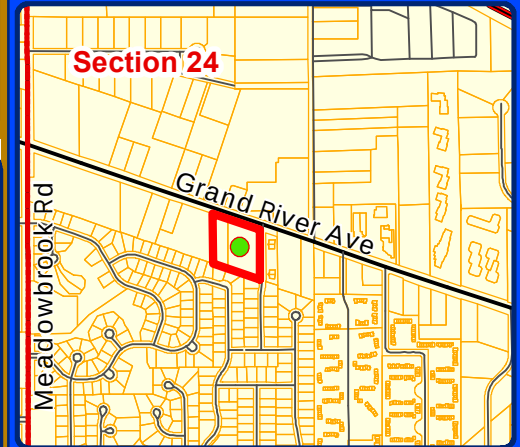
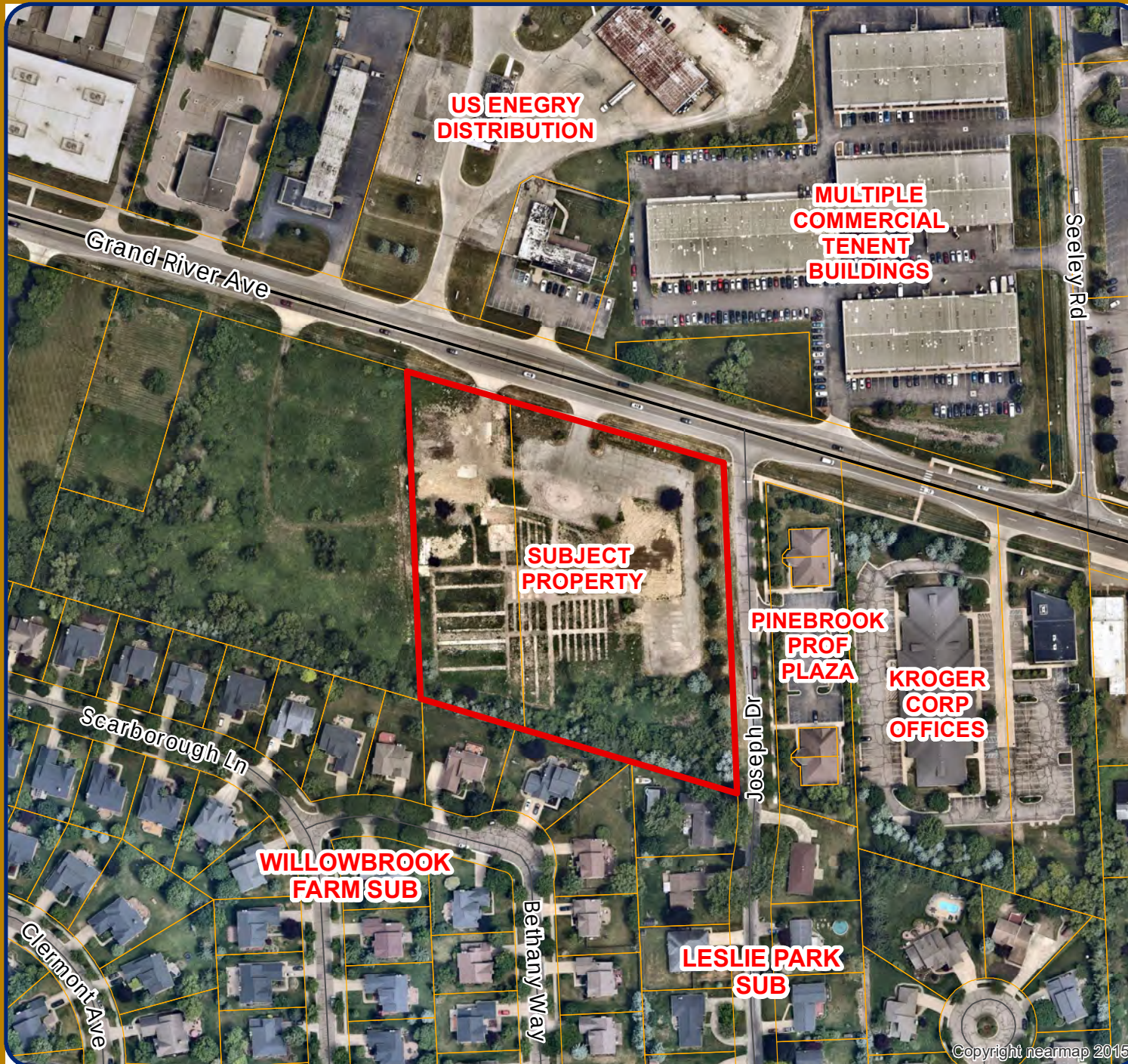


MAPS
Location
Zoning
Future Land Use
Natural Features

JZ24-32 FELDMAN KIA PRO

LOCATION



Legend

 Subject Area



City of Novi

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

Map Author: Lindsay Bell
Date: 9/11/24
Project: FELDMAN KIA
Version #: 1

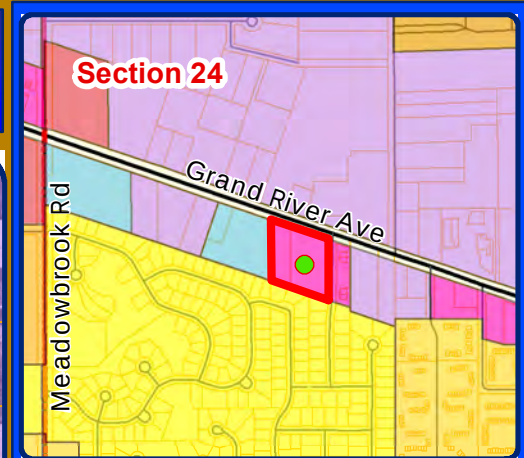
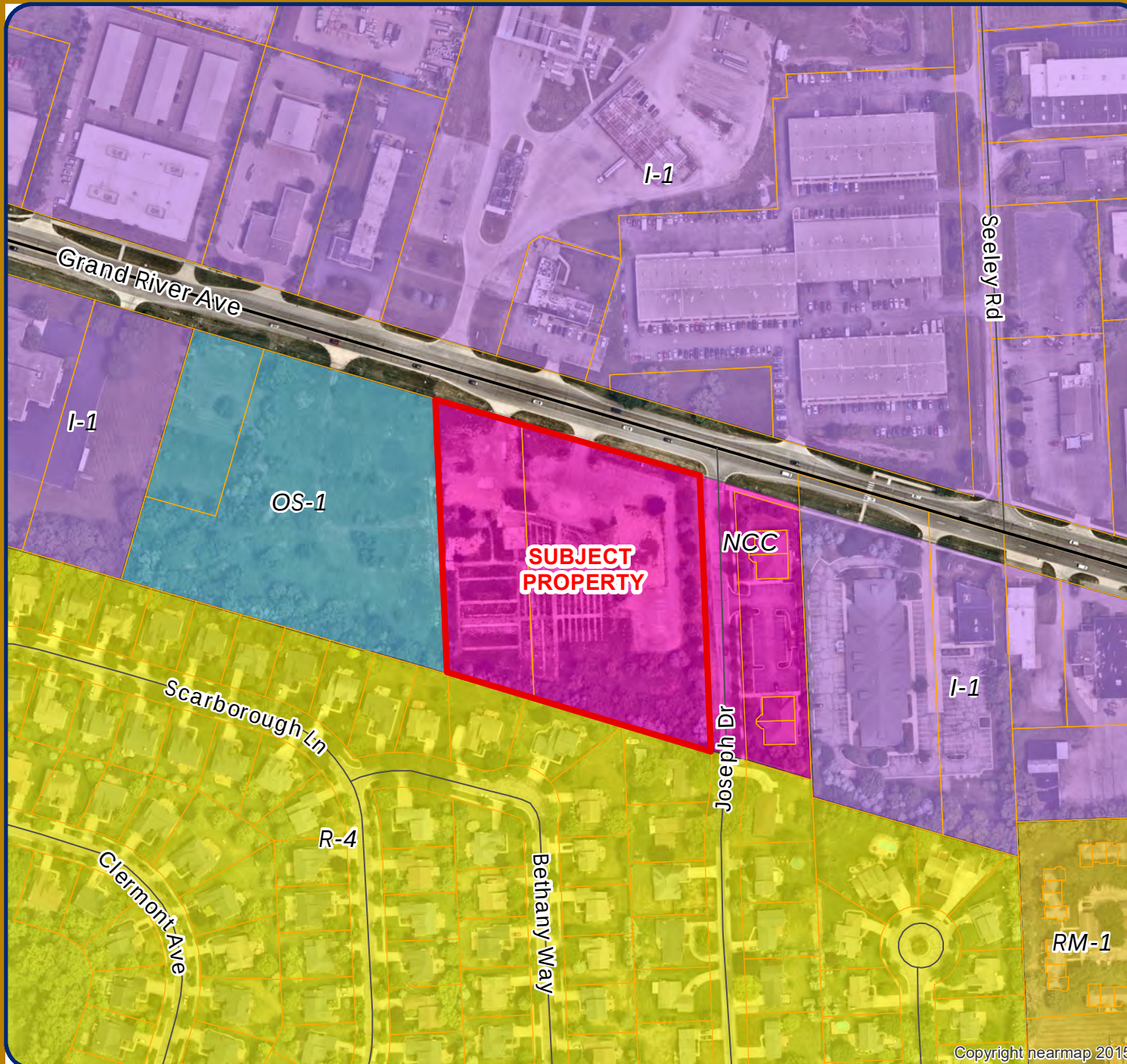
0 45 90 180 270 Feet
1 inch = 208 feet



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

JZ24-32 FELDMAN KIA PRO ZONING



Legend

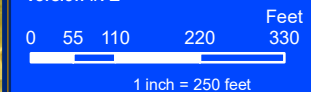
- R-4: One-Family Residential District
- RM-1: Low-Density Multiple Family
- RM-2: High-Density Multiple Family
- MH: Mobile Home District
- GE: Gateway East District
- I-1: Light Industrial District
- NCC: Non-Center Commercial District
- OS-1: Office Service District
- Subject Area



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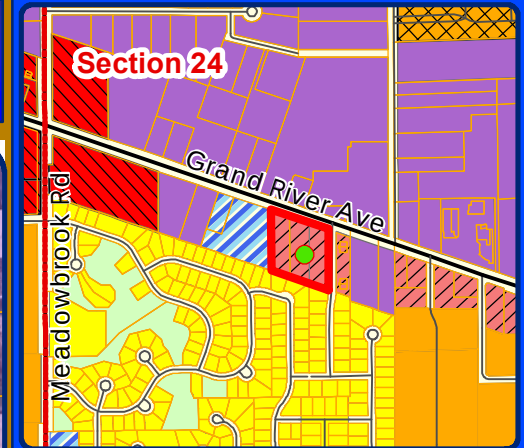


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JZ24-32 FELDMAN KIA PRO

FUTURE LAND USE



Legend

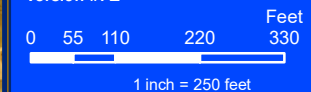
- Single Family
- Multiple-Family Residential
- Manufactured Home Residential
- Community Office
- Industrial, Research, Development and Technology
- Community Commercial
- Town Center Gateway
- Private Park
- Subject Area



City of Novi

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45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 9/11/24
Project: FELDMAN KIA
Version #: 1



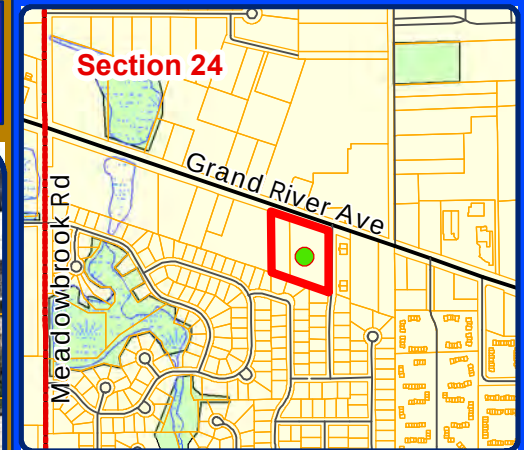
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JZ24-32 FELDMAN KIA PRO

NATURAL FEATURES



Legend

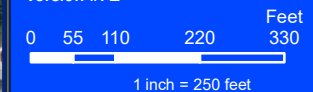
- WETLANDS
- WOODLANDS
- Subject Area



City of Novi

Dept. of Community Development
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45175 W Ten Mile Rd
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DRAFT PRO AGREEMENT

PLANNED REZONING OVERLAY (PRO) AGREEMENT

FELDMAN KIA OF NOVI

AGREEMENT (“Agreement”), by and between **FELDMAN KIA OF NOVI**, a Michigan Limited Liability Company whose address is 30400 Lyon Center Dr East, New Hudson, MI 48165 (referred to as “**Developer**”); and the **CITY OF NOVI**, whose address is 45175 Ten Mile Road, Novi, MI 48375-3024 (referred to as the “**CITY**”).

RECITATIONS:

- A. Developer, the owner and developer of approximately 4.88 acres at the southwest corner of Grand River Avenue and Joseph Drive, proposed to rezone Property from Non-Center Commercial to General Business with a Planned Rezoning Overlay to allow an auto dealership development in the B-3 District.
- B. The “**Property**” is more particularly described and depicted on **Exhibit A**, attached hereto and incorporated herein. The NCC classification shall be referred to as the “**Existing Classification**” and the B-3 classification shall be referred to as the “**Proposed Classification**.”
- C. The Proposed Classification would provide Developer with certain material development options not available under the Existing Classification and would be a distinct and material benefit and advantage to the Developer.
- D. The City has reviewed the petition from Developer to amend the Existing Classification of the Property to the Proposed Classification, including the Developer’s proposed PRO Plan (including the uses authorized in this Agreement as the only uses permitted on the Property, the site layout, and the building façades, elevations, and design) attached hereto and incorporated herein as **Exhibit B** (the “**PRO Plan**”) under the terms of the Planned Rezoning Overlay (PRO) provisions of the City’s Zoning Ordinance. The PRO Plan is a conceptual or illustrative plan for the potential development of the Property under the Proposed Classification. Approval by the City of the PRO Plan is not an approval to construct the proposed improvements shown thereon, as any development on the Property will require site plan approval from the City as provided by this Agreement.

The City has further reviewed both (i) the requested deviations as contained in this Agreement (the “**Deviations**”) from the strict terms of the City’s Zoning Ordinance and other land use ordinances and regulations (collectively, the “**City Ordinances**”) and (ii) the proposed PRO Conditions (as defined in Paragraph G.iii below) offered or accepted by Developer, and has concluded that the proposed General Business (B-3) zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use and meets the requirements of the Zoning Ordinance as relates to Planned Rezoning Overlays because it includes site specific features as part of the PRO Conditions that are more restrictive than could otherwise be required by ordinance because, in the specific circumstances of the project, the benefits to the public of the project outweigh any detrimental impacts of the project.

The City therefore finds that the project as a whole is in the public interest. Without the PRO Conditions as set forth herein and Developer’s (and/or its successors’ and assigns’) continuing obligations to comply with the terms of this Agreement, however, the City would not have made such a finding and would not have approved the rezoning to the Proposed Classification or the Deviations.

- E. Developer desires to proceed with obtaining the site plan and engineering approval and the issuance of permits required to develop the Property in accordance with the approved PRO Plan (collectively, the “**Development**”). The City desires to ensure that all of the land that is depicted on the PRO Plan is developed in accordance with, and used only for the specific uses permitted by this Agreement, the related documents and undertakings of Developer, and all applicable laws, City Ordinances, regulations, and standards of the City and other regulatory bodies. This Agreement will govern the development of the Property and is to be recorded with the Register of Deeds for the County of Oakland following execution by the parties.
- G. As an integral part of the Developer’s request to the City for rezoning to the Proposed Classification, Developer agrees to develop and construct the sanitary sewer, storm water sewer system, utilities, municipal water system, sidewalks, and other infrastructure necessary to develop and use the Property in conformance with the following undertakings and forbearances by Developer (such undertakings and forbearances hereafter referred to as the “**Undertakings**”):
 - i. **Uses Permitted.** The PRO Plan proposes a new and used car salesroom, showroom and office with a servicing department and outdoor inventory of vehicles, as typically associated with dealerships. Accessory to the car dealership, outdoor space for exclusive sale of new or used automobiles will be permitted under the conditions for special land use approval. The Developer will construct an enhanced sidewalk along the Joseph Drive frontage. The enhanced sidewalk area includes a meandering sidewalk with decorative light poles and the construction of three seating areas.

Developer will build covered shelters with seating at two nearby existing bus stops, including a paved pad with a shelter at the bus stops approximately 300 feet to the east of the property on Grand River Avenue, one on the north and one on the south. On-site detention is proposed for storm water management in a new underground facility, an infiltration trench, and an infiltration basin. The buildings proposed will be constructed in accordance with façade plans attached in Exhibit B. Commercial site signage and/or building signage has not been reviewed and is not included as a part of this PRO Agreement.

- ii. **Compliance with Applicable Laws and Regulations.** Except as expressly authorized herein, the Property shall be developed in accordance with this Agreement, the PRO Plan, all applicable State, County and City statutes, codes, ordinances, regulations, and the City Ordinances, including all applicable requirements of the Zoning Ordinance under the Proposed Classification, and further including all storm water and soil erosion requirements and measures during the design and construction phases of the Development and during the subsequent use of the Property as contemplated in this Agreement (collectively, the “**Legal Requirements**”).

The deviations from the provisions of the City Ordinances, rules, or regulations are depicted in the PRO Plan and are approved by this Agreement; however, except as to the Authorized Deviations listed below, the Property shall be subject to and developed in accordance with all applications, reviews, approvals, permits, and authorizations required under applicable Legal Requirements, including, but not limited to, site plan approval, storm water management plan approval, woodlands and wetlands permits, façade approval, landscape approval, and engineering plan approval.

- iii. **PRO Conditions.** As part of its approval of the PRO Plan and this Agreement, the City Council made certain findings as required by the Zoning Ordinance. Those findings were based in part on the fact that the Developer has agreed that the following conditions shall apply to the Property (collectively, the “**PRO Conditions**”). The Developer (or its successors or assigns) shall be responsible for obtaining all permits, licenses, or approvals required for the development, construction, use, and occupancy of the Development.

- a. **Development Enhancements offered by Developer.**

- 1. The use of the property is a New and Used Car Salesroom, Showroom and Office with a Servicing department, as typically associated with dealerships.

2. Accessory to the Car Dealership, Outdoor Space for exclusive sale of new or used automobiles will be permitted under the conditions for Special Land Use approval:

i. 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. (*The traffic impact study provided indicates fewer trips generated by the proposed use than other potential uses.*)

ii. 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. (*The use is not expected to increase the demand on public services and utilities relative to other feasible uses of the site.*)

iii. 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. (*There are no significant natural features or characteristics present on the site.*)

iv. 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. (*The proposed use is similarly compatible to other uses that could be developed under the current NCC zoning district. No major automobile repair or service, as defined in Section 4.50 of the Zoning Ordinance, shall be permitted on the site.*)

v. 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. (*The Master Plan recommends Community Commercial uses, which includes uses permitted within the B-2 and B-3 districts.*)

vi. 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. (*The redevelopment of the site will remove a long-standing non-conforming use and improve the site visually from Grand River Avenue. The investments in the site improvements as well as the jobs created will benefit the area economically.*)

vii. 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. (*1. Outdoor Space for exclusive sale of new or used automobiles is listed as a Special Land Use in the B-3 District, and 2. the applicant has addressed the concerns previously raised so that the proposed use better conforms to the site design regulations.*)

3. The applicant shall provide a unique streetscape along Joseph Drive with a winding sidewalk and the installation of three bench nodes on concrete platforms, decorative light poles, and significant landscaping across the western side of Joseph Drive, as shown on the PRO Plan, prior to issuance of a final Certificate of Occupancy.

4. The applicant shall construct two covered bus stop shelters along Grand River Avenue to serve the nearby SMART bus stops, the final design of which shall be coordinated with the city, prior to issuance of a final Certificate of Occupancy.

5. The days of operation shall be limited to Monday – Saturday. The business shall not be open on Sundays.

6. The hours of operation shall be limited to the following, as described by the applicant: 7:00 a.m. to 6:00 p.m. on Tuesday, Wednesday and Friday, 7:00 a.m. to 9:00 p.m. on Monday and Thursday, and 8:00 a.m. to 4:00 p.m. on Saturdays.

7. Outdoor speakers for security purposes may be permitted but must be attuned to meet the requirements of the noise ordinance and avoid disturbance of the adjacent residential neighborhood.

8. No outdoor compressors shall be permitted.

9. Automobile transit deliveries shall be limited to 8:00 a.m. to 6:00 p.m. on weekdays and must take place on the site in the designated loading/unloading area. Unloading shall not take place in any public right-of-way. Each instance of unloading in the public right-of-way that is documented by the City of Novi Police Department shall constitute a violation of this PRO Agreement, and shall be considered a site plan violation, and a nuisance *per se* and subject to abatement as provided in Paragraph 5.b below.

In addition to any ticket issued by the police department to the hauler, the City's Code Enforcement officer may issue a ticket for a site plan violation to the Developer. Each instance of unloading in the public right-of-way shall be considered a separate violation and shall be subject to fines and abatement, as permitted by applicable laws and ordinances.

Separate and apart from, and in addition to, any traffic enforcement or code enforcement remedies above, for each violation of this provision, Developer shall pay to the City the amount of \$1,000, which Developer agrees represents the minimum cost to the City of enforcement of this provision, per incident. Such payment is to be made within 30 days of invoice by the City and failure to pay shall be a separate violation of this PRO Agreement.

10. The parking setback shall be no less than 53 feet from the property line to the south.

11. The footprint of the building shall be limited to approximately 18,900 square feet, excluding mezzanine space.

12. The overhead service doors shall remain closed except to allow the entering and existing of vehicles.

13. The berm and landscape plantings along the southern property line shall be installed early in construction to protect the residents from the negative impacts of construction.

14. Developer shall be responsible for all excessive false alarm penalties and fees assessed pursuant to Section 22-36 of the City of Novi Code of Ordinances, as amended, and may not appeal assessments of fees and penalties for police department response.

15. Developer shall prohibit test driving vehicles on Joseph Drive. Each instance documented instance of dealership owned vehicles being test driven on Joseph Drive shall constitute a violation of this PRO Agreement, and shall be considered a site plan violation, and a

nuisance per se. The City's Code Enforcement officer may issue a ticket for a site plan violation to the Developer. Each instance of test driving vehicles on Joseph Drive shall be considered a separate violation and shall be subject to fines and abatement, as permitted by applicable laws and ordinances.

- b. Woodlands. There are no regulated woodland trees on the site.
- c. Wetlands. There are no wetland areas on the site.
- d. Site Utilities and Access. All of the utilities (water, sewer, and storm water) servicing the Development shall be constructed according to the approved Utility Plan provided as part of the PRO Plan, subject to final engineering plan approval by the City at the time of site plan approval. Such Utility Plan may be amended or modified during the site plan approval process as approved by the City. The utilities shall be complete to the extent required for occupancy prior to issuance of a certificate of occupancy.
- e. Access: The installation of roads, drives, and curb cuts shall be determined at the time of preliminary site plan approval. Roads, drives, and curb cuts shall be complete to the extent required for occupancy prior to issuance of a certificate of occupancy.

Developer shall ensure that once constructed, all required vehicular and pedestrian access shall remain open to all required parts of the Development and be properly maintained, including but not limited to the public and private sidewalks, and exterior light fixtures.

- f. Water and Sewer: Developer shall construct and install the improvements and/or connections tying into the municipal water and sewage systems.

All water and sewer improvements shall be designed and constructed by Developer in accordance with the approved PRO Plan and all applicable Legal Requirements, subject to final engineering plan approval at the time of site plan review. Such water and sanitary sewer facilities, including any on-site and off-site facilities, if any, extensions, and easements to reach the area to be served, shall be provided by and at the sole expense of the Developer, and shall be completed and approved as determined at the time of site plan approval before issuance of any building permits for any building.

- g. Storm Water: The storm water management system for the Property shall be approved by the City as part of the review and approval of the site plan for the Property. In general, the storm water collection,

pre-treatment, storage, and transportation facilities shall be included as part of the final engineering plan independently approved for the Development. The Development shall be constructed to achieve a storm water management system that assures that the quality and quantity of storm water will be in accordance with all applicable ordinances, regulations, and laws.

- iv. **Performance Guarantees.** The City shall require Developer to provide performance and financial guarantees for the completion of the improvements, including, without limitation, road, right-of-way improvements, water mains, sanitary sewers, storm drains, site amenities, and landscaping and tree planting activities. Such financial guarantees shall cover the site improvements for the project as determined by the City. Such financial guarantees may include cash deposits or letters of credit as allowed by the current provisions of the City's Code of Ordinances. Deposit and administration of financial guarantees shall be subject to the requirements and conditions of Chapter 26.5 of the City of Novi Code and any other related rules or regulations. Any deviations or requests for relief from this provision shall be considered by City Council as a deviation from Chapter 26.5, and will not require an amendment to the PRO Agreement or PRO Plan if approved by the City Council.
- v. **Compliance with Laws.** The development and use of the Property shall be in accordance with all applicable laws, ordinances, and regulations, including all applicable setback requirements of the Zoning Ordinance under the Proposed Classification, except as expressly authorized herein, all storm water and soil erosion requirements and measures, both throughout the site during the design and construction phases of the Development and during the subsequent use of the Property as contemplated in this Agreement, and all traffic laws.
- vi. **Other City Authority.** Nothing in this Agreement shall prevent the City from exercising its regulatory and other authority with respect to the Property and the Development in a manner consistent with the PRO Plan and this Agreement.
- vii. **Application Fees; Connection Fees.** The Developer shall be responsible to pay all application and review fees as and when required under the City Ordinances, including but not limited to planning, engineering, legal, and any consultant fees in connection with the review and approval of the Development. Such amounts shall be due upon invoice, and failure to pay amounts owed shall entitle the City to cease review, approval, and/or issuance of permits. In addition, the Developer shall pay all required water and sewer connection and tap charges and fees, without reduction, as provided in the City Ordinances as and when required. Such fees may be

timely paid by others in connection with the development of individual unit owners.

- viii. **Property Maintenance Obligations.** Developer agrees, at its expense, to operate, maintain, repair, manage, and improve the entire Development site during buildout of the development. Developer shall be responsible to preserve and maintain the storm water drainage facilities, driveways, sidewalks and pathways, and any and all areas disturbed in connection with the Development to ensure that the same continue to function as intended, and are stabilized, and meet all standards of applicable laws and ordinances for property maintenance, including, but not limited to regular snow and ice removal. Developer shall establish a regular and systematic program of maintenance for the development to ensure that the physical condition and intended function of such areas and facilities shall be perpetually preserved and maintained.

Notwithstanding any other remedies in this Agreement, in the event that Developer shall at any time fail to carry out the responsibilities above, and/or in the event of a failure to preserve and/or maintain such areas or facilities in reasonable order and condition, the City may serve written notice upon Developer setting forth the deficiencies in maintenance and/or preservation. Notice shall also set forth a demand that the deficiencies be cured within a stated reasonable time period, and the date, time, and place of the hearing before the City Council, or such other Council, body, or official delegated by the City Council, for the purpose of allowing Developer to be heard as to why the City should not proceed with the maintenance and/or preservation which has not been undertaken.

At the hearing, the time for curing the deficiencies and the hearing itself may be extended and/or continued to a date certain. If, following the hearing, the City Council or other body or official designated to conduct the hearing determines that the required maintenance and/or preservation have not been undertaken within the time specified in the notice, the City shall have the power and authority, but not the obligation, to enter upon the property, or cause its agents or contractors to enter upon the property, and perform such maintenance and/or preservation as reasonably found by the City to be appropriate. The cost and expense of making and financing such maintenance and/or preservation, including the cost of notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in the amount of 25% of the total of all costs and expenses incurred, shall be paid by Developer, and such amount shall constitute a lien on the property.

The City may require the payment of such monies prior to the commencement of work. If such costs and expenses have not been paid

within 30 days of a billing to the Developer, all unpaid amounts may be placed on the delinquent tax roll of the City and shall accrue interest and penalties, and be collected as, and deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. In the discretion of the City, such costs and expenses may be collected by suit initiated against Developer, and, in such event, the Developer shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.

- ix. **Staff and Consultant Review Letters.** Developer shall comply with all conditions listed in the staff and consultant review letters not inconsistent with the terms of this Agreement.
- x. **Developer Representations.** Developer hereby makes the following acknowledgments, representations, and warranties to City, which representations and warranties shall be true and correct as of the date hereof:
 - a. Developer is duly organized and validly existing, in good standing under the laws of the state of Michigan, authorized to do business under the laws of the state of Michigan and has all requisite power and authority to own and operate its assets and properties, to carry on its business as now being conducted, and to enter into and perform the terms of this Agreement. Developer has provided City with an accurate and complete copy of its Articles of Organization and Certificate of Good Standing in effect as of the date of this Agreement ("Organizational Documents"), and agrees to provide accurate and complete copies of any revisions or modifications to the Organizational Documents.
 - b. Developer has no notice of and there is no pending litigation, administrative action or examination, claim or demand before any court or any federal, state or municipal governmental department, commission, board, bureau, agency or instrumentality thereof which would affect Developer or its principals from carrying out the covenants and promises made herein.
 - c. Developer is financially able to complete the Development.
 - d. Developer shall construct all improvements for the Development in a good and workmanlike manner employing quality contractor(s), construction manager(s), and other professional possessing the requisite experience and competency to construct such improvements.

- e. Developer represents that it has sufficient control of its contractors, employees, agents, suppliers, clients, and other that it can comply with all provisions of this PRO Agreement.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **Developer Obligations.** Upon execution of this Agreement by the parties:
 - a. The Property shall be developed only in accordance with the Undertakings, the PRO Plan, the PRO Conditions, Legal Requirements, City Ordinances (as amended), and this Agreement (collectively, the “**PRO Documents**”);
 - b. Developer shall comply with the PRO Documents;
 - c. Developer shall forbear from acting in a manner inconsistent with the PRO Documents;
 - d. Developer shall complete all actions necessary to carry out all of the obligations in the PRO Documents.
2. **Authorized Deviations.** The following deviations from the standards of the Zoning Ordinance are hereby authorized pursuant to §3402.D.1.c of the City’s Zoning Ordinance:
 - a. Deviation from Section 3.10.3 to allow the Service Bay Doors to face a major thoroughfare and a residential district. The service reception area is proposed to have a total of four overhead doors. The northern overhead doors are 129 feet from the Grand River Avenue right of way. The southern overhead doors are located 281 feet from the southern property line. There will be a screen wall and berm with landscaping along the southern property line to screen the overhead doors from the residential uses from the south. The overhead doors are needed for customer use.
 - b. Traffic deviation from Section 5.3.12. There are two locations, on either side of the building, where 2 customer parking spaces have an end island on one side, but not the side adjacent to the entry/exit point of the service area. This is supported as the area next to the parking spaces has been striped out.
 - c. Landscape deviation from Section 5.5.3.B.ii and iii to permit a continuous evergreen hedge along Grand River Avenue and Joseph Drive in lieu of the required minimum 3-foot-high berm along the road rights of way. The deviation is supported as the applicant has proposed to use evergreen shrubs to achieve the screening intent of the ordinance.

- d. Landscape deviation from Section 5.5.3.D to permit only 79 percent of the required building foundation landscaping to be located at the building. This is supported as the required foundation area is provided in total, and the remaining landscaping is placed in areas that will enhance the appearance of the site.
 - e. Lighting deviation from Section 5.7.3.L to exceed the 1 footcandle limit at the north and east property lines (3.4 fc and 6.2 fc, respectively). This deviation is supported as these areas are illuminating the sidewalks along the road frontages.
 - f. Façade deviation from Section 5.15 for the north facade to contain 0% brick rather than the minimum 30 percent brick. The front consists of 70 percent showroom glass and 30 percent flat metal panels. The deviation is supported as the addition of brick would not offer an enhancement to the design.
 - g. Landscape deviation from Section 5.5.3.B.ii and iii for insufficient screening berm for the southeastern portion of the property that abuts parcel 22-24-326-004. This deviation is supported as it was requested by the adjacent property owner in order to preserve existing trees, however additional inspection as to the viability of the trees shall be conducted by the applicant before final approval and landscaping shall be provided to achieve the 80-90 percent opacity requirement.
3. **Revocation of Rights.** In the event Developer attempts to or proceeds with actions to complete improvement of the Land in any manner other than as described herein and shown on **Exhibit B**, or if Developer refuses to or cannot comply with the PRO Conditions, the City shall be authorized to revoke all outstanding building permits and certificates of occupancy issued for such building and use.
4. **Modifications; Required Amendments.** Minor modifications to the approved PRO Plan may be approved administratively if the Zoning Ordinance (interpreted as though the approved PRO Plan is an approved site plan for purposes of this Paragraph only) would otherwise allow an administrative site plan review and approval, so long as the City Planner determines that the modifications (i) are minor, (ii) do not deviate from the general intent of the PRO Plan, and (iii) do not result in increased impacts on the surrounding development and existing infrastructure. The Planning Commission shall also be permitted to authorize amendments to the PRO Plan in its review of the site plans for the Development, with regard to parking-related, landscaping-related, and façade-related requirements, provided it would otherwise have that authority under the Zoning Ordinance.

5. **General Provisions:**

- a. The Zoning Board of Appeals (the “**ZBA**”) shall have no jurisdiction over the Property or the application of this Agreement, except for sign permits, until after site plan approval and construction of the Development as approved therein. In no event shall the ZBA be permitted to vary any terms or conditions of this Agreement.
- b. A breach of this Agreement shall constitute a nuisance *per se, which shall be abated*. Developer and the City therefore agree that, in the event of a breach of this Agreement by Developer, the City, in addition to any other relief to which it may be entitled at law or in equity, or any other provisions of this Agreement, shall be entitled under this Agreement to relief in the form of specific performance (except as to construction of the buildings, unless construction of a building has commenced) and an order of the court requiring abatement of the nuisance *per se*. In the event of a breach of this Agreement, the City may notify Developer of the occurrence of the breach and issue a written notice requiring the breach be cured within thirty (30) days; provided, however, that if the breach, by its nature, cannot be cured within thirty (30) days, Developer shall not be in the breach hereunder if Developer commences the cure within the thirty (30) day period and diligently pursues the cure to completion. Failure to comply with such notice shall, in addition to any other relief to which the City may be entitled in equity or at law, render Developer liable to the City in any suit for enforcement for actual costs incurred by the City including, but not limited to, reasonable attorneys’ fees, expert witness fees and the like.
- c. This Agreement may not be amended except in writing signed by the parties and recorded in the same manner as this Agreement. In the event the Developer desires to propose an amendment, an application shall be made to the City’s Department of Community Development, which shall process the application in accordance with the procedures set forth in the Zoning Ordinance.
- d. The parties understand and agree that if any part, term, or provision of this Agreement is held by a court of competent jurisdiction, and as a final enforceable judgment, to be illegal or in conflict with any law of the State of Michigan or the United States, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provisions held to be invalid.
- e. This Agreement shall be governed by the laws of the State of Michigan, both as to interpretation and performance. Any and all suits for any and every

breach of this Agreement may be instituted and maintained in any court of competent jurisdiction in the County of Oakland, State of Michigan.

- f. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. A delay in enforcement of any provision of this Agreement shall not be construed as a waiver or estoppel of the City's rights to eventually enforce, or take action to enforce, the terms of this Agreement. All remedies afforded in this Agreement shall be taken and construed as cumulative; that is, all remedies afforded in this Agreement are in addition to every other remedy provided by law.
- g. The signers of this Agreement warrant and represent that they have the authority to sign this Agreement on behalf of their respective principals and the authority to bind each party to this Agreement according to its terms. Further, each of the parties represents that the execution of this Agreement has been duly authorized and is binding on such parties as and when provided herein.
- h. This Agreement and all of its covenants, restrictions, and conditions are made for the benefit of the property and the community and shall run with the land described herein as the Property and bind the parties, their heirs, successors, and assigns. The Parties acknowledge that the Property is subject to changes in ownership and/or control at any time, but that heirs, successors, and assigns shall take their interest subject to the terms of this Agreement. All references to the "Developer" in this Agreement shall also include all respective heirs, successors, and assigns of Developer, all future owners of any parcels or units created by the proposed land divisions or condominium(s). The City shall have the right to enforce the Agreement and its covenants, restrictions, and conditions against Developer or its heirs, successors, and assigns.
- i. This Agreement shall be recorded in the Oakland County Register of Deeds.
- j. Developer has negotiated with the City the terms of the PRO Plan, the PRO Conditions, and this Agreement, and such documentation represents the product of the joint efforts and mutual agreements of the Parties. Developer fully accepts and agrees to the final terms, conditions, requirements and obligations of the PRO Plan and PRO Agreement, and Developer shall not be permitted in the future to claim that the effect of the PRO Plan and PRO Agreement results in an unreasonable limitation upon uses of all or a portion of the Property, or claim that enforcement of the PRO Plan and PRO Agreement causes an inverse condemnation, other condemnation or taking of all or any portion of the Property. Developer, and the City agree that this Agreement and its terms, conditions, and requirements are lawful and consistent with the intent and provisions of

local ordinances, state and federal law, and the Constitutions of the State of Michigan and the United States of America. Developer specifically has offered and agreed to proceed with the Undertakings, the PRO Conditions, and any other obligations as set forth in this Agreement in order to protect the public health, safety, and welfare and provide material advantages and development options for Developer, all of which Undertakings, PRO Conditions, and other obligations Developer and the City agree are necessary in order to ensure public health, safety, and welfare, to ensure compatibility with adjacent uses of land, to promote use of the Property in a socially, environmentally, and economically desirable manner, and to achieve other reasonable and legitimate objectives of the City and Developer, as authorized under applicable City ordinances and the Michigan Zoning Enabling Act, MCL 125.3101, *et seq.*, as amended.

Developer further agrees and acknowledges that the terms, conditions, obligations, and requirements of this Agreement are clearly and substantially related to the burdens to be created by the development and use of the Property under the PRO Plan, and are, without exception, clearly and substantially related to the City's legitimate interests in protecting the public health, safety and general welfare.

- k. Developer acknowledges that, at the time of the execution of this Agreement, Developer has not yet obtained site plan or engineering approvals for the Property. Developer acknowledges that the Planning Commission and City engineering staff/consultants may impose additional conditions other than those contained in this Agreement during site plan and engineering reviews and approvals as authorized by law; provided, however, that any such additional conditions shall not be inconsistent with the PRO Plan and this Agreement and shall not change or eliminate any development right authorized thereby. Such conditions shall be incorporated into and made a part of this Agreement.
- l. None of the terms or provisions of this Agreement shall be deemed to create a partnership or joint venture between the Parties.
- m. The Recitations contained in this Agreement and all exhibits attached to this Agreement and referred to herein shall for all purposes be deemed to be incorporated in this Agreement by this reference and made a part of this Agreement. Headings are descriptive only. The Exhibits attached hereto are as follows:

Exhibit A - Description & Depiction of the Property

Exhibit B - PRO Plan

Exhibit C – Staff and Consultant Review Letters

- n. This Agreement is intended as the complete integration of all understandings between the Parties related to the subject matter herein. No prior contemporaneous addition, deletion, or other amendment shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent notation, renewal, addition, deletion or other amendment shall have any force or effect unless embodied in a written amendatory or other agreement executed by the parties required herein, other than additional conditions which may be attached to site plan approvals as stated above.
- o. The Parties intend that this Agreement shall create no third-party beneficiary interest except for an assignment pursuant to this Agreement. The Parties are not presently aware of any actions by them or any of their authorized representatives which would form the basis for interpretation construing a different intent and expressly disclaim any such acts or actions, particularly in view of the integration of this Agreement.
- p. Where there is a question with regard to applicable regulations for a particular aspect of the development, construction and use of all or any portion of the Property, or with regard to clarification, interpretation, or definition of terms or regulations, and there are no express provisions of the PRO Plan and this Agreement which apply, the City, in the reasonable exercise of its discretion, shall determine the regulations of the City's Zoning Ordinance, as such Ordinance may have been amended, or other City Ordinances that shall be applicable, provided that such determination is not inconsistent with the nature and intent of the PRO Plan and this Agreement and does not delay, change or eliminate any development rights authorized by the PRO Plan and this Agreement. In the event of a conflict or inconsistency between two or more provisions of the PRO Plan (including notes thereto) and/or this Agreement, or between such documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of the City, shall apply.
- q. The Parties acknowledge and agree that they have had the opportunity to have the PRO Plan and this Agreement reviewed by legal counsel.
- r. This Agreement is subject to termination and/or expiration in accordance with and as provided by the City's Zoning Ordinance.
- s. This Agreement may be signed in counterparts.

{Signatures begin on following page}

DEVELOPER:
FELDMAN KIA OF NOVI, a Michigan
Limited Liability Company

By: _____
Its: _____

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this _____ day of _____, 2025, before me appeared
_____ of **FELDMAN KIA OF NOVI, a**
Michigan Limited Liability Company, on its behalf.

Notary Public
_____ County
Acting in _____ County
My commission expires: _____

{Signatures continue on following page}

CITY OF NOVI

By: Justin Fischer
Its: Mayor

By: Cortney Hanson
Its: Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this _____ day of _____, 2025, before me appeared **Justin Fischer and Cortney Hanson**, who stated that they had signed this document of their own free will on behalf of the **City of Novi** in their respective official capacities, as stated above.

Notary Public
_____ County
Acting in _____ County
My commission expires: _____

Drafted by:

Elizabeth Kudla Saarela
Rosati, Schultz, Joppich & Amstbuechler, PC
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331-5627

When recorded return to:

Cortney Hanson, Clerk
City of Novi
45175 Ten Mile Road
Novi, MI 48375

{Exhibits commence on following page}

Exhibit A

Description & Depiction of the Property

EXHIBIT A TO PLANNED REZONING OVERLAY (PRO) AGREEMENT
BETWEEN FELDMAN KIA OF NOVI AND CITY OF NOVI

LEGAL DESCRIPTION OF THE PROPERTY

LOT 1, LESLIE PARK SUBDIVISION, ACCORDING TO THE PLAT AS RECORDED IN LIBER 83 OF PLATS, ON PAGE 27, OAKLAND COUNTY RECORDS AND PART OF THE WEST 1/2 OF SECTION 24, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 2368.42 FEET TO THE CENTERLINE OF GRAND RIVER AVENUE (100 FEET WIDE); THENCE NORTH 71 DEGREES 11 MINUTES 23 SECONDS WEST ALONG THE CENTERLINE OF SAID GRAND RIVER AVENUE, 548.26 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 52.82 FEET TO THE POINT OF BEGINNING, ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 475.39 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 71 DEGREES 11 MINUTES 23 SECONDS WEST ALONG IN PART THE SOUTH LINE OF SAID LOT 1 AND THE NORTH LINE OF WILLOWBROOK FARM SUBDIVISION, AS RECORDED IN LIBER 254 OF PLATS, ON PAGE 1, OAKLAND COUNTY RECORDS, 472.25 FEET TO THE NORTHWEST CORNER OF LOT 15 OF SAID WILLOWBROOK FARM SUBDIVISION; THENCE NORTH 00 DEGREES 00 MINUTES 57 SECONDS EAST, 475.34 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID GRAND RIVER AVENUE; THENCE SOUTH 71 DEGREES 11 MINUTES 23 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 472.10 FEET TO THE POINT OF BEGINNING.

Parcel ID: 22-24-326-014 and 22-24-326-024

Exhibit B

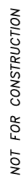
PRO Plan

LEGEND:	SYMBOL	DESCRIPTION
EX. CATCH BASIN	□	EX. SOIL DRAIN
EX. MANHOLE	○	EX. VALEIN
EX. GROUND SURFACE	—	EX. WATERSHED
EX. OVERSIGHT STRUCTURE	□	EX. WATERSHED BELL
EX. CONDUIT/POUT MAIN	—	EX. AIR CONDENSER
EX. CLEANOUT	○	EX. TRAFFIC SIGNAL
EX. HYDRANT	●	PROG. FLOOD ELEVATION
EX. WATER VALVE	—	PROG. CURB & GUTTER (PITCH IN)
EX. WATER SHUTOFF	—	PROG. CURB & GUTTER (PITCH OUT)
EX. WATER MAIN	—	PROG. FLOOD ELEVATION
EX. GAS VENT	—	PROG. WATER MAIN
EX. ELECTRIC/GAS REEF	—	PROG. STRUCTURE
EX. FENCE	—	PROG. SANITARY MAIN
EX. TRANSFORMER	—	PROG. CLEANOUT
EX. LIGHTPOLE	—	PROG. HYDRANT
EX. LIGHT	—	PROG. GATE VALVE
EX. CUL. ARCH	—	PROG. ELEV. CHANGING STATION
EX. TIE	—	PROG. GUTTER ELEV.
EX. TIE & NUMBER	—	PROG. TOP OF CURB ELEV.
EX. THE LINE	—	PROG. TOP OF PARALLEL ELEV.
EX. SANITARY REEF	—	PROG. SPOT ELEV.
EX. WATER MAIN	—	PROG. DISTANCE AROUND
EX. ELECTRIC CABLE	—	PROG. THE PROJECTION FENCE
EX. COMMUNICATION	—	PROG. INLET RATES
EX. OVERHEAD LINE	—	PROG. ASPHALT
EX. SIGN	—	PROG. CONCRETE
EX. POST/BOLLARD	—	PROG. LIGHT POLE
EX. WATER BELL	—	PROG. LIGHT POLE
EX. RAILROAD SIGNAL	—	PROG. LIGHT POLE
EX. SATELLITE DISH	—	PROG. LIGHT POLE
EX. THE TRAMP	—	PROG. LIGHT POLE
EX. FANNING WATER	—	PROG. LIGHT POLE
EX. UTILITY MARKING	—	PROG. LIGHT POLE

NOTE: THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN ATTACHED DRAWING. THE DRAWING MAY BE REPRODUCED BY ANY UTILITY COMPANY. RECORDS AND NOT BE REPRODUCED BY ANY OTHER PARTY. THE COMPANY HAS NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND MARK UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES. THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.



1	COVER SHEET	
2	PRELIMINARY SITE PLAN	
3	TOPOGRAPHIC SURVEY	
4	RELLINGWORTH CRODING PLAN	
5	PRELIMINARY STORM WATER MANAGEMENT PLAN	
6A	PRELIMINARY STORM WATER MANAGEMENT PLAN	1
6B	PRELIMINARY STORM WATER MANAGEMENT PLAN	2
7	SITE DETAILS	1
8	SITE DETAILS	2
9	GRAND RIVER AVE. PROPOSED BUS STOP IMPROVEMENTS (PUBLIC BENEFIT)	
ALLEN DESIGN		
L-1	LANDSCAPE PLAN	
L-2	LANDSCAPE PLAN	
L-3	LANDSCAPE DETAILS	
L-4	JOSEPH DRIVE	
TS15/5 DETROIT ARCHITECTS		
SP1.0	COMPOSITE FLOOR PLAN	
SP1.1	ARCHITECTURAL SITE PLAN	
SP1.2	ARCHITECTURAL SITE PLAN	SIGNAGE
SP1.3	ARCHITECTURAL SITE PLAN	PRO SIGNAGE
SP1.4	ARCHITECTURAL SITE DETAILS	
A2.1	PHOTOMETRICS PLAN	
A2.2	PHOTOMETRICS PLAN	ISOMETRIC VIEW
P-1	PHOTOMETRIC RENDERING PLAN	
P-2	PHOTOMETRIC RENDERING PLAN	
P-3	PHOTOMETRIC RENDERING PLAN	





DRAINAGE NARRATIVE:

THE CITY OF GRAND RIVER HAS REVIEWED THE SUBMITTAL AND HAS DETERMINED THAT THE SUBMITTAL IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF GRAND RIVER'S STANDARDS AND SPECIFICATIONS FOR THE SUBMITTAL. THE CITY OF GRAND RIVER HAS REVIEWED THE SUBMITTAL AND HAS DETERMINED THAT THE SUBMITTAL IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF GRAND RIVER'S STANDARDS AND SPECIFICATIONS FOR THE SUBMITTAL.

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STORM WATER CALCULATIONS:

Table with 4 columns: Building, Pavement, Area, and Runoff Coefficient (C). Rows include Building, Pavement, Area, and Runoff Coefficient (C).

CALCULATE THE WEIGHTED RUNOFF COEFFICIENT:

$$C_{weighted} = \frac{C_1A_1 + C_2A_2 + \dots + C_nA_n}{A_1 + A_2 + \dots + A_n}$$

CITY OF GRAND RIVER WATER USE IN THE BASIN DESIGN:

Table with 4 columns: Building, Pavement, Area, and Runoff Coefficient (C). Rows include Building, Pavement, Area, and Runoff Coefficient (C).

ESTIMATED VOLUME CALCULATIONS:

Table with 4 columns: Building, Pavement, Area, and Runoff Coefficient (C). Rows include Building, Pavement, Area, and Runoff Coefficient (C).

NO-RECYCLE WATER BASIN DESIGN:

Table with 4 columns: Building, Pavement, Area, and Runoff Coefficient (C). Rows include Building, Pavement, Area, and Runoff Coefficient (C).

NO-RECYCLE WATER BASIN DESIGN:

Table with 4 columns: Building, Pavement, Area, and Runoff Coefficient (C). Rows include Building, Pavement, Area, and Runoff Coefficient (C).

NO-RECYCLE WATER BASIN DESIGN:

Table with 4 columns: Building, Pavement, Area, and Runoff Coefficient (C). Rows include Building, Pavement, Area, and Runoff Coefficient (C).

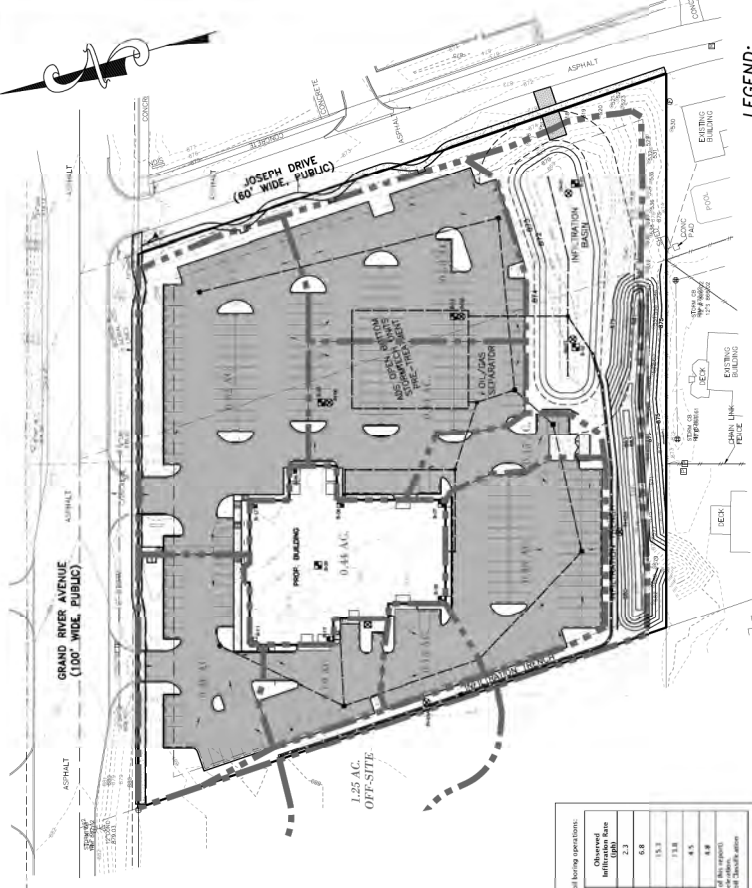
G2 INFILTRATION TESTING RESULTS

Table with 4 columns: Infiltration Location, Test Results, and Observed Infiltration Rate. Rows include Infiltration Location, Test Results, and Observed Infiltration Rate.



EXISTING SOILS

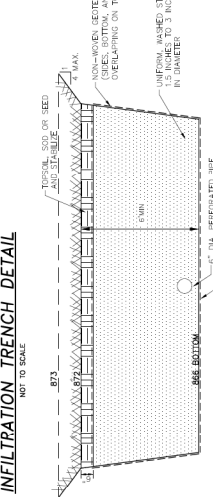
SEE SHEET G2-1 FOR DETAILS.



LEGEND:

- SOIL BORING
- INFILTRATION TEST
- NON-VOLATILE GEOTEXTILE (SEE BOTTOM AND TOP OF SHEET)
- INFILTRATION TRENCH DETAIL
- UNDISTURBED, UNCOMPACTED SUBGRADE
- WRAPPED IN GEOTEXTILE FABRIC
- 6" DIA. REINFORCED PIPE
- 1.5 INCHES TO 3 INCHES IN DIAMETER
- INFILTRATION TRENCH DETAIL
- NOT TO SCALE

INFILTRATION TRENCH DETAIL



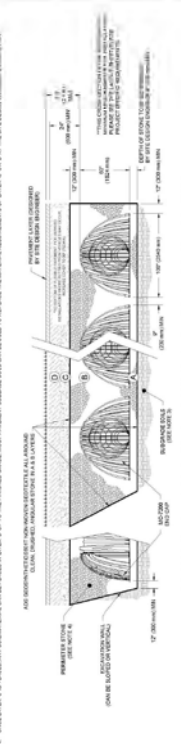
INFILTRATION BASIN CROSS-SECTION

NOTES:
 1. UNIFORM, WASHED STONE, 1.5 INCHES TO 3 INCHES IN DIAMETER WILL BE USED WITHIN THE INFILTRATION BASIN & TRENCH.
 2. INFILTRATION TRENCHES SHALL BE CONSTRUCTED OF A REINFORCED KERALITE PIPE WITHIN THE INFILTRATION BASIN & TRENCH.
 3. GREAT CARE SHALL BE TAKEN DURING CONSTRUCTION TO AVOID COMPACTION OF THE EXISTING IN-SITU SOILS. THE BOTTOM OF THE INFILTRATION FACILITY SHALL BE SCARIFIED OR ROTOTILLED TO A DEPTH OF 6 INCHES TO 8 INCHES TO ENSURE THE POSSIBILITY OF INITIAL SOIL COMPACTION CAUSED BY EXCAVATION WITH HEAVY EQUIPMENT.

NOT FOR CONSTRUCTION



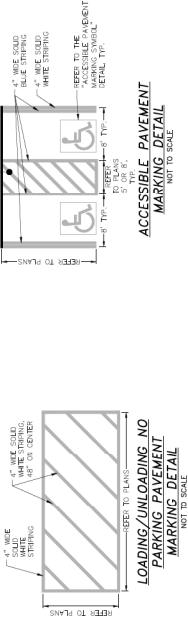
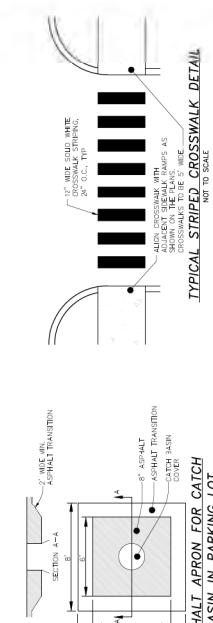
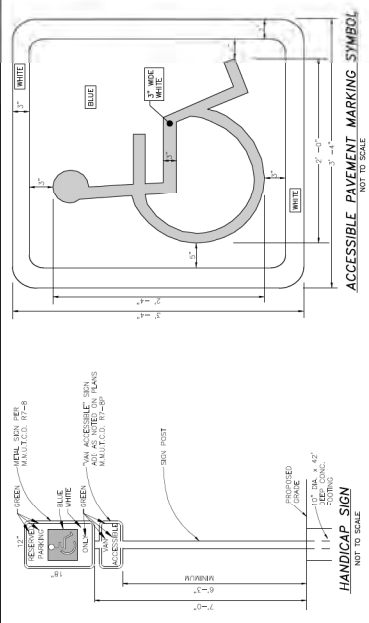
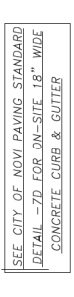
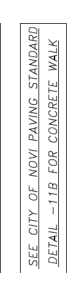
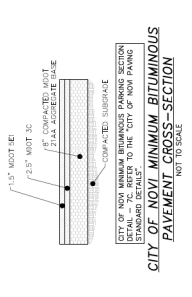
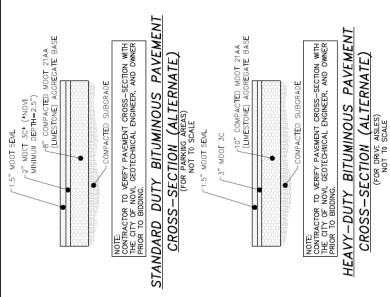
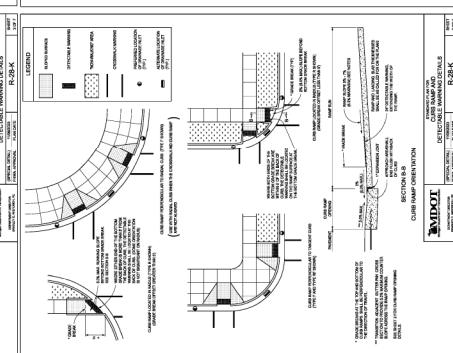
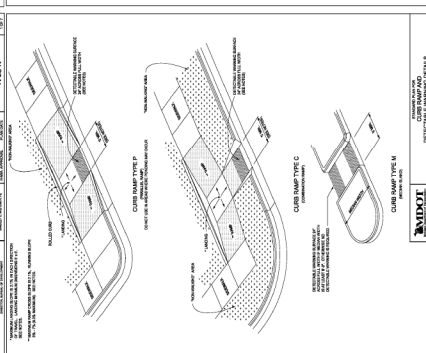
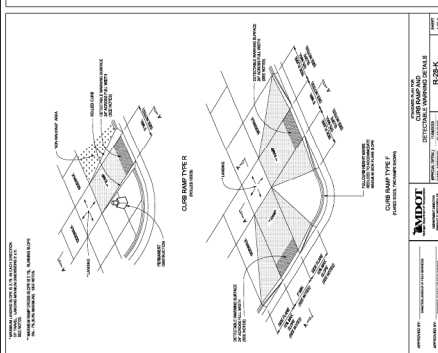
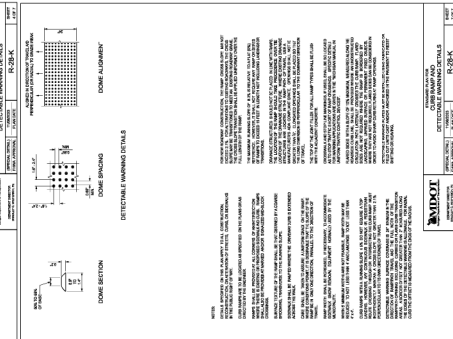
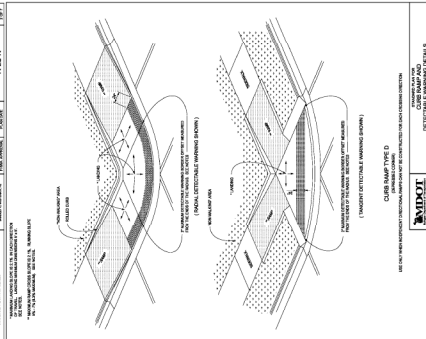
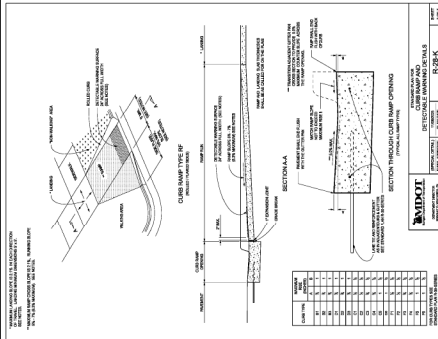
ACCEPTABLE FILL MATERIALS: STORMTECH MC-7200 CHAMBER SYSTEMS

[illegible][illegible]

* FOR COVER DEPTHS GREATER THAN 7.0 (2.1 m) PLEASE CONTACT STORMTECH

- [illegible]

[illegible]

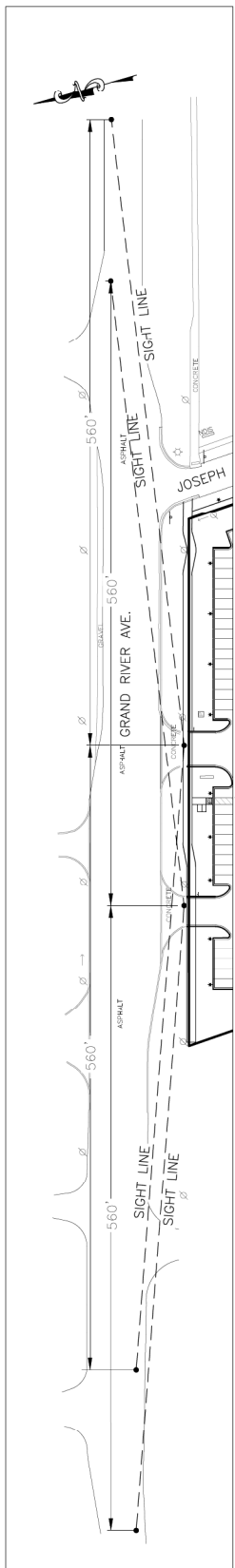


NOT FOR CONSTRUCTION

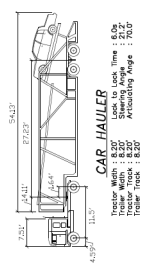
8
DATE: 09-05-2023
DRAWN BY: JG/JG
CHECKED BY: JG/JG
PROJECT: 24
SHEET: 11
SCALE: 1/8" = 1'-0"
DATE: 09-05-2023

CLIENT: FELDMAN 40575 GRAND RIVER AVENUE, LLC
SECTION: 24
CITY OF NOVI
TOWNSHIP OF NOVI
OAKLAND COUNTY
MICHIGAN
RANGE: BE
SHEET: 11
DATE: 09-05-2023
DRAWN BY: JG/JG
CHECKED BY: JG/JG
PROJECT: 24
SHEET: 11
SCALE: 1/8" = 1'-0"
DATE: 09-05-2023

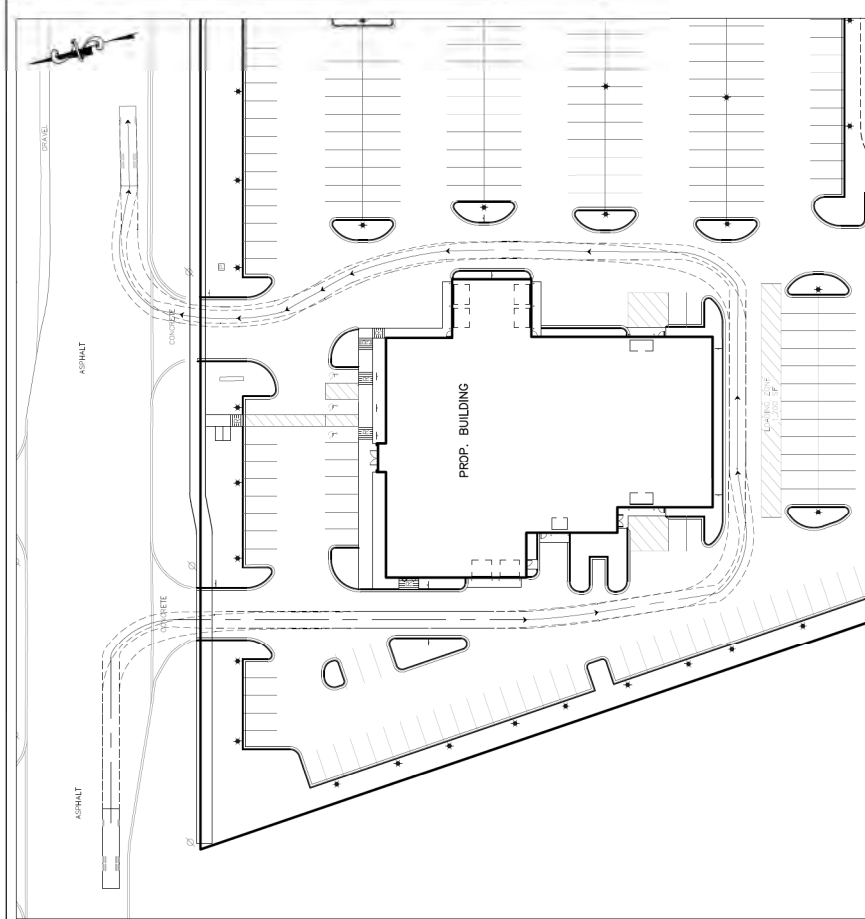
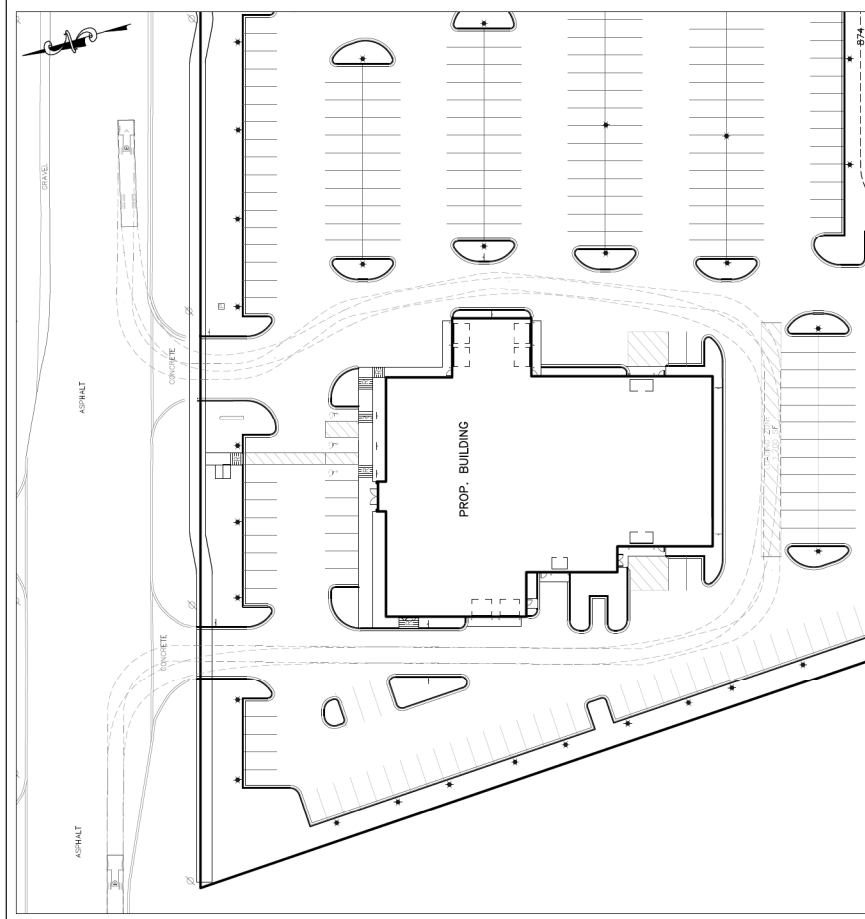
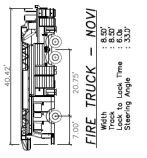
ALPINE ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
40575 GRAND RIVER AVENUE, SUITE 100
NOVI, MICHIGAN 48277
(248) 998-3793 (FAX)
WWW.ALPINE-INC.COM
COMMERCIAL
SURVEYING
INDUSTRIAL & MACHINERY
SITE ENGINEERING
SITE PLANNING
CONSTRUCTION LAYOUT
RESIDENTIAL
BOUNDARY SURVEYS
CONDOMINIUM
SUBDIVISION
CONSTRUCTION LAYOUT
RANGE: BE
SHEET: 11
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DRAWN BY: JG/JG
CHECKED BY: JG/JG
PROJECT: 24
SHEET: 11
SCALE: 1/8" = 1'-0"
DATE: 09-05-2023



CAR HAULER TURNING
1" = 30'



FIRE TRUCK TURNING
1" = 30'



NOT FOR CONSTRUCTION
CONCEPTUAL PLANNING ONLY

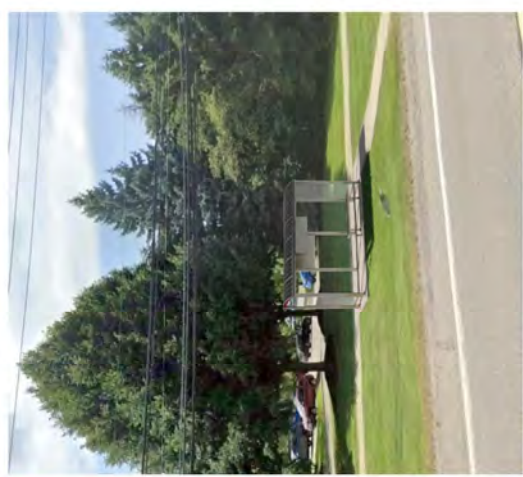
NOTE:
1. SOURCE MAP LAYOUTS ARE CONCEPTUAL AND ARE BASED ON AERIAL INFORMATION ONLY. DUE TO THE LIMITATIONS IN THE RESOLUTION AND ACCURACY OF THE AERIAL DATA, THERE MAY BE DISCREPANCIES IN SCALING OR ALIGNMENTS. A TOPOGRAPHIC SURVEY WILL BE REQUIRED PRIOR TO PREPARING A SITE PLAN TO VERIFY LAYOUT, GRADING, ROW/EASEMENTS, ETC.



EXISTING CONDITIONS (PICTURE 1)
FACING SOUTHEAST



NORTH BENCH



SOUTH BENCH

STUDIO DETROIT
ARCHITECTS

**FELDMAN KIA NOVI
GRAND RIVER BUS STOP SCHEMATIC VISUALIZATIONS**



PROJECT AREA
SCALE: 1" = ±30 FEET



Title: Landscape Details

Project:

Feldman Kia of Novi
Novi, Michigan
40575 Grand River Avenue

Prepared for:

Feiman Automotive Inc.
30400 Lyon Center Drive East
Novi, Michigan 48375

Revision:	Issued:
Review	September 20, 2023
Revised	October 9, 2023
Revised	May 7, 2024
Revised	February 18, 2025
Revised	April 22, 2025

Job Number: 23-0066

Drawn By: _____ Checked By: _____

Sheet No.

L-3



Know what's **below**.
Call before you dig.

JSP 23-24

SHRUB PLANTING DETAIL

NOT TO SCALE

LANDSCAPE NOTES

- [illegible]

CITY OF NOVI NOTES

- [illegible]

SOURCE:

THE APPROXIMATE DATE OF INSTALLATION FOR THE PROPOSED LANDSCAPE WILL BE BETWEEN MARCH/NOVEMBER 2024, 2025.

DEVELOPER SHALL BE RESPONSIBLE FOR REPLACING ANY TREES WITHIN UTILITY EASEMENTS THAT ARE DAMAGED THROUGH NORMAL MAINTENANCE OR REPAIRS.

PLANT MATERIALS SHALL BE GUARANTEED FOR 2 YEARS AND SHALL BE MAINTAINED IN ACCORDANCE WITH CITY ORDINANCES. WARRANTY PERIOD BEGINS AT THE TIME OF CITY APPROVAL. WATERING AS NECESSARY SHALL OCCUR DURING THIS WARRANTY PERIOD.

EVERGREEN TREE PLANTING DETAIL

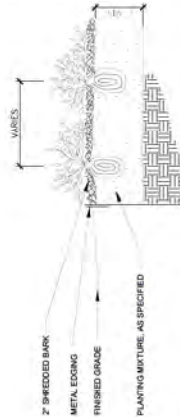
7

3 STAKES PER TREE MAX.

-

MULTI-STEM TREE PLANTING DETAIL

Not to scale



PERENNIAL PLANTING DETAIL

Not to scale

DECIDUOUS TREE PLANTING DETAIL

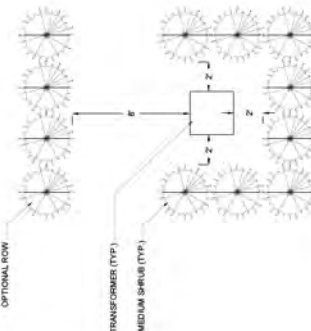
10

LINE NAME STAIRS/DOORS
WHEN, EXCEPT ON SLOPS GREATER
THAN 3:1 ORIENT TO SLOPE

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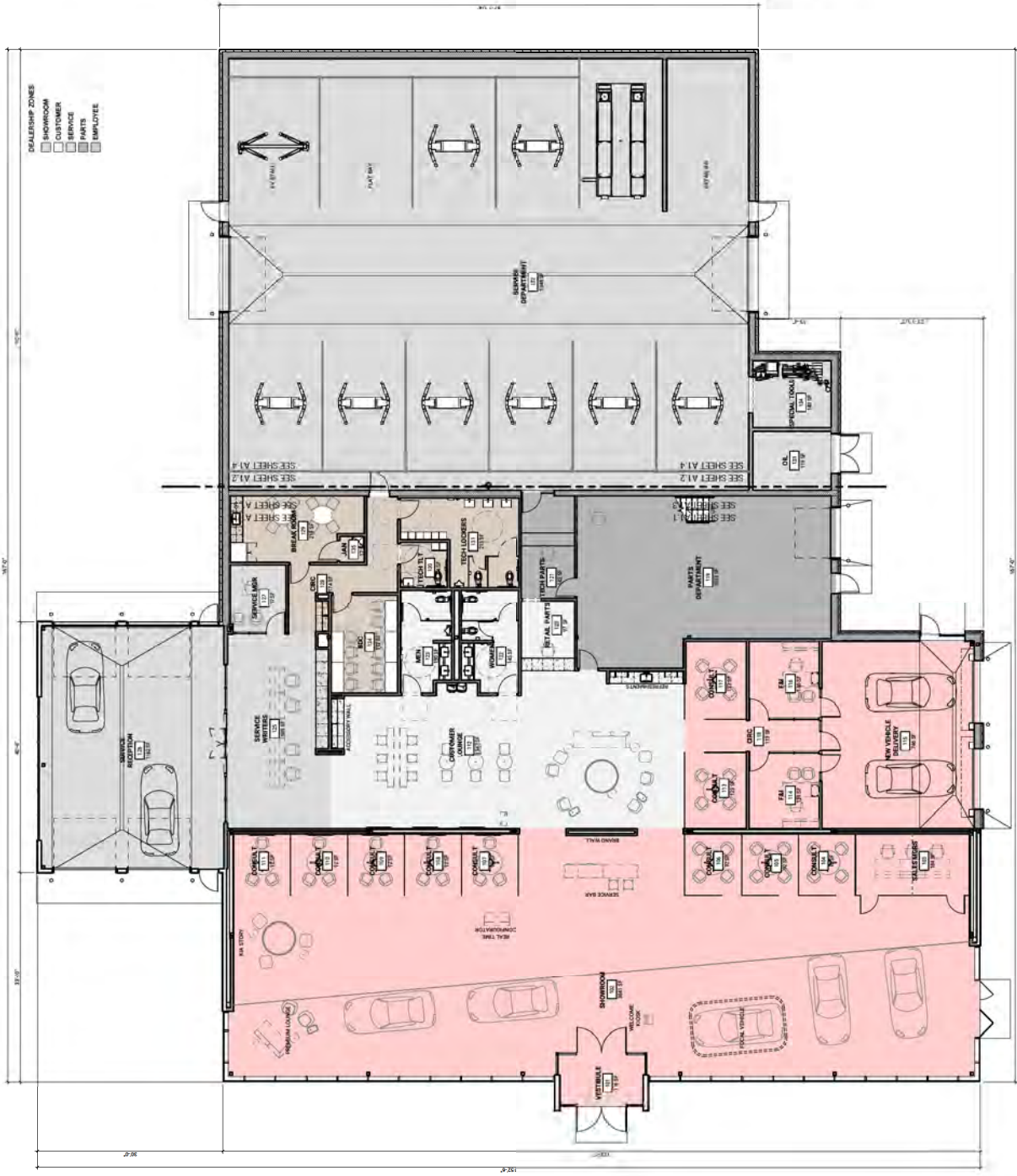
TREE STAKING DETAIL

FREE
that's a word



TRANSFORMER SCREENING DETAIL

Not to scale

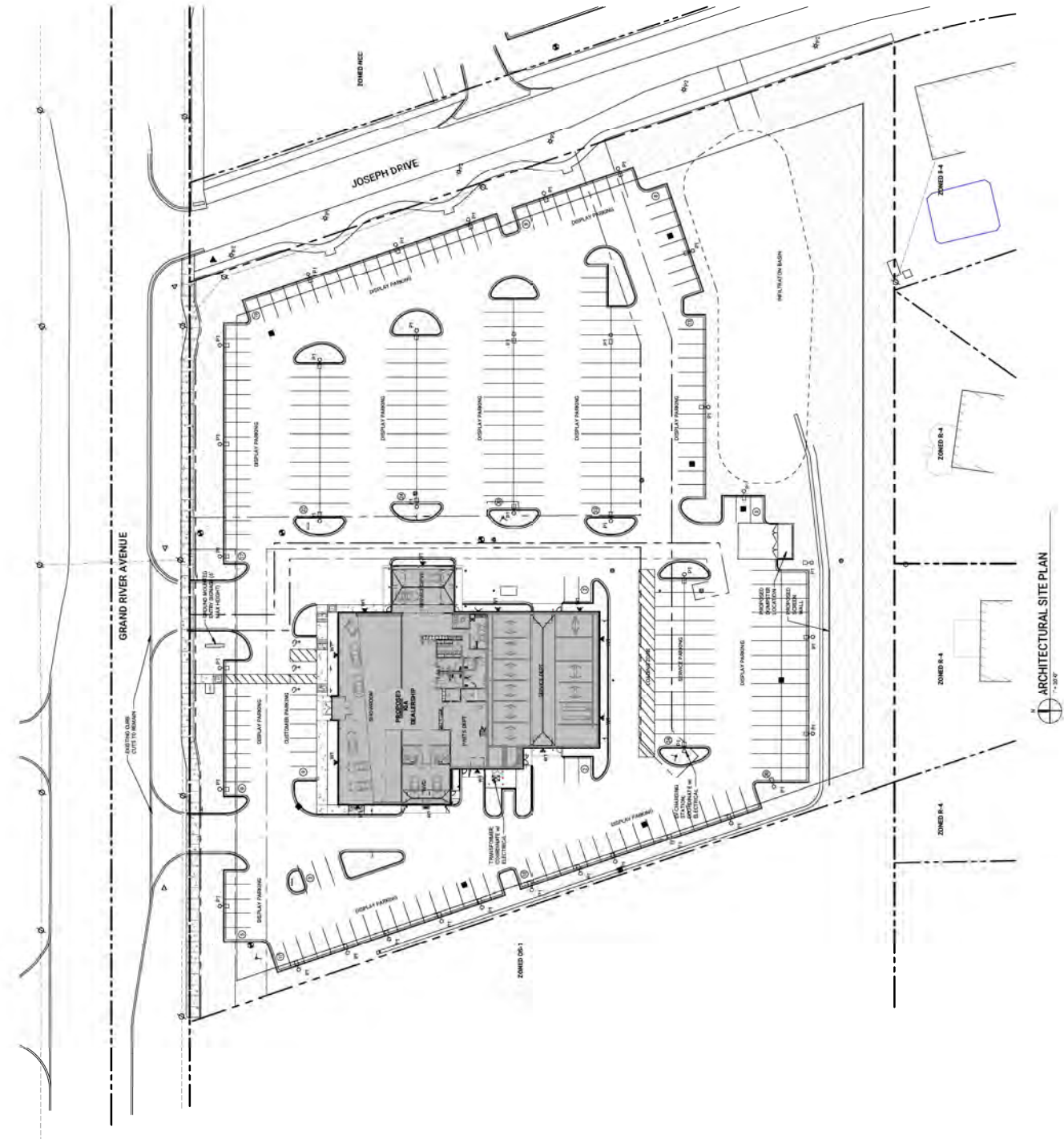


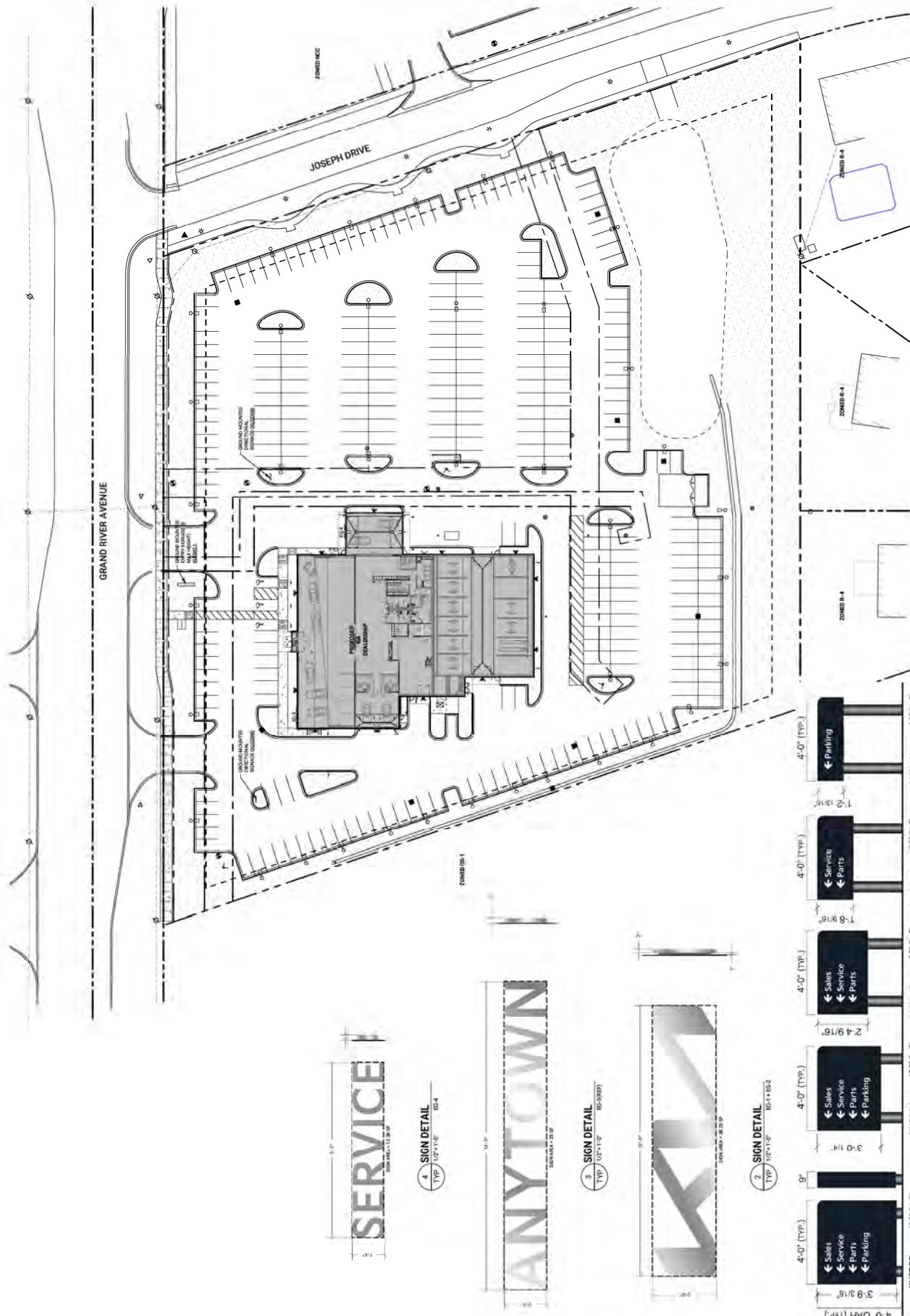
FIRST FLOOR PLAN - COMPOSITE
1/8" = 1'-0"



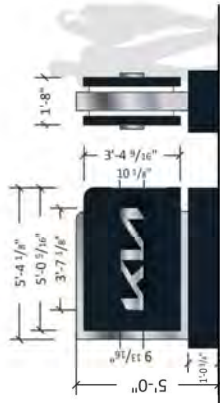
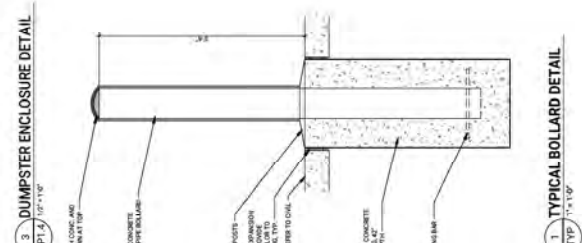
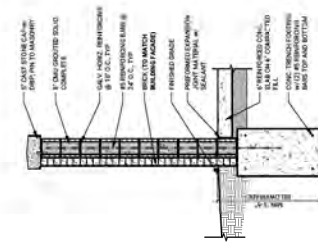
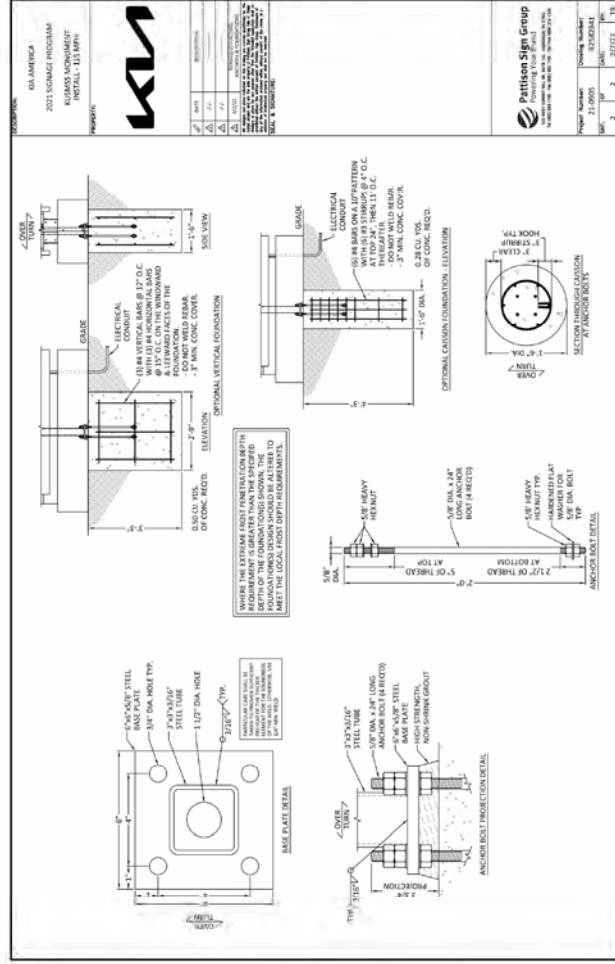
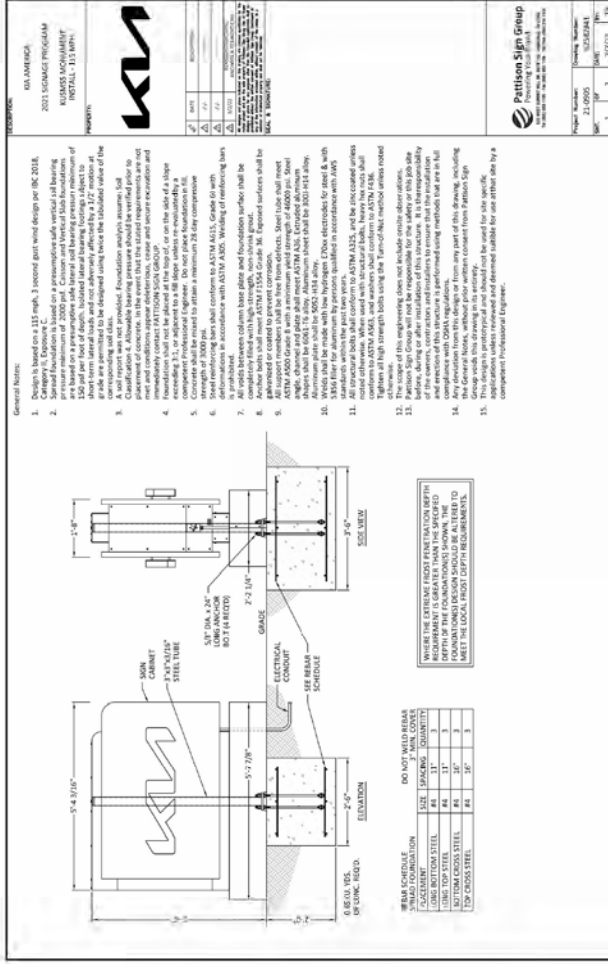
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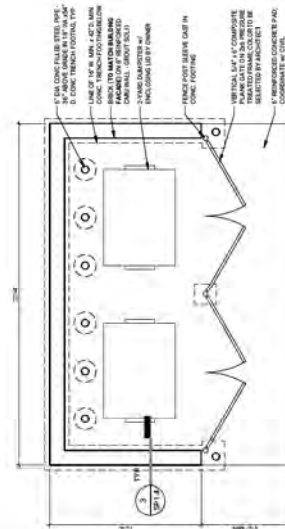
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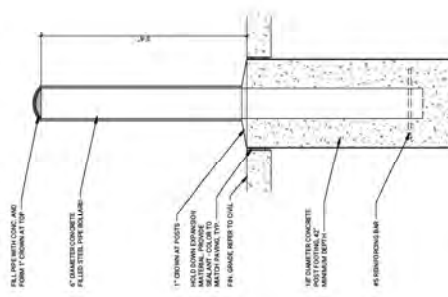
ARCHITECTURAL SITE PLAN - SIGNAGE
1/2" = 1'-0"



Logo: 3 Sq. Ft.
Total: 26.71 Sq. Ft.



2 DUMPSTER ENCLOSURE PLAN
11'4" x 11'0"



1 TYPICAL BOLLARD DETAIL
TYP 1' x 1'-0"

Revisions	Date	Drawn By
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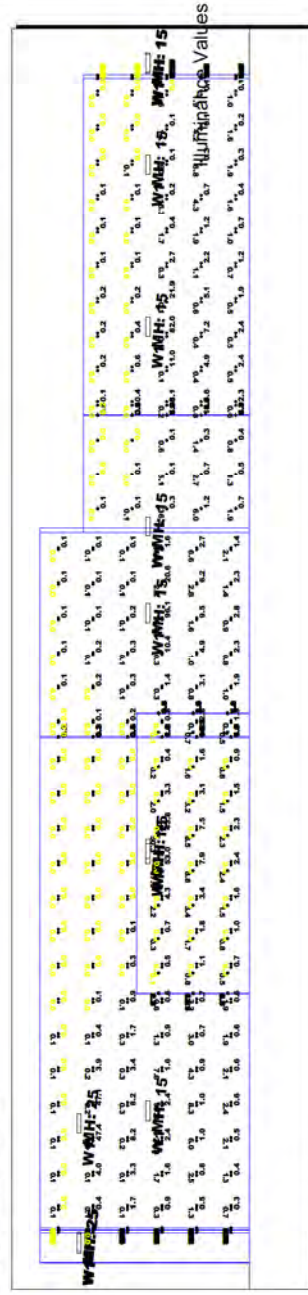
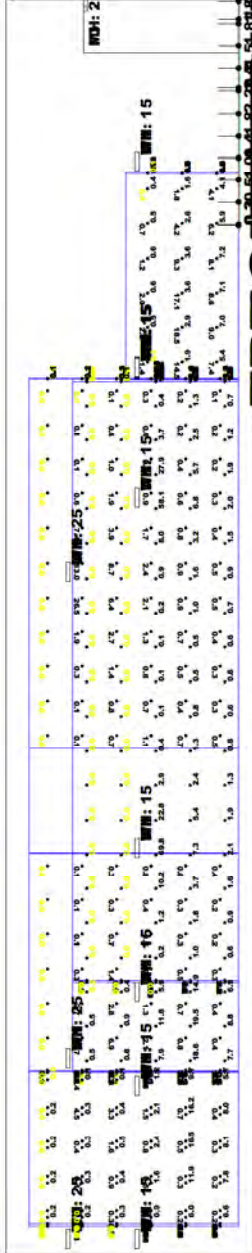
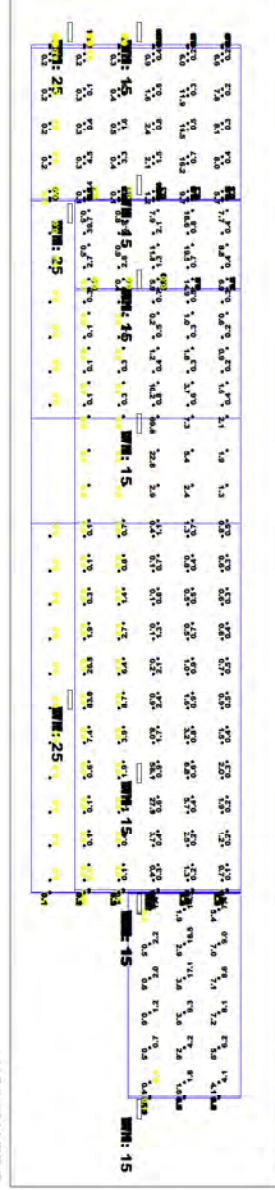
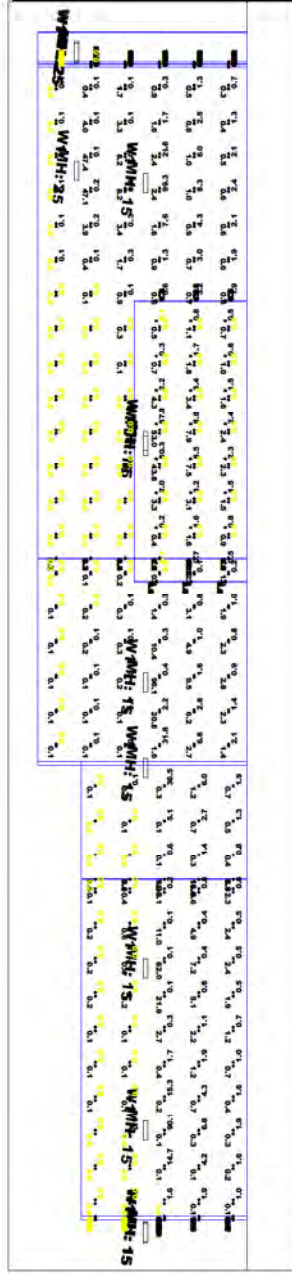
Drawn By: M. Woznicki, LC
Checked By:
Date: 2/13/2025
Scale:

Feldman KIA Novi

7

Page 2 of 4

P-2

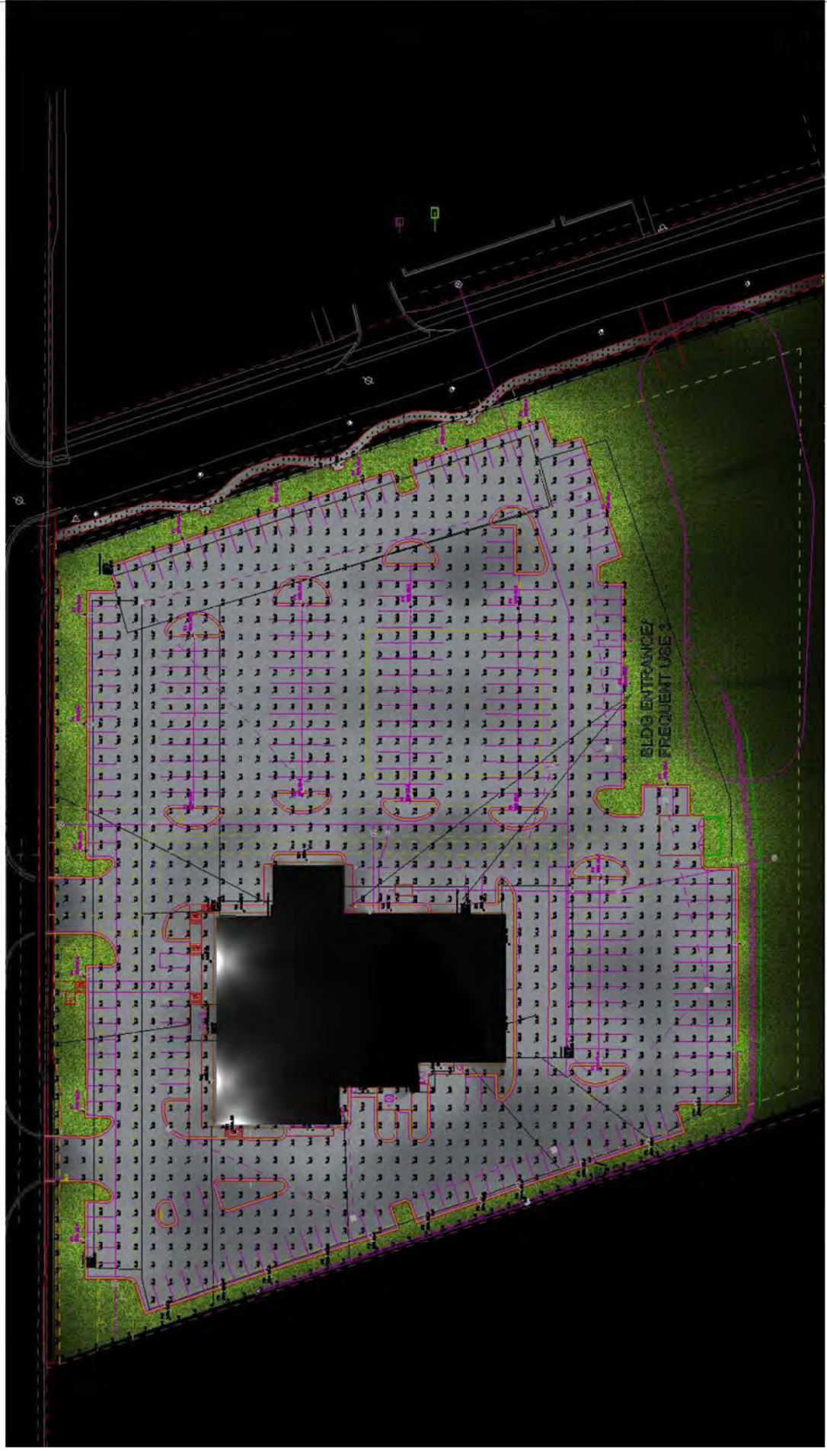


THE ENGINEER AND/OR ARCHITECT MUST DETERMINE THE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THE LIGHTING LAYOUT IS BASED ON THE ASSUMPTIONS AND CONDITIONS LISTED HEREIN. ANY CHANGES TO THE LAYOUT OR CONDITIONS WILL BE THE RESPONSIBILITY OF THE ARCHITECT. THE LIGHTING LAYOUT IS BASED ON THE ASSUMPTIONS AND CONDITIONS LISTED HEREIN. ANY CHANGES TO THE LAYOUT OR CONDITIONS WILL BE THE RESPONSIBILITY OF THE ARCHITECT. THE LIGHTING LAYOUT IS BASED ON THE ASSUMPTIONS AND CONDITIONS LISTED HEREIN. ANY CHANGES TO THE LAYOUT OR CONDITIONS WILL BE THE RESPONSIBILITY OF THE ARCHITECT.

Revisions	
1	Draw
2	Comments

Drawn By: M. Woznicki, LC
 Checked By:
 Date: 2/13/2025
 Scale:
 7

Feldman KIA Novi



Revisions		#	Date	Comments

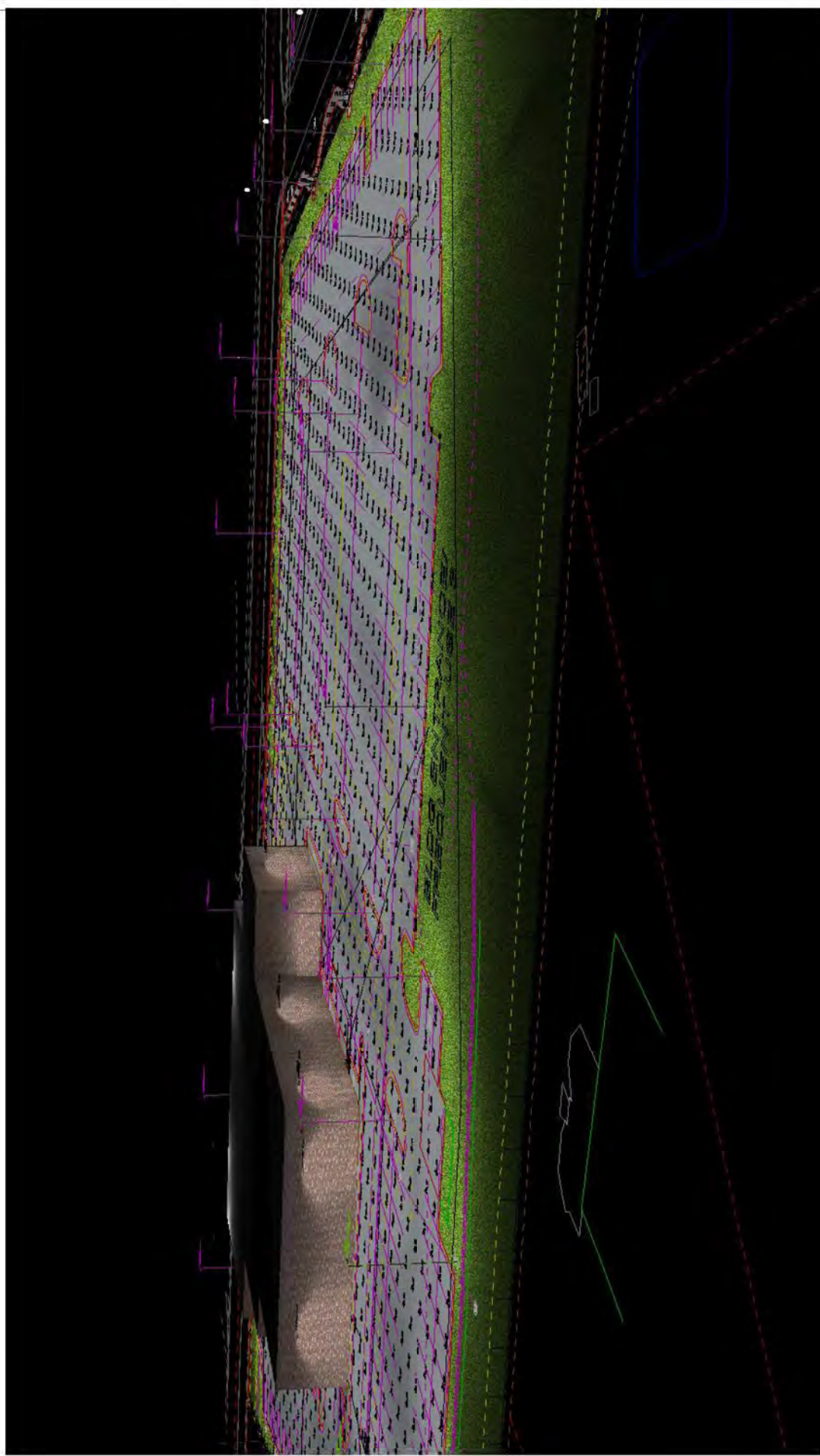


Exhibit C

Staff and Consultant Review Letters



PLAN REVIEW CENTER REPORT

Planning Review

March 11, 2025

JZ 24-32 Feldman Kia PRO

Zoning Map Amendment No. 18.745

PETITIONER

Feldman Automotive, Inc.

REVIEW TYPE

Rezoning Request from NCC (Non-Center Commercial District) to B-3 (General Business) with Planned Rezoning Overlay (PRO)

PROPERTY CHARACTERISTICS

Section	24	
Site Location	South of Grand River Avenue, East of Meadowbrook (Parcels 22-24-326-014, 22-24-326-024)	
Site School District	Novi Community School District	
Site Zoning	NCC Non-Center Commercial	
Adjoining Zoning	North	I-1 Light Industrial District
	East	NCC Non-Center Commercial
	West	OS-1 Office Service
	South	R-4 One Family Residential
Current Site Use	Vacant; formerly Glenda's Garden Center – plant nursery/landscaping	
Adjoining Uses	North	Delta Fuels, office/service providers, Religious Organization
	East	Office Buildings
	West	Vacant
	South	Single Family Residences
Site Size	4.88 Acres	
Plan Date	February 14, 2025	

PROJECT SUMMARY

The petitioner is requesting a Zoning Map amendment for a 4.88 acre property located on the southwest corner of Grand River Avenue and Joseph Drive (Section 24) from NCC (Non-Center Commercial) to B-3 (General Business). Rezoning of the property is necessary to redevelop the site as an automobile dealership, which is only permitted in the B-3 district, with outdoor space for exclusive sale of new and used automobiles, which is a Special Land Use in the B-3 district. The proposed dealership would have a footprint of approximately 18,830 gross square feet, with a mezzanine floor for parts storage of 1,322 square feet.

The site has operated for many years (pre-1990) as Glenda's Garden Center and Market, a non-conforming use in the NCC District. The garden center was demolished in 2023 when the property was purchased by a new owner.

PRO OPTION

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from

NCC to B-3), and the applicant submits a detailed conceptual plan for development of the site, along with site-specific conditions relating to the proposed improvements. After Staff and consultant review, the proposed request goes through initial review by the Planning Commission and City Council to review and comment on whether the project meets the requirements of eligibility for a PRO. The applicant can then make any changes to the Concept Plan based on the feedback received, and resubmit for formal review. The Planning Commission holds a public hearing and makes a recommendation to City Council. The City Council reviews the Concept Plan, and if the plan receives tentative approval, it directs the preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. If development is not commenced within two years from the effective date of the PRO Agreement it will expire, unless otherwise agreed to by the parties.

PROJECT HISTORY

The project was submitted and reviewed by staff and consultants in a pre-application submittal in January 2024. Comments were provided on the concept plans submitted, but no recommendations for approval were made at that time.

The initial PRO plan was submitted and reviewed in August/September, 2024. The Planning Commission held a public hearing on October 16, 2024 and provided feedback on the proposal. On December 2, 2024, City Council considered the request and provided feedback to the applicant. Minutes from both meetings are included as attachments to this letter.

RECOMMENDATION

Staff recommends approval at this time of the Formal PRO Plan. Approval of the Preliminary Site Plan is not recommended as the level of detail required for such approval has not been provided. The screening has been improved by increasing the height of the berm and providing new evergreen landscaping. The applicant has also offered to install two covered benches at nearby bus stops that would be considered a benefit to the public. In addition, the enhanced walkway along Joseph Drive is proposed.

PLANNING COMMISSION

The Planning Commission held a Public Hearing on October 16, 2024, to review and make comments on the proposal's eligibility for using the Planned Rezoning Overlay option. Comments made at that time are reflected in the [meeting minutes](#) and are summarized here:

- Commissioners said they thought the use proposed made sense, and could be compatible with adjacent uses if other concerns are addressed.
- Commissioners stated that greater effort to provide a public benefit was needed.
- Commissioners were concerned about whether sufficient buffers or screening to adjacent residential properties are included.
- Commissioners were concerned about car haulers unloading in the center turn lane of Grand River Avenue.
- Commissioners stated they would like to get a better idea of the acoustics and what would be done to minimize the noise impacts on neighbors.
- Commissioners encouraged the applicant to consider units that would accommodate senior housing.
- Commissioners wanted to ensure that no test drives happen on Joseph Drive, and wondered if concerns raised by residents about the speed of traffic on that street could be addressed.

- Commissioners would like to see data regarding issues/security for locations where dealerships are adjacent to residential neighborhoods.

CITY COUNCIL

The City Council provided feedback at its meeting on December 2, 2024, on the proposal's eligibility for using the Planned Rezoning Overlay option. Comments made at that time are reflected in the [meeting minutes](#), and comments are summarized here:

- Councilmembers thought the car dealership use made sense at this site on Grand River.
- Councilmembers expressed concerns about car haulers unloading vehicles on Grand River and customers test-driving vehicles in the adjacent neighborhood, and wondered if there is a way to prevent those issues within the terms of a PRO Agreement.
- Councilmembers appreciated that no body shop work will be done on the site.
- Councilmembers liked the benefits offered by the applicant to do the enhanced sidewalk along Joseph Drive and the two bus shelters on Grand River.
- Councilmembers expressed concerns about the lighting and noise impacts on the adjacent neighborhood, and want to be sure those are minimized as much as possible.
- Councilmembers wanted to see the berm and landscaping along the south edge improved.

REVIEW NOTES

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), Section 7.13 (Amendments to Ordinance) and any other applicable provisions of the Zoning Ordinance. **Please see the attached chart for additional information pertaining to ordinance requirements.** Items in **bold** below must be addressed and incorporated as part of the next submittal:

1. Supporting Documentation: The applicant has provided the following as part of their application packet:
 - a. Narrative: The statement provided states Rezoning allows for development of a use that is consistent with the Master Plan's vision for a Community Commercial use. The parcel has not been well maintained, and redevelopment/reinvestment of the property is a benefit to the public.
 - b. The statement includes conditions to limit the permitted use of the parcel to an auto dealership (with accessory uses) and exceed setbacks. **The applicant should verify what type of work will be done in the service department to verify it would be permitted in this location.**
 - c. Rezoning Traffic Impact Study: AECOM's review noted at the time of Pre-application submittal that the proposed project did not meet the threshold to require a RTIS.
 - d. Sign Location Plan: A rezoning sign location plan and sign detail has been provided on Sheet SP1.3. The sign locations and wording are acceptable, and were posted prior to the previous public hearing.
 - e. Noise Impact Statement: A noise impact statement, dated 2/22/24 by Studio Detroit Architects, is required for the outdoor space for the auto dealership inventory vehicles. The statement includes the hours of operation of the dealership, which differ slightly from those listed on the Photometric plan in the PRO Plan set. **The noise statement indicates only the exterior roof mounted mechanical units as a source of noise. The statement should be updated to evaluate other sources of noise associated with this use, including delivery vehicles, any security alarm equipment, car alarms, and service area equipment that can be anticipated to be used.**

2. Eligibility for PRO (Section 7.13.2): *"In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the proposed improvements that (1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C [of the Ordinance]; and (2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning."* **The applicant provided a request to rezone to B-3, along with a PRO Plan. The conditions proposed that are more strict than typical B-3 standards are limiting the permitted use of the parcel to an auto dealership with associated inventory vehicle and customer parking, exceed building setbacks and rear parking setback. The applicant states that their proposal constitutes an overall enhancement of the area because they intend to improve a vacant parcel that is an "eyesore" and upgrade the landscaping provided, capital investment and job creation. In addition, they will create "a unique streetscape along Joseph Drive with the construction of a meandering sidewalk...with the installation of a bench node on a concrete platform, decorative light poles and significant landscaping," and provide two covered seating areas at the nearby bus stops to the east.**
3. Detrimental Effects on Residential Areas: Compared to the types of commercial establishments that could be developed by-right in the current NCC District, car dealerships are a more intensive use that can bring some greater drawbacks to the area when located adjacent to residential neighborhoods, such as:
 - a. Noise: Auto dealerships can create noise disturbances such as the sound of security alarms, loudspeakers, delivery trucks, and use of equipment in service areas. The City has received numerous complaints from neighbors of the existing Feldman dealership at 42235 Grand River related to the after-hours, audible, speech-enhanced alarm system. After making adjustments to the alarm system, the disturbance was minimized.
 - b. Lighting: Dealership inventory parking lots often have bright lights on throughout the night to showcase their inventory and to deter crime. If visible to the adjacent homes, this can affect the ability to sleep and overall comfort.
 - c. Traffic: Increased traffic from customers and delivery trucks coming and going from the site can lead to congestion on the nearby roads.
 - d. Security Concerns: Car dealerships can attract theft and vandalism to the site. Alarms to deter crime increase the noise impacts.

If the PRO rezoning is to be approved, the City will want to ensure that these detriments are minimized or offset to a large extent to protect the existing neighborhood. Additional conditions have been included in the formal submittal that are more strict or limiting than would be permitted under the B-3 district to minimize these negative impacts.

4. Buffer to Neighborhood to the South: The ordinance requires a buffer in the form of a 6-8 foot obscuring landscaped earth berm and plantings when a commercial use abuts any residential district. The applicant is proposing to raise the height of the existing berm to 6-8 feet and plant new 8-foot trees to provide the required buffer. **See Landscape review for additional comments.**
5. Signage: Proposed signage has been included in the PRO Concept plan submittal, and the applicant requests a deviation to allow the signage as proposed. In some cases, deviations from the Sign Ordinance (Chapter 28 of the City Code) have been included in previous PRO Agreements. The sign details provided in the submittal do not include all measurements in order to determine the total area of the signs. The sign ordinance allows the following in the B-3 district for a single tenant building or development parcel: 250 square foot maximum – 1 wall sign (shall not exceed 1 sf for each 2 feet of setback from the nearest thoroughfare; and (1) ground sign

a maximum of 6 feet high. Allowable size is determined by 1 square foot of sign for each 2 feet of setback from the thoroughfare centerline (appears that 30 sf allowed).

The applicant is proposing 3 wall signs on the north elevation, which is 144 feet from the Grand River centerline ("KIA" = 38.25 sf, "Feldman" = 29 sf, "Service" = 12.4 sf) with a total area of 79.63 square feet. One sign is proposed on the east elevation ("KIA" = 38.25 sf). One ground mounted sign, located 60 feet from the street centerline, is shown as 6 feet tall with a total area of about 26.71 square feet. **A Sign Permit Application is required for each sign proposed – it is recommended you apply for those now so that any deviations from Ordinance standards can be identified and included in the PRO Agreement. Otherwise, the PRO Agreement can stipulate that signage will be applied for later, and any deviations needed can be requested from the Zoning Board of Appeals.**



6. Lighting (Section 5.7): The maximum height of proposed parking lot fixtures is 22.6 feet, which is less than the 25-feet permitted. The illumination at the rear property line is a maximum of 0.1-0.2 footcandles, which meets the ordinance standards. The ratio of Average to Minimum lighting for the paved area of the site is below the maximum 4:1 limit, indicating a uniform level of lighting over the site. **See the Planning Chart for additional details that must be provided at the time of Final Site Plan submittal. A response letter to address lighting questions from the previous review was not provided with this submittal.**
7. Plan Review Chart: **The Plan Review chart provides additional comments on many of the Ordinance review standards. Please refer to it in detail.**

MASTER PLAN FOR LAND USE

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property and property adjacent to the east as Community Commercial. As the Master Plan states, "This land use is designated for comparison-shopping needs of a larger population base. They are along major thoroughfares and roadway intersections." The B-3 General Business District generally falls within areas planned for Community Commercial, as do the B-2 Community Business, and NCC Non-Center Commercial districts.

Property to the west is identified in the Master Plan as Community Office, while the area north of Grand River is planned for Industrial, Research, Development and Technology land uses. The area to the south is planned for Single Family use.

The proposal would follow objectives listed in the Master Plan for Land Use including the following:

1. Objective: Retain and support the growth of existing businesses and attract new businesses to the City of Novi.
2. Advocacy Action Item: Support retail commercial uses along established transportation corridors that are accessible for the community at large, such as along Grand River Avenue to preclude future traffic congestion.
3. Objective: Provide and maintain adequate water and sewer service for the City's needs.
4. Objective: Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities.

Staff Comment: Public water main and sanitary sewer exists on Grand River Avenue. On-site detention is proposed for storm water management in a new underground facility, an infiltration trench, and an infiltration basin. The proposed concept plan indicates pedestrian improvements along Grand River Avenue including replacing the existing 5-foot sidewalk with an 8-foot sidewalk that would extend across the site frontage. A 5-foot undulating sidewalk is also proposed for the frontage on Joseph Drive. In addition, applicant proposes to install 2 covered bus stop seating areas at nearby SMART stops.

5. Objective: Ensure compatibility between residential and non-residential developments.

Staff Comment: The primary concern with this proposal is compatibility with the residential neighborhood to the south. This is an important objective and the quality of life for the residents directly impacted has been given consideration by the applicant.



Figure 1: Current image of subject property

2023 ACTIVE MOBILITY PLAN (AMP)

Grand River Avenue is classified as a Multi-modal Thoroughfare in the AMP. The recommended baseline pedestrian facility improvements for minor road stops (where the pathway crosses the entrances to a development) on both roads would include crosswalk lighting, a raised high visibility crossing and recessed crossings where feasible. Along the south side of Grand River, an 8-foot sidewalk is planned. With the recent addition of SMART transit service along Grand River, the Near-Term priorities in this area include completing sidewalk gaps and providing mid-block crossings to allow pedestrians to safely and conveniently access the bus stops.

The applicant is proposing to reconstruct the sidewalk along their Grand River frontage to be 8-feet in width, which will also complete about 160-feet of the missing gap in this area. To the west, there is no sidewalk on the south side all the way to Meadowbrook Road, so there will remain an 1,800-foot gap in the non-motorized network. There are also two gaps in the sidewalk to the east – one about 320 feet and the other 380 feet in length.

EXISTING ZONING AND LAND USE

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

Land Use and Zoning: For Subject Property and Adjacent Properties

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property	NCC Non-Center Commercial	Garden Center	Community Commercial (uses consistent with NCC, B-2 and B-3 Districts)
Northern Parcels	I-1 Light Industrial District	Offices, Delta Fuels, Religious Center	Industrial research development and technology. (uses consistent with Light Industrial Districts, I-1)
Southern Parcels	R-4 One Family Residential	Single Family Neighborhood	Single Family
Eastern Parcel	NCC Non-Center Commercial	Offices	Community Commercial (uses consistent with NCC, B-2, and B-3 Districts)
Western Parcels	OS-1 Office Service	Vacant	Community Office (small and medium-scale office uses, human care, recreation)

COMPATIBILITY WITH SURROUNDING LAND USE

The surrounding land uses are shown in the above chart. The compatibility of the proposed rezoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request. In particular, the Planning Commission should review the plan carefully to insure that negative impacts (such as noise, lighting) are minimized and mitigated to protect the residential properties to the south.

The properties directly **north** of the subject area are currently used as a fuel distribution station, a religious organization, and offices of service providers. The current zoning map indicates I-1 for these properties.

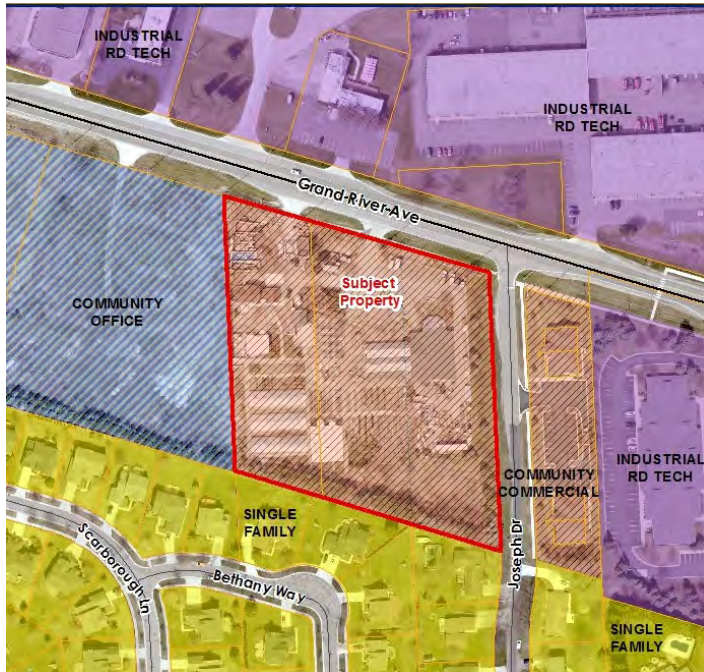
Directly to the **south** of the subject property is a single family neighborhood. Four residential lots directly abut the subject property.

The property to the **west** of the subject property is currently vacant and is zoned OS-1 Office Service.

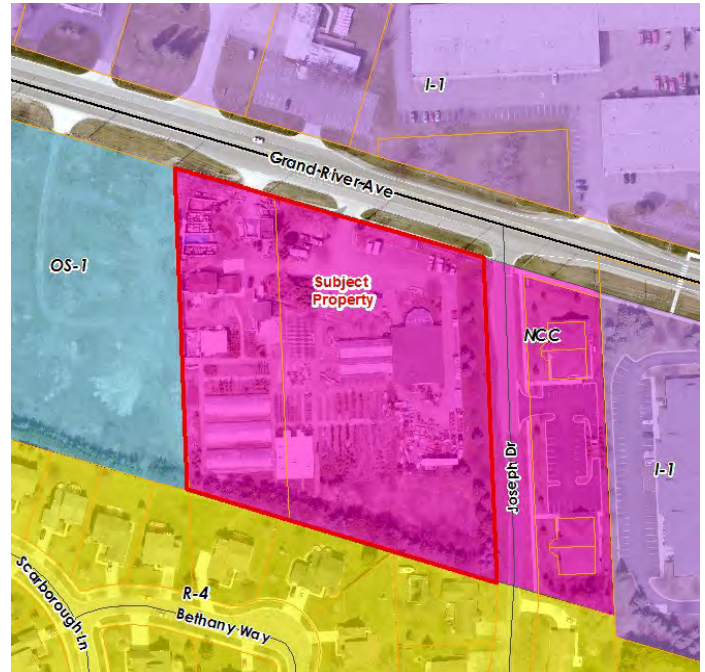
To the **east** of the subject property is a small office complex which is zoned NCC.

DEVELOPMENT POTENTIAL

The parcels to be rezoned are currently vacant. The site was used as a garden center, a non-conforming use in the NCC District, for many years but was demolished in 2023. Development under either the current NCC zoning or the proposed B-3 zoning could result in the construction of similarly sized retail shopping center, an office complex, or sit-down restaurants on the 4.88 acre site. Uses permitted in the B-3 zoning district that are not allowed in the NCC district include fueling stations, private health and fitness facilities, tattoo parlors, auto washes, and automobile sales. Fast food restaurants with a drive through window, motels, and veterinary hospitals are also permitted with Special Land Use approval in the B-3 District. A change to B-3 zoning would also remove the potential for redevelopment of the site for any residential uses, which could be permitted as special land uses in the NCC district. Through the PRO process, the applicant and the City would agree to restrict the B-3 use allowed to the requested automobile dealership, with outdoor space for exclusive sale of new and used automobiles and service center. Any other uses typically permitted in the B-3 district would not be permitted within the terms of the PRO Agreement.



Future Land Use



Existing Zoning

COMPARISON OF ZONING DISTRICTS

The following table provides a comparison of the current and proposed zoning development standards. The applicant is requesting a change of districts from the existing NCC Non-Center Commercial to B-3 General Business. The types of uses allowed in these districts have some overlap, although they also differ in important ways. The proposed B-3 district allows a maximum building height of up to 30 feet compared to the 25 feet allowed in the NCC district. The building setbacks in the NCC district are slightly larger than the B-3 standards. Parking setbacks are the same in both districts. However, the terms of the PRO Agreement may be more restrictive than what could otherwise be allowed under B-3 zoning. For instance, the applicant is proposing greater building setbacks and rear yard parking setback, and restricting the use allowed to an automobile dealership.

	NCC (Existing)	B-3 Zoning (Proposed)
Principal Permitted Uses	1. Retail businesses use 2. Retail business service use 3. Professional office buildings 4. Medical offices, including laboratories and clinics 5. Financial institutions, stock brokerages 6. Sit-down restaurants 7. Publicly owned and operated parks, parkways and outdoor recreational facilities 8. Instructional centers 9. Other uses similar to the above uses 10. Accessory buildings, structures and uses customarily incident to the above permitted uses	1. Retail businesses use 2. Retail business service uses 3. Dry cleaning establishments, or pick-up stations, dealing directly with the consumer 4. Business establishments which perform services on the premises 5. Professional services 6. Retail business or retail business service establishments 7. Professional or medical offices, including laboratories 8. Fueling station 9. Sale of produce and seasonal plant materials

		10. Auto wash 11. Bus passenger stations 12. New and used car salesroom, showroom, or office 13. Other uses similar to the above uses 14. Tattoo parlors 15. Publicly owned and operated parks, parkways and outdoor recreational facilities 16. Accessory structures and uses customarily incident to the above permitted uses 17. Public or private health and fitness facilities and clubs 18. Microbreweries 19. Brewpubs
Special Land Uses	1. Day care centers and adult day care centers 2. Places of worship 3. Private clubs, fraternal organizations and lodge halls 4. Museums 5. Publicly utility buildings and uses without service yards 6. Veterinary hospitals or clinics 7. Multiple-family dwellings 8. Independent and congregate elderly living facilities 9. Two-family dwellings 10. Shared elderly housing 11. One-family detached dwellings 12. Farms and greenhouses 13. Publicly owned and operated parks, parkways and outdoor recreational facilities 14. Cemeteries 15. Home occupations 16. Keeping of horses and ponies 17. Family Day Care Homes 18. Accessory buildings and uses customarily incident to any of the above permitted uses	1. Outdoor space for exclusive sale of new or used automobiles, campers, recreation vehicles, mobile homes, or rental of trailers or automobiles 2. Motel 3. Business in the character of a drive-in or open front store 4. Veterinary hospitals or clinics 5. Plant materials nursery 6. Public or private indoor and private outdoor recreation facilities 7. Mini-lube or oil change establishments 8. Sale of produce and seasonal plant materials outdoors 9. Restaurant in the character of a fast food carryout, drive-in, fast food drive-through, or fast food sit-down
Minimum Lot Size	2 acres	Determined by off-street parking, loading, greenbelt screening, yard setback or usable open space requirements
Minimum Lot Width	200 feet	Determined by off-street parking, loading, greenbelt screening, yard setback or usable open space requirements
Building Height	25 feet or 2 stories, whichever is less	30 feet
Building Setbacks	Front: 40 feet Side: 20 feet Rear: 20 feet	Front: 30 feet Side: 15 feet Rear: 20 feet

Parking Setbacks	Front: 20 feet Side: 10 feet Rear: 10 feet	Front: 20 feet Side: 10 feet Rear: 10 feet
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INFRASTRUCTURE

Engineering

The Staff Engineer has reviewed the rezoning request and expressed no concerns regarding sanitary sewer capacity and available water capacity. The impacts of B-3 land use on the utilities in this area are expected to be similar to utility demands if developed under NCC uses.

Traffic

City Traffic consultants estimated the vehicle trips of the proposed use and determined the project did not meet the threshold to require a Rezoning Traffic Impact Study. The proposed development is expected to result in fewer trips than alternative land uses under the current NCC zoning as well as other B-3 land uses. See the traffic review letter for additional information.

NATURAL FEATURES

There are no significant natural features present on the site or adjacent to the site.

MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT

The Planned Rezoning Overlay process involves a PRO concept plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Section 7.13.2). Within the process, which is completely voluntary by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval.

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant has submitted a conceptual plan showing the general layout of the driveways, parking, building, stormwater detention, and a general layout of landscaping throughout the development. The applicant has provided a narrative describing the proposed public benefits. At this time, staff can identify some conditions that might be included in the agreement if the current design moves forward:

1. The use of the property is a New and Used Car Salesroom, Showroom and Office with a Servicing department as typically associated with dealerships.
2. Accessory to the Car Dealership, Outdoor Space for exclusive sale of new or used automobiles will be permitted under the conditions for Special Land Use approval:
 - a. 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. (*The traffic impact study provided indicates fewer trips generated by the proposed use than other potential uses.*)
 - b. 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. (*The use is not expected to increase the demand on public services and utilities relative to other feasible uses of the site.*)
 - c. 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. *(There are no significant natural features or characteristics present on the site.)*
- d. 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. *(The proposed use is similarly compatible to other uses that could be developed under the current NCC zoning district. No major automobile repair or service, as defined in Section 4.50 of the Zoning Ordinance, shall be permitted on the site.)*
 - e. 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. *(The Master Plan recommends Community Commercial uses, which includes uses permitted within the B-2 and B-3 districts.)*
 - f. 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. *(The redevelopment of the site will remove a long-standing non-conforming use and improve the site visually from Grand River Avenue. The investments in the site improvements as well as the jobs created will benefit the area economically.)*
 - g. 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. *(1. Outdoor Space for exclusive sale of new or used automobiles is listed as a Special Land Use in the B-3 District, and 2. the applicant has addressed the concerns previously raised so that the proposed use better conforms to the site design regulations.)*
- 3. The days of operation shall be limited to Monday – Saturday. The business will not be open on Sundays;
 - 4. The hours of operation shall be limited to the following, as described by the applicant: 7:00 a.m. to 6:00 p.m. on Tuesday, Wednesday and Friday, 7:00 a.m. to 9:00 p.m. on Monday and Thursday, and 8:00 a.m. to 4:00 p.m. on Saturdays;
 - 5. Outdoor speakers for security purposes may be permitted, but must be attuned to meet the requirements of the noise ordinance and avoid disturbance of the adjacent residential neighborhood;
 - 6. No outdoor compressors shall be permitted;
 - 7. Automobile transit deliveries shall be limited to 8:00 a.m. to 6:00 p.m. on weekdays and must take place on the site in the designated loading/unloading area;
 - 8. The parking setback shall be no less than 53 feet from the property line to the south;
 - 9. The footprint of the building shall be limited to approximately 18,900 square feet, excluding mezzanine space.
 - 10. The overhead service doors shall remain closed except to allow the entering and existing of vehicles.

The PRO conditions must be in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. **The applicant should submit a list of conditions that they are seeking to include within the PRO agreement, which may include those listed above if the applicant is willing to comply with them.**

ORDINANCE DEVIATIONS

Section 7.13.2.D.i.c(2) permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by City Council that ***"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that***

approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas.” Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. A PRO agreement would be considered by City Council only after tentative approval of the proposed concept plan and rezoning.

The concept plan submitted with an application for a rezoning with a PRO is not required to contain the same level of detail as a preliminary site plan. Staff has reviewed the Concept Plan provided in as much detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance in future submittals. Any deviations in the Formal PRO Plan would have to be approved by City Council in a proposed PRO agreement. The current deviations identified are as follows:

1. Service Bay Doors (Sec. 3.10.3):

In the B-3 district the ordinance provides that no overhead door should face a major thoroughfare or abut a residential district. Pedestrian exits or emergency doors are permitted on such building facades. A service reception area that is easily accessible to the customers is a necessity for the proposed type of business. The service reception area is proposed to be situated parallel to the development's main drive for easy customer access and to maintain a safe and organized flow within the parking lot. This portion of the building is for customers reception and generally automotive service will be completed within the southern part of the building separate from this area. See the “composite floor plan.”

The service reception area is proposed to have a total of four overhead doors. The northern overhead doors are 129 feet from the Grand River Avenue right of way. The southern overhead doors are located 281 feet from the southern property line. There will be a screen wall and berm with landscaping along the southern property line to screen the overhead doors from the residential uses from the south. The overhead doors are needed for customer use.

Staff Comment: The justification provided by the applicant appears to be adequate to protect adjacent uses from negative impacts, with the proposed buffer/screening at the southern property line. Staff supports the deviation for the overhead doors if this buffer will meet or exceed the requirements of the ordinance. The applicant states they would agree to a condition that the service bay doors shall remain closed except to allow the entering/exiting of vehicles, to further limit noise emissions from the building.

2. Façade Waiver (Sec. 5.15): As noted in the pre-application review comments, all of the facades are in full compliance except the north (front). The north facade does not have the minimum 30% brick. The front is virtually 70% showroom glass and 30% flat metal panels. We would respectfully request the section 9 waiver for the façade.

Staff Comment: As noted in the Façade Review, the front façade consists primarily of showroom glass, which is not regulated by the façade ordinance. “In this case the addition of Brick would not enhance the front façade and all other facades have large percentages of brick. For this reason, we recommend that the design is consistent with the intent and purpose of the Façade Ordinance and that a Section 9 Façade Waiver be granted for the underage of Brick on the front facade.”

3. Right of Way Green Belt Berm. The right of way landscape screening requirements table for a B-3 zoning district, where the right of way is adjacent to parking, requires a 20-foot green belt width with a minimum 3-foot-high berm is required along the road rights of way. Here parking is set back the required 20 feet from both Grand River Avenue and Joseph Drive rights of way,

however, in lieu of a 3-foot-tall berm, the applicant respectfully requests to provide a 3-foot-high continuous hedge along the Grand River Avenue right of way and the Joseph Drive right of way. See the landscape site plans for additional information.

Staff Comment: This is supported by staff for the frontages since the continuous hedge proposed provides an alternative form of screening, and this has been allowed for other dealerships.

4. Business Sign. City Code, Chapter 28 Signs, Section 28-5 table and applicable footnotes provides that with respect to wall signs a single tenant within a B-3 district is allowed one wall sign up to 250 square foot maximum. Additional requirements (Section 28-5.b.1.b) indicates the maximum wall sign area as it correlates to the setback distance from the adjacent road. Due to the nature of the business, it is respectfully requested that additional wall signs be allowed to indicate dealership branding and to provide wayfinding for the customers. Dimensions indicating the distance from the building to the centerlines of the roads are located on the preliminary site plan. The applicant is requesting two wall-mounted brand signs, one dealer sign and one directional sign for service reception area. The total wall signage area is approximately 118 square feet.

Staff Comment: See staff comments on signage on page 3-4 of this review. The applicant was asked to submit Sign Permit Applications for each sign proposed in order to fully determine the deviations required for the proposed signage.

5. Building Foundation Landscaping (Sec 5.5.3.D): The required foundation area is provided in total, but only 72% is at the building.

Staff Comment: As the remaining landscaping is provided in areas that will enhance the appearance of the site from Grand River, it would be supported by staff.

6. Parking Lot Islands (Sec. 5.3.12): There are two locations, on either side of the building, where 2 customer parking spaces have an end island on one side, but not the side adjacent to the entry/exit point of the service area.

Staff Comment: We support the deviation to allow the striped vehicle entry to serve as the painted end islands in lieu of curbed islands.

7. Greenbelt Landscaping (Sec. 5.5.3.B.ii, iii): Ordinance requirements for the number of subcanopy trees along the southern part of Joseph Drive have not been met. This condition requires a deviation to be approved.

Staff Comment: Supported by staff.

Additional Deviations Identified:

8. Berm Screening along the south property line. While the berm height of 6 to 8 feet is now proposed adjacent to a residential use, the landscaping proposed does not appear sufficient to meet the opacity of 80-90% within two years. This would require a deviation.

Staff Comment: Staff does not support the deviation. See the Landscape Review for detailed recommendations to be able to remove this deviation.

9. Maximum Illumination Adjacent to Non-Residential (Sec. 5.7.3.L): Where abutting a non-residential district, the maximum illumination at the property line shall not exceed 1 footcandle. This limit is exceeded at the western property line with a level of 2.4 footcandles. The north and east property lines also exceed the limit (3.4 fc and 6.2 fc, respectively), however these are road frontages and the applicant states they are illuminating the sidewalks.

Staff Comment: *The deviation is supported by staff where the intention is to illuminate the sidewalks. The applicant should provide similar back-shield on the west side of the property to more closely comply with the 1 fc limit.*

APPLICANT'S BURDEN UNDER PRO ORDINANCE

The Planned Rezoning Overlay ordinance (PRO) requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 7.13.2.D.ii states the following:

1. (Sec. 7.13.2.D.ii.a) *The PRO accomplishes the integration of the proposed land development project with the characteristics of the project area in such a manner that results in an enhancement of the project area as compared to the existing zoning that would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. (Sec. 7.13.2.D.ii.b) *Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement such that the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*

The following benefits are proposed by the applicant (as listed in their narrative) to qualify as an enhancement of the project area:

1. **Economic Impact:** The applicant states that the economic impact of this development includes an investment of \$7 million, the creation of 175-200 construction jobs, and the creation of 40-50 full-time permanent jobs.

Staff Comment: While an economic impact will result from the proposed dealership, a similar impact would be likely for other types of uses developed under the current NCC zoning. An economic impact is incidental to any type of redevelopment of the site, and is not “unlikely to be achieved...in the absence of the use of a Planned Rezoning Overlay.”

2. **Streetscape Enhancements:** The applicant proposes a “unique streetscape along Joseph Drive” with a winding sidewalk and “the installation of a bench node on a concrete platform, decorative light poles, and significant landscaping across the western side of Joseph Drive.

Staff Comment: Sheet L-4 of the PRO Plan shows a total of 3 benches to be provided at intervals along the sidewalk, and includes a detail of the proposed benches and decorative lighting fixtures. The benches and decorative lighting can be considered an enhancement. Providing a sidewalk on the Joseph Drive frontage is a requirement, so the meandering nature of it is the only unique feature, which may or not be considered an “enhancement.”

As for the landscaping, the only element that exceeds what is required by the ordinance are the seasonal flowers. While those could be considered a nice enhancement, it would be a difficult item to inspect and enforce each year if it is made a condition of the PRO Agreement. Besides the flowers, the landscaping would not be above what is expected of any development on the site.

3. Bus Shelters: The applicant has proposed to construct two covered bus stop shelters along Grand River Avenue to serve the nearby SMART bus stops.

Staff Comment: This is an enhancement to the area that provides a benefit to the general public.

4. Increased Building and Parking Setbacks: Increased building setbacks from the front, rear and side setbacks are proposed. Especially where adjacent to the Residential uses to the south, the 188-foot setback is more restrictive than the 20-foot minimum permitted in B-3. At the rear of the property the parking is setback 53 feet where the ordinance would otherwise allow a 10-foot setback.

Staff Comment: The greater building and parking setbacks does reduce the impact of any noises within the building and keeps the bulk of the activity further away from the adjacent residences and other adjacent sites. It is more limiting than what the B-3 district allows.

SUMMARY OF OTHER REVIEWS:

All reviewers are currently recommending approval.

- a. **Engineering**: Engineering recommends approval of the Formal PRO Plan. Negative impacts to public utilities are not expected with the requested zoning change. The plans do not contain the required details to approve the Preliminary Site Plan.
- b. **Landscape**: Landscape review notes concerns with insufficient buffer on the south. **Landscape recommends approval at this time.**
- c. **Traffic**: Traffic review notes that the applicant would need a deviation for lack of end islands in two locations. **Approval is recommended, with comments to be addressed in future submittals.**
- d. **Woodlands**: There are no regulated woodland trees on the site.
- e. **Wetlands**: There are no wetland areas on the site.
- f. **Façade**: Façade notes that the front elevation of the building does not have the minimum 30% brick required by the ordinance. The front is primarily showroom glass, and the other elevations exceed the 30% requirement of brick, and overall the design is consistent with the intent of the Ordinance. **A Section 9 waiver is recommended for approval as a deviation in the PRO Agreement.**
- g. **Fire**: **Fire has no objections to the rezoning at this time.** Standards will need to be met during site plan review process.

NEXT STEP: PLANNING COMMISSION PUBLIC HEARING

With all reviewers recommending approval or conditional approval, Planning Commission will hold a public hearing on the rezoning request from NCC (Non-Center Commercial) to B-3 (General Business) with a Planned Rezoning Overlay. Following the public hearing, they will make a recommendation to City Council whether to approve or deny the request, or may postpone making a recommendation if they determine additional information or changes are needed. **The next available agenda would be April 9th. Please provide an applicant response letter addressing any outstanding issues raised, and updates to the conditions and deviations requested, no later than Wednesday, April 2nd.**

CITY COUNCIL CONSIDERATION

After the Planning Commission makes its recommendation, the PRO Concept Plan will be scheduled for consideration by the City Council. If the City Council grants tentative approval at that time, they will direct the City Attorney to draft a PRO Agreement describing the terms of the rezoning approval. Once the PRO Agreement has been drafted and approved by the applicant's attorney, it will return City Council for final approval.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0484 or lbell@cityofnovi.org.



Lindsay Bell, AICP – Senior Planner



PLANNING REVIEW CHART: B-3 General Business District with PRO

Review Date: March 11, 2025
Review Type: Formal PRO Concept
Project Name: Feldman KIA PRO
Location: 40575 Grand River; Parcels 22-24-326-024 and 22-24-326-014
Plan Date: February 14, 2025
Prepared by: Lindsay Bell, Senior Planner
Contact: **E-mail:** lbell@cityofnovi.org; **Phone:** (248) 347-0484

Bold To be addressed in Formal PRO Plan submittal
Underline To be addressed with Preliminary Site Plan submittal
Bold and Underline Possible deviations to be included as part of PRO agreement
Italics Items to be noted

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan	Regional Commercial	B-3 Community Business		B-3 is a community commercial district; however no other B-3 district adjacent
Zoning <i>(Effective Jan. 8, 2015)</i>	RC: Regional Center District	B-3 with Planned Rezoning Overlay		PRO requested
Uses Permitted <i>(Sec 3.1.11.B & C)</i>	Sec 3.1.12.B Principal Uses Permitted.	Car salesroom, showroom or office permitted use in B-3 only; Outdoor space for sale of new or used autos is Special Land Use	Yes	PRO Rezoning requested to allow use
Phasing	Provide phases lines and detail description of activities in each phase	Phasing not proposed	NA	
Planned Rezoning Overlay Document Requirements (Section 7.13.2 & Site Plan & Development Manual)				
Written Statement (Section 7.13.2) The statement should include the following:	Statement of eligibility for PRO Approval: Describe the rezoning requested including uses proposed, justification for why it makes sense	Attorney letter states use limited to Auto Dealership with associated outdoor parking for inventory and customers/employees	Yes	
	How does the project constitute an overall benefit to the public that	Enhanced sidewalk on Joseph Dr, covered bus stop benches	Yes	See Planning Review for detailed comments

Item	Required Code	Proposed	Meets Code	Comments
	outweighs any detriments or could not otherwise be accomplished without the rezoning? Deviations and Conditions proposed for inclusion in the PRO Agreement (i.e., ZO deviations, limitation on total units, height, uses, etc)	Use to be restricted to Auto Wash only; height and setbacks more limiting, exceeding brick requirement	Yes	See Planning Review letter for detailed discussion
Rezoning Traffic Impact Study Site Plan & Development Manual	Required with requirements in SDM	Not required as does not meet threshold conditions	NA	
Community Impact Statement (Sec. 2.2)	Required according to site plan manual (SDM link: Site Plan & Development Manual)	Not required	NA	
Rezoning Signs (<i>Site Plan Development Manual</i>)	Sign location plan Mock-up of sign details	Provided Provided	Yes	
B-3 Business District Required Conditions (Sec. 3.10)				
Service Bay Doors (Sec 3.10.3)	- No truck well, loading dock, overhead door or other type of service bay door shall face a major thoroughfare, nor an abutting residential district. - Pedestrian exits or emergency doors are permitted on such building facades.	Service bay doors face north and south and west; Loading area on east side of building	No	<u>Applicant requests deviation for service bay doors facing major thoroughfare to north and residential neighborhood to the south</u>
Height, bulk, density, and area limitations (Sec 3.1.12)				
Frontage on a Public Street. (Sec. 5.12)	Frontage on a Public Street is required	Frontage on Grand River	Yes	
Access to Major Thoroughfare (Sec. 5.13)	Direct access to Major Thoroughfare is required unless noted in Section 5.13	Access to Grand River Ave	Yes	
Minimum Zoning Lot Size for each Unit in Ac	Except where otherwise provided in this Ordinance, the minimum	~ 4.9 acres	Yes	

Item	Required Code	Proposed	Meets Code	Comments
(Sec 3.6.2.D)	lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space			
Minimum Zoning Lot Size for each Unit: Width in Feet			NA	
Maximum % of Lot Area Covered (By All Buildings)	(Sec 3.6.2.D)	~9%	Yes	
Building Height (Sec. 3.1.12.D)	30 ft	30 ft.	Yes	
Building Setbacks (Sec 3.1.12.D)				
Front (Grand River)	30 ft.	94	Yes	
Exterior Side (Joseph Dr)	30 ft.	212	Yes	
Side (west)	15 ft.	77	Yes	
Side (south)	15 ft.	188	Yes	
Parking Setback (Sec 3.1.12.D)				
Front (Grand River)	20 ft.	22	Yes	
Exterior Side (Joseph Dr)	20 ft.	22	Yes	
Side (west)	10 ft.	10	Yes	
Side (south)	10 ft.	53	Yes	
Outdoor Space For Exclusive Sale of New or Used Automobiles (Sec. 4.36)				
Paving and draining of lot (Sec 4.36.1)	Lot or area paved and graded/drained to dispose of all surface water accumulated	Underground infiltration system, Infiltration trench storm water detention proposed	Yes	See Engineering comments
Access to Outdoor Sales Area (Sec 4.36.2)	Access at least 60 feet from the intersection of any 2 streets	Site entrance ~ 158' from Grand River/Joseph Drive intersection	Yes	Site plan proposes to use 2 existing curb cuts
Greenbelt Planting Strip (Sec 4.36.3)	10 ft wide greenbelt between ROW and parking/vehicle display	Continuous hedge proposed in 15, 20-foot greenbelt	Yes	

Item	Required Code	Proposed	Meets Code	Comments
Repair/Refinishing (Sec 4.36.4)	No major repair or major refinishing to be done on the lot		Yes?	Provide note on the plans to document. Not addressed in response letters received
Lighting (Sec 4.36.5)	Lighting to be shielded from adjacent residential districts	Lighting Plan shown	Yes	Confirm with additional details – see page 10- 11
Noise Impact Statement (Sec 4.36.6)	Noise impact statement is required subject to the standards of Section 5.14.10.B.	Noise Impact Statement provided	No	Statement only provides noise of HVAC; what about car haulers? Service dept? Security alarms?
Note To District Standards (Sec 3.6.2)				
Exterior Side Yard Abutting a Street (Sec 3.6.2.C)	All exterior side yards abutting a street shall be provided with a setback equal to the front yard setback requirement of the district in which located.	Exterior side yard on Joseph – 22 ft parking setback proposed	Yes	
Minimum Lot Area (Sec. 3.6.2.D)	The minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements		Yes	
Off-Street Parking in Front Yard (Sec 3.6.2.E)	Off-street parking shall be permitted in the front yard, except that said parking shall observe the minimum off-street parking setback requirements in Sec. 3.1 and 5.5.3	Abuts residential to the south – parking setback exceeds requirement (~53 ft proposed)	Yes	
Wetland/ Watercourse Setback (Sec 3.6.2.M)	Refer to Sec 3.6.2 for more details.	No wetlands present	Yes	
Parking setback screening (Sec 3.6.2.P)	Required parking setback area shall be landscaped per sec 5.5.3.			See Landscape chart for requirements
Modification of parking setback requirements (Sec 3.6.2.Q)	Refer to Sec 3.6.2 for more details		NA	

Item	Required Code	Proposed	Meets Code	Comments
Parking, Loading, and Dumpster Requirements				
Number of Parking Spaces Motor vehicle sales and service (Sec.5.2.12.C)	One (1) for each two hundred (200) square feet of usable floor area of sales room and one (1) for each one (1) auto service stall in the service room 7716 sf sales/200 = 39 12 service stalls = 12 51 spaces required	297 spaces indicated on plans; 17 customer parking spaces, 37 employee/ service parking spaces, remainder parking spaces for inventory -	Yes	
Parking Space Dimensions and Maneuvering Lanes (Sec. 5.3.2)	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping	Both 9' x 17' and 9' x 19' spaces proposed Min 24' drive aisles indicated	Yes	
Posted Fire Lanes (D.C.S Sec. 158-99(a))	The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet.		Yes	
Parking stall located adjacent to a parking lot entrance (public or private) (Sec. 5.3.13)	Shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer	Appears to comply	Yes	
End Islands (Sec. 5.3.12)	- End Islands with landscaping and raised curbs are required at the end of all parking bays that abut traffic circulation aisles. - The end islands shall generally be at least 8 feet wide, have an outside radius of 15 feet, and be constructed 3' shorter than the adjacent parking stall as illustrated in the Zoning Ordinance	Appears to mostly comply	Yes	See Traffic review letter for comments on 2 locations of concern – the response letter indicated end islands would be striped but this is not shown on the plan
Barrier Free Spaces Barrier Free Code	- 22 parking spaces: 1 van Accessible Space required	3 barrier free spaces indicated	Yes	<i>Inventory vehicles do not require barrier free spaces</i>

Item	Required Code	Proposed	Meets Code	Comments
<i>(2012 Michigan Building Code)</i>	- Every 6 or fraction of six accessible parking spaces, at least one shall be van-accessible			
Barrier Free Space Dimensions <i>Barrier Free Code (2012 Michigan Building Code)</i>	- 8' wide with an 8' wide access aisle for van accessible spaces - 8' wide with a 5' wide access aisle for regular accessible spaces	8' spaces and shared 8' access aisle shown	Yes	
Barrier Free Signs <i>Barrier Free Code</i>	One sign for each accessible parking space.	Signs indicated	Yes	
Minimum number of Bicycle Parking <i>(Sec. 5.16.1)</i>	Minimum 2 spaces	2 bike parking spaces proposed	Yes	
Bicycle Parking General requirements <i>(Sec. 5.16)</i>	- No farther than 120 ft. from the entrance being served - When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations - Spaces to be paved and the bike rack shall be inverted "U" design - Shall be accessible via 6 ft. paved sidewalk		Yes	
Bicycle Parking Lot layout <i>(Sec 5.16.6)</i>	Parking space width: 7 ft. One tier width: 11 ft. Two tier width: 18 ft. Maneuvering lane width: 4 ft. Parking space depth: 32 in.	Width: 7ft Space depth: 32 in.	Yes	
Loading Spaces <i>(Sec. 5.4.2)</i>	- Loading, unloading space shall be provided in the rear yard at a ratio of 10 sq. ft. for each front foot of building - Except in the case of a double frontage lot, loading-unloading, as well as trash receptacles may be located in an interior side yard beyond	Loading area located to the rear of building with landscape screening to east (120 ft frontage x 10 = 1,200 sf)	Yes	

Item	Required Code	Proposed	Meets Code	Comments
	the minimum side yard setback requirement of the district; location subject to approval by the City.			
Dumpster (Sec 4.19.2.F)	- Located in rear yard or interior side yard in case of double frontage - Attached to the building OR - No closer than 10 ft. from building if not attached - Not located in parking setback - If no setback, then it cannot be any closer than 10 ft, from property line. - Away from Barrier free Spaces	Dumpster indicated in rear yard	Yes	
Dumpster Enclosure (Sec. 21-145. (c))	- Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery	Enclosure detail shown on sheet SP1.4 – enclosure Brick to match the building	Yes	<i>This has been corrected in this submittal</i>
Sidewalk Requirements				
Article XI. Off-Road Non-Motorized Facilities	An 8-foot sidewalk is required along Grand River; 5' Required along Joseph Dr	8' Proposed along Grand River; 5' sidewalk along Joseph Dr proposed	Yes	Sidewalk not within ROW will require sidewalk easements
Pedestrian Connectivity	Assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets	Sidewalk shown from Grand River onto site	Yes	
Accessory Structure and Equipment Requirements				
Accessory	- Accessory structures			

Item	Required Code	Proposed	Meets Code	Comments
Structures (Sec. 4.19.2.A)	shall be located in the rear yard and shall meet 6-foot setback requirement			
Flagpoles (Sec 4.19.2.B)	May be located in front or exterior side yard, no closer to ROW than ½ the distance between the ROW and Principal building	Not proposed	NA	If proposed, must show on Final Site Plan
Roof top equipment and wall mounted utility equipment (Sec. 4.19.2.E.ii)	- All roof top equipment must be screened, and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building	Roof equipment shown to be screened		
Roof top appurtenances screening	Roof top appurtenances shall be screened in accordance with applicable facade regulations, and shall not be visible from any street, road, or adjacent property	6' Screening proposed on lower rear portion of the building – does not exceed 30 feet height limit	Yes	
Transformers/ Utility Boxes (Sec. 4.19.2.I)	- If under 4-ft in height may be located next to a building in a rear or side yard and meet the setback for accessory building; - Shall not interfere with pedestrian or vehicle flow; - Units over 4 ft shall be located in the rear yard - All units must be screened per Landscape Design Manual	Transformer located on west side of building, will mostly be screened by front of building;	Yes	<i>Note landscape screening will also be required</i>
Building Code and Other Design Standard Requirements				
Building Code	Building exits must be connected to sidewalk system or parking lot.	Public exits appear to be connected to sidewalk or parking area	Yes	

Item	Required Code	Proposed	Meets Code	Comments
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Provided	Yes	<i>Lot combination will need to be completed prior to final stamping set approval with new legal description and parcel ID</i>
General layout and dimension of proposed physical improvements	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in sq. ft.), location of proposed parking and parking layout, streets, and drives, and indicate sq. ft. of pavement area (indicate public or private).	Generally provided	Yes	
Economic Impact	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied)	\$7 million 40-50 full time employees 175-200 construction jobs	Yes	
Other Permits and Approvals				
Development/ Business Sign	- Signage if proposed requires a permit. - Exterior Signage is not regulated by the Planning Division or Planning Commission.	Signage design detailed on sheet SP1.4		<u>For sign permit information contact Deborah Martinez 248-735-5671.</u> Deviations from the sign ordinance can be requested within the PRO process – sign permit applications are needed to evaluate
Development and Street Names	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval	Project name does not require approval.	NA	
Property Combo/Split	The proposed property split must be submitted to the Assessing Department for approval prior to Final Stamping Set approval.	Lot combination appears to be proposed	Yes	<i>Lot combination will need to be completed prior to final stamping set approval with new legal description and parcel ID</i>
Other Legal Requirements				

Item	Required Code	Proposed	Meets Code	Comments
Existing Easements	Show all easements on a site survey	Easement areas do not appear to be shown	No	Provide easement areas with Liber/Page on Topo Survey
Lighting and Photometric Plan (Sec. 5.7)				
Intent (Sec. 5.7.1)	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky	Provided		
Lighting Plan (Sec. 5.7.A.1)	Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures	Provided	Yes	
Building Lighting (Sec. 5.7.2.A.iii)	Relevant building elevation drawings showing all fixtures, the portions of the walls to be illuminated, illuminance levels of walls and the aiming points of any remote fixtures.	Provided	Yes	
Lighting Plan (Sec. 5.7.2.A.ii)	Specifications for all proposed & existing lighting fixtures	Provided in previous submittal	TBD	Provide in FSP submittal
	Photometric data	Provided	Yes	
	Fixture height	Max 22.6 ft	Yes	
	Mounting & design	Not indicated	No	
	Glare control devices	Stated will comply	Yes	
	Type & color rendition of lamps	LED	Yes	
	Hours of operation	Not shown	No	Include on lighting plan
Maximum height when abutting residential districts (Sec. 5.7.3.A)	Height not to exceed maximum height of zoning district (or 25 ft. where adjacent to residential districts or uses)	Max 22.6 ft	Yes	
Standard Notes (Sec. 5.7.3.B)	- Electrical service to light fixtures shall be placed	Not indicated	TBD	Include standard notes on the plans

Item	Required Code	Proposed	Meets Code	Comments
	underground - Flashing light shall not be permitted - Only necessary lighting for security purposes & limited operations shall be permitted after a site's hours of operation			
Average light levels (Sec.5.7.3.E)	Average light level of the surface being lit to the lowest light of the surface being lit; not exceed 4:1	3.6:1	Yes	
Color Spectrum Management (Sec. 5.7.3.F)	For all permanent lighting installations - minimum Color Rendering Index of 70 and Correlated Color Temperature of no greater than 3000 Kelvin	Response letter stated would comply	TBD	Provide in FSP submittal
Indoor Lighting (Sec. 5.7.3.H)	Indoor lighting shall not be the source of exterior glare or spillover	Not shown	TBD	Shall comply
Security Lighting (Sec. 5.7.3.I) Lighting for security purposes shall be directed only onto the area to be secured.	- All fixtures shall be located, shielded, and aimed to not cast light toward adjacent properties or streets, or into the night sky. - Fixtures mounted on the building and designed to illuminate the facade are preferred		TBD	
Parking Lot Lighting (Sec. 5.7.3.J)	- Provide the minimum illumination necessary to ensure adequate vision and comfort. - Full cut-off fixtures shall be used to prevent glare and spillover.	Applicant letter indicates back light cut-off shades will be installed	Yes	
Min. Illumination (Sec. 5.7.3.L)	Parking areas: 0.2 min	2.1 min	Yes	<u>Adjust lighting to meet minimum standards or seek a deviation</u>
	Loading & unloading areas: 0.4 min	5.7 fc min	Yes	
	Walkways: 0.2 min	0.1 min	Yes	
	Building entrances, frequent use: 1.0 min	0.0 fc	No	

Item	Required Code	Proposed	Meets Code	Comments
	Building entrances, infrequent use: 0.2 min		NA	
Average Light Level (Sec.5.7.3.L)	Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1	Asphalt – 3.64:1	Yes	
Max. Illumination adjacent to Non-Residential (Sec. 5.7.3.L)	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle	Max at property line: · West: 2.4 max · East: 6.2 max · North: 3.4 max	No	<u>Non-residential property lines exceed max of 1 footcandle – adjust or seek a deviation</u>
Adjacent to Residential (Sec. 5.7.3.M)	§ Height of fixtures not to exceed 25 feet § No direct light source shall be visible at the property line at ground level § All cut off angles of fixtures must be 90° when adjacent to residential districts - Maximum illumination at the property line shall not exceed 0.5 foot candle	22.6 ft max Glare shields proposed Max at property line to south appears to be 0.1-0.2 fc	Yes Yes Yes	

NOTES:

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



PLAN REVIEW CENTER REPORT

03-10-2025

Engineering Review

Feldman Kia
JSP24-0032

APPLICANT

Feldman Automotive

REVIEW TYPE

Formal PRO/ Preliminary Site Plan

PROPERTY CHARACTERISTICS

- Site Location: Located on the south side of Grand River Avenue, west of Joseph Drive
- Site Size: 4.88 acres
- Plan Date: 02-14-2025
- Design Engineer: Alpine Engineering, INC

PROJECT SUMMARY

- Construction of an approximately 20,152 square foot square-foot building and associated parking. Site access would be provided via public roadways.
- Water service would be provided by an 8-inch extension from the existing 8-inch water main along Grand River Avenue. Along with three additional hydrants.
- Sanitary sewer service would be provided by an extension from existing off-site sanitary sewer on the south side of the property, along with a monitoring manhole for the site.
- Storm water would be collected by an underground storm water detention/infiltration system, an infiltration basin, and an infiltration trench.

RECOMMENDATION

Approval of the Plan Rezoning Overlay is **recommended** at this time, however approval of the Preliminary Site Plan is **NOT recommended** at this time, the plans do not meet the general requirements of [Chapter 11 of the City of Novi Code of Ordinances](#), the Storm Water Management Ordinance and the [Engineering Design Manual](#). The following items must be addressed at the time of Revised Preliminary Site Plan resubmittal:

COMMENTS

1. Provide the soil boring report, and the infiltration testing study for this site.
2. **Only at the time of the printed Stamping Set submittal**, provide the City's standard detail sheets for water main (5 sheets), sanitary sewer (3 sheets), storm sewer (2 sheets), and paving (2 sheets). The most updated details can be found on the City's website under Engineering Standards and Construction Details.
3. A right-of-way permit will be required from the City of Novi and Oakland County.
4. Clearly distinguish between proposed and existing easements; the current easements are hard to differentiate.
5. Show the Right-of-Way limits on the plans.
6. The Non-Domestic User Survey Form for sanitary sewer flow shall be submitted to the City so it can be forwarded to Oakland County.
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. Where the minimum 18-inch clearance at utility crossings cannot be achieved, provide a prominent note stating the substandard clearance and that proper bedding/encasement will be determined by the inspecting engineer.
10. Generally, all proposed trees shall remain outside utility easements. Where proposed trees are required within a utility easement, the trees shall maintain a minimum 5-foot horizontal separation from water main and storm sewer and 10-foot horizontal separation from sanitary sewer. All utilities and easements shall be shown on the landscape plan, or other appropriate sheet, to confirm the separation distance. Some trees appear close to the trench drain on the west side of the site, please check these separation distances to ensure that there will be no conflict.
11. A License Agreement will be required for the light poles that are proposed within the utility easements unless they are relocated outside the easement.
12. The grading and SESC sheets shall show the tree fence at least as far from the trunk as the critical root zone, defined as a circular area around a tree with a radius measured to the tree's longest dripline radius plus one (1) foot. No grading shall occur within the dripline. If the critical root zone is not fully protected, then replacements for that tree may be required.

Water Main

13. Provide the material and size of the proposed main and domestic water lead.
14. Place the hydrants at least 7 feet off back of curb (allowing 3-foot clearance from sidewalk).
15. A tapping sleeve, valve and well is required at the connection to the existing water main.
16. Per current EGLE requirement, provide a profile for all proposed water main 8-inch and larger.
17. 6-inch hydrant leads are allowed for leads less than or equal to 25 feet in length. 8-inch leads are required for leads greater than 25 feet in length.
18. The water main stub at the northwest corner of the property shall terminate with a hydrant followed by a valve in well. If the hydrant is not a requirement of the development at this location, the hydrant can be labeled as "temporary", allowing it to be relocated in the future.
19. All gate valves 6" or larger shall be placed in a well with the exception of a hydrant shut off valve. A valve shall be placed in a box for water main smaller than 6".
20. Valves shall be arranged so that no single line failure will require more than eight hundred (800) feet of main to be out of service.
21. Provide a water main basis of design for the development on the utility plan sheet.
22. In the general notes and on the profile, add the following note: "Per the Ten States Standards Article 8.8.3, one full 20-foot pipe length of water main shall be used whenever storm sewer or sanitary sewer is crossed, and the pipe shall be centered on the crossing, in order to ensure 10-foot separation between water main and sewers." Additionally, show the 20-foot pipe lengths on the profile.
23. A sealed set of utility plans along with the Michigan Department of Environment, Great Lakes & Energy (EGLE) permit application for water main construction, the Streamlined Water Main Permit Checklist, Contaminated Site Evaluation Checklist, and an electronic version of the utility plan should be submitted to the Engineering Division for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets, and the standard detail sheets.

IRRIGATION

24. Indicate if an irrigation system will be proposed on the site.

SANITARY SEWER

25. The note on the existing sanitary sewer manhole indicates a 6-inch invert, while the pipe label specifies 8-inch. Please ensure consistency between the note and the label on the plans.
26. The City suggests making the sanitary sewer pipe between the sanitary sewer connection and the monitoring manhole public by upgrading it to an 8-inch pipe and placing it in an easement to eliminate the sanitary sewer access easement.
27. If this suggestion cannot be implemented, the sanitary sewer access easement for the monitoring manhole shall be 20-foot wide, which is inconsistent with the pervious reviewer requested.
28. Provide a sanitary sewer basis of design for the development on the utility plan sheet. Calculations should use peaking factor of 4.0 and 3.2 People/REU.
29. Section 11-164 (g)-4 states the maximum length of a sanitary sewer lead shall not exceed 100-feet unless otherwise approved, so ensure clean-outs are provided every 100-feet.
30. Illustrate all pipes intersecting with manholes on the sanitary profiles.

STORM SEWER

31. A minimum cover depth of 3 feet shall be maintained over all proposed storm sewer. In situations where the minimum cover cannot be achieved, Class V pipe must be used with an absolute minimum cover depth of 2 feet. An explanation shall be provided where the cover depth cannot be provided.
32. Provide a 0.1-foot drop in the downstream invert of all storm structures where a change in direction of 30 degrees or greater occurs.
33. Match the 0.80 diameter depth above invert for pipe size increases.
34. Storm manholes with differences in invert elevations exceeding two feet shall contain a 2-foot-deep plunge pool.
35. The minimum pipe size for storm sewers receiving surface runoff shall be 12-inch diameter.
36. Provide profiles for all storm sewer 12-inch and larger.
37. Plastic pipe is not allowed in the right-of-way, the maximum allowable size for plastic storm sewer is 12-inch. (Smaller diameters are allowed for roof drains)
38. Label all inlet storm structures on the profiles. Inlets are only permitted in paved areas and when followed by a catch basin within 50-feet.
39. Label the 10-year HGL on the storm sewer profiles and ensure the HGL remains at least 1-foot below the rim of each structure.
40. Illustrate all pipes intersecting storm structures on the storm profiles.

41. Provide a schedule listing the casting type, rim elevation, diameter, and invert sizes/elevations for each proposed, adjusted, or modified storm structure on the utility plan. Round castings shall be provided on all catch basins except curb inlet structures.

Storm Water Management Plan

42. The proposed basin shall be considered as a retention basin instead of a detention basin since there isn't an outlet control structure for the basin provided. Therefore, to accommodate the retention, the storm water calculations need to be revised by adding the following items:
 - a. CPVC.
 - b. CPRC - Extended Detention.
 - c. CPRC Allowable Outlet Rate.
 - d. The volume and discharge of Water Quality Control.
 - e. 100-Year Allowable Release Rate.
 - f. 100-Year Peak Allowable Discharge.
 - g. 100-Year Runoff Volume.
 - h. 100-Year Peak Inflow.
 - i. Storage Curve Factor.
 - j. 2 x 100-Year Storage Volume.
43. If there is an outlet control structure provided that drains on site, then detention basin will be allowed, and the storage volume will be for a 100-year event only. Additionally, the storage volume of the detention basin should be determined by subtracting the CPVC from the runoff volume.
44. The Storm Water Management Plan (SWMP) for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the Engineering Design Manual (updated Jan 31, 2024).
45. Provide calculations verifying the post-development runoff rate directed to the proposed receiving drainage course does not exceed the pre-development runoff rate for the site.
46. Explain where the runoff coefficient of 0.15 is coming from. If the soil is hydrologic soil group A, please list that.
47. As part of the Storm Drainage Facility Maintenance Easement Agreement, provide an access easement for maintenance over the storm water detention system and the pretreatment structure. Also, include an access easement to the detention area from the public road right-of-way.
48. Provide a pretreatment structure for the site and provide manufacturer's details and sizing calculations for this structure on the plans. The treated flow rate should be based on the 1-year storm event intensity (~1.6 In/Hr); higher flows shall be bypassed.

49. Provide supporting details for the runoff coefficient of the "Off-site Grass/On-Site Basin Area" and why this was different from the on-site grass. Use the Oakland County stormwater standards for the runoff coefficients.
50. A 25-foot vegetated buffer shall be provided around the perimeter of the storm water basin where impervious area is directed to the basin via surface flow.

UNDERGROUND DETENTION REQUIREMENTS

51. Provide an underdrain along the downstream side of the underground detention system which is tied into a manhole as a means of secondary storm water conveyance to the outlet.
52. Cleanouts shall be provided at each end of the proposed underdrain for periodic maintenance.
53. Provide a table or note addressing the required bedding depth vs. bearing capacity of the underlying soils in the vicinity of the underground detention system per the manufacturer's specifications.
54. Provide a note on the plans stating the City's inspecting engineers shall verify the bearing capacity of the native soils to verify an adequate bedding depth is provided.
55. Indicate the assumed porosity of the aggregate. The volume calculations shall consider only 85-percent of that volume as available for storage to account for sediment accumulation in the aggregate. This means that the usual 40% porosity assumed by many manufacturers must be reduced to 0.85 of that = 34%.
56. Provide a note on the underground detention detail that aggregate porosity will be tested, and results provided to the City's inspecting engineers.
57. Provide an isolator row in the underground detention system in addition to the swirl concentrator chamber. Contact the Engineering Division for further information.
58. Provide inspection ports throughout the underground detention system at the midpoint of all storage rows. Additional inspection ports may be required for systems larger than 200 feet. One inspection port every 50 feet for isolator row.
59. Inspection ports shall be a minimum of 8-inches.
60. For piped/chamber systems, the underground storage system shall include 4-foot diameter manholes at one end of each row for maintenance access purposes.
61. Provide critical elevations for the detention system. Also, provide a cross-section for the underground detention system. Ensure that there is at least 1 foot of freeboard between the 100-year elevation and the subgrade elevation beneath the pavement.

62. The underground detention system shall be kept outside of the influence of any planting areas.
63. In order to prevent scouring (per Table 4 of StormTech manual), do not exceed the maximum inlet flow rates.

INFILTRATION TRENCH AND INFILTRATION BASIN:

64. The Infiltration Trench shall be sized for a portion of the 100-year detention volume. This volume shall include the below-grade pipe and gravel media. The available storage volume in the gravel shall assume that only 85-percent of the volume is available for storage to account for sediment accumulation within the media [Same as underground detention note for stone volume; see above]. Provide these calculations on the plans.
65. The detail for the Infiltration Basin shall indicate the above-grade ponding depth and shall show the overflow catch basin. Include the design side slopes.
66. Provide a geotextile filter fabric under the planting material to separate it from the underdrain/base material or in-situ soils.
67. Provide a cross-section that includes the Infiltration basin outlet structure, with all relevant elevations, inverts, and dimensions.

PAVING & GRADING

68. Provide a construction materials table on the Paving Plan listing the quantity and material type for each pavement cross-section being proposed.
69. Provide a minimum of 6 spot elevations where the pathway crosses each driveway (one at each corner and two in the center of the driveway on each side of the pathway). Spot elevations shall be provided to demonstrate a level landing adjacent to each side of the pathway crossing.
70. No more than ¼" vertical obstacle shall be allowed at each transition between the pathway and the drive approach.
71. Dumpster Pad details shall meet city standards, 8" concrete on 8" 21 AA aggregate base. Note: Dumpster pad shall extend minimum 10' beyond dumpster enclosure.
72. The pathway cross-section shall have a maximum cross-slope of 2%. Add the maximum 2-percent cross-slope to the sidewalk detail.
73. The public pathway shall be within a dedicated easement unless proposed in the right-of-way.
74. Provide spot elevations at the intersection of the proposed pathway with the existing pathway.
75. Detectable warning plates are required at all barrier free ramps, hazardous vehicular crossings and other areas where the sidewalk is flush with the adjacent drive or parking pavement. The barrier-free ramps shall comply with current MDOT specifications for ADA Sidewalk Ramps. Provide the latest version of the

MDOT standard detail for detectable surfaces. Please ensure that the product is the concrete-embedded detectable warning plates, or equal, and shall be approved by the Engineering Division. Stamped concrete will not be acceptable.

76. Label specific ramp locations on the plans where the detectable warning surface is to be installed.
77. Verify the slopes along the ingress/egress routing to the building from the barrier-free stalls. All barrier-free stalls shall comply with Michigan Barrier-Free regulations.
78. Provide existing and proposed contours on the Grading Plan at the time of the Final Site Plan submittal.
79. Provide a note on the Grading Plan stating that the proposed pathway within the road right-of-way shall match existing grades at both ends.
80. Provide at least 3-foot of buffer distance between the sidewalk and any fixed objects, including hydrants and irrigation backflow devices. Include a note on the plan where the 3-foot separation cannot be provided.
81. Site grading shall be limited to 1V:4H (25-percent), excluding landscaping berms.
82. The grade of the drive approach shall not exceed 2-percent within the first 25 feet of the intersection. Provide spot grades as necessary to establish this grade.
83. Provide spot grades along property lines to demonstrate site drainage is self-contained.
84. The end islands shall conform to the City standard island design, or variations of the standard design, while still conforming to the standards as outlined in Section 2506 of Appendix A of the Zoning ordinance (i.e. 2' minor radius, 15' major radius, minimum 10' wide, 3' shorter than adjacent 19' stall).
85. The City standard straight-faced curb (MDOT F-4 curb detail) shall be provided.

SOIL EROSION & SEDIMENT CONTROL

86. A SESC permit is required. A full review has not been completed at this time. A review will be done when a completed packet is submitted to Sarah Marchioni at Community Development.

OFF-SITE EASEMENTS

87. Any off-site utility easements anticipated must be executed prior to Stamping Set Approval. If you have not already done so, drafts of the easements and a recent title search shall be submitted to the Community Development Department as soon as possible for review and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.

88. Any off-site utility easements anticipated must be executed prior to final approval of the plans.
89. Approval from the neighboring property owner for the work associated with the off-site sanitary sewer shall be forwarded to the Engineering Division prior to Stamping Set approval.

THE FOLLOWING MUST BE SUBMITTED WITH THE NEXT SUBMITTAL:

90. A letter from either the applicant or the applicant's engineer must be submitted with the Stamping Set highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved. Additionally, a statement must be provided stating that all changes to the plan have been discussed in the applicant's response letter.
91. An itemized construction cost estimate must be submitted to the Community Development Department 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 estimate must be itemized** for each utility (water, sanitary, storm sewer), on-site paving (square yardage, should include number of detectable warning plates), right-of-way paving (including proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pre-treatment structure and restoration).

REQUIRED LEGAL DOCUMENTS

The following must be submitted with the Stamping Set: All documents must be submitted together as a package with the Stamping Set submittal with the [legal review transmittal form](#) that is attached to this review letter. Partial submittals will **not** be accepted. Links to the PDF copy of the easements are below, word document versions of each legal document can be found on the City's Website under [Forms and Permits](#))

92. A draft copy of the [Storm Drainage Facility Maintenance Easement Agreement \(SDFMEA\)](#), as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department. Once the agreement is approved by the City's Legal Counsel, this agreement will then be sent to City Council for approval/acceptance. The SDFMEA will then be recorded at the office of the Oakland County Register of Deeds. This document is available on our website.
93. A draft copy of the 20-foot-wide [Watermain System Easement](#) onsite must be submitted to the Community Development Department.
94. A draft copy of the 20-foot-wide [Sanitary Sewer Easement](#) onsite must be submitted to the Community Development Department.
95. A draft copy of the 20-foot-wide [Sanitary Sewer Monitoring Manhole Access Easement](#) onsite must be submitted to the Community Development Department.
96. Executed copies of approved off-site utility easements must be submitted.

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

Please contact Milad Alesmail at (248) 735-5695 or email at hanjum@cityofnovi.org malesmail@cityofnovi.org with any questions.

Milad Alesmail

Milad Alesmail,
Project Engineer

cc: Lindsay Bell, Community Development
Humna Anjum, Engineering
Ben Croy, City Engineer



PLAN REVIEW CENTER REPORT

February 20, 2025
Feldman Kia of Novi
Formal PRO Concept Site Plan - Landscaping

Review Type

Formal PRO Concept Plan Landscape Review

Job

JZ24-38

Property Characteristics

- Site Location: 40575 Grand River Avenue
- Site Acreage: 4.88 ac.
- Site Zoning: NCC
- Adjacent Zoning: North: I-1, East: NCC, South: R-4, West: OST
- Plan Date: 2/18/2025

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed and incorporated as part of the Formal PRO Concept plan submittal. Underlined items must be addressed on the Preliminary or Final Site Plans. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review and the accompanying Landscape Chart are summaries and are not intended to substitute for any Ordinance.

RECOMMENDATION:

This project is **recommended for approval**, contingent on the relatively minor changes required to remove the unsupported deviation being made.

LANDSCAPE DEVIATIONS REQUIRED:

- Deficiency in berm screening along the south property line – *not supported by staff. If additional trees are added as described on the landscape chart to increase the opacity provided by the trees to 80-90% within 2 years of planting this waiver will not be required.*
- Lack of greenbelt berms for both Grand River Avenue and Joseph Drive – *supported by staff for Grand River Avenue frontage since continuous hedge is proposed but denser branched deciduous or evergreen shrubs must be used along the entire length.*
- Deficiency in subcanopy trees provided along the southern 135lf of Joseph Drive – *supported by staff*
- Deficiency in building foundation landscaping being located at the building – *supported by staff*

PLEASE REVISE THE PLANS TO ELIMINATE THE ABOVE UNSUPPORTED DEVIATION.

Ordinance Considerations

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

1. Tree survey is provided.
2. Most of the existing evergreens along the south edge of the site are shown as being removed and replaced with new plantings on the enhanced berm. Those are not regulated woodland trees.

3. One regulated tree is shown as being removed and replacement plantings are proposed on the site.

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

1. The project is adjacent to residential property to the south so a 6-8 foot tall, landscaped berm is required for the proposed project.
2. The plan now proposes a larger, taller berm (6-8 feet tall) with new evergreen tree plantings.
3. Much of the berm has significant landscaping, but the sections with just large evergreens need to be adjusted and enhanced to provide 80-90% screening within two years.
4. **The proposed screening would still require a landscape deviation.**
5. *If the recommendation to add more trees to provide 80-90% opacity within 2 years is made the deviation could gain support of staff.*

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

1. A continuous hedge is proposed along both Grand River and Joseph Drive instead of the hedge. **This requires a landscape deviation.** *It would be supported by staff if evergreen or densely branched deciduous shrubs are used for all of the hedge.*
2. The required greenbelt width is provided for both frontages.
3. A number of greenbelt trees are used incorrectly. **See the more detailed discussion on the landscape chart.**
4. A landscape deviation is requested for the 135lf of southern Joseph Drive frontage to preserve the existing landscaping. Since enough large evergreen trees are being preserved, a deviation for those trees is not required. **A deviation for the insufficient number of subcanopy trees would be required.** *That deviation would be supported by staff as the large evergreen trees to be removed have a very wide base and leave little room in the greenbelt for all of the required trees.*

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

1. Four of the bays have over 15 spaces without a landscape island but they are allowed to be up to 25 spaces since they are for storage/inventory.
2. **Please follow the instructions regarding tree labeling listed on the landscape chart so the provided trees can be used to meet all of the requirements.**
3. The required parking lot interior and perimeter trees are proposed.

Building Foundation Landscaping (Zoning Sec 5.5.3.D)

1. The required foundation area is provided in total, but only 79% is at the building. **This requires a landscape deviation.** *As the remaining landscaping is provided in areas that will enhance the appearance of the site from Grand River, it would be supported by staff.*
2. The percentage of the building's frontages that are landscaped exceed the 60% requirement.

Plant List (LDM 4, 10)

1. 13 of 25 species used (52%) are native to Michigan. Please keep or exceed that percentage when the final site plan is developed and foundation plantings are detailed.
2. The tree diversity requirement of LDM 4 is met.

Planting Notations and Details (LDM 10)

1. Provided
2. Please see the landscape chart for some detailed comments.

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

1. Underground detention is proposed for pre-treatment and the existing detention area will be retrofitted to be an infiltration basin
2. The required shrubs and seeding is proposed.
3. As the pond will drain within 72 hours, the canopy tree requirement does not need to be met.

Irrigation (LDM 10)

1. If an irrigation system will be used, a plan for it must be provided with Final Site Plans.
2. If alternative means of providing water to the plants for their establishment and long-term survival, information regarding that is also required with Final Site Plans.

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



Rick Meader – Landscape Architect

LANDSCAPE REVIEW SUMMARY CHART – Formal PRO Concept Plan

Review Date: February 20, 2025
Project Name: JZ24-38: FELDMAN KIA OF NOVI
Project Location: 40575 Grand River Avenue
Plan Date: February 18, 2025
Prepared by: Rick Meader, Landscape Architect E-mail: rmeader@cityofnovi.org;
 Phone: (248) 735-5621

Items in **Bold** need to be addressed by the applicant before approval of the PRO Concept Plan.
Underlined items need to be addressed on the Site Plans.

LANDSCAPE DEVIATIONS REQUIRED:

- Deficiency in berm screening along the south property line – *not supported by staff. If the additional trees noted below are provided, this waiver won't be required.*
- Lack of greenbelt berms for both Grand River Avenue and Joseph Drive – *supported by staff for Grand River Avenue frontage since continuous hedge is proposed but denser branched or evergreen shrubs must be used.*
- Deficiency in subcanopy trees provided along the southern 135lf of Joseph Drive – *supported by staff*
- Deficiency in building foundation landscaping being located at the *building* – *supported by staff*

Item	Required	Proposed	Meets Code	Comments
Landscape Plan Requirements (Landscape Design Manual (LDM) and Zoning Ordinance (Zoning Sec))				
Landscape Plan (Zoning Sec 5.5.2, LDM 2, 10)	· New commercial or residential developments · Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less. · 1"=20' minimum with proper North. Variations from this scale can be approved by LA · Consistent with plans throughout set	Scale: 1" = 30'	Yes	<u>A smaller scale may be required for the foundation plantings.</u>
Project Information (LDM 10)	Name and Address	On title block	Yes	
Owner/Developer Contact Information (LDM 10)	Name, address and telephone number of the owner and developer or association	On title block	Yes	
Landscape Architect contact information (LDM 10)	Name, Address and telephone number of RLA/PLA/LLA who created the plan	Jim Allen – Allen Design	Yes	

Item	Required	Proposed	Meets Code	Comments
Sealed by LA. (LDM 10)	Requires original signature	Copy of seal and signature on title block	Yes	
Miss Dig Note (800) 482-7171	Show on all plan sheets	On title block	Yes	
Zoning (LDM 10)	Include all adjacent zoning	Shown on Location Map · <u>Parcel:</u> NCC · <u>North:</u> I-1, · <u>East:</u> NCC, · <u>South:</u> R-4, · <u>West:</u> OS-1	Yes	
Survey information (LDM 10)	· <u>Legal description or boundary line survey</u> · <u>Existing topography</u>	Description and topographical survey on Sheet 3	Yes	
Existing plant material Existing woodlands or wetlands (LDM 10)	· <u>Show location type and size. Label to be saved or removed.</u> · <u>Plan shall state if none exists.</u>	· Tree survey and chart on Sheet L-2 · Removals are shown on L-2 - all of the trees along the south edge of the property, except along Joseph Drive, are shown as being removed · Woodland replacement calculations on L-2 – one 26" dbh tree is shown as being removed and 3 replacements provided on site	Yes	1. A single flowering pear tree facing Grand River and listed as being in fair condition is being saved – as this is now a prohibited species, removing it and replacing it with a better species would be preferred but is not required. 2. See Merjent letter for a complete review of the woodlands and wetlands
Soil types (LDM10)	· <u>As determined by Soils survey of Oakland county</u> · <u>Show types, boundaries</u>	Soil boring info and a soils map are provided on Sheet 6A	Yes	
Existing and proposed improvements (LDM 10)	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	All elements are included on the landscape plan	Yes	
Existing and proposed utilities (LDM 10)	· Overhead and underground utilities, including hydrants · Proposed light poles	· All existing and proposed utilities are shown · Proposed lighting is shown	· Yes · Yes	1. <u>If the easements entering the site from the east and traveling north-south through the east lot will be abandoned, please remove them</u>

Item	Required	Proposed	Meets Code	Comments
				<u>from the landscape plan and note that on the utility plan.</u> 2. There are a number of tree/light pole conflicts or sites where they are very close. <u>Please adjust the lighting and/or tree locations.</u>
Proposed grading. 2' contour minimum (LDM 10)	Provide proposed contours at 2' interval	· Sheet 4 · The southern berm is being increased in height to between 7-10 feet	Yes	
Snow deposit (LDM 10)	Show snow deposit areas on plan	Two are shown	Yes	<u>Please add more to the plan so all of the site's snow can be handled and move the southeast pointer to a gap north of the pond where it is more likely to be used.</u>
LANDSCAPING REQUIREMENTS				
Parking Area Landscape Requirements (Zoning Sec 5.5.3.C and LDM 5)				
General requirements (LDM 5)	· Clear sight distance within parking islands · No evergreen trees	No proposed plantings appear to block visibility within the parking lot	Yes	
Name, type and number of ground cover (LDM 5)	As proposed on planting islands	Sod is indicated	Yes	
General (Zoning Sec 5.5.3.C)				
Parking lot Islands	· A minimum of 200 SF to qualify · A minimum of 200sf unpaved area per tree planted in an island · 6" curbs · Islands minimum width 10' BOC to BOC	All islands' areas are labeled and appear to be sufficiently sized	Yes	
Curbs and Parking stall reduction (Zoning Sec 5.3.12)	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7 ft.	Exterior spaces are 17 feet long and interior spaces are 19 feet long	Yes	
Contiguous space	· Maximum of 15	· There are 4 bays	Yes	

Item	Required	Proposed	Meets Code	Comments
limit (Zoning sec 5.5.3.C)	contiguous spaces · As the long bay is shown as being used for vehicle storage and display it may be 25 spaces long.	around the perimeter of the lot longer than 15 spaces · As the bays are indicated to be for storage and inventory, they can be up to 25 spaces.		
Plantings around Fire Hydrant (Zoning sec 5.5.3.C)	- No plantings with matured height greater than 12' within 10 ft. of fire hydrants - Plant trees at least 10 feet from underground sanitary sewer lines - Plant trees at least 5 ft from underground water and storm sewer lines - Plantings near hydrants or FDCs should be no taller than 12"	No trees are proposed within 10 feet of hydrants.	Yes	<u>Add a note stating that any foundation plantings within 3 feet of the FDC shall be 12" or shorter on the final site plans.</u>
Landscaped area (Zoning sec 5.5.3.C)	Areas not dedicated to parking use or driveways exceeding 100 sq. ft. shall be landscaped	Yes		<u>Please indicate some sort of landscaping in the small island in the western parking lot (not trees)</u>
Clear Zones (Zoning sec 5.5.3.B.ii Footnote 10)	25 ft corner clearance required. - Refer to Zoning Section 5.5.9 - Road Commission for Oakland County zone for RCOC jurisdiction roads	- Road Commission for Oakland County clear vision zones are provided for both entries. - Street trees are proposed outside of the clear vision zones.	- Yes - Yes	<u>If the RCOC does not allow some or all of the Grand River street trees, the disallowed trees do not need to be planted, but documentation of that ruling must be provided.</u>
Category 1: For OS-1, OS-2, OSC, OST, B-1, B-2, B-3, NCC, EXPO, FS, TC, TC-1, RC, Special Land Use or non-residential use in any R district (Zoning Sec 5.5.3.C)				
A = Total square footage of vehicular use areas up to 50,000sf x 7.5%	- A = x sf * 7.5 % - A = 50,000 * 7.5% = 3750 sf			Calculation is provided
B = Total square footage of additional paved vehicular use areas (not including A or B) over 50,000 SF) x 1 %	- B = x sf * 1% - B = (121,299 – 50000) * 1% = 713 sf			Calculation is provided

Item	Required	Proposed	Meets Code	Comments
Category 2: For: I-1 and I-2 (Zoning Sec 5.5.3.C)				
A. = Total square footage of vehicular use area up to 50,000 sf x 5%	$A = x \text{ sf} * 6\%$	NA		
B = Total square footage of additional paved vehicular use areas over 50,000 SF x 0.5%	$B = 0.5\% \times 0 \text{ sf}$	NA		
All Categories				
C = A+B Total square footage of landscaped islands	• $C = A + B$ • $C = 3,750 + 713 = 4,463 \text{ SF}$	5,718 sf	Yes	
D = C/200 Number of canopy trees required	• $D = C/200 \text{ trees}$ • $4,463/200 = 22 \text{ Trees}$	20 trees	No	1. Two trees in northern corner lots are shown as greenbelt trees. They should be shown as parking lot interior trees. 2. One tree at the south end of the lot is shown as a double-counted parking lot interior and perimeter tree. This is not allowed – it should just be shown as a perimeter tree.
Perimeter Green space (Zoning Sec 5.5.3.C)	• 1 Canopy tree per 35 lf • $1,138/35 = 33 \text{ trees}$	34 trees • 12 greenbelt/perimeter trees • 22 perimeter trees	Yes	
Accessway perimeter (Zoning Sec 5.5.3.C.iv.j)	• 1 canopy tree per 35 lf on each side of road, less widths of access drives. • $(40*2+35*2)/35 = 4 \text{ trees}$	• 4 trees • 2 are double-counted as accessway perimeter/greenbelt canopy trees – this is allowed	Yes	
Parking land banked (Zoning Sec 5.2.14.D)	NA	None		
Berms, Walls and ROW Planting Requirements				
Berms (Zoning Sec 5.5.3.A & LDM 1)				
• All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours • Berm should be located on lot line except in conflict with utilities. • Berms should be constructed with 6" of topsoil.				

Item	Required	Proposed	Meets Code	Comments
Residential Adjacent to Non-residential (Sec 5.5.3.A & LDM 1.a)				
Berm requirements (Zoning Sec 5.5.A)	Landscaped berm 6-8 feet tall	- Existing berm approximately 3 feet tall with large evergreens of varying health - All of the existing evergreen trees on the berm are being removed and replaced due to their poor health - The berm is being raised to between 6-8 feet. - A line of large evergreen trees is proposed, with a second row of Green Giant arborvitaes between homes and the site (not the entire frontage)	No	1. Although the proposed berm and landscaping is a big improvement over what was previously proposed, the proposed spacing of the large evergreen trees won't provide the required opacity after 2 years of growth so the deviation is still required, and is <i>not supported by staff</i>. 2. More evergreen trees need to be provided where there is not a "backup" row of Green Giant arborvitaes behind them, either by adding more large evergreen trees in a closer-spaced "zigzag" pattern or by continuing the row of arborvitaes. 3. If that is done, the waiver won't be required.
Planting requirements (LDM 1.a.)	LDM Novi Street Tree List	NA		<u>The requirement is that the plants will provide visual opacity of 80% in the winter and 90% in the summer within two years.</u>
Adjacent to Public Rights-of-Way (Sec 5.5.3.B and LDM 1.b)				
Berm requirements (Zoning Sec 5.5.3.A.(5))	An undulating berm a minimum of 3 feet high with a 2-foot-wide crest is required	A continuous hedge is proposed along both frontages in lieu of the berm	No	1. A landscape deviation for this is required. 2. <i>The deviation can only be supported by staff for the areas with shrubs with persistent winter blockage due to a dense branching structure (ninebark)</i>

Item	Required	Proposed	Meets Code	Comments
				<i>or persistent berries that fill the shrubs (winterberry). Please replace the hydrangea with either evergreens or a shrub variety with a dense branching structure.</i>
Cross-Section of Berms (LDM 10)				
Slope, height and width	- Label contour lines - Maximum 33% - Min. 3 feet flat horizontal area - Minimum 3 feet high - Constructed of loam with 6' top layer of topsoil.	No	NA	
Type of Ground Cover		NA		
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	- Overhead lines exist along both frontages. - Subcanopy trees are proposed under the lines.	Yes	
Walls (Zoning Sec 5.5.3.A & LDM 10)				
Material, height and type of construction footing	Freestanding walls should have brick or stone exterior with masonry or concrete interior	No walls are required or proposed	NA	
Walls greater than 4 ft. should be designed and sealed by an Engineer		NA	NA	
ROW Landscape Screening Requirements (Zoning Sec 5.5.3.B.ii)				
Greenbelt width	Adj to Parking: 20 ft. Not adj to Pkg: 25 ft	- Grand River: 21 ft - Joseph Drive: 21 ft	- Yes - Yes	
Min. berm crest width	Adj to Parking: 2 ft. Not adj to Pkg: 0 ft	- Grand River: 0 ft - Joseph Drive: 0 ft - A continuous hedge is proposed along Grand River and Joseph Drive	- No - No	1. A landscape deviation is required for the lack of berms. 2. It would be supported by staff if denser branched species and/or more evergreens are used.
Minimum berm height	Adj to Parking: 3 ft. Not adj to Pkg: 0 ft	- Grand River: 0 ft - Joseph Drive: 0 ft	- No - No	See above
3' wall	(2)(3)(4)	None		

Item	Required	Proposed	Meets Code	Comments
Canopy deciduous or large evergreen trees	- Adj to Pkg: 1 tree per 35 lf - Not adj to Pkg: 1 tree per 60 lf - Grand River – all adjacent to parking: $(472-24-32)/35 = 12$ trees - Joseph Dr: 296lf adj to pkg: $296/35=8$ trees 179lf not adj to pkg: $(179/60) = 3$ trees	- Grand River: 13 trees – 6 canopy trees double-counted as parking lot perimeter trees + 1 south of the sign + 3 accessway/greenbelt double counted trees + 2 greenbelt trees used as parking lot interior trees (not allowed) plus 1 existing tree to remain - Joseph Drive: 18 trees – 6 double-counted greenbelt canopy trees adj to pkg + 4 new large evergreens + 8 existing evergreen trees to remain	- Yes/No - Yes	- Please relabel the following trees to better meet the ordinance (no new trees will be necessary): - Relabel the tree in the northwest island as a parking lot interior tree. - Relabel the tree south of the sign as a double-counted accessway perimeter/greenbelt tree - Relabel the tree across the drive from #3 as a double-counted accessway perimeter/greenbelt tree - Label the tree north of it as a Greenbelt tree - Relabel the tree in the northeast island as a parking lot interior tree.
Sub-canopy deciduous trees)	- Adj to Pkg: 1 tree per 20 lf - Not adj to Pkg: 1 tree per 40 lf - Grand River (all adj to pkg): $(472-24-32)/20 = 20$ trees - Joseph Dr: $(290/20)+(165/40) = 19$ trees	- Grand River: 21 trees - Joseph Drive: 17 trees	- Yes - No	- The deficiency in trees along the south section of Joseph Drive requires a landscape deviation. - It would be supported by staff since the existing vegetation to be preserved is dense and doesn't leave room for all of the trees. - Please add a note to the demolition plan to remove any invasive volunteers from the evergreens to be preserved along Joseph Drive to maintain their

Item	Required	Proposed	Meets Code	Comments
				<u>health.</u>
Canopy deciduous trees in area between sidewalk and curb	· Parking & No Parking: 1 tree per 35 lf · Grand River: (465-24-32)/35 = 12 trees · Joseph Dr: (463/35 = 13 trees	· Grand River: 12 subcanopy trees due to overhead wires – clear vision zones limit the number of trees that can be planted · Joseph Drive: 8 canopy trees + 8 subcanopy trees under overhead wires	· No · Yes	If the Road Commission for Oakland County does not allow some or all of the Grand River trees to be planted, they do not have to be, and don't need to be planted elsewhere on the site, but a copy of their decision must be provided to staff.
Non-Residential Projects (Zoning Sec 5.5.3.F.iii)				
Refer to Planting in ROW, building foundation landscape, parking lot landscaping and LDM				
Screening of outdoor storage, loading/unloading (Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)	Loading areas must be completely screened from roads	· Loading zone is shown south of the building and north of the employee and service parking. · The building blocks it from Grand River and significant greenbelt landscaping screens it sufficiently from Joseph Drive	Yes	
Transformers/Utility boxes (LDM 6)	· A minimum of 2ft. separation between box and the plants · Ground cover below 4" is allowed up to pad. · No plant materials within 8 ft. from the doors	· None are shown · Screening detail is on L-3	No	1. <u>When transformer locations are finalized, screening shrubs per standard detail are required.</u> 2. <u>If none are shown on final site plans, an estimate of how many will be needed should be made and 10 shrubs per transformer should be added to the plant list and noted as being for transformer.</u>
Building Foundation Landscape Requirements (Zoning Sec 5.5.3.D)				
Interior site landscaping SF (Zoning Sec 5.5.3.D)	· Equals to entire perimeter of the building x 8	· A = 4,395 sf · 3,470sf of that (79%) is at the	· Yes · No · Yes	1. A landscape deviation is required for the area that is

Item	Required	Proposed	Meets Code	Comments
	- Landscape areas must be at least 4 ft. wide - A: (638-123)lf x 8ft = 4,120 SF	- building – the remaining landscaping is near the building - Shaded areas show areas to be landscaped. - More than 75% of the building is landscaped	Yes	not at the building foundation 2. <u>It would be supported by staff as the areas away from the building are near enough to enhance its appearance.</u> 3. <u>Foundation plantings are to be included in the final site plans, plant list and cost estimate.</u>
Building Frontage Landscaping (Zoning Sec 5.5.3.D)	If visible from public street a minimum of 60% of the exterior building perimeter should be covered in green space	Grand River: 126/152 = 83% Joseph Drive: 108/165 = 65%	- Yes - Yes	
Detention/Retention Basin Requirements (Zoning Sec. 5.5.3.E & LDM 3)				
Planting requirements (Zoning Sec 5.5.3.E & LDM 3)	- Clusters of large native shrubs shall cover 70-75% of the basin rim area at 10 lf from permanent water level 10" to 14" tall grass along sides of basin - Refer to wetland for basin mix - Deciduous canopy tree 1/35 of east, south and west sides of pond at 10 feet from permanent water level	- The required shrubs are provided. - There are no canopy trees along most of the south side of the pond	- Yes - Yes	Since the calculations show that the pond will infiltrate over 72 hours, the canopy trees are not required.
Phragmites and Japanese Knotweed Control (Zoning Sec 5.5.6.B)	- Any and all populations of Phragmites australis and/or Japanese Knotweed on site shall be included on tree survey. - Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site.	- A note indicates that there is none of either species. - A site visit found a small patch of Phragmites in the area that will be paved, so treatments won't be necessary	No	<u>Please add a note stating that if any Phragmites or Japanese knotweed are found during construction, they must be controlled.</u>
LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS				
Landscape Notes – Utilize City of Novi Standard Notes				
Installation date (LDM 10)	Provide intended date	Between March and November.	Yes	
Maintenance & Statement of intent	Include statement of intent to install and	Yes	Yes	

Item	Required	Proposed	Meets Code	Comments
(Zoning Sec 5.5.6 & LDM 10)	guarantee all materials for 2 years. · Include a minimum one cultivation in June, July and August for the 2-year warranty period.			
Plant source (LDM 10 & 11)	Shall be northern nursery grown, No.1 grade.	Yes	Yes	
Irrigation plan (LDM 10)	· A fully automatic irrigation system or a method of providing sufficient water for plant establishment and survival is required on Final Site Plans. · If irrigation isn't used, note how trees will get sufficient water for establishment and long-term survival	No		1. <u>Please add an irrigation plan or information as to how plants will be watered sufficiently for establishment and long-term survival in the Final Site Plans.</u> 2. <u>If an irrigation system is provided, it must meet the requirements listed at the end of this chart.</u> 3. <u>If xeriscaping is used, please provide information about plantings included.</u>
Other information (LDM 10)	Required by Planning Commission	NA		
Establishment period (Zoning Sec 5.5.6 & LDM 10)	2 yr. Guarantee	Yes	Yes	
Approval of substitutions. (Zoning Sec 5.5.5 & LDM 10)	City must approve any substitutions in writing prior to installation.	Yes	Yes	<u>Please add "Written approval from the City Landscape Architect is required" to Landscape Note #12.</u>
Plant List (LDM 10 & 11) – Include all cost estimates				
Quantities and sizes	- At least 50% of species used shall be native to Michigan - Tree diversity shall follow guidelines of LDM Section 4 - Refer to LDM suggested plant list	Yes	Yes	
Root type		Yes	Yes	
Botanical and common names (LDM 4 & 11)		13 of 25 species used (52%) are native to Michigan - The tree diversity requirement is met	- Yes - Yes	1. <u>When foundation landscaping is added, at least 50% of the total species must be native to Michigan, preferably more.</u> 2. <u>Itea virginica and Tilia cordata are not native to Michigan.</u>

Item	Required	Proposed	Meets Code	Comments
				3. <u>If berries are desired in future years, some male winterberries should be mixed in at a rate of 1 male per 8-10 females.</u>
Type and amount of lawn		Sod is indicated everywhere but in the infiltration basin area	Yes	
Cost estimate (LDM 10)	For all new plantings, mulch and sod as listed on the plan	Yes		
Planting Details/Info (LDM Part III) – Utilize City of Novi Standard Details				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes – Sheet L-3	Yes	
Evergreen Tree		Yes – Sheet L-3	Yes	
Multi-stem Tree		Yes – Sheet L-3	Yes	
Shrub		Yes – Sheet L-3	Yes	
Perennial/ Ground Cover		Yes – Sheet L-3	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		Yes – Sheet L-3	Yes	
Tree protection fencing	Located at Critical Root Zone (1' outside of dripline)	Yes – Sheet L-2	Yes	
Other Plant Material Requirements (LDM 11)				
General Conditions	Plant materials shall not be planted within 4 ft. of property line	Yes		
Plant Materials & Existing Plant Material (LDM 11)	Clearly show trees to be removed and trees to be saved.	Yes – Sheet L-2	Yes	
Landscape tree credit (LDM 11)	- Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA. - Refer to Landscape tree Credit Chart in LDM	No		
Plant Sizes for ROW, Woodland replacement and others (LDM 11)	- Size determined by use detailed in LDM Table 11.b.(2)a.i - Indicate on plant list	On plant list	Yes	

Item	Required	Proposed	Meets Code	Comments
Plant size credit (<i>LDM 11</i>)	NA	No		
Prohibited Plants (<i>LDM 11.b</i>)	No plants on City Invasive Species List	None are used	Yes	
Recommended trees for planting under overhead utilities (<i>LDM 11</i>)	Label the distance from the overhead utilities	Subcanopy trees are proposed under the overhead lines	Yes	
Collected or Transplanted trees (<i>LDM 11</i>)		None indicated		
Nonliving Durable Material: Mulch (<i>LDM 12</i>)	· Trees shall be mulched to 3" depth and shrubs, groundcovers to 2" depth · Specify natural color, finely shredded hardwood bark mulch.	Shown on details	Yes	

NOTES:

1. This table is a working summary chart and is not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. For the landscape requirements, please see the Zoning Ordinance landscape section 5.5 and the Landscape Design Manual for the appropriate items under the applicable zoning classification.
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

Irrigation System Requirements

1. Any booster pump installed to connect the project's irrigation system to an existing irrigation system must be downstream of the RPZ.
2. The RPZ must be installed in accordance with the 2015 Michigan Plumbing Code.
3. The RPZ must be installed in accordance with the manufacture installation instructions for winterization that includes drain ports and blowout ports.
4. The RPZ must be installed at a minimum of 12-inches above FINISHED grade.
5. Attached is a handout that addresses winterization installation requirements to assist with this.
6. A plumbing permit is required.
7. The assembly must be tested after installation with results recorded on the City of Novi test report form.



AECOM
39575 Lewis Dr, Ste. 400
Novi
MI, 48377
USA
aecom.com

Project name:

JZ24-32 – Feldman Kia PRO Preliminary Traffic Review

From:

AECOM

Date:

March 11, 2025

To:

Barbara McBeth, AICP
City of Novi
45175 10 Mile Road
Novi, Michigan 48375

CC:

Lindsay Bell, Dan Commer, Humna Anjum, Diana
Shanahan, Milad Alesmail, Stacey Choi

Memo

Subject: JZ24-32 – Feldman Kia PRO Preliminary Traffic Review

The PRO preliminary site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward as long as the comments below are addressed to the satisfaction of the City.

GENERAL COMMENTS

1. The applicant, Feldman Automotive, is proposing a 18,830 SF Kia dealership, consisting of a 7,716 SF showroom and 12 service bays.
2. The development is located on the southwest corner of Grand River Avenue and Joseph Drive. Grand River Avenue is under the jurisdiction of the Road Commission for Oakland County and Joseph Drive is under the jurisdiction of the City of Novi.
3. The site is zoned NCC – Non-Center Commercial and the applicant is proposing to rezone to B-3 - General Business.
4. The following traffic-related deviations are being requested by the applicant:
 - a. Lack of landscape end island.

TRAFFIC IMPACTS

1. AECOM performed an initial trip generation based on the ITE Trip Generation Manual, 11th Edition, as follows.

ITE Code: 840 – Automobile Sales (New)

Development-specific Quantity: 18,830 GLA

Zoning Change: NCC to B-3

Trip Generation Summary	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
AM Peak-Hour Trips	35	26	100	No
PM Peak-Hour Trips	55	33	100	No
Daily (One-Directional) Trips	524	N/A	750	No

2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour, or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
-	N/A

TRAFFIC REVIEW

The following table identifies the aspects of the plan that were reviewed. Items marked O are listed in the City's Code of Ordinances. Items marked with ZO are listed in the City's Zoning Ordinance. Items marked with ADA are listed in the Americans with Disabilities Act. Items marked with MMUTCD are listed in the Michigan Manual on Uniform Traffic Control Devices.

The values in the 'Compliance' column read as 'met' for plan provision meeting the standard it refers to, 'not met' stands for provision not meeting the standard and 'inconclusive' indicates applicant to provide data or information for review and 'NA' stands for not applicable for subject Project. The 'remarks' column covers any comments reviewer has and/or 'requested/required variance' and 'potential variance'. A potential variance indicates a variance that will be required if modifications are not made or further information provided to show compliance with the standards and ordinances. The applicant should put effort into complying with the standards; the variances should be the last resort after all avenues for complying have been exhausted. Indication of a potential variance does not imply support unless explicitly stated.

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
1	Driveway Radii O Figure IX.3	-	N/A	No changes proposed.
2	Driveway Width O Figure IX.3	26.8' and 32.9'	Met	
3	Driveway Taper O Figure IX.11	-	N/A	No changes proposed.
3a	Taper length			
3b	Tangent			
4	Emergency Access O 11-194.a.19	2 access points	Met	
5	Driveway sight distance O Figure VIII-E	560'	Met	
6	Driveway spacing			
6a	Same-side O 11.216.d.1.d	-	N/A	No changes proposed.
6b	Opposite side O 11.216.d.1.e	-	N/A	No changes proposed.
7	External coordination (Road agency)	-	N/A	No changes proposed to Grand River Avenue.
8	External Sidewalk Master Plan & EDM	8' proposed on Grand River Ave, 5' proposed on Joseph Dr	Met	
9	Sidewalk Ramps EDM 7.4 & R-28-K	None proposed at driveways	Met	
10	Any Other Comments:			

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
11	Loading zone ZO 5.4	1,200 SF in rear of building	Met	
12	Trash receptacle ZO 5.4.4	Proposed in rear of site	Met	
13	Emergency Vehicle Access	Turning movements provided	Met	
14	Maneuvering Lane ZO 5.3.2	24' and 25'	Met	
15	End islands ZO 5.3.12			
15a	Adjacent to a travel way	Width and radii dimensioned, 3' shorter than adjacent space	Partially Met	There are 2 locations, on either side of the building, where 2 customer parking spaces have an end island on one side and a painted island on the other. The applicant has requested a waiver for painted end islands.
15b	Internal to parking bays	Width and radii dimensioned	Met	
16	Parking spaces ZO 5.2.12	300 spaces (includes inventory spaces)		See Planning review letter.
17	Adjacent parking spaces ZO 5.5.3.C.ii.i	>15 spaces in inventory parking bays only	Met	
18	Parking space length ZO 5.3.2	17' and 19'	Met	
19	Parking space Width ZO 5.3.2	9'	Met	
20	Parking space front curb height ZO 5.3.2	4" in front of 17' spaces, 6" everywhere else	Met	
21	Accessible parking – number ADA	3	Met	
22	Accessible parking – size ADA	17' x 8' with 8' and 6' aisles	Met	
23	Number of Van-accessible space ADA	1	Met	
24	Bicycle parking			
24a	Requirement ZO 5.16.1	2 required, 2 proposed	Met	
24b	Location ZO 5.16.1	Provided	Met	
24c	Clear path from Street ZO 5.16.1	6'	Met	
24d	Height of rack ZO 5.16.5.B	3'	Met	
24e	Other (Covered / Layout) ZO 5.16.1	Provided	Met	
25	Sidewalk – min 5' wide Master Plan	5' and 7'	Met	
26	Sidewalk ramps EDM 7.4 & R-28-K	Provided	Met	
27	Sidewalk – distance back of curb EDM 7.4	-	N/A	

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
28	Cul-De-Sac O Figure VIII-F	-	N/A	
29	EyeBrow O Figure VIII-G	-	N/A	
30	Turnaround ZO 5.10	-	N/A	
31	Any Other Comments:			

SIGNING AND STRIPING				
No.	Item	Proposed	Compliance	Remarks
32	Signing: Sizes MMUTCD	Provided	Met	
33	Signing table: quantities and sizes	Provided	Met	
34	Signs 12" x 18" or smaller in size shall be mounted on a galvanized 2 lb. U-channel post MMUTCD	Provided	Met	
35	Signs greater than 12" x 18" shall be mounted on a galvanized 3 lb. or greater U-channel post MMUTCD	Provided	Met	
36	Sign bottom height of 7' from final grade MMUTCD	Provided	Met	
37	Signing shall be placed 2' from the face of the curb or edge of the nearest sidewalk to the near edge of the sign MMUTCD	Provided	Met	
38	FHWA Standard Alphabet series used for all sign language MMUTCD	Provided	Met	
39	High-Intensity Prismatic (HIP) sheeting to meet FHWA retro-reflectivity MMUTCD	Provided	Met	
40	Parking space striping notes	Provided	Met	
41	The international symbol for accessibility pavement markings ADA	Provided	Met	
42	Crosswalk pavement marking detail	Provided	Met	
43	Any Other Comments:	Pavement marking details provided for hatched areas.		

Note: Hyperlinks to the standards and Ordinances are for reference purposes only, the applicant and City of Novi to ensure referring to the latest standards and Ordinances in its entirety.

Should the City or applicant have questions regarding this review, they should contact AECOM for further clarification.

Sincerely,

AECOM



Paula K. Johnson, PE
Senior Transportation Engineer



Saumil Shah, PMP
Project Manager



September 9, 2024

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

Façade Review Status:

Approved, Section 9 Waiver Recommended

Attn: Ms. Barb McBeth – Director of Community Development

Re: FACADE ORDINANCE
Feldman Kia PRO, JZ24-32,
Façade Region: 1, Zoning District: OS-1

Dear Ms. McBeth:

The following Façade Review is based on the drawings prepared by Studio Detroit Architects, dated 8/XX/24. The percentages of materials for each façade are shown on the table below. The maximum and minimum percentages required by the Façade Ordinance are shown in the right-hand column. Materials in non-compliance, if any, are highlighted in bold.

	North (Front)	South	East	West	Ordinance Maximum (Minimum)
Brick	0%	94%	65%	75%	100% (30%)
EIFS	4%	0%	24%	17%	25%
Flat Metal (ACM)	95%	5%	10%	7%	50%
Roof Screens	1%	1%	1%	1%	25%

As shown above the minimum amount of Brick is not provided on the front façade. The front façade consists primarily of showroom glass which is not regulated by the Façade Ordinance. In this case the addition of Brick would not enhance the front façade and all other facades have large percentages of Brick. For this reason, we recommend that the design is consistent with the intent and purpose of the Façade Ordinance and that a Section 9 Waiver be granted for the underage of Brick on the front façade.

The sample board required by Section 5.15.4.D was not provided at the time of this review. It should be noted that the Façade Ordinance prohibits intense colors. This includes corporate lighting that may be located within the showroom and visible through the showroom glass.

Dumpster Enclosure – The drawings (SP1.4) indicates that the dumpster enclosure is constructed of 8” CMU grouted solid”. It should be noted that the Façade Ordinance requires that the dumpster enclosure be Brick to match the primary building.

Notes to the Applicant:

1. Inspections – The Façade Ordinance requires inspection(s) for all projects. The applicant should request inspection of the brick and awning color prior to installation. It is the applicant’s responsibility to request the inspection at the appropriate time (before installation). Inspections may be requested using the Novi Building Department’s Online Inspection Portal with the following link. Please click on “Click here to Request an Inspection” under “Contractors”, then click “Façade”. <http://www.cityofnovi.org/Services/CommDev/OnlineInspectionPortal.asp>.

Sincerely,
DRN & Architects PC



Douglas R. Necci, AIA



August 27, 2024

CITY COUNCIL

Mayor

Justin Fischer

Mayor Pro Tem

Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

City Manager

Victor Cardenas

Director of Public Safety

Chief of Police

Erick W. Zinser

Fire Chief

John B. Martin

Assistant Chief of Police

Scott R. Baetens

Assistant Fire Chief

Todd Seog

TO: Barbara McBeth - City Planner
Lindsay Bell - Plan Review Center
Heather Zeigler – Plan Review Center
Dan Commer – Plan Review Center
Diana Shanahan – Planning Assistant

RE: Feldman KIA – Intimal Concept

PSP#24-24-004

JSP#24- 32

Project Description:

New 2 story building on 4.88 acre site.

Comments:

- All fire hydrants **MUST** be installed and operational prior to any combustible material is brought on site. **IFC 2015 3312.1**
- For new buildings and existing buildings, you **MUST** comply with the International Fire Code **Section 510** for Emergency Radio Coverage. This shall be completed by the time the final inspection of the fire alarm and fire suppression permits.
- All notes on plan set sheet #2 for Fire Dept. shall be followed.

Recommendation:

The Fire Dept has no objections at this time.

Sincerely,

Novi Public Safety Administration

45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

Andrew Copeland – Acting Fire Marshal
City of Novi Fire Department

cc: file

**CITY COUNCIL MINUTES
EXCERPT May 5, 2025**

REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI

MONDAY, MAY 5, 2025, AT 7:00 P.M.

Mayor Fischer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith, Staudt, Thomas

ALSO PRESENT: Victor Cardenas, City Manager
Danielle Mahoney, Assistant City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 25-05-56 Moved by Thomas, seconded by Casey; MOTION CARRIED: 7-0

To approve the agenda as presented.

Roll call vote on CM 25-05-56

Yeas:	Casey, Gurumurthy, Heintz, Smith, Staudt, Thomas, Fischer
Nays:	None

PUBLIC HEARINGS: FY 2025-26 Budget and 2025 Millage Rates

The public hearing opened at 7:01 and closed at 7:02 with no public comment.

PRESENTATIONS: Third Quarter Council Goals Update

City Manager Cardenas stated they'll be giving an updated on their goals that they received a few months ago and this will be for the third quarter from the goals Council established in January of '24.

Assistant City Manager Mahoney stated she was there before Council to give an update on the status of their goals for the third quarter. Just as a reminder, Council set the goals in January 2024. Unlike previous years, it was decided that rather than getting together again to set new goals every year, they're going to focus on the goals that were set in early 2024. This was Council's time to give staff direction if priorities have shifted, if they want to unpack any of the goals or ask questions and staff would provide more information. In the second quarter, almost half of Council's 23 goals were in progress, all goals in INVEST were under way. Additional key highlights included the OPEB Investment Study (OPERATE), development at Town Center (BUILD) and completion of 8 Mile Road between Novi and Haggerty (INVEST). Similarly in the third quarter, nearly two-thirds of the goals that Council set are in progress or are completed. By program area, not much has changed. Under INVEST, they are still underway with two completed goals and of the 23 goals, only two haven't started. One of those goals is the Environmental Action Plan implementation because they are still working on creating that plan and the other is a regional trail network that has a lot of moving parts, like a railroad that's involved and regional collaboration efforts, so not much work has been done yet. She was happy to report that the 2050 plan is officially underway. Council had a workshop with the Futurist back in March and the trends from that workshop will help inform the plan. They are under contract with BerryDunn, and the core project team will meet this week to have a planning kickoff meeting. They are currently working to schedule a similar kickoff with the Long Range Strategic Planning Committee and is hoping to

footage of play space required. The State's standard would weigh in on that as well as their local standard.

Roll call vote on CM 25-05-62

**Yeas: Fischer, Casey, Gurumurthy, Heintz,
Smith, Staudt, Thomas**

Nays: None

6. Consideration of tentative approval of Feldman Kia, JZ24-32, with Zoning Map Amendment 18.746 to rezone property at the southwest corner of Grand River Avenue and Joseph Drive from Non-Center Commercial to General Business with a Planned Rezoning Overlay.

City Manager Cardenas commented that the Council initially considered the PRO back in December of last year. The Planning Commission then recommended this for approval this past April 9. This is rezoning 4.898 acres on Grand River. The public benefit the applicant is offering is to design and construct three pedestrian seating area and an enhanced sidewalk along Joseph drive as well as two covered seating areas at nearby bus stops.

David Landry was present on behalf of the applicant, Feldman KIA. They are there to request a rezoning from NCC to B-3 with a planned zoning overlay. They are proposing limiting the development to a single B-3 use, which is auto dealership. The property has a long history of being a non-conforming use with Glenda's. They would be replacing that non-conforming use. Under the current zoning NCC, a 36,000 square foot building could be built, and the parking could be as close as 10 feet from the neighboring people to the south. They are proposing a dealership that has a large detention pond and only a small number of parking adjacent to the residential. The building is going to be considerably farther away from the residential to the south. He pointed out that their proposal is consistent with the master plan. B-3 is consistent with community commercial and that's the way the master plan has this. It's consistent with the objective to support retail commercial uses along transportation corridors. Impact on traffic is similar to what is expected under NCC. No new curb cuts on Grand River and Joseph Drive. No increase in demand for public utilities and public services. It is compatible with other uses that could be developed in the NCC. The economic impact is \$7 million is being invested in this property with 175 – 200 constructions jobs and 40 – 50 full-time jobs being created. They're moving the KIA dealership so not all of those 40-50 jobs will be new, probably 10 to 15 because they're expanding. He wanted to focus on comments from the City Council. Last time they were there in December, there were four issues and he wanted to directly address them: adjacency to the residential to the south, lighting, sound, and the car haulers that unload in the middle of Grand River. With respect to the adjacency to the residential to the south, there are four residences that border this. The dealership building is 188 feet away. The NCC building setback is 20 feet from the rear. They are considerably farther than anything that could be built under NCC. The parking setback is 10 feet. The closest parking they have is 53 feet. There is an existing berm between the residential to the south and the current development there. They are going to raise this to 6-8 feet height, remove the dead trees, plant a double row of evergreens and add green giant arbor which will create 80-90% opacity as recognized by the City's landscape architect. In addition, there's a four foot wall on the dealership side of the berm. They will have a four foot brick wall and then the 6-8 foot berm with trees on top of that. They had a discussion with one resident of the southeast corner who did not want all the trees to be removed. They met with landscape architect, Rick Meader, and talked about it. The Administration initially wanted them to remove all the trees and replace them. They said fine, they'll do it. The resident thought that there were a number of trees that could be saved.

Mr. Meader looked at it and said they could do that so they've agreed with the resident to the south. The resident is satisfied because they are leaving the trees he wants. They agree that the first part of the construction of this project, if it's approved, is to build that berm and plant those trees so during the construction the residents to the south won't have to see it. In regard to lighting, the ordinance provides that the maximum height for the light poles can be 25 feet. Their lights are 22.6 feet. The lights meet the ordinance plus they have shields on them. The ordinance provides that at the property line of residential property; the maximum illumination is .5 foot-candles. Their illumination is one fifth of that so they are well below the City's requirement for illumination. Planning Commission member Avdoulos called their lighting "state of the art" and thought it was excellent the decrease in illumination at the property line. In regard to sound, adjacent to residential the daytime maximum is 60 decibels and the nighttime maximum is 55. Their building has HVAC units pointed at the top which emit 90 decibels but as far away as they are, it's reduced to 53 decibels. The alarms that are on the building can be controlled, they agree, and it can be specifically written in the PRO agreement that they will not exceed the nighttime 55 decibels. They can clearly do that and they're happy to have that written in the PRO. Lastly, nobody likes car haulers in the middle of Grand River. They don't like it but they can't control them. They have complained but the drivers tell them they don't like pulling in because the nature of the parking lot is such that the drivers have to maneuver and pull out and backing up is difficult. They have designed a complete loop all the way around the parking lot area so no need for a car hauler to back up. There's a specific loading and unloading dock. They've designed that into the system. They've designed the system so there's no excuse for the car haulers to stop in the middle of Grand River. There are two major requirements of the PRO ordinance. First, one site specific conditions that are more limiting than the proposed B-3 usage. B-3 has 20 principal permitted uses and they only want one. Under B-3, the building setback is 30 feet and theirs is 90 feet. The building rear setback is 20 feet, theirs is 188 feet. Building side setback is 15 feet and they're 212 feet on the east and 77 feet on the west. The parking setback in the front is 20 feet and they're at 20 feet because they want the cars near the road. The rear parking setback is 10 feet and they're at 53 feet. Under days of operations, B-3 allows for seven and they're at six day with no Sunday hours of operation. They'd be open 7:00 AM to 6:00 PM Tuesday, Wednesday & Friday, 7:00 AM to 9:00 PM Monday & Thursday and 8:00 AM to 4:00 PM on Saturday. On numerous items they are more strict than the B-3. Secondly, the public benefit outweighs the detriment. He doesn't see a lot of detriment. It's consistent with the master plan. It's compatible with the adjacent uses. No increase in public services. They are proposing in addition that on Joseph Drive, they will create a meandering sidewalk. They will create three seating areas with significant landscaping behind them. They are proposing decorative light poles for Grand River. They are proposing to install three covered bus stops. They've contacted the bus company and they're all right with it and are happy with the plan and have given approval to do it. They would willingly agree to all of that and the items in the proposed PRO agreement. They respectfully request that Council gives tentative approval to the PRO and allow the City Attorney to draft an agreement.

Mayor Pro Tem Casey said she looked back over her comments from the last time and looked at the plan and she appreciated that most of her feedback was taken in and was thankful. She also wanted to commend the applicant for working with the resident to the southeast and not just making him satisfied but for also committing to building the berm first. She would like that to become standard in a lot of other developments where the residents nearby are taken care of first and then the development happens. She then inquired when do the car haulers generally come onto the property and deliver the cars. Steve Saltz for Feldman replied that unfortunately it was random times throughout the day but generally mid-morning. She said the reason she asked the question had to do with the sound of the trucks and the engines starting as they're offloading the cars. The other piece of feedback that she had given but didn't see documented anywhere is the

idea of restricting test drives on Joseph Drive. She's assuming that if the salesperson goes along for the ride, they can just say to take Grand River, loop around whatever. She doesn't know what kind of signage can be done. That was feedback that was brought up by residents on Joseph who were worried about test drives going up and down that street. Mr. Saltz said from their side they'll handle it with the sales staff personnel and tell them not to go down that road or direct them not to go down that road.

Member Smith also thanked the applicant for working with the neighbors. His biggest concern was the lighting and he thinks that's been addressed. The only thing he would ask about is the size of the trees the applicant was planning on putting in when they build up the berm. Existing trees are taken out and it'll be some time when the trees have grown to their full height and there'll be some excess lighting. Dave Landry responded by saying they'll put in the height of the trees as required by the City's landscape architect which he believes is 6-8 feet and he believes evergreens grow at the rate of one foot per year but whatever the City requires them to put in they'll put in. In regard to foot-candles, Member Smith wanted to know how that was measured because he didn't know what a foot-candle looked like so an explanation would be useful. Mr. Landry responded that Council has a subsequent report since the December meeting, from their lighting expert that deals with that. He doesn't know where it's measured from but wherever the City measures it, that's where their lighting expert measured it. He thinks a foot-candle is the amount of lumination that a single candle gives off at one foot away. Member Smith thinks it looks like a good proposal and sounds like the applicant has addressed the lighting issue.

Member Staudt asked Mr. Landry if they could assume that Feldman will listen to the concerns of residents in the event they overlook something during the process of all these inspections and measurements. Feldman's been a long-term part of the business community. Mr. Landry replied short answer is yes; they will abide by it. They're not investing \$7 million to start a fight with the City. That's not why they're here. This is not a general rezoning, it's a PRO and there's a contract they're going to be held to. Member Staudt concluded by saying Feldman Automotive has been extremely good customers of the City and they're looking forward to their investment.

CM 25-05-63 Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-1

Tentative indication that Council may approve the request of Feldman Automotive, for JZ24-32, with Zoning Map Amendment 18.746, to rezone property at the southwest corner of Grand River Avenue and Joseph Drive from NonCenter Commercial to General Business with a Planned Rezoning Overlay Agreement, and corresponding PRO Concept Plan, and direction to the City Attorney to prepare the PRO Agreement including items A through C:

A. All deviations from the ordinance requirements shall be identified and included in PRO Agreement, including:

- 1. Deviation from Section 3.10.3 to allow the Service Bay Doors to face a major thoroughfare and a residential district. The service reception area is proposed to have a total of four overhead doors. The northern overhead doors are 129 feet from the Grand River Avenue right of way. The southern overhead doors are located 281 feet from the southern property line. There will be a screen wall and berm with**

landscaping along the southern property line to screen the overhead doors from the residential uses from the south. The overhead doors are needed for customer use.

2. Traffic deviation from Section 5.3.12. There are two locations, on either side of the building, where 2 customer parking spaces have an end island on one side, but not the side adjacent to the entry/exit point of the service area. This is supported as the area next to the parking spaces has been striped out.
 3. Landscape deviation from Section 5.5.3.B.ii and iii to permit a continuous evergreen hedge along Grand River Avenue and Joseph Drive in lieu of the required minimum 3-foot-high berm along the road rights of way. The deviation is supported as the applicant has proposed to use evergreen shrubs to achieve the intent of the ordinance.
 4. Landscape deviation from Section 5.5.3.D to permit only 79% of the building foundation landscaping to be located at the building. This is supported as the required foundation area is provided in total, and the remaining landscaping is placed in areas that will enhance the appearance of the site.
 5. Lighting deviation from Section 5.7.3.L to exceed the 1 footcandle limit at the north and east property lines (3.4 fc and 6.2 fc, respectively). This deviation is supported as these areas are illuminating the sidewalks along the road frontages.
 6. Façade deviation from Section 5.15 for the north facade to contain 0% brick rather than the minimum 30% brick. The front consists of 70% showroom glass and 30% flat metal panels. The deviation is supported as the addition of brick would not offer an enhancement to the design.
 7. Landscape deviation from Section 5.5.3.B.ii and iii for insufficient screening berm for the southeastern portion of the property that abuts parcel 22-24- 326-004. This deviation is supported as it was requested by the adjacent property owner in order to preserve existing trees, however additional inspection as to the viability of the trees shall be conducted by the applicant before final approval and landscaping shall be provided to achieve the 80-90% opacity requirement.
- B. The following conditions shall be requirements of the PRO Agreement:
1. The use of the property is a New and Used Car Salesroom, Showroom and Office with a Servicing department and

outdoor inventory of vehicles, as typically associated with dealerships.

2. Accessory to the Car Dealership, Outdoor Space for exclusive sale of new or used automobiles will be permitted under the conditions for Special Land Use approval:

- i. 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, offstreet loading/unloading, travel times and thoroughfare level of service. (The traffic impact study provided indicates fewer trips generated by the proposed use than other potential uses.)**
- ii. 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. (The use is not expected to increase the demand on public services and utilities relative to other feasible uses of the site.)**
- iii. 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. (There are no significant natural features or characteristics present on the site.)**
- iv. 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. (The proposed use is similarly compatible to other uses that could be developed under the current NCC zoning district. No major automobile repair or service, as defined in Section 4.50 of the Zoning Ordinance, shall be permitted on the site.)**
- v. 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. (The Master Plan recommends Community Commercial uses, which includes uses permitted within the B-2 and B-3 districts.)**

- vi. 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. (The redevelopment of the site will remove a long-standing non-conforming use and improve the site visually from Grand River Avenue. The investments in the site improvements as well as the jobs created will benefit the area economically.)
 - vii. 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. (1. Outdoor Space for exclusive sale of new or used automobiles is listed as a Special Land Use in the B-3 District, and 2. the applicant has addressed the concerns previously raised so that the proposed use better conforms to the site design regulations.)
- 3. The applicant shall provide a unique streetscape along Joseph Drive with a winding sidewalk and the installation of a bench node on a concrete platform, decorative light poles, and significant landscaping across the western side of Joseph Drive, as shown on the PRO Plan.
 - 4. The applicant shall construct two covered bus stop shelters along Grand River Avenue to serve the nearby SMART bus stops.
 - 5. The days of operation shall be limited to Monday – Saturday. The business shall not be open on Sundays.
 - 6. The hours of operation shall be limited to the following, as described by the applicant: 7:00 a.m. to 6:00 p.m. on Tuesday, Wednesday and Friday, 7:00 a.m. to 9:00 p.m. on Monday and Thursday, and 8:00 a.m. to 4:00 p.m. on Saturdays.
 - 7. Outdoor speakers for security purposes may be permitted but must be attuned to meet the requirements of the noise ordinance and avoid disturbance of the adjacent residential neighborhood.
 - 8. No outdoor compressors shall be permitted.
 - 9. Automobile transit deliveries shall be limited to 8:00 a.m. to 6:00 p.m. on weekdays and must take place on the site in the designated loading/unloading area. Unloading shall not take place in any public right-of-way.

- 10. The parking setback shall be no less than 53 feet from the property line to the south.**
 - 11. The footprint of the building shall be limited to approximately 18,900 square feet, excluding mezzanine space.**
 - 12. The overhead service doors shall remain closed except to allow the entering and existing of vehicles.**
 - 13. The berm and landscape plantings along the southern property line shall be installed early in construction to protect the residents from the negative impacts of construction.**
- C. This motion is made because the proposed B-3 General Business zoning district is a reasonable alternative to the NCC Non-Center Commercial district and fulfills the intent of the Master Plan for Land Use, and because of the following enhancements that will result in an overall benefit to the public:**
- 1. The applicant proposes a unique streetscape along Joseph Drive with a winding sidewalk and the installation of a bench node on a concrete platform, decorative light poles, and significant landscaping across the western side of Joseph Drive.**
 - 2. The applicant states that the economic impact of this development includes an investment of \$7 million, the creation of 175-200 construction jobs, and the creation of 40-50 full-time permanent jobs.**
 - 3. The applicant has proposed to construct two covered bus stop shelters along Grand River Avenue to serve the nearby SMART bus stops.**

Member Heintz said he agreed with what was said and appreciated the applicant working with the public and City staff. He commended the work that's been done. He shared that two weeks ago he attended the Michigan Healthy Climate Conference and during those sessions it was stated multiple times that the transportation sector is responsible for producing about 20% of greenhouse gases. He understands the importance of dealerships and everything. It's just a weird twist of fate to have a car dealership go into what was previously a garden center. The reason he brings this up is it sounds like the applicant is focused on planting alongside the residential front and in other areas and he wanted to strongly encourage to use this to pay homage to Glenda's Garden Center and use this to be a leader in the automotive front to do their best to care for the environment. It's great to maximize the trees they have for a barrier between the public and taking in all that good old CO2 and helping out the environment as best they can. It could be a potential win-win for everyone and wants to encourage that. Dave Katarski, one of the owners and Chief Operating Officer of Feldman Automotive, said yes, they'll be a good partner and feels they always are. He said one thing to be proud of was their Chevy store in Novi is the number one selling EV store for General Motors in the country. They won that award this year by a landslide. They're going to plant the trees and continue to support EV's. They thought of all the recommendations

early on and they are all reasonable. They have friends and customers that live behind there and they took everything into consideration. They want to be a good partner. Member Heintz congratulated Mr. Katarski on the award and hopes those sales continue.

Member Gurumurthy wanted to echo all the comments and appreciated the collaboration that happened with their landscape architect, the residents and everybody by going through one by one the buffering or lighting or acoustics and appreciated the thoroughness. She was curious about the overall timing of this project and how does it work when dealing with multiple people. Mr. Saltz responded by saying they wanted to move as quickly as the City will allow them to move. They'll be right back going for site plan approval and grading permits. They have a schedule where if they can hold to it, they'd like to start some of the groundwork in June or July and would like to be operational by June of next year. In regard to the covered bus stops, they've spoken to SMART and will go as quickly as they'll allow them to go. If they can approve them, they'll reach out to the manufacturer of those that meet the standard and get them ordered and put in as soon as possible. City Manager Cardenas said in regard to the bus stops, they're going to take it to the CIA in terms of what kind of bus stops they're looking at first. He appreciated the speed of the applicant's response but they want to make sure they have a continuous look through the whole CIA so that is one of the things CIA will be undertaking.

Member Thomas said she looked at the lights at the existing dealership and they are bright and constant. She still has concerns but clearly from the comments, the applicant is going to do well there. She still has concerns about how the lighting affects the neighborhood and having lights that are on all the time is problematic. She knows the noise is within the ordinance level but it's also much more common than other noises that happens on a regular basis. There are cars coming in and out, test driving all the time and on Joseph Drive, she knows salespeople don't always go with people when test driving. She loves the existing dealer and bought a car there in December. She test drove four cars and not one salesperson came with her or gave her direction. Mr. Saltz said they will stand by that there will be no driving on Joseph Drive. In regard to the lights, there's zero over the back of the building. The light is contained to their property. It's state-of-the-art lighting so it's controllable by time so at a certain hour, they will dim on their own and then there'll be shields along the back row to keep it only in the front. There won't be any spillover and he'll direct the light forward onto the property. According to their lighting experts, they've designed for zero spillover outside their property. The berm and trees will manage any additional light. Member Thomas said so the lighting is different than what's at their other location and Mr. Saltz replied that the light at Novi Chevy has been there a long time and they've come a long ways on controlling the light spillage and controlling the light levels. Member Thomas said she just wanted to do her due diligence by looking at the lights and it felt overwhelming and there'd never be a chance for darkness. She's glad the applicant took action to try to accommodate the car haulers. At the BMW dealership at the corner, they park out there all the time unloading cars. It's very difficult at the busy times of the day to get in and out of that street. She's spent a lot of time there over there and it's tough and tricky. Mr. Saltz said those haulers also block that view but that's why she'll see on the plan there's an absolute loading path drive with arrows for them to go around the building with the loading and unloading zone. Member Thomas said she hopes very much that it will be used. Mr. Saltz said hopefully by building this store here and taking these cars down the street, they will reduce some of the cars on that lot, which will open up more space for the haulers to pull into that space. Member Thomas wanted to know which regard to the existing space that's housing the KIA, what's happening with that. Mr. Saltz stated that right now they're looking at just keeping it for the Chevy store as a used car lot and overflow for their service. They'll move some cars over that way but they'll be taking a couple hundred cars off the property and putting them down the street so that should alleviate some of the load on that property. Member

Thomas said she appreciates the efforts but still holds a lot of concerns and hopes that they can trust them to be a good partner.

Member Smith wanted to know if the lighting at the Chevy dealership two to five times is brighter than the light that's proposed here. Mr. Saltz replied that he couldn't say but he knows for a fact that the new lights have a lot more control almost to the point where they can use their iPhones and control the levels directly.

Roll call vote on CM 25-05-63

**Yeas: Casey, Gurumurthy, Heintz, Smith,
Staudt, Fischer**
Nays: Thomas

AUDIENCE COMMENTS: None

COMMITTEE REPORTS:

1. Finance & Administration Committee - Mayor Fischer

Everyone on Council should have received the full OPEB report from their consultant AEON. At their last meeting, the consultant wanted them through the recommendations. The Committee has suggested that they follow through and the staff agreed that they follow through with all those recommendations. Council will probably see some of the action coming before them for approval. He's sure that staff can give a recap of that overall report.

2. Council Rules Committee - Mayor Fischer

The Committee met and there are some minor changes that will be coming forward to Council based on some recent correspondence they received.

3. Ordinance Review Committee - Mayor Fischer

They met to discuss the narrow streets and the parking on narrow streets in order to make sure that their public safety vehicles can adequately maneuver their streets.

MAYOR AND COUNCIL ISSUES: None

COMMUNICATIONS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:08 P.M.

Cortney Hanson, City Clerk

Justin Fischer, Mayor

Transcribed by Becky Dockery,
Account Clerk

Date approved: May 19, 2025