

ZONING BOARD OF APPEALS

CITY OF NOVI

Community Development Department

<u>Case No. PZ14-0058</u>

Location: 30001 Cabot drive

Zoning District: OST, Planned Office Service Technology

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINACES, Section 2503, to allow construction of a 450 square foot Guardhouse in the front yard of the property. The property is located on the north side of 13 Mile Road and east of M-5.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires all accessory buildings shall not be erected in any required front yard or in any required exterior side yard.

City of Novi Staff Comments:

The applicant proposing to construct a 450 square foot guard house located at the Cabot Drive Entrance (front yard) for security reasons. The Guard house is a stand-alone building with a restroom and mechanical equipment room. Security gates are not proposed. Please see the attached Plan Review Center Report from the Site Plan review process for the redevelopment.

Standards for Granting a Dimensional Variance:

A variance may be granted if a practical difficulty exists due to all of the following:

unc	arice may be gramed if a practical difficulty exists abe to all of the following.
•	There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty because
•	The need is not self-created
	because .
•	Strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome because
•	The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district because
•	The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because



PLAN REVIEW CENTER REPORT

December 1, 2014

Planning Review

Harman Becker Automotive Additional Parking and Guard House

JSP14-37

Petitioner

Northern Equities Group

Review Type

Preliminary/Final Site Plan

Property Characteristics

Site Location: North of 13 Mile, east of M-5 (Section 1)
 Site Zoning: OST, Planned Office Service Technology

Adjoining Zoning: North, South and East: OST, West: Highway, Further West: RA

Current Site Use: Vacant

Adjoining Uses: North, South and East: Vacant; West: Highway

School District: Walled Lake District

Site Size: 16.5 acresPlan Date: 11-07-2014

Project Summary

A previous plan was approved and stamped to construct a 188,071 square foot, 3 story office building with associated parking and landscaping at the northeast corner of Thirteen Mile and Cabot Drive in the Haggerty Corridor Corporate Park for Harman Becker Automotive. The current revised submittal proposes to remove 14 previously approved parking spaces and to add 68 additional parking spaces bringing the effective total of additional spaces to 54. The applicant is also proposing a guard house at the Cabot Drive Entrance for security reasons. The Guard house is a stand-alone building with a restroom and mechanical equipment room. Security gates are not proposed. A similar guard house facility with security gates was built at ITC headquarters located at the intersection of 12 mile and Haggerty Connector.

Recommendation

Pursuant to Section 2516 1.c Site Plan Review, this site plan submittal qualifies for an administrative review and approval without formal review by the approving body. Staff recommends **approval** of the Final Site Plan provided the minor comments are addressed prior to stamping sets. This is in general conformance with ordinance requirements. **However, a Zoning Board of Appeals Variance is required for proposing an accessory structure in the required front yard or an exterior side yard. The Variance will have to be approved prior to final site plan approval.**

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 23A (Planned Office Service Technology District), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant on the Stamping Set Submittal.

JSP14-37: Harman Becker: Additional Parking and Guard House

Parking Spaces: Office buildings exceeding 100,000 square feet the parking requirements are one space for every 286 square feet of Gross Leasable Area. The parking requirements would therefore be 657 parking spaces, while a total of 940 spaces are provided. Update the required parking count to 657 (1 space foe 286GLA) under parking count. The applicant further shows an additional 100 spaces as future parking, to allow for a potential future demand. The current total number of parking spaces compared to the previously approved plans is summarized below.

ITEM	Required	Previously Approved	Current Total
Total Parking	657	886	940
Total Handicap Spaces	13 (including 2 Van)	19 (including 8 Van)	19(including 8 Van)
Total Bicycle Parking	44 / 47	48	48
Total Parking in Phase III	To allow for potential future demand	103	100

- 2. <u>Revisions:</u> The revisions cloud shown on the plans does not entirely include all the areas within which the changes are area made. Correct the cloud on the plan accordingly to avoid confusion.
- 3. <u>Guardhouse setbacks:</u> Sec. 2503. Accessory Uses. Accessory buildings shall not be erected in any required front yard or in any required exterior side yard. A Zoning Board of Appeals Variance is required for this location.
- 4. <u>Lighting and Photometric Plan:</u> The applicant has proposed more lights to serve the additional parking spaces. The light fixtures are previously approved and are in conformance with lighting ordinance requirements.
- 5. <u>Signage:</u> Exterior Signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland (248.347.0438) for information regarding sign permits.

Previous Planning Commission Actions

The Planning Commission approved the Preliminary Site Plan, Woodland Permit and Stormwater Management Plan on August 13, 2014 with the following motions:

In the matter of Harman Becker Automotive, JSP14-37, motion to approve the Preliminary Site Plan based on and subject to the following:

- a) As part of Phase I of the development, the applicant shall provide an additional path on the Final Site Plan connecting the proposed path along the east side of the parking lot, and continuing along the east side of the parking lot to connect to the proposed path extending south to Thirteen Mile Road, as recommended in the Engineering Review memo dated August 7, 2014 (see attached Exhibit A with possible location), further provided that the entire length of the path be increased to 8 feet (subject to the applicant's right as part of Final Site Plan to show the need to reduce the width to five feet), public easement being provided, and wayfinding signs being shown, as this is consistent with the intent for, and location of, the "nature path" as approved at the October 8, 2007 City Council meeting; and
- b) The applicant shall provide with the Final Site Plan submittal for Phase I a phasing plan showing the construction of an access drive to Thirteen Mile along with all associated improvements (including maintaining or relocating proposed pathway to be built as part of Phase I) as a conceptual Phase II, and future parking as a conceptual Phase III. The construction of the Phase II access drive, pathway, and landscape improvements shall be required. However, in order to accommodate the applicant's desire to begin construction on Phase I as soon as practicable, the timing of the construction of the access drive and related improvements shall be deferred until after occupancy of the Phase I improvements has been granted. The

determination as to when such construction of the Phase II improvements shall occur will be at the sole discretion of the Director of the Department of Community Development. Upon notification by the Director that the construction of the Phase II improvements is required, the applicant shall submit the required site plan and other information to the City within 60 days and diligently pursue approval for the improvements. Failure of the applicant to comply with this requirement shall be a violation of the site plan approval and, in addition to any other remedies available to the City to correct such violation, no further approvals with respect to the site shall be granted and occupancy of the Phase I improvements shall cease.

- c) In order to eliminate conflict with retaining wall for the Phase II access drive, the applicant shall relocate the access drive and retaining walls, or relocate the sanitary sewer line and public easement; alternatively, the applicant may choose to seek a License Agreement from the City Council to allow for the construction of the retaining wall within the sanitary sewer easement as shown on the plans; and
- d) The applicant shall incorporate on the Final Site Plan for Phase I, a sidewalk stub along Thirteen Mile Road to connect the north/south path to a future sidewalk to the west; and
- e) Final Site Plan approval for Phase II, when completed, shall require the submittal of a Stormwater Management Plan for Phase II access drive connection to Thirteen Mile Road, possible wetland permit approval for the stormwater outfall, and resolution of sanitary sewer easement conflicts, which will come back to Planning Commission for approval once more detail is provided; and
- f) Applicant to modify the Final Site Plan for Phase I to insure that no more than 15 contiguous parking spaces are provided without a landscaped island; and
- g) Section 9 Waiver for underage of brick and overage of metal panels on the south and north facades, which is hereby granted; and
- h) The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 23A, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

In the matter of Harman Becker Automotive, JSP14-37, motion to approve the Woodland Permit for Phase I based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan for Phase I. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.

In the matter Harman Becker Automotive, JSP14-37, in view of the Applicant's phasing plan that defers improvements that may require a wetlands permit to a future phase, motion to not approve the permit at this time and delay consideration of the Wetlands Permit until consideration of the Stormwater Management plan for Phase II driveway construction, with the understanding that this action does not represent any decision on a wetland permit needed for improvements in a future phase.

In the matter of Harman Becker Automotive, JSP14-37, motion to approve the Phase I Stormwater Management Plan based on and subject to the following:

• Stormwater Management Plan for Phase II access drive will come back to Planning Commission for approval once more detail is provided; and

• The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.

Pre-Construction Meeting

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. 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.

Chapter 26.5

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

Stamping Set Approval

Stamping sets are still required for this project. After having received all of the review letters from City staff the applicant should make the appropriate changes on the plans and submit 9 size 24" x 36" copies with original signature and original seals, to the Community Development Department for final Stamping Set approval. Plans addressing the comments in all of the staff and consultant review letters should be submitted electronically for informal review and approval prior to printing Stamping Sets. A ZBA approval is required prior to stamping set submittal.

Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this and other review letters is required to be submitted with the Stamping Set submittal highlighting the changes made to the plans addressing each of the comments listed above and in other review letters.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or skomaragiri@cityofnovi.org.

Sri Ravali Komaragiri, Planner

CITY OF NOV cityofnovi.org ZBA Case No.

ZONING BOARD OF APPEALS APPLICATION

NOV 1 0 2014

CITY OF NOVI

Community Development Department (248) 347-0415

CITY OF NOVE COMMUNITY DEVELORMAN

cityofnovi.org A Case No.

For Official Use Only

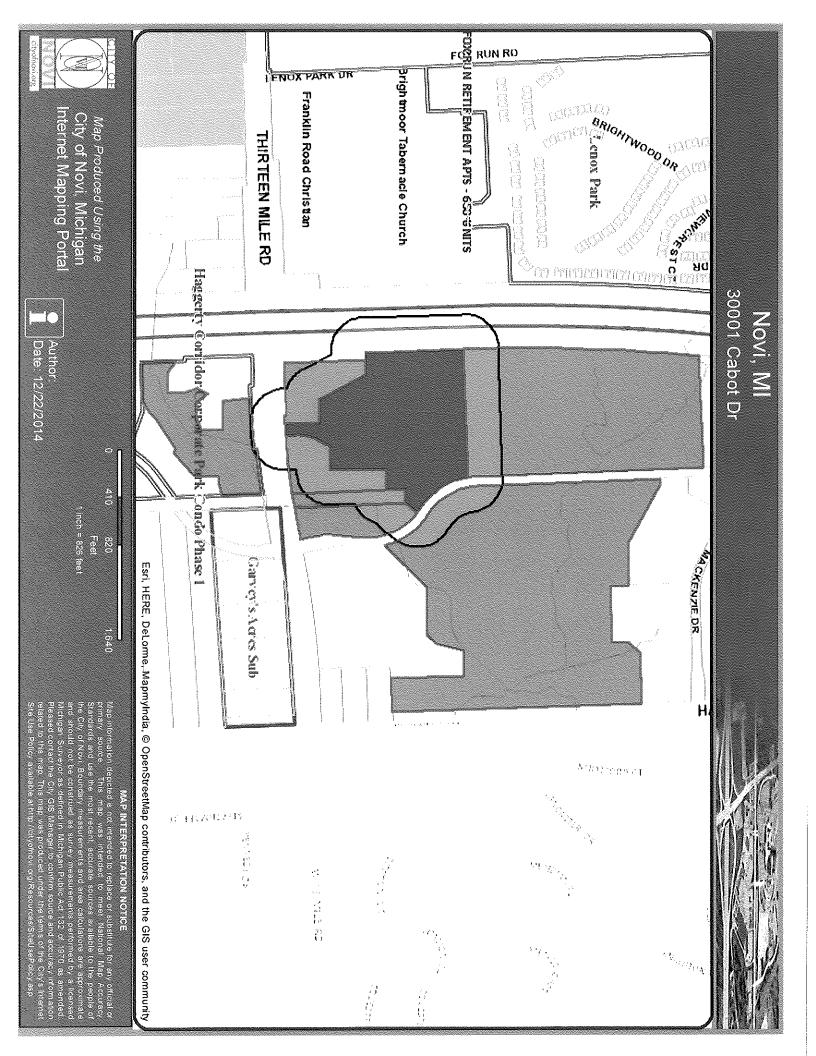
ZBA meeting date

Jan 13th

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	rrrlease	supmit one (onginai tuli se	et of all aocur	nentation tel	evant to the c	appeal plus 14	4 additional co	mplete sets.	
Applican	t's Name	Brian J. Hug	jhes					Date	11/10/14	
Company (if applicable)		HCP/HBAS	Building, LLC							
Address*	39000 Countr	ry Club Drive				City	Farmingtor	n Hills		
State	MI	_Zip code	48331		*Where	all case con	respondenc	ce is to be m	ailed	
Applican	t's E-mail add	dress	bjhughes@r	noreq.com						
Phone nu	mber	248-848-640	0			Fax number 2		248-848-670	248-848-6700	
Request is	s for: Residentia			Vacant p	property		Commer	·cial		Signage
Address of subject ZBA case			30001 Cabo	t Drive				Zip code	48377	
Cross roads of property			13 Mile Roa	d / Cabot Drive	9			_		
Sidwell number 50-22- 01			- 01-400-032			May be ob	otained from /	Assessing Depo	ortment (248)	347-0485
Is the property within a Homeowner's Association jurisdiction?				_		Yes		No		
Zoning	(Please cir	cle one)	Пмн	R-A		ПR-2 Пrc	IIR-3 IITC	□R-4 □TC-1	RM-1 ost	□RM-2 Other
Property o	owner name	(if other th	an applico	int)						
Does your	appeal resu	ult from a N	otice of Vi	olation or C	itation issu	ed?		Yes	[X]	No
Indicate (Ordinance se	ection(s) ar	nd variance	es requeste	d:					
1.	Section	2503.1.B.		_ Variance	requested		Guard Hous	se to be built in	side yarđ.	
2.	Section	lean-t-		_Variance	requested					
3.	Section			_Variance	requested					
4.	Section			_Variance	requested					
Please sub	omit an accu	urate, scale	ed drawing	of the prop	perty showi	ng:				
a.	. All property lines and dimensions correlated with the legal description.									
b.	The location	and dimensi	ons of all exis	ting and prop	oosed structu	res and uses (on property.			

- c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.

State the practical difficulties which prevent conformance with t if necessary):	he Zoning Ordinance requirements (attach separate sheet
The Guard House needs to be situated at the main entrance to the building.	
Describe any unique circumstances regarding the property (i.e., properties in the area and which prevent strict compliance with	shape, topography, etc.) which are not common to other the Zoning Ordinance:
There is a five (5) day hold period before work/action can be tak	en on variance approvals.
SIGN CASES ONLY:	1 1
Your signature on this application indicates that you agree to install a Mock -install a mock-up sign may result in your case not being heard by the Board, prock-up sign is NOT to be the actual sign. Upon approval, the mock-up sign denied, the applicant is responsible for all costs involved in the removal of the days of the meeting.	postponed to the next scheduled ZBA meeting, or cancelled. An must be removed within five (5) days of the meeting. If the case is
City of Novi Ordinance, Section 3107 Miscellaneous	
No order of the Board permitting the erection of a building shall be valid for cerection or alteration is obtained within such period and such erection or alter he terms of such permit.	s period longer than one (1) year, unless a building permit for such eration is started and proceeds to completion in accordance with
no oraer of the Boara permitting a use of a bullaing of premises shall be valla unless such use is established within such a period; provided, however, where of a building such order shall continue in force and effect if a building permit uch erection of alteration is started and proceeds to completion in accorda	such use permitted is dependent upon the erection or alteration for such erection or alteration is obtained within one (1) year and
PLEASE TAKE NOTICE:	
he undersigned hereby appeals the determination of the Building	
Construct new home/building Use	Addition to existing home/building
X Accessory building Use	Signage Other
	11/12/14
Applicants Signature	
//opiicuris signature	Date
	. / (.)
Property Owners Signature	- 11/10/14
-	Date
DECISION ON A	APPEAL
Granted	Denied
ne Building Inspector is hereby directed to issue a permit to the Appli	cant upon the following items and conditions:
Chairperson, Zoning Board of Appeals	D.J.
champonon, zoning board of Appeals	Date

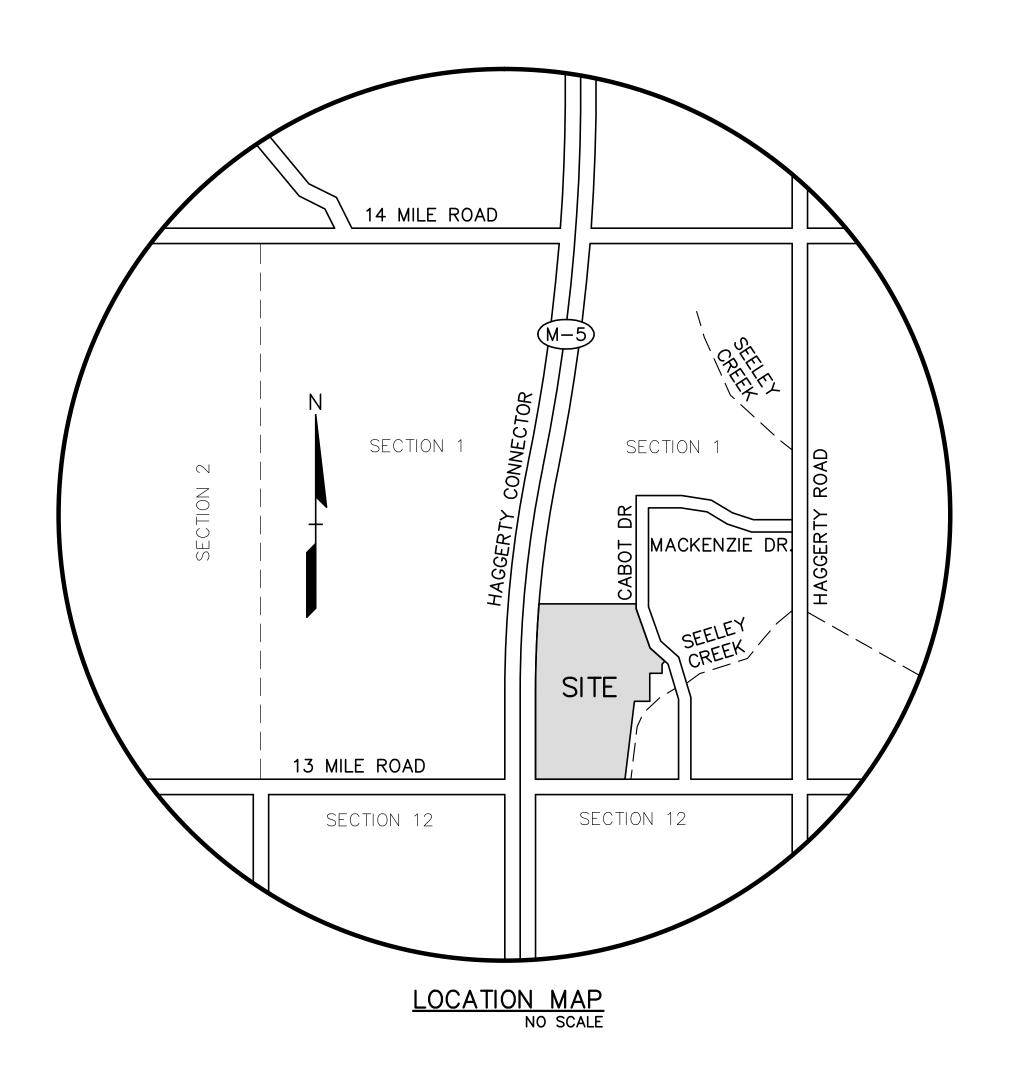


FINAL SITE PLANS FOR

HARMAN BECKER AUTOMOTIVE SYSTEMS, INC.

NORTHWEST CORNER OF 13 MILE ROAD & CABOT DRIVE

CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



APPLICANT:

NORTHERN EQUITIES GROUP 39000 COUNTRY CLUB DRIVE FARMINGTON HILLS, MICHIGAN, 48331 PHONE: (248) 848-6400 CONTACT: MATTHEW S. SOSIN

CIVIL ENGINEER/LANDSCAPE ARCHITECT:

PROFESSIONAL ENGINEERING ASSOCIATES, INC. 2430 ROCHESTER CT., SUITE 100 TROY, MICHIGAN, 48083 PHONE: (248) 689-9090 CONTACT: JAMES P. BUTLER, P.E./JEFFREY T. SMITH, R.L.A.

ARCHITECT

FAUDIE ARCHITECTURE
26261 EVERGREEN ROAD, SUITE #123
SOUTHFIELD, MICHIGAN, 48076
PHONE: (248) 619–2354
CONTACT: ALDEN (CHIP) FAUDIE, AIA

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		OVERALL IRRIGATION PLAN ENLARGED IRRIGATION PLAN
	E-402	SITE PHOTOMETRIC PLAN
(PFP-6A PFP-6B	BUILDING ELEVATIONS FIRST FLOOR PLAN SECOND FLOOR PLAN THIRD FLOOR PLAN GUARDHOUSE PLAN AND ELEVATION
(——————————————————————————————————————	SUANDHOUSE FLAN AND ELEVATION T

INDEX OF DRAWINGS:

FOR REFERENCE ONLY (H.C.C.P PLANS BY A.R. DECKER):
D-1 OVERALL PROPOSED STORMWATER MANAGEMENT PLAN
D-1A STORMWATER MANAGEMENT CALCULATIONS

CITY OF NOVI STANDARD DETAILS SHEETS:
SANITARY SEWER DETAILS (1 OF 2)
SANITARY SEWER DETAILS (2 OF 2)
O.C.D.P.W. SANITARY SEWER DETAILS
STORM SEWER DETAILS
WATER MAIN DETAILS (1 OF 2)
WATER MAIN DETAILS (2 OF 2)
O.C.W.R.C. SOIL EROSION AND SEDIMENTATION CONTROL DETAILS

NOTE:
ALL WORK SHALL CONFORM TO
CURRENT CITY OF NOVI STANDARDS
AND SPECIFICATIONS.

3 PB JPB Revised Add Parking & Guardhouse
2 PB JPB Revised for Stamping Set Approval
1 PB JPB Revised per SESC Review Comments
No. BY CHK DESCRIPTION



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CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM MAY AND ALL LIBBILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIBBILITY ARISING FROM THIS SOLE NEEDLENCE OF THE DESIGN PROJESSION

3 FULL WORKING DAYS
BEFORE YOU DIG CALL

811

Know what's below

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QUITIES GROUP
TRY CLUB DRIVE
LLS, MICHIGAN, 48331

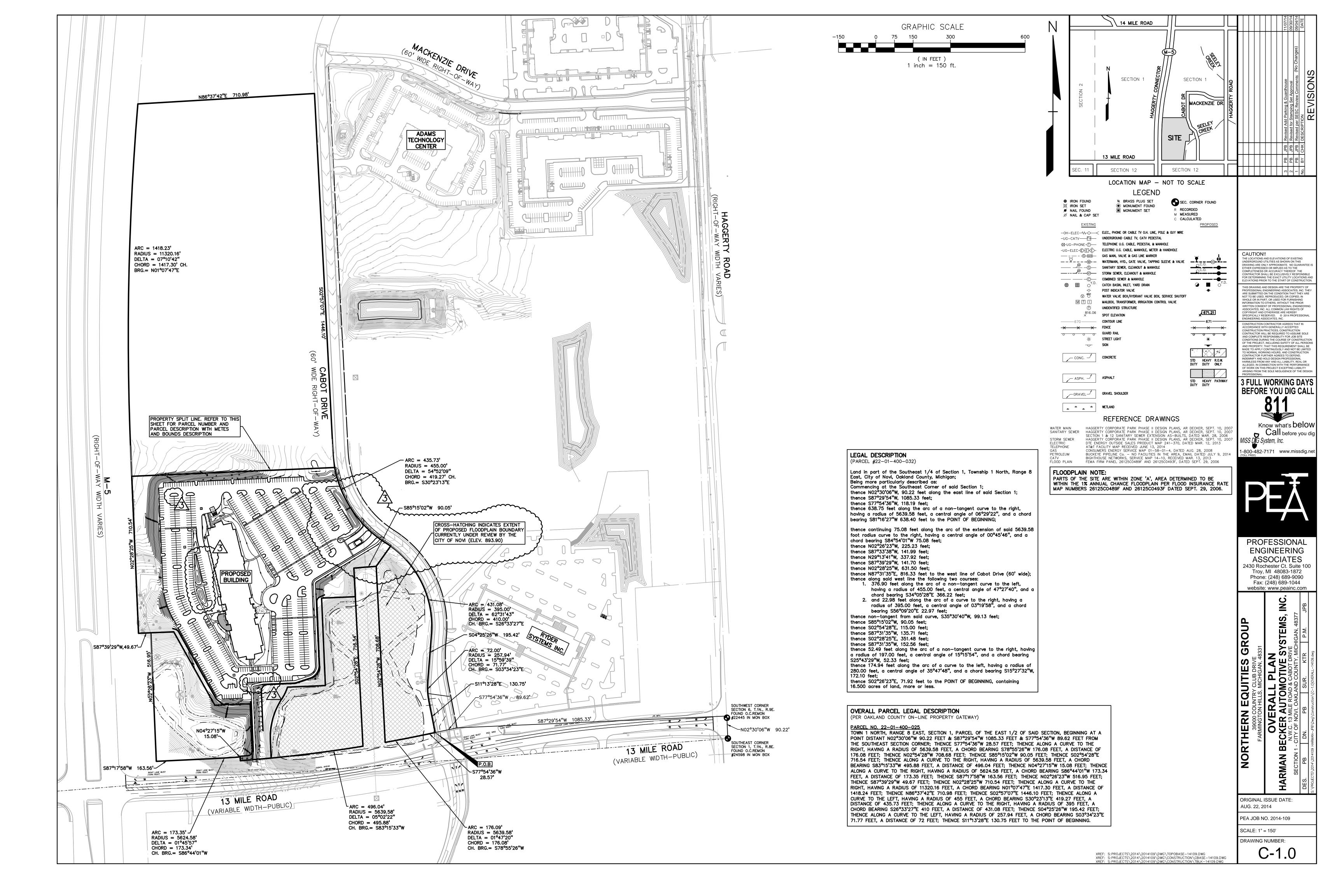
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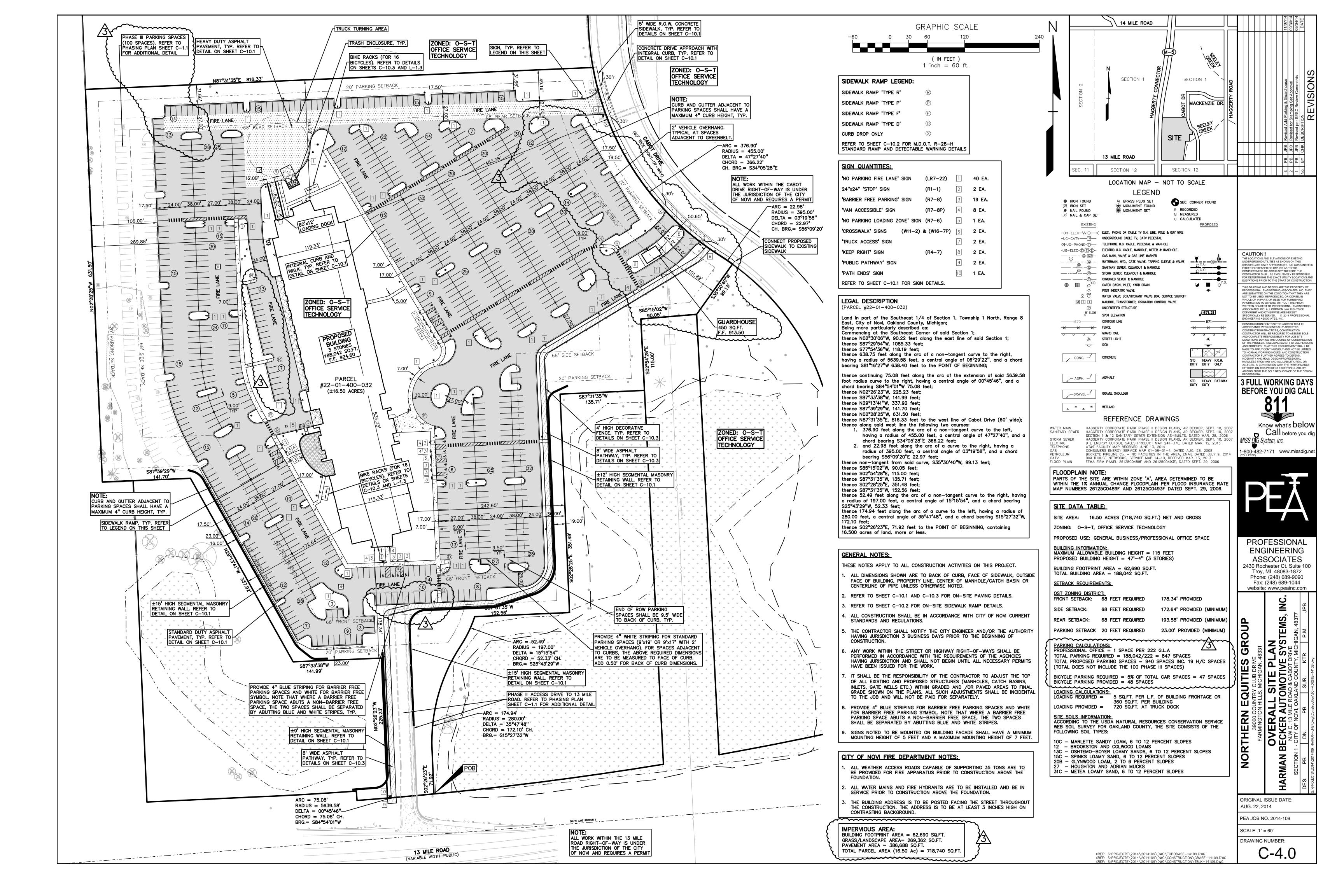
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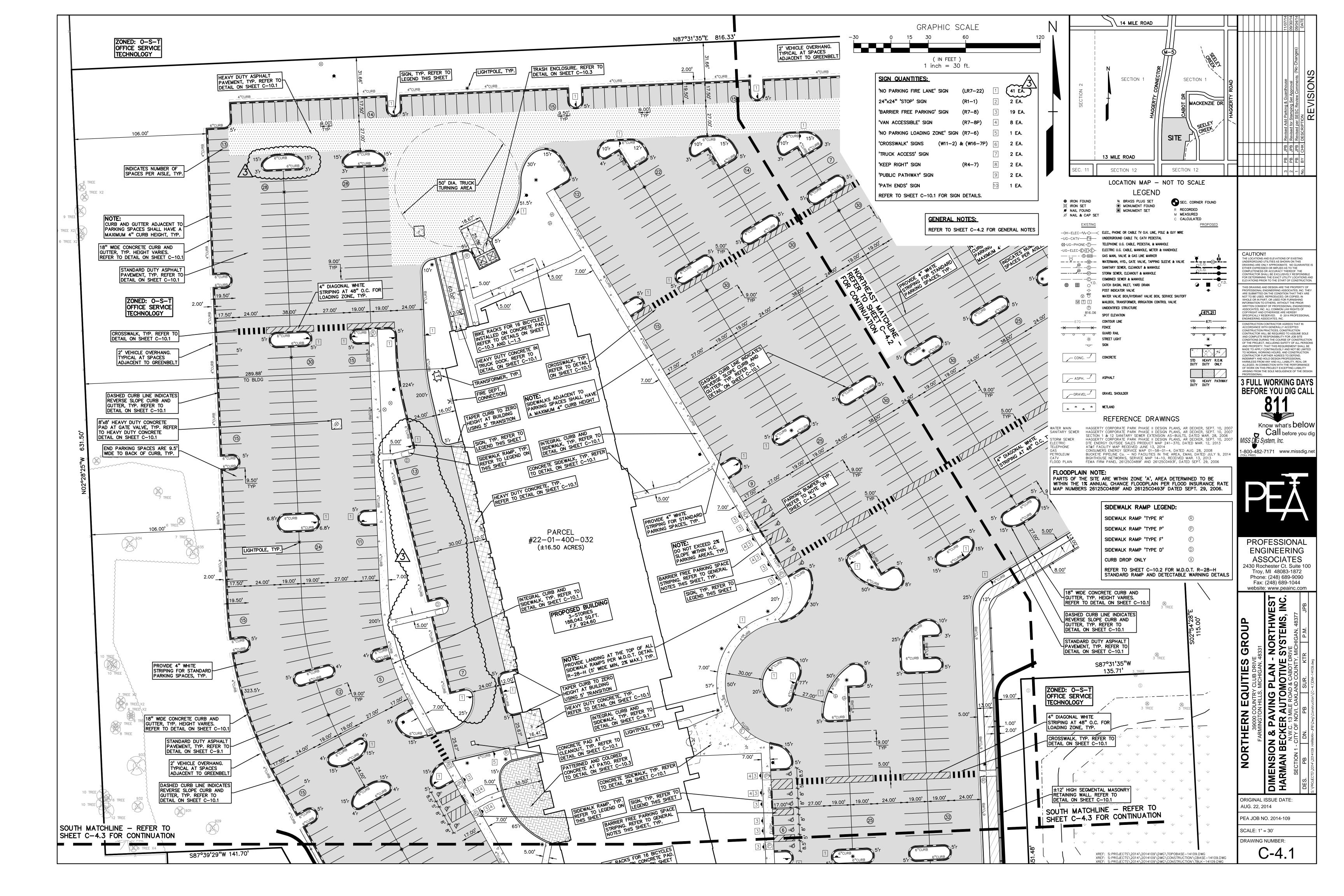
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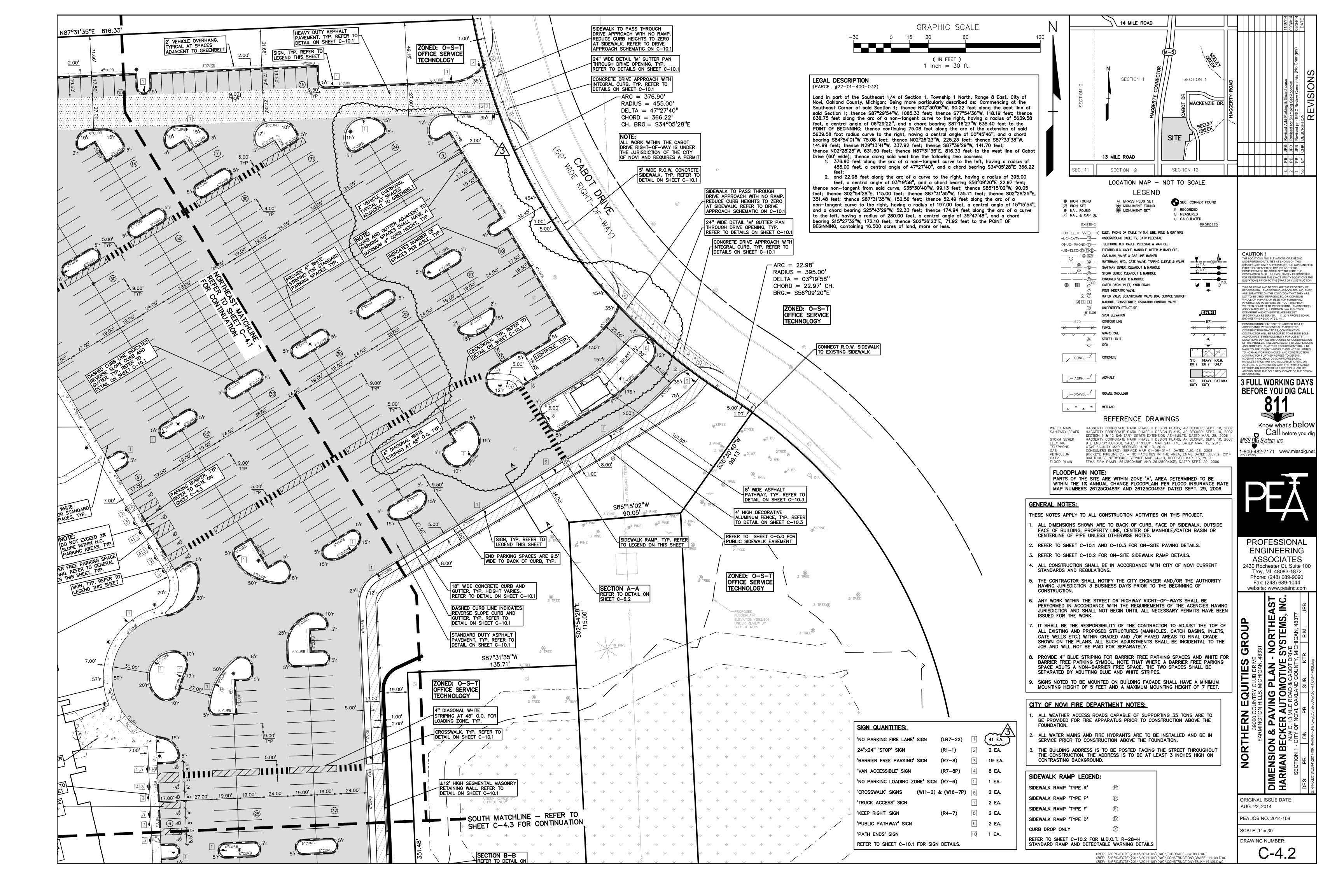
PEA JOB NO. 2014-109 SCALE: NONE

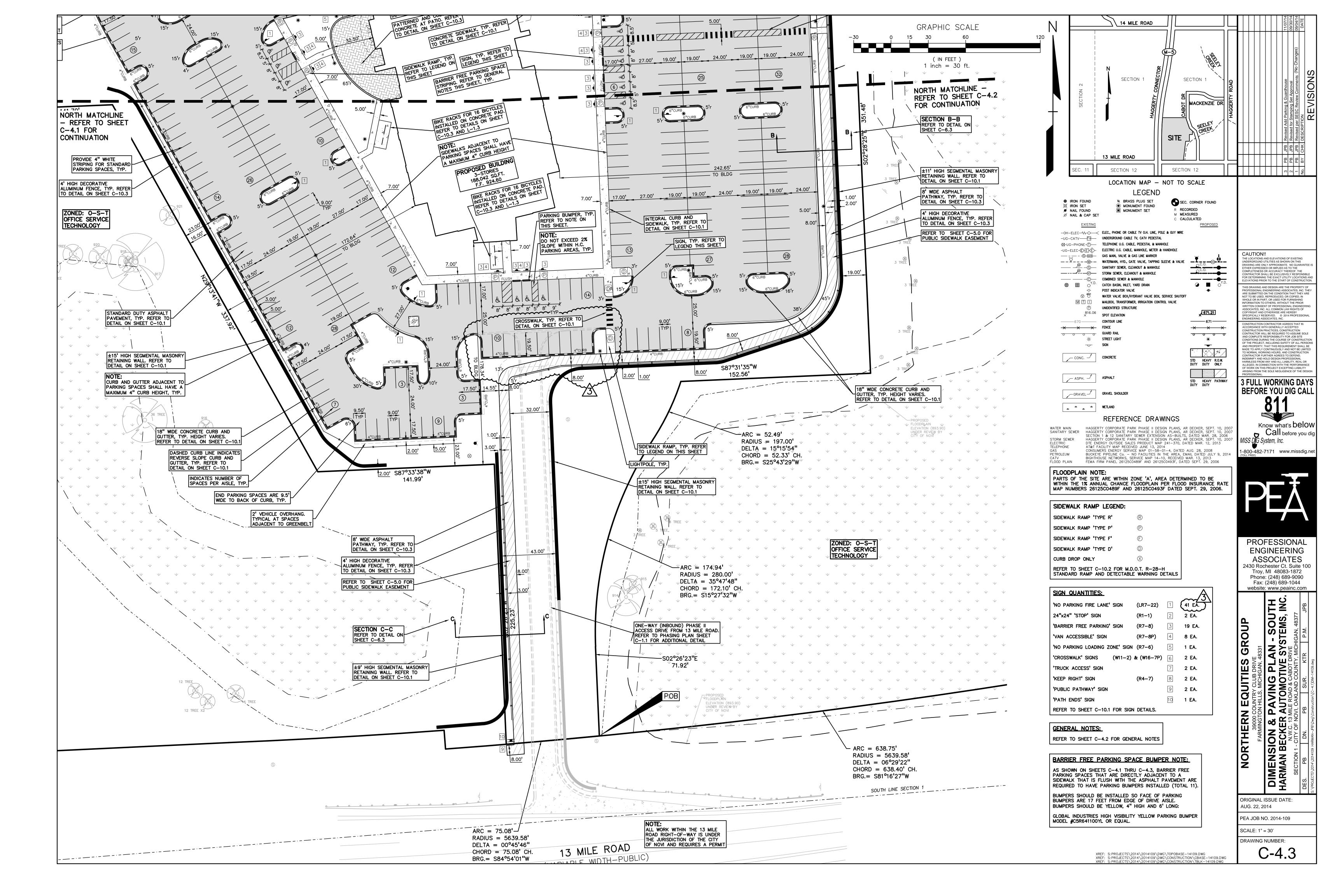
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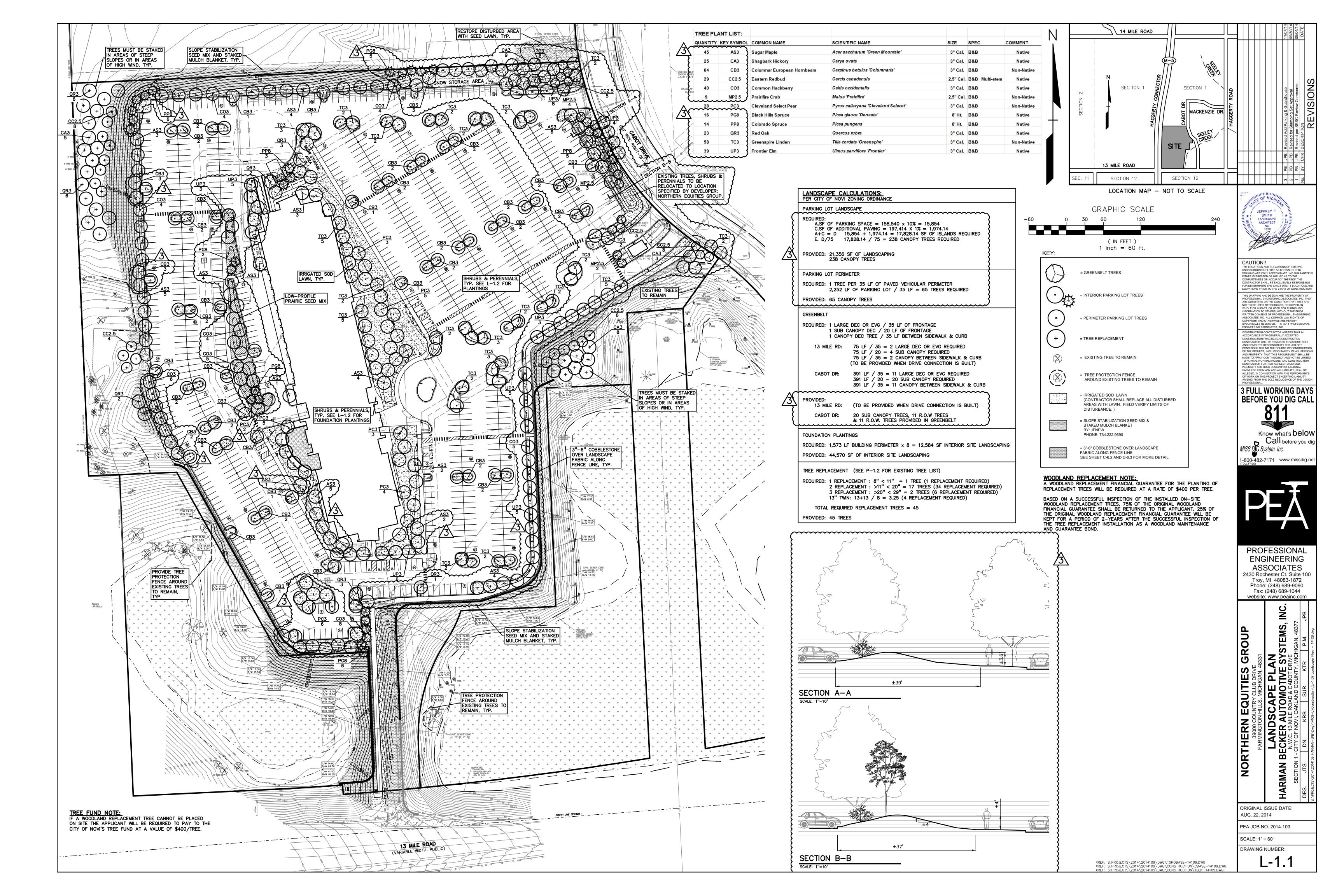


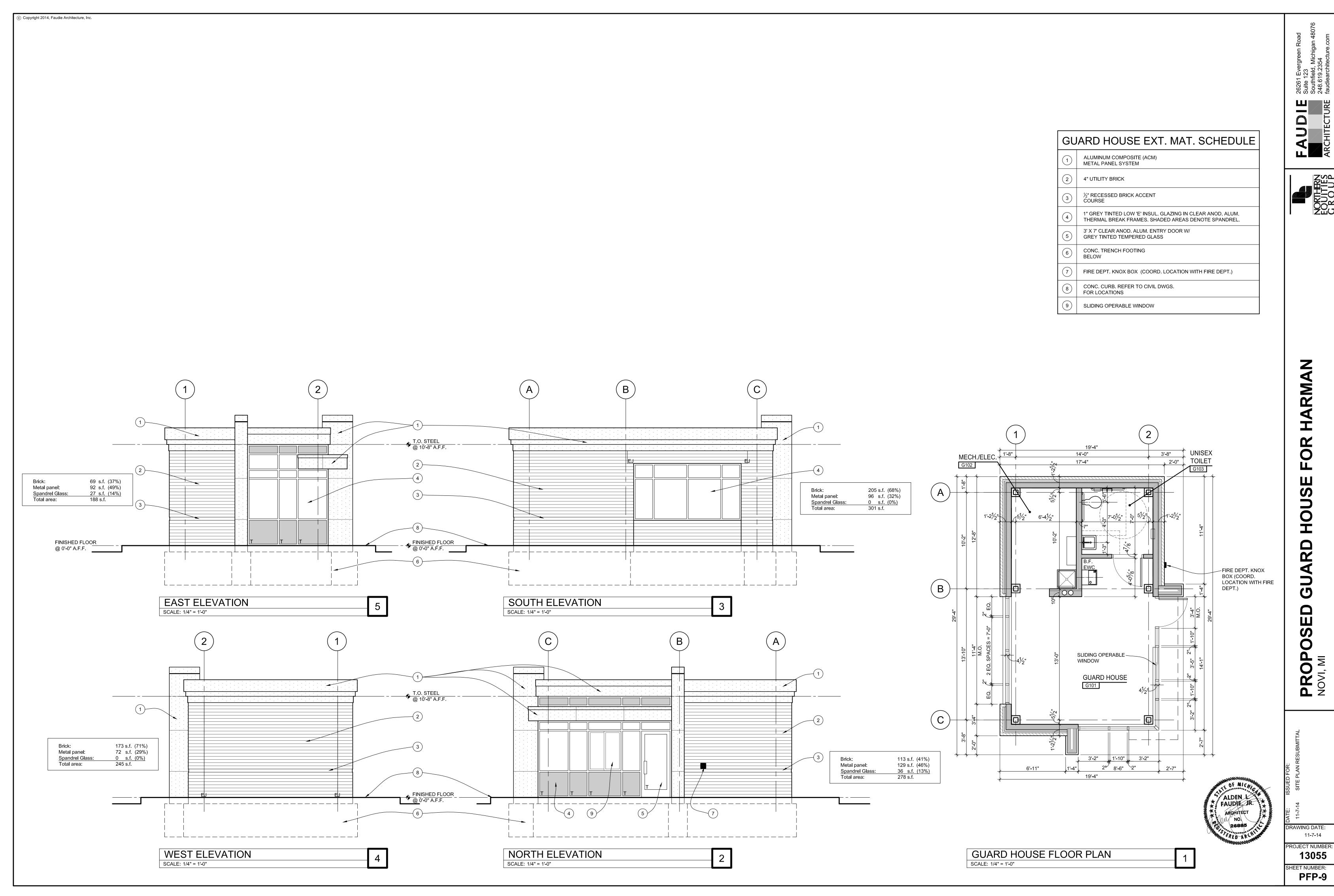














PROPOSED NOVI, MI

11-7-14