



cityofnovi.org

BRIGHT LORITOS NOVI OUTDOOR PLAY AREA JSP23-28

JSP23-38 BRIGHT LORITOS NOVI OUTDOOR PLAY AREA

Consideration of the Preliminary Site Plan at the request of Bright Loritos Novi. The subject property is approximately 4.54 acres and is located at the northwest corner of Ten Mile Road and Novi Road in the B-3, General Business Zoning District. The applicant is proposing to install an outdoor, fenced-in play area at the northwest corner of the property to accompany their school and day care use within the Pine Ridge Shopping Center.

Required Action

Approve or Deny the Preliminary Site Plan along with any applicable waivers.

REVIEW	RESULT	DATE	COMMENT
Planning	Approval recommended, with conditions	7-28-23	Play area size waiver from Section 4.12.2.i.a for a deficiency in the required outdoor play area size <i>(Supported because applicant has shown that the proposed number of children playing outside at one time in the proposed play area size is permitted by the state standards and regulations)</i>
Landscape	Approval recommended	7-14-23	No landscaping is required
Engineering	Approval recommended, with conditions	7-28-23	Items to be addressed at Electronic Stamping Set submittal
Fire	Approval recommended	7-21-23	Meets fire department standards

Motion sheet

Approval – Preliminary Site Plan

In the matter of Bright Loritos Outdoor Play Area, JSP23-28, motion to **approve** the Preliminary Site Plan based on and subject to the following

- a. Planning Commission approval to modify play area size requirement based on applicant justification through Section 4.12.2.i.a – applicant is seeking waiver of 2,300 square feet (at least 3,500 square feet required, 1,200 square feet proposed) *supported because the applicant has shown that the proposed number of children playing outside at one time in the proposed play area size is permitted by the state standards and regulations*
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Electronic Stamping Set submittal; and
- c. *(additional conditions here if any)*

(This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance)

– OR –

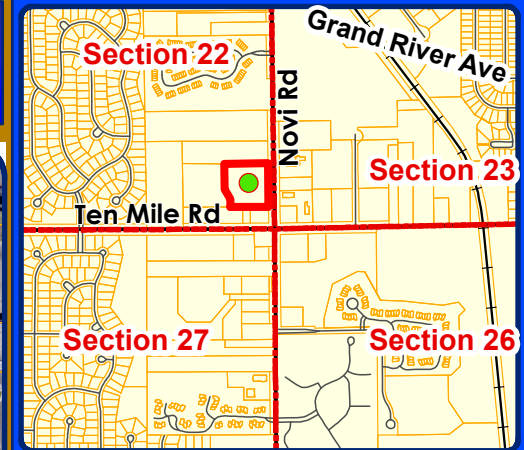
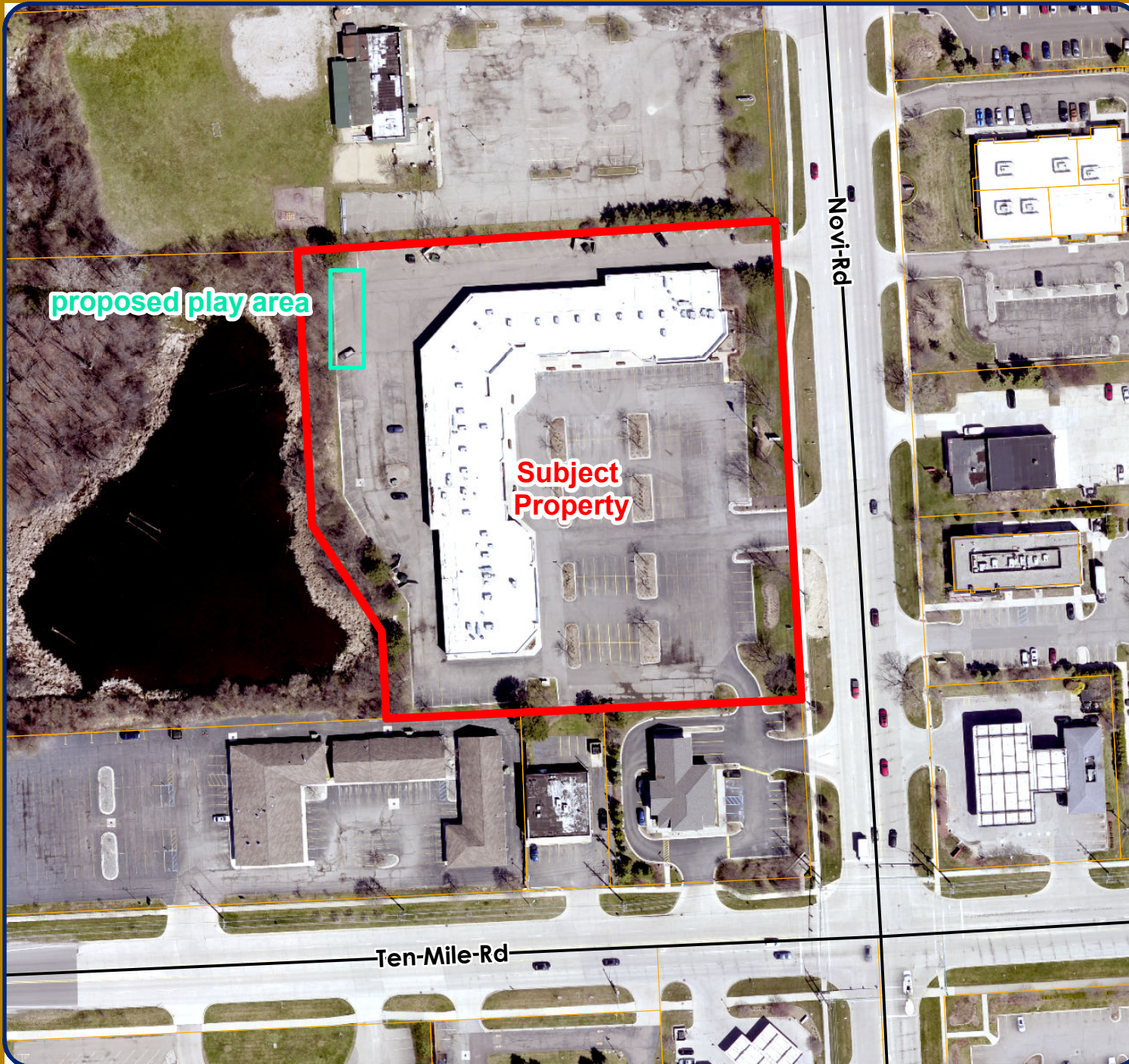
Denial – Preliminary Site Plan

In the matter of Bright Loritos Outdoor Play Area, JSP23-28, motion to **deny** the Preliminary Site Plan... *(because the plan is not in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*

MAPS
Location
Zoning
Future Land Use
Natural Features

BRIGHT LORITOS NOVI OUTDOOR PLAY AREA

LOCATION



 **Subject Property**



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: James Hill
Date: 8/21/23
Project: BRIGHT LORITOS OUTDOOR PLAY AREA
Version #: 1



1 inch = 138 feet

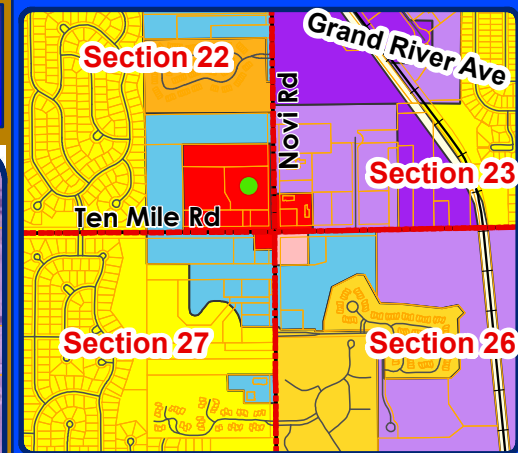
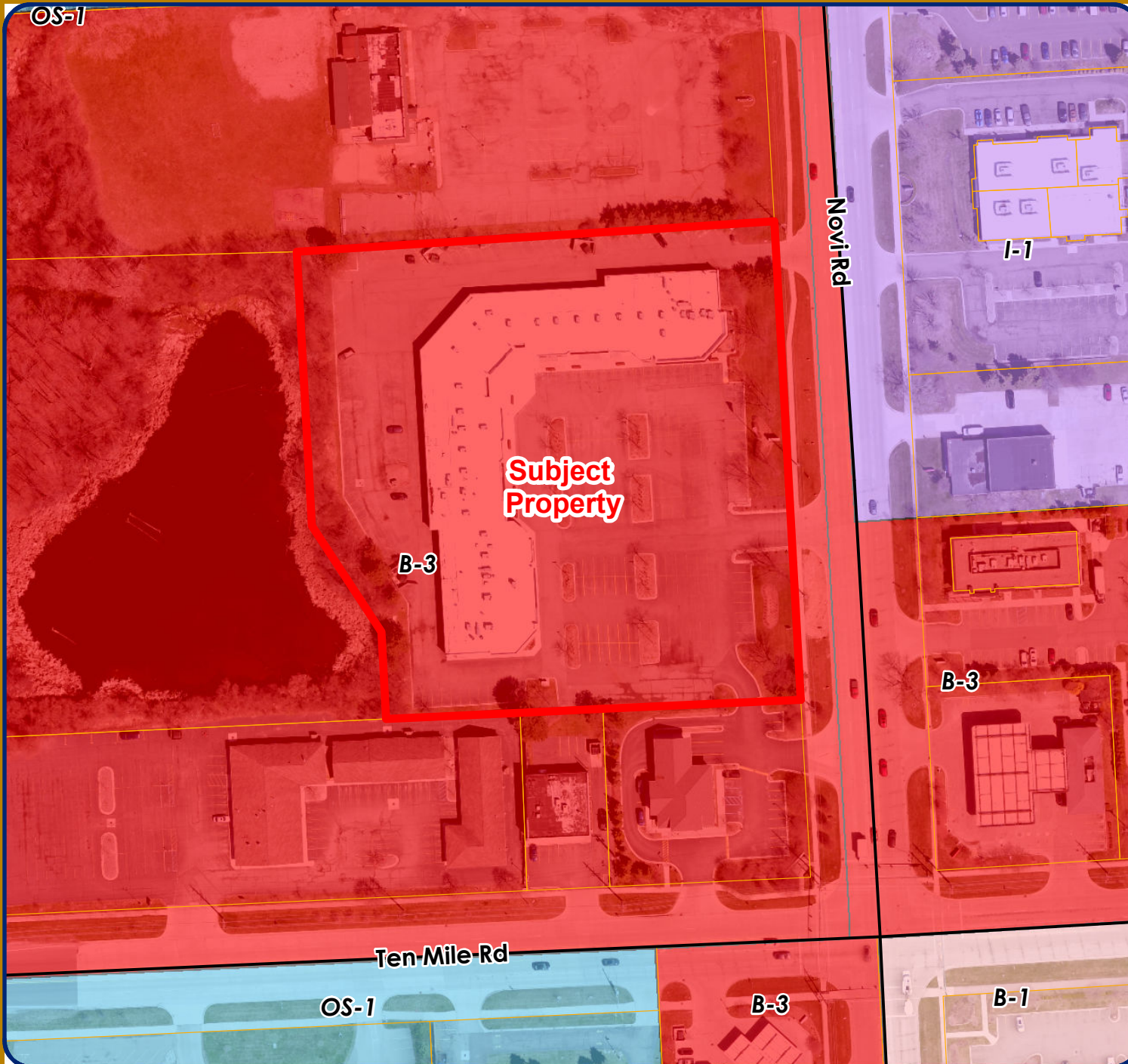


MAP INTERPRETATION NOTICE

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BRIGHT LORITOS NOVI OUTDOOR PLAY AREA

ZONING



LEGEND

- R-4: One-Family Residential District
- RM-1: Low-Density Multiple Family
- RM-2: High-Density Multiple Family
- B-1: Local Business District
- B-3: General Business District
- I-1: Light Industrial District
- I-2: General Industrial District
- OS-1: Office Service District

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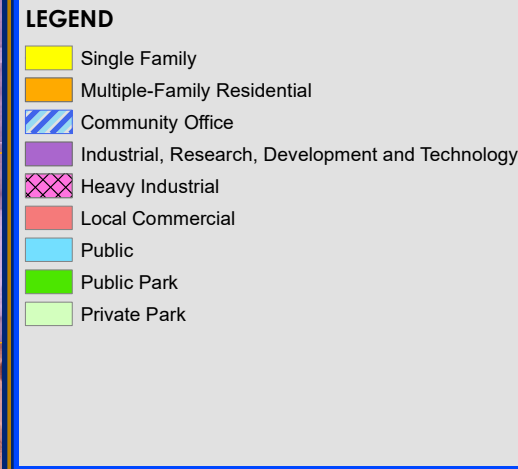
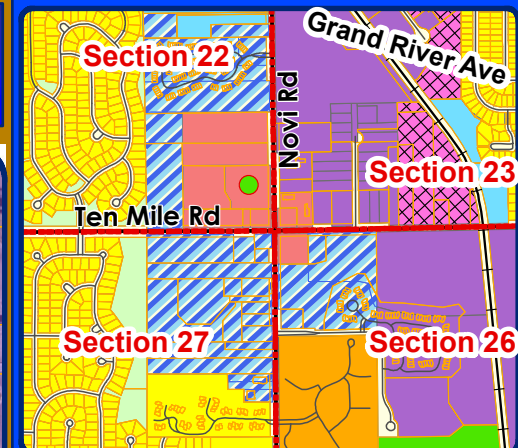
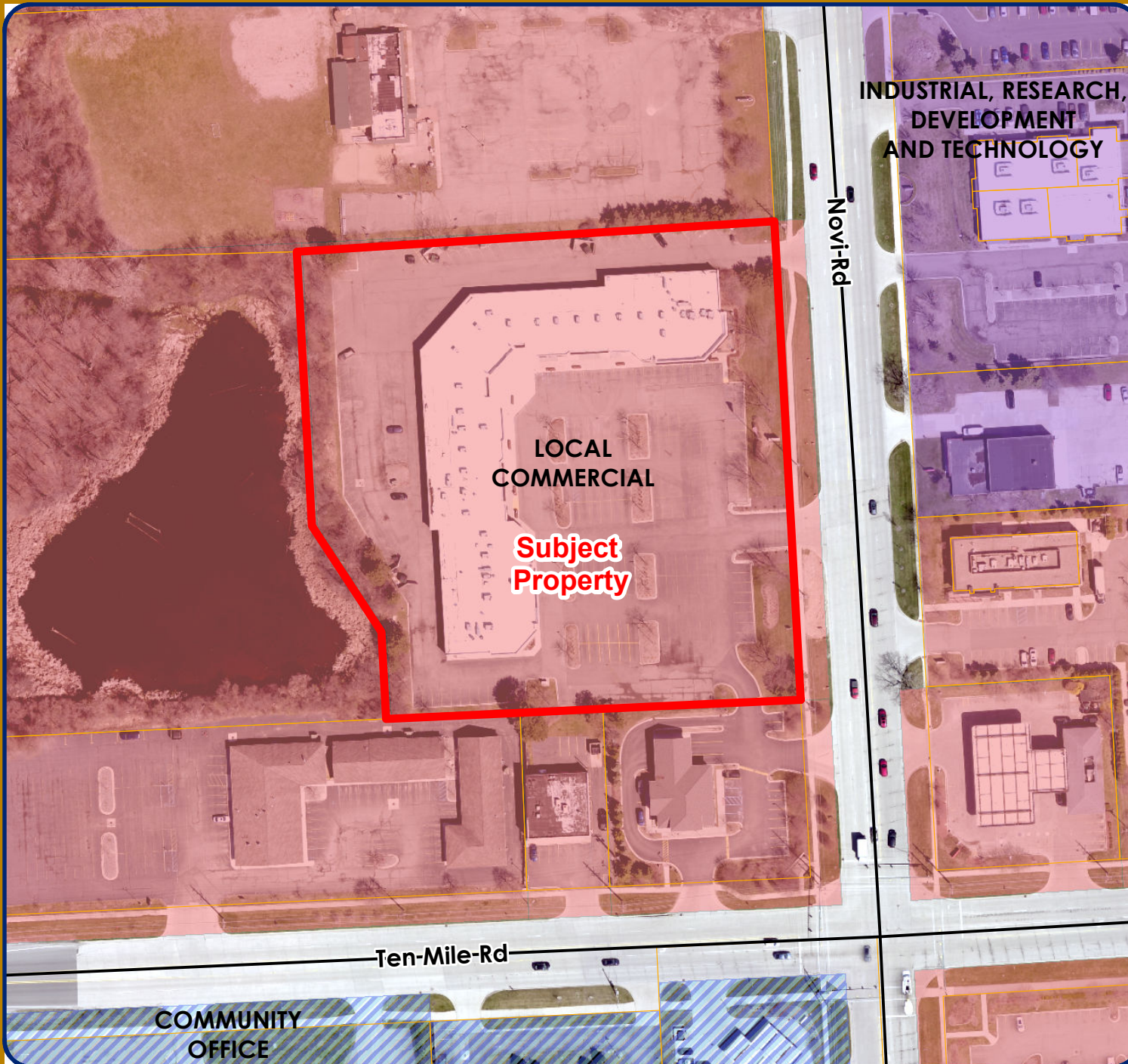
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FUTURE LAND USE



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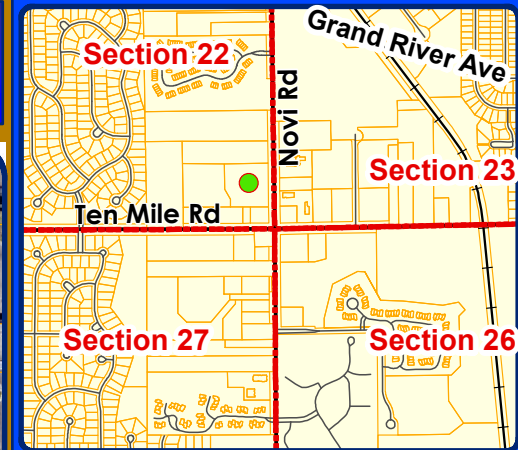
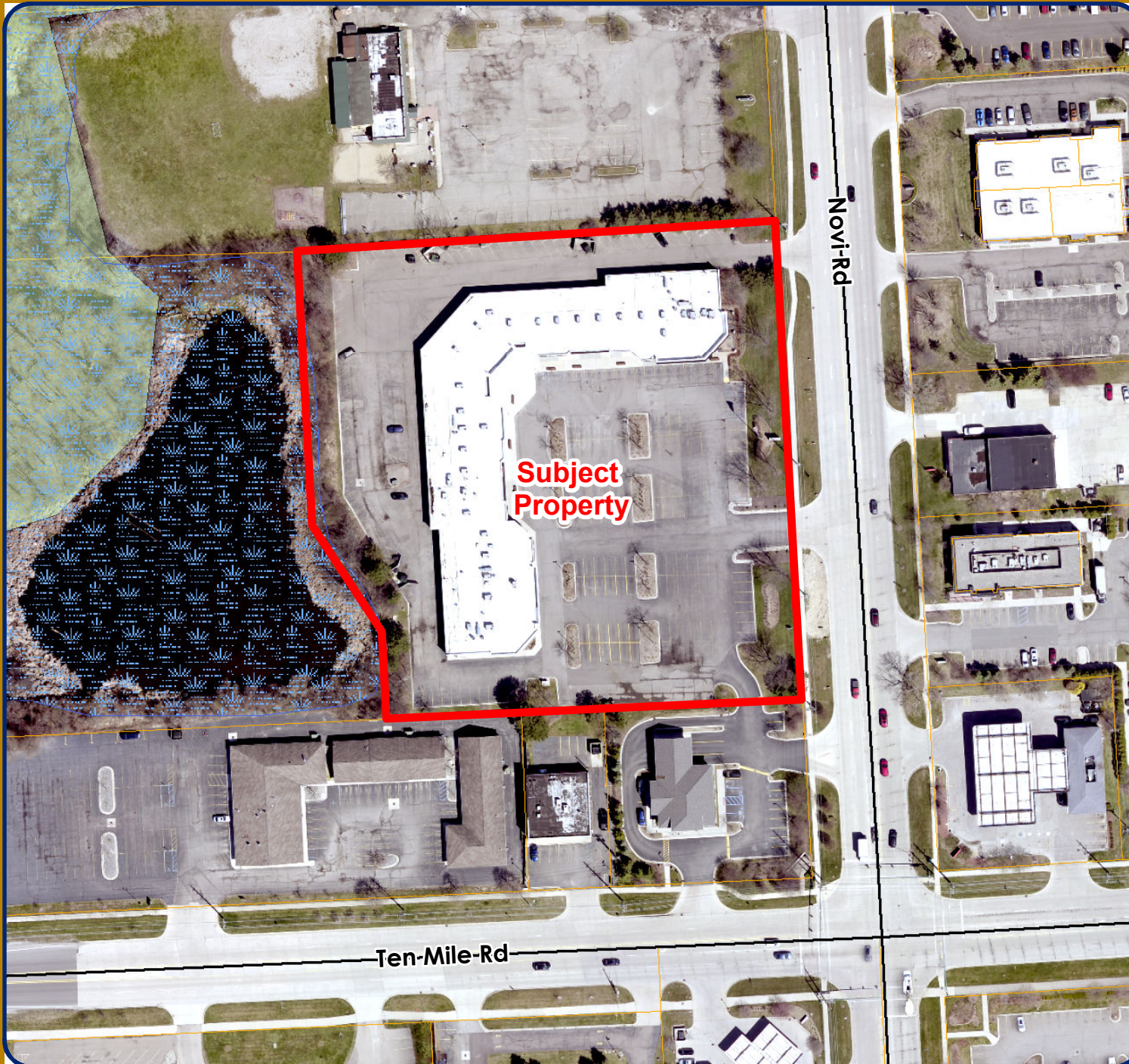
0 30 60 120 180 Feet
1 inch = 138 feet

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BRIGHT LORITOS NOVI OUTDOOR PLAY AREA

NATURAL FEATURES



Legend

-  Wetlands
-  Woodlands



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SITE PLAN

(Full plan set available for viewing at the Community Development Department)



Tim Nichols Architect

www.timnichols.net • tim@timnichols.net • (248)470-3043
 23557 Outwood Dr Southfield, MI 48033

Playground

Bright Loritos

24293 Novi Road
 Novi, MI

Client
 Ernest Chavez

Code Data

- 2015 MICHIGAN BUILDING CODE
- USE GROUP M
- MICHIGAN FIRE CODE
- 2010 ADA STANDARDS
- MICHIGAN ENERGY CODE
- OCCUPANCY LOAD 20

Issue Dates

- Internal Review 12/06/23
- Client Review 25/06/23
- Prelim/Final Rev. 30/06/23

The design concepts and components displayed this drawing have been developed for use in the specified project and are the sole property of the Architect. Because we prepared it from information provided by the Owner without verification or audit, we suggest that the Owner examine this drawing carefully to insure that there are no omissions, misstatements or inaccuracies. Conveyance or use of this design shall be at the sole discretion of and only with the written consent of the Architect.

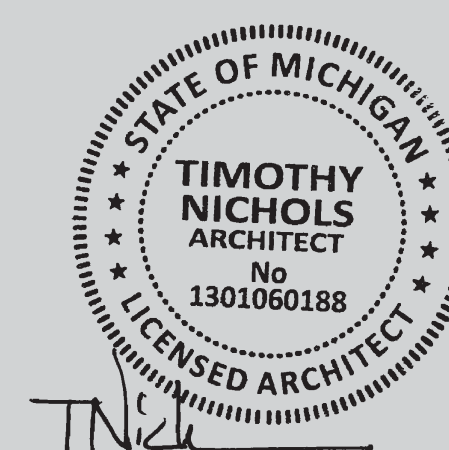
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Sheet Index

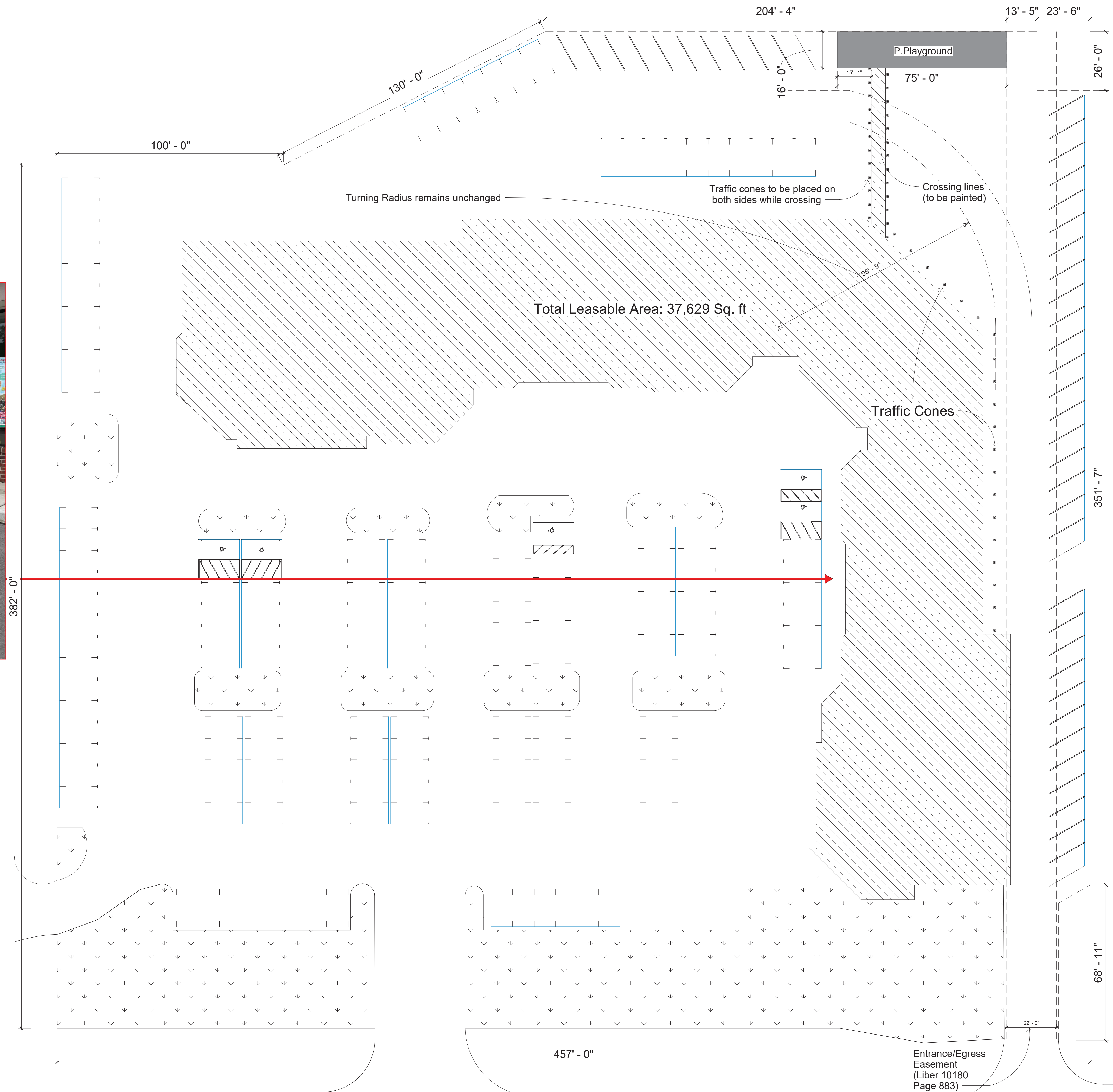
Cover Sheet	000
Site Plan	001
Playground Design Plan	002
Sections.	003

Owner (initial).....



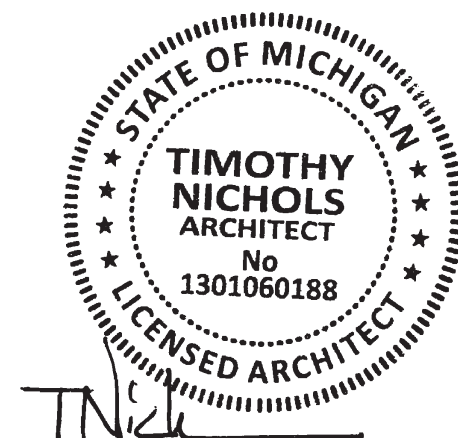
Notes:

- Wet land to the West will suffer no impact.
- There will be no impact on drive ways or traffic circulation from this proposal.



Parking Calculation:

GLA	:	37,629
Gross Leasable Area	:	37,629 < 400,000
Required Parking:		1 unit/250 SF of GLA
Total Required	:	170 spaces
Total Provided	:	182 spaces
		by Design
		(with playground)



TN&K

Client
Ernest Chavez

Drawn By
FS

Checked By
TN

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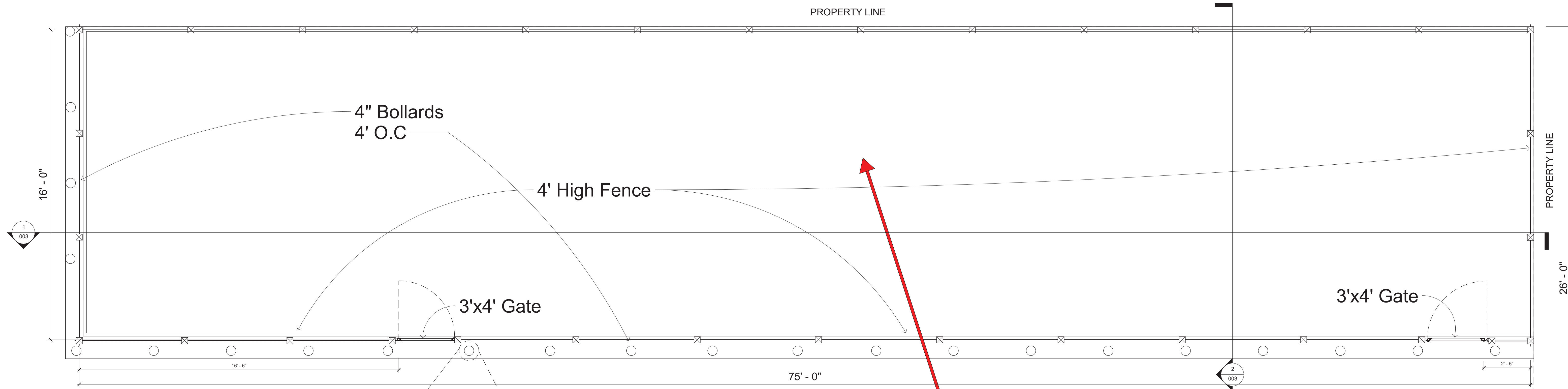
Tim Nichols
Architect

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tim@timnichols.net
(248)470-3043

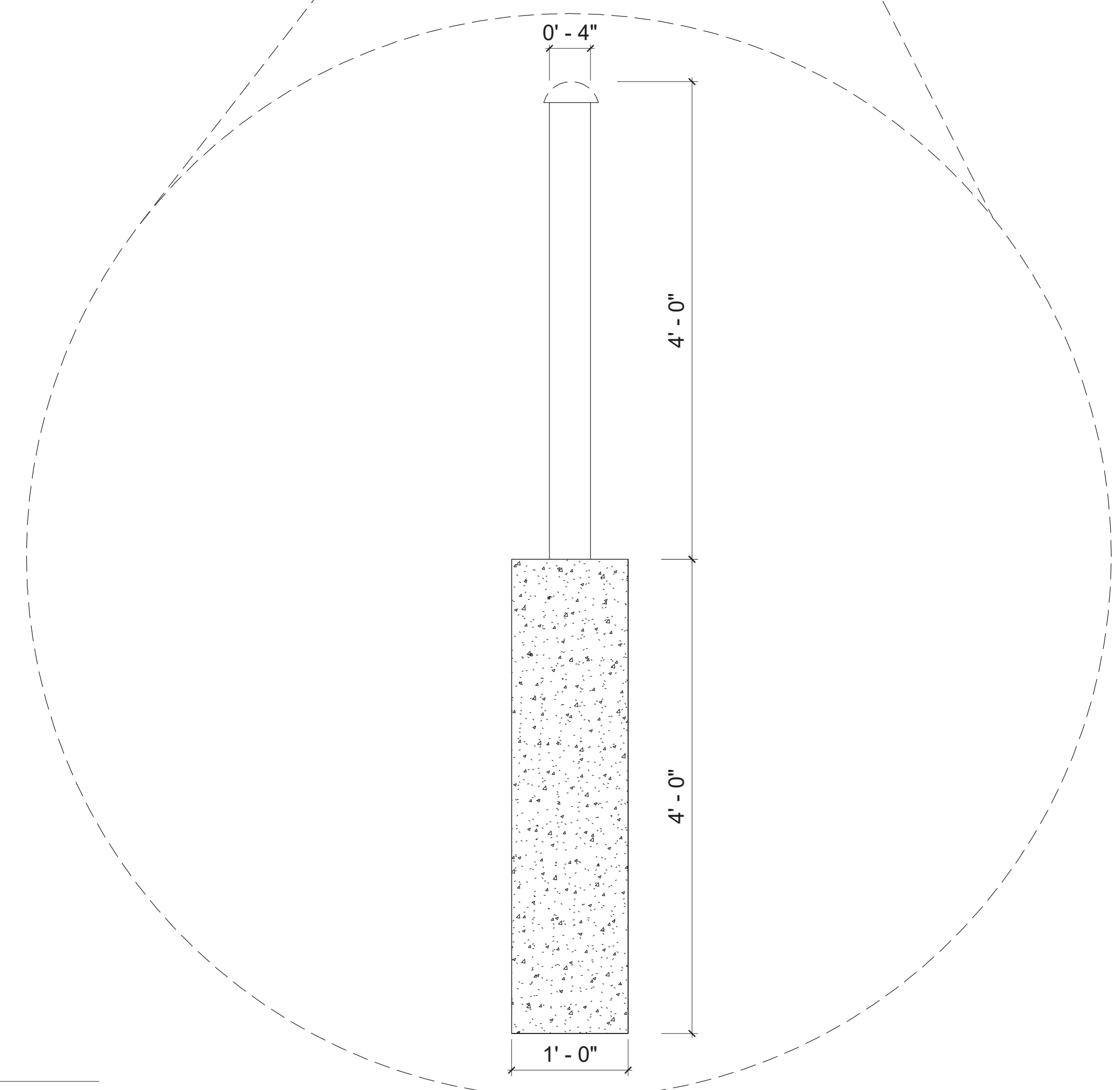


23557 Outwood Dr
Southfield, MI 48033





1 Playground
1 : 30



2 Bollard Detail
1 : 10



Similar Playground
Bright Loritos, Troy, MI

Note:

- Provide 2-3'x4' gates with local alarms, as discussed.

Client
Ernest Chavez

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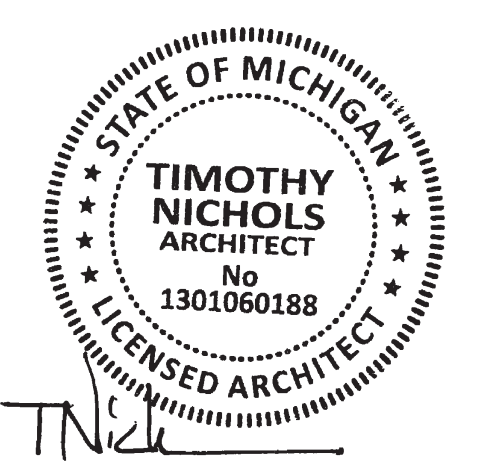
Owner (Initial) _____

Tim Nichols Architect

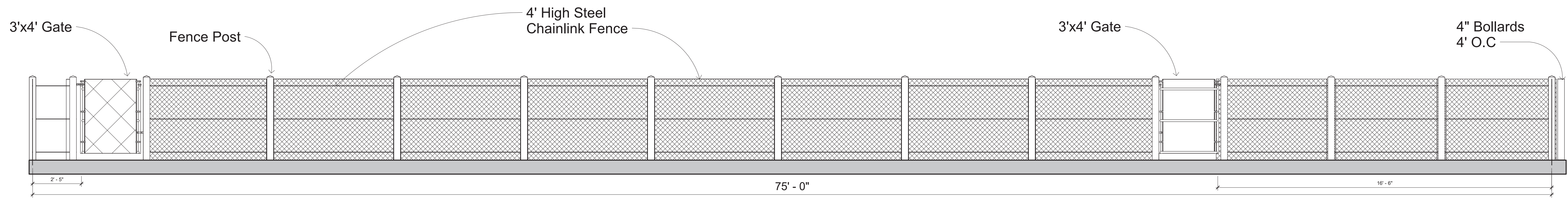
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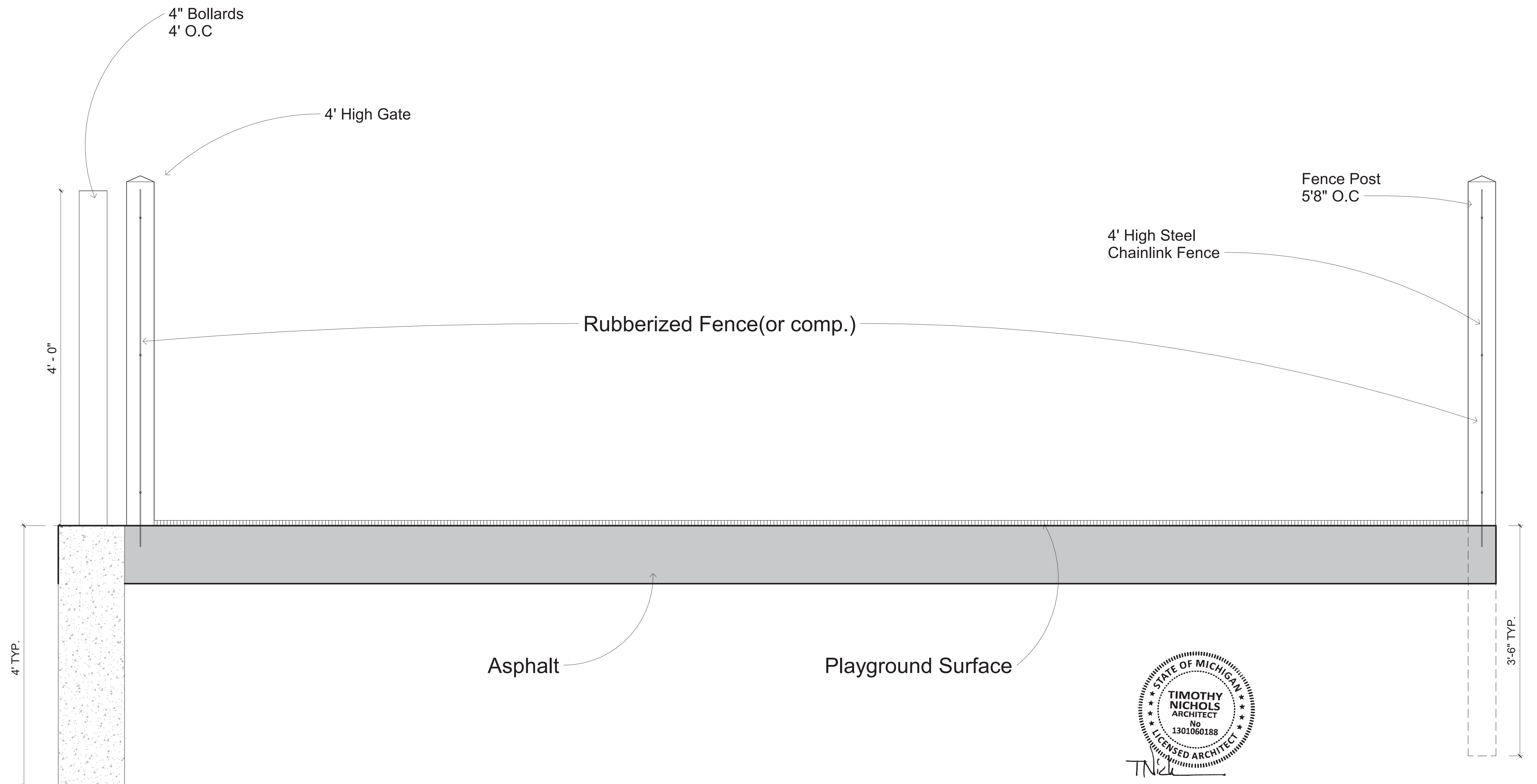
23557 Outwood Dr
Southfield, MI 48033



TN&K



1 Section 1
1 : 30



2 Section 2
1 1/2" = 1'-0"

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Southfield, MI 48033



TN

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

7/24/2023

Planning Review

Bright Loritos Outdoor Play Area

JSP 23-28

PETITIONER

Bright Loritos Novi

REVIEW TYPE

Preliminary Site Plan and Final Site Plan Review

PROPERTY CHARACTERISTICS

Section	Section 22	
Site Location	North of 10 Mile Road, West of Novi Road	
Site School	Novi Community School District	
Site Zoning	B-3 General Business	
Adjoining Zoning	North	B-3 General Business
	East	I-1 Light Industrial
	West	B-3 General Business
	South	B-3 General Business
Current Site	Pine Ridge Shopping Center	
Adjoining Uses	North	vacant
	East	Veterinary Clinic, Safelite Autoglass
	West	Vacant, large pond
	South	Dental office, bank, liquor store
Site Size	4.54 acres	
Plan Date	July 7, 2023	

PROJECT SUMMARY

The applicant, Bright Loritos, is a day care and language school located in the Pine Ridge Plaza, on the west side of Novi Road, north of Ten Mile Road, that would like to expand its services in both the number of kids receiving care and training, and amount of time available for that care. However, to do so and comply with state requirements they must provide an outdoor play area for the kids. The applicant is proposing a 16' x 75' (1,200 square feet) fenced-in play area at the northwest corner of the property where there currently are parking spots. The applicant has provided a short narrative describing the process for walking the children (10 or less) from the business to the proposed play area. Day care facilities are considered Permitted Uses in the B-3, General Business District, subject to certain standards of the ordinance.

RECOMMENDATION

Approval of the combined Preliminary and Final Site Plan is recommended *subject to the Planning Commission's consideration and approval of the Preliminary Site Plan and recommendation to the Zoning Board of Appeals regarding the deficiency in size for the outdoor play area and access to an arterial.* The plan does not conform to the current requirements of the Zoning

Ordinance with regard to the play area size and access to an arterial, although a zoning ordinance text amendment is currently underway that may allow for a reduced-size play area and remove the restriction on access to an arterial if the draft ordinance is approved by the City Council. Other details and revisions should be included at the time of Electronic Stamping Set submittal. **Planning Commission approval of the Preliminary Site Plan is required.**

PROJECT HISTORY

Bright Loritos is located within the Pine Ridge Shopping Center and would like to expand their services by constructing an outdoor play area. Currently, the City requires such a play area to be at least 3,500 square feet in size. The text amendment (TA18.301) that was recommended to City Council at the Planning Commission meeting on July 12, 2023 included language that provided more flexibility with this requirement. If City Council adopts the Text Amendment, the Planning Commission will be able to waive the size requirement if deemed justified by the applicant. On July 31, 2023, the City Council approved the first reading of the text amendment. The second reading will appear before the City Council on August 14. If adopted, the text amendment will go into effect 15 days after that meeting.

ORDINANCE REQUIREMENTS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), and any other applicable provisions of the Zoning Ordinance. Please see the attached charts for information pertaining to ordinance requirements. [Items in **bold** below must be addressed and incorporated as part of the final site plan submittal.]

1. Day Care Centers outside recreation requirement (Sec. 4.12.2): The minimum one-hundred fifty (150) square feet of outdoor recreation area per person cared for is not met, in addition to the minimum total area of three-thousand five-hundred (3,500) square feet not being met. **Please provide justification (such as explicitly stating the State of Michigan requirements) in a response letter for not meeting this requirement. The applicant will need to seek a variance from the Zoning Board of Appeals if the text amendment is not adopted, but will need to provide justification for the deficiency in a narrative regardless of the outcome of the text amendment.**
2. Day Care Center outdoor recreation screening requirement (Sec. 4.12.2.i.d): Screening shall comply with Section 5.5. *The City would prefer that the fencing be of a material and likeness similar to that of the play area shown in the site plans for Bright Loritos in Troy, Michigan.*
3. Hours of operation (Sec. 4.12.2.i.b): Hours of operation shall be limited to the period between 6 a.m. and 7 p.m. for those facilities abutting residential zoning. *The use is not abutting residential zoning, but* **please indicate the hours of operation in the response submittal.**
4. Facilities located in a permitted office or commercial structure (Sec. 4.12.2.i.c): Business is located within a permitted commercial structure. **Please include some detail in your response letter as to how the current business is operated in the shopping center, specifically details regarding pick-up and drop-off procedures, in addition to the number of children the daycare is estimated to serve.**
5. Access (Sec. 4.12.2.ii.c): Vehicular access to the site shall not be directly to or from a major arterial or arterial. The shopping center is accessed directly via Novi Road, which is an arterial as determined by the Future Land Use map. This condition is removed from the

Zoning Ordinance by Text Amendment 18.301. **The applicant will need to seek a variance from the Zoning Board of Appeals if the Text Amendment is not adopted but can disregard if the amendment is adopted.**

6. Outdoor Storage of Materials (Sec. 3.10): All business, servicing, or processing, except for off-street parking, loading/unloading shall be conducted within completely enclosed buildings. *While the nature of requiring an outdoor play area means that business will have to be conducted outside of the enclosed building, materials related to safely traversing the kids from the building to the play area cannot be stored outside.* **Please indicate where the traffic cones will be stored when they are not in use.**
7. Screening and landscaping (Sec. 4.12.2.i.d): shall comply with Section 5.5 of the Zoning Ordinance. **Please include a note that any screening and landscaping will comply with this section of the Zoning Ordinance.**
8. Number of Parking Spaces (Sec.5.2.12.C): 1 space per 250 square feet of Gross Leasable Area (GLA); 37,249 sq ft GLA = 151 required spaces. *183 total spaces provided.* **Please indicate how many spaces are being removed for the play area.**
9. Parking Space Dimensions and Maneuvering Lanes (Sec. 5.3.2) **Provide dimensions of the walkway created for guiding the children to the play area from the building.**
10. Dumpster (Sec 4.19.2.F) **No dumpster is shown on the Preliminary Site Plan. Please show where dumpster(s) and dumpster enclosure(s) are located on the site plan.**
11. Bollards and self-closing gates: **Please provide the materials of the bollards and details concerning the 'local alarms' that are to be installed with the self-closing gates.**
12. Fences (Sec. 5.11): **Please provide a note on the plans that the fencing will comply with applicable provisions of the current City of Novi Maintenance Code.**

LIST OF DEVIATIONS UNDER CONSIDERATION

- The applicant is seeking a deviation from the required square footage for play areas for day care centers, as required by the Zoning Ordinance.

OTHER REVIEWS:

- a. Landscape Review: Landscape recommends approval.
- b. Engineering Review: Additional comments to be addressed with Electronic Stamping set submittal. Engineering recommends approval.
- c. Fire Review: Additional Comments to be addressed with Electronic Stamping Set submittal. Fire recommends approval.

NEXT STEP: PLANNING COMMISSION AND RESPONSE LETTER

This Site Plan is scheduled to go before Planning Commission for consideration on **August 30, 2023 at 7:00 p.m.** Please provide via email the following **by noon on August 24, 2023**, if you wish to keep this schedule:

1. Site Plan submittal in PDF format (maximum of 10MB). **NO CHANGES MADE.**
2. A response letter addressing ALL the comments from ALL the review letters and a request for waivers as you see fit.

3. A color rendering of the Site Plan (Optional to be used for Planning Commission presentation).

ELECTRONIC STAMPING SET SUBMITTAL AND RESPONSE LETTER

After receiving Preliminary/Final Site Plan approval, plans addressing the comments in all of the staff and consultant review letters should be submitted electronically for informal review and approval prior to printing Stamping Sets. A letter from either the applicant or the applicant's representative addressing comments in this and other review letters and associated charts is to be submitted with the electronic stamping set. This letter should address all comments in ALL letters and ALL charts and **refer to sheet numbers where the change is reflected.**

STAMPING SET APPROVAL

Stamping sets are still required for this project. After having received all of the review comments from City staff the applicant should make the appropriate changes on the plans and submit **7 size 24" x 36" copies with original signature and original seals on the cover sheet (subsequent pages may use electronic seal with signature)**, to the Community Development Department for final Stamping Set approval.

If required, drafts for all legal documents with a legal transmittal are to be submitted along with stamping sets.

SIGNAGE

Exterior Signage is not regulated by the Planning Division or Planning Commission. Sign permit applications that relate to construction of a new building or an addition to an existing building may submitted, reviewed, and approved as part of a site plan application. Proposed signs shall be shown on the preliminary site plan. Alternatively, an applicant may choose to submit a sign application to the Building Official for administrative review. Following preliminary site plan approval, any application to amend a sign permit or for a new or additional sign shall be submitted to the Building Official. Please contact the Ordinance Division 248.735.5678 for information regarding sign permits.

CHAPTER 26.5

Chapter 26.5 of the City of Novi Code of Ordinances generally requires all projects be completed within two years of the issuance of any starting permit. Please contact Sarah Marchioni at 248-347-0430 for additional information on starting permits. The applicant should review and be aware of the requirements of Chapter 26.5 before starting construction.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248-347-0547 or jhill@cityofnovi.org.



[James Hill – Planner]



PLANNING REVIEW CHART: B3, General Business District

Review Date: July 18, 2023
Review Type: Preliminary and Final Site Plan Review
Project Name: **JSP 23-28 BRIGHT LORITOS OUTDOOR PLAY AREA**
 50-22-22-400-026; 24293 Novi Road
Plan Date: July 11, 2023
Prepared by: James Hill, Planner
E-mail: jhill@cityofnovi.org **Phone:** (248)-347-0547

Items in Bold need to be addressed by the applicant with next submittal. Italicized items should be noted.

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan <i>(adopted July 27, 2017)</i>	Local Commercial	No change	Yes	
Zoning <i>(Effective January 8, 2015, as amended)</i>	General Business	No Change	Yes	
Uses Permitted <i>(Sec 3.1.12.B & C)</i>	Day care centers	Outdoor recreation area	Yes	Outdoor recreation area is required for day care centers
Day Care Centers <i>(Sec. 4.12.2)</i>	Permitted use in B-3 if outdoor recreation area provided with minimum 3,500 square feet of area	Outdoor area is deficient in size	No	Provide justification in a response letter for not meeting this requirement
Height, Bulk, Density, and Area Limitations (Sec. 3.1.12)				
Frontage on a Public Street <i>(Sec. 5.12)</i>	Frontage on a Public Street is required.	Shopping Center accessed by Novi Road, Ten Mile Road	Yes	
Access to a Major Thoroughfare <i>(Sec. 5.13)</i>	Direct access to a Major Thoroughfare is required unless noted in Section 5.13	Access to Novi Road and Ten Mile Road	Yes	
Building Height <i>(Sec. 3.1.24.D)</i>	30 ft	No change	NA	
Building Setbacks (Sec. 3.1.12.D)				
Front	30 ft	No change	NA	Existing building
Side	15 ft			
Rear	30 ft			
Parking Setbacks (Sec. 3.1.12.D)				
Front	20 ft	No change	NA	Existing parking
Side	10 ft			
Rear	10 ft			
Note to District Standards (Sec. 3.6.2)				
Exterior Side Yard Abutting a Street <i>(Sec 3.6.2.C)</i>	All exterior side yards abutting a street shall be provided with a setback equal to front yard.		NA	Existing building and parking
Minimum Lot Area <i>(Sec. 3.6.2.D)</i>	The minimum lot area and width, and the maximum percent of lot	No change	NA	

Item	Required Code	Proposed	Meets Code	Comments
	coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements			
Wetland/Watercourse Setback (Sec 3.6.2.M)	Refer to 3.6.2 for more details	No wetlands	NA	
Parking setback screening (Sec 3.6.2.P)	Required parking setback area shall be landscaped per Sec. 5.5.3.		NA	Existing parking area
Parking, Loading, and Dumpster Requirements				
Planned Commercial or Shopping Center (Sec 5.2.12.C)	1 space per 250 square feet of Gross Leasable Area (GLA) 37,249 sq ft GLA = 151 required spaces	9 spaces removed for play area(?) – 183 total spaces provided	Yes	Please indicate on the plans how many parking spots are being removed
Parking Space Dimensions and maneuvering Lanes (Sec. 5.3.2)	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two-way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping			Provide dimensions of the walkway created for guiding the children to the play area from the building and review of any of the supervision provided to the children to go to and return from the play area.
Barrier Free Spaces <i>Barrier Free Code (2012 Michigan Building Code)</i>	- Every 6 or fraction of 6 accessible parking spaces, at least one shall be van-accessible	Existing parking	Yes	
Barrier Free Space Dimensions <i>(2012 Michigan Building Code)</i>	- 8' wide with an 8' wide access aisle for van accessible spaces - 5' wide with a 5' wide access aisle for regular accessible spaces	Existing parking	Yes	
Barrier Free Signs <i>Barrier Free Code</i>	One sign for each accessible parking space	Existing parking	Yes	
Loading Spaces (Sec. 5.4.2)	- Loading, unloading space shall be provided in the rear yard at a ratio of 10 sq. ft. for each front foot of building - Except in the case of a double frontage lot, loading-unloading, as well as trash receptacles may be located in an interior side yard beyond	Existing loading	Yes	

Item	Required Code	Proposed	Meets Code	Comments
	the minimum side yard setback requirement of the district; location subject to approval by the City.			
Dumpster (Sec. 4.19.2.F)	<ul style="list-style-type: none"> - Located in rear yard or interior side yard in case of double frontage - Attached to the building OR - No closer than 10 ft. from building if not attached - Not located in parking setback - If no setback, then it cannot be any closer than 10 ft from the property line - Away from barrier free spaces 	Existing dumpster	NA	Please provide location of dumpster in relation to play area and walkway
Dumpster Enclosure (Sec. 21-145. (c))	<ul style="list-style-type: none"> - Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery 	No change	NA	
Hours of Operation (Sec. 4.12.2.i.b)	Limited to the period between 6 a.m. and 7 p.m. if abutting residential zoning	The use is not abutting residential zoning	Yes	Please indicate the hours of operation in the response submittal
Facilities location (Sec. 4.12.2.i.c)	Daycare is permitted in a permitted office or commercial structure	Located within a permitted commercial structure	Yes	Please include detail in the response letter on how the current business is operated in the shopping center, including pick-up and drop-off procedures, in addition to the number of children the daycare is estimated to serve
Access (Sec. 4.12.2.ii.c)	Vehicular access to the site shall not be directly to or from a major arterial or arterial	Shopping center is accessed directly via Novi Road, an arterial	No	Will need variance from Zoning Board of Appeals <u>unless text amendment 18.301 is adopted</u>

Item	Required Code	Proposed	Meets Code	Comments
Lighting and Other Equipment Requirements				
Bollards		4' bollards around the play area	Yes?	Please provide detail on the materials of the bollards
Self-closing Gates		2 3'x4' self-closing gates with local alarms – as discussed	Yes?	Please provide details on the 'local alarms' that are to be installed with the self-closing gates
Fences (Sec. 5.11)		4' high steel, chain-link fence surrounding the play area	Yes	The City would prefer a fence more similar to the one showed at the Bright Loritos location in Troy. Please provide a note in the plans that the fencing will comply with applicable provisions of the current City of Novi Property Maintenance Code
Loading Spaces (Sec. 5.4.3)	All loading and unloading operations shall be conducted in the rear yard, except in those instances where: - The Industrial district abuts a residential district, in which case, the conditions of Section 3.14.5 shall apply, or, - An interior side yard is located adjacent to I district, EXPO district, or EXO Overlay district property, loading and unloading may be conducted in that interior side yard when located near the rear of the building. When loading and unloading is to be conducted within an interior side yard, the City may require aesthetic screening of the facility in accordance with the guidelines set forth in Section 5.5.	Existing	Yes	
Sidewalks				
Non-Motorized Plan	Sidewalk required		NA	Existing shopping mall
Public Sidewalks (Chapter 11, Sec.11-256(b))	Connection from property to main sidewalk system is required.		NA	Existing shopping mall

Item	Required Code	Proposed	Meets Code	Comments
Parking Area General Requirements	Paint or contrasting brick pavers to delineate stall lines in parking areas	Painted crosswalk where children walk across parking area	Yes?	Please provide detail for how this will be painted
Building Code and Other Requirements				
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Not provided	No	Please provide the following Sidwell number on the cover sheet: 50-22-22-400-026
General layout and dimension of proposed physical improvements	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in square feet), location of proposed parking and parking layout, streets and drives, and indicate square footage of pavement area (indicate public or private).	Provided, in part	Yes	Please provide dimensions of walking area – both the proposed striped area connecting to the play area and the dimensions of the walking area designated by the traffic cones
Building Exits	Building exits must be connected to sidewalk system or parking lot.	Rear exit of business not shown	Yes?	Please show where building exit is in rear in relation to the proposed walking area for the children
Development/ Business Sign (City Code Sec 28.3)	The leading edge of the sign structure shall be a minimum of 10 ft. behind the right-of-way. Entranceway shall be a maximum of 24 square feet, measured by completely enclosing all lettering within a geometric shape. Maximum height of the sign shall be 5 ft.	None proposed at this time	NA	Contact Maureen Underhill at 248.735.5602 or at the following email: munderhill@cityofnovi.org for more information.

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4 and 5 of the zoning ordinance for further details.
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

Additional comments:

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

7/28/2023

Engineering Review

Bright Loritos Novi Outdoor Area
JSP23-0028

Applicant

Bright Loritos

Review Type

Preliminary and Final Site Plan

Property Characteristics

- Site Location: West of Novi Road and North of 10 Mile Road
- Site Size: 4.54 acres
- Plan Date: 6/30/2023
- Design Engineer: Tim Nichols Architect

Project Summary

- Construction of an approximately 1200 square-foot Playground.
- No changes proposed to existing water and sanitary sewer main.
- No changes proposed to the storm water management system.

Recommendation

Approval of the preliminary and Final Site Plan is recommended with items to be addressed at Electronic Stamping Set submittal.

Comments:

The preliminary and Final Site Plan meets the general requirements of Chapter 11 of the Code of Ordinances

General

1. Show on the plans the existing catch basin and verify the distance between the proposed playground and the catch basin.
2. Mark the plans to show the flow direction from the playground area.

Utilities

3. No changes proposed to existing Utilities.

The following must be submitted with the Stamping set submittal:

4. A letter from either the applicant or the applicant's engineer must be submitted with the Stamping Set highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved. **Additionally, a statement must be provided stating that all changes to the plan have been discussed in the applicant's response letter.**

Prior to preparing stamping sets, the Applicant should submit the Electronic Stamping set to Planning for review, if any changes are proposed after Electronic Stamping set approval send revised sheets directly to Engineering for an informal review and approval.

To the extent this review letter addresses items and requirements that require the approval of or a permit from an agency or entity other than the City, this review shall not be considered an indication or statement that such approvals or permits will be issued.

Please contact Adam Yako at (248)735-5695 with any questions.



Adam Yako,
Project Engineer

cc:

Humna Anjum, Engineering
Ben Croy, City Engineer

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

July 14, 2023
Bright Loritos Play Area
Combined Preliminary/Final Site Plan - Landscaping

Review Type

Combined Preliminary/Final Landscape Review

Job

JSP23-0028

Property Characteristics

- Site Location: 24293 Novi Road
- Site Acreage: 2.12 ac.
- Site Zoning: B-3
- Adjacent Zoning: North, West, South: B-3, East-I: I-1
- Plan Date: 6/30/2023

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed and incorporated as part of the revised Final Site Plan submittal. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and is not intended to substitute for any Ordinance.

RECOMMENDATION:

This project is **recommended for approval for both Preliminary and Final Site Plans**. No landscaping is required.

Ordinance Considerations

Existing Trees (Sec 37 Woodland Protection, Preliminary Site Plan checklist #17 and LDM 2.3 (2))

1. **All landscaping immediately adjacent to the area to be fenced in must be protected from injury during the installation of the fencing.**
2. **Please install the fencing inside the curb, not behind the curb to protect the root systems of the adjacent trees.**

Adjacent to Residential - Buffer (Zoning Sec. 5.5.3.B.ii and iii)

1. The project is not immediately adjacent to residentially-zoned property.
2. As the area is over 800 feet from the nearest neighbor, and the area between is heavily vegetated, no additional screening will be required.

Adjacent to Public Rights-of-Way – Berm/Wall, Buffer and Street Trees (Zoning Sec. 5.5.3.B.ii, iii)

The project is not near Novi Road and does not require any additional greenbelt berm or landscaping.

Parking Lot Landscaping (Zoning Sec. 5.5.3.C.)

No changes to the parking lot are proposed so no new parking lot landscaping is required.

Building foundation Landscaping (Zoning Sec 5.5.3.D)

As the building is not being enlarged, no additional foundation landscaping is required.

Plant List, Notes and Details (LDM 4, 10)

No plantings or landscape notes or details are required.

Storm Basin Landscape (Zoning Sec 5.5.3.E.iv and LDM 3)

No detention basin landscaping is required for this project.

Irrigation (LDM 10)

Not required for this project.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5621 or rmeader@cityofnovi.org.



Rick Meader – Landscape Architect

FIRE REVIEW



July 21, 2023

TO: Barbara McBeth - City Planner
Lindsay Bell - Plan Review Center
Ben Peacock – Plan Review Center
James Hill – Plan Review Center
Diana Shanahan – Planning Assistant

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

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**Director of Public Safety
Chief of Police**
Erick W. Zinser

Interim Fire Chief
John B. Martin

Assistant Chief of Police
Scott R. Baetens

Assistant Fire Chief

RE: Bright Loritos Novi Outdoor Area

PSP# 23-0033

Project Description:

Build an outdoor play area.

Comments:

Meets Fire Department Standards.

Recommendation:

Approved

Sincerely,

Kevin S. Pierce-Fire Marshal
City of Novi – Fire Dept.

cc: file

APPLICANT'S RESPONSE LETTER



Tim Nichols Architect

248-470-3043 tim@timnichols.net 23557 Outwood Street Southfield, Michigan 48033

August 24, 2023

RESPONSE LETTER JSP 23-28

RE: Bright Loritos Novi Outdoor Play Area

TO: Barbara McBeth – City Planner
James Hill – Planner
Kevin S. Pierce – Fire Marshall
Rick Meader – Landscape Architect
Adam Yako – Project Engineer
Humna Anjum – Engineering
Ben Croy – City Engineer

This RESPONSE LETTER will address ALL the comments from ALL the review letters from the Preliminary Site Plan and Final Site Plan Review. Sheet reference numbers refer to the revised set of drawings where the changes were made.

1. Day Care Centers outside recreation requirement (Sec. 4.12.2): The minimum one-hundred fifty (150) square feet of outdoor recreation area per person cared for is not met, in addition to the minimum total area of three-thousand five-hundred (3,500) square feet not being met. **According to the Michigan DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CHILD CARE LICENSING BUREAU for LICENSING CHILD CARE CENTERS R [400.8170](#) Outdoor play area. Rule 170.(4) A center operating with children in attendance for 3 or more continuous hours a day shall have an outdoor play area with at least 1,200 square feet. We are currently licensed to have 14 students. Therefore a 1200 square feet area provides enough space for our staff and students, and it complies with state licensing rules. (See sheets 001, 002)**
2. Day Care Center outdoor recreation screening requirement (Sec. 4.12.2.i.d): **Screening shall comply with Section 5.5. The City would prefer that the fencing be of a material and likeness similar to that of the play area shown in the site plans for Bright Loritos in Troy/Rochester, Michigan. EZ Fence Asbury 4' 6" x 6' Black 3-Rail Aluminum Fence Panel (Actual Size 54" H x 69-3/8" W)**

Model Number: 1716720 <https://www.menards.com/main/building-materials/fencing/metal-fencing/ez-fence-asbury-4-6-x-6-3-rail-aluminum-fence-panel/1716720/p-1444443174280-c-5766.htm?tid=2484115483887360322&ipos=4&fbclid=IwAR1ChU0H6LEtqXgh9sEz92kml9Wjkw2pQNAmeBjV7dup3NvjG8BkPt6HKck> **(See Sheet 003)**

3. Hours of operation (Sec. 4.12.2.i.b): Hours of operation shall be limited to the period between 6 a.m. and 7 p.m. for those facilities abutting residential zoning. The use is not abutting residential zoning, but please indicate the hours of operation in the response submittal. **Hours of operation are Monday through Friday, 7:00 a.m to 6:30 p.m**
4. Facilities located in a permitted office or commercial structure (Sec. 4.12.2.i.c): Business is located within a permitted commercial structure. **Parents park, drop off and pick up students at our main entrance door. We are currently licensed to serve 14 students for daycare. (See sheet 001)**
5. Access (Sec. 4.12.2.ii.c): Vehicular access to the site shall not be directly to or from a major arterial or arterial. The shopping center is accessed directly via Novi Road, which is an arterial as determined by the Future Land Use map.
6. Outside Storage of Materials (Sec. 3.10): All business, servicing, or processing, except for off-street parking, loading/unloading shall be conducted within completely enclosed buildings. While the nature of requiring an outdoor play area means that business will have to be conducted outside of the enclosed building, materials related to safely traversing the kids from the building to the play area cannot be stored outside. **Crossing cones will be stored in rear storage room at Bright Loritos' suite. (See sheets 001, 002)**
7. Screening and landscaping (Sec. 4.12.2.i.d): shall comply with Section 5.5 of the Zoning Ordinance. Please include a note that any **screening and landscaping will comply with this section of the Zoning Ordinance. (See sheet 001)**
8. Number of Parking Spaces (Sec.5.2.12.C): 1 space per 250 square feet of Gross Leasable Area (GLA); 37,249 sq ft GLA = 151 required spaces. 183 total spaces provided. **Eight (8) parking spaces are being removed to provide for playground. (See sheet 001)**

9. Parking Space Dimensions and Maneuvering Lanes (Sec. 5.3.2) **Walkway created for guiding the children to the play area from the building will be five feet wide by approximately 60 feet long (5' x 60'). (See sheet 001, 002)**
10. Dumpster (Sec 4.19.2.F) No dumpster is shown on the Preliminary Site Plan. Please show where dumpster(s) and dumpster enclosure(s) are located on the site plan. **(See sheet xxx)**
11. Bollards and self-closing gates: **Bollards will be of 4" iron pipe filled with concrete, covered with a heavy vinyl sleeve. Self-closing gate:** https://www.amazon.com/Alarma-puerta-ventana-alarmas-seguridad/dp/B07PGXQYC9/ref=sr_1_1_sspa?__mk_es_US=%C3%85M%C3%85%C5%BD%C3%95%C3%91&crd=23GT4Y71CEORW&keywords=gate+alarm&qid=1691589234&srefix=gate+alarm%2Caps%2C117&sr=8-1-spons&sp_csd=d2lkZ2V0TmFtZT1zcF9hdGY&psc=1 **(See sheet 003)**
12. Fences (Sec. 5.11): Please provide a note on the plans that the fencing will comply with applicable provisions of the current City of Novi Maintenance Code. **(See sheet 003)**

LIST OF DEVIATIONS UNDER CONSIDERATION

- **The applicant is seeking a deviation from the required square footage for play areas as described in #1 above.**

Tim Nichols
Director, Tim Nichols Architect

**EXCERPT FROM TEXT AMENDMENT 18.301 RELATING TO DAY CARES AND OUTDOOR
PLAY AREA SIZE MODIFICATIONS**

Part VII. That Article 4, Use Standards, of the City of Novi Zoning Ordinance is hereby amended in the following section:

- 4.1 – 4.44 [unchanged]
- 4.45 [Reserved]
- 4.46 – 4.75 [unchanged]
- 4.76 [Reserved]
- 4.77 [Reserved]
- 4.78 – 4.91 [unchanged]

Part VIII. That Article 4, Use Standards, Section 4.12 Group Day Care Homes, Day Care Centers, and Adult Day Care Centers, of the City of Novi Zoning Ordinance is hereby amended in the following section:

- 1. [unchanged]
 - A. – B. [unchanged]
 - C. [unchanged]
 - i. [unchanged]
 - ii. The parcel must abut land zoned only NCC, OS-1, OSC, TC, TC-1, RC, FS, I-1, P-1, C, and OST.
 - iii.-iv. [unchanged]
- 2. Day care centers and adult day care centers are a permitted use in the B-2, B-3, OST, TC, TC-1 districts and EXO Overlay district and a special land use in the OS-1, OSC, and PSLR districts, all subject to the following:
 - i. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1, PSLR districts and EXO Overlay district:
 - a. Outdoor recreation areas shall be provided, consisting of at least one-hundred fifty (150) square feet for each person cared for in the recreation area during peak hours, with a minimum total area of three-thousand five-hundred (3,500) square feet, unless modified by the Planning Commission based on justification provided by the applicant. All such outdoor recreation area may extend into an exterior side yard up to twenty-five (25) percent of the distance between the building façade and the property line.
 - b. – e. [unchanged]
 - ii. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1 districts and EXO Overlay district:
 - a.-c. [unchanged]

CORRESPONDENCE



CITY OF NOVI
RESPONSE FORM

RECEIVED

AUG 16 2023

**CITY OF NOVI
COMMUNITY DEVELOPMENT**

MEDSTAR AMBULANCE JSP23-35 FOR PLANNING COMMISSION'S CONSIDERATION OF SPECIAL LAND USE PERMIT.

You are invited to attend the public hearing on August 30, 2023 and voice your support or objection.

Participants may also choose to submit comments that can be read into the record if they are unable to attend. To submit a written reply, you may use this form to reply by mail, email, or fax. Returning this form by mail, email, or fax has as much validity as verbal comments. Signed comments will be added to the record of the meeting. Unsigned or anonymous comments **WILL NOT** be considered. Written comments must be received by 4:00 PM on the day of the meeting.

Return via email: dshanahan@cityofnovi.org

Return via mail or fax: Community Development Department
45175 W. Ten Mile, Novi, Michigan 48375
248-347-0475 (Main) 248-735-5633 (Fax)

Information regarding the project will be available the Saturday prior to the meeting date at: <https://www.cityofnovi.org/Agendas-Minutes/Planning-Commission/2023.aspx>.

Plans are available for viewing during the City's regular business hours, Monday thru Friday, 8:00 AM to 5:00 PM, at the Community Development Department, or by contacting bmcbeth@cityofnovi.org.

I SUPPORT

I OBJECT

TO THE ABOVE REQUEST FOR THE FOLLOWING REASONS:

I would like the following verbiage to occur.
"DISPATCH FROM THE SITE ITSELF AND THE USE OF
SIRENS ON SITE "WILL NOT BE ALLOWED"

would not want this to be a problem for the
neighbor hood.

SIGNATURE: Larry P. Morianti

PRINT NAME: LARRY P. MORIANTI

ADDRESS: 22500 HESLIP DR. NOVI, MI.

IN ACCORDANCE WITH MCL 125.3103, THE MANAGER OR OWNER OF A SINGLE STRUCTURE CONTAINING MORE THAN 4 DWELLING UNITS OR OTHER DISTINCT SPATIAL AREAS OWNED OR LEASED BY DIFFERENT PERSONS, IS HEREBY REQUESTED TO POST THE NOTICE AT A PRIMARY ENTRANCE TO THE STRUCTURE(S).