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## CITY of NOVI CITY COUNCIL

Agenda Item 4  
January 10, 2011

**SUBJECT:** Consideration of the request of Novi Town Center Investors, LLC for Preliminary Site Plan approval. The subject property is located in Section 14 near the northwest corner of Eleven Mile Road and Town Center Drive, in the TC, Town Center District. The subject property is approximately 35.7 acres and the applicant is proposing to construct an approximately 17,500 square foot retail building to connect the existing Novi Town Center to the proposed Walmart store.

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

**CITY MANAGER APPROVAL:** 

### BACKGROUND INFORMATION:

Novi Town Center is proposing to construct a 17,442 square foot retail building to connect the existing Novi Town Center to the proposed Walmart store. A separate parcel, totaling approximately 12.8 acres, would be split off from the larger Novi Town Center parcel for the proposed Walmart. Parking will be shared between the entire Town Center and the Walmart parcel. This proposal also involves the reconfiguration of a portion of the loading zone for the existing Building D.

The planning review recommended approval of the preliminary site plan provided the applicant receives variances from the Zoning Board of Appeals for the following items:

- The lack of parking setbacks in the interior side yard (north) and exterior side yard (east);
- The loading zone location;
- The location of the dumpster; and
- The property line illumination levels.

Additionally, staff recommended the City Council grant a reduction of the interior side yard (north) building setback and exterior side yard (east) building setback to 0 feet.

The engineering review, fire review and landscape review recommended approval of the plan subject to items being addressed on the Final Site Plan submittal.

The traffic review recommended approval of the preliminary site plan noting items to be addressed on the final site plan submittal. One remaining concern is the parking spaces directly adjacent to the new Building X.1 and closest to the Walmart parcel. The intersection of three access drives in that location creates a hazardous area for drivers to back into from the adjacent parking spaces. The City's traffic consultant recommends shifting the handicapped spaces, deleting three regular spaces and providing stop signs at this location (see attached sketch of suggested changes). The applicant has agreed to provide stop signs at this location, but indicated providing all of these proposed spaces at this location is essential to the operation of future tenants of Building X.1. This issue was also discussed at length at the Planning Commission meeting, and a follow-up meeting held with staff and the applicant.

While staff appreciates the applicant agreeing to provide the requested stop signs, adjusting the curbs in this area, and the previous design modifications made for traffic safety concerns, the City's Traffic Consultant and Planning staff note that the 5 spaces shown to be eliminated from this area as shown in the proposed sketch are not necessary for the overall parking count for the Town Center, and the proposed design still allows 9 parking spaces in front of the new Building X.1 that

are located in a position for safer ingress and egress. Staff suggests that the City Council consider discuss with the applicant the feasibility of for approval of the Preliminary Site Plan with possible modification at the time of Final Site Plan submittal to address the Traffic Engineer's concerns. Please see the traffic review letter for additional information.

The façade review recommended approval of the elevations and the required Section 9 façade waiver for the underage of brick, overage of concrete "c" brick on the east façade and the use of non-copper colored standing seam metal.

The Planning Commission recommended approval of the Preliminary Site Plan on December 8, 2010.

**RECOMMENDED ACTION:** Approval of the request of Novi Town Center Investors, LLC SP10-41 for the Preliminary Site Plan subject to the following:

- (a) A permitted reduction of the interior side yard (north) building setback and exterior side yard (east) building setback to 0 feet because (1) A reduction in setback, or waiver of a setback altogether, will not impair the health, safety or general welfare of the City as related to the use of the premise or adjacent premises; (2) Waiver of the setback along a common parcel line between two premises would result in a more desirable relationship between a proposed building and an existing building; and (3) The adherence to a minimum required setback would result in the establishment of non-usable land area that could create maintenance problems;
- (b) The Zoning Board of Appeals granting variances for the lack of parking setbacks in the interior side yard (north) and exterior side yard (east);
- (c) The Zoning Board of Appeals granting a variance for the loading zone location;
- (d) The Zoning Board of Appeals granting a variance for the location of the dumpster;
- (e) The Zoning Board of Appeals granting a variance for the property line illumination levels;
- (f) The applicant providing modifications to the plan at the time of Final Site Plan Review as recommended by the city's traffic engineer, including shifting two handicapped spaces to the north and deleting three regular spaces within the intersection (as shown on the attached exhibit, or if the applicant chooses to provide an alternative design that would similarly accomplish the removal of spaces from the intersection);
- (g) A Section 9 waiver for the underage of brick, the overage of concrete "c" brick on the east façade and the use of non-copper colored standing seam metal;
- (h) The applicant confirming materials consistent with the Town Center design will be used on the south façade in the event the Walmart is not constructed; and
- (i) Compliance with all conditions and requirements listed in the staff and consultant review letters.

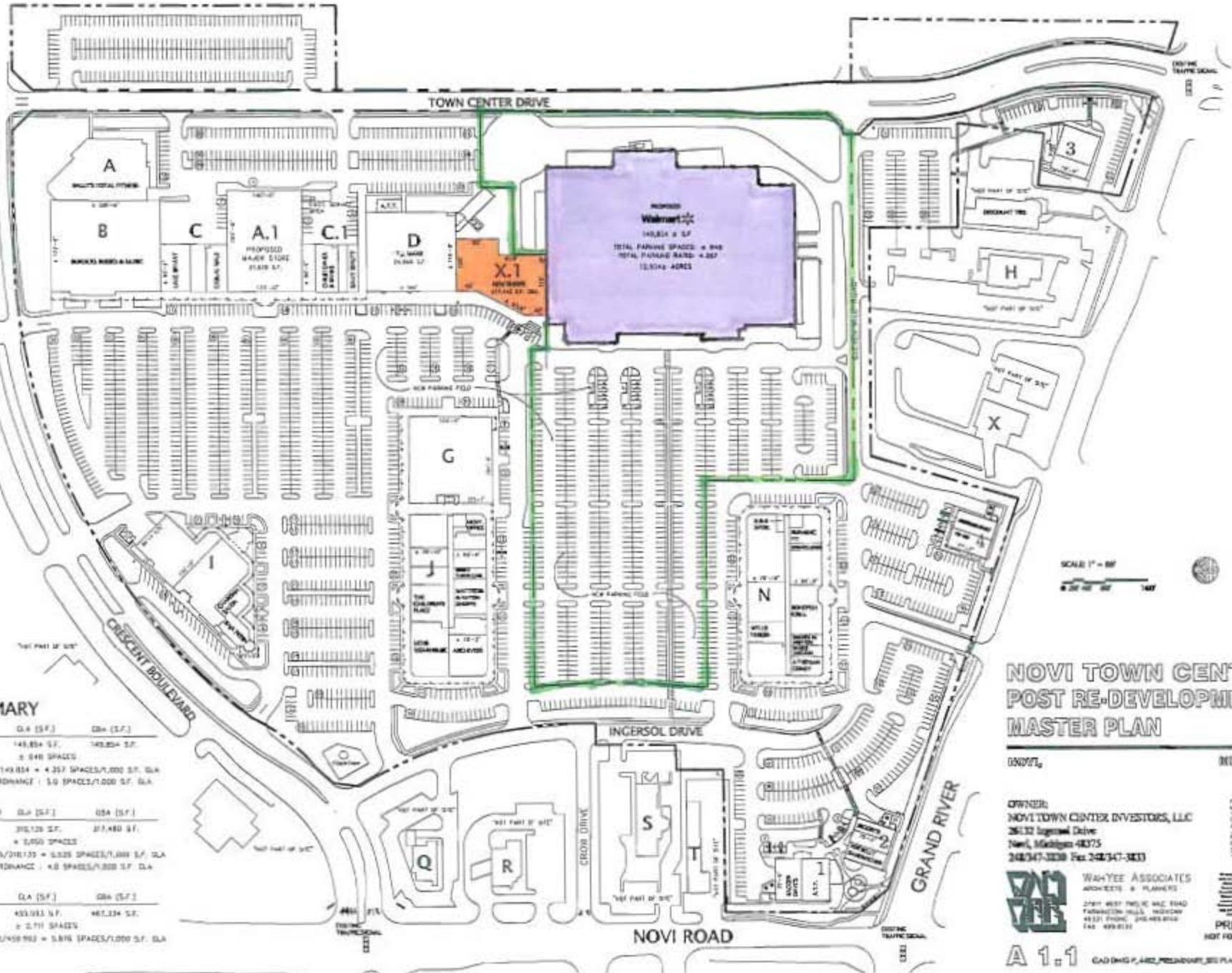
This motion is made because the plan is otherwise in compliance with Article 16, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Fischer				
Council Member Margolis				

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



INTERSTATE 1-96



**PROJECT SUMMARY**

BLDG ANCHOR ONE	GLA (S.F.)	GBA (S.F.)
BLDGING AREA	148,854 S.F.	149,854 S.F.
PARKING PROVIDED	= 848 SPACES	
PARKING RATIO PROVIDED	= 5.92/1,000 S.F. = 4.357 SPACES/1,000 S.F. GLA	
PARKING RATIO REQUIRED PER ORDINANCE	= 5.0 SPACES/1,000 S.F. GLA	
REMAINDER OF SHOPPING CENTER	GLA (S.F.)	GBA (S.F.)
BLDGING AREA	315,120 S.F.	317,480 S.F.
PARKING PROVIDED	= 2,050 SPACES	
PARKING RATIO PROVIDED	= 2.050/315,120 = 6.525 SPACES/1,000 S.F. GLA	
PARKING RATIO REQUIRED PER ORDINANCE	= 4.8 SPACES/1,000 S.F. GLA	
TOTAL SHOPPING CENTER	GLA (S.F.)	GBA (S.F.)
BLDGING AREA	463,974 S.F.	467,334 S.F.
PARKING PROVIDED	= 2,898 SPACES	
PARKING RATIO PROVIDED	= 2.792/463,974 = 5.876 SPACES/1,000 S.F. GLA	

**NOVI TOWN CENTER  
POST RE-DEVELOPMENT  
MASTER PLAN**

03/07/24

**OWNER:**  
NOVI TOWN CENTER INVESTORS, LLC  
26132 Ingersol Drive  
Novi, Michigan 48375  
313.347.3338 Fax 313.347.3833

**WAH-YEE ASSOCIATES**  
ARCHITECTS & PLANNERS  
2701 WEST TWIGG HILL ROAD  
FARMINGTON HILLS, MICHIGAN  
48331 PHONE 248.469.8100  
FAX 483.8131

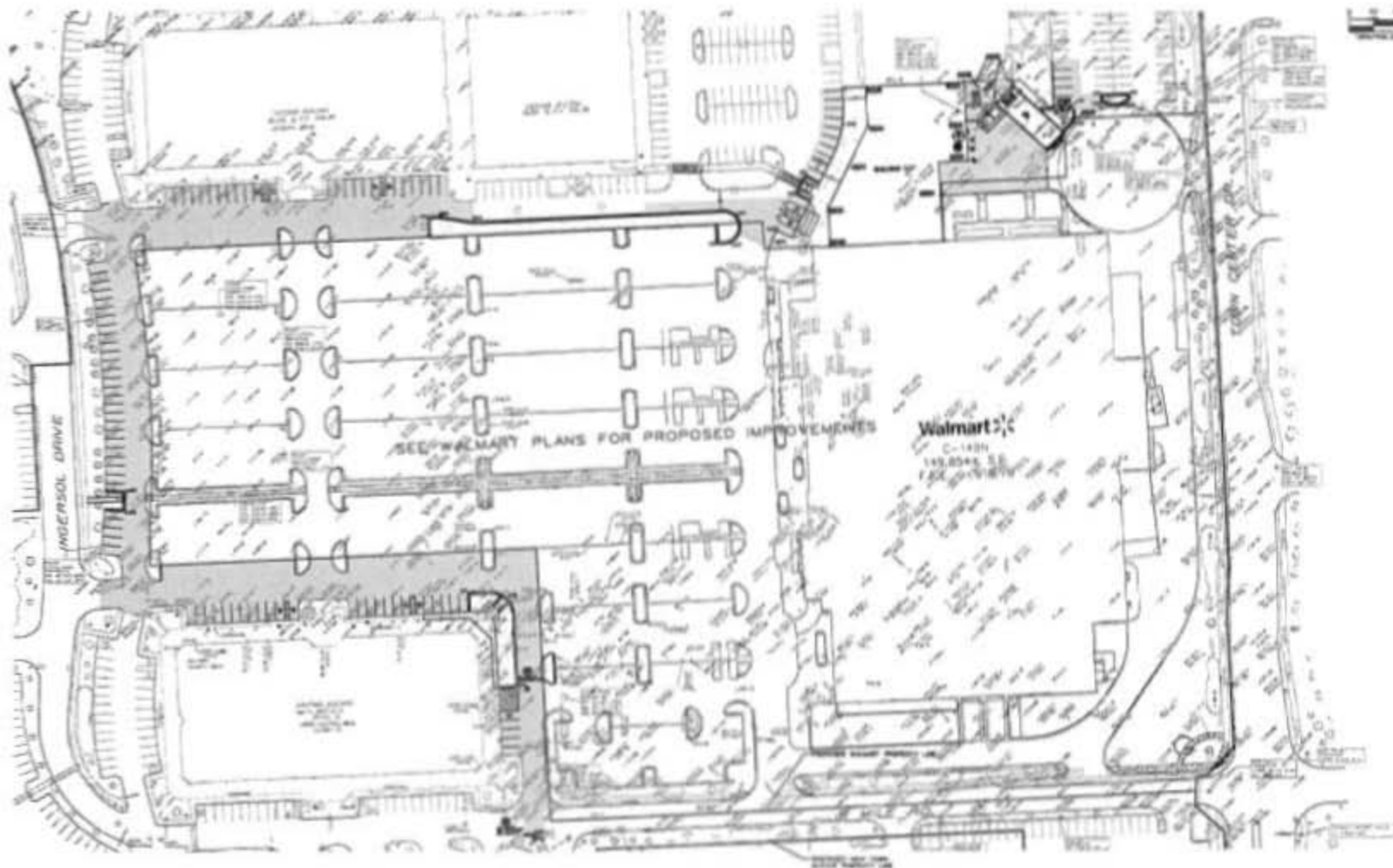
**A 1:1** CAD (DWG P, AEC2, PRELIMINARY SITE PLAN SUBMITTAL) 2-11-20

Date:  
PRE-APPROVAL  
NOV 1, 2023  
COUNCIL REVIEW  
AUG 18, 2023  
PRELIMINARY SITE  
PLAN SUBMITTAL  
NOV 13, 2023

**PRELIMINARY  
NOT FOR CONSTRUCTION**

REDUCED SITE PLAN





PROJECT NO.	2011-001
DATE	08/14/11
SCALE	AS SHOWN
DRAWN BY	J. W. GIBELS
CHECKED BY	J. W. GIBELS
DATE	08/14/11
PROJECT	WALMART SUPERCENTER

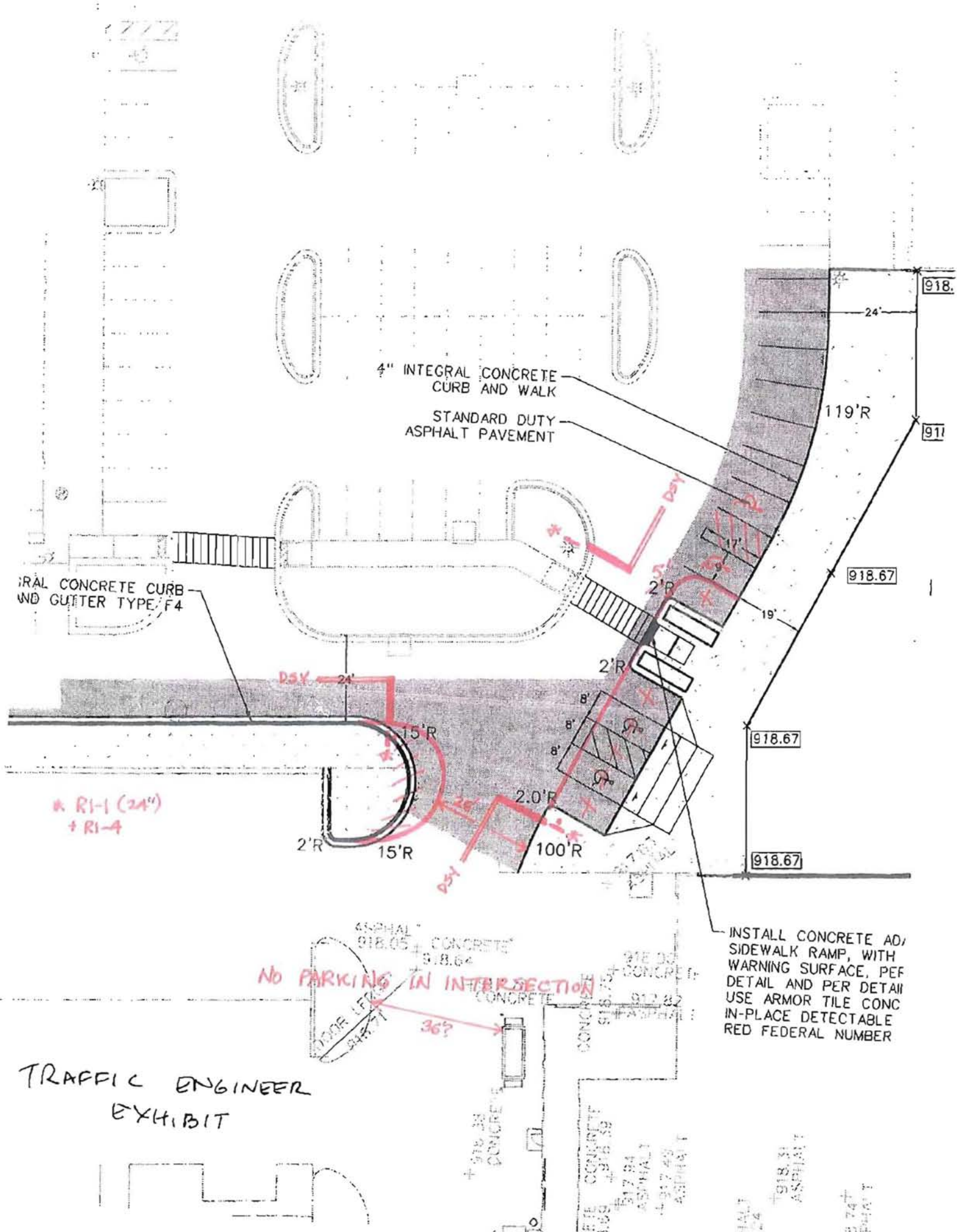
NON TOWN CENTER  
INVESTORS LLC  
c/o BirmCo, Inc.  
26 WOLCOTT ST  
MORFORD, MA 01555

**GWE**  
Gifels-Webster  
Engineers, Inc.  
270 W. 10th Street  
MORFORD, MA 01555  
TEL: 413.885.1111  
FAX: 413.885.1112  
WWW.GWE-MA.COM

PROJECT:  
PAVING +  
GRADING PLAN  
OVERALL  
148,824 sq. ft. + AVENUE  
IN NEAR TOWN CENTER  
CITY OF NON  
ORANGE COUNTY, MA

DATE	08/14/11
SCALE	AS SHOWN
DRAWN BY	J. W. GIBELS
CHECKED BY	J. W. GIBELS
DATE	08/14/11





4" INTEGRAL CONCRETE CURB AND WALK  
 STANDARD DUTY ASPHALT PAVEMENT

INTEGRAL CONCRETE CURB AND GUTTER TYPE F4

INSTALL CONCRETE AND SIDEWALK RAMP, WITH WARNING SURFACE, PER DETAIL AND PER DETAIL USE ARMOR TILE CONC IN-PLACE DETECTABLE RED FEDERAL NUMBER

NO PARKING IN INTERSECTION

TRAFFIC ENGINEER EXHIBIT

918

911

918.67

918.67

918.67

ASPHALT 918.05  
 CONCRETE 918.64

CONCRETE 918.75  
 CONCRETE 918.82

CONCRETE 918.33

CONCRETE 917.84  
 ASPHALT 917.49

ASPHALT 918.24

ASPHALT 918.31

ASPHALT 918.74

R1-1 (24")  
 + R1-4

DSY

DSY

DSY

36?

119'R

19'

100'R

2'R

15'R

15'R

2.0'R

2'R

2'R

2'R

2'R

24'

17'

8'

8'

8'

36'

36'

36'

36'

36'

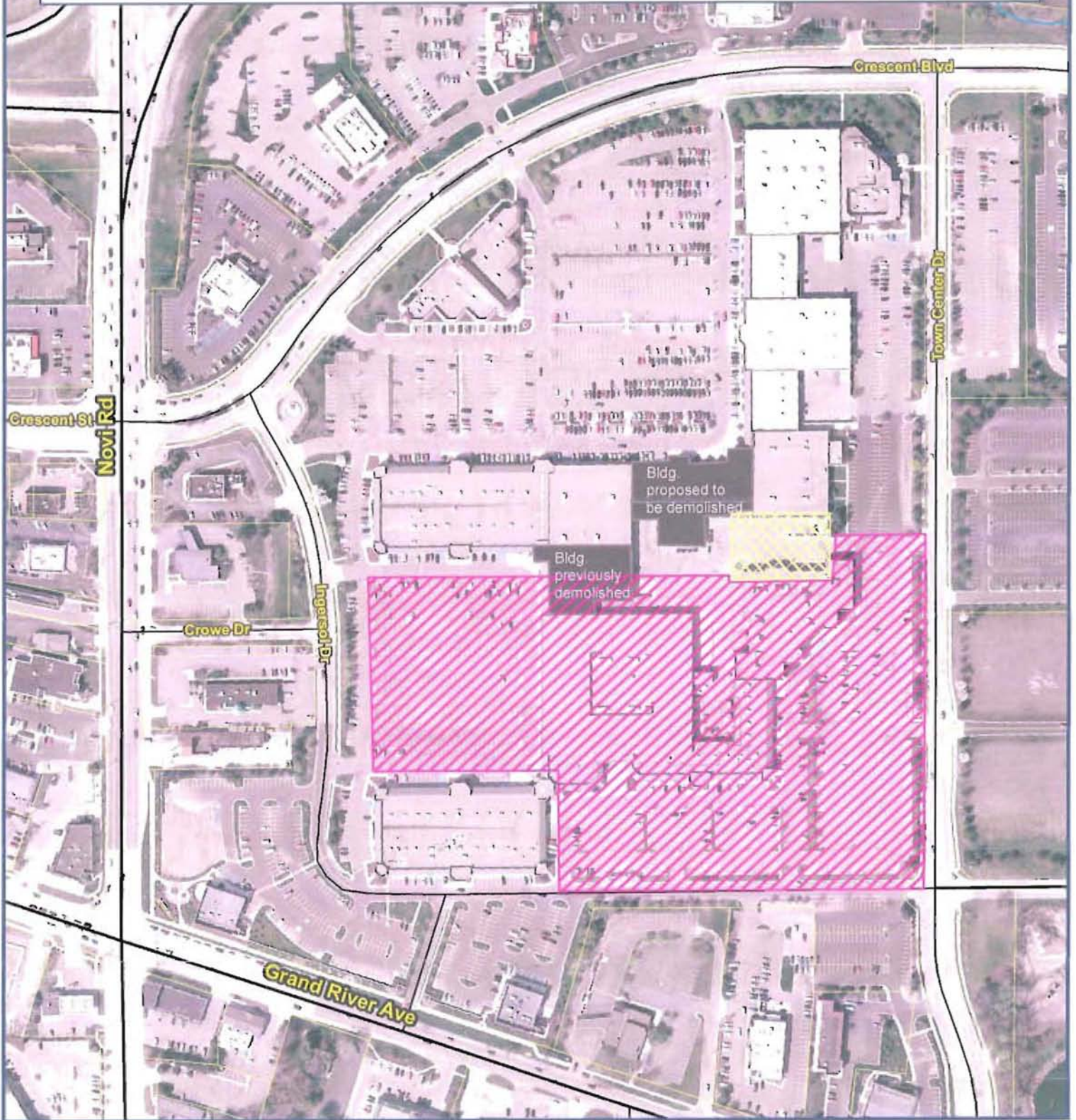


**MAPS**

**Location/Air Photo  
Zoning  
Future Land Use  
Natural Features**

# Walmart SP10-42A and Novi Town Center Building X.1 SP10-41A

## Location





Map Author: Kristen Kapelanski  
 Date: November 30, 2010  
 Project: Walmart SP10-42A and  
 Bldg. X.1 SP10-41A  
 Version #: 1.0

### MAP INTERPRETATION NOTICE

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

### Map Legend

-  Bldg. X.1 Project Area (Approx.)
-  Walmart Project Area (Approx.)



**City of Novi**  
 Department Division  
 Department Name  
 45175 W Ten Mile Rd  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

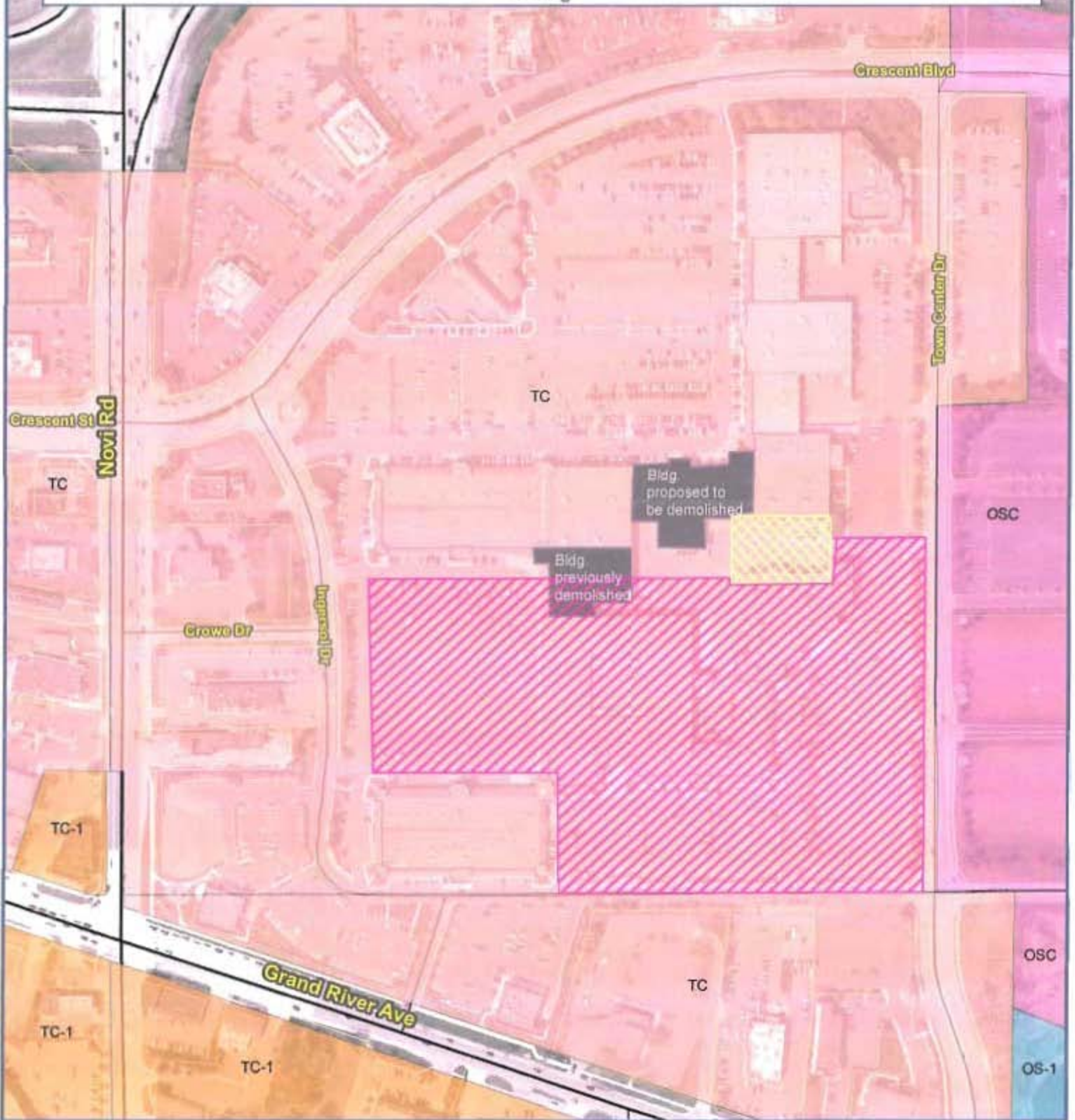


1 inch = 266 feet



# Walmart SP10-42A and Novi Town Center Building X.1 SP10-41A

## Zoning



Map Author: Kristen Kapelanski  
 Date: November 30, 2010  
 Project: Walmart SP10-42A and  
 Bldg. X.1 SP10-41A  
 Version #: 1.0

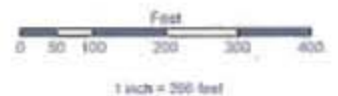
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### Map Legend

-  Bldg. X.1 Project Area (Approx.)
-  Walmart Project Area (Approx.)
-  OS-1: Office Service District
-  OSC: Office Service Commercial
-  TC: Town Center District
-  TC-1: Town Center -1 District



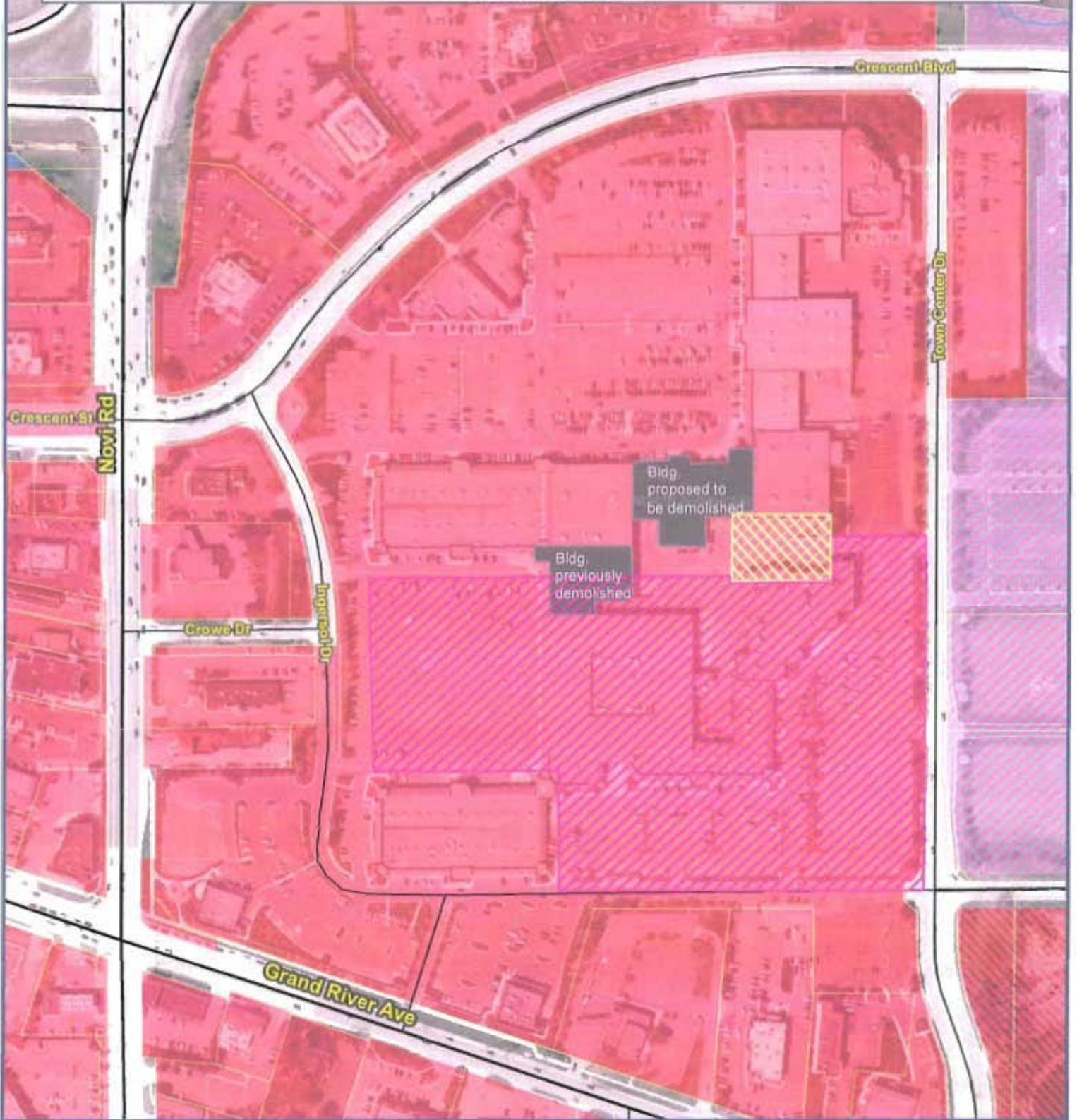
**City of Novi**  
 Department Division  
 Department Name  
 46175 W Ten Mile Rd  
 Novi, MI 48375  
 cityofnovi.org





# Walmart SP10-42A and Novi Town Center Building X.1 SP10-41A

## Future Land Use



Map Author: Kristen Kapelanski  
 Date: November 30, 2010  
 Project: Walmart SP10-42A and  
 Bldg. X.1 SP10-41A  
 Version #: 1.0

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### Map Legend

-  Bldg. X.1 Project Area (Approx.)
-  Walmart Project Area (Approx.)
-  Office Research Development Technology
-  Office Commercial
-  TC Commercial
-  TC Gateway



**City of Novi**  
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 Department Name  
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 cityofnovi.org

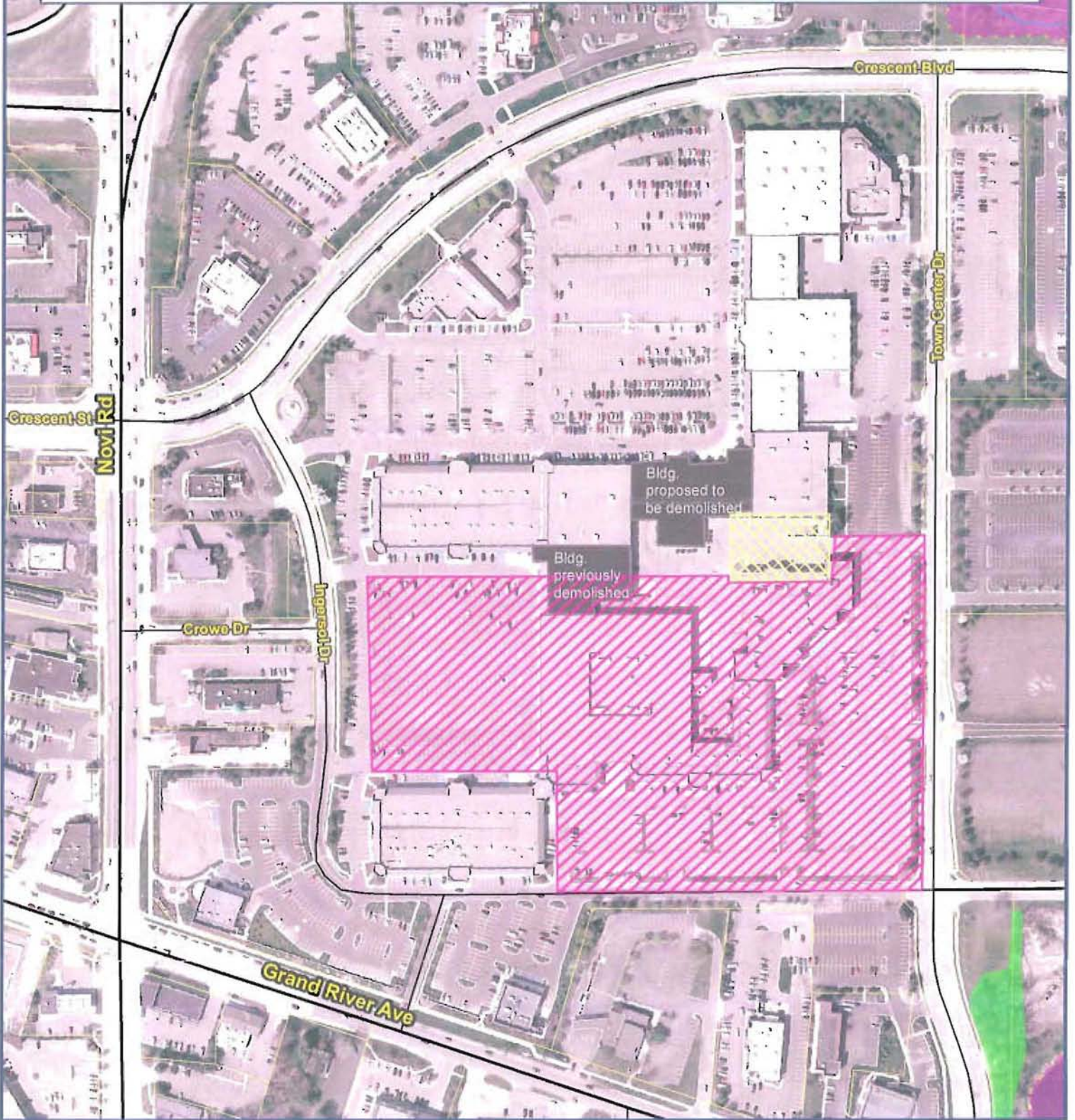


1 inch = 200 feet



# Walmart SP10-42A and Novi Town Center Building X.1 SP10-41A

## Natural Features



Map Author: Kristen Kapelanski  
 Date: November 30, 2010  
 Project: Walmart SP10-42A and  
 Bldg. X.1 SP10-41A  
 Version #: 1.0

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### Map Legend

-  Bldg. X.1 Project Area (Approx.)
-  Walmart Project Area (Approx.)
-  Welland Areas
-  Woodlands



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



1 inch = 266 feet

**CITY ATTORNEY LETTER**  
**JANUARY 4, 2011**





January 4, 2011

30903 Northwest Highway  
P.O. Box 30440  
Farmington Hills, MI 48333-30440  
Tel: 248-851-9500  
Fax: 248-851-2158  
www.secretwardle.com

Thomas R. Schultz  
Direct: 248-539-2837  
tschultz@secretwardle.com

Mayor Landry and City Council  
City of Novi  
45175 W. Ten Mile Road  
Novi, MI 48375

Re: *Special Land Use/Preliminary Site Plan for Wal-Mart Stores East, LP and X.1 Building—Novi Town Center*  
Our File No. 55142 NOV

Dear Mayor Landry and Councilmembers:

Our office has been asked to address some inquiries regarding the two Novi Town Center development items on the January 10, 2011 City Council Agenda. Specifically, we have been asked to address whether the Wal-Mart store is a permitted use as of right in the TC District; the extent to which parking layout and vehicular access in and around both development these sites are subject to Council review as part of the site plan process; and the application of the 15% open space requirement in the TC District standards to the stand-alone Wal-Mart site.

*Permitted Use/Review Authority*

The store is a principal permitted use in the TC District. Because it falls within the scope of the retail uses outlined in Section 1601 of the Zoning Ordinance, it is permitted to be located in the Town Center without special approval by the City as a use. However, there are *certain aspects* of this particular store and project that require an exercise of discretion by the City Council as to whether to deny, approve, or approve with conditions on the basis of stated ordinance standards.

The main discretionary item relates to the proposed open air garden center. This element of the project is not permitted as of right in the TC District, but must be authorized as a *special land use*. See Section 1602 of the TC District standards. The Council reviews special land uses by reference to the standards set forth in Section 2516.2.c, which are:

- (1) Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, accel/decel lanes off-street parking, off-street loading/unloading, travel times and thoroughfare level of service.
- (2) Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on the capabilities of public services

and facilities, including water service, sanitary sewer service, storm water disposal, and police and fire protection to serve existing and planned uses in the area.

(3) Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats.

(4) Whether, relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood.

(5) Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.

(6) Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner.

(7) Whether, relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Again, this review relates *only* to the open air garden center portion of the development. Both the Community Development Department and the Planning Commission recommended approval of the outdoor element of the proposed Wal-Mart store. If the Council determines that this outdoor aspect of the project does not meet the standards above, a revised plan without that element could be submitted and the use as a whole would then be permitted.

There are also certain limited discretionary issues to be resolved with preliminary *site plan review* for the entire store project with regard to the building itself. Of particular note, and as raised by the Planning staff and the City's façade consultant, the TC District standards require the City Council to review and approve the architecture and façade materials of the proposed building under Section 1602.7 of the ordinance, which states in relevant part:

Architectural design and facade material are to be complimentary to existing or proposed buildings within the site and the surrounding area. It is not intended that contrasts in architectural design and use of facade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing building designs and facade materials so as to create an adverse effect on the stability and value of the surrounding area.

In addition, Section 1602.9 imposes other discretionary standards for façade materials that are in addition to the usual discretionary façade and review conducted by the City

for any site plan under Section 2520. These are all called out and discussed in the facade consultant's various reports.

If the Council finds that these various architecture/façade requirements are not met, an explanation of the deviations is required in order to support a denial or an approval conditioned on a required change. The façade consultant did an extensive review under both Section 2520 and Section 1602 and did not initially recommend favorably. Design changes have been made over the course of the project, resulting in a recommended approval by the City's consultant at this point.

*Extent of Parking Layout/Vehicle Access Review*

A couple of issues have been raised about the parking layout in and around both building sites. One was a general inquiry about the authority of the Council (or the Planning Commission before it) to look outside of the site plan improvement area or the legal boundary of the property in order to evaluate how the parking or traffic circulation function in relation to the rest of the Center. The other issue results from the Planning Commission's recommendation that four parking spaces in front of the proposed X.1 building be removed.

In our view, the Council would clearly have the authority, but not the obligation, to require the four parking spaces in the X.1 building plan to be removed and/or reconfigured as part of its site plan review. Under Section 2516.2.b of the zoning ordinance, the reviewing body is to consider things like traffic access and circulation and the location of parking areas within the site plan area:

b. The Planning Commission (or the City Council when designated as the reviewing body) shall consider the following factors in exercising its discretion over site plan approval:

\* \* \*

(2) Whether traffic access to the site is such that vehicular congestion or other impairment of traffic may result from access to and from the site.

(3) Whether the traffic circulation features within the site and location of automobile parking areas are designed to assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.

\* \* \*

These are fairly typical review standards and are broad enough to cover layout of parking spaces on a site plan.

In determining whether to approve the X.1 plan as submitted or to require alteration as recommended by the Planning Commission, the Council can consider the information provided by City staff and consultants as well as the information submitted by the developer.



With regard to the broader question about whether site plan review of these proposed developments can extend out *beyond* the legal boundaries of a particular parcel (Wal-Mart) or beyond the area of the larger site being reviewed (the X.I building), we believe that it can. City Council has authority to deny a site plan, or to approve a site plan with reasonable conditions, under the above language for traffic circulation and parking lot layout reasons. How a plan relates to parking and access immediately adjacent is relevant to that issue. We believe that the language is also broad enough that it would extend to areas outside the site plan area that are still within the development as a whole (i.e., the larger Town Center Development). City staff and its consultants did, in fact, evaluate both of these sites within that broader context for purposes of their reports.

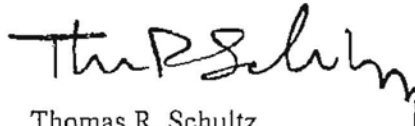
But under that analysis, any action by the Council resulting from a review of areas *outside* the site plan would need to be limited to addressing the specific effects of the proposed development on those outside areas. In other words, there must be a clearly articulated reason for looking beyond the area being reviewed and improved, and any denial based on conditions beyond the improvement area, or requirements imposed outside the site plan area because of those conditions, must have some *clear connection* to the proposed redevelopment and be intended to address the articulated concerns.

#### *15% Open Space*

We concur with the statement by the Community Development Department that the 15% open space requirement in Section 1602.8 does not require the separate legal parcel that would house the Wal-Mart store to separately have 15% open space. This does not appear to have been the reading of the ordinance historically—either with regard to the previous Mervyn's building or any of the outlots that have been developed in recent years. Also, Section 1602.8 uses the word "development" in describing what must have 15% open space. The separate legal site is still part of the overall development.

If you have any questions, please do not hesitate to call.

Very truly yours,



Thomas R. Schultz

TRS/jec

cc: Clay Pearson, City Manager  
Maryanne Cornelius, City Clerk  
Charles Boulard, Director of Community Development  
Barbara McBeth, Deputy Director of Community Development

## PLANNING REVIEW





## PLAN REVIEW CENTER REPORT

October 8, 2010

### Planning Review of Preliminary Site Plan

Novi Town Center – Building X.1

SP10-41

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#### Petitioner

Novi Town Center Investors LLC

#### Review Type

Preliminary Site Plan

#### Property Characteristics

- Site Location: North of Eleven Mile Road, West of Town Center Drive (Section 14)
- Site Zoning: TC, Town Center
- Adjoining Zoning: North: TC; South: TC; East (across Town Center Drive): OSC, Office Service Commercial; West: TC
- Current Site Use: Existing Former Mervyn's Store
- Adjoining Uses: North: various retail; South: proposed Walmart; East (across Town Center Drive): office; West: various retail
- School District: Novi Community School District
- Site Size: 35.7 acres
- Plan Date: 09/14/10

#### Project Summary

Novi Town Center is proposing to construct a 17,442 square foot retail building to connect the existing Novi Town Center to the proposed Walmart store. A separate parcel, totaling approximately 12.8 acres, would be split off from the larger Novi Town Center parcel for the proposed Walmart. Parking will be shared between the entire Town Center and the Walmart parcel. This proposal also involves the reconfiguration of a portion of the loading zone for the existing Building D.

#### Recommendation

**Approval of the Preliminary Site Plan is recommended.** The plan will be scheduled for an upcoming Planning Commission meeting to be followed by an upcoming City Council meeting. Provided City Council approves the plan, the applicant should make the appropriate corrections to the plan per this and the attached review letters and submit plans for Final Site Plan review.

#### Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 16 (TC and TC-1 Town Center Districts), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant.

1. Building Setback: Due to the proposed parcel split, the interior side (north) yard building setback and exterior side (east) yard are proposed to be 0'. (15' and 50' are required.) **The applicant can seek a setback reduction from the City Council.** In the TC District, the City Council can reduce building setbacks if the conditions listed in Section 1602.4 are met. Please refer to the planning review chart for specific conditions.
2. Parking Setbacks: Due to the proposed parcel split, the interior side (north) yard parking setback is proposed to be 0' and the exterior side (east) yard parking setback is proposed to be 10'. (20' is required.) **The applicant should seek variances from the Zoning Board of Appeals.**

3. Parking Spaces: In order for parking requirements to be fulfilled for the entire site, parking must be shared between the Novi Town Center and the proposed Walmart. **The applicant should include a note on the plans stating parking will be shared between these two sites.**
4. Loading Space: Per the Zoning Ordinance, loading space must be located in the rear yard. The applicant has proposed loading space in the exterior side (eastern) yard. **The applicant should seek a variance from the Zoning Board of Appeals for the loading zone location. The applicant should also indicate the square footage of the loading zone.** It appears vehicles and trucks attempting to access the proposed loading zone for Building D and X.1 will be required to enter from the proposed Walmart parcel and that cross-access easements will be necessary. **The applicant should confirm cross-access easements will be provided between the Walmart parcel and the Novi Town Center development.**
5. Dumpster: All accessory structures must be located in the rear yard. The dumpsters are proposed to be located in the exterior side (eastern) yard. **The applicant should seek a variance from the Zoning Board of Appeals for the dumpster location.**
6. Required Open Space: The provided open space plan appears to indicate the site meets the minimum 15% open space requirement. **The applicant should provide area calculations for each area to be counted towards the open space requirement on the Walmart site so that open space calculations can be verified.**
7. Lighting Plan – Required Conditions: The average light level of the surface being lit to the lowest light of the surface shall not exceed 4:1. **The applicant should provide the avg/min ratio for the entire site as a whole. The applicant shall also provide information on the color rendition of lamps.**
8. Maximum Illumination: Maximum illumination at the property line cannot exceed 1 foot candle. This is exceeded in a number of instances. **The applicant should adjust the light levels to meet this requirement or seek a variance from the Zoning Board of Appeals.**
9. Site Plan: **Please provide a sheet titled "site plan" showing the proposed exterior changes using an engineer's scale.**
10. Parcel Split: At this time, no property combination or split has been submitted and the Planning Division has not received a request for condominium approval that would affect the subject property. The applicant must create this parcel prior to Stamping Set approval. Plans will not be stamped until the parcel is created.

#### Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this and other review letters is required prior to the matter appearing before the Planning Commission and with the next set of plans submitted.

#### Pre-Construction Meeting

Prior to the start of any work on the site, Pre-Construction (Pre-Con) meetings must be held with the applicant's contractor and the City's consulting engineer. Pre-Con meetings are generally held after Stamping Sets have been issued and prior to the start of any work on the site. There are a variety of requirements, fees and permits that must be issued before a Pre-Con can be scheduled. If you have questions regarding the Pre-Con or to schedule a Pre-Con, please contact Sarah Marchioni [248.347.0430 or smarchioni@cityofnovi.org] in the Community Development Department.

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

  
\_\_\_\_\_  
Kristen Kapelanski, AICP, Planner  
248-347-0586 or kkapelanski@cityofnovi.org



PLANNING REVIEW SUMMARY CHART

Project Name: SP10-41 Novi Town Center – Building X.1

Plan Date: 09-15-10

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Town Center Commercial	No change proposed.	Yes	
Zoning	TC, Town Center	No change proposed.	Yes	
Uses permitted <del>(Section 1601)</del>	Uses permitted: <ul style="list-style-type: none"> <li>• B-1 &amp; B-2 Uses</li> <li>• Office Uses</li> <li>• Public and Quasi-public</li> <li>• Indoor Recreation</li> <li>• Hotels</li> <li>• Outdoor Restaurants</li> <li>• Banks (Drive through not principle)</li> <li>• Residential Dwellings</li> <li>• Day Care Centers</li> <li>• Microbreweries &amp; Brewpubs</li> </ul>	No information provided.	Yes	<u>The applicant should check with the Planning Division to confirm that each tenant's proposed use is permitted.</u>
Building Height <del>(Sections 1602.2 &amp; 2400)</del>	5 stories and 65 feet	28 feet	Yes	
Building Setbacks <del>(Section 1602.4)</del>	Front: 50' Exterior Side: 50' Interior Side: 15' Rear: 50'	Front (west): 100'+ Exterior Side (east): 0' Interior Side (south): 0' Exterior Side (north): 100'+	No	<p><b>Applicant should seek a setback reduction from the City Council.</b></p> <p>Setbacks may be reduced by City Council proving three conditions are met:                      (a) That a reduction in setback, or waiver of a setback altogether, will not impair the health, safety or general welfare</p>

Item	Required	Proposed	Meets Requirements?	Comments
				of the City as related to the use of the premises or adjacent premise; (b) That waiver of the setback along a common parcel line between two premises would result in a more desirable relationship between a proposed building and an existing building; and (c) The adherence to a minimum required setback would result in the establishment of nonusable land area that could create maintenance problems.
Parking Setbacks <del>(Section 2100 &amp; 1602.6)</del>	Front: 20' Side: 20' Rear: 10'	16 new spaces proposed adjacent to proposed Bldg. X.1.  Front (west): 100'+ Exterior Side (east): 10' Interior Side (south): 0' Exterior Side (north): 100'+	No	The applicant should revise the plan to meet the required setback or should seek a variance from the Zoning Board of Appeals.  See traffic review letter for additional information on parking layout.
Architecture / Pedestrian Orientation <del>(Section 1602.7)</del>	Proposed uses, through innovative architecture, shall create a significant pedestrian orientation in keeping with the intent and purpose of these districts.  Architectural amenities shall include pedestrian walkways, brick or other approved decorative paving,	Benches, trash receptacles and a bike rack proposed.	Yes	Please see the façade review letter for additional information relating to architectural design.

Item	Required	Proposed	Meets Requirements?	Comments
	<p>coordinated pedestrian scale lighting, benches, trash receptacles, small scale landscape treatments, and major architectural features at entranceways and focal points of the development (e.g., arch, gateway, bell tower, fountain).</p> <p>Architectural design and facade material are to be complimentary to existing or proposed buildings within the site and the surrounding area. It is not intended that contrasts in architectural design and use of facade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing building designs and facade materials so as to create an adverse effect on the stability and value of the surrounding area.</p>			
<p>Sidewalks                  Sections                  1602 Land                  Master Plan for                  Land Use OV.11</p>	<p>Direct pedestrian access shall be provided between all buildings and uses within a development and between a development and adjacent areas.</p>	<p>Concrete sidewalks in front of proposed building.</p>	<p>Yes</p>	



Item	Required	Proposed	Meets Requirements?	Comments
Development Amenities (Section 602-14)	All sites shall provide development amenities in the form of exterior lighting, paved activity nodes, street/sidewalk furniture, safety paths, screening walls and planters in accordance with the Town Center Design and Development Study/Technical Reference which is made a part of this Ordinance.	Benches, trash receptacles and a bike rack proposed.	Yes	
Signs (Sec. 2510)	Exterior Signage is not regulated by the Planning Division or Planning Commission.			<u>Please contact Jeannie Niland (248.735.5678).</u>
Exterior Lighting (Sec. 2511)	Photometric plan and exterior lighting details needed at final site plan.	Photometric plan provided.	See Lighting Review Chart	
Parking (Section 2505)	Number of off-street spaces regulated by use in Section 2505.	2,762 spaces for entire center	Yes	<b>Applicant should provide a note on the plans stating shared parking agreements will be in place between the Novi Town Center and the Walmart parcel.</b>
Parking Space Dimensions (Sec. 2506)	9' x 19' parking space dimensions and 24' wide drives.	9' x 19' with 24' wide drive	Yes	
Barrier Free Spaces (Barrier Free Code)	38 spaces required for entire center.	2 additional barrier free spaces provided near proposed Bldg. X.1.  46 barrier free spaces provided for entire center	Yes	
Barrier Free	8' wide with a 5' wide	Barrier free spaces sized	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
Space Dimensions <del>Barrier Free Code</del>	access aisle (8' wide access aisle for van accessible)	appropriately.		
Barrier Free Signs <del>Barrier Free Design Graphics Manual</del>	One barrier free sign is required per space.	One barrier free sign provided for each new space.	Yes	
Loading <del>Section 2507</del>	<p>Unloading space shall be provided in the rear yard at a ratio of ten (10) square feet for each front foot of building.</p> <p>173' x 10 = 1,730 sq. ft. of loading required for Bldg. X.1</p>	Loading space proposed in the exterior side (eastern) yard	No	<p>Applicant will need to seek a variance from the Zoning Board of Appeals for the location of the loading zone.</p> <p>Applicant should provide area calculations for the proposed loading zone.</p> <p>It appears cross-access easements should be provided for access to the loading area for Building D and X.1 from the Walmart parcel.</p>
Loading Space Screening <del>Sec. 2302A.1</del>	In the TC District, view of loading and waiting areas must be shielded from rights of way and adjacent properties.	Screen wall provided	Yes	The applicant should indicate whether the screen wall will be structurally attached to the building.
Accessory Structure Setback-Dumpster <del>Sec. 2503</del>	Accessory structures should be setback a minimum of 10 feet from any building unless structurally attached to the building and setback the same as parking from all property lines; in addition, the structure must be in the rear or interior side yard.	Two dumpsters to be located behind proposed loading zone screen wall setback 15' from nearest building and 20'+ from nearest property line in the exterior side yard.	No	Applicant should relocate the proposed dumpsters or seek a variance from the Zoning Board of Appeals.

Item	Required	Proposed	Meets Requirements?	Comments
Dumpster (Chap. 21 Sec. 21-145)	Screening of not less than 5 feet on 3 sides of dumpster required, interior bumpers or posts must also be shown. Enclosure to match building materials and be at least one foot taller than height of refuse bin.	Screening to be provided by proposed buildings and screen wall.	Yes	
Required Open Space (Sec. 1602.8)	Minimum 15% open space required for entire center.	15.6% open space?	Yes?	Applicant should provide square footage calculations for each area to be counted as open space on Walmart open space plan.  Paved sidewalks shall be excluded.



**Lighting Review Summary Chart**

Novi Town Center – Building X.1

SP 10-41

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

Item	Required	Meets Requirements?	Comments
Required conditions (Section 2511.3.e)	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1.	Yes?	The average minimum ratio for the entire site should be no greater than 4:1. Applicant should provide avg/min ratio for entire site as a whole.
Required conditions (Section 2511.3.f)	Use of true color rendering lamps such as metal halide is preferred over high and low pressure sodium lamps.	Yes	
Minimum Illumination (Section 2511.3.k)	<ul style="list-style-type: none"> <li>- Parking areas- 0.2 min</li> <li>- Loading and unloading areas- 0.4 min</li> <li>- Walkways- 0.2 min</li> <li>- Building entrances, frequent use- 1.0 min</li> <li>- Building entrances, infrequent use- 0.2 min</li> </ul>	Yes	
Maximum Illumination adjacent to Non-Residential (Section 2511.3.k)	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle	No	There are a number of instances where lighting at the property line exceeds 1 foot candle. The applicant should adjust light levels to meet Ordinance requirements or seek a variance from the Zoning Board of Appeals.
Cut off Angles (Section 2511.3.1(2))	All cut off angles of fixtures must be 90 degrees when adjacent to residential districts	Yes	

## ENGINEERING REVIEW





## PLAN REVIEW CENTER REPORT

October 7, 2010

### Engineering Review

Building X.1 at Novi Town Center  
SP10-41

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#### Petitioner

Novi Town Center Investors LLC

#### Review Type

Preliminary Site Plan

#### Property Characteristics

- Site Location: Novi Town Center
- Site Size: 47.77 acres
- Plan Date: September 15, 2010

#### Project Summary

- Construction of an approximately 17,442 square-foot commercial building associated parking and minor site improvements. The project also includes demolition of approximately 138,349 square-feet of current commercial space and public utilities as well as installation of sanitary sewer to connect Town Center Building "N" to the existing sanitary sewer south. Site access would be provided through the existing Novi Town Center site from Eleven Mile Road and Ingersol Drive.
- Water service would be provided by a lead coming off the existing 8-inch extension from the existing 12-inch water main along the east side of Town Center Drive. A 2-inch domestic lead and a 4-inch fire lead would be provided to serve the building as well as relocating an existing hydrant.
- Sanitary sewer service would be provided from the existing sanitary sewer east of the proposed Building X.1. An additional sanitary sewer line will be added from Building N routing sewage to the south due to the demolition of existing sewer for construction of the Wal-Mart.
- Storm water would be collected the existing at Novi Town Center, be routed through a mechanical treatment structure installed with the Building G and Building F site plans and directed toward the Bishop Creek.

#### Recommendation

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

#### Comments:

The Preliminary Site Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual with the following items to be

addressed at the time of Final Site Plan submittal (further engineering detail will be required at the time of the final site plan submittal):

**Additional Comments (to be addressed prior to the Final Site Plan submittal):**

General

1. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
2. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal.
3. Provide a note on the demolition sheets that all public utilities will be removed under City of Novi standards. Also add a note to contact the City of Novi Water and Sewer Department a minimum of 72-hours prior to removing any public utilities.
4. Provide a traffic control plan including rerouting of traffic during the sanitary work on Eleven Mile Road. Make sure all traffic signage complies with the MMUTCD standards.
5. Provide a traffic control sign table listing the quantities of each sign type proposed for the development. Provide a note along with the table stating all traffic signage will comply with the current MMUTCD standards.
6. The Non-domestic User Survey form shall be submitted to the City so it can be forwarded to Oakland County. This form was included in the original site plan package.
7. Provide a note that compacted sand backfill shall be provided for all utilities within the influence of paved areas, and illustrate on the profiles.

Water Main

8. A gate valve and well are required for at the connection to 8-inch water main. Each GV&W shall be within a water main easement. The proposed fire lead stubbed out to the north does not show a well.
9. A valve-box is required for each domestic water lead. These shall also be with a water main easement.
10. Three (3) sealed sets of revised utility plans along with the MDNRE permit application (1/07 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

Sanitary Sewer

11. Provide a profile for the proposed sanitary run east of Building X.1.
12. Provide a sanitary sewer basis of design for the development on the utility plan sheet.
13. Five (5) sealed sets of revised utility plans along with the MDNRE permit application (11/07 rev.) for sanitary sewer construction and the Streamlined Sanitary Sewer Permit Certification Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall

include only the cover sheet, any applicable utility sheets and the standard detail sheets. Also, the MDNRE can be contacted for an expedited review by their office.

Storm Sewer

14. The proposed MH#21 appears to be in or near the dumpster enclosure. Confirm that the rim will be completely outside of the proposed dumpster enclosure.
15. Provide the casting type and other relevant information for each proposed storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures.

Paving & Grading

16. It is the applicant's responsibility to comply with current ADA requirements.
17. Provide additional spot grades as necessary to demonstrate that a minimum 5-percent slope away from the building is provided for a minimum distance of ten feet around the perimeter of the building.
18. Provide top of curb/walk and pavement/gutter grades to indicate height of curb adjacent to parking stalls or drive areas.
19. Provide ADA accessible ramp details on the plan.

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

20. A letter from either the applicant or the applicant's engineer must be submitted with the Final Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.
21. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. ***The cost estimate must be itemized*** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

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

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

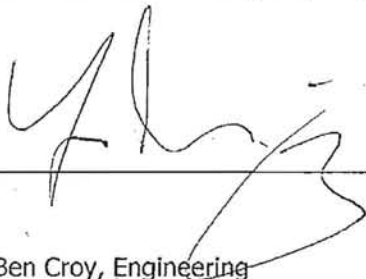
**The following must be addressed prior to construction:**

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



25. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
26. A permit for work within the right-of-way (public utility easements) must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
27. A permit for water main construction must be obtained from the MDNRE. This permit application must be submitted through the City Engineer after the water main plans have been approved.
28. A permit for sanitary sewer construction must be obtained from the MDNRE. This permit application must be submitted through the City Engineer after the sanitary sewer plans have been approved.
29. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
30. An incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted prior to TCO, at which time it may be reduced based on percentage of construction completed.
31. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.

Please contact Lindon Ivezaj at (248) 735-5694 with any questions.



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

TRAFFIC REVIEW

September 24, 2010

Barbara McBeth, AICP  
Deputy Director of Community Development  
City of Novi  
45175 W. Ten Mile Rd.  
Novi, MI 48375



**SUBJECT: Building X.1 at Novi Town Center, SP#10-41,  
Traffic Review of Preliminary Site Plan**

Dear Ms. McBeth:

At your request, we have reviewed the above and offer the following recommendation and supporting comments.

### Recommendation

We recommend approval of the preliminary site plan, subject to items shown below in **bold** being satisfactorily addressed on the final site plan.

### Project Description

What is the applicant proposing?

1. The applicant, Novi Town Center Investors, LLC (James Clear), proposes to construct approximately 17,442 s.f. of specialty retail space, in-line between the existing T.J. Maxx store (Building D) and the proposed Wal-Mart Superstore. Also included in the site plan are various improvements to the parking areas and sidewalks around the periphery and just outside of the area to be improved by Wal-Mart.

### Traffic Study

Was a study submitted and was it acceptable?

2. As discussed in our review letter of September 24, 2010 for the proposed Wal-Mart Supercenter, a single traffic impact study was done (by CESO, Inc.) for the overall Novi Town Center redevelopment, including Building X.1.

### Trip Generation

How much traffic would the proposed development generate?

3. According to trip generation rates published by the Institute of Transportation Engineers, 17,442 s.f. of specialty retail space can be expected to generate about 773 trips over a typical weekday, 17 during the AM peak hour and 63 during the PM peak hour. Trip generation on a typical Saturday would likely be comparable to the weekday. It would be

reasonable to expect about 10% of the above trips to be to/from other parts of the Town Center (so-called internal capture).

### Vehicular Access Locations

Do the proposed driveway locations meet City spacing standards?

4. Not applicable.

### Vehicular Access Improvements

Will there be any improvements to the abutting road(s) at the proposed driveway(s)?

5. Not applicable.

### Driveway Design and Control

Are the driveways acceptably designed and signed?

6. Not applicable.

### Pedestrian Access

Are pedestrians safely and reasonably accommodated?

7. The safety of pedestrian traffic between Building X.1 and Building G (and other points to the west) will be enhanced by a 7-ft-wide sidewalk along the proposed "canoe" island in front of Building X.1, a series of four pedestrian ramps, and two marked crosswalks.

### Parking and Circulation

Are parking spaces appropriately designed, marked, and signed? Can vehicles safely and conveniently maneuver through the site?

8. The three-legged intersection adjacent to the southwest corner of Building X.1 has four parking spaces within the intersection, two for handicapped customers and two undesignated. **We are concerned that drivers backing out of these spaces may not always see or otherwise anticipate approaching traffic, especially north-bound traffic coming around the bend with a high-profile van potentially parked in one of the adjacent spaces (e.g., a handicapped space). We recommend that the Planning Commission discuss with the applicant the feasibility of (1) shifting the two handicapped spaces to the north so as to share an access aisle aligned with the pedestrian crossing, (2) deleting the two regular spaces within the intersection, and/or (3) controlling the intersection with all-way STOP signs.**
9. Although the large "canoe" island along Ingersol at the west end of the proposed Wal-Mart site already exists, the operation of Wal-Mart and other new uses to come (such as Building X.1) will likely increase the amount of traffic using the two access drives at either end of the island. **To improve safety at the two internal intersection along these drives immediately east of Ingersol, the six corners lacking a 15-ft curb radius should be rebuilt to that radius prior to repaving the adjacent driving surface.**



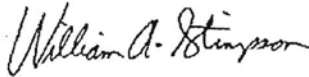
**Our Wal-Mart review called for that applicant to improve only two of these six deficient corners – those on the canoe island itself – since no Wal-Mart traffic will turn adjacent to the other four deficient corners.**

10. **The final site plan should include a detail showing that parking spaces adjacent to raised end islands will be 9 ft wide to the face (not back) of the curb.**
11. City policy requires reasonable site plan conformance with the *Michigan Manual of Uniform Traffic Control Devices*. Per MMUTCD Section 3B.18, regular (non-handicapped) parking spaces must be marked in white, not yellow. Since existing parking spaces within the Town Center are marked in yellow, however, we recommend that **only the Wal-Mart and certain adjacent parking areas be marked in white. Specifically, the regular spaces between the proposed Wal-Mart property and Ingersol Drive (within the above-cited canoe island), and between the Wal-Mart property and Building N (north and east sides) should be marked in white. All regular spaces north of the Wal-Mart property should be marked in yellow** (note that the new spaces adjacent to Building G were recently painted yellow).
12. **The final site plan should also:**
  - (a) **Specify 24-inch (MMUTCD-minimum) STOP signs (if any are installed).**
  - (b) **Include a Signing Quantities summary table.**

Sincerely,  
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP  
Vice President



William A. Stimpson, P.E.  
Director of Traffic Engineering

## LANDSCAPE REVIEW



## **PLAN REVIEW CENTER REPORT**

November 24, 2010

### **Preliminary Landscape Review**

Novi Town Center Building X SP#10-41

#### **Petitioner**

Novi Town Center Investors LLC

#### **Review Type**

Preliminary Site Plan

#### **Property Characteristics**

- Site Location: North of Eleven Mile Road, West of Town Center Drive (Section 14)
- Site Zoning: TC, Town Center
- Adjoining Zoning: North: TC; South: TC; East (across Town Center Drive): OSC, Office Service Commercial; West: TC
- Current Site Use: Existing Former Mervyn's Store
- Adjoining Uses: North: various retail; South: proposed Walmart; East (across Town Center Drive): office; West: various retail
- School District: Novi Community School District
- Plan Date: 08/07/10

#### **Recommendation**

**Approval of the Preliminary Site Plan for Novi Town Center Building X SP#10-41 is recommended.**

#### **Ordinance Considerations**

##### **Adjacent to Residential – Buffer (Sec. 2509.3.a.)**

1. The project site is not adjacent to residential properties.

##### **Adjacent to Public Rights-of-Way – Berm (Wall) & Buffer (Sec. 2509.3.b.)**

1. The project site is not directly adjacent to public right of way.

##### **Street Tree and Buffer Requirements (Sec. 2509.3.b.)**

1. No street trees are required.

##### **Interior Parking Landscape (Sec. 2509.3.c.)**

1. Interior Parking Landscape requirements have been met.
2. A total of six (6) Parking Lot Canopy Trees are required and have been provided.

##### **Building Foundation Landscape (Sec. 2509.3.d.)**

1. A 4' wide landscape bed is required along all building foundations with the exception of access points. Where possible, the Applicant has in-ground landscape beds at the front of the building. Proposed plantings at the east side of the building swerve to screen the loading zone area.

2. A total area of 8' wide multiplied by the length of building foundations is required as foundation landscape area. In total, the Applicant has provided for the necessary landscape area square footage.

**Loading Zone Screening**

1. Loading zones must be adequately screened to the height of any stored material where practical. The proposed loading zone is screened as much as possible with significant plantings.

**Town Center District (Article 16)**

1. The Town Center District is intended to promote pedestrian accessibility. Amenities such as decorative walkways, coordinated pedestrian scale lighting, benches, trash receptacles, small scale landscape treatments and bike racks are strongly encouraged. These amenities could be placed at the building frontage. Any amenities proposed should match the style and character of amenities planned for the adjacent Walmart building.

**Plant List (LDM)**

1. The Plant List meets the requirements of the Ordinance and Landscape Design Manual.

**Planting Details & Notations (LDM)**

1. The Planting Details and Notations meet the requirements of the Ordinance and Landscape Design Manual.

**Irrigation (Sec. 2509 3.f.(6)(b))**

1. All landscape areas are required to be irrigated. Existing site irrigation will be modified to serve the proposed landscape beds.

Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance. For the landscape requirements, see the Zoning Ordinance landscape section on 2509, Landscape Design Manual and the appropriate items in the applicable zoning classification. Also see the Woodland and Wetland review comments.

Reviewed by: David R. Beschke, RLA





### **Financial Requirements Review**

To be completed at time of Final Site Plan Review.

Item	Amount	Verified	Adjustment	Comments
Full Landscape Cost Estimate	\$ 16,318.50			Includes street trees. Does not include irrigation costs.
Final Landscape Review Fee	\$ 244.77			1.5% of full cost estimate Any adjustments to the fee must be paid in full prior to stamping set submittal.

### **Financial Requirements (Bonds & Inspections)**

Item	Required	Amount	Verified	Comments
Landscape Cost Estimate	YES	\$ 21,318.50		Does not include street trees. Includes irrigation.
Landscape Financial Guaranty	YES	\$ 31,977.75		This financial guarantee is based upon 150% of the verified cost estimate. For Commercial, this letter of credit is due prior to the issuance of a Temporary Certificate of Occupancy. For Residential this is letter of credit is due prior to pre-construction meeting.
Landscape Inspection Fee (Development Review Fee Schedule 3/15/99)	YES	\$ 1279.11		For projects up to \$250,000, this fee is \$500 or 6 % of the amount of the Landscape cost estimate, whichever is greater.  This cash or check is due prior to the Pre-Construction meeting.
Landscape Administration Fee (Development Review Fee Schedule 3/15/99)	YES	\$ 191.86		This fee is 15% of the Landscape Inspection Fee. This cash or check is due prior to the Pre-Construction meeting.
Transformer Financial Guarantee	YES	\$ 500		\$500 per transformer if not included above. For Commercial this letter of credit is due prior to the issuance of a Temporary Certificate of Occupancy. For Residential this is letter of credit is due prior to pre-construction meeting.
Street Tree Financial Guaranty	NO	\$ 0		\$400 per tree.
Street Tree Inspection Fee	NO	\$ 0		6% of the Street Tree Bond as listed above.
Street tree Maintenance Fee	NO	\$ 0		\$25 per tree.
Landscape Maintenance Bond	NO	\$ 2,131.85		10% of verified cost estimate due prior to release of Financial Guaranty.

FACADE REVIEW



October 11, 2010

City of Novi Planning Department  
 45175 W. 10 Mile Rd.  
 Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Director of Community Development

Re: **FACADE ORDINANCE - Preliminary Site Plan Review**  
**Novi Town Center Bldg. X.1, SP10-41**  
 Façade Region: 1, Zoning District: TC, OS-C

Dear Ms. McBeth:

The following is the Façade Review for Preliminary Site Plan for the above referenced project based on the drawings prepared by Yah Yee Associates, Architects, dated September 19, 2010. The percentages of materials proposed for each façade are as shown on the table below. The maximum (and minimum) percentages allowed by the Schedule Regulating Façade Materials of Ordinance Section 2520 are shown in the bottom row. Materials that are in non-compliance with the Façade Schedule are highlighted in bold.

	East	West	South (N/A)	North (N/A)	Ordinance Maximum (Minimum)
BRICK	<b>0%</b>	61%	Note 1	N/A	100% (30%)
CONCRETE "C" BRICK	<b>76%</b>	0%	Note 1	N/A	25%
EIFS	24%	21%	Note 1	N/A	25%
STANDING SEAM METAL (AWNINGS)	0%	18%	Note 1	N/A	25% (Note 3)

As shown above the percentage of Brick is below the Ordinance minimum and the percentage of Concrete "C" Brick exceeds the Ordinance maximum on the east façade. Note 3 of the Façade Chart requires that Standing Seam Metal roofs be copper colored.

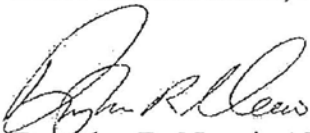
Note 1- Building X.1 is configured as the connecting link between the existing Town Center building "D" and the proposed Walmart Superstore to the south. Building X.1 will be directly connected to and will share a common storefront with the Walmart at this location. Please refer to the Walmart review letter for comments regarding architectural compatibility of the connected buildings. It is noted that the south facade of Building X.1 may be exposed to view in the event the Walmart is delayed or not constructed. The applicant should clarify that materials consistent with the Town Center design such as Brick will be used on the south facade in this event. The Planning Commission may wish to stipulate a timeframe for installation of such materials.

**Recommendation:** The use of non-copper colored standing seam metal is consistent with the Section 9 Waiver previously granted by the Planning Commission on this project. The use of Concrete "C" Brick is consistent with adjacent structures which have painted CMU on service area facades. The design is consistent with the intent and purpose of Ordinance Sections 1602.9 and 2520. A Section 9 Waiver is therefore recommended subject to satisfactory arrangements for the south facade.

**Notes to the Applicant:**

1. Inspections - The City of Novi requires Façade Inspection(s) for all projects. Materials displayed on the approved sample board will be compared to materials delivered to the site. It is the applicant's responsibility to request the inspection of each façade material at the appropriate time. This should occur immediately after the materials are delivered. Materials must be approved before installation on the building. Please contact the Novi Building Department's Automated Inspection Hotline at (248) 347-0480 to request the Façade inspection.

Sincerely,  
DRN & Associates, Architects PC

  
Douglas R. Necci, AIA



**FIRE REVIEW**



October 7, 2010

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

RE: Novi Town Center Building X.1

SP#: 10-41, Preliminary Site Plan

**CITY COUNCIL**

Mayor  
David B. Landry

Mayor Pro Tem  
Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

Justin Fischer

**City Manager**  
Clay J. Pearson

**Director of Public Safety**  
David Molloy

**Director of Fire and EMS**  
Jeffrey Johnson

**Project Description:**

Demolition of existing retail buildings in order to build a new Walmart Superstore building and construction of a 17,442 S.F. building between the new Walmart store and the existing 'D' retail building.

**Comments:**

1. The hydrant locations shall be changed as followings:
  - a. Install a hydrant in front of this new building in the end parking island at the project separation line between this project and the Walmart project.
  - b. Delete the hydrant (FH2) at the rear of the building. This is not needed and would be unusable in a fire due to the proximity to the building.
2. The Fire Department Connection shall be relocated to the front side of the building, in an approved accessible location, within 100' of a hydrant. This shall be shown on the Utility Plan sheet.
3. The fire protection water main lead shall be separated from the domestic water main lead.
4. The control valve on the fire protection water main shall be in a well or it shall be a monitored post indicator valve.

**Recommendation:**

This plan is **Recommended for Approval** with the above comments being corrected on the next plan submittal.

Sincerely,

Michael W. Evans  
Fire Marshal

cc: file

**Novi Fire Department**  
42975 Grand River Ave.  
Novi, Michigan 48375  
248.349-2162  
248.349-1724 fax

cityofnovi.org

**DRAFT PLANNING COMMISSION MINUTES  
EXCERPT FOR NOVI TOWN CENTER BUILDING X.1  
DECEMBER 10, 2010**



## PLANNING COMMISSION MINUTES

Draft Copy  
CITY OF NOVI

Regular Meeting

**Wednesday, December 8, 2010 | 7 PM**

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

### CALL TO ORDER

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

### ROLL CALL

**Present:** Member Baratta, Member Cassis, Member Greco, Member Gutman, Member Larson, Member Lynch, Member Meyer, Chair Pehrson, Member Prince (arrived at 7:10 pm.)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Rod Arroyo, Traffic Consultant; David Beschke, Landscape Architect; Lindon Ivezaj, Engineer; Kristen Kapelanski, Planner; Kristin Kolb, City Attorney; Doug Necci, Façade Consultant

### MATTERS FOR CONSIDERATION

#### 1. BUILDING X.1 AT NOVI TOWN CENTER, SITE PLAN 10-41A

Consideration of the request of Novi Town Center Investors, LLC for a recommendation to City Council for Preliminary Site Plan approval. The subject property is located in Section 14 near the northwest corner of Eleven Mile Road and Town Center Drive, in the TC, Town Center District. The subject property is approximately 35.7 acres and the applicant is proposing to construct an approximately 17,500 square foot retail building to connect the existing Novi Town Center to the proposed Walmart store.

Planner Kapelanski stated that the applicant is proposing to construct a 17,442 square foot retail building to connect the existing Novi Town Center to the proposed Walmart store.

The planning review recommended approval of the plan. The applicant has requested variances for the lack of parking setbacks and the illumination levels extending beyond the property line. Staff supports these variances as they are needed because of the Walmart parcel split. Additionally, staff supports the variances needed to locate the dumpster and loading zone in the exterior side yard. Staff is recommending building setbacks be reduced by the City Council, as requested by the applicant.

Section 1602.1 of the Ordinance requires all projects 5 acres or larger to receive the approval of the City Council after a recommendation from the Planning Commission. The Planning Commission should consider the factors listed in Section 1602.9 when making its recommendation.

The traffic review notes minor items to be addressed on the final site plan and recommends the applicant consider redesigning the parking configuration of the three-legged intersection adjacent to the southwest corner of the building. The City's traffic consultant, Rod Arroyo is here to address any traffic issues.

The façade review supports a Section 9 waiver for the underage of brick and overage of "c" brick on the east rear façade and the use of non-copper colored standing seam metal.

The landscape, engineering and fire review recommend approval of the plan noting items to be addressed on the final site plan submittal.

Matthew Quinn came forward appearing on behalf of Novi Town Center Investors and began by noting this will be the first time there will be a north/south traffic way thru the entire center. The building in question is X.1, which fills in from the north to the south and that completes the structures that will be built within the Town Center as part of this overall project and rehabilitation. This building is 17,500 square feet and will be a multiple tenant building. The parking lot that is referenced includes two handicap and two regular parking spaces. The engineers stated in their response letter that there will be stop signs on all three sides of that intersection and it will give protection to the people backing out of those four spaces. This parking is a



continuation of all the parking that exists in the Town Center.

The variance requests are minimal and generally required because the Walmart site will have its own parcel. The Section 9 Waiver is the same waiver that has been granted throughout the entire center during this redevelopment and a continuation of the materials and colors that have already been approved.

Mr. Quinn stated he has read the approval motion and finds it is reasonable and covers everything that is necessary. Mr. Quinn stated the engineers and architects for the project were also in attendance as were representatives from the Town Center.

Member Baratta had some questions relating to the traffic. When this center was designed, it wasn't designed to have what will essentially be an east/west main street for the traffic to flow straight through from Border's to the new Walmart. Originally this was designed for minimal traffic in each of the three pods that were accessed via the ring road. There is parking between the building and the main drive aisles today.

Member Baratta stated that he has not seen a center built in a number of years where they would allow parking there because of the hazard that it would create with backing into a main aisle. This will create a lot more traffic going from one side of the center to the other but there is still parking adjacent to the buildings.

Member Baratta stated that he thinks it creates a significant problem for accidents there asked Traffic Consultant Arroyo if this is an accurate depiction.

Traffic Consultant Arroyo answered it would be correct to say traffic will now be able to flow straight through the site.

Member Baratta explained that with people backing out of that parking adjacent to the buildings into the main arterial channeling the traffic from side to side, it would appear to cause a problem with accidents and other obstructions.

Traffic Consultant Arroyo stated that his response to that would be one would probably not see that built today. It is really the 90 degree angle of the parking that makes it the most challenging and there are certainly enough walking areas where angle parking and parallel parking is provided adjacent to heavily traveled streets. The 90 degree parking is challenging because basically a driver does not know which way people are going to back out. Traffic Consultant is particularly concerned about the intersection near Building X.1 and is certainly glad to hear that it is going to go to an all way stop. If this were to be a street system, there wouldn't be parking spaces backing into intersections.

Member Baratta stated that Traffic Consultant Arroyo recommended approval with the exception of that small segment right near the Walmart. Should the parking in front of Borders and the rest of the retail buildings also be removed for that same reason?

Traffic Consultant Arroyo explained that it would be very difficult at this point in time to eliminate that parking because it would involve an entire redesign and rebuild of the parking lot and the way it functions. The most significant concern was at that intersection. It just does not seem reasonable to remove those spaces given the type of change that is proposed here and given the level of difficulty there would be to totally, reconfigure and redesign the center. It really is a total change in the way that operates and a very expensive and very disruptive change to eliminate that parking.

Member Baratta asked Traffic Consultant Arroyo why that parking couldn't be eliminated by whitening out the lines and making that part of the driveway system.

Traffic Consultant Arroyo explained that there could be some issues in terms of meeting parking requirements

and there's an anticipation that some of the Walmart demand could be spilling over into this area and by eliminating spaces that could exacerbate that during peak times.

Member Baratta asked if this was creating a hazardous condition because Walmart is under parked and they need to spill over during peak times.

Member Cassis stated that he wanted to reiterate what his colleague Member Baratta said and then asked Mr. Quinn if the two handicapped spaces were needed.

Mr. Quinn answered Member Cassis in saying there are two handicapped spaces and two regular spaces and what is being changed is for the handicap. Instead of having two separate entries, it is reconfigured so they are sharing and then the two regular spaces are there as well. Those parking spaces closest to the business are very important to those businesses and certainly these parking spots are not going to go away. Some tenants may even have rights to those being in front of their space. Mr. Quinn stated that Town Center representatives told him earlier this evening that they have not seen a report of an accident from any car backing out or getting struck by another vehicle in the ten years they have been there. Why is that? It is because everyone drives so slow along there and it is nothing more than a driveway. It is not a road and it is just a small driveway with cars going two ways and they are careful.

Member Cassis asked if there is one accident, isn't that too much?

Mr. Quinn answered Member Cassis saying not really. Mr. Quinn said it could be an accident which is just a simple fender bender with no personal injury.

Member Cassis asked Mr. Quinn how he could say that.

Mr. Quinn answered in saying how can you say it is otherwise.

Member Cassis said no accidents are justified and the spaces should be removed and wondered if this new configuration was proposed just to accommodate Walmart.

Mr. Quinn explained that these are for the Town Center building and have nothing to do with Walmart. Building X.1 is going to maybe make this center go or not. This really has nothing to do with Walmart.

Member Cassis stated that Member Baratta has explained this very clearly to him and he agrees with him. Member Cassis has a problem with these parking spots.

Member Lynch said that he needs to understand this better. If one were to add perpendicular parking spaces there, how dangerous would it be? And then, if one was to add handicap parking spaces there, how much more dangerous would it be? Member Lynch said he did not understand this whole thing and is concerned. Member Lynch said he is looking at the map and the east/west route is a quick way to get from one point to another. Member Lynch asked if the parking spaces in front of Building X.1 are eliminate, how would that eliminate the north/south route.

Mr. Quinn stated that those parking spaces start just after the Borders and go all the way south right to the end of the X.1 Building.

Member Lynch stated that he agrees with Member Baratta because he doesn't want to be responsible for an accident or injury.

Mr. Quinn said that per engineer's response letter, there is going to be a three-way stop right there and that is going to stop people from driving through that area at a high speed.

Member Lynch expressed his concern to Mr. Quinn and is going to listen to his fellow Commissioners.

Mr. Quinn explained to Member Lynch that it is not him who put the handicap spaces in and that was a requirement by the City of Novi. It was not us voluntarily putting them there; the City required them to go there. Where do you want those spaces, across the street, so the handicap get out of their cars and cross traffic in a wheelchair?

Member Lynch stated that he is disabled and does park in a handicap spot and that he does not have a problem walking across where there is a stop sign. He specifically worries about disabled individuals being put in harms way. It is more difficult because they cannot move as fast. Member Lynch wants to accommodate this project without putting people in harms way.

Member Gutman asked Traffic Consultant Arroyo if the addition of the three-way stop sign alleviates his concerns.

Traffic Consultant Arroyo stated that it is a substantial improvement over the previous situation where that was not there.

Member Gutman asked what could be done further if it is only a substantial improvement.

Traffic Consultant Arroyo answered that ideally the spaces that are directly within that intersection would be eliminated.

Member Gutman asked staff if the spaces could be eliminated or relocated and still meet the parking requirements of the Ordinance.

Planner Kapelanski stated that per the parking requirements, the Town Center as a whole does have extra parking spaces and they could lose those four spaces that are in question. If they were to eliminate those spaces, staff would obviously want those accessible spaces to be located a bit further down. Some restriping could be done to accommodate the accessible spaces further down the parking aisle.

Member Gutman stated that then there is a way this could be achieved.

Planner Kapelanski said yes and that the traffic review letter had something about realigning those two parking spaces.

Traffic Consultant Arroyo stated that there was one other option. The applicant could shift the handicap spaces to the north so that the access aisle would align with the pedestrian crossing.

Member Gutman addressed Mr. Quinn in saying that there are other solutions and that this is not a single solution issue; would Town Center be willing to relocate those spaces knowing that the handicap spaces could be moved?

Mr. Quinn responded the most valuable spaces are the ones that are adjacent to the businesses. If the handicap spaces are moved to the left and to the north, then that means additional parking spaces are being removed. This would affect more than four parking spaces altogether. It makes it a very difficult proposition. The three stop signs, in the engineer's opinion, will alleviate the safety and traffic concerns.

Member Gutman stated he wasn't saying that a three-way stop sign doesn't provide a significant modification to that, but there are also concerns over the safety of drivers and pedestrians. Member Gutman indicated he is just asking if there is a willingness to work with the City on this and alleviate these concerns.

How many spaces would you lose if the handicap spaces were relocated?

Mr. Quinn stated that it would probably be the four.

Member Gutman asked what that would take your parking ratio to.

Mr. Quinn said that overall the Town Center would still have an excess of parking.

Member Gutman asked if there were any prospects for any tenants for this space.

Mr. Quinn answered that a center does not get any tenants until a project is built and this is not pre-leased.

Member Gutman stated that his own opinion, he would like to listen to the thoughts of the Commission, but, also wondered if there was a simple solution that alleviates the problem.

Mr. Quinn stated that he thought all that needed to be in the motion is a positive recommendation to state that further discussion between the applicant and the staff will occur by the time it gets to the City Council and that would be an appropriate addition to the motion.

Member Gutman answered saying it sounds like there is a tremendous willingness to work with the City on this and that is all the Planning Commission could ever ask for.

Member Baratta stated that between the Borders and Building X.1, there are approximately 63 parking spaces. The new building shows four handicap parking spaces in front and there will be a significant number of cars going south of the plan in front of the Walmart trying to get to Crescent Boulevard. The vast majority of them will go across the front of the shops to get to Crescent.

Member Baratta stated that his concern was there are 63 parking spaces and there will be people backing out. With the Walmart customers it is going to be a significant arterial assuming that is approved. Member Baratta asked Traffic Consultant Arroyo if this project were submitted for review today, would he recommend those parking spaces be included in a plan or not included in a plan.

Traffic Consultant Arroyo stated that if this was a clean slate, he would not recommend those spaces there.

Member Baratta asked for what reason would he not recommend those spaces.

Traffic Consultant Arroyo explained that a number of things would come into play and I think the Fire Department would first off say they would rather have that open for access for response to emergencies and that is usually what drives it a lot of times. From a traffic circulation standpoint looking at this, it certainly would be more beneficial to not have 90 degree parking backing into a lane and it doesn't mean there would not be parking there. There could be an alternative parallel space and maybe even angle parking.

Member Baratta stated that this particular center has come to this Planning Commission maybe 6 or 7 times for different changes to the center and it has been reviewed in components and the Planning Commission has approved components of a plan. Never the entire plan, but components of it and one of the difficulties of that is that a shopping center has to flow and it is like a machine and it all has to work together and by seeing little pieces of it and approving little pieces, one doesn't necessarily get a machine that works. This is a situation that would not be approved today. If the center lost 63 parking spaces, would they meet the parking requirements?

Traffic Consultant Arroyo stated that Planner Kapelanski would have to answer that question since she reviewed the parking.



Chair Pehrson said he would like to interject for a minute and asked staff to let him know if he is saying something wrong. The Planning Commission is not redesigning the center, they are looking at the relocation, elimination or modification of the four spots that are adjacent to the X.1 building. Is that correct?

Member Baratta then asked, aren't we looking at the construction of Building X.1, of the site plan itself?

Chair Pehrson answered yes, relevant to those four parking spaces that have been identified on the plan and not the parking spaces that are in the front of Borders or any other stores.

Member Baratta asked Chair Pehrson about the construction of the site plan of X.1 and the envelope of it. It does have an impact on parking, circulation and handicap spaces and a whole host of issues.

Chair Pehrson answered in saying Member Baratta can carry that to the logical extent that the Planning Commission is looking at those four spaces.

City Attorney Kolb stated that this is a site plan for an individual building within the center and that is what is up for consideration to make a recommendation to City Council.

Member Baratta stated that he thinks that if a building will be added to a shopping center, there needs to be an examination of how it impacts the entire shopping center.

Member Cassis stated he agreed with Member Baratta.

City Attorney Kolb stated that unfortunately with a site plan the Planning Commission is limited to what is on the site plan and has less discretion on a site plan than on some other matters that may come up.

Chair Pehrson stated that the concerns and point are valid and accurate, but the Planning Commission is only dealing with the smaller portion and not the totality of the center.

Member Baratta stated to the question then, relevant or not, if they lost 63 parking spaces, would they still meet code?

Planner Kapelanski confirmed the center would still meet the Zoning Ordinance requirements.

Motion made by Member Gutman, seconded by Member Prince:

**In the matter of Novi Town Center Building X.1, SP 10-41A, motion to recommend approval of the Preliminary Site Plan, subject to the following:**

- a. A permitted reduction of the interior side yard (north) and exterior side yard (east) building setback to 0 feet because:**
  - 1.) A reduction in setback, or waiver of a setback altogether, will not impair the health, safety or general welfare of the City as related to the use of the premise or adjacent premises;**
  - 2.) Waiver of the setback along a common parcel line between two premises would result in a more desirable relationship between a proposed building and an existing building; and**
  - 3.) The adherence to a minimum required setback would result in the establishment of nonusable land area that could create maintenance problems;**
- b. The Zoning Board of Appeals granting variances for the lack of parking setbacks in the interior side yard (north) and exterior side yard (east);**
- c. The Zoning Board of Appeals granting a variance for the loading zone location;**
- d. The Zoning Board of Appeals granting a variance for the location of the dumpster;**
- e. The Zoning Board of Appeals granting a variance for the property line illumination levels;**

- f. A Section 9 waiver for the underage of brick and overage of concrete "c" brick on the east façade and the use of non-copper colored standing seam metal;
- g. The applicant confirming materials consistent with the Town Center design will be used on the south façade in the event the Walmart is not constructed;
- h. Applicant working with the city to remedy the concerns associated with the four parking spaces at the southwest corner of the building; and
- i. Compliance with all conditions and requirements listed in the staff and consultant review letters.

This motion is made because the plan is otherwise in compliance with Article 16, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.

Member Lynch asked Traffic Consultant Arroyo where safest and best places are for the four handicap spaces. Is it safer to have the spaces closer to the building or move them back?

Traffic Consultant Arroyo answered Member Lynch in saying that the best situation would be to have them closest to the building. Obviously every condition is different, but certainly the closest to the building and shortest travel distance is what the intent is.

Member Lynch thought Traffic Consultant Arroyo's opinion is valid to have those handicap places closet to the building. Member Baratta's issue about a main thoroughfare is also valid. The stop sign seems to help.

Member Cassis questioned the language in Member Gutman's motion. What did he mean by working with the City on the four handicap spaces?

Member Gutman answered Member Cassis in saying that the applicant will work with the City to come up with a solution that is agreeable to the City and traffic consultant and nothing more than that. What the Planning Commission heard from Traffic Consultant Arroyo and from Mr. Quinn is that there is more collectively that they can do together to satisfy the concerns of the Planning Commission and that they will work together to take it a step beyond where it currently is to make that occur.

**ROLL CALL VOTE ON THE APPROVAL OF PRELIMINARY SITE PLAN APPROVAL OF TOWN CENTER X.1 BUILDING, MOTION MADE BY MEMBER GUTMAN, SECONDED BY MEMBER PRINCE.**

In the matter of Novi Town Center Building X.1, SP 10-41A, motion to recommend approval of the Preliminary Site Plan, subject to the following:

- j. A permitted reduction of the interior side yard (north) and exterior side yard (east) building setback to 0 feet because:
  - 1.) A reduction in setback, or waiver of a setback altogether, will not impair the health, safety or general welfare of the City as related to the use of the premise or adjacent premises;
  - 2.) Waiver of the setback along a common parcel line between two premises would result in a more desirable relationship between a proposed building and an existing building; and
  - 3.) The adherence to a minimum required setback would result in the establishment of nonusable land area that could create maintenance problems;
- k. The Zoning Board of Appeals granting variances for the lack of parking setbacks in the interior side yard (north) and exterior side yard (east);
- l. The Zoning Board of Appeals granting a variance for the loading zone location;
- m. The Zoning Board of Appeals granting a variance for the location of the dumpster;
- n. The Zoning Board of Appeals granting a variance for the property line illumination levels;
- o. A Section 9 waiver for the underage of brick and overage of concrete "c" brick on the east façade and the use of non-copper colored standing seam metal;
- p. The applicant confirming materials consistent with the Town Center design will be used on the south façade in the event the Walmart is not constructed;

- q. Applicant working with the city to remedy the concerns associated with the four parking spaces at the southwest corner of the building; and
- r. Compliance with all conditions and requirements listed in the staff and consultant review letters.

This motion is made because the plan is otherwise in compliance with Article 16, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 9-0.*

**APPLICANT RESPONSE LETTER**





Revised December 1, 2010

November 8, 2010

Ms. Kristen Kapelanski  
Community Development, City of Novi  
45175 W. Ten Mile Road  
Novi, MI 48375

RE: Novi Town Center – Building X.1, SP #10-41  
Preliminary Site Plan Submittal Novi, MI

Ms. Kapelanski:

We have reviewed the City of Novi's preliminary site plan review comments, dated October 8, 2010. We offer the following responses to each item. The plans will be revised accordingly for the pending Final Site Plan submittal.

**Planning Comments:**

1-5. See Architectural response.

6. We will submit the revised open space plan and calculations to better describe the Walmart and Novi Town Center open space. Note: this revised plan has been included in the Walmart revised plans resubmitted on 11/08/2010.

7,8. See Architectural response.

9. We will provide a Site Plan sheet showing the proposed exterior changes.

10. See Architectural response.

**Engineering Comments:**

1. General Notes Number 1 on Sheet C1.1 states that all work is to conform with the City of Novi's Standards and Specifications.

2. The City's Standard Details will be included in the Stamping Set Submittal.

3. A note will be added that all utilities that are to be demolished will be removed, cut and capped per City of Novi standards. We will also add a note requiring the Contractor to contact City of Novi Water and Sewer Department 72 hours prior to any utility demolition.

4. A Traffic Control Plan, per MMUTCD will be developed and submitted for the sanitary sewer construction within 11 Mile Road

5. A traffic control sign table and a note that all sign shall conform to the MMUTCD will be provided.

6. A Non-domestic User Survey will be prepared and submitted for the sanitary sewer relocation.



7. A note will be included stating that all utilities within the influence of pavement will be compacted sand backfill. Likewise it will be indicated on the profiles as well.
8. A Gate Valve and Well will be added to the 8" water main at the connection.
9. A valve box is shown for the domestic water service.
10. 3 plan sets will be prepared and submitted to the City for review and if appropriate will be forwarded on to the MDNRE for water main permitting
11. We will add a profile for the new sanitary east of Building X.1.
12. A sanitary sewer basis of design will be prepared and included on the utility plans.
13. 5 plan sets will be prepared and submitted to the City for review and if appropriate will be forwarded on to the MDNRE for sanitary sewer permitting.
14. The plan will be revised so no storm manholes fall within the dumpster pad.
15. Frame and Casting chart will be added to the utility plans. Round casting will be utilized for catch basin within the pavement (not adjacent to a curb).
16. All ADAAG will be followed.
17. Grades will be proved to show 5% for ten feet in green belt surrounding proposed buildings. (Note: no green belt is adjacent to building X.1)
18. Gutter, top of curb and top of walk grades will be provided.
19. ADA ramps will be detailed on the grading plans.
20. A letter will be prepared and submitted with the revised plans outlining all changes and indicate which sheet had been modified. A statement will be included that all changes to the plans have been identified in said letter.
18. An itemized cost estimate will be submitted to the Community Development Department.
- 22-23. Easements for the water main and the sanitary sewer will be submitted to the Community Development Department.
- 24-31. All fees, guarantees and permits will be submitted and paid for prior to construction.

**Traffic Comments:**

1-7. N/A



8. We will revise the intersection near the Southwest corner of Building X.1 to address the traffic engineers concern.

9. We will review the six corners adjacent to Ingersol Drive and address the traffic engineers concern.

10. All parking spaces will be detailed and identified as being 9 ft. wide. (face of curb to face of curb).

11. We will continue to use yellow pavement markings on the Novi Town Center property.

12a,b. All signs will conform to the MMUTCD and a sign table will be provided.

**Landscape Comments:**

All landscape review letter comments have now been addressed.

**Façade Comments:**

See Architectural response

**Fire Marshal Comments:**

1a,b. A hydrant will be installed in the island between the Walmart and Novi Town Center sites, across the drive from the southwest corner of Building X.1. Fire Hydrant FH2 will be eliminated from the plan.

2. The FDC will be located at the front of the X.1 building within 100 ft. of the new hydrant.

3. The fire suppression line will be independent from the domestic water service.

4. The fire suppression line will have a gate, valve and well.

We appreciate your comments and if there is any additional information we can provide please contact me.

Respectfully,  
Giffels-Webster Engineers, Inc.

A handwritten signature in cursive script, appearing to read 'Michael W. Marks'.

Michael W. Marks, P.E.  
Project Manager





Wah Yee Associates  
Architects & Planners  
Since 1961

November 8, 2010

Novi Town Center, Building "X.1"  
SP # SP-41  
City Review Letter Response

▪ Planning Review dated 10-8-10:

Ordinance Requirements

1. A note will be added to Site Plan sheet A 1.1 stating that a City Council waiver will be requested to reduce the South, interior building side yard from the 15' required per ordinance to 0', and to reduce the East, exterior building side yard from the 50' required per ordinance to 0'.
2. A note will be added to Site Plan sheet A 1.1 stating that a Z.B.A. variance will be requested to reduce the South, interior parking side yard from the 20' required per ordinance to 0' and to reduce the East, exterior parking side yard from the 20' required per ordinance to 0'.
3. A note will be added to Site Plan sheet A 1.1 stating that a shared parking agreement will exist between the Walmart parcel and the Novi Town Center parcel.
4. The following notes will be added to Site Plan sheet A 1.1 :
  - a. A Z.B.A. variance will be requested to allow the loading zone in the East side yard in lieu of the rear yard as required by ordinance.
  - b. The square footage of the loading zone will be shown.
  - c. A cross-access easement will exist between the Walmart parcel and the Novi Town Center parcel.
5. A note will be added to site plan sheet A 1.1 stating that a Z.B.A. variance will be requested to allow the dumpsters to be located in the East side yard in lieu of the rear yard as required by ordinance.
6. More specific open space area calculations will be added to Landscape sheet L 0.1 for city confirmation.
7. A note will be added to Photometric sheet SE 0.1 stating that the avg/min light level ratios have been provided on a phase by phase basis. A note will also be added to this sheet giving more info. with regard to the lamp color rendition.
8. A note will be added to Photometric sheet SE 0.1 stating that a variance will be requested to allow foot candle light levels to exceed 1.0 at shared interior property lines. This condition exists due to one shared contiguous parking field.
9. The name of sheet A 1.1 will be changed to Site Plan in lieu of Master Plan. A dash line will also be added to indicate the buildings being demolished.

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10. A note will be added to Site Plan sheet A 1.1 stating that a parcel split will be filed for and in place prior to final site plan approval.

Additional comments from Planning Review Summary Chart

1. A note will be added to Site Plan sheet A 1.1 stating that the TJ Maxx loading dock screen wall will be structurally attached to the building.

Additional comment from the Walmart Planning Review Summary Chart (page 6)

1. The number of barrier free parking spaces will be included in the project summary on Site Plan sheet A 1.1.

▪ Facade Review dated 10-11-10:

Comments :

A note will be added to Building And Partial Site Plan sheet A 2.1, and to Building Elevation sheet A 4.1 stating that the South wall of Building X.1 will not use facade materials similar to the West wall of Building X.1. The intention is that Building X.1 will be built in conjunction with Walmart.

A City Council Section 9 waiver will be requested to use black and green metal awnings, consistent with previous phases of the Novi Town Center Redevelopment, in lieu of the copper color required per ordinance.