

CITY of NOVI CITY COUNCIL

Agenda Item 2
April 7, 2008

SUBJECT: Consideration of the request of Best Buy for (a) Special Land Use and (b) Preliminary Site Plan approvals. The subject property is located in Section 14, on the east side of Novi Road, between I-96 and Twelve Mile Road. The subject property is approximately 3.3 acres and the applicant is proposing to remove the closed bank and furniture store and construct a 30,891 square foot Best Buy store.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Barb*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION: The City Council considered this matter at the Council meeting of March 17, 2008 and postponed consideration until the next Council meeting in order to further consider the request, and to allow time for review of a proposed sign package for the development. City Council also requested that a representative from the Taubman Company attend the next Council meeting if available, or for the applicant to provide correspondence in regard to this request. Correspondence from the Taubman Company is attached. The Taubman Company states that they do not have any general objection to the project as shown. An excerpt of draft minutes from the March 17, 2008 Council meeting is also attached.

A brief preliminary Signage review revealed the following. As currently shown on the elevations the proposed Best Buy would have three wall signs. Two ground signs to mainly direct customers to the underground parking area are also proposed. The preliminary signage review indicated the wall signs as shown would meet the Sign Ordinance regulations for both number of wall signs and the size of the proposed wall signs. The two directional ground signs would require a variance from the Zoning Board of Appeals as those are not permitted. All of this information would need to be field verified once a formal sign permit application is submitted. A brief review letter is attached.

A letter from the applicant has also been included with the updated packet. This letter addresses some of the concerns raised by the City Council at the last meeting. These include the Taubman Company's approval of the plan, the traffic impacts of the proposed store, the building signage and request for a Section 9 façade waiver and whether or not the proposed Best Buy is an appropriate addition to the Twelve Oaks mall area.

A Section 9 façade waiver may be granted when the approving body, in this case City Council, finds that the façade is in keeping with the intent and purpose of the Façade Ordinance even though the façade of the proposed building does not meet the requirements of the Ordinance. The stated intent of the Façade Ordinance (Section 2520 of the Zoning Ordinance) is as follows, "...the intent of which is to create, enhance and promote the qualitative visual environment of the City of Novi. Also, the intent is to encourage developers and their architects to explore the design implications of their project to the context of the site, surrounding area and the City, and to provide the Planning Commission (or approving body) with a sense and appreciation for the design process."

The motion for the Special Land Use permit should be separate from, and precede, the motion for the Preliminary Site Plan. This adjustment has been made to the end of the motion sheet.

The remaining motion sheet is the same as the motion sheet presented for the March 17, 2008 Council meeting.

The petitioner is requesting Preliminary Site Plan and Special Land Use Permit approval for the proposed Best Buy store to be located on the east side of Novi Road, between I-96 and Twelve Mile Road. The subject property is in the RC, Regional Center District and the proposed use as a Best Buy store is a principal permitted land use subject to special conditions. In the RC District, enclosed freestanding retail establishments are subject to the site plan review requirements of Section 2406.4 of the Planned Development Options ordinance. This section requires a recommendation of approval or denial from the Planning Commission for the Preliminary Site Plan and Special Land Use Permit with the Council ultimately approving or denying the proposed plan. Any waivers associated with the plan, in this case one landscaping waiver and one Section 9 Façade waiver, would be a recommendation from the Planning Commission with ultimate approval or denial by the City Council.

The applicant is proposing to construct a 30,891 square foot Best Buy at the northeast corner of Novi Road and the mall entrance at the former site of Newton Furniture Store and Comerica Bank, both of which are now closed. As part of the proposed store, a portion of the parking would be provided underneath the building. Due to the expected amount of traffic that will be generated by the proposed project, the applicant was required to submit a Traffic Impact Assessment. The City's traffic consultant has reviewed the Traffic Impact Assessment and recommends approval.

The applicant is requesting one landscape waiver in conjunction with the plan. A berm is required along the Novi Road frontage and the applicant is seeking a waiver of this requirement because of the grade change along this portion of the site. Staff supports this waiver.

The applicant is also seeking a Section 9 Façade waiver. Section 2520 of the Zoning Ordinance states that all façade colors shall be harmonious with the adjacent buildings in the area and that intense color façade materials shall be deemed inconsistent with the ordinance. It goes on to note that the use of façade materials to form a background in a sign or to increase the visual presence of a building for the purpose of advertising shall be deemed inconsistent with the ordinance. It is the opinion of the City's façade consultant that the proposed blue EIFS panels would not be harmonious with the surrounding buildings and would be considered an intense color. Furthermore, the unique shape and blue color of said panels is designed in such a way to form the background of a sign. The Planning Commission recommended approval of both the requested landscape waiver and the Section 9 Façade waiver. The applicant has provided a perspective rendering of the building placed on top of a photograph of the area for a view of how the building may appear from Novi Road.

The applicant will also be seeking a number of Zoning Board of Appeals variances. Variances will be required for the northern and eastern building setbacks and to allow a loading area and trash compactor in an exterior side yard. Staff supports these waivers due to the size of the site and orientation to the roadways in the area.

In the RC District, a retail establishment whose principal activity is the sale of merchandise in an enclosed building falls under the Special Land Use requirements (Section 1903.11). One of the related requirements with respect to a Special Land Use Permit is the submittal of a noise analysis. The applicant has submitted a noise analysis prepared by Kolano and Saha Engineers Inc. discussing noise pollution from outdoor mechanical equipment and truck deliveries. The report indicates that the noise emanating from rooftop mechanical equipment and delivery activities during peak periods of operation would be well below the ordinance limits for adjacent non-residential receiving zones.

Section 2516.2.c of the Zoning Ordinance outlines specific factors the City Council shall consider in their review of the Special Land Use Permit request:

- Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety,

vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service.

- Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area.
- Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats.
- Whether, relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood.
- Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether, relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Section 2406.4.A of the Zoning Ordinance outlines specific factors the City Council shall consider in their review:

1. The plan meets all the requirements of Section 2516 of this Ordinance for Preliminary Site Plans and the requirements set forth in the City's Site Plan and Development Manual. *Deficiencies and appropriate relief remedies are indicated in the review letters.*
2. The plan satisfies the intent of the Special Land Use provisions as stated in Section 2516.2.c. *See the Special Land Use Considerations noted above.*
3. The Community Impact Statement and Traffic Study are provided, regardless of site size, in accordance with the requirements set forth in the City's Site Plan and Development Manual. *The applicant has provided a Community Impact Statement and Traffic Study.*
4. The plan satisfies the intent of this Section with respect to use of the land and principal and accessory use relationships within the site as well as with uses on adjacent sites.
5. That all existing or proposed streets, road, utilities and marginal access service drives, as are required, are correctly located on the site plan in accordance with the approved plans for these improvements. *See the attached Engineering Review Letter for additional information.*
6. The plan meets all the applicable standards of this Ordinance relative to height, bulk and area requirements, building setbacks, off-street parking and preliminary site engineering requirements. *See the attached Plan Review Chart for additional information.*
7. That there exists a reasonable harmonious relationship between the location of buildings on the site relative to buildings on lands in the surrounding area; that there is a reasonable architectural and functional compatibility between all structures on the site and structures within the surrounding area to assure proper relationships between:
 - a. The topography of the adjoining lands as well as that of the site itself including any significant natural or manmade features. *Minimal topography for adjacent properties is included in the Preliminary Site Plan package.*

- b. The relationship of one building to another whether on-site or on adjacent land, i.e., entrances, service areas and mechanical appurtenances. *The applicant has adequately screened mechanical appurtenances and service areas from adjacent properties.*
- c. The rooftops of buildings that may lie below street levels or from windows of higher adjacent buildings. *A graphical representation of the proposed building in relation to Novi Road and the surrounding buildings is attached.*
- d. Landscape plantings, off-street parking areas and service drives on adjacent lands. *See the Landscape Review Letter for additional information.*
- e. Compliance with street, road and public utility layouts approved for the area. *See the Engineering and Traffic Review Letters for additional information.*
- f. The architecture of the proposed building including overall design and façade materials used. Architectural design and façade material are to be complimentary to existing or proposed buildings within the site and the surrounding area. It is not intended that contrasts in architectural design and use of façade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing building designs and façade materials so as to create an adverse effect on the stability and value of the surrounding area. *See the Façade Review Letter for additional information.*

Section 2406.4.B indicates the City Council shall review the proposed plan considering the Planning Commission's recommendation and the requirements of Section 2406.4.A. As part of its approval of the Preliminary Site Plan, the Council is permitted to impose conditions that are reasonably related to the purposes of this section and that will:

1. Insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity;
2. Protect the natural environment and conserving natural resources and energy;
3. Insure compatibility with adjacent use of land; and
4. Promote the use of land in a socially and economically desirable manner.

This matter was brought before the Planning Commission for a public hearing and their recommendation on February 27, 2008. At that time, the Planning Commission made a positive recommendation for approval of the Preliminary Site Plan and Special Land Use Permit along with the associated waivers. The Planning Commission also requested the applicant investigate the feasibility of providing a sidewalk connection from Novi Road to the site and to supply rendering showing the proposed building along Novi Road relative to the existing buildings in the area. The applicant has supplied perspective renderings as requested by the Planning Commission and they have been included in this packet. Lastly, the Planning Commission noted that a letter from the Taubman Company indicating they are aware of the proposed plan and have no objections would be helpful. The applicant was not able to acquire this letter in time for the distribution of City Council packets, but has assured City staff that Twelve Oaks Mall has no issue with the proposed Best Buy and they will be passing on a letter to that effect at a later date.

RECOMMENDED ACTION: (a) Approval of the Special Land Use Permit for the proposed Best Buy, SP# 08-03 subject to the following:

(a) Consideration of the following factors under Section 2516.2.c:

- Whether, relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on existing thoroughfares;
- Whether, relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on the capabilities of public services and facilities;
- Whether relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land;

- Whether relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood;
- Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
- Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner;
- Whether relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicant site design regulations of the zoning district in which it is located.

(b) Compliance with all conditions and requirements listed in the staff and consultant review letters.

RECOMMENDED ACTION: (b) Approval of the Preliminary Site Plan for the proposed Best Buy, SP# 08-03 subject to the following:

- (a) A City Council waiver for the berm requirement along Novi Road;
- (b) A Zoning Board of Appeals variance for the northern and eastern building setbacks;
- (c) A Zoning Board of Appeals variance to allow the loading area in an exterior side yard;
- (d) A Zoning Board of Appeals variance to allow the trash compactor in an exterior side yard;
- (e) A City Council Section 9 façade waiver. *(OR Council may ask the applicant to modify the façade to reduce the intensity of the blue EIFS and modify the shape of the EIFS panels so it does not appear as the background of a sign as recommended by the façade consultant)*;
- (f) The applicant providing a letter from Taubman Company indicating they have no issue with the proposed store; and
- (g) The conditions and items listed in the staff and consultant review letters.

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

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

RESPONSE LETTER FROM APPLICANT

March 26, 2008

City Council
City of Novi
45175 West Ten Mile Road
Novi, MI 48375

Re: Proposed Site Plan # 07-78
Best Buy Store – Novi, MI (Twelve Oaks Mall)
MJM Project # 07102

Dear Members of City Council:

We certainly appreciate the Council's decision to allow additional time to gather information on this project before making a ruling, and we would like to take this opportunity to respond to some of the concerns about this project which were raised during the initial hearing on March 17, 2008.

A question was raised regarding Taubman's (Development Company which owns Twelve Oaks Mall) support of this project and we would like to confirm that they have approved this project and have offered their support. As part of Best Buy's purchase agreement, Best Buy was required to provide certain exhibits (including site plan, elevations, perspective rendering, etc) for Taubman's review and approval. They approved said exhibits during this process, and they have also indicated that they will prepare a letter for Council's review that reiterates this approval. In addition, they have indicated that they will have a representative present at our next hearing on April 7, 2008 to address any specific concerns of the Council.

Some concerns were also raised regarding how this project might affect the mall traffic. Best Buy retained the services of Birchler Arroyo Associates, who has performed previous traffic reports for Taubman at the Mall. This report was submitted with our application, and the report generally states that the impact of the proposed Best Buy store on traffic operations along the Mall's ring road will be minimal. This report was also reviewed by the City traffic consultant, OHM Engineers, and they recommended approval of said report. A representative of Birchler Arroyo shall be in attendance for our next hearing on April 7, 2008 to address any specific concerns of the Council.

There was also some discussion regarding the building signage and the façade waiver. Our understanding of the signage ordinance is that either wall signage OR ground signage is allowed in this area. We have been told that we are allowed wall signage on (3) sides of the building, and said signage size can be a maximum of 1 SF of signage for every 3 LF of setback from the adjacent roadway, measured from the centerline of the road to the face of the building. Based on this criteria, we have proposed to provide wall signs on the West, South, and East sides of the building and said signage is intended to comply with the size restriction described herein.

We have also proposed to provide some directional signage on site, primarily to avoid customer confusion upon entering the northern curb cut. We have proposed a ground directional sign at this rear curb cut which identifies this particular curb cut as an access point to the Best Buy store because we are concerned that customers traveling south on the ring road, approaching Best Buy

105 Broadway Avenue

Nashville, Tennessee 37201

615-244-8170 Fax 615-244-8141

Email: mjm@mjmarch.com

<http://www.mjmarch.com>

from behind the store, may not recognize that this curb cut accesses the Best Buy store given the fact that the curb cut actually falls behind the store. A customer will reach the curb cut before they have made visual access with the store, and a therefore may not realize that this is an access to the store. We have also proposed to identify the garage parking sign at the top of the garage ramp as serving Best Buy, for much the same reason. We are concerned that a customer utilizing the rear curb cut may be a little unclear as to who or what the garage services, particularly in light of the existing adjacent parcel curb cut located to the immediate right upon entering the site at this northern curb cut. We feel that because the garage ramp is located behind the building and adjacent to another retail business curb cut, it is important to clarify that the garage is for Best Buy customers. Because we have included the words "Best Buy" on these two directional signs, it is our understanding that these will not be considered directional signs by the City, but will be considered ground signs. Therefore, Best Buy intends to pursue a variance with the Zoning Board of Appeals for these directional signs only for the reasons stated above.

There was some additional conversation among Council regarding the blue color that is being utilized on the exterior elevations, particularly related to building-mounted signage. As Council is aware, we have proposed to provide a 62 SF ticket sign on the front blue entry element. We would argue that the blue does not provide a backdrop for the sign, as the blue "wedge" element is the entry element for this building. It identifies the location of the main entry to the store, much like any other entry feature might (i.e., canopy, arched awning, architectural accent, etc). Also, as with many other entry features, the sign identifying the business is mounted on the entry feature. Therefore, we feel that the function of the blue wedge is not to provide a backdrop for the sign, as it serves to locate and identify the front entry for the customer, and it is on this front entry feature that the business sign is located, as is customary with many retail businesses. It should be noted, however, that the small blue accent areas behind the ticket signs on each side of the building (tickets signs are proposed to be 53 sf on the west side and 31 sf on the east side) do function primarily to provide a background for the sign. Because these blue accent areas comprise only 2.5% of the area of the side of the building onto which they are mounted, we feel that the impact is minimal.

It is our understanding that the purpose of the Section 9 Façade Waiver is to grant approval to a building design which does not comply with the letter of the façade ordinance. We have made the following adjustments and concessions in the design of the exterior elevations on this building:

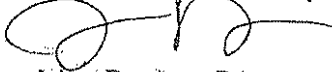
1. Greatly reduced the size of the entry element from the preferred size
2. Added a brick backdrop behind the entry element to minimize the angularity of this form
3. Provided very minimal blue color behind the east and west side building signs
4. Exceeded the requirements for percentages of masonry on all sides of the building
5. The color of blue has been toned down considerably compared to the existing Novi store
6. Incorporated various pilasters, parapet height transitions, etc to provide an interesting and varied building façade

In light of the adjustments made to the design of this building in an effort to comply with the City of Novi façade ordinance while still maintaining an identity for Best Buy, it is our feeling that a strong argument can be made for granting a Section 9 Façade Waiver.

Last, there was some concern regarding whether or not this project is an appropriate addition to Twelve Oaks Mall. In analyzing a potential market, Best Buy reviews available sites in a market, identifies desirable areas in terms of activity or existing retail volume, considers proximity to other existing stores in the market, etc. This particular site is attractive to Best Buy given the viable retail environment of Twelve Oaks Mall, and it's proximity to the Haggerty Road Best Buy is considered to be a compliment to that existing retail market. In fact, Best Buy has been looking for a site at Twelve Oaks Mall for 10 years due the mall's super regionality and has passed on several other proposed sites in the area. Given the fact that the two existing businesses on these parcels are closed, one of which has been closed for a few years, it is our opinion that the redevelopment of these existing sites provides a benefit to the City of Novi, as well. We have gone to great lengths to meet with the City on numerous occasions in the planning stages of this project in an effort to design a retail development that meets the goals of both the community and the retailer. It is our sincere hope and belief that this has been achieved.

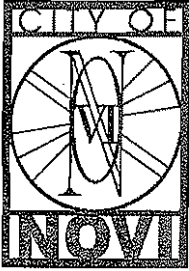
We appreciate your consideration of our project for site plan approval.

Thank you,



Jaima Darsinos, RA
Principal

PRELIMINARY SIGNAGE REVIEW



MEMORANDUM

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Kim Capello

Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

City Manager
Clay J. Pearson

Community Development
Director
Stephen T. Rumples

Deputy Director of
Community Development
Barbara E. McBeth

Building Official
Charles Boulard

Building Division
248.347.0415
248.735.5600 fax

Planning Division
248.347.0475
248.735.5633 fax

Ordinance Enforcement
Division
248.735.5678
248.735.5682 fax

March 26, 2008

TO: Kristen Kapelanski, Planner
FROM: Alan Amolsch, Ordinance Enforcement Officer
RE: Best Buy Novi

I have reviewed the plans submitted for the above project. The wall signage on paper appears to meet the Code regarding size to setback regulations (sec 28-5(2)b.1(a)(i)b.). They of course will need to be field checked when permit applications are submitted. Three wall signs are permitted since this business will front on three thoroughfares as defined on the Master Plan (sec 28-5(3)g).

The two ground directional signs are not permitted signs and will need to be reviewed by the Zoning Board of Appeals if the applicant desires them (also sec 28-5(3)g).

The blue background "wedge" would be considered a façade issue not a signage issue as it is does not form an integral part of the sign display (sec 28-1 "Definitions – Area of sign")

Should you have any other questions regarding this matter do not hesitate to contact this office.

LETTER FROM TAUBMAN



The Taubman Company
200 East Long Lake Rd. Suite 300
P.O. Box 200
Bloomfield Hills, MI 48303-0200
(248) 258-6800

March 28, 2008

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

Re: Twelve Oaks Mall/Best Buy

Dear Ms. McBeth:

Best Buy Stores, L.P. ("Best Buy") has represented to Twelve Oaks Mall, LLC ("Twelve Oaks") that the City of Novi (the "City") has requested Twelve Oaks to provide the City with a written evidence of Twelve Oaks' position with regard to Best Buy's plan to construct a Best Buy store (the "Project") in accordance with the Site Plan (the "Site Plan") attached hereto as **Exhibit A** on the property legally described on the Site Plan (the "Property"). Although the Property is not owned by Twelve Oaks and the Project is not a Twelve Oaks' development, the Property exits onto the ring road servicing Twelve Oaks Mall. As such, Twelve Oaks appreciates the City's concern that its views with respect to the Project be considered. Twelve Oaks is providing this letter to comply with the City's request.

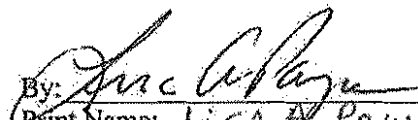
As of the date of this letter, Twelve Oaks does not have any general objection to the Project as shown on the Site Plan. However, by giving this letter, Twelve Oaks is not making any representations or warranties regarding the Project, the content of the Site Plan, or whether the Project or the Site Plan complies with law or any other legal requirement or any document or instrument affecting the Property. Notwithstanding anything contained herein to the contrary, nothing in this letter shall be deemed to be an approval of the Project or the Site Plan by Twelve Oaks or to be a waiver or modification by Twelve Oaks of the terms or conditions of any document or instrument affecting the Property.

This letter is given for the sole benefit of the City. No other person or entity may rely upon it and this letter specifically shall not be relied upon by Best Buy for any purpose whatsoever.

Thank you for the opportunity to share our views with respect to the Project.

Twelve Oaks Mall, LLC,
a Delaware limited liability company

By: The Taubman Realty Group Limited
Partnership, a Delaware limited partnership
Its: Sole Member

By: 
Print Name: LISA M. PAYNE
Its: Authorized Signatory

OAKLAND.1458390.2

**EXCERPT – DRAFT CITY COUNCIL MINUTES
MARCH 17, 2008**

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY – MARCH 17, 2008 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. 10 MILE ROAD**

Mayor Landry called the meeting to order at 7:04 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Landry, Mayor Pro Tem Capello, Council Members Crawford, Gatt, Margolis, Mutch, Staudt

ALSO PRESENT: Clay Pearson, City Manager
Tom Schultz, City Attorney
Randy Auler, Director of Parks, Recreation and Forestry
Barbara McBeth, Deputy Director of Community Development

APPROVAL OF AGENDA

Mayor Landry added, to Mayor and Council Issues, potential referral of late SAD payments to the Ordinance Review Committee.

**CM-08-04-041 Moved by Capello, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve the agenda as amended.**

Voice vote

MATTERS FOR COUNCIL ACTION – Part I

- 1. Consideration of the request of Best Buy for Preliminary Site Plan and Special Land Use approval. The subject property is located in Section 14, on the east side of Novi Road, between I-96 and Twelve Mile Road. The subject property is approximately 3.3 acres and the applicant is proposing to remove the closed bank and furniture store and construct a 30,891 square foot Best Buy store.**

Jaima Darsinos, Maxwell, Johanson, Maher Architects, was present representing the architectural firm working on the project. Ms. Darsinos said Jason Krauss of Best Buy and Steve Sorenson, Civil Engineer, were also present. Ms. Darsinos said they were looking at combining the two existing parcels that currently had the furniture store and the bank on them. They were proposing demolition of those buildings for the new 30,000 sq. ft. Best Buy project, which included sub-grade garage parking that would be under the footprint of the store and extended into the side parking a little bit. She said when Best Buy started their stores were 45,000 sq. ft. and had initially brought to the City a store that was of the same size with prototype elevations. However, based on feedback from the City in meetings, they were told the building was too large for that site and the prototype elevations were not well received. Ms. Darsinos said over the course of four meetings they reduced the size to 30,000 sq. ft., and modified the prototype elevations for Best Buy to better meet with City standards. She showed Council what an existing prototype looked like. However, in this case, because of the façade ordinances and the requirement for brick on the building, as well as breaking up the front façade, they had come up with new elevations. She said they had also reduced the size of the front entry element by half from the prototype. Also, all of the proposed materials were consistent with the requirements of the Façade Ordinance with the exception of the front entry element, which she thought the City still had an issue with. Ms. Darsinos said the color on the

entry element of Haggerty Road was a little bit purpler than what was being proposed for this project, as this color was bluer. She said relative to the variance issues they were seeking to obtain, these were currently two separate parcels, and if they were developed separately the 100 ft. setbacks would actually overlap on each of the parcels in the north and south access. The parcels would be rendered undevelopable with those setbacks. She said they had combined them and tried but could not meet the 100 ft setbacks. She said in terms of the compactor and the loading dock locations, because the site had three visible sides, the only back of the site would be the north side of the site, but there was a restriction from the mall that the compactor could not face into the mall. She said that left them with no good option on where to locate those items and still be within the ordinance. Therefore, they selected the side most practical for the layout, which was fully screened by walls that matched the brick materials on the building.

Mr. Pearson said they had positive recommendations for most elements, the façade got a negative recommendation, but the Planning Commission gave a positive recommendation for consideration.

Mayor Pro Tem Capello understood that an electronic store was consistent with the mall type of retail uses but he was not happy with a free standing Best Buy store on the Twelve Oaks side of the I-96 and Novi Road development, as opposed to being an attached building. He thought Best Buy being that close to the entrance/exit off Novi Road would generate a lot more traffic. It would not be the type of traffic where they come in, parked and went to multiple stores; it would be run in and run out. He said he knew from experience at the Haggerty/8 Mile Road store that that was the type of business it would be. He didn't see it fitting on the Twelve Oaks side, and thought it would be better in an open retail establishment like West Oaks. He said he was happy about the sign modifications.

Member Gatt said he wasn't in favor of this project now. He concurred with Mayor Pro Tem Capello that it didn't fit in with the Twelve Oaks mall decorum. He thought it would cause a lot of traffic problems for the police and the people who would utilize the Twelve Oaks stores. He also wasn't happy with the color scheme, and thought they could find a better spot in the City. Member Gatt said Council's goal was to be friendly to the economic development community but they also had to do what they thought best for the residents of the community.

Member Mutch said the applicant made a comment that the mall didn't want the compactor or the loading zone facing the mall, but on the site plan those areas were facing the mall ring road. Ms. McBeth agreed, the loading zone was directed to the south with a screen wall on the west side and on the east side of the compactor. He asked how high the wall was. Ms. Darsinos said the wall for the compactor was 8 ft. tall and the wall for the loading dock was 14 ft. tall. Member Mutch asked how often they anticipated having trucks parked in the loading dock. Ms. Darsinos said, to clarify, the mall didn't want to be able to see into the service area, so if it was located on the north side, they would be looking into the loading dock and compactor areas.

Mr. Krauss of Best Buy said typically during off peak times of the year, there were one to two trucks every two or three days in the morning before business hours. The truck would be parked there until it was unloaded and then would be moved out. Member Mutch asked what size the trucks were, and Mr. Krauss replied they were 72 ft. Member Mutch asked if they had adjusted their plans to meet the lighting standards, or if they would be meeting them. Ms. McBeth said at this time, they had not met the lighting standards and were typically not

required to provide detailed exterior lighting plans until final site plan since the property was not abutting residential. He asked if staff was being mindful of the impact of that lighting on to Novi Road, because of the grade elevation. She replied that staff and the Planning Commission were concerned about the grade differential there and had asked for, and were provided, an additional plan showing the proposed store in terms of the grade of the existing Novi Road. They thought it would assist with the Council's understanding of where it would sit on the property, as well as staff's understanding when the lighting plan came in. Member Mutch asked if she was comfortable that the screening provided for the mechanical equipment would actually screen that. She said they would review that at final site plan but thought that they could have screened appropriately. Member Mutch asked if they would have a ground sign on Novi Road. Ms. Darsinos said it was their understanding from Mr. Almosch that in this particular zoning they were not allowed both wall signs and ground signs. She said they would not have a ground sign but were proposing the signage that was shown. Member Mutch said they were showing what looked like a sign on three of the four faces. Ms. Darsinos responded that those were the three faces they were allowed based on the location, and they were based on the setbacks of those three sides. Member Mutch said the front of the store would be facing the entrance to Twelve Oaks and did not face Twelve Oaks itself, and she agreed. She said the left elevation would face Novi Road, right elevation would face the ring road and the

rear elevation would face the north. Member Mutch asked if they were treating the blue panel as part of the signage. Ms. McBeth said yes, the façade consultant had looked at the building elevations and indicated that the blue check mark would be considered a portion of the signage. He said the check mark didn't meet Novi's standards, and asked about the other two signs. Ms. McBeth said they had not been reviewed by the consultant yet, and all they knew was that three wall signs would be permitted or one ground sign. Member Mutch shared Mayor Pro Tem Capello concerns regarding the traffic volume of this store at this location. He thought he correctly highlighted the kinds of traffic patterns they would see there. However, another issue he had, in terms of some of the detail items, was utilizing the façade to effectively get a larger sign than would otherwise be permitted by ordinance. If this was the sign allowed, he thought that constrained them. However, if it was larger and effective by using a blue material, they created a sign that was twice the size of what was permitted by ordinance, and he would have an issue with that. He commented that he was not sure he was comfortable with the sign package as it was presented.

Member Mutch asked Mr. Necci to talk about his review letter and the areas of concern that he had. Mr. Douglas Necci, Metco Services, said item #2 in their review letter related to the blue color, which the Façade Ordinance stipulated that the colors had to be harmonious. He said this was a toned down version of their blue and he was inclined to think that was not the major issue they had. Mr. Necci thought the more significant item was #3. The ordinance had a section in it that stated "the use of façade materials to form a background in a sign or to increase the visual presence of a building for the purpose of advertising, shall be deemed inconsistent with the Façade Ordinance." He said that paragraph was written many years ago because of a very similar building. However, they had really done a good architectural job in integrating this blue theme that was their corporate identity, in that it was framed by masonry rather than projecting above the building as was seen on other Best Buy buildings. Mr. Necci thought that went a long way towards integrating it into the façade. He said it was a subtle thing but if that blue element was rectangle rather than a check mark shape, it would probably be an efface element and not seen as a corporate identity. He thought just by canting those two lines it brought it into their corporate symbol and made it an extension of the sign. Mr.

Necci said they didn't want to prohibit corporate themes but it could be carried to a point of a building that became a sign, and they wanted to discourage that. Member Mutch said the reason they changed the ordinance was the previous building highlighted the loophole and they wanted to close the loophole, but if they set the precedent again, he thought they could potentially open up a problem. He asked Mr. Necci to address the loading zone and the trash compactor. He felt the north location would be the most unobtrusive location, but they couldn't screen it from the mall. Member Mutch asked if there was a way to handle that, as he didn't like the idea of having the truck well and trash area, even screened, facing the mall considering the investment the mall had made. Mr. Necci thought they had done an excellent job screening it. The 8 ft. high wall would completely conceal the compactor and the 14 ft. high wall in front of the truck well would almost conceal the truck as well. He said, regarding the orientation of the site, he would have to study the geometrics of the site but even if not the best place for it, they had done a great job screening it with hard masonry walls. Member Mutch said, in terms of the visual from Novi Road, would he feel comfortable with how the building would present itself to Novi Road in terms of the view and screening. Mr. Necci said it was not the strongest façade of their design but it was acceptable. He thought the concern about rooftop equipment was right on because it was a depressed vantage point.

The building was lower than it would ordinarily be and they would not get the angle of view that tended to conceal rooftop equipment. He said their parapets or roof screening would have to be virtually the full height of the rooftop units, and he didn't see roof screening on the drawings, which raised the question of what the roof screening material would be. The better solution was to raise the parapet lines, to raise the entire building relevant to the roof so roof screens weren't needed. Member Mutch asked if this was something they would see at this point or did this come down the road. Mr. Necci thought they could ask the architect what they were envisioning. Ms. Darsinos said there were parapets on all four sides of the building. At the front the main parapet height was 26 ft. 4 inches and would be about 4 ft. above the roof, and the roof sloped from there. The shortest parapet was 4 ft. and the most extreme would be about 6 ft. Member Mutch asked how high the mechanical equipment would be. Ms. Darsinos said they were generally between 4 and 5 ft. tall. He asked if the material would match what they were seeing, and she replied the parapets were on the drawings and the roof line was at least 4 ft. below the parapet, which was the lowest point. Mr. Necci said he would like to hear that the parapets were going to be as high as the roof equipment. He liked the answer in terms of the architecture but the height would be the issue. Member Mutch said then an approval would be conditioned upon the parapet height matching the height of whatever equipment was used on the roof.

Mayor Pro Tem Capello said he was not comfortable with the location or that it would be a free standing store, was still not happy with the blue, and was a little gun shy from the 8 Mile and Haggerty signage that went up.

**CM-08-03-043 Moved by Capello, seconded by Gatt; CARRIED UNANIMOUSLY:
To postpone consideration of the request of Best Buy for Preliminary
Site Plan and Special Land Use approval. The subject property is
located in Section 14, on the east side of Novi Road, between I-96
and Twelve Mile Road. The subject property is approximately 3.3
acres and the applicant is proposing to remove the closed bank and
furniture store and construct a 30,891 square foot Best Buy store**

until the next Council meeting of April 7th to allow Council time to gather information, consider all the factors, and to look at what their intent was, sizes of the signs, etc.

DISCUSSION

Member Gatt said he hoped that a representative from the Taubman Company would be present at the next meeting, or Council would receive a written document expressing their thoughts on this project.

Member Margolis stated she would support the motion to postpone, but didn't have as many issues about the store fitting into this location, and didn't have concerns about some of the views that were expressed. However, just to give direction, she thought the issue of the blue backing being part of the sign was definitely something she would be looking to change. She felt it was obviously something they were looking to avoid. She said she appreciated the work they had done to fit it into that spot. She said when she saw the elevation, the fact that it was not your typical big box store and was below grade and was making an attempt to fit in, and found that very helpful. She agreed with Member Gatt and looked forward to hearing from Taubman. In terms of her view of this kind of store fitting in, it was a retail area and she thought it fit with the modifications they had made.

Member Mutch asked Administration to review the sign sizes and come back to Council indicating the standards and whether it met them or not.

Member Staudt said he was inclined to agree with the previous speaker's recommendation. He thought it was a good use for the property, but was also looking for positive feedback from Taubman before he supported it. However, all in all, he was inclined to support this project.

Roll call vote on CM-08-03-043

**Yeas: Crawford, Gatt, Margolis, Mutch, Staudt,
Landry, Capello**

Nays: None

REDUCED SITE PLAN

LEGAL OCCUPATION

THE AVE. SEC. 15 TRACT (SHEETS NO. 1, 2 & 3) PART OF LOT 3
AC. OF THE 60th & 61st STS. IN THE 19th TWP. RANGE 14N
R. 23E. SEC. 15 T. 19N. R. 23E. SEC. 15. AS SHOWN ON THE
5/22/1978 PLAN IN THE 19th TWP. RANGE 14N.

GENERAL NOTES

THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES BY THIS SUBJECT.

1. PURPOSES OF FINISH SHALL BEARING A QUALITY OF CONCRETE TO BE PAID BY OWNER OF THIS PROJECT. THE QUALITY OF CONCRETE SHALL BE AS SPECIFIED IN THE CONTRACT DOCUMENTS AND SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF NOVI CURRENT STANDARDS AND REGULATIONS.
3. ALL WORK SHALL BE THE PROPERTY OF THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITIES UNDER THE GROUND. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITIES UNDER THE GROUND.
4. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITIES UNDER THE GROUND.
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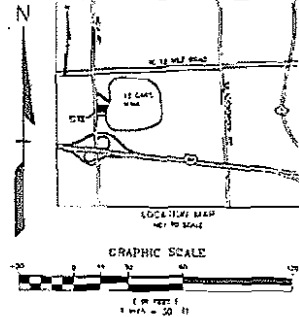
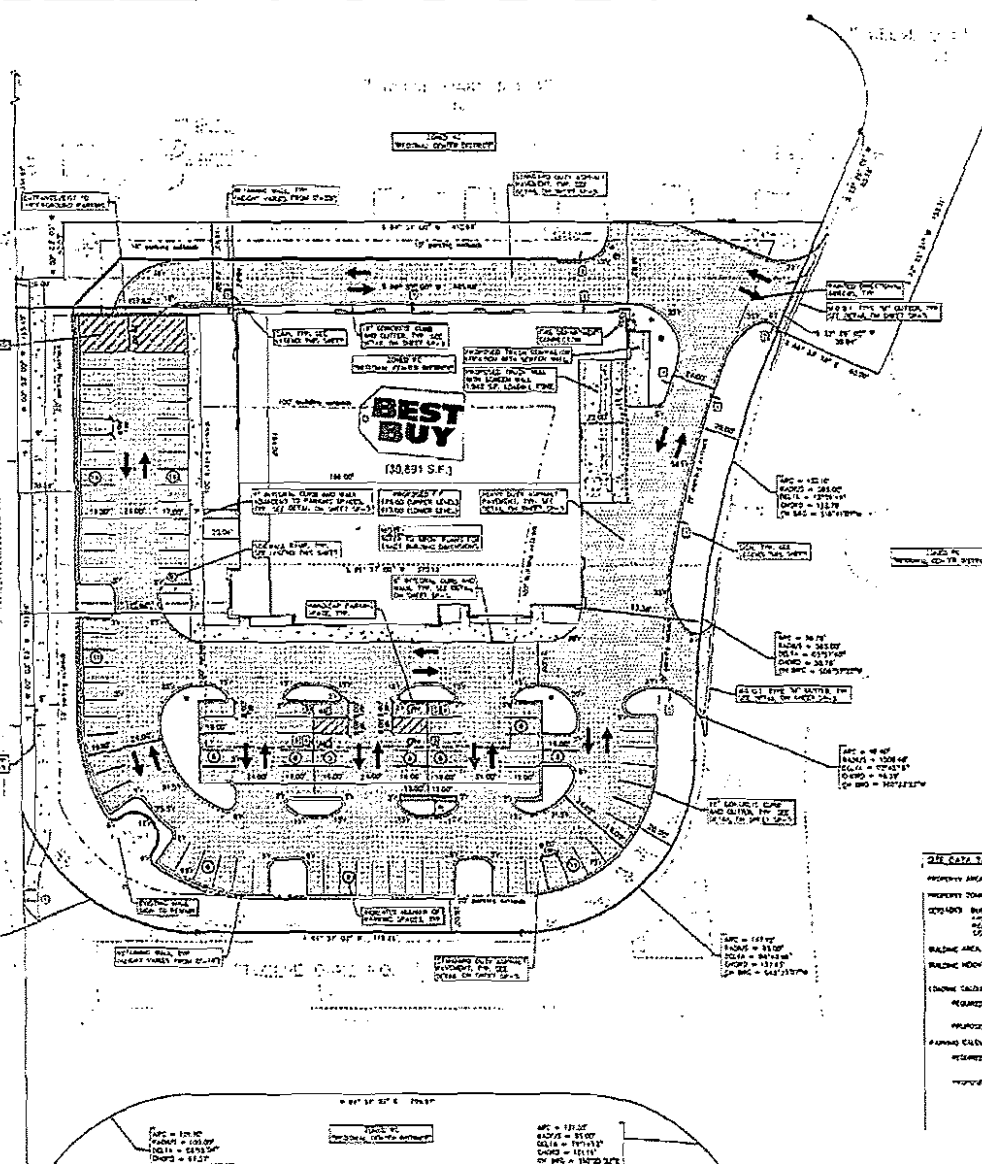
PROPOSED CURB CUTS

1. NO PARKING ZONE FOR 10 FT. FROM CURB	2. 10 FT. FROM CURB
3. PARKING ZONE FOR 10 FT. FROM CURB	4. 10 FT. FROM CURB

NOTE: NO CURB CUTS FOR 10 FT. FROM CURB. CURB CUTS SHALL BE 10 FT. FROM CURB. CURB CUTS SHALL BE 10 FT. FROM CURB.

STANDARD CURB CUTS

REFER TO SHEET 22-14-100-061 FOR CURB CUTS.



LEGEND

REFERENCED DRAWINGS

1. 22-14-100-061	2. 22-14-100-062	3. 22-14-100-063	4. 22-14-100-064
5. 22-14-100-065	6. 22-14-100-066	7. 22-14-100-067	8. 22-14-100-068
9. 22-14-100-069	10. 22-14-100-070	11. 22-14-100-071	12. 22-14-100-072

USE CASE TABLE

PROPERTY AREA - 3.18 ACRES (136,800 SQ. FT.)	PLANNING FRONT FOOT = 100 FEET
DEVELOP BUILDING FRONT FOOT = 100 FEET	PLANNING REAR FOOT = 100 FEET
REAR FOOT = 100 FEET	REAR FOOT = 100 FEET
USE CASE = 100 FEET	USE CASE = 100 FEET

(NOT FOR CONSTRUCTION)
SIDWELL NUMBERS: 22-14-100-047 &
22-14-100-061

REVISIONS

PEA PROFESSIONAL ENGINEERING ASSOCIATES

2150 Woodward Ct., Suite 100
Farmington Hills, MI 48334-1110
Phone: 248-475-8277
Fax: 248-475-8278
Web: www.pea.com

BEST BUY
2150 Woodward Ct., Suite 100
Farmington Hills, MI 48334-1110
Phone: 248-475-8277
Fax: 248-475-8278
Web: www.bestbuy.com

PRELIMINARY SITE PLAN - UPPER LEVEL
BEST BUY - NOVI, MI
2150 Woodward Ct., Suite 100
Farmington Hills, MI 48334-1110
Phone: 248-475-8277
Fax: 248-475-8278
Web: www.pea.com

DATE: 11/19/18
SCALE: 1" = 20'

SP-2

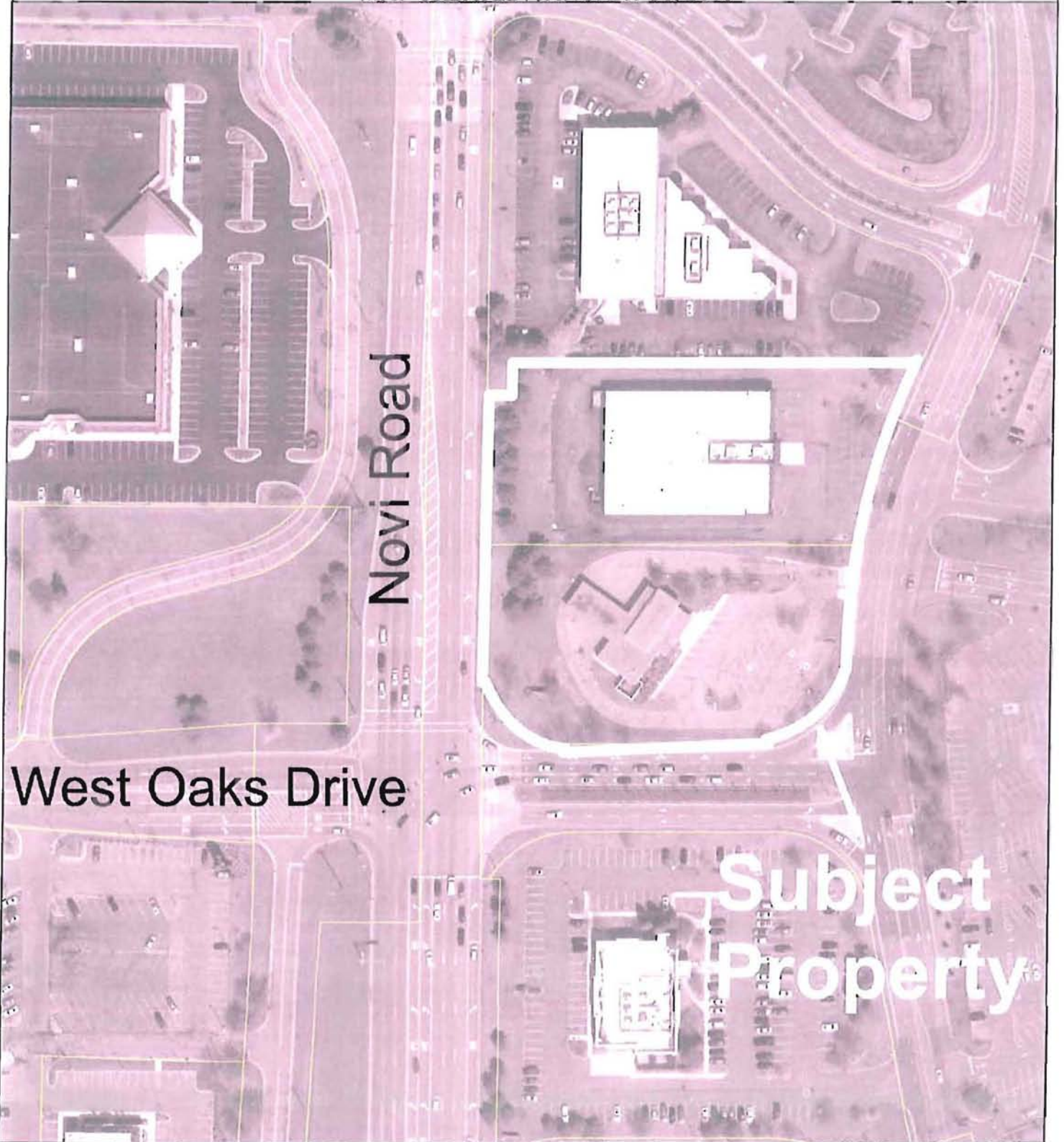
MAPS

**Location/Air Photo
Zoning
Future Land Use
Natural Features**

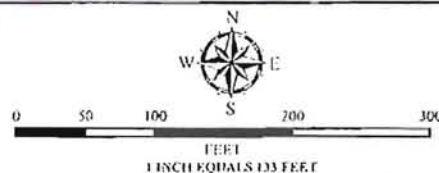
Best Buy SP 07-78

Location

MAP CREATED: JANUARY 31, 2008



CITY OF NOVI
COMMUNITY DEVELOPMENT DEPARTMENT
PLAN REVIEW CENTER
NOVI CITY HALL, CIVIC CENTER
15175 W. TEN MILE ROAD
NOVI, MI 48375-3024
(248) 317-1279
WWW.CITYOFNOVI.MI.US
MAP AUTHOR: KRISTEN KAPELANSKI




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Best Buy SP 07-78

Zoning

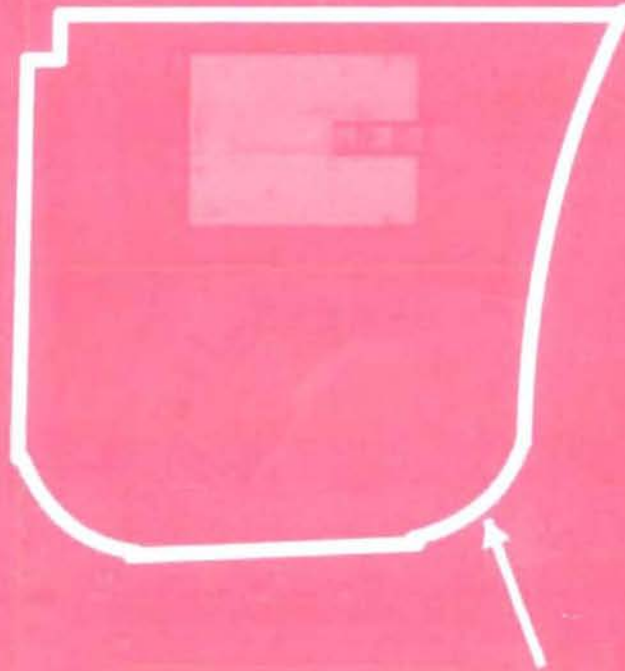
MAP CREATED: JANUARY 31, 2008

Legend

 RC: Regional Center District

Novi Road

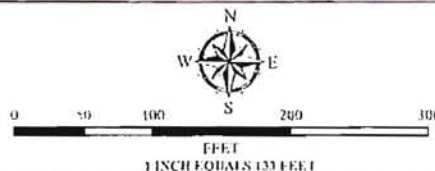
West Oaks Drive



**Subject
Property**



CITY OF NOVI
COMMUNITY DEVELOPMENT DEPARTMENT
PLAN REVIEW CENTER
NOVI CITY HALL/CIVIC CENTER
45175 W. TEN MILE ROAD
NOVI, MI 48375-3024
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Best Buy SP 07-78

Future Land Use

MAP CREATED: JANUARY 31, 2008

Legend

Future Land Use

 REGIONAL COMMERCIAL

 PD2

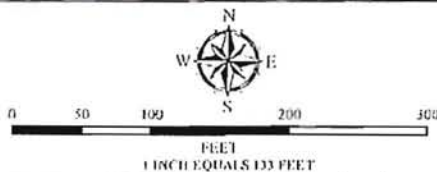
Novi Road

West Oaks Drive

Subject
Property



CITY OF NOVI
COMMUNITY DEVELOPMENT DEPARTMENT
PLAN REVIEW CENTER
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35175 W. 14TH NILE ROAD
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(248) 311-3279
WWW.CITYOFNOVI.MI/GIS
MAP AUTHOR: KRISTIN KAPLANSKI



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Best Buy SP 07-78

Natural Features

MAP CREATED: JANUARY 31, 2008

Legend

Wetlands

Regulated Woodlands

Light

Medium

Dense

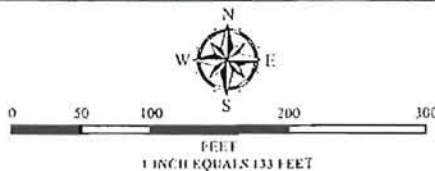
Novi Road

West Oaks Drive

Subject Property



CITY OF NOVI
COMMUNITY DEVELOPMENT DEPARTMENT
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**PERSPECTIVE VIEWS OF
PROPOSED STORE**



Site Location:
Navi, MI

Project Information

Prepared by:

████████████████████



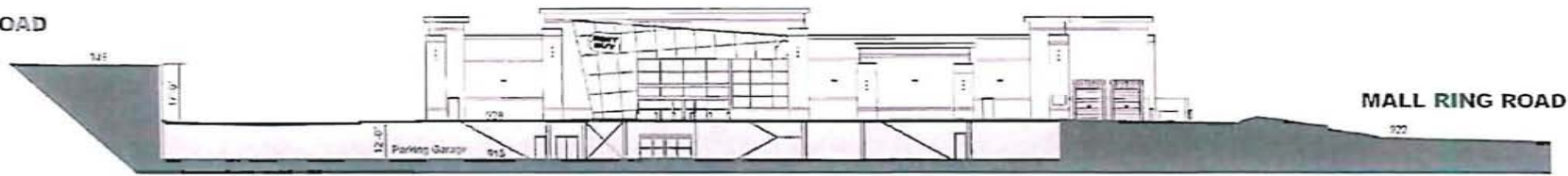
Site Location:
Novi, MI

Project Information

Prepared by:

████████████████████

NOVI ROAD



MALL RING ROAD

SECTION THRU SITE



PLANNING REVIEW



PLAN REVIEW CENTER REPORT

January 23, 2008

Planning Review

Best Buy
SP #07-78

Petitioner

Professional Engineering Associates (Steven A. Sorensen, PE)

Review Type

Preliminary Site Plan and Special Land Use Request

Property Characteristics

- Site Location: Northeast corner of Novi Road and West Oaks Drive
- Site School District: Novi Community School District
- Site Zoning: RC, Regional Center
- Adjoining Zoning: North, East, West and South: RC, Regional Center
- Site Use(s): Former site of Newton Furniture Store and Comerica Bank
- Adjoining Uses: North: Novi Office Center; East: Twelve Oaks Mall; South: Red Lobster; West: Novi Road, West Oaks Shopping Center
- Site Size: 3.3 acres
- Proposed Building Size: 30,891 square feet
- Plan Date: Site Plan 12/21/07

Project Summary

The applicant is proposing to construct a 30,891 square foot Best Buy at the northeast corner of Novi Road and West Oaks Drive, the former site of Newton Furniture Store and Comerica Bank, both of which are now closed. As part of the proposed store, a portion of the parking would be provided underground.

Recommendation

Provided the applicant can get the necessary waivers from the Zoning Board of Appeals, approval of the ***Preliminary Site Plan and Special Land Use Permit is recommended.*** Considering the size of the property in question, some of these variance requests may be unavoidable. In order to meet the building setbacks on all four sides of the proposed building, the applicant would have to reduce the size of the building by almost half. There are minor Planning related items to be addressed at the time of Final Site Plan submittal. In its recommendation to the City Council, the Planning Commission will also need to consider the standards for Special Land Use consideration as well as the standards of the site plan review section of the Planned Development option (Section 2406.4)

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 17 (RC, Regional Center District), Article 24 (Schedule of Regulations), Article 25 (General Provisions), and any other applicable provisions of the Zoning Ordinance. Please see the attached charts for information pertaining to ordinance requirements. Applicable sections of the Zoning Ordinance and other regulatory documents are highlighted in gray on the attached chart. Items in **bold** below must

be addressed by the applicant, Planning Commission or City Council before Preliminary Site Plan Approval may be granted.

1. **Building Setbacks:** The proposed building should be setback one-hundred feet from all property lines. The building setback on the northern side of the property is approximately 46 feet and the building setback on the eastern side of the property is approximately 63 feet. **The applicant should revise the site to meet the building setback requirements or seek a Zoning Board of Appeals variance.**
2. **Parking Space Dimensions:** Per Section 2506 of the Zoning Ordinance, 90° parking layouts require spaces that are 19 feet in length. The spaces along the perimeter of the underground parking are approximately 18 feet in length. **The applicant should adjust the underground parking to meet the parking space length requirements or seek a Zoning Board of Appeals variance.**
3. **Barrier Free Spaces:** Seven barrier free accessible spaces must be provided per the Barrier Free Code. Presently, four barrier free spaces have been provided in the above ground parking lot. **The applicant should add three additional barrier free spaces.**
4. **Loading Space:** Loading areas must be located in the rear yard or interior side yard (of a double-fronted lot). **The applicant should relocate the loading area to the rear yard or seek a Zoning Board of Appeals variance.**
5. **Trash Compactor:** Accessory structures must be located in the rear yard or interior side yard. **The applicant should relocate the proposed trash compactor or seek a Zoning Board of Appeals variance.** The screen wall proposed for the trash compactor should be at least one foot higher than the compactor. **The applicant should indicate the height of the trash compactor.**
6. **Exterior Lighting:** A photometric plan was submitted with the Preliminary Site Plan. There were a number of deficiencies. Please see the attached lighting review chart for additional information.

Special Land Use Considerations

In the RC District, a retail establishment whose principal activity is the sale of merchandise in an enclosed building falls under the Special Land Use requirements (Section 1903.11). One of the main planning related requirements with respect to Special Land Use is the submittal of a noise analysis. The applicant has submitted a noise analysis prepared by Kolano and Saha Engineers Inc. discussing noise pollution from outdoor mechanical equipment and truck deliveries. The report indicates that the noise emanating from rooftop mechanical equipment and delivery activities during peak periods of operation would be well below the ordinance limits for adjacent non-residential receiving zones.

Section 2516.2.c of the Zoning Ordinance outlines specific factors the Planning Commission shall consider in the review and recommendation to City Council of the Special Land Use Permit request:

- Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service.
- Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on the capabilities of public services and facilities, including water service,

sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area.

- Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats.
- Whether, relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood.
- Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether, relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Additional Requirements

In the RC District, there are additional requirements for enclosed retail establishments as noted in Section 1702.1. Namely, the proposed retail establishment should be part of an existing or developing planned commercial shopping center. The proposed Best Buy would be located on the Twelve Oaks Mall ring road and therefore considered a part of the existing Twelve Oaks Mall shopping area. In addition, retail establishments are also subject to the site plan review requirements of Section 2406.4 of the ordinance. This would require the Preliminary Site Plan to receive a recommendation for approval or denial from the Planning Commission with City Council ultimately approving or denying the proposed plan.

Section 2406.4.A of the Zoning Ordinance outlines specific factors the Planning Commission and City Council shall consider in the review:

1. The plan meets all the requirements of Section 2516 of this Ordinance for Preliminary Site Plans and the requirements set forth in the City's Site Plan and Development Manual. *Deficiencies and appropriate relief remedies are indicated in the review letters.*
2. The plan satisfies the intent of the Special Land Use provisions as stated in Section 2516.2.c. *See the Special Land Use Considerations noted in this Plan Review Letter.*
3. The Community Impact Statement and Traffic Study are provided, regardless of site size, in accordance with the requirements set forth in the City's Site Plan and Development Manual. *The applicant has provided a Community Impact Statement and Traffic Study. See the attached Traffic Review Letter for additional information regarding the Traffic Study.*
4. The plan satisfies the intent of this Section with respect to use of the land and principal and accessory use relationships within the site as well as with uses on adjacent sites.
5. That all existing or proposed streets, road, utilities and marginal access service drives, as are required, are correctly located on the site plan in accordance with the approved plans for these improvements. *See the attached Engineering Review Letter for additional information.*
6. The plan meets all the applicable standards of this Ordinance relative to height, bulk and area requirements, building setbacks, off-street parking and preliminary site

- engineering requirements. *See the attached Plan Review Chart for additional information.*
7. That there exists a reasonable harmonious relationship between the location of buildings on the site relative to buildings on lands in the surrounding area; that there is a reasonable architectural and functional compatibility between all structures on the site and structures within the surrounding area to assure proper relationships between:
- a. The topography of the adjoining lands as well as that of the site itself including any significant natural or manmade features. *Minimal topography for adjacent properties is included in the Preliminary Site Plan package.*
 - b. The relationship of one building to another whether on-site or on adjacent land, i.e., entrances, service areas and mechanical appurtenances. *The applicant has adequately screened mechanical appurtenances and service areas from adjacent properties.*
 - c. The rooftops of buildings that may lie below street levels or from windows of higher adjacent buildings. *The Planning Commission may want to see an additional graphical illustration of the proposed buildings in relation to surrounding buildings and roadways due to the grade changes in the area.*
 - d. Landscape plantings, off-street parking areas and service drives on adjacent lands. *See the Landscape Review Letter for additional information.*
 - e. Compliance with street, road and public utility layouts approved for the area. *See the Engineering and Traffic Review Letters for additional information.*
 - f. The architecture of the proposed building including overall design and façade materials used. Architectural design and façade material are to be complimentary to existing or proposed buildings within the site and the surrounding area. It is not intended that contrasts in architectural design and use of façade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing building designs and façade materials so as to create an adverse effect on the stability and value of the surrounding area. *See the Façade Review Letter for additional information.*

Section 2406.4.B indicates the City Council shall review the proposed plan considering the Planning Commission's recommendation and the requirements of Section 2406.4.A. As part of its approval of the Preliminary Site Plan, the Council is permitted to impose conditions that are reasonably related to the purposes of this section and that will:

1. Insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity;
2. Protect the natural environment and conserving natural resources and energy;
3. Insure compatibility with adjacent use of land; and
4. Promote the use of land in a socially and economically desirable manner.

Response Letter

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

Pre-Construction Meeting

Planning Review of Preliminary Site Plan

Best Buy
SP#07-78

January 23, 2008
Page 5 of 5

Prior to the start of any work on the site, Pre-Construction (Pre-Con) meetings must be held with the applicant's contractor and the City's consulting engineer. Pre-Con meetings are generally held after Stamping Sets have been issued and prior to the start of any work on the site. There are a variety of requirements, fees and permits that must be issued before a Pre-Con can be scheduled. To give you an advance notice of the requirements and what must be in place prior to the Pre-Con, a sample Pre-Con checklist is attached. If you have questions regarding the checklist or the Pre-Con itself, please contact Sarah Marchioni [248.347.0430 or smarchioni@cityofnovi.org] in the Community Development Department.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0586 or kkapelanski@cityofnovi.org.



Kristen Kapelanski, Planner
Attachments: Planning Review Chart
Lighting Review Chart

Planning Review Summary Chart

Best Buy

Preliminary Site Plan

January 23, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Regional Center	Regional Center	Yes	
Zoning	RC	RC	Yes	
Use	Retail businesses or service establishments permitted as a special land use.	Retail business – Best Buy	Yes	Special Land Use permit required.
Building Height Sec 2400	Maximum 45 feet	Maximum 35 feet	Yes	
Building Setbacks (Section 2400)				
Front (south)	100 feet	165 feet	Yes	
Exterior Side (west)	100 feet	112 feet	Yes	
Exterior Side (east)	100 feet	63 feet	No	Applicant should adjust the site plan to meet the requirements or seek a Zoning Board of Appeals variance.
Rear (north)	100 feet	46 feet		
Parking Setbacks (Section 2400)				
Front (south)	20 feet	20 feet	Yes	
Exterior Side (west)	20 feet	30 feet	Yes	
Exterior Side (east)	20 feet	20 feet	Yes	
Rear (north)	10 feet	20 feet	Yes	
Number of Parking Spaces Sec 2505	1/200 sq. ft. GLA = 155 spaces required	201 spaces (99 below-ground)	Yes	<u>Applicant may want to consider reducing some parking on-site.</u>
Parking Space Dimensions Sec 2505	9' x 19' parking space dimensions and 24' wide drives.	Above-ground parking has 9' x 19' parking space dimensions with 24' wide drive. Parking spaces along the western building edge are 17' long (with 4" curb indicated). Below-ground parking has 9' x 19' and 9' x 18' with a minimum 24' wide drive.	No	Applicant should adjust the underground perimeter parking spaces to be 19' in length.

Item	Required	Proposed	Meets Requirements?	Comments
Barrier Free Spaces <small>(Sec. 2302)</small>	7 accessible spaces; 2 spaces must be van accessible	4 barrier free van accessible spaces provided (above ground).	No	Applicant should include 3 additional barrier free spaces.
Barrier Free Space Dimensions <small>(Sec. 2302)</small>	8' wide with a 5' wide access aisle (8' wide access aisle for van accessible)	9' wide with a 9' wide access aisle for above ground parking.	Yes	
Barrier Free Signs <small>(Sec. 2302)</small>	One barrier free sign is required per space.	Barrier free signs shown.	Yes	
Loading Spaces <small>(Sec. 2302)</small>	10 square feet per front foot of building = 190 x 10 = 1,900 sq. ft. All loading shall be in the rear yard or interior side yard if double fronted lot.	1,925 sq. ft. provided in the exterior side yard.	No	Loading areas should be located in the rear of the property (or interior side yard). Applicant should relocate the loading area or seek a Zoning Board of Appeals variance.
Loading Space Screening <small>(Sec. 2302A.1)</small>	In the RC District, view of loading and waiting areas must be shielded from rights of way and adjacent properties.	Landscaping and screen wall provided.	Yes	
Accessory Structure Setback-Dumpster <small>(Sec. 2303)</small>	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 or interior side yard.	Trash compactor location indicated setback 52' from the eastern property line and 58' feet from the northern property line and attached to the building located in the exterior side yard.	No	Applicant should relocate trash compactor to the rear yard or seek a Zoning Board of Appeals variance.
Dumpster <small>(Sec. 2304)</small>	Screening of not less than 5 feet on 3 sides of trash compactor required. Enclosure to match building materials and be at least one foot taller than height of refuse bin.	8' screen wall indicated for proposed trash compactor to match façade of building.	No	Applicant should indicate height of proposed trash compactor.

SP# 07-78 Best Buy
 Preliminary Site Plan Review

January 23, 2008

Item	Required	Proposed	Meets Requirements?	Comments
Exterior Signs	Exterior Signage is not regulated by the Planning Department or Planning Commission.			Please contact Alan Amolsch (248.347.0436) in the neighborhood services department.
Exterior Lighting	Photometric plan and exterior lighting details needed at final site plan.	Photometric plan submitted.	No	See attached lighting review chart.
Sidewalks	An 8' wide sidewalk shall be provided along Novi Road as required by the City's Pedestrian and Bicycle Master Plan. Building exits must be connected to sidewalk system or parking lot.	8' pathway provided along Novi Road and all building exits connected to the parking lot.	Yes	Applicant may want to consider providing a connection between the proposed sidewalk and the proposed parking lot along the western edge of the site.

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

Lighting Review Summary Chart

Best Buy

Preliminary Site Plan SP #07-78

Plan Date: 12/20/07

Bolded items must be addressed at the time of Final Site Plan

Item	Required	Meets Requirements?	Comments
Intent	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties, reduce unnecessary transmission of light into the night sky	No	See comments below.
Lighting plan	Site plan showing location of all existing and proposed buildings, landscaping, streets, drives, parking areas and exterior lighting fixtures	No	Applicant should provide a photometric plan for the underground parking.
Lighting Plan	Specifications for all proposed and existing lighting fixtures including: <ul style="list-style-type: none"> • Photometric data • Fixture height • Mounting & design • Glare control devices • Type and color rendition of lamps • Hours of operation • Photometric plan 	No	Applicant should provide manufacturer's details for all proposed fixtures.
Required conditions	Height not to exceed maximum height of zoning district or 25 feet where adjacent to residential districts or uses.	Yes	
Required Notes	<ul style="list-style-type: none"> • Electrical service to light fixtures shall be placed underground • No flashing light shall be permitted • Only necessary lighting for security purposes and limited operations shall be permitted after a site's hours of operation. 	No	Applicant should include the required notes on the photometric plan.

Item	Required	Meets Requirements?	Comments
Required conditions Section 2513.3	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1.	No	Applicant should adjust light levels to obtain an average to minimum ratio of 4:1.
Required conditions Section 2513.1	Use of true color rendering lamps such as metal halide is preferred over high and low pressure sodium lamps.	No	Applicant should indicate whether proposed lighting will be metal halide or sodium lamps.
Minimum Illumination Section 2513.1	<ul style="list-style-type: none"> • Parking areas 0.2 min • Loading and unloading areas 0.4 min • Walkways 0.2 min • Building entrances, frequent use 1.0 min • Building entrances, infrequent use 0.2 min 	No	Applicant should provide photometric data for underground parking.
Maximum Illumination adjacent to Non-Residential Section 2513.1	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle	Yes	
Cut off Angles Section 2513.1	All cut off angles of fixtures must be 90 degrees when adjacent to residential districts	No	Applicant should provide manufacturer's specifications for all proposed lighting fixtures.

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

January 28, 2008

Engineering Review

Novi Best Buy
SP #07-78

Petitioner

Wolf Investment, LLC

Review Type

Preliminary Site Plan

Property Characteristics

- Site Location: South of Twelve Mile, East of Novi Road
- Site Size: 3.3 acres
- Date Received: December 27th, 2007

Project Summary

- Construction of an approximately 30,891 square-foot retail store and associated parking. Site access would be provided by two approaches from the Twelve Oaks Ring Road.
- Water service would be provided by an 8-inch extension from the existing 30-inch water main along the east side of Novi Rd. A domestic lead and a fire lead will be provided to serve the building, along with 3 additional hydrants.
- Sanitary sewer service would be provided by using an existing drop connection lead connected to an existing 10-inch sanitary sewer running along the east side of the site.
- Storm water would be collected by a single storm sewer collection system and detained at Twelve Oaks Lake. The storm water will be pre-treated by pre-treatment structures on site.

Recommendation

Approval of the Preliminary Site Plan and Preliminary Storm Water Management Plan is recommended.

Comments:

The Preliminary Site Plan meets the general requirements of Chapter 11 and the Storm Water Management Ordinance, with the following items to be addressed at the time of Final Site Plan submittal (further engineering detail will be required at the time of the final site plan submittal):

General

1. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
2. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal.
3. The Non-domestic User Survey form shall be submitted to the City so it can be forwarded to Oakland County. This form was included in the original site plan package.
4. A guard rail shall be required wherever the retaining wall exceeds a height of 4-feet. The guard rail shall be a minimum of 42-inches and conform to all Building Department requirements for the City of Novi.
5. Show all proposed permanent SESC measures for the swale along the west side of the site on the plan.
6. Show a hatched area on relevant sheets representing the ingress/egress easement (24 feet wide) from the Twelve Oaks Ring Road entrance to the secondary connection to the adjoining property.
7. Provide a construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
8. Provide a utility crossing table indicating that at least 18-inch vertical clearance will be provided, or that additional bedding measures will be utilized at points of conflict where adequate clearance cannot be maintained.
9. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review.
10. Show the locations of all light poles on the utility plan and indicate the typical foundation depth for the pole to verify that no conflicts with utilities will occur.
11. Provide a note on the Utility Plan stating the sanitary lead will be buried at least 5 feet deep if a portion of the lead is proposed within the influence of pavement.

Water Main

12. Provide a detailed plan for the removal of 8-inch water main along the west side of the site, including phasing.
13. Label the size of the water leads on the plan.
14. All water mains shall have a 20-foot easement (10-foot from center). This includes the existing water main on the property (which currently only has a 12-foot easement).

Sanitary Sewer

15. Note on the construction materials table that 6-inch sanitary leads shall be a minimum SDR 23.5, and mains shall be SDR 26.

16. It is the developer's/owners responsibility to insure the existing sanitary lead drop connection is sufficient.
17. Provide a sanitary sewer basis of design for the development on the utility plan sheet.

Storm Sewer

18. Provide a schedule listing the casting type for each proposed catch basin on the utility plan.

Storm Water Management Plan

19. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
20. Provide manufacturers details and sizing calculations for the pretreatment structures within the plans. Provide drainage area and runoff coefficient calculations specific to the area tributary to each treatment structure. The combined treated flow rate should be based on the 1-year storm event intensity (~1.6 In/Hr), resulting in a flow rate of approximately 3.7 CFS. Higher flows shall be bypassed.

Paving & Grading

21. Detectable warning surfaces are required at all barrier free ramps and hazardous vehicular crossings. The barrier-free ramps shall comply with current MDOT specifications for ADA Sidewalk Ramps. Provide the MDOT standard detail (R-28-F) for detectable surfaces. This includes the entire barrier free span along the front entrance.
22. Label specific ramp locations on the plans (or label as typical), and specify the product proposed and provide a detail for the detectable warning surface for barrier free ramps. The product shall be the concrete-embedded detectable warning plates, or equal, and shall be approved by the Engineering Department. Stamped concrete will not be acceptable.
23. A sidewalk easement shall be required for the proposed sidewalk along the west side of the site.
24. Provide a note on the Grading Plan stating the right-of-way pathway will match existing grades at both ends.
25. The City standard straight-faced curb (MDOT C-4 curb detail) shall be provided. Revise details accordingly.
26. Provide top of curb/walk and pavement/gutter grades to indicate height of curb adjacent to parking stalls or drive areas.
27. The end islands shall conform to the City standard island design, or variations of the standard design, while still conforming to the standards given in Section 2506 of Appendix A of the Zoning ordinance. Currently, the end islands shown in the above ground parking are 30-feet in length (15-feet per stall). The City of Novi standard calls for 32-feet (16-feet per stall). Also, there is currently an end island missing on the east side of the underground parking structure layout.
28. Provide a line designation representing the effective 19-foot stall length adjacent to 17-foot perimeter stalls. Currently, the underground parking structure does not

- provide the required 19-feet through a majority of the spaces. The length of the stalls on the east side as well as the required end island can be achieved on the east side of the parking structure by relocating the existing columns one spot to the west.
29. A license Agreement will be required for the retaining wall proposed within a water main easement. The agreement shall state that the wall and all site facilities within the influence of the wall that may be removed or damaged in the event the utility requires maintenance will be the responsibility of the property owner to repair or replace. Additionally, a cross-section shall be included with the agreement showing the distance between the wall foundation and the utility. A template agreement is available from the Engineering Department.
 30. Verify the slopes along the ingress/egress routing to the building from the barrier-free stalls comply with Michigan Barrier-Free regulations.

Off-Site Easements

31. If any off-site easements are required, permanent or temporary, please note them on the next site plan submittal.

The following must be provided at the time of Preliminary Site Plan resubmittal:

32. A letter from either the applicant or the applicant's engineer must be submitted with the Final Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.

The following must be submitted at the time of Final Site Plan submittal:

33. An itemized construction cost estimate must be submitted to the Community Development Department at the time of Final Site Plan submittal for the determination of plan review and construction inspection fees. This estimate should only include the civil site work and not any costs associated with construction of the building or any demolition work. ***The cost estimate must be itemized*** for each utility (water, sanitary, storm sewer), on-site paving, right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

The following must be submitted at the time of Stamping Set submittal:

34. A draft copy of the private ingress/egress easement for shared use of the drive entries from the Twelve Oaks Ring Road must be submitted to the Community Development Department.
35. A draft copy of the 20-foot wide easement for the water main to be constructed on the site must be submitted to the Community Development Department.
36. Executed copies of any required off-site utility easements must be submitted to the Community Development Department.

The following must be addressed prior to construction:

37. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.

38. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
39. A permit for work within the right-of-way of Novi Road must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
40. A permit for work within the right-of-way of Novi Road must be obtained from the Road Commission for Oakland County. Please contact the RCOC (248-858-4835) directly with any questions. The applicant must forward a copy of this permit to the City. Provide a note on the plans indicating all work within the right-of-way will be constructed in accordance with the Road Commission for Oakland County standards.
41. A permit for water main construction must be obtained from the MDEQ. This permit application must be submitted through the City Engineer after the water main plans have been approved.
42. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
43. An incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted prior to TCO, at which time it may be reduced based on percentage of construction completed.
44. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.
45. Permits for the construction of each retaining wall must be obtained from the Community Development Department (248-347-0415).

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


cc: Rob Hayes, City Engineer
Kristen Kapelanski, Community Development Department
Tina Glenn, Water & Sewer Dept.

TRAFFIC REVIEW

January 22, 2008

Ms. Barbara E. McBeth
Deputy Director Community Development
45175 West Ten Mile Road
Novi, MI 48375-3024



Re: Best Buy Twelve Oaks – Preliminary – 1st Review
SP No. 07-78
OHM Job No. 163-07-0412

As requested, we have reviewed the final site plan submitted for proposed Best Buy store at Twelve Oaks mall. The plans were prepared by Professional Engineering Associates, Inc. and are dated December 21, 2007.

OHM RECOMMENDATION

At this time, we recommend approval of the preliminary site plan, subject to the items listed below being corrected prior to final plan submittal.

DEVELOPMENT BACKGROUND

- The site is currently zoned as RC (Regional Center).
- The property contains approximately 3.30 acres.
- Applicant is proposing a 30,891 SFT (gross) electronic superstore on the subject property.

ROADWAY NETWORK

The development is located east of Novi Road on the south side of 12 Mile Road. Novi Road is functionally classified as an arterial route with a posted speed of 40 mph. and is under the jurisdiction of the Road Commission of Oakland County (RCOC). 12 Mile Road is considered a major arterial with a posted speed limit of 45 mph, and falls within the jurisdiction of the RCOC.

SITE PLAN CORRECTIONS

1. Sidewalk:
 - A sign with the message "SIDEWALK ENDS" should be provided at the northern end of the proposed sidewalk along Novi Road, where the sidewalk terminates at the subject property line.
 - We noted that the proposed sidewalk along Novi Road bends westward at the southern mall access drive. Due to this, the pedestrian are forced close to the vehicular traffic on Novi Road creating a safety hazard. We recommend that the horizontal alignment of the proposed sidewalk be continued up to the southern mall access drive. Please see attached Sketch.
2. Pedestrian Path: The pedestrian pathway leading to the proposed building should be provided from the Novi Road sidewalk. We noted that due to the retaining wall on the western side of the building, a direct connection from the sidewalk to the building may not be provided. We recommend that a sidewalk be constructed parallel to the southern mall access drive, south of the proposed development, with its western end intersecting the proposed sidewalk along Novi Road and eastern end, at the end of the retaining wall, providing the connection to the building. Please see attached sketch.
3. ADA Ramps: An ADA compliant sidewalk ramp should be provided along Novi Road south of

southern mall access drive.

4. Barrier-free Parking:

- The barrier-free parking spaces provided at each parking level should be based on total parking spaces provided at each level as opposed to the combined total parking provided. Hence, based on ADA guidelines, 5 barrier-free parking spaces should be provided at upper level parking lot and 4 barrier-free parking spaces should be provided at under ground parking lot.
- The barrier-free parking spaces should be clearly denoted on both the upper and lower level parking.

5. Sidewalk Ramps Details: The most current MDOT details for ADA compliant ramps shall be provided in the plan set.

6. Signs: The correct MMUTCD sign code for the "NO PARKING FIRE LANE" sign is R7-9a (mod). This correction should be made on the site plans. Also, the message "NO PARKING" should be represented graphically.

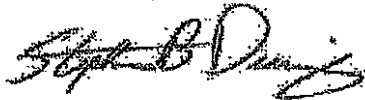
7. Sign Mounting Height: The mounting height of all signs should be 7' from the grade level to the bottom of the parent sign. The correction should be made for "Sign and Post Installation in Paved Areas" detail on sheet SP-5.

8. Sign Quantity Table: The sign quantity table should be updated based on revised barrier-free parking provisions.

If you have any concerns or questions, please feel free to contact us at 734-522-6711.

Sincerely,

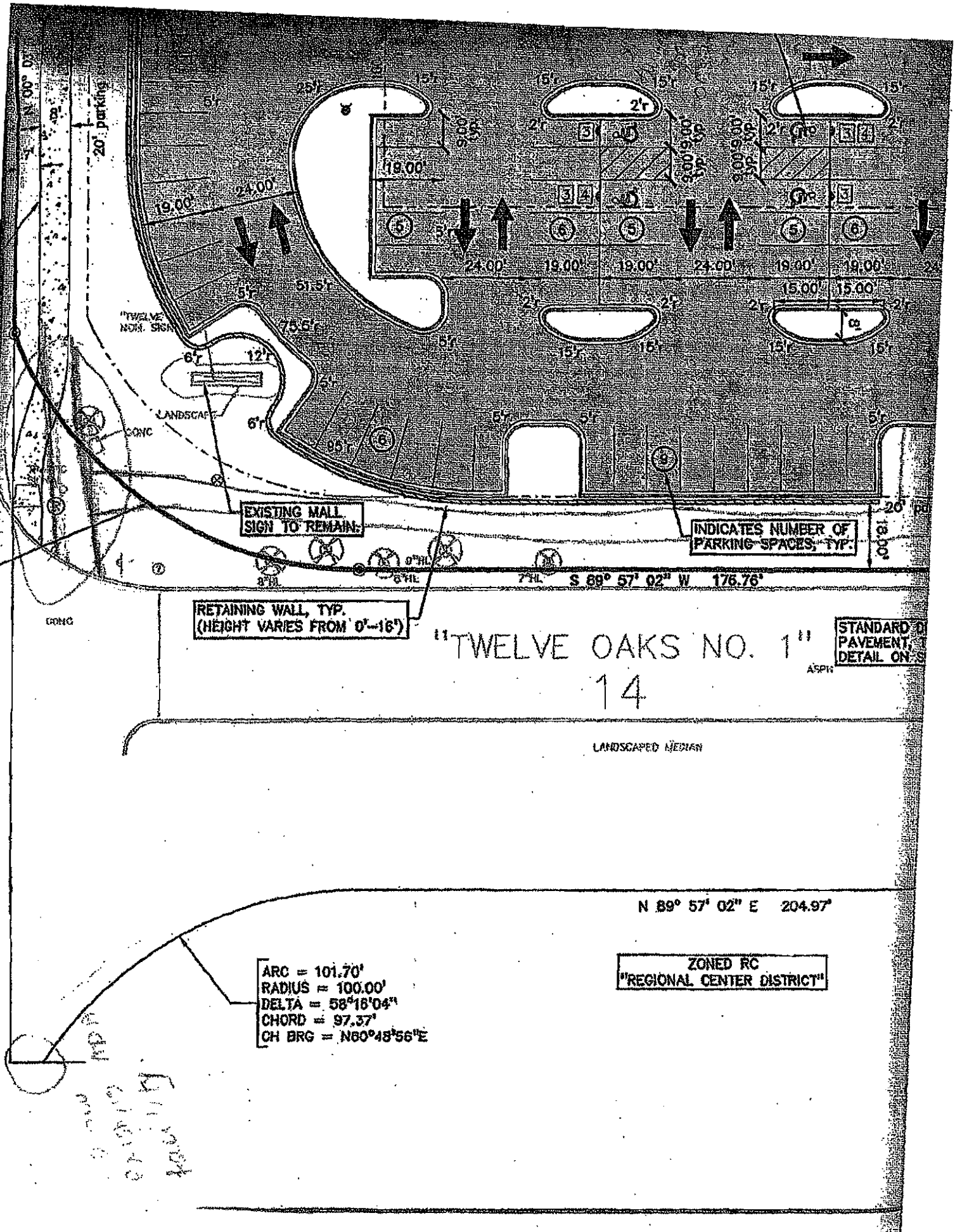
Orchard, Hiltz & McCliment, Inc.



Stephen B. Dearing, P.E., PTOE.
Manager of Traffic Engineering



Anita S. Katkar, P.E.
Traffic Project Engineer



"TWELVE OAKS NO. 1" SIGN

LANDSCAPE

EXISTING MALL SIGN TO REMAIN

INDICATES NUMBER OF PARKING SPACES, TYP.

RETAINING WALL, TYP. (HEIGHT VARIES FROM 0'-16')

"TWELVE OAKS NO. 1"

STANDARD OF PAVEMENT, TYP. DETAIL ON S

LANDSCAPED MEDIAN

N 89° 57' 02" E 204.97'

ARC = 101.70'
 RADIUS = 100.00'
 DELTA = 58° 18' 04"
 CHORD = 97.37'
 CH BRG = N60° 48' 56" E

ZONED RC
 "REGIONAL CENTER DISTRICT"

Handwritten notes:
 10' CONC
 12' CONC
 15' CONC
 18' CONC

S 1° 00' 00" W 176.76'

20' parking

S 89° 57' 02" W 176.76'

20' parking

18' parking

18' parking

18' parking

18' parking

18' parking

18' parking

18' parking

18' parking

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18' parking

18' parking

January 22, 2008

Ms. Barbara E. McBeth
Deputy Director Community Development
45175 West Ten Mile Road
Novi, MI 48375-3024



Re: Best Buy – Traffic Impact Assessment
OHM Job No. 163-07-0416

As requested, we have reviewed the Traffic Impact Assessment (TIA) submitted for the proposed Best Buy store. The TIA was prepared by Birchler Arroyo, Inc. and is dated December 2007.

OHM RECOMMENDATION

At this time, we recommend the approval of the TIA and its recommendations.

If you have any concerns or questions, please feel free to contact us at 734-522-6711.

Sincerely,
Orchard, Hiltz & McCliment, Inc.

A handwritten signature in black ink, appearing to read "Stephen B. Dearing".

Stephen B. Dearing, P.E., PTOE,
Manager of Traffic Engineering

A handwritten signature in black ink, appearing to read "Anita S. Katkar".

Anita S. Katkar, P.E.
Traffic Project Engineer

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LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

January 2, 2008

Preliminary Landscape Review

Novi Best Buy 07-78

Petitioner

Professional Engineering Associates, Inc.

Property Characteristics

- Site Location: Novi Road
- Site Zoning: RC -- Regional Center
- Site Use(s): Retail Sales
- Plan Date: 12/20/07 (per plan)

Recommendation

Approval of the Final Landscape Plan for 07-78 Novi Best Buy is recommended provided the Applicant receives the necessary waiver from the Planning Commission and addresses all comments below.

Ordinance Considerations

Residential Adjacent to Non-Residential (Sec. 2509.3.a)

1. The property is not adjacent to residentially zoned or utilized property.

Adjacent to Rights-of-Way (Sec. 2509.3.b)

1. A 3' high berm with a 2' crest is required along public and private road frontages adjacent to parking or vehicular access areas. Due to the extreme grades along Novi Road, it is not practical to install a berm along this frontage. A sizeable retaining wall is proposed in order to facilitate the proposed construction. As the site parking and building will be far lower and screened from Novi Road, any berm in this area would be of little consequence. **Staff would support a Planning Commission waiver for the landscape berm along Novi Road.** Other adjacent vehicular access drives are neither public nor private roads. Although no berms are required along these access drives, the Applicant has provided a landscape berm east of the loading zone to provide for additional buffering.
2. A 20' wide greenbelt is required adjacent to parking. The greenbelt has been provided and labeled.
3. The Applicant has met the requirements for greenbelt Canopy and Sub-canopy Trees.
4. Canopy Street Trees are required at one per 45 linear feet along the Novi Road frontage. This requirement has been met. The Applicant has requested a waiver for Canopy Street Trees along the secondary access roads. After discussion with Planning Staff, it has been determined that no sidewalks or Street Trees are a

requirement under the Ordinance due to the nature of these roadways solely for access to parking areas. No waiver is required. Please note that any work occurring within the Novi Road right-of-way will require permit from the Road Commission for Oakland County.

5. Multiple existing trees are proposed to remain. Any trees to remain must be guaranteed to survive and maintain good health through the landscape warranty period.

Parking Area Landscape Requirements (Sec. 2509.3.c)

1. A total of 2,792 SF of parking island landscape area is required. The Applicant has met this requirement.
2. Perimeter Canopy Trees are required at an average of 1 per 35 LF around parking and vehicular access areas. The Applicant has provided the required number of Perimeter Trees. The Ordinance does not require that Perimeter Trees be placed at exact 35' centers. Due to the presence of underground utilities, it is not practical to place Perimeter Trees along the northerly access drive. The Applicant has agreed to preserve the existing cedar row along this property line and has noted such on the plans. Should these cedars not be protected and preserved during construction activities, they will be replaced to assure screening.

Building Perimeter Landscaping (Sec. 2509.3.d. & LDM)

1. Per Section 2509.3.d.(2)(b), "For the front and any other facades visible from a public street, a minimum of sixty (60) percent of the exterior building perimeter will be greenspace planted with trees, shrubs and groundcovers, perennials, grasses annuals and bulbs." The Applicant has provided these building perimeter plantings where appropriate.
2. A 4' wide landscape bed is required around the entire perimeter and has been provided.
3. A total of 5,590 SF of building foundation landscape area is required and has been adequately provided.

Loading/ Unloading Area (Sec. 2507)

1. Loading zones are required to be placed in the rear of the proposed building, but may be allowed within the side yard for multi-fronted buildings. In each case they must be aesthetically and effectively screened from view from adjoining properties or streets. The Applicant has effectively screened the loading area and trash dumpster area through the use of screen walls matching the building architecture.

Plant List (LDM)

1. The Plant List meets the requirements of the Ordinance and Landscape Design Manual with the exception that no costs are listed. Please list the plant material, seed/sod and mulch costs on the Plant List.

Plan Notes & Details (Sec. 2509. 4. 5. 6. & 7.)

1. Plan Notations and Details meet the requirements of the Ordinance and Landscape Design Manual.

General Requirements

1. Please provide an Irrigation Plan and Cost Estimate with the Final Site Plan Submittal.

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

FAÇADE REVIEW

METCO SERVICES, INC.

ENGINEERS, ARCHITECTS, & SURVEYORS

23917 Cass St. - Farmington - Michigan - 48335 - (248) 478-3423 - Fax (248) 478-5656

January 28, 2008

City of Novi Planning Department
45175 W. 10 Mile Rd.
Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Deputy Director Community Development

Re: **FACADE ORDINANCE – Preliminary Site Plan Review**
Best Buy (SP07-78)
Façade Region: 1
Zoning District: RC
Size: (1) Building – 1 story above ground with underground parking (30,891 Sq. Ft.)

Dear Ms. McBeth:

The following is the Façade Review for preliminary site plan review regarding the drawings prepared by Maxwell Johanson Maher, dated 12-19-07 for compliance with Novi Ordinance 2520; the Façade Ordinance. The percentages of materials proposed are as shown below. A "check" by the percentage signifies that the range is within the ordinance guidelines, while an "x" indicates an overage. The maximum percentages allowed by the Schedule Regulating Façade Materials are shown in the right hand column.

Drawings Dated 12-19-07	NORTH FACADE (Rear)	SOUTH FACADE (Front)	EAST FACADE (Right)	WEST FACADE (Left)	ORDINANCE FACADE MAXIMUM
NATURAL BRICK	95.0% ✓	81.0% ✓	94.5% ✓	95.3% ✓	100% (30% Min.)
TRIM (Pre-finished Metal Coping)	5.0% ✓	5.2% ✓	3.2% ✓	2.3% ✓	15%
E.I.F.S.	0.0% ✓	13.8% ✓	2.3% ✓	2.4% ✓	25%

Recommendations:

1. The percentages of proposed materials are in compliance with the façade chart for region 1. The 18" rectangular bands that cap the protruding roof lines is not defined and assumed to be metal coping.
2. Section 2520, item 2 states that all façade colors shall be harmonious with adjacent buildings in the area. The term "harmonious" is defined in the ordinance as colors which are complementary in hue, tone, and intensity. It also states that dissonant or intense color façade materials shall be deemed inconsistent with the ordinance. In this case, the custom blue color of the E.I.F.S. panels would not be harmonious with the surrounding buildings and would also be considered as an intense color selection.
3. Section 2520, item 2 also states that the use of façade materials to form a background in a sign or to increase the visual presence of the building for the purpose of advertising shall be deemed inconsistent with the façade ordinance. The unique shape and blue colored E.I.F.S. panels are designed in such a way as to form a background for signage.
4. The architectural drawings indicate that the trash enclosure and truck screening walls will be composed of materials that match the color and texture of the building. The Civil Engineering drawings provide a typical wall section that allows for brick on one side of the wall and exposed C.M.U. on the inside faces (Sheet SP-5). Any type of C.M.U. or unfinished concrete that is visible to the public is prohibited in region 1 and both of these areas will have the inside faces of these walls exposed.
5. All roof appurtenances shall be screened from view. (Section 2520, item 3).
6. The materials shown on the sample board are consistent with the façade ordinance, but will require a sample of the metal coping material.

It is therefore our recommendation that the design does not meet the intent and purpose of the ordinance and a Section 9 Waiver not be granted based on items 2 and 3.

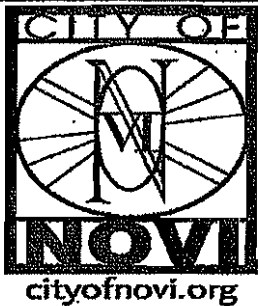
If you have any questions regarding this matter, please contact me at your convenience.

Sincerely,
Metco Services



Douglas R. Necci AIA

FIRE REVIEW



Novi Fire Department

42975 Grand River Avenue
Novi, MI 48375

248.349.2162 fax 248.349.1724

January 28, 2008

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

RE: Best Buy @ Twelve Oaks, SP07-78, Preliminary Site Plan
Fire Department Review

Dear Ms. McBeth,

The above plan has been reviewed and is **Recommended for Approval** with the following items being corrected on the next plan submittal.

1. The plans shall indicate the load design for the parking lot area on the west side of the building. This parking lot is over the underground parking area and shall be designed to support a 35 ton fire apparatus.
2. A rapid access KNOX Box shall be installed at the front door main entry to the building. The contractor can order this box directly from the KNOX Company at www.knoxbox.com.
3. The fire protection water main shall be controlled by a gate valve that is located within a well.

Sincerely,

Michael W. Evans
Fire Marshal

cc: file

APPLICANT RESPONSE LETTER(S)



PROFESSIONAL ENGINEERING ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS / LAND SURVEYORS / LAND PLANNERS
2430 Rochester Court, Suite 100, Troy, MI 48083-1872
(248) 689-9090 www.peainc.com fax (248) 689-1044

*James P. Butler, PE
President
David E. Cole, PS
Vice President
Wendy E. Graham, PE
Vice President
John A. Harvey, PE
Vice President
David N. Hunter, PE
Vice President*

February 20, 2008
PEA Job No: 2007-088

Ms. Kristen Kapelanski
Planner
City of Novi
45175 West Ten Mile Road
Novi, MI 48375

**RE: PRELIMINARY SITE PLAN REVIEW COMMENTS FOR
BEST BUY
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN**

Dear Ms. Kapelanski:

Upon receipt of the preliminary site plan review comments dated January 23, 2008 we have reviewed them and are prepared to comment at this time. The purpose of this letter is to address each comment and offer solutions to any discrepancies noted in this preliminary review.

Planning

1. We have worked extensively with City staff to bring forward a site plan that will work for this site. The underlying RC zoning has 100 foot setback requirements that simply cannot be met on site of this size. We are utilizing setbacks that are greater than those provided currently on the existing site. A variance will be requested from the Zoning Board of Appeals.
2. The plans will be revised at Final Site Plan.
3. The plans will be revised at Final Site Plan.
4. Given that the site has three road frontages, this requirement would be difficult to comply with no matter what the use of the site. We have utilized the current loading location in order to have the ability to effectively screen the area from our neighbors to the East at Twelve Oaks Mall. If we utilize the rear yard to the North, not only would it make access to the underground parking impractical, it would expose the loading area to the Mall Ring Road. Additionally, Twelve Oaks Mall has indicated that they would not accept the loading area on the North side of the building for the same reason referenced above.
5. See comment #4.
6. The plans will be revised at Final Site Plan.

Howell Office 2900 E. Grand River Avenue, Howell, MI 48843 • (517) 546-8583 • Fax (517) 546-8973
Florida Office 2400 First Street, Suite 200, Fort Myers, FL 33901 • (239) 217-6059 • Fax (239) 217-6124

Engineering

1. Note will be provided at Final Site Plan.
2. City standard detail sheets will be provided with Stamping Set submittal.
3. The Domestic User Form was submitted with the original application, an additional copy can be provided at Final Site Plan is necessary.
4. A guard rail will be added where retaining wall exceeds a height of 4 feet that conforms to all Building Department requirements at Final Site Plan.
5. All permanent SESC measures for the swale will be provided at Final Site Plan.
6. Ingress/Egress easement will be shown at Final Site Plan.
7. Construction materials table will be provided on the Utility Plan at Final Site Plan.
8. Utility crossing table will be provided at Final Site Plan.
9. Note will be provided at Final Site Plan.
10. Light pole locations and foundation depth will be provided at Final Site Plan.
11. Note will be provided at Final Site Plan.
12. Detailed plan for removal of 8" water main will be provided at Final Site Plan.
13. Size of water leads will be provided at Final Site Plan.
14. Easements for water main will be provided at Final Site Plan.
15. Note will be provided at Final Site Plan.
16. No comment.
17. Sanitary sewer basis of design will be provided at Final Site Plan.
18. Casting type for each catch basin will be provided at Final Site Plan.
19. Plan will be designed in accordance with Storm Water Ordinance at Final Site Plan.
20. Requested details and calculations will be provided at Final Site Plan.
21. MDOT detail will be provided at Final Site Plan.

22. Ramp locations and detail for detectable warning surface will be provided at Final Site Plan.
23. Easement will be provided at Final Site Plan.
24. Note will be provided at Final Site Plan.
25. City standard straight-faced curb shall be provided at Final Site Plan.
26. Grades as requested will be provided at Final Site Plan.
27. The plans will be revised at Final Site Plan.
28. Line designation will be provided at Final Site Plan.
29. The license agreement will be provided at Final Site Plan.
30. Slopes along the ingress/egress routing from the barrier free stalls will verified to comply with Michigan Barrier Free regulations at Final Site Plan.
31. Any off-site easements will be noted at Final Site Plan.

Traffic

1. "Sidewalk Ends" sign will be provided at northern end of walk at Final Site Plan. Revising the walk at the southern end as requested is not possible due to location of traffic signal pole.
2. There is no precedent for a sidewalk along the southern property line, as there is no existing sidewalk across the mall access road on the property to our South. Furthermore, this sidewalk will affect the drainage and landscaping which is already designed for this area. Lastly, the applicant has already agreed to provide the required sidewalk along Novi Road on their own property because there is no sufficient room within the ROW. The same condition would apply at this location and would also require that the applicant sacrifice additional property for the installation of this sidewalk.
3. Requested HC ramp does not apply if sidewalk requested in item 2 above is not required.
4. Per our conversation with the Planner and per the planning review, we are providing barrier free parking spaces for the site as a whole.
5. Current MDOT details for ADA compliant ramps will be provided at Final Site Plan.
6. We will review and make corrections to signs as necessary at Final Site Plan.
7. Detail will be revised at Final Site Plan.
8. Sign table will be updated at Final Site Plan.

Landscape

Adjacent to Right-of-Way(Sec. 2509.3.b)

4. A waiver is not required for canopy trees along the secondary access roads as determined by the City of Novi review. (See sheet L-1)

Parking Area Landscape Requirements(Sec. 2509.3.c)

1. The existing cedar trees along the north property line will be preserved to meet the required visual screen along the north property line. Unhealthy trees will be replaced to assure screening along the property line.
(See notes on sheet L-1.)

Plant List(LDM)

1. The landscape cost opinion, has been shown on the plant list & provided on sheet L-2.

General Requirements

1. An Irrigation plan and Cost Estimate will be provided with the Final Site Plan.

Facade

1. The rectangular band at the top of the walls is EIFS coping, and the EIFS percentage was included in the material calculations provided on elevations dated 12-19-07.
2. The proposed blue color is an accent color on the proposed elevations, and makes up a very small percentage of the surface area of the elevations. In fact, the allowable square footage of EIFS per the ordinance was not maximized on any elevation, with the bulk of exterior material being brick. Furthermore, the "intensity" of the proposed blue is a subjective determination that is not supported by the applicant. Last, the prototypical blue entry element is designed to have an overall surface area of 1,594 square feet, with a height at the peak of 38'-0". In deference to the City of Novi zoning ordinance, the applicant has reduced the size of this entry element to 864 square feet of surface area, which is a reduction in size of almost half. The height has also been reduced to 31'-6". It is the opinion of the applicant that considerable adjustments have been made to meet the intent of the Zoning ordinance and that the proposed elevations are not inconsistent with said ordinance.
3. See response to item 2.
4. The plans will be revised at Final Site Plan.
5. No comment.

6. See response to item 1.

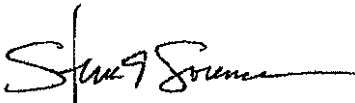
Fire Department

1. Load design for requested parking lot area will be indicated on the plans at Final Site Plan.
2. A KNOX Box will be provided at Final Site Plan.
3. Gate Valve in Well will be provided on fire protection water main at Final Site Plan.

We feel that we have made the best use of this difficult site and have worked extensively with City Staff to insure that this plan is agreeable for all parties. We also feel that the concerns presented in the preliminary site plan review letters can be handled during the Final Site Plan review process and look forward to addressing the Planning Commission on February 27, 2008. If you have any questions, or need any additional information, please call.

Sincerely,

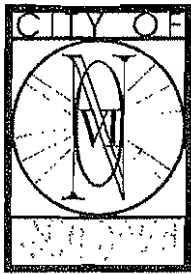
PROFESSIONAL ENGINEERING ASSOCIATES, INC.



Steven A. Sorensen, PE
Project Manager

SAS

**DRAFT PLANNING COMMISSION MINUTES – EXCERPT
FEBRUARY 27, 2008**



cityofnovi.org

PLANNING COMMISSION

CITY OF NOVI

Regular Meeting

Best Buy, SP07-78, Excerpt

Wednesday, February 27, 2008 | 7 PM

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

(248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Members, John Avdoulos, Brian Burke, Victor Cassis, David Greco, Andrew Gutman, Michael Lynch, Michael Meyer (7:21 PM), Mark Pehrson, Wayne Wrobel

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Karen Reinowski, Planner; David Beschke, Landscape Architect; Lindon Ivezaj, Civil Engineer; Kathy Smith-Roy, Finance Director; Al Hall, Façade Consultant; Kristin Kolb, City Attorney

PUBLIC HEARINGS

BEST BUY, SP07-78

The Public Hearing was opened on the request of Professional Engineering Associates for recommendation to City Council for Preliminary Site Plan and Special Land Use Permit approval and approval of the Stormwater Management Plan. The subject property is located in Section 14, on the east side of Novi Road, between I-96 and Twelve Mile in the RC, Regional Center District. The subject property is approximately 3.3 acres and the Applicant is proposing to remove the closed bank and furniture store and construct a 30,891 square-foot store.

Planner Kristen Kapelanski described the project that is proposed for the perimeter of the Twelve Oaks Mall site. Novi Office Center is to the north, Twelve Oaks to the east, Red Lobster to the south, and Novi Road and West Oaks to the west. This property and all bordering properties are zoned RC. The Master Plan designates Regional Commercial for the east side of Novi Road and Regional Commercial with a PD-2 Option on the west side.

There are no wetlands or woodlands. A retail establishment in an enclosed building requires a Special Land Use Permit in the RC District. Conditions for a Special Land Use Permit are found in Section 2516.2.c of the Ordinance. Staff does not identify any major concerns with this proposal and therefore recommends approval of the Special Land Use request. The Applicant has submitted a Noise Analysis which indicates the anticipated noise levels of the use fall well below the limits for adjacent non-residential receiving zones. Section 2406.4 of the Zoning Ordinance requires the Planning Commission to give City Council a recommendation on this Regional Commercial site plan and Special Land Use requests.

The Planning Review indicates the Applicant is generally in compliance with the Zoning Ordinance. They will seek a variance for the northern and eastern setbacks, as they do not meet the 100-foot requirement. The Applicant needs a variance for the loading space and trash compactor in light of the building's many front yards; the proposed placement is sufficient. There are minor items to be addressed at the time of Final Site Plan submittal.

The Landscape Review recommends approval. The Applicant seeks a variance for the Novi Road berm and Staff supports this request.

The Applicant submitted a Traffic Impact Assessment, and the Traffic Consultant has reviewed it and the plan, and recommends approval with minor items to be addressed at the time of Final Site Plan submittal.

The Applicant has made great improvements to their façade but there are still deficiencies. The color of the façade is meant to be harmonious with the adjacent buildings in the area. Intense colors are considered to be inconsistent with the Ordinance. Use of façade materials to increase the visual appearance of the building or advertising of the business is also inconsistent with the Ordinance. The Best Buy blue EIFS panels are considered intense, even though they have toned them down, and are used in such a manner as to form the background of their sign. The Façade Consultant does not recommend the granting of the Section Nine Waiver.

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

Jaima Darsinos from MJM Architects addressed the Planning Commission. She introduced Jim Butler from PEA and Jason Krauss of Best Buy. Ms. Darsinos explained that they met with the City four times before submitting this design. In their meetings, the City was not receptive to their 45,000 square-foot design or their elevations. This proposal, though 15,000 square feet smaller, still requires some of the setback waivers. The site is currently two parcels that will be combined. The 100-foot required setbacks render these properties undevelopable if the two parcels aren't combined.

Ms. Darsinos said that the only side of the building that is not considered a front yard faces the neighboring office building, and they cannot place their dumpster on that side. The placement of the dumpster on the Novi Road side is the least obtrusive and it has been screened with materials similar to the building.

Ms. Darsinos showed a prototype Best Buy façade – which is typically a painted split-faced masonry design. There is a large blue entry element. The blue proposed for this site is less purple than the Haggerty Road Best Buy entry. The building is predominantly brick, and elements such as pilasters have been added to give the building some interest and variation. The entry element has been reduced in size by at least half. There is very little blue on the side elevations. Ms. Darsinos said that they met with the City so many times because they wished to propose something that responded appropriately to the City's concerns and requirements. She said she thought they had worked hard enough on these issues that the City could support this proposal. They were surprised that they didn't get the support for their Section Nine Waiver request. She asked the Planning Commission to consider it.

Chair Cassis confirmed that the Haggerty Best Buy is about 35,000 square feet. Ms. Darsinos said they would like this store to be bigger, given the market, but the site would be overbuilt. Mr. Krauss stated that they have a purchase agreement in place with Twelve Oaks. Twelve Oaks and Macy's also reviewed the plan. Chair Cassis thanked the Applicant for working with the City.

Chair Cassis opened the floor for public comment:

- Joe Drolshagen, Northern Equities: Stated that the Best Buy headquarters is also in Novi in Haggerty Corridor Corporate Park, which reflects Best Buy's commitment to this City. He thought the Applicant did a great job of reducing their façade's impact, and thought their proposal was very good looking.

There was no written correspondence so Chair Cassis closed the Public Hearing.

Member Pehrson had no problem with the Best Buy request. He thought they did a nice job of working out this design. He thought they met the criteria of the Special Land Use Permit, and he agreed that the setbacks could potentially make these sites more difficult to develop. He supported their ZBA requests. He supported the Section Nine Waiver request because Best Buy has a trademarked identity; He thought their improvements to their standard design fit this area of the City quite well. He supported the project.

Member Wrobel agreed with the comments made. He did not think the Haggerty Best Buy façade or the adjacent hotel façade was well received by the community. He appreciated Best Buy working to minimize this proposed façade. He thought it was still too much, and would like to see it further reduced. He supported all of their other requests.

Member Avdoulos wondered whether the Haggerty Road Best Buy will remain open once the Novi Road Best Buy opens. The Applicant made many promises which were helpful to this review. He was at first concerned about the big box concept, but he felt that overall, the parking area proposed and the placement of the building on this site is appropriate. He confirmed that the underground parking will also be for public use. Employees will be encouraged to park underneath. There will be a nice entry feature in the parking area. Member Avdoulos liked the parking design.

Member Avdoulos thought the building aesthetics work because of the two types of brick and the pilastering. Twelve Oaks is a regional draw, so this entity as designed will work well. He understood why the Façade Consultant took the position that he did, but businesses work very hard to develop their own branding, so using it

is important to their marketing plan. He cited another project discussed in an Implementation Committee meeting that really could benefit from some middle-level marquis signage so that the project's stores could make use of their own branding identities. He thought the proportionality of this proposal is right on. The geometry works. The design is not blatant, and even his colleagues at his architectural firm did not find the design very daunting.

Deputy Director of Community Development Barbara McBeth suggested that a study of the various building heights in the area could be recommended. This could be helpful to the City Council in their consideration of this request.

Member Avdoulos noted that the grade is far lower on this site than the grade at Novi Road. This building will probably not come off as a "big box" building. He felt that City Council will approve the design once they review the quality materials and differentiation designed into the building. Another positive with this design is that the building is not right up on the roads. There is a setback and there is landscaping. He concluded that the design is acceptable for the upscale mall in the distance.

Member Avdoulos said that the dumpster area is necessary, and he thought the location was the best the Applicant could propose. He supported the project. He understood that there may be hesitation on the façade, but he thought that in all, the design works. He supported the project.

Member Meyer said that he has grown accustomed to the Haggerty Best Buy façade. He also said that it might behoove Best Buy to have their employees park in the parking lot so that other customers are attracted by the busy appearance of the store. He thanked Best Buy for the darker blue; it's a bit easier on the eye and Best Buy still gets the effect for which they were looking. He wished Best Buy well.

Member Burke confirmed that there are no current plans to close the Haggerty Best Buy store. Member Burke noted that the mall accepted this design, but he wondered how much of a visual block this store would be in front of the mall. Mr. Krauss said that the building will sit about 16 feet higher than the Novi Road grade. The building will be higher than Newton Furniture. Mr. Krauss said that by removing the two buildings, Macy's will have a better view corridor. Member Burke thought that Best Buy made the most of this site. The parking is a great feature.

Moved by Member Pehrson, seconded by Member Meyer:

In the matter of Best Buy, SP07-78, motion to recommend approval of the Special Land Use Permit subject to: 1) Pursuant to Section 2516.2.c for the Special Land Use Permit, the proposed use, relative to other feasible uses of the site, will not cause any detrimental impact on existing thoroughfares; will not cause any detrimental impact on the capabilities of public services and facilities; is compatible with the natural features and characteristics of the land; is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood; is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; will promote the use of land in a socially and economically desirable manner; is (a) listed among the provision of uses requiring Special Land Use review as set forth in the various zoning districts of this Ordinance, and (b) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located; and 2) Compliance with all conditions and requirements listed in the Staff and Consultant review letters; for the reason that the plan is otherwise in compliance with all applicable provisions of the Zoning Ordinance.

DISCUSSION

Ms. McBeth stated that they will continue to request a view corridor study from the Applicant. She said it would be helpful to City Council if they can put this building into perspective based on the existing mall and grades. **"The Applicant providing a study of renderings showing the proposed building in relation to the existing buildings and the topography of the area for review by City Council"** was added to the motion, having been agreed upon by Member Pehrson and Member Meyer.

City Attorney Kristin Kolb suggested that the feasibility of the sidewalk connection be added as a stipulation to be further studied.

Mr. Butler stated that the sidewalk would remove a significant amount of landscaping; it's a very tight corridor that

must also provide a grade transition. It is a pretty steep grade drop. Mr. Butler used a copy of the map to show where the sidewalk is that is in question.

Ms. Kapelanski said that she was suggesting that the Novi Road sidewalk somehow be connected to the Best Buy parking lot. This would be beneficial for pedestrians and the store to have some kind of pedestrian connection. She said there wasn't any specific place that the City was suggesting that the sidewalk go, just that the Applicant consider providing this connection. Civil Engineer Lindon Ivezaj acknowledged the steep grade, and noted that the request came from the Traffic Consultant, whose concerns include pedestrian safety. A staircase could be considered to address the grade change.

Ms. McBeth said that it was still worthwhile for the Applicant to consider providing this connection, since it has become a standard provision throughout the City. Mr. Butler said that a staircase would require about 28-30 steps. He agreed to at least look at the possibilities.

"The Applicant working with the City to determine if a sidewalk connection between Novi Road and the parking lot is feasible and where its optimal location would be" was added to the motion upon approval by Member Pehrson and Member Meyer.

Member Lynch suggested that the connection should be considered but not to the point of silly. He didn't want to see the problem worsened by the addition of a staircase. The 16-foot drop caused Member Lynch to consider whether this staircase is really that important. Mr. Butler understood, and agreed that a staircase could become a safety and liability issue. Member Lynch encouraged Mr. Butler to find a location without such a steep drop.

Chair Cassis reminisced about the Novi Road corridor some thirty years ago. This area is now quite an attraction, this corridor, and Best Buy is fortunate to be locating here. Chair Cassis said the difficulty of this site is obvious based on the vacant buildings that Best Buy is proposing to tear down. A great building has been architected. The elevations have been brought up to par without compromising Best Buy's branding.

Member Avdoulos agreed that a cross section showing the relationship between Novi Road, Best Buy and Macy's should be provided to the City Council for review. The color board is also very important. The blue is not as vibrant; it is toned down. He couldn't see the design not getting approved, but it would behoove the Applicant to equip the City Council with as much information as possible.

ROLL CALL VOTE ON BEST BUY, SP07-78, SPECIAL LAND USE PERMIT MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER MEYER:

In the matter of Best Buy, SP07-78, motion to recommend approval of the Special Land Use Permit subject to: 1) Pursuant to Section 2516.2.c for the Special Land Use Permit, the proposed use, relative to other feasible uses of the site, will not cause any detrimental impact on existing thoroughfares; will not cause any detrimental impact on the capabilities of public services and facilities; is compatible with the natural features and characteristics of the land; is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood; is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; will promote the use of land in a socially and economically desirable manner; is (a) listed among the provision of uses requiring Special Land Use review as set forth in the various zoning districts of this Ordinance, and (b) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located; 2) Compliance with all conditions and requirements listed in the Staff and Consultant review letters; 3) The Applicant providing a study of renderings showing the proposed building in relation to the existing buildings and the topography of the area for review by City Council; and 4) The Applicant working with the City to determine if a sidewalk connection between Novi Road and the parking lot is feasible and where its optimal location would be; for the reason that the plan is otherwise in compliance with all applicable provisions of the Zoning Ordinance. *Motion carried 9-0.*

Moved by Member Pehrson, seconded by Member Meyer:

In the matter of Best Buy, SP07-78, motion to recommend approval of the Preliminary Site Plan subject

to: 1) A Waiver for the berm requirement along Novi Road; 2) A Zoning Board of Appeals Variance for the northern and eastern building setbacks; 3) A Zoning Board of Appeals Variance to allow the loading area in an exterior side yard; 4) A Zoning Board of Appeals Variance to allow the trash compactor in an exterior side yard; 5) The Applicant revising the underground parking spaces to be 19 feet in length; A Section Nine Waiver for the outside façade; and 7) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan is otherwise in compliance with Section 2406.4.A, Article 17, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

DISCUSSION

Ms. McBeth said that because this is a planned development option, "PD", the standards listed on pages three and four of the Planning Review should be included in the Planning Commission's recommendation. Member Pehrson and Member Meyer agreed. Therefore, "...and a finding that the plan meets the standards contained in the Planned Development requirements for site plan review, for an enclosed retail establishment in the RC, Regional Center District, as noted in the Planning Review" was added to the motion as an additional reason for approval.

ROLL CALL VOTE ON BEST BUY, SP07-78, PRELIMINARY SITE PLAN MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER MEYER:

In the matter of Best Buy, SP07-78, motion to recommend approval of the Preliminary Site Plan subject to: 1) A Waiver for the berm requirement along Novi Road; 2) A Zoning Board of Appeals Variance for the northern and eastern building setbacks; 3) A Zoning Board of Appeals Variance to allow the loading area in an exterior side yard; 4) A Zoning Board of Appeals Variance to allow the trash compactor in an exterior side yard; 5) The Applicant revising the underground parking spaces to be 19 feet in length; A Section Nine Waiver for the outside façade; and 7) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan is otherwise in compliance with Section 2406.4.A, Article 17, Article 24 and Article 25 of the Zoning Ordinance, all other applicable provisions of the Ordinance, and a finding that the proposed plan meets the standards contained in Planned Development requirements for site plan review for an enclosed retail establishment in the RC, Regional Center District, as noted in the Planning Review. *Motion carried 9-0.*

Moved by Member Pehrson, seconded by Member Meyer:

ROLL CALL VOTE ON BEST BUY, SP07-78, STORMWATER MANAGEMENT PLAN MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER MEYER:

In the matter of Best Buy, SP07-78, motion to approve the Stormwater Management Plan subject to the conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan, for the reason that the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 9-0.*

COMMUNITY IMPACT STATEMENT

December 20, 2007

Kristen Kapelanski
City of Novi Planning Department
45175 West Ten Nile
Novi, MI 48375

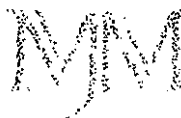
Re: Community Impact Statement
Best Buy Store – Novi, MI (Twelve Oaks Mall)
MJM Project # 07102

Dear Ms. Kapelanski:

We are pleased to provide the following information to satisfy the requirements of the Community Impact Statement:

- The expected annual number of police responses is (5).
- The expected annual number of fire responses is (0).
- Anticipated number of employees is (37) full time, (51) part time, and (15) seasonal.
- Best Buy agrees to comply with the City Performance Standards, section 2519 of the Zoning Ordinance.
- Best Buy shall have (1) sewer and (1) water tap for this project.
- Best Buy is a new retail store which will be located on the ring road of Twelve Oaks Mall. The adjacent properties are also Retail uses, and the existing uses on this site (bank and furniture store) are Retail. Therefore, there should be no impact to the surrounding uses.
- The new Best Buy store will be a 31,324 sf retail store with a 44,793 sf sub-grade parking garage below the store. The store includes a Car Stereo Install Bay, which shall be located in the parking garage.
- There are no natural features on this site, as the site is currently fully developed (bank and furniture store).
- The stormwater is to be discharged to the existing mall underground storm sewer system and detained in the regional detention basin.
- No hazardous or toxic materials are anticipated.
- No underground storage tanks are anticipated.
- There is no existing wildlife as the site is currently fully developed.
- The existing bank and furniture stores will be demolished and replaced with the new Best Buy retail store.
- A traffic impact study has been submitted for review. No significant LOS loss is anticipated.
- A 5'-0" wide public sidewalk is proposed inside the ROW along Novi Road.
- This project is not expected to increase the permanent population of the City if Novi, as the store will be staffed with existing members of the community.

Thank you,
Jaima Darsinos, RA
Principal



105 Broadway Avenue
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Email: mjm@mjmarch.com
<http://www.mj>

NOISE ANALYSIS



2007-229
January 10, 2008

Ms. Jaima Darsinos, RA
MJM Architects
105 Broadway
Nashville, TN 37201

Subject: Prediction of Property Line Sound Levels
re: Proposed Best Buy Store in 'Twelve Oaks No. 1'
Novi, Michigan

Dear Ms. Darsinos:

At your request and authorization, Kolano and Saha Engineers, Inc. (K&SE) conducted an investigation to predict property line sound levels expected from operation of the proposed Best Buy retail store. Our investigation evaluated the impact of noise due to outdoor mechanical equipment and limited truck activity on the adjacent properties. These sound levels were evaluated against the limits established by the City of Novi Ordinance.

Proposed Site

The location of the proposed Best Buy is on the Twelve Oaks No. 1 sites 3 and 4. Properties adjacent to the proposed site are zoned commercial/retail. The City of Novi noise code limits for Business receiving land use applies to all adjacent properties.

Sound level predictions were based on the location of property lines, structures, screen walls, mechanical equipment and manufacturer's data of the mechanical equipment. The following documents were utilized for the predictions:

- Site Plan Drawings: Best Buy, Novi, Michigan, dated 12/21/2007.
- Sound power data provided for the proposed rooftop mechanical equipment by Trane and Loren Cook.
- K&SE sound measurement data for Truck and Trash Compactor Noise.

City of Novi Noise Code

The City of Novi Code, Appendix A -- Zoning, Section 10 Noise, restricts receiving property noise levels to 75dB(A) daytime and 70dB(A) nighttime for business districts. It is expected that the proposed Best Buy retail store will systems operating during both day and nighttime periods and would be subject to the 70 dB(A) nighttime limit to the adjacent receiving properties.

Sound Level Prediction

Predictions of sound levels are based on the data and information identified in this report, which is entered in to an advanced three dimensional computer model. This sophisticated modeling program relies on international noise calculation standards, such as ISO 9613, to predict sound levels for numerous criteria.

Outdoor Building Mechanical Equipment

The proposed Best Buy store is planned to include multiple rooftop air handling units, exhaust fans (including exhaust fans for the parking garage) and a trash compactor. Noise from this equipment may have potential noise impact on the adjacent properties. We have made predictions based on the equipment manufacturer's data and K&SE measured sound data for trucks and trash compactors to determine the maximum sound level expected at the property line due to all outdoor mechanical equipment. The predicted worst-case sound level due to all the mechanical equipment operating at this facility is **57 dB(A)** at the east property line, though it will be less beyond the 12 Oaks Drive at an adjacent receiving property. Predicted sound levels at all other receiving property lines are less than this. The results of this predictive study are presented graphically in **Exhibit 1** as a sound level contour plot overlaid on the site plan.

Addition of Truck Activities On-site

Generally, truck pass-by noise levels are regulated by the State of Michigan and Federal regulations, though certain truck activities are not related to pass-by. For our evaluation of Trucks on-site of the proposed Best Buy we limited our study to truck backup and loading/unloading activities. Sound data for these truck activities comes from our extensive sound measurement database of truck noise. With the outdoor mechanical equipment, our predictions of the on-site truck activities produces an estimated maximum sound level of 71 dB(A) along the east property line. Beyond the 12 Oaks Mall Dr. at adjacent receiving properties, the estimated maximum sound level is expected to be **64 dB(A)**. **This is the combined maximum expected noise from the Best Buy site for outdoor mechanical equipment and applicable truck activities.** Noise from these sources are expected to less at all other boundary lines as indicated in **Exhibit 2**

Ms. Jaima Darsinos, RA
MJM Architects

Page 3 of 3
January 10, 2008

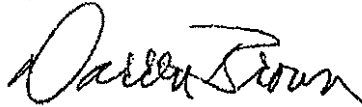
Conclusions

Based the information we reviewed, the proposed Best Buy retail store is expected to comply with the City of Novi Noise Code. Predicted sound levels for outdoor mechanical equipment are expected to be below the ordinance limits for applicable business receiving zones.

Ms. Darsinos, we appreciate your calling us for this study. Please call if you have questions or concerns or need additional assistance in this matter.

Sincerely,

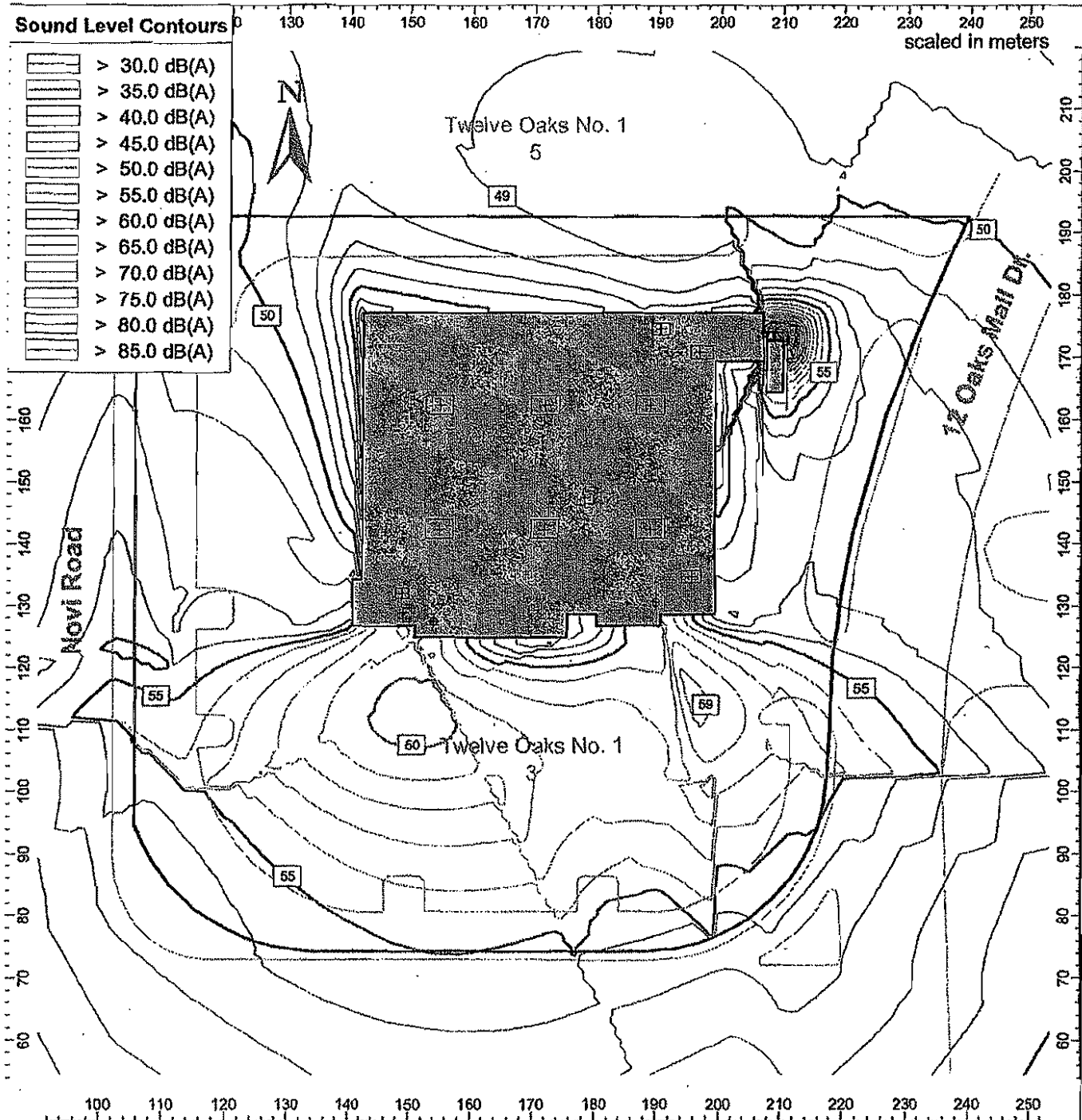
KOLANO AND SAHA ENGINEERS, INC.



Darren Brown, P.E.
INCE Board Certified Noise Control Engineer
Consultant

EXHIBIT 1

**SOUND LEVEL CONTOUR PLOT OF
OUTDOOR MECHANICAL EQUIPMENT FOR
THE PROPOSED BEST BUY RETAIL STORE IN NOVI, MI**



Kolano and Saha Engineers, Inc. - 3559 Sashabaw Road, Waterford, MI 48329



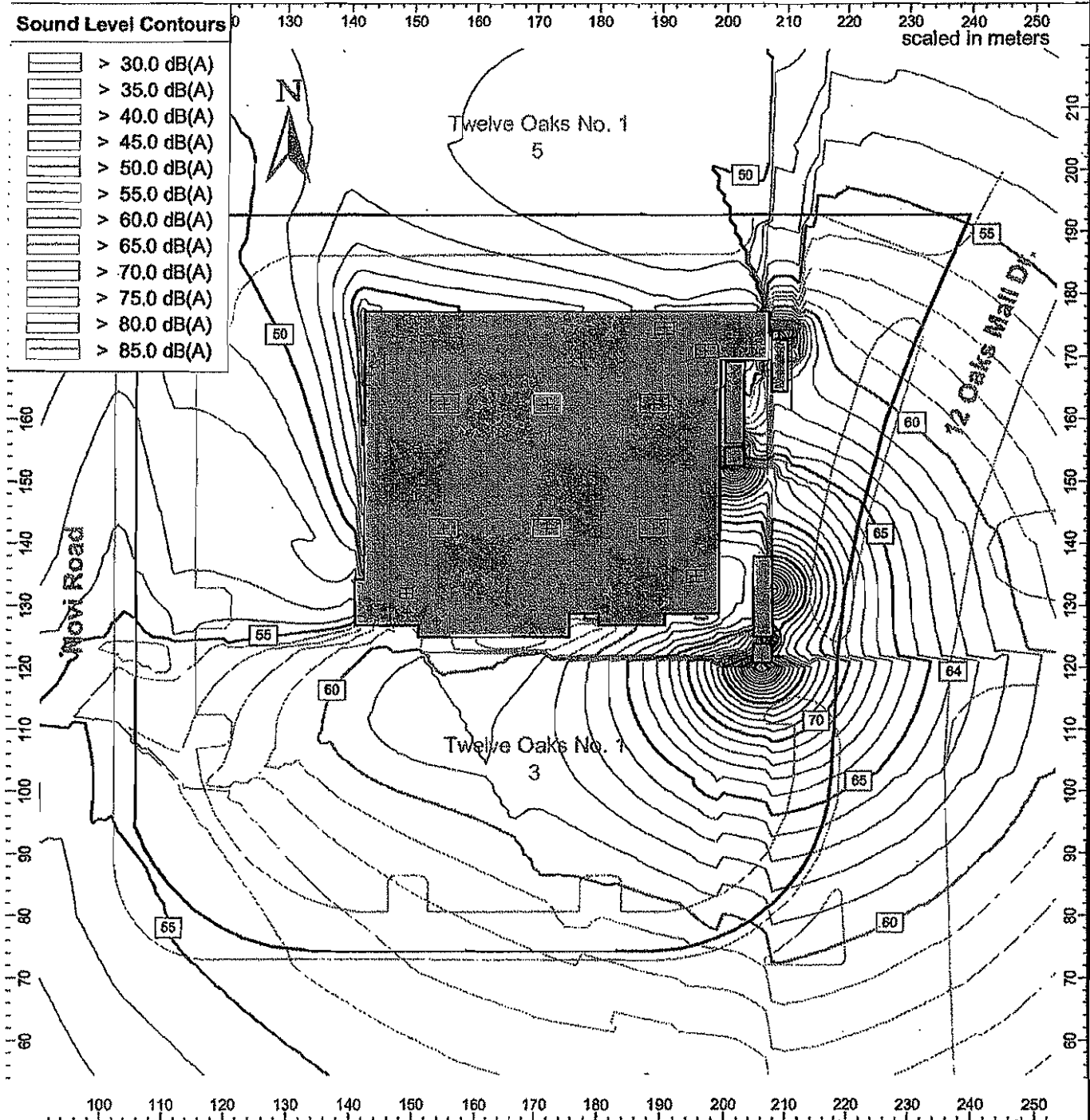
Project No.
2007-229

Best Buy - Novi, MI
Conducted for: MJM Architects

Sound Level Evaluation Modeling Conducted on - January 8, 2008

EXHIBIT 2

SOUND LEVEL CONTOUR PLOT OF
OUTDOOR MECHANICAL EQUIPMENT AND DELIVERY TRUCK ACTIVITIES FOR
THE PROPOSED BEST BUY RETAIL STORE IN NOVI, MI



Kolano and Saha Engineers, Inc. - 3559 Sashehaw Road, Waterford, MI 48329



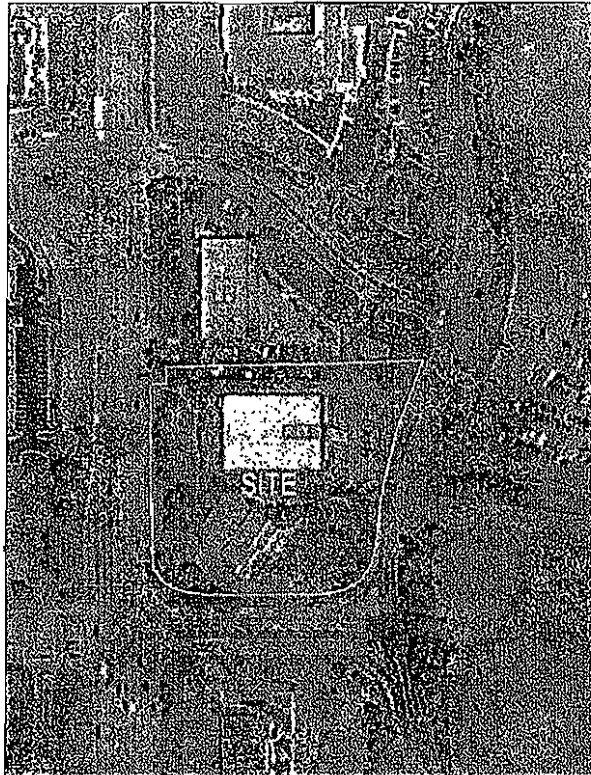
Project No.
2007-229

Best Buy - Novi, MI
Conducted for: MJM Architects

Sound Level Evaluation Modeling Conducted on - January 8, 2008

TRAFFIC IMPACT STATEMENT

**TRAFFIC IMPACT ASSESSMENT FOR THE PROPOSED
BEST BUY STORE
NOVI, MI**



Prepared for
BEST BUY
Richfield, MN
&
PROFESSIONAL ENGINEERING ASSOCIATES, INC.
Troy, MI

By
BIRCHLER ARROYO ASSOCIATES, INC.
Lathrup Village, MI

December 2007

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 D: Capacity Analyses

TRAFFIC IMPACT ASSESSMENT OF THE PROPOSED BEST BUY STORE IN NOVI, MI

EXECUTIVE SUMMARY

This study examines the potential traffic impacts of a 30,891-s.f. Best Buy store proposed to replace a vacant bank and operating furniture store now occupying the first two outlots north of the Twelve Oaks Mall entrance opposite West Oaks Drive. The store is assumed to be in full operation by the fall of 2008.

The proposed Best Buy will have a 103-space parking garage under the store as well as a 97-space surface parking lot south and west of the store. The garage will be accessed via a ramp along the north side of the building. The site will continue to be accessed at its current three locations, with two points of direct access to the Ring Road and a cross-access connection to the neighboring baby store to the north. The two drives on the Ring Road will be connected with a two-way service drive paralleling the Ring Road and also providing access for delivery and trash trucks to the east side of the store.

Birchler Arroyo Associates, Inc. was retained to conduct a traffic impact assessment of the proposed development. Pre-application comments by the City Engineer and the City's traffic consultant were considered in conducting this assessment. Issues of primary interest include a trip generation comparison between the proposed and existing uses; future (2008) versus current (2007) traffic volumes near the site during the weekday and Saturday PM peak hours; and the safety and efficiency of site access. This report documents the traffic impact assessment. Key findings and recommendations are as follows:

- The proposed Best Buy is expected to generate 139 one-way driveway trips in the weekday PM peak hour, or 32% fewer than the existing bank and furniture store may have once generated. During the more critical Saturday PM peak hour, however, Best Buy is expected to generate 220 one-way driveway trips, or 26% more than the existing uses may have once generated.
- During peak hours on a Saturday afternoon when southbound Ring Road traffic backs up more frequently from the stop sign at the south finger drive, the site's north drive will likely serve more of the Best Buy traffic approaching the site from the south and leaving the site to the north. In both of the peak hours evaluated, however, the two site drives are expected to operate at level of service B or better on a weekday and level of service C or better on a Saturday.
- Based on analyses discussed in this report, it is recommended that:
 - Consideration be given to re-striping the Ring Road's center lane with standard two-way left-turn lane striping, from the grade arm between Sears and Macy's south to a point about 50 ft north of the southbound stop bar (leaving in place some of the the

cross-hatching intended to keep southbound vehicles from entering the intersection in that lane). Such changes to the Ring Road would require approval of its owner.

- The Mall owner be approached regarding its willingness to convert the middle lane exiting Macy's to a through-only lane (to ensure that traffic crossing over to Best Buy uses a single appropriate lane).
- No improvements be made along the Ring Road that might encourage pedestrians to cross between the Mall and Best Buy. The Best Buy site is proposed to have 46 more parking spaces than required by the City's Zoning Ordinance, which will help accommodate peak parking occurrences. However, to accommodate an unlikely – but possible – seasonal parking overflow from Best Buy, consideration could be given to having store employees park in the adjacent office building parking lot on weekends (subject to the approval of the office building owner).

INTRODUCTION

This study examines the potential traffic impacts of a 30,891-s.f. Best Buy store proposed to replace a vacant bank and operating furniture store now occupying the first two outlots north of the Twelve Oaks Mall entrance opposite West Oaks Drive (Figures 1-2). For purposes of this study, the store is assumed to be in full operation by the fall of 2008.

The proposed Best Buy (Figure 3) will have a 103-space parking garage under the store as well as a 97-space surface parking lot south and west of the store. The garage will be accessed via a ramp along the north side of the building. The site will continue to be accessed at its current three locations, with two points of direct access to the Ring Road and a cross-access connection to the neighboring baby store to the north. The two drives on the Ring Road will be connected with a two-way service drive paralleling the Ring Road and also providing access for delivery and trash trucks to the east side of the store.

Birchler Arroyo Associates, Inc. was retained by the Applicant's engineer to conduct a traffic impact assessment of the proposed development. Pre-application comments by the City Engineer and the City's traffic consultant were considered in conducting this assessment. Issues of primary interest include a trip generation comparison between the proposed and existing uses; future (2008) versus current (2007) traffic volumes near the site during the weekday and Saturday PM peak hours; and the safety and efficiency of site access. This report documents the study's methodology, findings, conclusions, and recommendations.

EXISTING CONDITIONS

Land Uses

As can be seen in the Figure 2, the subject site is entirely surrounded by similar retail uses. Neighboring the site to the north is a baby store attached to a multi-story office building. The office building's parking lot, between the building and Novi Road, may be available on weekends to accommodate Best Buy's employee parking and/or potential customer overflow parking needs.

Road Network

All roadways east of Novi Road near the site are private driveways owned by the Taubman Company. As indicated in Figure 2, this study refers to the main circulating driveway along the east side of the subject site as the Ring Road, and the two drives connecting the Ring Road to Novi Road opposite West Oaks Drive and the West Oaks II driveway as the south and north finger roads, respectively. Both finger roads provide signalized access to Novi Road, and are controlled at their Ring Road intersections by all-way stop signs (with free right turns for vehicles exiting the Mall). The Ring Road is five lanes wide and has a 25-mph posted speed limit. Additional discussion regarding the center of the five lanes appears later in this report.



BIRCHLER ARROYO
SURVEILLANCE, INC.

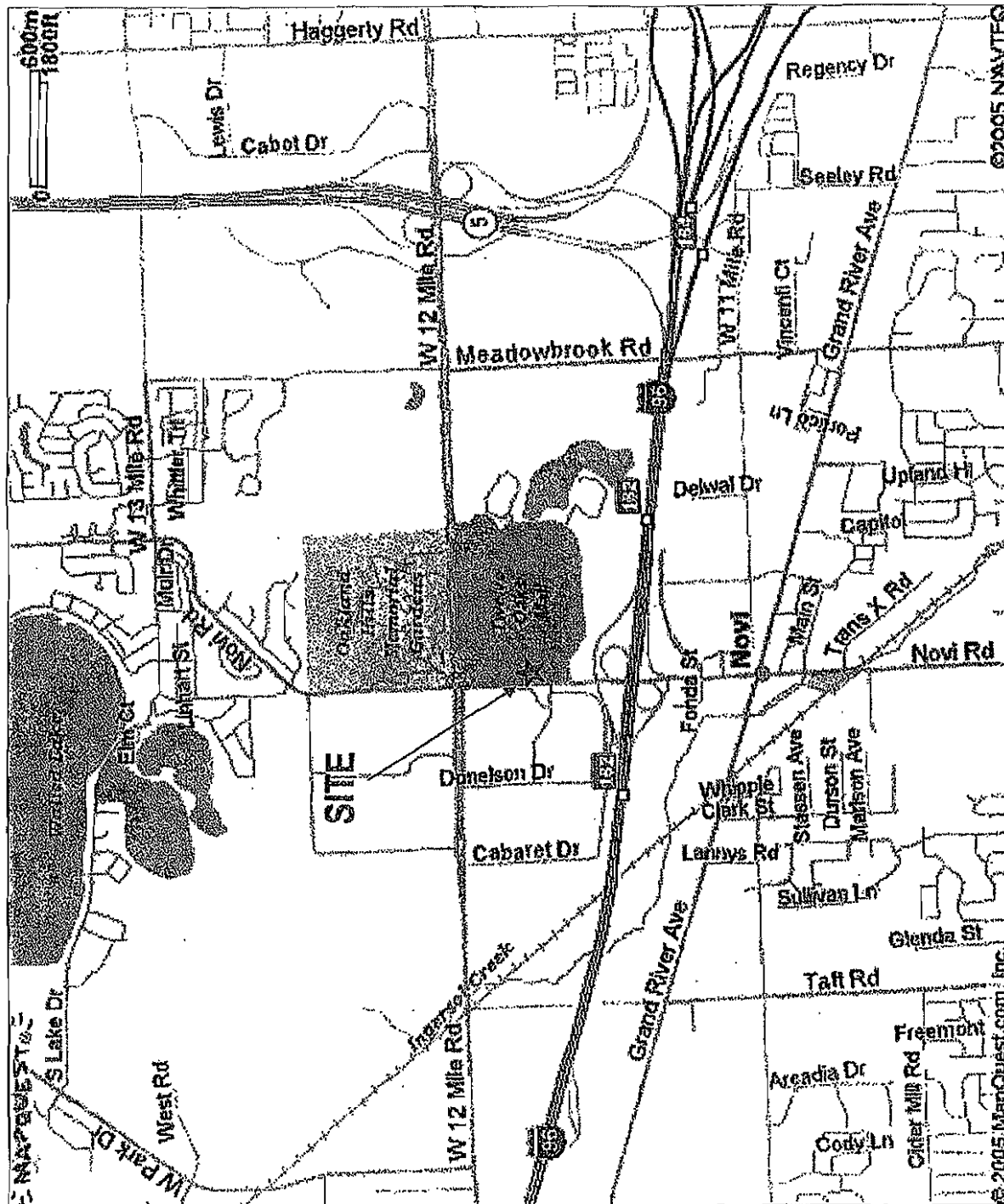


Figure 1. Vicinity Map

© 2005 MapQuest.com, Inc.

Traffic Volumes

Birchler Arroyo Associates conducted manual traffic counts adjacent to the site during the weekday late-afternoon peak period (4:00-6:00 p.m.) on Tuesday, October 23, 2007. Although this date was prior to the normal onset of most seasonally increased shopping, the counted volumes were likely conservatively high relative to most of a typical year. Specifically, those volumes may reflect something of a "bridge" between the elevated volumes caused by the grand opening of the recent Mall expansion, and the normal traffic increase due to holiday shopping.

Traffic was counted on two Saturdays in the summer of 2005 as it entered the Mall via the entry-only driveway from Novi Road, and as it exited the Mall via the south finger road (i.e., at the two highest-volume access drives). As can be seen by the resulting hourly profile appearing in appendix Table B-1, the combination of entering and exiting traffic peaked broadly throughout Saturday afternoon, between 2:00 p.m. and 6:00 p.m. Given this finding, the current study also conducted manual counts adjacent to the site between 4:00 p.m. and 6:00 p.m. on Saturday, October 20, 2007.

Detailed results from the recent manual counts are tabulated in Appendix B of this report. Appendix Table B-2 tallies these counts over alternative peak hours, and identifies the overall study area's peak hours as 4:45-5:45 p.m. on a weekday and 4:00-5:00 p.m. on a Saturday. The volumes over these two hours are summarized graphically in Figures 4a and 4b (below).

FUTURE CONDITIONS

Land Uses

It appears reasonable to conclude that no other land use changes will occur over the next year that might significantly impact current traffic volumes adjacent to the site.

Road Network

The only expected change in the area road network over the next year is Taubman's planned introduction of a system of trailblazing signs around the Ring Road to encourage more Mall traffic to exit via Twelve Mile Road as opposed to Novi Road.

Background Traffic

Given the relatively short build-out period expected for the proposed Best Buy store, and the conservatively high nature of the recent traffic counts, it does not appear necessary or appropriate to assume that the counted volumes will increase prior to the store's opening.

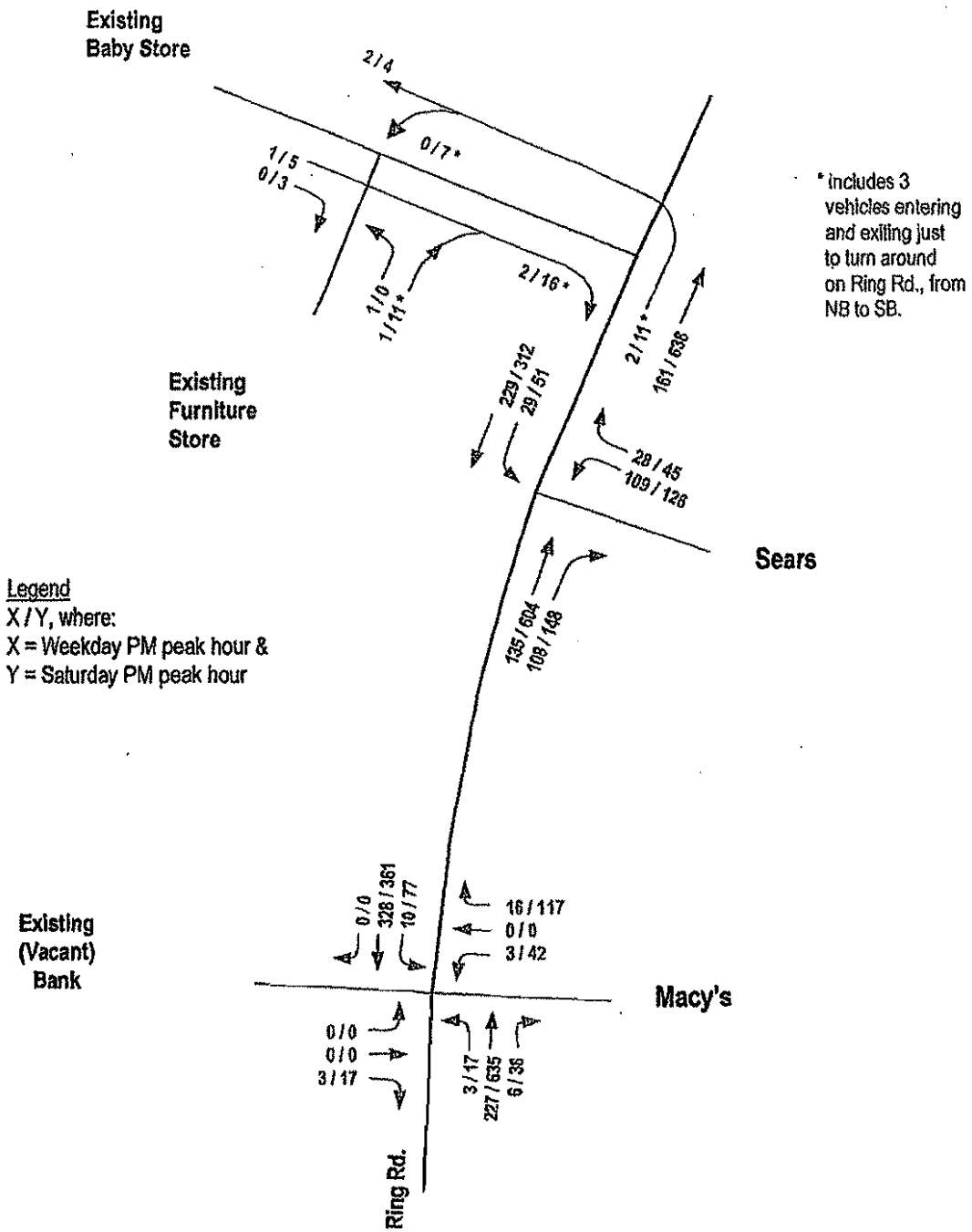


Figure 4a. Current Peak-Hour Traffic Volumes to / from South

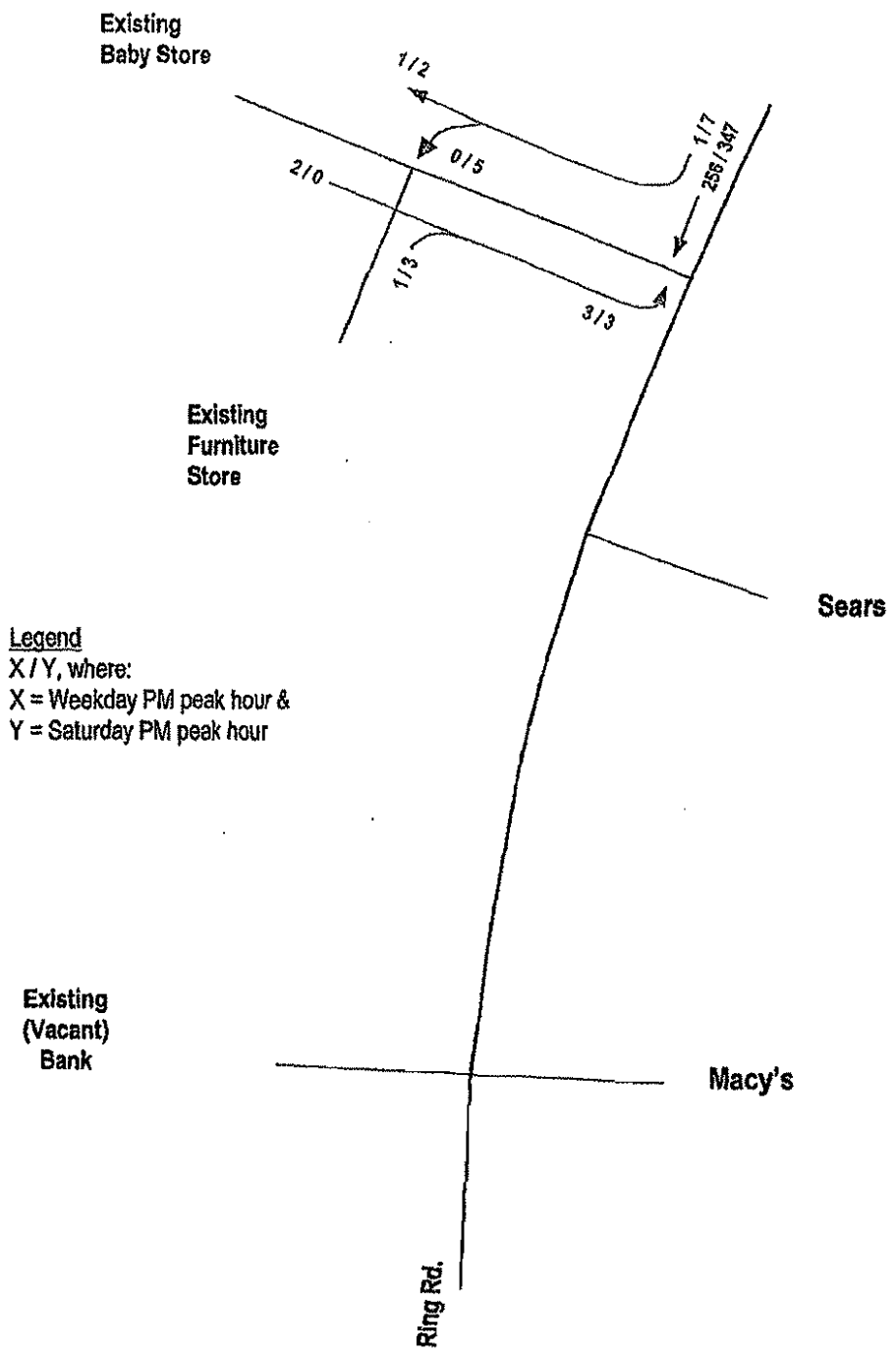


Figure 4b. Current Peak-Hour Traffic Volumes to / from North

Trip Generation

Data and methodology recommended by the Institute of Transportation Engineers (in *Trip Generation – 7th Edition*, 2003, and *Trip Generation Handbook – 2nd Edition*, 2004) were used to forecast the traffic likely to be generated by:

- The existing bank and furniture store on the subject outlots, hypothetically assuming that both were generating traffic at industry-average rates.
- The proposed Best Buy store (or, in ITE nomenclature, an electronic superstore).

According to the forecasts summarized in Table 1 (below), the proposed new use of the two outlots will generate about 1,391 weekday driveway trips, an increase of 240 trips (21%) relative to the trip generation potential of the two existing uses to be replaced. During the late-PM peak hour of that typical weekday, however, the total number of one-way driveway trips is expected to be 139 – some 65 trips or 32% less than the trip generation potential of the two existing uses.

Table 1 shows that the proposed new use will generate more traffic over all 24 hours of a typical Saturday than the two existing uses may have once generated. With respect to the busiest single hour of a Saturday, the trip generation increase with site redevelopment will be a modest 26% (220 trips versus 174 trips).

Table 1 also forecasts pass-by trips, or in this case, site driveway trips made by vehicles already traveling along Novi Road on their way to primary destinations elsewhere. However, since pass-by rates for the more critical Saturday conditions are unavailable, and since no intersections along Novi Road are evaluated, this study conservatively assumes that all site-generated driveway trips will be new to the Ring Road.

Trip Distribution

Site-generated traffic was assumed to generally follow existing traffic patterns along the Ring Road between the bank drive / north Macy's drive and the furniture store drive. Distribution models for the two peak hours are shown in Figures 5a and 5b. The weekday model (Figure 5a) is considered the base case, since traffic was free-flowing during that hour. This model distributes site traffic:

- | | |
|--|---|
| <input type="checkbox"/> 45% to/from south via Ring Road | <input type="checkbox"/> 35% from north via Ring Road |
| <input type="checkbox"/> 5% to/from Macy's parking field | <input type="checkbox"/> 5% from north via baby store cut-through |
| <input type="checkbox"/> 10% to/from Sears parking field | <input type="checkbox"/> 40% to north via Ring Road |

During the weekday PM peak hour, there were no significant southbound traffic backups on the Ring Road due to the all-way stop at the south finger drive. Hence, entering traffic was distributed between the two direct access drives in proportion to the corresponding number of parking spaces primarily served by each drive (i.e., north drive for lower level and south drive for upper level).

Table 1. Trip Generation Comparison¹

Land Use(s)	ITE Code	Size / Type of Trip	Weekday				Saturday			
			24-Hour Trips	PM Peak-Hour Trips			24-Hour Trips	PM Peak-Hour Trips		
				In	Out	Total		In	Out	Total
Potential Trip Generation by Existing Uses										
Drive-In Bank	912	4,261 s.f.	1,050	98	97	195	303	81	77	158
		<i>47% Weekday PM Pass-By</i>	-	46	46	92	-	-	-	-
Furniture Store	890	20,053 s.f.	101	4	5	9	99	9	7	16
		<i>53% Weekday PM Pass-By</i>	-	2	3	5	-	-	-	-
Both		24,314 s.f.	1,151	102	102	204	402	90	84	174
		<i>Weekday PM Pass-By</i>	-	48	49	97	-	-	-	-
		Max. Potential New	1,151	54	53	107	402	90	84	174
Forecasted Trip Generation by Proposed Use										
Electronic Superstore ³	863	30,891 s.f.	1,391	68	71	139	1,864	116	104	220
		<i>40% Weekday PM Pass-By</i>	-	27	29	56	-	-	-	-
		Max. Potential New	1,391	41	42	83	1,864	116	104	220
Ratio of Driveway Trips for Proposed Use to Driveway Trips for Existing Uses			1.21	0.67	0.70	0.68	4.6	1.29	1.24	1.26

¹ A trip is a one-directional vehicle movement into or out of the site. Driveway trips (in the first line within each block of the table) are based on the average rates found in *Trip Generation - 7th Edition* (Institute of Transportation Engineers, 2003), consistent with ITE-recommended practice found in the *Trip Generation Handbook - 2nd Edition* (ITE, 2004).

² Pass-by trips are driveway trips already passing the site en route to primary destinations elsewhere. The percentages assumed here are the use-specific sample averages reported in the *Trip Generation Handbook*. Pass-by percentages are not available for the overall weekday or anytime on Saturday. Where such percentages are not available, they have been conservatively assumed here to be zero. New (or primary) trips are driveway trips less pass-by trips.

³ See Table C-1 for trip generation rates.

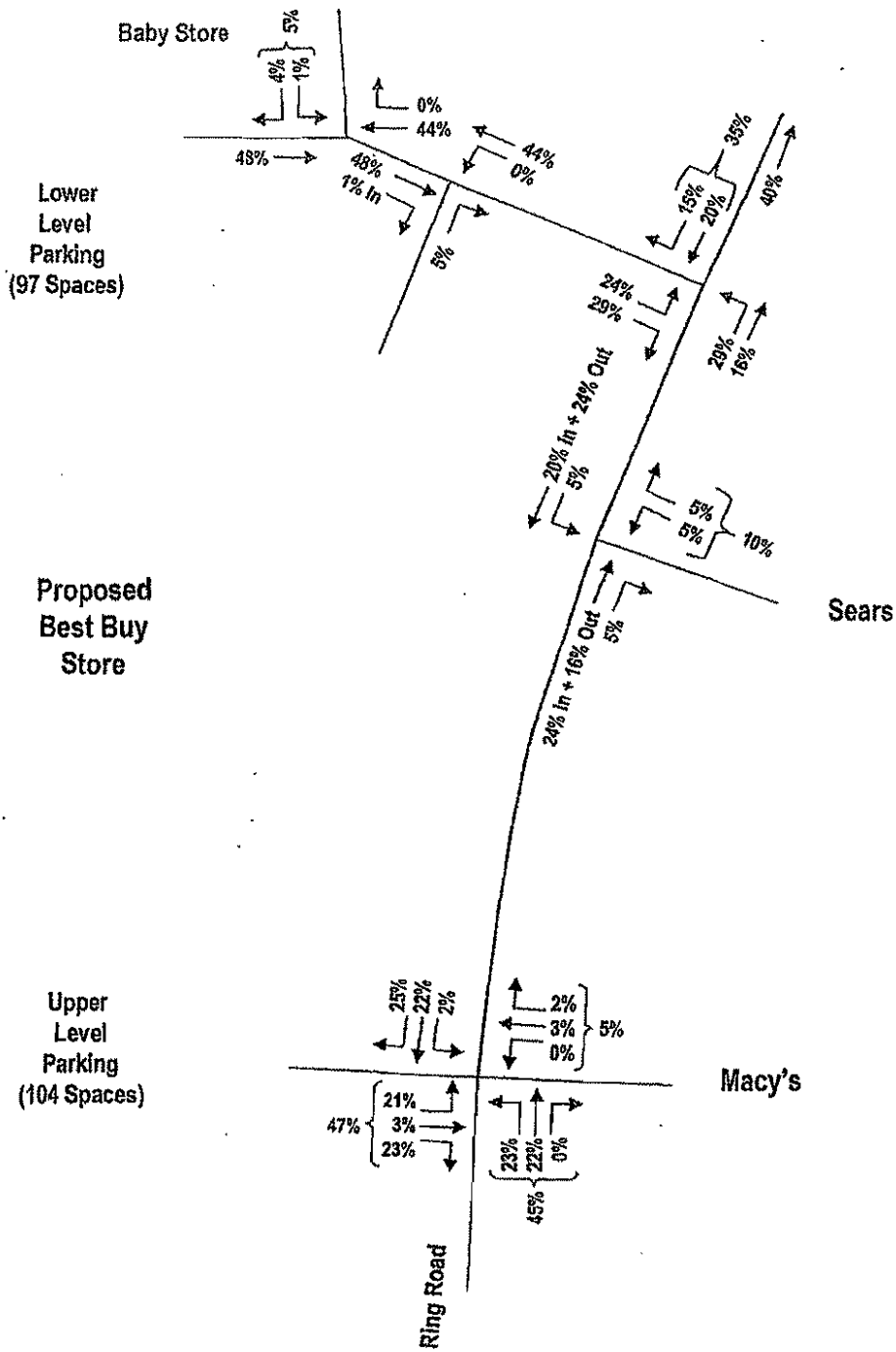


Figure 5a. Trip Distribution Model for Weekday PM Peak Hour



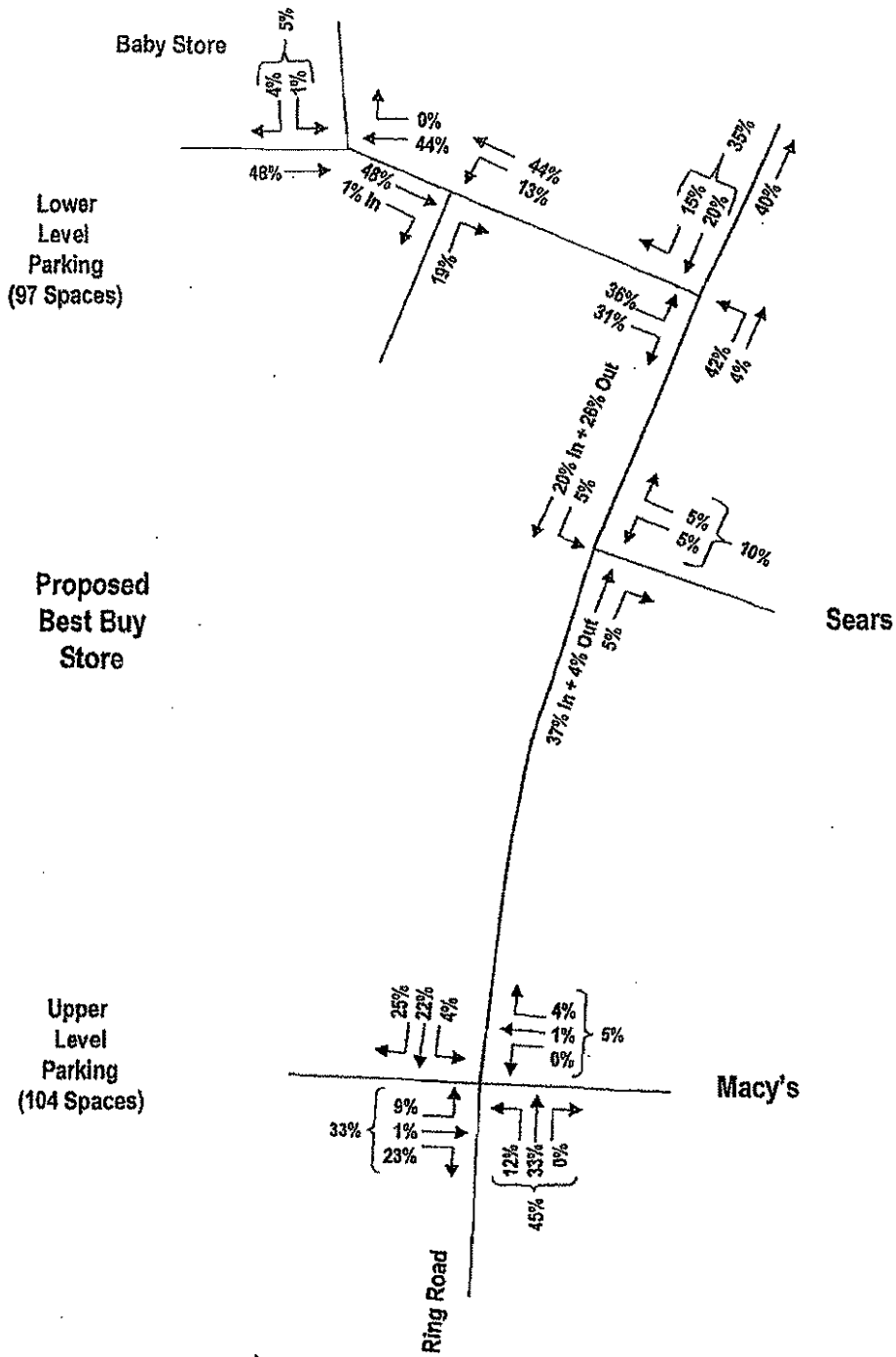


Figure 5b. Trip Distribution Model for Saturday PM Peak Hour



BIRCHLER ARROYO ASSOCIATES, INC.

Due to the occasional southbound traffic backups observed during the Saturday PM peak hour, however, the distribution model for that hour (Figure 5b) assumes that some customers arriving from the south will reach the upper-level parking lot indirectly, by proceeding to the north drive and returning to the parking lot via the two-way service drive paralleling the Ring Road. For similar reasons, this model also assumes that a greater percentage of customers exiting to the north from the upper-level lot will use the service drive to exit via the north drive.

Traffic Assignment

Figures 6a and 6b assign site trips to the various possible traffic movements in the study area, by multiplying the site's total trip generation (from Table 1) by the movement-specific percentages shown in Figures 5a and 5b.

Finally, future total peak-hour volumes are shown in Figures 7a and 7b. These volumes were obtained by 1) first subtracting the traffic now generated by the furniture store from the current traffic throughout the study area, and 2) then adding to the above-adjusted current traffic the future site-generated traffic forecasted in Figures 6a and 6b.

ACCESS CONSIDERATIONS

Ring Road Striping

Since the Ring Road is neither a public nor a private street, Birchler Arroyo does not believe that the driveway spacing standards found in the City's Zoning Ordinance literally apply (pre-application comments by the City Engineer state that "spacing waivers will be required for both approaches"). While the Ordinance's same-side minimum driveway spacing along a 25-mph road (105 ft near-curb to near-curb) would be satisfied here, the opposite-side minimum driveway spacing (150-200 ft, center-to-center) clearly would not. In fact, the latter standard would likely not be met along very many mall ring roads generally (certainly not along the west and north sides of Twelve Oaks Mall).

One of the main objectives of providing a minimum opposite-side driveway spacing is to minimize conflicts between vehicles simultaneously trying to turn left into or out of site access drives to/from opposite directions. Of greatest interest from a safety standpoint is the potential for left-turn "interlocks" between vehicles attempting to enter adversely offset opposite-side driveways from a two-way left-turn lane (TWLTL).

If the Ring Road's center lane were marked as a TWLTL along the *entire* frontage of the subject site, a northbound driver attempting to enter Best Buy via the north drive could find himself or herself in a "stand-off" situation relative to a southbound driver attempting to enter Sears via its south drive (next to the grade arm between Sears and Macy's). Per Figure 2 (above) and Figures 8-9 (below), however, the above left-turn interlock should not be occurring with the existing striping, since the center lane north of the Sears access is striped as a northbound-only left-turn lane for the

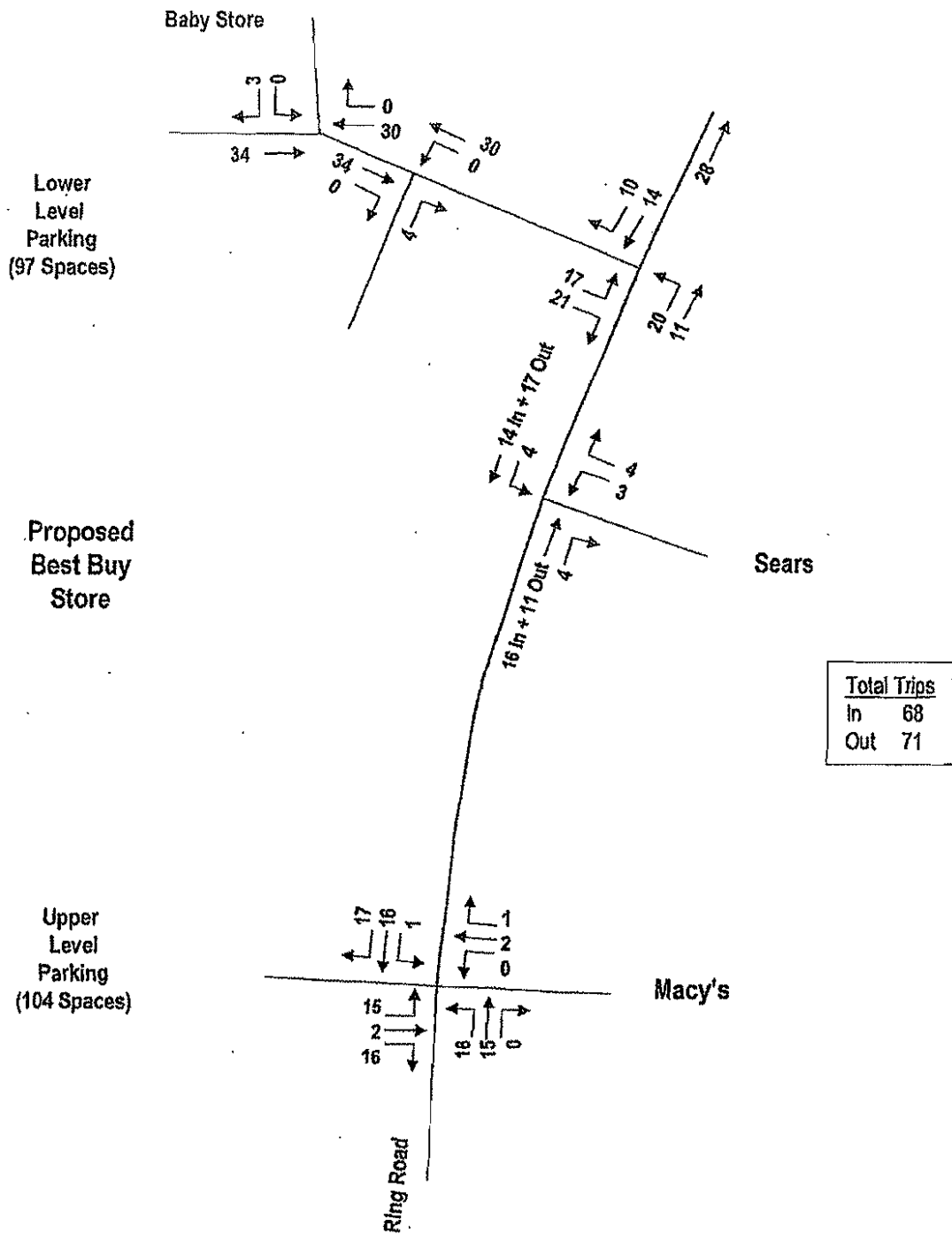


Figure 6a. Site Traffic in Weekday PM Peak Hour



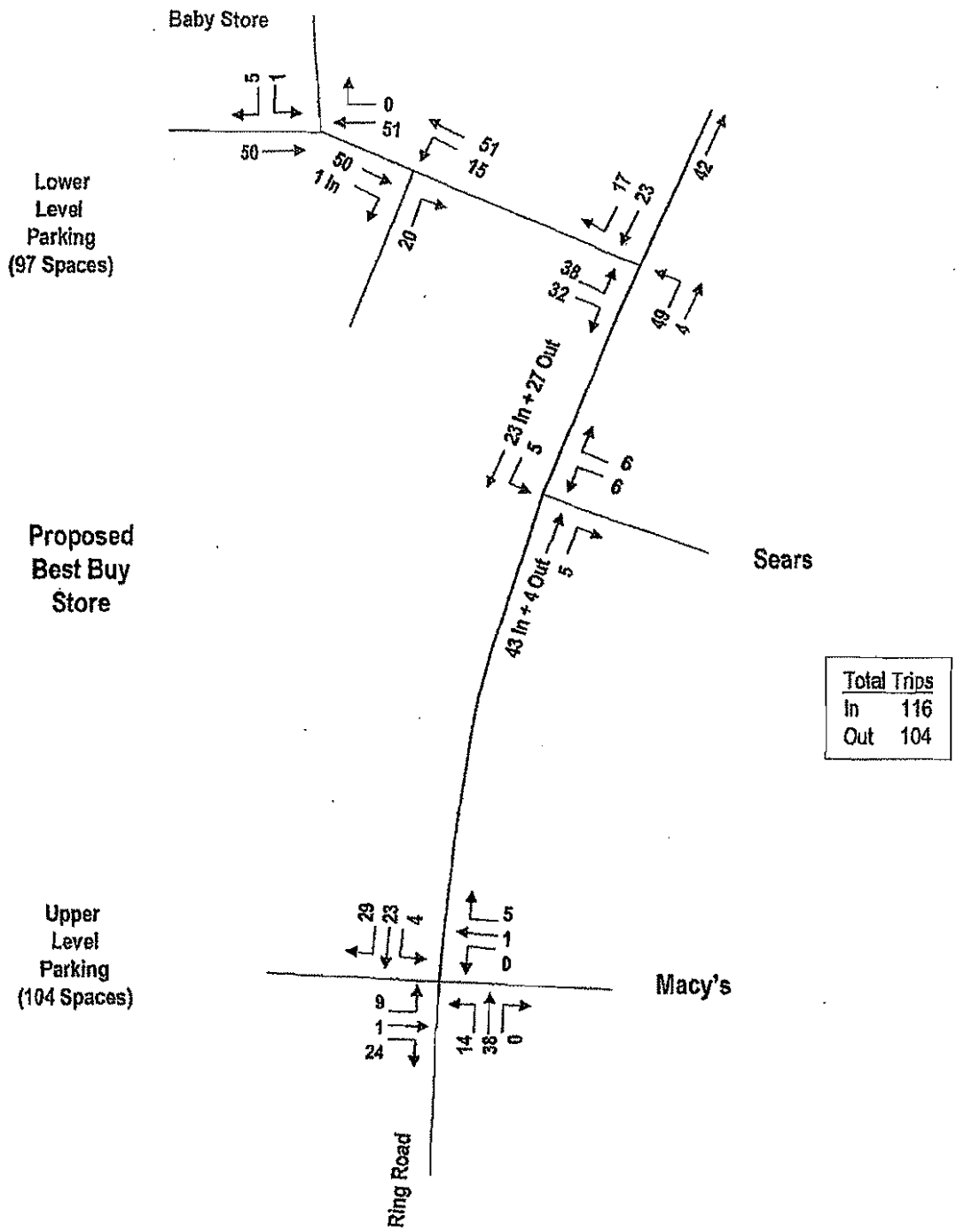


Figure 6b. Site Traffic in Saturday PM Peak Hour



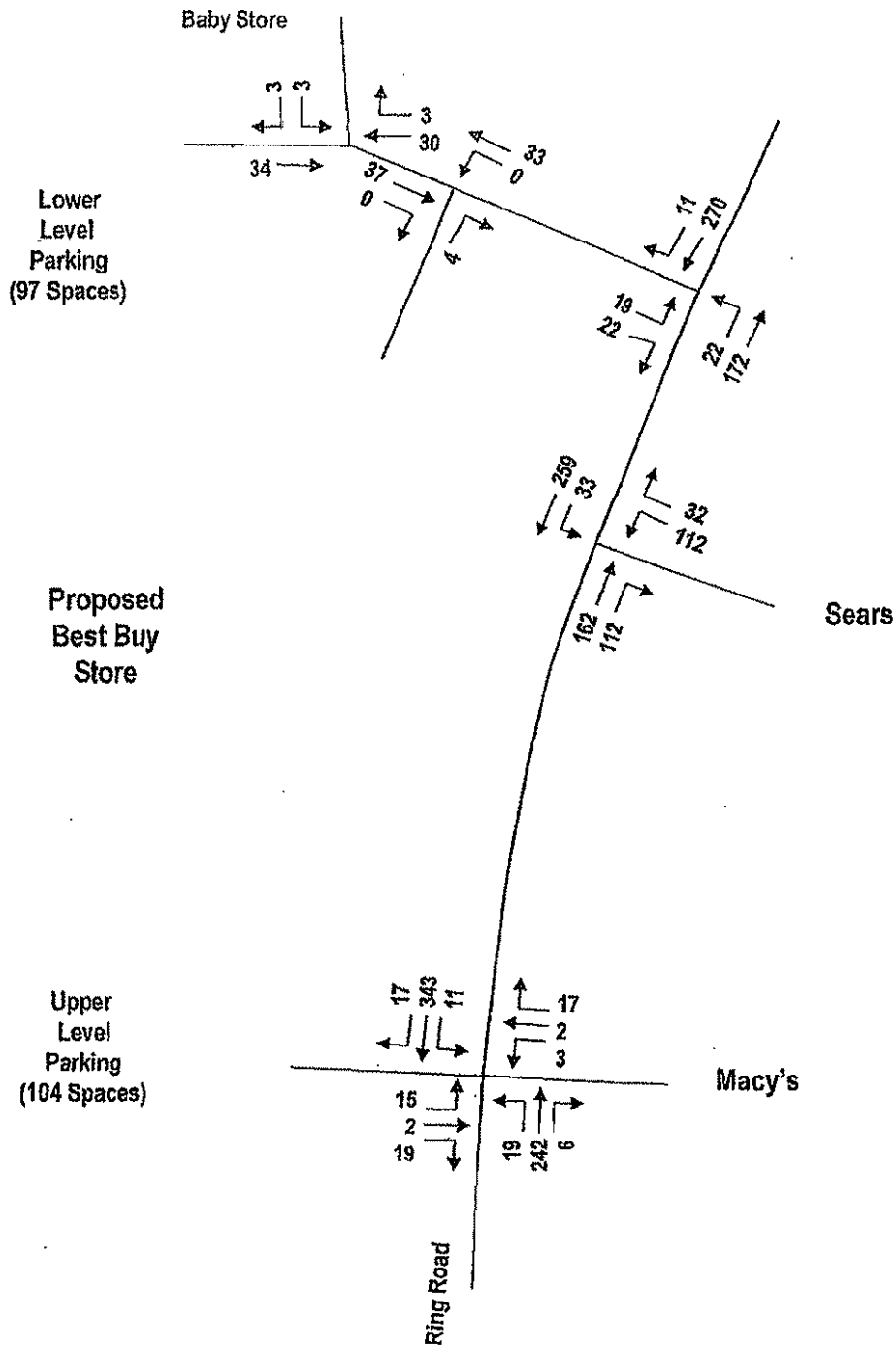


Figure 7a. Total Weekday PM Peak-Hour Volumes with Best Buy in Operation



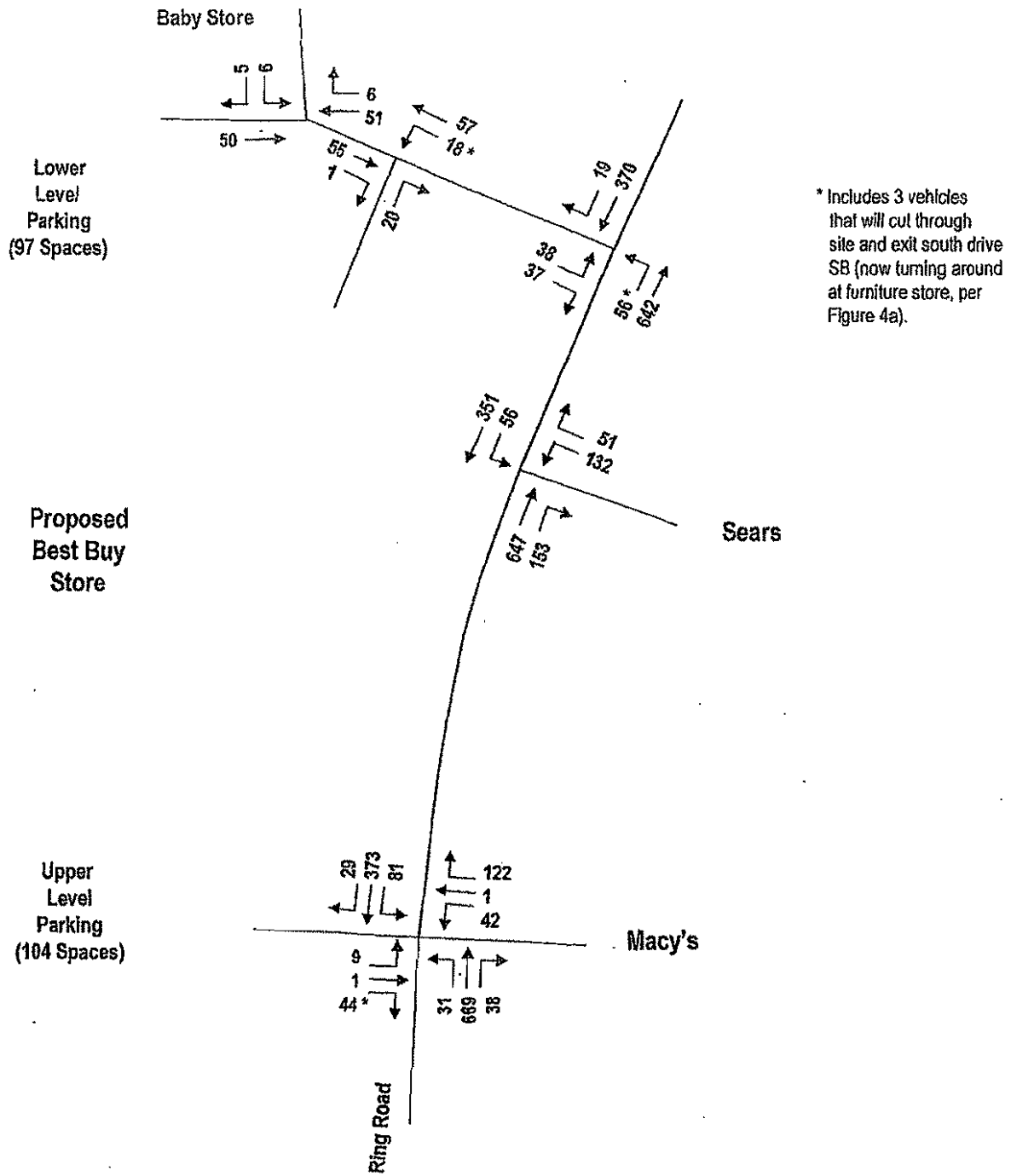


Figure 7b. Total Saturday PM Peak-Hour Volumes with Best Buy in Operation



BIRCHLER ARROYO ASSOCIATES, INC.



Figure 8. Looking South on Ring Road, with Subject Site on Right

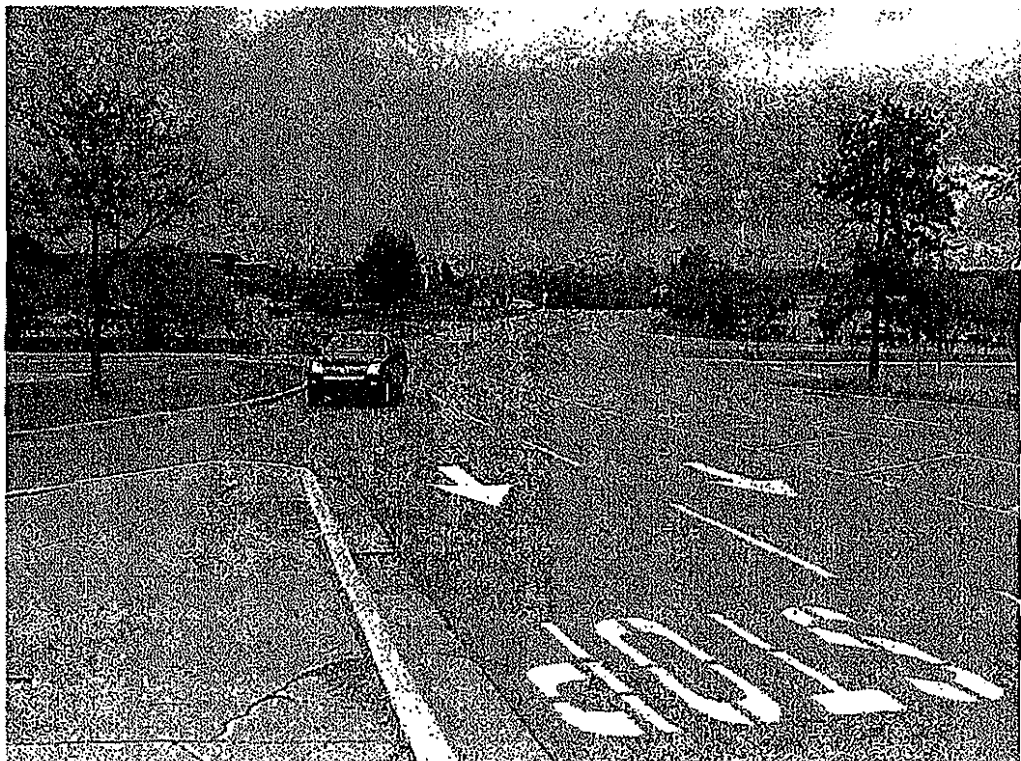


Figure 9. Looking North on Ring Road, with Subject Site on Left

furniture store and north finger drive. Although the center lane south of that point is striped with a non-standard single solid yellow line on each side, drivers generally treat it as a two-way left-turn lane both north and south of the south site drive / north Macy's drive.

Another potential interlock for entering left turns might be between the site's existing north drive and Macy's north drive. However, the site plan shows about 184 ft between these two drives, which should be adequate for accommodating opposite-direction left turns within the Ring Road's center lane with reasonable safety, given the operating environment and relatively low speeds.

If the City wishes to see the Ring Road lane striping brought into compliance with the *Michigan Manual of Uniform Traffic Control Devices (MMUTCD)*, dashed lines should be added along the inside of the single solid-yellow striping now used to delineate the center lane. To avoid encouraging the type of left-turn interlock described above, however, the TWLTL adjacent to the site should not extend north of the grade arm between Sears and Macy's. Per standard local practice, the single yellow stripe following the reverse curve along the entry to the dedicated northbound left-turn lane would be removed, and there would simply be a gap (preferably no longer than 40-50 ft) between the TWLTL striping south of Sears and the single solid white stripe delineating the east side of the dedicated northbound left-turn lane. The above re-striping would require the permission of the Ring Road (and Mall) owner, who may be concerned about the precedent these changes may establish relative to other sections of the Ring Road.

Macy's North Driveway

The existing pavement markings in the Macy's drive across from the current bank drive / future Best Buy drive do not allow for the possibility of crossing directly over to the subject site. The Macy's approach to the Ring Road features a single right-turn-only lane and two left-turn-only lanes. To avoid possible driver confusion as to which lane to use for crossing over to Best Buy, the center of these three approach lanes should be changed to a combination left-through lane or (preferably) a through-only lane (the capacity analyses discussed below assume the latter). Such changes will also require the permission of the Mall owner.

Pedestrian Access

Given its size and location between three roadways carrying significant traffic volumes (Novi Road, the Twelve Oaks Ring Road, and the Mall's south finger road), the subject site is not conducive to the safe accommodation of all possible pedestrian movements. In its pre-application review comments, the City's traffic consultant called for 1) a sidewalk along the Novi Road frontage, 2) a pedestrian pathway connecting this sidewalk to the proposed building, and 3) some discussion in the traffic study about the implications of pedestrians potentially crossing the Ring Road due to overflow parking to the east during the peak shopping season. Birchler Arroyo has no comment regarding the first two of these recommendations.

With respect to the possibility of pedestrians crossing the Ring Road near the site, there is no good location for such, and BA would recommend not encouraging it. Specifically:

- ❑ Through traffic on the Ring Road must stop at the south finger road, but exiting right-turn traffic flows freely and does not expect pedestrians crossing there. In any event, most pedestrians wanting to cross between the Best Buy store and the Macy's parking field would likely jaywalk in lieu of walking out-of-direction to cross at the all-way stop.
- ❑ Attempting to accommodate pedestrians wanting to cross near the Best Buy south drive / Macy's north drive with a crosswalk would be inappropriate. Crosswalks on multi-lane roadways at unsignalized locations have a poor safety record and should generally be avoided. This is especially true at the subject location, where occasional southbound traffic backups from the stop sign could obscure crossing pedestrians.

Birchler Arroyo believes that Best Buy's proposed on-site parking supply – 200 spaces or 46 more than required by the City's Zoning Ordinance – should be more than adequate virtually all of the time. If the City remains concerned about possible seasonal parking overflows, however, consideration might be given to having the Applicant to explore the possibility of obtaining a weekend parking easement in the office building lot just north of the store's northwest corner. With most office employees presumably not at work over the weekend, that lot might be available for Best Buy employee parking (at a minimum) or if need be, by customer overflow parking as well.

IMPACT ANALYSES

Method and Criteria

Capacity analyses were conducted for the intersection of Ring Road and two Best Buy drives using *HCS 2000* software, based on methodologies contained in the *Highway Capacity Manual* (Transportation Research Board, 2000). The primary objective of such analyses is to determine the *level of service*, a qualitative measure of the "ease" of traffic flow based on average vehicular delay. Analytical models are used to estimate the average delay for specific vehicular movements – and in the case of all-way stop-controlled and signalized intersections – each approach and the overall intersection as well. The models account for lane configuration, grade (if any), type of traffic control, traffic volume and composition, and other traffic flow parameters.

Level of service (LOS) is expressed using a letter-based grading scale, with A being the highest level and F being the lowest level. Table 2 (below) defines LOS, in terms of average delay per vehicle, for unsignalized intersections (including site access drives intersecting abutting drives). Maintaining or achieving an *overall intersection* LOS of D is the usual objective in urban and suburban areas. However, many driveway approaches to busy roads experience LOS E or F.

According to the *Highway Capacity Manual*, level of service at a one- or two-way stop-controlled intersection is defined only for minor movements (i.e., minor approach left and right turns and major approach left turns). LOS is not defined for the intersection as a whole, since most vehicles pass through the intersection without stopping and therefore experience negligible delay.

Table 2. Level of Service Criteria for Unsignalized Intersections

Level of Service	Average Control Delay per Vehicle (seconds)
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

Results

Detailed *HCS 2000* printouts appear in Appendix D, and their results are summarized in Tables 3 and 4. Key findings indicated in the tables are as follows:

- Best Buy's south driveway (Table 3) will experience level of service B in the weekday PM peak hour and level of service C in the Saturday PM peak hour.
- The existing Macy's drive across from Best Buy's south drive will experience LOS B in the weekday PM peak hour and LOS D in the Saturday PM peak hour. Due to increased traffic in front of and across from this driveway, left turns exiting Macy's at this location will likely see some increase in delay; however, drivers exiting the large Macy's parking field have an easy option of seeking more convenient points of egress (that are not so close to the south finger drive).
- Best Buy's north driveway (Table 4) will also experience level of service B in the weekday PM peak hour and level of service C in the Saturday PM peak hour.

(text continues after tables)

Table 3. Levels of Service at Ring Road and South Site Drive / Macy's Drive

Approach	Movement(s)	Weekday PM Peak Hour			Saturday PM Peak Hour		
		Volume (veh)	Avg. Delay (sec/veh)	LOS	Volume (veh)	Avg. Delay (sec/veh)	LOS
Current Traffic							
EB	L+T+R	3	9.4	A	17	9.5	A
WB	L ¹	3	12.8	B	42	49.1	E
	R	16	9.1	A	117	13.1	B
	L ¹ +R	19	9.6	A	159	22.6	C
NB	L	3	8.1	A	17	8.1	A
SB	L	10	7.8	A	77	9.6	A
Future Traffic							
EB	L+T+R	36	13.1	B	54	16.0	C
WB	L ¹	3	14.0	B	42	66.9	F
	T	2	16.1	C	1	35.8	E
	R	17	9.2	A	122	13.4	B
	L ¹ +T+R	22	10.3	B	165	27.1	D
NB	L	19	8.2	A	31	8.2	A
SB	L	11	7.8	A	81	9.8	A

¹ Delay is overstated somewhat, at least for current traffic conditions, since the HCS 2000 analysis assumes only a single left-turn lane in the driveway (the software does not accommodate the dual-left-turn lanes now present).

Table 4. Levels of Service at Ring Road and North Site Drive

Approach	Movement(s)	Weekday PM Peak Hour			Saturday PM Peak Hour		
		Volume (veh)	Avg. Delay (sec/veh)	LOS	Volume (veh)	Avg. Delay (sec/veh)	LOS
Current Traffic							
EB	L+R	5	10.5	B	19	10.6	B
NB	L	2	7.9	A	11	8.0	A
Future Traffic							
EB	L+R	41	11.1	B	75	16.7	C
NB	L	22	8.0	A	56	8.3	A

CONCLUSIONS AND RECOMMENDATIONS

- The proposed Best Buy store is expected to generate 139 one-way driveway trips in the weekday PM peak hour, or 32% fewer than the existing bank and furniture store may have once generated. During the more critical Saturday PM peak hour, however, Best Buy is expected to generate 220 one-way driveway trips, or 26% more than the existing uses may have once generated.
- During the peak hours on a Saturday afternoon when southbound Ring Road traffic backs up more frequently from the stop sign at the south finger drive, the site's north drive will likely serve more of the Best Buy traffic approaching the site from the south and leaving the site to the north. In both of the peak hours evaluated, however, the two site drives are expected to operate at level of service B or better on a weekday and level of service C or better on a Saturday.
- Based on analyses discussed in this report, it is recommended that:
 - Consideration be given to re-striping the Ring Road's center lane with standard two-way left-turn lane striping, from the grade arm between Sears and Macy's south to a point about 50 ft north of the southbound stop bar (leaving in place some of the crosshatching intended to keep southbound vehicles from entering the intersection in that lane). Such changes to the Ring Road would require approval of its owner.
 - The Mall owner be approached regarding its willingness to convert the middle lane exiting Macy's to a through-only lane (to ensure that traffic crossing over to Best Buy uses a single appropriate lane).
 - No improvements be made along the Ring Road that might encourage pedestrians to cross between the Mall and Best Buy. The Best Buy site is proposed to have 46 more parking spaces than required by the City's Zoning Ordinance, which will help accommodate peak parking occurrences. However, to accommodate an unlikely – but possible – seasonal parking overflow from Best Buy, consideration could be given to having store employees park in the adjacent office building parking lot on weekends (subject to the approval of the office building owner).