



Sundance Grill & Cantina JSP13-56

Sundance Grill & Cantina, JSP13-56

Consideration of the request of Theodore Andris, PC for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is 1.89 acres in Section 2, located on the southeast corner of Fourteen Mile Rd. and East Lake Dr. in the B-3, General Business District. The applicant is proposing to construct a 693 square foot addition and a 526 square foot outdoor seating area at the existing Sundance Grille & Cantina.

Required Action

Approval/denial of the Preliminary Site Plan and Stormwater Management Plan

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	05-06-14	<ul style="list-style-type: none"> • Approval contingent upon the installation of a sidewalk along Fourteen Mile Rd. • Administrative variance to permit the sidewalk to be located outside of the 1 ft. requirements for the future right-of-way line along Fourteen Mile Road - <u>staff recommended</u> • Items to be addressed on the Final Site Plan submittal
Engineering	Approval recommended	05-06-14	<ul style="list-style-type: none"> • City Council variance to not provide a pathway along East Lake Dr. - staff supported • City Council variance to not provide a sidewalk along Fourteen Mile Rd. - <u>staff does not support</u> • Items to be addressed on the Final Site Plan submittal
Traffic	Approval recommended	04-29-14	<ul style="list-style-type: none"> • Planning Commission waiver for same-side driveway spacing required (185 ft. required, 130 ft. provided) • Items to be addressed on the Final Site Plan submittal
Landscaping	Approval recommended	04-25-14	<ul style="list-style-type: none"> • Planning Commission waiver to allow a 6 ft. wood screen fence in lieu of a berm - staff supported • Planning Commission waiver for the lack of street trees - staff supported • Items to be addressed on the Final Site Plan submittal
Facade	Approval recommended	04-30-14	Approval contingent upon the painting of the existing & proposed rooftop units to match the existing asphalt shingles
Fire	Approval recommended	04-29-14	No items need to be addressed

Motion sheet

Approval – Preliminary Site Plan

In the matter of Sundance Grill & Cantina, JSP13-56, motion to **approve** the Preliminary Site Plan based on and subject to the following:

- a. City Council variance from Section 11.256(b) of the Design and Construction Standards of the City Code for the lack of a bicycle path on East Lake Drive because this is an existing site that is being improved and there is not adequate room to provide this path safely adjacent to the existing non-conforming building and because of the presence of an existing bike lane; and
- b. The applicant installing a sidewalk along Fourteen Mile Road that connects the existing bike lane along East Lake Drive to the existing sidewalk east of the property, with support for an administrative variance from Section 11.278(b)(5) of the Design and Construction Standards of the City Code to permit a sidewalk to vary more than 1 foot from the future right-of-way; and
- c. Planning Commission waiver for same-side driveway spacing (185 feet required, 130 feet provided), which is hereby granted; and
- d. Planning Commission waiver to allow a 6 ft. wood screen fence in lieu of a berm along the southern property line as it will provide adequate and effective noise attenuation and screening while still maintaining a useable site; which is hereby granted; and
- e. Planning Commission waiver from the street tree requirements along both frontages because this is an existing non-conforming site that has limited space and the installation of street trees is impractical; which is hereby granted; and
- f. All RTU's, exhausts fans and related ductwork be painted the same color as the trim to match the existing asphalt shingles; and
- g. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan;
- h. *(additional conditions here if any)*

(This motion is made because the plan is otherwise in compliance with Article 15, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

-AND-

Approval – Stormwater Management Plan

In the matter of Sundance Grill & Cantina, JSP13-56, motion to **approve** the Stormwater Management Plan, subject to:

- a. 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; and
- b. *(additional conditions here if any)*

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.)

-OR-

Denial – Preliminary Site Plan

In the matter of Sundance Grill & Cantina, JSP13-56, motion to **deny** the Preliminary Site Plan...*(because the plan is not in compliance with Article 15, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*

-AND-

Denial – Stormwater Management Plan

In the matter of Sundance Grill & Cantina, JSP13-56, motion to **deny** the Stormwater Management Plan...*(because the plan is not in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.)*

MAPS
Location
Zoning
Future Land Use
Natural Features

JSP13-56 Sundance Grill & Cantina

Location



Map Legend

 Subject Property



City of Novi
Planning Division
Community Development Dept.
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

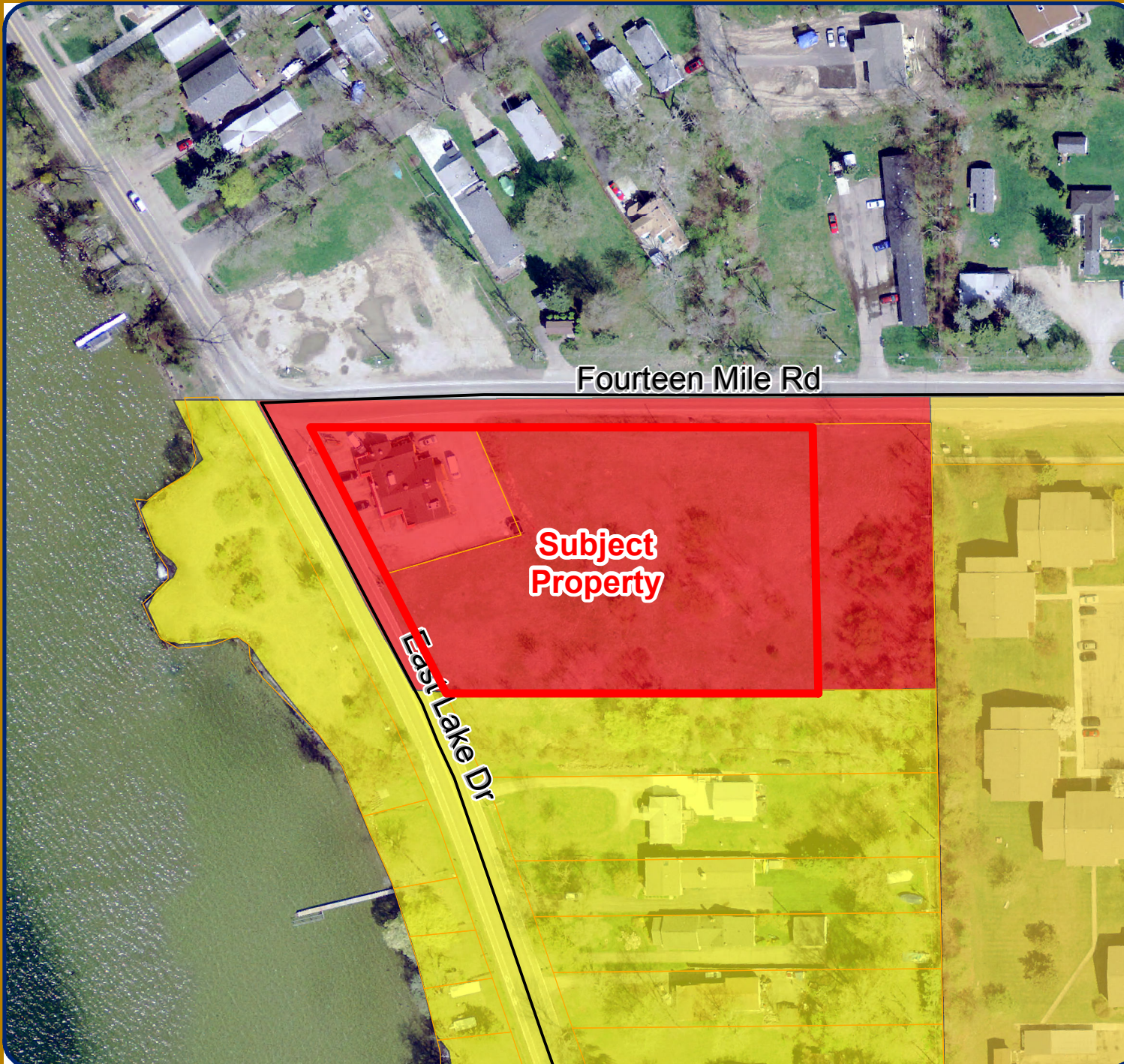
Map Author: Sara Roediger
Date: 05-01-14

MAP INTERPRETATION NOTICE





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JSP13-56 Sundance Grill & Cantina

Zoning



Map Legend

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



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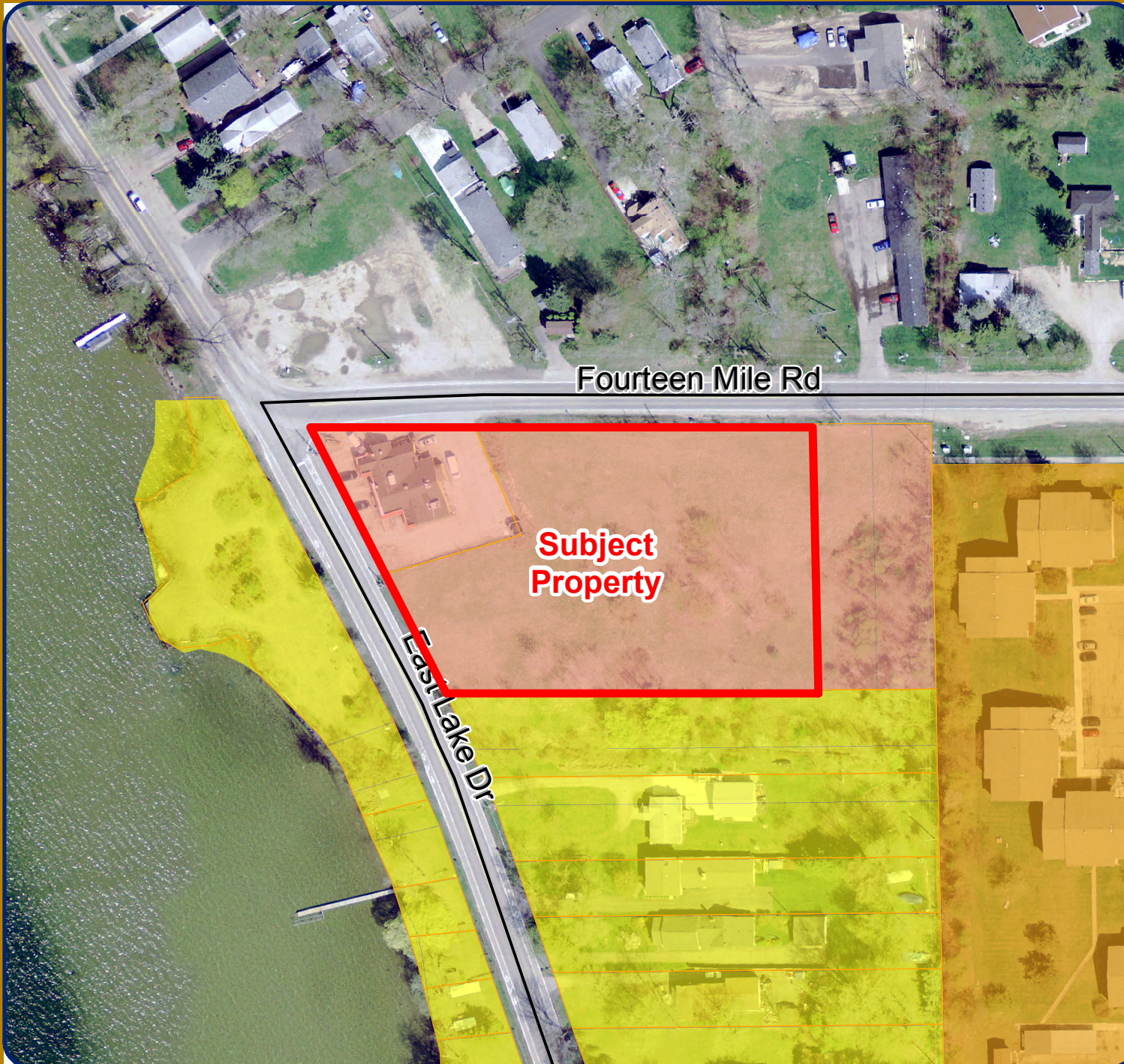
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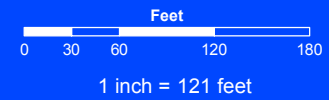
JSP13-56 Sundance Grill & Cantina

Future Land Use



Map Legend

-  Subject Property
-  Single Family
-  Multiple Family
-  Local Commercial



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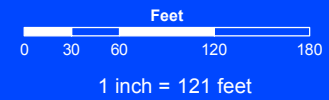
JSP13-56 Sundance Grill & Cantina

Natural Features



Map Legend

-  Subject Property
-  Lake



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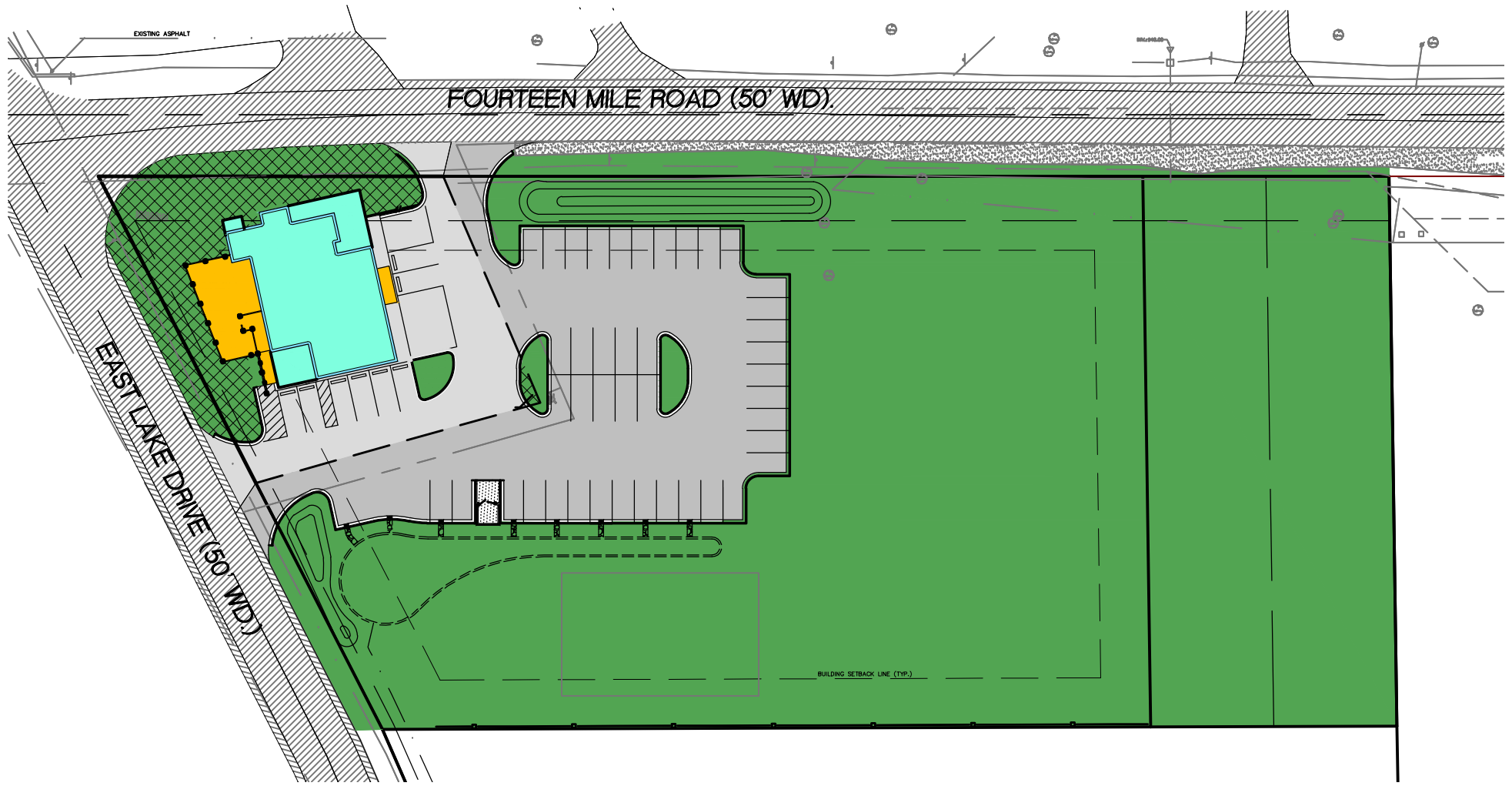
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SITE PLAN

(Full plan set available for viewing at the Community Development Department)



**SEIBER KEAST
ENGINEERING, L.L.C.**

CONSULTING ENGINEERS

7125 ORCHARD LAKE ROAD • SUITE 300 • WEST BLOOMFIELD, MI • 48325
248.231.9036

REVISIONS					
NO.	ITEM	DATE	NO.	ITEM	DATE

SUNDANCE GRILL & CANTINA

PART OF THE NW 1/4 OF SECTION 2
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

SCALE: 1"=60'
JOB NO.: 13-020
DATE: 05-07-14
CHECKED BY: CS

**SHEET
1
OF
1**

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

May 6, 2014

Planning Review

Sundance Grill & Cantina

JSP13-56

Petitioner

Theodore Andris, PC

Review Type

Revised Preliminary Site Plan

Property Characteristics

- Site Location: 1103 East Lake Dr., southeast corner of Fourteen Mile Rd. and East Lake Dr. (Section 2)
- Site School District: Walled Lake Consolidated
- Site Zoning: B-3, General Business District
- Adjoining Zoning: North: City of Walled Lake, South and West: R-4, East: RM-1
- Site Use(s): Existing Restaurant
- Adjoining Uses: North: vacant and residential homes; South: residential homes; East: multiple family units; West: (across East lake Dr.) vacant and Walled Lake
- Site Size: 1.89 acres
- Building Size: 2,926 sq. ft. existing building, with a proposed 693 sq. ft. addition for a total of 3,619 sq. ft. building, plus 526 sq. ft. of outdoor seating
- Plan Date: 04/22/14

Project Summary

The applicant is proposing to construct a 693 square foot addition to the existing non-conforming Sundance Grille & Cantina building and a 526 square foot outdoor seating area along the building's west side. Additional parking and site upgrades are also being installed.

Recommendation

Staff recommends approval of the Preliminary Site Plan contingent upon the installation of a sidewalk along 14 Mile Road that connects the existing bike lane along East Lake Drive to the existing sidewalk east of the property. There are a number of items that need to be addressed at the time of Final Site Plan review as discussed in the review letters. In addition a **City Council variance request to not provide a pathway along East Lake Drive must be heard**, and two variance requests that must be heard by the Zoning Board of Appeals for the expansion of the building to not meet the front and exterior side yard setbacks along 14 Mile Road and East Lake Drive. The proposed improvements will vastly improve safety and access at an existing non-conforming site.

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 15 (B-3, General Business District), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant.

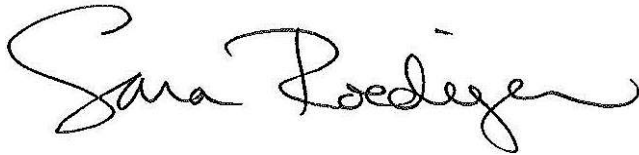
1. Front Yard Setback (East Lake Drive): A front yard setback of 30 feet is required for the building. The existing building is a non-conforming building and does not meet this setback in some locations, as the building is not parallel to the front property line. Portions of the existing building and proposed addition infringe into the setback up to 6 feet. The addition fills in an existing cut out in the building footprint to square off this corner of the building. **The applicant will need to seek a variance from the Zoning Board of Appeals for this deficiency to be approved as depicted.**
2. Exterior Side Yard Setback (Fourteen Mile Road): An exterior yard setback of 30 feet is required for the building. The existing building is a non-conforming building and does not meet this setback and currently sits within 10 feet the property line. With the proposed addition, the building will be located within 3 feet of the property line. The proposed additions fill in existing cut outs in the building footprint to square off this elevation of the building. **The applicant will need to seek a variance from the Zoning Board of Appeals for this deficiency to be approved as depicted.**
3. Loading Space: A screened loading space has been included on the plans; however, **details on the proposed screening fence must be provided. The screen should be constructed of materials that match the building.**
4. Sidewalk along 14 Mile Road: As discussed on multiple occasions with the applicant, a sidewalk is required along Fourteen Mile Road. **The applicant has chosen to not propose any type of sidewalk or pathway along this arterial road in the City, thereby not meeting the recommendations of the City's' Non-Motorized Master Plan and the requirements of Section 11-276(b) in Chapter 11 of the Novi Code of Ordinances (Design and Construction Standards). A City Council variance will be required to waive this requirement, one that staff strongly opposes. The applicant has ample room on the site to accommodate this important non-motorized connection, identified as the 17th highest priority pathway & sidewalk segment in in the City of Novi Annual Non-Motorized Prioritization: 2013-2014 Update. Furthermore, the improvements made to this property will likely increase the need for pedestrian and bicycle access as many patrons will be from the surrounding residential areas. As an alternative, staff would support a lesser administrative variance from Section 11-278(b)(5) to allow the sidewalk to be located outside of the 1 ft. requirement from the future right-of-way line, provided the sidewalk connects to the existing bike lane along East Lake Drive to the west and to the existing sidewalk east of the property, refer to attached graphic.**
5. Pathway along East Lake Drive: A pathway is required along East Lake Drive; however, because there are the existing bike lanes on both sides of this street, coupled with the fact that there are no other pathways currently or likely in the near future along this road, **staff is can support a City Council variance from this requirement (Section 11-256(b)), particularly because this is an existing site that is being improved and there is not adequate room to provide this path safely adjacent to the existing non-conforming building.**
6. Bicycle Parking: Three bike parking spaces are included on the plans; however **additional details for the bike parking spaces must be indicated on the plans to ensure compliance with City regulations as it relates to layout and separation from automotive facilities.**
7. Economic Impact: While general e information has been provided on the economic impact to the City of Novi, more specific information related to **the total cost of the proposed building and site improvements and the number of anticipated jobs created (during construction and after building is occupied, if known) should be provided.**
8. Other Reviews: **There are a number of items noted in the engineering, traffic, landscape, and façade review letters that must be addressed on the Final Site Plan submittal.**
9. Façade Review: The plans are in compliance the previously approved Stipulated Disposition for this property. It should be noted that this application does not affect the prior violation of Façade Ordinance Section 2520.2 on this property pertaining to the color of the building and its incompatibility with the surrounding neighborhood. Please refer to the façade review letter for more information.

10. Property Combination: The Planning Division recommends that the applicant pursue a lot combination of the two properties into one for development purposes. The applicant should create this parcel prior to Stamping Set approval.
11. Signage: Exterior Signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland (248.347.0438) jniland@cityofnovi.org or for information regarding sign permits.

Response Letter

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

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







Sara Roediger, AICP - Planner

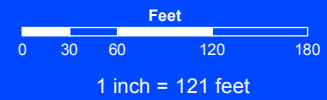
Attachments: Planning Review Chart
Lighting Review Summary Chart

JSP13-56 Sundance Grill & Cantina



Map Legend

-  Subject Property
-  Existing Sidewalk
-  Existing Bike Lane
-  Recommended Sidewalk



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Planning Review Summary Chart

Sundance Grill & Cantina JSP13-56

Revised Preliminary Site Plan

Plan Dated: 04-22-14

Item	Proposed	Meets Requirements?	Comments
Master Plan Local Commercial	No change	Yes	
Zoning B-3	No change	Yes	
Use (Sec. 1501 & Sec. 1502) Commercial uses, etc. listed in Section 1501 & Section 1502	Sit-down restaurant	Yes	
Building Height (Sec. 2400) 30 ft.	13 ft. 5 in.	Yes	
Min. Building Setbacks (Sec. 2400)			
a. Front (west/ East Lake Dr.): 30 ft.	24 ft.	No	This is an existing non-conforming building that is being expanded, proposed building additions result in reduced setbacks along the north and west property lines, the applicant will need to seek a variance from the ZBA
b. Exterior Side (north/ Fourteen Mile Rd.): 30 ft.	3 ft.	No	
c. Interior Side (south): 15 ft.	140 ft. +	Yes	
d. Rear (east): 20 ft.	300 ft. +	Yes	
Min. Parking Setbacks (Sec. 2400)			
a. Front (west/ East Lake Dr.): 20 ft.	20 ft.	Yes	
b. Exterior Side (north/ Fourteen Mile Rd.): 20 ft.	20 ft.	Yes	
c. Interior Side (south): 10 ft.	80+ ft.	Yes	
d. Rear (east): 10 ft.	140+ ft.	Yes	
Number of Parking Spaces (Sec. 2505) <u>Sit-down Restaurant</u> 1 space for each 70 sq. ft. GLA OR 1 space for each 2 employees plus 1 space for each 2 customers allowed under maximum capacity 3,642 sq. ft./70 = 52 spaces required	54 spaces provided	Yes	
Parking Space & Maneuvering Lane Dimensions (Sec. 2506) 9 ft. x 19 ft. parking spaces with 24 ft. drives 9 ft. x 17 ft. parking spaces along 7 ft. interior sidewalks, provided a 4 in. curb at these locations & along landscaping	9 ft. x 19 ft. & 9 ft. x 17.5 ft. parking space dimensions with 24 ft. wide drive for 90° parking space	Yes	

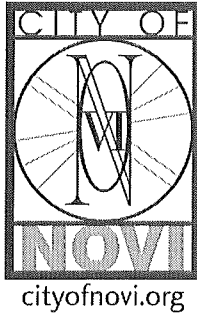
Item	Proposed	Meets Requirements?	Comments
<p>Barrier Free Spaces (ADA standard) 3 barrier free spaces, 1 must be a van accessible</p>	<p>3 spaces, including 1 van accessible space</p>	<p>Yes</p>	
<p>Barrier Free Space Dimensions (Barrier Free Code) 8 ft. wide with an 8 ft. wide access aisle for van accessible</p>	<p>8 ft. wide with an 8 ft. wide access aisle for van accessible</p>	<p>Yes</p>	
<p>Barrier Free Signs (Barrier Free Design Graphics Manual) 1 barrier free sign is required per space</p>	<p>3 wall mounted signs are provided</p>	<p>Yes</p>	
<p>Loading Spaces (Sec. 2507) 10 sq. ft. of loading space for each front ft. of building in the rear yard 23 ft. x 10 ft. = 230 sq. ft. required</p>	<p>400 sq. ft. loading space in rear yard</p>	<p>Yes</p>	
<p>Loading Space Screening View of loading & waiting areas must be shielded from rights of way & adjacent properties</p>	<p>A 6 ft. screening fence provided</p>	<p>Information to be provided</p>	<p>Details must be provided, the screen should match the building</p>
<p>Accessory Structure Setback-Dumpster (Sec. 2503) Accessory structures should be setback a minimum of 10 ft. from any building unless structurally attached to the building & setback the same as parking from all property lines; in addition, the structure must be in the rear or interior side yard</p>	<p>Dumpster enclosure setback 70 ft. + from the building & setback 90 ft. + from the nearest property line in the rear yard</p>	<p>Yes</p>	
<p>Dumpster Requirements (Chap. 21, Sec. 21-145) Screening of not less than 5 ft. on 3 sides of dumpster required, interior bumpers or posts must also be shown Enclosure to match building materials & be at least 1 ft. taller than height of refuse bin</p>	<p>Dumpster screening materials to match the proposed building</p>	<p>Yes</p>	
<p>Exterior Lighting (Sec. 2511) Photometric plan & exterior lighting details needed at final site plan</p>	<p>Photometric plan provided</p>	<p>Yes</p>	

Item	Proposed	Meets Requirements?	Comments
<p>Sidewalks (City Code Sec. 11-256 & 11-276 & Non-Motorized Plan) 6 ft. sidewalk required along Fourteen Mile Rd. 8 ft. path required along East Lake Dr. Building exits must be connected to sidewalk system or parking lot</p>	None	No	<p>2 City Council variances are required to:</p> <ol style="list-style-type: none"> not provide a 6 ft. sidewalk along 14 Mile, which staff strongly opposes not provide a 8 ft. pathway along East Lake Dr., which staff can support due to site constraints & surrounding conditions
<p>Bicycle Parking Facilities (Sec. 2526) 5% of required auto parking spaces $60 \times 0.05 = 3$ bicycle parking spaces required Located along the building approach line & easily accessible from the building entrance Max. 120 ft. from entrance being served or the nearest auto parking space to that entrance Accessible via a paved 6 ft. wide route & separated from auto facilities 4 ft. wide maneuvering lane required with 6 ft. parking space width & depth of 2 ft. for single spaces & 2.5 ft. for double spaces</p>	An area for bike parking is proposed on the east side of the building	Additional information needs to be provided	Dimensioned details for the bike parking spaces must be indicated on the plans to ensure compliance with Sec. 2526.6 including space layout & separation from auto facilities
<p>Economic Impact Total cost of the proposed building & site improvements Number of anticipated jobs created (during construction & after building is occupied, if known)</p>	General statement on economic impact provided	Additional information needs to be provided	Information on the cost of improvements & number of jobs should be provided
<p>Exterior Signs Exterior Signage is not regulated by the Planning Division or Planning Commission</p>	Existing sign with no proposed changes	Please contact Jeannie Niland at 248.347.0438 or jniland@cityofnovi.org for information on sign permits	

Lighting Review Summary Chart

Required	Meets Requirements?	Comments
Intent (Sec. 2511.1) Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky	Yes	
Lighting Plan (Sec. 2511.2.a.1) Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures	Yes	
Lighting Plan (Sec.2511.2.a.2) Specifications for all proposed & existing lighting fixtures: <ul style="list-style-type: none"> ▪ Photometric data ▪ Fixture height ▪ Mounting & design ▪ Glare control devices ▪ Type & color rendition of lamps ▪ Hours of operation ▪ Photometric plan 	Yes	
Required Conditions (Sec. 2511.3.a) Height not to exceed maximum height of zoning district (30 ft.) or 25 ft. where adjacent to residential districts or uses	Yes	
Required Conditions (Sec. 2511.3.b) <ul style="list-style-type: none"> ▪ Electrical service to light fixtures shall be placed underground ▪ Flashing light shall not be permitted ▪ Only necessary lighting for security purposes & limited operations shall be permitted after a site's hours of operation 	Yes	
Required Conditions (Sec.2511.3.e) Average light level of the surface being lit to the lowest light of the surface being lit shall not exceed 4:1	Yes	
Required Conditions (Sec. 2511.3.f) Use of true color rendering lamps such as metal halide is preferred over high & low pressure sodium lamps	Yes	
Min. Illumination (Sec. 2511.3.k) <ul style="list-style-type: none"> ▪ Parking areas: 0.2 min ▪ Loading & unloading areas: 0.4 min ▪ Walkways: 0.2 min ▪ Building entrances, frequent use: 1.0 min ▪ Building entrances, infrequent use: 0.2 min 	Yes	
Max. Illumination adjacent to Non-Residential (Sec. 2511.3.k) When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle	Yes	
Cut off Angles (Sec. 2511.3.1.2) All cut off angles of fixtures must be 90° when adjacent to residential districts	Yes	

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

May 6, 2014

Engineering Review

Sundance Cantina
JSP13-0056

Petitioner

Theodore Andris, property owner

Review Type

Revised Preliminary Site Plan

Property Characteristics

- Site Location: E. of East Lake Dr. and S. of Fourteen Mile Rd.
- Site Size: ≈ 1.9 acres
- Plan Date: April 22, 2014

Project Summary

- Construction of an 18 parking stall addition and associated site work.
- Storm water would sheet flow across the parking lot to reinforced curb drops which discharge into the proposed bioretention/rain garden. The overflow structure serving this facility would discharge into a swale which ultimately flows directly into Walled Lake.

Recommendation

Approval of the Revised Preliminary Site Plan and Preliminary Storm Water Management Plan is recommended.

Comments:

The Revised Preliminary Site Plan meets the general requirements of Chapter 11, the Storm Water Management Ordinance and the Engineering Design Manual with the following items to be addressed at the time of Final Site Plan submittal (further engineering detail will be required at the time of the final site plan submittal):

General

1. Provide a plan sheet detailing the existing site conditions and proposed removals.
2. The City standard detail sheets are not required for the Final Site Plan submittal. They will be required with the Stamping Set submittal.
3. Consider dedicating the master planned 43-foot half-width right-of-way on 14 Mile Road where possible.

4. Consider dedicating the master planned 30-foot half-width right-of-way on East Lake Drive where possible.

Water Main

5. Revise the plan set to provide a profile for the proposed hydrant lead.
6. Three (3) sealed sets of revised utility plans along with the MDEQ permit application (1/07 rev.) for water main construction and the Streamlined Water Main Permit Checklist should be submitted to the Engineering Department for review, assuming no further design changes are anticipated. Utility plan sets shall include only the cover sheet, any applicable utility sheets and the standard detail sheets.

Storm Water Management Plan

7. The SWMP must detail the storm water system design, calculations, details, and **maintenance** as stated in the ordinance. The SWMP must address the discharge of storm water off-site, and **evidence of its adequacy** must be provided. This should be done by comparing pre- and post-development discharge rates and volumes. The area being used for this off-site discharge should be delineated and the ultimate location of discharge shown.
8. Provide calculations verifying that the proposed curb drops will be conveying storm water at non-erosive velocities (3.0 ft/s to 5.0 ft/s depending on outlet soil and vegetation type)
9. Provide a detail and sizing calculations for the proposed outlet weir.
10. Provide a soil boring log indicating that the bottom of the proposed bio retention facility is a minimum of three (3) feet above the ground water elevation in addition to the in-situ soil type(s).

Paving & Grading

11. Provide a detail for the proposed drop curbs. This detail must include the proposed means of preventing erosion and undercutting of the parking lot.
12. Provide a **Design and Construction Standards Variance from Section 11-256(b) from the Novi City Code** granted by City Council for the lack of a bicycle path on East Lake Drive.
13. Provide a **Design and Construction Standards Variance from Section 11-276(b) from the Novi City Code** granted by City Council for the lack of a bicycle path on Fourteen Mile Road.

Off-Site Easements

14. Provide a private off-site drainage easement for the proposed drainage swale on parcel 50-22-02-16-126-004. This easement is considered off-site because it impacts a parcel tax I.D. number that is not included with the proposed parcel combination. Parcel ownership does not factor into whether an easement is considered off-site by the City.
15. All off-site easements must be executed prior to final approval of the plans. Drafts shall be submitted at the time of the Preliminary Site Plan submittal.

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

16. A letter from either the applicant or the applicant's engineer must be submitted with the Final Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.
17. A draft copy of the drainage easement to parcel 50-22-02-16-126-004 must be submitted to the Community Development Department.
18. 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:

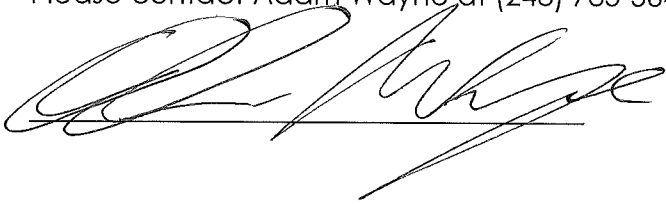
19. A draft copy of the maintenance agreement for the storm water facilities, as outlined in the Storm Water Management Ordinance, must be submitted to the Community Development Department with the Final Site Plan. Once the form of the agreement is approved, this agreement must be approved by City Council and shall be recorded in the office of the Oakland County Register of Deeds.
20. An executed copy of the drainage easement to parcel 50-22-02-16-126-004 must be submitted to the Community Development Department.
21. Please note that incomplete legal submittals or legal submittals that are not accompanied by the City's legal review transmittal form will not be accepted by Community Development. All easement documents shall be unsigned and in draft form until directed otherwise by the City Attorney.

The following must be addressed prior to construction:

22. A pre-construction meeting shall be required prior to any site work being started. Please contact Sarah Marchioni in the Community Development Department to setup a meeting (248-347-0430).
23. 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.
24. 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.

25. A permit for work within the right-of-way of East Lake Drive and Fourteen Mile 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.
26. A permit for work within the right-of-way of Fourteen Mile 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.
27. Construction Inspection Fees to be determined once the construction cost estimate is submitted must be paid prior to the pre-construction meeting.
28. 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.
29. 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.
30. 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 Adam Wayne at (248) 735-5648 with any questions.



cc: Brian Coburn, Engineering
Sara Roediger, Community Development Department

TRAFFIC REVIEW

April 29, 2014

Barbara McBeth, AICP
Deputy Director of Community Development
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375

**SUBJECT: Sundance Grill & Cantina, JSP13-0056,
Traffic Review of Second Revised Preliminary Site Plan, PSP14-0061**

Dear Ms. McBeth:

At your request, we have reviewed the above and offer the following recommendation and supporting comments.

Recommendation

We recommend approval of the second revised preliminary site plan, subject to the items shown below in **bold** being satisfactorily address on the final site plan.

Site Description

What is the applicant proposing?

1. The applicant is proposing to make relatively minor architectural modifications to an existing restaurant and significantly expand and modify the parking lot serving the restaurant. Since an existing conditions sheet was not included in the plan set, we created (and have attached) a couple of street-level Google photos to show those conditions.

Trip Generation

How much new traffic would be generated?

2. We have no basis for predicting an increase in site visitation.

Vehicular Access Locations

Do the proposed driveway locations meet City spacing standards?

3. As can be seen in the attached photos, there are currently no defined driveways along either site frontage. We are therefore of the opinion that the proposed future access drives should either meet the City's minimum driveway spacing standards or receive any needed waivers of those standards. The proposed curb return on the north side of the new East Lake driveway would be 120 ft from 14 Mile, a distance exceeding the minimum 105 ft same-side driveway spacing required for a 25-mph road. However, the proposed curb return on the west side of the 14 Mile Road driveway would be only 130 ft from the east edge line of East Lake Drive, indicating the need for **a Planning Commission waiver of the minimum 185 ft same-side spacing required for a 40-mph road (DCS Sec 11-216(d)(1)d).**

Vehicular Access Improvements

Will there be any improvements to the abutting road(s) at the proposed access point(s)?

4. No.

Access Drive Design and Control

Are the proposed design, pavement markings, and signage satisfactory?

5. Most of our previous comments related to access design have been satisfactorily addressed. However, **the arrow pointing to and labeling the proposed stop sign at the East Lake driveway needs to be reoriented to match the relocated sign.**

Pedestrian Access

Are pedestrians safely and reasonably accommodated?

6. The safety path previously proposed along the site's 14 Mile Road frontage has been deleted, and the applicant indicates that a variance will be sought to avoid the path requirement. Relative to the path's deletion, it appears that **a plan note reading "Drop Curb at Walk" needs to be deleted.**

Circulation and Parking

Can vehicles safely and conveniently maneuver through the site?

7. In our last letter, we suggested that consideration be given to widening the 5-ft handicapped access aisle along the south façade to 8 ft, to enable vans with wheelchair lifts to park in the middle barrier-free space immediately to the left of the wider access aisle. This would have required one parking space to be deleted, and the applicant declined to do so. As a result, vans arriving with wheelchair-assisted occupants will have to back into the one van-accessible space in a higher-volume part of the site near the road, or pull in further west than they are supposed to and encroach on the access aisle for the building entrance. As relatively rare occurrences, these outcomes may be acceptable.
8. **The final site plan must include details regarding traffic control devices.** These will include but not necessarily be limited to the color of all pavement markings and the locations and quantities of various parking and traffic control signs. **In addition to the 24-inch STOP (R1-1) signs now proposed, the site plan must include:**
 - a. **A proper rendition of the main barrier-free sign – RESERVED PARKING [wheelchair symbol] ONLY. Note that this sign uses the word "ONLY" below the symbol, not a double-headed arrow, and must be labeled a R7-8.**
 - b. **Signs indicating that every parking space abutting an 8-ft-wide access aisle constitutes a van-accessible space, regardless of whether or not doing so results in more such spaces being proposed than are required by ADA. Also, the VAN ACCESSIBLE sign is now called a R7-8P (not R7-8a), and must be so-labeled.**

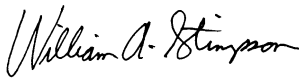
- c. **Notes indicating that barrier-free parking spaces and associated access aisles shall be marked in blue; the wheelchair symbol on the pavement, and all non-barrier-free spaces, shall be marked in white; and where barrier-free and non-barrier-free spaces abut each other, they shall be separated by abutting blue and white lines.**

- d. **A Signing Quantities Table, listing by sign type description and MMUTCD sign code, the required number of such signs.**

Sincerely,
CLEARZONING, INC.



Rodney L. Arroyo, AICP
President



William A. Stimpson, P.E.
Director of Traffic Engineering

Attachments: Two street-level photos of existing site



View of Existing Site from NB East Lake Drive



View of Existing Site from WB 14 Mile Road

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

April 25, 2014

Revised Preliminary Landscape Review II

Sundance Grill & Cantina JSP#13-56

Petitioner

Theodore Andris, PC

Review Type

Revised Preliminary Site Plan

Property Characteristics

Site Location: 1103 East Lake Dr., southeast corner of Fourteen Mile Rd. and East Lake Dr. (Section 2)
Site School District: Walled Lake Consolidated
Site Zoning: B-3, General Business District
Adjoining Zoning: North: City of Walled Lake, South and West: R-4, East: RM-1
Site Use(s): Existing Restaurant
Adjoining Uses: North: vacant and residential homes; South: residential homes; East: multiple family units; West: (across East lake Dr.) vacant.
Site Size: 1.89 acres
Plan Date: 4/22/14

Recommendation

Approval of the Revised Preliminary Site Plan Is recommended that the Applicant is granted necessary waivers from the Planning Commission and makes the necessary revisions as noted below.

Ordinance Considerations

Residential Adjacent to Non-Residential (Sec. 2509.3.a)

1. As a commercial use adjacent to residential zoning to the south, a 6' to 8' high landscape berm is typically required. In order to install this berm, up to 50' of land would be required for the berm. **In the interest of maintaining a useable site while still buffering the parking area, the Applicant is seeking a waiver for the berm and may instead install a 6' tall decorative fence.** Per Sec. 2509.5.a.(iii) of the ordinance the Planning Commission may reduce the height of the berm, or eliminate the berm, where it is determined that an alternative design utilizing landscaping or other materials, including a wall provides adequate and effective noise attenuation and screening, or where such alternative design provides a substantial aesthetic or site design benefit while still providing noise attenuation and screening to the extent reasonably practicable. **Staff would support a waiver for the use of a screen fence.**

Adjacent to Public Rights-of-Way – Berm (Wall) & Buffer (Sec. 2509.3.b.)

1. The project site is adjacent to Thirteen Mile to the north. The Applicant does have an opportunity to install additional landscape to the north of the site as existing parking is being removed directly adjacent to the building. A 3' tall landscape berm is required in front of parking areas. Although the Applicant has shown these berms, shrubs and perennials must be shown on the berm in order to meet ordinance requirements.
2. A berm on the East Lake Drive directly west of the building is not required. The Applicant has removed parking spaces and provided landscape along this frontage that will be an improvement to current conditions. A landscape berm would typically be required in front of the parking area. However, due to the site configuration, clear site vision areas at the access drive would be compromised. Therefore, a berm would not be required in this location.

Street Tree Requirements (Sec. 2509.3.b.)

1. Street trees are required at 1 per 35 l.f. in front of parking and 1 per 45 l.f. where no parking exists. The plantings are typically placed between the sidewalk and the roadway. No sidewalk is proposed along East Lake Drive. **Due to limited space, the installation of street trees along both frontages is impractical. A waiver would be required. Staff would support the waiver.**

Parking Landscape (Sec. 2509.3.c.)

1. Additional parking lot islands and landscape have been proposed. The parking lot landscape requirements have been met.

Parking Lot Perimeter Canopy Trees (Sec. 2509.3.c.(3))

1. Parking lot perimeter trees are required at an average of one tree per 35 linear feet. This requirement has been met.

Building Foundation Landscape (Sec. 2509.3.d.)

1. A minimum 4' wide landscape bed is required around the entire building *foundation with the exception of access areas. The Applicant has provided landscape beds at the exterior of the outdoor seating area where possible. Total square footage requirements and proposed are not included on the plan. Please provide these calculations. The required square footage may be achieved with the addition of plantings adjacent to the parking lot.*

Plant List (LDM)

1. The Plant List as provided meets the requirements of the Ordinance and the Landscape Design Manual.

Planting Notations and Details (LDM)

1. The Planting Notations and Details meet the requirements of the ordinance.

Irrigation (Sec. 2509 3.f.(6)(b))

1. An Irrigation Plan and Cost Estimate must be provided upon future submittals.

Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review is a summary and not intended to substitute for any Ordinance. For the landscape requirements, see the Zoning Ordinance landscape section on 2509, Landscape Design Manual and the appropriate items in the applicable zoning classification.

A handwritten signature in black ink, appearing to read 'DRB', followed by a period.

Reviewed by: David R. Beschke, RLA

FACADE REVIEW



April 30, 2014

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

**Re: FACADE ORDINANCE - Facade Review – Revised Preliminary S.P.
 Sundance Cantina Addition, PSP14-0061**
 Façade Region: 1, Zoning District: B-3, Building Area: 3,500 S.F., 1-Story

Dear Ms. McBeth;

The following is the Facade Review for Preliminary Site Plan Approval of the above referenced project based on the drawings prepared by DiClemente Siegel Design Inc., dated 4/8/14. The percentages of materials proposed for each façade are as shown on the table below. The maximum percentages allowed by the Schedule Regulating Façade Materials are shown in the right hand column. Materials in non-compliance with the Façade Chart, if any, are highlighted in bold. This project consists of an addition as described in Section 2520.7 of the Façade Ordinance. This project is also subject to the Stipulated Disposition.

	West (Front)	North	South	East	Ordinance Maximum (Minimum)
Brick	0%	0%	0%	0%	100% (30%)
Existing Wood Siding (Painted)	55%	55%	60%	55%	0% (Note 11)
Existing Cedar Shingles (Painted)	30%	30%	25%	30%	Not Listed
Existing Wood Trim (Painted)	5%	5%	5%	5%	15%
Existing Asphalt Shingles	10%	10%	10%	10%	25%

This project consists of various additions totaling 690 square feet. Section 2520.7 of the Façade ordinance allows a continuation of existing materials provided that certain conditions are met; 1 – the addition not exceed 100% of the existing buildings floor area, 2 – the new facades substantially constitute a continuation of facades with respect to color, texture, size, height and location of materials, and 3 – that the visual affect is to appear as part of the existing building.

In this case the combined percentage of the proposed addition constitutes approximately 23% of the existing building and is therefore in compliance with condition number 1. The color rendering provided indicates that a continuation of existing colors and materials will be used on the addition. The design is therefore in compliance with conditions 2 and 3. This application is therefore in full compliance with Section 2520.7 of the Façade Ordinance. A Section 9 Waiver is not required.

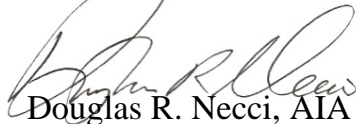
The Stipulated Disposition lists 4 modifications to be made to the building paraphrased as follows;

1. Paint the existing cedar shingles a color to match the existing asphalt shingles.
2. Paint the existing mechanical equipment enclosure fence on north side of the building a color to match the existing asphalt shingles.
3. Paint all existing window and door trim on all sides of the building a color to match the existing asphalt shingles.
4. The above paint color to be approved by the Façade Consultant prior to application.

The drawings have been revised as noted in our prior review and are now in compliance with all above stipulations.

Section 2520.3 of the Façade Ordinance requires that roof top equipment be screened from view using materials consistent with the building and that the screening be indicated on the drawings. The applicant has provided adequate evidence that practical default exists in construction the screening due to the limited structural capacity of the existing roof trusses. We recommend that the applicant consider other possible methods of improving the appearance of the roof top units (R.T.U's), such as painting. It is our recommendation that this application be approved contingent upon painting all RTU's, exhausts fans and related ductwork a color to match the existing asphalt shingles (same color as the trim).

Sincerely,
DRN & Architects PC



Douglas R. Necci, AIA



Existing Restaurant



After as recommended with painting of asphalt shingles



Existing Restaurant



After as recommended with painting of asphalt shingles



Existing Restaurant



After as recommended with painting of asphalt shingles



Existing Restaurant



After as recommended with painting of asphalt shingles

FIRE REVIEW



March 18, 2014

April 29, 2014

TO: Barbara McBeth, Deputy Director of Community Development
Sara Roediger- Plan Review Center
Kristen Kapelanski- Plan Review Center

CITY COUNCIL

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Bob Gatt

Mayor Pro Tem
Dave Staudt

Gwen Markham

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Laura Marie Casey

City Manager
Clay J. Pearson

**Director of Public Safety
Chief of Police**
David E. Molloy

Director of EMS/Fire Operations
Jeffery R. Johnson

Assistant Chief of Police
Victor C.M. Lauria

Assistant Chief of Police
Jerrold S. Hart

RE: Sundance Grill & Cantina, 1103 East Lake Dr.

PSP# 14-0030

PSP# 14-0061

Project Description:

Remodel of existing 3,511 sq ft building, located at 1103 E. Lake Dr.

Comments:

- 1) Confirm existence of hydrant on East side of building to be located in the traffic eyebrow. When exposed to vehicular traffic, fire hydrants shall be protected by a minimum six (6) inch curb, standard guard posts, or other acceptable method. *(D.C.S. Sec. 11-68 (f)(1)c.3)* **4/29/14- Corrected**

Recommendation:

Approval pending relocation of existing hydrant.

4/29/14- All FD items addressed

Sincerely,

Joseph Shelton- Fire Marshal
City of Novi – Fire Dept.

cc: file

Novi Public Safety Administration
45125 W. Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

APPLICANT RESPONSE LETTER

SEIBER KEAST ENGINEERING, LLC

ENGINEERING CONSULTANTS

Clif Seiber, P.E.
Patrick G. Keast, P.E.
Azad W. Awad

7125 Orchard Lake Road, Suite 304
West Bloomfield, MI 48322
Phone No. 248.231.9036
E-mail: cs@seibereng.com

May 6, 2014

Ms. Kristin Kapelanski, AICP, Planner
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375

Re: **Sundance Grill & Cantina, JSP 13-56**

Dear Ms. Kapelanski:

In accordance with your consultant's and staff review comments dated May 6, 2014, the following responses to those comments are shown below. The comment number shown below corresponds to the comments contained in the consultant or staff review letters where applicable.

PLANNING REVIEW

1. The applicant will seek a variance for the proposed encroachments into the front yard setback along East Lake Drive. Such a setback variance will be as measured from the existing road right-of-way as indicated by the City Attorney.
2. The applicant will seek a variance for the proposed encroachments into the exterior side yard along Fourteen Mile Road. This setback will also be measured from the existing road right-of-way.
3. Details of the proposed loading area screening fence will be provided at the time of Final Site Plan review and will be constructed of materials that will match the building.
4. As discussed during our meeting with you, no safety path is proposed along Fourteen Mile Road due to lack of right-of-way space. The City Attorney has rendered an opinion that the City of Novi can require that as a condition of site plan approval the applicant is required to donate property to the City for a public purpose. The applicant believes that such a requirement is in violation of the US constitution and results in a government taking without just compensation. The applicant will seek a variance from this requirement.
5. No pathway is proposed along East Lake Drive due to the lack of adequate room within the existing right-of-way to safely construct a pathway. A variance will also be requested from this pathway requirement.
6. Additional dimensioning of the bicycle parking area will be provided at the time of Final Site Plan review.
7. Additional information will be provided as related to total project cost and the anticipated number of additional jobs created during construction and after the building is completed.
8. The other staff and consultant review comments are addressed below.

LIGHTING REVIEW

1. Plan meets requirements. No comments.

ENGINEERING REVIEW

Storm Water Management

7. Maintenance details and evidence of the storm water outlet adequacy will be provided at the time of Final Site Plan review

Paving & Grading

12. A variance will be requested from the City Council for the required pathway on East Lake Drive.
13. A variance will be requested from the City Council for the required pathway on Fourteen Mile Road.

TRAFFIC REVIEW

3. A same-side driveway spacing waiver will be requested from the Planning Commission.
- 5 The note leader that should be pointing to the stop sign on the East Lake Drive driveway will be corrected.
- 6 The curb drop note will be deleted.
- 8 The Final Site Plan submittal will include the described signage notations.

LANDSCAPE REVIEW

1. A six-foot high screen fence has been provided along the south property line of the commercially zoned property. A waiver from the berm requirement from the Planning Commission is requested.
2. A waiver is requested for the street trees along both road frontages.

FIRE DEPARTMENT

The Fire Department comments have been satisfied.

FAÇADE REVIEW

The façade review comments have been satisfied.

Sincerely,
SEIBER KEAST ENGINEERING, LLC



Cliff Seiber, P.E.
Cc: Theodore Andres



DIClemente Siegel Design Inc.
Engineering and Architecture

April 16, 2014

Clif Seiber
Seiber Keast Engineering
7125 Orchard Lake Rd.
Suite 300
West Bloomfield, MI 48322

Re: Sundance Grill
Revised Preliminary Site Plan Approval
Façade Review
DSD 14-2405.00

Dear Clif,

We have completed various revisions to the building elevations, floor plan, and site lighting plans. We believe we have addressed all items noted pertaining to our work in the latest review letters from the City of Novi. There remains one item pertaining to the building façade and the review letter from DRN & Associates of March 20th that we would like to specifically reply.

The last paragraph of the letter refers to a recommendation that the screening of all existing roof equipment be incorporated in the design and indicated on the drawings. This recommendation is based on the reviewer's statement that the proposed additions result in significant modifications to the building's roof area.

Actually there are only very minimal modifications proposed to the existing roof area. These modifications are limited to the connection between the existing roof and the proposed additions. The additional roof area increases the perimeter of the roof, no alterations affecting the existing roof are proposed.

The existing roof structure consists of prefabricated wooden roof trusses. Such trusses are a proprietary design of the truss manufacturer and as such should not be altered as would be required by providing increased loading requirements to these members.

Increased loading requirements would result from the addition of any new roof top screen walls. Screen walls typically must be located at least 4ft. away from any mechanical unit in order to provide adequate ventilation and maintenance space. This results in the screen wall configuration that is significantly larger in appearance than what exists today and also detracting from the overall appearance of the building.

In addition to the dead load from the actual screen wall assembly, there will be additional loading placed upon the existing structure as required by code to accommodate snow loads and snow drifting loads. It is this loading requirement that would mandate significant additional alterations to the existing roof structure that go well beyond the scope of the proposed project.

Clif Seiber
April 16, 2014
Page two

Please forward our opinion to the City of Novi as a part of the re-submitted preliminary site plan application.

Let me know if there are any questions regarding this item.

Sincerely:
DiClemente Siegel Design Inc.

A handwritten signature in black ink, appearing to read 'Lee J. Mamola', written in a cursive style.

Lee J. Mamola AIA
Vice President
Director of Architecture

Copy: T. Andris

Number 11: Economic Impact:

Clear economic benefits to the City have already begun and will only grow with the additional improvements set forth on the Petitioner's Site Plan. Petitioner has already enthusiastically supported activities of the Community by committing contributions to the senior class of Novi High School and to the Novi Youth Assistance Program. Also, Petitioner has established communications with various religious organizations by offering meals to needy families at regular intervals.

In the first year of its existence, Petitioner has doubled its staff and believes the planned expansion will add several additional employees, with particular increase to the youth with summer employment as a result of adding an outdoor patio as part of the Site Plan expansion.

The planned development will also provide the Novi Community with a unique dining experience that would include, literally, a breath of fresh air while providing a beautiful view of Walled Lake. This would add another attractive aspect to the growing image of Novi as a multifaceted City in which to live, work and play. The fact that this type of inviting attraction would be located at one of the gateways to the City would be a significant improvement both aesthetically and economically.

Petitioner has already expended approximately \$25,000.00 on professional municipal fees and permits even prior to any actual construction costs which will certainly pump tens of thousands more into the general economy. This is not to mention nearly a half million in property taxes by Petitioner over the last three decades on adjoining vacant land without using up any city services for those taxes.