



CITY of NOVI CITY COUNCIL

**Agenda Item D
January 6, 2014**

SUBJECT: Approval of the request of Marygrove Awning for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 15 at 44175 12 Mile Road in the RC, Regional Center District. The applicant is proposing to add black fabric canopies at the existing Indo Fusion restaurant.

SUBMITTING DEPARTMENT: Community Development Department - Planning *Burb*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The applicant is proposing to add black fabric canopies over the west and north elevations near the entrance of Indo Fusion, an existing restaurant at the 12 Mile Crossing at Fountain Walk shopping center, south of 12 Mile Road and west of Novi Road. A Section 9 façade waiver is required for the overage of fabric awning. Section 1703 of the Zoning Ordinance requires all projects in the Regional Center District on parcels over 4 acres to appear before the City Council for approval of all site plans and waivers after a recommendation from the Planning Commission.

The City's façade consultant is recommending approval of the requested waiver as the proposed alteration "is consistent with the intent and purpose of the Façade Ordinance". For additional information, please see the attached review letter from the City's façade consultant.

On December 11, 2013, the Planning Commission recommended approval of the requested Section 9 façade waiver. Draft minutes from the Planning Commission meeting are attached.

RECOMMENDED ACTION: Approval of the request of Marygrove Awning for Indo Fusion for Preliminary Site Plan and Section 9 façade waiver to allow an overage fabric awning on the basis that the proposed alteration represents an improvement in the existing façade that is compatible with the existing façade and with the adjacent buildings and is generally in keeping with the intent and purpose of Section 2520.

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

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

Maps
Location
Zoning

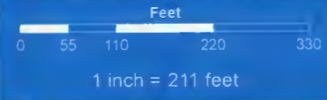
JSP13-78 Indo Fusion

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: 12-02-13

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.

JSP13-78 Indo Fusion

Zoning

Cabaret



Approximate
Tenant
Location

Fountain Walk Dr

Map Legend

-  Subject Property
-  C: Conference
-  OST: Office Service Technology
-  RC: Regional Center



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

Map Author: Sara Roediger
Date: 12-02-13

MAP INTERPRETATION NOTICE

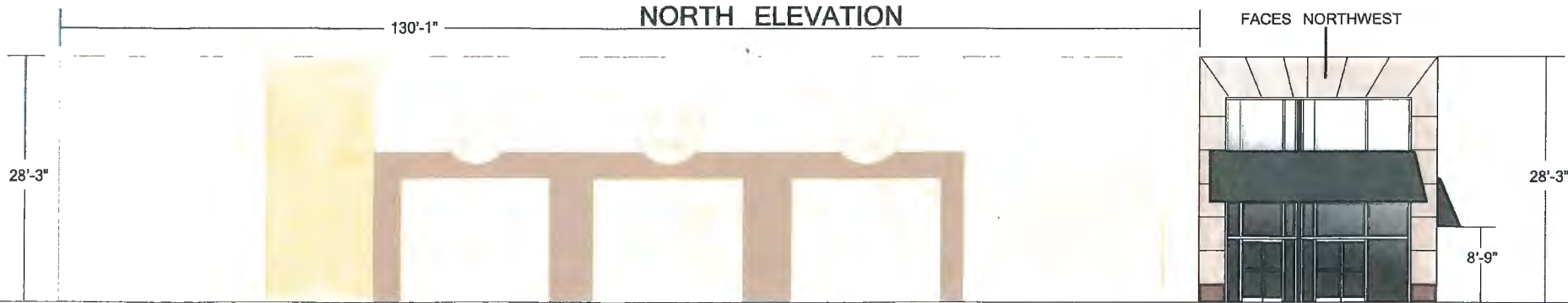
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Site Plan/Elevations

WEST ELEVATION



NORTH ELEVATION



Planning Review



PLAN REVIEW CENTER REPORT

November 25, 2013

Planning Review

Indo Fusion Awnings

JSP 13-78

Petitioner

Marygrove Awning Company

Review Type

Preliminary/Final Site Plan

Property Characteristics

- Site Location: 44175 W. 12 Mile Rd. Ste. F143 (Section 15)
- Site Zoning: RC, Regional Center
- Site Use(s): Restaurant at existing 12 Mile Crossing at Fountain Walk shopping center
- Plan Date: 10-31-13

Project Summary

The applicant is proposing to add black fabric canopies over the west and north elevations near the entrance of Indo Fusion, an existing restaurant at the 12 Mile Crossing at Fountain Walk shopping center, south of 12 Mile Road and west of Novi Road.

Recommendation

Approval of the Preliminary/Final Site Plan **is recommended** at this time. Following approval of the City Council after a recommendation from the Planning Commission, the applicant should submit 4 additional signed and sealed plan sets for Stamping Set approval.

Review Standards

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 17 (Regional Center District) and Article 25 (General Provisions), and any other applicable provisions of the Zoning Ordinance. Please see the items listed below for information pertaining to requirements.

1. Facade Waiver: Per the facade review letter, a waiver is required for the overage of fabric awnings. Proposals in the RC District must receive the approval of the City Council after a review and recommendation by the Planning Commission. This matter will be scheduled for an upcoming Planning Commission meeting. See the facade review letter for additional information.
2. Signage: Exterior Signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland at 248.347.0438 or jniland@cityofnovi.org for information regarding sign permits.

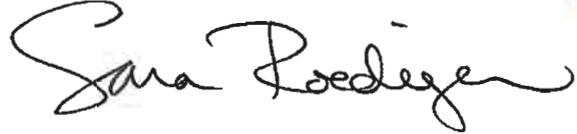
Response Letter

A letter from the applicant is requested to be submitted prior to the Planning Commission meeting and with the Stamping Sets addressing the comments in this and all other review letters.

Stamping Set Approval

Stamping sets are still required for this project. After having received all of the review letters from City staff and the approval of the required waiver from the City Council, the applicant should submit **4 size 24" x 36" copies with original signature and original seals.** to the Community Development Department for final Stamping Set approval.

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.

A handwritten signature in black ink that reads "Sara Roediger". The signature is written in a cursive, flowing style with a horizontal line extending from the end of the name.

Sara Roediger, AICP – Planner

Façade Review



November 24, 2013

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

Attn: Ms. Barb McBeth – Director of Community Development

Re: FACADE ORDINANCE – Final Site Plan Review
Indo Fusion Awnings, PSP13-0178
 Façade Region: 1, Zoning District: RC, Building Size: <5,000 S.F.

Dear Ms. McBeth:

The following is the Façade Review for Preliminary Site Plan Approval of the above referenced project based on the drawings prepared by Marygrove Awnings dated 10/31/13. 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 of Ordinance Section 2520 are shown in the right hand column. Materials in non-compliance with the Façade Schedule, if any, are highlighted in **bold**.

	North	West	South	East	Ordinance Maximum (Minimum)
Brick (existing, unaltered)	2%	10%	NA	NA	100% (30% Min)
EIFS (existing, unaltered)	86%	80%	NA	NA	25%
Fabric Awning (Proposed)	12%	20%	NA	NA	10%

This application is considered a façade alteration as described in Section 2520.6 of the Ordinance. The proposed alteration consists of adding a Fabric Awnings to the south facade of the existing building. A sample of the proposed fabric was provided indicating that the awning will be black colored.

As shown above the percentages of EIFS exceeds the maximum percentage allowed and the percentage of Brick is below the minimum amount required by the Façade Ordinances. These are existing materials and therefore do not represent a violation. The proposed Fabric Awning exceeds the maximum amount allowed by the Façade Ordinance on the north and northwest facades. A Section 9 Waiver would be required for this overage of Fabric Awning.

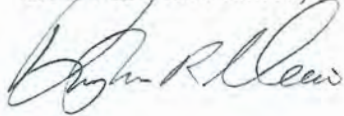
Recommendation – The proposed awnings are consistent with other establishments in the Fountain Walk project and are consistent with the intent and purpose of the Façade Ordinance. A Section 9 Waiver is therefore recommended for the overage of Fabric Awning.

Notes to the Applicant: Façade Ordinance requires inspection(s) for all projects. Materials displayed on the approved sample board will be compared to materials delivered to the site. It is the applicant's responsibility to request the inspection of each façade material at the appropriate time. Inspections may be requested using the Novi Building Department's Online Inspection Portal with the following link. Please click on "Click here to Request an Inspection" under "Contractors", then click "Façade".

<http://www.cityofnovi.org/Services/CommDev/OnlineInspectionPortal.asp>.

If you have any questions regarding this project please do not hesitate to call.

Sincerely,
DRN & Associates, Architects PC



Douglas R. Necci, AIA

Applicant Response Letter



THE AWNING STORE & MORE

Phone: (734) 422-7110
Fax: (734) 422-3225

12700 Merriman Road
Livonia, MI 48150

November 26, 2013

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

Attn: Sara Roediger, AICP – Planner

Re: Indo Fusion Awnings – PSP13-0178
44175 W. 12 Mile Rd, F-143, Zone RC Regional Center
Request for Section 9 Waiver

To Whom It May Concern:

This letter serves as a request for a Section 9 Waiver to be granted for the proposed fabric awnings that exceed the maximum percentage allowed by the Façade Ordinance on the north and northwest facades of this building. The proposed awnings are consistent with other establishments in the Fountain Walk project and are consistent with the intent and purpose of the Façade Ordinance.

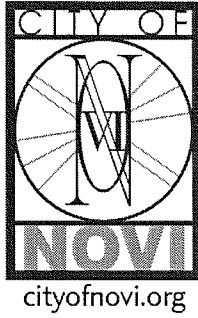
Should you have any questions or concerns regarding this request, please do not hesitate to contact me anytime at the office (734)422-7110 ext 212 or rfalahee@marygrove.com.

Thank you,

A handwritten signature in cursive script that reads "Rachel M Falahee".

Rachel Falahee
Permit Coordinator
Marygrove Awning Co.

PLANNING COMMISSION MINUTES – EXCERPT
December 11, 2013



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

December 11, 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 Baratta, Member Giacometti, Member Greco, Member Lynch, Chair Pehrson

Absent: Member Zuchlewski (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Sara Roediger, Planner; Beth Kudla-Saarela, City Attorney; Adam Wayne, Staff Engineer.

CONSENT AGENDA - REMOVALS AND APPROVAL

1. Indo Fusion, JSP13-78

Consideration of the request of Marygrove Awning for a recommendation to City Council for a Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located at the 12 Mile Crossing at Fountain Walk shopping center in Section 15 at 44175 12 Mile Road in the RC, Regional Center District. The applicant is proposing to add black fabric canopies over the west and north elevations near the entrance of Indo Fusion restaurant.

In the matter of Indo Fusion, JSP13-78, motion to recommend approval of the Preliminary Site Plan and Section 9 façade waiver to allow an overage of fabric awnings on the basis that the proposed alteration represents an improvement in the existing façade that is compatible with the existing façade and with adjacent buildings, and is generally in keeping with the intent and purpose of Section 2520. Motion carried 6-0.

Moved by Member Anthony and seconded by Member Lynch:

ROLL CALL VOTE ON THE APPROVAL OF THE CONSENT AGENDA ITEMS MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:

Motion to approve the Consent Agenda (Carried 6-0)