



CITY COUNCIL AGENDA

CITY OF NOVI
Regular City Council Meeting

June 03, 2024 | 7:00 PM

Council Chambers | Novi Civic Center | 45175 Ten Mile Road
(248) 347-0460

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith, Staudt, Thomas

APPROVAL OF AGENDA

PUBLIC HEARINGS

PRESENTATIONS

PRESENTATIONS

[Presentations](#) for Boards and Commissions

1. Laurel Acho - PRCS Commission
2. Farah Baig - PRCS Commission
3. Jay Dooley - PRCS Commission
4. Swaminathan Gopalakrishnan - PRCS Commission, Planning Commission
5. Hilliard Hampton - Planning Commission, PRCS Commission
6. Sri Komaragiri - Planning, Corridor Improvement Authority
7. Yogesh Kumar - Beautification Commission, Board of Review, Planning Commission
8. Mike Lynch - Planning Commission
9. Mark Pehrson - Planning Commission
10. Mark Somerville - Open to any placement
11. Sara Srinivasan - Beautification Commission, PRCS Commission
12. Ramesh Verma - Planning Commission

REPORTS

1. Manager/Staff
2. Attorney

AUDIENCE COMMENT – In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit. This is not a question-answer session. However, it is an opportunity to voice your thoughts with City Council. Speakers wishing to display visual materials through the City's audiovisual system must provide the materials to the City Clerk's Office no later than 12:00 P.M. the day of the meeting. The materials cannot be changed before the meeting.

CONSENT AGENDA REMOVALS AND APPROVALS – All items listed under Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered at the end of the normal Agenda.

MATTERS FOR COUNCIL ACTION

- [1.](#) Consideration of approval of a cost participation agreement with the Road Commission for Oakland County for the preliminary engineering associated with the widening of Twelve Mile Road between Beck Road and Dixon Road in the estimated amount of \$937,680.
- [2.](#) Initial review of Planned Rezoning Overlay (PRO) eligibility of the request of Jax Kar Wash, JZ24-02, to rezone property at the southeast corner of Twelve Mile Road and Cabaret Drive from Regional Center to General Business with a Planned Rezoning Overlay.
- [3.](#) Consideration of request for Fireworks Permit by Eddie Hesano to be operated by Great Lakes Fireworks, LLC, on Saturday, July 27th, 2024 on Walled Lake.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION – Consent Agenda items which have been removed for discussion and/or action.

AUDIENCE COMMENT – In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit. This is not a question-answer session. However, it is an opportunity to voice your thoughts with City Council. Speakers wishing to display visual materials through the City's audiovisual system must provide the materials to the City Clerk's Office no later than 12:00 P.M. the day of the meeting. The materials cannot be changed before the meeting.

COMMITTEE REPORTS

1. Older Adult Needs Committee
2. Finance Committee

MAYOR AND COUNCIL ISSUES

COMMUNICATIONS

CONSENT AGENDA – Background information for Consent Agenda items is available for review at the City Clerk's Office.

- [A.](#) Approve Minutes of:
May 20, 2024 - Regular Meeting

- B. Approval of a resolution establishing a marriage fee.
- C. Approval to purchase Courts and Law Enforcement Management Information System (CLEMIS) and Fire Records Management System (FRMS) fees and services from Oakland County for the 2024-25 fiscal year in the amount of \$62,810.
- D. Acceptance of a highway easement for completion of sidewalk improvements at 25500 Meadowbrook Road in the amount of \$2,145.57.
- E. Approval of Resolution granting the Novi Parks Foundation a one-time exemption from the City's policy regarding alcohol on public property for purposes of its July 26, 2024, fundraiser at Pavilion Shore Park.
- F. Enter Executive Session immediately following the regular meeting of June 3, 2024, in the Council Annex to discuss confidential written communication from the city attorney.
- G. Approval of claims and warrants – Warrant 1157

ADJOURNMENT

SCHEDULED MEETINGS – All Regular Council meetings are held in the Council Chambers unless otherwise noted. For a complete listing of scheduled meetings, please visit the Event Calendar at cityofnovi.org.

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 347-0456 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

MEMORANDUM



TO: MAYOR FISCHER AND COUNCIL MEMBERS
CC: CORTNEY HANSON, CITY CLERK
FROM: MELISSA MORRIS, DEPUTY CITY CLERK
SUBJECT: APPOINTMENTS FOR BOARDS AND COMMISSIONS
DATE: MAY 28, 2024

Attached please find applications for the current openings on Boards and Commissions along with a ratings sheet and current Boards & Commissions Booklet List. Due to the volume of applicants, we will split interviews across two City Council meetings. Candidates interested in PRCS Commission and Planning Commission will interview at the June 3rd City Council meeting, and candidates for the remaining open boards will interview on June 17th.

- Supriya Joshi (PRCS Commission) is not seeking reappointment.

In accordance with Council Rules amended in February 2021, all boards and commissions candidates will present to City Council. Please see below for current openings for which candidates are presenting.

City Council Appointments

Board or Commission	Number of openings	Term expiration
Parks, Recreation, & Cultural Services Commission	2 full terms	06/30/2027

Attendance records for those seeking reappointment:

Jay Dooley (PRCS Commission) – attended 35 of 38 (91%) meetings since June 2021.

Mayoral Appointments

Planning Commission	3 full terms	06/30/2027
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Attendance records for those seeking reappointment:

Michael Lynch (Planning Commission) – attended 41 of 50 (82%) meetings since June 2021.
Mark Pehrson (Planning Commission) – attended 44 of 50 (88%) meetings since June 2021.
Ramesh Verma (Planning Commission) – attended 38 of 50 (76%) meetings since June 2021.



CITY OF NOVI CITY COUNCIL
MAY 20, 2024

SUBJECT: Consideration of approval of a cost participation agreement with the Road Commission for Oakland County for the preliminary engineering associated with the widening of Twelve Mile Road between Beck Road and Dixon Road in the estimated amount of \$937,680.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

EXPENDITURE REQUIRED	\$ 937,680.00
AMOUNT BUDGETED	\$ 692,085.00 FY 2023-24 Budget \$ 245,595.00 FY 2024-25 Budget \$ 937,680.00 TOTAL
APPROPRIATION REQUIRED	\$ 0
LINE ITEM NUMBER	204-446.00-975.034 Municipal Street Fund

BACKGROUND INFORMATION:

The City and the Road Commission for Oakland County (RCOC) have been in discussions regarding expanding 12 Mile Road between Beck and Dixon since 2011. When the project was initially brought to the City back in 2011 the costs were around \$15 million with the City's cost share of \$1.2 million. Unfortunately, due to the complex nature of the reconstruction of the rail crossing, multiple wetland mitigations, and inflation, the project has now jumped to \$35 million. Federal dollars have been secured by RCOC to offset local contributions. The City's current anticipated construction cost share will be around \$3.5 million (see table below).

As this project progresses, RCOC is now in the design phase for the new layout, which will transform a two-lane roadway into a four-lane boulevard. Not only is RCOC cooperating with Novi, but they are also working with the City of Wixom on the design. As noted previously, communities have been requested to participate in a cost-share agreement for the preliminary engineering. Per the agreement, Novi's cost share is \$937,680, approximately 36.5% of the total preliminary engineering cost of \$2,571,192. Typically design share is 50/50 between RCOC and the City; however, using tri-party

funding reduces the City's share. Federal and state funds are covering 80% of right-of-way and RCOC and the City will split the remaining 20% with a 50/50 split.

The City Attorney reviewed the contract and resolution favorably (Beth Saarela, May 6, 2024). The RCOC is receiving federal funding for the project through the Oakland County Federal Aid Committee which will be obligated in 2026. The project will include filling sidewalk gaps and drainage improvements, including a culvert replacement east of the railroad crossing.

Since the project is utilizing federal funding, RCOC and the communities need secure the funds starting in FY 2026. Therefore, Novi is required to advance ~\$10.5M in FY 2026 to initiate construction (**highlighted below**). The advanced construction costs are recommended to be included in the road bond proposed by staff earlier this year. The federal payback of ~7M will come back to Novi in FY 2027-28.

CON Estimate	\$35,000,000			
Funds Identified	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>Total</u>
Federal "C"	\$4,694,000	\$4,694,000	\$4,694,000	\$14,082,000
State "C"	\$9,863,660	\$3,228,000	\$1,200,000	\$14,291,660
Local	\$3,639,415	\$1,980,500	\$1,473,500	\$7,093,415
Total	\$18,197,075	\$9,902,500	\$7,367,500	\$35,467,075
JobNet/TIP	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>Total</u>
Federal "C"	\$4,694,000	Convert Above	Convert Above	\$4,694,000
State "C"	\$9,863,660	Convert Above	Convert Above	\$9,863,660
Local	\$20,909,415	\$0	\$0	\$20,909,415
Total	\$35,467,075	\$0	\$0	\$35,467,075
City Front Costs	\$10,454,708			
City Reimbursement		-\$3,961,000	-\$2,947,000	
City NET Costs				\$3,546,708

Upon completion of the design for this project, a participation agreement with RCOC will come before the City Council at a later date (closer to construction) outlining and committing to the construction and outlining the cost share listed above. This project was included in the bonding discussions initially introduced at the Council's budget session and is currently being discussed by the Finance and Administration Committee. Finally, the construction costs for the City's share are not currently budgeted in the out years and, again, is a part of conversations with the Finance and Administration Committee about potential bonding opportunities to assist with funding advancement and increased construction costs.

RECOMMENDED ACTION: Approval of a cost participation agreement with the Road Commission for Oakland County for the preliminary engineering associated with the widening of Twelve Mile Road between Beck Road and Dixon Road in the estimated amount of \$937,680.

Twelve Mile Road Widening

Location Map



Map Author: Runkel
Date: 5-7-24
Version #: 1.0

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.

Map Legend



Capital Improvement Program Projects

— Open Drain



City of Novi

Engineering Division
Department of Public Works
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

ELIZABETH KUDLA SAARELA
esaarela@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

May 6, 2024

Rebecca Runkel, Project Engineer
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**Re: RCOC Cost Participation Agreement – 12 Mile Widening
Board Project No. 50631**

Dear Ms. Runkel:

We have received and reviewed the Cost Participation Agreement prepared by the Board of County Road Commissioners (Board) for the performance of preliminary engineering, including preparation of reports and studies, environmental assessments, data, notes, tracings, drawings, soil borings, traffic engineering, drainage investigations, including preliminary plans, specifications, and estimate preparation, necessary to widen 12 Mile Road from Beck Road to Novi Road. The City's total share of the cost of preliminary engineering is \$860,142, with the remaining costs coming from Tri-Party Funds (\$350,310), the City of Wixom (\$75,144) and RCOC (\$1,285,596). RCOC will complete the engineering and invoice the parties for each one's share of the costs.

The Agreement is provided for the limited purpose of setting forth how the preliminary engineering costs will be paid by the named parties. Subject to Engineering review and approval of the cost breakdown of the project, we see no legal impediment to entering into the Cost Sharing Agreement.

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

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

Elizabeth Kudla Saarela

Rebecca Runkel, Project Engineer
City of Novi
May 6, 2024
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EKS

Enclosure

C: Cortney Hanson, Clerk (w/Enclosure)
Megan Mikus, Deputy DPW Director (w/Enclosure)
Ben Croy, City Engineer (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

AMENDED
COST PARTICIPATION AGREEMENT
PRELIMINARY ENGINEERING
12 Mile Road
Beck to Novi Road
City of Novi
Board Project No. 50631

This Agreement, made and entered into this _____ day of _____, 2024, by and between the Board of County Road Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Novi, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY have programmed the preliminary engineering, described in Exhibit "A", attached hereto and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within the COMMUNITY, which improvements are hereinafter referred to as the DESIGN; and

WHEREAS, the estimated total cost of the DESIGN is \$2,571,192; and

WHEREAS, said DESIGN involves certain designated and approved Tri-Party Program funding in the amount of \$350,310, as well as local contributions in the amount of \$2,220,882 which shall be paid through contributions by the BOARD, the COMMUNITY, the City of Wixom, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the DESIGN and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law, it is hereby agreed between the COMMUNITY and the BOARD that:

1. The COMMUNITY approves of the DESIGN, declares its public necessity, and authorizes the BOARD to perform or cause to be performed, and complete the PROJECT along with all administration in reference thereto.
2. The DESIGN may consist of the preparation of reports and studies, environmental assessments, data, notes, tracings, drawings, soil borings, traffic engineering, drainage investigations, including preliminary plans, specifications, and estimate preparation, necessary for the construction. Any costs incurred by the BOARD prior to this agreement date shall be allowable.
3. The estimated total DESIGN cost of \$2,571,192 shall be invoiced in the following order as follows:
 - a. Tri-Party Program in the amount of \$350,310 allocated simultaneously and proportionately.
 - b. Local contribution in the amount of \$935,286 allocated simultaneously and proportionately.
 - c. The BOARD shall contribute \$1,285,596 toward the DESIGN.
 - d. Any DESIGN costs above \$2,571,192 will be funded 100% by the BOARD.
4. Upon execution of this agreement, the BOARD shall submit two invoices:
 - a. The first invoice shall be payable by the COMMUNITY in the amount of \$507,609. This includes \$77,538 (being 100% of the COMMUNITY'S Tri-Party contribution) and \$430,071 (being 50% of the COMMUNITY'S local contribution).
 - b. The second invoice shall be payable by the COUNTY in the amount of \$77,538 (being 100% of the COUNTY'S Tri-Party contribution).

c. The invoices shall be sent to:

Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328

5. As costs of the DESIGN are incurred, the BOARD shall invoice the COMMUNITY for the remaining 50% of the COMMUNITY'S total contribution.
6. Upon receipt of said invoices, the COMMUNITY and COUNTY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

BOARD OF ROAD COMMISSIONERS OF THE
COUNTY OF OAKLAND
A Public Body Corporate

By _____

Its _____

City of Novi

By _____

Its _____

EXHIBIT A
TRI-PARTY PROGRAM
12 Mile Road
Beck Road to Novi Road
City of Novi
Board Project No. 50631

The performance of preliminary engineering may consist of the preparation of reports and studies, environmental assessments, data, notes, tracings, drawings, soil borings, traffic engineering, drainage investigations, including preliminary plans, specifications, and estimate preparation, necessary for the construction.

ESTIMATED PROJECT COST

Preliminary Engineering	<u>\$2,571,192</u>
Total Estimated Project Cost	<u><u>\$2,571,192</u></u>

COST PARTICIPATION BREAKDOWN

	WIXOM	COMMUNITY	COUNTY	BOARD	TOTAL
FY24 Tri-Party Program	\$39,232	\$77,538	\$116,770	\$116,770	\$350,310
Contribution	\$75,144	\$860,142	\$0	\$1,285,596	\$2,220,882
TOTAL SHARES	\$114,376	\$937,680	\$116,770	\$1,402,366	\$2,571,192



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Initial review of Planned Rezoning Overlay (PRO) eligibility of the request of Jax Kar Wash, JZ24-02, to rezone property at the southeast corner of Twelve Mile Road and Cabaret Drive from Regional Center to General Business with a Planned Rezoning Overlay.

SUBMITTING DEPARTMENT: Community Development Department - Planning

BACKGROUND INFORMATION:

The petitioner is requesting a Zoning Map Amendment for approximately 1.8 acres of property on the south side of Twelve Mile Road, to the east of Cabaret Drive, utilizing the Planned Rezoning Overlay option. The site is currently vacant and is part of the Fountain Walk at Twelve Mile Crossing commercial center. The vacant site is located south of Twelve Mile Road, to the east of Cabaret Drive. The Liberty Park residential development is to the north, along with a bank. The Vibe Credit Union headquarters is to the west. On the east and south are parking lots for Fountain Walk.

The current zoning of the property is RC Regional Center. Parcels to the west are OST Office Service Technology. The Liberty Park area is zoned Residential Acreage but developed under a consent judgment as townhouses, with OS-1 Office Service zoning to the northeast.

The Future Land Use Map identifies this property as Regional Commercial with the rest of Fountain Walk. To the west is planned Office Research Development and Technology, and the north side of Twelve Mile is Multiple Family Residential, and Community office.

There are no regulated natural features on the site, as it was cleared back when Fountain Walk was developed in the early 2000s.

The applicant is proposing to utilize the Planned Rezoning Overlay to rezone from RC Regional Center to B-3 General Business in order to develop a tunnel car wash, which is not permitted in the current RC district. The initial PRO plan shows a one-story 6,200 square foot building, with outdoor vacuum stations that are typically associated with

this type of car wash. Access to the site would be from the existing driveway off of Cabaret Drive, so no new curb cuts are proposed for either public road frontage.

The applicant describes some of the reasons this site has remained vacant in the 20+ years since Fountain Walk was developed, including being limited by lease agreements to not allow a use that would compete with existing tenants of the center. The RC district also requires 100-foot building setbacks, which limits the developable area for a corner site, especially if it is to be split off from the larger parcel. There are also 55-foot and 60-foot-wide gas line easements that run north-south along both sides of the property. In an image in this packet, the gas easements are shown in yellow, and the green hatched area represents the approximate building area with 100-foot setbacks.

The request to rezone includes the condition to limit the use of the property to a car wash, which would prevent it from being redeveloped into another B-3 use such as a gas station or auto dealership, or any other possible use, unless the agreement is amended. Additional conditions proposed include limitations on building height, exceeding the building setbacks of the B-3 District, and approximately doubling the minimum requirement for brick material on the elevations.

Staff has identified the following tunnel car washes that currently exist in Novi: Squeaky Shine Car Wash (Novi Road, south of Nine Mile), Original \$6 Car Wash (Novi Road, north of Grand River), and Pure Wash (Meadowbrook and Ten Mile Road). El Car Wash was approved by the Planning Commission in April and is now reaching the Final Site Plan stage of approval (north side of Grand River Avenue, east of Wixom Road). Staff is aware of two additional firms looking closely at Novi for new car wash locations.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. One of the biggest questions with the proposal is whether this would be considered "spot zoning", since no like or similar B-3 uses are in proximity.

Additionally, there was not an obvious benefit to the public proposed as required with a PRO. The applicant's response letter indicates they are proposing to donate funds to the Novi Library in order to refurbish and rebuild the teen area. Planning staff does not believe that this is an appropriate public benefit for a number of reasons: the proposed payment is unrelated to the project, or the effects of the project, and would not fall within any of the contemplated descriptions of a benefit as stated in the ordinance. The City has previously declined other offers of this kind in connection with Planned Rezoning Overlay approvals. Following the Planning Commission public hearing, the applicant has also offered the following:

In addition, the applicant is also willing to construct a 230 square foot patio area with benches along the Twelve Mile Road side of the parcel. I have attached three renderings of this proposal. The applicant is willing to provide both the rebuild/refurbishment of the teen area of the Library and the construction of the patio along the sidewalk area adjacent to Twelve Mile Road.

Engineering notes there is capacity for the water and sewer demands for the proposed use in the public utilities, and stormwater detention is to be treated on-site before being discharged into the existing storm water system.

The proposed parking lot landscaping is deficient, potentially due to the gas easements. Other deviations include the lack of a loading zone and an overhead door facing a public road. The proposed parcel split will also likely cause variances to be required for the parking and building setbacks on the Fountain Walk parcel.

Façade review notes that the building will require Section 9 façade waivers for an overage of Fiber Cement Horizontal Siding and an overage of asphalt shingles on all facades. These waivers are supported as they are minor in nature and do not adversely affect the overall aesthetic quality. The amount of brick proposed significantly exceeds the required amount.

PRO ORDINANCE

The PRO option creates a “floating district” with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed and the applicant enters into a PRO agreement with the City, whereby the City and the applicant agree to a conceptual plan for development of the site. Following final approval of the PRO concept plan, conditions for the development, and a PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi. If the development has not begun within two (2) years, the rezoning and PRO concept plan expires and the agreement becomes void.

City Council adopted revisions to the Planned Rezoning Overlay ordinance. Under the terms of the new ordinance, the Planning Commission does not make a formal recommendation to City Council after the first public hearing. Instead, the initial review is an opportunity for the members of the Planning Commission, and then City Council, to hear public comment, and to review and comment on whether the project meets the requirements of eligibility for Planned Rezoning Overlay proposal. Section 7.13.2.B.ii states:

In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the proposed improvements that,

- 1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C below; and*
- 2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.*

[\(See Full text, including Subsection C\)](#)

After this initial round of comments by the public bodies, the applicant may choose to make any changes, additions or deletions to the proposal based on the feedback received. The applicant will then submit their formalized PRO Plan, which will be reviewed by City staff and consultants. The project would then be scheduled for a 2nd public hearing before Planning Commission. Following the 2nd public hearing the Planning Commission will make a recommendation on the project to the City Council. The City Council would then consider the rezoning with PRO, and if it determines it may approve it, would direct the City Attorney to work with the applicant on a PRO Agreement. Once completed, that final PRO Agreement would go back to Council for final determination.

PLANNING COMMISSION

The Planning Commission held an initial Public Hearing on April 10, 2024, to review and make comments on the proposal's eligibility for using the Planned Rezoning Overlay option. Comments made at that time are reflected in the meeting minutes included in this packet, and the Commission's comments are summarized here:

- Commissioners stated the use could be a good fit for the parcel and may help support the existing businesses in Fountain Walk.
- Commissioners mentioned the 1-story building may not be harmonious with the rest of the taller buildings at Fountain Walk.
- Commissioners were concerned that the City is asked to solve a problem that is in part created by the Fountain Walk owners by allowing tenants to restrict the type of uses allowed in the center.
- Commissioners mentioned it does seem that the property has unique constraints and given it hasn't developed in the last 22 years it must be difficult to develop.
- Commissioners stated it was nice that the vacuum equipment is interior to the building to reduce noise.
- Commissioners said although it's not a Regional Center use, it is a commercial use so not completely unlike the rest of the development.
- Commissioners stated that the positive aspects of the plan seem to outweigh the disadvantages.
- Commissioners encouraged the applicant to consider other public benefits that have a more direct connection to the project.

SUMMARY OF CONDITIONS AND BENEFITS OFFERED

PART 1: Summary of possible conditions from applicant, or staff and consultant's review letters *that may be considered to meet the standard of clearly identified site-specific conditions that are more strict or limiting than the regulations that would apply to the land under the proposed new zoning district:*

1. The use shall be limited to a car wash. No other uses permitted in the B-3 District would be allowed on this site.
2. The building height will be 24.5 feet, which is more limiting than the 30 feet allowed in the B-3 District.
3. The building setbacks will exceed the B-3 requirements on all sides. Front and exterior side yards are 68-88 ft (30 ft required) and interior side yards are 54- to 138-feet (15 ft required).
4. The façade ordinance requires a minimum of 30% brick on all elevations. The proposed building exceeds this requirement with 49.6 to 59.9%.

PART 2: Summary of conditions that may be considered to meet the standard of constituting an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning:

1. The applicant's response letter indicates they are proposing to fund the cost of rebuilding and refurbishing the teen center area of the Novi Public Library. The library's director indicates the total project cost is \$54,040. **Planning staff does not believe that this is an appropriate public benefit. The proposed payment is unrelated to the project, or the effects of the project, and would not fall within any of the contemplated descriptions of a benefit. The City has previously declined other offers of this kind in connection with zoning approvals.**
2. The applicant makes the case that developing a vacant parcel is the benefit of this proposal. The parcel has remained undeveloped since Fountain Walk was developed 22 years ago. The applicant states that the continued success of Fountain Walk is a public benefit to the city.
3. The applicant has offered to construct a 230-square foot patio area with benches along the Twelve Mile Road side of the parcel, as illustrated in the attached rendering.

DEVIATIONS

The proposed PRO Concept Plan includes the following ordinance deviation requests:

1. Overhead Door (Sec. 3.10.1.A): In the B-3 District, no overhead door or other type of service bay door is permitted to face a major thoroughfare. A deviation would be required for the car wash tunnel door facing Twelve Mile Road. **The corner lot location makes it necessary for an overhead door to face one of the frontages.**
2. Parking Setback (Sec. 3.1.24.D): The existing parking spaces east of the proposed lot line would require a deviation from 10-foot setback (0 feet proposed). **Zoning Board of Appeals may need to approve the variance request before the lot split can be approved since it is for the Fountain Walk parcel.**
3. Existing Building Setback (Sec. 3.1.24.D): The existing building (Buddy's Restaurant space) southeast of the proposed lot line may require a deviation from 100-foot setback from the proposed lot line. **Zoning Board of Appeals may need to approve the variance request before the lot split can be approved since it is for the Fountain Walk parcel. Applicant shall provide a dimension to verify proposed setback.**
4. Dumpster (Sec. 4.19.2.F): The current location of the dumpster in front of the building would require a deviation. **As stated in the applicant's response letter, the dumpster will be moved to be behind the building, which will meet the ordinance requirement and remove the need for a deviation.**
5. Loading-Unloading Zone (Sec. 5.4.2): Deviation would be required for the lack of a loading zone. **The applicant states the car wash use does not have a specific need for a loading/unloading area.**
6. Parking Lot Landscaping (Section 5.5.3.C): Deviation would be required for not providing the required number of accessway perimeter trees. **The deviation is not supported by staff, unless the applicant can provide sufficient justification for the deficiency. The applicant's response letter states the two existing utility easements do not permit the planting of landscaping in those easement areas.**
7. Correlated Color Temperature (Section 5.7.3.F): Deviation may be required for exceeding 3000K Correlated Color Temperature (4000K proposed) for permanent lighting installations. **The applicant's response letter states this standard will be revised on future submittals, and no deviation is requested.**
8. Section 9 Waiver (Section 5.15): Proposed elevations of the building have an overage of Horizontal lap siding (8-10% proposed, 0% minimum required) and an overage of Asphalt Shingles (31-36% proposed, 25% maximum allowed). **In this case the deviations are not detrimental to the overall design of the building, and consistent with the intent and purpose of the Ordinance.**

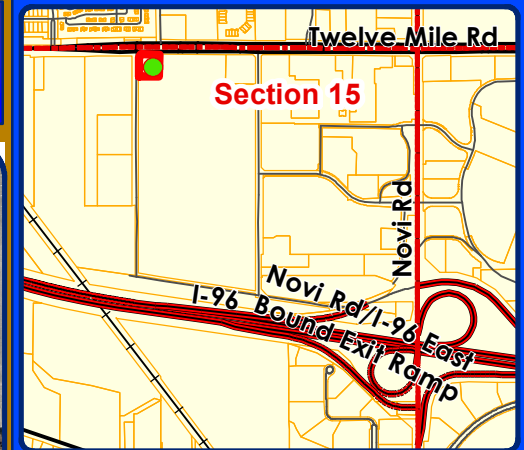
CITY COUNCIL ACTION: This is the City Council's opportunity to comment on the eligibility of the proposal according to the standards of the PRO Ordinance and offer feedback to the applicant. No motion is necessary at this time, but the table below contains the examples of conditions that may be more strict or limiting, and/or provide an overall benefit to the public, as listed in the Ordinance that could be discussed at the City Council meeting.

Types of PRO Conditions (Section 7.13.2.C.ii.b)	Included	Notes
(1) Establishment of development features such as the location, size, height, area, or mass of buildings, structures, or other improvements in a manner that cannot be required under the Ordinance or the City's Code of Ordinances, to be shown in the PRO Plan.	Yes	Buildings and layout to be as shown in the PRO Plan, height of building less than allowable .
(2) Specification of the maximum density or intensity of development and/or use, as shown on the PRO Plan and expressed in terms fashioned for the particular development and/or use (for example, and in no respect by way of limitation, units per acre, maximum usable floor area, hours of operation, and the like).	Yes	Use and building as shown in PRO Plan could be stated as the maximum intensity allowed.
(3) Provision for setbacks, landscaping, and other buffers in a manner that exceeds what the Ordinance of the Code of Ordinances can require.	Yes	Building setbacks are shown to be greater setback than minimum required in B-3 District
(4) Exceptional site and building design, architecture, and other features beyond the minimum requirements of the Ordinance or the Code of Ordinances.	Yes	The building exceeds the requirement for brick material.
(5) Preservation of natural resources and/or features, such as woodlands and wetlands, in a manner that cannot be accomplished through the Ordinance or the Code of Ordinances and that exceeds what is otherwise required. If such areas are to be affected by the proposed development, provisions designed to minimize or mitigate such impact.	NA	No natural features present
(6) Limitations on the land uses otherwise allowed under the proposed zoning district, including, but not limited to, specification of uses that are permitted and those that are not permitted.	Yes	Use to be limited to a Car Wash

(7) Provision of a public improvement or improvements that would not otherwise be required under the ordinance or Code of Ordinances to further the public health, safety, and welfare, protect existing or planned uses, or alleviate or lessen an existing or potential problem related to public facilities. These can include, but are not limited to, road and infrastructure improvements; relocation of overhead utilities; or other public facilities or improvements.	Yes?	Donation to library for teen space project does not directly apply to the project or the effects of the project, and does not fall within the ordinance standards as a benefit.
(8) Improvements or other measures to improve traffic congestion or vehicular movement with regard to existing conditions or conditions anticipated to result from the development.	No	Not proposed
(9) Improvements to site drainage (storm water) or drainage in the area of the development not otherwise required by the Code of Ordinances.		No Stormwater Management beyond what is required
(10) Limitations on signage.		Not proposed
(11) Creation or preservation of public or private parkland or open space.	Yes	A 230 sf pedestrian plaza area with benches along 12 Mile sidewalk is proposed
(12) Other representation, limitations, improvements, or provisions approved by the City Council.		

MAPS
Location
Zoning
Future Land Use
Natural Features

JAX KAR WASH LOCATION



LEGEND

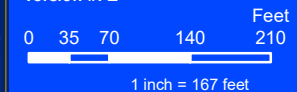
 Subject Property



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

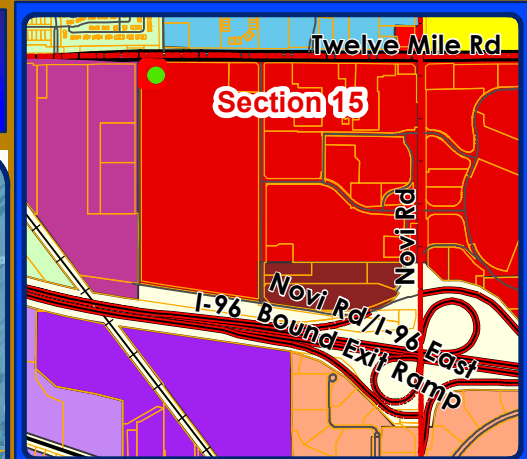
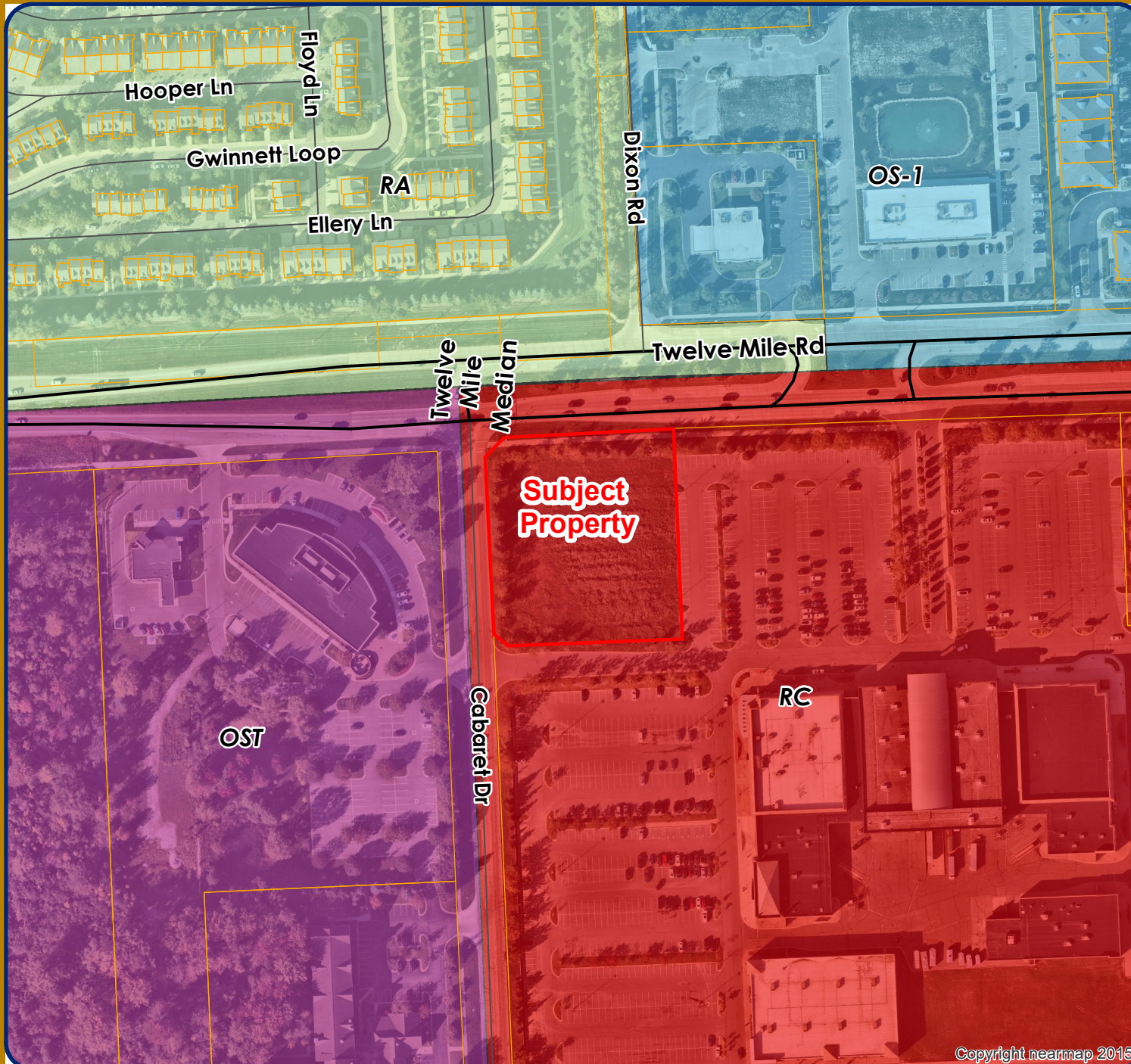
Map Author: Lindsay Bell
Date: 3/18/24
Project: JAX KAR WASH
Version #: 1



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.

JAX KAR WASH ZONING



LEGEND

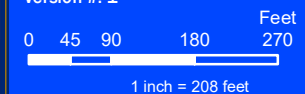
- R-A: Residential Acreage
- R-4: One-Family Residential District
- B-3: General Business District
- C: Conference District
- I-1: Light Industrial District
- I-2: General Industrial District
- OS-1: Office Service District
- OST: Office Service Technology
- RC: Regional Center District
- TC: Town Center District
- Subject Property



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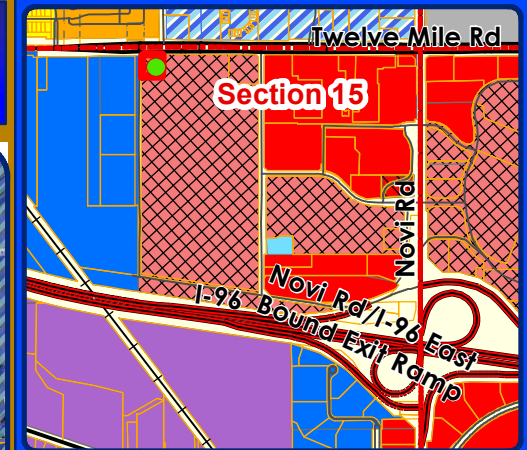
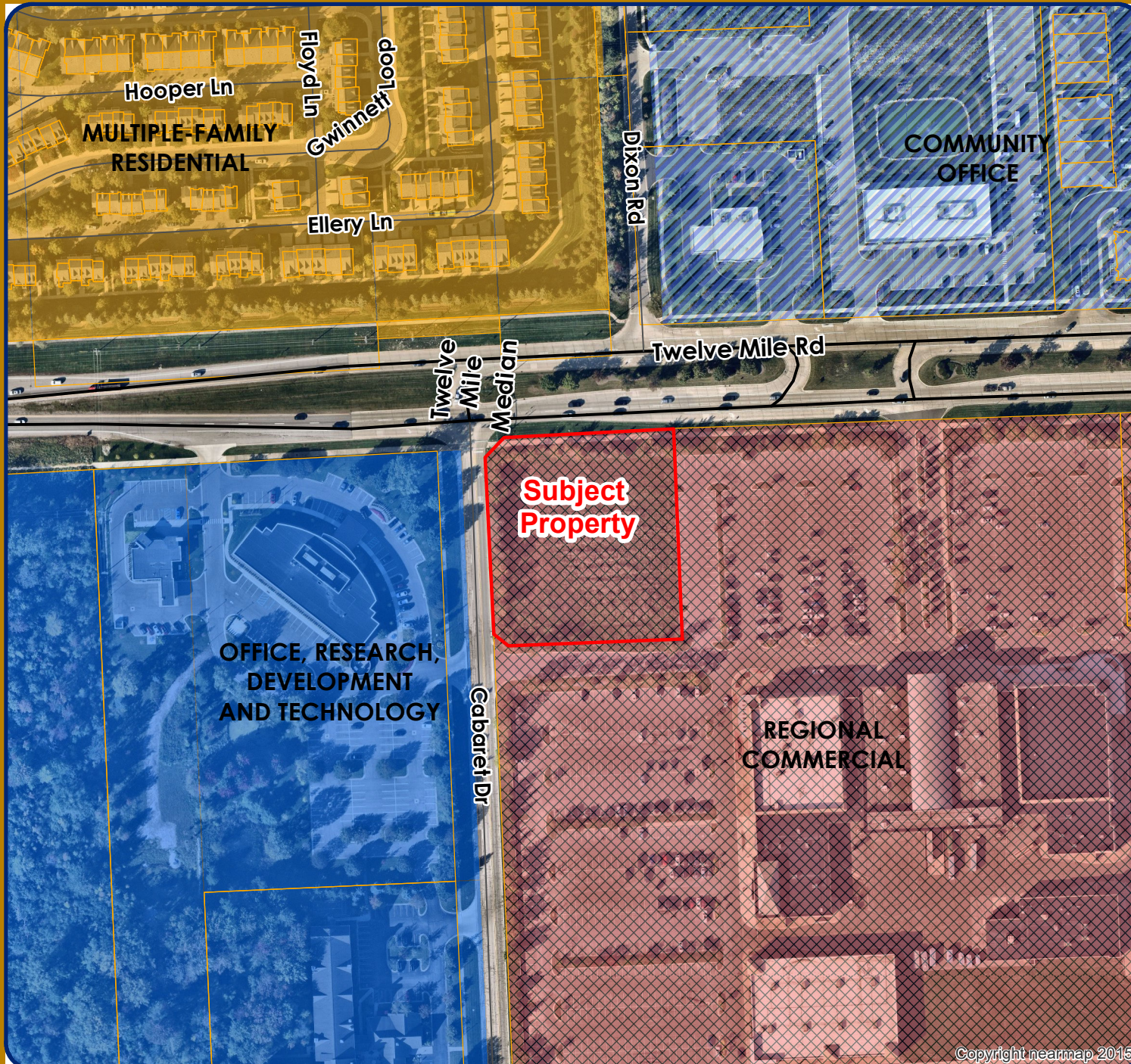
Map Author: Lindsay Bell
Date: 3/18/24
Project: JAX KAR WASH
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JAX KAR WASH FUTURE LAND USE



LEGEND

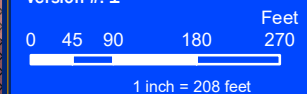
- Single Family
- Multiple-Family Residential
- Community Office
- Office, Research, Development and Technology
- Industrial, Research, Development and Technology
- Regional Commercial
- Town Center Commercial
- Town Center Gateway
- Public
- Cemetery
- Subject Property



City of Novi

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Novi, MI 48375
cityofnovi.org

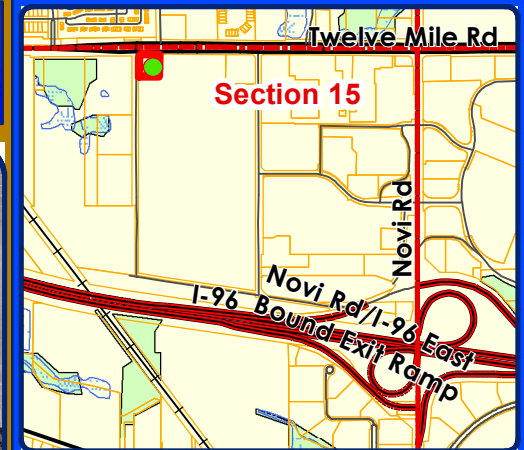
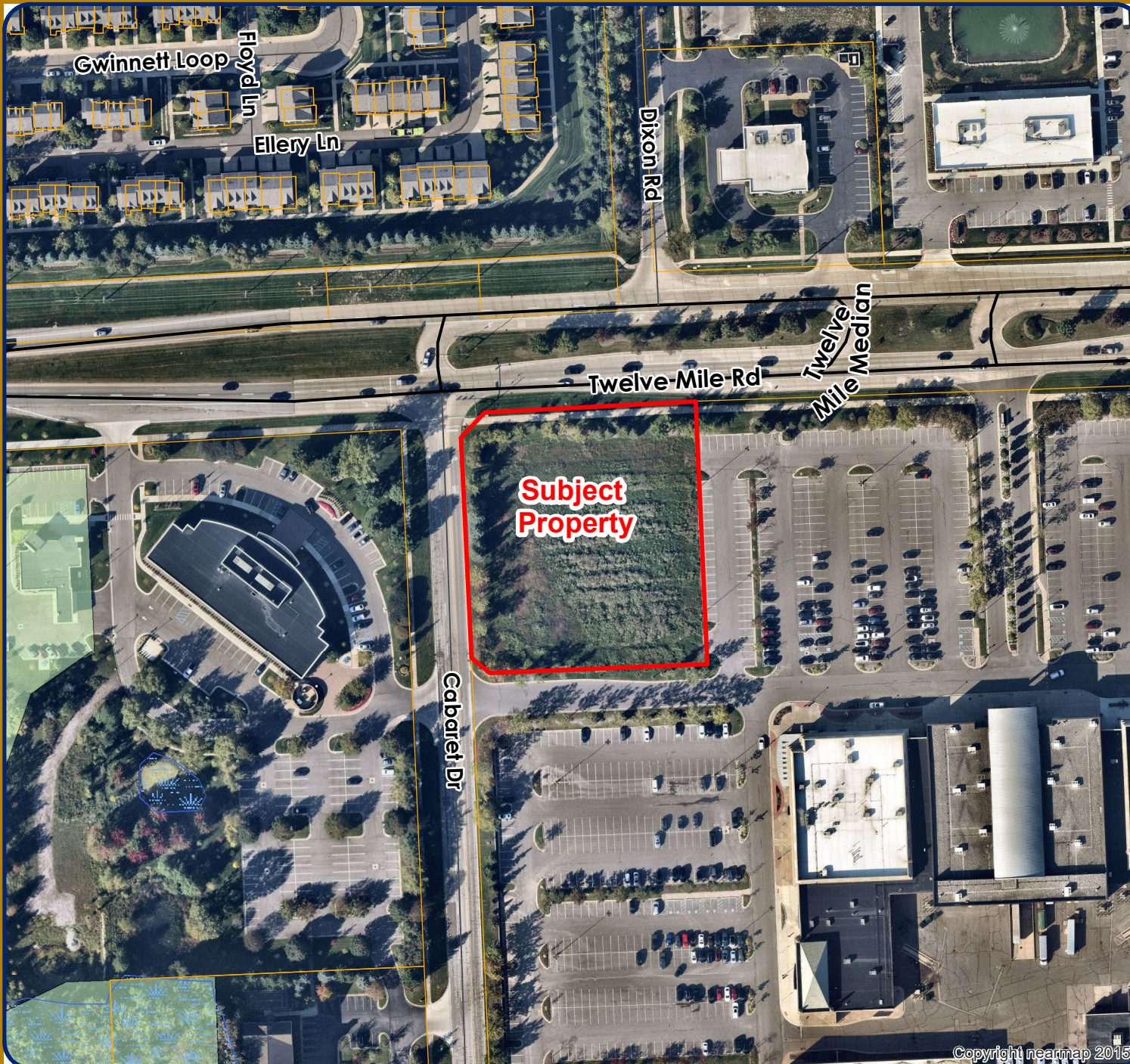
Map Author: Lindsay Bell
Date: 3/18/24
Project: JAX KAR WASH
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JAX KAR WASH NATURAL FEATURES



LEGEND

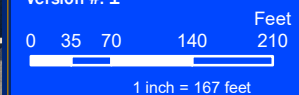
-  WETLANDS
-  WOODLANDS
-  Subject Property



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 3/18/24
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INITIAL PRO CONCEPT PLAN
February 27, 2024

PRELIMINARY SITE PLANS

JAX KAR WASH

44175 WEST 12 MILE ROAD
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL
2/9/2024		SITE PLAN APPROVAL



INDEX OF DRAWINGS	
NUMBER	TITLE
	COVER SHEET
C-1.0	TOPOGRAPHIC SURVEY
C-3.0	PRELIMINARY SITE PLAN
C-4.0	PRELIMINARY GRADING PLAN
C-5.0	EROSION CONTROL PLAN
C-6.0	PRELIMINARY UTILITY PLAN
C-9.0	NOTES AND DETAILS
C-9.1	ADS DETAILS
C-9.2	ADS DETAILS
C-9.3	RAMP DETAILS
L-1.0	PRELIMINARY LANDSCAPE PLAN
L-1.1	LANDSCAPE CALCULATIONS
L-2.0	LANDSCAPE DETAILS
T-1.0	TREE PRESERVATION PLAN
PFP-1	OVERALL FLOOR PLAN
PE-1A	BUILDING ELEVATIONS
PE-1B	EXP AND VACUUM ELEVATIONS
1 OF 1	PHOTOMETRIC PLAN

LEGAL DESCRIPTION:
PART OF 50-22-15-200-112
T1N, R8E, SEC 15 PART OF N 1/2 OF SEC. BEG. AT PT. DIST. S 88-35-38 W 1690.26 FT & S 01-53-38 E 380 FT FROM NE SEC COR; TH S 01-53-38 E 2162.77 FT, TH N 83-29-50 W 997.39 FT, TH N 81-25-51 W 236.34 FT, TH N 01-52-22 W 2258.06 FT, TH N 42-38-24 E 38.25 FT, TH N 87-32-34 E 202.19 FT, TH N 88-35-38 E 662.10 FT, TH S 01-24-22 E 309 FT, TH N 88-35-38 E 309.80 FT TO BEG. 64.46 A 8-5-15 FR -110

DESIGN TEAM

APPLICANT:	CIVIL ENGINEER	CONTRACTOR
JAX KAR WASH 26777 CENTRAL PARK BOULEVARD SUITE 190 SOUTHFIELD, MI 48078 CONTACT: TODD GESUND EMAIL: TODD@JAXKARWASH.NET	PEA GROUP 1549 POND RUN AUBURN HILLS, MI 48326 CONTACT: JAMES P. BUTLER, PE PHONE: 844.813.2949 EMAIL: JBUTLER@PEAGROUP.COM	CUNNINGHAM LIMP COMPANY 26750 CABOT DRIVE, SUITE 100 CONTACT: MS. ALYSSA COOK COOKA@CLC.BUILD
ARCHITECT	LANDSCAPE ARCHITECT	
F.A. STUDIO 26281 EVERGREEN ROAD, SUITE 123 SOUTHFIELD, MI 48078 CONTACT: DAVID S. BRINKMEIER, AIA PHONE: 248.619.2354 EMAIL: DBRINKMEIER@FA.STUDIO	PEA GROUP 7627 NEMCO WAY, STE. 115 BRIGHTON, MI 48116 CONTACT: LYNN WHIPPLE, PLA PHONE: 844.813.2949 EMAIL: LWHIPPLE@PEAGROUP.COM	

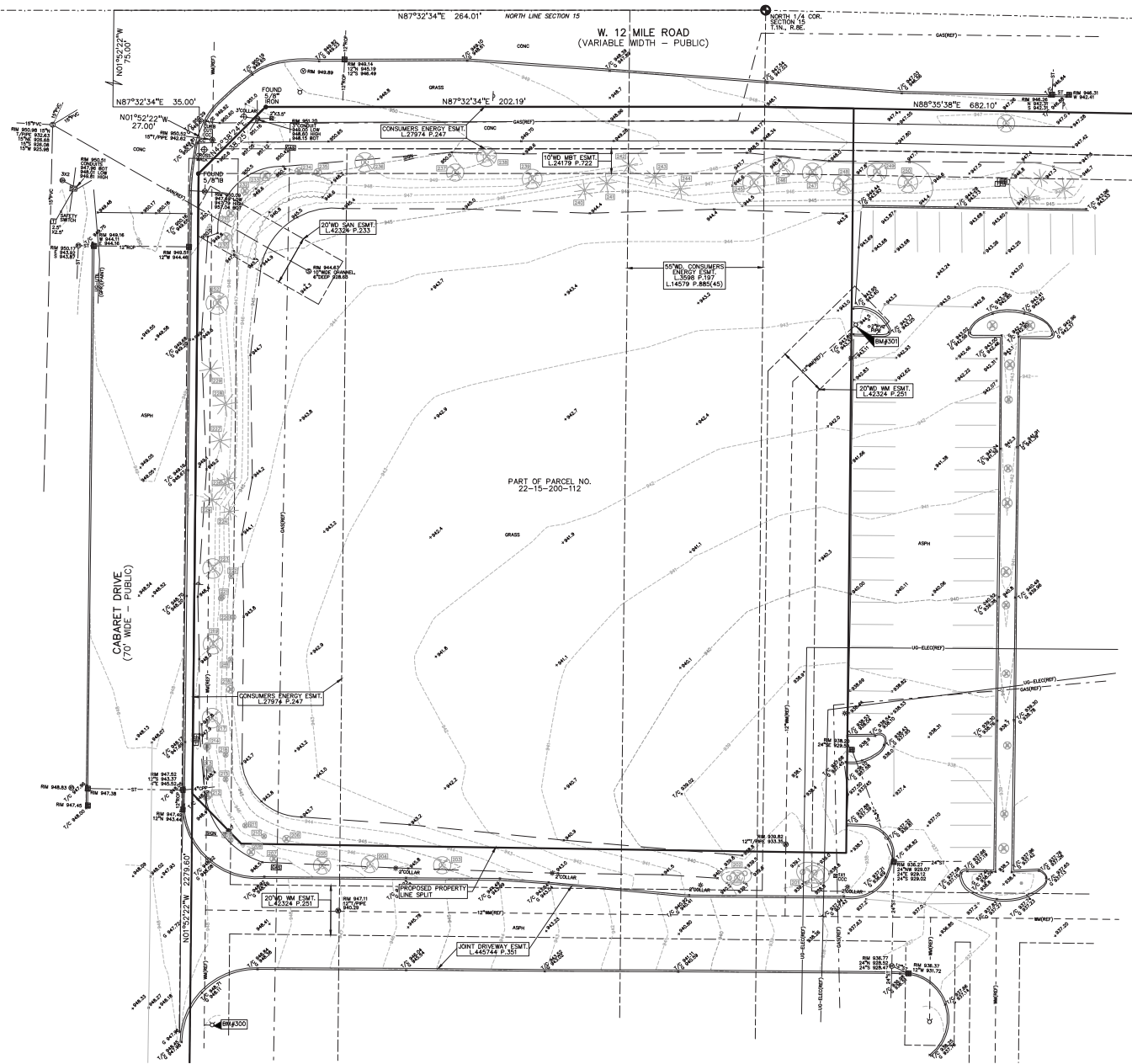


REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	2/9/2024



NOT FOR CONSTRUCTION

\\houston\houston\311\4475 WEST 12 MILE RD - 02200-15-200-112.dwg PLOT DATE: 02/09/2024 09:11am
Drawing



LEGEND:

- EX. OK, ELEC. POLE & GUY WIRE
- EX. U.S. CABLE TV & PEDESTAL
- EX. U.S. COMMUNICATIONS LINE, PEDESTAL & MANHOLE
- EX. U.S. ELEC. MANHOLE, METER & HANDHOLE
- EX. GAS LINE
- EX. GAS VALVE & GAS LINE MARKER
- EX. TRANSFORMER & REGULATION VALVE
- EX. WATER MAIN
- EX. HYDRANT, GATE VALVE & POST INDICATOR VALVE
- EX. WATER VALVE BOX & SHUTOFF
- EX. SANITARY SEWER
- EX. SANITARY CLEANOUT & MANHOLE
- EX. COMBINED SEWER MANHOLE
- EX. STORM SEWER
- EX. CLEANOUT & MANHOLE
- EX. SQUARE, ROUND & BEEHIVE CATCH BASIN
- EX. YARD DRAIN, U.S. ROOF DRAIN & DOWNSPOUT
- EX. UNDEVELOPED STRUCTURE
- EX. MAILBOX, SIGN, LIGHTPOLE & GUARD POST
- EX. FENCE
- EX. GUARD RAIL
- EX. CONC. TREE CONCRETE TREE & SHRUB
- EX. TREE TAG & TREE LINE
- EX. SPOT ELEVATION
- EX. CONTOUR
- EX. WETLAND
- IRON FOUND / SET
- NAIL FOUND / NAIL & CAP SET
- BRASS PLUG SET
- MONUMENT FOUND / SET
- SECTION CORNER FOUND
- RECORDED / MEASURED / CALCULATED

REFERENCE DRAWINGS:

"VALTACOM LAND TITLE SURVEY - 'FOUNTAIN WALK' OFFSHOTS: WESTER JOB NO. 14746.10, DATED 08-07-15

BENCHMARKS
(GPS DERIVED - NAVD88)

BM#300
DIMPLE ON ARROW ON SOUTH SIDE OF HYDRANT, EAST SIDE OF CABARET DR, APPROX. 400' SOUTH OF 12 MILE ROAD.
ELEV. - 946.71

BM#301
DIMPLE ON ARROW ON WEST SIDE OF HYDRANT IN PARKING LOT ISLAND, APPROX. 100' SOUTH OF 12 MILE ROAD AND APPROX 270° EAST OF CABARET DR.
ELEV. - 950.06

FLOODPLAIN:
BY GRAPHIC PLOTTING, THE SUBJECT PARCEL IS IN (ZONE X) "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" PER FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 26125C0626F, EFFECTIVE SEPTEMBER 29, 2006

LEGAL DESCRIPTION:
PART OF 50-22-15-200-112
T1N, R8E, SEC 15 PART OF N 1/2 OF SEC BEG AT PT DIST S 88-35-38 W 1690.26 FT & S 01-53-38 E 380 FT FROM NE SEC COR, TH S 01-53-38 E 2162.77 FT, TH N 83-29-50 W 997.39 FT, TH N 81-28-51 W 236.34 FT, TH N 01-52-22 W 2206.06 FT, TH N 42-38-24 E 38.25 FT, TH N 87-32-34 E 202.19 FT, TH N 88-35-38 E 682.10 FT, TH S 01-24-22 E 306 FT, TH N 88-35-38 E 309.80 FT TO BEG 64.46 A 8-5-15 FR -110

PEA GROUP
t. 844.813.2949
www.peagroup.com



811
SCALE: 1" = 20'



CAUTION!
UNDERGROUND UTILITIES MAY BE PRESENT. CALL 811 BEFORE ANY EXCAVATION OR DRILLING. THIS SURVEY IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

CLIENT:
CUNNINGHAM LIMP COMPANY
2610 CABOT DRIVE, SUITE 100
MOBILE, AL 36688

PROJECT TITLE:
JAX KAR WASH
4475 WEST 12 MILE ROAD
MOBILE, ALABAMA

REVISIONS

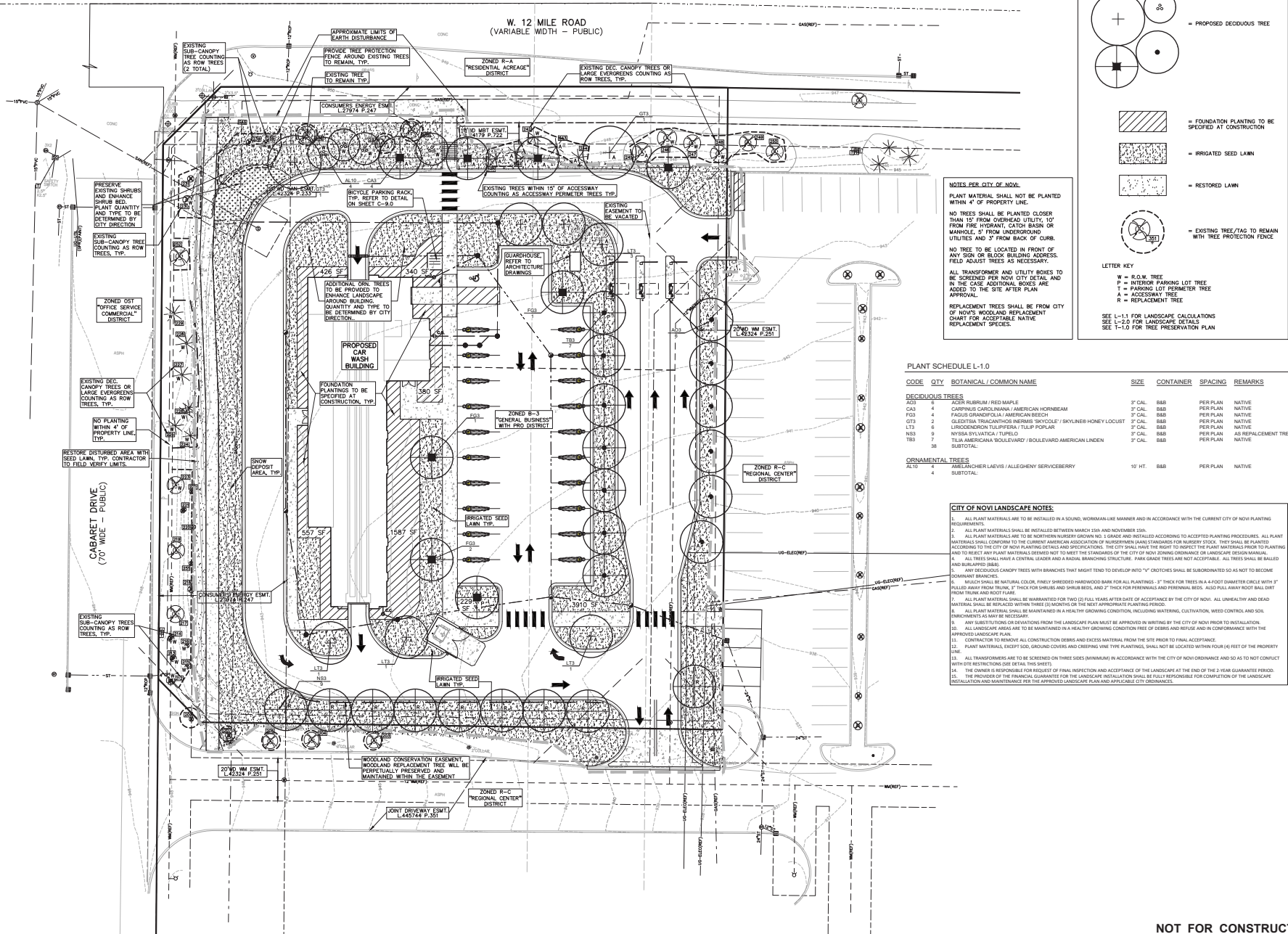
ORIGINAL ISSUE DATE:
FEBRUARY 9, 2024
DRAWING TITLE
TOPOGRAPHIC SURVEY

PEA JOB NO.	2023-1246
P.M.	JPE
D.N.	KMI
DES.	JPE
DRAWING NUMBER:	

NOT FOR CONSTRUCTION

PEA JOB NO.	2023-124
P.M.	JP
DN.	B
DES.	JL
DRAWING NUMBER:	

L-1.0





CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



CLIENT
**CUNNINGHAM LIM
COMPANY**
28790 CABOT DRIVE, SUITE 100

PROJECT TITLE
JAX KAR WASH
44475 WEST 12 MILE ROAD
NOVI, MICHIGAN

REVISIONS

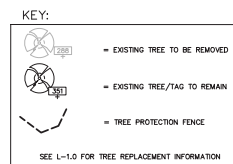
•

ORIGINAL ISSUE DATE:
FEBRUARY 9, 2024

**TREE
PRESERVATION
PLAN**

PEA JOB NO.	2023-12
P.M.	J
DN.	
DES.	J

T-1.0



TREE REPLACEMENT CALCULATIONS:
PER CITY OF NEW ZONING ORDINANCE (AMENDED 2020)
EXISTING TREES THAT ARE DEAD, VERY POOR OR POOR CONDITION ARE EXEMPT FROM REPLACEMENT

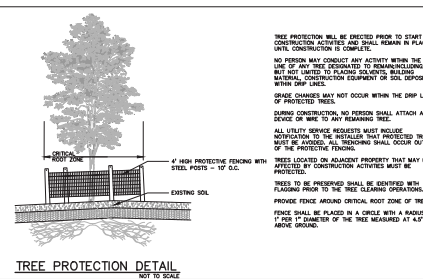
TREE REPLACEMENT CALCULATIONS

REQUIRED: 1 REPLACEMENT: 8'-11" =	2	2 REPLACEMENT TREES REQUIRED
2 REPLACEMENT: 12'-14" =	0	0 REPLACEMENT TREES REQUIRED
3+ REPLACEMENT: 20'-29" =	0	0 REPLACEMENT TREES REQUIRED
4+ REPLACEMENT: 30'-39" =	0	0 REPLACEMENT TREES REQUIRED
TOTAL REGULATED TREES REMOVED =	2	
TOTAL REQUIRED REPLACEMENT TREES=	2	

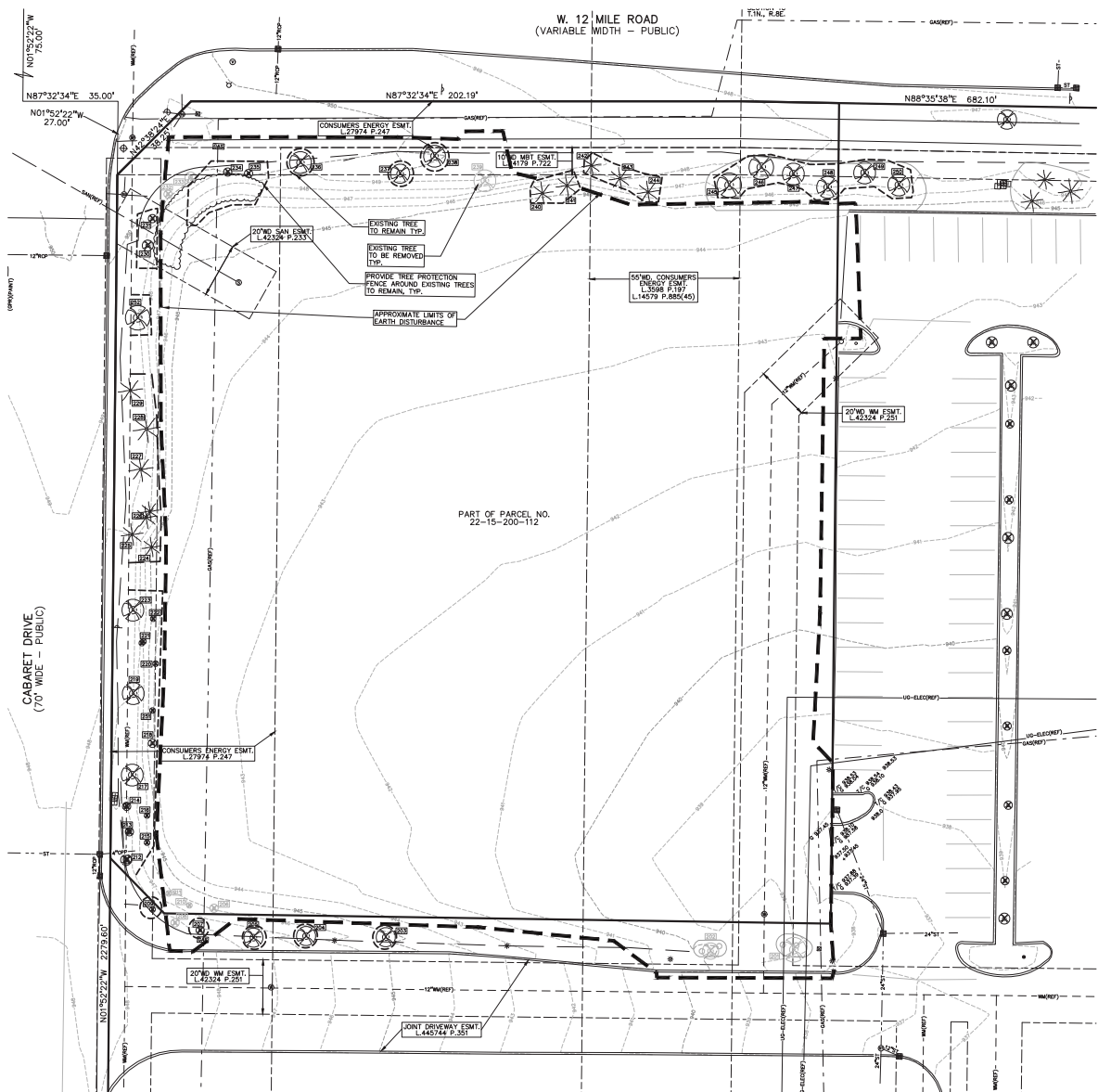
NOTE: 7 TREES TO BE REPLACED, THAT ARE 6" OR UNDER, THAT WERE PREVIOUSLY PLANTED
LANDSCAPED TREES, 11" AT A 1:1 RATIO.

TOTAL: 2 TREES(8 TO 11") + 2 TREES(6" OR UNDER) = 4 REPLACEMENT TREES REQUIRED

TAXA	AGE	DBH	COMMON NAME	LATIN NAME	COND	TRUNKS / COMM SAVE / REMOVE	REPLACEMENTS REQUIRED
201	S	9	Sycamore	<i>Platanus occidentalis</i>	Good	REMOVE	1 tree
202	S	6	Sycamore	<i>Platanus occidentalis</i>	Fair	REMOVE	-
203	S	7	Sycamore	<i>Platanus occidentalis</i>	Fair	SAVE	-
204	S	7	Sycamore	<i>Platanus occidentalis</i>	Fair	SAVE	-
205	S	8	Sycamore	<i>Platanus occidentalis</i>	Good	SAVE	-
206	CA	5	Crab Apple	<i>Malus coronaria</i>	Good	REMOVE	-
207	CA	5	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
208	CA	5	Crab Apple	<i>Malus coronaria</i>	Good	REMOVE	-
209	CA	3	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
210	CA	3	Crab Apple	<i>Malus coronaria</i>	Good	REMOVE	-
211	CA	4	Crab Apple	<i>Malus coronaria</i>	Good	REMOVE	-
212	CA	6	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
213	CA	3	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
214	CA	4	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
215	CA	3	Crab Apple	<i>Malus coronaria</i>	Fair	SAVE	-
216	CA	3	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
217	S	7	Sycamore	<i>Platanus occidentalis</i>	Good	SAVE	-
218	AM	5.3.4	Amur Maple	<i>Acer ginnala</i>	Good	SAVE	-
219	S	7	Sycamore	<i>Platanus occidentalis</i>	Good	SAVE	-
220	AM	3.3.2.2	Amur Maple	<i>Acer ginnala</i>	Poor	SAVE	-
221	AM	4.3.3	Amur Maple	<i>Acer ginnala</i>	Fair	SAVE	-
222	AM	2.2.2.1	Amur Maple	<i>Acer ginnala</i>	Good	SAVE	-
223	S	9	Sycamore	<i>Platanus occidentalis</i>	Good	SAVE	-
224	WS	8	White Spruce	<i>Picea glauca</i>	Fair	SAVE	-
225	WS	9	White Spruce	<i>Picea glauca</i>	Fair	SAVE	-
226	WS	10	White Spruce	<i>Picea glauca</i>	Fair	SAVE	-
227	BS	11	Blue Spruce	<i>Picea pungens</i>	Good	SAVE	-
228	BS	14	Blue Spruce	<i>Picea pungens</i>	Fair	SAVE	-
229	WS	10	White Spruce	<i>Picea glauca</i>	Fair	SAVE	-
230	CA	7	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
231	CA	4	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
232	CA	6	Crab Apple	<i>Malus coronaria</i>	Good	REMOVE	-
233	CA	5	Crab Apple	<i>Malus coronaria</i>	Good	REMOVE	-
234	CA	4	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
235	CA	5	Crab Apple	<i>Malus coronaria</i>	Good	SAVE	-
236	Q	8	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
237	Q	8	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
238	Q	9	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
239	Q	10	Shingle Oak	<i>Quercus imbricaria</i>	Good	REMOVE	1 tree
240	AC	9	White fir	<i>Abies concolor</i>	Fair	SAVE	-
241	AC	10	White fir	<i>Abies concolor</i>	Fair	SAVE	-
242	AC	9	White fir	<i>Abies concolor</i>	Fair	SAVE	-
243	AC	10	White fir	<i>Abies concolor</i>	Fair	SAVE	-
244	AC	9	White fir	<i>Abies concolor</i>	Fair	SAVE	-
245	Q	10	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
246	Q	8	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
247	Q	9	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
248	Q	9	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
249	Q	9	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
250	Q	9	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-
251	AM	4.4.3.3	Amur Maple	<i>Acer ginnala</i>	Good	SAVE	-
252	Q	10	Shingle Oak	<i>Quercus imbricaria</i>	Good	SAVE	-



NOT FOR CONSTRUCTION



CODE COMPLIANCE

APPLICABLE CODE REQUIREMENTS:

THIS BUILDING HAS BEEN DESIGNED IN ACCORDANCE WITH THE FOLLOWING:

- 2015 MICHIGAN BUILDING CODE (MBC)
- 2018 MICHIGAN PLUMBING CODE (MPC)
- 2018 MICHIGAN MECHANICAL CODE (MMC)
- 2017 NATIONAL ELECTRIC CODE WITH PART 8 AMENDMENTS (NEC)
- PART 10 MICHIGAN UNIFORM ENERGY CODE PART 10A RULES (ANSI/ASHRAE 90.1-CODE 2015)
- MICHIGAN BARRIER FREE DESIGN LAW (PA 1 OF 1986 AS AMENDED)
- INCORPORATING THE 2012 MICHIGAN BUILDING CODE WITH ICC/ANSI A-117.1, 2009
- NFPA 13-2013 FIRE SPRINKLER SYSTEM
- NFPA 72-2013 FIRE ALARM SYSTEM

OCCUPANCY CLASSIFICATION:

- USE GROUP 'B' (BUSINESS) - CAR WASH MBC 304.1
- USE GROUP 'S-1' (STORAGE) NON SEPARATED MIXED USES - MOST RESTRICTIVE 'S-1' USE SHALL BE APPLIED TO ENTIRE BUILDING (MBC 508.3.1)

CONSTRUCTION CLASSIFICATION:

- TYPE VB (MBC 602.5)

FIRE SUPPRESSION REQUIREMENTS:

- BUILDING IS NOT PROTECTED BY A FIRE SUPPRESSION AUTOMATIC FIRE SPRINKLER SYSTEM (MBC 603.2)
- PROPOSED BUILDING DOES NOT HAVE ANY HIGH PILE STORAGE
- PROPOSED BUILDING DOES NOT HAVE ANY REQUIREMENTS FOR STANDPIPES
- PROPOSED BUILDING WILL NOT HAVE A GENERATOR

BUILDING AREA:

- TOTAL BUILDING AREA= 6,308 S.F. (GROSS)

ALLOWABLE AREA:

- TYPE VB, MBC 508.2
- PROPOSED BUILDING IS 6,308 S.F. ≤ 9,000 S.F. - ACCEPTABLE

ALLOWABLE BUILDING HEIGHT:

- PER 'B', TYPE VB, 40 FEET, 3 STORIES (MBC TABLE 504.3, 504.4)
- PROPOSED BUILDING 21'-10", ONE-STORY - ACCEPTABLE

BUILDING OCCUPANCY:

- PER MBC TABLE 1004.1.2

TOTAL BUILDING AREA=6,308 S.F. MINUS 599 S.F. PERIMETER WALL THICKNESS = 5,709 S.F.

9' USE BUSINESS	756 S.F. / 100 S.F. PER OCC.	= 8 OCCUPANTS
STORAGE/MECH SPACE	4,850 S.F. / 300 S.F. PER OCC.	= 17 OCCUPANTS
TOTAL BUILDING OCCUPANTS		= 25 OCCUPANTS

MINIMUM NUMBER OF EXITS:

- MBC TABLE 1006.3.1

25 OCCUPANTS = 2 EXITS REQUIRED | 5 EXITS PROVIDED

EXIT WIDTH REQUIREMENTS:

- DOORS (MBC 1005.3.2)

25 OCCUPANTS X 0.2" PER OCCUPANT = 5.0" TOTAL DOOR WIDTH REQUIRED
AT 33" CLEAR WIDTH PROVIDED PER 36" DOOR, A MINIMUM OF 2 EXIT DOORS ARE REQUIRED
5 EXIT DOORS ARE PROVIDED

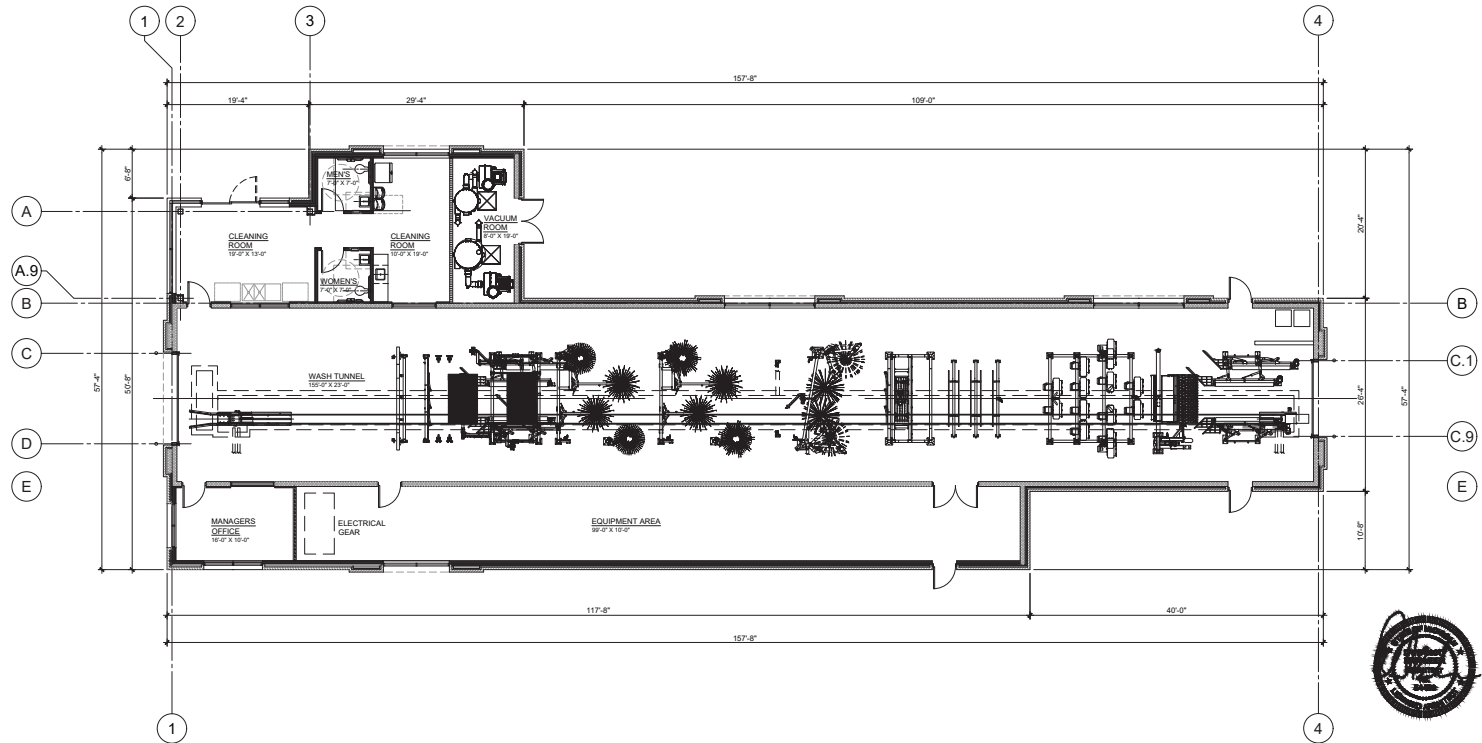
EXIT DISTANCE LIMITATIONS:

- 200' MAX ALLOWED (MBC TABLE 1017.2)
- ALL OCCUPANTS ARE WITHIN 200 FEET OF AN EXIT
- REQUIRED EXIT DOOR SEPARATION IS GREATER THAN 1/5 OF THE LENGTH OF MAXIMUM OVERALL DIAGONAL DIMENSION OF THE AREAS SERVED (MBC 1007.1.1 EXCEPTION 2)

FIRE RESISTANCE RATINGS OF BUILDING ELEMENTS:

- TYPE 'B' CONSTRUCTION

STRUCTURAL FRAME	0 HR. (MBC TABLE 601)
BEARING WALLS - EXTERIOR	0 HR. (MBC TABLE 601)
BEARING WALLS - INTERIOR	0 HR. (MBC TABLE 601)
NON-BEARING WALLS - EXTERIOR	0 HR. (MBC TABLE 601)
NON-BEARING WALLS - INTERIOR	0 HR. (MBC TABLE 601)
FLOOR CONSTRUCTION	0 HR. (MBC TABLE 601)
ROOF CONSTRUCTION	0 HR. (MBC TABLE 601)
SHAFTS	N/A
STAIR WELL	N/A
FIRE WALL	N/A



PRELIMINARY OVERALL FLOOR PLAN
SCALE: 1/8" = 1'-0"



PROJECT NAME:
JAX CAR WASH
NOVI, MI

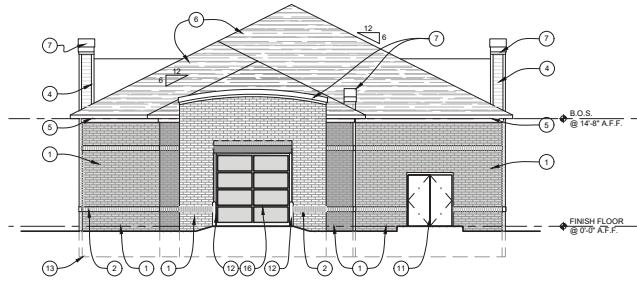
DATE: ISSUED FOR:

DRAWING DATE:
1-17-24

PROJECT NUMBER:
22109

SHEET NUMBER:
PFP-1

SOUTH BUILDING FACADE MATERIAL BREAKDOWN		
TOTAL MATERIAL SQUARE FOOTAGE:		1246.5 S.F.
(EXCLUDES GLASS AND VISION OPENINGS)		
ROOF AREA:	391.7 S.F.	= 31.4%
FULL DIMENSIONAL BRICK VENEER:	748.1 S.F.	= 59.9%
PAINTED CEMENT BOARD SIDING:	106.7 S.F.	= 8.7%

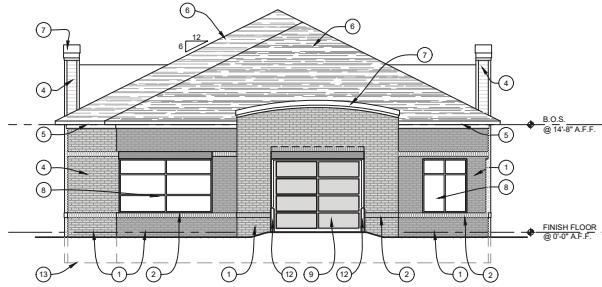


SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

4

NORTH BUILDING FACADE MATERIAL BREAKDOWN		
TOTAL MATERIAL SQUARE FOOTAGE:		1145.5 S.F.
(EXCLUDES GLASS AND VISION OPENINGS)		
ROOF AREA:	407.5 S.F.	= 35.6%
FULL DIMENSIONAL BRICK VENEER:	640.4 S.F.	= 55.9%
PAINTED CEMENT BOARD SIDING:	97.6 S.F.	= 8.5%



NORTH ELEVATION

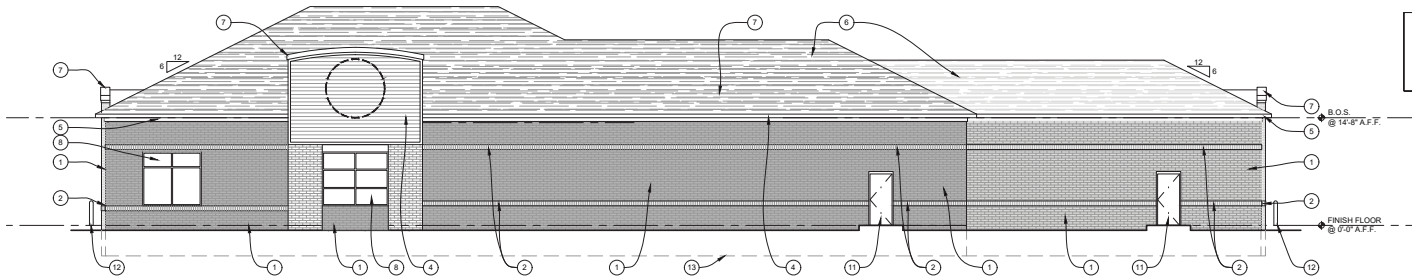
SCALE: 1/8" = 1'-0"

3

EXTERIOR MATERIAL SCHEDULE

1	FULL DIMENSIONAL BRICK VENEER (FIELD COLOR)
2	1/2" RECESSED BRICK SOLDIER COURSE (ACCENT COLOR)
3	FULL DIMENSIONAL VENEER (ACCENT COLOR)
4	HORIZONTAL LAP SIDING W/ TRIM
5	1X6 FASCIA BOARD OVER 1X TRIM BOARD
6	ASPHALT SHINGLES
7	PRE-FINISHED METAL COPING
8	1" TINTED LOW 'E' INSUL. GLAZING IN CLEAR ANOD. ALUM. THERMAL BREAK FRAMES
9	12W x 10H GLASS SECTIONAL INSULATED OVERHEAD GRADE DOOR w/ MOTOR OPERATED OPENER & INSULATED
10	CLEAR ANOD. ALUM. ENTRY DOOR W/ TEMPERED GLASS
11	HOLLOW METAL DOOR & FRAME
12	6" DIA. CONC. FILLED STEEL GUARD POSTS
13	CONCRETE TRENCH FOOTING BELOW
14	DASHED LINE DENOTES PROPOSED SIGNAGE LOCATION
15	1" TINTED INSUL. SPANDREL IN CLEAR ANOD. ALUM. THERMAL BREAK FRAMES
16	12W x 10H GLASS SECTIONAL INSULATED OVERHEAD GRADE DOOR w/ MOTOR OPERATED OPENER & INSULATED
17	PRE-FINISHED ARCHITECTURAL METAL ROOFING. COLOR: SURREY BEIGE OR EQUAL (NEUTRAL COLOR)
18	TYP. VACUUM STATIONS TO BE PAINTED A NEUTRAL COLOR (HOSE / VACUUM ARM / VERTICAL POST)

WEST BUILDING FACADE MATERIAL BREAKDOWN		
TOTAL MATERIAL SQUARE FOOTAGE:		3803.9 S.F.
(EXCLUDES GLASS AND VISION OPENINGS)		
ROOF AREA:	1303.8 S.F.	= 34.3%
FULL DIMENSIONAL BRICK VENEER:	2118.9 S.F.	= 55.6%
PAINTED CEMENT BOARD SIDING:	383.2 S.F.	= 10.1%

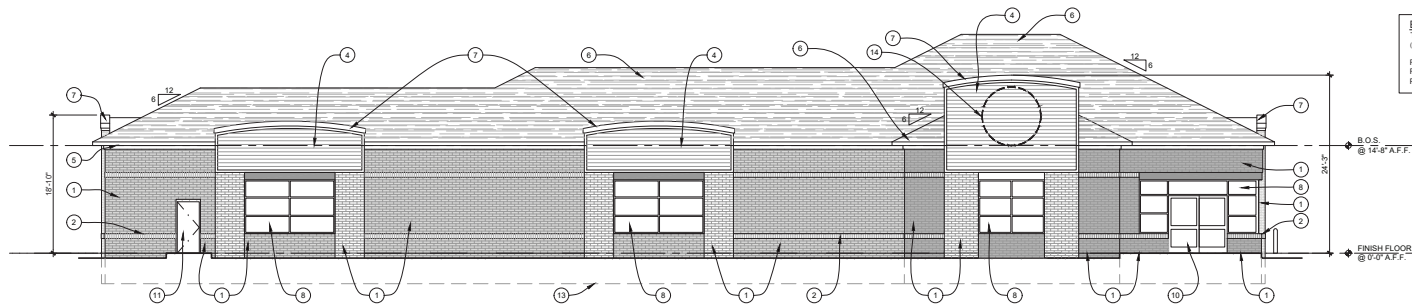


WEST ELEVATION

SCALE: 1/8" = 1'-0"

2

EAST BUILDING FACADE MATERIAL BREAKDOWN		
TOTAL MATERIAL SQUARE FOOTAGE:		3508.6 S.F.
(EXCLUDES GLASS AND VISION OPENINGS)		
ROOF AREA:	1162.8 S.F.	= 33.1%
FULL DIMENSIONAL BRICK VENEER:	1739.3 S.F.	= 49.6%
PAINTED CEMENT BOARD SIDING:	606.5 S.F.	= 17.3%



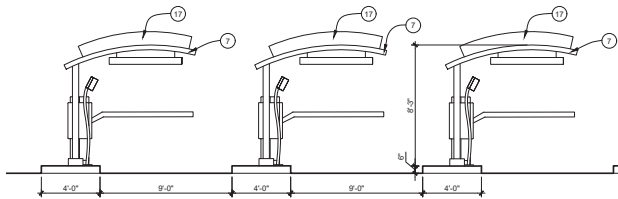
EAST ELEVATION

SCALE: 1/8" = 1'-0"

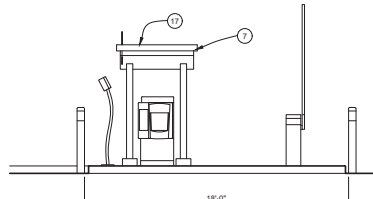
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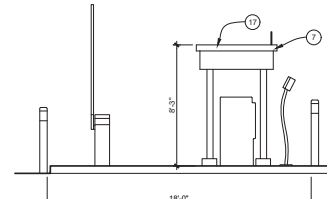
EXTERIOR MATERIAL SCHEDULE	
1	FULL DIMENSIONAL BRICK VENEER (FIELD COLOR)
2	3/4" RECESSED BRICK SOLDIER COURSE (ACCENT COLOR)
3	FULL DIMENSIONAL VENEER (ACCENT COLOR)
4	HORIZONTAL LAP SIDING W/ TRIM
5	1X8 FASCIA BOARD OVER 1X TRIM BOARD
6	ASPHALT SHINGLES
7	PRE-FINISHED METAL COPING
8	1" TINTED LOW 'E' INSUL. GLAZING IN CLEAR ANOD. ALUM. THERMAL BREAK FRAMES
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11	HOLLOW METAL DOOR & FRAME
12	6" DIA. CONC. FILLED STEEL GUARD POSTS
13	CONCRETE TRENCH FOOTING BELOW
14	DASHED LINE DENOTED PROPOSED SIGNAGE LOCATION
15	1" TINTED INSUL. SPANDREL IN CLEAR ANOD. ALUM. THERMAL BREAK FRAMES
16	10W x 10H GLASS SECTIONAL INSULATED OVERHEAD GRADE DOOR w/ MOTOR OPERATED OPENER & INSULATED
17	PRE-FINISHED ARCHITECTURAL METAL ROOFING, COLOR: SURREY BEIGE OR EQUAL (NEUTRAL COLOR)
18	TYP. VACUUM STATIONS TO BE PAINTED A NEUTRAL COLOR (HOSE / VACUUM ARM / VERTICAL POST)



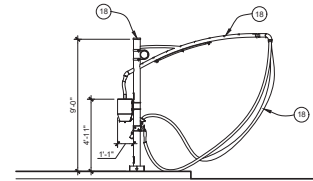
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"
3



EAST ELEVATION
SCALE: 1/4" = 1'-0"
2



WEST ELEVATION
SCALE: 1/4" = 1'-0"
1



TYP. VACUUM STATION ELEVATION
SCALE: 1/4" = 1'-0"
4



PROJECT NAME:
JAX CAR WASH
NOVI, MI

DATE: ISSUED FOR:

DRAWING DATE:
1-17-24

PROJECT NUMBER:
22109

SHEET NUMBER:
PE-1B

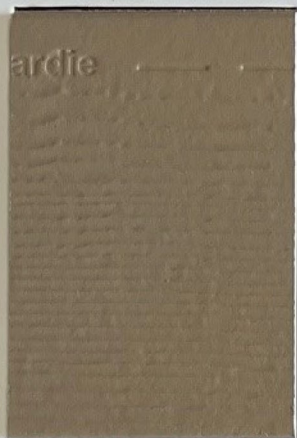
RENDERINGS, FAÇADE MATERIAL BOARD AND ADDITIONAL AMENITY







er - Accent



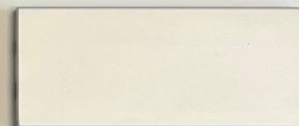
Lap Siding - James Hardie Siding
Color: Khaki Brown



Prefinished Metal Coping
Color: Sierra Tan



Asphalt Shingles
Color: Pewter Gray



Clear Anodized Aluminum Frames



Low-E Tinted Glass



er - Field



ADDITIONAL PUBLIC AMENITY PROPOSED





PROJECT NARRATIVE

LAW OFFICES
LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

37000 GRAND RIVER AVENUE, SUITE 200
FARMINGTON HILLS, MICHIGAN 48335

www.lmdlaw.com

D. B. LANDRY
dlandry@lmdlaw.com

Office: (248) 476-6900

Direct: (248) 919-3783

Fax: (248) 476-6564

February 26, 2024

Hand-delivery and Email: bmcbeth@cityofnovi.org

Attn: Ms. Barbara McBeth
City of Novi
Planning Department
45175 W. Ten Mile Road
Novi, MI 48375-3024

RE: Jax Kar Wash Novi.
Application for rezoning with PRO.
Pre-App 23-031

Dear Ms. McBeth:

Please accept this as a narrative accompanying the Application for Re-Zoning to B-3 with Planned Re-Zoning Overlay to allow the development of a single B-3 use of auto wash at this location.

We are proposing to develop a Jax Kar Wash on this site, which is part of the larger development Twelve Mile Crossing at Fountain Walk. This particular site has remained undeveloped during the entire existence of Fountain Walk for 22 years, since 2002.

Accompanying this narrative is an Application for Re-Zoning with PRO. Seven sets of a PRO Concept Plan are included along with the PRO checklist. A Pre-Application Meeting was held on December 7, 2023 and following that meeting the City issued its formal review comments. The comments of the city are addressed in the attached Concept PRO Plan Sheets.

The Fountain Walk development is on property zoned RC Regional Center. The applicant is proposing a re-zoning from RC to B-3 with a PRO to allow only one B-3 use - auto wash. If approved, the applicant will propose a PRO Agreement that would limit the use of the site to only an auto wash. No other B-3 uses would be allowed.

The attached Concept Site Plan sheets show that the proposed 6,308 square foot building and site development exceeds the set back provisions otherwise required in a B-3 district. The average height of the building is 24 feet three inches which is less than the 30-feet allowed in a B-3 district. While city ordinances require 30% minimum brick on all facades the proposed building exceeds this requirement with 55.9% brick on the North side; 49.6% brick on the East side; 59.9%

brick on the South side and 55.6% brick on the West side. The attached landscape calculation sheet, L-1.1, points out that:

“Preservation of existing mature R.O.W. trees along 12 Mile Road and Cabaret Drive and exceed the requirement with eight extra existing trees at Cabaret Drive and two extra existing trees at 12 Mile Road.

Note: Site grade is depressed from Cabaret and 12 Mile Road creating a natural buffer.

Note: Additional plantings proposed at the NW corner of the site to enhance landscape and additional ornamental trees proposed adjacent to the building. Plant quantity and type to be determined by city direction.”

There is a distinct Public Benefit which this proposal brings in the form of not only the protection of existing adjacent uses but unquestionable enhancement of the adjacent use. Fountain Walk has existed for 22 years since its opening in 2002. This particular parcel, in the extreme North West of the shopping center, has remained fallow and un-development the entire time. The attached letter from Micheal Zimmermann, the owner of Fountain Walk, explains why. The nature of the Foutain Walk Shopping Center is such that major retailers - the key to the very existence of such a large shopping centers - require certain restrictions on other uses in the center. While restaurants are a permitted use in an RC zoning district, Fountain Walk “cannot have any restaurant that competes with any of the 12 existing restaurants.” The only interest which has been shown in this North West parcel are gas stations or convenience stores. Gas stations are not a permitted use in an RC district and in the words of Mr. Zimmermann “this is not a use we want adjacent to this center.” (See Exhibit A)

Fountain Walk is a very large part of the regional commercial business area within the City of Novi. Its continued success is an important “public benefit” to the entire city. It is part of a diverse tax base and draws customers who patronize other Novi businesses and provides retail, dining, and entertainment options to Novi residents. Its continued success depends on its ability to draw customers.

Attached as Exhibit A are four letters of support for this requested re-zoning with PRO from: 1) the owner of Fountain Walk; 2) the owner of Emagine Theater; 3) the owner of Buddy’s Pizza and 4) the owner of Putting Edge.

Michael Zimmermann, the owner of Fountain Walk states:

“That is why we are excited about Jax Car Wash. This is a higher quality use that has absolutely no competition with our tenants. It brings a good amount of traffic to the area and will be complementary to the other tenants. Jaxs has a phenomenal reputation in Metro-Detroit and we feel they will be a good addition to our center. They do not require a lot of parking and the foot print works well for them....as the final piece of the final development of this center, I highly encourage the city of approve this use. It has been vacant too long and the interest is just not there.”

Mr. Paul Glantz of Emagine Theater writes:

“As as long-standing tenant of 12 Mile Crossing at Fountain Walk, we very much support the development of a Jax Kar Wash on the out lot located at the North West corner of the shopping center property. Bringing such an amenity to the center would encourage more annual visitators to the center and complement the already diverse array of services offered in the marketplace. Having recently gone through some challenging times in our industry, and not yet seeing the full recovery in patron count that we enjoyed prior to COVID we covet the opportunity to serve more guests. Not only will such an amenity add to the center’s foot traffic, but I can envision a scenario where customers choose to enjoy a feature film while their car is being detailed.”

Mr. David Wentrack, General Manager of Buddy’s Pizza in Novi writes:

“As the General Manager of Buddy’s Pizza, I support Jaxs being added to the lineup of business here at the mall. I think it would increase traffic. As a long time, Detroit business, I believe having another long time Detroit iconic brand nearby can only help business in the mall. I hope their plans to be put in the North West corner of the mall go forward.”

Ms. Jolene Bell of Putting Edge states:

“Hi Michael, I hope you are doing well. This email is in regards to the possibility of a Jax Car Wash in the Fountain Walk Plaza. We think this would be a good addition as it would bring in more traffic to the mall which could in turn bring us more traffic. This would also enhance the neighborhood appeal.”

The essence of a re-zoning with PRO is to provide certainty to the city regarding future use. Again, the applicant is proposing that the only B-3 use permitted would be an auto wash. That is certainty. Moreover, the applicant is not just any car wash. Jax Kar Wash is a Detroit area institution that has been in business since 1953. “Jax” is synonymous with “car wash” in the Detroit area.

Therefore, allowing a Jax Kar Wash on this parcel would protect and complement the adjacent uses.

The proposed development of this site is also tailored to minimizing traffic impacts. The entire ingress/egress to the car wash would be from the interior Fountain Walk Road off of Cabaret Drive. Thus, no ingress/egress from 12 Mile Road would be allowed. Traffic on 12 Mile road would not be adversely effected. As required by city ordinance a sidewalk along the East Edge of Cabaret Drive would be constructed to add to the pedestrian access to Fountain Walk.

It must also be borne in mind that the existing zoning classification, RC, is an intense use. The single proposed B-3 use is no more intense than an RC use. The hours of operation of the Jax Kar Wash would be Monday through Friday 7:00 a.m. to 6:00 p.m. and Saturday and Sunday 8:00 a.m. to 6:00 p.m. The city’s traffic consultant’s review of the Pre-Application Concept Plan

recognized that the number of traffic trips generated do not exceed the amount which would require a traffic impact study.

In sum, the proposed development of a Jax Kar Wash on this long vacant parcel of Fountain Walk is not only requested by the applicant, it is requested and supported by Fountain Walk itself and its tenant businesses. It would be a draw and add to the continuing success of Fountain Walk. This is truly a "public benefit".

The 22 years of vacancy on this parcel speaks to the unlikelihood of any development on this parcel in the absence of this requested re-zoning with PRO.

The applicant looks forward to the city's comments and to making a presentation to the Planning Commission and City Council as required by Novi Zoning Ordinance Section 7.13.2. Please do not hesitate to contact the applicant Todd Gesund of Jax Kar Wash, Mr. Zimmermann of Fountain Walk or the undersigned for any additional information. Thank you for your consideration.

Very truly yours,

LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

/s/ David B. Landry
David B. Landry

DBL/slw
Cc:



TWELVE MILE CROSSING
— AT FOUNTAIN WALK —

November 7, 2023

The City of Novi
45175 W 10 Mile Road
Novi, MI 48375

To The City of Novi,

My name is Michael Zimmermann and I am the owner of the shopping center Twelve Mile Crossing at Fountain Walk. I have been the owner since November 1, 2020. Before that, my father-in-law, Stanley Spigel was the owner. Between the two of us, the center has been owned by our family for almost 15 years. In that time, there has been a very well located piece of land that has been very difficult to sell or lease. The reason being is that this land is subject to all of the restrictions that the center is subject to. There are over 30 tenants and several of them have restrictions in their leases.

These include all competition with existing restaurants so we cannot have any restaurant that competes with any of the 12 existing restaurants. In addition, Dicks and Floor and Décor have several restrictions in their leases for many other businesses, even if it does not compete with them. We have had a lot of interest from Gas Station/Convenience Stores. This is not a use we want adjacent to this center. I have worked very hard in filling the center, which it is now 100% occupied for the first time since it was built, and I do not want any use that does not compliment the center or that brings it down.

Most of the interest has been from investors that want the land to develop as they wish. Other uses have been too competitive with my existing tenants and would violate their leases. It has been very difficult to find a use that was both a high quality tenant and not in violation of our exclusions.

That is why we are excited about Jax Kar Wash. This is a higher quality use that has absolutely no competition with our tenants. It brings a good amount of traffic to the area and will be complimentary to the other tenants. Jax has a phenomenal reputation in metro-Detroit and we feel they will be a good addition to our center. They do not require a lot of parking and the footprint works well for them.

We had to get special amendments from Dicks and Floor and Décor even for this use. They both agreed, but we had to give one of them concessions in order to get this permission. I do not anticipate this causing any traffic issues as the entrance is not going to be on 12 mile Rd. As the final piece to the completed development of this center, I highly encourage the city to approve this use. It has been vacant too long and the interest



TWELVE MILE CROSSING
— AT FOUNTAIN WALK —

is just not there. I feel it could remain vacant for a very long time as there are just not that many uses allowed for this spot. I am free to speak about this at any time. My cell is 214-725-9933. Thank you for your consideration.

Sincerely,

Michael D. Zimmermann

Emagine Entertainment, Inc.
Mailing Address: P.O. Box 841, Troy, MI 48099-0841
Physical Address: 3838 Livernois Rd., Suite 200, Troy, MI 48083

January 17, 2024

Dear Michael,

As a long-standing tenant of Twelve Mile Crossing at Fountain Walk, we very much support the development of a Jax Kar Wash on the outlot located at the northwest corner of the shopping center property. Bringing such an amenity to the center would encourage more annual visitors to the center and complement the already diverse array of services offered in the marketplace. Having recently gone through some challenging times in our industry, and not yet seeing the full recovery in patron count that we enjoyed prior to Covid, we covet the opportunity serve more guests. Not only will such an amenity add to the center's foot traffic, but I can envision a scenario where customers choose to enjoy a feature film while their car is being detailed.

If you require special dispensation to secure the entitlements to move forward with the development, and positive affirmation from members of the business community would be of value, please don't hesitate to call on me.

With best regards,

Paul

Paul A. Glantz

Co-Founder / Chairman

Emagine Entertainment, Inc.

Mailing Address: P.O. Box 841, Troy, MI 48099-0841

Physical Address: 3838 Livernois Rd., Suite 200, Troy, MI 48083

P. 248.842.5817

www.emagine-entertainment.com

From: David Wentrack <dwentrack@buddyspizza.com>

Subject: Jax Car Wash

Date: February 19, 2024 at 12:21:56 PM CST

To: Michael DuBois <michaeld@greeneearthrealty.net>

Hi Michael,

As the General Manager of Buddy's Pizza I support Jax being added to the lineup of business here at the mall. I think it would increase traffic. As a long time Detroit business, I believe having another long time Detroit iconic brand nearby can only help businesses in the mall. I hope their plans to be put in the Northwest corner of the mall go forward.

Have a happy Monday,

David Wentrack
General Manager
Buddy's Pizza Novi, MI
dwentrack@buddyspizza.com

From: Jolene Bell <jolene.bell@puttingedge.com>

Subject: Jax Car Wash

Date: February 14, 2024 at 9:23:27 AM CST

To: Michael DuBois <michaeld@greeneearthrealty.net>

Cc: Mary Ledermann <mary@greeneearthrealty.net>

Hi Michael, I hope you are doing well. This email is in regards to the possibility of a Jax Car Wash in the Fountain Walk Plaza.

We think this would be a good addition as it would bring in more traffic to the mall which could in turn bring us more traffic. This would also enhance the neighborhood appeal.

Thanks,
Jolene

--

Jolene Bell
Director of Operations
Putting Edge Glow-in-The-Dark Mini Golf

P: [905-364-7901](tel:905-364-7901) | F: [905-364-7889](tel:905-364-7889) | W: www.puttingedge.com

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

Planning Review

March 18, 2024

JZ24-02 JAX KAR WASH

Zoning Map Amendment No. 18.744

PETITIONER

Jax Kar Wash

REVIEW TYPE

PRO Concept Plan: Consideration of Eligibility

Rezoning Request from RC Regional Center to B-3 General Business with a Planned Rezoning Overlay

PROPERTY CHARACTERISTICS

Section	15	
Site Location	South of Twelve Mile Road, East of Cabaret Drive;	
Site School District	Novi Community School District	
Current Site Zoning	RC Regional Center	
Proposed Site Zoning	B-3 General Business	
Adjoining Zoning	North	RA Residential Acreage (with Consent Judgment), OS-1 Office Service
	East	RC Regional Center
	West	OST Office Service Technology
	South	RC Regional Center
Current Site Use	Vacant	
Adjoining Uses	North	Townhome development, Bank
	East	Parking lot for Fountain Walk
	West	Credit Union Headquarters
	South	Fountain Walk
Site Size	1.8 acres proposed for rezoning, to be split from larger 64-acre parcel	
Parcel ID's	50-22-15-200-112 (portion)	
Plan Date	February 9, 2024	

PROJECT SUMMARY

The subject property is located on the south side of Twelve Mile Road, west of Novi Road in Section 15 of the City of Novi. The property to be rezoned totals about 1.8 acres, and is part of the larger 64.3-acre Fountain Walk at Twelve Mile Crossing development. The parcel is proposed to be split and rezoned to B-3, General Business, in order to develop a car wash. The enclosed car wash tunnel building would be 6,212 square feet, with 23 exterior vacuum spaces. Site access would be from the existing Fountain Walk access road, so no new curb cuts on Cabaret Drive or Twelve Mile Road are proposed. The applicant is requesting to rezone with a Planned Rezoning Overlay.

PRO OPTION

The PRO option creates a "floating district" with a conceptual plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed (in this case from RC

to B-3), and the applicant submits a detailed conceptual plan for development of the site, along with site-specific conditions relating to the proposed improvements. After Staff and consultant review, the proposed request goes through initial review by the Planning Commission and City Council to review and comment on whether the project meets the requirements of eligibility for a PRO. The applicant can then make any changes to the Concept Plan based on the feedback received, and resubmit for formal review. The Planning Commission holds a public hearing and makes a recommendation to City Council. The City Council reviews the Concept Plan, and if the plan receives tentative approval, it directs the preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. If development is not commenced within two years from the effective date of the PRO Agreement it will expire, unless otherwise agreed to by the parties.

RECOMMENDATION

Staff notes that with no other B-3 districts around, this request could be considered spot zoning. The applicant makes the case that developing a vacant parcel is the benefit of this proposal. However the general public is not likely concerned whether the property remains vacant or not, and the impact is incidental to any development proposed, not unique to this use.

Based on the information provided in the submittal, the proposed rezoning to B-3 does not meet the standards of the PRO Ordinance, as it lacks an overall benefit to the public that would outweigh the detriments. As presented, the B-3 rezoning would not be eligible for the optional rezoning with Planned Rezoning Overlay.

REVIEW CONCERNS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), Section 7.13 (Amendments to Ordinance) and any other applicable provisions of the Zoning Ordinance. **Please see the attached chart for additional information pertaining to ordinance requirements.** Items in **bold** below must be addressed and incorporated as part of the next submittal:

1. Supporting Documentation: The applicant has provided the following as part of their application packet:
 - a. **Narrative**: The statement provided states Rezoning allows for development of a use that complements other uses in Fountain Walk while not competing with any restaurant or retail tenants. The parcel has been vacant for 22 years, and development of the property is a benefit to the public.
 - b. The statement includes conditions to limit the permitted use of the parcel to an auto wash, limit building height, exceed setbacks, and exceed the façade ordinance standards for brick material.
 - c. **Rezoning Traffic Impact Study**: AECOM's review noted at the time of Pre-application submittal that the proposed project did not meet the threshold to require a RTIS.
 - d. **Sign Location Plan**: **A rezoning sign location plan and sign detail has not been provided at this time. The sign locations and sign details must meet the requirements of the [Site Plan & Development Manual](#) (see pages 22-23).**
2. Eligibility for PRO (Section 7.13.2): *"In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the proposed improvements that (1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C [of the Ordinance]; and (2) constitute an overall benefit to the public that outweighs any material detriments or*

that could not otherwise be accomplished without the proposed rezoning." **The applicant provided a request to rezone to B-3, along with a PRO Plan. The conditions proposed the permitted use of the parcel to an auto wash, limit building height, exceed setbacks, and exceed the façade ordinance standards for brick material. No deviations are requested at this time, however the applicant should refer to pages 9-10 of this review for deviations that appear to be required based on the site plans provided. Future submittals should include requested deviations along with a justification for each. The applicant states that the public benefit offered is development of a long-vacant parcel.**

Additional conditions could be included in the formal submittal that are more strict or limiting than would be permitted under the B-3 district. Based on the information provided in the submittal, it does not appear to meet the standard of providing an overall benefit to the public that would outweigh the detriments.

3. Land Division: The applicant proposes to rezone a portion of a larger parcel, and would need approval of a lot split by the Assessing Department. The new lot lines proposed may result in new parking and building setback issues for the existing Fountain Walk development. **It is unclear whether deviations could be included in the PRO Agreement, or if the owner of Fountain Walk would need to request those variances from the ZBA.**
4. Exterior lighting (Section 5.7): A lighting and photometric plan is provided for the Residential portion of the project only. Calculations and ratios for lighting should exclude any unlit portions of the site (0.0 fc levels). **A deviation may be required if the 4:1 ratio cannot be achieved. See additional lighting comments in the Plan Review chart.**
5. Plan Review Chart: **The attached chart provides additional comments on many of the Ordinance review standards. Please refer to it in detail.**
6. Other Reviews:
 - a. **Engineering**: Engineering recommends approval of the PRO Concept Plan, with additional comments to be addressed in the Site Plan process. Negative impacts to public utilities are not expected with the requested change to residential and commercial use.
 - b. **Landscape**: Landscape review notes concerns with insufficient accessway perimeter plantings. **Landscape does not recommend approval at this time.**
 - c. **Traffic**: Traffic review notes that the applicant would need a deviation for lack of a loading zone. **Approval is recommended, with comments to be addressed in future submittals.**
 - d. **Woodlands**: There are no regulated woodland trees on the site.
 - e. **Wetlands**: There are no wetland areas on the site.
 - f. **Façade**: Façade notes that the elevations provided are not compliant with ordinance standards as the percentages of Horizontal Lap Siding and Asphalt Shingles exceed the permitted maximums. The relatively small deviations are not detrimental to the overall design, and are consistent with the intent of the Ordinance. **A Section 9 waiver is recommended for approval as a deviation in the PRO Agreement.**
 - g. **Fire**: Fire recommends conditional approval, if comments provided are addressed in subsequent submittals.

LAND USE AND ZONING: FOR SUBJECT PROPERTY AND ADJACENT PROPERTIES

The following table summarizes the zoning and land use status for the subject property and surrounding properties.

	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property	RC Regional Center	Vacant	Regional Center
Northern Parcels	RA Residential Acreage OS-1 Office Service	Residential neighborhood Bank	Multiple Family Residential Community office
Eastern Parcels	RC Regional Center	Vacant	Regional Center
Western Parcels	OST Office Service Technology	Vibe CU headquarters	Office Industrial Research Devel and Technology
Southern Parcels	RC Regional Center	Retail Center	Regional Center

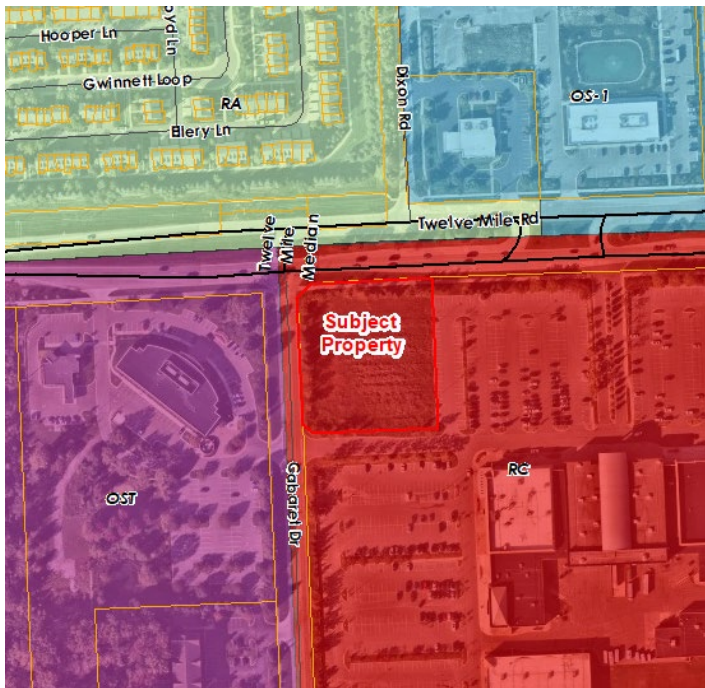


Figure 1: Current Zoning



Figure 2: Future Land Use



Figure 3: Names of surrounding developments and businesses

Comparison of Zoning Districts

The following tables provide comparisons of the current and proposed zoning classifications. The proposed B-3 district is compared to RC. Both districts allow a range of commercial uses, but Regional Center developments generally have significant intensity and scale. The requirements for buffering, parking setbacks and lot coverage are similar for the RC and B-3 districts, however the building setbacks required for RC are much greater than for the B-3 district, and greater building height is allowed in RC as well.

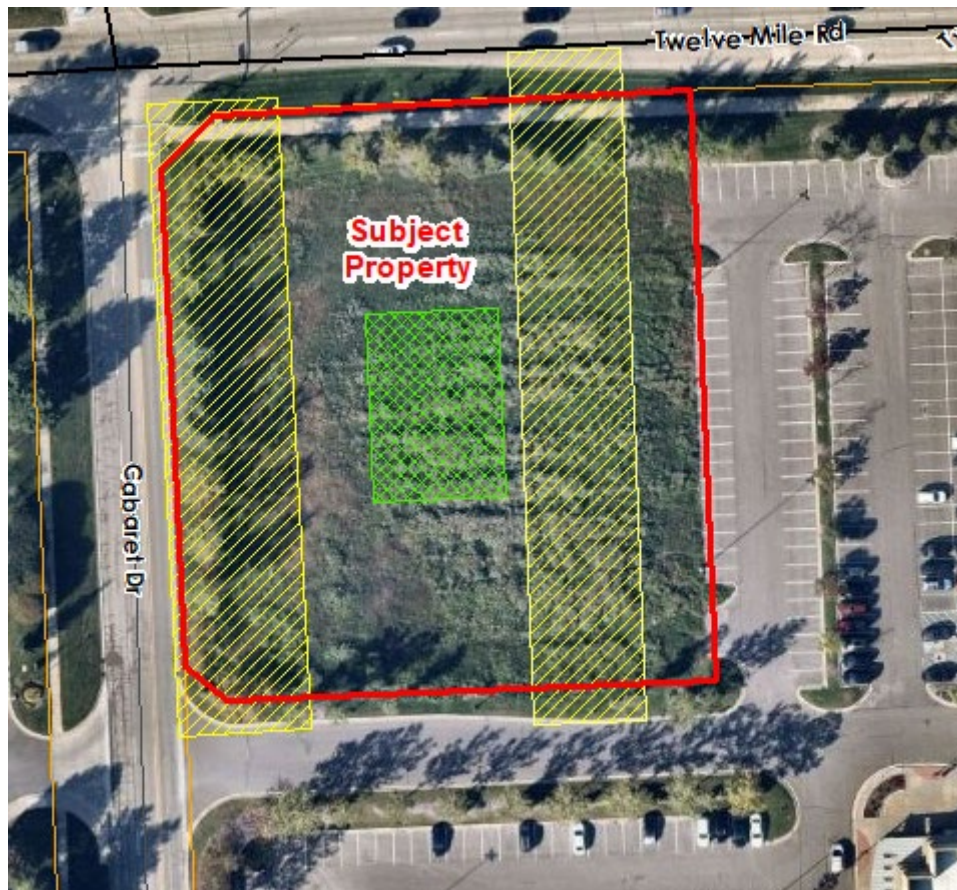
The intent of the current zoning district, RC is "intended to permit major planned commercial centers that will, by virtue of their size, serve not only the local community, but the surrounding market as well." The Fountain Walk development is a retail, restaurant and entertainment center that draws its customer base from the wider region. However, the Regional Center district does not permit car washes. In fact, the only zoning district that permits auto washes is the B-3 General Business District. As stated in Section 3.1.12, the B-3 district "is designed to provide sites for more diversified business types which would be incompatible with the pedestrian movement in the Local Business district or the Community Business district."

	RC (EXISTING)	B-3 (PROPOSED)
Intent	This land use is designated for higher intensity commercial uses that serve not only the comparison-shopping needs of the entire community, but cater to a regional market as well.	The B-3, General Business district is designed to provide sites for more diversified business types which would often be incompatible with pedestrian movement in the Local Business or the Community Business district.
Principal Permitted Uses	Regional shopping centers Community shopping Professional office buildings Medical office, including laboratories and clinics Facilities for human care Financial institution uses with drive-in facilities as an accessory use only Personal service establishments Off-street parking lots Places of worship Publicly owned and operated parks, parkways, and outdoor rec facilities Professional office buildings, offices and office sales and service Transient residential uses Public or private health and fitness facilities and clubs Public utility offices and telephone exchange buildings The inpatient bed facility portion of general hospitals Bus and other transit passenger stations	Retail business and business service uses; Dry cleaning; Business establishments performing services on premises, professional services; Professional and medical offices; Fueling stations; Auto wash; Bus station; New & used car salesroom/showroom; Tattoo parlors; Public & private health and fitness; Microbrews and brewpubs; Day care and adult day care centers;
Special Land Uses	Open air business uses Sale of produce and seasonal plant materials outdoors Microbreweries Brewpubs Retail businesses use Retail business service uses Retail business or service establishments Restaurants	Outdoor space for sale of new & used vehicles; Motel; Veterinary hospitals or clinics; Plant material nursery; Public or private indoor/private outdoor recreation; Mini-lube or oil change establishment; Sale of produce and seasonal plant materials outdoors; Fast food carryout, drive-in, drive-through or sit down; **See attached copy of Section 3.1.12.C for complete list
Lot Size	Except where otherwise provided in this Ordinance, the minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements as set forth in this Ordinance. (Section 3.6.2.D)	
Lot Coverage		
Building Height	45 feet or 3 stories	30 feet
Building Setbacks	Front: 100 feet Rear: 100 feet Side: 100 feet	Front: 30 feet Rear: 20 feet Side: 15 feet Exterior side yard setbacks same as front yard

	RC (EXISTING)	B-3 (PROPOSED)
Parking Setbacks See 3.6.2. for additional conditions	Front: 20 feet Rear: 10 feet Side: 10 feet Exterior side yard setbacks same as front	Front: 20 feet Rear: 10 feet Side: 10 feet Exterior side yard setbacks same as front

DEVELOPMENT POTENTIAL

The land is currently vacant, but was cleared/graded when the rest of Fountain Walk was developed in the early 2000s. Development under the current RC zoning could result in a retail, restaurant, office, or other permitted use being constructed. However, the RC district requires building setbacks of 100 feet from all property lines, which restricts the developable area of this corner site. Additionally, the site is impacted by two wide (55' and 60') Consumers Energy gas line easements running north and south along the eastern and western areas of the site. These factors constrain the developable area of the site considerably. In the image below, the Consumers easements are shown in yellow, and the green hatch area represents the approximate building area with 100-foot setbacks as required in the RC District.



2016 MASTER PLAN FOR LAND USE: GOALS AND OBJECTIVES

The proposed use is currently not recommended by the 2016 Master Plan for Land Use. The following objectives as listed in the Master Plan are applicable for the proposed development. However, at this time the plan follows only a few. **The applicant should consider revisions to the plan**

to comply with as many goals as possible. Please refer to staff comments in bold and revisions recommended in **bold and underline**.

1. General Goal: Community Identity

- a. Maintain quality architecture and design throughout the City. **The current proposed elevations require Section 9 waivers, which are supported in this case as they are consistent with the intent of the Ordinance. Please refer to the façade review letter detailed comments.**

2. General Goal: Environmental Stewardship

- a. Protect and maintain the City's woodlands, wetlands, water features, and open space. The concept plan proposes additional removal of regulated woodlands. **This parcel was cleared in the early 2000's when the rest of Fountain Walk was developed.**
- b. Increase recreational opportunities in the City.
- c. Encourage energy-efficient and environmentally sustainable development through raising awareness and standards that support best practices. **The applicant should consider sustainable, energy-efficient and best-practice design for site elements and building materials, such as LEED recommended strategies.**

3. General Goal: Infrastructure

- a. Provide and maintain adequate water and sewer service for the City's needs. **Please refer to the Engineering memo.**
- b. Provide and maintain adequate transportation facilities for the City's needs. Address vehicular and non-motorized transportation facilities.

4. General Goal: Economic Development

- a. Retain and support the growth of existing businesses and attract new businesses to the City of Novi. **The proposed Jax Kar Wash would be a new business in the City, and may provide a customer draw to other businesses within Fountain Walk.**

MAJOR CONDITIONS OF PLANNED REZONING OVERLAY AGREEMENT

The Planned Rezoning Overlay process involves a PRO concept plan and specific PRO conditions in conjunction with a rezoning request. The submittal requirements and the process are codified under the PRO ordinance (Section 7.13.2). Within the process, which is initiated by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval which must be reflected in the Concept Plan and or the PRO agreement.

The PRO conditions must be in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. *Development and use of the property shall be subject to the more restrictive requirements shown or specified on the PRO Plan, and/or in the PRO Conditions imposed, and/or in other conditions and provisions set forth in the PRO Agreement.*

The applicant has listed the following benefits/conditions for development **(Staff comments are in bold)**:

1. The use shall be limited to a car wash. No other uses permitted in the B-3 District would be allowed on this site.
2. The building height will be 24.5 feet, which is more limiting than the 30 feet allowed in the B-3 District.
3. The building setbacks will exceed the B-3 requirements on all sides. Front and exterior side yards are 68-88 ft (30 ft required) and interior side yards are 54-138.6 feet (15 ft required).
4. The façade ordinance requires a minimum of 30% brick on all elevations. The proposed building exceeds this requirement with 49.6 to 59.9%.

Additional conditions to be included in the PRO Agreement, if it should be approved, will likely be added during the review process.

ORDINANCE DEVIATIONS

Section 7.13.2.D.i.c(2) permits deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. These deviations must be accompanied by a finding by City Council that **"each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with the surrounding areas."** Such deviations must be considered by City Council, who will make a finding of whether to include those deviations in a proposed PRO agreement. A PRO agreement would be considered by City Council only after tentative approval of the proposed concept plan and rezoning.

Staff has reviewed the applicant's Concept Plan in as much detail as possible to determine what deviations from the Zoning Ordinance are currently shown. The applicant may choose to revise the concept plan to better comply with the standards of the Zoning Ordinance, or may proceed with the plan as submitted with the understanding that those deviations would have to be approved by City Council in a proposed PRO agreement. **The applicant has not requested any deviations or proposed benefits that would outweigh any detriments. The applicant should refer to all review letters and identify what deviations they would seek and what they would revise the plan to conform.**

The following Ordinance deviations appear to be required based on the site plan. **Staff comments are in bold.**

1. Overhead Door (Sec. 3.10.1.A): In the B-3 District, no overhead door or other type of service bay door is permitted to face a major thoroughfare. A deviation would be required for the car wash tunnel door facing Twelve Mile Road. **No justification has been provided.**
2. Parking Setback (Sec. 3.1.24.D): The existing parking spaces east of the proposed lot line would require a deviation from 10-foot setback (0 feet proposed). **Unclear if this deviation can be included in the PRO Agreement for off-site parcel. Zoning Board of Appeals may need to approve the variance request.**
3. Existing Building Setback (Sec. 3.1.24.D): The existing building (Buddy's Restaurant space) southeast of the proposed lot line may require a deviation from 100-foot setback. **Unclear if this deviation can be included in the PRO Agreement for off-site parcel. Zoning Board of Appeals may need to approve the variance request. Applicant shall provide a dimension to verify proposed setback.**
4. Dumpster (Sec. 4.19.2.F): The current location of the dumpster in front of the building would require a deviation. **No justification has been provided. This deviation may not be supported as it is in a very conspicuous location.**
5. Loading-Unloading Zone (Sec. 5.4.2): Deviation would be required for the lack of a loading zone. **No justification has been provided.**
6. Parking Lot Landscaping (Section 5.5.3.C): Deviation would be required for not providing the required number of accessway perimeter trees. **The deviation is not supported by staff, unless the applicant can provide sufficient justification for the deficiency.**

7. Correlated Color Temperature (Section 5.7.3.F): Deviation may be required for exceeding 3000K Correlated Color Temperature (4000K proposed) for permanent lighting installations. **No justification has been provided.**
8. Section 9 Waiver (Section 5.15): Proposed elevations of the building have an overage of Horizontal lap siding (8-10% proposed, 0% minimum required) and an overage of Asphalt Shingles (31-36% proposed, 25% maximum allowed). **In this case the deviations are not detrimental to the overall design of the building, and consistent with the intent and purpose of the Ordinance.**

APPLICANT'S BURDEN UNDER PRO ORDINANCE

The Planned Rezoning Overlay ordinance (PRO) requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 7.13.2.D.ii states the following:

1. *(Sec. 7.13.2.D.ii.a) The PRO accomplishes the integration of the proposed land development project with the characteristics of the project area in such a manner that results in an enhancement of the project area as compared to the existing zoning that would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. *(Sec. 7.13.2.D.ii.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement such that the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*

IDENTIFYING BENEFITS TO PUBLIC RESULTING FROM THE REZONING AND THE PROPOSED DEVIATIONS

Section 7.13.2.D.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and that the benefits to the public of the proposed PRO rezoning would clearly outweigh the detriments. The following benefit is proposed by the applicant (as listed in their narrative) to qualify as an enhancement of the project area:

- The applicant makes the case that developing a vacant parcel is the benefit of this proposal. The parcel has remained undeveloped since Fountain Walk was developed 22 years ago. They state the continued success of Fountain Walk is a public benefit to the city. **These stated benefits are incidental to any development proposed, not unique to this PRO request, and would not qualify as a "public benefit" that would outweigh the detriments.**

This is a PRO in which the applicant seeks both a rezoning and a list of ordinance deviations. In Staff's opinion the proposed benefits to the City could be enhanced, and we have offered some suggestions for the applicant to consider in this and the other review letters.

The Planning Commission and City Council should offer their thoughts on whether the proposed benefits would qualify, and whether they have other ideas for improvements to the proposal.

NEXT STEP: PLANNING COMMISSION CONSIDERATION OF ELIGIBILITY

The Planning Commission will have an opportunity to discuss the initial submittal and eligibility of the rezoning request from OS-1 (Office Service) and I-1 (Light Industrial) to B-3 (General Business) and RM-1 (Multiple Family Low Rise Residential) with a Planned Rezoning Overlay.

As stated in the newly amended PRO Ordinance,

In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly-identified site-specific conditions relating to the proposed improvements that,

- (1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C below; and*
- (2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.*

(See attachment for Full text, including Subsection C)

CITY COUNCIL CONSIDERATION OF ELIGIBILITY

Following the Planning Commission's initial review of the proposed project, the City Council will likewise have the opportunity to review the PRO proposal and comment on whether the project is eligible for the PRO process.

In this review letter, staff identifies significant concerns with spot zoning, non-compliance with the Master Plan for Land Use, and lack of public benefits. **Based on the feedback provided, and any additional comments from the Planning Commission and City Council, the applicant should consider addressing those comments and revise the drawings accordingly to offset the impacts of the proposed change of use on the surrounding development before the formal PRO Concept submittal. In addition, resolution of the outstanding parcel configuration must be accomplished.**

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0484 or lbell@cityofnovi.org.



Lindsay Bell, AICP, Senior Planner



PLANNING REVIEW CHART: B-3 General Business District with PRO

Review Date: March 18, 2024
Review Type: Initial PRO Plan
Project Name: JZ24-02 JAX KAR WASH (44475 Twelve Mile)
Plan Date: February 9, 2024
Prepared by: Lindsay Bell, Senior Planner
Contact: E-mail: lbell@cityofnovi.org; Phone: (248) 347-0484

Items in **Bold** need to be addressed prior to the approval of the Preliminary Site Plan.

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan	Regional Commercial	General Commercial	No	
Zoning (Effective Jan. 8, 2015)	RC: Regional Center District	B-3: General Business District	No	Rezoning to B-3 requested using PRO
Uses Permitted (Sec 3.1.11.B & C)	Sec 3.1.12.B Principal Uses Permitted.	Auto Wash	Yes	Permitted Use in B-3 District
Auto wash (Sec 4.32)	Permitted use in B-3 when completely enclosed in a building	Wash completely enclosed in a building. There are vacuum stations outside the building.	Yes	
Planned Rezoning Overlay Document Requirements (Section 7.13.2 & Site Plan & Development Manual)				
Written Statement (Section 7.13.2) The statement should include the following:	Statement of eligibility for PRO Approval: Describe the rezoning requested including uses proposed, justification for why it makes sense	Attorney letter states use limited to Auto Wash		
	How does the project constitute an overall benefit to the public that outweighs any material detriments or could otherwise be accomplished without the rezoning?	Letter states development of the property is a benefit to community; protection of surrounding uses from competing uses	No	Review Section 7.13.2 of the ZO to understand PRO requirements for benefits to the public. Cannot be incidental or general benefits of development.
	Deviations and Conditions proposed for inclusion in the PRO Agreement (i.e., Zoning Ordinance deviations,	Use to be restricted to Auto Wash only; height and setbacks more limiting, exceeding brick requirement; no other deviations or conditions noted		Propose conditions that would be more limiting than would be allowed under proposed zoning districts, identify and provide justification of deviations from ZO

	limitation on total units, height or uses, etc)			requirements
Rezoning Traffic Impact Study Site development Manual	Required regardless of site size, with requirements in SDM	Not required as does not meet conditions	NA	
Community Impact Statement (Sec. 2.2)	Required according to site plan manual (SDM link: Site development Manual)	Not required	NA	
Rezoning Signs (Site Plan Development Manual)	Sign location plan Mock-up of sign details	Not provided Not provided	No No	Provide with next submittal – this is required
B-3 Business District Required Conditions (Sec. 3.10)				
Overhead Door (Sec. 3.10.1.A)	No truck well, loading dock, overhead door or other type of service bay door shall face a major thoroughfare, nor an abutting residential district	Car Wash tunnel door will face Twelve Mile Road	No	This will require a variance
Height, bulk, density, and area limitations (Sec 3.1.12)				
Frontage on a Public Street. (Sec. 5.12)	Frontage on a Public Street is required	Frontage on Cabaret and Twelve Mile	Yes	
Access to Major Thoroughfare (Sec. 5.13)	Direct access to Major Thoroughfare is required unless noted in Section 5.13	Access to Twelve Mile via Fountain Walk Road and Cabaret Dr	Yes	
Building Height (Sec. 3.1.12.D)	30 ft	No building details provided, plan indicates height of 22.5 ft	Yes?	
Building Setbacks (Sec 3.1.12.D)				
Front (Twelve Mile)	30 ft.	88.51 ft.	Yes	
Exterior Side (Cabaret)	30 ft.	68.5 ft.	Yes	
Side (east)	15 ft.	138.6 ft	Yes	
Side (south)	15 ft.	54.26 ft	Yes	
Parking Setback (Sec 3.1.12.D)				
Front (Twelve Mile)	20 ft.	Not proposed		

Exterior Side (Cabaret)	20 ft.	Not proposed		-Proposed lot line will be adjacent to existing parking spaces on east side, which will require a parking setback deviation.
Side (east)	10 ft.	Exceeds -off-site spaces will be 0' from proposed lot line	Yes No	
Side (south)	10 ft.	Exceeds	Yes?	
Note To District Standards (Sec 3.6.2)				
Exterior Side Yard Abutting a Street (Sec 3.6.2.C)	All exterior side yards abutting a street shall be provided with a setback equal to the front yard setback requirement of the district in which located.	Cabaret Dr frontage is exterior side yard	Yes	
Minimum Lot Area (Sec. 3.6.2.D)	The minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space requirements	-	TBD	
Off-Street Parking in Front Yard (Sec 3.6.2.E)	Off-street parking shall be permitted in the front yard, except that said parking shall observe the minimum off-street parking setback requirements in Sec. 3.1 and 5.5.3	Not proposed	NA	
Wetland/ Watercourse Setback (Sec 3.6.2.M)	Refer to Sec 3.6.2 for more details.	No wetlands	NA	
Parking setback screening (Sec 3.6.2.P)	Required parking setback area shall be landscaped per sec 5.5.3.	Some landscaping shown on plan		See landscape letter for requirements
Modification of parking setback requirements (Sec 3.6.2.Q)	Refer to Sec 3.6.2 for more details	None proposed	NA	
Parking, Loading, and Dumpster Requirements				
Auto-wash (automatic) (5.2.12.C.)	Two + 1 for each employee + 1 for each vacuum station or similar area	1 per vacuum stall - Required: 23 - Provided: 23 2 + 1 per employee - Required: 6 - Provided: 6	Yes	Applicant states that 5 parking spaces will be provided off-site. Legal document to share parking will be required

		Total: - 28 required - 22 provided		
Parking Space Dimensions and Maneuvering Lanes (Sec. 5.3.2)	- 90° Parking: 9 ft. x 19 ft. - 24 ft. two-way drives - 9 ft. x 17 ft. parking spaces allowed along 7 ft. wide interior sidewalks as long as detail indicates a 4" curb at these locations and along landscaping	24' drive aisle 21' one-way drives Vacuum stalls 12' x 20'	Yes	
Posted Fire Lanes (D.C.S Sec. 158-99(a))	The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet.	Fire lanes are 21 ft. Canopy located over the point of sale must meet the minimum height	Yes	Confirm the height of the structures at POS
Parking stall located adjacent to a parking lot entrance (public or private) (Sec. 5.3.13)	Shall not be located closer than twenty-five (25) feet from the street right-of-way (ROW) line, street easement or sidewalk, whichever is closer	Complies	Yes	
End Islands (Sec. 5.3.12)	- End Islands with landscaping and raised curbs are required at the end of all parking bays that abut traffic circulation aisles. - The end islands shall generally be at least 8 feet wide, have an outside radius of 15 feet, and be constructed 3' shorter than the adjacent parking stall as illustrated in the Zoning Ordinance	Not proposed	NA	
Barrier Free Spaces Barrier Free Code (2012 Michigan Building Code)	- 22 parking spaces: 1 van Accessible Space required - Every 6 or fraction of six accessible parking spaces, at least one shall be van-accessible	Proposed	Yes	
Barrier Free Space Dimensions Barrier Free Code (2012 Michigan Building Code)	- 8' wide with an 8' wide access aisle for van accessible spaces - 8' wide with a 5' wide access aisle for regular accessible spaces	Proposed	Yes	

Barrier Free Signs <i>Barrier Free Code</i>	One sign for each accessible parking space.	Indicated	Yes	
Minimum number of Bicycle Parking <i>(Sec. 5.16.1)</i>	Minimum 2 spaces	Shown	Yes	
Bicycle Parking General requirements <i>(Sec. 5.16)</i>	- No farther than 120 ft. from the entrance being served - When 4 or more spaces are required for a building with multiple entrances, the spaces shall be provided in multiple locations - Spaces to be paved and the bike rack shall be inverted "U" design - Shall be accessible via 6 ft. paved sidewalk	Indicated	Yes	Layout will be reviewed at time of site plan submittal
Bicycle Parking Lot layout <i>(Sec 5.16.6)</i>	Parking space width: 7 ft. One tier width: 11 ft. Two tier width: 18 ft. Maneuvering lane width: 4 ft. Parking space depth: 32 in.	Indicated	Yes	Layout will be reviewed at time of site plan submittal
Loading Spaces <i>(Sec. 5.4.2)</i>	- Loading, unloading space shall be provided in the rear yard at a ratio of 10 sq. ft. for each front foot of building - Except in the case of a double frontage lot, loading-unloading, as well as trash receptacles may be located in an interior side yard beyond the minimum side yard setback requirement of the district; location subject to approval by the City.	Not proposed	No	Provide 500 sf loading area or <u>provide justification for PRO deviation</u>
Dumpster <i>(Sec 4.19.2.F)</i>	- Located in rear yard or interior side yard in case of double frontage - Attached to the building OR - No closer than 10 ft. from building if not attached - Not located in parking	Front yard placement	No	Relocate the dumpster to a less conspicuous location – may be in side yard, but not in front of actual building setback <u>Current location requires a deviation – provide justification.</u>

	- setback - If no setback, then it cannot be any closer than 10 ft, from property line. - Away from Barrier free Spaces			
Dumpster Enclosure (Sec. 21-145. (c))	- Screened from public view - A wall or fence 1 ft. higher than height of refuse bin - And no less than 5 ft. on three sides - Posts or bumpers to protect the screening - Hard surface pad. - Screening Materials: Masonry, wood or evergreen shrubbery	Dumpster enclosure elevation not shown	No	Indicate the height of the dumpster itself and note that the enclosure will be at least one foot higher than the dumpster; screening enclosure should match masonry of building
Outdoor Vacuums	Provide specifications for the vacuums (dimensions, color scheme, decibel level, etc.)	Not provided	No	<u>Include a noise statement to show impact on adjacent uses and compliance with Sec. 5.14.10 – this could be a condition in the PRO Agreement.</u>
Vacuum Enclosure (Sec 4.19.2.F)	Accessory Structure - Must meet the same placement as Dumpster and be screened	Not shown	No	- If proposed show on plans and screen
Flagpoles (Sec 4.19.2.B)	May be located in front or exterior side yard, no closer to ROW than ½ the distance between the ROW and Principal building	Not proposed	NA	
Drive-through Lanes (Sec. 5.3.11)				
Drive-through Lanes Separation (Sec. 5.3.11.A,C)	Drive-through lanes shall be separate from the circulation routes & lanes necessary for ingress to & egress from the property	Separate circulation routes are provided	Yes	
Drive-through setbacks (Sec. 5.3.11.A,B)	Drive through shall follow parking setback requirements and applicable parking lot landscaping requirements	Appears to meet 10-ft side yard setback; 12.13 ft	Yes	

Bypass Lane for Drive-through (Sec. 5.3.11.D)	Drive-through facilities shall provide 1 bypass lane, min. of 18 ft. in width, unless otherwise determined by the Fire Marshal	Bypass lane provided; 21-ft wide	Yes	
Width & Centerline Radius of Drive-through Lanes (Sec. 5.3.11.E,F,H)	Drive-through lanes shall have a minimum 9 ft. width, centerline radius of 25 ft. and a minimum length of 19 ft. per car	Appears to comply	Yes	
Drive-through Lane Delineated (Sec. 5.3.11.G)	Drive-through lanes shall be striped, marked, or otherwise delineated	Appears to be proposed	Yes	
Drive-Thru Stacking Spaces (Sec. 5.3.11.I)	Twenty-five (25) vehicles prior to the tunnel (may be in multiple lanes), three (3) vehicles beyond the tunnel for drying areas.	25 spaces before the tunnel shown Vacuum area beyond tunnel can serve as drying area	Yes	
Lighting and Other Equipment Requirements				
Exterior lighting (Sec. 5.7)	Photometric plan and exterior lighting details needed at time of Final Site Plan submittal	Photometric plan is provided	Yes	
Roof top equipment and wall mounted utility equipment (Sec. 4.19.2.E.ii)	- All roof top equipment must be screened, and all wall mounted utility equipment must be enclosed and integrated into the design and color of the building	Not proposed	NA	If proposed, Please indicate on the next submittal and provide dimensions of any equipment and screening
Roof top appurtenances screening	Roof top appurtenances shall be screened in accordance with applicable facade regulations, and shall not be visible from any street, road, or adjacent property	Not proposed	NA	
Noise Specifications (Sec. 5.14.10.A)	Site proposals must comply with the standards of the noise ordinance.	Specifications not provided.	No	Please indicate noise specifications for the car wash tunnel and vacuums on the next submittal (refer to section 5.14.10.A of the Ordinance)
Sidewalk Requirements				

Sidewalks (Sec. 7.4.2 of the Engineering Design Manual)	- 8-foot sidewalk required along 12 Mile and 6-foot sidewalk along Cabaret Dr	Existing sidewalks present on 12 Mile. New 6' sidewalk on Cabaret Dr indicated	Yes	
Pedestrian Connectivity	Whether the traffic circulation features within the site and location of automobile parking areas are designed to assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets	7-foot sidewalk connection to 12 Mile Road sidewalk. Also to employee parking area	Yes	
Building Code and Other Design Standard Requirements				
Design and Construction Standards Manual	Land description, Sidwell number (metes and bounds for acreage parcel, lot number(s), Liber, and page for subdivisions).	Not Provided	No	Include on cover sheet.
General layout and dimension of proposed physical improvements	Location of all existing and proposed buildings, proposed building heights, building layouts, (floor area in sq. ft.), location of proposed parking and parking layout, streets, and drives, and indicate sq. ft. of pavement area (indicate public or private).	Generally provided	No	See this and other reviews for information to be provided in future submittals
Economic Impact	- Total cost of the proposed building & site improvements - Number of anticipated jobs created (during construction & after building is occupied)		No	Include in the response letter for the next submittal.
Other Permits and Approvals				
Development/ Business Sign	Signage if proposed requires a permit.	Not indicated at this time	NA	If any signage deviations are anticipated, include with the PRO submittal

Development and Street Names	Development and street names must be approved by the Street Naming Committee before Preliminary Site Plan approval	Project name does not require approval.	NA	
Property Split	The proposed property split must be submitted to the Assessing Department for approval.	A split appears to be proposed.	TBD	If proposed, include proposed parcel boundaries and setbacks to existing parking/buildings.
Other Legal Requirements				
Existing Easements	Show all easements on a site survey	Provided on Topo	Yes	
Lighting and Photometric Plan (Sec. 5.7)				
Intent (Sec. 5.7.1)	Establish appropriate minimum levels, prevent unnecessary glare, reduce spillover onto adjacent properties & reduce unnecessary transmission of light into the night sky	Provided	Yes	
Lighting Plan (Sec. 5.7.A.1)	Site plan showing location of all existing & proposed buildings, landscaping, streets, drives, parking areas & exterior lighting fixtures	Provided for subject site	Yes	
Building Lighting (Sec. 5.7.2.A.iii)	Relevant building elevation drawings showing all fixtures, the portions of the walls to be illuminated, illuminance levels of walls and the aiming points of any remote fixtures.	Not provided		Provide with Final Site Plan submittal
Lighting Plan (Sec.5.7.2A.ii)	Specifications for all proposed & existing lighting fixtures	Provided	Yes	
	Photometric data	Provided	Yes	
	Fixture height	Provided	Yes	
	Mounting & design	Provided	Yes	

	Glare control devices	Provided	Yes	
	Type & color rendition of lamps			
	Hours of operation			
Maximum height when abutting residential districts (Sec. 5.7.3.A)	Height not to exceed maximum height of zoning district (or 25 ft. where adjacent to residential districts or uses)	22 feet proposed		
Standard Notes (Sec. 5.7.3.B)	- 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	Notes provided	Yes	
Average light levels (Sec.5.7.3.E)	Average light level of the surface being lit to the lowest light of the surface being lit; not exceed 4:1	3.4:1	Yes	
Color Spectrum Management (Sec. 5.7.3.F)	For all permanent lighting installations - minimum Color Rendering Index of 70 and Correlated Color Temperature of no greater than 3000 Kelvin	80 CRI 4000K	Yes No	 <u>Max 3000K – or seek deviation</u>
Indoor Lighting (Sec. 5.7.3.H)	Indoor lighting shall not be the source of exterior glare or spillover	Not shown		Shall comply
Security Lighting (Sec. 5.7.3.I) Lighting for security purposes shall be directed only onto the area to be secured.	- All fixtures shall be located, shielded, and aimed to not cast light toward adjacent properties or streets, or into the night sky. - Fixtures mounted on the building and designed to illuminate the facade are preferred		TBD	
Parking Lot Lighting (Sec. 5.7.3.J)	- Provide the minimum illumination necessary to ensure adequate vision and comfort.	Appears to comply	Yes	

	- Full cut-off fixtures shall be used to prevent glare and spillover.			
Min. Illumination (Sec. 5.7.3.L)	Parking areas: 0.2 min	0.5 fc	Yes	
	Loading & unloading areas: 0.4 min		NA	
	Walkways: 0.2 min	Not shown	TBD	Provide photometrics of sidewalk areas
	Building entrances, frequent use: 1.0 min	Not shown	TBD	Provide photometrics of building entry areas
	Building entrances, infrequent use: 0.2 min		NA	
Max. Illumination adjacent to Non-Residential (Sec. 5.7.3.K)	When site abuts a non-residential district, maximum illumination at the property line shall not exceed 1 foot candle	0.6 fc	Yes	
Max. Illumination adjacent to Residential (Sec. 5.7.3.L)	When adjacent to residential districts: - All cut off angles of fixtures must be 90° - maximum illumination at the property line shall not exceed 0.5-foot candle - No direct light source shall be visible at the property line that is adjacent to res. at ground level		NA	

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4, and 5 of the zoning ordinance for further details
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

3/19/2024

Engineering Review

Jax Kar Wash Novi

JZ24-02

APPLICANT

Jax Kar Wash

REVIEW TYPE

Initial PRO Plan

PROPERTY CHARACTERISTICS

- Site Location: Northwest corner of Twelve Mile Crossing at Fountain Walk, south of Twelve Mile Road and east of Cabaret Drive
- Site Size: 1.9 acres
- Plan Date: 2/9/2024.
- Design Engineer: PEA Group

PROJECT SUMMARY

- Rezoning of an approximately 1.81-acre parcel from R-C (Regional Center) to B-3 zoning with a PRO.
- Construction of an approximately 6,212 square-foot car wash building and associated parking. Site access would be provided via the interior Fountain Walk roadway.
- Construction of a 6-foot-wide pathway along the Cabaret Drive frontage.
- Water service would be provided by an extension from the existing 12-inch water main along the east side of the property.
- Sanitary sewer service would be provided by an extension from the existing 8-inch sanitary sewer on the northwest side of the property, along with a monitoring manhole.
- Storm water would be collected by a single sewer collection system and will be treated on-site before being discharged to the existing storm water system.

Recommendation

Approval of the Initial PRO Plan is recommended.

Items to be addressed at site plan submittal.

1. The [Non-Domestic User Survey Form](#) for sanitary sewer flow shall be submitted to the City so it can be forwarded to Oakland County.
2. Any work in the Cabaret Drive right-of-way will require a permit from the City of Novi.
3. Show the locations of all light poles on the utility plan. Light poles in a utility easement will require a License Agreement

Sanitary Sewer

4. Provide a sanitary sewer basis of design for the development on the utility plan sheet. (Calculations should use peaking factor of 4.0 and 3.2 People/REU).
5. Provide a sanitary sewer monitoring manhole, unique to this site, within a dedicated access easement or within the road right-of-way. If not in the right-of-way, provide a 20-foot-wide access easement to the monitoring manhole from the right-of-way (rather than a public sanitary sewer easement).

Paving & Grading

6. Provide existing topography and 2-foot contours extending at least 100 feet past the site boundary. Any off-site drainage entering this site shall be identified.
7. A receiving ramp must be installed on the opposite side of the drive at southern end of the proposed sidewalk.
8. Revise paving cross-section details to meet City standards. 8" concrete on 8" 21 AA aggregate, and the asphalt should have an 8" 21 AA base course.

Storm Sewer

9. An easement is required over the storm sewer accepting and conveying off-site drainage. This could be handled by establishing an easement to the off-site first storm structure.

Storm Water Management Plan

10. The Storm Water Management Plan (SWMP) for this development shall be designed in accordance with the Storm Water Ordinance and Chapter 5 of the [Engineering Design Manual](#) (updated Jan 31, 2024)
11. The SWMP must detail the storm water system design, calculations, details, and maintenance as stated in the ordinance.

Irrigation Comments

12. The irrigation plans should be provided at time of site plan submittal, irrigation plans must be approved prior to stamping set submittal.

Easements

13. Any off-site utility easements anticipated must be executed **prior to Stamping Set Approval**. At time of site plan submittal draft easements and a recent title search shall be submitted to the Community Development Department for review and shall be approved by the Engineering Division and the City Attorney prior to executing the easements.

14. The following easements and agreements are required:

- Sidewalk easement for the proposed sidewalk along Cabaret Drive.
- Sidewalk easement for the existing sidewalk along 12 Mile Road.
- A Storm Drainage Facility Maintenance Easement Agreement.
- Sanitary Sewer Monitoring Manhole Easement.
- Emergency access easement from the northern access point to the Cabaret Drive ROW.
- Access easement from the main access point to the Cabaret Drive ROW.
- Off-site temporary construction easement.
- Off-Site Storm drainage easement.

The following must be submitted with the Preliminary Site Plan:

15. A letter from either the applicant or the applicant's engineer must be submitted with the Preliminary Site Plan highlighting the changes made to the plans addressing each of the comments listed above and indicating the revised sheets involved.

To the extent this review letter addresses items and requirements that require the approval of or a permit from an agency or entity other than the City, this review shall not be considered an indication or statement that such approvals or permits will be issued.

Please contact Adam Yako at (248)735-5695 or email at ayako@cityofnovi.org with any questions.



Adam Yako
Project Engineer

cc: Lindsay Bell, Community Development
Humna Anjum, Engineering
Ben Nelson, Engineering
Ben Croy, City Engineer

LANDSCAPE REVIEW



PLAN REVIEW CENTER REPORT

March 6, 2024

Jax Kar Wash

PRO Concept Plan - Landscaping

Review Type

PRO Concept Plan Landscape Review

Job #

JZ24-0002

Property Characteristics

- Site Location: Southeast corner of Twelve Mile Road and Cabaret Drive
- Site Acreage: 1.81 ac.
- Site Zoning: Current: R-C, Proposed: B-3 with PRO
- Adjacent Zoning: North: Twelve Mile Rad/R-A, South, East: R-C, West: OST
- Plan Date: February 9, 2024

Ordinance Considerations

This project was reviewed for conformance with Chapter 37: Woodland Protection, Zoning Article 5.5 Landscape Standards, the Landscape Design Manual and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed and incorporated as part of the Preliminary Site Plan submittal. Underlined items must be addressed on the Final Site Plans. Please follow guidelines of the Zoning Ordinance and Landscape Design Guidelines. This review and the accompanying Landscape Chart are summaries and are not intended to substitute for any Ordinance.

RECOMMENDATION:

This project is **not recommended for approval**. A significant deviation is required by the proposed layout and landscaping that is not supported by staff. In addition, there are a number of changes that can and should be made to make the site conform to the landscape requirements before it can be recommended for approval.

LANDSCAPE DEVIATIONS THAT ARE REQUIRED FOR THE PROPOSED LAYOUT:

- Deficiency in accessway perimeter plantings – *not supported by staff unless the utility easement does not allow plantings along the west edge of the west bypass lane.*

PLEASE REVISE THE LAYOUT, UTILITIES AND LANDSCAPING TO ELIMINATE OR REDUCE THE ABOVE DEVIATIONS.

Ordinance Considerations

Existing Trees (Sec 37 Woodland Protection, Preliminary Site Plan checklist #17 and LDM 2.3 (2))

1. Tree survey is provided.
2. There are no wetlands or regulated woodlands or trees on the site.
3. It appears that a number of existing landscaping trees may be damaged by grading.
Any such plantings must be replaced.

Adjacent to Residential - Buffer (Zoning Sec. 5.5.3.B.ii and iii)

The site is not adjacent to residential property.

Adjacent to Public Rights-of-Way – Berm/Wall, Buffer and Street Trees (Zoning Sec. 5.5.3.B.ii, iii)

1. The required greenbelt widths are provided for both roads.
2. The required greenbelt plantings are provided for both roads.
3. No berms exist or are proposed along either road. As the site is below both roads, and no parking abuts either roads, berms are not required.
4. There is either not room within the right-of-way or sight vision concerns, so no street trees are required along either road.

Parking Lot Landscaping (Zoning Sec. 5.5.3.C.)

1. While the required parking lot interior landscape areas and trees appear to be provided, rearrangements of utilities and trees are required to meet the ordinance requirements.
2. **See the detailed discussion of parking lot landscaping on the landscape chart.**
3. The required number of accessway perimeter trees is not proposed. An existing DTE easement may make it impossible to provide all of the required trees but that information needs to be provided to show that that is the case. **As it is, the deficiency would require a landscape deviation that would not be supported by staff. See the discussion of the issue on the Landscape Chart.**

Building Foundation Landscaping (Zoning Sec 5.5.3.D)

1. Calculations provided and shaded areas indicate that the required foundation plantings will be provided.
2. Please provide detailed foundation planting plans on the Final Site Plans.

Plant List (LDM 4, 10)

1. Provided for all plantings except the Foundation plantings
2. 100% of the proposed trees are native to Michigan.
3. All species but the Tupelos meet the requirements of LDM 4. Please use 6 or less tupelos on the site.

Planting Notations and Details (LDM 10)

Provided

Storm Basin Landscape (Zoning Sec 5.5.3.E.iv and LDM 3)

Underground detention is proposed. If that is approved by engineering, no detention basin landscaping is required.

Irrigation (LDM 10)

1. If an irrigation system will be used, a plan for it must be provided with Final Site Plans.
2. If alternative means of providing water to the plants for their establishment and long-term survival, information regarding that is also required with Final Site Plans.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5621 or rmeader rmeader@cityofnovi.org.



Rick Meader – Landscape Architect

LANDSCAPE REVIEW SUMMARY CHART – PRO Concept Plan

Review Date: March 6, 2024
Project Name: JAX Kar Wash
Project Location: SE Corner of Twelve Mile Road and Cabaret Drive
Plan Date: February 9, 2024
Prepared by: Rick Meader, Landscape Architect E-mail: rmeader@cityofnovi.org;
 Phone: (248) 735-5621

Items in **Bold** need to be addressed by the applicant before approval of the Preliminary Site Plan.
Underlined items need to be addressed for Final Site Plan.

LANDSCAPE DEVIATION REQUIRED BY PLAN:

- Deficiency in accessway perimeter landscaping – *not supported by staff unless the existing utility easement does not allow plantings along the side of the west bypass lane*

Item	Required	Proposed	Meets Code	Comments
Landscape Plan Requirements (LDM (2))				
Landscape Plan (Zoning Sec 5.5.2, LDM 2.e.)	• New commercial or residential developments • Addition to existing building greater than 25% increase in overall footage or 400 SF whichever is less. • 1"=20' minimum with proper North. Variations from this scale can be approved by LA • Consistent with plans throughout set	Landscape Plan: 1" = 20'	Yes	<u>A smaller scale may need to be used for the detailed foundation plantings.</u>
Project Information (LDM 2.d.)	Name and Address	Yes	Yes	
Owner/Developer Contact Information (LDM 2.a.)	Name, address and telephone number of the owner and developer or association	Yes	Yes	
Landscape Architect contact information (LDM 2.b.)	Name, Address and telephone number of RLA/PLA/LLA who created the plan	Janet Evans – PEA	Yes	
Sealed by LA. (LDM 2.g.)	Requires original signature	Copy of seal and signature	Yes	<u>Signature required on final stamping sets</u>
Miss Dig Note (800) 482-7171 (LDM.3.a.(8))	Show on all plan sheets	On title block	Yes	
Zoning (LDM 2.f.)	Include all adjacent zoning	Site: R-C Proposed: B-3 with PRO East, South: R-C	Yes	

Item	Required	Proposed	Meets Code	Comments
		North: 12 Mile Road/R-A West: Cabaret/OST		
Survey information (LDM 2.c.)	• Legal description or boundary line survey • Existing topography	Sheet C-1.0	Yes	
Existing plant material Existing woodlands or wetlands (LDM 2.e.(2))	• Show location type and size. Label to be saved or removed. • Plan shall state if none exists.	• Sheet T-1.0 • No regulated woodlands or trees exist on the site • No wetland exists on the site	Yes	1. As no regulated trees are being removed, no woodland replacements are required 2. Although no regulated trees are being impacted, there are many (approximately 14) existing trees which appear to be impacted to varying degrees by the proposed sidewalk and grading. 3. Please work to reduce those impacts. Any trees from the original approved landscaping that are removed or significantly impacted by the grading will need to be replaced, in addition to the trees required for the car wash.
Soil types (LDM.2.r.)	▪ As determined by Soils survey of Oakland county ▪ Show types, boundaries	No	No	1. Soil information needs to be in set, not necessarily on Landscape Plan. 2. If not provided on the landscape plan, please indicate the location of the soils data with a note on the landscape plan.
Existing and proposed improvements (LDM 2.e.(4))	Existing and proposed buildings, easements, parking spaces, vehicular use areas, and R.O.W	Included on landscape plan	Yes	
Existing and proposed utilities	• Overhead and underground utilities,	• Existing and proposed utility	• Yes • No	1. Please clearly show all utility lines and

Item	Required	Proposed	Meets Code	Comments
(LDM 2.e.(4))	including hydrants • Proposed light posts	lines and structures are shown on the landscape plan • No light posts are shown.		structures on landscape plan. 2. Please state restrictions of the easements regarding plantings within the easement(s) on Sheet L-1.0 (required spacing, plant type limitations, etc.) 3. Please show all proposed lighting fixtures on the landscape plan and resolve planting/post conflicts. 4. Trees should be at least 10 feet from hydrants, catch basins, manholes and sanitary sewer lines. They should also be at least 5 feet from other underground lines. 5. The easement will determine the required spacing from the gas line.
Proposed grading. 2' contour minimum (LDM 2.e.(1))	Provide proposed contours at 2' interval	Sheet C-4.0	Yes	
Snow deposit (LDM.2.q.)	Show snow deposit areas on plan	A long snow deposit area is shown along the bypass lane.	Yes	1. The snow deposit area does not need to be as large as it is. 2. Accessway perimeter canopy trees are required along the bypass lane if the gas line easement will allow them.
LANDSCAPING REQUIREMENTS				
Berms, Walls and ROW Planting Requirements				
Berms				
• All berms shall have a maximum slope of 33%. Gradual slopes are encouraged. Show 1ft. contours • Berm should be located on lot line except in conflict with utilities. • Berms should be constructed of loam with 6" top layer of topsoil.				
Residential Adjacent to Non-residential (Sec 5.5.3.A) & (LDM 1.a)				
Berm requirements (Zoning Sec 5.5.A)	The site is not adjacent to residential property so	No berm is proposed.	Yes	

Item	Required	Proposed	Meets Code	Comments
	this screening is not required.			
Walls (LDM 2.k & Zoning Sec 5.5.3.vi)				
Material, height and type of construction footing	Freestanding walls should have brick or stone exterior with masonry or concrete interior	No new walls are proposed.	NA	
Walls greater than 3 ½ ft. should be designed and sealed by an Engineer		None		
ROW Landscape Screening Requirements (Sec 5.5.3.B. ii) and (LDM 1.b)				
Greenbelt width (2)(3) (5)	• Adjacent to pkg: 20 feet • Not adjacent to pkg: 25 feet	• 12 Mile Rd: 45 ft • Cabaret Dr: 37 ft	• Yes • Yes	
Berm requirements (Zoning Sec 5.5.3.A.(5))				
Min. berm crest width	• Adjacent to pkg: 2 ft • Not adj to pkg: 0 ft	• 12 Mile Rd: 0 ft • Cabaret Dr: 0 ft	• Yes • Yes	As the site is below both roads, berms are not feasible
Minimum berm height (9)	• Adjacent to pkg: 3 ft • Not adj to pkg: 0 feet	• 12 Mile Rd: 0 ft • Cabaret Dr: 0 ft	• Yes • Yes	See above
3' wall	(4)(7)	None		
Canopy deciduous or large evergreen trees Notes (1) (10)	• Adj to pkg: 1 tree/35 ft • Not adj to pkg: 1 tree/60 feet 12 Mile Road: $240/60 = 4$ trees Cabaret Dr.: $250/60 = 4$ trees	• 12 Mile Rd: 18 trees (12 existing + 6 new trees) • Cabaret Dr: 8 trees (all existing)	• Yes • Yes	Please revise the calculations – the accessway parallel to Cabaret does not need to be considered as parking.
Sub-canopy deciduous trees Notes (2)(10)	• Adj to pkg: 1 tree/20 lf • Not adj to pkg: 1 tree/40 lf 12 Mile Road: $240/40 = 6$ trees Cabaret Dr.: $250/40 = 6$ trees	• 12 Mile Rd: 6 trees (2 existing + 4 new trees) • Cabaret Dr: 9 trees (all existing)	• Yes • Yes	See above
Canopy deciduous trees in area between sidewalk and curb (Novi Street Tree List)	• Adj to pkg: 1 tree/35 lf • Not adj to pkg: 1 tree per 35 lf 12 Mile Road: $240/35 = 7$ trees Cabaret Dr.: $250/35 = 7$ trees	• 12 Mile Rd: 0 trees • Cabaret Dr: 0 trees	• No • No	1. 12 Mile Road: Sight visibility concerns make street trees undesirable 2. Cabaret Drive: There is no room in the right-of-way for street trees. 3. Due to the above factors, no street

Item	Required	Proposed	Meets Code	Comments
				trees are required for this project.
Cross-Section of Berms (LDM 2.j)				
Slope, height and width	• Label contour lines • Maximum 33% • Constructed of loam • 6" top layer of topsoil	No berms are proposed	NA	
Type of Ground Cover		NA		
Setbacks from Utilities	Overhead utility lines and 15 ft. setback from edge of utility or 20 ft. setback from closest pole	No utilities or trees are shown on plan	NA	
Parking Area Landscape Requirements LDM 1.c. & Calculations (LDM 2.o.)				
General requirements (LDM 1.c)	• Clear sight distance within parking islands • No evergreen trees	No landscaping is proposed	TBD	
Name, type and number of ground cover (LDM 1.c.(5))	As proposed on planting islands	Seed is indicated with hatching	Yes	
General (Zoning Sec 5.5.3.C.iii)				
Parking lot Islands (a, b. i)	• A minimum of 200 SF to qualify • Minimum 200 SF per tree planted in island • 6" curbs • Islands minimum width 10' BOC to BOC	• Islands' areas in SF are shown. • All islands are large enough.	Yes	
Curbs and Parking stall reduction (c)	Parking stall can be reduced to 17' and the curb to 4" adjacent to a sidewalk of minimum 7 ft.	Vacuum spaces are 20 feet long	No	1. Spaces could be shortened to 17 ft if spaces have 2 ft of overhang available. 2. They should at least be shortened to 19 ft.
Contiguous space limit (i)	• Maximum of 15 contiguous spaced • All endcap islands should also be at least 200sf with 1 tree planted in it.	No bay is longer than 12 spaces	Yes	1. The space at the south end of the east vacuum bay is large enough to have a tree in it and should have a canopy tree in it. 2. Please move the storm line passing through it south to provide the necessary room for a tree and move the interior tree in the long perimeter island

Item	Required	Proposed	Meets Code	Comments
				to that space.
Plantings around Fire Hydrant (d)	- No plantings with matured height greater than 12' within 10 ft. of fire hydrants of utility structures (manholes, catch basins). - Trees also need to have at least 5 feet between the trunk and underground utility lines.	- One existing hydrant is shown just east of the property, near the emergency access entry. - No landscaping blocks it.	Yes	
Clear Zones (LDM 2.3.(5))	The Road Commission for Oakland County (RCOC) clear vision zone is required for Twelve Mile Road as it is their jurisdiction.	No existing or proposed plantings block the Cabaret/Twelve Mile Road intersection visibility	Yes	
Category 1: For OS-1, OS-2, OSC, OST, B-1, B-2, B-3, C, NCC, EXPO, FS, TC, TC-1, RC, Special Land Use or non-residential use in any R district (Zoning Sec 5.5.3.C.iii)				
A = Total square footage of vehicular use area up to 50,000 sf x 7.5%	$A = x \text{ SF} \times 7.5\% = A \text{ sf}$ Vacuum area: $9094\text{sf} \times 7.5\% = 682\text{sf}$	Calculation is provided	Yes	
B = Total square footage of additional paved vehicular use areas over 50,000 SF) x 1 %	$B = x \text{ SF} \times 1\% = B \text{ sf}$	NA		
Category 2: For: I-1 and I-2 (Zoning Sec 5.5.3.C.iii)				
A = Total square footage of vehicular use area up to 50,000 sf x 5%	$A = x \text{ SF} \times 6\% = A \text{ sf}$	NA		
B = Total square footage of additional paved vehicular use areas over 50,000 SF x 0.5 %	$B = (x \text{ SF} - 50000) \times 0.5\%$	NA		
All Categories				
$C = A+B$ Total square footage of landscaped islands required	$C = A + B$ $C = 682 \text{ sf} + 0 = 682\text{sf}$	4014 sf	No	1. Only the corner areas should count, not the long perimeter island. 2. Please add SF labels to the NE and SE corners of the vacuum area. 3. As noted above, the southeast corner

Item	Required	Proposed	Meets Code	Comments
				needs to have a canopy tree in it.
D = D/200 Number of canopy trees required	- D = C/200 = xx Trees - D = 682/200 = 3 trees	3 trees	No	As noted above, the interior tree in the long perimeter island needs to be moved to the southeast endcap island. Please do so.
Parking Lot Perimeter Trees (Sec 5.5.3.C.iv)	1 Canopy tree per 35 lf 383 lf/35 = 11 trees	11 trees	No	1. Parking lot perimeter trees need to be within 15 feet of the parking lot edge. 2. 28lf of the perimeter can be removed from the basis because the building is within 20 feet of the vacuum area. 3. Please move 2 of the perimeter trees farther than 15 feet away from the parking to locations between the building and the vacuum area 4. Please move the third distant tree to a spot near the northeast corner of the vacuum area. The storm manhole may need to be moved.
Accessway perimeter trees (Sec 5.5.3.C.iv.)	1 tree per 35 lf 1327lf/35 = 38 trees Greenbelt and parking lot perimeter trees within 15 feet of the accessway may also be used to count toward the required accessway perimeter trees.	30 trees are provided, including 9 that are shown as replacements and 9 double-counted parking lot perimeter trees or greenbelt trees.	No	1. Unless the utility easement along the west side of the site does not allow it, the entire perimeter should be counted toward the total. 2. Please add trees to the areas missing trees wherever possible by adding required trees and spreading trees out. 3. Currently, a landscape deviation would be required for the deficiency in trees provided. It would not be

Item	Required	Proposed	Meets Code	Comments
				supported by staff. 4. A waiver for frontage within an easement where trees cannot be planted would be supported by staff. 5. See the markup below for what should be included in the accessway perimeter calculation (green line). If the easement prevents the western edge from having trees planted in it, indicate that on the plans.
Other Landscaping				
Other Screening				
Screening of outdoor storage, loading/unloading (Zoning Sec. 3.14, 3.15, 4.55, 4.56, 5.5)		No loading zone is indicated	TBD	<u>Provide proper screening for a loading area such that the area is screened from Cabaret and Twelve Mile Roads</u>
Transformers/Utility boxes (LDM 1.e from 1 through 5)	- A minimum of 2ft. separation between box and the plants - Ground cover below 4" is allowed up to pad. - No plant materials within 8 ft. from the doors	No utility boxes shown	TBD	<u>Provide proper screening for any transformer on the plan.</u>
Building Foundation Landscape Requirements (Sec 5.5.3.D)				
Interior site landscaping SF	- Equal to entire perimeter of the building (less paved access areas) x 8 with a minimum width of 4 ft. - A minimum of 75% of the building should have foundation landscaping. 390 lf x 8ft = 3120 SF	3290 sf (hatched areas indicating areas to be landscaped)	Yes	<u>Please provide detailed landscaping plans on the Final Site Plans.</u>
Zoning Sec 5.5.3.D.ii. All items from (b) to (e)	If visible from public street a minimum of 60% of the exterior building perimeter should be	82% of the Twelve Mile Road building face and 97% of the Cabaret Drive	Yes	

Item	Required	Proposed	Meets Code	Comments
	covered in green space	building face are landscaped		
Detention/Retention Basin Requirements (Sec. 5.5.3.E.iv)				
Planting requirements (Sec. 5.5.3.E.iv)	- Clusters of large native shrubs shall cover 70-75% of the basin rim area located at 10 feet above the permanent water level or pond bottom if it's a dry pond. - Canopy trees at 1/35th of the east, south and west sides of the pond, located at about 10 feet away from the permanent water level 10" to 14" tall grass along sides of basin - Refer to wetland for basin mix	No new above-ground detention is required by engineering and no detention basin landscaping is proposed	Yes	
Phragmites Control (Sec 5.5.6.C)	- Any and all populations of <i>Phragmites australis</i> and/or Japanese knotweed on the site shall be included on tree survey. - Treat populations per MDEQ guidelines and requirements to eradicate the weed from the site.	None indicated	TBD	- Please survey the site for any populations of <i>Phragmites australis</i> and/or Japanese knotweed and add plans for its complete removal if any is found. - If none is found, please indicate that on the survey.
LANDSCAPING NOTES, DETAILS AND GENERAL REQUIREMENTS				
Landscape Notes – Utilize City of Novi Standard Notes				
Installation date (LDM 2.I. & Zoning Sec 5.5.5.B)	- Provide intended dates - Should be between March 15 and November 15.	Between Mar 15 and Nov 15	Yes	
Maintenance & Statement of intent (LDM 2.m & Zoning Sec 5.5.6)	- Include statement of intent to install and guarantee all materials for 2 years. - Include a minimum one cultivation in June, July and August for the 2-year warranty period.	Both notes are included	Yes	
Plant source (LDM 2.n & LDM	Shall be northern nursery grown, No.1 grade.	Yes	Yes	

March 6, 2024

JZ24-0002: JAX KAR WASH

Item	Required	Proposed	Meets Code	Comments
3.a.(2))				
Irrigation plan (LDM 2.s.)	A method for providing the water required for plant establishment and long-term survival must be provided.	No		1. <u>Need for final site plan</u> 2. <u>Please provide either an irrigation system plan or information regarding the alternative method that will be used to water the plants</u> 3. <u>If an irrigation system will be used, it should meet the requirements listed at the end of the chart.</u>
Establishment period (Zoning Sec 5.5.6.B)	2 yr. Guarantee	Yes	Yes	
Approval of substitutions. (Zoning Sec 5.5.5.E)	City must approve any substitutions <u>in writing</u> prior to installation.	Yes	Yes	
Plant List (LDM 4, 11)) – Include all cost estimates				
Quantities and sizes	• A minimum of 50% of species used on the site, not including any woodland replacements, must be native to Michigan.	A plant list for all but foundation plantings is included	Yes	<u>Please add the foundation plantings to the plant list on the Final Site Plans at the latest.</u>
Root type		Yes	Yes	
Botanical and common names	• The Tree Diversity standards of the Landscape Design Manual Section 4 must be met for all non-woodland replacement trees used. • No Prohibited Species listed on Table 11.b.(2)b may be used.	• 8 of 8 species (100%) are native to Michigan • The tree diversity requirement is met for all but the Tupelo	• Yes • No	<u>Please reduce the number of Nyssa sylvatica to no more than 6 trees (15% of total number of trees) by using an additional species or more of an underused species.</u>
Type and amount of lawn		Seed is indicated	Yes	
Cost estimate (LDM 2.t)	For all new plantings, mulch and sod as listed on the plan	No	No	1. <u>Please add on Final Site Plans.</u> 2. <u>Include the foundation plantings in the plant list and cost estimate.</u>
Planting Details/Info (LDM 2.i) – Utilize City of Novi Standard Details				
Canopy Deciduous Tree	Refer to LDM for detail drawings	Yes	Yes	
Evergreen Tree		Yes	Yes	

March 6, 2024

JZ24-0002: JAX KAR WASH

Item	Required	Proposed	Meets Code	Comments
Multi-stem Tree		No	TBD	Please add the detail if multi-stem trees will be used.
Shrub		Yes	Yes	
Perennial/ Ground Cover		Yes	Yes	
Tree stakes and guys. (Wood stakes, fabric guys)		Yes	Yes	
Tree protection fencing	Located at Critical Root Zone (1' outside of dripline)	Yes	Yes	
Other Plant Material Requirements (LDM 3)				
General Conditions (LDM 3.a)	Plant materials shall not be planted within 4 ft. of property line	Yes	Yes	
Plant Materials & Existing Plant Material (LDM 3.b)	Clearly show trees to be removed and trees to be saved.	No	No	1. As noted above, some trees seem to be in danger of impact from the proposed grading. Please work to protect existing trees as much as possible and replace all existing trees that will be impacted by the grading. 2. No woodland replacements are required for this project.
Landscape tree credit (LDM3.b.(d))	- Substitutions to landscape standards for preserved canopy trees outside woodlands/ wetlands should be approved by LA. - Refer to Landscape tree Credit Chart in LDM	None taken		
Plant Sizes for ROW, Woodland replacement and others (LDM 3.c)	Refer to Landscape Design Manual for requirements	Yes		
Plant size credit (LDM3.c.(2))	NA	No		
Prohibited Plants (LDM 3.d)	No plants on City Invasive Species List	No prohibited plants are proposed	Yes	

March 6, 2024

JZ24-0002: JAX KAR WASH

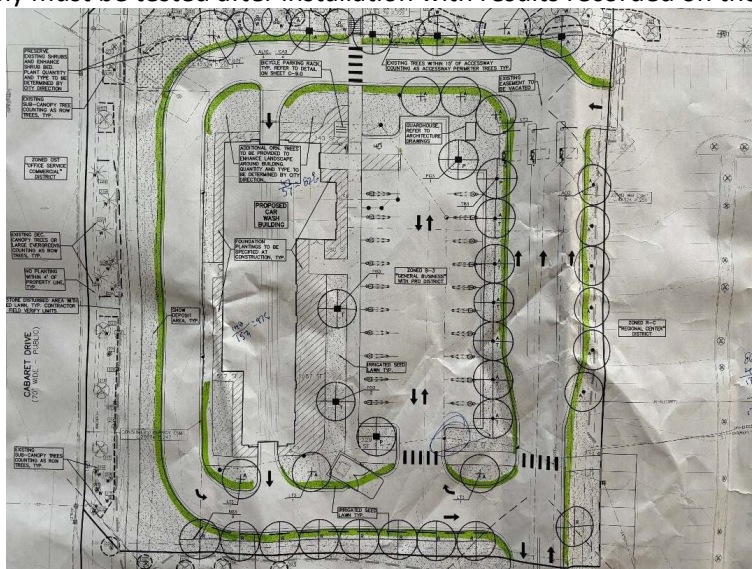
Item	Required	Proposed	Meets Code	Comments
Recommended trees for planting under overhead utilities (LDM 3.e)	Label the distance from the overhead utilities	No overhead lines existing on the site	NA	
Collected or Transplanted trees (LDM 3.f)		No		
Nonliving Durable Material: Mulch (LDM 4)	- Trees shall be mulched to 3" depth and shrubs, groundcovers to 2" depth - Specify natural color, finely shredded hardwood bark mulch. Include in cost estimate.	Indicated in notes and details	Yes	

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. For the landscape requirements, please see the Zoning Ordinance landscape section 5.5 and the Landscape Design Manual for the appropriate items under the applicable zoning classification.

Irrigation System Requirements

- Any booster pump installed to connect the project's irrigation system to an existing irrigation system must be downstream of the RPZ.
- The RPZ must be installed in accordance with the 2015 Michigan Plumbing Code.
- The RPZ must be installed in accordance with the manufacture installation instructions for winterization that includes drain ports and blowout ports.
- The RPZ must be installed a minimum of 12-inches above FINISHED grade.
- Attached is a handout that addresses winterization installation requirements to assist with this.
- A plumbing permit is required.
- The assembly must be tested after installation with results recorded on the City of Novi test report form.



TRAFFIC REVIEW



AECOM
39575 Lewis Dr, Ste. 400
Novi
MI, 48377
USA
aecom.com

Project name:
JZ24-02 – Jax Kar Wash Initial PRO Traffic Review

From:
AECOM

Date:
March 13, 2024

To:
Barbara McBeth, AICP
City of Novi
45175 10 Mile Road
Novi, Michigan 48375

CC:
Lindsay Bell, James Hill, Ian Hogg, Heather Zeigler,
Humna Anjum, Diana Shanahan, Adam Yako

Memo

Subject: JZ24-02 – Jax Kar Wash Initial PRO Traffic Review

The initial PRO site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward until the comments below are addressed to the satisfaction of the City.

GENERAL COMMENTS

1. The applicant, Jax Kar Wash, is proposing a 6,212 SF Jax Kar Wash.
2. The development is located at the northwest corner of the Fountain Walk Center, south of Twelve Mile Road and east of Cabaret Drive. Cabaret Drive is under the jurisdiction of the City of Novi.
3. The site is zoned RC (Regional Center). The applicant is requesting to rezone to B-3 with a PRO.
4. There following traffic related deviations may be required if changes are not made to the plans:
 - a. Lack of loading zone.

TRAFFIC IMPACTS

1. AECOM performed an initial trip generation based on the ITE Trip Generation Manual, 11th Edition, as follows.

ITE Code: 948 – Automated Car Wash
Development-specific Quantity: 1 Tunnel
Zoning Change: RC to B-3 with PRO

Trip Generation Summary	Estimated Trips	Estimated Peak-Direction Trips	City of Novi Threshold	Above Threshold?
AM Peak-Hour Trips	-	-	100	No
PM Peak-Hour Trips	78	39	100	No
Daily (One-Directional) Trips	-	N/A	750	No

2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour, or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
None	N/A

TRAFFIC REVIEW

The following table identifies the aspects of the plan that were reviewed. Items marked O are listed in the City's Code of Ordinances. Items marked with ZO are listed in the City's Zoning Ordinance. Items marked with ADA are listed in the Americans with Disabilities Act. Items marked with MMUTCD are listed in the Michigan Manual on Uniform Traffic Control Devices.

The values in the 'Compliance' column read as 'met' for plan provision meeting the standard it refers to, 'not met' stands for provision not meeting the standard and 'inconclusive' indicates applicant to provide data or information for review and 'NA' stands for not applicable for subject Project. The 'remarks' column covers any comments reviewer has and/or 'requested/required variance' and 'potential variance'. A potential variance indicates a variance that will be required if modifications are not made or further information provided to show compliance with the standards and ordinances. The applicant should put effort into complying with the standards; the variances should be the last resort after all avenues for complying have been exhausted. Indication of a potential variance does not imply support unless explicitly stated.

EXTERNAL SITE ACCESS AND OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
1	Driveway Radii O Figure IX.3	20'	Met	
2	Driveway Width O Figure IX.3	24'	Met	
3	Driveway Taper O Figure IX.11	-	N/A	
3a	Taper length	-	N/A	
3b	Tangent	-	N/A	
4	Emergency Access O 11-194.a.19	2 access points	Met	
5	Driveway sight distance O Figure VIII-E	-	N/A	
6	Driveway spacing			
6a	Same-side O 11.216.d.1.d	-	N/A	
6b	Opposite side O 11.216.d.1.e	-	N/A	
7	External coordination (Road agency)	-	N/A	
8	External Sidewalk Master Plan & EDM	-	N/A	
9	Sidewalk Ramps EDM 7.4 & R-28-J	-	N/A	
10	Any Other Comments:			

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
11	Loading zone ZO 5.4	Not indicated	Inconclusive	Provide in future submittal. A deviation will be required if not provided.
12	Trash receptacle ZO 5.4.4	Indicated	Met	
13	Emergency Vehicle Access	Provided	Met	

INTERNAL SITE OPERATIONS				
No.	Item	Proposed	Compliance	Remarks
14	Maneuvering Lane ZO 5.3.2	21' and 24'	Met	
15	End islands ZO 5.3.12			
15a	Adjacent to a travel way	Dimensioned	Met	
15b	Internal to parking bays	-	N/A	
16	Parking spaces ZO 5.2.12			See Planning review letter.
17	Adjacent parking spaces ZO 5.5.3.C.ii.i	Proposed parking along existing bay of parking	Met	Refer to City approval for lack of internal island for more than 15 spaces, as it is grandfathered in.
18	Parking space length ZO 5.3.2	20' and matching existing at employee spaces	Met	
19	Parking space width ZO 5.3.2	12' at vacuum stations and 9'	Met	
20	Parking space front curb height ZO 5.3.2	4" indicated	Not Met	6" is the standard curb height in front of parking spaces that are greater than 17' in length.
21	Accessible parking – number ADA	1 proposed, 1 required	Met	
22	Accessible parking – size ADA	Dimensioned	Met	
23	Number of Van-accessible space ADA	1 proposed, 1 required	Met	
24	Bicycle parking			
24a	Requirement ZO 5.16.1	2 required, 4 proposed	Met	
24b	Location ZO 5.16.1	Indicated	Met	
24c	Clear path from Street ZO 5.16.1	7'	Met	
24d	Height of rack ZO 5.16.5.B	3'	Met	
24e	Other (Covered / Layout) ZO 5.16.1	Not indicated	Inconclusive	Provide layout and dimensions in future submittal.
25	Sidewalk – min 5' wide Master Plan	7'	Met	
26	Sidewalk ramps EDM 7.4 & R-28-K	Indicated	Met	Update detail R-28 to the latest version "K" in future submittal.
27	Sidewalk – distance back of curb EDM 7.4	-	N/A	Not required along parking.
28	Cul-De-Sac O Figure VIII-F	-	N/A	
29	EyeBrow O Figure VIII-G	-	N/A	
30	Drive-Through ZO 5.3	Bypass lane proposed, 25 stacking spaces prior to tunnel and 3 spaces beyond tunnel	Met	Dimension width of stacking space between the concrete pads.
31	Any Other Comments:			

SIGNING AND STRIPING				
No.	Item	Proposed	Compliance	Remarks
32	Signing: Sizes MMUTCD	Indicated	Met	
33	Signing table: quantities and sizes	Indicated	Met	
34	Signs 12" x 18" or smaller in size shall be mounted on a galvanized 2 lb. U-channel post MMUTCD	Indicated	Met	
35	Signs greater than 12" x 18" shall be mounted on a galvanized 3 lb. or greater U-channel post MMUTCD	Indicated	Met	
36	Sign bottom height of 7' from final grade MMUTCD	Indicated	Met	
37	Signing shall be placed 2' from the face of the curb or edge of the nearest sidewalk to the near edge of the sign MMUTCD	Indicated	Met	
38	FHWA Standard Alphabet series used for all sign language MMUTCD	Indicated	Met	
39	High-Intensity Prismatic (HIP) sheeting to meet FHWA retro-reflectivity MMUTCD	Indicated	Met	
40	Parking space striping notes	Partially Indicated	Partially Met	Label striping to delineate stacking spaces in future submittal.
41	The international symbol for accessibility pavement markings ADA	Indicated	Met	
42	Crosswalk pavement marking detail	Indicated	Met	
43	Any Other Comments:	Could add a "Do Not Enter" sign at tunnel exit.		

Note: Hyperlinks to the standards and Ordinances are for reference purposes only, the applicant and City of Novi to ensure referring to the latest standards and Ordinances in its entirety.

Should the City or applicant have questions regarding this review, they should contact AECOM for further clarification.

Sincerely,

AECOM



Paula K. Johnson, PE
Senior Transportation Engineer



Saumil Shah, PMP
Project Manager

FAÇADE REVIEW



March 5, 2024

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

Façade Review Status:

Approved, Section 9 Waiver Recommended

Attn: Ms. Barb McBeth – Director of Community Development

Re: **FACADE ORDINANCE – Initial PRO Plan**
Jax Car Wash, JZ24-02
Façade Region: 1, Zoning District: RC

Dear Ms. McBeth:

The following Façade Review is based on the drawings prepared by F.A.Studio, dated 1/17/24. The percentages of materials for each façade are shown in the table below. The maximum and minimum percentages required by the Façade Ordinance are shown in the right-hand column. The Sample Board required by Section 5.15.4.D of the Ordinance was provided and indicates carefully coordinated earth-toned colors.

	North (Front)	West (2nd Front)	East	South	Ordinance Maximum (Minimum)
Brick	56%	56%	60%	60%	100% (30%)
Horizontal Lap Siding (Fiber Cement), Painted	8%	10%	9%	9%	0%
Asphalt Shingles	36%	34%	31%	31%	25%

As shown above the percentage of Horizontal Lap Siding and Asphalt Shingles exceed the maximum amounts allowed by the Façade Ordinance on all façades. In this case the relatively small deviations are not detrimental to the overall design of the building and are consistent with the intent and purpose of the Ordinance. A Section 9 Waiver is therefore recommended for the overage of Horizontal Lap Siding and Asphalt Shingles.

Notes to the Applicant:

1. Dumpster Enclosure - Three sides of the dumpster enclosure should be constructed of brick matching the brick used on the primary building.
2. All roof top equipment must be concealed from view from all vantage points both on-site and off-site using extended parapets or roof screens constructed of materials in compliance with the Façade Chart and harmonious with other façade materials.
3. Inspections – The Ordinance requires Façade Inspection(s) for all projects. It is the applicant's responsibility to request the inspection at the appropriate time (before installation). 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>.

Sincerely,
DRN & Architects PC



Douglas R. Necci, AIA

FIRE REVIEW



March 1, 2024

TO: Barbara McBeth - City Planner
Lindsay Bell - Plan Review Center
James Hill – Plan Review Center
Heather Zeigler – Plan Review Center
Diana Shanahan – Planning Assistant

CITY COUNCIL

Mayor

Justin Fischer

Mayor Pro Tem

Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

City Manager

Victor Cardenas

Director of Public Safety

Chief of Police

Erick W. Zinser

Fire Chief

John B. Martin

Assistant Chief of Police

Scott R. Baetens

Assistant Fire Chief

Todd Seog

Novi Public Safety Administration

45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

RE: Jax Kar Wash

PRZ24-0001

Project Description:

Build a car wash off Cabaret Dr. and Twelve Mile

Comments:

- **All** fire hydrants **MUST** be installed and operational prior to any combustible material is brought on site. **IFC 2015 3312.1**
- For new buildings and existing buildings, you **MUST** comply with the International Fire Code Section 510 for Emergency Radio Coverage. This shall be completed by the time the final inspection of the fire alarm and fire suppression permits.
- Fire apparatus access drives to and from buildings through parking lots shall have a minimum fifty (50) feet outside turning radius and designed to support a minimum of thirty-five (35) tons. **(D.C.S. Sec 11-239(b)(5))**
- Fire hydrant spacing shall be measured as "hose laying distance" from fire apparatus. Hose laying distance is the distance the fire apparatus travels along improved access routes between hydrants or from a hydrant to a structure.
- Hydrants shall be spaced approximately three hundred (300) feet apart online in commercial, industrial, and multiple-residential areas. In cases where the buildings within developments are fully fire suppressed, hydrants shall be no more than five hundred (500) feet apart. The spacing of hydrants around commercial and/or industrial developments shall be considered as individual cases where special circumstances exist upon consultation with the fire chief. **(D.C.S. Sec. 11-68 (f)(1)c)**
- Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the code official. **(International Fire Code 912.2.1)**
- The minimum width of a posted fire lane is 20 feet. The minimum height of a posted fire lane is 14 feet. **(D.C.S Sec. 158-99(a).)**

- Proximity to hydrant: In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant. **(Fire Prevention Ord. Sec. 15-17 912.2.3)**
- A hazardous chemical survey is required to be submitted to the Planning & Community Development Department for distribution to the Fire Department at the time any Preliminary Site Plan is submitted for review and approval. Definitions of chemical types can be obtained from the Fire Department at (248) 735-5674.

Recommendation:

Approved with Condition

Sincerely,

A handwritten signature in black ink, appearing to read 'KSP', with a long horizontal flourish extending to the right.

Kevin S. Pierce-Fire Marshal
City of Novi – Fire Dept.

cc: file

APPLICANT RESPONSE LETTERS

LAW OFFICES
LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

37000 GRAND RIVER AVENUE, SUITE 200
FARMINGTON HILLS, MICHIGAN 48335

www.lmdlaw.com

D. B. LANDRY
dlandry@lmdlaw.com

Office: (248) 476-6900

Direct: (248) 919-3783

Fax: (248) 476-6564

April 16, 2024

VIA EMAIL: LBell@cityofnovi.org

Attn: Ms. Lindsay Bell
City of Novi
Planning Department
45175 West 10 Mile Road
Novi, MI 48375-3042

RE: Jax Kar Wash Novi.
JZ 24-02
Application for rezoning with PRO.

Dear Ms. Bell:

Thank you for the review package regarding this Application for Re-Zoning with Planned Re-Zoning Overlay (PRO). Please accept this letter as a response to the City Administration's review comments and further discussion by the applicant regarding the "Public Benefit" aspect of the PRO request.

RESPONSE TO CITY ADMINISTRATION REVIEWS

This project is in the initial stages of the two-step process for Application for Re-Zoning with PRO, as set forth in the City Zoning Ordinance Section 7-13. As such, we are addressing the eligibility of this proposal for a PRO. Zoning Ordinance Section 7-13.2.B.ii provides in part that in order to be eligible for a PRO the Application must include a proposal for a development that "(1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district...and (2) constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed re-zoning." With respect to the proposed site conditions that must be "more strict or limiting than the regulations that would apply to the land under the proposed new zoning district", the applicant is requesting a re-zoning from an RC zoning district to a B-3 zoning district to allow a Jax Kar Wash. The applicant proposes a PRO that would provide that the only B-3 use allowed would be an auto wash use. None of the other B-3 uses will be allowed. Thus, with respect to the use itself, this Application for PRO significantly limits permitted uses from that which would otherwise be allowed in the B-3 district. In addition, as the City has pointed out in the review comments, the proposal limits "the building height will be 24.5 feet, which is more limiting than the 30 feet allowed in the B-3 district...the building set backs will exceed the B-3 requirements on

all sides. Front and exterior side yards are 68-88 feet (30 feet required) and interior side yards are 54-138.6 feet (15 feet required)...the façade ordinance requires a minimum of 30% brick on all elevations. The proposed building exceeds this requirement with 49.6 to 59.9%". (PRO Concept Plan Review page 8). Thus, this application does include aspects which are more strict than the regulations that would apply generally in a B-3 district.

While this is not an application for Final Site Plan Approval at this time, the applicant has submitted in detail a preliminary site plan prepared by the PEA Group. The City conducted a review of this general Preliminary Site Plan and made several comments. Engineering, Traffic, Woodlands, Wetlands, Façade and Fire Department reviews all recommended approval. Planning and Landscaping made numerous comments and suggestions. I have attached hereto as **Exhibit A** a response letter by the PEA Group to the specific comments of Planning and Landscaping with additional comments indicating that the comments of Engineering, Traffic and Fire would be incorporated into the Final Site Plan submission. Of course, the applicant is open to additional comments as this PRO Application works its way through the process at the City of Novi.

PUBLIC BENEFIT

The Planning review questions the "Public Benefit" aspect of this proposal and I would like to respond with a discussion regarding the ordinance language itself and this proposal. Moreover, the applicant would like to offer an additional Public Benefit to the City.

From an applicant standpoint, one of the difficulties of the PRO ordinance is the fact that the ordinance itself, Section 7-13, does not define "Public Benefit". The ordinance merely states that the project must "constitute an overall benefit to the public that outweighs any material detriments". There is no other definition of Public Benefit and we are limited to this language. This language speaks of a Public Benefits that "outweighs any material detriments". Therefore, it appears from this language that the extent of the Public Benefit necessary is to be determined in relation to the extent of any detriment. Thus, if the potential detriments are low then the extent of Public Benefit necessary to outweigh them would be far less then if the detriments were high. Vice versa would also be applicable. Again, this language is all we have to work with.

The planning review states that "the applicant makes the case that developing a vacant parcel is the benefit of this proposal. However, the general public is not likely concerned whether the property remains vacant or not, and the impact is incidental to any development proposed, not unique to this use." (Plan Review Center Report page 2). While we certainly pointed out in our initial narrative letter that the development of this vacant parcel would be a Public Benefit, the extent to the Public Benefit, as we see it, is much more than merely the development of a vacant parcel. Indeed, this parcel is *unique* and we would ask the city to consider the following.

As initially pointed out, this parcel is part of the larger development known as Fountain Walk. Fountain Walk has had a challenging history through the years. It would certainly be a Public Benefit for Fountain Walk to continue as a successful business. While the city is not responsible for making sure that businesses survive, it is certainly a laudable goal of the city to do what is reasonable to make sure than an environment is maintained for businesses to succeed.

This particular parcel is unique in two ways. First, as pointed out in the letter of the owner of Fountain Walk, Michael Zimmerman (which I have attached again as part of **Exhibit B**) there are restrictions on what businesses can be developed within Fountain Walk, i.e., no more restaurants. The only consistent inquiries which Fountain Walk has received regarding the development of this parcel have been from gas stations. While gas stations are not a permitted use in the RC district, Fountain Walk has not requested approval from the city for a gas station on this parcel. Fountain Walk does not want a gas station on this parcel. What is important for Fountain Walk is that the parcel be developed with a use compatible with and complementary of the existing Fountain Walk uses. Attached as part of **Exhibit B** are four letters from existing Fountain Walk tenants supporting this re-zoning application to allow a Jax Kar Wash to be developed. Those tenants speak to how this use would be complementary to the existing uses at Fountain Walk. Indeed, the PRO Zoning Ordinance itself Section 7.13.2.A speaks to the “integration of the proposed land development project with the characteristics of the project area” and speaks to “ensuring that the land use or activity authorized will be compatible with adjacent uses of land”.

The second unique aspect of this parcel is the limitation on its development potential. This is recognized and noted in the city’s Planning review on page 7 which provides as follows:

DEVELOPMENT POTENTIAL

The land is currently vacant, but was cleared/graded when the rest of Fountain Walk was developed in the early 2000s. Development under the current RC zoning could result in a retail restaurant, office, or other permitted use being constructed. However, the RC district requires building setbacks of 100 feet from all property lines, which restricts the developable area of this corner site. Additionally, the site is impacted by two wide (55' and 60') Consumers Energy gas line easements running north and south along the eastern and western areas of the site. These factors constrain the developable area of the site considerably. In the image below, the Consumer easements are shown in yellow, and the green hatch area represents the approximate building area with 100-foot setbacks as required in the RC District.



Thus, because of the building set backs and various utility easements there is a very narrow buildable portion of this parcel. A car wash would fit within that narrow development area. Not much else would.

Currently, there are no stand-alone car washes North of the I-96 freeway in the City of Novi. This is why the applicant seeks this PRO. There is a need in the Northern area of the City which this development would meet.

We believe all of the above constitute a Public Benefit from this project. In contrast, what is the detriment from a car wash at this location? While it is not currently zoned B-3, with a PRO limitation this would be the only B-3 allowed use. A car wash presents no traffic concerns as noted in the traffic review, which recommended approval. No ingress/egress would be allowed from 12 Mile Road or Cabaret Drive. The adjacent public roadways are sufficient to handle the traffic at this regional commercial center and this development would not require roadway upgrades. The hours of operation of a Jax Kar Wash, Monday-Friday 7:00 a.m. to 6:00 p.m. and Saturday/Sunday 8:00 a.m. to 6:00 p.m., are less than many existing businesses at Fountain Walk. We suggest that there are very few detriments to this project. Moreover, we are certainly open to additional suggestions regarding the comments within the landscape review letter which we are confident we can overcome at the site plan stage.

Finally, as an additional Public Benefit, the applicant Jax Kar Wash recognizes that it employs many young high school aged people in the communities where it does business. Jax Kar Wash wants to be an active member of the community. Accordingly, attached as Exhibit C is a letter from the director of the Novi Public Library, Julie Farkas. The applicant has inquired of the library with respect to its needs to better serve High School students in the City of Novi. The library has shared that it has planned to rebuild and refurbish the teen area of the library which has significant use from High Schools students. The cost of this rebuild and refurbishing is \$54,040.52. Jax Kar Wash is offering to fund the entirety of the cost of this rebuild and refurbishing of the teen section as a Public Benefit for the High School students of this City, many of whom it would employ through the coming years. This would certainly be a Public Benefit to Novi.

We thank you for your initial review of this PRO proposal and your consideration of these additional comments and responses. We look forward to meeting with the Planning Commission on April 24, 2024 to hear its review of this proposal and we look forward to meeting similarly with the City Council.

Thank you.

Very truly yours,

LANDRY, MAZZEO, DEMBINSKI & STEVENS, P.C.

/s/ David B. Landry
David B. Landry

DBL/slw

Cc: Barbara McBeth via e-mail
Todd Gesund via e-mail

EXHIBIT A

EXHIBIT A

EXHIBIT A



1849 Pond Run
Auburn Hills, MI 48326

844.813.2949
peagroup.com

April 10, 2024
Project No.: 23-1246

Mr. Lindsay Bell Senior Planner
City of Novi Community Development
45175 West Ten Mile Road
Novi, Michigan 48375

RE: Jax Kar Wash JZ24-02

Dear Ms. Bell:

Based upon the comments in the review letter of March 18, 2024, please note following response regarding the comments:

Planning Review:

Ordinance Deviations:

1. Overhead Door (Section 3.10.1.A)

- Because the subject parcel has essentially three (3) frontage yards (Twelve Mile Road, Cabaret Drive, and Mall Access Drive) the location of the overhead doors associated with the car wash tunnel for this project will be visible regardless of how the car wash is configured. It is for this reason that a deviation is being requested.

2. Parking Setback (Section 3.1.24D)

- If a deviation cannot be granted, we would make application to the Zoning Board of Appeals for a dimension variance.

3. Existing Building Setback (Section 3.1.24D)

- Based upon our measurements, the existing Buddy's Pizza is more than 300' from the proposed Jax Kar Wash.

4. Dumpster (Section 4.19.2F)

- We are proposing to move the dumpster to the north to be placed "behind" the front of the building.

5. Loading/Unloading (Section 5.4.2)

- The proposed car wash does not have a specific need for loading/unloading area for its business operations.

6. Parking Lot Landscaping (Section 5.5.3C)

- The deficiencies in the proposal landscape plan are related to the fact that the site is encumbered with two existing utility easements for gas and electricity which do not permit the planting of landscaping in these easement areas.

7. Correlated Color Temperature (Section 5.7.3F)

- The correlated color temperature will be revised on the site plan submittal drawings.

8. Section 9 Waiver (Section 5.15)

- A waiver is being requested for the overage on horizontal lap siding and asphalt shingles.

Planning Review Chart:

Rezoning Signs:

- The required rezoning signage has been installed.

Posted Fire Lanes:

- The height of the EXP structure will be provided during site plan review.

Dumpster:

- We are proposing to move the dumpster to the north to be placed "behind" the front of the building.

Dumpster Enclosure:

- The required dumpster height and enclosure material will be provided during site plan review.

Outdoor Vacuums:

- A copy of the noise study related to the vacuums and car wash will be provided for review.

Vacuum Enclosure:

- The proposed vacuum system is located within the proposed building, see sheet PFP-1 for details.

Noise Specifications:

- A copy of the noise study related to the vacuums and car wash will be provided for review.

Design and Construction Standards:

- The legal description and sidwell number will be added to the cover sheet.

Economic Impact:

- The economic impact will be provided with the site plan approval documents.

Parcel Split:

- The proposed development will require a land division approval to create the development parcel.

Building Lighting:

- A photometric plan and details for the building lighting were provided with the PRO submittal documents, a copy of these documents will be provided with the site plan approval documents.

Color Spectrum Management:

- The correlated color temperature will be revised on the site plan submittal drawings.

Landscaping:

Ordinance Considerations

- If the existing landscape is damaged during grading, the plantings will be replaced. (Section 37)
- A deviation is requested for parking lot landscaping, see page 2. #6 of this document. (Section 5.5.3C)

Landscape Review summary Chart:

Landscape Plan Requirements:

- Reducing the impact of grading on existing plantings will be maximized as much as possible.
- Soil information is located on sheet C-3.0.
- Utilities, structures, and restrictions of easements are indicated on the Landscape plans.
- Proposed lighting shall be shown on the Landscape plans and will avoid conflict with trees.
- Trees shall be 10' minimum from hydrants, catch basin, manholes and sanitary sewer.
- The easements shall determine the required spacing of proposed trees. Trees will be located outside the utility easements.
- Snow deposit areas shall be smaller in size shown on the Landscape plans.

- Accessway perimeter trees will be added along the bypass lane, where possible outside of the easement.

Landscaping Requirements, Berm Requirement:

- The accessway parallel to Cabaret Dr. tree calculation shall be revised as noted.

Landscaping Requirements, General:

- Parking stall length is noted, refer to civil plans.
- The south end parking space of the east vacuum bay shall include a tree as utilities allow.
- The storm line shall shift, if possible, to allow the above noted tree.

Landscaping Requirements, All Categories:

- Square foot label shall be added to the NE and SE corner of the vacuum area.
- The SE corner area noted above shall include a tree if the storm line can be shifted.

Landscaping Requirements, Parking Lot Perimeter Trees:

- The two trees shall shift farther than 15 feet away from the parking to the area between the building and vacuum area. A note will be added to the landscape plans noting this request.
- The third most distant tree shall move to the NE corner of the vacuum area, the storm catch basin may need to shift to allow this.

Landscaping Requirements, Access perimeter Trees:

- The entire perimeter shall count toward the tree total unless the west side utility does not allow.
- Trees shall be added, when possible, towards the above and spread out evenly as utilities allow.
- Landscape deviation is requested as noted on page 2. #6 of this document. (Section 5.5.3.C)
- If easements prevent trees being planted on the west side, this will be indicated and noted on the landscape plans.

Landscaping Notes, Details and General Requirement:

- Multi stem plant detail will be added to the Landscape Detail sheet.
- Reducing the impact of grading on existing plantings will be considered and noted. Trees will be protected with tree protection fence and replaced if damaged or removed.
- It is noted that no woodland tree replacement is required.

Irrigation Plan:

- Irrigation Plans will be provided for Final Site plan.
- Comments noted in the review letter will be incorporated into the Irrigation Plans.

Engineering

The comments noted in the review letter will be incorporated into the site plan submittal.

Traffic Engineering Review/Traffic Study

The comments noted in the review letter will be incorporated into the site plan submittal.

Fire

The comments noted in the review letter will be incorporated into the site plan submittal.

If you should have any questions, please feel free to contact this office.

Sincerely,

PEA Group



James P. Butler, PE
Principal/Project Executive

EXHIBIT B

EXHIBIT B

EXHIBIT B



TWELVE MILE CROSSING
— AT FOUNTAIN WALK —

November 7, 2023

The City of Novi
45175 W 10 Mile Road
Novi, MI 48375

To The City of Novi,

My name is Michael Zimmermann and I am the owner of the shopping center Twelve Mile Crossing at Fountain Walk. I have been the owner since November 1, 2020. Before that, my father-in-law, Stanley Spigel was the owner. Between the two of us, the center has been owned by our family for almost 15 years. In that time, there has been a very well located piece of land that has been very difficult to sell or lease. The reason being is that this land is subject to all of the restrictions that the center is subject to. There are over 30 tenants and several of them have restrictions in their leases.

These include all competition with existing restaurants so we cannot have any restaurant that competes with any of the 12 existing restaurants. In addition, Dicks and Floor and Décor have several restrictions in their leases for many other businesses, even if it does not compete with them. We have had a lot of interest from Gas Station/Convenience Stores. This is not a use we want adjacent to this center. I have worked very hard in filling the center, which it is now 100% occupied for the first time since it was built, and I do not want any use that does not compliment the center or that brings it down.

Most of the interest has been from investors that want the land to develop as they wish. Other uses have been too competitive with my existing tenants and would violate their leases. It has been very difficult to find a use that was both a high quality tenant and not in violation of our exclusions.

That is why we are excited about Jax Kar Wash. This is a higher quality use that has absolutely no competition with our tenants. It brings a good amount of traffic to the area and will be complimentary to the other tenants. Jax has a phenomenal reputation in metro-Detroit and we feel they will be a good addition to our center. They do not require a lot of parking and the footprint works well for them.

We had to get special amendments from Dicks and Floor and Décor even for this use. They both agreed, but we had to give one of them concessions in order to get this permission. I do not anticipate this causing any traffic issues as the entrance is not going to be on 12 mile Rd. As the final piece to the completed development of this center, I highly encourage the city to approve this use. It has been vacant too long and the interest



TWELVE MILE CROSSING
— AT FOUNTAIN WALK —

is just not there. I feel it could remain vacant for a very long time as there are just not that many uses allowed for this spot. I am free to speak about this at any time. My cell is 214-725-9933. Thank you for your consideration.

Sincerely,

Michael D. Zimmermann

Emagine Entertainment, Inc.
Mailing Address: P.O. Box 841, Troy, MI 48099-0841
Physical Address: 3838 Livernois Rd., Suite 200, Troy, MI 48083

January 17, 2024

Dear Michael,

As a long-standing tenant of Twelve Mile Crossing at Fountain Walk, we very much support the development of a Jax Kar Wash on the outlot located at the northwest corner of the shopping center property. Bringing such an amenity to the center would encourage more annual visitors to the center and complement the already diverse array of services offered in the marketplace. Having recently gone through some challenging times in our industry, and not yet seeing the full recovery in patron count that we enjoyed prior to Covid, we covet the opportunity serve more guests. Not only will such an amenity add to the center's foot traffic, but I can envision a scenario where customers choose to enjoy a feature film while their car is being detailed.

If you require special dispensation to secure the entitlements to move forward with the development, and positive affirmation from members of the business community would be of value, please don't hesitate to call on me.

With best regards,

Paul

Paul A. Glantz

Co-Founder / Chairman

Emagine Entertainment, Inc.

Mailing Address: P.O. Box 841, Troy, MI 48099-0841

Physical Address: 3838 Livernois Rd., Suite 200, Troy, MI 48083

P. 248.842.5817

www.emagine-entertainment.com

From: David Wentrack <dwentrack@buddyspizza.com>

Subject: Jax Car Wash

Date: February 19, 2024 at 12:21:56 PM CST

To: Michael DuBois <michaeld@greenearthrealty.net>

Hi Michael,

As the General Manager of Buddy's Pizza I support Jax being added to the lineup of business here at the mall. I think it would increase traffic. As a long time Detroit business, I believe having another long time Detroit iconic brand nearby can only help businesses in the mall. I hope their plans to be put in the Northwest corner of the mall go forward.

Have a happy Monday,

David Wentrack
General Manager
Buddy's Pizza Novi, MI
dwentrack@buddyspizza.com



Feb. 28, 2024

Jax Kar Wash
Todd Gesund

RE: support of Jax Kar Wash Novi

Dear Todd,

I wanted to share with you our support of Jax Kar Wash entre to the Novi community. Specifically, the area of 12 Mile Rd / Cabaret that is part of the larger 12 Mile Crossing at Fountain Walk retail area that offers dining, nightlife, shopping and more.

Full Throttle Adrenaline Park Novi loves the idea of a car wash nearby like Jax as it would bring more traffic/people to Fountain Walk, as well as an additional benefit to the community for another service to consider when locals and visitors take care of their automobiles.

The Jax Kar Wash brand, based in Detroit since 1950's, is synonymous with excellent service provided by qualified crew members. Your company would be a positive addition and fit right in among other tenants in Fountain Walk.

Understanding there is work yet to be done with regards to current zoning, and necessary re-zoning request along the 12mile Rd / Cabaret border of Fountain Walk. We recommend and look forward to the approval by City Council members of Novi to allow the rezoning of land which ultimately accommodates Jax Kar Wash's specific use.

I look forward to having Jax Kar Wash be part of the growing economic strength which Fountain Walk directly provides to Novi and surrounding communities.

Regards,

A handwritten signature in black ink that reads "Tony Eckrich". The signature is fluid and cursive.

Tony Eckrich
Chief of Staff
Full Throttle Adrenaline Parks

From: Jolene Bell <jolene.bell@puttingedge.com>

Subject: Jax Car Wash

Date: February 14, 2024 at 9:23:27 AM CST

To: Michael DuBois <michaeld@greeneearthrealty.net>

Cc: Mary Ledermann <mary@greeneearthrealty.net>

Hi Michael, I hope you are doing well. This email is in regards to the possibility of a Jax Car Wash in the Fountain Walk Plaza.

We think this would be a good addition as it would bring in more traffic to the mall which could in turn bring us more traffic. This would also enhance the neighborhood appeal.

Thanks,
Jolene

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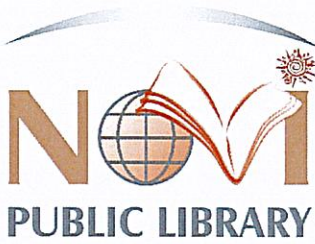
Jolene Bell
Director of Operations
Putting Edge Glow-in-The-Dark Mini Golf

P: [905-364-7901](tel:905-364-7901) | F: [905-364-7889](tel:905-364-7889) | W: www.puttingedge.com

EXHIBIT C

EXHIBIT C

EXHIBIT C



Teen Area at the Novi Public Library

Representatives on behalf of Jax Kar Wash have reached out to Library Administration seeking an opportunity to designate funds to the Novi Public Library as part of a rezoning project in the City of Novi. Jax Car Wash is seeking a rezoning from the City for a lot within Fountain Walk at the corner of 12 Mille Road and Cabaret Drive. Part of a Planned Rezoning Overlay requires that the applicant offers to the city a “Public Benefit.” As a “Public Benefit” there is interest in Jax Kar Wash providing support for the Library’s teen area project that will commence in the summer of 2024. Jax Kar Wash is willing to fund the entire amount of \$54,040.52 to pay for the entire cost for the renovation project.

Novi Public Library has been in existence since 1960 and currently serves a population of over 60,000 residents. In June 2010, the Library opened a new building that expanded its space from 24,000 sq. ft. to over 59,000 sq. ft. With this expansion brought an opportunity for greater service to the teenage population of Novi as the Library sits adjacent to the Novi High School. After school, the Library serves as a primary focus for studying, group work and socializing for students ages 14 – 18. Due to the large usage by this demographic, the Library continues to make accommodations for space, services and resources available to this specific population. A teen area (located on the 2nd floor of the Library) serves as a study and gathering space as well as houses the fiction book collections for young adult readers.

Daily the Library averages approximately 130 visitors between the hours of 3pm- 5pm to use the teen area or drop into an after school program designed for high school students. We built the space and the teenagers have found us to be useful to their after school needs!

Project Background: The Teen Area, now thirteen years old, shows wear and tear on its furnishings as well as a need to accommodate more seating and growth of collections. Therefore, the Library Board, in February 2024, approved a renovation project to begin on the Teen Area in the summer of 2024 which will include:

- moving book collections out of the current space and into a more visible and accessible area just outside the room in order to provide more shelving and growth of reading materials.
- A glass door will be installed to the space to allow for larger groups to meet in the space without disrupting other areas of the Library.
- Additional seating will be added to accommodate a greater use of the space by the teen population. Seating will vary from flexible comfy seating for casual reading, tables and chairs for group discussions and single seating for individual study.

- Updated signage will also be added to the space to invite and encourage more use of the teen area. Right now, the signage says Teen Stop, which catchy at the time the Library opened in 2010, has been called out as a deterrent of use by the demographic it is designed to serve.
- This design also allows for the Library to capture additional seating on its south end by moving some existing round tables that can be repurposed for individual and group use.
- This design allows for growth of seating, collections and a more desirable meeting location for teen users of the Library.

Project Budget: Library staff have met with a library designer to detail the space and furniture needs of the project and provide cost estimates for shelving, furniture, installation of a door, improved signage and the collection relocation.

Estimated cost of the project: \$54,040.52

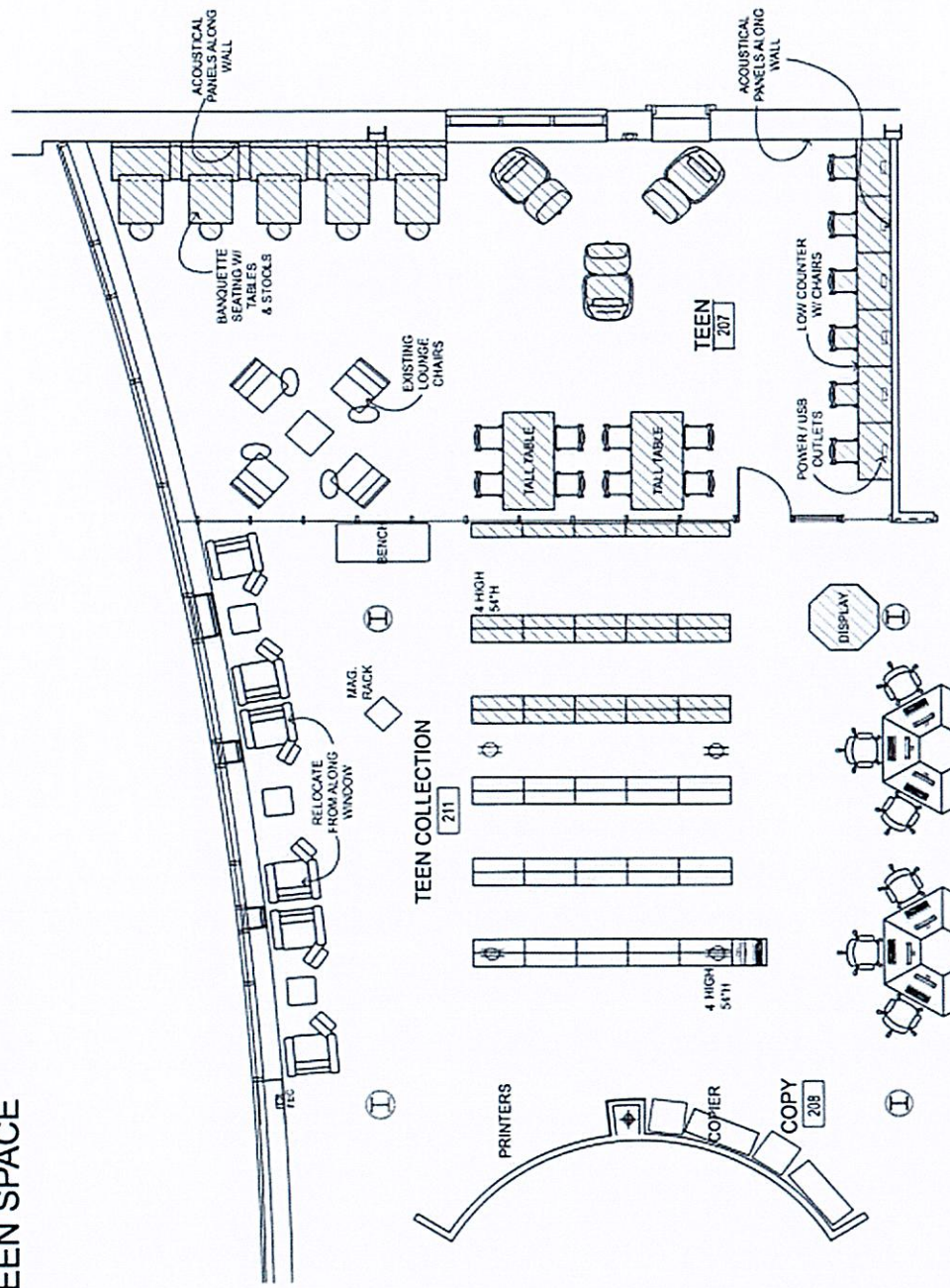
Obtaining outside funding sources to support the teen area renovation would allow the Library to move forward with the project and alleviate concerns for a depleting budget that is currently of concern for future operational needs. Financial assistance for this project would be of great support and benefit to the Library in order to serve the needs of our teen population in Novi.

Breakdown of project costs:

	Description	Cost
Library Collection Shelving	Relocation of shelving, cut shelving to fit new location, addition of end panels and canopy tops	\$18,320.00
Electrical work	Disconnect & remove existing signage (Teen Stop) add plugs for new desks	\$1,985.52
Furniture	(6) Individual Teen Single Face Study Tables	\$9753.00
Furniture	(3) Teen Low Lounge Chairs	\$11,442.00
Entry door	Trendway Volo clear tempered glass door and sidelight includes installation	\$8,640.00
Relocation of Study Carrels	Study carrels relocated for the accommodation of teen shelving	\$1,400.00
Teen Area Signage	New design to be located on either the new door, above the doorway or adjacent on the glass walls	\$2,500

Attached is a diagram of the space renovation for the teen area as well as just outside the space to show the movement of collections for more teen focused reading materials and the new space for gathering.

NOVI PUBLIC LIBRARY TEEN SPACE



SCALE: 1/8" = 1'

For more information regarding the Library teen project, please contact:

Julie Farkas

Director - Novi Public Library

Office: 248-869-7233

Email: jfarkas@novilibrary.org

PLANNING COMMISSION MINUTES – EXCERPT

APRIL 24, 2024

and the second extension was granted April 19, 2023.

Motion to approve the final one year extension for JSP18-76 Scenic Pines made by Member Avdoulos and seconded by Member Lynch.

In the matter of JSP18-76 Scenic Pines, motion to approve a one-year extension of the Final Site Plan approval.

ROLL CALL VOTE ON MOTION TO APPROVE THE ONE YEAR EXTENSION FOR JSP18-76 SCENIC PINES MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH. Motion carried 6-0.

PUBLIC HEARINGS

1. JZ24-02 JAX KAR WASH PRO PLAN WITH REZONING 18.744

Public hearing at the request of Jax Kar Wash for initial submittal and eligibility discussion for a Zoning Map Amendment from Regional Center (RC) to General Business (B-3) with a Planned Rezoning Overlay. The subject site is approximately 1.8-acres of the larger 64-acre parcel containing the Fountain Walk commercial center and is located east of Cabaret Drive, south of Twelve Mile Road (Section 15). The applicant is proposing to develop an enclosed car wash tunnel building with exterior vacuum spaces, which is not a permitted use in the RC District.

Senior Planner Lindsay Bell stated the applicant is proposing to rezone a 1.8-acre portion of the larger Fountain Walk at Twelve Mile Crossing commercial center utilizing the Planned Rezoning Overlay option. The vacant site is located south of Twelve Mile Road, to the east of Cabaret Drive. The Liberty Park residential development is to the north, along with a bank. The Vibe Credit Union headquarters is to the west. On the east and south are parking lots for Fountain Walk.

The current zoning of the property is RC Regional Center. The adjacent parcels on the west are OST Office Service Technology. The Liberty Park area is zoned Residential Acreage but developed under a consent judgment as townhouses, with OS-1 Office Service zoning to the northeast.

The Future Land Use Map identifies this property as Regional Commercial with the rest of Fountain Walk. To the west is planned Office, Research, Development and Technology, and the north side of Twelve Mile is Multiple Family Residential, and northeast is Community Office.

There are no regulated natural features on the site, as it was cleared back when Fountain Walk was developed in the early 2000s.

The applicant is proposing to utilize the Planned Rezoning Overlay to rezone to B-3 General Business in order to develop a tunnel car wash, which is not permitted in the current RC district. The initial PRO plan shows a one-story 6,200 square foot building, with outdoor vacuum stations that are typically associated with this type of car wash. Access to the site would be from the existing Fountain Walk driveway off Cabaret Drive, so no new curb cuts are proposed for either public road frontage.

In their narrative, the applicant describes some of the reasons this site has remained vacant in the 20+ years since Fountain Walk was developed, including being limited by lease agreements to not allow a use that would compete with existing tenants of the center. The RC district also requires 100-foot building setbacks, which limits the developable area for a corner site, especially if it is to be split off from the larger parcel. There are also 55-foot and 60-foot-wide gas line easements that run north-south along both sides of the property. An image displayed depicted the gas easements shown in yellow, and the approximate building area with 100-foot setbacks shown as green hatched areas.

The request to rezone includes the condition to limit the use of the property to a car wash, which would prevent it from being redeveloped into another B-3 use such as a gas station or auto dealership, or any other possible use, unless the agreement is amended. Additional conditions proposed include limitations on building height, exceeding the building setbacks of the B-3 District, and approximately doubling the minimum requirement for brick material on the elevations.

Staff and consultants have identified some issues with the proposed rezoning and PRO Plan. One of the biggest questions with the proposal is whether this would be considered spot zoning, since no like or similar B-3 uses are in proximity. There was also not an obvious benefit to the public proposed as required with a PRO. The applicant's response letter indicates they are proposing to donate funds to the Novi Library in order to refurbish and rebuild the teen area. Planning staff does not believe that this is an appropriate public benefit. The proposed payment is unrelated to the project, or the effects of the project, and would not fall within any of the contemplated descriptions of a benefit as stated in the PRO ordinance. The City has previously declined other offers of this kind in connection with zoning approvals.

Engineering notes there is capacity for the water and sewer demands for the proposed use in the public utilities, and stormwater detention is to be treated on-site before being discharged into the existing storm water system.

The proposed parking lot landscaping is deficient, potentially due to the gas easements. Other deviations include the lack of a loading zone and an overhead door facing a public road. The proposed parcel split will also likely cause variances to be required for the parking and building setbacks on the remaining larger Fountain Walk parcel, which may not be able to be incorporated into the PRO agreement, which may require ZBA approval.

The Façade review notes that the building will require Section 9 façade waivers for an overage of fiber cement horizontal siding and an overage of asphalt shingles on all facades. These waivers are supported as they are minor in nature and do not adversely affect the overall aesthetic quality. The amount of brick proposed significantly exceeds the required amount.

Tonight, the Planning Commission is asked to hold the public hearing, and to offer feedback on whether the project meets the requirements of eligibility for Planned Rezoning Overlay proposal. Members may offer comments for the applicant to consider that would be an enhancement to the project and surrounding area, including suggesting site-specific conditions, revisions to the plans or the deviations requested, and other guidance. Following the Planning Commission public hearing, the project would then go to the City Council for its review and comment on the eligibility.

The applicant Todd Gesund from Jax Kar Wash, along with attorney David Landry, as well as other members of their team, are here representing the project. Staff is also available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

David Landry introduced himself and stated the applicant is anxious to hear the Planning Commission comments and take them into consideration. The parcel is unique and has been vacant since Fountain Walk opened 22 years ago for two main reasons. First, internal restrictions within Fountain Walk dictate that key tenants, such as a restaurant, can restrict competition. The second reason is unique to the parcel since there are setbacks in the RC district and two very large Consumers Energy easements running north and south. A car wash is one of the only things that will actually fit there.

The applicant is seeking a PRO for only one B-3 use, which would be a car wash. It would be entered into the PRO agreement that if anything other than a car wash is proposed there, the zoning reverts back to RC.

With respect to the PRO ordinance, it requires two things in particular. First, that the proposal has to be stricter than the proposed district B-3. The applicant is proposing lower building height, a greater setback, and a facade with much more brick than is required under the city ordinance. With respect to a lot of façade or landscape issues, those are site plan issues that can be dealt with. This is really the early stage of the PRO process.

Five letters were provided, one from the owner of Fountain Walk, Mr. Michael Zimmerman, who is here this evening and would like to briefly address the Planning Commission, Emagine Theater, Buddy's Pizza, Full Throttle Adrenaline Park, and the Putting Edge. All these businesses in Fountain Walk are supportive of Jax Kar Wash and believe it would be an enhancement to Fountain Walk.

The second aspect of the PRO ordinance is the public benefit. Mr. Landry struggles with this. Clients come to his office and question what a public benefit is. Mr. Landry can only deal with the language of the Ordinance, which says an overall benefit to the public which outweighs any material detriments. The public benefit is not specifically defined for all situations, rather it's defined in relation to the detriments from this development.

We can't assess the public benefit until we first assess the detriment, because the public benefit just has to outweigh the detriment. As for site specific, this parcel has remained undeveloped. The development is limited by the uniqueness of the parcel, with the setbacks and the public utilities. The car wash use fits.

As far as detriments are concerned, ingress and egress are not a problem. There's no entrance or exit off Twelve Mile Road or Cabaret Drive, it's off an interior road. Hours of operation are not a problem. It doesn't have any problem with public services, fire or police. The neighbors consider it a benefit. The proposed building is attractive. The public has an interest in the ongoing success of the entire regional Fountain Walk center. We've always considered I-96 as having a significant effect in the planning of the city, north and south. There are currently no standalone car washes north of I-96.

Jax employs young people and would like to do something for them, and has learned the Novi Public Library wants to expand their teen area, which clearly is jammed every day at 3:00 PM when the high school gets out. Jax is offering to finance the rehabilitation of the teen area and thinks it would be a great way to be a public and business resident of the city.

Mr. Landry submits the public benefit, considering all that, outweighs the detriment. Other than the fact that it is not zoned now for a car wash, Mr. Landry does not see what the detriment is, and neither do the neighbors as they are in full support.

Todd Gesund introduced himself as the Vice President and Director of Expansion for Jax Kar Wash and a car wash lifer having grown up and worked in the car wash business since he was nine years old. Mr. Gesund introduced Bruce Milan, a second-generation founder of Jax Kar Wash and also a car wash lifer, Lindon Ivezaj, COO of Cunningham-Limp, Alyssa Cook and Owen Kipke, members of the design build team at Cunningham-Limp, and Civil Engineer Jim Butler, principal at PEA Group. Mr. Gesund stated this project took a long time to come, but hopefully Jax Kar Wash is familiar as it is a Detroit institution.

Mr. Milan, Chairman of the Board, stated that he and Mr. Gesund were friendly competitors for many years and were finally able to join companies. They have grown quite a bit over the last a few years. Mr. Milan has been in the business since 1969, when he got out of the Army and has enjoyed it very much. His father started the business in 1953 and over the years, they've developed a model that works very well. They are able to have high production, so they don't have cars backing up out onto the roads. They are looking forward to being part of Novi.

Mr. Milan was in front of the Planning Commission back in the early 2000's for the rezoning and development of his property at Thirteen Mile and I-275 for Fox Run. He understands the quality of buildings that Novi is looking for and hopes to be able to provide that.

Mr. Gesund stated that something that sets Jax apart, that not a lot of car washes do any more, is when a customer exits the car wash, their vehicle is hand towel dried before it leaves the site. As part of the Jax experience, when a customer pulls on the lot the Jax greeter says hello and the towel dry team says goodbye. Jax builds beautiful buildings, they have the best technology and equipment. They have free vacuums and have indoor mat cleaning rooms at their sites, which also have restrooms in them should customers need them.

Jax is very involved in all the communities in which they reside. From the Jax Gives Back Charity weekend, school fundraisers, school donations, groups and organizations, there is no donation that is ever denied. Jax raises thousands of dollars every year in each of the communities where they reside.

Mr. Gesund grew up a few miles from the site down Twelve Mile Road, so he is very familiar with Novi. He spent a lot of his youth at Twelve Oaks Mall and saw the growth of the Town Center and West Oaks. He is very excited about the site and selected it for several reasons. It is a great community; it fills a geographic need for Jax. There is great retail and entertainment in the area. As Mr. Landry mentioned, there is no car wash north of I-96. Highways are typically divider points for traffic patterns. Jax has a perfect site layout for the car wash. The property is limited as to what can be built there.

Benefits to the community and dense population, as Mr. Landry touched on, are that Jax fills a need for the residents of Novi and is a complementary business to other retail and entertainment, not only at Fountain Walk, but the Novi corridor as well. Jax would complete an empty parcel that has been sitting vacant for 22 years and has very little development potential. Jax builds beautiful buildings and Mr. Gesund thinks that the building would help rejuvenate Fountain Walk.

Mr. Gesund stated we all have kids who have gone through or are still in school. As Mr. Landry mentioned, Jax does a lot with local schools and does all kinds of fundraisers for them. They employ a lot of kids so the opportunity to assist with the new teen space at the library hits close to home.

Mr. Gesund showed several images of the proposed car wash depicting the multiple access points to the site, and the exterior site plan including the stacking space for 20 cars prior to the pay station and an additional 9 cars after. The vacuums and mat cleaning room are on the east side of the property. The motors that run the vacuums are inside the building, which is rare since most are outside. This eliminates most of the noise that comes from the car wash and the only thing that you can hear in the vacuum area is the air blowing through the vacuum.

Jax is very neighborhood friendly. The hours of operation are 7:00 AM to 8:00 PM Monday through Saturday and 8:00 AM to 6:00 PM on Sunday, and the average number of employees at a time on site is 4-6 depending on weather and other factors. Lastly, a car wash is generally not a destination point. Customers mainly come from a three-mile radius and after shopping or eating will stop for a car wash. This represents the synergy and complementary aspect of the car wash business to the other retail and entertainment in the area.

Michael Zimmerman, owner of Fountain Walk, stated that he took over the property in November 2019 and has put every penny above and beyond the loan and bills back into the property to try to get it to what it was intended to be and for the first time in history it is 100% occupied right now. There are festivals, music and kids' events happening. Mr. Zimmerman wants traffic, and the car wash is going to bring people to the center. There are over 30 tenants, and several have restrictions in their leases. This site is not plotted separately so every restriction on the property applies here as well. He is unable to get this site developed. The only offers have been for gas stations, and he will not put a gas station there. Mr. Zimmerman has had developers call to purchase the property and develop it, but he can't do that due to the restrictions of the center. He is looking for traffic generators that aren't going to violate other restrictions, so the property has been vacant. Last year Mr. Zimmerman planted Texas wildflowers on the site, and people would go there to take photos.

In terms of parking, Jax will provide their own parking so that is not an issue. In terms of benefits, right now the site is not generating any property tax, it is platted so there is no tax on it. The benefit is that it is going to bring traffic, which will help other Fountain Walk tenants.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium.

Dorothy Duchesneau, 1191 South Lake Drive, stated she loves the idea of Jax Kar Wash, but thinks they need to think a little more outside the box in terms of public benefit. Although the library is one of Ms. Duchesneau's pet projects, and she agrees that it should be supported, she is also looking at the SMART bus service. In going through other areas, anything from Novi Road and Twelve Mile going east there are stops all over, going west from Novi Road and Twelve Mile there is nothing until the south side of I-96 off Beck Road. Ms. Duchesneau suggested that the public benefit of a bus stop shelter for people to get to Fountain Walk should be something to consider.

Seeing no other audience members who wished to speak, Chair Pehrson confirmed there was no correspondence received, closed the public hearing, and turned the matter over to the Planning Commission for consideration.

Member Lynch stated that one thing he wants to make sure is that this is not a spot zoning. In looking at the property, with the gas lines there, this parcel is really restricted and is really unique. He does not have a problem approving this change of use, mainly because it can be defended. This is a very unique piece of property with many restrictions which makes it very challenging.

One of the deviations requested was an overhead door facing the road. The Planning Commission just approved that on a car wash on Grand River, so Member Lynch does not have a problem with that. The idea of limiting to car wash use only makes sense.

Member Lynch was impressed with the favorable letters received from other Fountain Walk tenants. The operation is not going to interfere with other tenants. In addition to driving traffic to Fountain Walk and those already there using it, there are a lot of adjacent residential areas. It makes sense in this location because as the applicant mentioned there are no car washes north of I-96. The traffic is within the planned volume and there are no curb cuts needed.

In terms of the public benefit for the PRO, the Planning Commission can make suggestions, but overall City Council it is the role of the City Council to determine that.

Member Lynch thinks this will be perfect for the site, he cannot imagine what else could possibly be put there. We want to keep Fountain Walk one of the gems of the City, and want to keep it profitable, so overall Member Lynch has no problems with the car wash proposal.

Member Becker inquired to Mr. Zimmerman whether he personally or his team was involved with negotiating the lease agreements with the current tenants which include covenants that established the noncompeting requirement for new restaurants, or did he inherit these leases when he assumed control of Fountain Walk. Mr. Zimmerman responded that both apply, since he added eight or nine tenants in vacancies and some were existing. Member Becker further inquired if it is correct to say that these restrictive non-compete leasing covenants were never required in any way by any City of Novi ordinance restrictions concerning the usage or businesses of Fountain Walk. Mr. Zimmerman responded that it was the tenants that wanted the non-compete leasing agreements.

Member Becker stated it is interesting and new for him regarding the non-compete agreements, and inquired whether the new Sai Gon Pho Vietnamese restaurant competes with KPOT, which is a Korean BBQ. Mr. Zimmerman responded that they are two totally different things and Sai Gon Pho didn't ask for an exclusion. Member Becker inquired whether the number of restaurants at Fountain Walk is limited, or could more be added as long as they don't compete with existing ones? Mr. Zimmerman responded that more can be added as long as they don't compete, however Fountain Walk is currently full.

Member Becker inquired to Mr. Gesund whether he intends to offer interior detailing services at this proposed Jax location as they do at other sites in Michigan. Mr. Gesund responded that they will be primarily exterior. However, they've been setting up all new builds with the ability to pivot and do what they call a full-service wash. They don't have the space inside the building to do that so what is done at most new builds is to make vacuum spaces three spaces wider to entertain full service. Then there is a small bus terminal-like station where customers wait outside while full service is being done on their vehicle. That plan is down the road, it is not planned for this site yet.

Member Becker stated the issue before the Planning Commission is deciding if the requirements have been established for creating a PRO. The existing regional commercial zoning designation established at least 22 years ago was done to create a specific type of development, regional commercial. The goals were to have a mix of retail businesses, restaurants, and other businesses that would appeal to regional communities, not just to the people who live and work in Novi. The architecture of the buildings for this type of zoning was key. They were taller, harmonious without being cookie-cutter, and they're not small.

The development was meant to be a destination, a magnet that would attract new businesses, patrons, and jobs to Novi. Member Becker found it interesting in Mr. Zimmerman's letter that in trying to find a tenant for the subject property, which has been vacant for 22 years, there has been a lot of interest from gas station/convenience store developers, which Mr. Zimmerman does not want adjacent to Fountain Walk. Member Becker totally agrees, and that is why the parcel is not zoned B-3, but rather RC. The subject parcel isn't actually adjacent to Twelve Mile Crossing, it is part of it.

The applicant seems to be making the case for the PRO due to the hardship of not being able to find a tenant for the subject property in 22 years. The justification is Twelve Mile Crossing executed a number of lease agreements with current tenants that include very restrictive covenants about noncompeting interests and other unstated restrictions. It needs to be pointed out that this hardship has absolutely nothing to do with City of Novi zoning ordinance designation or any other City imposed restrictions. The hardship is completely self-inflicted. This relatively small parcel was created by the original developer's site plan, again, self-inflicted, and the easements for the consolidated gas pipes were known from the very beginning. Member Becker can't help but wonder if the reason for the other larger piece of land with a for lease sign located almost in the center of Twelve Mile Crossing, south of Chuck E. Cheese's, east of Launch Trampoline Park, going undeveloped for 22 years might have the same problems caused by the restrictive lease agreement.

The letter from Mr. Landry mentions there were no standalone car washes north of the I-96 freeway in the City of Novi, there is a need for the northern area of the City and this development would meet that. Using the strict qualifiers of in the City of Novi and north of I-96, this is correct, but it's not the whole truth. Near the intersection of Wixom Road and Grand River, there's a Zax full-service tunnel style car wash less than 50 yards outside the City of Novi. A quarter mile north in Wixom there is Motor City Express Car Wash. Both serve the western and northern parts of our community through main roads.

Two weeks ago, the Planning Commission gave initial approval for another full-service tunnel car wash about an eighth of a mile east of Zax in Wixom, also easily accessible to both halves of the city. For the north central parts of our city, there is a car wash on Novi Road just three-tenths of a mile south of I-96 and easily accessible to communities to the north. Two and a half miles south of this there's another full-service car wash. A new car wash at Meadowbrook and Ten Mile Road is about to open, easily serving residents from the north as soon as we finish construction on Meadowbrook Road.

As for the northern and eastern parts of Novi, there are three different Jax Kar Wash locations in Walled Lake and Commerce, all of them less than two miles from the Fourteen Mile Road City limit. These will be much more likely to be convenient for residents in the northeast quadrant in Novi than a car wash at Twelve Mile Crossing. In short, if you were to lay a rectangle over the area of Eight Mile on the south, Pontiac Trail and Maple Road on the north, Haggerty Road on the east, and Wixom Road on the west, you would have an area of about 48 square miles that currently has eight full-service tunnel car washes, with a ninth in the approval process. That is one car wash for every five square miles, with car washes located in the western, central, and northeast parts of this area. True, not technically within the City of Novi, but still within that area. Member Becker finds it to be a stretch to say that this proposed development is meeting some important, unfulfilled need in our community.

On the Twelve Mile Crossing website the development is described as "where shopping, food and fun come together. An outdoor shopping entertainment complex, Twelve Mile Crossing at Fountain Walk offers a unique blend of retail, restaurants and recreation." How does the car wash fit that mission? As always, Member Becker considers what precedent will be set for the future by approving this PRO, allowing non-conforming businesses to begin cluttering up existing, harmonious developments because Novi did it for Jax and Twelve Mile Crossing. How does a car wash at Twelve Mile Crossing support and enhance our City's concept of an original commercial center enticing people from the region to visit and come to Twelve Mile Crossing? Member Becker just doesn't see where the need has been met for public benefit outweighing the detriments.

Member Dismondy stated that after 22 years of no development there because it's such a complicated site with the easements and setbacks, he figured there'd be more pushback from the neighbors, and they seem to be doing the opposite of pushing back and supporting. The indoor vacuum motors, rather than

exterior, seem good. While it's true, there are a lot of car washes, it just seems like a good use for this site.

Member Roney stated he certainly understands the difficulties in developing this piece of property, it has been vacant for a long time and the property owner certainly has a desire to develop it and has the right to develop it. Member Roney gave a lot of thought to this proposal and agrees that it's difficult to identify any detriments. He talked to a couple of friends who are citizens of Novi and they think it's a good place for a car wash. The key thing when he read the packet was seeing the five businesses give their support. It looked like Fountain Walk was going to fail for a little while, Member Roney is glad to hear it's 100% occupied and if this can keep the business growing in that area and those businesses think it's going to support them, then Member Roney thinks we should support them and sees that as a public benefit. In referring to public benefit, we're not talking about the general public, we're talking about all public, which is also our corporate citizens and if it benefits them, then there's a benefit.

The stretch is the library, but it's creative, a nice gesture towards the City, and it also has a public benefit. The next proposal on the agenda has something somewhat similar, but not quite as far separated. Putting all those together, there is a public benefit through all those supporting Fountain Walk, supporting the businesses, and supporting the library for the teens. Member Roney hopes this project can find its way to move forward with the PRO.

Member Avdoulos stated that he appreciates all his fellow Planning Commissioners' comments and Member Becker's thoroughness as he was looking at it with similar detail. At the same time, Member Avdoulos was looking at this as a site that is indicated as Regional Commercial for Future Land Use and this is a commercial project, so what are the benefits to the site. As indicated, it will promote activity on the site. It is also something that is going to create convenience for the residents around there. It is complementary to what is going on at Fountain Walk, and Member Avdoulos is pleased that it is 100% occupied since he goes there frequently. He thinks a car wash can be a destination spot since he lives on a gravel road.

What Member Avdoulos likes about the proposal is that there are no curb cuts on the main streets, it has internal traffic control. There are escape lanes in case of, for example, a power outage and cars need to leave. He appreciates the limitation of use so that only a car wash is permitted. The 3-dimensional visual that showed the project on the site is great, it shows how it contextually fits on the site.

Member Avdoulos appreciates the donation to the library, but does not think that should be part of the PRO. He liked Ms. Duchesneau's comment on the bus stop shelter, which could benefit the community. He was working on a project in Cincinnati where there was discussion about mass transit, how to engage with the public, and the opportunity to have bus stops close to their facility, so that would be great here.

Member Avdoulos appreciated the discussion on noise mitigation and how it will be handled, as well as the hours of operation and number of employees. From what has been presented, the pros outweigh the cons.

Chair Pehrson stated there is a reason why there is a PRO option in the City relative to allowing applicants to come forward with unique opportunities for the City that necessarily weren't considered 10 or 20 years ago with property splits and the way things come about with easements taken into account. When we look at the Master Plan it gives us a guideline, it doesn't give us hard, fast rules, rather a reference point to start. The pros definitely outweigh the cons in this particular application. Chair Pehrson's concern was the public benefit, and he asked the applicant to go back and research. Maybe Ms. Duchesneau's idea could be brought to fruition, and/or something else. He does not discount the idea of a donation to the Public Library but would like to see something affixed to the particular application here.

Chair Pehrson inquired to City Attorney Schultz if there is any guidance relative to past offerings where money is not associated to an application that could be brought forward to help frame something. City Attorney Schultz responded that he could speak with the applicant about that. He tends to agree with comments that if it's not really relating to the development, it is probably not something that would be used as a condition, and thinks we've indicated that to other developers in the past as well. Ultimately the applicant will have to sell this through the process with conditions that aren't related to that donation.

They will get information from this evening, and staff can work with them further but will probably not suggest the donation to the library be in a PRO agreement.

Chair Pehrson appreciates Mr. Landry bringing up the verbiage in the ordinance relative to the PRO, maybe that is something we need to look at going forward, again not to put too much of a restriction on any of the words that were used in trying to interpret what is or isn't but certainly to be able to have it address that particular application.

City Attorney Schultz added that what the Planning Commission and the City Council are doing with the PRO is really making two kinds of findings. First, is the proposal an enhancement to the project area that you couldn't get with the existing zoning or without the PRO. Second, is just a general finding that the rezoning and the use of the PRO is in the public interest. That's a broad question that depends on the number of conditions that are imposed. That's how the ordinance is written. Do the conditions that you are going to impose over and above what they're otherwise obligated to comply with, do those together make this a project in the public interest? Benefits versus detriments is sort of only one aspect of that, and that's going to differ every time. It's part of an overall process that relies mostly on the conditions as opposed to tangible public benefits, which sometimes there won't be.

Chair Pehrson added the opportunity to talk about a PRO involves all those conditions relative to what Planning Commission input is, what the City Council input is, what the citizens input is, relative to restrictions to that particular PRO. He appreciates that the property owner has turned away other proposals that might have additional issues and has done due diligence in trying to make the property something that we're all going to be proud of. In this case, there would be restrictions on the PRO so that if the business failed for some reason, it goes back to ground zero, so we have a level playing field. Again, that's something that probably no one thought of 20 years ago when we were thinking of a Master Plan and how we're going to use this piece of property before this particular center existed. Hopefully, the Planning Commission comments provide the applicant with some valuable input, and we appreciate their time. Chair Pehrson looks forward to driving his car through a Jax Kar Wash in the near future.

This agenda item was discussed, but a motion on the item was not required.

2. JZ22-28 ELM CREEK PRO PLAN WITH REZONING 18.737

Public hearing at the request of Toll Brothers, Inc. for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) with a Planned Rezoning Overlay. The subject site is approximately 37-acres and is located south of Twelve Mile Road, west of Meadowbrook Road (Section 14). The applicant is proposing to develop a two-phased 121-unit multiple-family townhome development.

Senior Planner Bell stated the applicant is proposing to rezone about 37 acres south of Twelve Mile Road, on the west side of Meadowbrook Road, utilizing the Planned Rezoning Overlay (PRO) option. The existing development to the north and east is largely office, with some vacant parcels. The Waltonwood Senior Living facility is to the west, along with Twelve Oaks Lake.

The current zoning of the property is mostly OST – Office Service Technology, and a portion on the west side is RM-1. The properties to the north, east and south are also zoned OST. The area to the west is RM-1 Low Rise Multiple Family.

The Future Land Use Map identifies this property and those around it as Office, Research Development and Technology, which is consistent with the current zoning. The area to the west is designated Planned Development 1, which allows for multi-family development.

The natural features map shows there are significant wetland and woodland areas on this property as well as to the north and south. The tree and wetland surveys provided by the applicant confirm these features with more precise boundaries.

You may recall that the Planning Commission reviewed and offered feedback on the initial PRO request



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Consideration of request for Fireworks Permit by Eddie Hesano to be operated by Great Lakes Fireworks, LLC, on Saturday, July 27th, 2024 on Walled Lake.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Eddie Hesano, a Novi resident and operator of Eddie's Barrel of Wine in Walled (127 e Walled Lake Dr.), is seeking approval for a fireworks display on Walled Lake after dusk on Saturday, July 27th, 2024. The applicant proposes the show be launched from a barge in the center of Walled Lake.

The Michigan Fireworks Safety Act requires the applicant to receive authorization from the municipality where the display will take place, since loading of the barge and show will all take place in Novi, the applicant is coming before the City Council for approval. Additionally, the State of Michigan requires the applicant to furnish adequate insurance coverage with the Fireworks Permit Application. The Certificate of Liability Insurance is acceptable and provides an endorsement listing the City of Novi as an Additional Insured. Great Lakes Fireworks LLC, a licensed pyrotechnic operator, is listed as the entity in charge of the display.

The Novi Fire Department/Fire Marshal has conducted a site inspection, and an additional inspection will occur once the show is complete. Additional Police and Fire Department personnel will be assigned for the duration of the event to ensure that all safety measures and processes are adhered to according to the fireworks permit.

The matter of public firework displays has been brought before the City Council previously. Back in August of 2023 when a request from the same applicant was requested for a show during the Labor Day holiday. That specific request was ultimately denied by City Council. Prior to that request, City Council did provide approval for a display on July 22, 2023. Since the requests from 2023 the Ordinance Review Committee has met on May 6th and discussed moving forward with proposed ordinance language for a Display Fireworks Permit process. Due to time constraints, it is not possible for an ordinance amendment to be in place to go through the required two (2) readings at City Council and take effect in time for Council to consider this request with a Display Fireworks Permit process in place.

RECOMMENDED ACTION: Consideration of request for Fireworks Permit by Eddie Hesano to be operated by Great Lakes Fireworks, LLC, on Saturday, July 27th, 2024 on Walled Lake.

2024 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY
OF CITY, VILLAGE OR TOWNSHIP
BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc. under the Americans with Disabilities Act, you may make you needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)

☐ Agricultural or Wildlife Fireworks

☐ Articles Pyrotechnic

☒ Display Fireworks

☒ Public Display

☐ Private Display

☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT

Eddie Hesano

ADDRESS OF APPLICANT

AGE OF APPLICANT 18 YEARS OR OLDER

☒ YES ☐ NO

NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER

Great Lakes Fireworks LLC.

ADDRESS OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER

24805 Marine Ave., Eastpointe, MI 48021

IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)

ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)

TELEPHONE NUMBER

NAME OF PYROTECHNIC OPERATOR

Elizabeth Overfield

ADDRESS OF PYROTECHNIC OPERATOR

AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER

☒ YES ☐ NO

NO. YEARS EXPERIENCE

25+

NO. DISPLAYS

200+

WHERE

Throughout Michigan

NAME OF ASSISTANT

Robert Overfield

ADDRESS OF ASSISTANT

AGE OF ASSISTANT 18 YEARS OR OLDER

☒ YES ☐ NO

NAME OF OTHER ASSISTANT

N/A

ADDRESS OF OTHER ASSISTANT

AGE OF OTHER ASSISTANT 18 YEARS OR OLDER

☒ YES ☐ NO

EXACT LOCATION OF PROPOSED DISPLAY

Offshore of 1159 E. Lake Road, Novi, MI 48337 on 2 platforms

DATE OF PROPOSED DISPLAY

July 27, 2024

TIME OF PROPOSED DISPLAY

Approx. 10:00 PM

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT

Stored at federally licensed facility until date of display.

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT)

\$5,000,000

NAME OF BONDING CORPORATION OR INSURANCE COMPANY

Britton Gallagher

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY

One Cleveland Center 1375 East 9th St. 30th Floor, Cleveland, OH, 44114 USA

NUMBER OF FIREWORKS

KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)

450

3" Display Shells

160

4" Display Shells

100

5" Display Shells

70

6" Display Shells

8

8" Display Shells

8

Various barrage cakes 3" and smaller in diameter

SIGNATURE OF APPLICANT

Barry Beltz

DATE

5/16/2024

2024 Permit for Fireworks Other Than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc. under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of an at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) ☐ Agricultural or Wildlife Fireworks ☐ Articles Pyrotechnic ☒ Display Fireworks ☒ Public Display ☐ Private Display ☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
NAME OF PERSON PERMIT ISSUED TO Eddie Hesano		AGE (18 YEARS OR OLDER) ☒ YES ☐ NO
ADDRESS OF PERSON PERMIT ISSUED TO		
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION		
ADDRESS		
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) 450 3" Display Shells 8 Various Barrage Cakes 3" and smaller in diameter 160 4" Display Shells 100 5" Display Shells 70 6" Display Shells 8 8" Display Shells		
EXACT LOCATION OF DISPLAY OR USE Offshore of 1159 E. Lake Road, Novi, MI 48337 on 2 platforms		
CITY, VILLAGE, TOWNSHIP Walled Lake	DATE July 27, 2024	TIME Approx. 10:00 PM
BOND OF INSURANCE FILED Yes		AMOUNT \$5,000,000

Issued by action of the Legislative Body of a City ☐ Village ☐ Township of _____ on the _____ day of _____, 2024. _____ (Signature and Title of Legislative Body Representative)	
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THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT



05/06/2024

NOTICE OF CLEARANCE

for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: GREAT LAKES FIREWORKS LLC
NOTICE DATE: 05/06/2024
EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

Federal Explosives license/permit no.: 4-MI-129-27-6L-01174
Expiration Date: November 1, 2026
Explosives License/Permit Type: 27-DEALER OF EXPLOSIVES

- 1 **WARNING.** Only those individuals listed below as **RESPONSIBLE PERSONS** and **EMPLOYEE POSSESSORS** with a background clearance status of "CLEARED" or "PENDING" are authorized to transport, ship, receive, or possess explosive materials in the course of employment with you.
- 2 **"DENIED" STATUS.** If an employee possessor has a background clearance status of "DENIED", you **MUST** take immediate steps to remove the employee from a position requiring the transporting, shipping, receiving, or possessing of explosive materials. Also, if the employee has been listed as a person authorized to accept delivery of explosive materials, you **MUST** remove the employee from such list and immediately, and in no event later than the second business day after such change, notify distributors of such change, as stated in 27 CFR 555.33(a).
- 3 **CHANGE IN RESPONSIBLE PERSONS.** You **MUST** report any change in responsible persons to the Chief, Federal Explosives Licensing Center, within 30 days of the change and new responsible persons **MUST** include "appropriate identifying information" as defined in 27 CFR 555.11. Fingerprints and photos are **NOT** required, however they will be required upon renewal of the license or permit.
- 4 **CHANGE OF EMPLOYEES.** You **MUST** report any change of employee/possessors to the Chief, FELC, within 30 days. Reports relating to newly hired employees must be submitted on ATF Form 5400.28 for EACH employee.

Premises Address: 3275 W M-76
WEST BRANCH, MI 48661
Mailing Address:
GREAT LAKES FIREWORKS LLC
3275 W M-76
WEST BRANCH, MI 48661

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In accordance with 27 CFR 555.33, Background Checks and Clearances, and 27 CFR 555.57, Change of Control, Change in Responsible Persons, and Change of Employees, ATF's Federal Explosives Licensing Center (FELC) has conducted background checks on the individual(s) you identified as a responsible person(s) and an employee/possessor(s) on your application, or reported after the issuance of your license/permit.

The following is a SUMMARY of the results of the background checks conducted on the individuals you reported as responsible persons and employee/possessors. ATF will be notifying ALL individuals listed on this document of their respective status by separate letter mailed to their residence address.

PLEASE BE ADVISED THAT IT IS UNLAWFUL FOR ANY PERSON REFLECTING A STATUS OF "DENIED" TO TRANSPORT, SHIP, RECEIVE, OR POSSESS EXPLOSIVE MATERIALS.

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Number of RESPONSIBLE PERSON(S) : 7
Number of EMPLOYEE POSSESSOR(S): 104

LAST NAME, First Name, Middle Name
RESPONSIBLE PERSONS: 7

0001 BELTZ, BARRY JOSEPH	Cleared
0002 BELTZ, CHRISTOPHER GEORGE	Cleared
0003 JOHNSON, KAYE MARIE	Cleared
0004 OVERFIELD, ELIZABETH DIANNE	Cleared
0005 OVERFIELD, ROBERT EDWIN	Cleared
0006 TYREE, BRUCE STEPHEN	Cleared
0007 TYREE, NANCY GAIL	Cleared

continued

LAST NAME, First Name, Middle Name
EMPLOYEE POSSESSORS: 104

0001 ADAMS, BART ALLAN	Cleared
0002 ALEXANDER, ROSS RYAN	Cleared
0003 AMES, BRANDI KAY	Cleared
0004 AMSTUTZ, ERIC RYAN	Cleared
0005 AYERS, BRETT	Cleared
0006 AYERS, MORGAN R	Cleared
0007 BAILEY, JACOB LUCAS	Cleared
0008 BARANOSKI, ALEXZANDRIA RENEE	Cleared
0009 BARANOSKI, SCOTT FREDERICK	Cleared

NOTICE OF CLEARANCE

05/06/2024

for individuals transporting, shipping, receiving, or possessing explosive materials.

NOTICE DATE: 05/06/2024

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3275 W M-76
WEST BRANCH, MI 48661

continued from previous page

LAST NAME, First Name, Middle Name Clearance Status

0010 BARNES, DAVID ANTHONY	Cleared
0011 BELTZ, BRIAN FREDERICK	Cleared
0012 BELTZ, DANIEL EDWARD	Cleared
0013 BELTZ, KATHY J	Cleared
0014 BERNDT, ROGER C	Cleared
0015 BESSEN, JOHN EDWIN	Cleared
0016 BOROWICZ, MICHELLE RENEE	Cleared
0017 CAUDILL, DAVID MATTHEW	Cleared
0018 COLLINS, DOROTHY LOUISE	Cleared
0019 COONEY, DANIEL MICHAEL	Cleared
0020 COONEY, JAMES ROBERT	Cleared
0021 CORDES, RODNEY L	Cleared
0022 CORDES, WILLIAM ARNOLD	Cleared
0023 DAWSON, BRIAN KENNETH	Cleared
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0028 DULUDE, THOMAS LEE	Cleared
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0032 DYBLE, MARC THOMAS	Cleared
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0057 LEFFLER, TROY GREGORY	Cleared
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0073 REICHMANN, CHRISTOPHER BRIAN	Cleared
0074 RITCHIE, NEIL DONAHUE	Cleared
0075 SCHANG, MARK ALAN	Cleared
0076 SCHMIDT, RICHARD ANTHONY	Cleared
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0093 TRACE, JASON JOSEPH	Cleared
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0095 VAUGHAN, STEVE RAE	Cleared
0096 WATSON, ALEXANDRIA DANIELLE	Cleared
0097 WATSON, BRIAN LEE	Cleared
0098 WATSON, CODEY MATTHEW	Cleared
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0100 WHYTE, ZACHARY BAILLIE	Cleared
0101 WOJCIECHOWSKI, DAVID GERARD	Cleared
0102 WOMACK, ASHLEY RYAN	Cleared
0103 WOMACK, AUSTIN PHILLIP	Cleared

NOTICE OF CLEARANCE

05/06/2024

for individuals transporting, shipping, receiving, or possessing explosive materials.

NOTICE DATE: 05/06/2024

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

This 'Notice of Clearance' is issued to: GREAT LAKES FIREWORKS LLC

Federal Explosives license/permit no.: 4-MI-129-27-6L-01174

Explosives License/Permit Type : 27-DEALER OF EXPLOSIVES

Expiration Date : November 1, 2026

3275 W M-76

WEST BRANCH, MI 48661

continued from previous page

LAST NAME, First Name, Middle Name

Clearance Status

0104 WUNDER, NICHOLAS ALLEN

Cleared

LAST NAME, First Name, Middle Name

Clearance Status



05/06/2024

NOTICE OF CLEARANCE

for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: GREAT LAKES FIREWORKS LLC

Federal Explosives license/permit no.: 4-MI-129-51-6L-01173

NOTICE DATE: 05/06/2024

Expiration Date: **November 1, 2026**

Explosives License/Permit Type: 51-IMPORTER OF EXPLOSIVES

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Number of EMPLOYEE POSSESSOR(S): 104

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RESPONSIBLE PERSONS:

LAST NAME, First Name, Middle Name	Clearance Status
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0002 BELTZ, CHRISTOPHER GEORGE	Cleared
0003 JOHNSON, KAYE MARIE	Cleared
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0005 OVERFIELD, ROBERT EDWIN	Cleared
0006 TYREE, BRUCE STEPHEN	Cleared
0007 TYREE, NANCY G	Cleared

continued

LAST NAME, First Name, Middle Name
EMPLOYEE POSSESSORS:

LAST NAME, First Name, Middle Name	Clearance Status
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0002 ALEXANDER, ROSS RYAN	Cleared
0003 AMES, BRANDI KAY	Cleared
0004 AMSTUTZ, ERIC RYAN	Cleared
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0006 AYERS, MORGAN R	Cleared
0007 BAILEY, JACOB LUCAS	Cleared
0008 BARANOSKI, ALEXZANDRIA RENEE	Cleared
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Federal Explosives license/permit no.: 4-MI-129-51-6L-01173

Explosives License/Permit Type : 51-IMPORTER OF EXPLOSIVES

Expiration Date : November 1, 2026

3275 W M-76

WEST BRANCH, MI 48661

continued from previous page

LAST NAME, First Name, Middle Name Clearance Status

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0012 BELTZ, DANIEL EDWARD	Cleared
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LAST NAME, First Name, Middle Name Clearance Status

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0079 SHAFFER, ANDREW WILLIAM	Cleared
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NOTICE OF CLEARANCE

05/06/2024

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3275 W M-76

WEST BRANCH, MI 48661

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LAST NAME, First Name, Middle Name

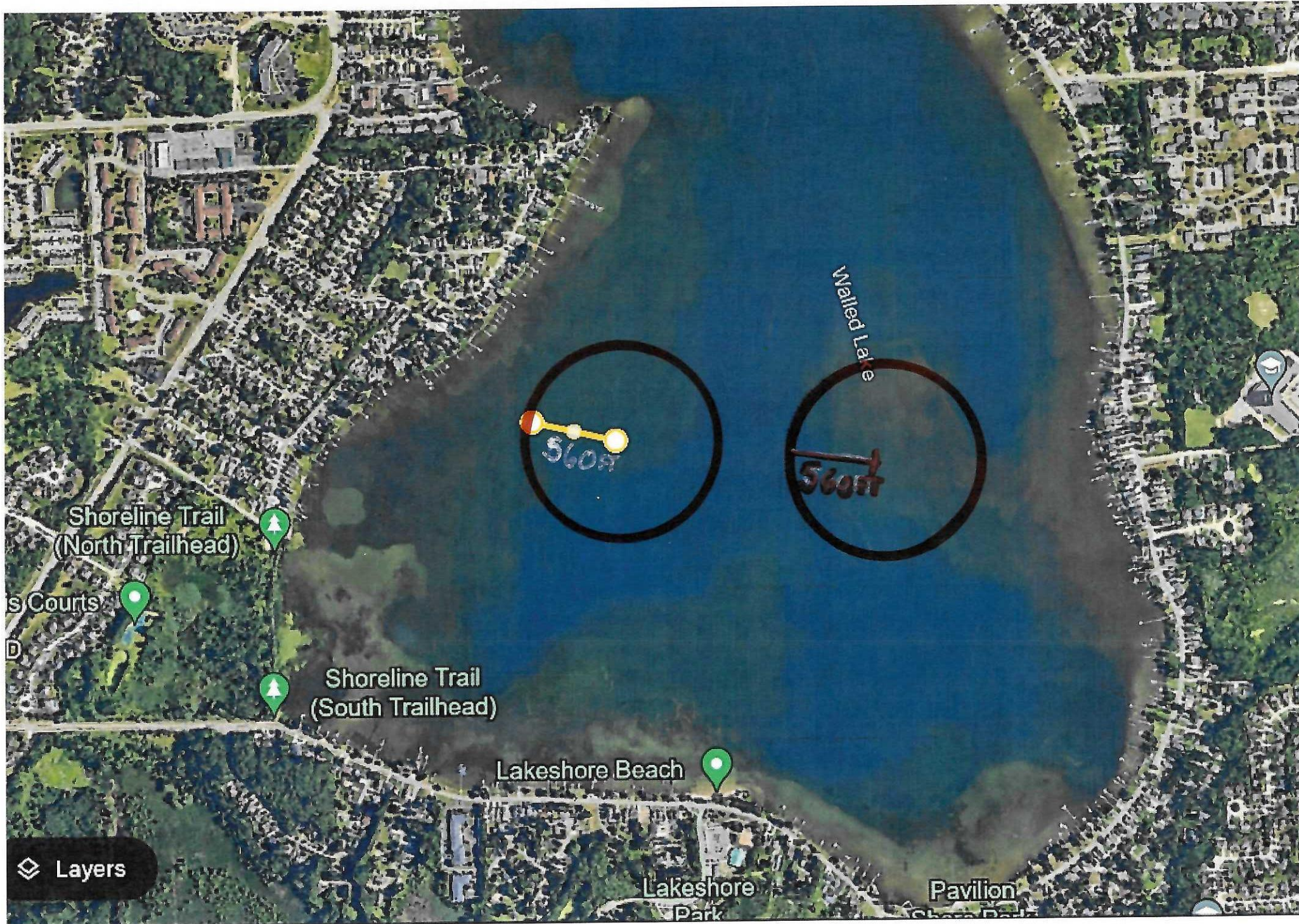
Clearance Status

0104 WUNDER, NICHOLAS ALLEN

Cleared

LAST NAME, First Name, Middle Name

Clearance Status



Shoot Site



MEMORANDUM

TO: MELISSA MORRIS, DEPUTY CITY CLERK

FROM: CHARLES BOULARD, DIRECTOR OF COMMUNITY DEVELOPMENT *CB*

SUBJECT: EDDIES BARREL OF WINE – FIREWORKS

DATE: MAY 15, 2024

-
- ☐ Auctions
 - ☐ Liquor License
 - ☐ Arcade License
 - ☐ Massage License
 - ☐ Outdoor Gathering
 - ☐ Outdoor Seating
 - ☒ Other: Eddies Barrel of Wine – Walled Lake Fireworks Display July 27, 2024

From building safety standpoint, the Building Division does not object to the proposed fireworks show being held on Walled Lake on July 27, 2024, no exceptions taken. Should you have any further questions with regards to this matter please feel free to contact me at (248) 347-0423.



May 20, 2024

TO: Courtney Hanson, City Clerk

FROM: Fire Marshal Kevin S. Pierce

RE: Fireworks display for Eddies Barrels of Wine, 136 E. Walled Lake Dr. Walled Lake Michigan 48390 dated July 27, 2024 @ dusk.

CITY COUNCIL

Mayor

Justin Fischer

Mayor Pro Tem

Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

City Manager

Victor Cardenas

Director of Public Safety

Chief of Police

Erick W. Zinser

Fire Chief

John B. Martin

Assistant Chief of Police

Scott R. Baetens

Assistant Fire Chief

Todd Seog

Novi Public Safety Administration

45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

The loading of the fireworks onto two barges and lighting off of the fireworks has been reviewed under the following:

2015 International Fire Code (City adopted Fire Prevention Code)
P.A. 328 of 1931 as Amended, State of Michigan Fireworks Law
NFPA 1123, Code for Fireworks Display

RECOMMENDED APPROVED.

1. **Corrected 5/20/24 KSP-** A person's name shall be entered in the box on the fire application, not the company's name.
2. **Corrected 5/20/24 KSP-** Elizabeth Overfield is named the assistant. A copy of her license is attached, need a copy of the pyrotechnic operator's license.
3. **Corrected 5/20/24 KSP-** On the application, the exact location of proposed display is off the shore of Eddies Barrels of Wine 136 E Walled Lake Dr. This is on Walled Lakes side of the lake. This needs to be changed to the location in the application diagram which shows the fallout radius is on the Novi's side of the lake. Or the applicant shall pull a permit with Walled Lake.
4. The application states that the fireworks will be lite offshore from 1159 E. Lake Dr, Novi.
5. **Corrected 5/20/24 KSP-** Need to inform the Fire Marshal of the number of barges that will be used for this event. (Not on the application)
6. The vendor for the display is Great Lakes Fireworks LLC., contact is Elizabeth Overfield.
7. Absolutely no smoking or use of open flames in the safety zone.
8. All unauthorized personnel and the general public will be kept away during the fireworks being loaded onto the barge.
9. The storage method and location of the fireworks prior to the show shall be provided and shall be in compliance with NFPA 1123, at no time shall the storage of fireworks be left unattended.

10. The installation of the motor tubes and racks or other launch devices shall be inspected prior to the loading of any pyrotechnics device by a fire department representative.

This fireworks show is proposed to have 8.0" shell as the largest shell to be shot off. This review and approval is based on this information and the submittal by Great Lakes Fireworks LLC. **At no time shall a shell larger than 8.0" be used in this show.**

It shall be noted, that whenever, in the opinion of the Fire Chief or his designee, any hazardous condition exists, the fireworks loading shall be postponed until the condition is corrected this is to include no rain prior to event.

Sincerely,

A handwritten signature in black ink, appearing to read 'KSP', with a long horizontal flourish extending to the right.

Kevin S. Pierce-Fire Marshal
City of Novi – Fire Dept.
cc.file

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, MAY 20, 2024, AT 7:00 P.M.**

Mayor Fischer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith, Staudt, Thomas

ALSO PRESENT: Victor Cardenas, City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 24-05-66 Moved by Casey, seconded by Smith; MOTION CARRIED: 7-0

To approve the agenda as presented

Roll call vote on CM 24-05-66	Yeas: Casey, Gurumurthy, Heintz, Smith, Staudt, Thomas, Fischer Nays: None
--------------------------------------	---

PRESENTATIONS: None

PUBLIC HEARINGS: None

CITY MANAGER REPORT: None

ATTORNEY REPORT: None

AUDIENCE COMMENTS: None

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 24-05-67 Moved by Casey, seconded by Smith; MOTION CARRIED: 7-0

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
May 6, 2024 - Regular Meeting
- B. Approval to award engineering design services to AECOM for the design of Meadowbrook Road Storm Sewer Improvements, 9 Mile Rd to 10 Mile Rd, in the amount of \$68,750.36.
- C. Approval of a Resolution to close Ten Mile Road from the Civic Center to Taft Road, and Taft Road from 10 Mile to south of Grand River Ave (26233 Taft Rd) for the Festival of Chariots from 11:30AM to 1:30PM on Sunday, July 21, 2024.

- D. Approval to apply for the Michigan Department of Labor and Economic Opportunity (LEO) Grant to purchase an additional set of turnout gear for full-time firefighters (30) with an estimated cost to the City of \$6K-\$8K.
- E. Approve the recommendation from the Consultant Review Committee to amend the current contract with Rosati Schultz Joppich and Amtsbuechler to also include Prosecution Services until January 1, 2027.
- F. Approval of claims and warrants – Warrant 1156

Roll call vote on CM 24-05-67

**Yeas: Gurumurthy, Heintz, Smith, Staudt,
Thomas, Fischer, Casey
Nays: None**

MATTERS FOR COUNCIL ACTION:

1. Approval of Resolution to authorize Budget Amendment #2024-4

City Manager Cardenas said this is the second to last budget amendment that will be given to the Council for the year and that this is a work in progress.

CM 24-05-68 Moved by Thomas, seconded by Smith: MOTION CARRIED: 7-0

Approval of Resolution to authorize Budget Amendment #2024-4

Roll call vote on CM 24-05-68

**Yeas: Heintz, Smith, Staudt, Thomas, Fischer,
Casey, Gurumurthy
Nays: None**

2. Consideration of approval to purchase three 2025 Ford Police Interceptor Explorer Hybrids from Lunghamer Ford of Owosso and the purchase of one 2024 Police Chevrolet Tahoe from Berger Chevrolet through the MiDeal Cooperative purchasing contract, in the total amount of \$194,123.

City Manager Cardenas reiterated that with the four Interceptors, this is just to approve the order and that there would be no guarantee that they would be received as the last two orders were cancelled.

CM 24-05-69 Moved by Thomas, seconded by Casey: MOTION CARRIED: 7-0

Approval to purchase three 2025 Ford Police Interceptor Explorer Hybrids from Lunghamer Ford of Owosso and the purchase of one 2024 Police Chevrolet Tahoe from Berger Chevrolet through the MiDeal Cooperative purchasing contract, in the total amount of \$194,123.

Member Smith wanted to know if the reason for ordering three hybrids and one non-hybrid was due to availability. City Manager Cardenas replied that the reason for the non-hybrid was to replace a K9 unit as they are larger for the canines.

Roll call vote on CM 24-05-69 **Yeas: Smith, Staudt, Thomas, Fischer, Casey, Gurumurthy, Heintz**
Nays: None

- 3. Consideration of approval of final payment to Oakland County Water Resource Commissioner for the Novi Trunk Sewer project, in the amount of \$280,000.**

CM 24-05-70 Moved by Thomas, seconded by Casey: MOTION CARRIED: 7-0

Approval of final payment to Oakland County Water Resource Commissioner for the Novi Trunk Sewer project, in the amount of \$280,000.

Roll call vote on CM 24-05-70 **Yeas: Staudt, Thomas, Fischer, Casey, Gurumurthy, Heintz, Smith**
Nays: None

- 4. Approval of the final payment to Merlo Construction Company, Inc. for the 2020 Pathway Gaps and ADA Compliance Program, in the amount of \$155,266.91, plus interest earned on retainage.**

CM 24-05-71 Moved by Heintz, seconded by Smith: MOTION CARRIED: 7-0

Approval of the final payment to Merlo Construction Company, Inc., for the 2020 Pathway Gaps and ADA Compliance Program, in the amount of \$155,266.91, plus interest earned on retainage.

Roll call vote on CM 24-05-71 **Yeas: Thomas, Fischer, Casey, Gurumurthy, Heintz, Smith. Staudt**
Nays: None

- 5. Consideration of approval to award the construction contract to Highway Maintenance and Construction Company, the sole bidder, for the 2024 Capital Preventative Maintenance program, in the amount of \$735,600.01.**

CM 24-05-72 Moved by Smith, seconded by Gurumurthy: MOTION CARRIED: 7-0

Approval to award the construction contract to Highway Maintenance and Construction Company, the sole bidder, for the 2024 Capital Preventative Maintenance program, in the amount of \$735,600.01.

Roll call vote on CM 24-05-72

**Yeas: Fischer, Casey, Gurumurthy, Heintz,
Smith, Staudt, Thomas,
Nays: None**

- 6. Consideration of approval of Change Order No. 3 to Ajax Paving Industries, Inc. for construction of a Beck Road Pavement Preservation Overlay, 9 Mile Road to 11 Mile Road, in the amount of \$1,081,882.04.**

City Manager Cardenas stated what is being proposed in a change order. The city received favorable pricing to provide an asphalt overlay from Nine Mile to Eleven Mile Road. This work will mirror what was done on Ten Mile last year and give the city a window of five to seven years to have the Council and staff look at further options for long-term reconstruction for Beck, be it at its current makeup or larger with more lanes. The City Manager further commented that the city will be able to do this, this construction year, if Wixom gets done in August. The work should take three to four weeks.

CM 24-05-73 Moved by Casey, seconded by Thomas: MOTION CARRIED: 7-0

Approval of Change Order No. 3 to Ajax Paving Industries, Inc. for construction of a Beck Road Pavement Preservation Overlay, 9 Mile Road to 11 Mile Road, in the amount of \$1,081,882.04.

Member Gurumurthy requested that the city look at other road construction schedules to make sure there is as little of an impact as possible. Mayor Fischer echoed the sentiment and added that this work should not get started if Wixom gets delayed. The Mayor confirmed that this project is within the budget.

Roll call vote on CM 24-05-73

**Yeas: Casey, Gurumurthy, Heintz, Smith, Staudt,
Thomas, Fischer
Nays: None**

- 7. Consideration of approval to award the construction contract to Mattioli Cement, the low bidder, for the 2024 and 2025 Concrete Neighborhood Roads Program in the amount of \$2,565,696.80.**

City Manager Cardenas commended Engineering and Public Works staff for getting the bids out there and getting favorable pricing. The companies are well vetted and have served the community over the years.

CM 24-05-74 Moved by Casey, seconded by Smith: MOTION CARRIED: 7-0

Approval to award the construction contract to Mattioli Cement, the low bidder, for the 2024 and 2025 Concrete Neighborhood Roads Program in the amount of \$2,565,696.80.

Roll call vote on CM 24-05-74

**Yeas: Gurumurthy, Heintz, Smith, Staudt,
Thomas, Fischer, Casey**

Nays: None

- 8. Consideration of approval to award the construction contract to Pro-Line Asphalt Paving Company, the low bidder, for the 2024 and 2025 Asphalt Neighborhood Roads Program in the amount of \$3,241,334.**

CM 24-05-75 Moved by Casey, seconded by Smith: MOTION CARRIED: 7-0

Approval to award the construction contract to Pro-Line Asphalt Paving Company, the low bidder, for the 2024 and 2025 Asphalt Neighborhood Roads Program in the amount of \$3,241,334.

Member Gurumurthy observed that there is a lot of road maintenance in the agenda and going forward she would like to see how these maintenance items relate back to the PASER score so the Council can see how their goal is progressing.

Roll call vote on CM 24-05-75

**Yeas: Heintz, Smith, Staudt, Thomas, Fischer,
Casey, Gurumurthy**

Nays: None

- 9. Approval of Zoning Ordinance Text Amendment 18.296 in order to establish the new City West zoning district. SECOND READING**

City Manager Cardenas said this is the second reading for what was decided on and passed in the last Council meeting for option 2 which incorporates the changes wanted, giving the Council early input to the PRO or PUD processes, adding a vet clinic as an approved use and make sure to draw the connections with the active mobility plan and also adding extra floors for a LEED certification. The City Manager reiterated that the rezoning is only for the north side of Grand River from Wixom to Taft.

CM 24-05-76 Moved by Staudt, seconded by Casey: MOTION CARRIED: 7-0

Approval of Zoning Ordinance Text Amendment 18.296 and by reference the City West Design Guide in order to establish the City West zoning district, along with associated ordinance changes to reference the new district, and to amend text related to the EXO District, to reflect an underlying zoning of City West, subject to minor modifications as determined necessary by the City Manager and City Attorney's Office. This motion is made because the proposed City West Rezoning fulfills the concepts provided in the Master Plan for Land Use to provide a new zoning district that will create a vibrant, integrated, mixed-use arts and entertainment district along Grand River Avenue, east of Beck Road, and that would support and

enhance the nearby Suburban Collection Showplace and Ascension Providence Park. SECOND READING

Roll call vote on CM 24-05-76

Yeas: Smith, Staudt, Thomas, Fischer, Casey, Gurumurthy, Heintz

Nays: None

10. Approval of Zoning Map Amendment 18.741 to rezone up to 250 acres of property located north and south of Grand River Avenue, east of Beck Road and west of Taft Road, to CW City West District. SECOND READING

City Manager Cardenas said this is incorporating what was just done in the text amendment and reflecting the change in the map. Mayor Fischer clarified that this would be the north side of Grand River.

CM 24-05-77 Moved by Staudt, seconded by Casey: MOTION CARRIED: 7-0

Approval of Zoning Map Amendment 18.741 to rezone only the north side of Grand River Avenue between Beck Road and Taft Road, consisting of approximately 137 acres of land, from I-1 Light Industrial, and OST Office Service Technology to CW City West District. This motion is made because the proposed City West Rezoning fulfills the concepts provided in the Master Plan for Land Use to provide a new zoning district that will create a vibrant, integrated, mixed-use arts and entertainment district along Grand River Avenue, east of Beck Road, and that would support and enhance the nearby Suburban Collection Showplace and Ascension Providence Park. SECOND READING

Roll call vote on CM 24-05-77

Yeas: Staudt, Thomas, Fischer, Casey, Gurumurthy, Heintz, Smith

Nays: None

11. Consideration of tentative approval of the request of Toll Brothers, LLC, for Elm Creek, JZ22-28 with Zoning Map Amendment 18.732, to rezone property on the west side of Meadowbrook Road, south of 12 Mile Road from Office Service Technology and Low-Rise Multiple Family to Low-Rise Multiple Family with a Planned Rezoning Overlay.

City Manager Cardenas stated the petitioner is requesting a zoning map amendment for approximately 37 acres. The formal PRO plan proposes a two phased, up to 121-unit multi-family townhome development. The planning commission held the public hearing on the formal PRO plan on April 24 and recommended approval to the city council. The applicant proposes to fill two offsite sidewalk gaps along Meadowbrook Road, adjacent to the north and south, totaling 314 feet. As a benefit to the public, the sidewalk extension will include design, construction, and easement acquisition if necessary. The developer is also proposing to contribute \$10,000 to the Parks, Recreation and Cultural Services, to

be utilized for improvements to the Beacon Hill Trailhead at the northeast corner of Meadowbrook and Twelve Mile.

Jason Iacoangeli, Toll Brothers development team, spoke and provided a slide presentation. Mr. Iacoangeli stated that Toll Brothers is requesting a PRO rezoning from OST office service to RM-1 for low rise multiple family. He then specified that what is really being requested is the overall density of the development to a combined 4.2 dwelling units per acre, which is below the 5.4 units per acre that is the maximum density for RM-1 but is a part of this development. Toll Brothers is seeking the ability to have their phase one portion be only 4.2 dwelling units. Toll Brothers asks that the rezoning for the PRO not have a condition to the maximum density other than the zoning ordinance would allow for as RM-1 which is 5.4 units per acre. Mr. Iacoangeli further commented that with phase two, the person or entity that owns that may choose to reorganize that phase which would then have to go before the Planning Commission and staff for review but that they may choose to add additional units to that phase. He said he mentions this because the Planning Commission had commented that they wanted to condition the PRO on just 4.2 dwellings for the entire site and is asking that not be included and just allow use the RM-1 zoning per the zoning ordinance in the original request. Mr. Iacoangeli added that the highlights of the site plan that they worked in over this PRO process was adding a sidewalk connection to the private drive and pedestrian access to Twelve Oaks Mall. The PRO will preserve over eight acres of woodlands and three acres of wetlands in a permanent conservation. Screening has been addressed between the residential development and the existing OST and residential homes that are along Meadowbrook. They will be providing the sidewalk infill along Meadowbrook to connect this site and other sites to Twelve Mile and the trailhead that's located there. The units on Meadowbrook have been set back to keep that natural corridor so when you drive down that street it stays tree lined. Those units will be recessed back so they won't be noticeable as you travel north or southbound on Meadowbrook. As mentioned before, \$10,000 will be contributed to the park system for items to be utilized as part of the Beacon Hill Trailhead for amenities the city would like to install in that park, and it would be left to Parks Committee and Parks Department to make the decisions regarding what amenities and enhancements might be needed based on the master plan for that.

Member Smith voiced that he likes that there are more trees to be saved, the conservation easement and the connection to Twelve Oaks Mall. He then inquired about the indoor air quality and LEED certification and what level of certification was the builder planning on achieving. Mr. Iacoangeli responded that he didn't know that the units will be seeking actual accreditation from the LEEDs council but mentioned that some of the things they do is use sustainable products in the building such as cement or a hardy plank as opposed to wood because it last longer and requires less maintenance. They also use high quality brick material which has staying and maintenance power. They also do other things like pre-wire all garages with a plug so someone who has an EV can put in the charger of their choice. He continued to say they also use the highest quality insulation in all our products plus they spec all the units with energy star appliances which save water and energy. Member Smith asked if the appliances were electric or is there an

option for gas and Mr. Iacoangeli stated that he believes the option for gas is still going to be there because people value the gas range for culinary reasons.

Member Staudt wanted to know what the benefit to the City was of allowing Toll Brothers to sell the property or for phase two to have a larger density. He followed by stating that he is inclined to stick with what the planning commission asked for, not seeing what benefit it is to the city. Mr. Iacoangeli responded by saying that Toll Brothers was not asking for additional density but asking for the density that's in the zoning ordinance. He continued with affirming that the Toll Brothers portion of the site is going to be well below what would be allowable, and they are asking not to cap the entire piece that would be included in the PRO because the southern portion of this may develop and all the density that would be allowed under RM-1 zoning may be utilized.

CM 24-05-78 Moved by Staudt, seconded by Casey: MOTION CARRIED: 7-0

Approval Tentative indication that Council may approve the request of Toll Brothers, LLC, for Elm Creek, JZ22-28 with Zoning Map Amendment 18.732, to rezone from OST and RM-1 to RM-1, subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan, and direction to the City Attorney to prepare the PRO Agreement including items A through C:

A. All deviations from the ordinance requirements shall be identified and included in PRO Agreement, including:

- 1. Side and Rear Setbacks (Sec 3.1.7.D and 3.6.2.B): A Zoning Ordinance deviation is requested to reduce the side and rear setbacks from 75 feet to 50 feet along the north, east, and west property lines of Phase 1. The deviation is requested to cluster the buildings in the northern portion of the site while preserving City Woodlands and Wetlands in the southern portion of the property.**
- 2. Building Orientation (Sec. 3.8.2.D): A Zoning Ordinance deviation is requested to revise the required orientation of the buildings from 45 degrees to the property line to 90 degrees. This allows for a more uniform site layout with all of the units backing up to open space/wooded areas.**
- 3. Distance Between Buildings (Sec. 3.8.2.H): A Zoning Ordinance deviation is requested to allow a minimum distance of 30 feet between buildings on the same side of the street. The calculated minimum distance would be between 33.72 feet and 34.9 feet, so the deviation is relatively minor.**

4. **Parking along Major Drives (Sec. 5.10):** A Zoning Ordinance deviation is requested to allow for perpendicular parking on a major drive. This deviation is requested due to the impracticality of providing a minor road given the site constraints (woodlands, wetlands, and property configuration). The placement of these parking areas is not near the main entrance.
5. **Landscape Berms (Sec. 5.5.3.A.ii):** A Zoning Ordinance deviation is requested to not provide a 4-foot, 6-inch to 6-foot high landscape berm on a proposed RM-1 district adjacent to an OST district on the north and east sides of the property. This deviation is requested due to significant grade changes near property lines, and to preserve existing natural features including City regulated woodlands and wetlands. An 8-foot high vinyl fence is proposed along portions of the site where the homes are closest to these areas to provide visual and audible screening, including along the south side of the main entry road as described in the Landscape Review.
6. **Right-of-Way Landscaping (Section 5.5.3.B.ii):** A deviation for the lack of required street trees and greenbelt berm along Meadowbrook Road in order to avoid disturbance of the existing wetlands and underground utilities.
7. **Street Connection (Subdivision Ordinance Design Standards, Sec. 4.04):** A deviation for lack of a connection to the proposed Lion Lane of the Griffin Novi project (approximately 250 feet distance). The ordinance requires compliance with the Thoroughfare Plan of the Master Plan, which indicates a road connection between the mall area to Meadowbrook Road. The applicant requests this deviation as it is likely to create undesirable cut-through traffic in the neighborhood.
8. Any additional deviations identified during Site Plan Review (after the Concept Plan and PRO Agreement is approved), will require amendment of the PRO Agreement, unless otherwise stated in the PRO Agreement.

B. The following conditions shall be requirements of the PRO Agreement:

1. Preservation of 8.38 acres of City regulated woodlands, as *placement in a conservation easement is more restrictive*

than required, and it is beneficial to the public to have additional woodland areas permanently protected within conservation easements.

- 2. Preservation of 3.02 acres of City regulated wetlands, as placement in a conservation easement is more restrictive than required, and it is beneficial to the public to have additional wetland areas permanently protected within conservation easements.**
- 3. On-site wetland mitigation will be provided in accordance with the Wetland and Watercourse Protection Ordinance.**
- 4. Overall density of both phases shall not exceed 4.2 dwelling units per acre, which is more limiting than the 5.4 dwelling units per acre allowed in the RM-1 District.**
- 5. Providing the community amenities shown in the PRO Concept Plan, including the nature trail and overlook with seating, as this is a greater area of usable open space than required in RM-1 District, which will benefit future residents of the site.**
- 6. Screening between adjacent properties including fences and landscaping as shown in the PRO Plan.**
- 7. A cul-de-sac shall be provided at the terminus of the road in Phase 2 rather than a temporary T-turn, since it is unlikely that the road will connect to future development to the south. If Phase 2 of the project does not move forward in a timely manner, the temporary T-turnaround shall be changed to a cul-de-sac.**
- 8. The applicant proposes to fill two off-site sidewalk gaps along Meadowbrook Road adjacent to the north and south (on frontage of parcels 22-14-200-045 and 22-14-200-010) totaling 314 feet as a benefit to the public. The sidewalk extensions will include design, construction, and easement acquisition, if necessary.**
- 9. The PRO Plan includes a sidewalk extension along the western emergency access road, which will allow non-motorized access to the mall area via the proposed sidewalk of the Griffin Novi project.**

- 10. First floor living options providing primary bedrooms on the first level will be available in end units in the development.**
- 11. The applicant has offered to contribute \$10,000 to City of Novi Parks, Recreation, and Cultural Services to be utilized for improvements to nearby Beacon Hill Trailhead at the northeast corner of Meadowbrook Road and Twelve Mile Road, likely to be used by residents of the proposed development.**
- 12. The development will encourage energy efficient design and utilize LEED strategies such as energy efficiency, sustainably produced building materials, high indoor air quality and insulation materials. For Phase 1, Toll Brothers will be providing EV Charging Infrastructure with a 240-volt outlet prewired in every garage, Energy Star rated appliances in all units, and the use of Low-E Energy Star rated windows. Construction will also include High-Efficiency Insulation with 2x6 Walls with R-19 Insulation, blown in attic insulation, spray sealed ducts, and R11 Blanket insulation in basement walls.**
- 13. Any land division requested for the property shall be subject to approval by the City of Novi Assessor's office. A title search shall be provided by the applicant. The timing of the land division shall be addressed in the final PRO Agreement and will not be granted unless and until appropriate easements have been established and appropriate performance guarantees have been provided to ensure access to all affected properties to the satisfaction of the City.**
- 14. Appropriate consideration of the timing of development between the two phases, including conditions that account for road terminus treatment, water system looping, damage to public roads caused by construction, etc. shall be detailed in the draft PRO Agreement.**

C. This motion is made because the proposed Low-Density Multiple Family (RM-1) zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use, because it meets the requirements of the Zoning Ordinance as relates to Planned Rezoning Overlays by including site specific features that are more restrictive than could otherwise be required by ordinance, and because the benefits to the public of the project outweigh any detrimental impacts of the project:

- 1. The proposed residential neighborhood would support healthy lifestyles through the provision of walking trails and sidewalk connections and ensure the provision of open space within the development.**
- 2. The unit sizes and types help the City's goal of providing a wide range of housing options and could appeal to a variety of buyers who prioritize minimal maintenance, smaller unit sizes, and natural surroundings.**
- 3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features as *the 8.38 acres of city-regulated woodlands and 3.02 acres of regulated wetlands will be preserved in conservation easements. The proposed layout minimizes impacts to natural features by grouping buildings along two roads, whereas an OST development would be likely to disturb more of the natural area.***
- 4. The proposed project will ensure compatibility between residential and non-residential developments *because the project proposes proper screening.***
- 5. The Rezoning Traffic Study demonstrates that the proposed use is likely to generate far fewer vehicle trips per day compared to potential development under the current OST zoning district.**
- 6. Public utilities are available to connect to, and adequate service capacity is available for the residential demand proposed.**

Mayor Pro Tem Casey asked for staff to come forward as she had questions based on comments she made when this was a preliminary review. She said that one of the comments she made was her concern about screening between the residential and all the other uses around it. She noted in the packet that there was some reference to the staff being pleased with the recommendation from the developer of a vinyl eight-foot-tall fence but there was a gap that was noticed and wanted to know if the gap had been solved. Lindsay Bell from the Planning Review Center responded yes, that along the property line where it borders another property, the fence just stopped but now it goes further. Mayor Pro Tem Casey commented that there was also a reference in the packet about wanting to have a connection into Griffin and asked Ms. Bell to talk about where the intent was for the road to connect to. Ms. Bell stated that there was an existing 86-foot-wide easement that would continue from the proposed Lion Lane through to Elm Creek and that this is what was referred to in the engineering letter. Mayor Pro Tem Casey

wanted to know if this connection would be necessary. Humna Anjum, from Engineering, replied that the concern was the multiple dead ends that would be created so one of the alternatives is either to have the road connect directly into Lion Lane or have an emergency access road, instead of connecting into this access drive, connect directly into Lion Lane and then it would still have the emergency access gate but there would be that connection and not have so many dead ends. Mayor Pro Tem Casey noted that there was some concern about the parcel ownership and that the PRO is now against the total parcel itself. She continued that from the city's perspective there is one owner listed and does the city have any concerns about the fact that from the developer's perspective, two owners, and is the city comfortable with how the PRO is going to align in terms of having two phases. Tom Schultz, City Attorney, replied that the council has one applicant who submitted the application but the other owner of the southern portion of this single piece, submitted a letter to the city saying they support the rezoning. He continued to say that if the motion passes, the city prepares the tentative PR agreement so that would be for signature by both Toll Brothers and whatever entity and that we would have to work that out with the top portion and then the current owners would also sign the agreement. Attorney Schultz continued by saying that it's okay because it's rezoning the entire parcel. There are two phases and really two developers but there will be one PRO agreement that applies to everybody and that when the owner of the southern portion comes in to develop, they'll end up with a clean zoned area because there will be a lot split as part of the final approval. There might be a limit on density, but it will just be a site plan for them. Mayor Pro Tem Casey then addressed Mr. Iacoangeli and confirmed that based on the conversation at the planning committee, there was a commitment that all end units would be designed as first floor living units, in which Mr. Iacoangeli stated that was correct. Mayor Pro Tem Casey said that oftentimes when units are being built, the first-time owner has a chance to choose the floor plan. She asked Mr. Iacoangeli if that was something Toll Brothers would be offering, and he replied that the buildings will have the same architecture on the outside, but the individual purchasers will have the ability to change the floor plan and then gave the examples of an office versus a bedroom or eliminate a closet. She then asked if new residents who are purchasing for the first time get to choose if they want first floor living or one of the other floor models that are offered, and Mr. Iacoangeli replied yes. She closed by saying that what the council has heard from residents is that there's a gap in the housing stock where first floor units are available for people who want to downsize, still live in Novi, and aren't ready to move into senior housing. She is pleased to hear that not only is Toll Brothers dedicating the end units, but that first owners have a chance to choose a first-floor unit, even if it's not one of the end units.

Member Thomas said that she liked the idea of having conservation easements and protecting the woodlands and wetlands. She then stated that if her understanding is correct, this parcel would just be rezoned to RM-1 and if the site plan is within RM-1, it's fine. City Attorney Tom Schultz replied yes, except the one limitation on density.

Member Heintz stated that he appreciates the conservation easements and the awareness of the importance of having houses perpendicular to the woodlands. He then

asked if the woodlands and wetlands that are going to be conserved, if that was just phase one and Mr. Iacoangeli answered that it was for both phases.

Member Gurumurthy added on by saying that she was happy to see this rezoning is going to help the city woodlands and wetlands. She continued by saying that back in 2005 the city approved an RM-1 for this property but then it expired. She asked, looking at soil conditions, was there a reason the RM-1 was allowed to expire at that time. Ms. Bell responded that it was not clear to her why it expired. Member Gurumurthy said she wants to make sure that the soil condition is not related to the expiration but more for the economy and things like that. Ms. Bell stated that there was a very different site plan with greater density, and it may have been discovered that what was being proposed wouldn't work out or it could have been other economic conditions at that time but that it's not very clear.

Mayor Fischer then addressed Attorney Schultz, citing section B.4. of the agreement which reads "Overall density of both phases shall not exceed 4.2 dwelling units per acre" and asked if Mr. Schultz if when he read that, did he intend that to be individually with the phases or the overall density of the combined two phases should not be more than 4.2. Mr. Schultz stated yes, it's the overall combination of the two phases. Ms. Bell added that if it were to be limited further, the current number of units on the phase one section would be about 3.3 and then looking at phase two, that would be 5.4 for the phase two to come out to 4.2 so that should be considered if the council is intending to restrict further. She simplified that phase one is proposed by Toll Brothers at 3.6 and if phase two has the max allowed in that district which is 5.4, that puts the combined at 4.2. The Mayor expressed concern about the whole section and doesn't know if he can support the current motion if it comes back to the Council but will tentatively approve it with these comments. He stated he would like the two phases to be similar and he's not seeing that right now. He noted that the second comment he made last time had to do with the houses coming off the road from Meadowbrook and he was expecting those to be further pushed back. He asked if the setback could be explained from the prior presentation to what it is now and noted that the site lines on the map look very similar, being in line with the industrial buildings and he doesn't think that is aesthetically pleasing or what he was looking for when he gave his initial comments on the PRO. Jason Rickard, engineer with Seiber Keast Lehner, commented that the first submittal had the first unit about 75 feet off of Meadowbrook Road and that this was recommended based on comments at the planning commission. Mr. Rickard added that the plans had been revised before coming to the council. The Mayor closed by saying that he would not be able to support the final approval if comes back looking as it is.

Roll call vote on CM 24-05-78

**Yeas: Thomas, Fischer, Casey, Gurumurthy,
Heintz, Smith, Staudt**

Nays: None

CONSENT AGENDA REMOVALS: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS:

1. Older Adult Needs Committee

Mayor Pro Tem Casey stated that the committee is working on their final report and that will be part of the final presentation to the council. The committee will be meeting again on June 3rd and June 12th, which is a Wednesday and off the normal Monday schedule. She asked to please check the city calendar for the location and that both meetings will start at 5:30.

MAYOR AND COUNCIL ISSUES:

1. Appointments to Council Committees

Mayor Fischer stated there are new Council Committees that were created by Council Rules at the last meeting so that gives him the opportunity to appoint those members. He will also be restating and reiterating the current committees, the ones that were not changed. The membership didn't change but the rules state that a chair should be named by the Mayor so he said he will formalize those. The members of the following committees are as stated by the Mayor:

- Finance and Administration Committee: Mayor Fischer as Chair, Members Casey and Staudt
- Consultant Review Committee: Member Staudt as Chair, Members Heintz and Casey
- Ordinance Review Committee: Mayor Fischer as Chair, Members Casey, Staudt and Gurumurthy
- Alternate Rules Committee: Mayor Fischer as Chair, Members Casey and Staudt
- Mobility Committee: Member Smith as Chair, Mayor Fischer and Member Thomas
- Public Utility Committee: Member Thomas as Chair, Members Smith and Heintz
- Youth Council Committee: Member Thomas as Chair, Members Heintz and Casey
- SEMCOG Liaison: Member Smith with Member Heintz as alternate
- Environment Sustainability: Member Smith as Chair, Members Heintz and Gurumurthy
- Long Range Strategic Planning Committee: Mayor Pro Tem Casey as Chair, Members Staudt and Gurumurthy

COMMUNICATIONS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:41 P.M.

Cortney Hanson, City Clerk

Justin Fischer, Mayor

Transcribed by Becky Dockery,
Account Clerk

Date approved: June 3, 2024



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Approval of a resolution establishing a marriage fee.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Per state law, a mayor is authorized to officiate a wedding in the county in which they serve. It further states, "If a mayor of a city solemnizes a marriage, the mayor shall charge and collect a fee to be determined by the council of that city, which shall be paid to the city treasurer and deposited in the general fund of the city at the end of the month." Previously, Novi Mayors haven't performed many weddings; however, even if one is performed, a fee must be set per state statute. The proposed resolution recommends a fee of \$50 for the Mayor to solemnize a marriage.

A request for a marriage ceremony may be approved at the discretion of the mayor as long as one of the applicants is a resident of the City of Novi.

RECOMMENDED ACTION: Approval of a resolution establishing a marriage fee.

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

RESOLUTION ESTABLISHING A MARRIAGE FEE

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on June 3, 2024, at 7:00 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS, MCL 551.7(3) authorizes the mayor of a city to solemnize a marriage in the County in which they serve; and

WHEREAS, MCL 551.7(3) states, "If a mayor of a city solemnizes a marriage, the mayor shall charge and collect a fee to be determined by the council of that city, which shall be paid to the city treasurer and deposited in the general fund of the city at the end of the month"; and

WHEREAS, the City of Novi shall charge a fee of \$50,00 (Fifty Dollars) for the Mayor to perform a marriage; and

NOW THEREFORE, IT IS THEREFORE RESOLVED, that the Mayor and the City Council of the City of Novi, do hereby designate a fee of \$50 to be charged for the performance of a marriage by the Mayor and remitted to the City Treasurer to be deposited in the General Fund.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 3rd day of June, 2024, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Approval to purchase Courts and Law Enforcement Management Information System (CLEMIS) and Fire Records Management System (FRMS) fees and services from Oakland County for the 2024-25 fiscal year in the amount of \$62,810.

SUBMITTING DEPARTMENT: Public Safety

EXPENDITURE REQUIRED	\$62,810
AMOUNT BUDGETED	\$63,000
APPROPRIATION REQUIRED	N/A
LINE ITEM NUMBER	101-301.00-802.500 - \$56,260 101-336.00-802.500 - \$6,550

BACKGROUND INFORMATION:

Oakland County's Courts and Law Enforcement Management Information System (CLEMIS), uses innovative, state-of-the-art computer technology for criminal justice and public safety agencies. By serving as a technical link among multiple agencies, CLEMIS promotes communication and sharing of criminal justice information. CLEMIS standards and policies, as established and monitored by the Advisory Committee, are important in assuring the integrity of information entered into the CLEMIS System. Estimated cost for the 2024-25 fiscal year is \$56,260.

Oakland County's CLEMIS Fire Records Management System (FRMS) provides integrated technology systems which can be built on for future needs from a reliable high speed network which interconnects fire stations allowing access to the County for a centralized and standardized reporting and emergency information system. Estimated cost for the 2024-25 fiscal year is \$6,550.

Through a cooperative relationship with Oakland County, CLEMIS and FRMS provide technical solutions which are affordable and efficient for criminal justice and public safety agencies of all sizes. The City of Novi has been using these services for years. All fees and services were included in the 2024-25 budget.

RECOMMENDED ACTION: Approval to purchase Courts and Law Enforcement Management Information System (CLEMIS) and Fire Records Management System (FRMS) fees and services from Oakland County for the 2024-25 fiscal year in the amount of \$62,810.

Novi Police Department Estimated CLEMIS Fees - 2024-25			
	2023-24 Annual	3% Estimated Increase	2024-25 Estimate
Membership Usage Fee	15,812	16,286	\$ 16,300
MDC Participation Fee	24,068	24,790	\$ 25,000
Livescan	3,324	3,424	\$ 3,500
Mug Capture Stn Maintenance	4,000	4,120	\$ 4,200
LEADS Online	4,793	4,937	\$ 4,950
CrimeMapping	300	309	\$ 310
Livescan - Records	1,941	1,999	\$ 2,000
	54,238	55,865	\$ 56,260
2024-25 Budget			\$ 56,260
Novi Fire Department Estimated FRMS Fees - 2024-2025			
	2023-24 Annual	3% Estimated Increase	2024-25 Estimate
Annual Department Fees	4,688	4,829	\$ 4,850
Fire Hall Fee - 4 lines	1,608	1,656	\$ 1,700
	6,296	6,485	\$ 6,550
2024-25 Budget			\$ 6,550
Total 2024-2025 Estimate for CLEMIS & FRMS			\$ 62,810



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Acceptance of a highway easement for completion of sidewalk improvements at 25500 Meadowbrook Road in the amount of \$2,145.57.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

EXPENDITURE REQUIRED	\$ 2,145.57
AMOUNT BUDGETED	\$ 191,802.00
APPROPRIATION REQUIRED	\$ 0
LINE ITEM NUMBER	202-449.20-975.227 Major Street Fund

BACKGROUND INFORMATION:

The Meadowbrook Road Rehabilitation from 10 Mile to 11 Mile project, which was awarded federal funding through the Oakland County Federal Aid Committee (FAC), includes some ADA improvements in addition to road pavement rehabilitation. City engineering consultant, OHM Advisors, found the existing sidewalk ramps at the southeast corner of 11 Mile Rd and Meadowbrook Rd in need of minor grading adjustments to meet ADA standards. Since the City has limited public right-of-way at this location, the City requested a highway easement to cover the sidewalk work and any future road or sidewalk adjustments in the future.

The City Attorney reviewed the signed easement favorably (Beth Saarela, May 28, 2024). The Meadowbrook Road Rehabilitation project will be bid out with the Nine Mile Road Rehabilitation from Meadowbrook to Haggerty Road project later this summer. Construction is expected to begin next spring.

RECOMMENDED ACTION: Acceptance of a highway easement for completion of sidewalk improvements at 25500 Meadowbrook Road in the amount of \$2,145.57.

Highway Easement - 25500 Meadowbrook Rd



Map Author: Runkel
Date: 5-22-24
Version #: 1.0

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.

Legend

 Right of Way - Novi Edits



City of Novi

Engineering Division
Department of Public Works
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org



0 4 8 16 24
Feet
1 inch = 20 feet

ELIZABETH KUDLA SAARELA
esaarela@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
www.rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

May 28, 2024

Rebecca Runkel, Project Engineer
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**RE: Meadowbrook Road Rehabilitation – Project Easements
25500 Meadowbrook Road**

Dear Ms. Runkel:

We have received and reviewed the following easement that the City has acquired for the Meadowbrook Road Rehabilitation Project:

- Highway Easement – Parcel 22-24-100-001 (\$2,145.57)

The City prepared a valuation for a permanent easement for this parcel. The property owner accepted the offer of just compensation in the amount of \$2,145.57 for the permanent Highway Easement, which valuation was based on the market study the City obtained from its appraiser. Highway Easements are typically valued at 100% of the per square foot value of the property, like a fee title acquisition, since it permits above ground improvements that permanently impact the surface of the property. The easement is in the City's standard format and the property owner's lender has consented to the easement.

The Highway Easement may be placed on an upcoming City Council Agenda for acceptance. Once accepted, the Highway Easement should be recorded by the City Clerk's Office with the Oakland County Register of Deeds in the usual manner. It is our understanding that the City's Engineering Division has the original easements for recording. Please note that the signature block requires minor correction in black ink to identify the signer in print below his signature and in the notary block.

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

Rebecca Runkel, Project Engineer
City of Novi
May 28, 2024
Page 2

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC



Elizabeth Kudla Saarela

EKS

Enclosures

C: Cortney Hanson, Clerk (w/ Enclosure)
Ben Croy, City Engineer (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

HIGHWAY EASEMENT

KNOW ALL PERSONS that Meadowbrook Medical Building, LLC, a Michigan Limited Liability company ("Grantor"), whose address is 29275 Northwestern Highway Suite 100, Southfield, Michigan 48034, for and in consideration of Two-Thousand One-Hundred and Forty Dollars and Fifty-Seven Cents (\$2,145.57), paid to Grantor by the City of Novi, a Michigan Municipal Corporation, ("Grantee"), whose address is 45175 Ten Mile Road, Novi, Michigan 48375, does hereby grant to the Grantee, a permanent easement for all public highway purposes ("Highway Easement") and to construct, operate, maintain, repair, and/or replace roadways, utilities, sidewalk, and other infrastructure improvements in, over, under, upon, and through a portion of the following described premises ("Property") situated in the City of Novi, County of Oakland, State of Michigan as such Highway Easement is more particularly described, drawn and depicted on the attached Exhibit A.

Tax Parcel No.: 50-22-24-100-001

The Highway Easement consists of a variable width easement described as follows:

SEE HIGHWAY EASEMENT DRAWING, ATTACHED AS EXHIBIT "A,"

This Highway Easement includes, but is not limited to, the consent of the Grantor, within the Highway Easement area, to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the Grantee, may be necessary in connection with all public highway purposes and the construction, operation, maintenance, repair, and/or replacement of roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the Highway Easement. Grantor waives further notice of such actions.

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be restored at Grantee's sole cost and expense to substantially the condition that existed prior to construction by the Grantee, its agents, employees or contractors.

This Highway Easement runs with the land and shall bind the Grantor and the Grantor's heirs, representatives, successors, and assigns. This Highway Easement contains the entire understanding of the Grantor and the Grantee, and there are no other verbal promises between the Grantor and the Grantee except as shown herein.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 15th day of May, 2024.

Meadowbrook Medical Building, LLC, a Michigan Limited Liability company

BY:

STATE OF MICHIGAN)
) SS.
COUNTY OF Oakland)

The foregoing consent to easement was acknowledged before me this 15th day of May, 2024, by _____, the _____ of _____, a Michigan _____, on its behalf.

Dawn Trejo
Notary Public

My Commission Expires: 11/1/26 County,

Drafted by:
Elizabeth Saarela, Esq.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331



Cortney Hanson, Clerk
City of Novi
45175 Ten Mile Rd.
Novi, MI 48375

RECORDING FEE _____ REVENUE STAMPS _____

CONSENT TO EASEMENT

As the holder of a mortgagee interest in and to the property referenced in the Highway Easement, dated MAY 21, 2024, as shown in the Exhibit A attached hereto and incorporated herein, whereby, Meadowbrook Medical Building, LLC, grant and convey said easement to the City of Novi, the undersigned hereby evidences its consent to the grant, conveyance, existence and recordation of said easement, which easement is hereby acknowledged and agreed to be superior to the interest of the undersigned and shall bind the undersigned and the heirs, successors and assigns of the undersigned.

IN WITNESS WHEREOF the undersigned has caused its signature to be placed on the 21ST day of MAY, 2024.

Bank of Ann Arbor, a MICHIGAN BANKING corporation

By: _____

SATISH JASTI
PLYMOUTH DISTRICT PRESIDENT
BANK OF ANN ARBOR

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

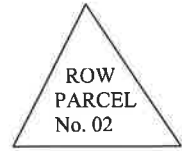
The foregoing Consent to Easement was acknowledged before me this 21 day of May, 2024, by SATISH JASTI, the PLYMOUTH DISTRICT PRESIDENT of Bank of Ann Arbor, on its behalf.

CRYSTAL M. UNDERWOOD
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WAYNE
My Commission Expires 02/19/2029
Acting in the County of Wayne

C. Underwood
Notary Public
Acting in Oakland County, MI
My commission expires: 2-19-2029

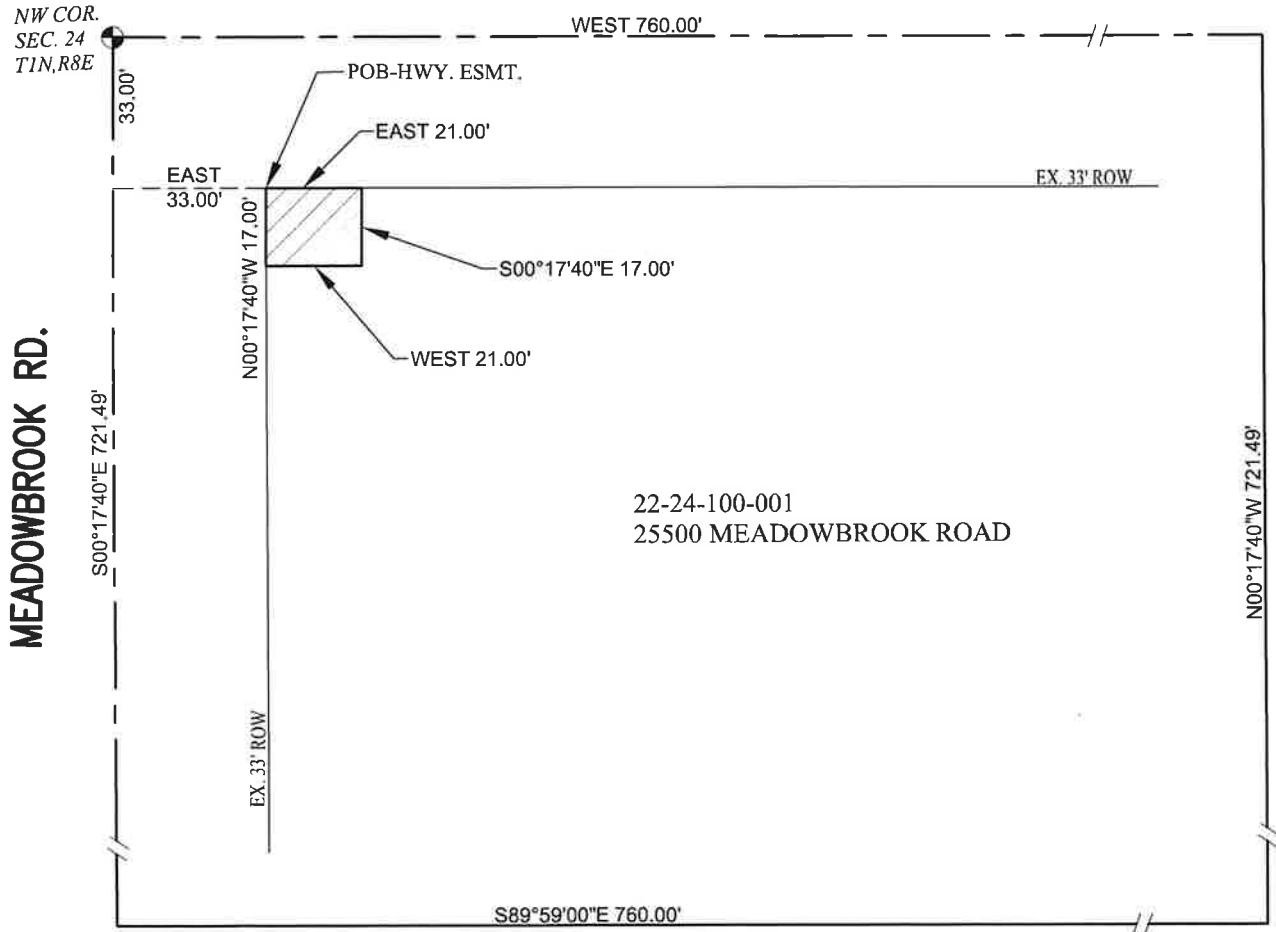
EXHIBIT A
PARCEL 22-24-100-001
25500 MEADOWBROOK ROAD

***BEARINGS BASED ON
LEGAL DESCRIPTION #22-24-100-001
PER OAKLAND COUNTY TAX ROLLS



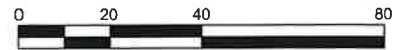
HIGHWAY EASEMENT

11 MILE RD.



LEGEND

- ROW RIGHT-OF-WAY
● PUBLIC LAND CORNER
POB POINT OF BEGINNING
▨ HIGHWAY EASEMENT



SCALE: 1" = 40'

LAND AREAS

PARENT PARCEL = 12.586 ACRES (548,240 SQ. FEET)
PROPOSED HIGHWAY EASEMENT = 0.008 ACRES (357 SQ. FEET)

9 MILE ROAD + MEADOWBROOK ROAD REHABILITATION
PARCEL # 22-24-100-001
SECTION 24, T.1N., R.8E., CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

DATE
04-16-2024
SHEET
1
OF 1

CITY OF NOVI - DEPT. OF PUBLIC WORKS
34000 Plymouth Road | Livonia, MI 48150 | P (734) 522-6711 | F (734) 522-6427 | WWW.OHM-ADVISORS.COM



EXHIBIT "B"
MEADOWBROOK ROAD REHABILITATION
JN 214182
Tax ID: 22-24-100-001
Parcel 02

PARENT PARCEL DESCRIPTION

A parcel of land situated in the NW 1/4 of Section 24, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as follows:

Beginning at the NW corner of said Section 24; thence S 00°17'40" E 721.49 feet; thence S 89°59'00" E 760.00 feet; thence N 00°17'40" W 721.49 feet; thence West 760.00 feet to the Point of Beginning.

PROPOSED HIGHWAY EASEMENT DESCRIPTION

A parcel of land situated in the NW 1/4 of Section 24, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as follows:

Commencing at the NW corner of said Section 24; thence S 00°17'40" E 33.00 feet; thence East 33.00 feet to the Point of Beginning; thence continuing East 21.00 feet along the South right-of-way line of 11 Mile Road; thence S 00°17'40" E 17.00 feet; thence West 21.00 feet; thence N 00°17'40" W 17.00 feet along the East right-of-way line of Meadowbrook Road to the Point of Beginning.

Containing 357 square feet, more or less.

Part of Tax ID No. 22-24-100-001
25500 MEADOWBROOK ROAD

Dated: April 16, 2024
SH

File No : **63-24907059-SSP**

Commonly Known As: 25500 Meadowbrook Rd., Novi, MI 48375

TITLE SEARCH

Date: March 18, 2024

The land referred to in this search is situated in the City of Novi, County of Oakland, State of Michigan, as follows:

SEE EXHIBIT A

Last grantee of record:

Meadowbrook Medical Building, LLC, a Michigan limited liability company

1. Mortgage in the original amount of \$1,000,000.00, and the terms, conditions and provisions contained therein, executed by Meadowbrook Medical Building LLC, a Michigan limited liability company to Bank of Ann Arbor dated April 9, 2018 and recorded April 24, 2018 in Liber 51752, Page 668, and amended in Liber 54431, Page 307, Oakland County Records.
2. Mortgage in the original amount of \$9,000,000.00, and the terms, conditions and provisions contained therein, executed by Meadowbrook Medical Building LLC, a Michigan limited liability company to Bank of Ann Arbor dated April 9, 2018 and recorded April 20, 2018 in Liber 51744, Page 774, and amended in Liber 54431, Page 286, Oakland County Records.
3. Assignment of Rents executed by Meadowbrook Medical Building LLC, a Michigan limited liability company to Bank of Ann Arbor dated April 9, 2018 and recorded April 20, 2018 in Liber 51744, Page 785, Oakland County Records.
4. Mortgage in the original amount of \$2,775,000.00, and the terms, conditions and provisions contained therein, executed by Meadowbrook Medical Building LLC, a Michigan limited liability company to Bank of Ann Arbor dated September 9, 2021 and recorded September 10, 2021 in Liber 56829, Page 516, Oakland County Records.
5. Assignment of Rents executed by Meadowbrook Medical Building LLC, a Michigan limited liability company to Bank of Ann Arbor dated September 9, 2021 and recorded September 10, 2021 in Liber 56829, Page 527, Oakland County Records.
6. Notice of Commencement relative to construction on subject property as recorded February 24, 2022 in Liber 57504, Page 477, Oakland County Records.
7. Notice of Commencement relative to construction on subject property as recorded February 28, 2022 in Liber 57529, Page 344, Oakland County Records.
8. Rights of the public and of any governmental unit in any part of the land taken, used or deeded for street, road or highway purposes.

ATA National Title Group, LLC
36800 Gratiot Avenue
Clinton Township, MI 48035
Ph:(586) 463-7200 Fax:(586) 463-6114

TITLE SEARCH - CONTINUED

9. Easement to City of Novi recorded in Liber 7082, Page 539, Oakland County Records.
10. Easement to City of Novi recorded in Liber 7082, Page 563, Oakland County Records.
11. Easement to City of Novi recorded in Liber 8070, Page 227, Oakland County Records.
12. Easement to City of Novi recorded in Liber 8070, Page 236, Oakland County Records.
13. Terms, conditions and provisions which are recited in Monitoring Agreement recorded in Liber 36517, Page 676, Oakland County Records.
14. Easements for sanitary sewer in the instrument recorded in Liber 40212, Page 596, Oakland County Records.
15. Easements for water main in the instrument recorded in Liber 40212, Page 600, Oakland County Records.
16. Terms, conditions and provisions which are recited in Storm Drainage Facility Maintenance Agreement recorded in Liber 51730, Page 579, Oakland County Records.
17. Rights of tenants now in possession of the land under unrecorded leases or otherwise.
18. PAYMENT OF TAXES: Tax Parcel No.: 22-24-100-001

2023 Winter Taxes in the amount of \$95,663.23 are PAID

2023 Summer Taxes in the amount of \$238,781.35 are PAID

Special Assessments: NONE

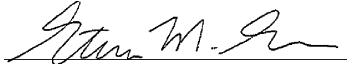
- 2023 State Equalized Value: \$8,149,400.00
- 2023 Taxable Value: \$6,327,230.00

The amounts shown as due do not include collection fees, penalties or interest.

[Customer Copies](#)

COUNTERSIGNED:

ATA National Title Group, LLC



Steven M. Greco

AUTHORIZED SIGNATORY

Terms and Conditions

1. This document is a search only. It is neither an insurance product nor an opinion of law or title and should not be relied upon as such. In addition, it runs only to the named customer and should not be relied upon for any purpose by any person or entity other than the named customer and/or its duly appointed representatives and agents.
2. By receiving and using this product, the customer agrees that the liability of the Company, its subsidiaries and affiliates, for any direct or indirect loss shall be limited to either the amount of the loss or the amount paid for this search, whichever is less.

TITLE SEARCH - CONTINUED

EXHIBIT "A"

The land referred to in this search is described as follows: City of Novi, County of Oakland, State of Michigan

Part of the Northwest 1/4 of Section 24, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as follows: Beginning at the Northwest section corner, thence along Section line South 00 degrees, 17 minutes, 40 seconds East 721.49 feet, thence South 89 degrees, 59 minutes, 00 seconds East 760.00 feet; thence North 00 degrees, 17 minutes, 40 seconds West 721.49 feet to Section line; thence along Section line North 89 degrees, 59 minutes, 00 seconds West 760.00 feet to the point of beginning.

ALSO DESCRIBED BY SURVEY AS:

Beginning at the Northwest corner of Section 24, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; thence North 88 degrees, 13 minutes, 44 seconds, (recorded as North 89 degrees, 59 minutes, 00 seconds West) 760.00 feet along the North line of said Section 24 and the centerline of 11 Mile Road (66.00 feet wide); thence South 02 degrees, 02 minutes, 48 seconds East 721.86 feet (recorded as South 00 degrees, 17 minutes, 40 seconds East 721.49 feet); thence South 88 degrees, 15 minutes, 26 seconds West (recorded as North 89 degrees, 59 minutes, 00 seconds West) 760.00 feet along the North line of Vincenti Industrial Park, as recorded in Liber 157 of Plats, Page 31, Oakland County Records; thence North 02 degrees, 02 minutes, 48 seconds, West (recorded as North 00 degrees, 17 minutes, 40 seconds East) 721.49 feet along the West line of said Section 24 and the centerline of Meadowbrook Road (66.00 feet wide) to the PLACE OF BEGINNING, being a part of the Northwest 1/4 of said Section 25.



CITY OF NOVI CITY COUNCIL JUNE 3, 2024

SUBJECT: Approval of Resolution granting the Novi Parks Foundation a one-time exemption from the City's policy regarding alcohol on public property for purposes of its July 26, 2024, fundraiser at Pavilion Shore Park.

SUBMITTING DEPARTMENT: Parks, Recreation & Cultural Services

BACKGROUND INFORMATION:

The City of Novi policies and rules regarding alcohol consumption on public property allow consumption under certain conditions at the Novi Civic Center, Township Hall, and the Novi Public Library on a permanent basis. Limited alcohol service is also allowed under certain conditions at the Novi Ice Arena and Villa Barr Art Park.

For 20 years, the Novi Parks Foundation has supported the City's Parks, Recreation and Cultural Services Department through fundraising and advocacy. The Foundation has provided: \$150,000 for the re-construction of the Tim Pope Playground, \$50,000 in contributions to Pavilion Shore Park development, \$70,000 towards the Villa Barr Art Park artist-in-residency and park development, \$100,000 for the construction of pickleball courts at Wildlife Woods Park, youth recreation scholarships and more.

The Novi Parks Foundation hosted the "Pour on the Shore" beer and wine tasting event each summer at Pavilion Shore Park from 2015-2019. The event returned in 2023 to great success. More than 300 people annually enjoy the event, which consists of music and dancing, food samples, and Michigan craft beers and wine. The event has raised more than \$75,000 since its inception.

Based on the success of past years' events, the Novi Parks Foundation is proceeding with plans to hold "Pour on the Shore" on Friday, July 26, at Pavilion Shore Park. The Foundation is requesting the ability to serve alcohol, including keg beer and bourbon samples, at the event. The bourbon samples will be provided and served by a local vendor. Under the existing City alcohol policy, consumption of alcohol is not permitted at Pavilion Shore Park and keg beer and hard liquor is specifically prohibited at the City facilities at which the consumption of alcohol is permitted. The Novi Civic Center will serve as a backup location in case of inclement weather.

The attached resolution, which has been reviewed by the City Attorney, is a request for a one-time exemption from the City's alcohol policy to allow the Novi Parks Foundation summer fundraising event.

RECOMMENDED ACTION: Approval of Resolution granting the Novi Parks Foundation a one-time exemption from the City's policy regarding alcohol on public property for purposes of its July 26, 2024, fundraiser at Pavilion Shore Park.

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

**RESOLUTION GRANTING THE NOVI PARKS FOUNDATION A ONE-TIME EXEMPTION FROM
THE CITY'S POLICY AND RULES REGARDING ALCOHOL ON PUBLIC PROPERTY**

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on June 3, 2024, at 7 P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember _____
and supported by Councilmember _____.

WHEREAS, on March 8, 2010, City Council adopted a Resolution approving "Policy and Rules Regarding Alcohol on Public Property" allowing consumption of alcohol at the Novi Civic Center and Novi Public Library under certain conditions on a trial basis through October 21, 2010; and

WHEREAS, on September 27, 2010, City Council adopted a Resolution approving amendments to "Policy and Rules Regarding Alcohol on Public Property" allowing consumption of alcohol at the Novi Civic Center, Township Hall, and Novi Public Library under certain conditions on a permanent basis; and

WHEREAS, on June 3, 2013, City Council adopted a Resolution approving amendments to "Policy and Rules Regarding Alcohol on Public Property" that also allowed consumption of alcohol under certain conditions at the Novi Ice Arena and Villa Barr Art Park; and

WHEREAS, the Novi Parks Foundation has for twenty years supported the City's Parks, Recreation and Cultural Services Department through fundraising and advocacy; and

WHEREAS, City Council acknowledges and appreciates the support that the Parks, Recreation and Cultural Services Department has received from the Parks Foundation; and

WHEREAS, the Parks Foundation is planning a fund-raising event at Pavilion Shore Park on July 26, 2024; and

WHEREAS, the Parks Foundation would like to be able to serve alcohol, including keg beer and bourbon samples, at its July 26, 2024 fund-raising event; and

WHEREAS, under the existing "Policy and Rules Regarding Alcohol on Public Property", the consumption of alcohol is not permitted at Pavilion Shore Park; and

WHEREAS, under the existing "Policy and Rules Regarding Alcohol on Public Property", keg beer and liquor are specifically prohibited at the City facilities at which the consumption of alcohol is permitted; and

WHEREAS, the Novi Parks Foundation has asked that it be granted a one-time exemption from the "Policy and Rules Regarding Alcohol on Public Property" so that alcohol, including keg beer and bourbon, could be consumed at its July 26, 2024 event; and

WHEREAS, the City administration supports the request from the Parks Foundation for a one-time exemption from the "Policy and Rules Regarding Alcohol on Public Property".

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The request from the Novi Parks Foundation for a one-time exemption from the general prohibition on the consumption of alcohol, including keg beer and bourbon, on City property set forth in the City's "Policy and Rules Regarding Alcohol on Public Property" is hereby granted for a fund-raising event at Pavilion Shore Park on July 26, 2024; and
2. The consumption of alcohol, including keg beer and bourbon, will be allowed at that event, provided that the Parks Foundation will in all other respects comply with all other terms, conditions and requirements of the "Policy and Rules Regarding Alcohol on Public Property"; and
3. The decision to grant this request from the Parks Foundation shall not be considered precedent as to any other requests for an exemption from the "Policy and Rules Regarding Alcohol on Public Property" from the Parks Foundation, any other organization, or any individual in the future.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 3rd day of June, 2024, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Enter Executive Session immediately following the regular meeting of June 3, 2024, in the Council Annex to discuss confidential written communication from the city attorney.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

RECOMMENDED ACTION: Enter Executive Session immediately following the regular meeting of June 3, 2024, in the Council Annex to discuss confidential written communication from the city attorney.



CITY OF NOVI CITY COUNCIL
JUNE 3, 2024

SUBJECT: Approval of claims and warrants – Warrant 1157

SUBMITTING DEPARTMENT: Finance

BACKGROUND INFORMATION:

Per Section 8.10 of the City's charter all funds drawn by the treasury department must be approved by City Council. This approval occurs through a warrant system and appears on all City Council's agenda. The most recent Warrant, #1157 comes before City council for approval.

RECOMMENDED ACTION: Approval of claims and warrants – Warrant 1157

CITY OF NOVI
Warrant 1157
Monday, June 3, 2024

Check	Vendor Name	Description	Amount
189344	AT&T MOBILITY	INVOICE 830154504X05102024	454.40
189345	CHAPMAN, CARLOS	OPERATING SUPPLIES	67.00
189346	FITZGERALD WOODSHOP LLC	INVOICE 80	300.00
189347	MIDWEST GANG INVESTIGATORS ASSOC	INVOICE 17 (HIDTA	1,560.00
189348	SHOCK, KYLE	TRANSPORTATION	129.00
189349	SOUTHGATE POLICE DEPARTMENT	TRANSPORTATION	55.00
189350	UPCHURCH, ROBERT	TRANSPORTATION	129.00
189351	VERIZON WIRELESS	INVOICE 9959932265	679.92
189352	VITALE, NATHAN	OPERATING SUPPLIES	67.00
189353	CONSUMERS ENERGY	HEAT	205.28
189354	CONSUMERS ENERGY	HEAT	58.42
189355-189358	DTE ENERGY	ELECTRICITY	76.35
189359	AMAZON	LIBRARY BOOKS	956.71
189360	123NET, INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189361	123NET, INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189362	123NET, INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189363	123NET, INC	BLDG. BOND REFUND (ESCROW)	1,000.00
189364	123NET, INC	BLDG. BOND REFUND (ESCROW)	3,000.00
189365	123NET, INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189366	123NET, INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189367	4 IMPRINT INC	COMMUNITY PROMOTION (POLICE)	6,942.09
189368	A AND R PLUMBING LLC	BUILDING MAINT (PARKS MAINT, FIRE, FACILITIES)	1,409.21
189369	ACCUFORM PRINTING & GRAPHICS INC	OPERATING SUPPLIES (P&R, COMM REL, LIBRARY)	5,309.25
189370	ADT COMMERCIAL LLC	BUILDING MAINTENANCE (P&R, FACILITIES)	2,841.60
189371	ADVANCE AUTO PARTS	VEHICLE MAINTENANCE	204.81
189372	ADVANCED SATELLITE COMM. INC.	OUTSIDE DATA PROCESSING	557.85
189373	ADVANCED TURF SOLUTIONS, INC.	GROUPS MAINTENANCE	385.40
189374	AECOM GREAT LAKES, INC	PROFESSIONAL SERVICES (ESCROW)	11,263.52
189375	VOID	VOID	- V
189376	AIRGAS USA, LLC	OPERATING SUPPLIES	825.43
189377	AIS CONSTRUCTION EQUIPMENT CORP	EQUIPMENT MAINTENANCE	76.85
189378	ALL TRAFFIC SOLUTIONS	EQUIPMENT MAINTENANCE (POLICE)	1,638.39
189379	ALLIANCE HEALTH AND LIFE	EMPLOYEE HEALTHCARE INSURANCE	15,280.00
189380	ALLIE BROTHERS INC	SUPLIES UNIFORMS (POLICE, FIRE)	5,031.89
189381	ALTECH DOORS LLC	BUILDING MAINTENANCE (POLICE, FACILITIES)	1,644.44
189382	AMAZON	LIBRARY BOOKS	6,112.21
189383	AMERICAN MAID CLEANING SERVICES LLC	CONTRACTUAL SERVICES	300.00
189384	ANAGO OF METRO DETROIT	BUILDING MAINTENANCE	840.00
189385	APOLLO FIRE APPARATUS SALES AND	VEHICLE MAINTENANCE (FIRE)	1,176.34
189386	ARAMARK REFRESHMENT SERVICES	OPERATING SUPPLIES (FACILITIES, DPW, FIRE)	1,300.56
189387	ARC	OPERATING SUPPLIES	197.81
189388	ASCENSION MICHIGAN EMPLOYER	MEDICAL SERV - PRE EMPLOY (HR, LIBRARY, DPW)	3,542.00
189389	ASCENSION PROVIDENCE HOSPITAL	MEDICAL SERVICE (POLICE, W&S)	1,108.00
189390	ATA NATIONAL TITLE GROUP, LLC	MEADOWBROOK RD REHAB	375.00
189391	AVTECH SOFTWARE, INC.	FIBER, CAM, BLDG SECURITY BOSCO	751.34
189392	B & B LANDSCAPING	ROUTINE MAINTENANCE (STREETS, W&S, DRAIN)	14,870.00
189393	BAKER LEGAL GROUP PLLC	PROSECUTOR FEES 5/2024	10,290.00
189394	BALDRIDGE, TREND A	CHORALAIRES	900.00
189395	BARRETT, APRIL	LIBRARY PROGRAMMING	424.00
189396	BELLE TIRE	VEHICLE MAINTENANCE (P&R, POLICE, DPW)	3,524.90
189397	BERTIN, KENNETH M.	ADULT SOFTBALL	75.00
189398	BEST EQUIPMENT CO., INC	VEHICLE MAINTENANCE (DPW)	3,387.01
189399	BEST TECHNOLOGY SYSTEMS, INC.	ANNUAL RANGE CLEANOUT 2023-24 (POLICE)	1,590.00
189400	BEYER, TODD A.	TENNIS (PARKS & REC)	6,272.00
189401	BHIMANI, VIKAS V	BLDG. BOND REFUND (ESCROW)	400.00
189402	BLUE CROSS BLUE SHIELD OF MICHIGAN	EMPLOYEE HEALTHCARE INSURANCE	128,395.64
189403	BLUE CROSS BLUE SHIELD OF MICHIGAN	EMPLOYEE HEALTHCARE INSURANCE	34,817.38
189404	BLUEBERRY HILL PONY RIDES LLC	LIBRARY PROGRAMMING	950.00

189405	BLUEWATER TECHNOLOGIES, INC.	INTERNAL TECHNOLOGY (FIRE)	3,164.06
189406	BOUND TREE MEDICAL LLC	OPERATING SUPPLIES	406.59
189407	BRANCHEAU, BILL	REFUND PARKS	50.00
189408	BRIEN'S SERVICES INC	GROUNDS MAINTENANCE (LIBRARY)	2,595.00
189409	BRODART CO.	LIBRARY BOOKS LENDING	5,793.09
189410	BS & A SOFTWARE, INC.	CONFERENCE (COMM DEV)	1,315.00
189411	CADILLAC ASPHALT LLC	ROUTINE MAINTENANCE	376.38
189412	CALM.COM, INC	EMPLOYEE WELLNESS PROGRAM (HR)	6,602.95
189413	CAMFIL USA, INC.	RANGE FILTERS AND FILTER INSTALLATION	257.76
189414	CANFIELD EQUIPMENT SERVICES INC.	VEHICLE NEW INSTALL (FORFEITURE)	2,205.25
189415	CANON FINANCIAL SERVICES INC	EQUIPMENT RENTAL/LEASE (LIBRARY, IT)	5,055.47
189416	CAPITAL TIRE INC	VEHICLE MAINTENANCE (POLICE)	3,951.32
189417	CARLISLE WORTMAN ASSOCIATES, INC.	BDG, TRADE, & PLAN REVIEW SERV (COMM DEV)	5,130.00
189418	CARRIER & GABLE INC	4 PEDESTRIAN CROSSING SIGNALS (STREETS)	22,381.52
189419	CBTS LLC	FIBER, CAM, BLDG SECURITY BOSCO (P&R)	2,734.26
189420	CDW GOVERNMENT LLC	INTERNAL TECHNOLOGY HUMAN RESOURCES	965.22
189421	CENTER POINT LARGE PRINT	LIBRARY BOOKS	23.97
189422	CGS INC.	CONFERENCE (DPW)	1,015.00
189423	CHARTER COMMUNICATIONS	BLDG. BOND REFUND (ESCROW)	3,000.00
189424	CINTAS CORP	SUPPLIES UNIFORMS (DPW, FACILITIES)	1,174.55
189425	CIVICPLUS, INC.	SERVICE CHARGES	525.00
189426	COATS COMPANY LLC, THE	EQUIPMENT MAINTENANCE	897.66
189427	CONSERVA ELECTRIC SUPPLY, INC.	PARK BUILDING MAINTENANCE	60.68
189428	CONSUMERS ENERGY COMPANY	BLDG. BOND REFUND (ESCROW)	1,500.00
189429	CONTRACTOR'S CLOTHING CO.	SUPPLIES UNIFORMS	436.56
189430	CORBY ENERGY SERVICES INC	BLDG. BOND REFUND (ESCROW)	1,000.00
189431	CORRIGAN RECORD STORAGE LLC	RECORDS STORAGE - CITYWIDE (CLERK)	2,517.96
189432	COUGAR SALES & RENTAL INC	SIGNING SUPPLIES	272.98
189433	CRAIGIE, ALYSSA	MILEAGE REIMBURSEMENT	28.14
189434	CRANBROOK CUSTOM HOMES	BLDG. BOND REFUND (ESCROW)	750.00
189435	CRANDALL-WORTHINGTON INC	CUSTODIAL SUPPLIES	697.80
189436	D AND D WATER AND SEWER INC	W&S INSTALL: JESSICA'S SPLASH PAD AT BOS (W&S)	4,000.00
189437	DALTON COMMERCIAL CLEANING CORP	BUILDING MAINTENANCE	225.00
189438	DELL MARKETING L.P.	INTERNAL TECHNOLOGY (ASSESSING)	4,760.70
189439	DENNIS' MOBILE HOME SERVICE AND	HCD (COMMUNITY DEV BLOCK GRANT)	2,600.00
189440	DPT SPORTS PERFORMANCE	SPORTS CAMPS (PARKS & REC)	1,228.20
189441	DTE TECHNOLOGY	BLDG. BOND REFUND (ESCROW)	1,500.00
189442	DTE TECHNOLOGY	BLDG. BOND REFUND (ESCROW)	5,000.00
189443	DTN, LLC	INTERNAL TECHNOLOGY (DPS)	2,165.76
189444	DUDLEY, EMILY	REFUND PARKS	10.00
189445	DVM UTILITIES INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189446	DVM UTILITIES INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189447	ELLSWORTH INDUSTRIES INC.	ROUTINE MAINTENANCE (DRAIN)	6,125.03
189448	EMPIRE PRINTING, LLC	SPORTS CAMPS (PARKS & REC)	3,453.50
189449	ETNA SUPPLY	WATER LINE MAINTENANCE (W&S)	6,551.99
189450	EVERBRIDGE, INC.	INTERNAL TECHNOLOGY (POLICE)	6,000.00
189451	FELDMAN CHEVROLET OF NOVI	VEHICLE MAINTENANCE (DPW, COMM DEV)	2,216.14
189452	FIFER INVESTIGATIONS LLC	RECRUITMENT	950.00
189453	FLINT NEW HOLLAND INC.	EQUIPMENT MAINTENANCE	533.85
189454	FLOYD, STEPHEN	LIBRARY PROGRAMMING	250.00
189455	FRIENDS OF THE ROUGE	WATERSHED MONITORING PROGRAM (DRAIN)	1,750.00
189456	FUN TIME SPORTS LLC	SPORT CAMPS (PARKS & REC)	4,380.00
189457	G2 CONSULTING GROUP, LLC.	GEOTECH - VAR PROJ (STREETS, SR HOUSING, DPW)	45,813.00
189458	GALLS, LLC	SUPPLIES UNIFORMS	170.20
189459	GOREE, DANIEL G.	LIBRARY PROGRAMMING	300.00
189460	GRAINGER INC, W W	OPERATING SUPPLIES (PARKS MAINT, W&S)	1,116.00
189461	GRAPHIK CONCEPTS INC	VEHICLE NEW INSTALL	118.60
189462	GREAT AMERICA FINANCIAL SERVICES	OPERATING SUPPLIES	83.80
189463	GREAT LAKES ACE	OPERATING SUPPLIES	28.98
189464	GREAT LAKES WATER AUTHORITY	IWC CHARGES (WATER & SEWER)	18,327.40
189465	GREEN OAK TIRE INC.	VEHICLE MAINTENANCE	400.00
189466	GRUENWALD, KRISTIE	CASH ADVANCE FBI ACADEMY	500.00
189467	HALL, KEVIN M.	ADULT BASKETBALL	80.00
189468	HALT FIRE, INC.	VEHICLE MAINTENANCE (FIRE)	7,362.14
189469	HANSON RENAISSANCE COURT REPORTERS	PROFESSIONAL SERVICES	300.00
189470	HEALTH ALLIANCE PLAN	EMPLOYEE HEALTHCARE INSURANCE	19,603.46

189471	HENKELS & MCCOY INC.	BLDG. BOND REFUND (ESCROW)	1,500.00
189472	HOLBROOK'S ROOFING CO., INC.	INDOOR GUN RANGE	770.00
189473	HOME DEPOT	BUILDING MAINTENANCE	101.88
189474	HOME DEPOT CREDIT SERVICES	OPERATING SUPPLIES - CITYWIDE	3,077.34
189475	HOPE SERVICES LLC	BUILDING MAINTENANCE (LIBRARY)	1,700.00
189476	HTH COMMUNICATIONS	BLDG. BOND REFUND (ESCROW)	1,000.00
189477	IMAGAMERICA	AMBASSADOR PROG, HATS, SHIRTS (COMM REL)	4,728.25
189478	IMAGE 360 - NOVI	BUILDING MAINTENANCE	200.00
189479	IMPERIAL DADE	BUILDING MAINTENANCE (LIBRARY)	1,054.11
189480	INTRADO LIFE & SAFETY, INC	TELEPHONE MAINTENANCE	430.00
189481	J & B MEDICAL SUPPLY INC	OPERATING SUPPLIES (FIRE)	1,927.60
189482	JENKINSON, DAN	REIMBURSEMENT BOOTS	87.44
189483	JH CORPORATION	SIGNING SUPPLIES	489.10
189484	JOHN'S SANITATION SERVICE	SPORTS CAMPS	690.00
189485	JOHNSON, RONALD DEAN	ADULT SOFTBALL	270.00
189486	KARUNAKAREN, NATARAJAN	REFUND PARKS	150.00
189487	KENNEDY INDUSTRIES INC	LIFT STATION MAINTENANCE (WATER & SEWER)	1,800.00
189488	KENSINGTON FAMILY HOMES	BLDG. BOND REFUND (ESCROW)	400.00
189489	VOID		
189490	KEY CODE MEDIA INC.	EQUIPMENT FOR NEW STUDIO NO.VI (PEG FUND)	49,960.90
189491	KID CREATE STUDIO	ART PROGRAMS	741.00
189492	KIMBALL MIDWEST	OPERATING SUPPLIES (DPW)	1,743.46
189493	KNIGHT TECHNOLOGY GROUP, INC	COMPUTER SUPPLIES	700.00
189494	LABSOURCE INC	OPERATING SUPPLIES (POLICE)	1,707.76
189495	LATONYA TUBBS	BLDG. BOND REFUND (ESCROW)	15,520.00
189496	LECOM INC	BLDG. BOND REFUND (ESCROW)	1,000.00
189497	LEPOFSKY, BARRY J.	ADULT SOFTBALL	225.00
189498	LIBRARY DESIGN ASSOCIATES, INC.	BUILDINGS/GROUND/FURNITURE (LIBRARY)	1,570.00
189499	LIBRARY IDEAS LLC	AUDIO VISUAL MATERIALS	527.52
189500	LIBRARY MARKET	COMPUTER SUPPLIES (LIBRARY)	2,500.00
189501	LIBRARY NETWORK, THE	COMPUTER SUPPLIES (LIBRARY)	1,982.62
189502	LOOMIS	ARMORED CAR SERVICE	590.07
189503	M-2 AUTO PARTS, INC.	OPERATING SUPPLIES	747.07
189504	MADISON ELECTRIC COMPANY	LIFT STATION MAINTENANCE	145.97
189505	MAHONEY, DANIELLE	PER DIEM CONFERENCE	175.00
189506	MAJOR CONSTRUCTION GROUP, INC	WATER LINE MAINTENANCE (W&S)	30,528.75
189507	MALINOWSKI, JUDITH M.	MEDICAL SERVICE - PRE EMPLOY (P&F)	1,000.00
189508	MANELA, RACHEL	HISTORICAL COMMISSION	315.00
189509	MARY SALERY	BLDG. BOND REFUND (ESCROW)	500.00
189510	MASSOTTINI DOS SANTOS, VALERIA	REFUND PARKS	112.00
189511	MATTIOLI CEMENT CO., LLC	CONSTRUCTION: 2023 NRP - CONCRETE	500.00
189512	MELENDEZ, ABISMAEL DIAZ	LIBRARY PROGRAMMING	400.00
189513	MERJENT, INC	PROFESSIONAL SERVICES (ESCROW)	13,210.00
189514	VOID	VOID	- V
189515	MG BUILDING CO INC	BLDG. BOND REFUND (ESCROW)	5,000.00
189516	MG BUILDING CO INC	BLDG. BOND REFUND (ESCROW)	1,000.00
189517	MG BUILDING COMPANY	BLDG. BOND REFUND (ESCROW)	750.00
189518	MICHIGAN RECREATION & PARK ASSOC	OLDER ADULTS TRAVEL PROGRAM (PARKS & REC)	12,325.00
189519	MICHIGAN RURAL WATER	MEMBERSHIPS	360.00
189520	MICHIGAN STATE UNIVERSITY	BLDG. BOND REFUND (ESCROW)	500.00
189521	MICHIGAN.COM	PRINTING AND PUBLISH - LEGAL NOTICE (CLERK)	1,984.66
189522	MID-TOWN PETROLEUM ACQUISITION LLC	GASOLINE AND OIL	2,786.80
189523	MIDWEST COLLABORATIVE FOR LIBRARY	CONFERENCE	200.00
189524	MIDWEST TAPE, LLC	AUDIO VISUAL MATERIALS	485.32
189525	MIRAGE DEVELOPMENT LLC	BLDG. BOND REFUND (ESCROW)	5,000.00
189526	MISSION COMMUNICATIONS, LLC	LIFT STATION MAINTENANCE (WATER & SEWER)	3,870.00
189527	MR HANDYMAN OF BLOOMFIELD	HCD (COMMUNITY DEV BLOCK GRANT)	1,130.00
189528	MUCK, JEFF	PER DIEM CITY PARKS ALLIANCE CONF	256.00
189529	MUNICIPAL WEB SERVICES, INC	WEB PAGE MAINTENANCE (COMM REL)	6,560.50
189530	NIGHT VISION DEVICES, INC	NIGHT VISION GOGGLES (8) (POLICE)	74,706.00
189531	NORTHVILLE LOCKSMITH INC., THE	BUILDING MAINTENANCE	68.00
189532	NOVI COMMUNITY SCHOOLS	CHORALAIRES	669.50
189533	NOVI YOUTH ASSISTANCE	HCD (COMMUNITY DEV BLOCK GRANT)	1,123.00
189534	O'REILLY AUTO PARTS	VEHICLE MAINT (DPW, FIRE, W&S, POLICE)	2,021.18
189535	OAKLAND COMMUNITY COLLEGE	EDUCATION AND TRAINING (POLICE)	1,125.00
189536	OAKLAND COUNTY REGISTER OF DEEDS	SDFMA MEADOWGRAND JAGUAR	30.00

189537	OAKLAND COUNTY TREASURERS	CITY WIDE TRAINING	375.00
189538	OCCUPATIONAL HEALTH CENTERS OF	MEDICAL SERVICE	172.00
189539	ORCHARD, HILTZ & MC CLIMENT	PROFESSIONAL SERV - CAR PROJ (W&S, CIP, DRAIN)	117,904.04
189540	ORIGINAL BIG DOG HOT DOGS LLC	OLDER ADULTS SPECIAL EVENTS	600.00
189541	ORKIN	BUILDING MAINTENANCE	241.97
189542	PEOPLE DRIVEN TECHNOLOGY, INC	ARTICWOLF LICENSING & PLATFORM (P&R)	63,457.91
189543	PETTIBONE, REGINALD	SIZZLING SUMMER	550.00
189544	PILARSKI, JERIMIA	REIMBURSEMENT	150.00
189545	PINE RIVER GROUP	SUPPLIES (DPW)	1,952.00
189546	PISTONS SPORTS & ENTERTAINMENT	SPORTS CAMPS (PARKS & REC)	36,505.00
189547	PLAYAWAY PRODUCTS LLC	AUDIO VISUAL MATERIALS	54.86
189548	PREMIER SAFETY	OPERATING SUPPLIES	99.18
189549	PRESSURE VESSEL TESTING	BUILDING MAINTENANCE (FIRE)	2,625.00
189550	PRINTING SYSTEMS	ELECTION SUPPLIES	148.36
189551	PRIORITY HEALTH	EMPLOYEE HEALTHCARE INSURANCE	36,139.31
189552	PROFESSIONAL BUILDING SERVICES LLC	CUSTODIAL SERVICES (LIBRARY)	7,647.60
189553	PROSCREENING, LLC	RECRUITMENT (HR)	2,080.45
189554	PULTE HOMES OF MICHIGAN LLC	BLDG. BOND REFUND (ESCROW)	1,000.00
189555	PULTE HOMES OF MICHIGAN LLC	BLDG. BOND REFUND (ESCROW)	5,000.00
189556	PULTE HOMES OF MICHIGAN LLC	BLDG. BOND REFUND (ESCROW)	5,000.00
189557	PULTE HOMES OF SE MICHIGAN LLC	BLDG. BOND REFUND (ESCROW)	5,000.00
189558	PULTE HOMES OF SE MICHIGAN LLC	BLDG. BOND REFUND (ESCROW)	5,000.00
189559	PULTE HOMES OF SE MICHIGAN LLC	BLDG. BOND REFUND (ESCROW)	1,000.00
189560	QUILL CORPORATION	OFFICE SUPPLIES	149.96
189561	RAY'S WELL DRILLING	GROUND MAINTENANCE	185.00
189562	REASON CONSULTING CORPORATION	PERSONAL PROPERTY AUDITOR (ASSESSOR)	3,333.00
189563	RED WING SHOE STORE	SUPPLIES UNIFORMS	206.99
189564	REILLY, JOSEPH	SIZZLING SUMMER	750.00
189565	RESOURCE RECOVERY AND RECYCLING	RECYLING CENTER (DPW)	2,950.00
189566	RHINO SEED & LANDSCAPE	WATER LINE MAINTENANCE (W&S)	1,854.24
189567	RICKEL, AIDAN	CHORALAIRES (PARKS & REC)	1,240.00
189568	RKA PETROLEUM COS., INC	GASOLINE AND OIL	29,505.36
189569	RON TURLEY ASSOCIATES, INC.	INTERNAL TECHNOLOGY (DPS)	9,212.94
189570	ROSATI, SCHULTZ, JOPPICH	LEGAL FEES (GF, ASSESSOR)	30,229.70
189571	ROSS, MICHAEL	ADULT BASKETBALL	40.00
189572	SAFETY-KLEEN SYSTEMS	EQUIPMENT MAINTENANCE	343.78
189573	SAM'S CLUB DIRECT	LIBRARY PROGRAMMING	487.91
189574	SCHOLASTIC INC.	LIBRARY PROGRAMMING	1,172.05
189575	SECREST,WARDLE,LYNCH,HAMPTON,	WALLED LAKE BOARD	65.00
189576	SEILESH C. BABU	BLDG. BOND REFUND (ESCROW)	500.00
189577	SHAIEB, ELIZABETH A.	OLDER ADULTS FITNESS (PARKS & REC)	1,058.40
189578	SIGNATURE SERVICES	ROUTINE MAINTENANCE (STREETS)	3,895.43
189579	SIMON, STACEY	REIMBURSEMENT K-9 SUPPLIES	45.08
189580	SIMON, STACEY	REIMBURSEMENT K9 BOARDING	160.20
189581	SITEONE LANDSCAPE SUPPLY, LLC	GROUNDS MAINTENANCE (PARKS MAINT)	1,612.38
189582	SMART BUSINESS SOURCE LLC	OFFICE SUPPLIES (POLICE, DPW, LIBRARY, PLAN)	1,429.29
189583	SMART HOMES INC	INTERNAL TECHNOLOGY (IT)	5,477.83
189584	SOLUTION CONTROLS SERVICES, LLC	BUILDING MAINTENANCE (LIBRARY)	3,287.00
189585	SPECTRUM PRINTERS INC	ELECTION SUPPLIES	252.24
189586	SPRAY-PATCH ROAD REPAIR, INC.	ROUTINE MAINTENANCE (MAJOR STREETS)	188,130.80
189587	SQUEAKY SHINE CAR WASH	VEHICLE MAINTENANCE	460.00
189588	STANLEY STEEMER INTERNATIONAL	CONTRACTUAL SERVICES	150.00
189589	STATE OF MICHIGAN	COST SHARE: TAFT ROAD REHAB (MAJOR STREETS)	179,336.58
189590	STEMPIEN, JEREMY	TUITION REIMBURSEMENT	749.99
189591	SUBURBAN AUTO TRIM AND GLASS INC CO	WATER LINE MAINTENANCE	90.00
189592	SUBURBAN LANDSCAPE SUPPLY	STORM SEWER MAINTENANCE	650.00
189593	SUPER FLEET MASTERCARD	GASOLINE AND OIL	18.76
189594	SYSTEMP CORPORATION	BUILDING MAINT (FIRE, FACILITIES, POLICE)	24,496.69
189595	TAKEFORM	LAKESHORE SOUND DAMPENING PANELS (P&R)	41,607.69
189596	TAYLORED EVENTS LLC	LIBRARY PROGRAMMING	300.00
189597	TELNET WORLDWIDE INC.	TELEPHONE (LIBRARY)	1,059.58
189598	TRUCK & TRAILER SPECIALTIES, INC.	OPERATING SUPPLIES (DPW)	12,464.35
189599	UNDERGROUND CONTRACTORS INC	BLDG. BOND REFUND (ESCROW)	1,000.00
189600	UNDERGROUND CONTRACTORS INC	BLDG. BOND REFUND (ESCROW)	1,500.00
189601	UNIVERSAL SIGN SYSTEMS	ENTRYWAY SIGN REPLACE (COMM REL)	28,668.00
189602	USA BLUEBOOK	OPERATING SUPPLIES (W&S)	2,218.06

189603	USA SOFTBALL OF DETROIT, MDASA	ADULT SOFTBALL (PARKS & REC)	2,916.00
189604	VANDENBROOK, CATHERINE A.	LIBRARY PROGRAMMING	212.00
189605	VARIPRO	EMPLOYEE FLEXIBLE SPENDING REIMBURSEMENT	2,383.51
189606	VARSITY LINCOLN, INC	VEHICLE MAINTENANCE (DPW)	1,819.46
189607	VELAZQUEZ, JOSEFA C CASAS	MILEAGE REIMBURSEMENT	26.80
189608	VERITA TELECOMMUNICATIONS CORPORATION	BLDG. BOND REFUND (ESCROW)	1,500.00
189609	VERIZON WIRELESS	TELEPHONE	478.46
189610	VORTEX USA INC.	CITY SPLASH PAD (CIP)	4,300.00
189611	VOSS LIGHTING	BUILDING MAINTENANCE	165.26
189612	WEINGARTZ SUPPLY CO INC	VEHICLE MAINTENANCE	900.01
189613	WHISPERING PINES MOBILE ZOO	LIBRARY PROGRAMMING	800.00
189614	WICKMAN, JAMES	PROFESSIONAL SERVICES	176.40
189615	WILLIAMS, WENDY	OLDER ADULTS FITNESS	883.20
189616	WITMER PUBLIC SAFETY GROUP INC	VEHICLE MAINTENANCE	199.44
189617	WORLDVIEW TECHNOLOGIES GROUP	FIBER, CAM, BLDG SECURITY BOSCO (IT)	22,300.00
189618	KERWAN, MARGARET	ART EXHIBITS	175.00
189619	MIDWEST TAPE, LLC	AUDIO VISUAL MATERIALS	224.92

GRAND TOTAL

\$ 1,702,272.14

GENERAL FUND	101	720,022.39
MAJOR STREET FUND	202	457,616.46
LOCAL STREET FUND	203	12,689.97
MUNICIPAL STREET FUND	204	18,832.69
PARKS, REC & CULTURAL SVCS FUND	208	130,227.23
DRAIN FUND	211	32,623.82
FORFEITURE FUND	262	2,529.13
LIBRARY FUND	271	48,568.43
LIBRARY CONTRIBUTION FUND	272	2,395.26
COMMUNITY DVLPMNT BLOCK GRANT FUND	274	4,853.00
CAPITAL IMPROVMENT PRGRM (CIP) FUND	401	13,474.23
PEG CABLE - CAPITAL FUND	463	49,960.90
SENIOR HOUSING FUND	574	4,040.00
WATER AND SEWER FUND	592	112,910.31
SELF INSURANCE - HEALTH CARE FUND	677	15,280.00
AGENCY FUND	701	72,807.00
MI HIDTA	725	3,441.32

GRAND TOTAL

\$ 1,702,272.14