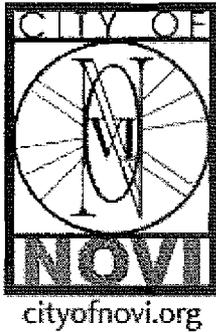


# MEMORANDUM



**TO:** BARBARA MCBETH, COMMUNITY DEVELOPMENT DEPUTY  
DIRECTOR

**FROM:** KRISTEN KAPELANSKI

**SUBJECT:** SP07-26 WESTERN OAKLAND MEDICAL  
EXTENSION OF PRELIMINARY SITE PLAN APPROVAL

**DATE:** AUGUST 4, 2009

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The subject property is approximately 3.67 acres and the applicant is proposing to construct one medical office building on the southern side of 12 Mile Road between West Park Drive and Beck Road. The proposed building will be approximately 25,521 square feet and divided into four suites.

Approvals for the project proceeded as follows:

- The Planning Commission granted Stormwater Management Plan approval, Wetland Permit approval, Woodland Permit approval and Preliminary Site Plan approval, subject to conditions on September 5, 2007.
- The applicant submitted plans addressing the comments in the review letters and the Planning Commission conditions and the Final Site Plan was approved by the Plan Review Center on December 18, 2007.
- The applicant received an extension of the Preliminary Site Plan approval from the Planning Commission on September 10, 2008.

Presently, Stamping Sets have been submitted and the applicant is in the process of securing and submitting the necessary easements and legal documents. The applicant has now requested an extension of the Preliminary Site Plan approval. The Zoning Ordinance allows for three one-year extensions of Preliminary and Final Site Plan approval. The applicant has received one extension thus far.

The Community Development Department is not aware of any changes to the ordinances, or surrounding land uses, which would affect the approval of the requested extension for one year. Approval of the extension of the Preliminary Site Plan approval is recommended.

Please refer to the attached letter, which requests the extension of the Preliminary Site Plan approval. Also attached are minutes from pertinent Planning Commission meetings, and a reduced copy of the approved Preliminary Site Plan.

**LETTER FROM APPLICANT REQUESTING EXTENSION**



31313 Northwestern Hwy., Suite 206, Farmington Hills, MI 48334 (248) 855-3500 Fax (248) 855-2420

July 14, 2009

City of Novi, Planning Department  
45175 West Ten Mile Road  
Novi, MI 48375

Attn: Barb McBeth  
Re: Western Oakland Medical Center SP07-26  
Request for Final Site Plan Extension

Dear Ms. McBeth:

I am requesting an extension for the Final Site Plan Approval for the Western Oakland Medical Center, Project Number SP07-26, at 46795 Twelve Mile Road. Due to the current economic conditions, the process for acquiring the property is taking longer than anticipated.

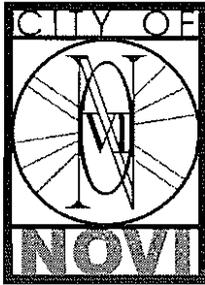
Your assistance is greatly appreciated. Please let me know if you require any additional information. I can be reached at (248) 538-6723 or [scott@gfisherconst.com](mailto:scott@gfisherconst.com).

Thank You,

A handwritten signature in black ink, appearing to read 'Scott Spencer', written over a horizontal line.

Scott Spencer  
Project Manager  
G. Fisher Construction

**PLANNING COMMISSION MINUTES  
PRELIMINARY SITE PLAN EXTENSION  
SEPTEMBER 10, 2008**



cityofnovi.org

## PLANNING COMMISSION

CITY OF NOVI  
Regular Meeting

**Wednesday, September 10, 2008 | 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:** Members Victor Cassis, David Greco (7:17 PM), Andrew Gutman, Brian Larson, Michael Lynch, Michael Meyer, Mark Pehrson, Wayne Wrobel

**Absent:** Member Brian Burke (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Rob Hayes, City Engineer; Kristin Kolb, City Attorney

### PLEDGE OF ALLEGIANCE

Member Wrobel led the meeting in the recitation of the Pledge of Allegiance.

### APPROVAL OF AGENDA

Moved by Member Wrobel, seconded by Member Gutman:

### VOICE VOTE ON AGENDA APPROVAL MOTION MADE BY MEMBER WROBEL AND SECONDED BY MEMBER GUTMAN:

**Motion to approve the September 10, 2008 Planning Commission Agenda. Motion carried 7-0.**

### CONSENT AGENDA - REMOVALS AND APPROVAL

#### 1. EVERGREEN ESTATES, SP04-42

Consideration of the request of Evergreen Estates, LLC for a one-year Final Site Plan extension. The subject property is located in Section 30, north of Nine Mile and east of Napier Road in the R-A, Residential District. The subject property is 13.2 acres and the Applicant is proposing a seven-unit, single-family site condominium.

#### 2. NOVI PROMENADE OUTLOT 1, SP07-10

Consideration of the request of Oliver Hatcher Construction for a one-year Final Site Plan extension. The subject property is located in Section 17, east of Wixom Road and south of Grand River Avenue in the I-1, Light Industrial District, subject to the B-3, General Business Regulations, pursuant to the terms of the Novi Equities Partnership Consent Judgment. The subject property is approximately 1.57 acres and the Applicant is proposing to construct a 13,300 square foot retail development comprising eight attached units on Outlot 1 of the larger Novi Promenade development.

#### 3. MEADOWBROOK CORPORATE PARK PHASE 2 BUILDING 3, SP06-05

Consideration of the request of Burton-Katzman Development Company, for a one-year Final Site Plan extension. The subject property is located in Section 13, east of Meadowbrook Road, south of Twelve Mile and north of I-96 in the OST, Planned Office Service Technology District. The subject property is approximately 4.57 acres and the Applicant is proposing a 34,100 square-foot one-story speculative office, service and technology use.

#### 4. HAMPTON WOODS PHASE 4N, SP05-40

Consideration of the request of Amarjit S. Chawney, for a one-year Preliminary Site Plan extension. The subject property is located in Section 27, west of Novi Road and south of Ten Mile in the OS-1, Office Service District. The subject property is approximately five acres and the Applicant is proposing to build a 79,563 square-foot three-story senior housing facility.

#### 5. WESTERN OAKLAND MEDICAL CENTER, SP07-26

Consideration of the request of G. Fisher Construction Company for a one-year Preliminary Site Plan extension. The subject property is located in Section 16, south of Twelve Mile between West Park Drive and Beck Road in the OST, Planned Office Service Technology District. The subject property is approximately 3.67 acres and the Applicant is proposing to construct a 25,521 square-foot medical office building.

Moved by Member Wrobel, seconded by Member Gutman:

**VOICE VOTE ON CONSENT AGENDA APPROVAL MOTION MADE BY MEMBER WROBEL AND SECONDED BY MEMBER GUTMAN:**

**Motion to approve the Consent Agenda. *Motion carried 8-0.***

**PLANNING COMMISSION MINUTES  
PRELIMINARY SITE PLAN APPROVAL  
WOODLAND PERMIT APPROVAL  
WETLAND PERMIT APPROVAL  
STORMWATER MANAGEMENT PLAN APPROVAL  
SEPTEMBER 5, 2007**



**PLANNING COMMISSION**  
 REGULAR MEETING  
 WEDNESDAY, SEPTEMBER 5, 2007 7:00 PM  
 COUNCIL CHAMBERS - NOVI CIVIC CENTER  
 45175 W. TEN MILE, NOVI, MI 48375  
 (248) 347-0475

**CALL TO ORDER**

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

**ROLL CALL**

**Present:** Members John Avdoulos, Brian Burke, Victor Cassis, Andrew Gutman, Michael Lynch, Michael Meyer, Mark Pehrson

**Absent:** Member Wayne Wrobel (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Karen Reinowski, Planner; Ben Croy, Civil Engineer; Dr. John Freeland, Wetland Consultant; Kristin Kolb, City Attorney

**PLEDGE OF ALLEGIANCE**

Mr. Jonathan Brateman led the Planning Commission meeting attendees in the recitation of the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Moved by Member Pehrson, seconded by Member Gutman:

**VOICE VOTE ON AGENDA APPROVAL MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER GUTMAN:**

**Motion to approve the Agenda of September 5, 2007. Motion carried 7-0.**

**PUBLIC HEARING****1. WESTERN OAKLAND MEDICAL, SP07-26**

The Public Hearing was opened on the request of G. Fisher Construction Company, for Preliminary Site Plan, Wetland Permit, Woodland Permit, and Stormwater Management Plan approval. The subject property is located in Section 16, south of Twelve Mile between West Park Drive and Beck Road in the OST, Planned Office Service Technology District. The subject property is approximately 3.67 acres and the Applicant is proposing to construct a medical office building.

Ms. Kapelanski described the OST project. The property is master planned for Office and is surrounded by the Novi Oaks Driving Range and an industrial office to the north, zoned and master planned for Light Industrial, a single family home to the east, zoned R-A and master planned for Office, a cell tower and vacant land to the south, zoned R-A and master planned for Office, and MOD Equipment Corporation to the west, zoned Light Industrial and master planned for Industrial.

There is a wooded wetland in the southeast corner of the property. The plan proposes to fill a portion of the wetland and would completely fill the wetland buffer area. The stormwater is proposed to be directed into this wetland, and this has raised concerns regarding the viability of the existing trees and the stormwater capacity of the wetland. The Applicant has worked diligently with the City's consultant to resolve issues and address the wetland consultant's concerns. The Applicant has introduced a rain garden, designed to divert or store some of the stormwater at other locations on the site. The consultant recommends conditional approval of the Preliminary Site Plan, with specific items in his review letter to be resolved at the time of Final Site Plan submittal, and resolution of the pending MDEQ permit.

There are regulated woodlands in the southeastern portion of the site. All of the trees will be saved, but there will be impacts to other regulated trees elsewhere on the site. Nine trees will be removed for the parking lot. The consultant recommends conditional approval of the permit with minor items to be addressed at the time of Final Site Plan submittal.

The Planning Review noted minor items to be addressed at the time of Final Site Plan submittal. The loading

district is required to be shielded from rights-of-way and adjacent properties; so the southern and eastern edges need some kind of treatment. No proposal is shown on the Applicant's plan; the Planning Commission can grant a waiver of the requirement, and may wish to do so to minimize wetland impacts.

The Landscape Review recommended approval. The Applicant seeks four waivers relating to landscape. A 4'6" berm is required for OST properties adjacent to residential, but these homes are master planned for Office. Staff supports this waiver request. The Applicant seeks a waiver for the loading zone screening, which also requires a landscaping waiver. There is a four to five-foot drop in the easterly portion of the site which makes a berm impractical. The southerly property line drops off and is already buffered by existing and proposed vegetation. Staff supports the waiver requests.

There is a berm requirement for the Twelve Mile frontage. This would not allow for the proposed rain garden, so the Applicant seeks a waiver for this berm. The Planning Commission may wish to grant this waiver with the condition that the rain garden is built. Ms. Kapelanski located the area for the rain garden on a map. Staff supports this waiver request.

The Applicant is requesting an Opposite Side Driveway Spacing Waiver for the eastern and western drives. He is requesting a Same Side Driveway Spacing Waiver for the eastern and western drives.

The Façade Review, Traffic Review, Engineering Review and Fire Department Review noted minor items to be addressed at the time of Final Site Plan submittal.

Steve Sorensen, an engineer with PEA, addressed the Planning Commission on behalf of the Applicant. He has been working with this medical group for some time. Driveway access and Twelve Mile improvements seem to be the two main issues of this site. There are also some wetland impacts, and there has been discussion regarding this site's stormwater drainage onto a neighboring site.

Mr. Sorensen met with the RCOC regarding the Traffic Consultant's request for a center turn lane. This Applicant will now construct the full width of what Twelve Mile is planned to be, but they will restrict left turns into the eastern drive until the properties to the east develop. They will not have to construct a full lane reconstruction all the way down to West Park Drive. That would be a lot of work for this small site. RCOC was agreeable, and they accepted the driveway spacing proposal as well. Cross-access has been provided to the site to the east, and they will give an easement to the westerly site in the event there is future development of that site.

The Wetland Consultant worked extensively on this project. Mr. Sorensen thanked Dr. John Freeland for his hard work. He believed that Dr. Freeland has approved this proposal at this time. A suggestion had been made that this Applicant should inventory the wooded wetland trees on the neighboring site, but this property is not the only property that drains into that wetland, so the suggestion was impractical. Mr. Sorensen said they will do their best to address Dr. Freeland's concerns, and they will monitor the wetland for flooding issues. The site's wetland consultant, Jeff Smith, was at the meeting to discuss the plan with the Planning Commission if necessary.

Mr. Sorensen said that the stormwater drainage easement has not been secured but the discussion has gone well and he didn't foresee problems. He understood the approval of this plan is conditioned on this easement.

Mr. Sorensen introduced Jonathan Hilpakka, the owner's representative, and Ron Sherman, the project architect.

Chair Cassis asked for clarification on the rain garden. Mr. Sorensen said that Dr. Freeland was looking for ways to minimize the water going into the wetland. The Ordinance requires the runoff to be treated and stored. This proposal is to store the roof water in the front of the building; therefore, there won't be many pollutants in just the rainwater. They will do some soil borings to make sure that this design will work.

Mr. Sorensen said that this entire building is being considered by one tenant, so it may not be designed as a two-suite building after all.

No one from the audience wished to speak and no correspondence was received so Chair Cassis closed the

Public Hearing.

Member Lynch asked about the wetland issue. Dr. John Freeland said this plan will discharge into a large wetland that is mostly located on the easterly property. There is a several-foot vertical fall to that site, and the watercourse will dump into the lowest part of the wetland. Dr. Freeland is concerned about the speed of the runoff and the energy in the water that would cause erosion to the woodland soil. Ideally, this plan will dissipate the energy and prevent the erosion. Spreading out the water will disperse the water volume and slow it down. This must be addressed before Dr. Freeland will issue the wetland permit.

Mr. Sorensen said the allowable discharge is 0.48 cfs. Mr. Smith said they can achieve this just by using stone between the discharge point and the property line. The discharge point has also been moved north to improve the route. There is less than a three percent slope. The riprap should slow the water down. Dr. Freeland said this will have to be shown on the Final Site Plan submittal. It continues to be a concern, and while the discharge rate proposed is slow, he still believes the design is a potential problem, since things don't always go according to design. The Applicant and Dr. Freeland will continue to work on the plan.

Member Meyer confirmed the woodland replacements. The Applicant is removing nine trees and must replace them with sixteen trees. Member Meyer asked how this site can be developed if it is described as a wooded wetland. Ms. Kapelanski said there is a wooded wetland in the southeast corner. The wetland just touches the corner and the buffer extends onto the site. The regulated woodlands have been preserved, though some regulated trees will be replaced or the tree fund will be compensated for their removal.

Member Pehrson confirmed that the easement comment could be added to the motion. Ms. Kapelanski said that it is a condition of the Engineering Review so it is included in that manner. All comments covered in the reviews are part of the motion if the stipulation is used that the plan is approved subject to the Staff and Consultant reviews. The Planning Commission can place emphasis on an item by specifically calling it out, but it is covered by the previously stated stipulation.

Member Pehrson supported the berm waiver requests since the area is not going to remain residential. The loading zone issue was not addressed by the Applicant. Ms. Kapelanski responded that in the landscape review, it was noted that there are sharp drop-offs, so putting a berm in that area was impractical. If there were screening, it would shield the area from a cell tower site and a residential home that is much closer to Twelve Mile, so it would effectively be screening the area from woods and a cell tower. It's up to the Planning Commission to determine whether they find the design appropriate without screening. Member Pehrson said that oftentimes the Planning Commission has granted this waiver in light of the fact that the anticipated types of delivery services will be UPS and FedEx; it is not likely that full-blown delivery services will be required for this medical office use.

Member Pehrson was pleased to hear that the Applicant has been working well with the Wetland Consultant.

Moved by Member Pehrson, seconded by Member Burke:

**In the matter of Western Oakland Medical, SP07-26, motion to approve the Preliminary Site Plan subject to: 1) A Planning Commission Waiver for the berm requirement when non-residential zoning is adjacent to residential zoning, given the fact that the adjacent property is master planned for [Office] use; 2) A Planning Commission Waiver for the berm requirement along the south and east property lines in the loading zone locale, given the precedent set in past approvals; 3) A Planning Commission Waiver for the berm requirement along the Twelve Mile frontage, in light of the inclusion of the rain garden; 4) A Planning Commission Opposite Side Driveway Spacing Waiver for the eastern drive (thirty feet proposed vs. 150 feet required); 5) A Planning Commission Opposite Side Driveway Spacing Waiver for the western drive (thirty feet proposed vs. 150 feet required); 6) A Planning Commission Same Side Driveway Spacing Waiver for the eastern drive (195 feet proposed vs. 230 feet required); 7) A Planning Commission Same Side Driveway Spacing Waiver for the western drive (155 feet proposed vs. 230 feet required); and 8) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan is otherwise in compliance with Articles 23A, 24 and 25 of the Zoning Ordinance.**

## **DISCUSSION**

Member Avdoulos noted that the Applicant's letter stated they would provide additional evergreens along the east side of their site. Member Avdoulos asked if there were any other engineering issues and what the City thought about the rain garden design. Civil Engineer Ben Croy responded that generally, the plan is viable. The Final Site Plan will provide more details. He believed that enough items have been addressed that he has a better comfort level with the plan. The updated Stormwater Ordinance will have guidelines addressing rain garden designs. Mr. Croy said he would forward the language on to this Applicant for their use. Member Avdoulos supported this idea, and hoped that the Applicant could find a use for this rain garden water. Mr. Croy added that the plan relies on the surrounding plants using this water for their own watering. There is an overflow design in place as well. An advanced use of a rain garden is in fact to use the water for irrigation. Eventually the City will get more into this concept, as green designs become more standard.

Member Avdoulos confirmed with Dr. Freeland that he had a comfort level. Dr. Freeland also stated that this project will require an MDEQ permit. The design will also be reviewed by the State. He anticipated that any problems can be resolved.

Member Avdoulos thought the easement issues were all in order. The site works, it has two entrances, there is potential for connection to the east and west, and Member Avdoulos said that a medical office is an appropriate use in this area. The building sits nicely on the site. He liked the metal roof rather than asphalt shingles. It's a bit longer lasting. He supported the project.

Chair Cassis said this was another good project. The site is not overbuilt. The façade is appropriate. It is a one-story building. Chair Cassis welcomed the Applicant to the City.

## **ROLL CALL VOTE ON WESTERN OAKLAND MEDICAL, SP07-26, PRELIMINARY SITE PLAN MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER BURKE:**

**In the matter of Western Oakland Medical, SP07-26, motion to approve the Preliminary Site Plan subject to: 1) A Planning Commission Waiver for the berm requirement when non-residential zoning is adjacent to residential zoning, given the fact that the adjacent property is master planned for [Office] use; 2) A Planning Commission Waiver for the berm requirement along the south and east property lines in the loading zone locale, given the precedent set in past approvals; 3) A Planning Commission Waiver for the berm requirement along the Twelve Mile frontage, in light of the inclusion of the rain garden; 4) A Planning Commission Opposite Side Driveway Spacing Waiver for the eastern drive (thirty feet proposed vs. 150 feet required); 5) A Planning Commission Opposite Side Driveway Spacing Waiver for the western drive (thirty feet proposed vs. 150 feet required); 6) A Planning Commission Same Side Driveway Spacing Waiver for the eastern drive (195 feet proposed vs. 230 feet required); 7) A Planning Commission Same Side Driveway Spacing Waiver for the western drive (155 feet proposed vs. 230 feet required); and 8) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan is otherwise in compliance with Articles 23A, 24 and 25 of the Zoning Ordinance. *Motion carried 7-0.***

Moved by Member Pehrson, seconded by Member Burke:

## **ROLL CALL VOTE ON WESTERN OAKLAND MEDICAL, SP07-26, WETLAND PERMIT MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER BURKE:**

**In the matter of Western Oakland Medical, SP07-26, motion to approve the Wetland Permit subject to: 1) The Applicant working with the City's consultant and engineer to satisfactorily resolve any remaining wetland issues; 2) MDEQ approval; and 3) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan is otherwise in compliance with Article V of the Code of Ordinances. *Motion carried 7-0.***

Moved by Member Pehrson, seconded by Member Burke:

**ROLL CALL VOTE ON WESTERN OAKLAND MEDICAL, SP07-26, WOODLAND PERMIT MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER BURKE:**

**In the matter of Western Oakland Medical, SP07-26, motion to approve the Woodland Permit subject to the conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan, for the reason that the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances. *Motion carried 7-0.***

Moved by Member Pehrson, seconded by Member Burke:

**ROLL CALL VOTE ON WESTERN OAKLAND MEDICAL, SP07-26, STORMWATER MANAGEMENT PLAN MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER BURKE:**

**In the matter of Western Oakland Medical, SP07-26, motion to approve the Stormwater Management Plan subject to: 1) The off-site drainage easement required to accept the proposed detention basin discharge being executed by all parties involved; and 2) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances. *Motion carried 7-0.***

**REDUCED COPY OF APPROVED FINAL SITE PLAN**



Plans available for viewing at the  
Community Development Department.