the truth regarding Case: 06-086, 87, and
13 88?

14 MR. ABBOTT: I do.

15 MEMBER SANGHVI: All right. Now
16 the formalities are over.

17 Please go ahead.

18 MR. ABBOTT: No, it's not --
19 no, it's not our intent.

20 MEMBER SANGHVI: Thank you.

21 I think that was my main
22 concern (unintelligible) end up having to
23 looking after them later on down the road.

24 And so, now I open it up to

1 the Board for discussion.

2 Yes, Mr. Fischer?

3 MEMBER FISCHER: It's been
4 advised should the Board look into approval
5 that we would put a condition on that it's
6 subject to the completion of the land
7 division. Given his comments, would it be
8 appropriate to still make that a part of the
9 Motion?

10 MR. SCHULTZ: Through the Chair.

11 I do believe so. I think
12 Mr. Lemon's action is the first one we need
13 to confirm (unintelligible) County, in fact,
14 completes the process. I don't expect an
15 issue with that, but it would be
16 appropriate.

17 MEMBER FISCHER: Okay.

18 And with the uniqueness of
19 this case -- and I'm not sure who wants to
20 try this information -- but can I have a
21 little bit more background on the public
22 road side of it. Obviously, from the City's
23 standpoint, we would see a large economic
24 benefit, many benefits.

1 My question is why would the
2 Petitioner want to hold onto it, as well? I
3 mean, I'm hoping it's a win-win situation,
4 but -- your comments or the Petitioner or
5 you first, then the Petitioner.

6 MR. SCHMIDT: Certainly, if I'm
7 the Petitioner, I'd want to hold onto it so, if
8 necessary, control access to it, to be perfectly
9 frank. (Unintelligible) end the road is all
10 about access. If you control it, something
11 happens on the site, you can control who can get
12 in and out of the site. Ultimately, it probably
13 works better to the hospital in terms of, you
14 know, being able to -- if there is an emergency
15 onsite, to be able shut down the site.

16 It'll be a little easier than
17 having to go through the police department
18 to shut down a road or something of that
19 nature.

20 They also intend to end up
21 controlling the development that actually
22 has access to the road, so if there was a
23 frontage parcel on Beck Road or something of
24 that nature -- at this time there is not --

1 there could be in the future -- they
2 wouldn't necessarily be able to access
3 directly onto the road, without permission
4 of the hospital.

5 So there's some positives and
6 negatives. I certainly think it's a win-win
7 for all the parties, in terms of we don't
8 have to maintain the road. They're able to
9 control some access (unintelligible)
10 hospital. Like I said, we do have some --
11 we did have some concerns, but ultimately, I
12 think this is the singular scenario
13 (unintelligible) we approve this type of
14 situation.

15 In terms of public road, what
16 we would normally see is a minimum of 60
17 foot right of way. It's going to widen out
18 (unintelligible) collector road in this
19 scenario. When we reviewed the plans, we
20 reviewed it based on the full right-of-way
21 necessary, all their setbacks for building,
22 parking are based on the full right-of-way
23 (unintelligible) business on a normal right
24 of way.

1 We did treat it as such on the
2 chance that should Mr. Sanghvi's concerns
3 come true, it would be not -- it would be a
4 conforming use with our current Ordinance.

5 MEMBER FISCHER: Any comments
6 you'd like to -- regarding that?

7 MR. ADAMS: One question.

8 Can we confirm that if we
9 grant the easement with the conditions that
10 (unintelligible) variance with easement with
11 the conditions that were stated, will that
12 not detail the stamping of the site plans?

13 Mr. Schmidt, can you answer?

14 MR. SCHMIDT: The only thing
15 that's going to delay the stamping of the site
16 plans is how late you guys are here this evening.

17 MR. ADAMS: Okay.

18 MR. SCHMIDT: (Unintelligible)
19 stamp those first thing in the morning.

20 MR. ADAMS: Thank you.

21 MEMBER FISCHER: Maybe -- I'm
22 just kidding?

23 MR. ADAMS: Did I not answer
24 your question?

1 MEMBER FISCHER: You did. I can
2 see where he's coming from, and as long
3 (unintelligible) win-win situation for all, that
4 takes care of my concern (unintelligible) kind of
5 watching this development flourish, sometimes I
6 wonder with the situation you guys had with the
7 State and some of the things you had to go
8 through, I wonder why you're still pursuing it.

9 But overall, I think given the
10 comments by staff and the Petitioner, this
11 makes the most sense. We're talking about
12 there is no public road in the vicinity; and
13 not approving this would jeopardize the
14 entire development; which is obviously not
15 in the best interest of the City's
16 residents, or the surrounding areas
17 residents, to be quite frank.

18 I mean, I can go on and on,
19 and I'm sure if a Motion is appropriate I
20 would do that. But I'll turn it over at
21 this time. Obviously, I'm in support.

22 MEMBER SANGHVI: Thank you.

23 Anybody else?

24 MEMBER KRIEGER: I have

1 question.

2 (Unintelligible) medical
3 facility and it's a ring road, would
4 residents of Novi or people that are staying
5 at the motel be able to walk along the
6 sidewalk around it, since like the Heart
7 Association (unintelligible) walking around
8 it?

9 MR. ADAMS: There's no
10 restriction on that.

11 Rich?

12 MR. ABBOTT: (Unintelligible)
13 your question said, (unintelligible) health
14 campus, because we're not just building a
15 hospital facility (unintelligible) building
16 something even more unique than a health
17 campus. And so we want to encourage people
18 to walk. (Unintelligible) them to walk. We
19 have sidewalks along Beck at Grand River.

20 And along the ring road, we
21 have developed an adjacent nature trail.
22 (Unintelligible) different walking
23 environment than just walking on the
24 sidewalk, (unintelligible) area be nice

1 (unintelligible.)

2 And then as we finish the
3 development of the (unintelligible) area,
4 (unintelligible) so (unintelligible) we want
5 to walking by people there (unintelligible)
6 healthy work life.

7 MEMBER SANGHVI: Thank you.

8 MR. SCHULTZ: Mr. Chair?

9 MEMBER SANGHVI: Yes,
10 Mr. Schultz?

11 MR. SCHULTZ: (Unintelligible)
12 maybe have the gentlemen follow-up on. It's
13 actually a very good one, and I think asked for
14 more than that. (Unintelligible) I think the
15 question was, you know, is there a road that
16 people, the public, generally, is going to be
17 permitted to enter upon (unintelligible) vehicle.
18 So in other words, is it open to the public, even
19 though it's owned by the hospital.

20 I think that's really the
21 question (unintelligible) looking for an
22 answer to.

23 MR. ABBOTT: There's no
24 (unintelligible) from entering the site and

1 using the road. I just -- we don't want
2 them walking in the road. That's not
3 (unintelligible) issue. We have walking
4 paths, and they have (unintelligible.)

5 MR. SCHULTZ: There's no
6 intention to have restricted access or gates
7 there or anything like that. It's going to look
8 and function and feel like a public road.

9 MR. ABBOTT: That's correct
10 yep.

11 MEMBER SANGHVI: Thank you.

12 MEMBER KRIEGER: I will be
13 approving it, also.

14 Thank you.

15 Thank you.

16 Yes, Mr. Fischer.

17 MEMBER FISCHER: Does that
18 mean I can avoid the light over there by
19 going through? Just saying.

20 If there is no further
21 discussion, I would like to make a Motion,
22 but I have a question.

23 Is it more appropriate to do
24 them separately (interposing)

1 (unintelligible) do them all at once?

2 MR. SCHULTZ: I think it's
3 appropriate to do three separate Motions, but the
4 Motion for the second two could refer to the
5 conditions and reasons for the first.

6 MEMBER FISCHER: Okay.

7 In that case, without further
8 adieu -- as soon as I find the case
9 number -- I would move that we grant the
10 variance requested in Case Number: 06-086,
11 filed by Providence Hospital and Medical
12 Centers, Incorporated, LLC, due to the fact
13 that the Petitioner has met the burden of
14 proof of practical difficulty in this case;
15 in the sense that we approve that no public
16 road is located in the vicinity of the
17 subject property; not granting the variance
18 would jeopardize the entire development,
19 which is not in the best interest of the
20 City or it's residents or surrounding
21 residents; enforcement of the Ordinance will
22 delay, eliminate job opportunities, which is
23 not in the best interest of the
24 City of Novi; assuming all cost associated

1 with the road.

2 Providence is actually
3 providing significant economic benefit to
4 the residents and Government agencies
5 involved; and granting the requested
6 variance will not substantially impair the
7 intent or purpose of the Ordinance or the
8 master plan.

9 And I would also state that
10 this Ordinance is subject to the following
11 conditions: The completion of the land
12 division through the City's Assessor's
13 office, as well as confirmation by the City
14 Attorney's office of the necessary cross
15 access easements for purposes of the ring
16 road.

17 Lastly, I would request that
18 this case, as well as this Motion and this
19 decision be sent to the Members of the
20 Ordinance Review Committee to see if ZBA's
21 review in this case could be something
22 looked at for possible Ordinance change.

23 MEMBER BAUER: Second.

24 MEMBER SANGHVI: Motion has been

1 made and seconded.

2 MR. SCHULTZ: Just one thing.

3 (Unintelligible) very
4 comprehensive Motion. Just to confirm that
5 the access agreements include road
6 maintenance obligations, stop signs, things
7 like they do, but just so that's clear,
8 we'll be looking at that, too, to make sure.

9 MEMBER FISCHER: City Attorney's
10 Office will be?

11 MR. SCHULTZ: Yes, sure.

12 And with regard to cross
13 access easement.

14 MEMBER FISCHER: I would amend
15 my Motion regarding the City Attorney's Office,
16 to reflect Mr. Schultz' comments, as well.

17 MR. SCHULTZ: Thank you.

18 MEMBER FISCHER: I thought I had
19 it.

20 MEMBER SANGHVI: (Unintelligibl
21 e) also to (unintelligible) statement that we've
22 been assured that the private road will remain
23 private.

24 MR. ADAMS: If that's the

1 pleasure of the Board, you can say that.

2 MEMBER FISCHER: I'm not sure

3 I would feel comfortable doing that. I

4 mean, that's -- I'd feel comfortable --

5 that's more of a City Council issue, that's

6 for them to decide. That's what they get

7 paid the big bucks to do.

8 MEMBER SANGHVI: (Unintelligibl

9 e) stating the fact, because Tom (unintelligible)

10 That's all I'm talking about.

11 MEMBER FISCHER: Also with the

12 assumption and the fact that currently there's no

13 intention to turn this into a public road, as a

14 matter of fact of our findings, as well.

15 MEMBER SANGHVI: Thank you.

16 All right.

17 MEMBER BAUER: Second.

18 MEMBER SANGHVI: As Motion has

19 been made and seconded.

20 Any further discussion?

21 Will you please call the roll.

22 ROBIN WORKING: Member Fischer?

23 MEMBER FISCHER: Aye.

24 ROBIN WORKING: Member Gatt?

1 MEMBER GATT: Aye.

2 ROBIN WORKING: Member Krieger?

3 MEMBER KRIEGER: Aye.

4 ROBIN WORKING: Member Shroyer?

5 MEMBER SHROYER: Just a second.

6 I'm making sure everything I had marked down here

7 is in the notice Motion, please.

8 Yes.

9 ROBIN WORKING: Member Sanghvi?

10 MEMBER SANGHVI: Yes.

11 ROBIN WORKING: Member Bauer?

12 MEMBER BAUER: Yes.

13 ROBIN WORKING: Motion passes

14 six-zero for approval of 06-086, 06-087, and

15 06-088.

16 No?

17 MEMBER FISCHER: No.

18 MEMBER SANGHVI: That's just one

19 Motion. We make a second Motion for the second

20 case and a third one for the third case.

21 ROBIN WORKING: So I will call

22 roll for 06-087.

23 MEMBER FISCHER: If I may, I'll

24 make another Motion for the second, and then

1 we'll do the roll call.

2 ROBIN WORKING: Okay.

3 MEMBER FISCHER: I would move
4 that in Case Number: 06-087, filed by Providence
5 Hospital and Medical Centers, Incorporated, and
6 J.W Hotels be granted, given the Petitioner has
7 established practical difficulty with the
8 comments and findings of facts and conditions
9 related to Case Number: 06-086.

10 MEMBER SHROYER: Support.

11 MEMBER SANGHVI: Motion has been
12 made and seconded.

13 No further discussion, will
14 you please call the roll for this Motion.

15 ROBIN WORKING: Member Fischer?

16 MEMBER FISCHER: Aye.

17 ROBIN WORKING: Member Gatt?

18 MEMBER GATT: Yes.

19 ROBIN WORKING: Member Krieger?

20 MEMBER KRIEGER: Aye.

21 ROBIN WORKING: Member Shroyer?

22 MEMBER SHROYER: Yes.

23 ROBIN WORKING: Member Sanghvi?

24 MEMBER SANGHVI: Yes.

1 ROBIN WORKING: Member Bauer?
2 MEMBER BAUER: Yes.
3 ROBIN WORKING: Motion passes
4 six-zero.
5 MEMBER SANGHVI: Thank you.
6 Third one.
7 MEMBER FISCHER: Thank you,
8 Mr. Chair.
9 I would move that in Case
10 Number: 06-088, filed by Providence
11 Hospital and Medical Centers, Incorporated,
12 that we grant the Petitioner's request due
13 to the Petitioner has established practical
14 difficulty with the findings of fact and
15 conditions put in place in Case: 06-086
16 being a part of this Motion.
17 MEMBER BAUER: Second.
18 MEMBER SANGHVI: Motion has been
19 made and seconded.
20 Will you please call the roll.
21 ROBIN WORKING: Member Bauer
22 seconded?
23 MEMBER SANGHVI: Yes.
24 ROBIN WORKING: Thank you.