

**MOTION TO RECOMMEND APPROVAL OF PUD REZONING AND  
PRELIMINARY PUD SITE PLAN FOR THE DOWNS PROJECT**

I move to recommend approval of The Downs Project application for Planned Unit Development Rezoning and the Preliminary PUD Site Plan (“Preliminary Plan”) based upon the following findings and conditions:

**Background**

A. Developer is the owner or in control of certain real property consisting of approximately 48.12 acres of land, formerly the location of the Northville Downs Racetrack, at Seven Mile Road and Center Street, extending to Cady Street to the north and River Street to the east, in the City of Northville, Wayne County, Michigan.

B. Developer desires to develop the Property as a mixed-use development that is intended to be a residentially oriented community of mixed density and housing options, including approximately 18,500 square feet of commercial space and approximately 12.3 acres of natural and green spaces (excluding stormwater facilities) (the “Project”). The development has been referred to as The Downs .

C. On November 2, 2021, the City’s Planning Commission determined that the Project met the criteria for PUD Eligibility pursuant to Section 20.05(2) of the Zoning Ordinance subject to conditions.

D. The Planning Commission determined that the Project met the eligibility requirements under Section 20.05 of the Zoning ordinance because the proposed Project would: (i) encourage innovative land development and planning; (ii) preserve significant natural and historical features and open space; (iii) encourage development of convenient recreational facilities; (iv) provide improvements to existing utilities and road systems; (v) encourage the use of the Property in accordance with the Property’s character and adaptability; (vi) comply with the visions set forth in the City’s Master Plan; (vii) preserve and enhance open space and other natural features; (viii) result in a recognizable and material public benefit by the daylighting of the Rouge River and creation of a River Park and installation of a walkway through the daylighted area and park; (ix) result in the restoration of the Rouge River channel and abutting banks; (x) create stormwater detention within the Project which will improve the water quality of the stream within the Johnson Drain; (xi) result in the remediation of contamination in certain areas on the Property; (xii) allow innovation and greater flexibility in the design of residential, commercial and recreational uses within the Project; (xiii) facilitate the construction and maintenance of streets, utilities and public services in a more economical and efficient manner; (xv) result in the creation and/or dedication of park areas to the City for use by the general public; (xvi) provide other public benefits as set forth later in this motion; (xvii) and ensure compatibility of design and use between neighboring properties and encourage a less sprawling form of development.

E. On December 14, 2021, Developer submitted the Preliminary Plan to the City. Developer submitted a revised Preliminary Plan on January 20, 2022. The plans have been revised and re-submitted throughout the Planning Commission’s deliberations, with the most recent plans

submitted at the August 16, 2022, August 29, and September 6, 2022 Planning Commission meetings (collectively the “Project Preliminary Plans”), being the plans upon which this motion is based.

F. The Planning Commission held a public hearing on the proposed PUD rezoning on March 15, 2022. The Planning Commission conducted deliberations on the PUD rezoning and the various components of the Preliminary PUD Site Plan in meetings conducted from February 1, 2022, until September 6, 2022. Public participation was allowed during meetings after Planning Commission deliberations concluded on each of the five topic categories, which were created to organize Planning Commission deliberations and comments on the Project. The Planning Commission regularly encouraged the public to submit correspondence with comments on the Project.

**Public Benefits**

Public benefits are generally features that would not typically be achieved through application of the requirements of the Zoning Ordinance for a conventional site plan. Public benefits do not include items that are required by the Zoning Ordinance or are necessary to enable the development to function. The following are the public benefits offered by the Project that, in the determination of the Planning Commission, would not be achieved under conventional development, and upon which the recommendation of approval is based:

<u>Public Benefits</u>	
<b>Public Spaces</b>	The removal of dilapidated buildings and environmental cleanup.
	Improved stormwater management of site, particularly as a result of the daylighting of the Rouge River. Daylighting of the river to take place and estimated to be completed by December of 2024.
	River Park land donation, river daylighting (and resultant reduction in floodplain), park build-out including amenities, and contribution of up to \$125,000 toward relocation of log cabin. Plant/animal habitat.
	Central Park land donation and build-out. City Council to determine whether to accept dedication. Public restrooms to be provided in or near Central Park.
	Gateway land donation and landscaping. City Council to determine whether to accept land donation.
	7-Mile Road mid-block pedestrian crossing with HAWK signal and crosswalk at River Street.
	Pocket parks available to public (with HOA owning and maintaining the pocket parks at no cost to the City)
	Temporary Farmers Market location through the end of the 2025 market season.
	Contribution to public art in the amount of \$50,000

	Sidewalks within the site condominium portion of the Project shall be available for public use.
Vehicular and non-motorized	Improved vehicular, bicycle and pedestrian connectivity, including monetary contributions toward road and sidewalk improvements as determined by the City Council. This will include Developer paying for a traffic signal at 7 Mile/Northville Road per the Traffic Impact Study (TIS).
	Providing a public stub road for future connection at the south end of the Project to 7 Mile. Developer also to dedicate stub road right-of-way to the Project's southern boundary line.
Residential Uses	Diverse housing types that will serve all consumer segments, including age-in-place options with a first-floor primary suite or access via an elevator.
Utilities	Offsite water main funding in locations and in an amount as determined by City Council.
	Removal of sanitary sewer from Rouge River (at Beal St. bridge)
Financial	Developer will provide up-front funding of public benefits in an amount as determined by City Council. Developer will provide up-front funding of certain public benefits.
	Job creation.

### Design Standards

The Preliminary Plan meets the General Design Standards contained in Section 20.04 (2 through 14) of the Zoning Ordinance subject to the following deviations which are recommended for approval in accordance with Section 20.04 (1):

Deviations	
Land Use	Residential uses on parcels with Racetrack District underlying zoning outside of the Cady St. Overlay (CSO) District.
	Townhouse use on parcels with R-2, Second Density Residential District underlying zoning.
Apt. Bldg.	Height 10-feet taller at south end of CSO District boundary, and 5-feet taller toward Beal St. than permitted for 4-stories. (See Illustration A)
Condo Bldg.	Height 5-feet taller than maximum permitted height for 4-stories (See Illustration B)

Townhomes (2.5 & 3.0 stories)	Front setback along south side of Beal 20 feet (Setback is 5 feet less than minimum)
	Front setback along S. Center St. 21-23 feet (Setback is 2-4 feet less than minimum)
	Front setback in Racetrack area 15 feet (Setback is 10 feet less than minimum)
	Side facades facing a street 15-20 feet (Setbacks are 5-10 feet less than minimum)
	3-story townhomes are 1/2-story/5-8 feet taller than maximum (Max. height 2.5 stories/30 feet)
SF Attached (or 2-story townhomes)	Rear setback 8-9 feet (Setback is 16-17 feet less than minimum)
Carriage Homes	Front setback 19 feet from street (Setback 6 feet less than minimum)
	Front-facing Garage: Garage door is 3% more of front façade than permitted (Max. 50%); garage door is not 4 feet behind front façade of the front exterior wall.
	Rear setback 15 feet (Setback 10 feet smaller than minimum)
Single-Family Lots	Area and lot width smaller on 20 lots (of 38 lots) than R-1B Standard (small lot average area: 6,237 square feet; small lot average width: 63 feet)
Parking	Apartment building: 31 fewer spaces using underlying Racetrack zoning; 16 over requirements using CBD zoning (Overall project: 94-space surplus)
	Condominium building: 10 fewer spaces using underlying Racetrack zoning; 15 over requirements using CBD zoning (Overall project: 94-space surplus)

Illustration “A” – Apartment Building Height



Illustration “B” – Condominium Building



The deviations recommended for approval achieve the Purposes and Intent and Sections 20.01 through 20.04 of the Planned Unit Development Regulations and improve the overall Project.

**Conditions on Recommendation of Approval**

The Project Preliminary Plan, submitted to the City for the 8/16/22 Planning Commission meeting, with revisions for the 8/29/22, and 9/6/22 Planning Commission meetings, is recommended for approval subject to the following conditions, which are deemed necessary to address the impacts resulting from the development, and the public health, safety, and welfare, and also subject to approval of the Planned Unit Development Agreement by City Council:

**Daylighting of the Rouge River**

Daylighting of the Rouge River is a critical factor in approval of the Project. Developer shall comply with the time periods contained in the Wayne County Daylighting of the Rouge River Subrecipient Agreement entered into between the City and Wayne County for the receipt of ARPA funds for this portion of the Project. In the event that Developer does not receive approval from the City Brownfield Authority for brownfield funds for the daylighting project, this recommendation of approval for the Project shall be null and void.

**Roads, Pathways, Connections and Parking**

<b>Roads</b>	<p>Road configuration as shown in the Project Preliminary Plans as revised indicating that the following roadways, constructed as part of the project, will be public roads dedicated to the City of Northville: Beal St., Hutton St., Fairbrook St., Road A, and Griswold St. (including road stub at southern end of project). All other connecting driveways and alleys within the Project will be privately-owned and maintained through a Homeowner’s Association (HOA).</p> <p>The following pavement widths/parking space widths of new streets will apply:</p>
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	<p>Hutton St. north of Beal St., and Beal St.: 38 ft. pavement width with 11 ft. of pavement for each travel lane and 8 ft. wide parking spaces.</p> <p>Griswold St.: 36 ft. pavement width with 10 ft. of pavement for each travel lane and 8 ft. wide parking spaces.</p> <p>Fairbrook St., Hutton St. south of Beal St., and Road A: 34 ft. pavement width with 10 ft. of pavement for each travel lane and 7 ft. wide parking spaces.</p>
	<p>Project will meet the DDA's Secondary Street Design Standards within the DDA boundaries and along the north side of the new Beal St. extension.</p>
	<p>Project will provide pedestrian-scaled streetlights and street trees along all public roads within the project, and along Cady St. and S. Center St.</p>
	<p>River Street improvements will, at a minimum, include a roadside barrier consistent with AASHTO Roadside Design Guidelines to protect vehicular traffic and pedestrians from the slope to the daylighted river. The type and extent of the roadside barrier will be determined during final site plan approval as recommended by the City's Engineer.</p>
	<p>No parking shall be permitted across public sidewalks. All sidewalks in the Project will allow public pedestrian travel.</p>
<p style="text-align: center;">Traffic</p>	<p>Developer is responsible for implementing the following traffic improvements to serve the project, as identified in the Traffic Impact Study (TIS) dated February 20, 2022: 1) 7 Mile/S. Main/Northville Rd. improvements described in the TIS; 2) signal optimizations at other intersections identified by the TIS; 3) pedestrian mid-block crossing of Center St. at Fairbrook St. with center refuge island, Rectangular Rapid Flashing Beacons (RRFB), pavement markings/signage and walk/ramp upgrades; 4) pedestrian mid-block crossing of Cady St. at parking structure location with pavement markings/signage and walk/ramp upgrades; 5) pedestrian mid-block crossing on 7 Mile Road at River St. with pavement markings, HAWK, and path/ramp upgrades (TAP grant contribution anticipated); and 6) pavement rehabilitation of Griswold St. from Cady to Beal after road widening to add on-street parking is completed. In addition, Developer is responsible for making a contribution as determined by City Council for the roundabout at 7 Mile/S. Center St.</p>

**Architecture, Landscaping and Aesthetics**

	<p>Elevations were presented to the Planning Commission at the 8/16/22 and 9/6/22 meetings. The elevations shall be revised at the time of final site plan submittal to show a combination/mixture of Hardi-plank, brick and stone on the Townhomes and single-family homes, as shown on the material sample boards presented to the Planning Commission at their 9/6/22 meeting. In addition, the developer will</p>
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	<p>implement a monotony code, and the single-family homes will include five (5) floor plans, with four (4) different and distinct elevations and color pallets for each floor plan. No vinyl components or EIFS (Exterior Insulation and Finish System) shall be allowed in the Project.</p> <p>Detached garages for single-family homes shall be consistent in style and materiality to the style and materiality of the home. Architectural details/features/interest shall be provided on garage facades visible from a public road.</p>
	<p>Apartment and condominium buildings shall be built to Leadership in Energy and Environmental Design (LEED) standard for certification (in effect at the time of submittal), including sustainable sites, water efficiency, indoor environmental quality, material and resources, energy and atmosphere, location and transportation, innovation, regional priority, and education and awareness. Toll Brothers residential units shall be built to Home Energy Rating System program standards, including heating, cooling, hot water, lighting (interior/exterior) electric/gas appliances, and other electric/natural gas uses. Documentation shall be provided to the City to verify compliance with this requirement at the time of Final Site Plan approval for the particular phase.</p>
	<p>Detached single-family residential building design shall include the architectural detailing on all dwelling units as depicted in the elevations presented at the Planning Commission meetings on 8/16/22 with revisions presented to the Planning Commission at their 8/29/22, and 9/6/22 meetings, further revised as stated above.</p>
	<p>Housing products located at street intersections should act as transitions between products, and both street frontages of buildings, including garages, shall include the elevations of a “front.”</p>
	<p>At the Final Site Plan stage, the developer of each phase shall provide the following for the buildings included in that phase, as applicable:</p> <ul style="list-style-type: none"> <li>a. Revised elevations for the townhomes and single-family homes as noted above.</li> <li>b. Detailed architectural design consistent with this Preliminary Plan approval of all buildings on all facades, as modified by this Motion. Rear of buildings shall be designed to be as attractive as the front.</li> <li>c. All facades shall be revised with additional details, such as modified fenestration and details consistent with the Historic District Commission guidelines, on corner buildings (but not exclusively),</li> <li>d. Rendering of alleys/rear driveways behind townhomes.</li> <li>e. List of LEED, WELL, or HERS sustainability standards (or other rating systems) being met with new buildings as a checklist.</li> </ul>

	<p>The amount of land allocated to the Central Park and River Park on the Project Preliminary Plans shall not be diminished or reduced in overall size by other project facilities, such as the daylighting of the river, stormwater basins, or other non-park facilities unless deemed acceptable by the Planning Commission during Final Site Plan review.</p>
	<p>The design of the Central Park and River Park shall be consistent with the Project Preliminary Plans, and in addition to these designs, shall contain, at a minimum, paved pedestrian walkways, access point(s) to the daylighted river, pathway lighting, site furnishings (seating &amp; trash receptacles), landscaping, bike racks, and signage.</p>
	<p>Developer to contribute \$50,000.00 for public art in Central Park or River Park, with payment made to the City at the time of the issuance of the first building permit.</p>
	<p>River Park:</p> <ul style="list-style-type: none"> <li>a. Shall contain two (2) bridges, as illustrated on the Project Preliminary Plans that are a minimum of 10 to 14-feet wide.</li> <li>b. Developer shall relocate the log cabin either in the River Park or somewhere in the community, if determined viable and economically feasible by City Council, and shall contribute up to \$125,000 toward this relocation. The Planning Commission encourages its use to be a passive, visual use that reminds visitors of Northville’s history. Retrofitting the log cabin as a restroom is not recommended.</li> <li>c. Incorporate pathways along the west side of the stormwater basins behind the carriage homes, which paths will connect to the River Park pathway system.</li> <li>d. Revise the plans to show that the stormwater basin is part of the Project development and not part of the River Park. Show distinct property lines.</li> </ul>
	<p>Central Park:</p> <ul style="list-style-type: none"> <li>a. Shall have adequate water and electricity in all four quadrants of park, and an irrigation system.</li> <li>b. Developer to provide public restroom facilities in a building within the Project adjacent to the Central Park.</li> </ul>
	<p>Farmers Market: Planning Commission supports the Farmers Market Task Force recommendation that the Market be located off of the project site. The temporary Farmer's Market location within the Project shall, at a minimum, include a paved market surface and parking spaces, as shown on the site plan dated 8/9/22, as well as water and electrical hookups.</p>
	<p>Pocket Parks: These parks will be open to the public as proscribed in the Master Deed and Bylaws of the Site Condominium and the PUD Agreement, and include benches, trash receptacles, and landscaping. Pocket parks will be maintained by</p>



	<p>developer until such time as the homeowner’s association is created, and then by the HOA in accordance with the terms of the PUD Agreement.</p>
	<p>At the Final Site plan stage for each phase, the developer shall provide the following for the parks included in that phase, as applicable:</p> <ul style="list-style-type: none"> <li>a. Developer will work with the DDA, City's experts, Northville Parks and Recreation, an Environmental Engineering firm with experience in appropriately scaled ecological restoration (at developer’s cost), and related City task force groups to: <ul style="list-style-type: none"> <li>i. Refine the design for the River Park, incorporating at a minimum the features listed above. Planning Commission recommends a "natural" landscape aesthetic to the River Park.</li> <li>ii. Refine the design and character of the individual quadrants of the Central Park incorporating at a minimum the features listed above.</li> </ul> </li> <li>b. Signage for parks as approved by the City.</li> </ul>

**Infrastructure, Financials, and Phasing**

	<p>Developer shall obtain all required permits from the City and outside regulatory agencies for design and implementation of the plans during construction.</p>
	<p>Developer shall use stormwater management techniques that infiltrate stormwater into the ground, where possible, using Low Impact Development (LID) Techniques such as deep-rooted plants, bioswales, permeable pavements, and other techniques, based on site conditions. The developer shall work with City Engineers and Wayne County to identify more opportunities to increase infiltration and LID applications on the site.</p>
	<p>Defer a recommendation to City Council on the following from DPAC (Downs Project Advisory Committee):</p> <ul style="list-style-type: none"> <li>a. Cost sharing proposal to implement the development, as proposed by the developer, including payment for or contributions toward the daylighting of the river, the relocated Farmers Market, traffic improvements including the proposed roundabout, and improvements to the public utility infrastructure. However, the Planning Commission has made specific recommendations on some of these components, and the specific recommendations of the Planning Commission prevail over this general referral of cost sharing.</li> <li>b. Ownership, maintenance, and programming of the River Park and/or Central Park.</li> <li>c. Ownership and maintenance of gateway design, and landscaping within the roundabout.</li> <li>d. Per Section 24.08 of the Zoning Ordinance, the City will require a performance guarantee(s) in the form of cash or automatically renewable, irrevocable letter of credit to ensure faithful completion of the site improvements in conformance with the approved Final Site Plan and approved PUD Agreement.</li> </ul>

## Phasing

Developer shall comply with the Phasing Plan included in the 8-16-2022 submittal to the Planning Commission. Upon completion of each phase, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and infrastructure to serve such phase and shall contain the necessary components to ensure the protection of natural resources and the health, safety, and welfare of users of the phase and the users of the surrounding area.

### Additional Requirements for Final Site Plan Approval of the First Phase of The Project

	<p>Incorporate the roundabout preliminary design provided from the City Engineer based on the preliminary engineering stage which is anticipated to begin at the conclusion of the approval of the Preliminary Site Plan. This preliminary engineering effort by the City Engineer would include survey, ROW verification, Wayne County Review and input, 40% level design, customized design considerations to meet City needs, center island Gateway Design options, and shall meet AASHTO Design Standards (as well as applicable roundabout and transportation/design guidelines). The roundabout will be designed as efficiently as possible utilizing available traffic data, City objectives, safety considerations, and Developer input, as well as Wayne County DPS review. ROW needs shall anticipate future considerations for growth and possible expansion, but current design will provide for efficient, safe, and effective layout for roundabout vehicular traffic and pedestrian flow. Roundabout design will include accommodations for pedestrian and bicycle facilities for safe non-motorized use of this intersection to accommodate circulation/connectivity in all directions. The duration of the preliminary engineering phase by the City Engineer is anticipated to be completed in approximately four (4) months from the authorization by City (including Wayne County DPS reviews). Developer shall contribute the ROW needed based on the roundabout design, at no cost to the City.</p>
	<p>Developer shall prepare and present an entryway design at the north intersection of 7-Mile/S. Center St. that indicates and creates a significant identity to celebrate that the driver/pedestrian/cyclist is entering into the City of Northville, not a subdivision. The architecture of the buildings should lead the gateway design, and landscaping should support the gateway. The gateway will contain some type of historical reference and may possibly be located in the center island of roundabout, subject to road design guidelines and safety aspects.</p>
	<p>Investigate and present traffic mitigation techniques for Beal St. east of development, River St., and Fairbrook St. west of the Project.</p>

	Further refine site and park designs to improve pedestrian accessibility, creating a comfortable experience for people in wheelchairs or those with mobility issues. Developer to meet with mobility-challenged residents and/or the Living and Learning Center in Northville for input and recommendations for refinements presented at the Final Site Plan stage.
	Provide signage and wayfinding locations and details.
	Developer shall submit a logistical plan to show how the development will proceed with minimal impact on the City and surrounding properties as development progresses through the various phases.