



MASTER PLAN & ZONING COMMITTEE
City of Novi Planning Commission
April 14, 2010 at 7:00 p.m.
Novi Civic Center – Activities Room
45175 W. Ten Mile, Novi, MI 48375
(248) 347-0475

Members: Victor Cassis, Andy Gutman, Michael Lynch and Michael Meyer
Alternate David Greco
Staff Support: Mark Spencer

1. **Roll Call**
2. **Approval of Agenda**
3. **Audience Participation and Correspondence**
4. **Staff Report**
5. **Matters for Discussion**

Item 1

Novi Crossing Rezoning with PRO

Review and comment on rezoning petition to rezone 7.1 acres of a 24.3 acre parcel at the northwest corner of Beck and Ten Mile Roads from R-1 to B-3.

6. **Minutes**
7. **Adjourn**

Future Meeting – 5/5



PLAN REVIEW CENTER REPORT

February 11, 2010

Planning Review

Novi Crossing

Planned Rezoning Overlay, SP# 10-06 with Rezoning 18.696

Petitioner

Ten & Beck, LLC

Review Type

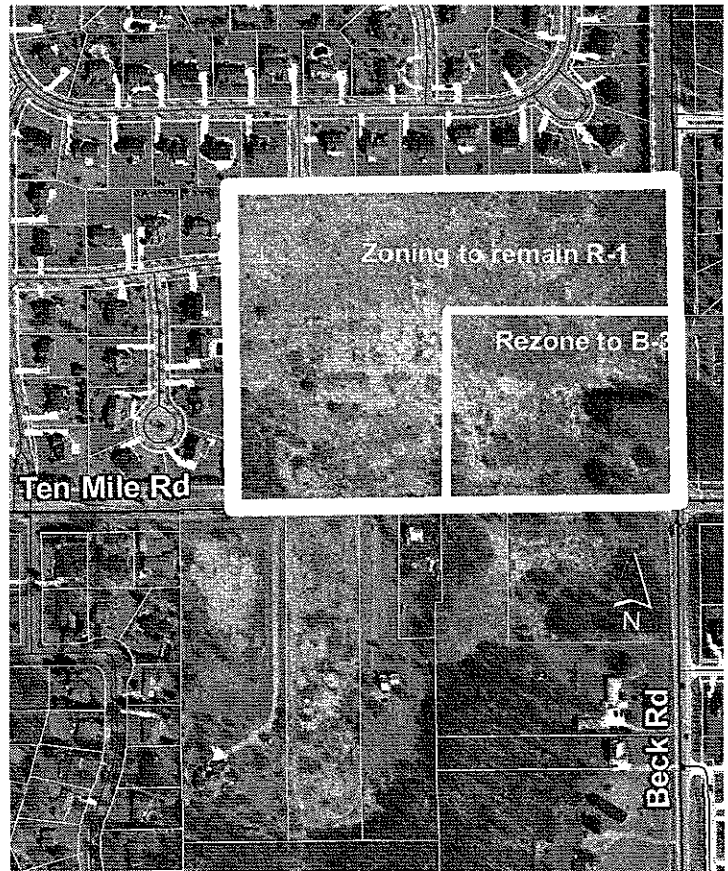
Rezoning Request from R-1 (One-Family Residential) to B-3 (General Business) with a Planned Rezoning Overlay

Property Characteristics

- Site Location: North of Ten Mile Road, West of Beck Road
- Site Zoning: R-1, One-Family Residential
- Adjoining Zoning: North: R-1; East: Beck Road, R-1, B-1; West: R-1; South: Ten Mile Road, R-1
- Current Site Use: Vacant Land
- Adjoining Uses: North: Greenwood Oaks Subdivision; East: Beck Road, Briar Pointe Plaza, Briarwood Village; West: Warrington Manor Subdivision; South: Single-Family Homes, Vacant
- School District: Novi Community School District
- Site Size: 24.3 acres

Project Summary

The petitioner is requesting comment on a proposed rezoning with a Planned Rezoning Overlay. The PRO acts as a zoning map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. As a part of the PRO, the underlying zoning is changed, in this case to B-3 with a portion of land remaining zoned R-1 as requested by the applicant, and the applicant enters into a PRO Agreement with the City, whereby the City and applicant agree to any deviations to the applicable ordinances and tentative approval of a conceptual plan for development for the site. After final approval of the PRO plan and agreement, the applicant



will submit for Preliminary and Final Site Plan under the typical review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two years, the rezoning and PRO concept plan expires and the agreement becomes void.

The petitioner is requesting the rezoning of a property on the northwest corner of Ten Mile and Beck Road in Section 20 of the City of Novi. The 24.3 acres under review are currently zoned R-1, One-Family Residential. The applicant has proposed a rezoning of 7.1 acres located directly at the corner of the intersection of Beck Road and Ten Mile Road to B-3, General Business (indicated in the above figure). The remaining 17.2 acres of the existing parcel would maintain its current R-1 zoning and is proposed to be included as part of the public benefit, which is described in the application and later in this review letter. The applicant has indicated that the rezoning is being requested to facilitate the construction of four commercial buildings on the site totaling 36,800 square feet, which are not permitted in the R-1 zoning district. Proposed uses include a fast food drive-through restaurant, a general retail building, a sit-down restaurant and a general retail building with drive-through pharmacy window.

Planning Commission Options

The Planning Commission has the following options for its recommendation to City Council:

1. Recommend rezoning of the parcel to B-3, General Business with a Planned Rezoning Overlay (*APPLICANT REQUEST*).
2. Deny the request, with the zoning of the property remaining R-1, One-Family Residential.
3. Recommend rezoning of the parcel to any other classification that the Planning Commission determines is appropriate. **NOTE:** This option may require the Planning Commission to hold and send notices for another public hearing with the intention of recommending rezoning to the appropriate designation. At this time, Staff has not reviewed any other alternatives.

Master Plan for Land Use

The Master Plan for Land Use currently designates this property for One-Family Residential zoning. A rezoning of the property to B-3 zoning would be inconsistent with the recommended actions of the Master Plan. The Master Plan recommends One-Family Residential land uses not only for this parcel, but also for the immediate surrounding parcels and the general area, with the exception of a small portion of the northeast corner of the intersection, which is master planned for local commercial.

The Master Plan Amendments adopted in 2008 included an extensive review of uses in the Southwest Quadrant. This review and analysis, which included a fair amount of public involvement, overwhelmingly concluded that the southwest quadrant of the City should continue to be composed of mostly single-family residential uses with no new areas planned for commercial use. The Southwest Quadrant of the City is adequately served by existing and planned local and community commercial areas located adjacent to the quadrant at Ten Mile and Beck Roads, along Grand River Avenue at Wixom and Beck Roads, along Wixom Road south of Grand River Avenue and nearby in the City of Wixom, Lyon Township, Northville Township and the City of Northville. Furthermore, significant citizen input at the time of the aforementioned Master Plan update (2008) indicated that maintaining the low density residential character of the Southwest Quadrant is a high priority for residents and to preserve that character, residents are willing to travel outside of the study area for goods and services.

The Master Plan for Land Use includes one goal that is especially relevant to this proposal.

"Goal: Continue to protect the character of the southwest quadrant of the City as this area is home to the majority of vacant land in Novi."

The southwest quadrant's character is rural and residential in nature and a rezoning of this property for commercial use would not be in concert with the goals and objectives of the Master Plan for Land Use.

Existing Zoning and Land Use

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

**Land Use and Zoning
For Subject Property and Adjacent Properties**

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Site	R-1, One-Family Residential	Vacant	One-Family Residential
Northern Parcels	R-1	Greenwood Oaks Subdivision	One-Family Residential
Southern Parcels	Ten Mile Road, R-1	Ten Mile Road, Single-Family Homes, Vacant	One-Family Residential
Eastern Parcels	Beck Road, R-1, B-1	Beck Road, Briar Pointe Plaza, Briarwood Village (allowed under a Consent Judgment)	One-Family Residential, Local Commercial
Western Parcels	R-1	Warrington Manor Subdivision	One-Family Residential

Compatibility with Surrounding Land Use

The surrounding land uses are shown on the above chart. The compatibility of the requested B-3 zoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request.

The property to the **north** of the subject property is in the R-1, One-Family Residential district and contains Greenwood Oaks Subdivision. Changing the zoning of the subject property to B-3 has the potential to positively and negatively affect the existing subdivision. While the subdivision north of the subject property would experience increased traffic in the area, a commercial establishment in the area would also provide a convenient place for them to shop. The proposed "parkland" could serve as a recreation area for the adjacent residents depending on its eventual use.

Directly to the **south** of the subject property is Ten Mile Road. The properties to the south of Ten Mile Road are zoned R-1, One-Family Residential and have large lots with single-family homes situated on them. There is also one residentially zoned vacant parcel of land. This property is in the Master Plan for Land Use for One-Family Residential. Changing the zoning of the subject

property to B-3 will have a mostly negative impact on this property. The owners would likely see an increase in traffic if a commercial development is constructed directly across the street from their existing homes. However, a commercial development could also bring a convenient shopping place to the area.

The property to the **west** of the subject property is in R-1, One-Family Residential district and contains Warrington Manor subdivision. The impacts to this subdivision would be consistent with the impacts described for the subdivision to the north.

The property to the **east** of the subject parcel is Beck Road. The properties to the east of Beck Road are Briar Pointe Plaza and Briarwood Village. Briar Pointe Plaza could experience increased competition if a shopping area/commercial establishments are situated directly opposite the existing plaza. Briarwood Village is an existing residential development that would not be greatly impacted. The development is currently adjacent to an existing shopping plaza. The residents would experience increased traffic in the area as a result of an additional shopping area but would also benefit from the increased convenience and store selection.

The development of a commercial area in the Ten Mile Road/Beck Road area would detract from the residential character of the surrounding area and create a commercial development within a primarily residential sector of the City.

Comparison of Zoning Districts

The following table provides a comparison of the current and proposed zoning classifications. No alternatives have been provided at this time. All alternative districts that permit commercial uses, specifically drive-through commercial uses, would not be in compliance with the recommendations of the Master Plan.

	R-1 Zoning (Existing)	B-3 Zoning (Proposed)
Principal Permitted Uses	<ol style="list-style-type: none"> 1. One-Family detached dwellings. 2. Farms and greenhouses (subject to specific conditions). 3. Publicly owned and operated parks, parkways and outdoor recreational facilities. 4. Cemeteries. 5. Home occupations, as set forth and regulated in Section 201 of this Ordinance. 6. Accessory buildings and uses, customarily incident to any of the above uses. 7. The keeping of horses and ponies (subject to specific conditions). 8. Family Day Care Homes, as regulated pursuant to MCL 125.583b, provided the licensee shall occupy the dwelling as a residence. 	<ol style="list-style-type: none"> 1. Any retail business or service establishment permitted in B-1 and B-2 districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions and subject to the restrictions therein. 2. Auto wash when completely enclosed in a building. 3. Bus passenger stations. 4. New and use car salesroom, showroom, or office, except trucks and heavy off-road construction equipment. 5. Other uses similar to the above uses. 6. Tattoo parlors (subject to specific conditions). 7. Publicly owned and operated parks, parkways and outdoor recreational facilities. 8. Accessory structures and use

	R-1 Zoning (Existing)	B-3 Zoning (Proposed)
		customarily incident to the above permitted uses.
Special Land Uses	<ol style="list-style-type: none"> 1. Churches (subject to specific conditions). 2. Public, parochial and private elementary intermediate or secondary schools (subject to specific conditions). 3. Utility and public service buildings and uses (subject to specific conditions). 4. Group day care homes, day care centers and adult day care centers (subject to specific conditions). 5. Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs, not including indoor ice skating rinks and indoor tennis courts (subject to specific conditions). 6. Golf courses (subject to specific conditions). 7. Colleges, universities and other such institutions of higher learning, public and private (subject to specific conditions). 8. Private pools shall be permitted as an accessory use (subject to specific conditions). 9. Cemeteries (subject to specific conditions). 10. Railroad right-of-way but not including terminal freight facilities, transfer and storage tracks. 11. Mortuary establishments (subject to specific conditions). 12. Bed and breakfasts subject to the standards of Section 2522. 13. Accessory buildings and uses customarily incident to any of the above permitted uses. 	<ol style="list-style-type: none"> 1. Outdoor space for exclusive sale of new or used automobiles, campers, recreation vehicles, mobile homes, or rental of trailers or automobiles (subject to specific conditions). 2. Motel (subject to specific conditions). 3. Business in the character of a drive-in or open front store (subject to specific conditions). 4. Veterinary hospitals or clinics (subject to specific conditions). 5. Plant materials nursery (subject to specific conditions). 6. Public or private indoor recreational facilities, including, but not limited to, health and fitness facilities and clubs, swimming pools, tennis and racquetball courts, roller skating facilities, ice skating facilities, soccer facilities, baseball and softball practice areas, indoor archery ranges and similar indoor recreational uses, and private outdoor recreational facilities, including, but not limited to, playfields, playgrounds, soccer fields, swimming pools, tennis and racquetball courts and ice skating facilities. 7. Mini-lube or quick oil change establishments (subject to specific conditions).
Minimum Lot Size	Dwelling Units/Net Site Area = 1.65	Based on the amount of off-street parking, landscaping, and setbacks required.
Building Height	2.5 stories –or- 35 feet	30 feet
Building Setbacks	Front: 30 feet Sides: 15 feet Rear: 35 feet	Front: 30 feet Sides: 15 feet Rear: 20 feet

Infrastructure Concerns

An initial engineering review was done to analyze the information that has been provided thus far. The engineering review indicated there would be an increase in utility demands as a result of the proposed rezoning with PRO. Additional information can be found in the attached review letters. A full scale engineering review will take place during the course of the Site Plan Review process.

The City's traffic consultant has reviewed the Traffic Impact Study and concept plan and does not recommend approval of the Traffic Impact Study or concept plan. There are substantial concerns regarding the Traffic Impact Study and the applicant should refer to the attached review letter and make the appropriate corrections to the study. In addition, there are also a number of issues to be addressed on the concept plan. See the traffic review letter for additional information.

The City's Fire Marshal also did an initial review of the proposed plan and has some concerns regarding the outside turning radius to and from the building and the general layout. Please see the Fire Marshal's review letter for additional information.

Natural Features

There are regulated woodlands and wetlands on the site, as indicated by the attached review letters from the City's environmental consultant. The woodland review letter indicates there are a number of trees on the site but these are not part of a regulated woodland. There is, however, one regulated tree on the site. The wetland review indicates the proposed development would potentially impact a small, non-essential wetland and the associated natural features setback. Please see the wetland and woodland review letters for additional information.

Development Potential

Development under the current R-1 zoning could result in the construction of up to forty houses based on the density regulations of the district and depending on the size of the proposed residences. The development of a commercial establishment on the area proposed to be rezoned to B-3 could result in a moderately sized shopping center (approximately 49,000 square feet). The ultimate size of the facility would depend on the parking requirements associated with its specific use. Any restaurant uses on this site would decrease this yield, due to the slightly higher parking demand when compared to general commercial uses. However, the Planned Rezoning Overlay, if approved, would hold the applicant to the proposed plan, meaning retail facilities could only be developed per the size indicated and layout shown on the concept plan.

Major Conditions of Planned Rezoning Overlay Agreement

The Planned Rezoning Overlay process involves a PRO plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Article 34). Within the process, which is completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant's conceptual plan has been reviewed along with a letter describing the proposed use and suggesting items that could be included as public benefits. The following is one item stated by the applicant to be included as part of the proposed public benefit and are included on the concept plan.

- 17 acres of "open space" deeded to the City of Novi and/or deed restricted

Ordinance Deviations – Planned Rezoning Overlay

Under Section 3402.D.1.c, deviations from the strict application of the Zoning Ordinance may be permitted by the City Council in the PRO agreement. These deviations must be accompanied by a finding by the City Council that *"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."* For each such deviation, City Council should make the above finding if they choose to include the items in the PRO agreement.

The following are areas where the current concept plan does not appear to meet ordinance requirements. Staff is recommending modification to the concept plan in several instances, instead of the applicant requesting a deviation from ordinance standards. The applicant should indicate how each of these instances will be addressed and include a list of ordinance deviations as part of the proposed PRO agreement. The proposed PRO agreement will be considered by City Council after tentative preliminary approval of the proposed concept plan and rezoning.

1. Loading Space Screening: Section 2302A.1 requires view of loading areas to be screened from rights-of-way and adjacent properties. Loadings areas indicated for Buildings A and C are not properly screened. **The applicant should add screen walls or additional landscape areas in a manner that would effectively screen the loading areas.**
2. Loading Space locations: Section 2507.4 indicates that the area required for loading, unloading and trash receptacles shall be laid out in such a way that when in use it shall not cut off or diminish access to off-street parking spaces or to service drives. The loading and dumpster for Building A conflicts with access in the adjacent service drives. It is not clear how large trucks will access the loading space east of Building C. It is not clear how vehicles will maneuver into the loading zones for Building B and D. **These concerns should be addressed on a revised concept plan.** Please see the traffic engineering review letter for additional information.
3. Bypass Lane: Section 2506 requires a bypass of at least 18' be provided adjacent to each drive-through lane. A portion of an 18' bypass lane has been provided adjacent to the Building B drive-through but the lane is cut-off by a landscape island at the northern end of the site. **The applicant is asked to address this issue on a revised concept plan.**
4. Stacking Spaces: The stacking spaces shown for Building B interfere with the two-way traffic circulation in this vicinity. This concern is also identified in the Traffic Engineering Review letter. **The stacking space configuration should be reconsidered on the next concept plan submittal.**
5. Building Uses: The use for Retail Building B appears to be at least partially a drive-through restaurant. The ordinance was recently modified to allow fast-food drive through restaurants as a special land use in the B-3 district, subject to a number of restrictions. One restriction is that the parcel on which the restaurant is located must be at least 60 feet from a parcel zoned for single family residential uses. As proposed, this conceptual plan does not appear to comply with that requirement. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should modify the plans to conform to the ordinance.**

6. Dumpster Location: Section 2503 lists the requirements for dumpsters and dumpster enclosures including the stipulation they must be located in the rear yard. The proposed dumpster and dumpster enclosure of Building A is shown in the exterior side yard. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement or the applicant should modify the plans to conform to the ordinance.**
7. Parking Lot Setbacks: Section 2400, footnote q requires parking lot setback of 20 feet adjacent to any residentially zoned property. The plan shows 19 feet on the west property line (with somewhat lesser amount near the southwest corner), and 13 feet on the north property line. **The applicant is asked to modify the concept plan on the next submittal.**
8. Parking Lot End Island: Per Section 2506.13, parking lot end islands (landscaped with raised curb) are required at the end of each parking bay. It appears that the plan does not provide raised end islands in three locations between Building A and Building B. **The applicant is asked to modify the concept plan on the next submittal.**
9. Public Benefit: The applicant has indicated that approximately 17 acres of land is to be deeded to the City and/or deed restricted as part of their public benefit. **The applicant should clarify whether the area will be deeded to the City or just deed restricted with ownership to be maintained by the present owner. The applicant should indicate what types of deed restrictions would be imposed and what, if any, conditions would be associated with deeding the land to the City.**
10. Internal Property Lines: No internal property lines were shown within the four building retail development. It is not clear whether the property will be owned and operated as a unit, or whether the will be further property splits or condominium form of ownership. **Because building setback and parking issues should be considered on the concept plan, these issues should be clarified on the next submittal.**
11. Off-site berms: Nine foot tall screening berms are proposed to the north and west of the proposed parcel to be rezoned to B-3. These berms are required per ordinance standards, but are typically provided on the development site. **The applicant is asked to clarify the intent to construct the berms and the on-going maintenance of the berms and any required landscaping once the development is complete.**
12. Stormwater Retention: The submitted concept plan indicates that the proposed neighborhood commercial center will be directed to existing low areas (presumably on the parcel to remain zoned R-1). Further detail will need to be provided to indicate the location of the storm water facilities, and on-going maintenance requirements for these facilities. Please see the engineering review letter for additional comment.

Items for Further Review and Discussion

There are a variety of other items inherent in the review of any proposed development. At the time of Preliminary Site Plan review, further detail will be provided, allowing for a more detailed review of the proposed development. After this detailed review, additional variances may be uncovered, based on the actual product being proposed. This would require amendments to be made to the PRO Agreement, should the PRO be approved. **The applicant should address the items in bold at this time in order to avoid delays later in the project.**

13. Barrier Free Signs: The Barrier Free Code requires one barrier free sign for each barrier free parking space. No signs are shown. **The applicant should provide one barrier free sign for each barrier free space.**
14. Loading Space: The traffic review letter indicates some concern regarding the location of the loading spaces and whether or not trucks will be able to utilize those spaces and properly maneuver in and out. **The applicant should provide turning diagrams showing the loading spaces can be used effectively.**
15. Stacking Spaces for Drive-Through: Per Section 2506, stacking spaces must be shown on the plan for drive-through uses. These spaces should be 19' in length. The stacking spaces shown on the concept plan are only 17' in length. **The applicant should revise the plan to show 19' stacking spaces and confirm that the appropriate amount of stacking spaces has been provided. If the revisions indicate an inadequate number of stacking spaces, the applicant should indicate whether they would like this deviation included in the PRO Agreement.**
16. Sidewalks: The Bicycle and Pedestrian Master Plan calls for a 5 foot sidewalk along Ten Mile Road. The applicant has provided an 8 foot pathway. **The applicant may revise the walk along Ten Mile Road to be 5 feet.**
17. Outdoor Seating Area: It appears that an outdoor seating area(s) may be proposed at some of the buildings shown on the concept plan. The applicant should be advised that outdoor seating plans should be included on the Preliminary Site Plan submittal. Section 2524 of the Zoning Ordinance lists requirements for outdoor seating. **Additional parking spaces may be required if outdoor seating is proposed.**
18. Proposed Gazebos and Fire Pit: The applicant is asked to provide further information on the proposed gazebos and fire pit and benches at the northwest corner of the concept plan.

Applicant Burden under PRO Ordinance

The Planned Rezoning Overlay ordinance requires the applicant to make certain showings under the PRO ordinance that requirements and standards are met. The applicant should be prepared to discuss these items, especially in part a, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 3402.D.2 states the following:

1. *Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. *Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay; provided, in determining whether*

approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

Public Benefit Under PRO Ordinance

At this time, the applicant has identified items of public benefit the Project Description/PRO Review letter submitted as part of their application materials. These items should be weighed against the proposal to determine if the proposed PRO benefits **clearly outweigh** the detriments of the proposal. The benefits proposed include:

- Approximately 17 acres of "open space" are proposed to be deeded to the City of Novi and/or deed restricted. **(The applicant should clarify whether the area will be deeded to the City or just deed restricted with ownership to be maintained by the present owner. The applicant should indicate what types of deed restrictions would be imposed and what, if any, conditions would be associated with deeding the land to the City.)**
- Extend pedestrian sidewalks along Ten Mile Road and Beck Road frontages beyond the development area property line. (Pathways and sidewalks are typically required for development parcels as part of the Preliminary Site Plan submittal per the Bicycle and Pedestrian Master Plan.)
- Formal dedication of 60 foot right-of-way along Ten Mile Road and Beck Road. (This would typically be requested as part of the Preliminary Site Plan submittal.)
- Loop water main along Ten Mile Road to extend and connect the current water system. (This would typically be required as part of the Preliminary Site Plan submittal.)
- Construction of storm water management facilities within the property to serve as storm water retention basin(s) to hold storm water runoff from the proposed development, as well as runoff from Ten Mile and Beck Roads. (Developers are required to detain for their storm water runoff as part of a Preliminary Site Plan. The City currently has a stormwater plan in place for the Ten Mile and Beck Roads runoff.)
- Public amenities and pedestrian friendly layout of the proposed development.
- Job creation.

For additional information on the proposed public benefits, please see Project Description/PRO Review letter submitted by the applicant.

Submittal Requirements

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- The rezoning sign has been erected on the property.
- A traffic impact statement was submitted.



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

Planning Review Summary Chart
 Ten and Beck – Northwest Corner
 Rezoning with PRO SP10-06

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Single-Family Residential	Community Commercial	No	<p>The Master Plan for Land Use currently designates this property for One-Family Residential zoning. A rezoning of the property to a B-3 zoning would be inconsistent with the recommended actions of the Master Plan.</p> <p>The Master Plan recommends One-Family Residential land uses not only for this parcel, but also for the immediate surrounding parcels and the general area, with the exception of a small portion of the northeast corner of the intersection, which is master planned for local commercial.</p>
Zoning	B-3 (proposed)	B-3 (proposed)	N/A	
Use	Various retail and service uses as outlined in Sections 1501 and 1502 of the Zoning Ordinance.	General retail, service and restaurant with two drive-throughs.	No	Drive-through fast food uses are not permitted in the B-3 District when properties are adjacent to residential districts.
Building Height (Sec. 2400)	Maximum 30 feet	No elevations provided.	N/A	Applicant has indicated that elevations will not be provided until the PSP submittal.
Building Setbacks (Section 2400)				
Front (east)	30 feet	30 feet	Yes	
Interior Side (north)	15 feet	82 feet	Yes	
Exterior Side (south)	30 feet	30 feet	Yes	

10-06 Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Rear (west)	20 feet	71 feet	Yes	
Parking Setbacks (Section 2400)				
Front (east)	20 feet	25 feet	Yes	
Interior Side (north)	20 feet	13 feet	No	Applicant should redesign the site to accommodate the required setback or indicate they would like this deviation included in the PRO agreement.
Exterior Side (south)	20 feet	25 feet	Yes	
Rear (west)	20 feet	19 feet	No	Applicant should redesign the site to accommodate the required setback or indicate they would like this deviation included in the PRO agreement.
Number of Parking Spaces (Sec. 2505)	<p>Retail Space: One space for each 200 sq. ft. of gross leasable area.</p> <p>$30,213 \text{ sq. ft.} / 200 = 151 \text{ spaces required}$</p> <p>Sit Down Restaurant: One space for each 70 sq. ft. of gross floor area or one space for each two employees, plus one space for each two customers allowed under maximum seating capacity (including waiting areas), whichever is greater</p> <p>$6,600 \text{ sq. ft.} / 70 = 94 \text{ spaces required}$</p> <p>Fast Food: One for each employee plus one for each two persons allowed under maximum capacity (including waiting areas)</p>	256 spaces provided	Yes	<p>The appropriate number of spaces are provided for general retail uses. The applicant should be aware that additional parking is required for restaurant uses. A floor plan must be provided to confirm parking for sit-down restaurant uses.</p> <p>If a fast food use is proposed for retail Building B parking requirements may be greater. Parking requirements could also be greater for the sit-down restaurant use once a floor plan is provided. If parking is deficient, the PRO Agreement may need to be revised at the time of PSP.</p>
Parking Space	9' x 19' parking	9' x 19' parking space	Yes	

10-06 Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Dimensions (Sec. 2506)	space dimensions (9' x 17' if overhang on 7' wide interior sidewalk or landscaped area as long as detail indicates 4" curb) and 24' wide drives for 90° parking layout.	dimensions with 24' wide drive for 90° parking layout.		
Barrier Free Spaces (Barrier Free Code)	7 accessible spaces; 2 must be van accessible	11 accessible spaces (5 van accessible)	Yes	
Barrier Free Space Dimensions (Barrier Free Code)	8' wide with a 5' wide access aisle (8' wide access aisle for van accessible)	8' wide with a 5' wide access aisle and 8' wide with an 8' wide access aisle for van accessible	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space.	No barrier free signs indicated.	No	Applicant should provide one barrier free sign per space.
Loading Spaces (Sec. 2507)	<p>10 square feet per front foot of building</p> <p><u>Building A</u> 60 ft. x 10 = 600 sq. ft.</p> <p><u>Building B</u> 80 ft. x 10 = 800 sq. ft.</p> <p><u>Building C</u> 96 ft. x 10 = 960 sq. ft.</p> <p><u>Building 4</u> 110 ft. x 10 = 1,100 sq. ft.</p> <p>All loading shall be in the rear yard or interior side yard if double fronted lot.</p>	<p><u>Building 1</u> 1,050 sq. ft. in rear yard</p> <p><u>Building 2</u> 1,400 sq. ft. in interior side yard</p> <p><u>Building 3</u> 1,118 sq. ft. in rear yard</p> <p><u>Building 4</u> 1,140 sq. ft. in interior side yard</p>	Yes?	Please see the traffic review comments for additional information on the location of the proposed loading zones. The applicant should confirm that delivery trucks will be able to utilize the loading zone space for pick-ups and drop-offs.
Loading Space Screening (Sec. 2302A.1)	In the B-3 District, view of loading and waiting areas must be shielded from rights of way and adjacent properties.	Loading zones of Buildings B and C screened by buildings and landscape islands.	No?	Loading zones screening of Buildings A and C loading zones not provided. Applicant should provide screen walls or landscape screening or indicate they would like this deviation included

10-06 Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
				in the PRO agreement.
Stacking Spaces for Drive-through (Sec. 2506)	<p>Fast food: The distance between the order board and the pick-up window shall store 4 vehicles, and 4 vehicles shall be stored in advance of the menu board (not including the vehicles at the pick-up window and menu board).</p> <p>Pharmacy: 3 vehicles inclusive of the vehicle at the window</p>	<p>Fast food: Eight stacking spaces provided total with the location of the menu board and pick-up window not indicated.</p> <p>Pharmacy: Six stacking spaces provided total (two lanes with three each)</p>	Yes?	As noted in the traffic review letter, stacking spaces on the concept plan are 17' in length, as opposed to 19'. The applicant should adjust the stacking space size and confirm that the appropriate number of stacking spaces can still be provided.
Drive-through Lane Delineated (Sec. 2506)	Drive-through lanes shall be striped, marked, or otherwise delineated.	<p>Fast food: Drive-through lane delineated by landscape islands. No directional pavement markings provided.</p> <p>Pharmacy: No delineation of drive-through lane.</p>	No	The PSP should include pavement markings to more clearly delineate the drive-through lanes.
Bypass Lane for Drive-through (Sec. 2506)	Drive-through facilities shall provide 1 bypass lane. Such bypass lane shall be a minimum of 18' in width, unless otherwise determined by the Fire Marshal.	<p>Fast food: 18' bypass lane indicated but lane does not extend to the end of the drive-through and it cut off by a proposed landscape island</p> <p>Pharmacy: 18' bypass lane provided?</p>	No	Fast food: Applicant should provide a bypass lane of at least 18' that extends along the entire length of the drive-through lane for Building B or indicate they would like this deviation included in the PRO agreement.
Width and Centerline Radius of Drive-through Lanes (Sec. 2506)	Drive-through lanes shall have a minimum 9' width and centerline radius of 25'.	9' width with 25' centerline radius not provided	Yes	
Drive-through Lanes Separation (Sec. 2506)	Drive-through lanes shall be separate from the circulation routes and lanes necessary for ingress to, and egress from, the property.	<p>Fast food: Drive-through lanes are situated on the rear side (west) of the proposed structure.</p> <p>Pharmacy: Drive-through lane located on the rear side (west) of</p>	Yes	

10-06 Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
		the proposed structure.		
<p>Accessory Structure Setback-Dumpster (Sec. 2503)</p>	<p>Accessory structures should be setback a minimum of 10 feet from any building unless structurally attached to the building and setback the same as parking from all property lines; in addition, the structure must be in the rear yard or interior side yard.</p>	<p>All dumpsters appropriately located except for the dumpster for Building A, which is located in the exterior side yard.</p>	<p>No</p>	<p>Application should adjust the location of the Building A dumpster so that it is in the rear of the building or indicate they would like this deviation included in the PRO agreement.</p>
<p>Dumpster (Chap. 21, Sec. 21-145)</p>	<p>Screening of not less than 5 feet on 3 sides of dumpster required, interior bumpers or posts must also be shown. Enclosure to match building materials and be at least one foot taller than height of refuse bin.</p>	<p>Dumpster enclosure details not provided at this time.</p>	<p><u>No</u></p>	<p><u>The applicant should provide dumpster enclosure details at the time of Preliminary Site Plan submittal.</u></p>

10-06 Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Exterior Signs	Exterior Signage is not regulated by the Planning Division or Planning Commission.			Please contact Jeannie Niland (248.734.5678) in the neighborhood services division.
Exterior Lighting (Sec. 2511)	Photometric plan and exterior lighting details needed at preliminary site plan.	No photometric plan provided.		Photometric plan to be submitted at the time of preliminary site plan submittal. Please see Section 2511 of the Zoning Ordinance for additional information.
Sidewalks (City Code Sec. 11-276(b))	Building exits must be connected to sidewalk system or parking lot. Sidewalks required to connect to existing system.	8' walk proposed to connect to existing sidewalk system.	Yes	A 5' walk should be provided along 10 Mile Road instead of the proposed 8' pathway.
PRO Requirements (Sec. 3402)	Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement on the basis of which the City Council concludes that as compared to the existing zoning it would be in the public interest to grant the rezoning with PRO because the benefits reasonably expected to accrue from the proposal would clearly outweigh the reasonably foreseeable detriments.	Applicant is proposing deeding approximately 17 acres of "passive open space" to the City and/or providing deed restrictions on this property. Dedication of 60 ft. right-of-way.		The applicant may want to consider limiting the uses on the property as part of the conditions of the PRO Agreement.

Prepared by Kristen Kapelanski, (248) 347-0586 or kkapelanski@cityofnovi.org

MEMORANDUM



TO: BRIAN COBURN, P.E.; SR. CIVIL ENGINEER
BARB MCBETH, AICP; DEPUTY DIR. COMM. DEV.

FROM: LINDON K. IVEZAJ, STAFF ENGINEER *LI*
BEN CROY, P.E.; CIVIL ENGINEER

SUBJECT: REVIEW OF PRO IMPACT ON PUBLIC UTILITIES
NOVI CROSSING DEVELOPMENT

DATE: FEBRUARY 17, 2010

The Engineering Division has reviewed the Planned Rezoning Overlay (PRO) proposed for the Novi Crossing Development located at the northwest corner of Ten Mile and Beck Roads. The applicant is requesting to rezoné approximately 5.7 acres at the corner from R-1 to B-3. The proposed concept plan submitted by the applicant shows four separate retail buildings totaling 36,813 square-feet.

Utility Demands

Because this is a PRO request, the analysis will be based on the concept plan that has been provided and not the proposed zoning. A residential equivalent unit (REU) equates to the utility demand from one single family home. The current R-1 zoning for this property would yield approximately 10 REUs. Since the plan submitted with the application does not clearly label the use of all the buildings, the proposed use was based on the highest generated use which in B-3 would be restaurant. We estimate the proposed development would yield approximately 116 REUs, an increase of 106 REUs over the current zoning.

Water System

Water service is currently available along the north side of Ten Mile Road and the east side of Beck Road both within the Intermediate Pressure District. There was a small decrease of 0.3 psi in water pressure after modeling the additional demand.

Sanitary Sewer

The project is located within the Simmons Sanitary Sewer District with an available sanitary sewer stub located at the frontage along Beck Road. The proposed PRO rezoning would increase the required capacity by approximately 0.2 cfs.

Summary

The concept plan included in the PRO application would have an impact on the public utilities when compared to the current zoning. The concept plan yields over 11 times the currently zoned number of REUs to be served with utilities on the site, and would cause a 1.0% increase in the total peak sanitary discharge from the City.

The increase in the peak discharge is notable because the City is currently seeking opportunities to resolve the limit on its contractual sanitary sewer capacity at its outlet to Wayne County. Additional contractual capacity (estimated to be 0.2 cfs based on the concept plan) will be needed to serve the increased density proposed by this PRO.



PLAN REVIEW CENTER REPORT

February 17, 2010

Engineering Review
Novi Crossing PRO/Conceptual
SP #10-06

Petitioner

Ten & Beck, LLC

Review Type

Concept Plan/ PRO

Property Characteristics

- Site Location: North side of Ten Mile Road, west of Beck Road
- Site Size: 24.24 acres
- Date Received: 10-20-09

Project Summary

- The applicant is proposing a rezoning overlay of 5.7 acres from R-1 to B-3. The plan consists of constructing four retail buildings totaling 36,813 sf with associated parking. Site access would be provided by two approaches, one off of Ten Mile Road and the other off of Beck Road.
- Water service is available along Ten Mile and Beck Roads. There were no utilities shown on the concept plan, however the applicant will be asked to loop the connection.
- Sanitary sewer service is available by an existing stub off of Beck Road. The parcel is part of the Simmons Sanitary District.
- The applicant is proposing to install a retention basin for all storm water onsite.

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

General

1. This review was based on preliminary information provided for Conceptual Plan/PRO review. As such, we have provided some basic comments below to assist in the preparation of a concept/preliminary site plan. Once the information below is provided, we will conduct a more thorough review.
2. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
3. The site plan shall be designed in accordance with the Design and Construction Standards (Chapter 11).
4. Label proposed uses for each building on the plan. Be as specific as possible.
5. Provide a traffic control plan for the proposed road work activity on Eleven Mile Road.
6. A right-of-way permit will be required from the City of Novi and the Road Commission for Oakland County for work along Ten Mile and Beck Roads.
7. Label all right-of-way to be dedicated as "Future Right-of-Way" on the plan.

Utilities

8. The watermain shall be extended along the complete frontage of the parcel, connecting the 24-inch main along Ten Mile to the 16-inch main along Beck Road.
9. Maintain a minimum of 10-feet of horizontal separation between all proposed and existing public utilities.

Storm Water Management Plan

10. Provide a sheet or sheets entitled "Storm Water Management Plan" (SWMP) that complies with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
11. The SWMP must detail the storm water system design, calculations, details, and maintenance as stated in the ordinance. The SWMP must address the discharge of storm water off-site, and evidence of its adequacy must be provided. This should be done by comparing pre- and post-development discharge rates and volumes. The area being used for this off-site discharge should be delineated and the ultimate location of discharge shown.
12. Access to each storm water facility and outlet standpipe shall be provided for maintenance purposes in accordance with Section 11-123 (c)(8) of the Design and Construction Standards.
13. **Due to the large amount of semi-impervious soils in throughout the City, it is a concern of the Engineering Division that a retention basin may not be feasible.** Please provide soil boring along with any other supporting data at the time of Preliminary Site Plan submittal.
14. A working storm water management system that meets all City of Novi Design and Construction Standards is required prior to Preliminary Site Plan approval.
15. If it is the intent to donate the remaining ~18.5 acres to the City as park land in the future, the owner will still be responsible for maintenance of the basin through a separate agreement to be drafted at the time of sale.

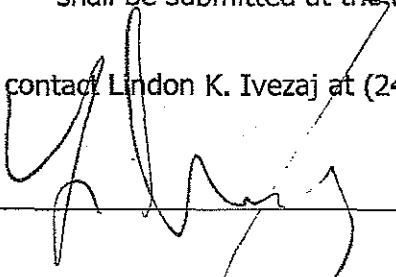
Paving & Grading

16. A 5-foot wide sidewalk is what is required for the sidewalk along the north side of Ten Mile Road per the City of Novi Master Plan.
17. Show the 2-foot overhang area and label all 4-inch curb adjacent to stalls of 17-feet in length on the plan.
18. Label all curb dimensions on the plan throughout the parking lot, including integral curb.
19. Show all ramp locations and types on the plan. All ramps shall meet ADA requirements.
20. Extend the bypass lane at Building #B up to the access drive.
21. Be prepared to incorporate or re-route any current roadside drainage that may be affected by the proposed site plan as needed.

Off-Site Easements

22. Any off-site easements must be executed prior to final approval of the plans. Drafts shall be submitted at the time of the Preliminary Site Plan submittal.

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



cc: Brian T. Coburn, P.E., Senior Civil Engineer
Ben Croy, P.E., Civil Engineer
Kristen Kapelanski, Planner

January 31, 2010

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



BIRCHLER ARROYO
ASSOCIATES, INC.

**SUBJECT: Novi Crossing, Conceptual PRO and Rezoning,
SP#10-06 / ZCM#10-0007 / RZ#18.696, Traffic Review**

Dear Ms. McBeth:

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

Recommendation

We can not recommend approval of either the conceptual development plan or the accompanying traffic impact study. The comments shown below in **bold** should be considered by the applicant in going forward.

Project Description

What is the applicant proposing?

1. Ten & Beck, L.L.C. proposes the rezoning of approximately 24 acres on the northwest corner of Ten Mile and Beck, from One-Family Residential (R-1) to General Business District (B-3) and R-1 With Planned Rezone Overlay (PRO). The conceptual development plan shows approximately 5.7 net acres on the immediate corner being developed commercially and separated from the remaining property with 9-ft high berms. According to the applicant's traffic study, the four proposed retail buildings would include: Building A – 6,000-s.f. of specialty retail space; Building B – Another 9,200 s.f. of specialty retail space paired with a 2,000-s.f. coffee / bakery store with drive-through; Building C – A 13,013-s.f. pharmacy with dual drive-through lanes; and Building D – A 6,600-s.f. high-turnover sit-down restaurant.
2. **The applicant should elaborate on the intended use of Building A.** A large patio is shown wrapping around the north and east sides of the building – suggesting a second restaurant – but neither the traffic study nor the parking supply addresses the needs of such.
3. The retail site would be served by two 30-ft wide driveways, one on Beck aligned with the existing driveway for Briar Pointe Plaza, and one on Ten Mile west of Beck. All four buildings would be accessible by vehicles using either of the two proposed site access drives.
4. No internal curb-and-gutter appears on any of the concept plans. All proposed curb and gutter must be shown, and all back-of-curb radii must be dimensioned.

Traffic Study

Was a study submitted and was it acceptable?

5. We have reviewed the applicant's Traffic Impact Study, conducted by Hubbell, Roth & Clark, Inc., and transmitted by HRC to its client on January 5, 2010. We have the following comments related to the indicated sections of the study report:

Section 2 – Site Descriptions

- Both Beck and Ten Mile are 45-mph, two-lane arterial roads. However, the **applicable jurisdictions were transposed: Beck belongs to the City of Novi, and Ten Mile belongs to the Road Commission for Oakland County.**
- Since improvements in 2008, the intersection of Beck and Ten Mile has right-turn lanes on each of the four approaches as well as the previous left-turn lane and single through lane. The intersection is controlled by a fully-actuated (SCATS) traffic signal.

Section 3 – Traffic Volumes

- According to traffic volumes reported in the City's 2004 Master Plan, we note that Beck served 18,147 vehicles on a typical day in October 2003, and Ten Mile served 14,801 vehicles on a typical day in June 2000. Based on the 2008 volumes reported by HRC, we note that Beck's volume increased by an annual average of 4.0%, and Ten Mile's volume decreased slightly (by a total of 4.6% over eight years).
- Peak-hour volumes counted in August 2008 by another traffic consultant, and adopted by HRC for the current study, show the AM peak hour at 7:30-8:30 and the PM peak hour at 5:00-6:00. Since these prior counts are still less than two years old, their use in this study is acceptable. We note that the two traffic movements likely to be most critical with respect to their impact on site access (given their use of the left-turn lane on both frontages) – the eastbound left-turn in the AM peak hour and the south-bound left-turn in the PM peak hour – were only 144 vehicles and 104 vehicles, respectively; these volumes are lower than we would have expected.

Section 4 – Trip Generation

- Trip generation forecasts presented in the HRC study are correct and acceptable for the 5.7-acre corner property proposed for retail development, and we have summarized them in the table on the following page. To provide one more comparison of potential interest, we note that the 5.7 net-acre site, hypothetically developed at a typical 20% land coverage, could allow the construction of a 49,500-s.f. shopping center. Per applicable ITE trip rates, such a center would generate 4,300 trips per weekday, 50 in the AM peak hour and 397 in the PM peak hour. Note that this daily forecast exactly equals HRC's forecast for the specific uses proposed; the AM peak-hour value is substantially less (absent an assumed coffee shop or other high trip generator that hour); and the PM peak hour would be similar to but slightly higher than HRC's forecast.

Trip Generation Comparison for 5.7-Acre Corner Property¹

Land Use (Buildings)	ITE Use #	Size	Weekday Trips	AM Peak-Hour Trips			PM Peak-Hour Trips		
				In	Out	Total	In	Out	Total
Development under Proposed B-3 Zoning									
Specialty Retail (A, B)	210	15,200 s.f.	674	0	0	0	26	32	58
		Pass-By	0	0	0	0	0	0	0
		New	674	0	0	0	26	32	58
Drugstore with Drive-Through (C)	88 ¹	13,013 s.f.	1,148	20	15	35	67	67	134
		Pass-By	Unk.	Unk.	Unk.	Unk.	33	33	66
		New	1,148	20	15	35	34	34	68
High-Turnover Sit-Down Restaurant (D)	932	6,600 s.f.	840	40	36	76	43	30	73
		Pass-By	Unk.	Unk.	Unk.	Unk.	18	13	31
		New	840	40	36	76	25	17	42
Coffee/Bakery Store with Drive-Through (West End of B)	937	2,000 s.f.	1,638	113	109	222	43	43	86
		Pass-By	Unk.	55	53	108	22	22	44
		New	1,638	58	56	114	21	21	42
All Proposed B-3 Uses		36,813 s.f.	4,300	173	160	333	179	172	351
		Pass-By	Unk.	55	53	108	73	68	141
		New	4,300	118	107	225	106	104	210
Development under Existing R-1 Zoning									
Single-Family Homes	210	5 d.u.	66	1	3	4	4	3	7
Day Care Center	565 ²	12,000 s.f.	951	78 ⁴	69 ⁴	147	70 ⁴	80 ⁴	150

¹ First row within each use-specific block shows one-way driveway trips. Pass-by trips in second row are those already passing the site en route to primary destinations elsewhere (average %s from ITE). New trips in third row are driveway trips less pass-by trips.
² Forecast by BA using average trips per d.u., since regression equation used by HRC makes the unrealistic forecast (relative to PM) of 12 trips.
³ Would require Special Use Permit.
⁴ Calculated by BA applying ITE-recommended directional split to trip total forecasted by HRC.

➤ In comparing the totals in the above table, note that only "new" trips are relevant to impacts at off-site intersections such as Beck and Ten Mile. Total driveway trips are relevant, however, to traffic impacts at and near the site access driveways.

Section 5 – Background Traffic

➤ To develop a growth rate for background volumes in the hypothetical absence of site development, HRC looked first at daily volumes reported to SEMCOG for June 2005 and June 2008. This yielded a 6% annual apparent growth rate, but HRC noted that the volumes for 2005 were atypically low since the Beck / I-96 interchange was still under construction until October of that year. In search of a more realistic traffic growth rate, HRC then looked at Novi population and housing units, which grew at annual average rates of 1.5% and 2.3% between 2000 and 2009. Based on the above, HRC decided to assume a relatively robust traffic growth rate of 4% per year, and it applied that rate to the peak-hour volumes counted in August 2008 to forecast the volumes upon the assumed (and decidedly optimistic) site build-out late this year.

- **Assuming a relatively high growth rate for background traffic tends to minimize the apparent impacts of site-generated traffic. To develop an alternative, likely more realistic traffic growth rate for discussion purposes, HRC should obtain current peak-hour counts from the SCATS signal system and compare them to the manual counts made in 2008.**

- ❑ Section 6 – Traffic Assignment
 - The applicant's traffic study does not directly illustrate the assumed trip distribution models as we would have preferred. However, upon converting the site traffic assignments (shown in Fig. 7 of the HRC report) to percentages of all entering or exiting traffic, we have determined **that new trips have been incorrectly distributed in the same manner as pass-by trips.** For example, in the PM peak hour at the site drive on Ten Mile, 19-20% of all new trips are assumed to both enter and exit via a left turn, and 31-32% of all new trips are assumed to both enter and exit via a right turn. This is equivalent to saying that 19-20% will pass-by to the east and 31-32% will pass-by to the west, contrary to guidance in ITE's *Trip Generation Handbook – 2nd Edition* (Figs. 5.1-5.2), which shows "primary" (aka new) trips returning to a given cardinal direction in the same proportion they arrived from that direction.

 - **The method followed by HRC in assigning site trips has resulted in the number of exiting left turns at the site's Ten Mile driveway being underestimated in the PM peak hour, resulting in unrealistically low predictions of exiting delay at that driveway.**

- ❑ Missing Section – Left-Turn Lane Warrant Analysis on Ten Mile Road
 - **At the proposed access drive on Ten Mile Road, the study should have documented an evaluation of the City's "Standard Warrant for Left Turn Passing Lane" (Design and Construction Standards Fig. IX.8, based on the corresponding RCOC figure).** This would require a forecast of the adjacent two-way, 24-hour traffic volume upon site build-out in the manner proposed. Since it is readily apparent that the warrant would be met, however, the applicant has proposed extending the existing left-turn lane for the intersection to a point 150 ft west of the driveway centerline; this would comply with the City and RCOC standard distance.

- ❑ Section 7 – Right-Turn Lane Warrant Analysis
 - **The study concludes that both site access drives only warrant tapers, not the full-width deceleration lanes proposed.** This conclusion, however, is based on questionable assignments of site traffic (see above comments on Section 6).

- ❑ Section 8 – Capacity Analysis
 - All such analyses have been done using *HCS+ Version 5.4* rather than *Synchro 7*, the MDOT-preferred software known to be capable of both directly simulating traffic-actuated signal control and providing input to a microscopic simulation (SimTraffic) well-suited to evaluating queuing issues.

- All three evaluation scenarios – “existing” (2008), future background (late 2010 in the hypothetical absence of the proposed development), and future total (late 2010 with the proposed development constructed and fully occupied) – were **initially evaluated with “signal timing obtained from RCOC.”** This approach produced several unsatisfactory results, as summarized below:

Approaches with Poor Levels of Service under “Existing” Signal Timing

Peak Hour	Road and Approach	Level of Service by Traffic Scenario		
		“Existing” (2008)	Future Background	Future (2010) Total
AM	NB Beck	E	E	F
	SB Beck	D	D	E
	Overall Intersection	D	D	E
PM	WB Ten Mile	E	E	E
	NB Beck	E	F	E
	SB Beck	E	E	E
	Overall Intersection	E	E	E

- **HRC then reevaluated only the future total scenario with “signal timings... further optimized” and obtained a level of service of D or better for all of the above movements. This method and these results should be further explained and justified by HRC.** As the consultant was informed at the outset, we would have been satisfied with the use of *Synchro 7* to simulate “actuated uncoordinated” operation, assuming that it would adequately and appropriately simulate the fully-actuated operation provided by *SCATS*. **It is unclear how the existing signal operation could be further improved, as HRC implies that it could be. Perhaps RCOC should be advised of this potential.**
- **It is customary to (a) identify and evaluate any mitigation needed for background traffic as well as future total traffic, and (b) indicate and discuss the average delay associated with any movements rated E or at least F (since F has no upper limit in terms of delay). With respect to the latter, we note that both site access drives are predicted to experience level of service F in the PM peak hour; however, no feasible mitigation – such as providing two exiting lanes – has been evaluated.**
- **Finally, to better evaluate possible interactions between driveway and intersection traffic, predicted 95th-percentile queue lengths on eastbound Ten Mile and southbound Beck should be reported and discussed.**

Vehicular Access Locations

Do the proposed driveway locations meet City spacing standards?

6. Per the City’s Design and Construction Standards, the spacing between the intersection and each of the two proposed site access drives is considered same-side driveway spacing,

measured from near-back-of-curb to near-back-of-curb. In this case, the proposed distances – 318 ft on Ten Mile and 427 ft on Beck – exceed the City's 230 ft minimum for a 45-mph "road speed" (see DCS Section 11-216(d)(1)d).

7. As can be seen in the attached aerial photo, the only existing opposite-side driveway against which the City's opposite-side spacing standard would apply is the Briar Pointe Plaza drive, with which the proposed new access drive would directly align.

Vehicular Access Improvements

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

8. As discussed above relative to the traffic impact study, both proposed drives would have to be served by a left-turn lane on the abutting roads:
 - a. On Beck, assuming that the location of the entry gap for the dedicated southbound left-turn lane is accurately portrayed, there would be 158 ft from the north end of that gap to the south edge of the proposed access drive. Assuming that HRC is able to show that future southbound left turns queuing for the signal will not significantly encroach on this distance, there should be adequate stacking space for vehicles waiting to turn left into the site. **The plan, however, incorrectly shows the center lane gradually narrowing to only 9 ft wide at the driveway centerline. According to the construction plans for the 2008 work done in this area, the 12-ft wide center lane at Ten Mile extends to well north of the Briar Pointe Plaza / proposed Novi Crossing driveway location – probably (per City standard) to a point 150 ft further north. Any future plans for this project should accurately portray the center lane in terms of its width, extent, and striping pattern (i.e., as a two-way left-turn lane north of the cited entry gap for the southbound left-turn lane).**
 - b. On Ten Mile, the plans show future widening to an inappropriate 53-ft wide (four-lane) cross section, to a point 150 ft west of the proposed access drive centerline. While the left-turn lane would have to be extended that far, the overall width proposed is incorrect. West of the drive, with the exception of a City-standard 75-ft long acceleration taper from the drive, the future road should be no wider than three lanes: one through lane in each direction plus the extended left-turn lane. Also, the tapers used to transition from the two-lane section to the three-lane section must be 300 ft long, not 100 ft as now proposed (see DCS Fig. IX.7 and the corresponding RCOC standard).
9. On Ten Mile between Beck and the proposed site access drive, there would be only 232 ft between the respective curb returns. The proposed provision of two full-width westbound lanes in this section is appropriate, given the limited distance available for transitioning from Beck's curb return to the decel taper that would be required – at a minimum – at the drive.
10. Although the traffic impact study did not show the warrant met for the proposed southbound deceleration lane at the site driveway on Beck, we support the proposed 50-ft long lane.

Driveway Design and Control

Are the driveways acceptably designed and signed?

11. Each driveway is proposed to be 30-ft wide (the City standard), with 35-ft radius curb returns (larger than the City standard of 25 ft, but reasonable and appropriate for a shopping center). **To keep longer-delayed exiting left turns from needlessly delaying exiting right turns, each drive should be widened to the City maximum of 40 ft and striped to provide two 11.5-ft wide exiting lanes and one 16-ft wide entering lane (widths to face of adjacent vertical curb).**

Pedestrian Access

Are pedestrians safely and reasonably accommodated?

12. **The proposed new path along the north side of Ten Mile Road is shown on the plan as 8 ft wide. Per the City's *Bicycle & Pedestrian Master Plan*, however, this path should be a 5-ft wide concrete sidewalk (as was built at the corner during the recent intersection reconstruction).**
13. The proposed new path along the west side of Beck Road is also shown as 8 ft wide and concrete. This feature is consistent with the City's *Bicycle & Pedestrian Master Plan* and should be retained. **However, to provide a more direct path for pedestrians and bicyclists approaching and departing the site from the north, the new path adjacent to the property line to the north should be extended to intersect at a right angle the east-west walk into the site immediately south of Building B. To serve pedestrians and bicyclists passing the site, the new and existing safety paths should also be either connected in the manner now shown on the plan, or via a new transition section south of the cited east-west walk.**
14. **ADA-compliant pedestrian ramps should be provided at the two site access drives and at all appropriate internal locations.**

Parking and Circulation

Are parking spaces appropriately located and designed? Can vehicles safely and conveniently maneuver through the site?

15. **To reduce the amount of impermeable surface on the site, we recommend that parking spaces adjacent to sidewalks be shortened to 17 ft to face of walk, with plan details and notes ensuring that those sidewalks will be at least 7 ft wide and limited to a maximum of 4 inches in height above the nearest pavement.**
16. **The loading zone by Building D would not be accessible by tractor-trailer delivery trucks. Consideration should be given to providing a crosshatched loading zone and accompanying painted end islands along the entire north end of the pad. The loading zone by Building B would difficult, at best, to access by a larger truck, and consideration should be given to redesigning it accordingly. Lastly, the loading zone west of Building C should have a triangular paved area at its south end to facilitate truck egress.**

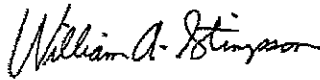
17. **The unprotected stacking space in the middle of the north circulating roadway would be unsafe and must be redesigned. Also, the bypass lane for the associated drive-through lane would have to be continued full-width all the way up to that circulating roadway for the bypass to be reliably effective.**

18. **While the City's drive-through stacking requirements appear to be met by the number of vehicles portrayed on the plans, we note that those vehicles are drawn only 17 ft long (from front bumper to front bumper), not the 19 ft minimum required by the Zoning Ordinance (Section 2506.12h). Hence, the stacking areas must be enlarged to meet the ordinance requirements.**

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP
Vice President



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



Proposed Novi Crossing



Environmental Consulting & Technology, Inc.

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(734) 769-3004
FAX (734) 769-3164

MEMORANDUM

TO: Barbara McBeth, Deputy Director of Community Development

FROM: Martha Holzheuer, ISA Certified Arborist, ESA Certified Ecologist *MRH*

DATE: February 9, 2010

RE: Novi Crossing SP# 10-06 Conceptual & PRO Woodland Review

Environmental Consulting & Technology, Inc. (ECT) has reviewed the PRO Conceptual Plans (Plan) prepared and submitted by D. Bennett Enterprises, Inc. dated January 4, 2010. The proposed development is located in the northwest corner of Ten Mile and Beck Roads in Section 20. The proposed Plan would construct 36,813 square feet of neighborhood commercial development and associated infrastructure, parking, and stormwater detention basins.

Site Comments:

ECT has reviewed the City of Novi Official Woodlands Map and completed an onsite Woodland Evaluation on Monday, February 8, 2010. The site does not contain regulated woodlands per the City of Novi Official Woodlands Map. However, ECT found one sugar maple tree that exceeds the 36" dbh requirement to be considered a landmark tree (see attached photo). Per the Woodland Protection Ordinance Sec. 37-4(b), this tree is regulated by virtue of its size, regardless of whether or not it occurs in regulated woodland. Several other large black walnuts, maples, and pines were observed on the property but were not large enough to be considered landmark trees.

Proposed Impacts:

The proposed site plan does not contain any information regarding tree size or location. Located in the southeast corner of the property, the sugar maple's critical root zone may be impacted by grading activities associated with detention basin construction. If the tree's critical root zone (area defined by longest drip line radius plus one foot) cannot be protected, then the Applicant may choose to leave the tree to see if it survives or remove the tree during construction. For either scenario, assuming the tree's critical root zone cannot be completely protected, the Applicant will be required to provide 4 woodland replacement credits.

Several items must be provided in the subsequent Preliminary Site Plan to comply with site plan standards outlined in the updated Chapter 37 Woodland Protection Ordinance. Currently, the Concept Plan does not provide a method for protecting the regulated maple tree if it is to remain during construction, the location & critical root zone/elevation at the base/condition of the regulated maple tree, the number of replacement credits that will be provided if the maple tree is proposed for removal, cost estimate for the provision of these replacement credits, and species/quantities/sizes of replacement materials.

Required Permits:

Based on information provided on the Plan and field review of the site, the proposed project requires a City of Novi Woodlands Use Permit.

Conclusion:

ECT believes that one large sugar maple tree in the southeast corner of the property is regulated under the Woodland Protection Ordinance and requires a Woodland Use Permit if its critical root zone cannot be adequately protected. Additional information outlined above must be provided in the Preliminary Site Plan to meet the site plan standards of the Woodland Protection Ordinance. Since the tree occurs near the sidewalk at the edge of the property, ECT suggests that the effort is made to avoid impacting the critical root zone and save the tree. ECT recommends approval of the Concept and Rezoning Plan, conditional on the Applicant's satisfactory adoption of the recommendations described above in the Preliminary Site Plan.

If you have questions, please contact us.

cc: Kristen Kapelanski
David Beschke
Angela Pawlowski



Landmark-size sugar maple in southeast corner of property



Environmental Consulting & Technology, Inc.

February 12, 2010

Ms. Barbara McBeth
Deputy Director of Community Development
City of Novi
45175 West Ten Mile Road
Novi, MI 48375

Re: Novi Crossing Wetland Boundary Verification SP 10-06 for Concept/PRO

Environmental Consulting & Technology, Inc. (ECT) has reviewed the proposed Novi Crossing Concept and Rezoning Plans (Plan) prepared and submitted by Land-Tech Consultants and dated January 4, 2010. ECT has visited the site for a wetland boundary verification. The following is a summary of our findings.

Site Comments:

The proposed project site is mostly idle field with scattered shrubs and a few trees. One small wetland (Figure 1) was found near 10-Mile Road in an area labeled on the Plan as "existing low area." Although a few old "flags," likely several years old, were observed around the wetland, it did not appear that the wetland had been flagged recently. ECT interpreted the lack of wetland flags and the "existing low area" designation on the Plan as indication the applicant does not consider the area wetland.

I noted vegetation in the "existing low area" along with observations of the soils and wetland hydrology. Based on Michigan DNRE (DNRE) three-parameter wetland criteria, including a predominance of hydrophytic vegetation, hydric soils, and wetland hydrology indicators, I believe a small wetland does exist on the site, approximately 60-feet in diameter, or less than 4,000 square feet (0.10-acre) (Figure 2). Dominant vegetation includes reed canary grass (*Phalarus arundinaceae*), common reed (*Phalarus arundinaceae*), and a small clump of black willow (*Salix nigra*). Hydric soils consisted of mucky loam, containing high organic matter content, and oxidized roots met a primary wetland hydrology criterion.

Regulatory Status

The wetland identified in the field does not appear to be directly connected to or within 500 feet of a lake, stream or pond. Therefore, ECT does not believe the wetland is regulated by the DNRE. The wetland is not shown on the current published Novi Wetland map accessed through the online Novi community Geographic Information System.

Wetland Essentiality

Based on the wetland's small size and likelihood that it is not DNRE regulated, ECT considered application of the City's 10 Wetland Essentiality criteria. I was surprised at the lack of water storage in the wetland at the time of my observation, finding neither inundation nor saturation within 20-inches of the ground surface. The vegetation community is dominated by reed canary grass, which is considered an invasive species. Being small and close to 10-mile road, the

wetland does not offer good wildlife habitat, in my view. None of the other eight essentiality criteria appear to apply to the wetland. Therefore, ECT believes **the wetland is non-essential.**

Permits

According to the Novi Wetland Ordinance (Ordinance), Section 12-171(a): "It shall be unlawful for any person to conduct any activities within a watercourse or wetland location without first having obtained a use permit upon proper application."

The Ordinance does not appear to differentiate between essential and non-essential wetlands when describing the need for a permit. However impacts to non-essential wetland do not require compensatory mitigation or enhancements, which are required for impacts to essential wetlands. Therefore, ECT believes impacts to the wetland described in this report would require a permit and *Authorization to Encroach into the 25-foot Natural Features Setback.*

Conclusion

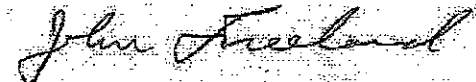
The proposed Novi Crossing project would potentially impact a small (less than 0.10-acre) non-essential wetland and surrounding 25-Foot Natural Features Setback, consisting mostly of shrubs and small trees, adjacent to 10-Mile Road. ECT does believe the proposed use of the wetland and "existing low area" as a stormwater basin offers the possibility of wetland enhancement, compared to its current minimal wetland value.

ECT's determination does not preclude the need for other applicable permits. The DNRE makes its own determination of what is or is not a regulated wetland the applicant is encouraged to contact that agency concerning the regulatory status of the wetland described in this report.

If you have questions or comments, please contact us.

Respectfully,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.



John A. Freeland, Ph.D., PWS
Environmental Scientist.

Figure 1. Wetland and "existing low area" north of 10-Mile road, looking north (ECT, February 12, 2010)

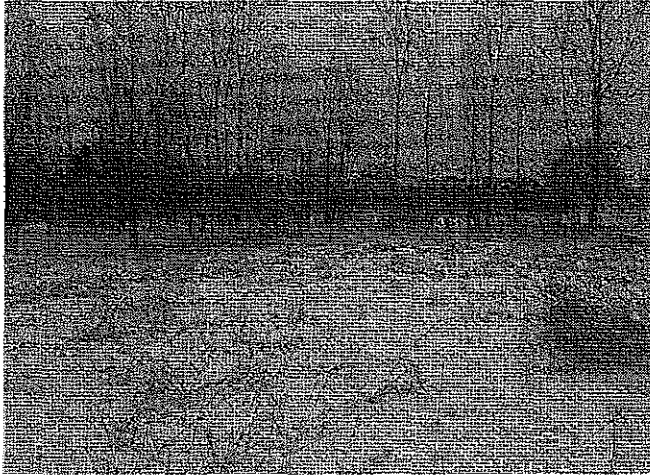


Figure 2. Approximate wetland boundary, added by ECT, with Plan drawing base.

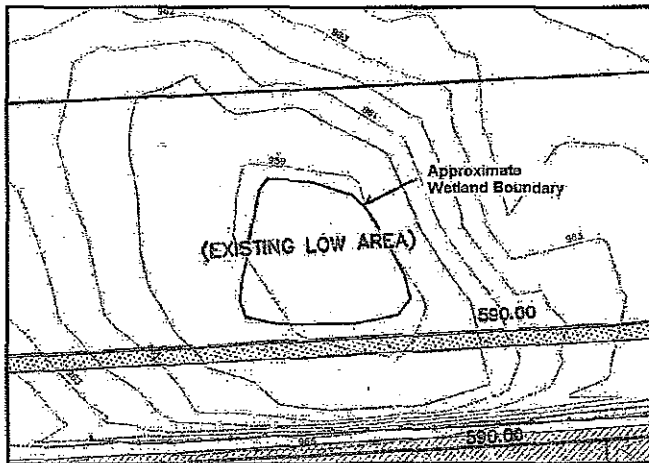
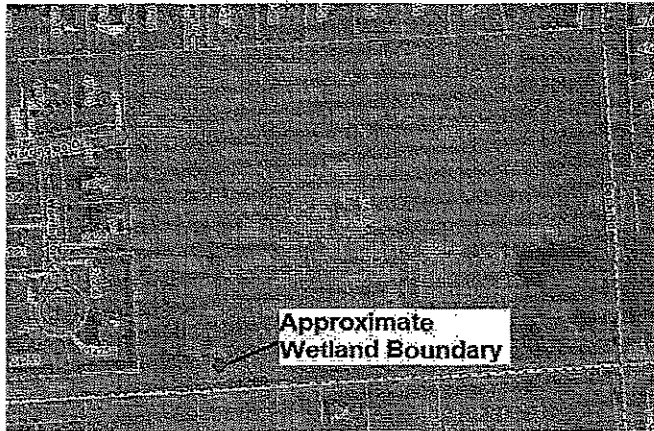


Figure 3. ECT's depiction of approximate wetland boundary on Novi air photo base.





PLAN REVIEW CENTER REPORT

February 17, 2010

PRO Concept Plan

Novi Crossing SP#10-06

Review Type

PRO Concept Landscape Review

Property Characteristics

- Site Location: Ten Mile / Beck Road
- Site Zoning: B-3 / R-1
- Plan Date: 7/21/09

Recommendation

Approval of SP#10-06 Novi Crossing cannot be recommended at this time. The applicant must provide additional information as noted below in order for the plans to be fully reviewed.

Ordinance Considerations

Adjacent to Public Residential Use Buffer (Sec. 2509.3.a.)

1. An 8' to 10' high berm is required as a buffer to adjacent residential zoning. The Applicant has proposed 9' high berms where necessary. It is recommended that these berms be undulating and natural in appearance. The berms must be fully landscaped.

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

1. A 3' tall landscape berm with a 2' crest is required along the right-of-ways for the B-3 property.
2. A 4' tall landscape berm with a 4' crest is required along the right-of-ways for the R-1 property
3. Right-of-way greenbelt planting calculations must be provided and requirements met. The Applicant will need to provide trees, shrubs and perennials in order to meet opacity requirements and quantity counts.
4. One canopy tree or large evergreen will be required for each 40 LF and one sub-canopy tree will be required for each 25 LF of frontage for the B-3 property.
5. One canopy tree or large evergreen will be required for each 35 LF and one sub-canopy tree will be required for each 20 LF of frontage for the R-1 property.
6. Twenty five foot clear vision areas must be shown at all entry drives.

Street Tree Requirements (Sec. 2509.3.b.)

1. Street Trees will be required at the frontages of the B-3 zoning at 1 tree per 45 LF.
2. Street Trees will be required at the frontages of the R-1 zoning at 1 tree per 35 LF.

Parking Landscape (Sec. 2509.3.c.)

1. Please provide the required calculations for interior parking landscape area. Provide adequate interior parking landscape and label the square footages of each area on the

- plans. Interior landscape islands are required to be a minimum of 10 wide and greater than 300 SF.
2. Please provide the calculations for parking lot canopy trees. Provide the adequate number of trees.
 3. Snow storage areas must be shown on the plan.

Parking Lot Perimeter Canopy Trees (Sec. 2509.3.c.(3))

1. Perimeter Parking Lot Canopy Trees will be required at one tree per 35 LF surrounding parking and access areas.

Building Foundation Landscape (Sec. 2509.3.d.)

1. A minimum 4' wide landscape bed is required around the building foundations. Please provide this bed and plantings.
2. Foundation landscape is required totaling 8 SF x each building foundation perimeter. Please provide all calculations.

Plant List (LDM)

1. Please provide a plant list per the requirements of the ordinance.
2. Provide a cost estimate for all landscape materials per the standard City of Novi cost values. Include costs for mulch, seed/sod and irrigation.

Planting Notations and Details (LDM)

1. Please provide the standard City of Novi planting details and notations.

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

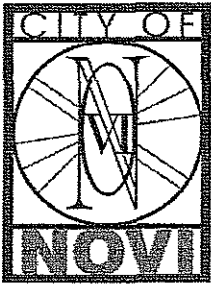
1. An Irrigation Plan and Cost Estimate must be provided.

General

1. Please detail any and all site amenities that are proposed.
2. Loading zones and trash enclosures should be located to the rear of buildings and screened as adequately as is possible.

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

Reviewed by: David R. Beschke, RLA



February 5, 2010

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

RE: Novi Crossing

SP#: 10-06, Conceptual/PRO

CITY COUNCIL

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Mayor Pro Tem
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City Manager
Clay J. Pearson

Fire Chief
Frank Smith

Deputy Fire Chief
Jeffrey Johnson

Project Description:

Four separate retail buildings ranging in size from 6,000 to 13,000 S.F.

Comments:

1. This proposal has a very confusing traffic pattern that might cause some problems. Specifically, the fire code requires a minimum 50' outside turning radius to for the access drives to and from the buildings. This plan does not satisfy this minimum requirement.
2. The loading zone to the west of Building 'A' will block the access drive to this building.
3. Fire hydrants shall be shown on the utility plan in accessible locations at 300' maximum spacing and no part of a building shall be more than 300' from a fire hydrant.

Recommendation:

As submitted, I cannot provide a positive recommendation until the above items are satisfactorily addressed.

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