



CITY of NOVI CITY COUNCIL

Agenda Item I
July 8, 2013

SUBJECT: Approval of the Fourth Amendment to SDO Agreement for Cadillac of Novi, located at 41350 Grand River Avenue, north of Grand River Avenue and east of Meadowbrook Road, to authorize an additional sign to indicate the auto service and repair location on the site.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Bunch*

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION: This property was originally developed under a Gateway District Special Development Option (SDO) Agreement between the City and Hummer of Novi approved by the City Council in June of 2004. The original SDO Concept Plan and Agreement contemplated a full automobile dealership facility supporting the sale and servicing of GM Hummer franchise vehicles only. The buildings and other improvements now located on the property were constructed under that original plan and agreement. In November of 2007, the parties amended the original Agreement to allow the owner/developer to sell non-Hummer used vehicles, and to grant the right to park one such vehicle in front of the building on the eastern-most display pad. A second amendment to the agreement (dated February 2010) acknowledged the termination of a Hummer dealership and authorized the sale and service of Cadillac vehicles in its place. A third amendment to the agreement (dated May 2011) allowed for the development of building additions totaling 2,227 square feet and allowed for additional signage and vehicle display areas.

The applicant is now proposing an additional sign (but no other exterior changes to the site) to help customers identify the vehicle service area. The proposed sign would read 'Certified Service' and be placed at the northeast corner of the building. The planning review recommends approval of the new signage provided the applicant agrees to reduce the proposed size by two thirds. The applicant has agreed to this reduction and now proposes a sign size of 17.88 square feet.

	East Bldg. Elevation	SW Bldg. Elevation	West Bldg. Elevation	Screen wall	Entry Monument	Service Entrance
Existing	100 sq. ft.	91 sq. ft.	2 medallions @ 6.5 sq. ft. each	3.5 ft. diameter medallion	2 ground signs @ 28.5 sq. ft. each	None
Permitted under SDO Third Amendment	100 sq. ft.	91 sq. ft.	2 medallions @ 6.5 sq. ft. each	3.5 ft. diameter medallion	2 ground signs @ 30 sq. ft. each	None
Proposed	No change	No change	No change	No change	No change	Original submittal proposed 33.8 sq. ft. wall sign (Applicant has agreed to a sign totaling 17.88 sq. ft.)
Permitted by Ordinance	One wall sign of 65 sq. ft. OR one ground sign of 30 sq. ft. Non-commercial message (directional) signs not exceeding 2 sq. ft.					

This change requires a revision of the existing Special Development Agreement. A revised agreement (Fourth Amendment to the Special Development Option Agreement) is attached for the City Council's consideration. The Planning Commission recommended approval of the Fourth Amendment to the Special Development Option and held the public hearing on May 29th, 2013. The Planning Commission meeting minutes are attached. Under the SDO, the ZBA does not have jurisdiction to address sign variances.

RECOMMENDED ACTION: Approval of the amended Special Development Option permitted signage, subject to and based on the following:

- a. City Council finding that the proposed use meets the criteria identified in Section 904C.1.b of the Zoning Ordinance to allow a use in the GE District listed elsewhere in the Zoning Ordinance, provided certain criteria including those identified below are met:
 - The proposed use incorporates a predominant physical component of the development that provides a unique entry feature along Grand River for the GE District, characterized by a distinct, high profile appearance, given that the architecture of the existing building and additions offers distinctive presence on this corner.
 - The proposed use is compatible with, and will promote, the uses permitted with the GE District and SDO, as this property has demonstrated compatibility with adjacent properties as a vehicle dealership over the last several years.
 - The proposed use is designed in a manner that will result in traffic and pedestrian safety, consistent with the adjoining pedestrian and vehicular thoroughfares, as there is no significant change to the traffic flow on the site or the surrounding thoroughfares since the original SDO Agreement and Concept Plan were approved several years ago.
- b. That, relative to other feasible uses of the site, the proposed use and concept plan, meets the criteria listed in Section 2516.2.c of the Zoning Ordinance, including:
 - The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area, as the proposed signage will not affect the site layout, utilities or City services.
 - The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats, as the proposed signage will not affect the site layout.
 - The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood, as has been demonstrated through several years of use as an automotive dealership.
- c. The applicant has demonstrated compliance with the conditions listed in Section 904D of the Zoning Ordinance, such as:
 - Based upon proposed uses, layout and design of the overall project the proposed building façade treatment, the proposed landscaping treatment and the proposed signage, the Special Development Option project will result in a material enhancement to the area of the City in which it is situated, as identified in the initial approvals of the SDO Concept Plan and Agreement, and as identified in the staff review letter.
 - The proposed development shall not have a materially adverse impact upon the Master Plan for Land Use of the city, and shall be consistent with the intent and spirit of this Section, as identified in the staff and review letter.

- Each particular proposed use in the development, as well as the size and location of such use, shall result in and contribute to a reasonable and mutually supportive mix of uses on the site, and a compatibility of uses in harmony with the surrounding area and other downtown areas of the City, as the project has been developed for several years for a similar use.
 - The proposed development shall be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance.
- a. Sign area totaling 17.88 square feet; and
- b. Compliance with all conditions and requirements listed in the staff review letter.
- This motion is made because the plan is otherwise in compliance with Article 9, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance)

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Wrobel				

LOCATION MAP

Cadillac of Novi JSP13-28


Location



Area of Proposed Signage

Map Author: Kristen Kapelanski
Date: 05/07/13
Project: JSP13-28 Cadillac Signage
Version #: 1.0

Map Legend

 Subject Property

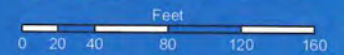


City of Novi

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

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.



1 inch = 104 feet

PROPOSED SIGNAGE

FOURTH AMENDMENT TO SPECIAL DEVELOPMENT OPTION AGREEMENT FOR
CADILLAC OF NOVI GATEWAY (F/K/A HUMMER OF NOVI GATEWAY SPECIAL
DEVELOPMENT OPTION (SDO))



JOHNSON ROSATI SCHULTZ JOPPICH PC

34405 W. Twelve Mile Road, Suite 200 ~ Farmington Hills, Michigan 48331-5627
Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

www.johnsonrosati.com

June 13, 2013

Barb McBeth
Deputy Community Development Director
City of Novi
45175 Ten Mile Road
Novi, MI 48375-3024

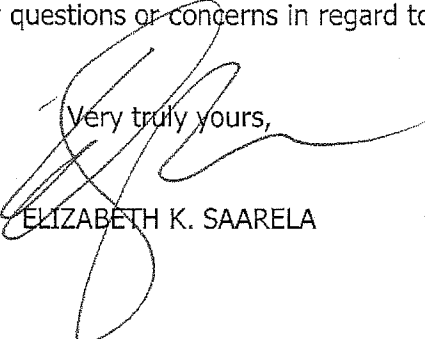
**RE: Cadillac of Novi SDO – Fourth Amendment to Special Development
Option Agreement**

Dear Ms. McBeth:

We have received and reviewed the revised Fourth Amendment to Special Development Option Agreement. All issues set forth in our May 30, 2013 review letter have been satisfactorily addressed. Gardan, LLC should submit an executed original Fourth Amendment to Special Development Option Agreement for placement on an upcoming City Council Agenda for approval.

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,


ELIZABETH K. SAARELA

EMK

Enclosures

cc: Maryanne Cornelius, Clerk (w/ Enclosures)
Charles Boulard, Community Development Director (w/Enclosures)
Kristen Kapelanski, Planner (w/Enclosures)
Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
Matt Quinn, Esquire (w/Enclosures)
Thomas R. Schultz, Esq. (w/Enclosures)

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

FOURTH AMENDMENT TO SPECIAL DEVELOPMENT

OPTION AGREEMENT

FOR CADILLAC OF NOVI GATEWAY

(F/K/A HUMMER OF NOVI GATEWAY)

(SPECIAL DEVELOPMENT OPTION (SDO))

AGREEMENT, dated this _____ day of _____, 2013, by and between the City of Novi, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375 (the "**City**") and Gardan, LLC, whose address is 3147 Interlaken Street, West Bloomfield, Michigan, (the "**Owner**"); and Cadillac of Novi, whose address is 3147 Interlaken Street, West Bloomfield, Michigan (the "**Developer**").

RECITALS:

- A. Owner/Developer and the City previously entered into a Special Development Option (SDO) Agreement (the "Original SDO Agreement") in connection with certain property located in the City of Novi on Grand River Avenue and Meadowbrook Road. The Original SDO Agreement governs the use and development of the property for a Hummer auto dealership. The Original SDO Agreement covers the property described in attached Exhibit A (the "**Property**") and was approved by the City Council on June 21, 2004.
- B. The Original SDO Agreement was modified by a First Amendment dated November 14, 2007, which (among other things) allowed non-Hummer vehicles to be parked and sold within the property.

- C. A Second Amendment to the SDO Agreement dated February 8, 2010 acknowledged the termination of the Hummer dealership on the property and authorized use of the property for an automobile dealer facility that supported the sale and servicing of Cadillac vehicles, subject to various terms and conditions. The Second Amendment also allowed the conversion of Hummer signs to Cadillac signs and allowed additional Cadillac signs under certain conditions.
- D. A Third Amendment and Restatement of the Agreement dated the September 21, 2011 allowed the transformation of the building and site plan become a fully recognizable Cadillac dealership.
- E. The Owner/Developer is now pursuing approval of one additional sign to indicate the location of the auto service and repair location within the facility. As a result the Owner/Developer and the City have determined that it is in their best interest to amend the SDO Agreement dated hereafter.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

I. AMENDMENT TO SPECIAL DEVELOPMENT OPTION AGREEMENT

The Owner/Developer and the City agree that the Special Development Option Agreement for Cadillac of Novi Gateway Article XIV. Signage is hereby amended as follows:

All signage shall comply with the requirements of the City's Code of ordinances; provided, however, that the signage shown on the New Site Plan shall be permitted. The signage shown on the New Site Plan includes the following deviations from the Code of Ordinances:

1. A deviation to allow two additional wall signs beyond the two existing wall signs in addition to the one wall sign or one monument sign permitted by ordinance.
2. A deviation to allow the two additional wall signs set forth in subsection 1., above, to exceed the 65 square foot maximum permitted by ordinance. In all events, the sign on the east elevation shall not exceed 100 square feet, and the sign on the southwest elevation shall not exceed 91 square feet.
3. A deviation to allow three ground signs, including one 30 square foot monument sign on Grand River Avenue, one 30 square foot monument sign on Meadowbrook Road, and one 3.5 foot diameter screenwall crest on Grand River Avenue when no ground signs are permitted by ordinance.
4. A deviation to allow one additional sign to indicate the auto service and repair location in the Cadillac facility. The sign is permitted to state "certified service" as located in Exhibit A and shall not exceed 17.88 square feet as indicated in Exhibit A.

II. This Fourth Amendment to the Special Development Option Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees and an Affidavit providing notice of this Agreement, or the Agreement itself, may be recorded by either party with the office of the Oakland County Register of Deeds.

III. This Fourth Amendment to the Special Development Option Agreement may be signed in counterparts.

IV. The previously executed Third Amendment and Restatement of Agreement for Cadillac of Novi Gateway Special Development Option shall remain in full force and effect except as modified herein.

OWNER:

WITNESSES:

GARDAN, LLC

BY:
ITS: Managing Member

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND

On this ____ day of _____, 2013, before me appeared _____, Managing Member, who states that he/she has signed this document on his/her own free will on behalf of Owner.

Notary Public
County, Michigan
My commission expires:
Acting in County

WITNESSES:

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND

On this ____ day of _____, 2013, before me appeared _____, Manager, who states that he/she has signed this document on his/her own free will on behalf of Developer.

DEVELOPER:
CADILLAC OF NOVI

BY:
ITS: Manager

Notary Public
 County, Michigan
My commission expires:
Acting in County

WITNESSES:

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND

On this ____ day of _____, 2013, before me appeared Robert Gatt and Maryanne Cornelius, who stated that they have signed this document of their own free will on behalf of the City of Novi in their respective official capacities, as stated above.

CITY OF NOVI

BY: Robert Gatt, Mayor

BY: Maryanne Cornelius, Clerk

Notary Public
 County, Michigan
My commission expires:
Acting in County

When recorded return to:
Matthew C. Quinn
28345 Beck Road, Suite 401
Wixom, MI 48393

EXHIBIT A

Parcel Description

A part of the NW 1/4 of Section 24; T 1 N, R 8 E, City of Novi, Oakland County, Michigan, being more particularly described as follows:

Beginning at a point located S 02° 34' 41" E, 721.49 feet along the west line of Section 24 (nominal centerline of Meadowbrook Road) and N. 87° 43' 33" E, 60.00 feet and S. 02° 34' 41" E, 517.70 feet along the easterly right-of-way line of Meadowbrook Road (120 feet wide) from the NW corner of Section 24; thence S, 73° 34' 41" E, 456.49 feet; thence S, 02° 34' 41" E, 678.32 feet; thence N, 73° 33' 43" W, 456.53 feet along the northerly right-of-way line of Grand River Avenue; thence N, 02° 34' 41" W, 678.18 feet along the easterly right-of-way line of Meadowbrook Road to the point of beginning. Containing 6.721 acres and being subject to all easements of record.

Parcel Identification No. 50-22-24-100-051

C:\WrPortb\Secrest\HINKLEJ\545551_1.DOC

13'-4 15/16"

16" Certified Service

16" Certified Service Letters Scale: 1/4"=1'-0"

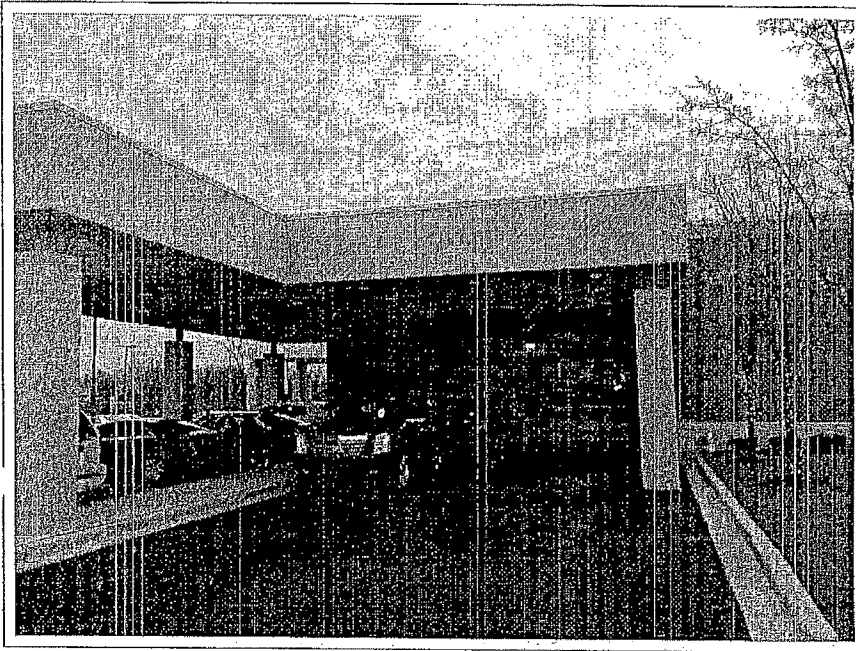
GFLS 16CSBW 16" - Black/White Faces

Required Dedicated Circuits:
1 - 20 amp/120 volt

ELEMENTS					
ELEMENT	SIZE (HEIGHT)	LENGTH	SQUARE FT.	WEIGHT	ELECTRICAL
Certified Service Letters	16"	13'-4 15/16"	17.88	64 lbs	1 amp

Center Horizontally & Vertically on Fascia

EXHIBIT B



EXISTING



PROPOSED

SIGNATURE REQUIRED TO VALIDATE ORDER

DEALER APPROVAL

Date: _____

PATTISON
SIGN GROUP INC.

410 N. CEDAR BLUFF RD. • SUITE 101 • KNOXVILLE, TN 37923
• Tel: (865) 693-1109 • Fax: (808) 694-1106 • Toll Free: (866) 218-1978

Pattison Sign Group recommends signage based on the Designer's Intent Drawings provided by General. If your final approved design documents differ from the original scale or size it is recommended that your General Contractor send the revised dimensions of your building facade for additional review. The size and placement of the ACM reveals (trim) is a vital part of our recommendation process to comply with General Motors design guidelines.

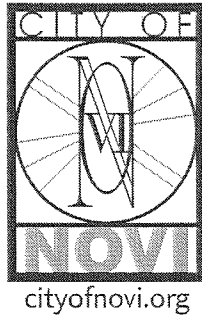
The sign is intended to be used in an outdoor environment.
 The sign is intended to be used in an indoor environment.
 The sign is intended to be used in a semi-outdoor environment.

The sign is intended to be used in an outdoor environment.
 The sign is intended to be used in an indoor environment.
 The sign is intended to be used in a semi-outdoor environment.

120V 240V

Project No.	260271
Client	General Motors
Location	Novi, MI
Order No.	01-09-13
Order Date	02-01-13
Order Status	01
Notes	as noted

PLANNING COMMISSION MINUTES – EXCERPT
MAY 29, 2013



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

May 29, 2013 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

ROLL CALL

Present: Member Anthony, Member Gutman, Chair Pehrson, Member Prince, Member Zuchlewski

Absent: Member Lynch, Member Greco

Also Present: Barbara McBeth, Deputy Director of Community Development; Gary Dovre, City Attorney; Kristen Kapelanski, Planner; Adam Wayne, Engineer; David Beschke, Landscape Architect; Doug Necci, Façade Consultant; Pete Hill, Environmental Consultant.

PLEDGE OF ALLEGIANCE

Member Zuchlewski led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

City Attorney Dovre recommended removing item number one of the Consent Agenda, Novi Food Center, from the Consent Agenda and deviating from the normal process, place it immediately before the Cadillac of Novi Public Hearing. A public hearing is not required for consideration of the Novi Food Center.

Deputy Director McBeth said this would allow for some discussion on the item.

Moved by Member Gutman, seconded by Member Prince:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER PRINCE:

Motion to approve the May 29, 2013 Planning Commission Agenda with the removal of the Novi Food Center from the Consent Agenda to be placed before the Cadillac of Novi Public Hearing. Motion carried 5-0.

PUBLIC HEARINGS

1. CADILLAC OF NOVI, JSP13-28

Public hearing on the request of Phillips Sign and Lighting for Cadillac of Novi for recommendation to the City Council of the amended Special Development Option's permitted signage. The subject property is located in Section 24 at 41350 Grand River Avenue at the northeast corner of Grand River Avenue and Meadowbrook Road, in the GE, Gateway East District. The property totals 6.7 acres and the applicant is proposing an additional sign to indicate the auto service and repair location on the site.

Planner Kapelanski said the subject property is located at the northeast corner of Grand River Avenue and Meadowbrook Road. Properties to the north include existing office and industrial space. There is vacant land to the east and to the south and Gateway Village is to the west. The applicant is proposing to add one additional sign to the site to indicate the auto service and repair location. The site was originally approved as a Hummer Dealership utilizing the Special Development Option provisions of the Gateway East District.

As part of the approval process, a development agreement is written to outline the terms of the development. The original approvals for the site were granted in 2004. The applicant is proposing

alterations to the site that would affect the provisions outlined in the existing development agreement, which includes requirements related to permitted signage. Therefore, revised approval is required. Per the standards of the GE District, approval by City Council is required after review and recommendation by the Planning Commission. The planning review recommends approval of the proposed signage as it will aid customers in identifying the proper area for service and repairs. Given the fact that this is an internal directional sign, the proposed size of the sign (approximately 34 square feet) seems excessive. Staff recommends the size be reduced by two-thirds. Per the response letter, the applicant has maintained the signage is the minimum size required. The Planning Commission is asked to make a recommendation to City Council regarding the proposed changes. There are numerous factors noted in the Zoning Ordinance and included in the proposed motion that the Planning Commission should consider when making its recommendation, specifically the factors listed in Sections 904C.1.b, 2516.2.c and 904D.

Mathew Quinn, on behalf of the Cadillac Dealership said he has been involved with this project from the beginning when the Special Development Option was entered into many years ago for the Hummer Dealership. Because of the new canopy that was recently added, the entrance to the service department is invisible. The temporary signage that Kristen referenced is certified service. That is a franchise requirement language for the service department to use. It's used in advertising "certified service for Cadillac and General Motors", and it's used by General Motors internally. The dealerships get points for using the word certified service in their paperwork, orders and things like that. It's very important to them. You are looking at the number one Cadillac dealership in the United States, right here in Novi as far as sales. And they've done that for two years in a row. So it's a vibrant place and because it's vibrant they have a lot of traffic and vehicles that come in to use the service entrance. But you can't really find the service entrance on site. The words "Certified Service" will stand out and it'll help people. This sign Certified Service allows my client to comply with the franchise requirements. It allows the customers to know exactly where the entrance is for the service department and it's important in that regards. There is a little confusion on the size of this sign. The size being requested is 17.88 square feet. That is 14 feet and 4 5/16 inches horizontal and 16 inches vertical. This is the minimum size sign that meets the General Motors requirements

Member Gutman read the correspondence. Meghan Lawler approves the request because additional signage will not bother her business. Additional signage will help the business of Cadillac and that is good for other local businesses. Peter De Steiger, CEO of Ray Electric approves of this. Daniel Weiss says he is the neighbor that owns the land diagonally across the street from this Cadillac dealership. He has the southwest corner, including almost a half mile of the Grand River frontage, over 200 feet from Meadowbrook Road, eastward including the Weiss Construction Building and all the way to Glenda's Market parking lot. He recommends this request to be approved because it's a reasonable request. He believes it will benefit the City of Novi economy, as well as being reasonably consistent with both the particular neighborhood as well as the overall City Master Plan.

Chair Pehrson opened the public hearing. There was no additional correspondence and no one in the audience wished to speak. Chair Pehrson closed the public hearing.

Member Anthony said he lives within a quarter mile of the Cadillac dealership. They've been a great neighbor. It's not going to create any harm. It's actually good to see the business there and see it thriving.

Moved by Member Anthony and seconded by Member Gutman:

ROLL CALL VOTE ON THE AMENDED SPECIAL DEVELOPMENT OPTION RECOMMENDATION OF APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:

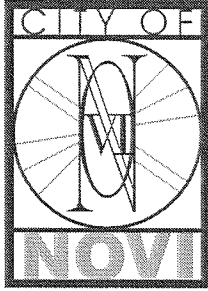
In the matter of the request of Phillips Sign & Lighting for Cadillac of Novi JSP13-28, motion to recommend approval of the amended Special Development Option permitted signage, subject to and based on the following:

- a. City Council finding that the proposed use meets the criteria identified in Section 904C.1.b of the Zoning Ordinance to allow a use in the GE District listed elsewhere in the Zoning Ordinance, provided certain criteria including those identified below are met:
 - The proposed use incorporates a predominant physical component of the development that provides a unique entry feature along Grand River for the GE District, characterized by the distinct, high profile appearance, given that the architecture of the existing building and additions offers distinctive presence on this corner.
 - The proposed use is compatible with, and will promote, the uses permitted with the GE District and SDO, as this property has demonstrated compatibility with adjacent properties as a vehicle dealership over the past several years.
 - The proposed use is designed in a manner that will result in traffic and pedestrian safety, consistent with the adjoining pedestrian and vehicular thoroughfares, as there is no significant change to the traffic flow on the site or the surrounding thoroughfares since the original SDO Agreement and Concept Plan were approved several years ago.
- b. That, relative to other feasible uses of the site, the proposed use and concept plan, meet the criteria listed in Section 2516.2.c of the Zoning Ordinance, including:
 - The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area, as the proposed signage will not affect the site layout, utilities or City services.
 - The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats, as the proposed signage will not affect the site layout.
 - The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent properties or the surrounding neighborhood, as has been demonstrated through several years of use as an automotive dealership.
- c. The applicant has demonstrated compliance with the conditions listed in Section 904D of the Zoning Ordinance, such as:
 - Based upon proposed uses, layout and design of the overall project the proposed building façade treatment, the proposed landscaping treatment and the proposed signage, the Special Development Option project will result in a material enhancement to the area of the City in which it is situated, as identified in the initial approvals of the SDO Concept Plan and Agreement, and as identified in the staff review letter.
 - The proposed development shall not have a materially adverse impact upon the Master Plan for Land Use of the City, and shall be consistent with the intent and spirit of this Section, as identified in the staff and review letter.
 - Each particular proposed use in the development, as well as the size and location of such use, shall result in and contribute to a reasonable and mutually supportive mix of uses on the site, and a compatibility of uses in harmony with the surrounding area and other downtown areas of the City, as the project has been developed for several years for a similar use.
 - The proposed development shall be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance.
- d. Applicant providing the amended Special Development Option Agreement and Development Agreement prior to consideration by the City Council;
- e. Applicant limiting the size of the sign to 17.88 square feet; and
- f. Compliance with all conditions and requirements listed in the staff review letter.

This motion is made because the plan is otherwise in compliance with Article 9, Article 24 and Article

25 and all other applicable provisions of the Zoning Ordinance. Motion carried 5-0.

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

April 26, 2013

Planning Review

Cadillac of Novi

JSP 13-28

Petitioner

Phillips Sign & Lighting

Review Type

Proposed Signage

Property Characteristics

- Site Location: 41350 Grand River Avenue, North of Grand River Avenue and east of Meadowbrook Road (Section 24)
- Site Zoning: GE (Gateway East)
- Site Size: 6.7 acres
- Plan Date: 01-09-13

Project Summary

The proposed plan sheet shows one additional sign to indicate the auto service and repair location at the existing Cadillac of Novi. The last review of the signage was included in the City Council consideration of the Third Amendment to the SDO Agreement in 2011.

The Gateway East district allows only one sign per parcel – **either** a wall sign (not to exceed 65 square feet) **or** a ground sign (not to exceed 35 square feet). Several signs outside of those permitted by the City Code have been approved for the site. (See chart on page 2.)

Recommendation

Conditional approval of the modified signage plan is recommended. The proposed signage will aid customers in identifying the proper entrance for service and repairs on the site. However, given the fact that this is meant to be an internal directional sign, the proposed sign area seems excessive. Staff suggests the applicant reduce the area of the proposed signage by two-thirds.

Special Development Option Considerations

In the GE District an applicant may utilize the Special Development Option. Deviations from the Zoning Ordinance and City Code, including deviations from the Sign Ordinance may be approved by the City Council via an amendment to the existing Special Development Option Agreement. The Zoning Board of Appeals does not have jurisdiction over any proposed signage variances. Prior to the consideration of the modifications by the Planning Commission and the City Council, the applicant will need to update the Special Development Option Agreement to incorporate the proposed signage. The revised agreement shall be submitted to the City for review.

Below is a chart that shows existing and proposed signage:

	East Bldg. Elevation	SW Bldg. Elevation	West Bldg. Elevation	Screen wall	Entry Monument	Service Entrance
Existing	100 sq. ft.	91 sq. ft.	2 medallions @ 6.5 sq. ft. each	3.5 ft. diameter medallion	2 ground signs @ 28.5 sq. ft. each	None
Permitted under SDO Third Amendment	100 sq. ft.	91 sq. ft.	2 medallions @ 6.5 sq. ft. each	3.5 ft. diameter medallion	2 ground signs @ 30 sq. ft. each	None
Proposed	No change	No change	No change	No change	No change	33.8 sq. ft. wall sign
Permitted by Ordinance	One wall sign of 65 sq. ft. OR one ground sign of 30 sq. ft. Non-commercial message (directional) signs not exceeding 2 sq. ft.					

Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this review letter is required prior to the Planning Commission meeting. Additionally, the applicant should install mock signage reflecting the proposed signage by Friday, May 10th. This mock signage should remain in place until Thursday, May 16th.

Stamping Set Approval

Stamping sets are still required for this project. After having received the approval of the City Council, the applicant should submit **6 copies of the plan submitted for review** to the Community Development Department for final Stamping Set approval.

Signage Permit

Following the approval of the amended SDO Agreement and Stamping Sets, the applicant will be required to obtain a sign permit for the proposed signage prior to installation. Please contact Jeannie Niland (248.347.0438) for information regarding sign permits.

If the applicant has any questions concerning the above review or the process in general, please do not hesitate to contact me.



Kristen Kapelanski, AICP, Planner
248-347-0586 or kkapelanski@cityofnovi.org

APPLICANT RESPONSE LETTER

Kapelanski, Kristen

From: Chris Jones <cjones@michlaw.biz>
Sent: Wednesday, May 08, 2013 3:43 PM
To: Kapelanski, Kristen
Cc: dcassak@comcast.net; stephanie@phillipssign.com
Subject: Cadillac Additional Signage JSP 13-28

Dear Kristen:

My client and I have reviewed the Plan Review Center Report dated April 26, 2013 regarding the request for one additional sign at Cadillac of Novi. We understand that the Special Development Option Agreement will have to be amended in order to complete this task.

In the meantime I can advise you that Phillips Sign and Lighting Company will have the mock sign installed by this Friday afternoon and it will remain on site and in place until Thursday May 16, 2013.

I note in the Plan Review Center Report that your office is recommending conditional approval of the modified signage plan. I do want you to understand that the requested sign which states "Certified Service" is a requirement of the General Motors Corporation for my clients to maintain the Cadillac dealership in good standing under the Franchise Agreement. Please note that this sign is interior to the site and cannot be seen off-site. This signage is of a size so that it can be seen from the driveway access people enter into the site and it definitely signifies where the entrance to the certified service area is located. Both the statement and the size of the letters is extremely important to this request. It is our hope that the Planning Commission will give a favorable recommendation to the City Council who would then approve the language amendment and the signage as submitted.

Finally, I have drafted an Amendment to the SDO Agreement and will have it to you in the next few days so that you can forward it to the City Attorney for review and discussion.

Thanking you in advance for your cooperation I remain,

Very truly yours

Matthew C. Quinn
Attorney for Cadillac of Novi

Seglund Gabe Quinn Gatti & Pawlak, PLC
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