



BORDINE EXPRESS SITE PLAN 10-01

BORDINE EXPRESS, SITE PLAN 10-01

Public Hearing of the request of Bordine Nursery for Preliminary Site Plan and Special Land Use Permit approval. The subject property is located in Section 23, at 41600 W. Ten Mile Road, north of Ten Mile Road and west of Meadowbrook Road, in the B-3, General Business District. The subject property is approximately 11 acres and the applicant is proposing a temporary plant materials nursery totaling 5,520 square feet.

Required Action

Approve or Deny Special Land Use Permit and Preliminary Site Plan

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval Recommended	01/26/10	<ul style="list-style-type: none">• Waiver of Noise Impact Statement requested.• Comments to be addressed on the Stamping Set submittal.
Fire	Approval not recommended	01/25/10	Additional details needed on the proposed hoop house and Fire Department access.

Approval- Special Land Use

In the matter of the request of Bordine Nursery, SP 10-01, motion to **approve** the Special Land Use permit, subject to the following:

- a. Planning Commission finding under Section 2516.2.c for the Special Land Use permit:
Whether, relative to other feasible uses of the site,
 - The proposed use will not cause any detrimental impact on existing thoroughfares *(due to the fact that the addition of 5,520 square feet of additional retail space requiring parking for eleven vehicles would not generate a substantial amount of additional traffic).*
 - 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 *(due to the fact that a substantial amount of retail is already present on the subject property and surrounding properties.)*
 - The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
 - The proposed use will promote the use of land in a socially and economically desirable manner.
 - The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located *(as noted in the staff and consultant's review letters);*
- b. Planning Commission waiver of the required Noise Impact Statement based on the applicant's representations that the proposed use will not generate any noticeable noise;
- c. A revised striping plan shall be submitted for administrative review to ensure compliance with ordinance standards;
- d. and compliance with all conditions and requirements listed in the staff and consultant review letters;
- e. *(Insert specific considerations here)*

For the following reasons... *(because the plan is otherwise in compliance with Article 15, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.)*

Denial- Special Land Use

In the matter of the request of Bordine Nursery, SP 10-01, motion to **deny** the Special Land Use permit, for the following reasons...*(because it does not meet the following standards of the ordinance for approval of a Special Land Use permit...)*

Approval – Preliminary Site Plan

In the matter of Bordine Nursery, SP 10-01, motion to **approve** the Preliminary Site Plan, subject to the following:

- a. The conditions and items listed in the staff and consultant review letters being addressed on the Stamping Set; and
- b. That the applicant adequately addresses the Fire Marshall's concerns regarding materials composing and access to the hoop house;
- c. A revised striping plan shall be submitted for administrative review to ensure compliance with ordinance standards;
- d. *(additional conditions here if any)*

for the following reasons... *(because the plan is otherwise in compliance with Article 15, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.)*

Denial - Preliminary Site Plan

In the matter of Bordine Nursery, SP 10-01, motion to **deny** the Preliminary Site Plan, for the following reasons... *(because it is not in compliance with the following sections of the Zoning Ordinance....)*

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

January 26, 2010

Planning Review

Bordine Express

SP #10-01

Petitioner

Bordine Nursery

Review Type

Preliminary Site Plan/ Special Land Use Request

Property Characteristics

- Site Location: 41600 W. 10 Mile Road (North of 10 Mile Road, West Of Meadowbrook Road)
- Site School District: Novi Community School District
- Site Zoning: B-3, General Business
- Adjoining Zoning: North and West: RM-1 (Low Rise, Low-Density Multiple Family Residential); South: B-1 (Local Business); East: B-3
- Site Use(s): Existing Novi-Ten Shopping Center
- Adjoining Uses: North and West: Treetop Meadows; South: Novi Plaza; East: Citizens Bank
- Site Size: 11 acres (entire site)
- Area of Bordine Express: 5,520 square feet
- Application Date: 01/04/10

Project Summary

The applicant is proposing to operate a temporary plant nursery in the existing parking lot of the Novi-Ten Shopping Center located at the northwest corner of 10 Mile Road and Meadowbrook Road. The nursery would include a 5,520 square foot fenced in area for plant sales, a 1,200 square foot hoop house and a cashier area. The nursery would be operated from approximately April 15th to July 9th for the 2010 and 2011 seasons. The location will be in the existing parking lot, just to the west of the Charter One Bank.

Recommendation

Approval of the ***Preliminary Site Plan and Special Land Use Permit is recommended subject to the Planning Commission granting a waiver of the Noise Impact Statement, a revised striping plan being submitted and the issues in this letter being addressed on the Stamping Set submittal.*** In its recommendation the Planning Commission will need to consider the standards for Special Land Use consideration, as described below. Approval is recommended for the following reasons:

- The addition of 5,520 square feet of retail space requiring parking for 11 vehicles is not expected to generate a substantial amount of additional traffic;

- 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 due to the fact that a substantial amount of retail is already present on the subject property and on the surrounding properties;
- The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located. The stated intent of the B-3 District is "...to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the Local Business District or the Community Business District."
- The proposed use will promote the use of land in a socially and economically desirable manner.

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 15 (B-3, General Business), Article 24 (Schedule of Regulations), Article 25 (General Provisions), and any other applicable provisions of the Zoning Ordinance.

1. Required Conditions: Section 1502.5 lists the specific requirements that all plant materials nurseries must meet. These are as follows:
 - a. The storage or display of any materials or products shall meet all the setback requirements of a structure. *The proposed fenced in area is setback appropriately from all property lines.*
 - b. All loading and parking should be provided off-street. *The existing shopping center has an excess of approximately 150 parking spaces per current parking ordinance requirements. The proposed nursery would occupy approximately 22 spaces and require 11 spaces per the parking ordinance (1 space per 500 sq. ft. of outdoor sales area required). The proposed nursery will utilize parking spaces within the existing Novi-Ten parking lot. **The applicant should confirm that all loading/unloading will take place prior to the daily hours of operation of the existing shopping center or proposed nursery.***
 - c. The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any affects on adjacent uses. *All materials will be stored within the fenced-in area.*
 - d. A noise impact statement is required subject to the standards of Section 2519.10(c). *The applicant is requesting a waiver of the noise impact statement as no noise generating equipment will be added to the site. Staff supports this waiver.*
2. Fire Marshal's Review: The applicant should work with the Fire Marshal to ensure adequate access is provided to the hoop house prior to appearing before the Planning Commission.
3. Exterior Signage: Exterior signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland at 248-347-0438 for information on sign permits.
4. Miscellaneous Issues: The applicant is asked to provide the hours of operation and indicate whether any additional exterior lighting will be needed.
5. Building Permit Requirements: Prior to Stamping Set approval, the applicant is asked to contact the Building Division to determine what permits are needed and review appropriate Building Codes.
6. Barrier Free Access: The applicant should ensure a compliant barrier free exterior route is provided. Barrier free spaces should be provided on a revised striping plan. In addition, any worn stripes should be repainted. The applicant should provide a striping plan to demonstrate compliance prior to the submittal of Stamping Sets.

7. Parking Lot Condition: The parking lot shall be returned to the same or better condition at the end of the sales season.
8. Permit Timeframe: Based on the application materials, the applicant has indicated Bordine's Nursery is seeking approval for a two-year timeframe. Staff recommends a condition that any subsequent requests for additional spring/summer sales come back before the Planning Commission for approval.

Special Land Use Considerations

In the B-3 District, a plant materials nursery falls under the Special Land Use requirements (Section 1502.5).

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

- Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service.
- Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area.
- Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats.
- Whether, relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood.
- Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether, relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this review letter is requested **prior to the matter being reviewed by the Planning Commission.**

Stamping Set Approval

Stamping sets are still required for this project. After having received all of the review letters from City staff and the appropriate approvals from the Planning Commission, the applicant should submit **6 copies of the application materials originally submitted along with the revised striping plan,** to the Community Development Department for final Stamping Set approval.

Special Land Use Permit Review

Bordine Express

SP#10-01

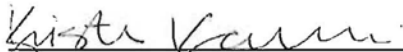
Response Letter

January 26, 2010

Page 4 of 4

The applicant is asked to provide a response letter to the Community Development Department, responding to all issues raised in each review letter prior to being heard by the Planning Commission and at the time of Stamping Set submittal. Please contact the Community Development Department with any questions about this review or any of the other reviews for the project, or if you do not receive a complete package of review letters. (*Letters needed: Planning, Engineering, Traffic, Landscape, Fire*)

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



Kristen Kapelanski, Planner

FIRE REVIEW



January 25, 2010

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

Justin Fischer

City Manager
Clay J. Pearson

Fire Chief
Frank Smith

Deputy Fire Chief
Jeffrey Johnson

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

RE: Bordine Express, Temporary Hoop House
Novi-Ten Shopping Center

SP#: 10-01

Project Description:

Installation of a 1200 S.F. "Hoop House" for the sale of flowers in an unused portion of the parking lot of the Novi-Ten Shopping Center at the northwest corner of Meadowbrook Rd. & Ten Mile Rd.

The applicant is stating that the hoop house will only be a temporary use with approximate dates from April 15th to July 9th for the 2010 and 2011 season.

Comments:

The submitted document does not provide adequate details on the "hoop house", and fire department access to the structure.

Recommendation:

The above plan has is **Not Recommended for Approval** until additional information is provided regarding the structure and the fire department access to it.

Sincerely,

Michael W. Evans
Fire Marshal

cc: file

Novi Fire Department
42975 Grand River Ave.
Novi, Michigan 48375
248.349-2162
248.349-1724 fax

cityofnovi.org

**APPLICANT'S LETTER DESCRIBING
THE PROPOSED USE**

Bordine Nursery^{LLC}
The Plant Place
www.bordine.com

City of Novi

January 4th, 2010

45175 W. Ten Mile Road
Novi, Michigan 48375

Re: Bordine Nursery, Ltd.

Dear City Officials:

We are requesting to operate a temporary plant material nursery as part of the Novi-10 Shopping Center with minor impact to the overall retail site for the 2010 and 2011, season, with approximate dates of April 15th to July 9th of each year.

We would be selling locally grown annuals, perennials, small flowering shrubs and complementary gardening supplies and setting up a temporary hoop house for frost protection (approximately 20' x 60') along with display tables, cashier area and a split rail fence around the selling area. This fence will not only define the selling area but will provide a safe barrier between the sales area and the parking lot.

We are asking to put a sign (approximately 3' height x 8' length) on the front of the hoop house with the words "Bordine Xpress". We are requesting a waiver for the Noise Impact Statement.

Our plants are professionally displayed and our staff maintains them in a neat, clean and organized fashion with fresh plants delivered from our production facility regularly. We are a fully licensed and insured Michigan agricultural business.

Bordine Nursery has been growing outstanding plants for 70 years and is the largest family owned production and retail Nursery in Michigan. In 2007 we opened our first Bordine Xpress store. In 2008, we opened 2 more Xpress stores where our plants have been warmly welcomed. We are confident the citizens of Novi will also enjoy the convenience of having a Bordine Xpress in their community.

Sincerely,

*Cathy Briton
VP of New Business Development
Bordine Nursery, Ltd.*

APPLICANT RESPONSE LETTER

February 4, 2010

RE: 10-01 Response for Planning Commission Meeting

Dear City of Novi Planning Department:

We are in receipt of your letter dated January 26, 2010, reviewing our Preliminary Site Plan/Special Land Use request. We are very pleased to see that you have recommended our approval to the Planning Commission, with conditions, for our Bordine Xpress location. We respect and understand that every municipality is different and we are thrilled to be moving one step closer to selling our locally grown plants in your great city.

As requested, we have attempted to comment on your questions/comments raised in this correspondence. We have kept our responses complete, yet brief; however, if we need to expand on any of them, please let me know. We understand that the Planning Commission may have questions for us as well and look forward to meeting with them on the 10th of February.

PROJECT SUMMARY AND RECOMMENDATIONS:

Thank you for the positive recommendation for approval. We will work with the other city departments to ensure that your comments and questions are satisfied.

ORDINANCE REQUIREMENTS:

In this section, we have attempted to answer each section individually:

- 1a. We agree that the proposed fenced-in area is set back appropriately from all property lines.
- 1b. To the best of our ability we will have loading / unloading take place prior to the daily hours of operation.
- 1c. This should not be an issue as we will not be storing any soil, fertilizers or any loose or unpackaged materials.
- 1d. We will not be generating any noticeable noise as we will not be using any heavy equipment.
2. We have contacted Michael Evans, Novi Fire Marshal, and will work through any issues he may have.
3. We have been in contact with Jeannie Niland and discussed the requirements of a sign permit. We will work within the City of Novi Sign Requirements to have appropriate signage.
4. Hours of operation will be a maximum of:
Monday – Saturday 8:00AM to 7PM.
Sunday 9:00AM to 6PM
5. As advised, we will contact and work with the Building Division to determine what permits are needed and review appropriate Building Codes.
6. We will work with the owner of the property to allow for the necessary and appropriate striping of the parking lot to accommodate our required 11 spaces; including one Barrier Free space.

7. We will return the parking lot in the same or better condition at the end of the sales season.
8. We acknowledge that we are asking for a two-year time frame and will come back to the Planning Commission for further approval.

SPECIAL LAND USE CONSIDERATIONS:

We have reviewed Section 2516.2.c. Due to the spring selling season of our Xpress location we will not cause any detrimental impact on existing thoroughfares or on the capabilities of public services and facilities. We are compatible with the natural features and characteristics of the land as well as other feasible uses of the site and will be consistent with the City's Master Plan for Land Use. We will use the site to promote the use of the land in a socially and economically desirable manner.

If there is anything else that either you or the Planning Commission needs prior to the meeting, please do not hesitate to contact me directly. We are confident that the citizens of Novi will enjoy having a Bordine Xpress conveniently located in their community. We grow and sell the best locally grown plants we can. Our team of professional, Michigan based growers love to create beauty. We hope that 2010 will be a beautiful year in the City of Novi and we hope to be part of this success.

Sincerely,

Cathy Briton

VP of New Business Development

Bordine Nursery Ltd.

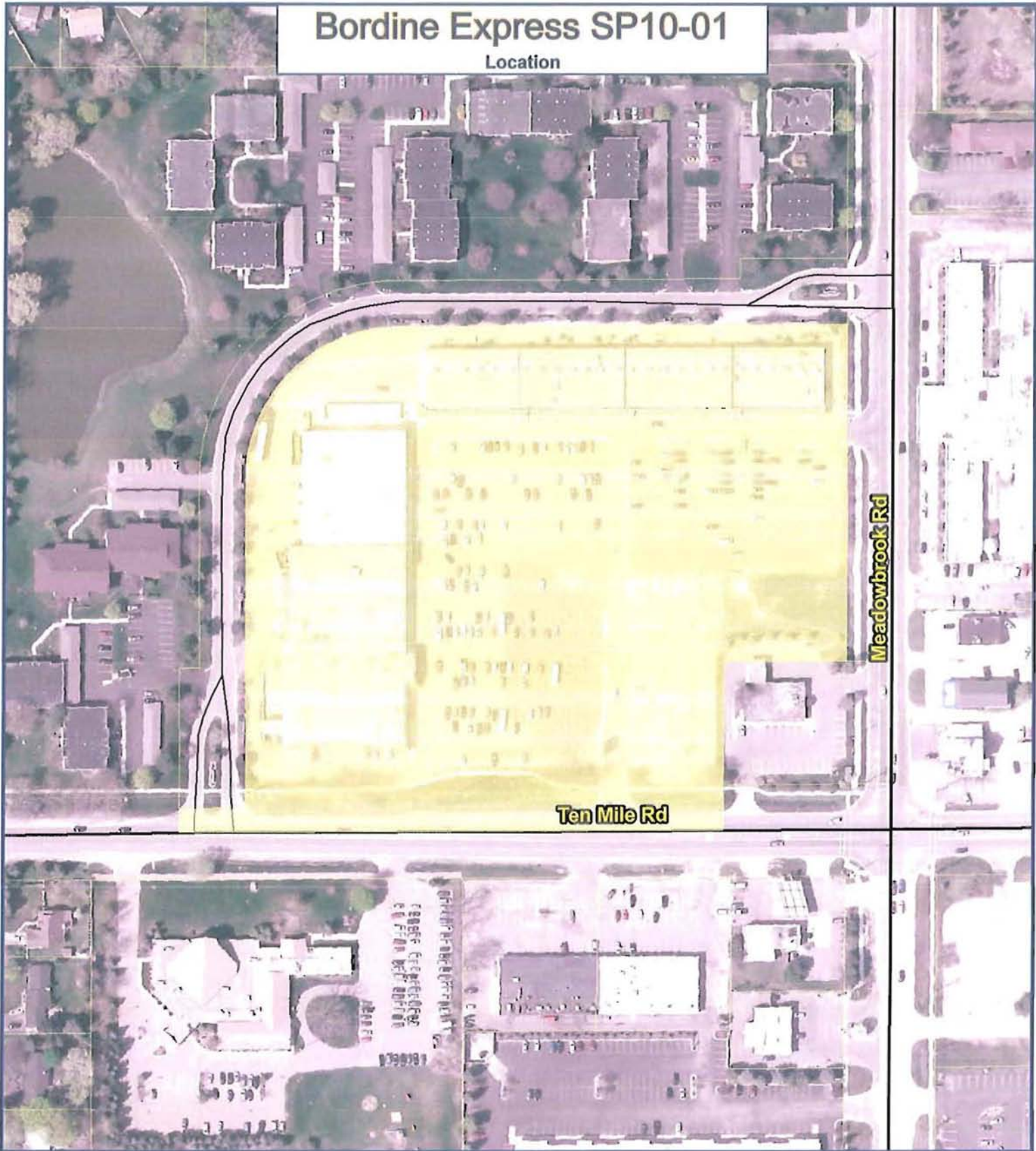
Cell; 248.762.2030

MAPS

**Location/Air Photo
Zoning**

Bordine Express SP10-01

Location



Map Author: Kristen Kapelanski
Date: February 2, 2010
Project: Bordine Express SP 10-01
Version #: 1.0

Map Legend

Subject Property

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.



City of Novi
Department Division
Department Name
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

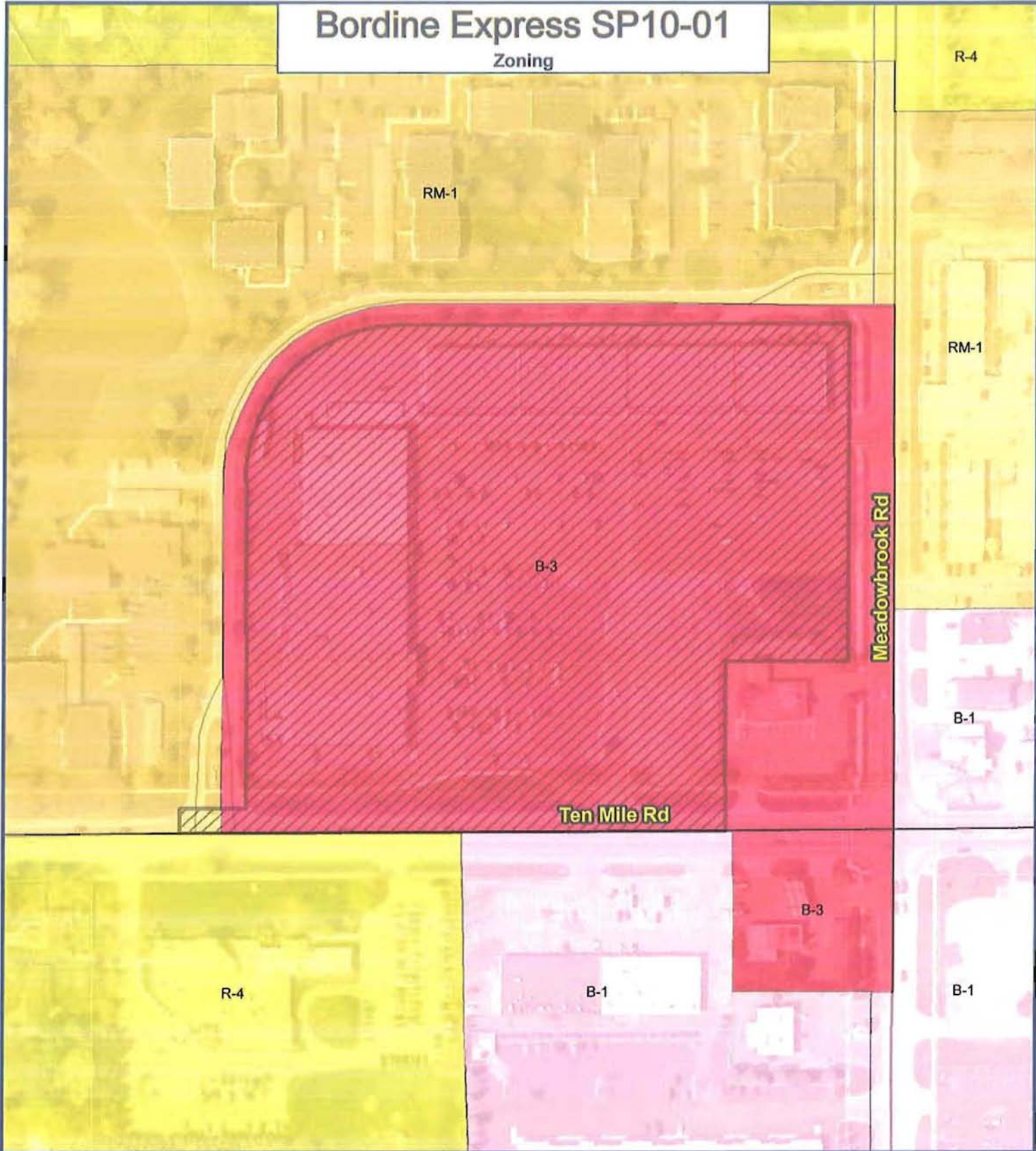
0 30 60 120 180 240
Feet



1 inch = 170 feet

Bordine Express SP10-01

Zoning



Map Author: Kristen Kapelanski
Date: February 2, 2010
Project: Bordine Express SP 10-01
Version #: 1.0

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Map Legend

-  Subject Property
-  R-4: One-Family Residential District
-  RM-1: Low-Density Multiple Family
-  B-1: Local Business District
-  B-3: General Business District



City of Novi
Department Division
Department Name
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

