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CITY of NOVI CITY COUNCIL

Agenda Item ³
August 24, 2009

SUBJECT: Approval of the request of Novi Town Center Investors, LLC of a Section 9 Façade Waiver. The subject property is located east of Novi Road, north of Grand River Avenue, in the TC, Town Center District. The applicant is proposing to redesign a portion of the facade of Building B in the Town Center Development, commonly referred to as the Borders building at 43075 Crescent Boulevard.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Bunby*

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

Novi Town Center is proposing to redesign a portion of the façade on Building B, commonly referred to as the Borders building. The update includes the installation of awnings, as well as the installation of a new cornice and accent lighting. Per the façade consultant's review, the proposed changes do not conform to the requirements of the TC and TC-1 districts as consisting of "primarily brick or stone" and the proposed non-copper colored awnings do not conform to the façade ordinance. The proposed cornice and additional lighting meet the requirements of the ordinance and therefore can be approved administratively. The ordinance permits alternative façade materials when certain conditions are met, as noted in the suggested motion, below.

A similar waiver was granted by the City Council on April 27th 2009 for several other buildings in the Novi Town Center, to allow blue and green metal awnings instead of the copper colored awning that are expected in the TC and TC-1 District. These improvements are now underway.

When the request appeared before the Planning Commission on August 13th, the applicant had indicated the proposed awnings would be blue to match awnings being installed on other portions of the building. Since that time, the applicant indicated that the tenant would prefer black awnings for this portion of the building, and revised renderings have been provided to show the change from blue to black. The façade consultant has revised his review letter to reflect this change, and continues to recommend approval. If the City Council chooses, the matter may return to the Planning Commission for review and recommendation, or the City Council may make a decision based on the information that has been provided.

The façade consultant notes in his review letter that the proposed awnings are logical given the parameters of the existing facility and represent a practical and thoughtful design that will significantly enhance the overall visual appearance of the project. The color selections will harmonize with both new and existing materials.

The cement plaster shown on the drawing represents an existing material. The applicant does not propose changing the percentage of this material, but does propose to paint the material in a harmonious color. The façade consultant notes that bringing this material into compliance would represent a significant hardship and would not significantly enhance the project.

The standing seam metal used for the awning is consistent with the material used to replace the existing asphalt shingles on the adjacent storefronts. While the proposed awnings are black, and

not copper colored as called for in the TC districts, the façade consultant indicates the black color will be harmonious with other non-copper colors used in the center. The consultant's favorable recommendation is similar to the recommendation made to the Planning Commission when the awnings presented were blue in color.

The City's façade consultant is recommending approval of the requested waiver as the proposed design will significantly enhance the visual appearance of the building and the proposed colors will harmonize with the new and existing materials on site. For additional information, please see the attached review letter from the City's façade consultant.

Section 1602.1 of the Zoning Ordinance requires all projects in the Town Center District 5 acres or larger to appear before the City Council for approval after a recommendation from the Planning Commission. On August 13th, 2009, the Planning Commission recommended approval of the requested Section 9 façade waiver. Draft minutes from the Planning Commission meeting are attached.

RECOMMENDED ACTION: Approval of the request of Novi Town Center Investors, LLC, for a Section 9 Façade Waiver for the deviations in percentages of materials, as well as for the use of non-copper colored awnings, and specifically for black-colored awnings on this portion of the building recognizing this is a deviation from the blue-colored awnings reviewed by the Planning Commission, for the following reasons:

- a. The selected facade materials and material combinations will be consistent with and enhance the building design concept.
- b. The selected facade materials and material combinations will be complementary to existing or proposed buildings within the site and the surrounding area.
- c. The use of the selected facade materials and material combinations will not detract from the future development in the Districts of buildings with facades of brick and stone, augmented by materials complementary to brick and stone.
- d. The request is accompanied by a written design statement describing how the selected facade materials will satisfy the above requirements.

	1	2	Y	N
Mayor Landry				
Mayor Pro-Tem Gatt				
Council Member Burke				
Council Member Crawford				

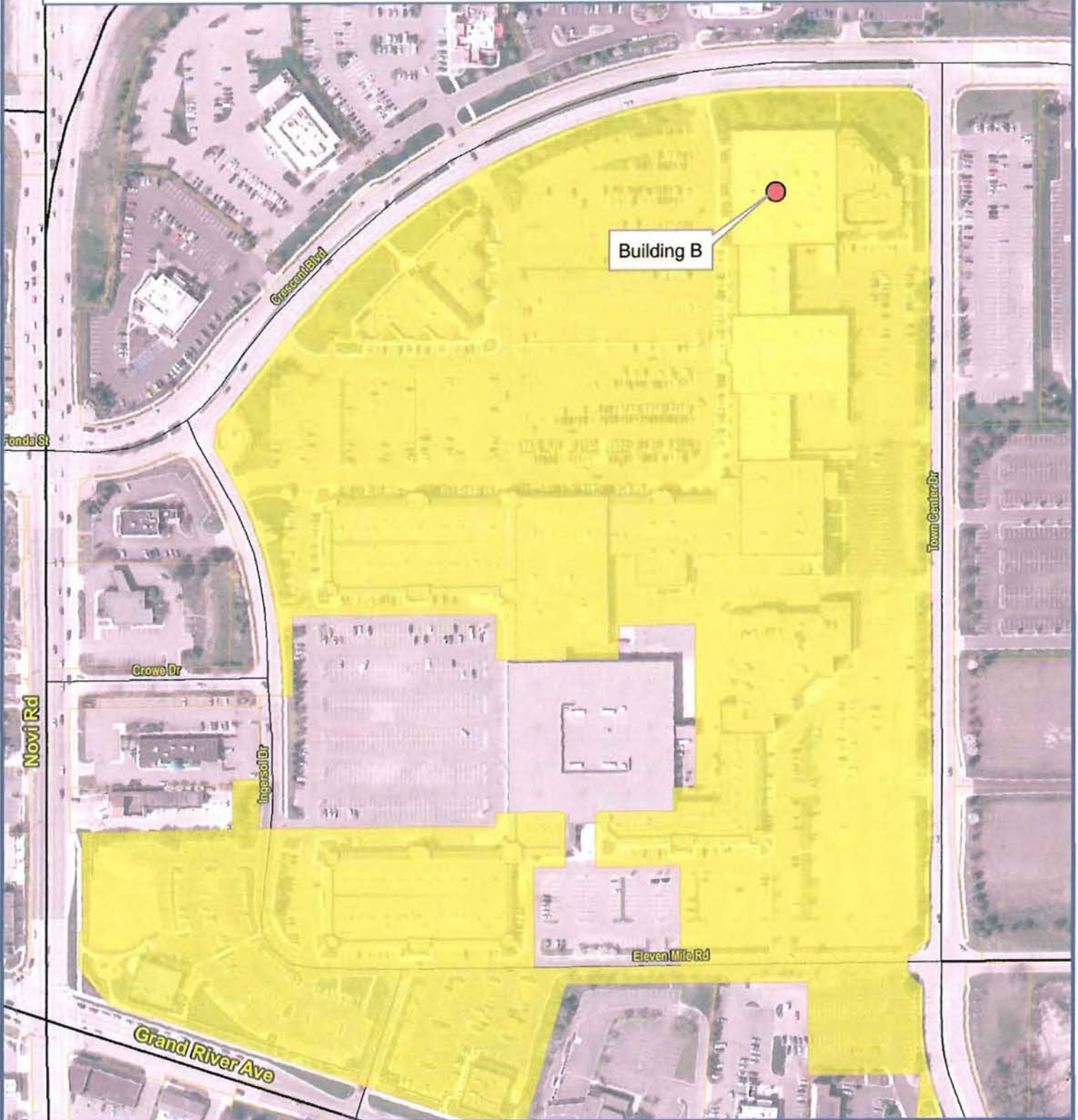
	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

MAPS

Location/Air Photo


Novi Town Center Facade Upgrades - Building B SP 09-19

Location



Map Author: Kristen Kapelanski
 Date: August 3, 2009
 Project: SP09-19 Novi Town Center Facade Upgrades - Bldg. B
 Version #: 1.0

Map Legend

 Subject Property

MAP INTERPRETATION NOTICE

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



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



1 inch = 243 feet

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

August 3, 2009

Planning Review

Novi Town Center Façade Upgrades – Building B
SP #09-19

Petitioner

Novi Town Center Investors, LLC

Review Type

Final Site Plan

Property Characteristics

- Site Location: 26132 Ingersol Drive
- Zoning: TC, Town Center
- Adjoining Zoning: North, South, East and West: TC
- Site Use(s): Novi Town Center
- Adjoining Uses: Various retail and restaurant uses bordering Novi Town Center
- Plan Date: 07/29/09

Project Summary

Novi Town Center is proposing to redesign a portion of the façade on Building B, the Borders Books Building. Previously, Novi Town Center received approval from the City Council for similar façade upgrades on Buildings A1, C, C1, D, F, G, J and N. The update includes the installation of awnings, new cornices and lighting fixtures. The proposal was reviewed by the Façade Consultant for compliance with the standards of Section 2520 of the Zoning Ordinance (see review).

Recommendation

Approval of the Final Site Plan is recommended, per the Façade Consultant's review. The plan will be scheduled for an upcoming Planning Commission meeting. Once the applicant receives approval from the City Council, Stamping Sets should be submitted.

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 16 (Town Center District), 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 and incorporated as part of the Stamping Set submittal.

1. Façade Review: **A Section 9 Façade Waiver and a waiver of Section 1602.9 is required.** Please see the attached façade review letter for additional information.
2. Site Plan Approval: Section 1602.1 of the Zoning Ordinance requires all projects in the Town Center District 5 acres or larger to appear before the City Council for approval after a recommendation from the Planning Commission. The applicant will be placed on

the agenda of an upcoming Planning Commission meeting to be followed by a subsequent Council meeting.

3. Town Center Design Manual: In addition to the requirements listed in the façade ordinance, developments in the Town Center District are also subject to the requirements of the Town Center Design Manual. The Town Center Design Manual is a document used to guide the aesthetic development of the Town Center and includes standards for lighting, site layout, landscaping and building facades. In particular, this manual lists the following requirements for building facades:
 - "Architectural design and façade material are to be complimentary to existing or proposed buildings within the site and surrounding area."
 - "Exterior building facades shall be of brick or stone and materials complimentary to brick or stone."

In addition, the Zoning Ordinance also requires that all standing seam metal roofs and/or awnings be composed of copper or be copper-colored.

4. Exterior Signage: Exterior signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland at 248-347-0438 for information on sign permits.

Stamping Set Approval

Once the applicant receives the appropriate approvals from the City Council, Stamping Sets should be submitted. Four copies of the plan should be submitted to the Community Development Department for Stamping Set approval. Any changes to the plan required by the City Council should be incorporated into the Stamping Sets. The Stamping Sets must have original signatures and original seals.



Planning Review by Kristen Kapelanski
248-347-0586 or kkapelanski@cityofnovi.org

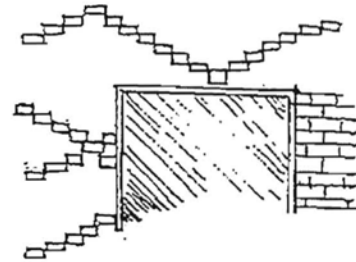
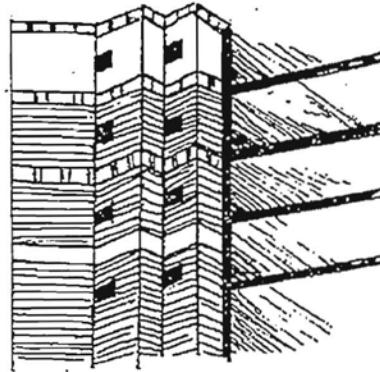
Architecture

General Guidelines for Architecture within the Town Center are set forth in Ordinance No. 84-18. "Architectural design and facade material are to be complementary to existing or proposed buildings within the site and surrounding area. It is not intended that contrasts in architectural design and use of facade materials be discouraged, but care should 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." (Section 1603,2.) "All exterior walls of any main or accessory building shall be composed of the same architectural building facade materials. All climate control equipment, trash containers, utility outlets, satellite dish antennae, etc., shall be effectively screened from view...Exterior building facades shall be of brick or stone and materials complementary to brick or stone. No flat roof design is permitted unless a gable or mansard roof is used on the majority of the roof." (Section 1603,4.) Specific standards such as building size and height. (Section 1602,4,a,b, Section 1603,10,b;



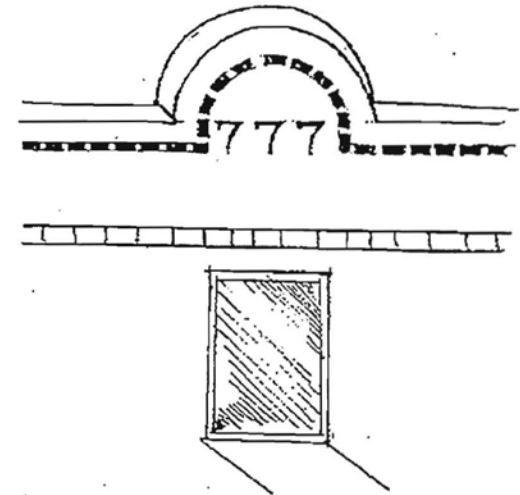
11,b,d.) are also delineated in the Ordinance.

While it is very difficult to legislate architectural design the intent within the Town Center is to specify general building materials and size and to encourage innovative and unique design. Brick and stone buildings with complementary materials such as glass and wood will harmonize with those existing buildings recommended to remain. (Inventory and Analysis, Architecture Section.) Within the size, height and roof restrictions remains a building envelope with many design opportunities. Some possibilities to base architectural design on are decorative columns, arches, octagon forms, semi-circular walls, wrought iron embellishments such as terraces or ornamentations. Since the exterior surface is specifically mandated as masonry and stone, use of decorative brickwork is an exciting possibility. Molded, patterned, colored, glazed or all types could be incorporated into walls, window banks, denote entrances add a spark to a ramp or steps. Stone could also be used in conjunction with masonry as a decorative material. Limestone, for instance could frame windows or provide a base for walls, encircle entrances or become corner



stones. The incorporation of glass into the architectural design also creates multi-opportunities. Glass block, curved glass and subtle colored glass can become an integral and exacting part of the building. The use of these materials as "decorative" elicits an exciting positive/negative, figure/ground reading of the surface. Much more complex and unique than buildings designed with only one type of material. It is the objective of the design theme of this Guidebook to interrelate old materials and new designs. Architectural style is an excellent media for this concept.

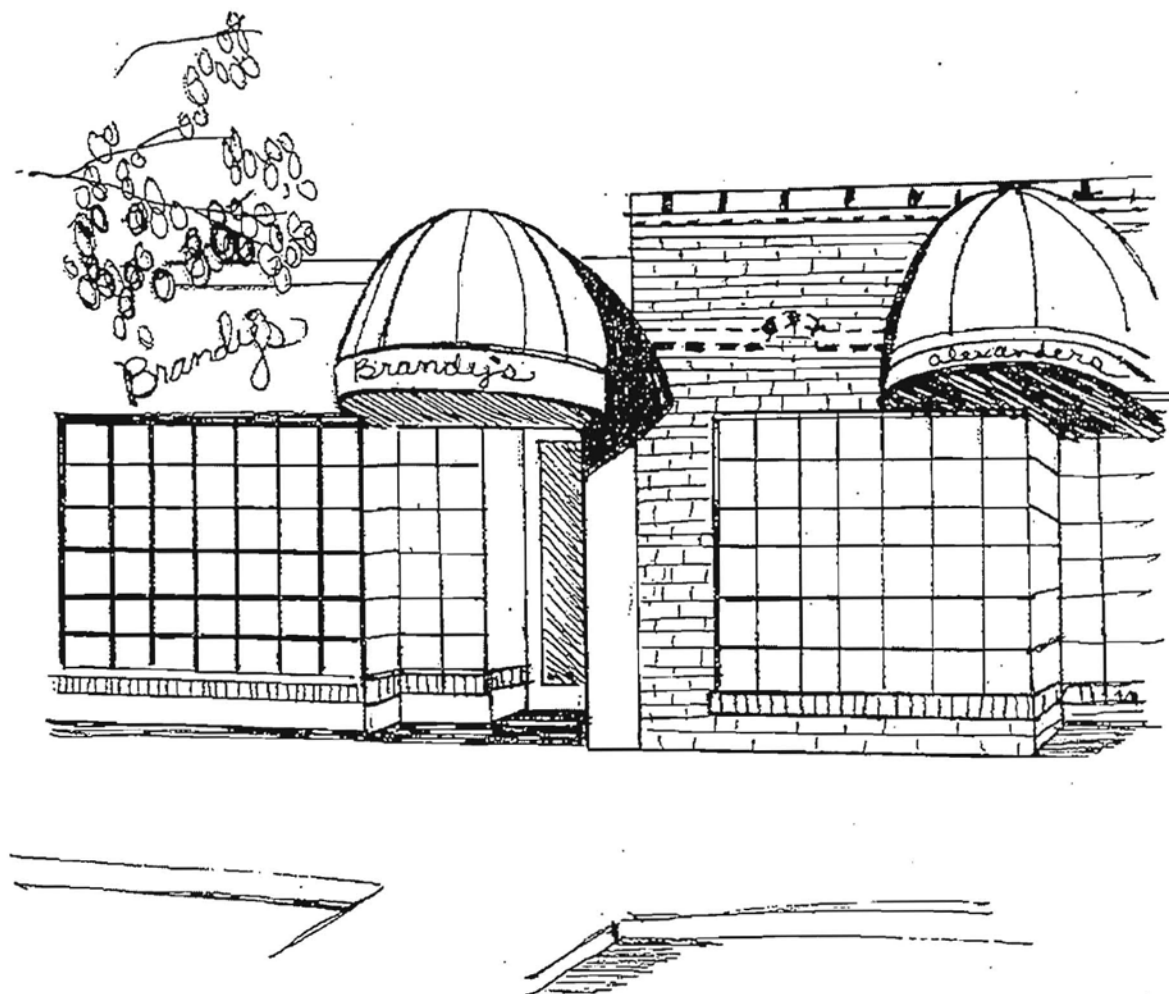
For those existing buildings within the Town Center it is possible to update and embellish the buildings. This updating must be economically inexpensive and relatively easy to accomplish as the responsibility of this position of the study lies with each building and commercial business owner. Each building is unique in its concerns and in some instances architecturally. To successfully unite these parts into a whole or unit, they must first be dealt with as one unit.



A carefully modulated color system for the Town Center will help unify the buildings. Three to five carefully selected warm earth tones, roughly equal in color value will allow individuality. From a distance, however, the overall color tones and value will blend into a cohesive composition. Eclectic style and materials will be united as a whole while retaining their own character.

In order to give architecture detail and interests to the existing buildings, the canopy half round preferred is proposed. These half round canopies are inexpensive yet effective means of changing the look of a facade as well as additional yet creative means of signage. The colors proposed for these canopies are in a controlled range of subdued colors chosen to harmonize with the color of the buildings color scheme. One or more canopies may occur on an individual storefront, with internal illumination for awnings over doors; providing both door area lighting as well as a luminous glow to the canopies themselves. The use of other recommended materials such as brick, cedar, glass and stone can also be incorporated into existing building as design accents. The use of related building colors and possible canopies ex-

tends to the exposed sides and rear areas of all buildings so that a uniform image is seen from all directions throughout the Town Center.



the TC-1 District shall be in excess of one hundred twenty-five (125) feet in width, unless pedestrian entranceways are provided at least every one hundred twenty-five (125) feet of frontage.

Architectural amenities shall include pedestrian walkways, brick or other approved decorative paving, 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).

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.

- 8. *Open Space.* A minimum of fifteen (15) percent of the gross site area of a development shall be devoted to permanently landscaped open spaces and pedestrian plaza areas accessible to the public. All landscaped open spaces and pedestrian plaza areas shall be maintained by the owner of the commercial office or other development it serves.

- 9. *Facades.* All exterior walls of any main or accessory building shall be composed of the same architectural building facade materials. Exterior building facades shall be primarily of brick or stone, which may be augmented by materials complementary to brick or stone. When renovations, alterations, or additions are made to an existing building within the TC or TC-1 Districts, the exterior building facades of the entire building shall be brought into compliance with this subsection.

When facade materials other than brick or stone are proposed for a building within

the TC or TC-1 Districts, the Planning Commission (or City Council for site of five acres or greater) may permit such alternative facade materials provided it finds that all of the following conditions are satisfied:

- a. The selected facade materials and material combinations will be consistent with and enhance the building design concept.
- b. The selected facade materials and material combinations will be complementary to existing or proposed buildings within the site and the surrounding area.
- c. The use of the selected facade materials and material combinations will not detract from the future development in the Districts of buildings with facades of brick and stone, augmented by materials complementary to brick and stone.
- d. The request is accompanied by a written design statement describing how the selected facade materials will satisfy the above requirements.

The planning commission may request the report and recommendation of a professional design or architectural consultant as a part of its review of the proposed waiver.

- 10. *Parking, loading, signs, landscaping, lighting, etc.* All sites must comply with Article 25, General Provisions, regarding off-street parking requirements, off-street parking standards, off-street loading/unloading, signs, landscaping, exterior lighting, and obscuring screens as those standards relate to uses permitted in the TC and TC-1 Districts. Notwithstanding the above, all loading and unloading within the TC-1 District shall be in rear yards. In those areas where on-street parking is permitted, off-street parking requirements may be reduced by the number of on-street parking spaces adjacent to a use. Parking requirements may be reduced when the Planning Commission (or City

FAÇADE REVIEW



August 19, 2009

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**
Novi Town Center Facade Upgrades Building B - Preliminary Site Plan Review
SP09-19 (Awnings) and SP09-20 (Cornice)
 Façade Region: 1, Zoning District: TC, OS-C

Dear Ms. McBeth:

The following is the Facade Review for Final Site Plan for the above referenced project based on the drawings dated July 29, 2008. 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 Facade Schedule are highlighted in bold.

Buildings		Materials			
Type	Description	BRICK	EIFS	STANDING SEAM METAL	CEMENT PLASTER
1	West - Buildings B	76.0%	8.0%	4.0%	12.0%
2	North - Buildings B	81.0%	9.0%	0.0%	10.0%
	Ordinance Maximum (Minimum)	100% (30%)	25%	25%	0%

Comments:

As shown above the percentage Cement Plaster is above the ordinance maximum. Section 2520, footnote 3 of the Facade Ordinance also requires and that Standing Seam Metal be copper colored in the TC and TC-1 districts.

Section 1602.9 of the Ordinance requires that materials used in the TC and TC-1 districts be "primarily brick or stone" and permits alternative facade materials when certain conditions (a through d) are met.

Standing Seam Metal - The Standing Seam Metal is used for awnings and is consistent with the material used to replace existing asphalt shingles on adjacent storefronts. The Standing Seam Metal awnings will represent a significant improvement in appearance of the building and will add interesting accents that will enhance the overall appearance of the project. The proposed black color for the roof areas, while not being "copper", is harmonious with other non-copper colors previously approved.

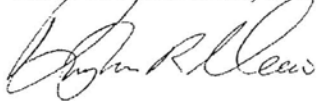
Cement Plaster - The proposed percentages of Cement Plaster represent existing materials and the applicant has not proposed changing the percentage of this material. Bringing this material into compliance would represent a significant hardship and would not significantly enhance the project. The applicant has proposed that the Cement Plaster be painted in a harmonious color as evidenced by the Sample Board.

Recommendation: The selection of materials is logical given the parameters of the existing facility and represents a practical and thoughtful design that will significantly enhance the overall visual appearance of the project. The color selections are carefully coordinated and will harmonize with both new and existing materials. It is therefore our recommendation that the design is consistent with the intent and purpose of the Facade Ordinance, Section 2520, and that a Section 9 Waiver be granted for the deviations in percentages of materials as well as for the use of non-copper colored metal roofs. The design also satisfies the conditions set forth in Section 1602.9, a through e, for to the use of materials other than brick or stone in the TC district.

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

APPLICANT'S RESPONSE LETTER



Wah Yee Associates
Architects & Planners
Since 1961

August 6, 2009

Ms. Kristen Kapelanski
City of Novi Planning Dept.
45175 W. 10 Mile Road
Novi, MI 48375

RE: Novi Town Center
Building "B" Upgrades

Dear Ms. Kapelanski:

We are requesting the same two facade Section 9 Waivers, already obtained previously for the "Novi Town Center Upgrades", for this "Building B" submittal. The two waivers are: 1) we are proposing blue metal awnings matching the new blue awnings on the rest of the shopping center, in lieu of the copper color as required by the Novi Facade Ordinance, and 2) existing cement plaster facade areas will remain and be painted, matching the existing cement plaster facade areas on the rest of the center, the Novi Facade Ordinance does not allow cement plaster as a facade material.

I thank you for your assistance in obtaining these two waivers and allowing the project to move forward in a timely manner.

Sincerely,

WAH YEE ASSOCIATES

MATT NILES
SENIOR PROJECT DESIGNER

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37911 West Twelve Mile Road
Farmington Hills, MI 48331
(248) 489-9160 FAX: (248) 489- 0133
E-Mail: wya@wahyeeassoc.com



**PLANNING COMMISSION MEETING
MINUTES – EXCERPT
August 12, 2009**



cityofnovi.org

PLANNING COMMISSION DRAFT MINUTES

EXCERPT

CITY OF NOVI

Regular Meeting

Wednesday, August 12, 2009 | 7 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

Present: Members David Baratta, David Greco, Andy Gutman, Brian Larson, Michael Lynch, Michael Meyer, Mark Pehrson, Leland Prince

Absent: Member Victor Cassis (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Jana Pritchard, Planner; Doug Necci, Façade Consultant; Kristin Kolb, City Attorney

NOVI TOWN CENTER FAÇADE UPGRADE BUILDING B, SP09-19

Consideration of the request of Novi Town Center Investors, LLC, for a recommendation to City Council for a Section 9 Façade Waiver. The subject property is located east of Novi Road, north of Grand River Avenue, in the TC, Town Center District. The applicant is proposing to redesign a portion of the façade on Building B at 43075 Crescent Blvd.

Planner Kapelanski stated that the applicant is proposing to redesign a portion of the façade on Building B in the Novi Town Center. The main tenant is Borders. The proposed façade update would include the installation of blue awnings, as shown in the rendering. The applicant previously proposed and received approval for similar façade updates at various buildings in the Town Center. The proposed façade for Building B is not in compliance with the Façade Ordinance and therefore would require a Section 9 Façade Waiver specifically for the overage of cement plaster and the use of non-copper colored awnings.

Ms. Kapelanski stated that the city's Façade Consultant recommends approval of the requested waiver, noting that the selected materials will harmonize with the existing center and improve the overall appearance of the building. Lastly, Section 1602.1 of the Ordinance requires all projects, five acres or larger in the Town Center District to receive 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. Ms. Kapelanski stated that applicant is present this evening as well as the city's Façade Consultant.

Matthew Quinn appeared on behalf of Novi Town Center Investors along with Jim Clear, Manager of Novi Town Center and Matt Niles, architectural representative.

Mr. Quinn stated that the Planning Commission graciously recommended approval of the Section 9 Waivers on both of these issues last time the applicant appeared. The construction has started and it looks nice. The applicant would like to provide the same treatment on the Borders building. The applicant now asks for the same variance that was requested before, for the awnings and the fascia at the top. This will then complete the northern section of the mall.

Chair Pehrson stated that the construction that has been started looks good.

Member Lynch said he would also support the request and that it looks good.

Member Gutman stated that he liked the fact that our Façade Consultant was in support of it.

Motion made by Member Gutman, seconded by Member Lynch.

ROLL CALL VOTE ON THE NOVI TOWN CENTER FAÇADE UPGRADE, BUILDING B, SP09-19, MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of Novi Town Center Façade Upgrades – Building B, SP 09-19, a motion to recommend approval to City Council for a Section 9 Waiver, for the use of non-copper colored metal awnings and the overage of cement plaster in the Town Center District subject to a finding that the proposed façade satisfies the conditions listed in Section 1602.9 for the use of materials other than brick and stone in the Town Center District. This motion is made for the reasons that the proposed façade is consistent with the overall Town Center development and will generally enhance the visual quality of the project, the color selections are carefully coordinated and will harmonize with both new and existing materials and because it is otherwise in compliance with Article 25 and Article 16 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 8-0.*