



## WALGREENS ZONING MAP AMENDMENT 18.679 WITH PLANNED REZONING OVERLAY SITE PLAN 08-03

### WALGREENS– REZONING 18.679 WITH PLANNED REZONING OVERLAY SITE PLAN 08-03

Public Hearing on the request of Thomas Zimmer of WG-Nov, LLC for a recommendation to City Council for consideration of a Planned Rezoning Overlay, in conjunction with Zoning Map Amendment 18.679. The subject property is located in Section 36, east of Haggerty Road, north of Eight Mile Road, in the FS, Freeway Service District. The subject property is 1.17 acres and the applicant is proposing a 13,360 sq. ft. Walgreens.

#### Required Action

Recommend to City Council approval or denial of rezoning request from FS, (Freeway Service) to B-3 (General Business) with a Planned Rezoning Overlay.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	03/03/08	<ul style="list-style-type: none"> <li>• Ordinance deviation for eastern side yard building setback.</li> <li>• Ordinance deviation for northern, eastern, western and southern parking setbacks.</li> <li>• Ordinance deviation for number of required parking spaces (69 required, 48 provided) or reduction of the building size.</li> <li>• Applicant has met the requirements of Article 34, Section 3402, Planned Rezoning Overlay requirements.</li> <li>• Request is in compliance with the Master Plan for Land Use.</li> </ul>
Landscaping	Approval recommended	03/12/08	<ul style="list-style-type: none"> <li>• The Planning Commission and City Council could discuss whether the requested waivers are a reasonable alternative toward improving the overall appearance and function of the site or whether the</li> </ul>

			<p>applicant is willing to offer an environmentally friendly solution as a public benefit.</p> <ul style="list-style-type: none"> <li>• Ordinance deviation for the required greenbelt.</li> <li>• Ordinance deviation for the use of a proposed wall and decorative fence in lieu of the required berm.</li> <li>• Ordinance deviation for the absence of the required berm on the eastern side of the property.</li> <li>• Ordinance deviation for the lack of parking lot landscape area.</li> <li>• Two ordinance deviations required for the lack of building perimeter landscaping.</li> <li>• Items to be addressed at the time of Preliminary Site Plan submittal.</li> </ul>
Traffic	Comments	02/18/08	Items to be addressed at the time of Preliminary Site Plan submittal.
Engineering	Approval recommended	03/07/08 03/14/08	Item to be addressed at the time of Preliminary Site Plan submittal.
Facade	Comments	03/06/08	<b>Applicant has requested Section 9 façade waiver be included in the PRO Agreement for overages in the percentage of Cast Stone on both the southern and western facades.</b>
Fire	Approval recommended	03/08/08	Items to be addressed at the time of Preliminary Site Plan submittal.

## Motion sheet

### Approval

In the matter of Zoning Map Amendment 18.679 and Planned Rezoning Overlay SP08-03 for Walgreens, motion to **recommend approval** to the City Council to rezone the subject property from FS (Freeway Service) to B-3 (General Business) with a Planned Rezoning Overlay, *with the following considerations...*

- a. Inclusion in the PRO Agreement of the following ordinance deviations identified in the staff and consultant review letters:
  - Deviation for the lack of building setback in the eastern side yard;
  - Deviation for parking setbacks in the northern, southern, western and eastern yards;
  - Deviation for the lack of parking spaces (69 required and 48 provided); and
  - Section 9 façade waiver.
- b. Compliance with all the conditions listed in the staff and consultant review letters,
- c. *(Insert specific considerations here)*
- d. *For the following reasons ...(because it is in compliance with the master plan for land use and Article 34, Section 3402 of the Zoning Ordinance)*

### Denial

In the matter of Zoning Map Amendment 18.679 and Planned Rezoning Overlay SP08-03 for Walgreens, motion to **recommend denial** to the City Council to rezone the subject property from FS (Freeway Service) to B-3 (General Business) with a Planned Rezoning Overlay, *for the following reasons...(because it is not in compliance with Article 34, Section 3402 of the Zoning Ordinance)*

## PLANNING REVIEW



## PLAN REVIEW CENTER REPORT

March 3, 2008

### Planning Review

Walgreens Development Planned Rezoning Overlay  
SP 08-03/Rezoning 18.679

#### Petitioner

WG-Novi, LLC (Thomas Zimmer)

#### Review Type

Proposed Rezoning from FS (Freeway Service) to B-3 (General Business) with a Planned Rezoning Overlay

#### Property Characteristics

- Site Location: East side of Haggerty Road, north of Eight Mile Road, west of the Interstate 275 (I-275) off-ramp
- Site Zoning: FS, Freeway Service
- Adjoining Zoning: North: FS; East: I-275 right-of-way; West: Haggerty Road, OSC (across Haggerty Road); South: Eight Mile Road, B-3, General Business (Northville Township)
- Site Use(s): Big Boy Restaurant
- Adjoining Uses: North: McDonald's Restaurant; West: Haggerty Road, Chili's (across Haggerty Road), High Pointe Shopping Center (across Haggerty Road); South: Eight Mile Road, Hotel (Northville Township); East: I-275 right-of-way
- Proposed Use: Walgreens Pharmacy
- Site Size: 1.17 acres
- Plan Date: 02/05/08

#### Project Summary

The petitioner is requesting consideration of a proposed rezoning with a Planned Rezoning Overlay. The PRO acts as a zoning map amendment, creating a "floating district" with a conceptual plan attached to the rezoning of the parcel. PRO requests require a 15-day public hearing notice for the Planning Commission, which offers a recommendation to the City Council, who can grant the final approval of the PRO. As a part of the PRO, the underlying zoning is changed, in this case to B-3 as requested by the applicant, and the applicant enters into a PRO Agreement with the City, whereby the City and applicant agree to any deviations to the applicable ordinances and tentative approval of a conceptual plan for development for the site. After final approval of the PRO plan and



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

The parcel in question is located on the east side of Haggerty Road, north of Eight Mile Road and west of the I-275 south off-ramp in Section 36 of the City of Novi. The property totals 1.17 acres. The current zoning of the property is FS, Freeway Service. The applicant has proposed a rezoning of the parcel to B-3, General Business. The applicant has indicated that the rezoning is being proposed to facilitate the construction of a Walgreens Pharmacy on the site in the future, which is not a permitted use in the FS zoning district.

### **Recommendation**

Staff **recommends approval** of the proposed Zoning Map Amendment, which would rezone the property from FS, Freeway Service to B-3, General Business. The rezoning request is consistent with the Master Plan for Land Use, which recommends Community Commercial uses on the parcel. Once the applicant has received a recommendation from the Planning Commission and the approval of the City Council, he may proceed to Preliminary Site Plan submittal. Approval is recommended for the following reasons.

- The requested zoning is in compliance with the Master Plan for Land Use, which calls for Community Commercial land uses on the property.
- The requested rezoning would not have a detrimental impact on the surrounding properties.
- The requested rezoning with PRO would bring the site into greater compliance with various provisions of the ordinance.

### **Planning Commission Options**

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

1. Recommend rezoning of the parcel to B-3, General Business, (**APPLICANT REQUEST, STAFF RECOMMENDATION**)
2. Recommend rezoning to B-2, Community Business. (This is not recommended by staff since the parcel does not meet the minimum parcel size of 2 acres.)
3. Deny the request, with the zoning of the property remaining FS, Freeway Service
4. Recommend rezoning of the parcels to any other classification that the Planning Commission determines is appropriate. **NOTE:** This option would require the Planning Commission to hold and send notice for another public hearing with the intention of recommending rezoning to the appropriate designation. At this time, Staff has not reviewed any other alternatives.
5. Recommend rezoning to an office district, however this is not consistent with the Master Plan for Land Use.

### **Master Plan for Land Use**

The Master Plan for Land Use currently designates this property for commercial zoning. A rezoning of the property to a B-3 zoning would be consistent with the recommended actions of the Master Plan.

The Master Plan for Land Use also has a specific goal statement (Chapter 7) that is relevant to the discussion at hand.

- *Support retail commercial uses along established transportation corridors that are accessible for the community at large...* The Eight Mile Road/Haggerty Road area is an established commercial area serving not only the City of Novi, but also the City of Northville and the City of Farmington Hills.

### **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**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>	<b>Master Plan Land Use Designation</b>
Subject Site	FS, Freeway Service	Big Boy Restaurant	Community Commercial
Northern Parcels	FS, Freeway Service	McDonald's Restaurant, Speedway Gas Station	Community Commercial
Eastern Parcels	I-275 right-of-way	I-275 right-of-way	I-275 right-of-way
Southern Parcels	Eight Mile Road, B-3, General Business (Northville Township)	Eight Mile Road, Hotel (Northville Township)	Commercial (Northville Township)
Western Parcels	OSC, Office Service Commercial	Haggerty Road, Chili's, High Pointe Shopping Center	Office

### **Compatibility with Surrounding Land Use**

The surrounding land uses are shown on the above chart. The compatibility of the requested B-3 zoning with the zoning and uses on the adjacent properties should be considered when examining the proposed rezoning with PRO.

Directly to the north of the subject property is a McDonald's Restaurant. The property to the **north** of the subject property is in the City of Novi and zoned FS, Freeway Service. Changing the zoning of the subject property to B-3 will likely have little impact upon this property. It is unlikely the McDonald's Restaurant will relocate or suffer a loss of customers due to the change in the zoning of the adjacent parcel. If anything, the removal of the Big Boy restaurant could create more business for the McDonald's as there would be less competition in the area. Should the property eventually be developed as another restaurant property, the current situation of two restaurants next

to each other would remain. However, should the property become another fast food establishment, the McDonald's Restaurant would experience increased competition. The applicant has indicated that a Walgreens Pharmacy is the intended use.

The properties to the **east** of the subject property are part of the I-275 right-of-way. The proposed B-3 district will not detract from the use of the property to the east, as it will remain right-of-way for the existing interstate.

The properties to the **south** of the subject property are in Northville Township and consist of Eight Mile Road and a hotel on the southeast corner of Haggerty Road and Eight Mile Road. This property is in the Master Plan for Land Use for Commercial. Changing the zoning of the subject property to B-3 will likely have little impact upon this property. A pharmacy development has the potential to provide an extra service for hotel patrons as they have a "convenience type" store closer to where they are staying. If the parcel is developed as a commercial establishment at some point in the future, it would have little impact on existing hotel.

The properties to the **west** of the subject property are in the City of Novi in the OSC, Office Service Commercial district and consist of Haggerty Road, a Chili's Restaurant, and the High Pointe Shopping Center. This property is in the Master Plan for Land Use for Office. Changing the zoning of the subject property to B-3 will likely have minimal impact on any of these properties. The Chili's may benefit from the proposed use (Walgreens Pharmacy) as one of their competitors (Big Boy Restaurant) will be relocated and replaced with a different business use. The stores at the High Pointe Shopping Center may experience some loss of business due to the new pharmacy. However, most of the stores at High Pointe do not directly compete with pharmacy type establishments.

The development of a Walgreens Pharmacy in the Eight Mile Road/Haggerty Road area would add value to all of the surrounding properties and mesh well with the existing developments in the area, which includes hotel accommodations, offices, restaurants, and retail development.

### **Comparison of Zoning Districts**

The following table provides a comparison of the current and proposed zoning classifications. One alternative has been provided at this time, the B-2, Community Business district. The B-2 district would be the only other logical district that would be in compliance with the master plan, which calls for community commercial on the site. Although the principal and special land uses would fit within the community commercial designation, the site size (1.17 acres) would not meet the minimum lot size requirements for the B-2 district. In addition, the B-2 district does not permit drive-throughs. The proposed building does contain a drive-through. The B-1 district would not be in compliance with Master Plan for Land Use, which calls for community commercial. The B-1 district is a local commercial district.



	<b>FS Zoning (Existing)</b>	<b>B-3 Zoning (Proposed)</b>	<b>B-2 Zoning (Alternative, Not Preferred)</b>
Principal Permitted Uses	<ol style="list-style-type: none"> <li>1. Gasoline service station and automobile repair, subject to standards at Section 1402.1, parking garages, and bus passenger stations.</li> <li>2. Retail establishments to service the needs of the highway travelers, including such facilities as, but not limited to, gift shops and restaurants, not including drive-ins.</li> <li>3. Motels, hotels and transient lodging facilities but not including tent sites and campgrounds, provided that each living unit shall not contain less than two hundred fifty (250) square feet of floor area, and provided further that no unit shall be occupied as a permanent residence.</li> <li>4. Other uses similar to the above uses as determined by the Planning Commission. In determining the uses are similar, the Planning Commission shall find that the uses will primarily serve the needs of freeway traffic.</li> <li>5. Accessory structures</li> </ol>	<ol style="list-style-type: none"> <li>1. <b>Any retail business or service establishment permitted in the B-1 and B-2 Districts as Principal Uses Permitted Subject to Special Conditions and subject to the restrictions therein.</b></li> <li>2. Auto wash when completely enclosed in a building.</li> <li>3. Bus passenger stations.</li> <li>4. New and used car salesroom, showroom, or office, except trucks and heavy off-road construction equipment.</li> <li>5. Other uses similar to the above uses.</li> <li>6. Tattoo parlors, which are defined as business establishments where persons engage in any method of placing designs, letters, scrolls, figures, symbols or any other marks upon or under the skin with ink or any other permanent substance resulting in coloration of the skin by the aid of needles or any other instruments designed to touch</li> </ol>	<ol style="list-style-type: none"> <li>1. <b>Any retail business or service establishment permitted in the B-1 Local Business Districts, subject to the regulations applicable in the following sections of this Article.</b></li> <li>2. All retail business or service establishments uses as follows: <ol style="list-style-type: none"> <li>a) Any retail business whose principal activity is the sale of merchandise in an enclosed building.</li> <li>b) Any service establishment of an office, showroom or workshop nature of a decorator, dressmaker, tailor, bridal shop, art gallery, interior designer or similar establishment that requires a retail adjunct.</li> <li>c) Restaurants (sit down), banquet facilities or other places serving food or beverage, except those having the character of a drive-in or having a drive-</li> </ol> </li> </ol>

	<b>FS Zoning (Existing)</b>	<b>B-3 Zoning (Proposed)</b>	<b>B-2 Zoning (Alternative, Not Preferred)</b>
	and uses customarily incident to the above permitted uses.	<p>or puncture the skin.</p> <p>7. Publicly owned and operated parks, parkways and outdoor recreational facilities.</p> <p>8. Accessory structures and uses customarily incident to the above permitted uses.</p>	<p>through window.</p> <p>d) Theaters, assembly halls, concert halls, museums or similar places of assembly when conducted completely within enclosed buildings.</p> <p>e) Business schools and colleges or private schools operated for profit.</p> <p>3. Day Care Centers and Adult Day Care Center provided that all of the conditions contained within subsection 1102.4 are met.</p> <p>4. Private clubs, fraternal organizations and lodge halls,</p> <p>5. Hotels and motels, provided the site does not abut a residential district.</p> <p>6. Office buildings of any of the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting, sales and medical offices, including laboratories and clinics.</p> <p>7. Other uses similar to the above uses.</p> <p>8. Accessory structures and uses customarily incident to the above permitted uses.</p>
Special Land Uses	There are no special land uses in the FS zoning district	1. Outdoor space for exclusive sale of new or used automobiles, campers, recreation	1. Gasoline service station for the sale of gasoline, oil and minor accessories only, and where no major repair

FS Zoning (Existing)	B-3 Zoning (Proposed)	B-2 Zoning (Alternative, Not Preferred)
	<p>vehicles, mobile homes, or rental of trailers or automobiles (subject to specific conditions).</p> <p>2. Motel (subject to specific conditions).</p> <p><b>3. Business in the character of a drive-in or open front store (subject to specific conditions).</b></p> <p>4. Veterinary hospital or clinics (subject to specific conditions).</p> <p>5. Plant materials nursery for the retail sale of plant materials and sales of lawn furniture, playground equipment and garden supplies (subject to specific conditions).</p> <p>6. Public or private indoor recreational facilities, including, but not limited to, health and fitness facilities and clubs, swimming pools, tennis and racquetball courts, roller skating facilities, ice skating facilities, soccer facilities, baseball and softball practice areas, indoor archery ranges, and similar indoor recreational uses, and private outdoor recreational facilities, including, but not limited to, playfields, playgrounds, soccer</p>	<p>work is done, other than incidental services, but not including steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstering, auto glass work, and such other activities whose external effects could adversely extend beyond the property line (subject to specific conditions).</p>

	FS Zoning (Existing)	B-3 Zoning (Proposed)	B-2 Zoning (Alternative, Not Preferred)
		fields, swimming pools, tennis and racquetball courts and ice skating facilities (subject to specific conditions). 7. Mini-lube or quick oil change establishments, including the sale of oil and minor accessories only, and where no sale of gasoline or major repair work is done, other than incidental services, but not including steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstering, auto glass work, and such other activities whose external effects could adversely extend beyond the property line (subject to specific conditions).	
Minimum Lot Size	Based on the amount of off-street parking, landscaping, and setbacks required	Based on the amount of off-street parking, landscaping, and setbacks required	2 acres
Building Height	1 story –or– 25 feet	30 feet	2 stories –or– 30 feet
Building Setbacks	Front: 30 feet Sides: 10 feet Rear: 20 feet	Front: 30 feet Sides: 15 feet Rear: 20 feet	Front: 40 feet Sides: 30 feet Rear: 30 feet

**Infrastructure Concerns**

See the attached Engineering review letter for a specific discussion of water and sewer capacities in the area serving the subject property. Overall, the engineering review did not note any substantial issues regarding the proposed rezoning.

In addition to a review by the City's engineering department, a traffic review by the City's traffic consultant was also conducted. The City's traffic consultant noted that the proposed Walgreens and a rezoning to the B-3 district would not adversely affect traffic conditions in the area. Any specific and necessary improvements to the roadway will be reviewed at the time of Preliminary Site Plan submittal.

### **Natural Features**

The site has been developed for some time now and there are no longer any natural features within the project area.

### **Development Potential**

Development under the current FS zoning could result in a commercial establishment of approximately 9,000 to 12,000 square feet based on the setback and parking requirements of the district. The development of a commercial establishment under the proposed B-3 zoning would also result in approximately 9,000 to 13,000 square feet of development. A pharmacy (retail) use on this site would be near the maximum yield, due to the slightly higher parking demand when compared to an office venue. The applicant has indicated a specific size for the potential commercial (pharmacy) building, proposing an 11,384 square foot structure.

### **Major Conditions of Planned Rezoning Overlay Agreement**

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

The applicant is required to submit a conceptual plan and a list of terms that they are willing to include with the PRO agreement. The applicant's conceptual plan has been reviewed and the following are items shown on the plan by the applicant and interpreted by the Plan Review Center as conditions they are willing to attach to the PRO.

1. The development of a landscaped plaza on the southwest corner of Haggerty Road and Eight Mile Road. This plaza will include a welcome to Novi sign, landscaping, textured paving, a concrete walk and two flag poles. *There is a pedestrian pathway connection proposed to the I-275 bikepath, located adjacent to the subject property. The applicant was asked to discuss with MDOT placing this pedestrian/pathway enhancement on the MDOT property, or within the large green space in the I-275 right-of-way, but apparently was not successful. The improvements are all on private property.*
2. The installation of connector sidewalks per the City of Novi Greenways/Pathways initiative. *The applicant is encouraged to identify which sidewalk connections are proposed.*
3. A limitation of permitted uses. Although generally permitted in the B-3 district, the following uses will be excluded from occupying the site: auto wash, bus

passenger station, new and use car sales, tattoo parlors, publicly owned and operated parks, outdoor space for the exclusive sale of auto, trailers, campers, etc., motels and mini-lube or quick oil change.

**Ordinance Deviations**

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

**Setbacks**

The chart below outlines the applicant’s proposed setbacks and the required setbacks under the B-3 district standards.

	Front Yard / Exterior Side Yards	Rear Yard
<b><i>Building Setback</i></b>		
Applicant Proposal	30 feet (south) 39 feet (west) <b>26 feet (east)</b>	32 feet
B-3 Zoning	30 feet	20 feet
<b><i>Parking Setback</i></b>		
Applicant Proposal	<b>5 feet (south)</b> <b>10 feet (west)</b> <b>5 feet (east)</b>	<b>4 feet</b>
B-3 Zoning	20 feet	10 feet

***Building Setbacks***

- Front Yard: The applicant is proposing 30 feet of setback for the front yard of the building. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Rear Yard: The applicant is proposing a setback of 32 feet for the rear yard of the building. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.
- Exterior Side Yard (west): The applicant is proposing 39 feet of setback in the western exterior side yard. The Community Development Department finds no need for deviation in this situation as this meets the requirements of the ordinance.

- Exterior Side Yard (east): The applicant is proposing 26 feet of setback in the eastern exterior side yard. This appears to be deficient by four feet. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**

#### ***Parking Setbacks***

- Front Yard: The applicant is proposing 5 feet of setback. This appears to be deficient by 15 feet. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Rear Yard: The applicant is proposing 4 feet of setback for the rear yard parking. This appears to be deficient by sixteen feet. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Exterior Side Yard (east): The applicant is proposing 5 feet of setback. This appears to be deficient by fifteen feet. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**
- Exterior Side Yard (west): The applicant is proposing 10 feet of setback. This appears to be deficient by ten feet. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**

#### Parking Requirements

Section 2505 of the Zoning Ordinance indicates that retail establishments are to have 1 parking space per 200 square feet of gross leasable floor area (GLA). The applicant indicates a gross floor area of 13,360 square feet. Therefore, 69 parking spaces are required. 48 spaces are provided. The applicant is asked to provide further justification for a reduction in the required parking by 30% and consider reducing the size of the building. **The Community Development Department finds that the City Council should act on this ordinance deviation in the PRO Agreement.**

#### Section 9 Façade Waiver

Section 2520 of the Zoning Ordinance lists the percentages of façade materials permitted in each region. The proposed Walgreens would be in Region 1 on the façade chart. This region permits 25% of each proposed façade to be constructed of cast stone. The south elevation exceeds this percentage with a total of 31.3% cast stone. The west elevation also exceeds this percentage with a total of 30% cast stone. The applicant is requesting a Section 9 Waiver be included as part of the PRO agreement. The applicant is asked to justify the request for a Section 9 waiver or comply with the ordinance standards. Please see the attached façade review letter for additional information.

#### **Items for Further Review and Discussion**

There are a variety of other items inherent in the review of any proposed development. At the time of Preliminary Site Plan, further detail will be provided, allowing for a more

detailed review of the proposed development. After this detailed review, added concerns with the site layout may be identified and additional variances may be uncovered, based on the actual product being proposed. This would require amendments to be made to the PRO Agreement, should the PRO be approved. **The applicant should address these items at this time, in order to avoid delays later in the project.**

#### Proposed Landscape Feature

As part of the public benefit for the proposed rezoning with PRO, the applicant has shown a landscape plaza on the southwestern corner of the property at Haggerty Road and Eight Mile Road. A description of this plaza was included in the narrative attached to the submittal application. **In addition to this narrative description, the applicant should include an enlargement of the proposed landscape plaza within the plan set.**

#### Connector Sidewalks

As additional component of the proposed public benefit, the applicant has indicated they will contribute to the City's continued effort to fill-in gaps in the sidewalk system throughout the City. **The applicant should specifically identify which gaps they wish to fill-in.**

#### Photometric Plan

There are three required notes that must appear on the photometric plan per Section 2511.3.b of the Zoning Ordinance. The applicant has included one of those required notes. **The remaining two required notes should be included on the photometric plan.**

#### Perspective Views

To further illustrate the development impact of the site and views from adjacent rights-of-way, **the applicant is asked to provide a cross section view of the development and/or other perspective illustration for the Planning Commission and City Council meetings.**

### **Public Benefit Under PRO Ordinance**

At this time, the applicant has identified two items of public benefit. These items should be weighed against the proposal to determine if the proposed PRO benefits **clearly outweigh** the detriments of the proposal. The benefits proposed include:

- The development of a landscaped plaza on the southwest corner of Haggerty Road and Eight Mile Road. This plaza will include a "Welcome to Novi" sign, landscaping, textured paving, a concrete walk and two flag poles.
- The installation of connector sidewalks per the City of Novi Greenways/Pathways initiative.

### **Applicant Burden under PRO Ordinance**

The Planned Rezoning Overlay ordinance requires the applicant to make certain showings under the PRO ordinance that requirements and standards are met. The



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

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

### **Submittal Requirements**

- The applicant has provided a survey and legal description of the property in accordance with submittal requirements.
- The rezoning signs (along both Haggerty and Eight Mile Road) should be erected on the property, in accordance with submittal requirements and in accordance with the public hearing requirements for the rezoning request. These signs should be erected no later than 15 days prior to the scheduled public hearing.
- A traffic impact statement was not needed at this time, due to the applicant switching between non-residential sites. The City's traffic consultant has provided their comments concerning the trip generation of the existing zoning and proposed zoning in the attached review letter.

### Planning Review Summary Chart

Walgreens Development SP 08-03

Plan Dated: February 5, 2008

Conceptual PRO Plan Review

Item	Required	Proposed	Meets Requirements?	Comments
Master Plan	Community Commercial	Community Commercial	Yes	
Zoning	FS	B-3	Applicant is proposing rezoning to B-3, with a PRO.	
Use	B-3 Zoning District - Commercial uses as described in Article 15.	Walgreens	Yes	
Building Height (Sec. 2400)	Maximum 30 feet	Approximately 28 feet 3 inches	Yes	
<b>Building Setbacks (Section 2400)</b>				
Front (south)	30 feet	30 feet	Yes	
Exterior Side (west)	30 feet	39 feet	Yes	
Exterior Side (east)	30 feet	26 feet	No	The applicant should adjust the location of the proposed drive-thru canopy or indicate that this will be a deviation they would like included in the PRO Agreement.
Rear (north)	20 feet	32 feet	Yes	
<b>Parking Setbacks (Section 2400)</b>				
Front (south)	20 feet	5 feet	No	The applicant has indicated that this will be a deviation they would like included in the PRO Agreement.
Exterior Side (west)	20 feet	10 feet		
Exterior Side (east)	20 feet	5 feet		
Rear (north)	10 feet	4 feet		
Number of Parking Spaces (Sec. 2505)	One for each 200 square feet of gross floor area  13, 360 sq. ft. /200 = <b>69 spaces required</b>	48 spaces	No	Applicant has indicated that this will be a deviation they would like included in the PRO agreement.
Parking Space Dimensions (Sec. 2506)	9' x 19' parking space dimensions and 24' wide drives.	9' x 19' parking space dimensions with 24' wide drives.	Yes	
Barrier Free Spaces (Barrier Free Code)	2 accessible spaces; 1 space must be van accessible	2 accessible spaces (2 van accessible)	Yes	

Walgreens PRO – Pre-App Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
Barrier Free Space Dimensions (Barrier Free Code)	8' wide with a 5' wide access aisle (8' wide access aisle for van accessible)	8' wide with a 8' wide access aisle	Yes	
Barrier Free Signs (Barrier Free Design Graphics Manual)	One barrier free sign is required per space.	One barrier free sign provided for each space.	Yes	
Loading Spaces (Sec. 2507)	10 square feet per front foot of building = 62 x 10 = 620 sq. ft.  All loading shall be in the rear yard or interior side yard if double fronted lot.	620 sq. ft. provided in the side yard.	Yes	
Loading Space Screening (Sec. 2302A.1)	In the B-3 District, view of loading and waiting areas must be shielded from rights of way and adjacent properties.	Landscape screening proposed	Yes	
Stacking Spaces for Drive-thru (Sec. 2506)	The drive-thru shall store 3 vehicles, including the vehicles at the pick-up window.	Four stacking spaces proposed.	Yes	
Drive-thru Lane Delineated (Sec. 2506)	Drive-thru lanes shall be striped, marked, or otherwise delineated.	Pavement markings and striped island proposed.	Yes	
Bypass Lane for Drive-through (Sec. 2506)	Drive-through facilities shall provide 1 bypass lane. Such bypass lane shall be a minimum of 18' in width, unless otherwise determined by the Fire Marshal.	Bypass lane of 20' + proposed.	Yes	
Width and Centerline Radius of Drive-through Lanes (Sec. 2506)	Drive-through lanes shall have a minimum 9' width and centerline radius of 25'.	10' width.	Yes	
Drive-through Lanes Separation (Sec. 2506)	Drive-through lanes shall be separate from the circulation routes and lanes	Drive-through lanes are situated on the exterior side (east) of the proposed	Yes	

Walgreens PRO – Pre-App Planning Review Chart

Item	Required	Proposed	Meets Requirements?	Comments
	necessary for ingress to, and egress from, the property.	structure.		
Accessory Structure Setback-Dumpster (Sec. 2503)	Accessory structures should be setback a minimum of 10 feet from any building unless structurally attached to the building and setback the same as parking from all property lines; in addition, the structure must be in the rear or interior side yard.	Dumpster enclosure attached to the proposed building and setback 28 feet from adjacent property line in the rear yard.	Yes	
Dumpster (Chap. 21, Sec. 21-145)	Screening of not less than 5 feet on 3 sides of dumpster required, interior bumpers or posts must also be shown. Enclosure to match building materials and be at least one foot taller than height of refuse bin.	Screening of 8' shown on four sides of the dumpster with enclosure materials to match building materials.	Yes	
Exterior Signs	Exterior Signage is not regulated by the Planning Department or Planning Commission.			<u>Please contact Alan Amolsch (248.347.0436) in the neighborhood services department.</u>
Exterior Lighting (Sec. 2511)	Photometric plan and exterior lighting details needed at final site plan.	Photometric plan provided.	Yes	Please see attached lighting chart.
Sidewalks (City Code Sec. 11-276(b))	A 5' wide sidewalk shall be constructed along Haggerty Road and Eight Mile Road as required by the City's Pedestrian and Bicycle Master Plan.  Building exits must be connected to sidewalk system or parking lot.	Existing 8' pathway shown along Eight Mile Road and the I-275 off ramp. Existing 5' sidewalk shown along Haggerty Road.	Yes	

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

## ENGINEERING REVIEW



## **PLAN REVIEW CENTER REPORT**

March 7, 2008

### **Engineering Review**

Walgreens/Eight Mile & Haggerty  
SP #08-03

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#### **Petitioner**

Eight Mile & Haggerty Land Company (Victor Ansara)

#### **Review Type**

Conceptual/P.R.O.

#### **Property Characteristics**

- Site Location: 8 Mile and Haggerty
- Site Size: 1.17 acres
- Date Received: February 8, 2008

#### **Project Summary**

- Construction of an approximately 10,333 square-foot commercial building and associated parking. Site access would be provided by an existing approach off of Haggerty Road.
- Water service would be provided by an 8-inch extension from the existing 12-inch water main along the west side of Haggerty Rd. A 2-inch domestic lead and a 6-inch fire lead will be provided to serve the building.
- Sanitary sewer service would be provided by a 6-inch lead coming from an existing 10-inch sanitary sewer along the east side of Haggerty Road.
- Storm water would be collected by a single storm sewer collection system and sent to the existing Orchard Hills Place detention basin.

#### **Recommendation**

**Approval of the Conceptual Site Plan/P.R.O. is recommended.**

#### **Comments:**

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

General

1. This review was based on preliminary information provided for Conceptual Plan/PRO review. As such, we have provided some basic comments below to assist in the preparation of a concept plan. Once the information below is provided, we will conduct a more thorough review.
2. Provide a note on the plans that all work shall conform to the current City of Novi standards and specifications.
3. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal.
4. Maintain 10-feet of horizontal clearance between all utilities. Sanitary manhole #890 and the proposed storm sewer on the northwest portion of the site only have 2-feet of horizontal separation.
5. The Non-domestic User Survey form shall be submitted to the City at the time of preliminary site plan submittal so it can be forwarded to Oakland County.
6. Show a hatched area on relevant sheets representing the ingress/egress easement (24 feet wide) from the Haggerty Road entrance to the secondary connection to the adjoining property.
7. Label the master planned right-of-way width for Haggerty Road and Eight Mile Road.
8. Provide a traffic control sign table listing the quantities of each sign type proposed for the development. Provide a note along with the table stating all traffic signage will comply with the current MMUTCD standards.
9. Provide a note that compacted sand backfill shall be provided for all utilities within the influence of paved areas, and illustrate on the profiles.
10. Provide a construction materials table on the Utility Plan listing the quantity and material type for each utility (water, sanitary and storm) being proposed.
11. Provide a note stating if dewatering is anticipated or encountered during construction a dewatering plan must be submitted to the Engineering Department for review.
12. Show the locations of all light poles on the utility plan and indicate the typical foundation depth for the pole to verify that no conflicts with utilities will occur.
13. Provide a schedule listing the casting type for each proposed catch basin on the utility plan.

Water Main

14. Note that a tapping sleeve, valve and well will be provided at the connection to the existing water main.
15. The proposed water main leads are currently running parallel into the building. Consider running one 6-inch fire lead to the building and having the 2-inch domestic lead come off of the 6-inch near the building.

Sanitary Sewer

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

17. Provide a note on the Utility Plan stating the sanitary lead will be buried at least 5 feet deep if a portion of the lead is proposed within the influence of pavement.

Storm Sewer

18. Show a to-scale model of the Vortech structure on the site plan.

Storm Water Management Plan

19. The Storm Water Management Plan for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.
20. Provide calculations of the pre and post development runoff on the site. Be sure to use the updated coefficients in the Storm Water Ordinance and Chapter 5 of the new Engineering Design Manual.

Paving & Grading

21. The City of Novi standard parking lot cross section calls for a minimum of 3-inches bituminous over a minimum of 8-inches of aggregate. Not all proposed details show this.
22. Detectable warning surfaces are required at all barrier free ramps and hazardous vehicular crossings. The barrier-free ramps shall comply with current MDOT specifications for ADA Sidewalk Ramps. Provide the MDOT standard detail (R-28-F) for detectable surfaces.
23. Label specific ramp locations on the plans (or label as typical), and specify the product proposed and provide a detail for the detectable warning surface for barrier free ramps. The product shall be the concrete-embedded detectable warning plates, or equal, and shall be approved by the Engineering Department. Stamped concrete will not be acceptable.
24. Provide a note on the Grading Plan stating the right-of-way pathway will match existing grades at both ends.
25. The City standard straight-faced curb (MDOT C-4 curb detail) shall be provided. Revise details accordingly.
26. Provide the standard Detail 'M' approach at the Haggerty Road driveway/intersection.

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

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

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

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



proposed right-of-way), grading, and the storm water basin (basin construction, control structure, pretreatment structure and restoration).

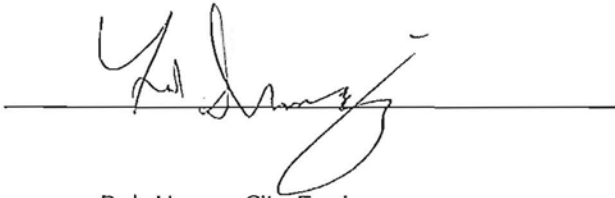
**The following must be submitted at the time of Stamping Set submittal:**

29. A draft copy of the private ingress/egress easement for shared use of the drive entry Haggerty Road must be submitted to the Community Development Department.

**The following must be addressed prior to construction:**

30. A City of Novi Grading Permit will be required prior to any grading on the site. This permit will be issued at the pre-construction meeting. Once determined, a grading permit fee must be paid to the City Treasurer's Office.
31. A Soil Erosion Control Permit must be obtained from the City of Novi. Contact Sarah Marchioni in the Community Development Department (248-347-0430) for forms and information.
32. A permit for work within the right-of-way of Haggerty Road must be obtained from the City of Novi. The application is available from the City Engineering Department and should be filed at the time of Final Site Plan submittal. Please contact the Engineering Department at 248-347-0454 for further information.
33. A permit for work within the right-of-way of Haggerty Road must be obtained from the Road Commission for Oakland County. Please contact the RCOC (248-858-4835) directly with any questions. The applicant must forward a copy of this permit to the City. Provide a note on the plans indicating all work within the right-of-way will be constructed in accordance with the Road Commission for Oakland County standards.
34. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
35. A storm water performance guarantee, equal to 1.5 times the amount required to complete storm water management and facilities as specified in the Storm Water Management Ordinance, must be posted at the Treasurer's Office.
36. An incomplete site work performance guarantee for this development will be calculated (equal to 1.5 times the amount required to complete the site improvements, excluding the storm water facilities) as specified in the Performance Guarantee Ordinance. This guarantee will be posted prior to TCO, at which time it may be reduced based on percentage of construction completed.
37. A street sign financial guarantee in an amount to be determined (\$400 per traffic control sign proposed) must be posted at the Treasurer's Office.

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



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