



Laird's Glass SP 10-21

Laird's Glass SITE PLAN NO. 10-21

Public hearing of the request of Laird's Auto Glass and Trim, Inc., for Special Land Use Permit and Preliminary Site Plan approval. The subject property is located in Section 24, on the north side of Grand River Avenue, east of Meadowbrook Road and west of Seeley Road, in the I-1, Light Industrial District. The subject property is approximately 1.6 acres and the applicant is proposing to locate an automotive service business in the existing building at 40850 Grand River Avenue..

Required Action

Approve/deny the Special Land Use Permit and Preliminary Site Plan.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval Recommended	5/7/10	<ul style="list-style-type: none"> • Planning Commission waiver of required Noise Impact Statement • Minor items to be addressed at time of Final Site Plan submittal
Fire	Approval Recommended	5/4/10	<ul style="list-style-type: none"> • Minor items to be addressed at time of Final Site Plan submittal

5/26/10

Motions

Approval – Special Land Use Permit

In the matter of Laird's Glass, SP10-21, motion to **approve** the Special Land Use Permit for an automobile service business subject to the following:

- a. Planning Commission waiver of the required Noise Impact Statement since no additional service bays are proposed and general automotive service is not louder than automotive glass repair;
- b. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan;
- c. Submittal of an updated Hazardous Material Survey and Inventory with the Fire Department; and
- d. *(additional conditions here)*

for the reasons that the Planning Commission finds that relative to other feasible uses of the site, the proposed expansion of automotive repair uses within the existing buildings on the site:

- a. Will not cause any detrimental impact on existing thoroughfares or the capabilities of public services and facilities;
- b. Is compatible with the natural features and characteristics of the land and adjacent uses of land;
- c. Is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
- d. Will promote the use of land in a socially and economically desirable manner;
- e. 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; and
- f. *(additional findings here if any)*

Denial - Special Land Use Permit

In the matter of the request of Laird's Glass, SP10-21, motion to **deny** the Special Land Use Permit, for the following reasons...*(because it does not meet the following standards of the ordinance for approval of a Special Land Use permit...)*

Approval – Preliminary Site Plan

In the matter of Laird's Glass, SP10-21, motion to **approve** the Preliminary Site Plan, subject to the following:

- a. The applicant placing required notes on the Final Site Plan; and
- b. *(additional conditions here if any)*

for the following reasons...*(because no changes are proposed to the existing site and it is otherwise in compliance with Article 19, Section 2400 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance).*

Denial Preliminary Site Plan

In the matter of Laird's Glass, SP10-21, motion to **deny** the Preliminary Site Plan, for the following reasons... *because it is not in compliance with Section _____ of the Zoning Ordinance.*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

May 7, 2010

Planning Review

Laird's Glass

SP10-21

Petitioner

Laird Glass, Inc.

Review Type

Preliminary Site Plan and Special Land Use Permit

Property Characteristics

- Site Location: North side of Grand River Avenue, east of Meadowbrook Road and west of Seeley Road, in Section 24.
- Site Size: 1.6 acres
- Zoning: I-1, Light Industrial
- Surrounding Zoning: North, West and East: I-1; South: Office Service, OS-1
- Surrounding Land Uses: North: Titanus Cement Wall; East: Sensor Manufacturing; South: Glenda's Market and DSW Office Building; and West: Premium Self Storage
- School District: Novi Community School District
- Proposed: General Automotive Repair
- Plan Date: March 1999

Project Summary

Located at 40850 Grand River Avenue, Laird's Glass is an existing automotive glass and upholstery repair shop business that occupies 4,724 square feet of the 9,477 square foot south building on the parcel. The balance of the building is designed for general offices. The north building is a 5,250 square foot warehouse building occupied by Twelve Oaks Auto, a wholesale automobile dealer (see attached approval letter). The Planning Commission granted Site Plan and Special Land Use Permit approval to Laird's Glass for glass and upholstery repair only on February 2, 1999, subject to obtaining Zoning Board of Appeals variance for lot width reduction of 25 feet to 175 feet and a variance for a minimum lot area reduction of 0.4 acres to 1.6 acres. Both variances were granted on March 2, 1999. The applicant now wants to expand their business to include general repair and servicing within the existing facility. No additional facilities or employees are proposed. Expanding the type of automotive repair requires a new Special Use Permit.

Recommendation

The Planning Staff recommends **approval** of the Preliminary Site Plan and Special Land Use Permit subject to the Planning Commission granting a waiver of the required Noise Impact Statement and the applicant making minor changes as listed below on the Stamping Set submittal.

Comments:

The Preliminary Site Plan and Special Land Use request was reviewed under the general requirements of Article 19, Light industrial, I-1 District and other sections of the ordinance, as noted. Please see the attached charts for information pertaining to ordinance requirements. Applicable sections of the Zoning Ordinance and other regulatory documents are highlighted on the attached chart. Items in **bold** below must be addressed by the applicant or Planning Commission before Site Plan Approval may be granted. Items underlined need to be addressed at the time of Stamping Set submittal. No site improvements are proposed.

I-1 Special Land Use Requirements for Automotive Repair (Section 1903.4)

The following is a list and discussion of the I-1 district requirements for an Automobile repair and service establishments:

- Minimum site size of two (2) acres – The applicant received a Zoning Board of Appeals variance to permit a 1.6 acre lot.
- Minimum site frontage of two hundred (200) feet – The applicant received a Zoning Board of Appeals variance for a lot with 175 feet of frontage.
- No vehicle parking in front of actual building setback line – No parking spaces exist in the front yard and none are proposed.
- No vehicle parking in required side yard setbacks – No parking exists within the setbacks and none are proposed.
- No service bay doors shall face a major thoroughfare – No doors face the front and none are proposed.
- No more than one curb cut shall be allowed to the major thoroughfare – Site has one curb cut and no new cuts are proposed.
- Vehicle parking on site shall be limited to customers and employees, and not for vehicle storage longer than twenty-four (24) hours nor for used car sales - The applicant is asked to place a note stating this on the Site plan.
- No wrecked or partially dismantled vehicles or vehicles without current license plates may be stored outside - The applicant is asked to place a note stating this on the Site Plan.
- A noise impact statement is required subject to the standards of Section 2519.10(c) A noise impact statement is needed to determine if the proposed use exceeds allowable noise standards of the Ordinance. The applicant is asked to **provide a noise impact statement or obtain a waiver from the Planning Commission.** The applicant is asking for a waiver of this requirement. A noise analysis was submitted with the 1998 application and the Planning Commission minutes from February 2, 1999 indicate that the amount of noise that would be generated from the site would meet the City's noise standards for OS-1 and I-1 receiving districts. Staff supports this waiver, since the proposed general repair and servicing would use the same tools that are used for glass and upholstery repair and the number of service bays is staying the same. Thus, expanding the permitted types of repair and service uses should not generate additional noise.

General Special Land Use Considerations (Section 2516)


The Planning Commission in exercising its discretion over site plan approval should consider the following factors relative to other feasible uses of the site:

- Whether 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, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service.
- Whether 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 service existing and planned uses in the area.
- Whether the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats.
- Whether 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.
- Whether the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- Whether the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether 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.

Other Items The applicant is asked to provide a legal description, lot area and tax ID number on the Stamping Set submittal.

Response Letters A letter from either the applicant or the applicant's representative addressing comments in this, and in the other review letters, is requested prior to the matter being reviewed by the Planning Commission. Additionally, a letter from the applicant is requested to be submitted with the Stamping Set highlighting the changes made to the plans addressing each of the comments listed above, and with any conditions of Planning Commission approval.

Please contact Mark Spencer at (248) 735-5607 or [mspencer@cityofnovi.org](mailto:m Spencer@cityofnovi.org) with any questions or concerns.



Prepared by Mark Spencer, *AICP*, Planner
Attachment: Planning Review Chart

PLANNING REVIEW SUMMARY CHART

Review Date: **May 3, 2010**
 Project Name: **Laird's Glass**
 Project Number: **SP10-21**
 Plan Date:

Items in **Bold** need to be addressed by the applicant and/or the Planning Commission before approval of the Preliminary Site Plan. Underlined items need to be addressed on the Final Site Plan.

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Light industrial	No change proposed	Yes	
Zoning	I-1, Light Industrial	No change proposed	Yes	
Principal Uses Permitted (1901)	<ul style="list-style-type: none"> Offices, service activities, laboratories research and development; Publicly parks, parkways and outdoor recreational facilities, health and fitness facilities that do not exceed two thousand (2,000) square feet in size, warehousing, manufacturing, trade schools, greenhouses, public utility buildings other than outside storage and service yards & indoor recreation facilities, pet boarding, veterinary hospitals or clinics. 			
Uses Permitted Subject to Special Conditions (1903.4)	Auto undercoating, freestanding restaurants, automobile service establishments but not including vehicle undercoating, body repair and collision work, painting, tire recapping, or auto dismantling operations: a. For any such use on a lot adjacent to a major thoroughfare , the following special requirements shall	Automobile Repair and service	Yes	Permitted subject to Planning Commission approval of Special Land Use and conditions of Section 1903.4.

Item	Required	Proposed	Meets Requirements?	Comments
	<p>apply:</p> <p>(1) <u>Minimum site size of two (2) acres.</u></p> <p>(2) <u>Minimum site frontage of two hundred (200) feet.</u></p> <p>(3) <u>No vehicle parking in front of actual building setback line.</u></p> <p>(4) <u>No vehicle parking in required side yard setbacks.</u></p> <p>(5) <u>No service bay doors shall face a major thoroughfare.</u></p> <p>(6) <u>No more than one curb cut shall be allowed to the major thoroughfare.</u></p> <p>b. <u>Vehicle parking on site shall be limited to customers and employees, and not for vehicle storage longer than twenty-four (24) hours nor for used car sales.</u></p> <p>c. <u>No wrecked or partially dismantled vehicles or vehicles without current license plates may be stored outside.</u></p> <p>d. <u>A noise impact statement is required subject to the standards of Section 2519.10(c).</u></p> <p>Self-storage facilities, retail sales activities when ancillary to an otherwise permitted use, central dry cleaning plants or laundries, railroad transfer, classification and storage yards, tool, die, gauge and machine shops, storage facilities for</p>	<p>Existing 1.6 acre site</p> <p>Existing 175 ft.</p> <p>No parking in front</p> <p>No parking in side yard</p> <p>Existing service bay doors do not face Grand River Ave.</p> <p>One existing curb cut</p> <p>No note on plan</p> <p>No note on plan</p> <p>None provided</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes/No</p> <p>Yes/No</p> <p>No</p>	<p>Received ZBA variance for .4 acres lot area reduction 3/2/99</p> <p>Received ZBA variance for 25 ft. lot width reduction 3/2/99 for Auto Glass repair</p> <p>Place restrictive note on <u>Stamping Set</u></p> <p>Place restrictive note on <u>Stamping Set</u></p> <p>Provide noise impact statement or obtain waiver from Planning Commission (applicant's request)</p>

Item	Required	Proposed	Meets Requirements?	Comments
	building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, provided such is enclosed within a building, municipal uses, and motion picture, television, radio and photographic production facilities.			
Intent of District	Designed so as to primarily accommodate research, office and light industrial uses, including wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts.			
Building Height (Section 2400, Schedule of Regulations & 2503.2.E)	40 ft.	No change	Yes	
Building Setback				
Front (2400 & 2908) south	40ft.	No change	Yes	
Side east interior (2400 & 2908)	20 ft.	No change	Yes	
Side west interior (2400 & 2908)	20 ft.	No change	Yes	
Rear north (2400 & 2908)	20 ft.	No change	Yes	
Parking Setback				
Front south (2400 h)	40 ft.	No change	Yes	
Side east interior (2400)	10 ft.	No change	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
Side west interior(2400)	10 ft.	No change	Yes	
Rear north (2400)	10 ft.	No change	Yes	
Number of Parking Spaces (2505)	Office 1/222 GLA 4,814/222=21.7 Warehouse 1/700 5,250/700=7.5 Automobile Service One (1) space for every one hundred (100) square feet of usable floor area, plus one (1) space for every employee. 1,966/100=19.7 6x1=10 Total=58.9=59 spaces As approved with SP98-23	60 existing spaces No changes proposed	Yes	
Parking Space Dimensions and Maneuvering Lanes (2506)	9 ft. x 19 ft. parking space dimensions and 24 ft. wide two-way drives. 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping. Min. 22 ft. two-way drives permitted with no adjacent parking – min. 12 ft. one way drives permitted with no adjacent parking – required fire lanes must be min. 18 ft. wide.	No changes proposed	Yes	
End Islands (Section 2506.13)	End Islands with landscaping and raised curbs are required at the end of all parking bays that abut traffic circulation aisles. The end islands shall	No changes proposed	Yes	

Item	Required	Proposed	Meets Requirements?	Comments
	generally be at least 8 feet wide, have an outside radius of 15 feet, and be constructed 3' shorter than the adjacent parking stall as illustrated in the Zoning Ordinance.			
Barrier Free Spaces (Barrier Free Code)	3 barrier free spaces required: 2 standard barrier free, 1 van accessible.	3 standard & 1 van accessible barrier free spaces No changes proposed	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8' wide with a 5' wide access aisle for standard barrier free spaces, and 8' wide with an 8' wide access aisle for van accessible spaces.	Access aisles provided No changes proposed	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One sign for each accessible parking space.	No changes proposed	Yes	
Loading Spaces (Section 2507)	Provide in rear or interior side.	No changes proposed	Yes	
Dumpster (Chapter II, Section 21-145 and Section 2503.2.F)	Enclosure required for dumpster. Min. one foot taller than dumpster.	Existing No changes proposed	Yes	
Dumpster Enclosure (Sections 2503.2.F and 2520.1)	Dumpster enclosure to be located in rear yard, and set back from property line a distance equivalent to the parking lot setback. It is to be located as far from barrier free spaces as possible. Enclosure to match building materials.	Existing - Located in rear yard – meets setback requirements – located away from barrier free spaces No change proposed	Yes	
Exterior lighting (Section 2511)	Photometric plan and exterior lighting details needed at time of Final Site Plan submittal	No change proposed	Yes	
Sidewalks (City Code Section	A 5'-8' wide sidewalk shall be constructed	Existing – No changes proposed		

Item	Required	Proposed	Meets Requirements?	Comments
11-276(b)) Building Code	along all arterial and collector roads except in industrial districts. Building exits must be connected to sidewalk system or parking lot.			
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	<u>No provided</u>	No	<u>Provide legal description, tax id# and lot area on Stamping Set submittal</u>

Prepared by Mark Spencer, AICP (248) 735-5607

FIRE REVIEW



May 4, 2010

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

Justin Fischer

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

RE: Laird Glass, Inc., 40850 Grand River Ave., SP10-21

Dear Ms. McBeth,

The above plan for a special land use has been reviewed and it is **Recommended for Approval** with the condition that the applicant update their Hazardous Materials Survey and Inventory with the fire department.

City Manager
Clay J. Pearson

Director of Public Safety
David Molloy

Director of Fire and EMS
Jeffrey Johnson

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

APPLICANT RESPONSE LETTER

May 18, 2010

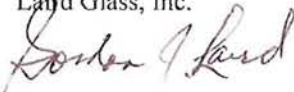
Novi Planning Department
45175 W. Ten Mile Rd.
Novi, Mi. 48375

Planning Commission,

In response to some of your concerns I will address them as follows.

1. Vehicle parking shall be limited to customers and employees, and no vehicle storage more than 24 hours nor for used car sales.
*This will be noted on the site plan.
2. No wrecked or partially dismantled vehicles or vehicles without current license plates may be stored outside.
* This will be noted on site plan.
3. Legal description , tax id#, and lot area.
* These will be included on stamping set submittal.
4. Noise impact study.
* We are still requesting a waiver due to no change in noise level.

Gordon Laird
Laird Glass, Inc.



**PLANNING COMMISSION
MINUTE EXCERPTS**

February 3, 1999

REGULAR MEETING OF THE NOVI PLANNING COMMISSION
Excerpts
WEDNESDAY, FEBRUARY 03, 1999 AT 7:30 P.M.
COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 WEST TEN MILE ROAD

PRESENT: Members Canup, Capello, Churella, Csordas, Koneda, Mutch, Piccinini, Watza and Chairperson Weddington

ALSO PRESENT: Planning/Traffic Consultant Rod Arroyo, Engineering Consultant Victoria Weber, Assistant City Attorney Paul Weisberger, Landscape Architect Linda Lemke, Environmental Specialist Debbie Thor, Director of Planning & Community Development Jim Wahl, and Planning Assistant Kelly Schuler

Public Hearings

2. LAIRD'S AUTO GLASS 98-23A

Located in Section 24, along Grand River, west of Haggerty Road, and east of Meadowbrook Road. The 1.6 acre-site is located in the Light Industrial District (I-1). Applicant is seeking Preliminary Site Plan and Special Land Use Permit approvals. Matt Niles of WahYee Associates Architects introduced Tim Laird of Laird's Auto Glass and George Norberg the Civil Engineer. Mr. Niles believed he has resolved the outstanding issues. He stated there were a couple of issues that were still to be looked at. He stated there would be one curb cut on the site. The entrance is off of Grand River and it is all one way circulation. Building setbacks have all been met, landscape requirements have also been met. There is about 2,900 square feet of Office and 4,900 square feet of proposed area for a repair shop along with a storage basement, there is also an existing storage warehouse on site. The Ordinance requires 59 parking spaces and 60 are provided. Mr. Niles reviewed the floor plan of the building. He stated the building was basically decorative split face block with synthetic plaster-type finish above. There are horizontal bands of joint glass. There are two outstanding issues that have not been resolved. Of the six conditions that must be met for a Special Land Use approval, there are two items that cannot be met. The site is required to be two acres and 1.6 acres exist, due to the landlocked situation, it is not possible to meet the two acre criteria. 200' of frontage is required and the site has 175', for the same reasons, the requirement cannot be met. Mr. Niles requested a waiver from the Planning Commission regarding the curb cut spacing requirement. 275' between curb cuts are required and 156' are provided as it is impossible to get any further away from existing curb cuts. Mr. Niles requested Preliminary Site Plan approval contingent upon obtaining a waiver for the curb cut spacing standards and contingent upon receiving variances for the two Special Land Use criteria.

George Norberg spoke in regard to the engineering. He pointed out that utilities were available to the site. There is a water line that runs along Grand River which will be extended up and a hydrant will be placed in the interior of the site. Storm sewer on the site will discharge into a pipe that will be constructed along Grand River and ultimately discharge into the City's Regional Detention Basin. There will be easements required for those particular parcels. Mr. Norberg stated they could comply with all of the requirements of JCK.

Rod Arroyo, Planning and Traffic Consultant pointed out that there is an existing use on the site. Mr. Arroyo stated with the exception of the two outstanding issues as mentioned by the applicant, the applicant meets all of the other standards for a Special Land Use approval and for Preliminary Site Plan approval. They will need to go to the ZBA for a variance of the two standards that have not been met. In regard to the traffic review, there is a driveway spacing waiver that is necessary. The project is a fairly low to

moderate trip generator. There will be some need for some additional data at the time of Final. Mr. Arroyo recommended approval from a traffic perspective based on the driveway spacing standard being granted by the Planning Commission.

Victoria Weber, Engineering Consultant stated there were existing utilities for water and sanitary either on the site or adjacent to the site. The storm water will be collected in an on-site storm sewer and routed to the City's Regional Detention basin which is located at the northeast corner of Meadowbrook Road and Grand River. The applicant will place a 5' wide concrete sidewalk along the frontage, due to the fact that there are deficiencies in the R.O.W. an easement is required for placement of the sidewalk. There were a few other minor issues. Ms. Weber stated the plan demonstrated engineering feasibility and recommended approval.

Linda Lemke, Landscape Architect stated the applicant has addressed all of the conceptual concerns. They have added the 4' adjacent to the new building and provided trees throughout the site on the edges. Ms. Lemke recommended approval. On the Final submittal, she would like to see more variety in the types of shrubs and the addition of shrubs and canopy trees throughout the project on the edges of the site. With these comments, she recommended approval.

Chairperson Weddington announced she has received a letter from Michael W. Evans, Fire Marshal for the City of Novi Fire Department which states that the above plan has been reviewed and approval is recommended with the following items being corrected on the next plan submittal; 1) the proposed fire protection water main shall be controlled by either a post indicator valve or a gate valve in a well.

Chairperson Weddington announced she has also received a letter from Douglas R. Necci of JCK that states that the above plan has been reviewed for compliance with the City's Ordinance 2520, The Façade Ordinance for percentages of materials. Mr. Necci finds that all facades are in full compliance with the Façade Chart and a Section 4 Waiver is not required.

Chairperson Weddington announced it was a Public Hearing and opened the Matter to the Public. Seeing no one she closed the Public Hearing and turned the Matter over to the Commission for Discussion.

DISCUSSION

Member Csordas stated the site currently looks like a dump and the building in the rear looks like a safety hazard. He stated he was impressed with the favorable letter of recommendation from the Mayor of Plymouth. He asked the petitioner to clarify if the office use of this building would be used for the corporate headquarters?

Mr. Niles answered, the office uses are not actually for the Auto Glass Repair Shop. He stated they would be leased out to other businesses.

Member Csordas asked how many cars the service bay would hold?

Mr. Niles answered, three or four.

Member Csordas asked what the typical noise level was?

Mr. Niles stated one of the requirements was the decibel noise study analysis which was conducted. The analysis reflected that the range would be between 65 and 75 decibels. Member Csordas thought it would be very difficult for the applicant to come into compliance with the Ordinances. He thought the proposal was a tremendous upgrade to the site. In reviewing all of the recommendations of the Consultants, he stated it was probably fairly evident that he would support a positive recommendation for the project.

PM-99-02-119 TO GRANT SPECIAL LAND USE AND PRELIMINARY SITE PLAN APPROVALS INCLUDING THE DRIVEWAY SPACING WAIVER FOR LAIRD'S AUTO GLASS 98-23A SUBJECT TO ALL OF THE ZBA APPROVAL OF VARIANCES FOR MINIMUM LOT SIZE AND MINIMUM FRONTAGE AND SUBJECT TO ALL OF THE CONSULTANTS OTHER CONDITIONS

Moved by Capello, seconded by Watzka, CARRIED UNANIMOUSLY: To grant Special Land Use and Preliminary Site Plan approvals including the driveway spacing waiver for Laird's Auto Glass 98-23A subject to all of the ZBA approval of variances for minimum lot size and minimum frontage and subject to all of the Consultants other conditions.

DISCUSSION

Member Mutch stated the Zoning Ordinance references that a marginal access road may be required in a situation such as this, he asked if this option was explored?

Mr. Arroyo answered, yes. He stated the Thoroughfare Plan identifies appropriate locations for the frontage roads. The plan recommends one on the south side of Grand River but not along the north side in this area. Therefore, it is not included as any type of recommendation in his review.

Member Mutch referred to the parcel map and asked if the area of narrow parcels within that ¼ mile stretch would be an appropriate area for a marginal access road?

Mr. Arroyo stated he did not participate in the original frontage road study, therefore, it was hard for him to give a perspective of what work went into it. He stated he has not looked at the area in detail and it was something that would be studied in more detail as the Thoroughfare process goes on.

Member Mutch expressed concern with the Commission granting approval and then coming back to decide that a marginal access road is appropriate, however, the door has been closed because the property is fairly centered within the group of properties. Member Mutch expressed concern with the number of curb cuts. Member Mutch asked if City Council approved the Façade Ordinance changes? He expressed concern that the portion of the building that faces Grand River would meet the changes in the Façade Ordinance. He asked if the applicant would be required to meet the standards

Paul Weisberger, Assistant City Attorney stated the Façade Ordinance is a Zoning Ordinance and the date that it becomes effective which is 15 days after its adoption. A grandfathering clause was put in that states all plans that receive Preliminary Site Plan by the effective date would be grandfathered in. Therefore, if this Site Plan were to receive Preliminary Site Plan approval would be governed under the present Façade Ordinance. Member Mutch asked if the Commission could require that the portion of the building that faces Grand River meet the new Façade Ordinance?

Mr. Weisberger thought it would be within reasonable conditions in a Special Land Use scenario.

Member Mutch asked Ms. Lemke if there were any other things she would like to see in terms of landscaping, that are not currently required by the Ordinance but are in keeping with what the City is trying to accomplish along Grand River?

Ms. Lemke answered, no. She stated there has not been anything specific defined for landscape treatment along Grand River. She stated the applicant has a good treatment shown and she would be looking for additional sub-canopy trees and a greater variety in the plantings.

Member Capello asked how long the applicant has been pursuing the project in Novi?
Tim Laird answered, about two years.
Member Capello asked if the applicant was aware of the change to the Façade Ordinance?

Mr. Laird answered, no.

VOTE ON PM-99-02-119 CARRIED UNANIMOUSLY

Yes: Capello, Churella, Csordas, Koneda, Mutch, Piccinini, Watzka, Weddington, Canup
No: None

**ZONING BOARD OF APPEALS
MINUTE EXCERPTS**

March 2, 1999

Chairman Brennan indicated there was a total of 7 Notices sent to adjacent property owners. There was no written response received.

AUDIENCE PARTICIPATION

There was no audience participation.

DISCUSSION

Alan Amolsch had no comment.

Member Reinke: OK, I will get on the band wagon right of way. Banner signs, forget it as far as this person is concerned. You need identification and I would say that is fine, but I think that you need to live within the ordinance and I think that you need a sign out in front but within the ordinance. I think that within the ordinance requirements you can adequately get the identification that you need.

Vice-Chairman Bauer: Those are my sentiments exactly.

Member Meyer: Also I noted in the packet here that it indicated that and I would like to quote "we would be putting the City of Novi on the map so to speak when we get this ISO registration listed in the state and nationwide in the national directories"; I just want you to know that we are already on the map.

Sherrie Cornell: Oh, I already know that.

Chairman Brennan: My sentiments on the banner, as well. ISO is great, I am in the industrial world and most of my colleagues put that on their business cards and letterhead. You might consider that.

Member Antosiak: What sized sign would they be permitted without a variance?

Alan Amolsch: They need a variance for the number of signs, because they already have a wall sign on the building. So right of way they would need a number of sign variance. The ordinance allows a 3 square foot, 6 foot high entrance sign which 30% of that area can be the business name and the rest would have to say "enter" "exit" or whatever. So it is a business sign and doesn't actually fall within the entrance sign requirement.

Chairman Brennan: So it is not even a question of the elevation of that ground sign, it is also the overall square footage?

Alan Amolsch: I wrote it up as a business sign because of the size of it. It is an extra sign and the violates the height restriction of a ground sign if it were the only sign on the property.

Moved by Vice-Chairman Bauer,

Seconded by Member Sanghvi,

THAT IN CASE NO. 99-006A THE REQUESTED VARIANCE FOR A GROUND SIGN MUST MEET ORDINANCE AS SO STATED, THAT IN CASE NO. 99-006B (THE BANNER) BE DEINIED DUE TO INSUFFICIENT HARDSHIP.

Roll Call: Yeas (6) Nays (0) Motion Carried

Case No. 99-007 file by Timothy Laird, representing Laird's Auto Glass



Timothy Laird, representing Laird's Auto Glass is requesting a .4 acre variance for lot size and a 25' variance for lot frontage to allow for the construction of an auto glass repair shop on Grand River between Meadowbrook and Haggerty Roads.

Matt Niles was present and duly sworn.

Matt Niles: I am with Wah Yee Associates, the architects who are working on this project. The project is currently in an I-1 zoning district. The use of the building is permitted. It is actually a multiple use, it has office use, storage and auto glass repair shop. The office is allowed, the storage is allowed and the auto glass repair shop is allowed per ordinance with special land use approval, in section 1903 Principal Uses Permitted in Locations Not Abutting a Residential District Subject to Special Conditions. There are 6 conditions that we have to meet for special land use approval and four of them we meet completely and two we do not meet. We are required 2 acres minimum and we have 1.6 acres. We are required 200 feet of frontage and we have 175 feet. The parcel is located on the north side of Grand River between Haggerty and Meadowbrook Roads. The west side of the property line borders the existing Holcomb Industries, the north property line borders existing Vincenti Industrial Condominium Sites, and the east property line borders another existing commercial building and the south property line is Grand River Avenue. We have worked pretty hard for almost a couple of years now developing this site. It meets the ordinance in every possible way and if you look at the consultant review letters it meets building setbacks, it meets landscape requirements and in fact we have 6 or 7 additional percent of landscape on site above and beyond what ordinance requires, we have one parking space more than is required by ordinance; every parking dimension, every driveway dimension, maneuvering lane; everything is met completely per ordinance. This is not the case of a developer trying to overbuild the site. It is a true hardship, it is a landlocked site. Any developer or anyone trying to do anything on this site would incur the same problem of frontage dimension and the size of the site. We have done everything that we can to meet the ordinance in every possible way. This has been approved by the Planning Commission on a 9 to 0 vote and everyone is very supportive of it. We are just asking you to look at those two dimensional hardships and approve them.

Chairman Brennan indicated there was a total of 12 Notices sent to adjacent property owners. There was no written response received.

AUDIENCE PARTICIPATION

There was no audience participation.

DISCUSSION

Don Saven: As the gentleman has indicated it is an existing parcel of land and he is locked into the frontage and also the size of the parcel. He has construction to the each side and he cannot acquire any other property. He is just locked.

Kelly Schuler: Planning Commission did recommend Preliminary Site Plan approval subject to them receiving variances this evening.

Member Antosiak: I would certainly support this variance because the property otherwise cannot be used as it is zoned. I don't think that there is a bigger hardship that is out there.

Member Reinke: As Mr. Antosiak has said it is 175 foot wide, so whoever would build there would have the same problem. The other part is, we are looking at a 2 acre minimum and for what the zoning use is and then you would run into the same thing. I don't know what more they can do.

Member Meyer: I also think that the petitioner should be commended for making an effort to meet the spirit of the ordinance in this instance while meeting the actual ordinance in other instances. That is very commendable.

Moved by Member Reinke,

Seconded by Vice-Chairman Bauer,

THAT IN CASE NO. 99-007 THAT THE VARIANCE REQUEST BE GRANTED DUE TO LOT SIZE AND CONFIGURATION.

Roll Call: Yeas (6) Nays (0) Motion Carried

Case No. 99-008 filed by Michael Davis

Michael Davis is requesting an 11.3' rear yard setback variance to allow for the construction of a single family dwelling on Austin, sidwell no. 5022-10-231-023.

Michael Davis was present and duly sworn.

Michael Davis: The piece of property that is in question was platted somewhere in the late 1920's and due to the unique size and the layout of the property being a pie shaped, I designed a home to fit on this piece of property and buyer beware but I got confused on the setback restrictions. Someone had told me 30 feet and blah, blah, blah; but anyway making a long story short I had to redesign the house. I took 40 square feet off of the house to get it to set on the property and then I went to the building department and found that I needed to redesign the property because a 10 foot line had to be drawn across the back of the property and then a 35 foot setback from there. So after I redesigned the property I am building a 900 square foot home that is a split level, 800 on the bottom and 900 on the top, which will give me roughly 1700 square feet. I am building a 12/12 pitched roof that is gabled in the front so that the house fits to the front of Austin Road and the garage faces Austin Road keeping with the rest of the homes in the Sherwood Sub that has some really nice looking homes out there. The elevation will keep the same plane as Austin Road. I have done everything that I can possibly do to get this home to set down on this piece of property within the constraints that I am issued here with the side setbacks, the front setbacks. I need this variance to set this piece of property. The property backs up to a piece of property owned by Mr. Chicorel, and I have a letter from him stating that he is in compliance with it. I grant you that there are some homes in that area that need to have some work done on them, but I want to bring a nice and good looking home to this area to try to increase the property values. I want to put a nice looking home on this property that is really pretty. With these setbacks, I just can't downsize the home any more than I already have.

Chairman Brennan indicated there was a total of 27 Notices sent to adjacent property owners. There was no written response received. One approval was given to the Board at the Meeting. Copy in file.

AUDIENCE PARTICIPATION

James Korte, Shawood Lake Area; besides being the old north end, this is my end of the old north end. All of my properties are as peculiar as most in the north end and they all pie. However none of them pie as much as this piece of property. I don't know if it were mine and I were building, how else I would put a relatively rectangular structure on a pure triangle. So I think that for what is going on it sits fairly decent on the property and only one variance to the back is needed. Any parking problems can be handled because of the large front yard and the distance there so I would hope that it is approved.

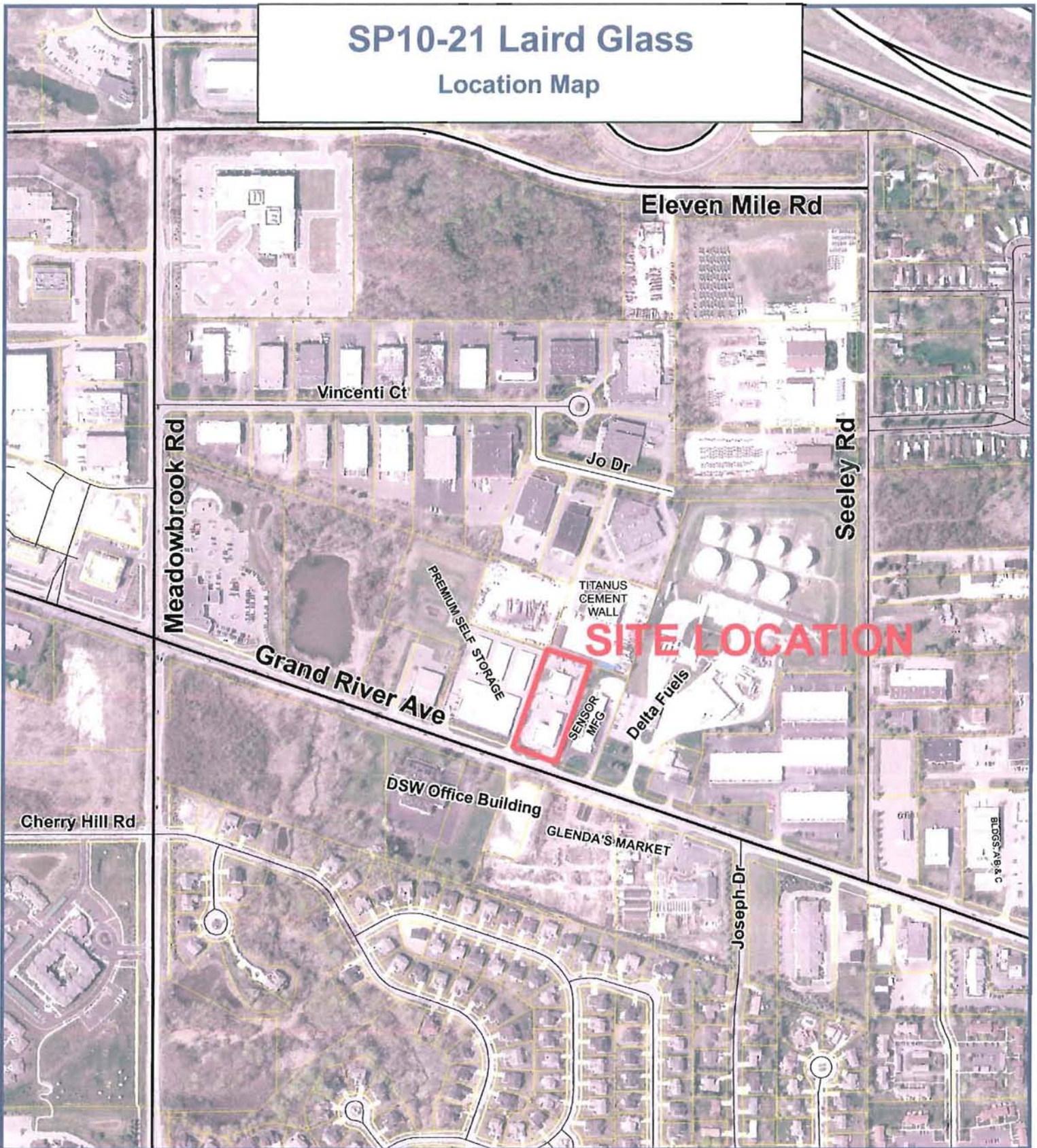
DISCUSSION

MAPS

**Location/Air Photo
Zoning**

SP10-21 Laird Glass

Location Map



Map Author: Mark Spencer
 Date: 4/30/10
 Project: Lairds Location
 Version #: 1.0

Map Legend

 Tax Parcels

MAP INTERPRETATION NOTICE

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

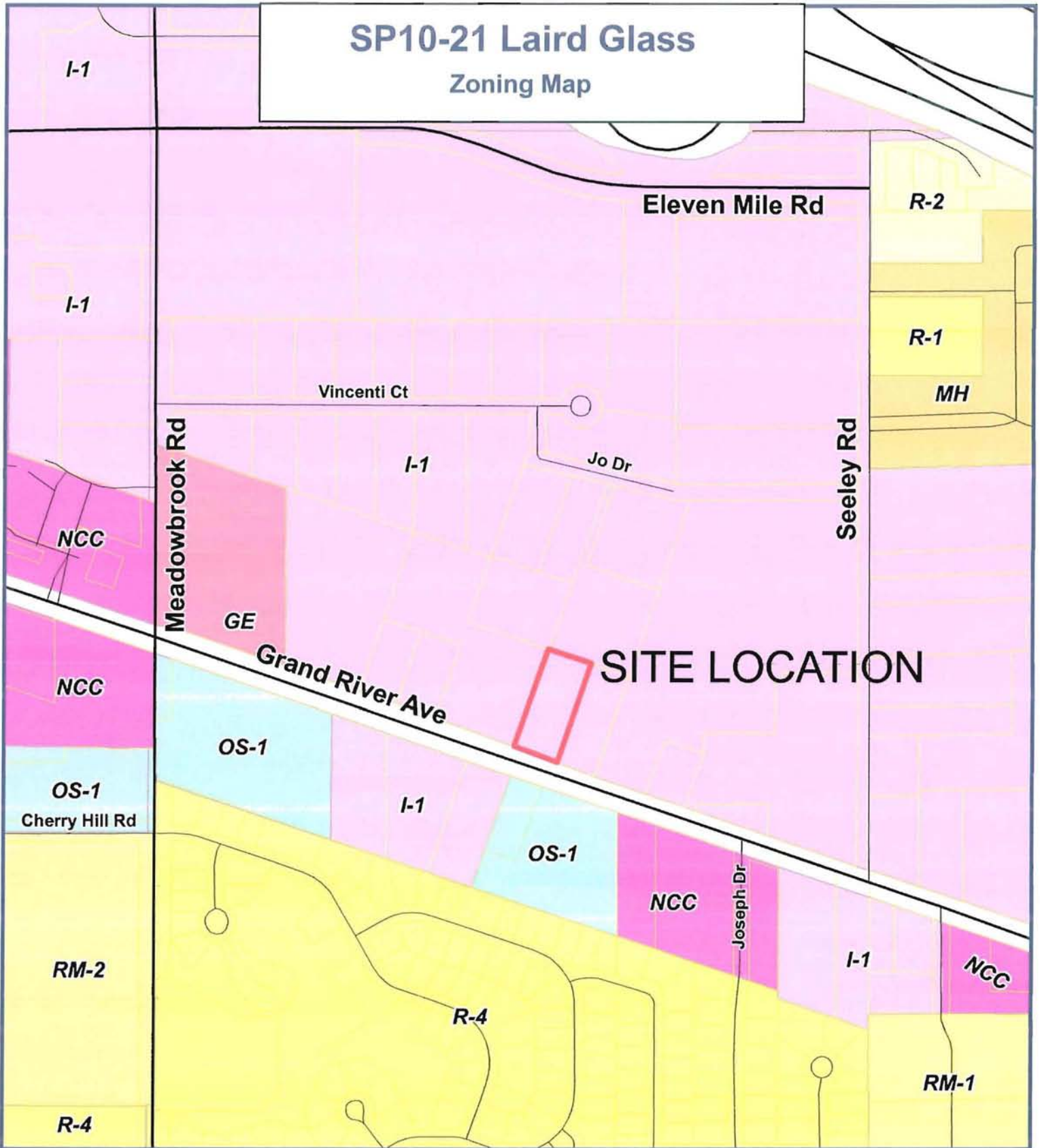


City of Novi
 Planning Division
 Community Development Dept.
 45175 W Ten Mile Rd
 Novi, MI 48375
 cityofnovi.org



1 inch = 498 feet

SP10-21 Laird Glass Zoning Map



Map Author: Mark Spencer
Date: 4/30/10
Project: Laird Glass
Version #: 1.0

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Map Legend

- | | |
|--------------------------------------|-------------------------------------|
| Tax Parcels | RM-2: High-Density Multiple Family |
| Zoning | MH: Mobile Home District |
| R-1: One-Family Residential District | GE: Gateway East District |
| R-2: One-Family Residential District | I-1: Light Industrial District |
| R-3: One-Family Residential District | NCC: Non-Center Commercial District |
| R-4: One-Family Residential District | OS-1: Office Service District |
| RM-1: Low-Density Multiple Family | |

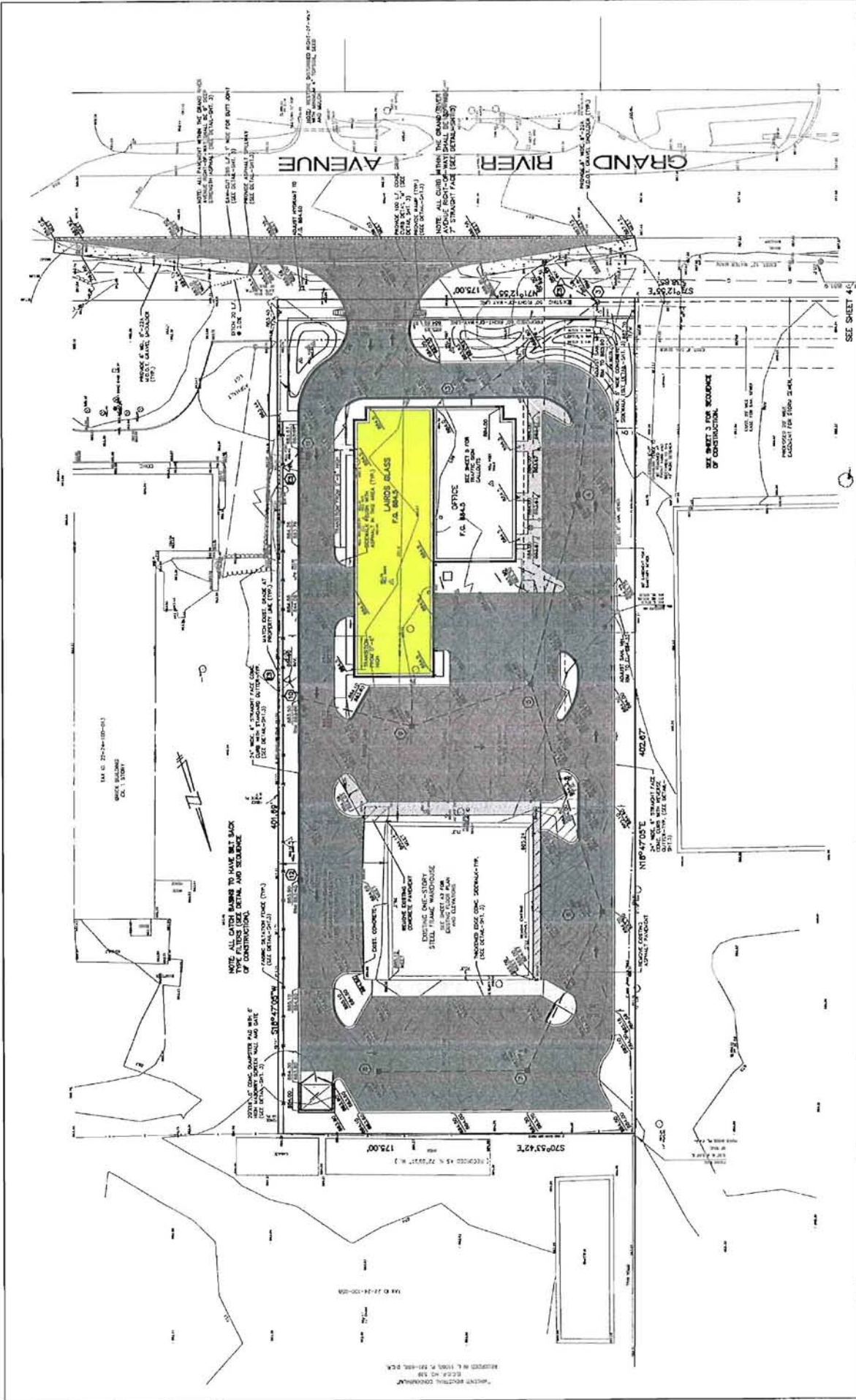


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1 inch = 498 feet

REDUCED SITE PLAN



SCALE: 1" = 20'
DATE: MARCH 1999
PROJECT: LAIRD'S AUTO GLASS
DESIGNER: J. J. BOWEN
DRAWN BY: J. J. BOWEN
CHECKED BY: CH

LAIRD'S AUTO GLASS
SECTION 24
CITY OF YONK
OAKLAND COUNTY, MICHIGAN

SHEET
2

DRAWN FOR: 2/11/00

REVISIONS

NO.	DATE	DESCRIPTION
1	03-23-99	ISSUE FOR PERMITS
2	03-23-99	ISSUE FOR PERMITS
3	03-23-99	ISSUE FOR PERMITS
4	03-23-99	ISSUE FOR PERMITS

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DESIGNED BY: E. HORN, P. ENG. REG. P.E.
CHECKED BY: S.B.
"SHEET NOTED CORRECTIONS"