



## COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road  
Novi, MI 48375  
(248) 347-0415 Phone  
(248) 735-5600 Facsimile  
[www.cityofnovi.org](http://www.cityofnovi.org)

## ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals

**ZONING BOARD APPEALS DATE:** June 9, 2015

**REGARDING:** ATI HEADQUARTERS (CASE NO. PZ15-0016)

**BY:** Thomas M. Walsh, Building Official

### I. GENERAL INFORMATION:

#### Applicant

Jason Salazar with Oliver/Hatcher Construction Co. on the behalf of ATI Headquarters

#### Variance Type

Dimensional Variance

#### Property Characteristics

Zoning District:

OST, Planned Office Service Technology

Site Location:

Vacant Parcel, on the west side of Meadowbrook Road, between 12 Mile Road and 11 Mile Road (Section 14)

Parcel #:

50-22-14-200-015, 50-22-14-401-004, 50-22-14-401-011, and 50-22-14-401-010

#### Request

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 3.1.23(d) to allow construct a 107,400 square foot research and office building with associated parking and landscaping on the west side of Meadowbrook Road between Twelve Mile Road and Eleven Mile Road: 1) a variance of 50.0 feet in the required side yard setbacks (50.0 feet required, 0.0 feet proposed); and 2) a variance of 50.0 feet in the required side yard parking setback (50.0 feet required, 0.0 feet proposed).



**II. ZONING AND LAND USE:**

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
<b>Subject Property</b>	OST, Planned Office Service Technology District	Vacant	Regional Commercial
<b>North</b>	OST, Planned Office Service Technology District	Office Building for O/H Meadowbrook LLC	Regional Commercial
<b>South</b>	OST, Planned Office Service Technology District	Vacant	Regional Commercial
<b>East</b>	OST, Planned Office Service Technology District	Meadowbrook Corporate Park	Regional Commercial
<b>West</b>	OST, Planned Office Service Technology District	Vacant	Regional Commercial

**III. STAFF COMMENTS:**

**Existing Condition**

The subject property consists of four- (4) lots (vacant) located on the west side of Meadowbrook Road between Twelve Mile Road and Eleven Mile Road. The parcel has approximately 855.87 feet of frontage on Meadowbrook Road and approximately 660.0 feet deep as measured along north side yard lot line. Three (3) of the four (4) parcels are in the Novi Community School District (Parcels A, B, and C) and one (1) of the four (4) parcels is in the Walled Lake Consolidated School District (Parcel D).



**Proposed Changes**

The Petitioner would like to create one new vacant, conforming building site. However, after a review of the Applicant's application for the division by the City, it was determined that the lot split as proposed cannot be approved based on its location in the Walled Lake Consolidated School District, Parcel D, cannot be combined with Parcels A, B and C. Parcels A, B, and C are proposed to be combined as a single parcel (hereinafter known as "Parcel E"). Parcel D will remain a separate parcel. Parcels D and E together, will be considered, for purposes of the Proposed Development as a single zoning lot.

The applicant is proposing to construct a 107,400 square foot research and office building with associated parking and landscaping. The new building would result in a setback of 166.2 feet from the front (Meadowbrook Rd.) yard lot line, 250.7 feet from the rear (west side) yard lot line, 277.1 feet from the north side yard lot line, and .0 feet (building and parking lot) from the south side yard lot line. ***This requires a variance of 50.0 feet in the required south side yard setback to construct the Proposed Building and parking lot with .0 feet setbacks from the property line of Parcel D and E.***

**IV. RECOMMENDATION:**

The Zoning Board of Appeals may take one of the following actions:

1. Grant I move that we **grant** the variance(s) in **Case No. PZ15-0016**, sought by \_\_\_\_\_, for \_\_\_\_\_ because the Petitioner has established that \_\_\_\_\_ causes a practical difficulty relating to the property, including some or all of the following criteria:

(a) Petitioner has established that the property is unique because \_\_\_\_\_, or that the physical condition of the property creates the need for a variance because \_\_\_\_\_.

And, the condition is not a personal or economic hardship.

(b) The need for the variance is not self-created, **because** \_\_\_\_\_.

(c) Strict compliance with dimensional regulations of the Zoning Ordinance, including \_\_\_\_\_, will (either):

- 1. unreasonably prevent Petitioner from using the property for the permitted purpose as a \_\_\_\_\_, because \_\_\_\_\_, and/or,
- 2. will make it unnecessarily burdensome to comply with the regulation because \_\_\_\_\_.

(d) Petitioner has established that variance is the minimum variance necessary because a lesser variance would not \_\_\_\_\_.

(e) The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, because \_\_\_\_\_.

(f) The variance granted is subject to the conditions that:

- 1. \_\_\_\_\_,
- 2. \_\_\_\_\_,
- 3. \_\_\_\_\_,
- 4. \_\_\_\_\_.

2. Deny I move that we **deny** the variance in **Case No. PZ15-0016**, sought by \_\_\_\_\_, for \_\_\_\_\_ because the Petitioner has **not** established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by \_\_\_\_\_.

(b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated \_\_\_\_\_.

(c) The need for the variance is self-created because Petitioner \_\_\_\_\_.

(d) Conforming to the ordinance would not (either):

1. be unnecessarily burdensome because \_\_\_\_\_, or,

2. unreasonably prevent petitioner from using the property for \_\_\_\_\_, because \_\_\_\_\_.

(e) A lesser variance consisting of \_\_\_\_\_ would do substantial justice to Petitioner and surrounding property owner's because \_\_\_\_\_.

(f) The proposed variance would have adverse impact on surrounding property because \_\_\_\_\_.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417

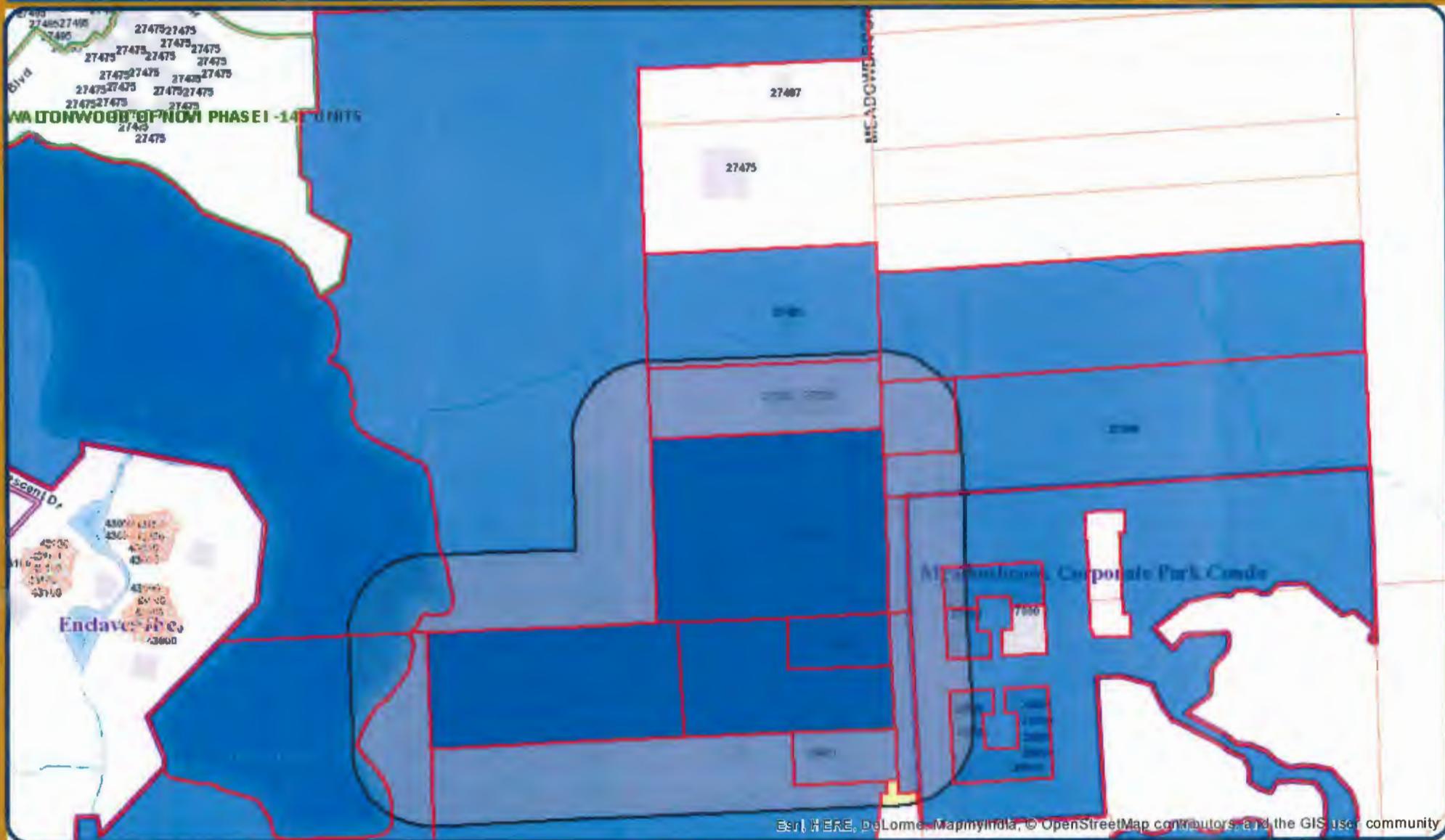


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Thomas M. Walsh  
Building Official  
City of Novi

# 26999 Meadowbrook Road

PZ15-0016



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



Map Produced Using the  
City of Novi, Michigan  
Internet Mapping Portal



Author:  
Date: 5/19/2015

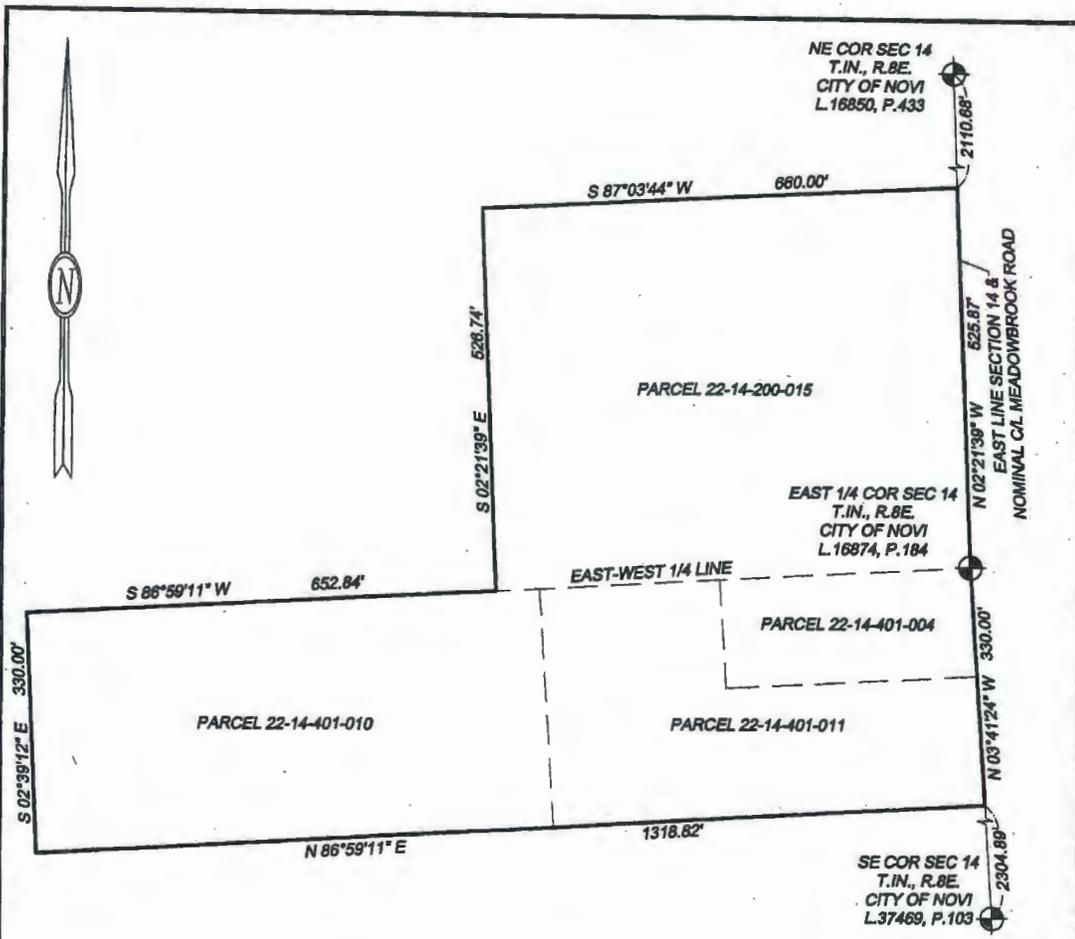
0 265 530 1,060

Feet

1 inch = 533 feet

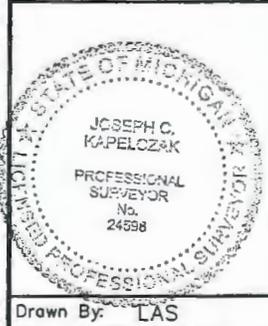
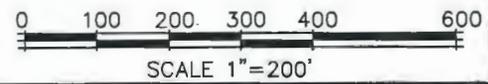
### MAP INTERPRETATION NOTICE

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. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/SiteUsePolicy.asp>



BEARINGS BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 14 BEING N02°21'39"W. NAD 83 (CORS 96) SPC MI. STATE PLANE COORDINATE SOUTH ZONE

**PROPERTY DESCRIPTION**  
 PARCELS 22-14-200-015, 22-14-401-004, -010 & -011 COMBINED  
 PART OF THE EAST 1/2 OF SECTION 14, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN,  
 DESCRIBED AS BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 14; THENCE N02°21'39"W ALONG THE  
 EAST LINE OF SAID SECTION 14, 525.87 FEET; THENCE S87°03'44"W, 660.00 FEET; THENCE S02°21'39"E,  
 526.74 FEET TO A POINT ON THE EAST-WEST 1/4 LINE OF SAID SECTION 14; THENCE S86°59'11"W ALONG SAID  
 EAST-WEST 1/4 LINE, 652.84 FEET; THENCE S02°39'12"E, 330.00 FEET; THENCE N86°59'11"E, 1318.82 FEET TO  
 THE EAST LINE OF SAID SECTION 14; THENCE N03°41'24"W ALONG SAID EAST LINE, 330.00 FEET TO THE  
 POINT OF BEGINNING. CONTAINING 17.94 ACRES AND SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF  
 RECORD.



I HEREBY CERTIFY that I, a duly registered Professional Land Surveyor under the laws of the State of Michigan, have surveyed and mapped the land described above, and that the Ratio of Closure of the unadjusted field observations of such survey was 1:10,000 and all the requirements of P.A. 132 of 1970 have been complied with.

By: *Joseph C. Kapelczak*  
 JOSEPH C. KAPELCZAK RLS #24598

**JCK GROUP, INC.**  
 8615 RICHARDSON RD  
 COMMERCE TWP., MICHIGAN 48390  
 248-363-2550

- LEGEND**
- R. = RECORDED
  - M. = MEASURED
  - D. = DEEDED
  - C. = CALCULATED
  - ⊕ = SET 1/2" IRON BAR
  - = FOUND IRON
  - ⊙ = FOUND "T" IRON
  - ⊗ = CONC MONUMENT
  - = FOUND IRON PIPE
  - ⊠ = LATH ON LINE
  - X = CHISELED "X"
  - = SET NAIL / SPIKE

Drawn By: LAS      Date: 4/13/15      Job Number: 10196      Scale: 1"=200'



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 Novi, MI 48375  
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 www.cityofnovi.org

## ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>\$300.00</u>	
PROJECT NAME / SUBDIVISION <u>Accurate Technologies, Inc. Headquarters</u>				Meeting Date: <u>6-9-15</u>	
ADDRESS <u>36999 Meadowbrook Rd.</u>		LOT/SUITE/SPACE #		ZBA Case #: PZ <u>15-0016</u>	
SIDWELL # <u>50-22-14-200-015</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>22-14-401-004, 22-14-401-011 &amp; 22-14-401-010</u>					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
<b>II. APPLICANT INFORMATION</b>					
<b>A. APPLICANT</b>		EMAIL ADDRESS <u>J Salazar @ Oliverhatcher.com</u>		CELL PHONE NO. <u>248-765-0980</u>	
NAME <u>Jason Salazar</u>				TELEPHONE NO. <u>248-374-1100</u>	
ORGANIZATION/COMPANY <u>Oliver / Hatcher Construction</u>				FAX NO. <u>248-374-1110</u>	
ADDRESS <u>27333 Meadowbrook Rd., Ste. 100</u>		CITY <u>Novi</u>		STATE <u>MI</u>	
				ZIP CODE <u>48377</u>	
<b>B. PROPERTY OWNER</b> <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>R Kasperzyk @ Accurate technologies.com</u>		CELL PHONE NO.	
NAME <u>Robert Kasperzyk</u>				TELEPHONE NO. <u>248-848-9200</u>	
ORGANIZATION/COMPANY <u>ATI Land Holdings</u>				FAX NO.	
ADDRESS <u>3640 Northwood Dr.</u>		CITY <u>West Bloomfield</u>		STATE <u>MI</u>	
				ZIP CODE <u>48324</u>	
<b>III. ZONING INFORMATION</b>					
<b>A. ZONING DISTRICT</b>					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____					
<b>B. VARIANCE REQUESTED</b>					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>31.23.D</u>		Variance requested <u>0ft. building setback</u>			
2. Section <u>31.23.D</u>		Variance requested <u>0ft. parking setback</u>			
3. Section _____		Variance requested _____			
4. Section _____		Variance requested _____			
<b>IV. FEES AND DRAWINGS</b>					
<b>A. FEES</b>					
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input checked="" type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600					
<b>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>					
<ul style="list-style-type: none"> <li>• Dimensioned Drawings and Plans</li> <li>• Site/Plot Plan</li> <li>• Existing or proposed buildings or addition on the property</li> <li>• Number &amp; location of all on-site parking, if applicable</li> </ul>		<ul style="list-style-type: none"> <li>• Existing &amp; proposed distance to adjacent property lines</li> <li>• Location of existing &amp; proposed signs, if applicable</li> <li>• Floor plans &amp; elevations</li> <li>• Any other information relevant to the Variance application</li> </ul>			



# ZONING BOARD OF APPEALS APPLICATION

## V. VARIANCE

### A. VARIANCE (S) REQUESTED

DIMENSIONAL     USE     SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

### B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

### C. ORDINANCE

#### City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

### D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING     ADDITION TO EXISTING HOME/BUILDING     SIGNAGE

ACCESSORY BUILDING     USE     OTHER \_\_\_\_\_

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

Applicant Signature

5.12.15  
Date

### B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

Property Owner Signature

5.12.15  
Date

## VII. FOR OFFICIAL USE ONLY

### DECISION ON APPEAL:

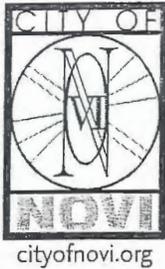
GRANTED

DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

\_\_\_\_\_  
Date



**REVIEW STANDARDS  
DIMENSIONAL VARIANCE  
CITY OF NOVI  
Community Development Department  
(248) 347-0415**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

**Standard #1. Circumstances or Physical Conditions.**

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

**a. Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.

Not Applicable     Applicable    If applicable, describe below:

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*and/or*

**b. Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.

Not Applicable     Applicable    If applicable, describe below:

*Pursuant to the lot combination, we were notified that (3) of the (4) parcels are in the Novi School District (1) is in the Walled Lake School District.*

*and/or*

**c. Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.

Not Applicable     Applicable    If applicable, describe below:

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**Standard #2. Not Self-Created.**

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

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**Standard #3. Strict Compliance.**

Explain how the Dimensional Variance is strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

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**Standard #4. Minimum Variance Necessary.**

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

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**Standard #5. Adverse Impact on Surrounding Area.**

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district

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February 10, 2015

To:

Re: Permits for Accurate Technologies  
##### Meadowbrook Road  
Novi, MI

To Whom It May Concern:

This letter shall serve as formal notice that ATI Land Holdings has authorized Jason Salazar with Oliver / Hatcher Construction to act as our Agent to execute applications and obtain the permits relating to the construction of Accurate Technologies, Inc. new corporate headquarters located on Meadowbrook Road in Novi, Michigan.

Respectfully,

**ATI LAND HOLDINGS LLC**

Robert Kasprzyk  
Owner

  
MEMBER  
\_\_\_\_\_  
*(signature and title of person signing)*

Subscribed and sworn to before me this 10<sup>th</sup> day of February, 2015.

  
Notary Public  
Oakland County, Michigan

My Commission Expires: 9/21/2020



# PLAN REVIEW CENTER REPORT

March 27, 2015

## Planning Review

ATI Headquarters

**JSP14-40**

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### Petitioner

ATI Land Holdings LLC

### Review Type

Revised Final Site Plan

### Property Characteristics

- Site Location: West side of Meadowbrook Road between Twelve Mile Road and Eleven Mile Road (Section 14)
- Site Zoning: OST, Planned Office Service Technology
- Adjoining Zoning: North, South, East and West: OST
- Current Site Use: Vacant
- Adjoining Uses: North and East: existing office; South: vacant and single-family home; West: vacant
- School District: Walled Lake District
- Site Size: 12.56 acres
- Plan Date: 02-13-15

### Project Summary

The applicant is proposing to construct a 107,400 square foot research and office building with associated parking and landscaping on the west side of Meadowbrook Road between Twelve Mile Road and Eleven Mile Road. The site plan indicates two separate phases. Staff understands that the applicant is seeking approval of Phase 1 only at this time. Review comments for Phase 2 have not been provided.

The Planning Commission approved the Preliminary Site Plan, Wetland Permit and Stormwater Management Plan on October 8, 2014 with the following motions.

*In the matter of ATI Headquarters, JSP14-40, motion to approve the Preliminary Site Plan based on and subject to the following:*

- a. *Opposite-side driveway spacing waiver, which is hereby granted (86.5 feet proposed, 150 feet required);*
- b. *Landscape waiver to permit the use of evergreen trees as perimeter trees (deciduous trees required), which is hereby granted;*
- c. *Section 9 Waiver for underage of brick and overage of cast stone on the north and west facades, which is hereby granted; and*
- d. *The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.*

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

*In the matter of ATI Headquarters, JSP14-40, motion to approve the Wetlands Permit based on and subject to the following:*

- a. *It is the applicant's responsibility to obtain a final determination as to the regulatory status of each of the on-site wetlands with the MDEQ; and*
- b. *The findings of compliance with Ordinance standards in the staff and consultant review*

*letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.*

*This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance.*

*In the matter of ATI Headquarters, JSP14-40, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.*

### **Recommendation**

**Staff recommends approval of the revised Final Site Plan.** The applicant should address the comments in this and other review letters and submit Stamping Sets as detailed later in this review letter.

### **Ordinance Requirements**

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3.1.23 (Planned Office Service Technology District), Article 4 (Use Standards), Article 5 (Site Standards) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant.

1. Lighting Plan: **The applicant should add the required notes to the photometric plan.**
2. Parcel Split: At this time, no property combination or split has been submitted and the Community Development Department has not received a request for condominium approval that would affect the subject property. **The applicant must create this parcel prior to Stamping Set approval. Plans will not be stamped until the parcel is created.**
3. Signage: Exterior Signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland (248.347.0438) for information regarding sign permits.

### **Site Addressing**

The applicant should contact the Building Division for an address prior to applying for a building permit. Building permit applications cannot be processed without a correct address. The address application can be found on the Internet at [www.cityofnovi.org](http://www.cityofnovi.org) under the forms page of the Community Development Department.

Please contact Jeannie Niland [248.347.0438] in the Community Development Department with any specific questions regarding addressing of sites.

### **Pre-Construction Meeting**

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

### **Chapter 26.5**

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

**Response Letter**

A letter from either the applicant or the applicant's representative addressing comments in this and other review letters is required.

**Stamping Set Approval**

Stamping sets are still required for this project. After having received all of the review letters from City staff the applicant should make the appropriate changes on the plans and submit **10 size 24" x 36" copies with original signature and original seals**, to the Community Development Department for final Stamping Set approval. Plans addressing the comments in all of the staff and consultant review letters should be submitted electronically for informal review and approval prior to printing Stamping Sets.

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](mailto:kkapelanski@cityofnovi.org).



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Kristen Kapelanski, Planner, 248.347.0586 or [kkapelanski@cityofnovi.org](mailto:kkapelanski@cityofnovi.org)  
Attachments: planning and lighting review chart

### **DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS DECLARATION OF COVENANTS AND RESTRICTIONS is made and executed on this \_\_\_\_ day of May, 2015, by ATI Land Holdings, LLC, a Michigan limited liability company, whose address is 3640 Northwood Dr., West Bloomfield, Michigan 48324, (hereinafter the "Declarant").

WHEREAS, Declarant is the owner and developer of four adjacent (4) parcels of land, described in the attached and incorporated Exhibit A (hereinafter the "Property").

WHEREAS, Declarant has applied to combine the parcels and develop the Property to construct a 107,400 square foot research and office building (the "Proposed Building") with associated parking and landscaping on the Property (the "Proposed Development").

WHEREAS, three (3) of the four (4) parcels are in the Novi Community School District (Parcels A, B, and C) and one (1) of the four (4) parcels is in the Walled Lake Consolidated School District (Parcel D).

WHEREAS, based on its location in the Walled Lake Consolidated School District, Parcel D, cannot be combined with Parcels A, B and C.

WHEREAS, Parcels A, B, and C are proposed to be combined as a single parcel (hereinafter known as "Parcel E"). Parcel D will remain a separate parcel. Parcels D and E together, will be considered, for purposes of the Proposed Development as a single zoning lot, as described in the attached and incorporated Exhibit B.

WHEREAS, the City has granted final site plan approval with respect to the Proposed Development subject to Declarant applying for and obtaining variances allowing Declarant to construct the proposed 107,400 square foot building across the property lines of Parcels D and E.

WHEREAS, the proposed variances, if granted, will provide Declarant with the authorization to construct the Proposed Building and parking lot with 0 ft setbacks from the property line of Parcel D and E.

~~WHEREAS, the variances requested are proposed to apply to the Proposed Development, only. A change in use and/or expansion of the Proposed Development may require Declarant, or its successors or assigns to seek additional or different variances.~~

~~WHEREAS, Declarant has requested to schedule a pre-construction meeting and begin site construction of the Proposed Development prior to receiving the requested variances.~~

WHEREAS, the City of Novi has agreed to consider the Property as a single zoning lot and to issue a building permit for the construction of the Proposed Building and Associated Parking lot across parcel lines subject to the receipt of schedule a pre-construction meeting and issue a grading permit for the Proposed Development, at Declarant's request, if Declarant obtains all required approvals by the City and the other than the proposed variances from the Zoning Board of Appeals, subject to certain conditions as set forth herein.

WHEREAS, the variances requested shall apply to the Proposed Development, only. A change in use and/or expansion of the Proposed Development may require Declarant, or its successors or assigns to seek additional or different variances.

NOW, THEREFORE, the Declarant, upon the recording hereof, restricts the Property as follows:

1. The foregoing recital of facts is specifically incorporated herein.
2. Declarant seeks a permit for construction of the Proposed Building and associated parking lot site improvements for the Proposed Development prior to the receipt of all variances necessary to construct the Proposed Building and associated parking in accordance with the approved site plan and applicable City ordinances.
3. ~~Declarant acknowledges that any grading permit being issued at its request in advance of the grant of variances with respect to the Property is being issued at Declarant's own risk.~~
4. ~~Declarant acknowledges that it is Declarant's burden to show that it is entitled to the grant of the requested variances in accordance with the variance standards set forth by applicable state law and City ordinances, and that the City staff and representatives have not promised or guaranteed that the variances will be granted.~~
5. ~~Declarant accepts all risks of loss associated with issuance of any grading permits prior to receipt of the required variances, whether such risks are known or unknown, at the time of issuance of the grading permit.~~
6. ~~The City agrees to issue the Developer a grading permit prior to the receipt of variances for the Property, with the following conditions:~~

~~a. Declarant's agreement to seek the necessary variances to construct the Proposed Building and associated parking across the property lines for Parcels D and E with 0 ft. setback from the property lines.~~

~~b. Declarant's agreement to cease construction and restore the Property, or seek and obtain and approval of an amended site plan, in the event that the requested variances are denied. In the event that the necessary variances are denied, and/or alternate site plan approval is not secured, within thirty (30) days of issuance of a written notice to Declarant to remove any improvements constructed in accordance with the grading permit, Declarant will remove the improvements and stabilize the site at Declarant's own expense. If Declarant fails to take the necessary actions within the time specified, the City shall serve notice upon Declarant setting forth the deficiencies restoration along with a demand that the deficiencies be cured within a stated reasonable time period, and the date, time and place for a hearing before the City for the purpose of allowing Declarant an opportunity to be heard as to why the City should not proceed with the correction of the deficiency or obligation which has not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. If, following such hearing, the person conducting the hearing shall determine that the obligation has not been fulfilled or failure corrected within the time specified in the notice, as determined by the City in its reasonable discretion, the City shall thereupon have the power and authority, but not the obligation, to enter upon the Property, or cause its agents or contractors to enter the Property and perform such obligation or take such corrective measures as reasonably found by the City to be appropriate or necessary to restore and/or stabilize the site. The cost and expense of making and financing such actions by the City, including notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in an amount equivalent to twenty five (25%) percent of the total of all such costs and expenses incurred, shall be paid by Declarant within thirty (30) days of a billing to Declarant. All unpaid amounts may be placed on the delinquent tax roll of the City as to the Property, and shall accrue interest and penalties, and shall 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 Declarant, and, in such event, Declarant shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.~~

3. No building permit for the Proposed Building will be issued until such time as the variances required for the Proposed Development have been granted. Furthermore, Declarant hereby acknowledges that any variances granted in connection with the approval of the Proposed Development for the purpose of authorizing construction of the Proposed Building and associated parking with a 0 ft. setback from the property line of Parcel D and Parcel E, are applicable only to the Proposed Development and will terminate automatically if the office and research use ceases and/or the Proposed Building is removed. Declarant further acknowledges that in the event that the site plan is amended or expanded the proposed amended or expanded use may require different or additional variances to accommodate the changes, which variances will be subject to

all applicable laws and ordinances. In the event that the authorization for the variances ceases in accordance with this paragraph, within thirty (30) days of issuance of a written notice to Declarant to remove any improvements constructed in accordance with the subject buildinggrading permit as directed in the notice, Declarant will remove the improvements and stabilize the site at Declarant's own expense. If Declarant fails to take the necessary actions within the time specified, the City shall serve notice upon Declarant setting forth the deficiencies restoration along with a demand that the deficiencies be cured within a stated reasonable time period, and the date, time and place for a hearing before the City for the purpose of allowing Declarant an opportunity to be heard as to why the City should not proceed with the correction of the deficiency or obligation which has not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. If, following such hearing, the person conducting the hearing shall determine that the obligation has not been fulfilled or failure corrected within the time specified in the notice, as determined by the City in its reasonable discretion, the City shall thereupon have the power and authority, but not the obligation, to enter upon the Property, or cause its agents or contractors to enter the Property and perform such obligation or take such corrective measures as reasonably found by the City to be appropriate or necessary to restore and/or stabilize the site. The cost and expense of making and financing such actions by the City, including notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in an amount equivalent to twenty-five (25%) percent of the total of all such costs and expenses incurred, shall be paid by Declarant within thirty (30) days of a billing to Declarant. All unpaid amounts may be placed on the delinquent tax roll of the City as to the Property, and shall accrue interest and penalties, and shall 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 Declarant, and, in such event, Declarant shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit.

~~7.4. \_\_\_\_\_ and the City may issue notice and take all actions, in accordance with Paragraph 6 above, to remove such improvements and stabilize the site at Declarant's expense. Declarant shall be responsible for all costs associated with such removal, including any costs and attorneys' fees incurred by the City in securing such removal or collecting from the Declarant the costs associated with such removal.~~

~~8. Declarant acknowledges, understands and accepts that the City is under no obligation in law or equity to permit the activity contemplated hereunder. The issuance of building permit for construction a building across parcel lines any grading permit prior to the grant of necessary variances is based upon the unique circumstances of this application and shall have no bearing or effect on the City's rights or authority with any other requests by Declarant or any other property owner within the City. The City shall have no liability, and Declarant hereby indemnifies and holds the City harmless for any costs incurred by Declarant for any improvement to the Property prior to receipt of the required variances.~~

5. \_\_\_\_\_

Formatted: Numbered + Level: 1 +  
Numbering Style: 1, 2, 3, ... + Start at: 1 +  
Alignment: Left + Aligned at: 0.25" + Indent  
at: 0.5"

9.6. This Declaration shall not be amended or terminated without the prior written approval of the City of Novi.

10.7. Declarant warrants and represents that it is the owner of the Property described on Exhibit A, and has the authority to record this Declaration.

11.8. This Declaration shall run with the land described herein as the Property and bind the parties, their heirs, successors, and assigns. This Declaration shall be recorded in the Oakland County Register of Deeds by the City. 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 Declaration, and all references to "Declarant" in this Agreement shall also include all heirs, successors, and assigns of Declarant.

12.9. Declarant acknowledges and agrees that it has had the opportunity to review the Declaration with legal counsel.

ATI Land Holdings, LLC, a Michigan limited liability company

By: \_\_\_\_\_

STATE OF MICHIGAN        )  
  ) ss.  
COUNTY OF OAKLAND     )

On this \_\_\_\_ day of \_\_\_\_\_, the foregoing Declaration of Covenants and Restrictions was acknowledged before me by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
Acting in Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

**EXHIBIT A**

**PARCEL A - 50-22-14-401-011**

T1N, R8E, SEC 14 PART OF E 1/2 OF SE 1/4 BEG AT PT DIST S 89-20-41 W 290 FT FROM E 1/4 COR, TH S 89-20-41 W 310 FT, TH S 01-17-57 E 330 FT, TH N 89-20-41 E 600 FT, TH N 01-19-54 W 180 FT, TH S 89-20-41 W 290 FT, TH N 01-19-54 W 150 FT TO BEG 3.55

**PARCEL B - 50-22-14-401-010**

T1N, R8E, SEC 14 PART OF E 1/2 OF SE 1/4 BEG AT PT DIST S 89-20-41 W 600 FT FROM E 1/4 COR, TH S 89-20-41 W 712.85 FT, TH S 00-17-57 E 330 FT, TH N 89-20-41 E 718.82 FT, TH N 01-17-57 W 330 FT TO BEG 5.42 A4-16-98 CORR

**PARCEL C – 50-22-14-401-004**

T1N, R8E, SEC 14 N 150 FT OF E 290 FT OF SE 1/4 1 A

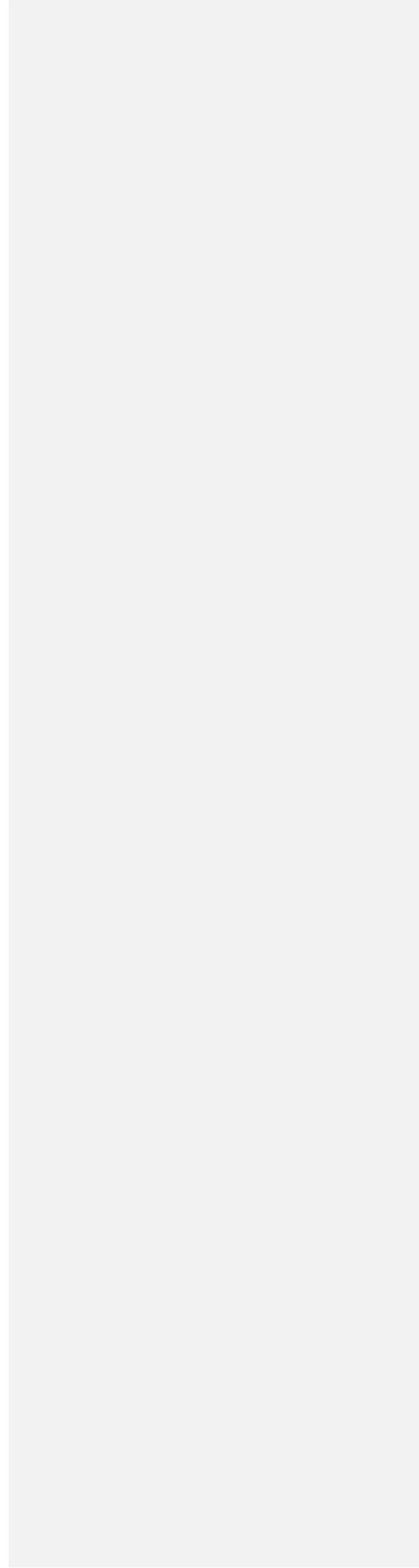
**PARCEL D – 50-22-14-200-015**

T1N, R8E, SEC 14 PART OF SE 1/4 OF NE 1/4 BEG AT E 1/4 COR TH N 00-00-09 W 525.87 FT, TH S 89-25-14 W 660 FT, TH S 00-00-09 E 526.74 FT, TH N 89-20-41 E 660 FT TO BEG 7.98 A

**PARCEL E – 50- 22-14-401-016**

T1N, R8E, SEC 14 PART OF E 1/2 OF SE 1/4 BEG AT E 1/4 COR, TH S 86-59-11 W 1312.85 FT, TH S 02-39-12 E 330 FT, TH N 86-59-11 E 1318.82 FT, TH N 03-41-24 W 330 FT TO BEG 9.97 A 5-14-15 FR 004, 010 & 011

EXHIBIT B



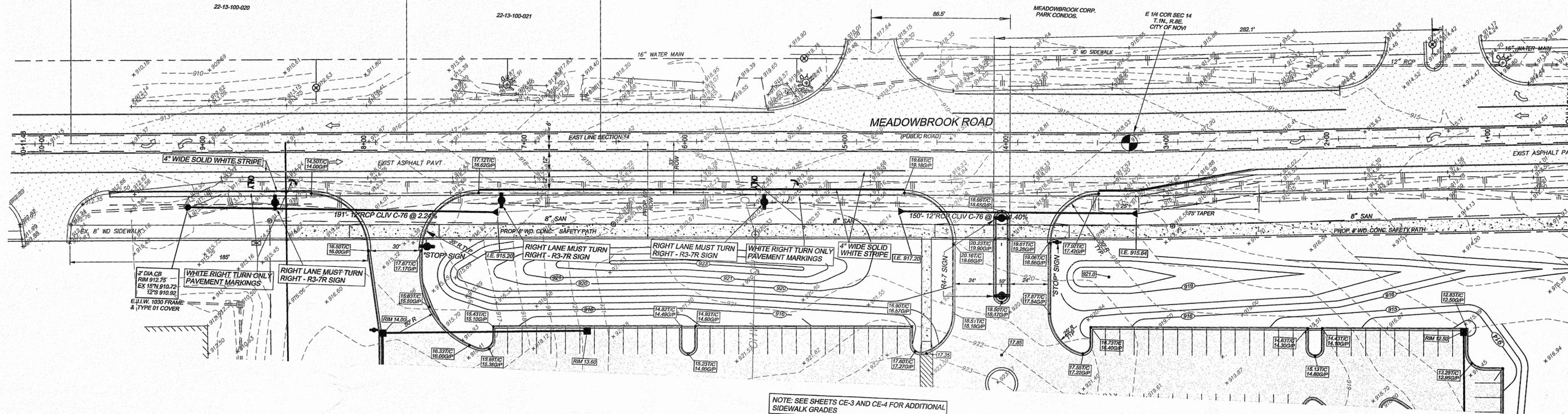
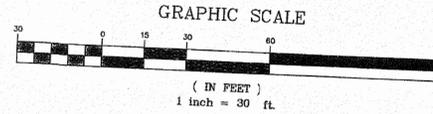
Elizabeth K. Saarela  
JOHNSON ROSATI SCHULTZ & JOPPICH, P.C.  
27555 Executive Drive, Suite 250  
Farmington Hills, Michigan 48331-5627

WHEN RECORDED RETURN TO:

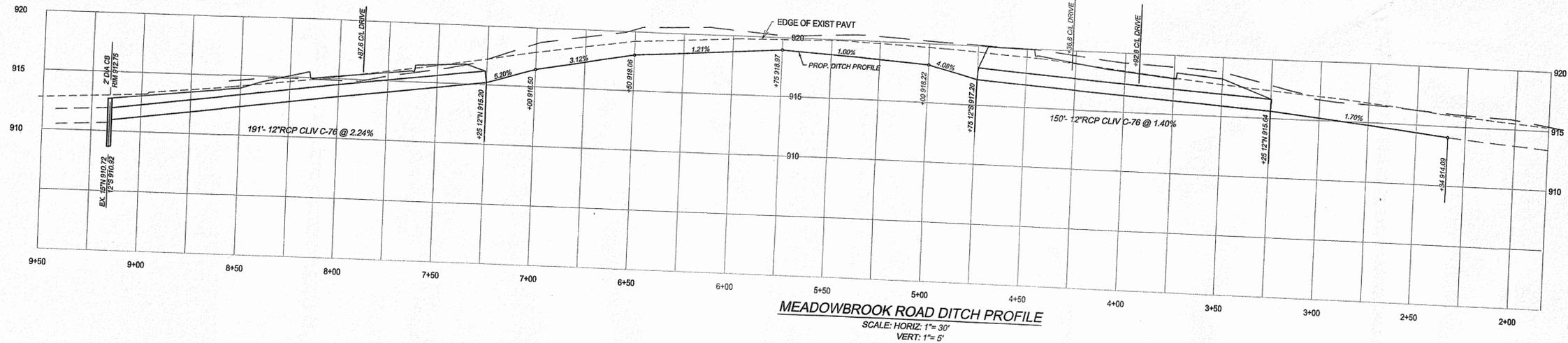
Maryanne Cornelius  
City Clerk  
City of Novi  
45174 Ten Mile  
Novi, Michigan 48375



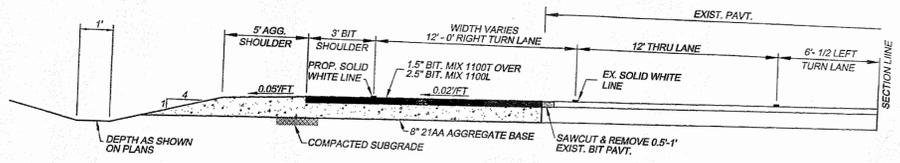




NOTE: SEE SHEETS CE-3 AND CE-4 FOR ADDITIONAL SIDEWALK GRADES



MEADOWBROOK ROAD DITCH PROFILE  
SCALE: HORIZ: 1"=30'  
VERT: 1"=5'



MEADOWBROOK ROAD WIDENING DETAIL  
SCALE: 1"=5'

Consulting Engineers - Land Surveyors  
8615 Richardson Rd., Commerce Twp, MI 48390  
Phone (248) 363-2550 Fax (248) 363-1646



2/13/15 REV. PER FINAL SITE PLAN REVIEW  
12/19/14 REV. PER PRELIM SITE PLAN REVIEW  
DATE ISSUED FOR

Drawn: LAS  
Designed: MK  
Checked: JCK

MEADOWBROOK ROAD WIDENING

ACCURATE TECHNOLOGIES INC.  
T-1N., R-8E. SECTION 14  
CITY OF NOVI, OAKLAND CO., MI

Scale: AS NOTED  
Date: 8-29-14  
Job No.: 10196  
Sht. No.:

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Wixom, MI 48393  
+1 248-848-9200  
www accuratetechnologies.com

ATI HEADQUARTERS BLDG.  
NOVI, MI



GHAFARI ASSOCIATES, LLC  
17101 MICHIGAN AVE  
DEARBORN, MI 48126-2736 USA  
TEL +1.313.441.3000  
www.ghafari.com

ARCHITECTURE | ENGINEERING | CONSULTING

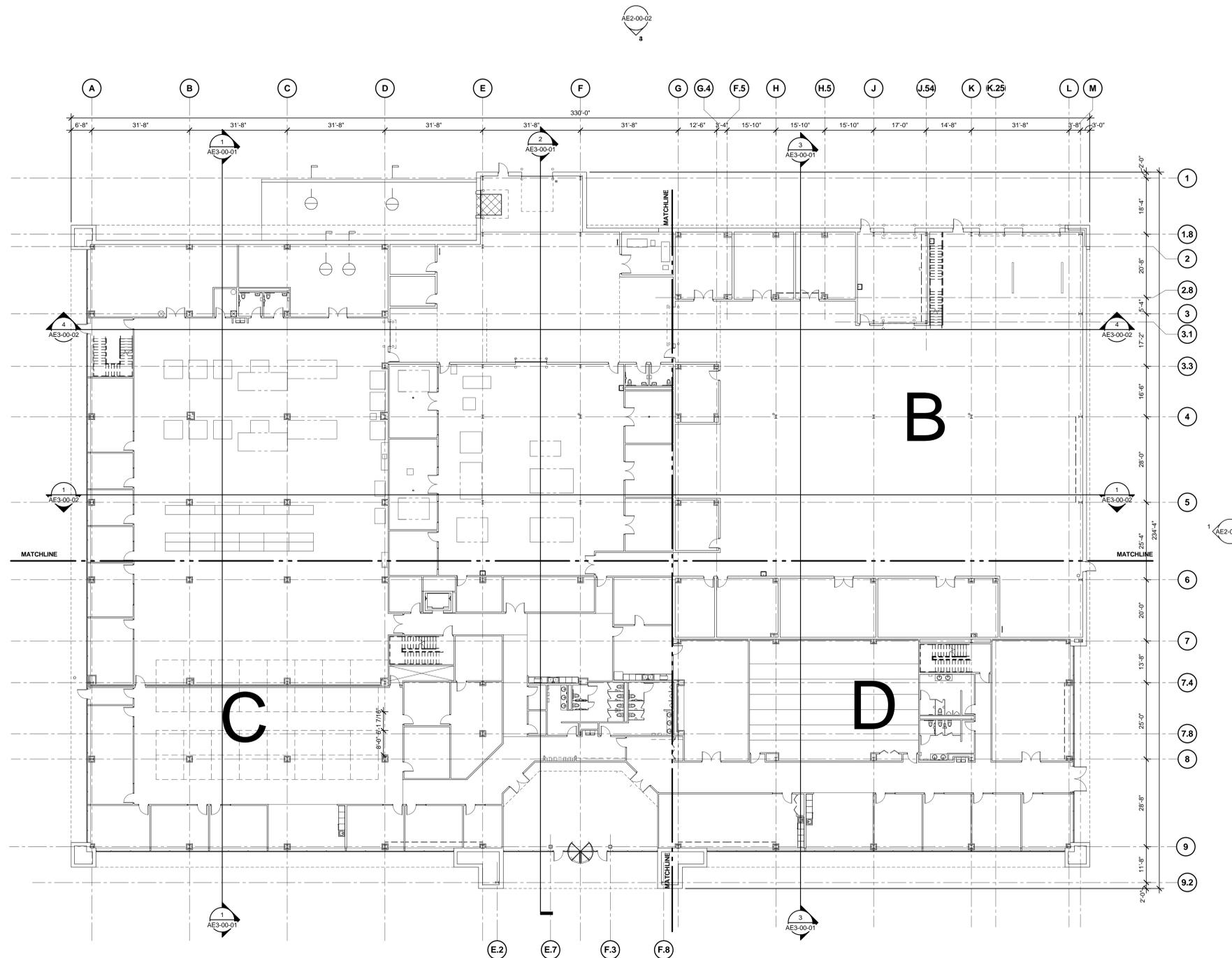
CONSULTANT INFORMATION



OLIVER/HATCHER CONSTRUCTION  
2733 MEADOWBROOK RD, STE. 100  
NOVI, MI 48377 USA  
TEL 1.248.374.1100  
www.oliverhatcher.com

JAMES C. SCOTT & ASSOC., INC.  
300 E. LONG LAKE ROAD, STE. 120  
BLOOMFIELD HILLS, MI 48304  
TEL 1.248.646.6564  
www.jcsa-la.com

**Jck**  
CONSULTING ENGINEERS  
& LAND SURVEYORS  
8615 RICHARDSON ROAD  
COMMERCE TWP., MI 48390  
TEL 1.248.363.2550



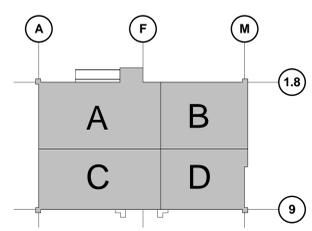
**A**

**B**

**C**

**D**

**FLOOR PLAN FIRST FLOOR COMPOSITE**  
SCALE: 1/16" = 1'-0"  
NORTH



ISSUANCE #	DATE	DOCUMENT RELEASE 05	ISSUED FOR
------------	------	---------------------	------------

REGISTRATION SEAL

PROJECT # 147130.001  
PROJECT MANAGER J. PEDERSEN  
DESIGNED BY J. DOORNBOS  
DRAWN BY R. PORTER  
QUALCHECK O. WAGNER  
SHEET TITLE

**ARCHITECTURAL FLOOR PLAN FIRST FLOOR COMPOSITE**

**AE1-01-00**  
SHEET NUMBER

**ATI**

ATI Accurate Technologies  
47199 Cartier Drive  
Wixom, MI 48393  
+1 248-848-9200  
www accuratetechnologies.com

ATI HEADQUARTERS BLDG.  
NOVI, MI

**GHAFARI**

GHAFARI ASSOCIATES, LLC  
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DEARBORN, MI 48126-2736 USA  
TEL +1.313.441.3000  
www.ghafari.com

ARCHITECTURE | ENGINEERING | CONSULTING

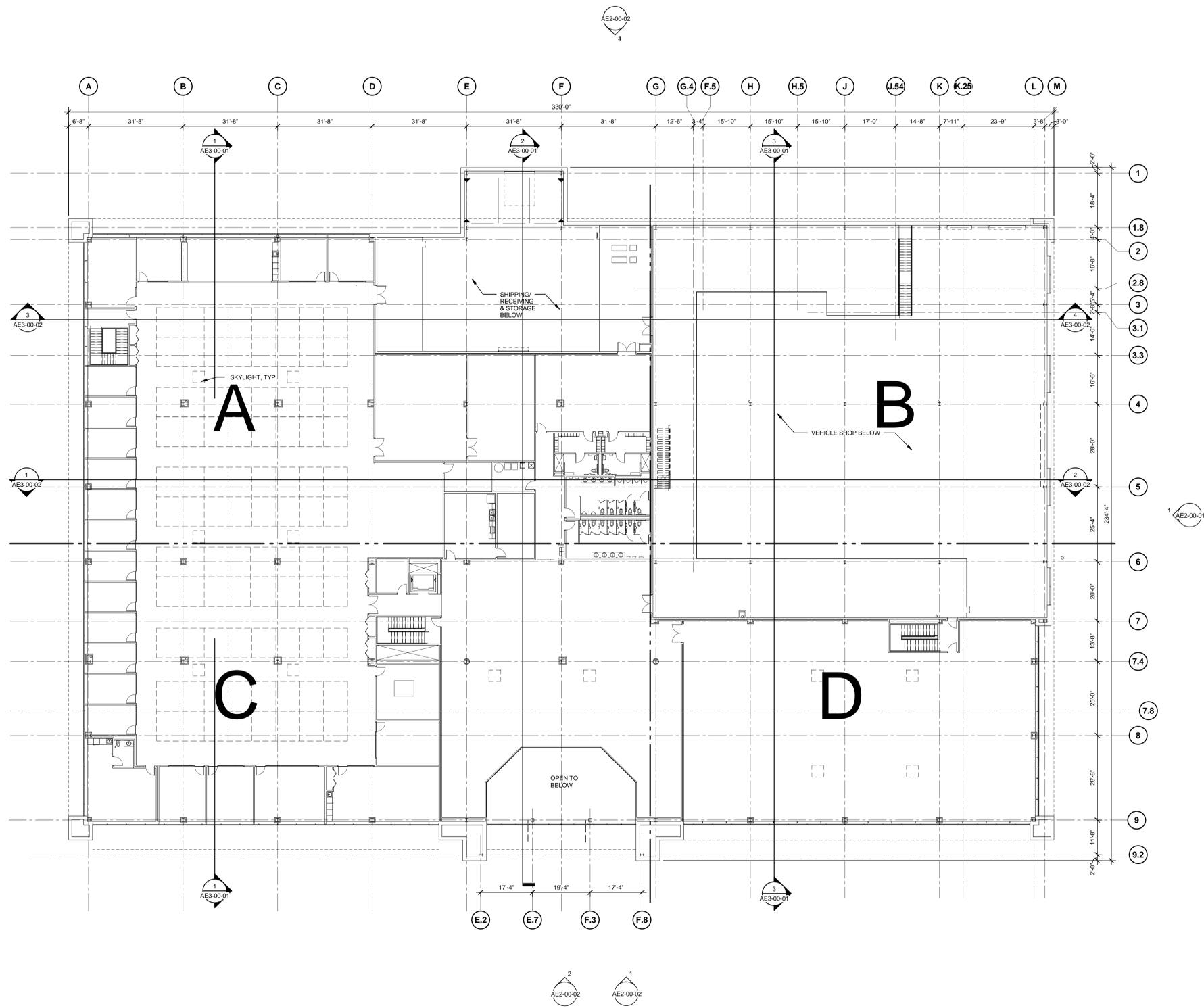
CONSULTANT INFORMATION

**OLIVER / HATCHER**  
CONSTRUCTION  
BUILDING YOUR FUTURE

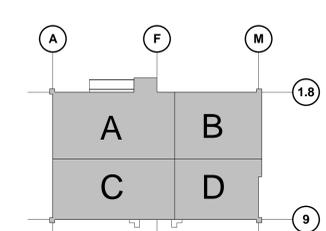
OLIVER/HATCHER CONSTRUCTION  
2733 MEADOWBROOK RD, STE.100  
NOVI, MI 48377 USA  
TEL 1.248.374.1100  
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JAMES C. SCOTT & ASSOC., INC.  
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BLOOMFIELD HILLS, MI 48304  
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www.jcsa-la.com

**Jck**  
CONSULTING ENGINEERS  
& LAND SURVEYORS  
8615 RICHARDSON ROAD  
COMMERCE TWP., MI 48390  
TEL 1.248.363.2550



**FLOOR PLAN SECOND FLOOR COMPOSITE**  
SCALE: 1/16" = 1'-0"  
NORTH



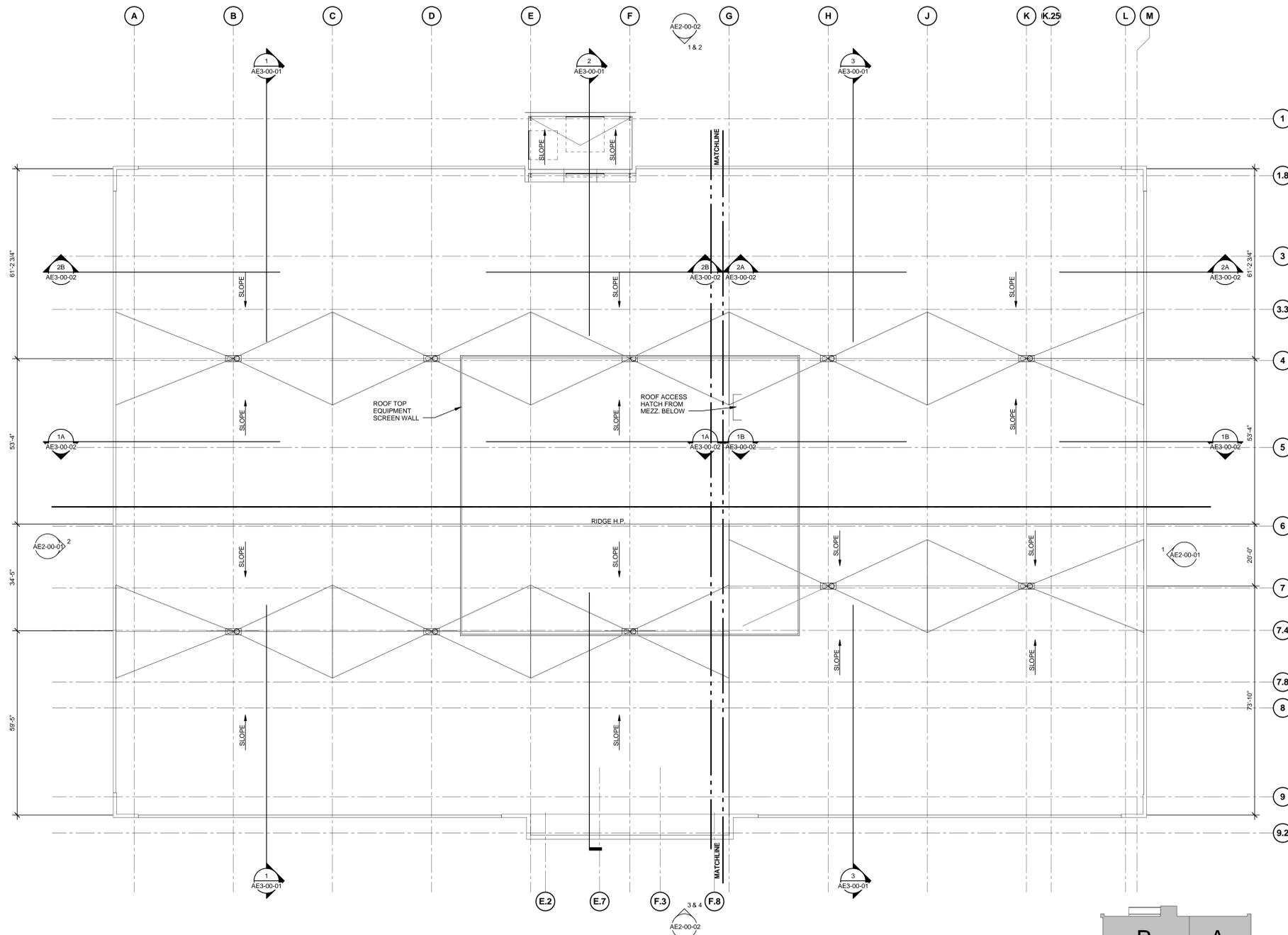
ISSUANCE #	DATE	ISSUED FOR
12/24/14	DOCUMENT RELEASE 05	

REGISTRATION SEAL

PROJECT #	147130.001
PROJECT MANAGER	J. PEDERSEN
DESIGNED BY	J. DOORNBOS
DRAWN BY	R. PORTER
QUALCHECK	O. WAGNER
SHEET TITLE	

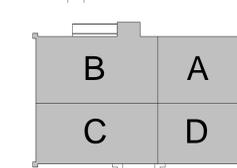
**ARCHITECTURAL FLOOR PLAN SECOND FLOOR COMPOSITE**  
**AE1-02-00**  
SHEET NUMBER

GHAFARI ASSOCIATES © 2014 3/5/2015 2:05:46 PM



**PRELIMINARY**  
 NOT FOR CONSTRUCTION

REV	DATE	ISSUED FOR



**ROOF PLAN**  
 SCALE: 1/16" = 1'-0"  
 NORTH

**KEY MAP**  
 NTS  
 NORTH

PROJECT #	147130.001
PROJECT MANAGER	J. PEDERSEN
DESIGNED BY	
DRAWN BY	
QUALCHECK	
SHEET TITLE	

**ARCHITECTURAL  
 ROOF PLAN  
 COMPOSITE**

**AE1-R1-01**  
 SHEET NUMBER



**WALL SYSTEMS:**

- WS-1**  
- 3 5/8" BURNISHED CMU  
- 1" AIR SPACE  
- 3" RIGID INSULATION  
- VAPOR BARRIER  
- 7 5/8" CMU
- WS-2**  
- 3 5/8" CAST STONE  
- 1" AIR SPACE  
- 3" RIGID INSULATION  
- VAPOR BARRIER  
- 7 5/8" CMU
- WS-3**  
- 3 5/8" CAST STONE  
- 1" AIR SPACE  
- 3" RIGID INSULATION  
- VAPOR BARRIER  
- 5/8" EXT. GYP. BD. SHEATHING  
- 6" METAL STUDS
- WS-4**  
- 3" INSUL. MET. PAN. W/ STONE FINISH  
- 2" FURRING  
- VAPOR BARRIER  
- 7 5/8" CMU
- WS-5**  
- 3" INSUL. MET. PAN. W/ STONE FINISH  
- 6" METAL STUDS
- WS-6**  
- 3" INSUL. MET. PAN. W/ SMOOTH FINISH  
- 6" METAL STUDS

**GLAZING SYSTEMS:**

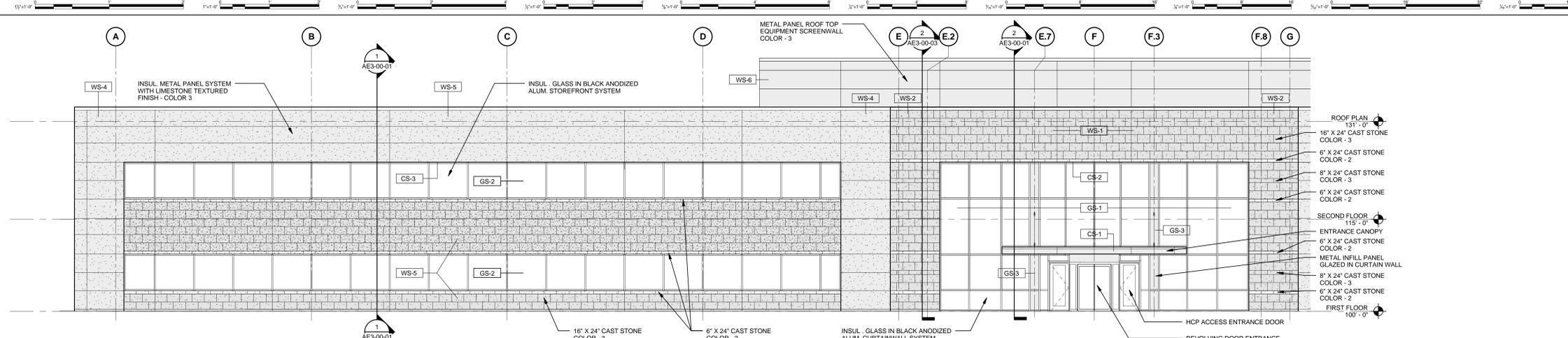
- GS-1**  
- 2 1/2" X 6" PREFINISHED THERMALLY BROKEN CURTAINWALL SYSTEM WITH 1" LOW-E GRAY INSUL. GLASS OR 1" LOW-E GRAY TEMP. GLASS. DOORS W/ 1" GRAY TEMP. INSUL. GLAZING (REFER TO ELEVATIONS)
- GS-2**  
- 2 1/2" X 5" PREFINISHED THERMALLY BROKEN STOREFRONT SYSTEM WITH 1" LOW-E DARK GRAY INSUL. GLASS. DOORS W/ 1" CLEAR TEMP. INSUL. GLAZING (REFER TO ELEVATIONS)
- GS-3**  
- 2 1/2" X 6" PREFINISHED THERMALLY BROKEN CURTAINWALL SYSTEM WITH 1" COMPOSITE METAL PANEL (REFER TO ELEVATIONS)

**CANOPY/SOFFIT SYSTEMS:**

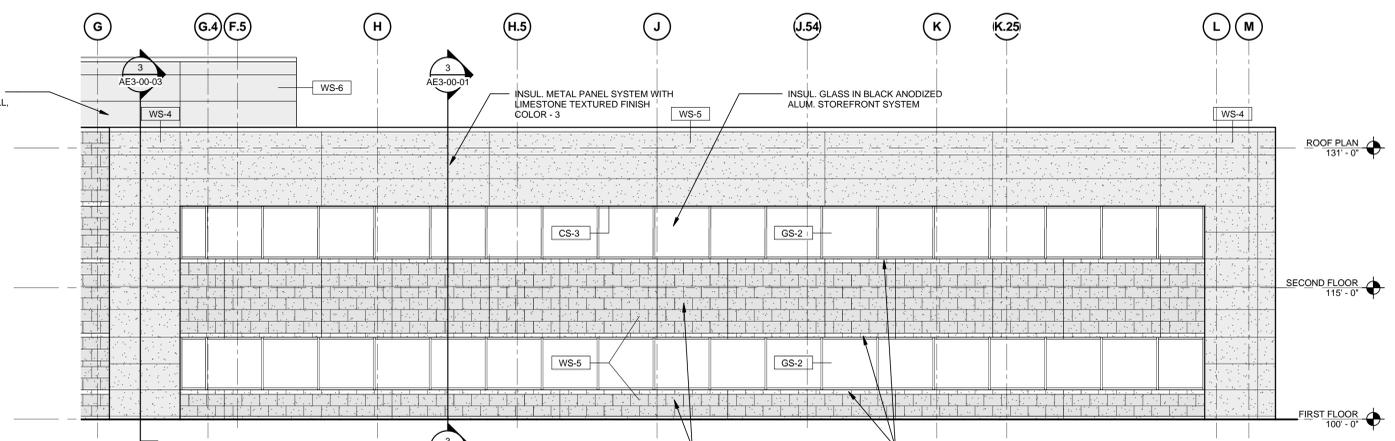
- CS-1**  
- METAL COMPOSITE PANEL  
- VAPOR BARRIER  
- 5/8" EXT. GYP. BD. SHEATHING  
- 3 5/8" METAL STUDS
- CS-2**  
- 3" INSUL. MET. PAN. W/ SMOOTH FINISH  
- 3 5/8" METAL STUDS
- CS-3**  
- 3" INSUL. MET. PAN. W/ STONE FINISH  
- 3 5/8" METAL STUDS

**ROOF SYSTEMS:**

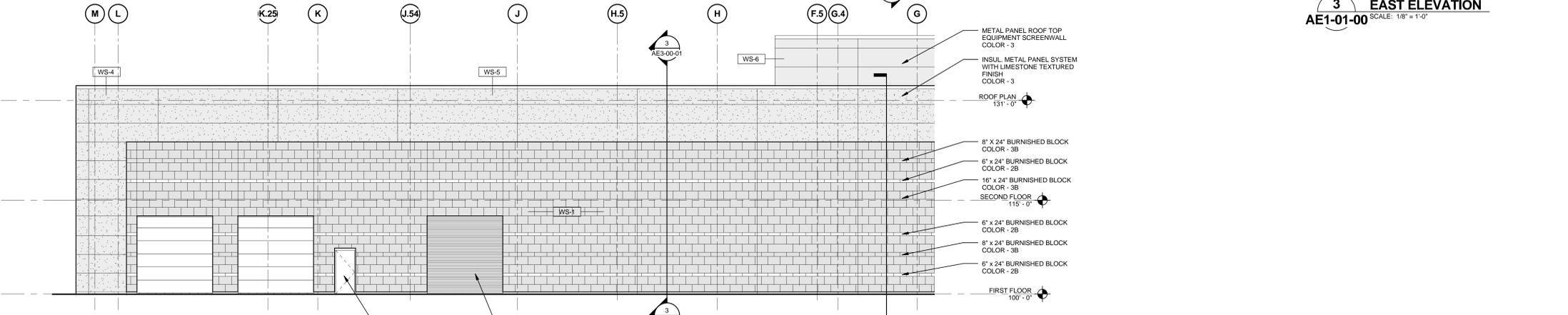
- RS-1**  
- SINGLE PLY MEMBRANE ROOFING SYSTEM  
- 1/2" COVER BOARD  
- 4" ROOFING INSULATION  
- SELF ADHERING TYPE VAPOR BARRIER  
- 5/8" EXT. GYP. BD. ROOF SHEATHING  
- METAL ROOF DECK



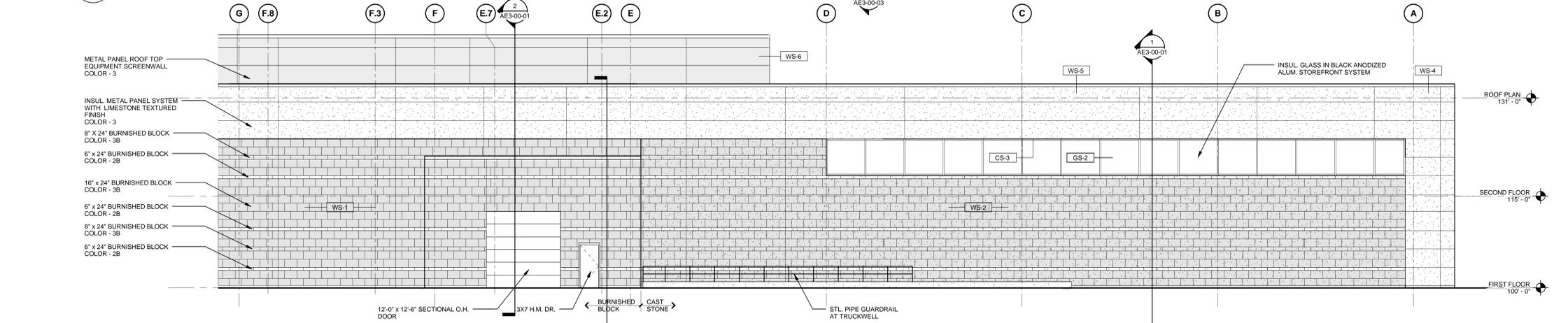
**4 EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**3 EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**2 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**1 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

REV	DATE	ISSUED FOR
D	8/29/14	DOCUMENT RELEASE 04
C	8/7/14	DOCUMENT RELEASE 03
B	7/8/14	DOCUMENT RELEASE 02

PROJECT #	147130.001
PROJECT MANAGER	J. PEDERSEN
DESIGNED BY	J. DOORNBOS
DRAWN BY	R. PORTER
QUALCHECK	O. WAGNER
SHEET TITLE	

**ARCHITECTURAL ELEVATIONS EAST & WEST**

**AE2-00-02**  
SHEET NUMBER