



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

June 26, 2013 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

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

ROLL CALL

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

Absent: Member Greco, Member Zuchlewski

Also Present: Barbara McBeth, Deputy Director of Community Development; Gary Dovre, City Attorney; Kristen Kapelanski, Planner; Adam Wayne, Engineer; David Beschke, Landscape Architect.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Lynch:

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

Motion to approve the June 26, 2013 Planning Commission Agenda. Motion carried 5-0.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

CORRESPONDENCE

There was no Correspondence.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth said two of the commissioners are celebrating their last evening with the Planning Commission tonight. There is a map in the back room that everyone can sign on behalf of those two commission members. Also a reminder that starting in July the Planning Commission will be shifting to electronic packets.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

PUBLIC HEARINGS

1. **STARBUCKS, JSP13-38**

Public hearing at the request of Northern Equities for Preliminary Site Plan utilizing the Retail Service Overlay option, Special Land Use Permit and Stormwater Management Plan approval. The subject property is 0.74 acres in Section 12 of the City of Novi and located on the northwest corner of Twelve Mile Road and Cabot Drive in the OST, Planned Office Service Technology District. The applicant is proposing a 2,032 square foot Starbucks restaurant with an accessory drive-through.

Planner Kristen Kapelanski said the applicant is proposing to construct a Starbucks restaurant with an accessory drive-through lane at the northwest corner of Cabot Drive and Twelve Mile Road. The site is

bordered by professional offices to the north and east, a utility corridor to the west and vacant land and ITC property to the south. The subject property is zoned OST, Planned Office Service Technology and is bordered by OST zoning in all directions. The Future Land Use map indicates Office R &D and Technology uses for the subject property and surrounding properties. There are no wetlands or woodlands on the property.

Planner Kapelanski continued noting the applicant is proposing a 2,032 square foot restaurant with indoor space for customers, outdoor seating and an accessory drive-through lane. In this case, the applicant is proposing a project using the Retail Service Overlay provisions. The Retail Service Overlay is available for a limited number of properties in this area as well as those properties identified on the Future Land Use map in other areas of the City. Any developments using this option are subject to the standards of Section 2516.2(c) of the Zoning Ordinance regulating Special Land Uses and the Planning Commission is asked to approve the required Special Land Use permit this evening.

Additionally, for those properties using the Retail Service Overlay that are north of Twelve Mile Road and east of M-5, the Planning Commission must make several findings as outlined in the recommended motion in order to ensure that the proposed plan will not adversely affect adjacent properties and that it is in keeping with the intent of the Retail Service Overlay and the OST District. Staff is satisfied that the applicant has demonstrated compliance with the required findings and Special Land Use provisions. The planning review recommends approval noting several required variances as follows: a variance for the deficient building setback in the northern yard, a variance for the deficient parking setbacks in the western and northern yards, a variance for the lack of a drive-through bypass lane and a variance for the deficient dumpster setback.

Planner Kapelanski said the engineering review also recommends approval of the plan noting the executed license agreement for the proposed driveway in the ITC corridor must be submitted. The landscape review recommends approval provided waivers are granted for the lack of interior parking lot landscaping and the lack of building foundation landscaping. The traffic review recommends approval of the plan but does note some concerns regarding the traffic analysis for the site. Typically, a full Traffic Study would be required for this development. The applicant has provided some analysis but it does not amount to a full study and a waiver of that requirement has been requested. The City's traffic consultant is here to address any questions related to the traffic impacts or site circulation of the proposed plan. Additionally, approval from the Engineering Division would be required to allow the proposed curb-return encroachment. The façade and fire reviews both recommend approval with no significant concerns. The Planning Commission is asked to hold the public hearing and approve or deny the Special Land Use permit, Preliminary Site Plan and Stormwater Management plan.

Mathew Sosin said they are really excited to be here and have been working on this for five years. He has hundreds of letters from his tenants asking for this. This is something that's just a natural use in the park. The tenants have been asking about a Starbucks for years and so we're really happy and proud that we can bring them to the site. I'm available for questions if you have some. Thank you.

Chair Pehrson opened the public hearing. No one from the audience wished to speak. Member Gutman read the correspondence. Brenda Givans on Twelve Mile Road approves of this project. There was no additional correspondence and Chair Pehrson closed the public hearing.

Member Lynch said he read through this and agrees that it's a nice fit for the park. The variances don't seem insurmountable. Member Lynch asked the City's traffic consultant to comment on the traffic impacts.

Rod Arroyo, the City's traffic consultant said, as it has been indicated there was a traffic impact assessment that was provided. We believe that it is adequate for the purposes of evaluating this

property. A full traffic impact study wouldn't have provided any additional information that would have been helpful in the evaluation. There are a couple items indicated in the review letter related to stacking and queuing. Probably the most significant is the inbound left turn because traffic is coming off of Twelve Mile and will need to make a quick left turn into the site. There's room, depending upon how traffic lines up and where the turn is made. Other factors include the kind of vehicle and how much spacing is left between vehicles. Most of the time that should be adequate. There probably will be some times when there will be spill over into the lane, but it shouldn't be very frequent. The good news is, during the morning peak hours, the volumes on southbound Cabot are fairly low. In the evening, they are high and that happens to correspond generally with Starbucks low-traffic time. There is an alternative way into the site through the west through a shared driveway. If Starbucks notices that there's an issue or if customers notice there's an issue with turning in, there can be some communication with customers that there's an alternative way to get in that involves all right turns coming off of Twelve Mile.

Moved by Member Gutman and seconded by Member Lynch:

ROLL CALL VOTE ON THE SPECIAL LAND USE PERMIT APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of Starbucks, JSP13-38, motion to approve the Special Land Use permit based on the following findings:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares as indicated by the submitted traffic analyses;
- b. Subject to satisfying the requirements in the Engineering Review the proposed use will not cause any detrimental impact on the capabilities of public services and facilities because the plan adequately addresses and provides for water and sanitary sewer service and management of the increased stormwater volumes;
- c. The proposed use is compatible with the natural features and characteristics of the land because the plan does not impact any natural features;
- d. The proposed use is compatible with adjacent uses of the land as indicated in the staff and consultant review letters;
- e. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
- f. The proposed use will promote the use of the land in a socially and economically desirable manner; and
- g. The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

This motion is made because the plan is otherwise in compliance with Article 23A, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Gutman and seconded by Member Lynch:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN WITH RETAIL SERVICE OVERLAY OPTION APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of Starbucks, JSP13-38, motion to approve the Preliminary Site Plan with Retail Service Overlay Option based on and subject to the following:

- a. Planning Commission finding, which is hereby made, that the proposed plan is consistent with the following standards as noted in Section 2302A.2.b:
 1. The plan is in keeping with the stated intent of the Retail Service Overlay to provide a

- limited amount of retail and personal service establishments to serve the employees and visitors to nearby office use areas;
2. The plan is in keeping with the stated intent of the OST, Planned Office Service Technology District to encourage and allow development of high tech, multi-use office/laboratory/production uses; and
 3. The proposed plan will not have an adverse impact on the site and on the adjacent lands and uses with respect to landscaping, screening, off-street parking, vehicular and pedestrian circulation and the compatibility of its physical design with respect to adjacent buildings;
- b. Zoning Board of Appeals variance for the deficient building setback in the northern yard (50 feet required, 45 feet provided);
 - c. Zoning Board of Appeals variance for the deficient parking setback in the western yard (20 feet required, 15 feet provided);
 - d. Zoning Board of Appeals variance for the deficient parking setback in the northern yard (20 feet required, 15 feet provided);
 - e. Zoning Board of Appeals variance for the lack of a drive-through bypass lane;
 - f. Zoning Board of Appeals variance for the deficient accessory structure dumpster setback (20 feet required, 15 feet provided);
 - g. Applicant providing the executed License Agreement with ITC for the proposed driveway in the ITC-owned property;
 - h. Planning Commission waiver of traffic study requirements outlined in the Site Plan and Development Manual which is hereby granted and acceptance of the traffic analyses submitted for review and approval;
 - i. Declaration from City Traffic Engineer to permit a curb-return encroachment on the adjacent property;
 - j. Planning Commission waiver for the deficient foundation landscaping which is hereby granted (1,006 square feet required, 744 square feet provided);
 - k. Planning Commission waiver for the deficient foundation landscaping which is hereby granted (1,792 square feet required, 1,252 square feet provided);
 - l. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed at Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 23A, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Gutman and seconded by Member Lynch:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of Starbucks, JSP13-38, motion to approve the Stormwater Management Plan, based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

MATTERS FOR CONSIDERATION

1. LA-Z-BOY FURNITURE FAÇADE, JC13-72

Consideration at the request of The Delventhal Company for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 14 at 27754 Novi Road, on the west side of the Twelve Oaks Mall ring road in the RC, Regional Center District. The applicant is proposing to

update the façade of the building including painting the existing facades, the addition of a raised pediment and other minor enhancements.

Planner Kapelanski said the applicant is proposing to modify the existing façade of a property located east of Novi Road off of the Twelve Oaks Mall entrance drive. The property is zoned RC, Regional Center. The proposed façade modifications require a Section 9 façade waiver to permit the overage of EIFS. The proposed modifications include the addition of a raised pediment on the west façade and the update of existing accent lighting and enhancements to the main entrance. Staff and consultants support the proposed modifications and the requested waiver.

Dave Baratta, vice president of real estate from La-Z-Boy, said La-Z-Boy is very pleased to come back to the City of Novi. The company is based in Michigan with corporate headquarters in Monroe. La-Z-Boy is coming back with a new concept. La-Z-Boy has approximately 300 stores, about 200 of them are licensees and about 100 are corporate. Our licensee closed in the City of Detroit a number of years ago and the corporate division that leases and operates stores is going to come back and operate four stores in the Metro Detroit Area, including Novi. Mr. Baratta said, what we'd like to do is take the old store and update it, put about a million dollars into it and convert it into our new concept. This is really going to be something that's a show piece for La-Z-Boy Corporation. Mr. Baratta said he appreciates all your time today considering our project and we look forward to our very successful store in Novi, Michigan.

Moved by Member Lynch and seconded by Member Gutman:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:

In the matter of La-Z-Boy Façade Update, JC13-72, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Section 9 waiver to allow an overage of EIFS which is hereby granted; and
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on Stamping Set.

This motion is made because the plan is otherwise in compliance with Article 17, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

2. APPROVAL OF THE MAY 29, 2013 PLANNING COMMISSION MINUTES

Moved by Member Gutman and seconded by Member Lynch:

VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

Motion to approve the May 29, 2013 Planning Commission minutes. *Motion Carried 5-0.*

3. APPROVAL OF THE JUNE 12, 2013 PLANNING COMMISSION MINUTES

Moved by Member Lynch and seconded by Member Gutman:

VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:

Motion to approve the June 12, 2013 Planning Commission minutes. *Motion Carried 5-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda Removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

Chair Pehrson said we're going to say goodbye to very dear friends that have been a part of the Planning Commission for a number of years. Leland and Andy are going into greener pastures and we're going to miss them very much and I wanted to take the time to say thank you to both of you from the Planning Commission itself and from me personally. You want to surround yourself with people that certainly know more than you do and I've got that on both sides of me right now. I'm lucky to have been part of the Planning Commission team that you guys joined. Volunteering isn't an easy thing because you have time commitments with family and businesses and other things and it's not taken lightly that we understand your commitment that this Planning Commission and indeed the City have benefited from your time.

Outside of being great people, you're both great individuals and team members and it should be noted for any of the applicants that have come in front of us there has never been a better group of people that I've had a chance to work with. It's never been one of any ego or anything else other than to find a way that we can do something good for the City and I really applaud your effort. To say you're going to be missed would be an understatement. We wish you well with all our heartfelt thanks. We appreciate what you've done and the time you've committed. Thank you.

Also tomorrow is Mark Spencer's last day. As far as the staff side, you'll never meet another person with more dedication and as detail-oriented as Mark Spencer is. For what he's done in the City as a part-time and full-time employee, he has been a great asset to all of us. We are just representatives of all the work that the Planning staff does. We really appreciate all the work that Mark has done for us especially in the motorized plan that he's put forward with the sidewalks, that never would have got off the ground had it not been for him. So we really appreciate the effort that he's put forward and we wish him the best of luck as he moves on to his greener pastures as well. We thank Mark for his work.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Gutman and seconded by Member Prince:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER PRINCE:

Motion to adjourn the June 26, 2013 Planning Commission meeting. Motion carried 5-0.

The meeting was adjourned at 7:26 PM.

Transcribed by Valentina Nuculaj

July, 2013

Date Approved: August 13, 2013

Signature on File

Richelle Leskun, Planning Assistant